

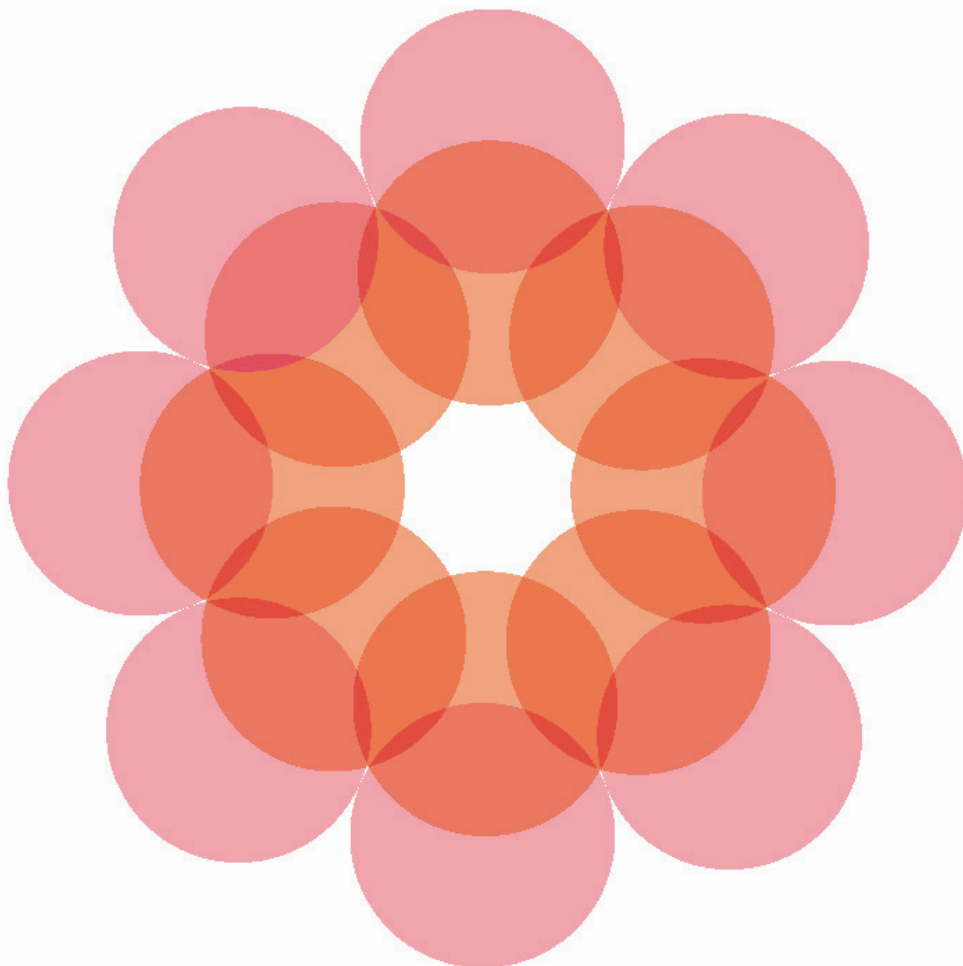


Ministry
of Justice

Diversity Report

2012/13

Ministry of Justice



Published February 2014

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Introduction

The Ministry of Justice (MoJ) is working towards building and maintaining a safe, just and democratic society. We are committed to ensuring that equality remains at the heart of our business.

We actively consider equality across all our work areas, including:

- designing and delivering policy and services
- procuring and commissioning from others
- governance of our arms length bodies
- and how we act as a public sector employer

This is an essential element in complying with equality law and in particular, with the public sector equality duty.

This report provides diversity data for all staff within the MoJ including its agencies, the National Offender Management Service (NOMS) which includes NOMS HQ and public sector prisons, Her Majesty's Courts & Tribunal Service (HMCTS) and the Office of the Public Guardian (OPG). It does not include information about the Legal Aid Agency (LAA) which joined the Ministry of Justice on 1st April 2013.

It has been produced using data from Phoenix, a self service staff data IT system for all MoJ staff. The report covers the period from 1st April 2012 to 31st March 2013 (for things such as joiners and leavers, promotions etc) and the data includes a snapshot of the position at 31st March 2013.

The MoJ is one of the largest direct delivery departments in Whitehall, employing over 67,000 staff and our staff deliver services to a diverse range of individuals and communities.

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 2010,¹ and more accurately understand the likely effect of decision making on our workforce.

The MoJ has been working to improve the quality of our diversity data, to encourage staff to complete their diversity details on the self service IT system and keep this regularly updated. An important part of this is building trust and confidence and demonstrating the value of providing this information so that meaningful action will follow. 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.

¹ The Equality Act 2010 sets out the specific duties for Public Bodies, "A public authority, must in the exercise of the functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by and under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and those who do not share it"

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

A number of abbreviations have been used throughout this report. Their meanings have been clarified in the Explanatory Notes section.

Staff numbers have been rounded to the nearest 100, while percentages have been rounded to the nearest 1% and rates to the nearest 0.1. This means that numbers may not always sum exactly to rounded totals.

Context/Background

The Ministry of Justice brings together areas responsible for the administration of the courts, tribunals, legal aid, sentencing policy, prisons, the management of offenders and also matters concerning law and rights.

Each year millions of people use our services across the UK – including at over 500 courts and tribunal venues. The Ministry is also responsible for 133 prisons in England and Wales.²

National Offender Management Service (NOMS) – provides a prison service that holds approximately 84,000³ prisoners as at 31st March 2013. The large proportion of prisoners (over 91%, as at 31 March 2013) are male and as would be expected staff within the prisons more closely reflect the population of that prison, i.e., more male prison officers in male prisons, whereas staff in NOMS HQ are more reflective of wider MoJ staff. Their responsibilities extend throughout England and Wales (separate arrangements exist for Scotland and for Northern Ireland). NOMS have approximately 42,700 staff.

Her Majesty's Courts & Tribunal Service (HMCTS) – provides a court/tribunal service, which incorporates a number of call centres/back offices. Their responsibilities extend throughout England and Wales (separate arrangements exist for Scotland and for Northern Ireland). HMCTS have approximately 19,400 staff.

Ministry of Justice Headquarters (MoJ HQ) – develops the policy for all its areas of responsibility as well as managing the administration of our business. MoJ HQ have approximately 4,500 staff.

Office of the Public Guardian (OPG) – supports the Public Guardian in registering Enduring Powers of Attorney (EPA), Lasting Powers of Attorney (LPA) and supervising Court appointed Deputies. Their responsibilities extend throughout England and Wales (separate arrangements exist for Scotland and for Northern Ireland). OPG have approximately 500 staff.

² <https://www.gov.uk/government/organisations/ministry-of-justice/about>

³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/253955/prison-population-tables-Q2-2013.xls

Executive Summary

As of 31 March 2013, there were 67,090 staff in post within the Ministry of Justice.

- **Sex (Gender):** Approximately 53% of overall MoJ headcount were male, while 47% were female. These overall figures vary significantly at individual business area level.
- **Ethnicity:** Of those that provided details of their ethnicity approximately 90% were White, with the remaining 10% falling within the category of Black, Minority Ethnic (BME) group.
- **Disability:** Of those that have provided details of their disability status, 6% were disabled.
- **Age:** The highest proportion of MoJ employees are in the 40–49 age category (32% of headcount).
- **Working Patterns:** 16% of staff were on some form of flexible working pattern (including: Compressed Hours; Fixed Rest Days; Home Working; Job Sharing; Part Time; Part Year; Regular (Non-Standard); Regular (Standard), and Term Time).
- **Sexual Orientation:** There is insufficient information available in this category to provide any meaningful information. With only approximately 18% providing details of their sexual orientation, more detailed analysis on this will be available once declaration rates are in excess of 60%.
- **Religion and Belief:** There is insufficient information available in this category to provide any meaningful information. With only approximately 8% providing details of their religion and belief, more detailed analysis on this will be available once declaration rates are in excess of 60%.

Staff in Post

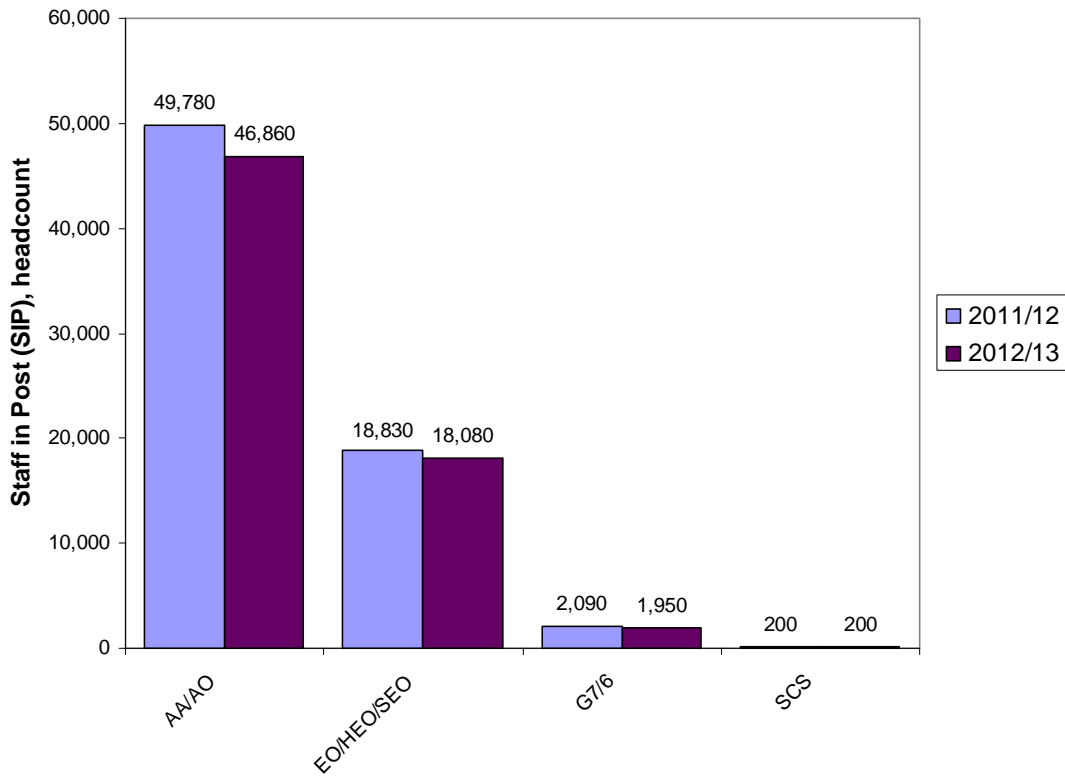
Overall headcount is 67,090, which is a reduction of 3,790 between 2011/12 and 2012/13. With substantial reductions in staff numbers there is potential for changes to the staff demographics, however such changes have been very limited.

Overall Staff Composition

	MoJ Overall	
	31 Mar 13	
	Number	Percentage¹
All staff	67,090	
Sex		
Female	31,720	47.3%
Male	35,360	52.7%
Age		
<20	50	0.1%
20–29	7,900	11.8%
30–39	13,670	20.4%
40–49	21,400	31.9%
50–59	18,220	27.2%
60+	5,850	8.7%
Ethnicity		
Declaration rate		85.5%
All BME Groups	5,550	9.7%
Of which:		
Asian or Asian British	2,210	3.8%
Black or Black British	2,110	3.7%
Chinese or Other ethnic group	500	0.9%
Mixed ethnic groups	740	1.3%
White	51,800	90.3%
Not known/Prefer not to say	9,740	
Disability status		
Declaration rate		62.4%
Declared disabled	2,360	5.6%
Non-disabled	39,510	94.4%
Not known/Prefer not to say	25,210	

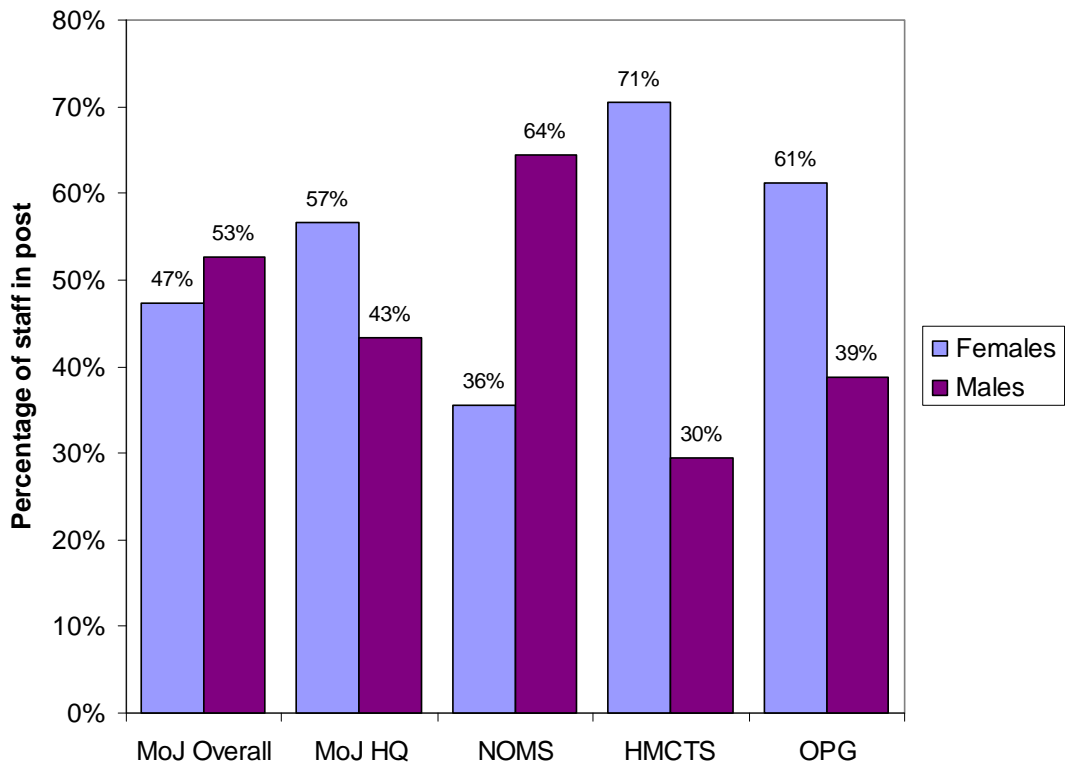
¹ Percent of total staff with declared characteristic

Staff in Post (SIP) by Grade, 2011/12 and 2012/13, MoJ Overall



Sex (Gender)

Distribution of Sex by Business Area



As at March 2013, approximately 53% of staff were male, while 47% were female. This is weighted heavily by NOMS, which has the highest number of staff, of which 64% are male. MoJ HQ, HMCTS and OPG all have a higher proportion of female than male staff. HMCTS has the highest proportion of female staff (71% – rounded up figures).

The overall distribution by sex remains the same at March 2013 as reported at March 2012. Statistics for the overall Civil Service⁴ at March 2013 show slightly more female staff employed than male staff.

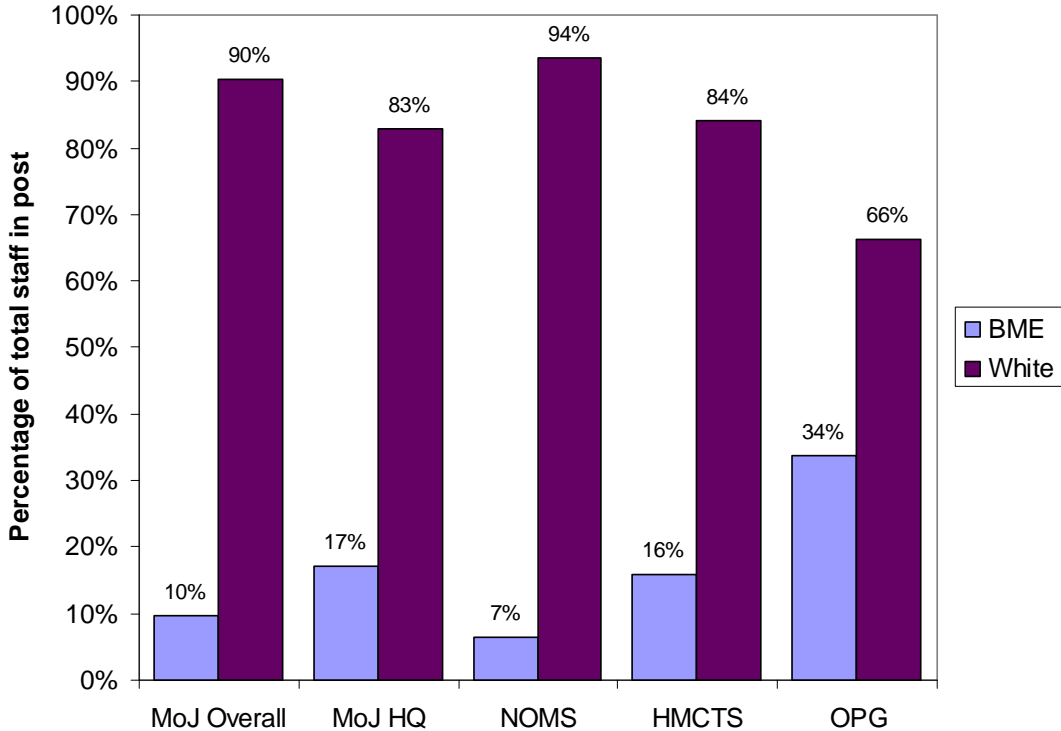
The overall proportion of female staff working in MoJ at Senior Civil Service (SCS) level was 38%, which is comparable with the Civil Service average (36%).⁴

The proportion of female senior managers (Grade 6/7) as at March 2013 was 48%, which is higher than the Civil Service average (42%). This is a 2 percentage point increase on the equivalent figure as at March 2012. Female staff make up a higher proportion at middle and lower management (EO/HEO/SEO) grades (51%) and represent 46% of staff at administrative (AA/AO) grades.

The prison population is largely male dominated and this is reflected in the make up of operational staff. In NOMS, as at 31 March 2013, 27% of Prison Officers and 29% of Operational Managers were female. They also accounted for 47% of Non Operational Managers and above, and 58% of Non Operational junior grades below Manager level. Within NOMS HQ, however, female representation is 49%.

Ethnicity

Distribution of Ethnicity by Business Area



As at March 2013, the ethnicity declaration rate had increased from 71% in 2011/12 to 85% in 2012/13 (+14 percentage points). Of these approximately 90% were White, which is consistent with overall Civil Service figures. Asian/Asian British and Black/Black British represented the majority of BME employees, with both accounting for 4% of staff declaring ethnicity. Other categories of BME employees (Chinese, mixed and other) together account for approximately 2% of staff declaring ethnicity. These proportions are also similar to those described in overall Civil Service figures.

⁴ ONS Bulletin, "Civil Service Statistics, 2013", released 10th Oct. 2013

There have been only minor changes to the overall ethnicity distribution in MoJ between 2011/12 and 2012/13, although the changes that have taken place represent an increase in White employees (+2 percentage points) and a 1% decrease in Black/Black British representation.

The ethnicity breakdown varies by business group. NOMS has the highest proportion of White staff (94% – rounded up figures), from within a 91% declaration rate. OPG has the highest proportion of BME staff who declared their ethnicity (34%), dominated by an Asian/Asian British ethnicity. The declaration rate for OPG is, however, low (60% of total headcount), so this result must be treated with caution. HMCTS (16%) and MoJ HQ (17%) have higher proportions of BME employees than seen overall (10%).

Between March 2012 and March 2013, BME representation, fell across the most populous grades, reflecting the overall decrease for the MoJ. Declared BME administrative staff (AA/AO) fell from 10% to 9% from end 2011/12 to end 2012/13. The declaration rate for 2011/12 was 75%, rising to 86% in 2012/13. Declared BME middle and lower level manager (EO/HEO/SEO) grades fell from 15% to 11% from end 2011/12 to end 2012/13. The declaration rate for 2011/12 was 65%, rising to 86% in 2012/13. Lastly declared BME representation for senior managers (Grade 7/6) and SCS for 2012/13 were 7% and 5%, respectively. Declaration rates were too low for these groups in 2011/12 to provide meaningful representation rates.

As declaration rates have changed across all grades, apparent changes in representation rates may be due to changes in numbers of staff declaring ethnicity rather than being due to any real change in patterns of ethnicity across all staff. For senior grades, declaration rates for ethnicity have increased dramatically between March 2012 and March 2013: the declaration rate for senior managers (Grade 6/7) has increased from 47% to 76%, while the declaration rate for SCS has increased from 38% to 73%.

Disability

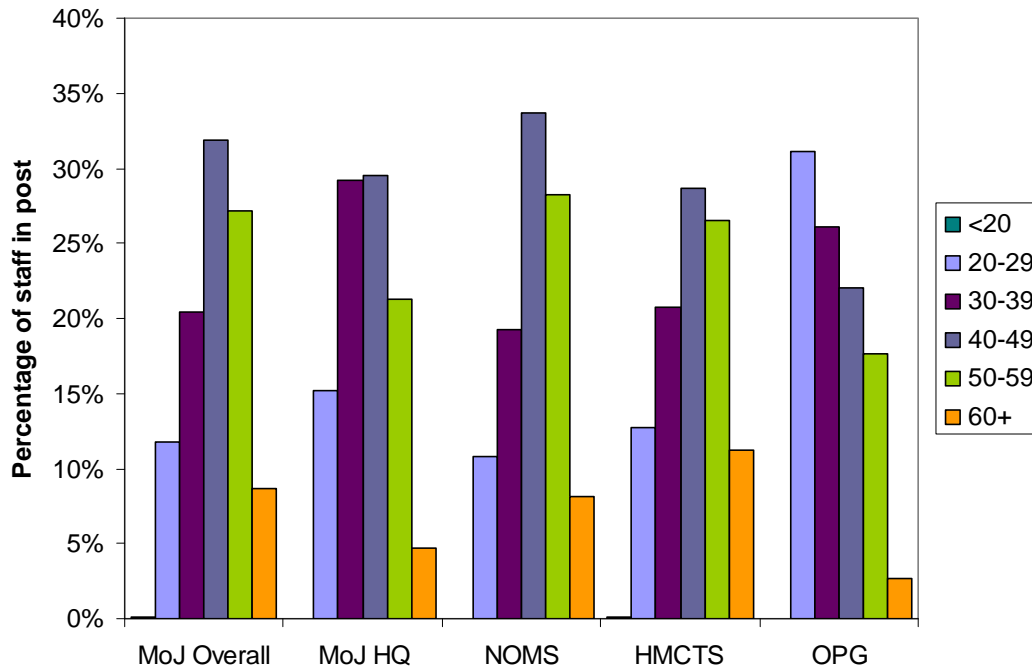
Declaration rates for disability status in MoJ remain low, at 62% (as at March 2013). Of these, those with a declared disability (6% of staff) remain consistent with the previous year.

OPG and HMCTS have the highest declared disability status as at March 2013 (70% and 77% of total headcount, respectively). OPG also has the highest proportion of declared disabled staff (8%). NOMS and MoJ HQ both have declaration rates less than 60% of their headcount, i.e. below the level at which definite conclusions about the proportion of disabled staff can be drawn.

The proportion of staff with declared disability is largely consistent across all grades at March 2013. This is contrary to the wider Civil Service, where the proportion of employees with a declared disability reduces the higher the grade. The declaration rate across all grades is, however, low and has dropped for the SCS from 70% to 61% between March 2012 and March 2013, so it is difficult to draw firm conclusions about the proportion of staff who are disabled from this data.

Age

Distribution of Age by Business Area



The highest proportion of MoJ employees are in the 40–49 age category (32% of staff). This trend remains true for all the agencies except OPG, whose 20–29 age category is proportionally the largest (31% of OPG's 500 staff). The distribution of age categories for overall headcount in 2012/13 differs only slightly from the 2011/12 distribution. This is also consistent with proportions seen in overall Civil Service figures.

Sexual Orientation

Sexual orientation data collection commenced in 2008 for MoJ and HMCTS, this applied to new starters only. In NOMS, sexual orientation data has only been routinely accessible since March 2013. Existing members of staff have not been asked directly for this data, however the introduction of 'My Services' allows each member of staff to confidentially update their details, including sexual orientation, although this is not mandatory. MoJ has been running a communications campaign during 2013 to encourage staff to update their details.

18% of staff in post at March 2013 have a declared sexual orientation. Due to the low levels of information we have, any representation rates would be meaningless and so we are unable to report on this category any further, however, we will be able to report on this category once declaration rates exceed 60%.

Faith/Religion or Belief

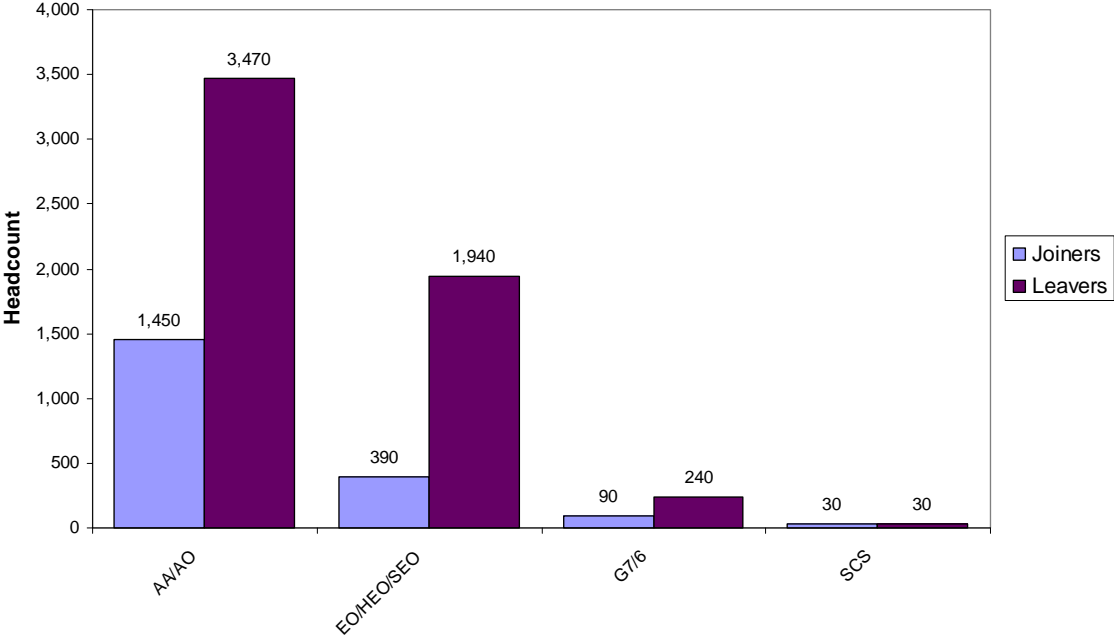
Religion and belief data collection commenced in 2008 for MoJ and HMCTS, this applied to new starters only. In NOMS, as with sexual orientation, religion and belief data has only been routinely accessible since March 2013. Existing members of staff have not been asked directly for this data, however the introduction of 'My Services' allows each member of staff to confidentially update their details, including religion or belief, although this is not mandatory. MoJ has been running a communications campaign during 2013 to encourage staff to update their details.

8% of staff in post at March 2013 have a declared religious status. Due to the low levels of information we have, any representation rates would be meaningless and so we are unable to report on this category any further, however, we will be able to report on this category once declaration rates exceed 60%.

Joiners/Leavers (including Retirement & Career breaks)

The MoJ has had low recruitment levels during a period of organisational restructure (2012–13), and these levels continue to be low in comparison to the number of leavers.

Joiners and Leavers by Grade, 2012/13, MoJ Overall



Sex (Gender)

The trends in sex distribution for joiners across all grades is consistent with the trend for overall MoJ joiners (55% female and 45% male) and with overall figures in 2011/12.

The distribution by sex for leavers from MoJ in general in 2012/13 was 48% female and 53% male (rounded up figures). This represents a 2% percentage point decrease and increase respectively, relative to 2011/12 figures.

Ethnicity

Declaration rates for ethnicity (49%) remained low for all joiners as at March 2013, particularly at the higher grades, although these have increased compared to March 2012 (+4% percentage points). This means that declaration rates are still too low to meaningfully report the ethnicity of joiners, especially given the small number of joiners overall.

Declaration rates for ethnicity were higher for leavers (85% in 2012/13, which is the same as the declaration rate for staff in post) so the ethnicity of leavers can be reported.

In 2012/13, of leavers with declared ethnicity, 93% were White and 8% were BME (rounded up figures). There is a slightly higher proportion of White staff in the leaving population compared to the staff in post population at the end of the year (91% of staff with declared ethnicity).

Disability

Declaration rates for disability status (46%) remained low for all joiners, as at March 2013, although these have increased compared to March 2012 (+11% percentage points). This means that declaration rates are still too low to meaningfully report the disability status of joiners, especially given the small number of joiners overall.

Declaration rates for disability status were higher for leavers (64% in 2012/13, which is slightly higher than the declaration rate for staff in post) so the disability status of leavers can be reported.

In 2012/13, of leavers with declared disability status, 8% were declared disabled and 92% were declared non-disabled. This is a slightly higher proportion of declared disabled staff in the leaving population compared to the staff in post population at the end of the year (of which 6% of staff with declared disabled).

Age

The greatest proportion of joiners at administrative levels (AA/AO) and middle and lower management (EO/HEO/SEO) levels were in the 20–29 category (50% and 46% of joiners in each grade, respectively). At senior manager (Grade 6/7) levels the greatest proportion of joiners were from the 30–39 age category (51%), while at SCS the greatest proportion of joiners were from the 50–59 age category (40%), although this may be expected if anticipated that it takes time to build up seniority.

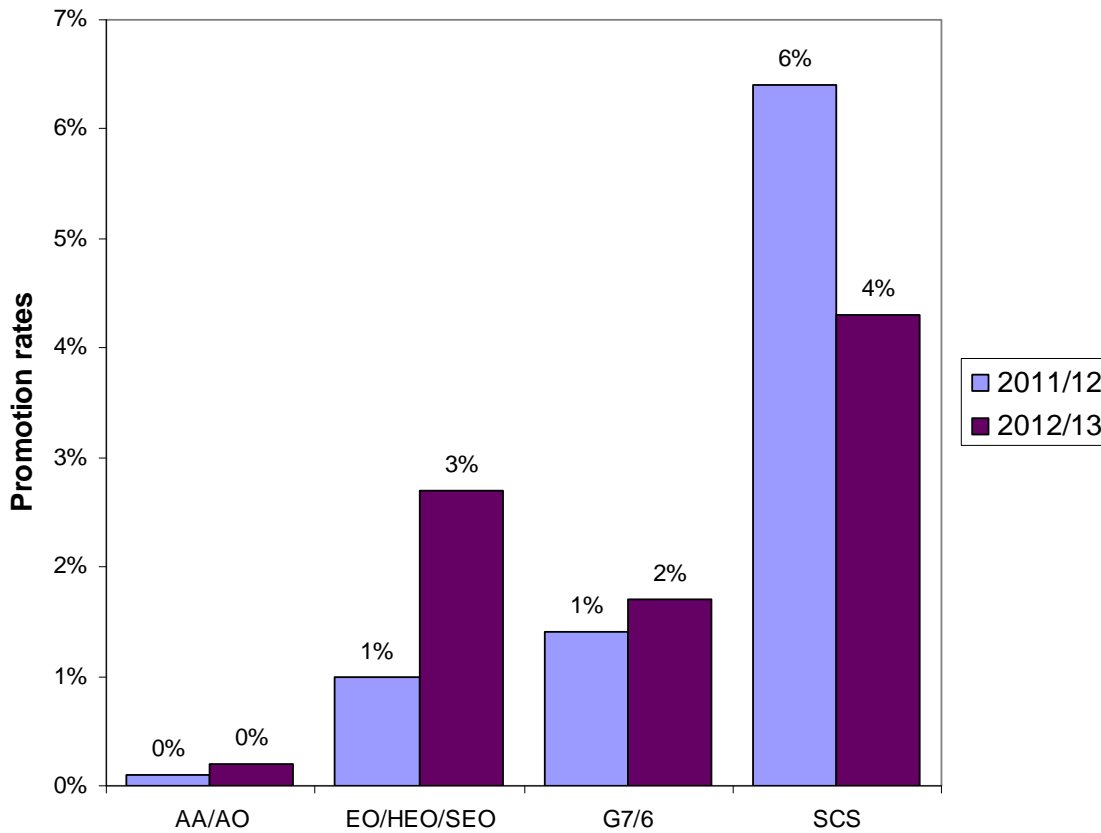
These trends are largely consistent with 2011/12 data, except for SCS level, where the highest proportion of joiners had been from the 30–39 age category.

The age distribution for administrative grades (AA/AO) was similar to the overall MoJ age distribution. However, as would be expected, more senior grades had higher proportions of older staff.

As expected, leaving rates by age group varies with retirement rates being highest for the over 60 age group (87% of total retirees).

Promotions

Promotion rates by Grade, 2011/12 and 2012/13, MoJ Overall



Grade

Levels of promotion continue to be low in MoJ. In 2012/13, 1% of staff were promoted, a slight increase on the previous year, when the level of promotion was less than 1%. There continued to be very low levels of promotions within the administrative grades but promotions from middle and lower management (EO/HEO/SEO) rose from 1% to 3% and promotions from senior manager grades (Grade 7/6) rose from 1% to 2%. Promotions within the SCS grades fell from 6% to 4%.

Sex (Gender)

In 2012/13 females were promoted at a greater rate than males from all grades except SCS.

Ethnicity

In 2012/13, BME staff had higher promotion levels than White staff for administrative (AA/AO) and middle and lower management (EO/HEO/SEO) grades.

As the number of promotions are low across all grades, no firm conclusions can be drawn about the ethnicity status of staff being promoted.

Disability

In 2012/13, declared disabled staff had lower promotion levels from middle and lower management (EO/HEO/SEO) than declared non-disabled staff (1% compared to 3%). At other grades, low numbers of promotions and low declaration rates mean that promotion levels for declared disabled and declared non disabled staff cannot be accurately reported. Declared disabled staff had higher promotion levels.

As promotion levels are low across all grades, no firm conclusions can be drawn about the disability status of staff being promoted.

Age

Promotion levels were higher for the younger age groups 20–29, and from middle and lower management (EO/HEO/SEO) grades (14%) compared to older age groups (e.g. 4% of 30–39 year olds were promoted at these grades).

Temporary Responsibility Allowance (TRA)

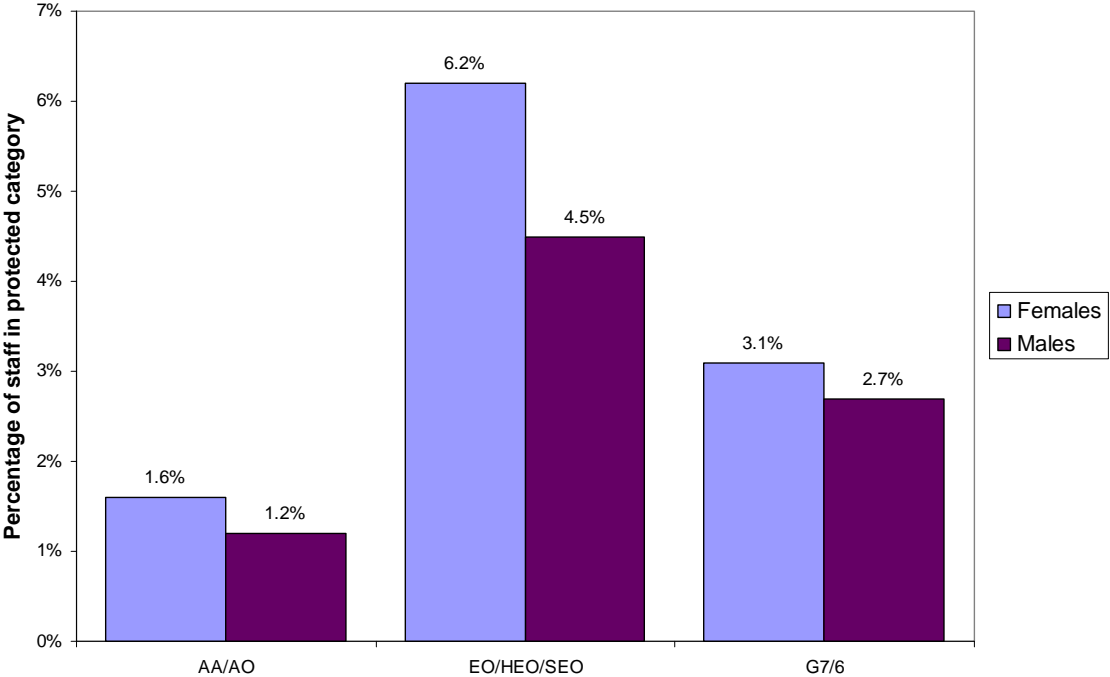
The MoJ gives Temporary Responsibility Allowance (TRA) to staff that have taken on additional responsibilities or duties; this is applicable to all grades. TRA may be awarded where: there is a need to cover a short term project or temporary work in addition to normal duties; there is a vacant or temporary 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; or by voluntarily applying for advertised posts. TRA will be for a minimum period five days up to a maximum of two years.

Grade

Overall 2.5% of MoJ staff were on TRA, as at 31 March 2013. The proportion of staff on TRA was highest for those from middle and lower management (EO/HEO/SEO) grades, with a TRA level of 5%. TRA levels for senior managers (Grade 7/6) were 3% and for administrative grades (AA/AO) were 1%.

Sex (Gender)

Temporary Responsibility Allowance by Sex, 2012/13, MoJ Overall



TRA was higher for female staff than for male staff across all grades.

Ethnicity

On 31st March 2013, 83% of staff on TRA had declared their ethnicity. 8% of staff on TRA were BME, lower than the BME representation in the MoJ overall (10%).

As numbers involved here are small, no firm conclusions can be drawn about the ethnicity status of staff on TRA.

Disability

Staff on TRA from administrative grades (AA/AO) were 1% for disabled and 2% for non-disabled staff. For middle and lower management (EO/HEO/SEO) grades, proportions of declared disabled (3%) staff on TRA were lower than for declared non disabled (6%) staff.

66% of staff on TRA have provided information on their disability status, of these 4% of staff on TRA were disabled, which is lower than the disabled representation in the MoJ (6%).

As numbers involved here are small, no firm conclusions can be drawn about the disability status of staff on TRA.

Age

Of staff from administrative grades (AA/AO) and middle to lower management grades (EO/HEO/SEO), the proportion of staff on TRA was higher for those aged 20–29 than for other age bands (3% and 23% respectively). There was no TRA among those aged 20–29 among senior management grades (G7/G6), although this is not unsurprising given the relationship between age and seniority.

Performance Markings

Performance is managed pro-actively in the MoJ with a focus on continuous improvement and individual development, and managing poor performance in order to facilitate efficient business delivery in line with the Civil Service values. It is managed in a fair and transparent way and the policy complies with: employment legislation; Advisory, Conciliation and Arbitration Service (ACAS) best practice; The Equality Act 2010; and the Civil Service Management Code.

The MoJ had two performance management systems for this period (MoJ and NOMS); both systems record their markings on Phoenix/MyServices'. Both systems had performance marks 'Exceeded', 'Achieved' and 'Unachieved'. The NOMS system has an additional marking of 'Almost Achieved'. For the purposes of this report, 'Unachieved' and 'Almost Achieved' have been joined together.

The SCS have their own performance management system which is not included in this section.

Grade

From the end of 2011/12 to the end of 2012/13, the proportion of 'Achieved' performance marks remained roughly constant for administrative grades (AA/AO at around 88%), middle to lower management grades (EO/HEO/SEO close to 72%) and senior grades (Grade 6/7 at around 66%).

At the end of 2012/13 the proportion of staff receiving an 'Unachieved/Almost Achieved' mark was 1% for all grades.

For the same year, the proportion of staff receiving an 'Exceeded' mark was 10% for administrative grade (AA/AO) staff, 25% for middle to lower management (EO/HEO/SEO) staff, 33% for senior manager (Grade 7/6) staff.

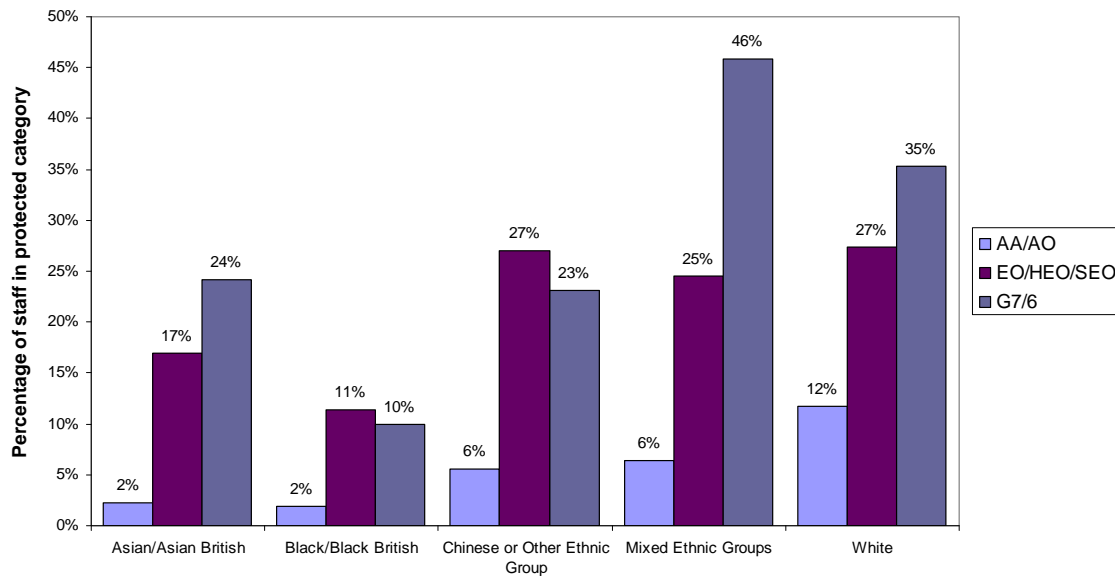
Sex (Gender)

The proportion of females receiving 'Exceeded' markings is the same as for males (15%).

Female staff (24%) received lower proportions of 'Exceeded' markings at middle and lower management (EO/HEO/SEO) grades than male staff (27%), although this reverses at senior manager (Grade 7/6) grades where female staff received higher proportions of 'Exceeded' markings than male staff (35% compared to 31%, respectively).

Ethnicity

Proportion of Ethnic Categories receiving 'Exceeded' appraisal marking in 2012/13, MoJ Overall



For staff who have declared their ethnicity, BME staff received lower proportions of 'Exceeded' markings compared to White staff. 3% of BME staff received 'Exceeded' compared to 12% White staff for administrative grades (AA/AO). 17% BME staff received 'Exceeded' compared to 27% White staff for middle to lower management (EO/HEO/SEO) grades. 27% of BME staff compared to 35% White senior managers (Grade 6/7) received an 'Exceeded' mark.

However, as numbers with 'Exceeded' markings are small, no firm conclusions can be drawn about the ethnicity of staff receiving an 'Exceeded' marking.

Disability

For staff who have declared their disability status, those who are declared disabled at administrative grades (AA/AO) and middle to lower management (EO/HEO/SEO) grades received similar proportions of 'Exceeded' markings to their declared non disabled colleagues (26% disabled compared to 25% non disabled). For staff at senior manager (Grade 7/6) grades, declared disabled staff (40%) receive higher proportions of 'Exceeded' markings than their declared non disabled counterparts (34%).

However, as numbers with 'Exceeded' markings are small, no firm conclusions can be drawn about the disability status of staff receiving an 'Exceeded' marking.

Age

Distributions of proportions receiving 'Exceeded' markings by age is similar for all grades, with lower age and higher age groups in the grade receiving lower proportions of 'Exceeded' markings than middle age groups. For example, for AA/AO grades, 3% of staff aged under 20 and 6% of staff aged over 60 received an 'Exceeded' marking compared to between 9% and 12% for other age groups.

Grievances, Investigations, Conduct and Discipline

The Ministry of Justice values our staff and promotes effective relationships between the Ministry as an employer and each employee, and between different employees. The grievance policy provides a framework for employees to raise concerns, problems or complaints, and for managers to deal with them effectively and promptly. All employees have a right to raise a grievance with their employer and have it considered in a fair and consistent way.

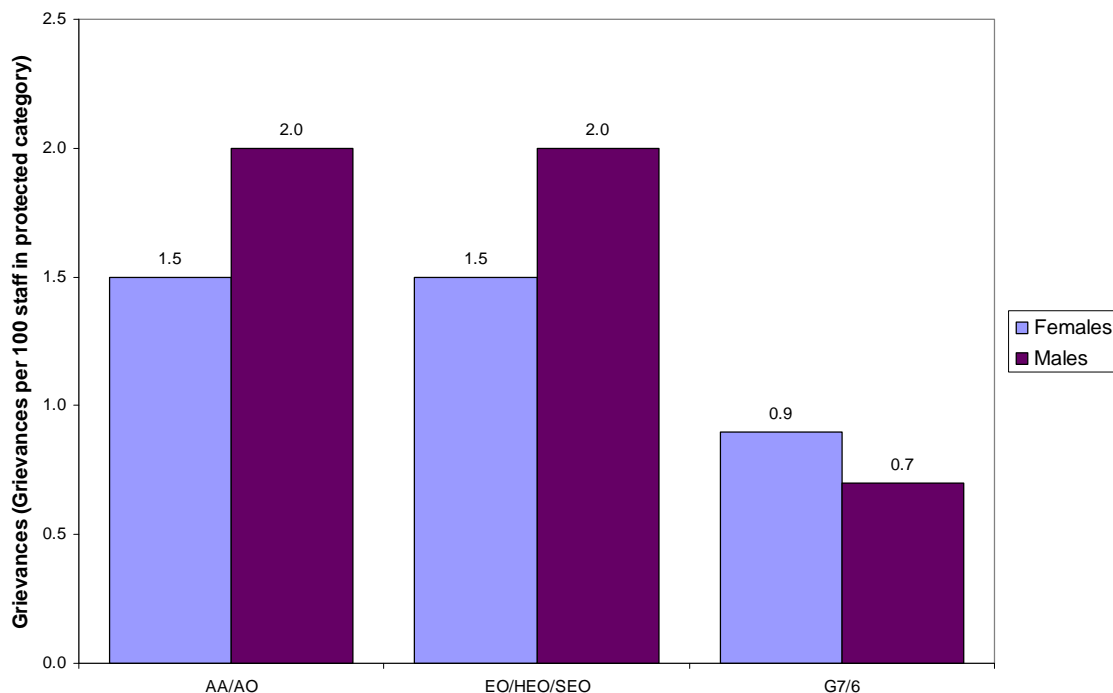
Grade

The overall figures for the number of grievances (approximately 2 per 100 staff), investigations (approximately 2 per 100 staff) and conduct and discipline cases (approximately 1 per 100 staff) were similar in 2011/12 and in 2012/13.

The numbers of grievances, investigations and conduct and discipline issues in 2012/13 (as in 2011/12) were largely at the administrative grades (AA/AO) and middle to lower management (EO/HEO/SEO) grades. There were none recorded for SCS staff.

Sex (Gender)

Grievances by Sex and Grade, 2012/13, MoJ Overall



In 2012/13 total grievances were higher for males than for females in administrative and middle to lower management grades, as shown in the chart above. Also, investigations and conduct and discipline issues per 100 staff were all almost twice as high for male as for female staff for the administrative (AA/AO) and middle to lower management (EO/HEO/SEO) grades.

Ethnicity

Declared BME staff had a higher rate of investigations per 100 staff (2.8) than declared White staff (2.2) but a similar rate of grievances per 100 staff and conduct and discipline issues per 100 staff for White and BME staff.

However, as numbers involved are small, no firm conclusions can be drawn about the ethnicity status of staff concerned.

Disability

Declared disabled staff had a higher rate of grievances than declared non disabled staff (3.7 compared to 1.5 per 100 staff), a higher rate of investigations (2.8 compared to 2.0 per 100 staff) and a higher rate of conduct and discipline issues (1.4 compared to 1.0 per 100 staff).

However, as numbers involved are small, no firm conclusions can be drawn about the disability status of staff concerned.

Age

In 2012/13 grievances, investigations and conduct and discipline issues per 100 staff were reasonably evenly spread across age groups.

Special Bonus Scheme

The MoJ recognises and rewards individuals and groups of staff who make an exceptional (sustained or one-off) contribution that furthers the aims and objectives of MoJ or meets an exceptional shorter-term operational challenge. This recognition spans a range of options, from thank you letters to vouchers to a one off payment.

This section reports on those staff that have received one or more special bonus payments paid via their salary, over the course of the year.

Note that SCS are not included in this analysis as they have a separate system of bonuses.

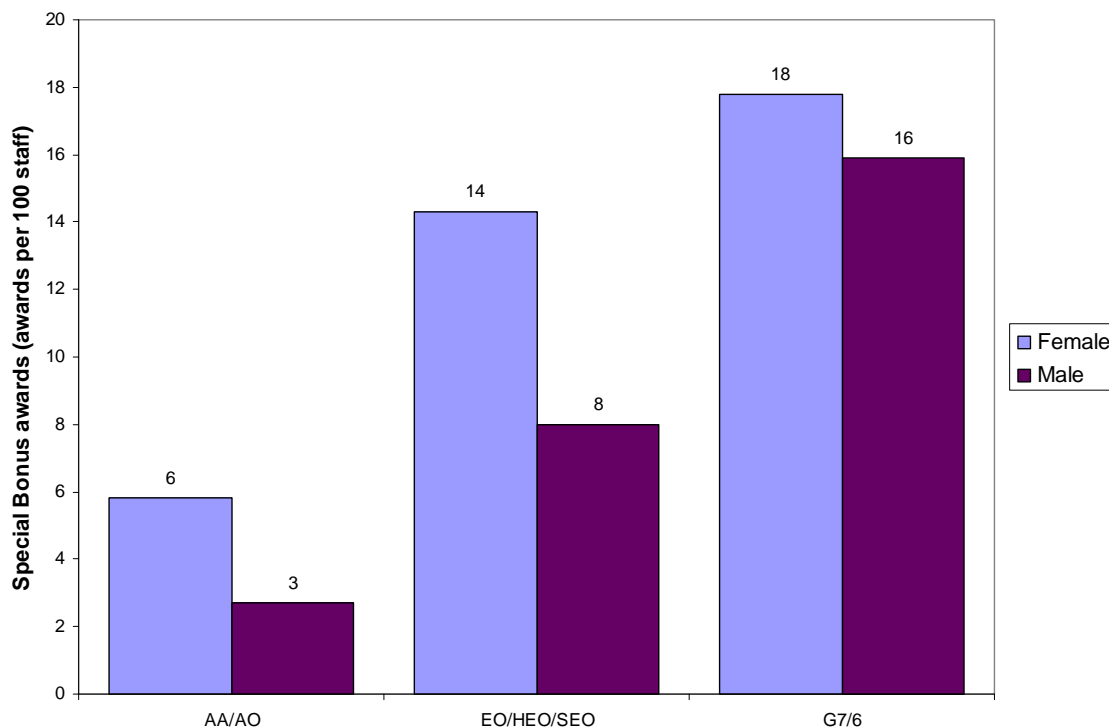
Grade

More bonuses were awarded to higher grade than lower grade staff in 2012/13. Senior managers (Grade 6/7) had 17 bonuses per 100 staff, middle to lower management (EO/HEO/SEO) had 11 bonuses per 100 staff and administrative grades (AA/AO) had 4 bonuses per 100 staff.

The level of award was higher for more senior staff than junior grades. Senior manager (Grade 6/7) average award was £370, middle to lower management (EO/HEO/SEO) average award was £250 and for administrative grades (AA/AO) the average award was £170.

Sex (Gender)

Special Bonus awards by Sex and Grade, 2012/13, MoJ Overall



More bonuses per 100 staff were awarded to female staff in 2012/13 (10) than to male staff (5). The level of bonus was slightly higher for male staff, averaging around £230 as compared to £210 for female staff.

Ethnicity

In 2012/13, the numbers of bonuses awarded per 100 staff was higher for declared BME staff (13) than for declared white staff (6). The average level of award was lower for declared BME staff (around £190) than for declared White staff (£230), reflecting the grade level of award noted above.

However, as numbers receiving bonuses broken down by ethnicity are small, no firm conclusions can be drawn about the ethnicity status of staff receiving bonuses.

Disability

In 2012/13, the numbers of bonuses awarded per 100 staff was lower for declared disabled staff (5) than for declared non disabled staff (8). However the average level of award was slightly higher for declared disabled staff (around £230) than for declared non disabled staff (£220).

However, as numbers of declared disabled receiving bonuses are small, no firm conclusions can be drawn about the disability status of staff receiving bonuses

Age

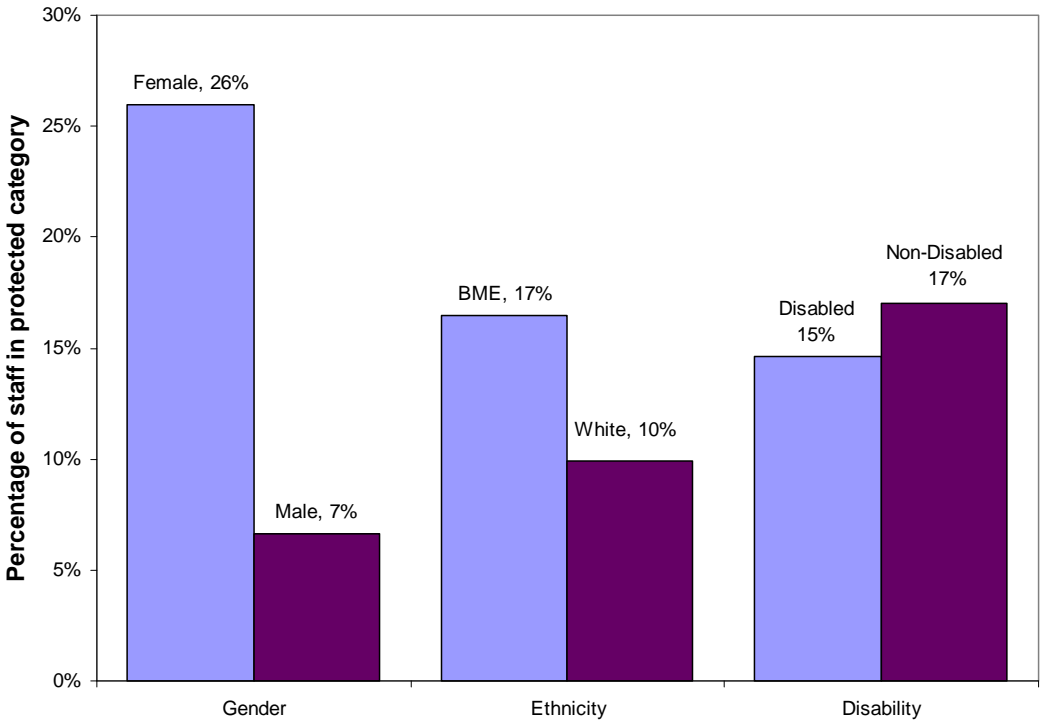
The age group with the highest number of bonuses per 100 staff was the 20–29 age group (11) with level of award slightly lower for the 20–29 and 60+ age groups (averaging around £190 compared to £230 for the other age groups) in 2012/13 (the less than 20 age group is not considered because of the very limited number of staff in this age bracket).

Working Patterns

Flexible working is available to all staff in the MoJ regardless of their sex or any other protected characteristic. There are a variety of options available, including compressed hours, home working, job-share, non fixed and non-standard hours, part time, part year working and partial retirement.

It should be noted that many of these options are agreed locally and not necessarily recorded on Phoenix/My Services system. For this reason the information provided only refers to staff that have had their records updated.

Flexible Working by protected category, 2012/13, MoJ Overall



Sex (Gender)

16% of staff were on some form of flexible working pattern (including: Compressed Hours; Fixed Rest Days; Home Working; Job Sharing; Part Time; Part Year; Regular (Non-Standard); and Term Time) as at end March 2013. A higher proportion of females were working flexibly (26%) than males (7%).

Ethnicity

Proportions of declared BME staff working flexibly were higher (17%) than declared White staff (10%).

Disability

Proportions of declared disabled staff working flexibly were lower (15%) than declared non disabled staff (17%) and this pattern was repeated across all grades.

Age

The proportions of staff working flexibly were highest for the 30–39 age group (22%) and the over 60 age group (21%).

Staff Engagement Survey (SES) – October 2013

Every year MoJ invites its staff to participate in a staff engagement survey which is run by a provider that operates under the professional guidelines of the Market Research Society. The survey provides staff in the MoJ with the opportunity to say how they think the department is performing.

The survey is the most comprehensive way MoJ receives feedback from our staff, since it covers a wide range of topics, and the responses can be broken down by protected characteristic, helping us to ensure that all our staff have an equal voice.

For some characteristics a higher proportion of staff provide details about their personal circumstances in the SES, and this provides a snapshot of our staff demographic and a comparable source of data that helps provide a fuller picture.

Overall 54% of staff completed the survey. Of those that completed the demographic questions:

Sex (Gender)

- 53.6% were female
- 46.4% were male

Ethnicity

10.3% of responders stated that they prefer not to say. Of those responders that made ethnicity declarations:

- 9.0% were BME
- 91.0% were White

Disability

8% of responders stated they prefer not to say. Of those responders that made disability declarations:

- 7.3% were disabled,
- 92.7% were non disabled

Age

13% of responders stated that they prefer not to say. Of those responders declaring their age:

- 0.2% were aged 16–19
- 12.9% were 20–29
- 22.4% were 30–39
- 31.7% were 40–49
- 26% were 50–59
- 6.8% were 60+

Sexual Orientation

12.3% of responders stated that they prefer not to say. Of those responders declaring their sexual orientation:

- 2.6% were a gay man/woman
- 1.2% were bi-sexual
- 96.2% were heterosexual

Religion or Belief

12.7% of responders stated that they prefer not to say. Of those responders declaring their religion or belief:

- 0.6% were Buddhist
- 58.9% were Christian
- 1.0% were Hindu
- 0.4% were Jewish
- 2.0% were Muslims
- 0.8% were Sikh
- 2.5% were any other religion
- 33.8% had no religion

Working Pattern

- 84.0% work full time
- 15.6% work part time
- 0.4% job-share

Caring for Children

5.8% of responders stated that they prefer not to say. Of those declaring their responsibility for caring for children:

- 33.7% have childcare responsibilities as a primary care giver or guardian
- 66.3% have no caring responsibilities

Caring for others with a disability

6.2% of responders stated that they prefer not to say. Of those declaring their responsibility for caring for others with a disability:

- 22.5% give support to someone who has a long-term physical or mental illness or disability
- 77.5% have no support responsibilities

It should be noted that 46% of staff did not complete the survey, and it is important to acknowledge that no definite conclusions can be drawn from comparing the SES data with the administrative datasets used elsewhere in this report as a different subset of the MoJ workforce may have provided information for each data set.

Further, differences in question design limit the usefulness of comparisons (for example, on the question of sexual orientation, the SES provides the option of 'gay/lesbian' whilst the administrative data (Phoenix) distinguishes between 'gay men' and 'gay woman/lesbian').

In addition the date for which the data was collected was approximately six months apart.

Explanatory Notes

Staff Numbers

MoJ collect data on the number of staff in two separate ways, headcount which is the actual number of staff that work for the organisation and Full Time Equivalent (FTE) which is a calculation of the total hours worked by the headcount. Unless otherwise stated this report uses the staff headcount at the end of the year.

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 for a group (e.g. performance marks).

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, figures for average population do not fully account for every individual within the population at any specific point in the year that would have the potential to experience an event (such as a special bonus or TRA). This can affect rates, particularly for populations with a relatively high turnover. Rates are, however, representative of the relative frequency with which events such as promotion or TRA occur to specific groups (such as gender or ethnicity groups) on average within the year.

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

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.

Sex (Gender)

To reflect the changes in legislation we have referred to 'Sex' where previously we have used 'Gender'. This is simply a change of terminology and the data collected is unaffected on Phoenix/MyServices'.

Ethnicity

The category of Black Minority Ethnic staff (abbreviated to BME) is used in this report. Some parts of MoJ use BAME (Black, Asian and Minority Ethnic) instead. The category BME staff is inclusive of all staff who declare themselves to be in one or more minority ethnic groups'.

Abbreviations

BME	Black and Minority Ethnic
HMCTS	Her Majesty's Courts & Tribunals Service
MoJ	Ministry of Justice
NOMS	National Offender Management Service
OPG	Office of the Public Guardian
SCS	Senior Civil Service
SES	Staff Engagement Survey
TRA	Temporary Responsibility Allowance

Responsibility Levels

The MoJ has a number of grades across different parts of its business. For ease listed are the grade equivalents compared to wider civil service grades.

SCS – Senior Civil Service

Wider Civil Service grades	MoJ	NOMS	NOMS F&S (fair & sustainable)
Senior management grades			
N/A	N/A	Senior Manager A	Band 11
		Senior Manager B	
Grade 6	Band A	Senior Manager C	Band 10
Grade 7		Senior Manager D	Band 9
Middle and lower management grades			
SEO	Band B	Manager E	Band 8
		Manager F	Band 7
HEO	Band C	Manager G	Band 6
		Principal Officer	Band 5
EO	Band D	EO	Band 4
Administrative grades			
AO	Band E	AO	Band 3
AA	Band F	AA	Band 2
			Band 1

NOMS have a separation between operational and non operational roles. These are:

- **Operational** – includes Prison Officers, Senior Officers, Principal Officers, Operational Managers and Operational Support Grades. Staff within these grades are included as Operational even if they are currently fulfilling a non-operational or Headquarters role. Operational roles within the new, Fair and Sustainable structures include roles at Band 2 to Band 11 and are identified as operational by Job Description.
- **Non-Operational** – refers to staff in all grades other than those included within the Operational group. Non-operational roles within the new Fair and Sustainable structures include roles at Band 1 to Band 11 and also include staff on NHS terms and conditions and senior civil servants.

Contact points for further information

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SW1H 9AJ

Tel: 020 3334 4628

Email: Equalityadvice@justice.gsi.gov.uk

Annex A: MoJ Annual Staff Equalities tables (including NOMS) 2012/13

<https://www.gov.uk/government/publications/diversity-report-2012-13>

Annex B: NOMS Annual Staff Equalities tables 2012/13

<https://www.gov.uk/government/publications/diversity-report-2012-13>