



Ministry of
JUSTICE

National Offender
Management Service

Equalities Annual Report

2011/12

25 October 2012

Foreword



I am pleased to introduce this report.

By making available to the public the monitoring data that we collect on outcomes for staff and offenders, and by describing the work that we are doing in pursuit of our equality objectives, the report demonstrates that NOMS is complying with the public sector equality duty in the Equality Act 2010.

Legal compliance matters, but equality is critical to us for other reasons, too.

We are committed to fairness for all because it is our moral duty, and the only way of acting in accordance with our other stated values, which include being open, honest and transparent, and treating offenders with decency and respect. We believe that fairness makes business sense, because unless we treat people fairly and with legitimacy we will not achieve our goals of protecting the public and reducing reoffending.

We face particular challenges in ensuring equality in prisons and probation. These are clear from the data published in this report. The offender population includes a greater proportion of people from a number of minority and historically disadvantaged groups than found nationally. Our staff group however, particularly in prisons, has traditionally been much less diverse. This report shows that there are persistent differences in outcomes between different groups in a number of key areas. We need to work hard to understand the reasons for this. In some cases it is the result of a service that is responsive to the different needs of different groups. In other cases, however, it may reflect unfairness in the application of our processes, particularly those in which there is discretion in how they operate. Where this is the case we need to identify the reasons for it and to put in place actions to address it.

The staff section of the report relates only to those employed directly by NOMS, that is those who work in public sector prisons, and at NOMS HQ. This is because probation trusts are employers in their own right. They are separately accountable under the equalities legislation, and you will find that each trust publishes annual equalities reports and relevant data on its own website.

Some of the staffing data in this report shows that we have made positive progress. For instance, the retention rates for Black and Minority Ethnic staff are better than they have been in previous years, promotion outcomes for minority groups show no adverse impact; and a smaller proportion of staff reported being the victim of discrimination, bullying or harassment. However, differences remain in the proportion of staff in different ethnic groups receiving the best markings in our performance appraisal system, despite a focus on this issue from managers across the service. I am hopeful that changes to the appraisal system being introduced as part of the broader civil service reform agenda will provide us with a means of addressing this issue.

The data in the offenders section of the report provides us with a number of challenges. We are committed to increasing the coverage of this data across the protected characteristics, and in terms of the range of outcomes on which we report, particularly on offenders in the community. Forthcoming improvements to our case management systems will allow us to do this.

I am particularly concerned about the issues of disability, and of race. The NOMS Agency Board takes equalities issues very seriously, and we recently set aside time to discuss our strategic approach to them. We are translating our equalities objectives into a programme of work, focusing amongst other things, on reasonable adjustments for disabled staff, improved communications training for staff who work with prisoners, and tools that will allow us more consistently to identify offenders with learning disabilities and to make reasonable adjustments to meet their needs. These are all examples of areas where I am confident that fairer treatment will bring benefits in terms of organisational effectiveness and outcomes for offenders.

I am proud of the work that NOMS has already done to promote equality, and this report includes information on recent progress at a national level, in the form of an initial update on the equality objectives that we published in the NOMS Business Plan 2012-13. Substantial improvements in performance on equalities will come only through committed leadership at all levels of the organisation. We all need to maintain an explicit focus on treating staff and prisoners fairly and decently, to set a personal example, and to challenge staff and prisoners who do not behave in accordance with our values.

A handwritten signature in purple ink that reads "Michael Spurr". The signature is written in a cursive, slightly slanted style.

Michael Spurr
Chief Executive

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Introduction

NOMS Equality Policy Statement

“NOMS is committed to fairness for all. We treat our staff properly and ensure equality of opportunity. We deliver our services fairly and respond to individual needs. We insist on respectful and decent behaviour from staff, offenders and others with whom we work. We recognise that discrimination, harassment and bullying can nevertheless occur and we take prompt and appropriate action whenever we discover them.”

This report contains data on our performance during 2011/12, allowing an assessment of the extent to which we have complied with this statement, and the legislation that underpins it. It includes the following sections;

Working towards our equalities objectives

A brief summary of some of the work that we are undertaking to further our equalities objectives.

Staff – NOMS Headquarters (HQ) and public sector prisons

Analysis of and commentary on the monitoring data included in the annexes. Please note that this report refers to staff within NOMS HQ and Her Majesty's Prison Service (HMPS) only. Probation Service staff are not included because they are not directly employed by NOMS.

Offenders

Analysis of and commentary on the monitoring data included in the annexes.

Background to this report

The public sector equality duty (section 149 of the Equality Act 2010) came into force on 5 April 2011. It requires NOMS to have 'due regard' to the need to:

- Eliminate discrimination, harassment, victimisation and other prohibited conduct;
- Advance equality of opportunity between different groups (those who share a protected characteristic and those who do not); and
- Foster good relations between persons who share a protected characteristic and those who do not.

Paying 'due regard' needs to be considered with reference to the eight 'protected characteristics' set out in section 149– namely race, sex, disability, sexual orientation, religion and belief, age, gender reassignment, pregnancy and maternity and in relation to the need to eliminate discrimination, also in relation to marriage and civil partnership.

The equality duty is supported by specific duties, set out in regulations which came into force on 10 September 2011. The specific duties require public bodies to publish relevant, proportionate information demonstrating their compliance with the equality duty; and to set themselves one or more specific, measurable equality objectives.

The publication of this report, providing analysis of and commentary on the monitoring data that we collect, is our method of compliance with the first of the specific duties in the regulations. We published draft equality objectives in last year's Annual Equalities Report, and refined them on the basis of the feedback we received, publishing the final version of the objectives in the NOMS Business Plan 2012/13 (available at www.justice.gov.uk/downloads/publications/corporate-reports/noms/2012/noms-business-plan-2012-2013.pdf). This report also describes some of the work that we are undertaking to further those objectives.

Guidance and Technical Notes

About the Data

Data in this report were drawn from both administrative IT systems and manual data collection returns. Although care is taken when processing and analysing the data, the level of detail collected is subject to the inaccuracies inherent in any large scale reporting system.

There were several areas where data were unavailable for some protected characteristics. Across both staff and offender sections the data available for sexual orientation and religion and belief were limited. Disability data for offenders were also limited. Efforts are being made to improve the coverage of these data.

It is important to note that the data presented highlight areas where there were differences in the results between groups and where practitioners and others may wish to undertake more in-depth analysis to understand further the reasons for such differences. This should not be equated with discrimination as there are many reasons why apparent disparities may exist.

Data Sources

All data on NOMS staff are drawn from administrative systems, except for engagement scores and reports of discrimination, bullying and harassment which are taken from the annual staff survey. Data quality for these sources is assessed to be good.

Data on offenders have been drawn from a range of different sources, some of which have changed since the previous report. Data on adjudications, home detention curfew (HDC) and incentives and earned privileges (IEP) are now drawn from our main data system, NOMIS. Previously they were collected at establishment level through the Systematic Monitoring and Analysis of Race Equality Tool (SMART). This has improved the quality of the data and allows for breakdowns by age (and religion or belief for IEP), not available through SMART.

Data on the prison population, self-harm, deaths in custody and accredited programmes for probation are also drawn from administrative systems. Data quality is generally assessed to be good, although it is not possible to count self-harm incidents with absolute accuracy as some may remain undetected.

Data on settled accommodation and employment at the end of probation supervision and for those released from prison sentences of less than 12 months is drawn from a mixture of administrative systems and manual prison returns. For those released from prison sentences, accommodation and employment information is updated by the establishment before release, based on information known at that time, which may not reflect the actual outcome.

Data on order or licence completions and accredited programmes in custody are drawn from manual returns from probation trusts and prison establishments. Data quality is assessed to be fairly good, although in a small number of cases, less than one per cent, it has not been possible to identify any demographic information on offenders who completed an accredited programme.

Aggregated data on complaints, re-categorisation, release on temporary licence (ROTL), and segregation were collected at establishment level through SMART. This tool was designed to allow analysis by race; however, given the structure of the prison estate it has been possible to extrapolate outcomes by sex. Of these, ROTL and segregation data are most likely to have quality issues because of the possibility of counting the number of instances rather than the number of days. In September 2010, the quality of segregation data was improved by re-issuing guidance to count the number of days, for this reason only segregation data for 2011/12 are included in this report.

Percentages and Rates

Percentages and rates are provided in both the narrative and data annexes to enable comparisons for each of the protected characteristics.

Percentages are used to represent the proportion (e.g. Black and Minority Ethnic staff) within a particular population (e.g. joiners) and to represent the proportion of a specific outcome (e.g. HDC releases out of all calculated to be eligible) for a group (e.g. male prisoners).

Rates are used to represent the number of events (e.g. number of special bonuses awarded) compared to the base population (e.g. average number of staff in the year) for each group (e.g. White staff).

Throughout this report, rates are usually calculated per 100 in the base population, based on the average population over the year. However this does not take into account all the individuals who are within the population at any point in the year, and therefore have the potential to experience an event. This can affect rates, particularly for populations with a relatively high turnover (*number of individuals in period / average population for period*) in custody, if those individuals are more likely to experience an event.

In some cases different data sources are used to provide the number of events and the base population (e.g. re-categorisation rates). This can lead to anomalies when calculating rates if there are a greater proportion of unknowns in one of the datasets.

Use of technical terms and abbreviations

Where terms are abbreviated, the full term is used in the first instance, and thereafter abbreviations are used.

We have tried to avoid technical terms as much as possible but where this acts as a useful means to avoid repetition we have provided an explanation in the glossary found at [Annex A](#) on page 25.

Ethnic Group classification

To enable meaningful time series comparisons this report continues to present data using the 5 + 1 ethnic group (Asian or Asian British, Black or Black British, Chinese or Other ethnic group, Mixed ethnic group, White, Not Stated) classification that has traditionally been presented in the NOMS Equalities Annual report, which is based on the 16 + 1 classification used in the 2001 census. Any data collected based on the new 18 + 1 classification used in the 2011 census, has been converted into the old 5 + 1 categories (i.e. Both the Chinese and the new Arab category are included in the Chinese or Other ethnic group).

Prison Service Orders and Instructions

Relevant Prison Service Orders (PSOs) and Prison Service Instructions (PSIs) are referred to in this report. These can be found on the Justice Website at www.justice.gov.uk/offenders/psos and www.justice.gov.uk/offenders/psis

Period of the report

This report covers the period 1st April 2011 to 31st March 2012. Any references to 2011/12 refer to this period.

Working towards our equalities objectives

We published seven draft equality objectives in last year's Equalities Annual Report. On the basis of the feedback we received, we refined them into six objectives, publishing the final version in the NOMS Business Plan 2012/13 (available at www.justice.gov.uk/downloads/publications/corporate-reports/noms/2012/noms-business-plan-2012-2013.pdf).

This chapter provides a high level description of some of the work that we did during 2011-12 to further our objectives, and some of the plans that we have put in place to take this further during 2012/13. Before turning to the specific objectives, it describes the framework that we have put in place to ensure compliance with the public sector equality duty across all areas of our business.

Equality Policy and Management Mechanisms

During 2011/12, as part of the NOMS HQ restructure, Equalities Group merged with the Women's Team bringing responsibility for overseeing our key work across all equalities issues into the new Women and Equalities Group. The group provides operational support to prisons and probation trusts, as well as taking responsibility for ensuring that our policy and management mechanisms are effective in ensuring compliance with our legal obligations.

Agency Instruction 10/2011 Ensuring Equality sets out the framework for the management of equalities issues in the work of NOMS HQ, including a requirement that an equality impact assessment is completed on every new policy in advance of implementation, and on existing functions and policies when they are revised, in order to ensure compliance with the public sector equality duty.

Prison Service Instructions 32/2011 Ensuring Equality and **33/2011 Equal Treatment for Staff** set out the policy approach and list some key mandatory actions designed to ensure legal compliance in prison establishments. These are supplemented by comprehensive guidance in the annexes to the document, and further specific advice and support is available from Women and Equalities Group. Governors and Directors are asked to apply this framework to local circumstances to deliver the expected outcomes. Compliance is measured by the NOMS Audit and Corporate Assurance group who use an audit tool to check that equalities risks are properly identified and managed in establishments

As public bodies, Probation Trusts are separately subject to the public sector equality duty. In order to re-enforce this, we have put in place contracts with the trusts that require compliance with equalities legislation and an annual report to NOMS, accounting for trust activity and results on equalities. We have provided further guidance to trusts on meeting this obligation, suggesting that they are structured in a similar way to this report. The reports are scrutinised by contract managers and inform discussions at contract management meetings. Trusts are encouraged to publish them on their websites to ensure public accountability for performance. Women and Equalities Group provides additional support for delivery by convening a national Equalities Development Group, with representation from all 35 trusts.

Equality Objectives

Equalities Monitoring Data – Offenders

We are committed to improving the range and quality of monitoring data, and to using it to improve our understanding of how our services impact on different groups and to drive action to make them fairer and better.

During 2011/12 we put in place a number of measures that will enable us to collect and publish a wider range of data in future years:

- In prisons we are working to replace the separate collection of monitoring data on race through the SMART system (which involves additional work in establishments and introduces further possibilities for error) with an automated download from our main data system, NOMIS. This will improve the quality of the data, and allow us to look at outcomes across all the protected characteristics. In preparation for this change, which we hope to make during 2012/13, we have been encouraging establishments to ensure that monitoring data on all protected characteristics is collected from prisoners and entered on NOMIS.
- In probation we continued the programme of work to improve data collection and analysis, and presented the initial results at the Probation Chiefs Association conference.

Both programmes of work will continue, and we are confident that we will be able to report on a broader range of outcomes and protected characteristics in future annual reports.

We continued to use our equalities monitoring data to drive improvements at both local and national levels. For example, prison establishments continued to investigate and address disparities in local SMART monitoring data, using the equality impact assessment process set out in PSI 32/2011. Women and Equalities Group continued to test and refine tools designed to address some of the key disparities. For instance, the structured communication in prison project provides tools designed to help staff to achieve greater consistency of performance and thereby to reduce the incidence of unequal outcomes caused by unconscious bias in the use of discretion. Initial feedback from staff and prisoners has been positive and the project was identified as good practice in a recent inspection report on one of the pilot sites. An external evaluation by the London School of Economics and Political Science will report shortly, and we are investigating options for wider roll out.

Equalities Monitoring Data – Staff

We are committed to continuing to improve the range and quality of monitoring data, and to using it to improve our understanding of how our employment practices impact on different groups and to drive action to make them fairer and better.

During 2011/12 we continued to encourage staff to provide their monitoring data through the self-service option on our HR database and have achieved some improvement in the coverage of the data. We used our equalities monitoring data to ensure the fairness of our processes, for example to inform impact assessments of key changes, such as the major restructure of NOMS HQ that took place during the year. We used a national learning day, attended by senior managers from across NOMS, focusing on the theme of fairness and dignity at work, to raise the profile of staff equalities issues, to explain the business benefits in terms of improved staff performance and reduced litigation costs, and to encourage prisons and HQ groups to use monitoring data to drive action to address issues of unfairness locally.

We responded to the differences in markings on SPDRs between White and BME staff, and between disabled staff and their non-disabled colleagues, in previous annual reports by issuing a package of guidance and checklists for staff, line managers and managers' managers, designed to ensure consistency throughout the process. We also issued guidance on how to introduce and operate a moderation panel as a quality assurance mechanism across the establishment or headquarters group. Disappointingly, the 2011/12 results do not show any reduction in the differences between groups, and we will be investigating further the reasons for this and considering alternative interventions. For the first time this year's report provides data on results for the various sub-groups within the BME group and we will be able to use this improved data better to focus our efforts.

Disability – Offenders

We are committed to ensuring that comprehensive screening is in place so that all offenders with learning disabilities and difficulties (LDD) are identified, and that reasonable adjustments are made for all offenders with LDD.

During 2011/12 we built on the work previously undertaken by Offender Health on learning disability screening for offenders and on awareness training for prison staff. For example, we worked with

MENCAP to deliver a series of learning disability awareness workshops for prison staff. These were well-attended events that received good feedback and we will be feeding the learning from them into the development of LDD awareness materials for more general roll out.

Towards the end of the year we established a LDD Working Group that brings together key players across health, education and voluntary sectors, as well as the various interested parties within NOMS, to ensure joined up working on LDD issues going forward. This will become our main forum for overseeing the work needed to deliver on this objective, as tackling the issue of information sharing between the various agencies is central to improving provision for offenders with LDD.

Disability – Staff

We are committed to improving declaration rates for disability among staff, and to ensuring that reasonable adjustments are made to meet the needs of staff who would otherwise be substantially disadvantaged by their disability. We have now formed a working group with colleagues in the Ministry of Justice to work together on devising ways of achieving improvements.

Our staff network, Disability, worked with us to identify key areas in which reasonable adjustments were not being made, or were proving inadequate. For example, some staff have found the reasonably adjusted fitness test to be unsuitable for their needs, and the network is now part of a working group that has been set up to review this policy and address the issue of reasonable adjustments in doing so. We are also working with the network to ensure that the assistive technology that we provide meets the needs of all staff.

Commissioning and Contracted Services

We are committed to using the commissioning and contract management processes to ensure that all providers are aware of and comply with the public sector equality duty and to engage them in our programme of work to make our services fairer and better.

During 2011/12 we provided guidance to probation trusts on how to present the annual equalities reports required in their contracts in a way that allows us to be assured that the public sector equality duty is being met. These reports were scrutinised by contract managers and used as the basis for discussions at contract management meetings.

We conducted equality impact assessments on key commissioning activities, such as the community payback and prisons competitions. This identified ways in which we could use commissioning to drive improved equalities performance. For instance, we required bidders in the prison competition to set out their plans to meet some of our key equalities challenges, such as ensuring effective provision for offenders with learning disabilities and difficulties and improving outcomes for BME offenders. We began work on further integrating equalities issues into future versions of the 'NOMS Commissioning Intentions' document that drives commissioning activity across our business.

Women Offenders

We are committed to increasing the ability of NOMS staff and partners to meet the specific and complex needs of women offenders, and to improving support for women through the provision of women's community services.

In 2011/12 we continued to develop our gender-specific provision for women. For example, we trained over 1,000 staff and stakeholders in the Women's Awareness Staff Programme, designed to equip them to meet the specific needs of women offenders. We introduced the Choices, Actions, Relationships and Emotions (CARE) programme, an accredited intervention for women in prison with a complex needs and a history of violence, and we worked with the Ministry of Justice and the Department of Health to commission improved services for women with substance misuse problems and women with personality disorders.

We continued to fund community based women's services that aim to provide new options for the courts to support community sentences. There has also been a reduction in the female prison population that can be seen in the data in this report, which allowed us to close Morton Hall as a woman's prison during 2011/12.

Other Key Activities

Older Offenders

The fast-growing number of older offenders presents a number of challenges to us because our services have traditionally been focused on younger people. Following an open competition, we awarded a grant to Resettlement and Care of Older ex-Offenders and Prisoners (RECOOP), a voluntary sector group who have worked successfully with prisons in the South West on the resettlement and care of older prisoners, to improve the capacity of prisons, probation trusts and voluntary sector organisations across England and Wales in working with older offenders. This work will continue in 2012/13.

During 2011/12 NOMS also worked with Offender Health to form a Social Care Policy and Implementation Group that brings together key stakeholders from the Department of Health, the Association of Directors of Adult Social Services and the voluntary sector, with the aim of devising and implementing a plan for the provision of social care in prisons.

Transsexual Prisoners

Following the issue of PSI 07/2011 in March 2011, we have achieved improvements to our services for transsexual prisoners. Women and Equalities Group has worked with establishments to achieve compliance with the policy by providing supplementary guidance, training and direct support with case management.

Staff networks

Three recognised staff networks provide support for staff in NOMS HQ and public sector prisons. These are:

- RESPECT, for Black and Minority Ethnic (BME) staff;
- GALIPS, for Gay, Lesbian, Bisexual and Transgender (LGBT) staff;
- Disability, for staff with disabilities.

In addition to providing support to members, the networks work closely with Women and Equalities Group. This ensures that issues affecting their members are brought to the attention of the organisation and used positively to influence policy and practice and to improve outcomes for staff more generally. The combined membership increased by 7% during the past year, and now stands at over 15,000.

GALIPS achieved recognition as a “star performer network group” from Stonewall in their workplace equality awards, in which NOMS was placed in the top 100 employers in the workplace equality index.

Staff - NOMS HQ & Public Sector Prisons

This Staff section looks at a range of outcomes for staff in NOMS HQ and public sector prisons between April 2011 and March 2012. It focuses on differences identified in relation to a number of protected characteristics primarily ethnicity, sex, age and disability.

NOMS Workforce Profiles

At the end of 2011/12 there were 45,576 staff in post within NOMS; 42,779 were based within prison establishments and 2,797 were in NOMS HQ. During 2011/12 the number of staff within NOMS fell by 3,634. The reduction was a result of early exit schemes run during the year, recruitment controls being in place, the closure of four establishments and the transfer of HMP Birmingham to the private sector.

The number of staff recorded as from a BME background fell by 263 over the year and now represents 6.4 per cent of staff with known ethnicity compared to 6.6 at 31 March 2011. BME staff numbers were particularly affected by the transfer of HMP Birmingham to the private sector. Immediately prior to the transfer 19 per cent of Birmingham staff were from a BME group.

The representation of BME groups continues to vary greatly by region representing 11.8 per cent of the workforce in NOMS HQ, compared with 22.0 per cent in Greater London establishments and only 3.8 per cent in other establishments.

The proportion of women in the workforce increased from 35.6 per cent at 31 March 2011 to 35.8 per cent at 31 March 2012. Operational grades continue to be predominantly male, with only 27.3 per cent women. Amongst non-operational grades 55.7 per cent are women. The largest increase in female representation over 2011/12 was amongst operational managers where representation has increased from 25.7 to 27.3 per cent. The only decrease in female representation was amongst non operational managers where representation fell from 48.2 per cent to 47.3 per cent.

More than a third of the workforce is now aged over 50. Between 2009 and 2012 this proportion has increased from 29.1 to 33.8 per cent.

Over 40 per cent of staff did not record their disability status, a comparable proportion to previous years. Of those staff that disclosed their disability status, 6.2 per cent declared a disability at 31 March 2012, compared with 5.9 per cent at 31 March 2011.

New Joiners

Recruitment of staff on permanent contracts into NOMS fell to just 565 in 2011/12 compared to 1,793 in 2010/11 and was 12.5 per cent the level of 5 years ago. The low overall levels of recruitment meant that significant changes to the make-up of the workforce were not possible through strategies targeted at attracting recruits from minority groups.

Amongst those permanent staff joining NOMS, the proportion of women, staff from BME groups and recruits with declared disabilities was higher than it had been in 2010/11. There were also more recruits in 2011/12 aged over 50 than in 2010/11.

Over the past five years the proportion of recruits recorded as BME has increased from 7.9 per cent to 10.0 per cent. However in 2011/12 about one in four new staff did not record their ethnicity.

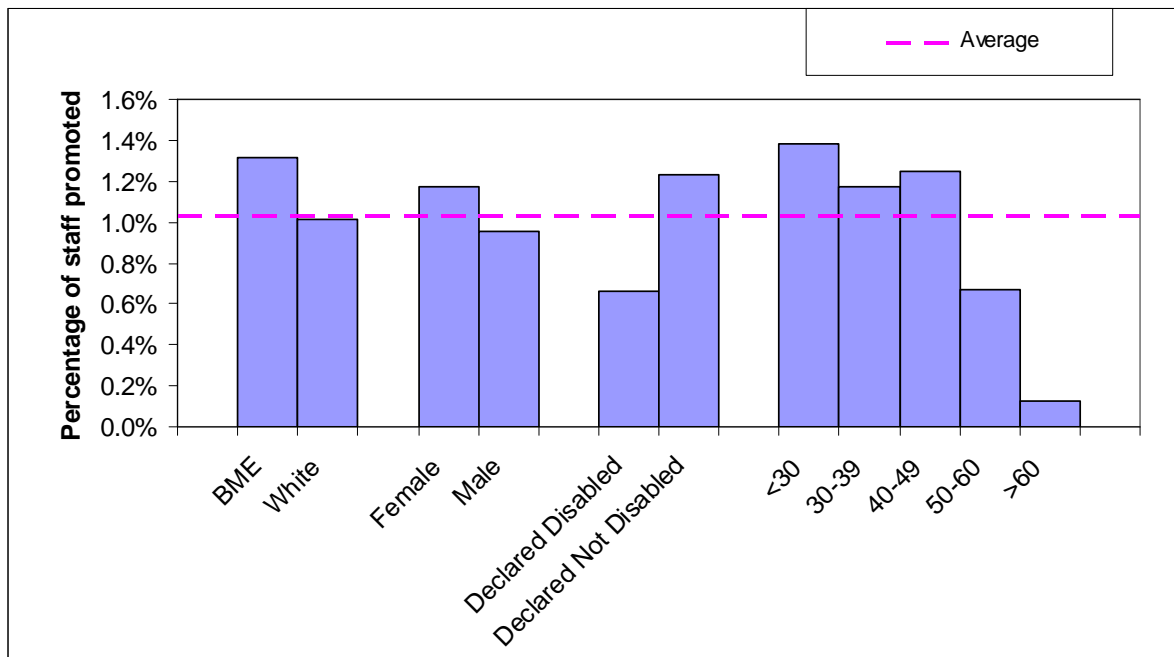
Almost two thirds of new staff did not record their disability status. Of the 197 staff who did record their disability status, 13 declared a disability.

The mean age of recruits in 2011/12 was 34.9 years and 14 percent were 50 or over. The proportion of recruits aged 50 or more was higher than in any of the past five years.

Promotions

Promotions during 2011/12 were at a similar level to the previous two years, although the past three years have all been well below the historical normal level. Excluding operational support staff, who have no avenue of promotion, overall approximately one in a hundred staff were promoted during the year. Figure 1 below shows how the promotion rates vary across the protected characteristics.

Figure 1: Promotions as a percentage of average permanent staff in post in grades with an avenue of promotion, 2011/12



Promotion rates were similar for staff from BME backgrounds compared to the White ethnic group (1.3 against 1.0 per cent) and for women compared to men (1.2 against 1.0 per cent). Promotion rates were highest for operational managers, of whom 9.8 per cent were promoted during 2011/12. For this group, the percentage of staff promoted was higher for women (11.0 per cent) compared to men (9.4 per cent).

There were only nine promotions amongst staff with a declared disability (0.7 per cent). In comparison 1.2 per cent of staff declared as non-disabled were promoted. Promotion rates for declared disabled staff have been lower in four out of the last five years.

Promotion is more prevalent amongst under 50s compared to the over 50s. The rate of promotions in 2011/12 amongst over 50s was 0.6 per cent compared to a rate of 1.4 per cent amongst staff under 30.

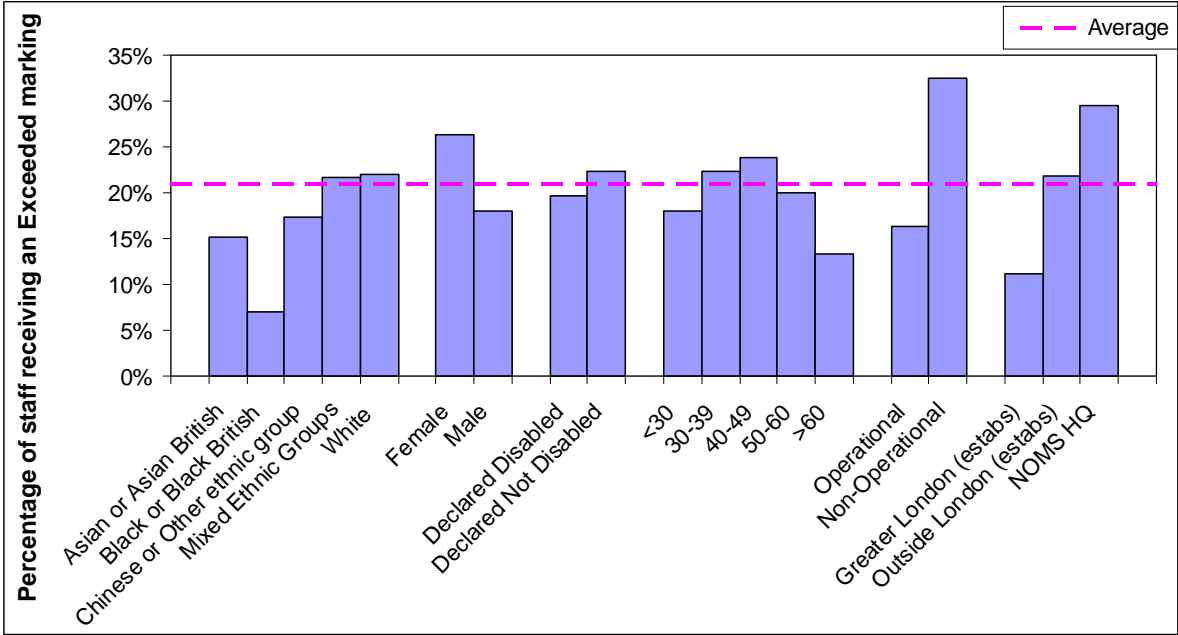
Staff Performance and Development Record (SPDR)

The 'Staff Performance and Development Record' (SPDR) is the staff appraisal system in NOMS. There are four levels of marking awarded to staff – Unacceptable, Almost Achieved, Achieved and Exceeded. The majority of staff (77.3 per cent in 2011/12) received an Achieved marking and only 1.7 per cent received either Unacceptable (0.2 per cent) or Almost Achieved (1.5) markings. This analysis will focus on the proportion of Exceeded markings received across groups of staff – the overall proportion of which is 21.0 per cent. There is wide variation across grade type; operational

managers received the highest proportion of Exceeded markings at 48.8 per cent, officers and operational support staff received the lowest at 14.1 per cent.

The proportion of Exceeded markings awarded varies across protected characteristics as illustrated in Figure 2. The chart also illustrates the differences for operational and non-operational staff and amongst the regions.

Figure 2: Percentage of staff receiving an Exceeded marking in 2011/12 SPDRs



A particularly low proportion of Exceeded markings were awarded to staff in the Black or Black British ethnic group; only 7.0 per cent of awards compared to 22.0 per cent amongst staff in the White ethnic group and 21.6 per cent amongst staff in the Mixed ethnic group. The overall percentage is affected by the high proportion of staff in the Black or Black British ethnic group in Greater London establishments, where a lower proportion of staff across all ethnic groups were awarded an Exceeded marking. However, staff in the Black or Black British ethnic group received fewer Exceeded markings amongst both operational and non-operational staff, manager and below manager grades, and in HQ and establishments. The low level of Exceeded markings amongst the Black ethnic group has been recorded for several years but the difference has become even starker for 2011/12.

A higher proportion of women received an Exceeded marking compared to men (26 per cent against 18 per cent). This difference is observed most strongly in non-operational roles, where 37 per cent of women received Exceeded compared to 27 per cent of men.

The 3,165 SPDR markings recorded for staff over 60 show they received a lower proportion of Exceeded markings (13 per cent) than younger staff. The age group with the highest proportion of Exceeded markings was the 40-49 age group (24 per cent). The pattern of higher markings in the middle ages is found both in the higher and lower grades

Declared disabled staff continue to be awarded a lower percentage of Exceeded markings compared to declared non-disabled staff (20 per cent against 22 per cent in 2011/12).

For operational managers and almost all non-operational staff a non-consolidated payment is made when an Exceeded marking is awarded. However, an Exceeded marking has no affect on pay for officers and operational support staff. A higher proportion of staff in grades where there was an impact on pay received an Exceeded marking compared to the officer and OSG group, however the profiles across the protected characteristics were similar for both.

Special Bonus Scheme

NOMS Special Bonus Scheme¹ enables local management to reward any member of staff for exceptional performance in a particularly demanding task or situation by a one-off lump sum payment. It allows managers to award, subsequent to appropriate line management approval, a special bonus payment of up to £2,000. In exceptional circumstances it allows managers to award, subsequent to Chief Executive Officer approval, a special bonus payment of between £2,001 and £20,000. PSI 30/2010 Recognising Performance Policy provides further detail on the scheme.

The total value of special bonuses awarded in 2011/12 fell by a third compared to 2010/11. Bonuses were more often awarded in NOMS HQ (5.6 per 100 staff) than in establishments (2.7 per 100 staff) and also more common amongst non-operational staff (4.8 per 100) compared to operational staff (2.0 per 100). These factors have an indirect effect on the rate of awards across diversity measures.

Across NOMS, proportionally more special bonuses were awarded to women compared to men (3.4 bonuses per 100 women compared to 2.5 per 100 men); although the average value of an award was higher for men (£519 compared to £477 for women). This pattern was repeated in both NOMS HQ and establishments.

In 2011/12 proportionally more bonuses were awarded to staff from a BME background compared to the White ethnic group (3.3 per 100 compared to 2.9 per 100). The average value of an award was also higher for staff from a BME background (£626 compared to £491 for the White ethnic group).

Proportionately more bonuses were awarded to staff in their 40s and less to either the youngest or oldest age-groups. The value of each award was also lower for under 30s (£343) than the average of £501. However, over 60s who did receive a bonus were awarded £591 on average.

Declared disabled staff received proportionally more special bonuses than those who declared no disability (3.8 per 100 against 3.1 per 100). This result was repeated across both NOMS HQ and establishments and is a wider disparity than was recorded in 2010/11.

Staff Survey 2011

The Civil Service People Survey 2011 was available to about half a million civil servants across almost 100 Civil Service organisations. The survey covers various areas including leadership, managing change and team work. Employee Engagement, which measures an employee's emotional response to the organisation they work for, is a key aspect of the survey.²

The NOMS response rate for the 2011 Staff Engagement Survey was 45 per cent – a slight increase on the response rate for 2010 (44 per cent). Overall, results were similar to the 2010 survey, with some areas showing slightly increased positive results and others showing a slight fall.

The NOMS 2011 Employee Engagement Index (EEI) was 54, a reduction of one point over the last 12 months. This difference was statistically significant. Engagement scores remain higher for staff from a BME background than for the White ethnic group, although scores for staff in the Chinese or Other ethnic group remain lower than average (47). Women continue to have higher scores compared to men as do declared non-disabled staff compared to declared disabled staff. There is also some variation amongst different religious groups with scores highest for Muslim staff (66) and lowest for Buddhist staff (49).

Reports of discrimination and bullying or harassment have reduced since 2010. This year 17 per cent of staff stated that they had been discriminated against (down by three percentage points) and

¹ Special Bonus payments referred to within this report include Special Bonus payments that were recorded on the Oracle HR Database. This does not include vouchers and corporate gifts or end of year bonuses paid through the performance appraisal process.

² For more information about the 2011 People Survey and how the engagement score is calculated see www.civilservice.gov.uk/about/improving/employee-engagement-in-the-civil-service/people-survey-2011

16 per cent stated that they had experienced bullying and harassment over the previous year (down by two percentage points).

Reports of discrimination, and bullying or harassment remain higher for staff from a BME background than the White ethnic group (22 per cent compared to 16 per cent for discrimination and 18 per cent compared to 16 per cent for bullying or harassment). In both cases, figures were higher than average for the Chinese or Other ethnic group (31 per cent for discrimination and 25 per cent for bullying or harassment).

Reports of discrimination, and bullying or harassment were about twice as high for staff who declared disabilities than staff who reported no disabilities (34 per cent compared to 16 per cent for discrimination and 30 per cent compared to 15 per cent for bullying or harassment). Percentages for several religious groups were also higher than the average across NOMS, in particular for Buddhist (33 per cent reported discrimination, 36 per cent reported bullying or harassment), Other Religions (27 per cent and 28 per cent) and Jewish staff (25 per cent and 26 per cent), as were percentages for Bisexual staff (29 per cent and 27 per cent).

Grievances, Investigations and Conduct and Discipline

This area covers the raising of grievances by NOMS staff, investigations carried out into conduct of NOMS staff and internal conduct and discipline cases brought against NOMS staff. A conduct and discipline case refers to where a disciplinary penalty is given to a member of staff. The penalties include actions such as issuing written warnings, downgrading or dismissal. For all three areas, the analysis below refers to the number of individuals rather than the number of events.

Across all of these topics the pattern of actions is similar to last year.

During 2011/12 a higher proportion of staff with a declared disability raised a grievance (5.1 per cent) against 1.8 per cent amongst staff declaring themselves non-disabled and a higher proportion of staff from a BME background raised a grievance compared to those from the White ethnic group (2.9 per cent compared to 2.0 per cent). Women were also more likely to raise a grievance than men (2.3 per cent versus 1.9 per cent).

As well as raising more grievances, proportionally more declared disabled staff and more staff from BME groups were the subject of investigations and conduct and discipline cases compared to their non-disabled and White counterparts. The higher rate of investigations and conduct and discipline cases amongst BME staff persists both within and outside London, and also across both men and women.

While a greater proportion of women raised a grievance (2.3 per cent of women compared to 1.9 per cent of men), men were more commonly subject to investigations (3.8 per cent of men compared to 2.2 per cent of women). The proportion subject to conduct and discipline action is also higher amongst men at 1.6 per cent of staff, compared to 0.7 per cent of women. The gender differences also persist across both BME and White groups and also inside and outside of London.

Sickness Absence

There is very little difference in the sickness absence rates of staff from White (an average of 9.9 working days lost per person) and BME groups (9.6 working days lost per person). The average working days lost for Asian or Asian British and Chinese or Other ethnic groups were, however, lower than the overall average (8.2 and 7.8 working days respectively), and the rate for staff from the Mixed ethnic group was higher at 12.5 days per person.

Differences in sickness absence are found between men and women, disabled and non-disabled staff and across age-groups.

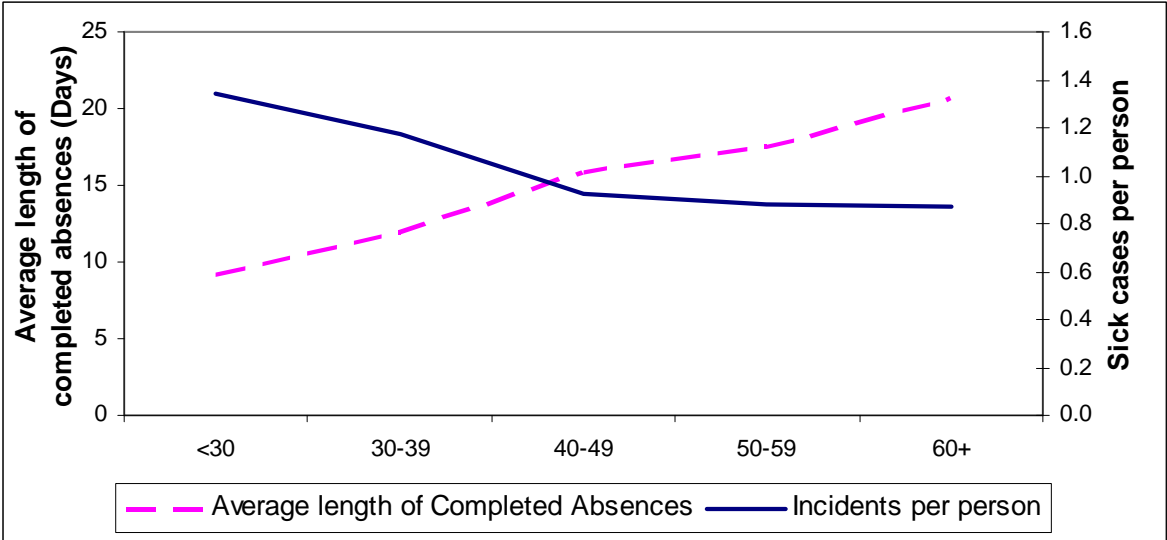
Absence is higher amongst women and the difference is even greater when adjustments are made to account for differences in grade between men and women. In general the operational grades are predominantly male and these are also the grades with highest absence levels. While the unadjusted sick rates of women was 17 per cent higher than men, the difference after adjusting for grade mix

and excluding pregnancy related absences, was 29 per cent. The higher rate of absence amongst women is a long-term trend and is also common to most organisations.

Sickness absence rates for staff declaring a disability were more than double the average for all NOMS staff at 19.4 working days per person. Almost 40 per cent of the sickness absence of staff with a disability was categorised as directly related to a disability.

Sickness absence increases with age, with the highest absence rates amongst the over 60s. However, the higher overall absence rates of older staff are caused by increased lengths of absence rather than more individual periods of absence. Figure 3 shows that the number of cases actually falls with age but the length of absence increases and it is the longer cases that result in increased overall rates amongst older staff.

Figure 3: Sick cases per person and average length of absence by age group, 2011/12



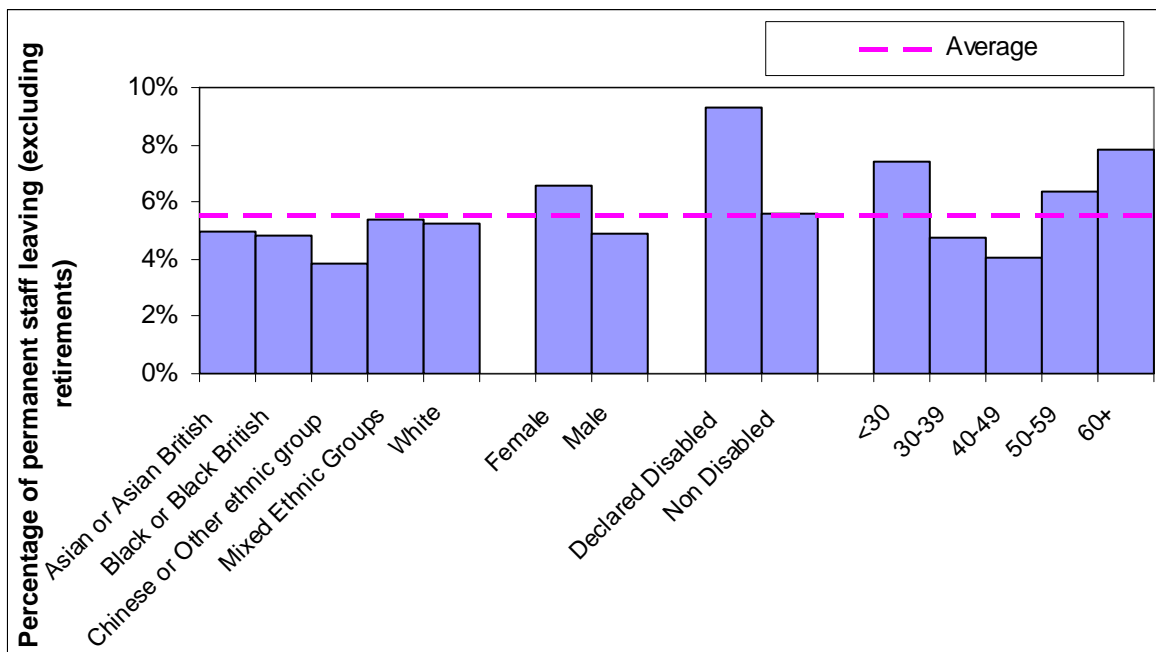
Leavers

Underlying leaving rates (excluding voluntary departure schemes) continued at similar levels as 2010/11 although the actual number of staff leaving NOMS were affected by voluntary departure schemes that were run during the year.

In order to assess the underlying behaviour of staff, retirements are often excluded from comparisons of leaving rates. Retirement disguises the ability to retain staff because it is available to older staff only. This distorts the pattern across age groups but also by gender and ethnicity due to the make-up of the NOMS workforce. The analysis below therefore does not include retirements.

Figure 4 shows the non-retirement leaving rates compared across the range of protected characteristics.

Figure 4: Leavers as a percentage of average staff in post excluding retirements, 2011/12

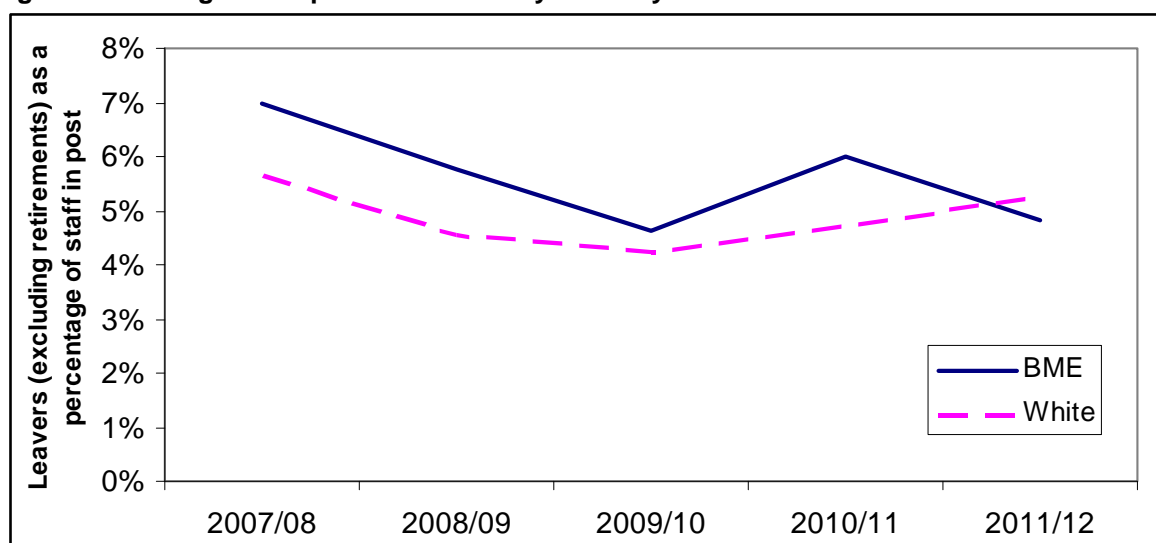


As in previous years, higher leaving rates are observed for women compared to men and for staff with a declared disability compared to those without a declared disability.

The non-retirement leaving rate of staff aged 50 and over was 6.7 per cent compared with 4.9 per cent for staff under 50. This was mainly due to a larger number of older staff volunteering for early departure schemes. Above average leaving rates were also observed for staff aged under 30. Resignation was the most common reason for leaving amongst this age group.

Figure 5 shows the trend in leaving rates for staff from White and BME groups. Until 2011/12, leaving rates were higher for staff from a BME group than the White group. In 2011/12, the leaving rate among staff from a BME background was similar but slightly lower than that for the White ethnic group. Lower leaving rates among staff from BME groups were seen across most reasons for leaving, including resignations, dismissals and voluntary early departures.

Figure 5: Leaving rate of permanent staff by ethnicity – 2007/08 to 2011/12



Offenders

This Offenders section looks at a range of interventions and outcomes for offenders in public and contracted out prisons as well as offenders under supervision in the community between April 2011 and March 2012. It focuses on differences identified in relation to a number of protected characteristics primarily ethnicity, sex, age and religion and belief.

Prison Population

The prison population primarily includes prisoners that are sentenced or held on remand. The sentenced population makes up around 85% of the prison population.

The prison population increased to 87,531 prisoners in March 2012 compared to 85,400 in March 2011. In 2011/12, the proportion of women, and prisoners in the Black or Black British and Chinese or Other ethnic groups have decreased, whilst the proportion of men, and those in the Asian or Asian British, Mixed and White ethnic groups have increased, continuing trends observed in recent years. The average age of prisoners has also continued to increase.

The proportion of prisoners from a BME background (26 per cent) was different to the population figures for England and Wales (11 per cent) from the 2009 population estimates by ethnic group³. This was most notable in the Black or Black British Group which accounted for 14 per cent of the average prison population in 2011/12 but accounted for 3 per cent of the 2009 population estimates. Even taking into account the differences between the prison and national age profiles, those from a BME background are overrepresented in the prison population.

At the end of 2011/12 around 51% of all prisoners whose religion is recorded were Christian, around 13% were Muslim and around 31% stated they had no religion.

Resettlement and Settled Accommodation and Employment

This section looks at the settled accommodation and employment outcomes for those at the end of probation supervision and those released from prison sentences of less than 12 months. It excludes prisoners released from sentences of 12 months or more as they are subject to supervision by the probation service upon release and their outcomes are therefore included in the probation figures. Settled accommodation is any housing which provides permanent independent housing. Employment can be full or part time employment, self-employment or temporary / casual work. Offenders are classed as unemployed if they are available for work but are not in employment at the time, regardless of whether they are receiving benefits.

In 2011/12, there were positive settled accommodation outcomes for 88.1 per cent of offenders released from prison sentences and for 86.5 per cent of offenders at the end of probation supervision, increases of 0.7 percentage points and 0.3 percentage points respectively from 2010/11. However, there were less positive outcomes for women (down 0.8 percentage points) and for the Chinese or Other ethnic group (down 2.7 percentage points) released from prison.

Accommodation outcomes were broadly similar for men and women. There were some differences amongst ethnic groups, with fewest positive outcomes for the Chinese or Other ethnic group (79.9 per cent for those released from prison sentences and 83.0 per cent for those at the end of probation supervision). Figures by age for settled accommodation at the end of probation supervision were not available from the existing data sources. However, when looking at outcomes for prisoners released from prison sentences of less than 12 months there is a clear pattern with a higher proportion of younger offenders being released into settled accommodation, decreasing with age.

³ Source: Office of National Statistics 2009 Population Estimates by Ethnic Group for England and Wales. Population aged 15+. These are currently the most recent published estimates available.

There were positive employment outcomes for 25.4 per cent of offenders released from prison sentences and for 49.2 per cent of offenders at the end of probation supervision, increases of 0.1 percentage points and 2.2 percentage points respectively. However, there were fewer positive outcomes for women released from prison sentences of less than 12 months (down 1.7 percentage points from 2010/11 to 2011/12).

Positive employment outcomes were higher for men compared to women; 27.3 per cent compared to 8.4% for those released from prison sentences of less than 12 months and 50.5 per cent compared to 39.5 per cent for those at the end of probation supervision.

There were higher than average positive outcomes for the Asian or Asian British and the Chinese or Other ethnic groups and lower than average positive outcomes for Black or Black British and Mixed ethnic groups.

Accredited Programmes

Accredited programmes are those programmes which have received accreditation from the Correctional Services Accreditation Panel (CSAP). Accredited programmes are available to offenders in both custody and the community. They include substance misuse programmes, offender behaviour programmes, domestic violence programmes and sex offender treatment programmes.

There were almost 15,300 programme completions in custody in 2011/12, equivalent to 21.0 completions per 100 sentenced prisoners a decrease from the rate of 22.9 completions per 100 sentenced prisoners in 2010/11.

The rate of programme completions per 100 sentenced prisoners was approximately equal for men and women. As for 2010/11, rates differed across ethnic groups. Rates were lower than average for the Asian or Asian British (13.3 per 100), Black or Black British (18.2 per 100) and Chinese or Other ethnic groups (7.0 per 100) and above average for the White (22.2 per 100) and Mixed ethnic groups (21.9 per 100). Rates were above average for the 21-39 age group and lower than average for prisoners aged 20 and under and 40 and over.

Within the community, there were 13,350 accredited programme completions in 2011/12, a reduction of over 1,700 completions compared to 2010/11.

The rate of programme completions per 100 offenders on probation was higher for men than women (6.0 compared to 3.2 per 100 offenders). Rates were also higher for offenders in the White ethnic group (6.3 per 100) and particularly low for offenders in the Chinese or Other ethnic group (1.7 per 100)

Order and Licence Completions

The probation service is responsible for supervising offenders in the community under two main types of supervision: orders and licences. Orders are non-custodial sentences of the court. Licences are statutory periods of supervision that offenders serve in the community upon release from custodial sentences of 12 months and over.

Successful completions of orders and licences are those which are recorded on the case management system as having expired normally (i.e. without being revoked for failure to comply or for a further offence) or which have been terminated early by the court for good progress.

Drug rehabilitation requirements are included in the calculation.

In 2011/12 76.3 per cent of orders or licences were successfully completed a slight increase on the 2010/11 figure (75.8 per cent).

Successful completions were slightly higher for women (79 per cent) than men (76 per cent), higher than average for offenders from the Asian and Asian British (83 per cent) and Chinese or Other ethnic groups (82 per cent), and lower than average for offenders in the Mixed ethnic group (73 per

cent). The proportion of successful completions was lowest for the 15-17 age group (43 per cent) and increased with age.

Self-harm

Self-harm in prison custody is defined as, "any act where a prisoner deliberately harms themselves irrespective of the method, intent or severity of any injury."

There were approximately 24,000 reported incidents of self-harm during 2011/12, an average of 28 incidents per 100 prisoners over the year, a decrease from the rate of 31 incidents per 100 prisoners in 2010/11. The overall fall is due in part to the fall in the female prison population, but also due to a drop in the average number of incidents for female prisoners, from 273 incidents to 188 incidents per 100 prisoners. This fall in the incident rate for female prisoners reflects both a reduction in the average number of self-harm incidents per individual who self-harms (from 10.1 in 2010 to 7.1 in 2011), and a fall in the number of female individuals who self-harm from 47.2 to 44.2 individuals per 100 female prisoners.

In 2011/12, women accounted for 33 per cent of all self-harm incidents, whilst accounting for only 5 per cent of the average prison population. Self-harm rates are highest for younger age groups and decreased with age. Prisoners aged 20 and under accounted for 23 per cent of self harm incidents (where age is known), whilst accounting for only 12 per cent of the average prison population.

Prisoners from the White ethnic group accounted for 92 per cent of self harm incidents (where ethnicity is known), whilst accounting for 74 per cent of the average prison population (where ethnicity is known).

Deaths in Prison

There were 211 deaths in prison custody during 2011/12, approximately 2.4 per 1,000 prisoners. Of these 66 were self-inflicted (0.8 per 1,000), 131 were from natural or other causes (1.5 per 1,000) and 14 where the cause of death was unclear or has yet to be established.

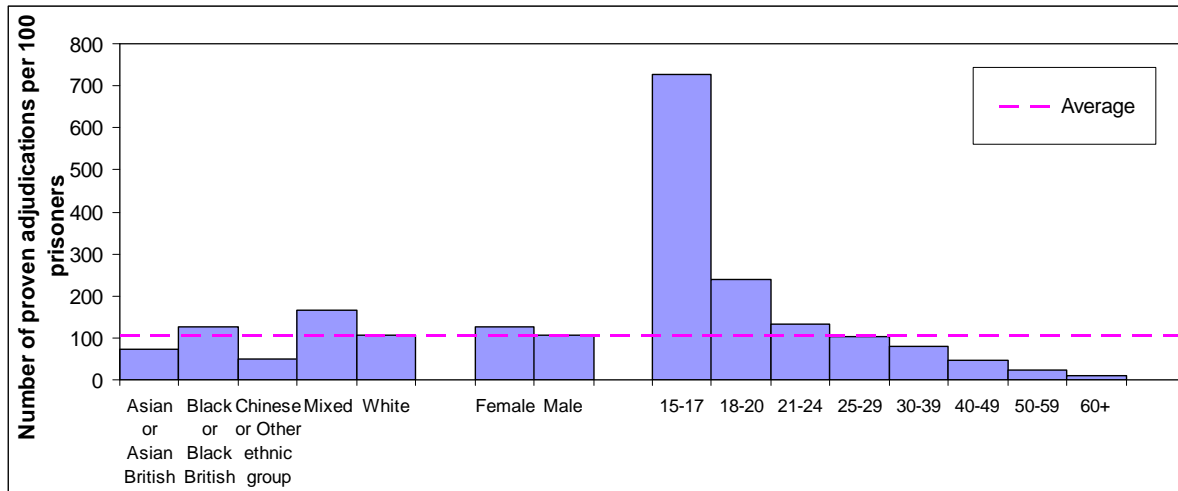
The rates of death were higher for men than women (2.5 per 1000 prisoners compared to 1.0 per 1000 prisoners) and for prisoners from the White ethnic group compared to those from BME ethnic groups (2.9 per 1000 prisoners compared to 1.3 per 1000 prisoners). As might be expected the highest rates of death were in the older age groups. All deaths aged 20 and under were self-inflicted. Self-inflicted deaths also accounted for the majority of deaths for prisoners aged 21-29. The majority of deaths for prisoners aged over 40 were due to natural causes.

Adjudications

Adjudications are the formal discipline system. The Prison and YOI Rules authorise the Governor or, in a contracted establishment, the Director to conduct adjudications. The Governor may under certain circumstances delegate adjudication powers and duties. In all disciplinary hearings the adjudicator must be satisfied beyond reasonable doubt that the accused committed the offence with which they are charged before deciding the charge is proven. For more information on the adjudications processes see PSI 47/2011.

There were over 92,000 proven adjudications during 2011/12 which was on average 106.6 adjudications per 100 prisoners over the year, slightly down from 107.2 last year. Figure 6 below shows the rate of adjudications across ethnicity, sex and age.

Figure 6: Rate of proven adjudications by ethnicity, sex and age, 2011/12



The rate of adjudications is highest for the 15-17 age group and decreases with age. The rate is also higher for women compared to men and for the Black or Black British and Mixed ethnic groups.

On average there were 1.8 punishments per offence. Forfeiture of privileges was the most common punishment. Adjudications involving men were more commonly punished with confinement, forfeiture of privileges and additional days than women. Additional days were awarded most frequently to the 21-39 age group, men and prisoners in the Asian or Asian British and White ethnic groups. The offence profiles differ between these groups and this explains, in part, the different punishment type profiles.

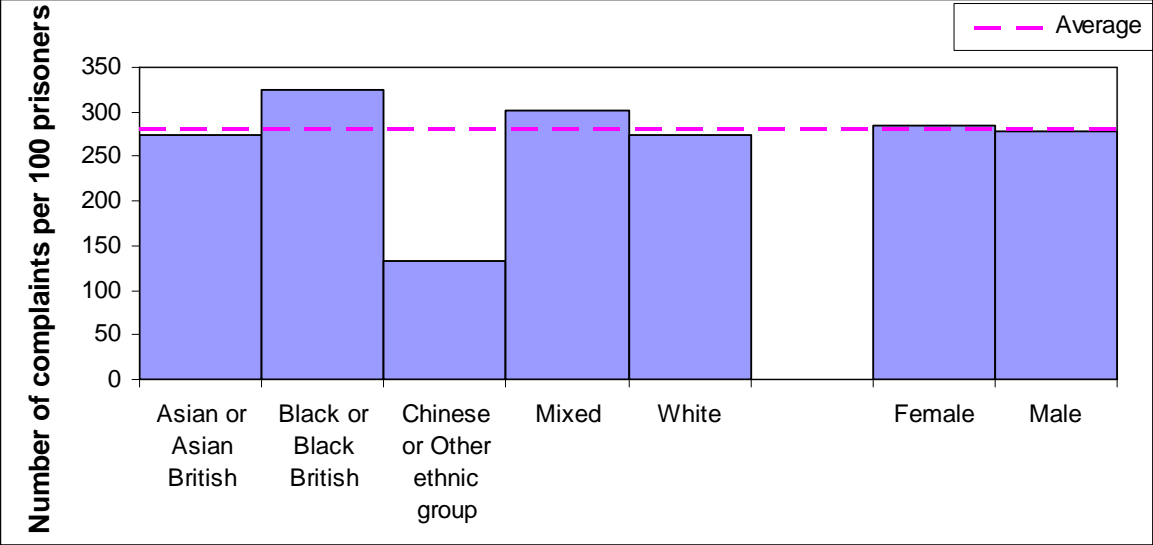
There were over 18,400 dismissed adjudications during 2011/12, an average of 21 per 100 prisoners over the year, down from 23 last year and from 45 in 2008/09. The profile for dismissed adjudications across race, sex and age is similar to the profile for proven adjudications.

Complaints

Complaints are the number of initial formal complaints received from prisoners. Complaints do not include Discrimination Incident Reporting Form submissions. For more information on the complaints process, see PSI 02/2012.

There were over 241,000 complaints logged during 2011/12, a rate of 279 per 100 prisoners, which reflects a decrease compared to the rate of 297 per 100 prisoners seen in 2010/11. The rate of complaints made by female prisoners fell from 322 to 284 and is now only slightly higher than the rate for male prisoners (279). Figure 7 shows the rate of complaints by ethnicity and sex.

Figure 7: Rate of complaints by ethnicity and sex, 2011/12



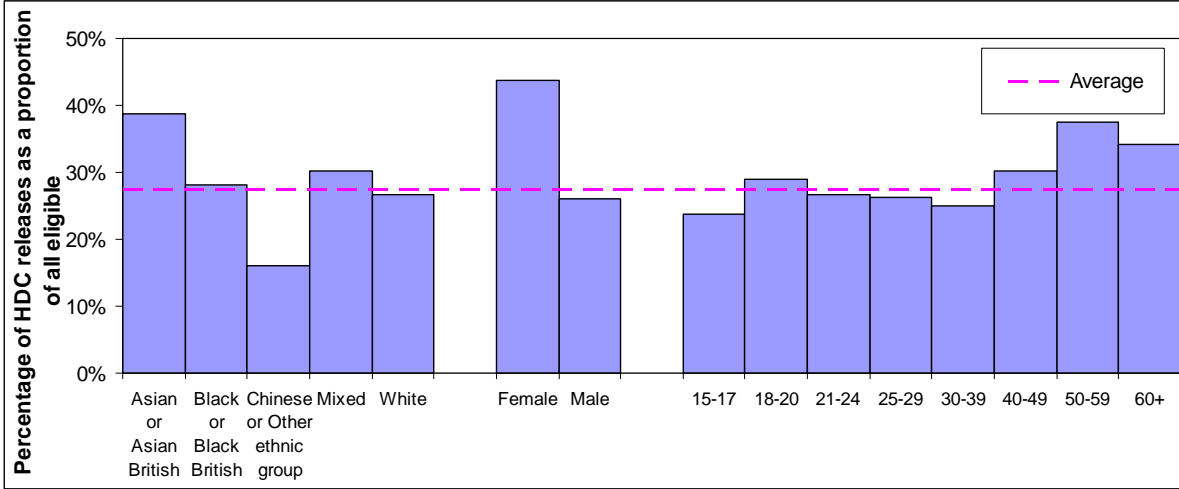
The rate of complaints is higher than average for prisoners in the Black or Black British and Mixed ethnic groups and lower than average for those in the Chinese or Other ethnic group.

Home Detention Curfew (HDC)

The HDC scheme was introduced following the passage of the Crime and Disorder Act 1998. The purpose of HDC is to manage more effectively the transition of offenders from custody back into the community. Prisoners who are not subject to a statutory exclusion may be released on licence after serving a required period, determined by their sentence length. Prisoners will normally be released on HDC unless there are grounds to indicate the prisoner is unlikely to complete successfully the period on HDC. Once released on HDC licence, the prisoner is electronically tagged and compliance with his or her licence conditions monitored. For more information on HDC, see PSO 6700.

The number of eligible prisoners is calculated as the number of prisoners serving sentences of between 3 months and 4 years, potentially eligible for release on HDC. In practice, offenders are subject to a risk assessment before being considered for release on HDC, so some of these offenders will turn out not to be eligible. In 2011/12, over 13,000 prisoners were granted HDC - a release rate of 27.4 per cent, which represents a slight increase from the release rate of 26.7 per cent in 2010/11. Figure 8 below shows the HDC release rates by ethnicity, sex and age.

Figure 8: Percentage of HDC releases as a proportion of eligible prisoners by ethnicity, sex and age, 2011/12



HDC release rates were above average for prisoners in the Asian or Asian British ethnic group, for women and for older age groups. Release rates were lower than average for the Chinese or Other ethnic group, although this represents only 439 eligible prisoners.

Incentives and Earned Privileges (IEP)

IEP is a system where privileges can be granted to prisoners or young offenders in addition to the minimum entitlements subject to their reaching and maintaining specified standards of conduct and performance. The IEP scheme rewards good behaviour and performance and removes privileges if expected standards are not maintained. In addition to any local aims, it is intended to encourage prisoners and young offenders to behave responsibly, to participate in constructive activity, and to progress through the system. For more information on IEP see PSI 11/2011.

As at March 2012, 2.1 per cent of the total prison population were on the basic level, slightly up on 1.8 per cent in March 2011; 43.8 per cent were on the enhanced level, also up on last year (41.8 per cent). The greatest differences across the protected characteristics were for age and religion.

The highest proportion of prisoners on the basic level was observed for prisoners aged 20 and under (6.4 per cent), whilst this group all had the lowest proportion of prisoners on the enhanced level (23.3 per cent). As age increases, the proportion of prisoners on the basic level decreases, whilst the proportion on the enhanced level increases. Fewer prisoners stating they have no religion or declaring themselves to be Christian or Muslim are on the enhanced level, compared to those from other religious groups.

Re-categorisation

Re-categorisation is where a prisoner's security category is changed. This does not include initial categorisation after sentencing. Re-categorisation up is where prisoners are moved to a higher security category i.e. one with greater security constraints (with the exception of decisions to upgrade from Category B to Category A (the highest), which are not included in these figures). Re-categorisation down is where prisoners are moved to a lower security category. The systems for women, adult male and young adult male prisoners are different and are explained in more detail in PSIs 39/2011, 40/2011 and 41/2011 respectively.

During 2011/12, almost 6,500 prisoners were re-categorised down and 2,730 were re-categorised up. On average, 8.9 per 100 sentenced prisoners were re-categorised down and 3.7 per 100 sentenced prisoners were re-categorised up.

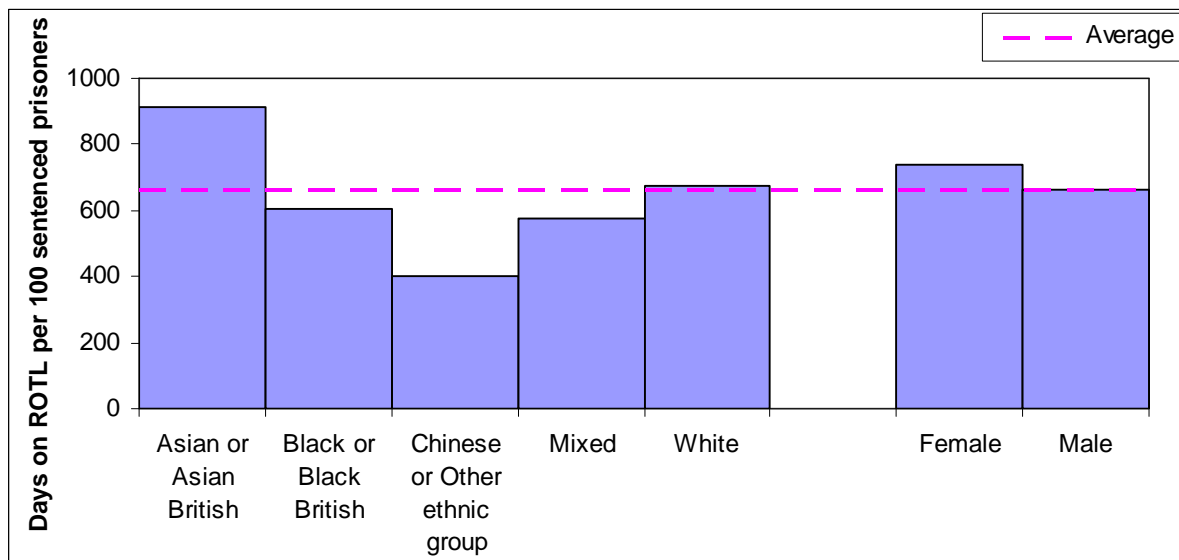
In 2011/12, rates were higher for female prisoners for both re-categorisations up and down, although rates have fluctuated over the past four years. Re-categorisations down were highest for the Asian or Asian British ethnic group and lowest for the Chinese or other ethnic groups. Re-categorisations up were higher than average for prisoners in the Black or Black British, Asian or Asian British and Mixed ethnic groups, and lower than average for the Chinese or Other ethnic group.

Release on Temporary Licence (ROTL)

Release on temporary licence is the mechanism that enables prisoners to participate in necessary activities, outside of the prison establishment, that directly contribute to their resettlement into the community and their development of a purposeful, law-abiding life. There are 4 types of temporary release licence: 1) Resettlement day release 2) Resettlement overnight release, 3) Childcare resettlement, and 4) Special purpose. For more information on ROTL, see PSI 6300.

Over the year, on average, there were 664 days ROTL per 100 sentenced prisoners up from last year (567 days). Figure 9 below shows the days on ROTL by ethnicity and sex.

Figure 9: Average days on ROTL by ethnicity and sex, 2011/12



Rates were slightly higher for women compared to men, although the difference is smaller than that observed in previous years. Rates were highest for prisoners from the Asian or Asian British ethnic group and lower than average for those in the Chinese or Other, Mixed and Black or Black British ethnic groups.

Segregation

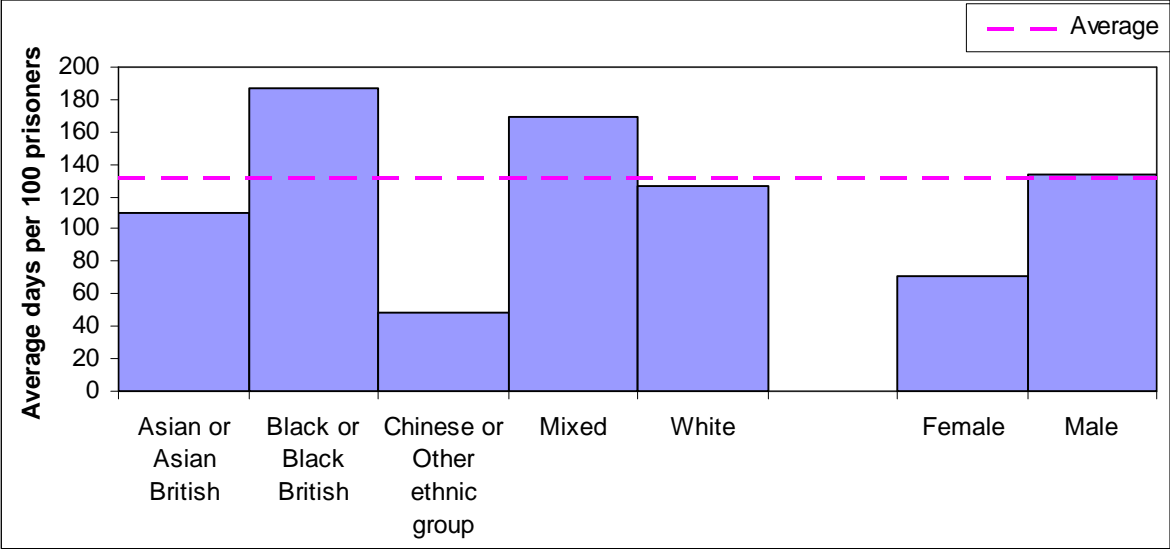
Prisoners may be segregated, under Prison Rules, for four reasons:

- good order or discipline;
- own protection;
- while awaiting an adjudication; or
- as a punishment of cellular confinement following a guilty finding at an adjudication.

The procedures for segregating a prisoner, including those for safeguarding the prisoner's wellbeing whilst segregated, are set out in PSO 1700.

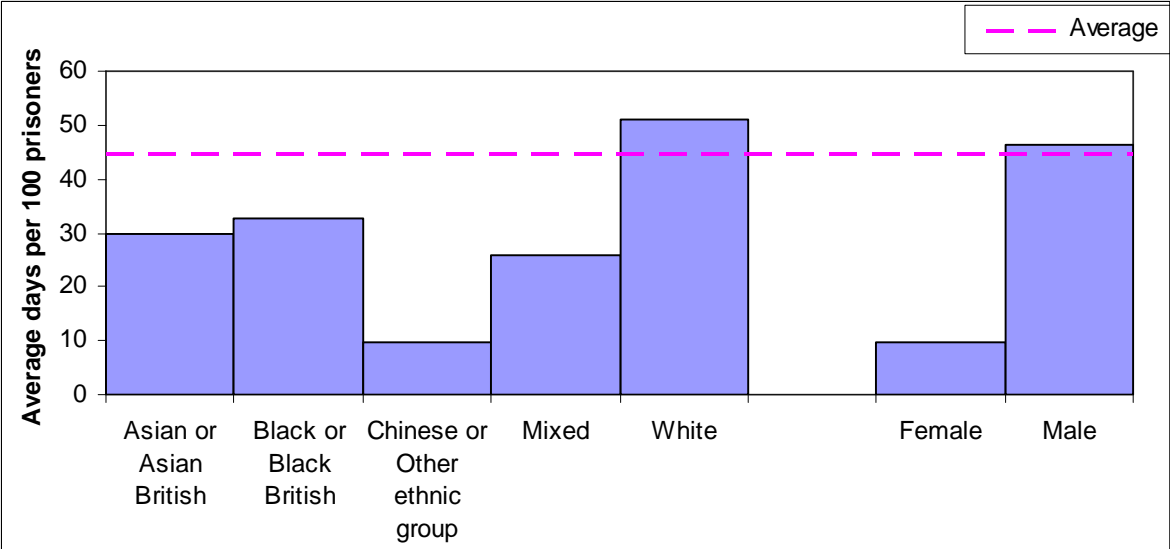
The figures here count the number of days a prisoner is segregated. A day is counted when a prisoner is first unlocked at the beginning of each day. Figures 10-13 show the average days in segregation by ethnicity, sex and reason for segregation.

Figure 10: Average days in segregation for good order and discipline, by ethnicity and sex, 2011/12



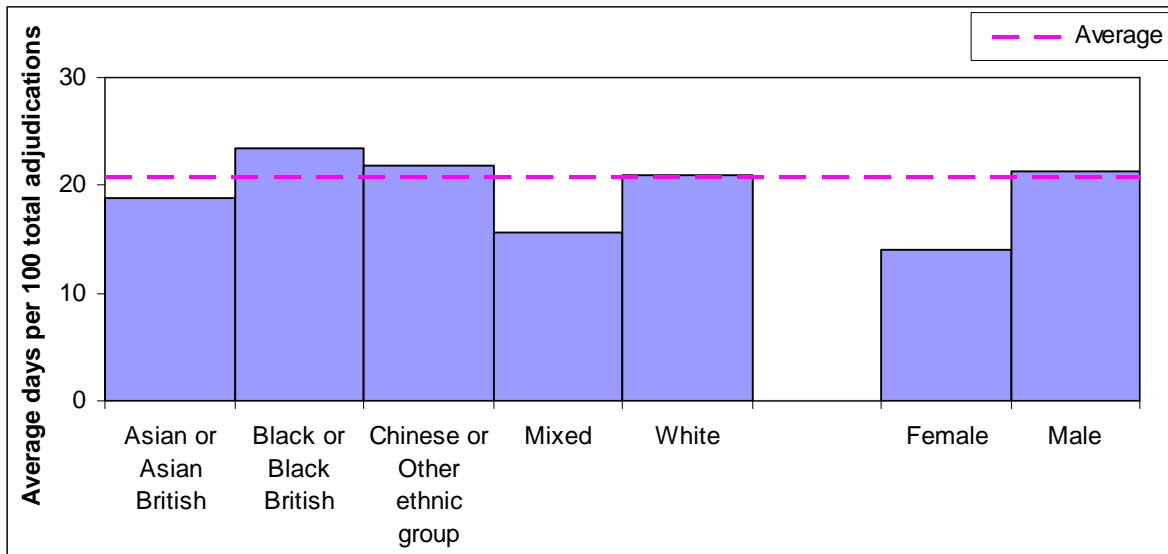
For every 100 prisoners, there were on average 131 days in segregation for good order or discipline. Rates were higher for men than women, higher than average for prisoners in the Black or Black British and Mixed ethnic groups, and lower than average for the Chinese or Other ethnic group.

Figure 11: Average days in segregation on grounds of own protection, by ethnicity and sex, 2011/12



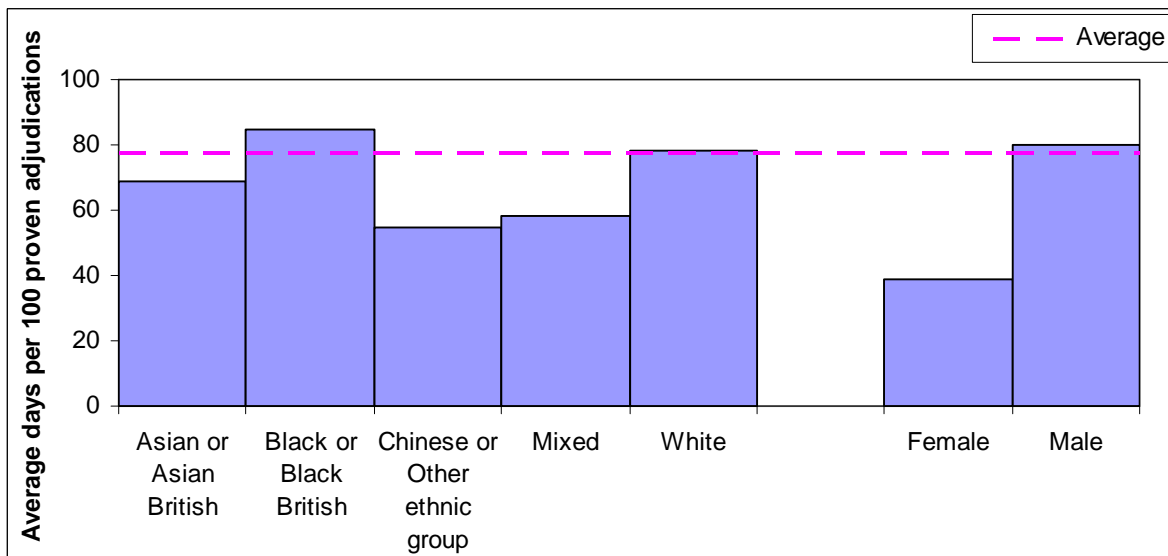
For every 100 prisoners, there were on average 45 days in segregation on the grounds of own protection. Rates were higher for men than women, higher than average for prisoners in the White ethnic group and lower than average for prisoners from all other ethnic groups

Figure 12: Average days in segregation awaiting adjudication, by ethnicity and sex, 2011/12



For every 100 adjudications (proven and dismissed), there were on average 21 days in segregation awaiting adjudication. Rates were higher for men than women, were highest for prisoners in the Black or Black British ethnic group and lowest for prisoners from the Mixed ethnic group.

Figure 13: Average days of cellular confinement, by ethnicity and sex, 2011/12



For every 100 proven adjudications, there were on average 78 days of cellular confinement. Rates were higher for men than women, higher than average for those in the Black or Black British ethnic group and lower than average for prisoners in the Chinese or Other, Asian or Asian British and Mixed ethnic groups

Use of Force

The use of force is a last resort response to a violent or potentially violent or disruptive situation and only that amount of force that is reasonable and proportionate to the circumstances may be used. The term "use of force" covers techniques ranging from personal protection techniques to control and restraint carried out by a three officer team. Staff receive training including regular refresher training in the application of the various techniques. All incidents of use of force are recorded and monitored within the establishment. Policy on the use of force is set out in PSO 1600.

Force was used over 23,000 times in prisons during 2011/12 at a rate of about 27 times per 100 prisoners, which is up from 24.5 in 2010/11. The rate was higher for female prisoners (36 per 100 prisoners) compared to men (27 per 100 prisoners), and for prisoners in the Black or Black British and Mixed ethnic groups (about 49 times per 100 prisoners for both) compared to prisoners from other ethnic groups.

Annex A – Glossary of terms and abbreviations

Term	Explanation
BME	Black and Minority Ethnic
CSAP	Correctional Services Accreditation Panel
E EI	Employee Engagement Index
HDC	Home Detention Curfew
HMPS	Her Majesty's Prison Service
HQ	Headquarters
IEP	Incentives and Earned Privileges
LDD	Learning Disabilities and Difficulties
NOMS	National Offender Management Service
Non-operational	The collective term for all staff excluding operational support grades, officers, operational managers and operational senior managers
Operational	The collective term for operational support grades, officers, operational managers and operational senior managers
PSI	Prison Service Instruction
PSO	Prison Service Order
ROTL	Release on Temporary Licence
SCS	Senior Civil Servant
SMART	Systematic Monitoring and Analysis of Race Equality Tool
SPDR	Staff Performance and Development Record

Annex B – Statistics on Staff

This is a list of the tables available on the website as Annex B to this report in the associated spreadsheet file.

Table 1a: NOMS staff in post at 31 March, 2008 to 2012

Table 1b: NOMS staff in post by grade at 31 March, 2011 and 2012

Table 1c: NOMS staff in post by region at 31 March, 2011 and 2012

Table 2a: New joiners on permanent contracts to HMPS and NOMS HQ, 2007/08 to 2011/12

Table 2b: New joiners on permanent contracts to HMPS and NOMS HQ by operational / non-operational staff, 2010/11 and 2011/12

Table 2c: New joiners on permanent contracts to HMPS and NOMS HQ by region, 2010/11 and 2011/12

Table 3a: Promotions in HMPS and NOMS HQ, 2007/08 to 2011/12

Table 3b: Promotions in HMPS and NOMS HQ by grade, 2010/11 and 2011/12

Table 3c: Promotions in HMPS and NOMS HQ by region, 2010/11 and 2011/12

Table 4a: Staff Performance and Development Record (SPDR) markings, 2007/08 to 2011/12

Table 4b: Staff Performance and Development Record (SPDR) markings by grade, 2011/12

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