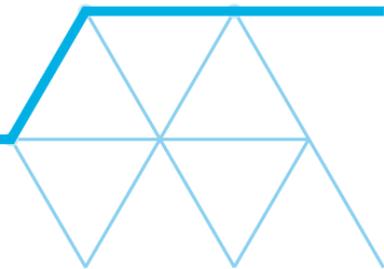




Ministry
of Justice

Gender Pay Gap Report 2020

December 2020



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1. Executive Summary

This year the overall result of the gender pay gap in the Ministry of Justice (MOJ) and the gender split is broadly similar to previous years. The mean gender pay gap (the difference between men's and women's average hourly pay) for 2019/20 is stable in comparison with 2018/19 at 5.8% and the median gender pay gap is slightly lower at 15.6% compared to 15.9% in 2018/19. The majority of staff in Her Majesty's Courts and Tribunals Service (HMCTS) were female and the majority of staff in Her Majesty's Prisons and Probation Service (HMPPS) were male.

The MoJ mean pay gap compares favourably with the Civil Service average. The median pay gap, however, is higher which results from greater variation in the pay for women than men. The opposite is true with regards to bonus payments. Females are present in greater numbers in business areas where smaller recognition and reward payments are awarded throughout the year so that they are more likely than males to receive an award. Males are more numerous in HMPPS where fewer awards are made but the awards tend to be of higher value.

MOJ continues to be committed to reducing the gender pay gap and is taking action through a number of initiatives and interventions that form part of its current diversity and inclusion strategy and the developing new strategy launching in 2021.

2. Background

In 2017, the government introduced a requirement for organisations with 250 or more employees to report annually on their gender pay gap. Under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 government departments must publish information by 30 March annually on their mean and median gender pay gaps; mean and median gender bonus gaps; the proportion of male and female staff who received bonuses; and the proportions of male and female employees in each pay quartile. MoJ does this through this report.

Both mean and median pay gaps are calculated as the percentage difference in female pay compared to male pay. The mean is the total salary of males / females divided by the number of males / females. The median is the salary of the middle-ranked female compared to the middle-ranked male across all grades.

The gender pay gap shows the difference in the average pay between all male and female staff in a workforce. If a workforce has a particularly high gender pay gap, this can indicate

that there may be a number of issues and the individual calculations may help to identify what those issues are.

The gender pay gap is different to equal pay. Equal pay deals with the pay differences between men and women who perform the same jobs, similar jobs or work of equal value. It is unlawful to pay people unequally because they are a man or a woman, whereas having a gender pay gap is not unlawful.

3. Analysis

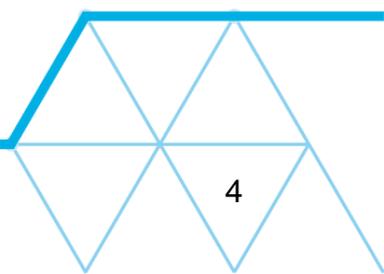
3.1 Context

The MoJ has several executive agencies, whose staff have been included in these figures as required by the legislation. These include Her Majesty’s Prison and Probation Service (HMPPS), Her Majesty’s Courts and Tribunal Service (HMCTS), the Legal Aid Agency (LAA), the Office of the Public Guardian (OPG) and the Criminal Injuries Compensation Authority (CICA).

Business Area	Female	Male	Total	Female %
MOJ HQ	2,550	1,950	4,500	57%
HMCTS	11,160	4,580	15,740	71%
HMPPS	25,750	26,900	52,650	49%
LAA	700	490	1,190	59%
CICA	170	140	310	55%
OPG	850	690	1,540	55%
Total	41,170	34,760	75,930	54%

At 31 March 2020, 54% of all staff at the MoJ were female. The Department had 75,930 staff in total (including SCS) as at March 2020. Of these staff (ie overall headcount) 69% were employed in HMPPS.

The gender pay gap analysis provided here is based on the methodology set out in the Equality Act (Specific Duties and Public Authorities) Regulations 2017. Totals may not sum as expected due to rounding.



3.2 Ordinary Pay

Year	Mean Pay Gap	Median Pay Gap
2016/17	6.8%	15.3%
2017/18	6.5%	15.3%
2018/19	5.8%	15.9%
2019/20	5.8%	15.6%

The mean gender pay gap (the difference between men's and women's average hourly pay) for 2019/20 is 5.8% and the median gender pay gap is 15.6%.

The Civil Service average cited by the Office of National Statistics in the Annual Civil Service Statistics, published in August 2020, was a 9.2% mean pay gap and a median pay gap of 10.3%. More recent figures are not available. The MoJ mean pay gap compares favourably with the Civil Service average. The median pay gap, however, is higher.

3.3 Comparison with previous years' gender pay gap data

Mean Gender Pay Gap

The mean gender pay gap for 2019/20 has remained stable compared to 2018/19 at 5.8%. This is a positive result and is below the Civil Service average.

Median Gender Pay Gap

The median gender pay gap has decreased slightly from 15.9% to 15.6%. For all reporting years, the hourly rate of pay for men has been more concentrated around the mean than for women. This is because the largest group of staff in the MOJ (including HMPPS) are in prison officer grades, and the prison officer group is comprised mostly of men.

These figures do not take into account other factors which can influence pay, such as grade, location or length of service.

3.4 Bonus Pay

Bonus Pay

Year	Mean Bonus Gap	Median Bonus Gap
2019/20	10.7%	0.0%
2018/19	15.9%	-6.7%
2017/18	8.0%	-13.3%
2016/17	18.3%	16.7%

During the performance year 2018/19 MOJ (excluding HMPPS) moved to an in-year recognition scheme for delegated grades (i.e. below SCS). This replaced end-of-year performance awards.

HMPPS continued to have both in-year and end-of-year awards. The end-of-year performance awards do not apply to Prison Officers and operational support grades in HM Prison Service, although they can receive other awards. SCS across MOJ still had end-of-year performance awards, and both in-year and end-of-year awards are included for SCS staff.

For 2019/20 the mean gender bonus gap is 10.7% and the median gender bonus gap is 0.0%. Overall, 38.1% of women and 28.1% of men received a bonus. This compares to a mean bonus gap of 15.9% and a median bonus gap of -6.7% in 2018/19. Prior to the 2018/19 rollout of the current (MOJ excluding HMPPS) performance scheme which focuses on in year bonuses, end-of-year performance awards were awarded across the whole department. This may account for the variation in the median bonus pay gap for earlier years).

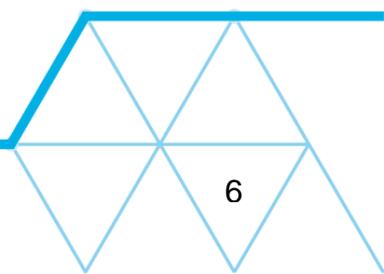
The average bonus award value for men was higher than for women. The median award for both male and female staff this year was £200. The mean for males was £429 and for females it was £383. The median has increased for both males and females by a similar amount

3.5 Hourly Pay Quartiles

Percentage of males and females in each pay quartile comparison by year

Year	2016/17		2017/18		2018/19		2019/20	
	Female	Male	Female	Male	Female	Male	Female	Male
Upper Quartile	51%	49%	51%	49%	51%	49%	52%	48%
Third Quartile	38%	62%	40%	60%	42%	58%	43%	57%
Second Quartile	59%	41%	59%	41%	57%	43%	56%	44%
Lower Quartile	65%	35%	62%	38%	63%	37%	66%	34%

The hourly pay quartiles data show the proportion of men and women that are in each pay quartile when we arrange staff in order of hourly pay rate. There are some slight differences in the figures in each pay quartile between this year and 18/19; however, a similar gender split can be seen overall. The lower and second quartile continue to have higher proportions of female staff than male staff. The proportion of women in the third quartile increased slightly again this year compared to 2018/19 although this quartile continues to be comprised of the largely male prison officer group. The proportion of females in the upper quartile has increased slightly, with a slightly higher percentage of females in this quartile than males.



4. Actions

Since publication of the 2017 gender pay gap report, the MOJ has focused on improving the way we recruit and develop women in the workplace. We have also acted to effectively engage with all staff, so we co-create an increasingly gender inclusive organisation.

We continue to monitor the diversity of participants on talent development programmes including the Future Leaders Scheme (a cross-government development programme for high-potential individuals in the grades immediately below the Senior Civil Service) to ensure there is strong female representation. Our recruitment processes have become more inclusive as we have moved away from purely competency-based assessments, with the continued expectation that interview panels are gender diverse.

We have well-established staff networks that are supported by Senior Civil Servant champions. Staff can join the MoJ Gender Equality network and other forums including the Parents network and Job-Share network. In 2020, the Gender Equality network have led cross-departmental work to build a more inclusive organisation so women can thrive in the workplace. The network established a series of open circles where members discuss gender related issues in a safe space, . In parallel, the MoJ also launched sexual harassment guidance offering support and advice to employees and managers.

The MOJ's current diversity and inclusion strategy ends this year. As we develop and launch our new strategy, we will take a person-centred approach to engage women across the organisation. We will shift to a more outcomes-focused and measurable approach where senior leaders and all staff take accountability for progress.

The department is committed to using data effectively to monitor the progression and retention of women. We continue to monitor the use of recognition and reward for women and to review the gender pay gap in specific business areas and to work with those areas to develop targeted work as needed.

We will monitor and measure the outcomes of the outlined actions by gathering and tracking relevant MI, monitoring recruitment and promotion and through our People Survey engagement results.

5. Calculations

Our calculations followed the legislative requirements¹, and we confirm that data reported is accurate. All staff who were deemed to be full pay relevant employees have been included in the calculations. It has not been possible, however, to include all contractors, as the vast

¹ <https://www.gov.uk/guidance/gender-pay-gap-reporting-make-your-calculations>

majority are not in scope of the regulations, or there is insufficient data to calculate the hourly rates. Work is currently being undertaken to improve processes to ensure the department has sufficient data to identify whether contractors are in scope for future reports.

Data has been included on recognition vouchers in addition to cash awards.

Calculations show only the difference in pay of males and females within the organisation. They do not take into account other factors such as grade, location or length of service.

6. Declaration

We confirm that data reported by the Ministry of Justice is accurate and has been calculated according to the requirements and methodology set out in the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

MoJ Interim Permanent Secretary: Mike Driver