

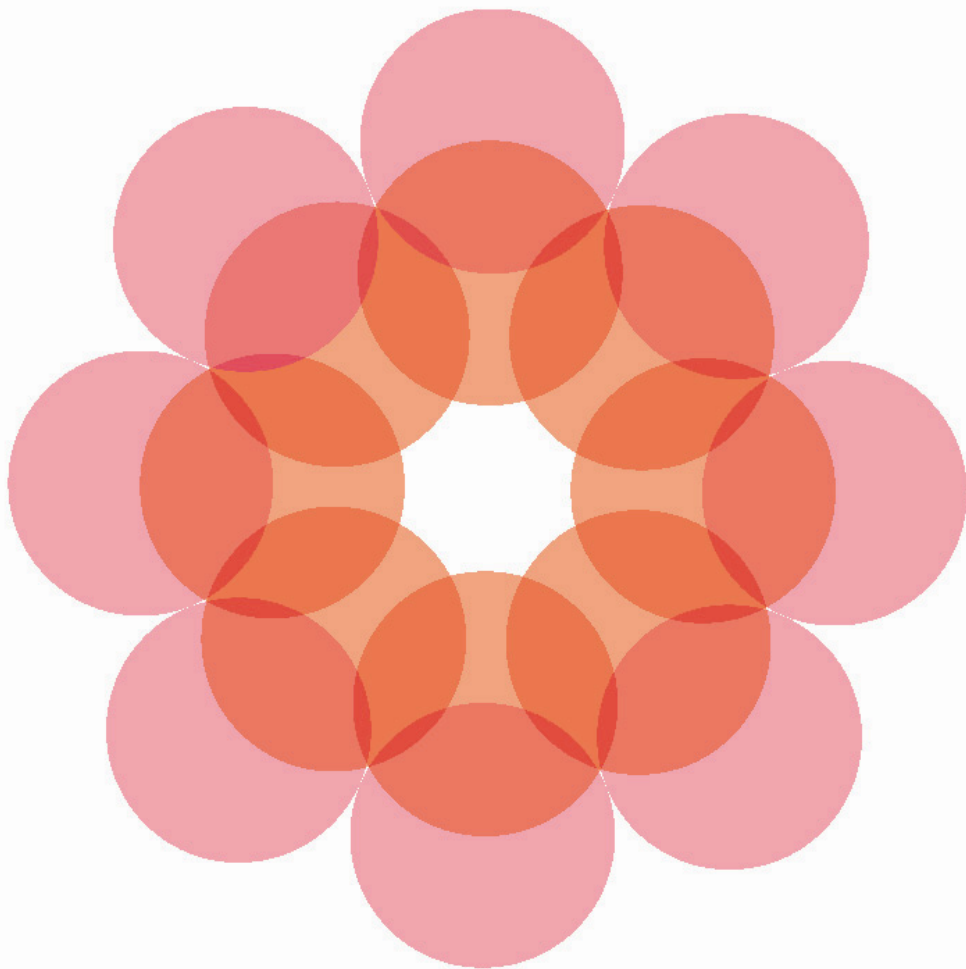


Ministry
of Justice

Diversity Report

2013/14

Ministry of Justice



Published November 2014

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Introduction

The Ministry of Justice is one of the largest direct delivery departments in Whitehall employing approximately 62,370 staff and delivering services to a diverse range of individuals and communities.

The Ministry's role is to:

- serve the public by upholding the rule of law, and by delivering an efficient, fair, timely and effective justice system in which the public has confidence.
- enforce the decisions of the court: we punish offenders and work to reduce reoffending. We prevent victims by changing lives.
- run the courts and tribunals service, in partnership with an independent judiciary, helping individuals, businesses and families resolve their disputes.
- protect vulnerable members of society and children, and help to ensure victims of crime get justice.
- provide legal aid and advice for those cases where it is justified.
- develop policy on all aspects of law and justice, both domestically and internationally, helping to build a legal and rights framework that is clear and proportionate and that commands confidence around the world.

As a Ministry we strive to keep improving our services and the way we work so that we can best serve the public, meet new challenges, deliver value for the taxpayer and make MoJ a great place to work.

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 continuously improve the quality of our diversity data and encourage staff to complete and update their diversity details on the Ministry's self-service IT system 'Phoenix'. 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.

This report provides diversity data for all staff within the Ministry of Justice (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

¹ The Equality Act 2010 sets out the specific duties for Public Bodies. It states that: "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".

of the Public Guardian (OPG). This year includes information about the LAA which joined the Ministry of Justice on 1st April 2013.

It has been produced using data from Phoenix. The data presented includes both snapshots of the position as at 31st March 2014 as well as summary statistics covering the period from 1st April 2013 to 31st March 2014. Where different data sources have been used (grievance figures, for example, are collected from Case Management Application reports), these have been matched to Phoenix records to ensure a consistent base population.

This report does not include recommendations or actions to be taken forward, rather the data and analysis to provide a valuable 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 10, 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 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 approximately 500 courts and tribunal venues and over 120 prisons in England and Wales.

National Offender Management Service (NOMS) – provides a prison service that holds approximately 84,440 prisoners in 120 prisons across England and Wales (separate arrangements exist for Scotland and Northern Ireland). NOMS employed approximately 37,220 staff as at March 2014.

Her Majesty's Courts and Tribunal Service (HMCTS) – provides a court and tribunal service, which incorporates a number of call centres and back offices. Their responsibilities extend throughout England and Wales (separate arrangements exist for Scotland and Northern Ireland). HMCTS employed approximately 18,820 staff as at March 2014.

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 employed approximately 4,230 staff as at March 2014.

Legal Aid Agency (LAA) – provide civil and criminal legal aid and advice in England and Wales. Each year they help more than 2 million people to deal with their legal problems. Their responsibilities extend throughout England and Wales (separate arrangements exist for Scotland and for Northern Ireland). LAA employed approximately 1,500 staff as at March 2014.

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 employed approximately 620 staff as at March 2014.

Executive Summary

As of 31 March 2014, there were 62,370 staff in post within the Ministry of Justice (which includes the Business Groups MoJ HQ, HMCTS, OPG, LAA and NOMS).

Gender: 51% of overall MoJ headcount were male, while 49% were female, compared to 53% and 47% respectively as the end of March 2013. At individual business area level these figures vary significantly (from 71% female in HMCTS to 36% female in NOMS). The overall Civil Service average is 53% female.²

Ethnicity: Of those staff that declared their ethnicity, 89% were White, with the remaining 11% falling within the category of Black, Minority Ethnic (BME) group, slightly higher than the 10% Civil Service average, and an increase in the proportion of MoJ staff with declared ethnicity identifying themselves as BME by 1 percentage point on the previous year.

Disability: Of those that have provided details of their disability status, 6% were disabled, unchanged from March 2013 figures, and lower than the overall Civil Service average of 9%. The proportion of staff with a declared disability is largely consistent across all grades in MoJ at March 2014. This differs from the overall Civil Service where the proportion of staff with a declared disability is greater in administrative levels (AA/AO) at 10% than at SCS level, where it is 5%.

Age: The highest proportion of MoJ employees are in the 40–49 age category (31% of headcount), which is consistent with the Civil Service figure overall.

Working Patterns: 20% of MoJ 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). This represents a 4 percentage point increase on the previous year. This is lower than the overall Civil Service figure of 24%.

Sexual Orientation: There is insufficient information available in this category to provide any meaningful information, with only approximately 20% (up from 18% in March 2013) providing details of their sexual orientation. More detailed analysis on this will only be possible once declaration rates exceed 60%.

Religion and Belief: There is insufficient information available in this category to provide any meaningful information, with only approximately 16% (up from 8% in March 2013) providing details of their religion and belief. More detailed analysis on this will only be possible once declaration rates exceed 60%.

² <http://www.ons.gov.uk/ons/rel/pse/civil-service-statistics/2014/stb---civil-service-statistics.html#tab-Understanding-Civil-Service-Statistics--2014>

Staff in Post

Overall headcount is 62,370, which is a reduction of 4,710 between 2012/13 and 2013/14. The overall headcount at end 2013/14, however, includes LAA staff, whereas the overall headcount at end 2012/13 does not. LAA became part of MoJ Overall in March 2013. With continuing substantial reductions in staff numbers there is potential for changes to the staff demographics, however, such changes have been small (see Table 1).

Table 1: Overall Staff Composition as at March 2013 and March 2014, and the variation between these figures.

	MoJ Overall 31-Mar-13		MoJ Overall 31-Mar-14		MoJ Overall Change 2013 to 2014	
	Number	Percentage*	Number	Percentage*	Change in Number	Percentage Point Change
All Staff	67,090		62,370		-4,710	
Sex						
Female	31,720	47%	30,490	49%	-1,240	2%
Male	35,360	53%	31,880	51%	-3,480	-2%
Age						
<20	50	<1%	40	<1%	-10	0%
20-29	7,900	12%	6,880	11%	-1,020	-1%
30-39	13,670	20%	13,200	21%	-480	1%
40-49	21,400	32%	19,440	31%	-1,960	-1%
50-59	18,220	27%	17,450	28%	-780	1%
60+	5,840	9%	5,370	9%	-480	0%
Ethnicity						
Declaration rate		85%		84%		-1%
All BME Groups	5,530	10%	5,590	11%	50	1%
<i>Of Which</i>						
Asian or Asian British	2,210	4%	2,310	4%	100	1%
Black or Black British	2,110	4%	2,130	4%	20	0%
Chinese or Other Ethnic group	480	<1%	460	<1%	-20	0%
Mixed Ethnic groups	730	1%	690	1%	-50	0%
White	51,800	90%	46,970	89%	-4,820	-1%
Not Known/Prefer Not to Say	9,760		9,810		60	
Disability Status						
Declaration rate		62%		64%		1%
Declared Disabled	2,360	6%	2,370	6%	~	~
Non Disabled	39,510	94%	37,310	94%	-2,200	0%
Not known/Prefer not to say	25,210		22,690		-2,520	

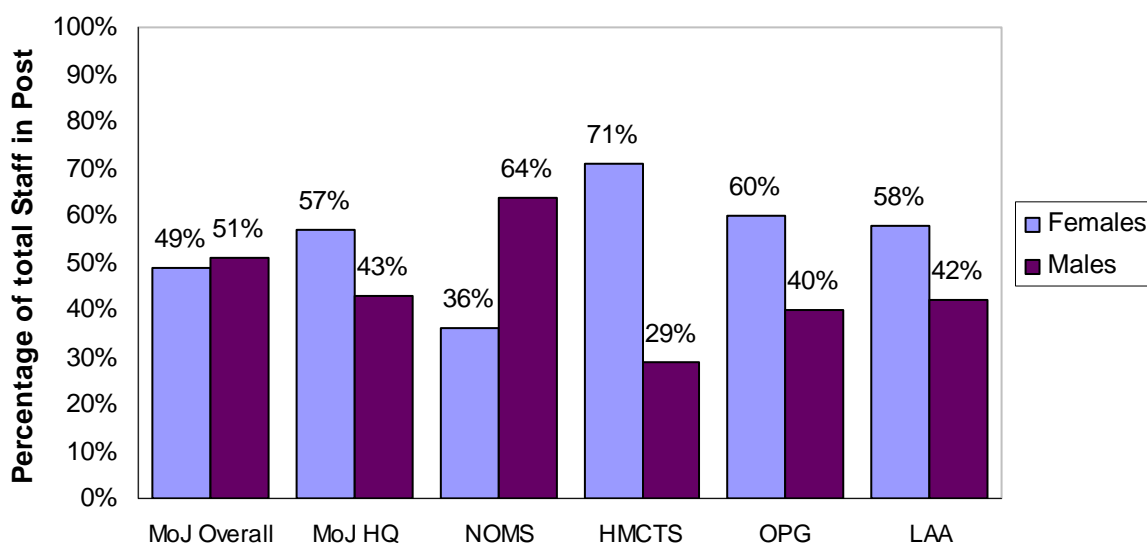
*For the Gender and Age categories, this is the percentage of total staff in post. For the Ethnicity and Disability Status categories, this is the percentage of staff who have declared their Ethnicity or Disability characteristics.

Gender

As at March 2014, approximately 51% of staff were male, while 49% were female (compared to 53% male and 47% female at March 2013). This differs to the Civil Service overall where 53% of staff are female.

The gender distribution by Business Group as at March 2014 is given in Figure 1. NOMS have the highest headcount of staff, 64% of who are male. MoJ HQ, HMCTS, OPG and LAA all have a higher proportion of female than male staff. HMCTS has the highest proportion of female staff (71%).

Figure 1: Distribution of Gender by Business Group, as at March 2014, MoJ Overall



The overall proportion of female staff working in MoJ at Senior Civil Service (SCS) level was 39%. This is a 1 percentage point increase compared to 2012/13 and is slightly higher than the overall Civil Service average of 38%. The proportion of female senior managers (Grade 7/6) as at March 2014 was 48%, which remains the same as March 2013 and is higher than the overall Civil Service 43%. The proportion of female staff at middle and lower management levels (EO/HEO/SEO) and at administrative levels (AA/AO) is 49%, compared to Civil Service values of 51% and 59%, respectively.

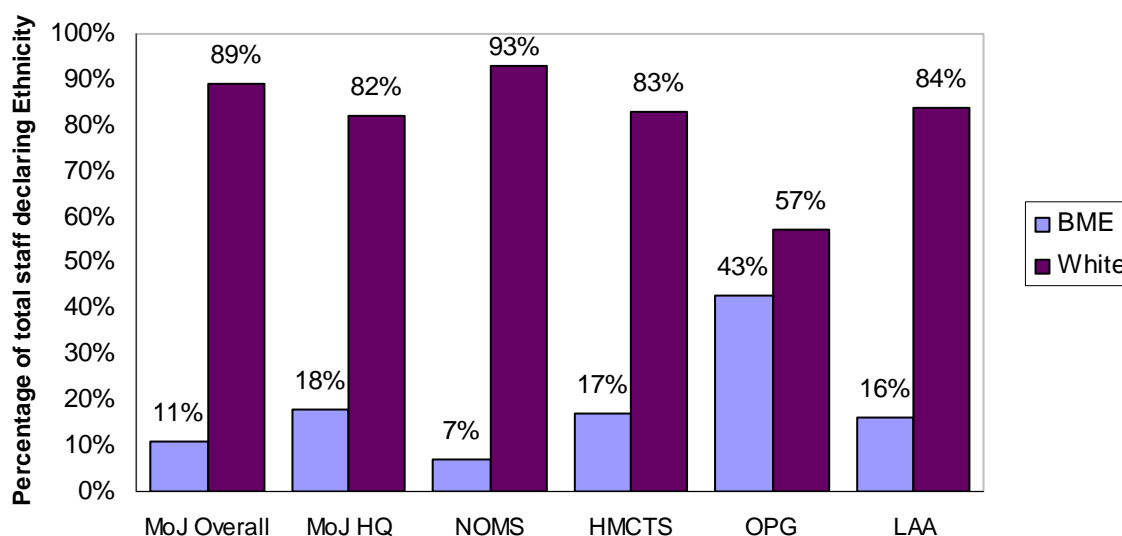
The prison population is largely male dominated and this is reflected in the make up of operational staff, with larger numbers of male than female prison officers though there have been some increases in proportions of female staff. In NOMS, as at 31st March 2014, 28% of Prison Officers (compared to 27% in March 2013) and 34% of Operational managers (compared to 29% in March 2013) were female. The highest proportion of females can be found in Non Operational below-manager grade posts (56%) and in NOMS HQ (51%).

Ethnicity

As at March 2014, the ethnicity declaration rate was 84%. This is a reduction of 1 percentage point compared to March 2013. Of these, approximately 89% were White (a decrease of 1 percentage point compared to March 2013), and 11% BME (an increase of 1 percentage point compared to March 2013). Asian/Asian British and Black/Black British represented the majority of BME employees, with each accounting for 4% of staff declaring ethnicity. Other categories of BME employees (including Chinese, Mixed and Other) account for 2% of staff declaring ethnicity. For the Civil Service overall, of those who declared their ethnicity, 10% identified as BME.

The distribution of ethnicity by Business Group as at March 2014 is given in Figure 2. NOMS has the highest proportion of White staff (93%), based on a declaration rate of 89%. OPG has the highest proportion of staff with declared ethnicity who identify themselves as BME (43%), based on a declaration rate of 65%. This is dominated by staff from an Asian/Asian British ethnicity. HMCTS (17%) and MoJ HQ (18%) have higher proportions of staff with declared ethnicity who identify themselves as BME than seen overall.

Figure 2: Distribution of Ethnicity by Business Group, as at March 2014, MoJ Overall



Between March 2013 and March 2014, the proportion of administrative level (AA/AO) staff who declared their ethnicity and identified themselves as BME rose from 9% to 11%. The declaration rate for these staff was 84% for 2013/14, which is a 2 percentage point decrease from the declaration rate for 2012/13 (86%). The proportion of staff who declared their ethnicity and identified themselves as BME for middle and lower level management levels (EO/HEO/SEO) remained at 11% in 2013/14. The declaration rate for these grades in 2013/14 also remained the same as for 2012/13, at 86%.

The proportion of staff who declared their ethnicity and identified themselves as BME for senior management levels (Grade 7/6 and SCS) for 2013/14 was 7% (unchanged from 2012/13) and 6% (an increase of 1 percentage point compared to 2012/13), respectively. The MoJ declaration rate for senior management levels (Grade 7/6) has increased from 76% to 78%, while the declaration rate for SCS has increased from 73% to 74%.

Overall in the Civil Service 7% of the SCS who have declared their ethnicity identify themselves as BME, based on a declaration rate of 76%.

Disability

Declaration rates in 2013/14 for disability status in MoJ remain low, at 64%. Of those who declared their status, 6% declared themselves disabled. This is consistent with figures from 2012/13, but is slightly lower than the overall Civil Service figure of 9%.

LAA and HMCTS have the highest declaration rates for disability at March 2014 (78% and 77% of total headcount, respectively). OPG has the highest proportion of declared disabled staff (7%) based on a declaration rate of 74%. NOMS and MoJ HQ both have declaration rates less than 60% of their headcount, which is below the level at which data can meaningfully be reported.

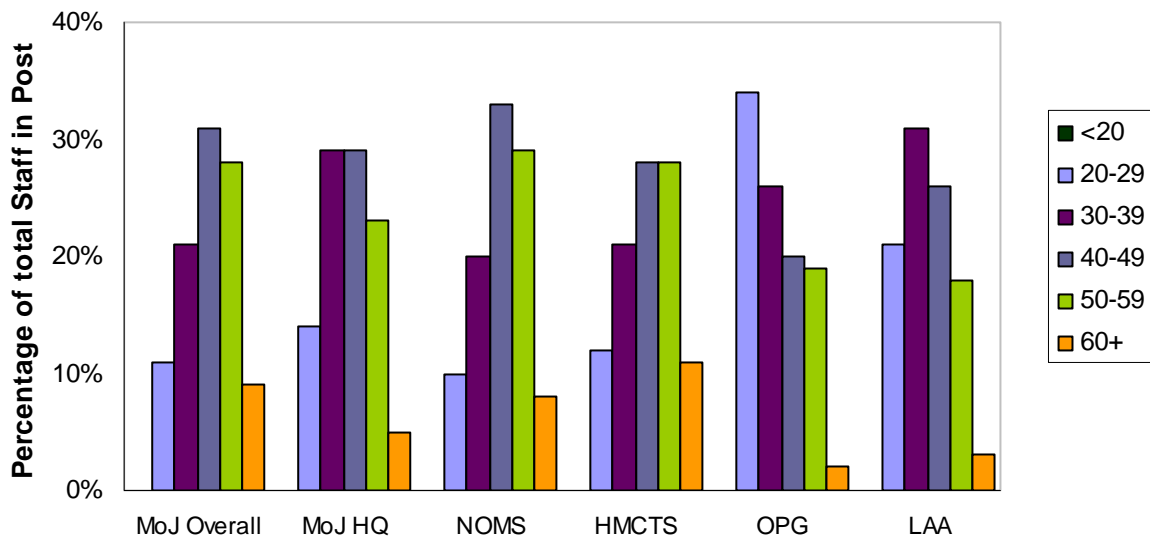
The proportion of staff with a declared disability at March 2014 is largely consistent across all grades in MoJ. This differs from the overall Civil Service where the proportion of staff with a declared disability is greater in administrative levels (AA/AO) at 10% than at SCS level where it is 5%.

Age

The highest proportion of MoJ employees are in the 40–49 age category (31% of staff), which is consistent with the overall Civil Service figure (although in overall Civil Service the percentage of staff in the 50–59 age category is almost the same as in the 40–49 age category). More than 80% of staff in both the MoJ and Civil Service overall were aged 30 to 59.

The age distribution of staff in MoJ Business Groups as at March 2014 is given in Figure 3. This demonstrates that there are some substantial variations in the distribution of age categories in different groups. 60% of OPG staff, for example, are under 40 years of age, whereas 70% of NOMS staff are 40 years of age and above.

Figure 3: Distribution of Age by Business Group, as at March 2014, MoJ Overall



Staff at senior management levels (G7/6) and SCS typically have a higher proportion of older staff, apart from in the 60+ category. The distribution of age categories for the overall MoJ headcount in 2013/14 differs only slightly from the 2012/13 distribution.

Sexual Orientation

Overall in MoJ, 20% of staff in post at March 2014 declared their sexual orientation, compared to 18% of staff in 2012/13. This level of declaration remains too low to report representative figures. A more detailed analysis will only be possible once the declaration rate exceeds 60%.

Faith/ Religion or Belief

Overall, 16% of staff in post at March 2014 in MoJ have declared a religious status. While this is an 8 percentage point increase in declaration since March 2013, the level remains too low to report representative figures. A more detailed analysis will only be possible once the declaration rate exceeds 60%.

Joiners/Leavers

The number of joiners continues to be low during 2013/14 in comparison to the number of leavers.

The total number of both joiners and of leavers have risen for 2013/14 compared to figures for 2012/13. In both years there were more leavers than joiners.

Gender

The distribution by gender for joiners to MoJ Overall in 2013/14 was 55% female and 45% male. This has not changed from 2012/13. These proportions are roughly consistent across administrative levels (AA/AO) and middle and lower management levels (EO/HEO/SEO).

The distribution by gender for leavers from MoJ in general in 2013/14 was 40% female and 60% male. This represents a 7 percentage point shift in the female and male distributions relative to 2012/13, when 47% of leavers were female and 53% of leavers were male. In NOMS females represented 53% of joiners and 35% of leavers.

In 2013/14 there were more female joiners than male joiners at administrative and middle and lower management levels (AA/AO and EO/HEO/SEO) – 56% and 57% of all joiners at these Grades, respectively.

At senior management levels (G7/6) and SCS, there were less female joiners than male joiners – 47% and 42% of all joiners at these Grades, respectively.

This is different to the position reported in 2012/13, when there were more female joiners than male joiners across all Grades.

In 2013/14 there were less female leavers than male leavers across all Grades. The proportion of female leavers varies between 38% at administrative levels (AA/AO) and 46% at senior management levels (G7/6).

This is broadly similar to the position reported in 2012/13.

Ethnicity

Declaration rates for ethnicity (53%) remained low for all joiners as at March 2014 although this represents a 4 percentage point increase in declaration compared to March 2013. This means that declaration rates are still too low to meaningfully report the ethnicity of joiners.

Declaration rates for ethnicity were 85% for leavers in 2013/14. This is similar to the declaration rates for the overall staff in post, so the ethnicity of leavers can be reported.

In 2013/14, 93% of leavers with declared ethnicity identified themselves as White and 7% identified themselves as BME. There was a higher proportion of White staff in the leaving population compared to that in the overall staff in post at the end of 2013/14 (89%)

Disability

The declaration rate for disability status among joiners in 2013/14 was 56%. This represents an increase in declaration by 11 percentage points compared to March 2013. Declaration rates are, however, still too low to meaningfully report the disability status of joiners.

The declaration rate for disability status among leavers in 2013/14 was 58%. This represents a decrease in declaration by 6 percentage points compared to March 2013. Again, declaration rates are too low to meaningfully report the disability status of leavers.

Age

The greatest proportion of joiners at administrative levels (AA/AO) and middle and lower management levels (EO/HEO/SEO) were in the 20–29 age category (45% and 47% of joiners in each grouping, respectively). At senior management levels (Grade 7/6) the greatest proportion of joiners were from the 30–39 age category (42% of joiners).

In the SCS the greatest proportion of joiners were in the 40–49 age category (42%).

Leaving rates vary with age group. 86% of all retirements in 2013/14 were from the over 60 age category, while 42% of leavers through voluntary early departure, voluntary redundancy and compulsory redundancy were from the 50–59 year age group.

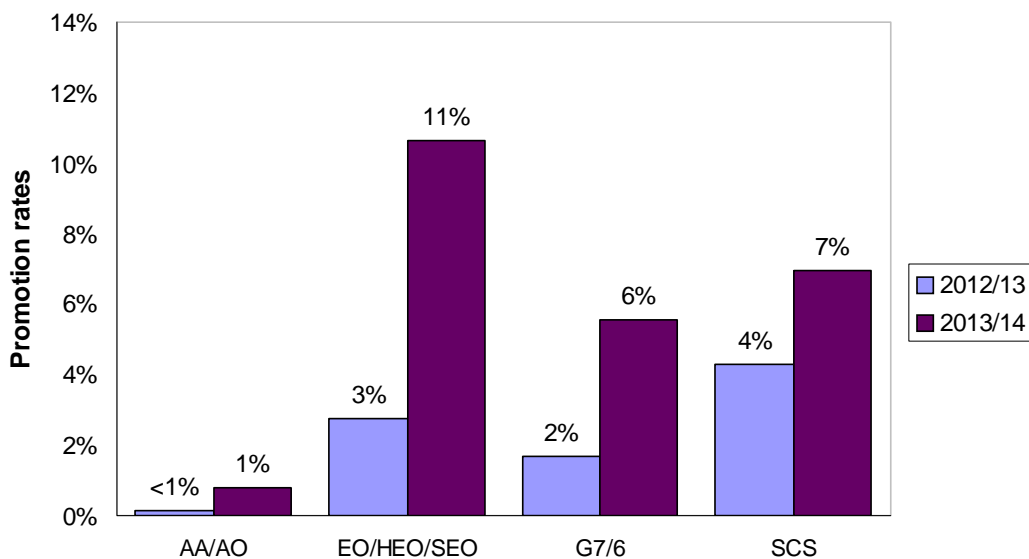
Promotions

Grade

Levels of promotion have risen from 1% during 2012/13 to 4% during 2013/14.

The distribution of promotions by Grade during 2012/13 and during 2013/14 is given in Figure 4. There continued to be very low levels of promotions within administrative levels (AA/AO) but promotions within middle and lower management levels (EO/HEO/SEO) increased from 3% to 11%. At senior manager levels (Grade 7/6) promotions increased from 2% to 6% from 2012/13 to 2013/14, and at SCS they increased from 4% to 7%.

Figure 4: Promotion rates* by Grade during 2012/13 and 2013/14, MoJ Overall



* Promotion rates represent the percentage of average staff in each Grade group who were promoted in 2013/14.

Gender

Promotion rates were higher for females at both middle and lower management levels (EO/HEO/SEO) – 10% for females compared to 8% for males – and senior management levels (G7/6) – 6% for females compared to 5% for males. Promotion rates are <1% for both genders at administrative levels (AA/AO). No meaningful gender comparison can be made for SCS due to low numbers.

Ethnicity

As the number of promotions is low across most grades, we cannot draw general conclusions about the ethnic status of staff being promoted.

Disability

As the number of promotions is low across most grades, we cannot draw general conclusions about the disability status of staff being promoted.

Age

Promotion rates were highest in the 20–29 age group for administrative levels (AA/AO) and middle and lower management levels (EO/HEO/SEO). Across all Grades promotion rates tend to be lower for older age categories.

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 below SCS. 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 3% of MoJ staff were on TRA, as at March 2014. The proportion of staff on TRA was highest (4%) for those from middle and lower management levels (EO/HEO/SEO). TRA levels for senior management levels (Grade 7/6) was 3% and for administrative levels (AA/AO) was 2%. There has been a 1 percentage point increase in TRA for administrative levels (AA/AO) at end 2013/14 compared to end 2012/13.

Gender

Rates of TRA were the same for male and female across all Grades. This has changed from 2012/13 when TRA was higher for females across all grades.

Ethnicity

As at March 2014, 2% of declared BME staff were on TRA, compared to 3% of declared White staff.

Disability

The proportions of declared Disabled and declared Non-Disabled staff on TRA were both 2% for administrative levels (AA/AO). 3% of declared Disabled staff were on TRA at middle and lower management levels (EO/HEO/SEO), which is slightly lower than 4% of declared Non-Disabled staff.

Age

At administrative levels (AA/AO) staff in the 20–29 age group have the highest rate of TRA (6%). Staff in the 30–39 age group have the highest rate of TRA for both middle and lower management levels (EO/HEO/SEO) and senior management levels (G7/6) (5% for both Grades).

Staff aged over 50 have the lowest levels of TRA across all Grades.

Appraisal Ratings

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. The MoJ system used the following appraisal rating categories: 'Must Improve', 'Good' and 'Outstanding'. The NOMS system had 3 similar categories: 'Unacceptable', 'Achieved' and 'Exceeded', and an additional marking of 'Almost Achieved'. For the purposes of combining reporting, NOMS ratings 'Unacceptable' and 'Almost Achieved' have been counted with 'Must Improve'; NOMS ratings 'Achieved' have been counted with 'Good', and NOMS 'Exceeded' with 'Outstanding'.

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

The Appraisal policy during 2013/14 was different to that used during 2012/13. As a result of this, a direct comparison between ratings awarded during 2012/13 and 2013/14 is not possible.

Grade

At the end of 2013/14 in MoJ Overall, 2% of staff who received an End-of-Year appraisal rating were awarded 'Must Improve'; 81% were awarded 'Good' and 17% were awarded 'Outstanding'.

At year end 2013/14, the proportion of staff receiving a 'Must Improve' appraisal rating was 2% across all grade groupings.

For the same year, 87% of administrative level (AA/AO) staff and 72% of middle and lower management levels (EO/HEO/SEO) received a 'Good' appraisal rating. 61% of senior management level (G7/6) staff received a 'Good' appraisal rating.

The proportion of staff receiving an 'Outstanding' rating at year end 2013/14 was 11% for administrative levels (AA/AO) and 25% for middle and lower management levels (EO/HEO/SEO). 37% of senior management levels (Grade 7/6) received an 'Outstanding' rating at year end 2013/14.

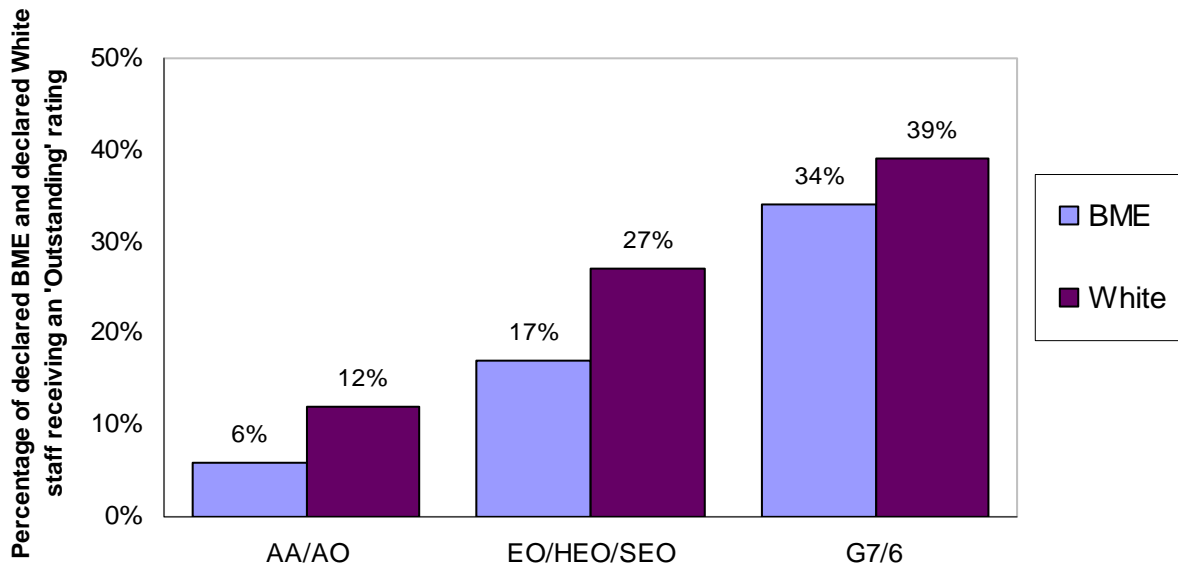
Gender

Female staff received a slightly lower proportion of 'Outstanding' ratings (25%) at middle and lower management levels (EO/HEO/SEO) than male staff (26%). This reverses, however, at administrative levels (AA/AO), where 13% of female staff received 'Outstanding' compared to 10% of male staff, and at senior management levels (Grade 7/6) where 39% of female staff received 'Outstanding' compared to 34% of male staff.

Ethnicity

The distribution of declared BME and declared White staff receiving an 'Outstanding' rating by Grade at end of year 2013/14 is given in Figure 5.

Figure 5: Proportion of declared BME and declared White staff receiving an 'Outstanding' Appraisal Rating by Grade at end of year 2013/14, MoJ Overall



Declared BME staff received lower proportions of 'Outstanding' ratings compared to declared White staff. 6% of declared BME staff received 'Outstanding' compared to 12% declared White staff for administrative levels (AA/AO). 17% declared BME staff received 'Outstanding' compared to 27% declared White staff for middle and lower management levels (EO/HEO/SEO). 34% of declared BME staff received 'Outstanding' compared to 39% declared White staff for senior management levels (Grade 7/6).

Disability

For staff who have declared their disability status, those who are declared disabled at administrative levels (AA/AO) and middle to lower management levels (EO/HEO/SEO) received similar proportions of 'Outstanding' ratings to their declared non disabled colleagues. For staff at senior management levels (Grade 7/6), however, 31% of declared disabled staff received 'Outstanding' compared to 38% of declared Non-Disabled staff. This differs from 2012/13 when higher proportions of declared disabled staff received 'Outstanding' ratings at this grade.

Age

At the end of 2013/14 staff in the 40–49 year age group consistently received the highest proportion of 'Outstanding' across all Grades.

Staff aged 40–49 had the highest proportion of 'Outstanding' ratings across all Grades: 17% at administrative levels (AA/AO); 39% at middle and lower management levels (EO/HEO/SEO), and 72% at senior management levels (Grade 7/6).

At administrative levels (AA/AO), staff aged under 20 had the lowest proportion of 'Outstanding' ratings (6%). Staff aged over 60 received the lowest proportion of 'Outstanding' ratings at middle and lower management levels and at senior management levels (EO/HEO/SEO and Grade 7/6), at 15% and 28%, respectively.

Grievances, Investigations, Conduct and Discipline

The Ministry of Justice values its staff and seeks to promote effective relationships between the Ministry and its employees, 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 in 2013/14 for the number of grievances (approximately 1.6 per 100 staff); investigations (approximately 2.1 per 100 staff) and conduct and discipline cases (approximately 1.3 per 100 staff) were similar to those reported at end 2012/13.

The numbers of grievance, investigation and conduct and discipline cases in 2013/14 are higher for lower grades. This is the same as in 2012/13.

Gender

In 2013/14 grievances per 100 staff were higher for males than for females in administrative levels (AA/AO) and middle and lower management levels (EO/HEO/SEO). Investigations and conduct and discipline issues per 100 staff were also substantially higher for males than for females at these grades.

Ethnicity

Declared BME staff had a slightly lower rate of investigations (2.0 per 100 staff) than declared White staff (2.1 per 100 staff) and a lower rate of grievances (1.4 cases per 100 staff for declared BME, compared to 1.7 cases per 100 staff for declared White staff). Declared BME staff had a higher rate of conduct and discipline issues (1.5 cases per 100 staff) than declared White staff (1.2 cases per 100 staff).

Disability

Declared Disabled staff had a higher rate of grievances than declared non-disabled staff (3.9 compared to 1.3 per 100 staff); a higher rate of investigations (3.1 compared to 1.9 per 100 staff), and a higher rate of conduct and discipline issues (2.0 compared to 1.2 per 100 staff).

Age

In 2013/14, staff aged between 30 and 49 had the highest number of grievance issues per 100 staff at administrative levels (AA/AO). Staff aged between 30 and 49 also had the highest number of investigation issues per 100 staff, and the highest number of conduct and discipline issues per 100 staff at these Grades.

At lower and middle management levels (EO/HEO/SEO), staff aged between 40 and 59 had the highest number of grievance issues per 100 staff. At these grades, staff aged between 40 and 59 also had the highest number of conduct and discipline issues per 100 staff, while staff aged 60+ had the highest number of investigations per 100 staff.

Special Bonus Scheme

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

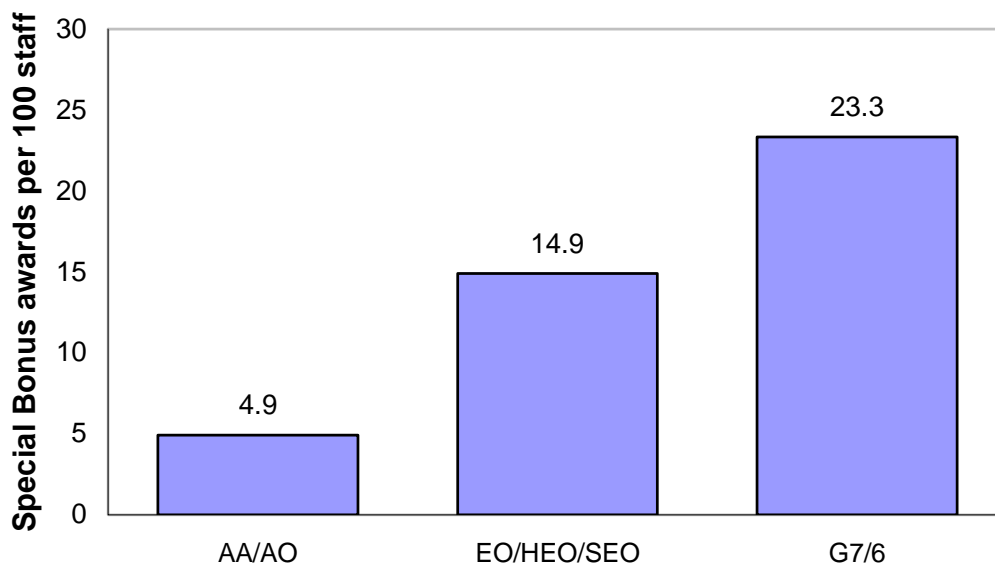
This section reports on those staff that received one or more special bonus payments over the course of the year.

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

Grade

The distribution of special bonus awards by grade during 2013/14 is given in Figure 6.

Figure 6: Special Bonus Awards per 100 staff* by Grade during 2013/14, MoJ Overall



* Based on average staff in Gender and Grade categories during 2013/14

More bonuses were awarded to higher grade than lower grade staff in 2013/14. At senior management levels (Grade 7/6) there were 23.3 bonuses awarded per 100 staff; at middle and lower management levels (EO/HEO/SEO) there were 14.9 bonuses awarded per 100 staff, and at administrative levels (AA/AO) there were 4.9 bonuses awarded per 100 staff.

These figures for bonuses awarded per 100 staff are all higher than in 2012/13.

The level of award was higher for more senior staff than junior grades. At senior management levels (Grade 7/6) the average award was £560; at middle and lower management levels (EO/HEO/SEO) the average award was £290, and at administrative levels (AA/AO) the average award was £190.

Gender

The rate of bonuses awarded was higher for female staff in 2013/14 (10.5 per 100 staff) than for male staff (6.6 per 100 staff). The average level of bonus was higher for male staff: £310 as compared to £250 for female staff.

Ethnicity

The rate of bonuses awarded was higher for declared BME staff in 2013/14 (12.7 per 100 staff) than for declared White staff (7.5 per 100 staff). The average level of bonus was higher for declared White staff: £300 as compared to £210 for declared BME staff.

Disability

The rate of bonuses awarded was lower for declared disabled staff in 2013/14 (7.5 per 100 staff) than for declared non-disabled staff (9.8 per 100 staff). The average level of bonus was, however, higher for declared Disabled staff: £310 as compared to £270 for declared non-disabled staff.

Age

In 2013/14 staff in the 20–29 year age group had the highest rate of Special Bonuses (11.1 bonuses awarded per 100 staff), while staff in the 60+ age group had the lowest rate of Special Bonuses (5.4 bonuses awarded per 100 staff).

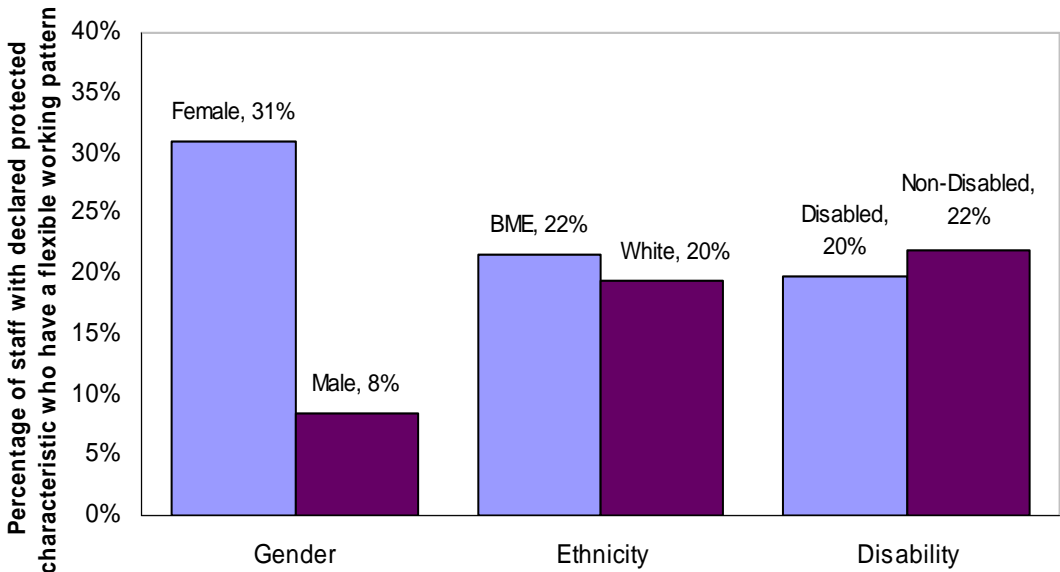
Bonuses awarded to staff in the 40–49 year Age group had the highest average value (£320), while bonuses awarded to staff in the 60+ Age group had the lowest average value (£210).

Working Patterns

Flexible working is available to all staff in the MoJ. 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.

At the end of March 2014, 20% of staff were working flexibly, which is a 4 percentage point increase compared to March 2013. The rates of flexible working among protected characteristic categories are given in Figure 7.

Figure 7: Flexible Working by protected category as at March 2014, MoJ Overall



Gender

A higher proportion of females were working flexibly (31%) than males (8%). These figures represent an increase on those from 2012/13, which reported 26% of female staff working flexibly and 7% of male staff.

Ethnicity

Proportions of declared BME staff working flexibly were higher (22%) than declared White staff (19%). These figures have both increased compared to 2012/13, when 17% of declared BME staff and 10% of declared White staff worked flexibly.

Disability

Proportions of declared disabled staff working flexibly were lower (20%) than declared non-disabled staff (22%). These figures represent an increase on those from 2012/13, which reported 15% of declared disabled staff working flexibly and 17% of declared non-disabled staff.

Age

The proportions of staff working flexibly were highest for the over 60 age group (30%) and the 30–39 age group (27%). These age groups were also the highest in 2012/13, although the percentage of staff working flexibly in these age groups have increased by 9 percentage points and 5 percentage points, respectively.

Staff Engagement Survey (SES) 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.

In 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)

- 54% were female
- 46% were male

Ethnicity

10% of responders stated that they prefer not to say. Of those responders that made ethnicity declarations:

- 9% were BME
- 91% were White

Disability

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

- 7% were disabled,
- 93% were non disabled

Age

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

- <1% were aged 16–19
- 13% were 20–29
- 22% were 30–39
- 32% were 40–49
- 26% were 50–59
- 7% were 60+

Sexual Orientation

12% of responders stated that they prefer not to say. Of those responders declaring their sexual orientation:

- 3% were a gay man/woman
- 1% were bi-sexual
- 96% were heterosexual

Religion or Belief

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

- <1% were Buddhist
- 59% were Christian
- 1% were Hindu
- <1% were Jewish
- 2% were Muslims
- <1% were Sikh
- 2% were any other religion
- 34% had no religion

Working Pattern

- 84% work full time
- 16% work part time
- <1% job-share

Caring for Children

6% of responders stated that they prefer not to say. Of those declaring their responsibility for caring for children:

- 34% have childcare responsibilities as a primary care giver or guardian
- 66% have no caring responsibilities

Caring for others with a disability

6% of responders stated that they prefer not to say. Of those declaring their responsibility for caring for others with a disability:

- 22% give support to someone who has a long-term physical or mental illness or disability
- 78% 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.

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.

Ethnicity

We have used the acronym BME to represent the Black Minority Ethnic group. Parts of the MoJ use the acronym BAME (Black, Asian and Minority Ethnic). Where we have used BME this represents all staff in these groups.

Abbreviations

BME	Black and Minority Ethnic
HMCTS	Her Majesty's Courts and Tribunals Service
LAA	Legal Aid Agency
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.

Annex A: MoJ Annual Staff Equalities Tables (including NOMS 2013/14)

<https://www.gov.uk/government/publications/diversity-report-2013-to-2014>

Annex B: NOMS Annual Staff Equalities Tables (2013/14)

<https://www.gov.uk/government/publications/diversity-report-2013-to-2014>

Contact points for further information

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