

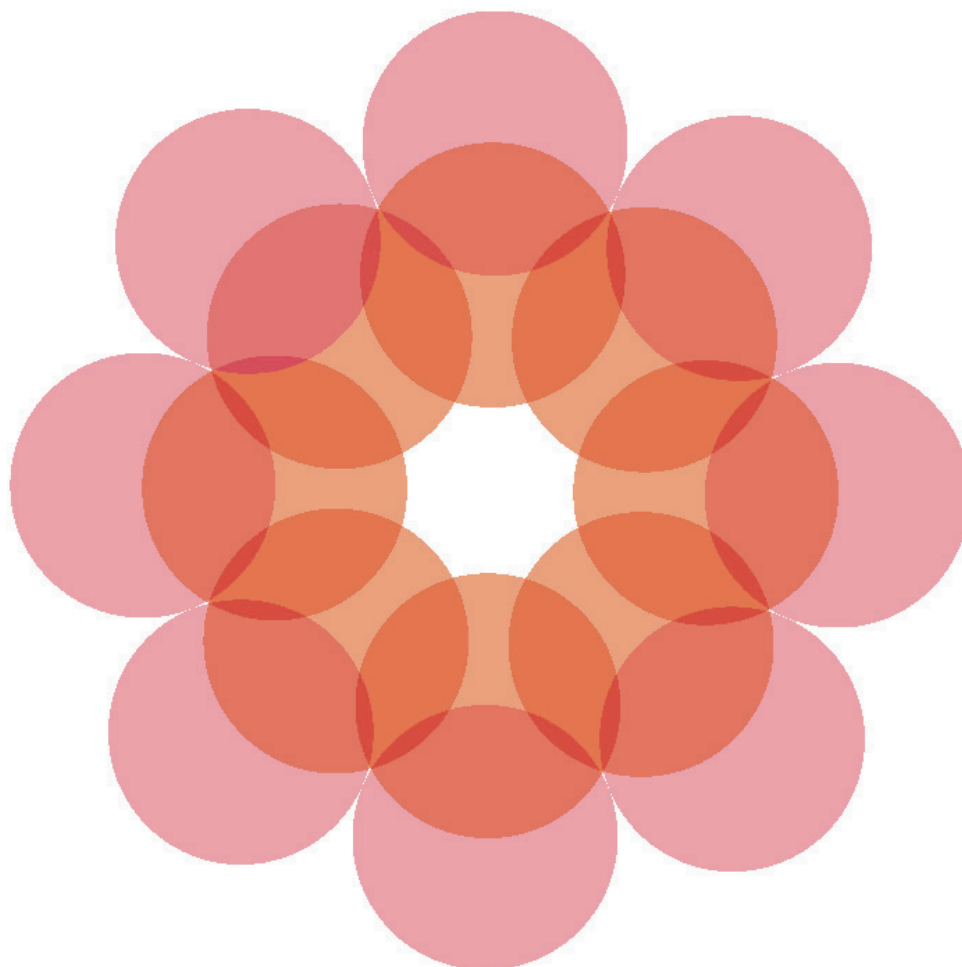


Ministry of  
**JUSTICE**

# Diversity Report

## 2011/12

Ministry of Justice  
(Excluding NOMS)



Published March 2013



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# Introduction

This report provides diversity data for all staff within Ministry of Justice (MoJ) excluding those for the National Offender Management Service (NOMS).<sup>1</sup> It has been produced using data from Phoenix, a self service staff data IT system for MoJ staff. The report covers the period from 1st April 2011 to 31st March 2012, with the data a snapshot of the position at 31st March 2012.

The MoJ is one of the largest direct delivery departments in Whitehall, employing over 25,000 staff<sup>2</sup> and our staff deliver services to a diverse range of individuals and communities.

As an organisation “we are committed to ensuring that equality remains at the heart of what we do. This includes how we design and deliver our policies and services to the public, how we procure and commission from others and how we act as an employer”<sup>3</sup>

Collecting and monitoring data on the diversity of our workforce allows us to examine how our employment policies and processes are working and to identify areas where these appear to be impacting disproportionately on certain groups of staff. It also supports our ability to show ‘due regard’ to the Public Sector Equality Duty, a legal requirement under the Equality Act 2010 and more accurately understand the likely effect of decision making on our workforce.

Understanding the composition of our workforce; having data showing the demographic profile of our staff at each grade; of annual performance markings; of opportunities for temporary promotion; of levels of sickness absence; or of part-time or non-standard working hours - and publishing all this - enables differential outcomes to be highlighted and investigated. Without this data, potential areas of concern may not be recognised or understood.

The MoJ is working to continuously improve the quality of diversity data, encouraging staff to use the confidential ‘self-service’ system to update their diversity information on-line. Collecting the data is of course not an end in itself, but a tool to provide supporting evidence for interventions, adjustments, training and development - informing appropriate action.

As an organisation we recognise the value of working to achieve a representative organisation at all levels, where talented staff, regardless of background or other irrelevant factors, are able to progress on merit. Along with building trust and engagement internally, and helping to build a positive reputation for the organisation (which in itself will support high quality recruitment and retention) encouraging a more diverse workforce can bring wider insights and experiences and can enhance the organisation’s responsiveness and ability to develop new and innovative approaches to the challenges it faces.

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<sup>1</sup> NOMS produce and publish their data separately on [www.hmprisonservice.gov.uk/abouttheservice/noms](http://www.hmprisonservice.gov.uk/abouttheservice/noms)

<sup>2</sup> This figure is for all staff that were employed by the MoJ, including HM Courts & Tribunals Service (HMCTS), Corporate Performance Group (CPG), Justice Policy Group (JPG), and Arms Length Bodies (ALBs) who are recorded on Phoenix and who are included in the MoJ headcount. It excludes those who work in NOMS, Wales Office, Scotland Office and UK Supreme Court.

<sup>3</sup> from the MoJ Equality Statement

This report does not include recommendations or actions to be taken forward, rather the data and analysis is intended as a valuable source of information.

Finally, a number of abbreviations have been used throughout this report, and their meanings have been clarified in the Explanatory Notes section, on page 20.

## Executive Summary

At the end of 2011/12 there were 25,846 staff in post in Ministry of Justice, a nine per cent reduction to the previous year.

- Gender:** Sixty eight per cent of staff within MoJ are female.
- Grade:** Almost eight out of ten staff are in Band D, E or F. Most staff are in Band E (47 per cent). Ten per cent of staff are in Band B, seven per cent in Band C and six per cent in Band A respectively. Less than one per cent of staff are Fast Streamers or SCS<sup>4</sup>.
- Ethnicity:** Seventy six per cent of staff declared their ethnicity. Of these, 85 per cent of staff identify as White and 15 per cent of staff identify as BAME.<sup>5</sup>
- Disability:** Seventy three per cent of staff declared whether they were disabled. Of these, four per cent identified themselves as disabled.
- Age:** The three largest age groups in MoJ are 45 to 49 years (15 per cent); 40 to 44 and 50 to 54 (both 13 per cent)
- Working Patterns:** Twenty six per cent of staff work part time.
- Sexual Orientation:** Only 17 per cent of staff declared their sexual orientation<sup>6</sup>. Of these, 95 per cent of staff identified as heterosexual/straight, with gay men the second largest group at three per cent.
- Religion and Belief:** Only five per cent of staff declared their religion or belief<sup>7</sup>. Of these 58 per cent of staff identified themselves to be Christian, 29 per cent reported as having no religion or belief, and five per cent as Muslim.

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<sup>4</sup> Senior Civil Service

<sup>5</sup> Individuals who identify themselves to belonging to a Black, or, Asian, or other Minority Ethnic group.

<sup>6</sup> Sexual orientation data collection started in April 2008 for new starters only as part of recruitment process. Existing members can now update the 'My Services' confidential database directly, and will be increasingly encouraged to do so.

<sup>7</sup> Religion or belief data collection started in April 2008 for new starters only as part of recruitment process. Existing members can now update the 'My Services' confidential database directly, and will be increasingly encouraged to do so..

# Gender

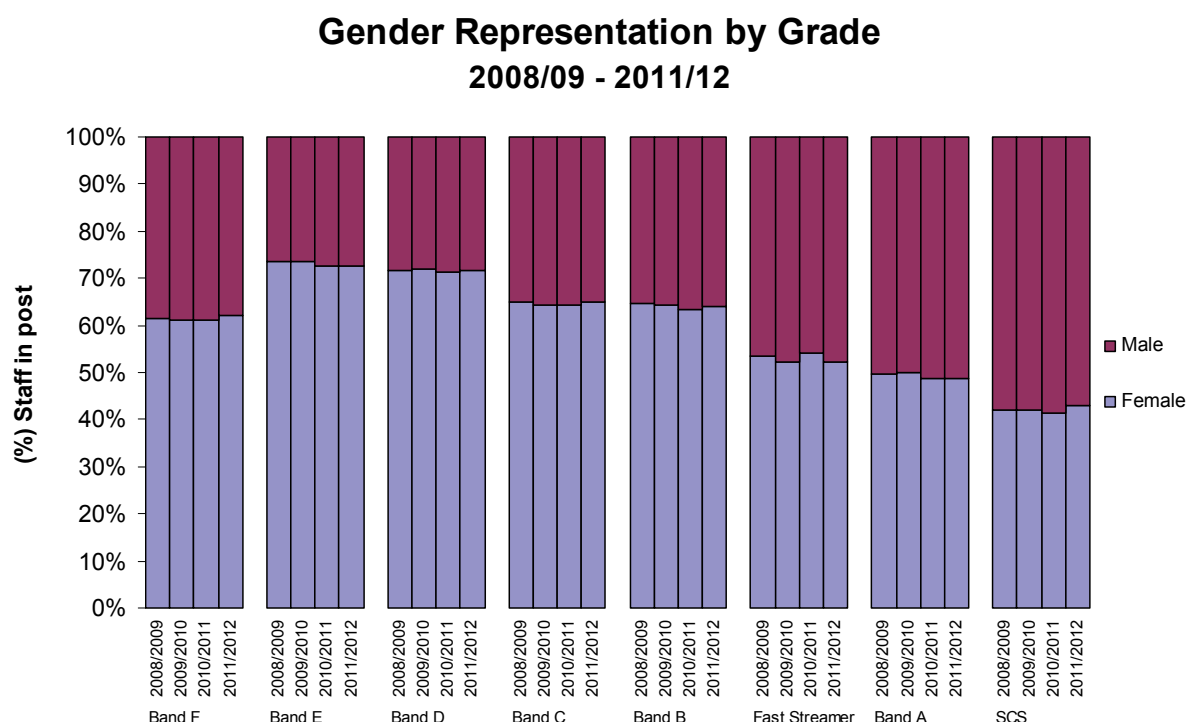
**Table 1: Gender Profile Statistics – 2011/12**

Gender Profile	Female	Male
Average Age	43.0	44.7
BAME <sup>1</sup>	15.5%	14.6%
White <sup>1</sup>	84.5%	85.4%
Tenure (mean)	9.6 yrs	9.3 yrs
Disabled <sup>2</sup> (%)	3.8%	5.5%
Non-Disabled <sup>2</sup> (%)	96.2%	94.5%
<b>Overall (%)</b>	<b>68.1%</b>	<b>31.9%</b>

Notes:

1. Excludes Undeclared BAME status
2. Excludes Undeclared disabled status

**Figure 1: Gender Representation by Grade, 2008/09 to 2011/12**



The graph above shows the gender of MoJ staff in post segmented by grade over a four year period. In total there are over twice as many female staff (68 per cent) compared with male staff (32 per cent). This remains unchanged from the previous two years.

The MoJ has a larger percentage of female staff than the Civil Service overall, where 53 per cent of all employees are female.<sup>8</sup>

<sup>8</sup> The Office for National Statistics produce diversity data for the overall Civil Service which is produced annually and can be viewed at <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2012/stb-civil-service-statistics-2012.html>

## Grade

There is a larger proportion of female staff at every grade other than Band A and SCS.<sup>9</sup>

Female staff account for 73 per cent of staff at Band E and 72 per cent of staff at Band D. This is consistent with the overall Civil Service where female civil servants make up over half of employees in the equivalent Administrative and Executive Officer responsibility levels.

At Band A, a slight majority of staff (51 per cent) are male and this majority increases at the SCS grade where the proportion of male staff is 57 per cent. At 43 per cent, the proportion of female SCS staff in the MoJ is higher than in the overall Civil Service (35 per cent)<sup>10</sup>

HMCTS<sup>11</sup> have the highest proportion of male SCS staff, at 68 per cent, more than double the proportion of female staff (32 per cent).

From Band E through to the SCS grade, the proportion of female staff decreases as the level of seniority rises. The male to female representation of staff in feeder grades<sup>12</sup> is fairly similar. Female staff account for 49 per cent of Band A staff and 52 per cent of Fast Stream staff.

## Temporary Responsibility Allowance (TRA)<sup>13</sup>

Sixty six per cent of staff receiving TRA are female; this is only slightly lower than their overall representation in the MoJ and is a slight increase from the previous year (64 per cent).

Most female and male staff receiving TRA are in Band E (42 per cent) and the overwhelming majority of staff (80 per cent) receiving TRA are in Band D, E or F.

## Sick Absence

Sick absence rates are higher amongst female staff<sup>14</sup>. The average working days (AWDL)<sup>15</sup> lost for female staff is 8.8 days compared to an average of 7.0 days for male staff. This shows a slight increase in days lost for both female and male staff from the previous year.

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<sup>9</sup> Senior Civil Service

<sup>10</sup> The Office for National Statistics produce diversity data for the overall Civil Service which is produced annually and can be viewed at <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2012/stb-civil-service-statistics-2012.html>

<sup>11</sup> HM Courts & Tribunals Service

<sup>12</sup> Feeder grades denote the Fast Stream and Band As

<sup>13</sup> Temporary Responsibility Allowance (TRA) is applicable to all bands and is awarded where;

- There is a need to cover a short term project or temporary work in addition to normal duties;
- There is a vacant or temporary post in the same or a higher band or a colleague is absent for reasons not associated with the duties of the post e.g. illness or maternity;
- By voluntarily applying for advertised posts.

<sup>14</sup> This is not unique to MoJ. With regards to sickness absence in the labour market, women have consistently higher sickness absence rates than men on average. See Office for National Statistics, *Sickness Absence in the Labour Market*, April 2012 at <http://www.ons.gov.uk/ons/rel/lmac/sickness-absence-in-the-labour-market/2012/rpt-sickness-absence-in-the-labour-market---2012.html#tab-Sickness-absence-in-the-UK-labour-market>

<sup>15</sup> The average working days lost is calculated by dividing the total number of days absence by the number of staff years available to generate the number of days lost per person.



## **Performance Markings<sup>16</sup>**

Eight per cent of all staff received an 'outstanding' marking<sup>17</sup>; almost double the number of women compared to men received an 'outstanding' mark, however, this is consistent with the overall representation of male and female staff in post at the MoJ.

Overall less than one per cent of staff received an 'improvement required' marking. Of these, slightly more men (53 per cent) than women, (47 per cent) received an 'improvement required' marking.

## **Leavers, Retirement and Career Breaks**

Fifty two per cent of those that retired from the MoJ during 2011/12 were women. Of the staff aged 55 to 59 who retired, 54 per cent were female and for those in the 60 to 64 age bracket, 60 per cent of staff who retired were female. However, for those aged 65 and older, there are over twice as many male staff (68 per cent) than female staff (32 per cent) retiring from the MoJ.

More generally, 62 per cent of staff leaving the MoJ were female; this is lower than their overall representation.

Of those staff taking a career break, 85 per cent are female. This figure is similar to the previous year (86 per cent). Most career breaks are taken by female staff at Band E (47 per cent), with less than one per cent taken by female SCS, and less than one per cent taken by females in the Fast Stream.

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<sup>16</sup> The total number of staff whose performance markings have been recorded is 22,856 which is less than the number of staff in post. See "Explanatory notes" section for more information.

<sup>17</sup> The performance markings that are awarded to staff are 'Outstanding' (only available for bands A to D), 'Effective' and 'Improvement Required'.

# Ethnicity

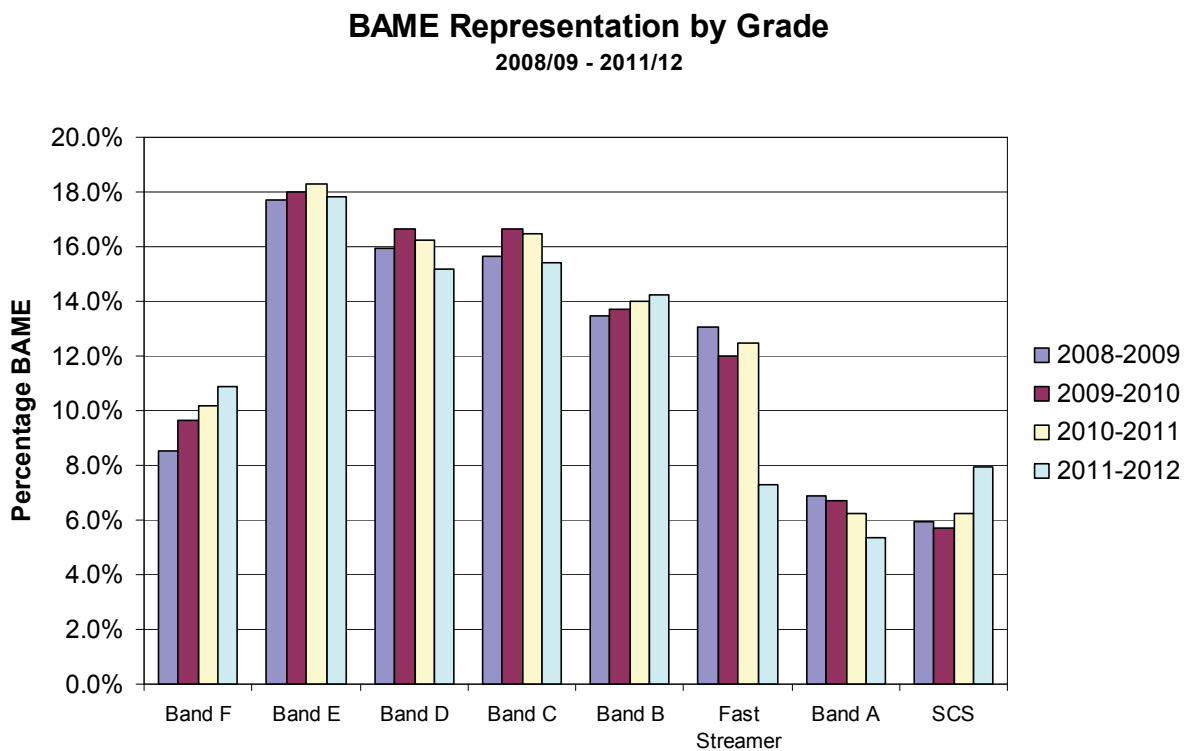
**Table 2: BAME Representation Statistics – 2011/12**

	<b>BAME<sup>1</sup></b>	<b>White</b>
Female	15.5%	84.5%
Male	14.6%	85.4%
Average Age	39.7	44.7
Tenure (mean)	8.4	10.4
Disabled <sup>2</sup>	3.9%	3.4%
Non-Disabled <sup>2</sup>	77.3%	80.6%
<b>Overall (%)</b>	<b>15.2%</b>	<b>84.8%</b>

Notes:

1. Excludes Undeclared BAME status
2. Excludes Undeclared disabled status

**Figure 2: BAME representation by Grade, 2008/09 to 2011/12**



## Declaration Rates

Currently around a quarter (24 per cent) of MoJ staff do not declare their ethnicity; this is higher than the previous year (21 per cent). The declaration rates affect our ability to present an accurate workforce profile.<sup>18</sup>

Of the 76 per cent of staff who declared their ethnicity, the proportion of employees within the MoJ from BAME<sup>19</sup> backgrounds was 15 per cent. This is a slight decrease from the previous year, but higher than in the overall Civil Service where nine per cent of those employees who declared their ethnicity were from an ethnic minority.<sup>20</sup>

Of those who identify themselves as coming from a BAME background, 'Asian or Asian British' are the most represented group (eight per cent), followed by 'Black or Black British' (five per cent). This figure is similar to the previous year and moreover is consistent with the overall Civil Service where the most represented BAME groups identify either as 'Asian or Asian British' or 'Black or Black British'.

## Grade

Employees from BAME backgrounds are most represented at Band E grade, followed by Bands D, C and B grades. The proportion of employees from BAME backgrounds in these bands range from 18 per cent to 14 per cent.

The grade which had the smallest proportion of BAME staff was Band A.

The representation of BAME staff in the MoJ within the SCS was eight per cent, an increase from the previous year, and is higher than the representation of BAME staff at the SCS grade in the overall Civil Service was at five per cent.<sup>21</sup>

## Temporary Responsibility Allowance (TRA)

Of those staff who received a temporary responsibility allowance, 77 per cent declared their ethnicity.

Of these 77 per cent, 12 per cent are from a BAME background which is slightly lower than the previous year, and is lower than the overall representation of BAME staff within the MoJ.

## Sick Absence

The Annual Working Days Lost (AWDL) figure for staff from a BAME background during this period was 8.2 days, which was similar to the overall AWDL for all staff. Staff who did not declare their ethnicity lost on average 8.7 days during this period.

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<sup>18</sup> The figures provided in this section exclude those who have not declared their ethnicity status.

<sup>19</sup> Individuals who identify themselves to belonging to a Black, or, Asian, or other Minority Ethnic group.

<sup>20</sup> The Office for National Statistics produce diversity data for the overall Civil Service which is produced annually and can be viewed at <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2012/stb-civil-service-statistics-2012.html>

<sup>21</sup> The Office for National Statistics produce diversity data for the overall Civil Service which is produced annually and can be viewed at <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2012/stb-civil-service-statistics-2012.html>

## **Performance Markings<sup>22</sup>**

'Outstanding' markings awarded to BAME staff who had declared their ethnicity represented 10 per cent of all 'outstanding' markings given,<sup>23</sup> which is lower than their overall representation (15 per cent). Nearly 23 per cent of staff who had declared their ethnicity and were marked as 'improvement required' were from BAME backgrounds. This is notably higher than their overall representation.

## **Leavers, Retirement and Career Breaks**

Twelve per cent of staff leaving the MoJ are BAME which is slightly lower than their overall representation. Only four per cent of staff retiring from the MoJ are from BAME backgrounds which is considerably lower than their overall representation. Twenty three per cent of staff taking a career break are from a BAME background which is more than their overall BAME representation in the MoJ.

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<sup>22</sup> The total number of staff whose performance markings have been recorded is 22,856 which is less than the number of staff in post. See "Explanatory notes" section for more information.

<sup>23</sup> The performance markings that are awarded to staff are 'Outstanding' (only available for bands A to D), 'Effective' and 'Improvement Required'

# Disability

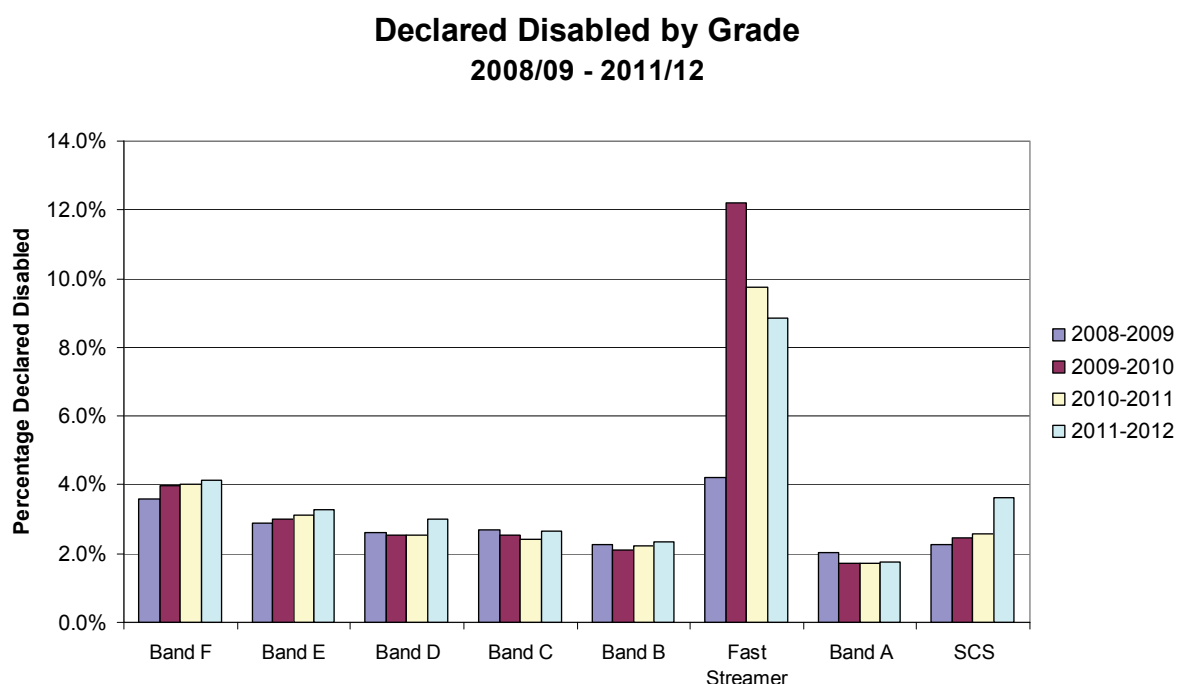
**Table 3: Disability Profile Statistics – 2011/12**

Disability Profile	Disabled	Non-Disabled	Not stated
BAME <sup>1</sup>	3.9%	77.3%	18.7%
White	3.4%	80.6%	16.1%
Female	3.0%	81.3%	15.7%
Male	4.5%	77.4%	18.1%
Average Age	45.7 yrs	43.9 yrs	42.4 yrs
Tenure (mean)	10.7 yrs	10.4 yrs	7.3 yrs
<b>Overall (%)</b>	<b>3.5%</b>	<b>80.1%</b>	<b>16.5%</b>

Notes:

1. Excludes undeclared BAME status

**Figure 3: Proportion of employees declared disabled, 2008/09 to 2011/12**



## Declaration Rates

Currently 27 per cent of MoJ staff do not declare their disability status; this figure is slightly higher than last year. This affects our ability to present an accurate picture of workforce profile<sup>24</sup>.

Staff within the MoJ who declared a disability represented four per cent of permanent staff in post; this is slightly higher than the previous year, but less than half of the representation in the overall Civil Service where eight per cent of all employees declared a disability.<sup>25</sup>

<sup>24</sup> The figures provided in this section exclude those who have not declared their disability status.

The recent Staff Engagement Survey<sup>26</sup>, an anonymous survey carried out in October 2012, had a 62 per cent response rate. Of these 62 per cent, 93 per cent declared a response to the question on disability with six per cent of these respondents declaring themselves as having a disability.

## **Grade**

There are more staff with a declared disability in the lower grades, with nearly half (49 per cent) of these working at Band E and 82 per cent are comprised of staff from Bands D, E and F.

The SCS had four per cent staff with a declared disability. This is an increase from the previous year and is now in line with MoJ's commitment in response to the Civil Service Diversity targets 2008/13.

Almost nine per cent of the Fast Stream has a declared disability; which is higher than their overall representation. Overall, Fast Streamers with a disability represent less than one per cent of the workforce.

## **Temporary Responsibility Allowance**

Two per cent of staff who had been receiving TRA had declared a disability. This is half of their overall representation in the general workforce.

## **Sick Absence**

The AWDL lost for staff with a declared disability is 18 days during this period. This is over twice the amount of days compared to staff who have declared as non disabled, who lost on average 8 days during this period.

## **Working Patterns**

Four per cent of staff who work part time have declared a disability, which is similar to their overall representation. The majority of staff with a declared disability work full time (75 per cent).

## **Performance Markings<sup>27</sup>**

Three per cent of staff in the MoJ who received an 'outstanding' marking had a declared disability<sup>28</sup>, which is slightly lower than their overall representation.

Nearly eight per cent of staff who were marked as 'improvement required' had a declared disability which is double their overall representation.

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<sup>25</sup> The Office for National Statistics produce diversity data for the overall Civil Service which is produced annually and can be viewed at <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2012/stb-civil-service-statistics-2012.html>

<sup>26</sup> The 2012 Staff Engagement Survey ran online from 2 October to 26 October, as part of the Civil Service-wide People Survey, in which 97 organisations took part, and to which 297,518 civil servants responded.

<sup>27</sup> The total number of staff whose performance markings have been recorded is 22,856 which is less than the number of staff in post. See "Explanatory notes" section for more information.

<sup>28</sup> The performance markings that are awarded to staff are "Outstanding" (only available for bands A to D), "Effective," and "Improvement Required."

### **Leavers, Retirement and Career Breaks:**

Four per cent of staff who left the MoJ had declared a disability. This is broadly in line with the overall representation for disability, but is a reduction from the previous year by around four per cent.

Three per cent of those resigning from the MoJ had declared a disability, this is broadly in line with overall representation.

Six per cent of those retiring from the MoJ had a declared disability, which is more than their overall representation.

Two per cent of staff taking a career break had a declared disability, which is lower than the overall representation for disability.

# Age

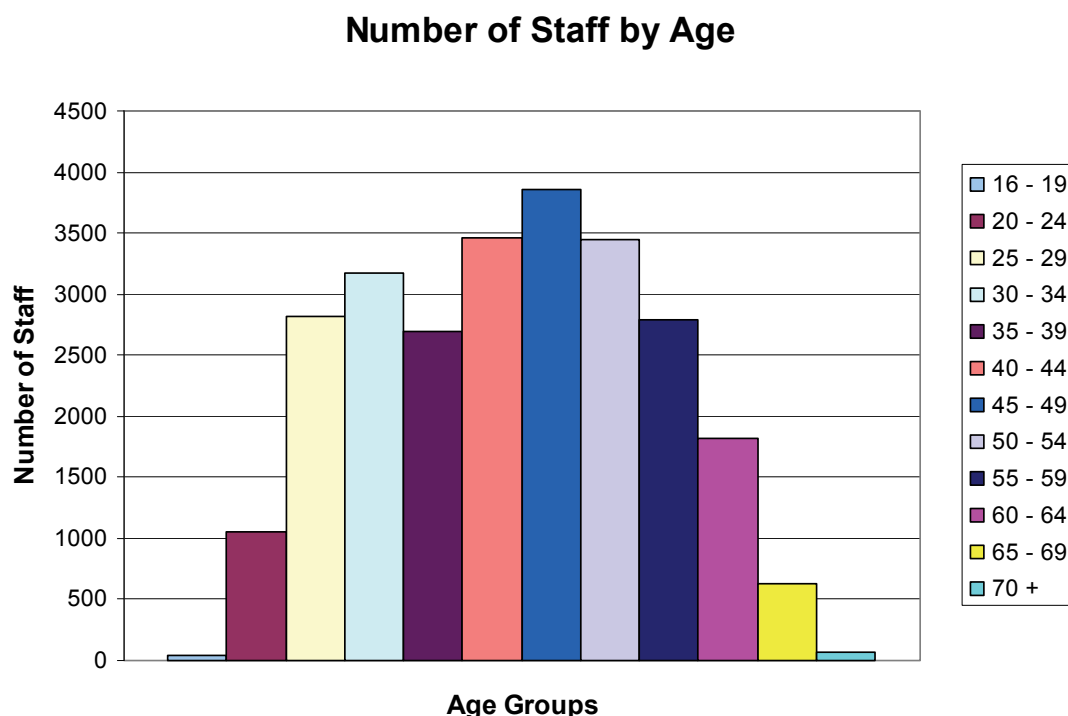
**Table 4: Age Representation Statistics – 2011/12**

<b>Age Profile</b>			
BAME <sup>1</sup>	39.7	White	44.8
Female	43.0	Male	44.8
Declared Disabled	45.7	Non Disabled	43.9
<b>Overall</b>	<b>43.6</b>		

Notes:

1. Excludes undeclared BAME status

**Figure 4: Age profile by grade in 2011/12**



The three largest age groups in the MoJ are 45 to 49 years (15 per cent); 40 to 44 and 50 to 54 year olds (both 13 per cent of the total workforce). In the overall Civil Service more than four in five civil servants are aged between 30 and 59 years, but this figure is slightly less in the MoJ with 75 per cent being in this age group.<sup>29</sup>

## Grade

Thirty nine per cent of the SCS in the MoJ are aged 50 or over, with no SCS aged below 30 years. This compares to 37 per cent of staff aged 50 or over working in administrative grades. Sixty four per cent of staff working in Band F are aged 50 or over.

<sup>29</sup> The Office for National Statistics produce diversity data for the overall Civil Service which is produced annually and can be viewed at <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2012/stb-civil-service-statistics-2012.html>



Eighty one per cent of Fast Streamers are aged between 20 and 29. Fast Stream staff are generally younger than those working in other Bands. Also the upper and lower age ranges for the Fast Stream are not as dispersed as in other Bands, starting in the 20 to 24 group and ending in the 45 to 49 group. Two per cent of Fast Streamers are aged above 34 years.

### **Temporary Responsibility Allowance**

The largest proportion of staff to receive TRA were those aged between 25 to 29 years old (20 per cent). Within this age group, Band E's were the highest group to receive TRA. As Band E grades make up the largest part of the workforce, this is to be expected. There are no members of staff over 70 years old who receive TRA, and the 65 to 69 year and 16 to 19 age groups both make up less than one per cent of all TRA awarded.

### **Sick Absence**

The amount of sickness absence recorded varies with age of staff. In general the average working days lost (AWDL) increases with age, with the lowest, for the 20 to 24 year olds (6.5) and the highest, for staff aged over 70 years (14.7).

### **Performance Markings<sup>30</sup>**

There was no staff member in the 16 to 19 or 70 plus age groups that received either an 'improvement required' or 'outstanding' markings<sup>31</sup>. Less than one per cent of staff in each of the age groups received an 'improvement required' marking. The age groups that received the highest level of 'outstanding' markings were 30 to 34 and 35 to 39 year olds (both with 11 per cent).

### **Leavers, Retirement and Career Breaks**

The number of staff leaving the MoJ is highest amongst staff aged 55 to 59 (14 per cent), closely followed by those aged 60 to 64 years. Nearly half (46 per cent) of staff that left the MoJ are aged 50 or over.

Of the staff leaving the MoJ, 15 per cent left due to retirement. Of those 15 per cent that retired, nearly nine out of ten (88 per cent) were over 55 years of age.

Fifty three per cent of staff taking a career break from the MoJ are aged between 30 and 39 years old.

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<sup>30</sup> The total number of staff whose performance markings have been recorded is 22,856 which is less than the number of staff in post. See "Explanatory notes" section for more information.

<sup>31</sup> The performance markings that are awarded to staff are 'Outstanding' (only available for bands A to D), 'Effective', and 'Improvement Required'.

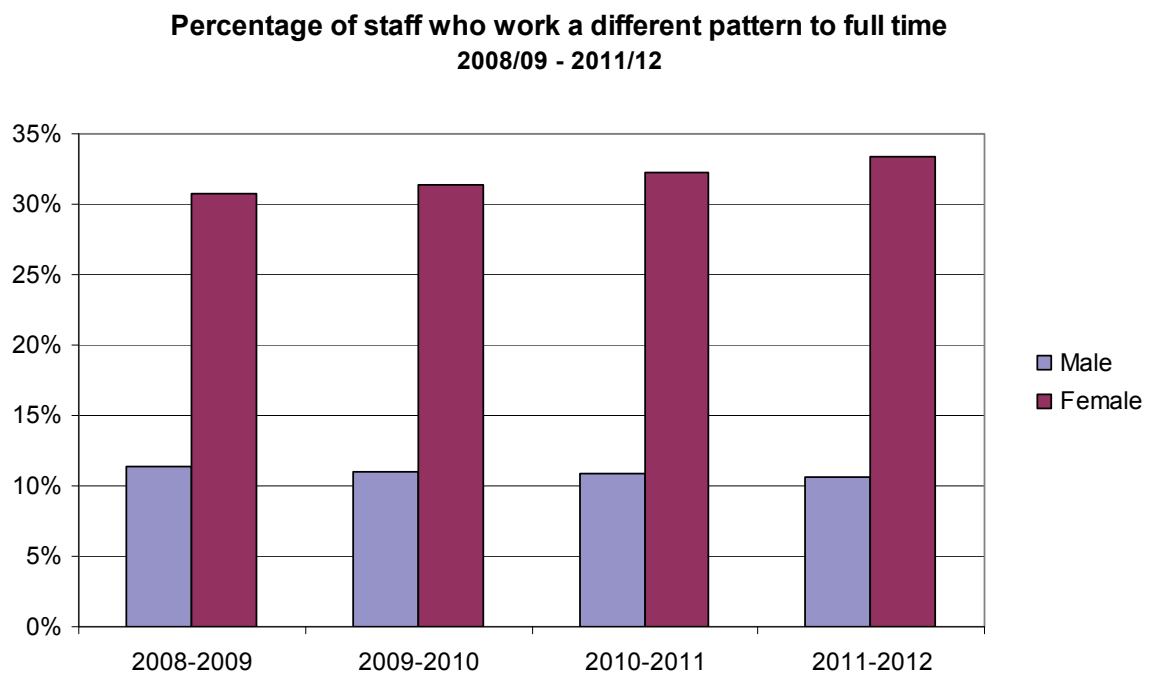
## Working Patterns

In the MoJ, flexible working is available to all staff regardless of their gender or any other protected characteristic. There are a variety of options that may be available to staff, these include compressed hours, home working, job-share, non-fixed or non-standard hours, part time, part year working and partial retirement.

It should be noted that the data in this report only refers to staff who work part time hours; other working patterns are not currently recorded on the Phoenix/'My Services' system. This means that direct comparisons with previous years can not be made as data was previously collected using a different system.<sup>32</sup>

Currently 26 per cent of the work force work part time hours.<sup>33</sup>

**Figure 5: Percentage of staff who work a different working pattern to full time, split by gender.**



### Gender

The majority of staff who utilise the option to work part time are female (87 per cent) compared to male (13 per cent), and this is higher than the female representation (68 per cent) in the overall workforce. About a third of female staff work part time and just over 10 per cent of male staff work part time (Figure 5).

<sup>32</sup> The Phoenix/'My Services' IT system was introduced early in 2011, prior to that data was collected using "Chrimson."

<sup>33</sup> The MoJ definition of 'full time' working is 37 hours per week (slightly less for London based staff) worked in an office based location, working an equal number of hours each day for 5 days.

## **Grade**

Band F has the highest number of staff who work part time (47 per cent) compared to full time (53 per cent). This band also has the highest proportion of male staff who work part time.

Across all grades there are more female staff working part time than male staff.

Ten per cent of staff at Band A work part time. Eight per cent of SCS work part time and four per cent of staff in the Fast Stream work part time.

## **Temporary Responsibility Allowance**

Only eight per cent of staff awarded TRA work part time, which is considerably lower than the overall figure of 26 per cent of the work force working part time hours.

## **Sick Absence**

The average working days lost (AWDL) is higher for staff who work part time than those who work full time. Staff who work on a part time basis lost an average of 9.8 days compared to their full time counterparts who lost on average 7.9 days.

## **Performance Markings<sup>34</sup>**

'Outstanding'<sup>35</sup> markings awarded to part time staff represented nine per cent of all outstanding markings given which is considerably lower than their overall representation (26 per cent). Twenty per cent of staff who were marked as 'improvement required' were staff who worked part time.

## **Leavers, Retirement and Career Breaks**

Staff who work part time represented 28 per cent of staff leaving the MoJ, this is similar to their overall representation.

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<sup>34</sup> The total number of staff whose performance markings have been recorded is 21,630 which is less than the number of staff in post. See "Explanatory notes" section for more information.

<sup>35</sup> The performance markings that are awarded to staff are "Outstanding" (only available for bands A to D), "Effective," and "Improvement Required."

# Sexual Orientation

Sexual orientation data collection commenced in 2008 for new starters only as part of the recruitment process. Existing members of staff have not been asked directly for this data, however the introduction of 'My Services' in 2011 allows each member of staff to confidentially update their details, including sexual orientation, on-line - although this is not mandatory.

For 83 per cent of staff we currently have no response recorded to questions regarding their sexual orientation.

Of the 17 per cent of staff who have responded to questions regarding their sexual orientation, 95 per cent identified as heterosexual. Gay men identify as the second largest group (three per cent). Four per cent of those who responded declared that they 'prefer not to say'.

Due to the low declaration rate, other comparable sources of data were explored in order to provide a fuller picture of the sexual orientation profile of the MoJ workforce.

The MoJ Staff Engagement Survey (SES) 2012 provides an alternative source of data. Overall, 62 per cent of staff responded to the survey though the response rate varied between individual business units.

The administrative data utilised for this Diversity Report excludes NOMS staff and is comprised mainly of staff from HMCTS and MoJ HQ, so to ensure some comparability, 'MoJ HQ' and 'HMCTS' were isolated as groups from the SES and their demographic results were subsequently analysed.

## **HMCTS**

Of the 75 per cent of staff from HMCTS that responded to the survey, 84 per cent declared a response to the question on sexual orientation. Of these 84 per cent, 81 per cent identified as heterosexual, two per cent identified as 'gay or lesbian' and less than one per cent identified as 'bisexual'. A further three per cent did not declare a response, and 13 per cent chose 'prefer not to say'.

## **MoJ HQ**

Of the 86 per cent of staff from MoJ HQ that responded to the survey, 88 per cent declared a response to the question on sexual orientation. Of the 88 per cent who declared a response, 85 per cent identified as heterosexual, three per cent identified as 'gay or lesbian' and less than one per cent identified as 'bisexual'. A further two per cent did not declare a response, and 10 per cent chose 'prefer not to say'.

It is notable that the declaration rates for sexual orientation are considerably higher in the SES than in the administrative data used for the diversity report.

It is important to acknowledge that only tentative conclusions can be drawn from comparing both datasets due to possible differences in design and sample respondents. For example, on the question of sexuality, the SES provides the option of 'gay/lesbian' whilst the administrative data distinguishes between 'gay men' and 'gay woman/lesbian'. In addition the dates for which data was collected was approximately six months apart.

## Religion and Belief

Religion and belief data collection commenced in 2008 for new starters only as part of the recruitment process. Existing members of staff have not been asked directly for this data, however the introduction of 'My Services' in 2011 allows each member of staff to confidentially update their details, including religion or belief, on-line - although this is not mandatory.

For 95 per cent of staff we currently have no response recorded to questions regarding their religion or belief.

Out of those who declared their religion or belief, the largest group is Christian at 58 per cent. Twenty nine per cent said that they had no religion or belief, five per cent were Muslim and within the responses eight per cent said that they would 'prefer not to say'.

As with sexual orientation, due to the low declaration rate, other comparable sources of data were explored in order to provide a fuller picture of the religion and belief profile of the MoJ workforce.

The MoJ Staff Engagement Survey (SES) 2012 provides an alternative source of data. Overall, 62 per cent of staff responded to the survey though the response rate between individual business units varied.

The administrative data utilised for this Diversity Report excludes NOMS staff and is comprised mainly of staff from HMCTS and MoJ HQ, so to ensure some comparability, 'MoJ HQ' and 'HMCTS' were isolated as groups from the SES and their demographic results were subsequently analysed.

### **HMCTS**

Of the 75 per cent of staff from HMCTS that responded to the survey, 85 per cent declared a response to the question on religion and belief. Of these 85 per cent, 52 per cent identified as Christian, 25 per cent reported having 'no religion' and two per cent identified themselves as Muslim.

### **MoJ HQ**

Of the 86 per cent of staff from MoJ HQ that responded to the survey, 88 per cent declared a response to the question on religion and belief. Of these 88 per cent, just under half (46 per cent) identified as Christian, 35 per cent responded as having no religion. Around two per cent of respondents chose their religion or belief as Muslim.

As with sexual orientation, the declaration rates for religion and belief are considerably higher in the Staff Engagement Survey results than in the administrative data used for the diversity report.

# Explanatory Notes

## Percentages

In most cases percentages have been rounded to the nearest number and therefore differences may occur.

## Working Hours

Full time employees are those who work 37 hours per week (36 hours in London). Reduced hours/part time employees are those who work less than these hours.

## Performance Markings

The total number of staff whose performance markings have been recorded is 22, 856 which is less than the full number of staff in post. This is because not all staff have had an end of year report. Those without an end of year report include those on probation and those who are temporarily not on the performance system due to maternity leave or a career break. The figure also excludes those who do not have a performance marking logged on the reporting system.

In the Working Patterns section the total number of staff whose performance markings have been recorded is 21,630, which is less than the number of staff in post. This reflects the factors in the paragraph above but also that the figure does not include working patterns data for those staff in Corporate Performance Group whose details are recorded on NOMS Phoenix, as this specific information is not available.

## Abbreviations

BAME	Black, Asian and Minority Ethnic
HMCTS	HM Courts & Tribunals Service
MoJ	Ministry of Justice
NOMS	National Offender Management Service
TRA	Temporary Responsibility Allowance
VEDS	Voluntary Early Departure Scheme

## Responsibility Levels

### Senior Management

SCS – Senior Civil Service

### Other Management Grades

Band A – (formerly Grade 6 and 7)

Band B – (formerly SEO – Senior Executive Officer)

Band C – (formerly HEO – Higher Executive Officer)

Band D – (formerly EO – Executive Officer)

Fastream – A Civil Service development programme, designed for people with the talent to rise rapidly to Band A and, in the longer term, the SCS. Entry to the programme is through an open competition run annually by Civil Service Resourcing, or for existing Civil Servants through the In-Service Competition.

### Administrative Grades

Band E – (formerly Administrative Officer)

Band F – (formerly Administrative Assistant)

## Contact points for further information

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