Ministry of Justice

National Offender Management Service Annual Staff Equalities Report

2016/17

Ministry of Justice
Statistics Bulletin

Published 30th November 2017

Contents

Introduction

On 1 April 2017, Her Majesty's Prison and Probation Service (HMPPS) replaced NOMS. Given the data used for this publication relate to the period till 31 March 2017, the statistics in this annual report will be referred to as those of the NOMS workforce. This report considers profiles and processes of the NOMS workforce from an equalities perspective.

NOMS delivers services directly through public sector prisons and the National Probation Service. The information presented in this bulletin relates to staff employed by NOMS, who are all civil servants. Other workers within NOMS who are employed by third parties are not included.

The equality objectives of NOMS are stated, along with progress and achievements, in the NOMS Annual Report and Accounts 2016/17:
www.gov.uk/government/publications/noms-annual-report-and-accounts-2016-2017.

There are many interactions between characteristics of staff that influence outcomes on staff processes. These include interactions between protected characteristics, such as between age and race, as well as other factors such as grade level. It is not possible within a report of this size to explore all of these interactions. Important considerations, such as differences in grade levels and how they may effect different groups of staff are highlighted, but no detailed analysis is included that removes the interactions and allows the unique contribution of protected characteristics to be isolated.

Workforce statistics for HMPPS (and NOMS prior to 1 April 2017) are also published through the HMPPS Quarterly Workforce Bulletin:
www.gov.uk/government/collections/national-offender-management-service-workforce-statistics

This report covers staff processes with reference to protected characteristics as set out below.

Staff Process	Protected Characteristic
Total Staff in Post	Sex
Joiners	Age
Temporary Cover	Race
Promotions	Disability
Staff Appraisals	Sexual Orientation
Special Bonuses	Religion / Belief
Grievances	
Investigations	
Conduct and Discipline Cases	
Sickness Absence	
Leavers	

Offender equalities statistics for 2016/17 will be published in the accompanying report, on 30 November 2017, available at:

Release schedule

The next edition of the HMPPS Annual Staff Equalities Report 2017/18, is scheduled to be published on 29 November 2018.

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Release schedule

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Summary

1. As at 31 March 2017, there were **46,021** staff (headcount) in NOMS, an increase of **112** (**0.2**%) on the previous year.

2. Females accounted for **47.3% (21,759)** of staff in NOMS as at 31 March 2017, an increase of **0.5** percentage points on the previous year.

   o **37.5**% (**72**) of senior leaders in public prisons and NOMS HQ (Senior Civil Servants and operational managers including governors) were female.

   o The NPS has higher female representation than the other parts of NOMS, comprising **61.6**% (**85**) in senior NPS roles (NPS bands A-D), **68.1**% (**658**) in NPS bands 5-6, and **76.4**% (**6,517**) in NPS grades below management level (which includes probation officers at band 4).

3. The age band with the largest proportion of staff was those aged 50-59, comprising **30.2% (13,897)** of all staff. Meanwhile, the proportion of those aged under 30 has increased from 13.1% as at 31 March 2016 to **14.0% (6,434)** as at 31 March 2017.

4. As at 31 March 2017, 8.2% (2,919) of staff declared themselves as Black, Asian or Minority Ethnic (BAME). Caution should be used in interpreting this figure as there are different declaration rates across the different parts of NOMS. For NPS grades below management for example, the declaration rate was only **57.9**% and was therefore omitted.

5. **58.9%** of staff declared their disability status, **34.9%** of staff declared their religion, and **34.6%** declared their sexual orientation, which are below the threshold at which meaningful representation rates can be considered.

6. The promotion rate for female staff was higher in 2016/17 at **7.9**% (**1,525**) than for males at **4.9**% (**1,048**). This is a consistent trend over the past 4 years.

7. In 2016/17, staff aged under 30 had the highest rate of promotion at **15.1**% of staff in post compared to **3.1**% for the 50-59 age group and **1.4**% for staff over 60.

8. BAME staff had a higher promotion rate at **7.4**% than White staff at **6.1**% in 2016/17. This is an increase in disparity from 2015/16 where the rates showed the first real difference between BAME and White staff over the last 4 years. All groups showed an increase from 2015/16 rates except for Mixed race staff.

9. Staff Appraisal outcomes were worse for male staff, staff aged under 30 and over 60 and Black staff. Independent of protected characteristics, more senior staff receive better appraisal markings.

   o **2.1**% of markings for 2016/17 were 'Must Improve' and **15.8**% were 'Outstanding'.

10. Female staff were awarded a higher proportion of 'Outstanding' markings (**19.2**%) than male staff (**12.8**%).

   o Large decreases of 'Must Improve' markings were made for under 30s at **2.5**% from 4.2% in 2015/16, and over 60s at **2.7**% from 3.8% in 2015/16.

   o The proportions of 'Must Improves' were highest for Black staff (**5.7**%) and Other Ethnic Group staff (**3.6**%). Black staff received notably lower proportions of 'Outstanding' markings than any other group (**9.6**%).

11. In 2016/17, the rate of bonuses awarded was higher and had similar average values for declared BAME staff, at **2.3** per 100 staff, £**1,100**, as for White staff, **3.0** per 100 staff, £**1,085**.

12. The rate of bonuses awarded in 2016/17 to those who declared as disabled was **3.2** per 100 people, **higher** than those awarded to non-disabled staff (**2.7** per 100 people). There was a large difference in the average value of bonuses awarded as non-disabled staff (£**1,161**) were **26**% higher than disabled staff £**857**.

13. Of the **1,077** grievance cases concluded in 2016/17, **46.8**% (**504**) were upheld or partially upheld.

14. Overall, female staff raised fewer grievances in 2016/17, at a rate of **1.8** per 100 staff, than males (**2.1** per 100 staff). This overall finding may be distorted by the higher rate of grievances amongst band 3-5 prison officers (**2.7** per 100 staff), who were predominantly male.

15. In 2016/17, the rate of grievances appeared to increase with age from **1.1** per 100 staff for staff aged under 30, to **2.3** per 100 staff for staff aged 50-59.

16. The overall rate of grievances raised per 100 staff was higher amongst BAME staff compared to White staff, at **2.7** per 100 and **2.0** per 100 staff respectively.

17. Overall, female staff were investigated at around half the rate of male staff in 2016/17, **2.0** per 100 females compared to **4.2** per 100 males. The rate of conduct cases involving male staff was more than double the rate for female staff, **1.7** per 100 male staff compared to **0.7** per 100 female staff.

18. The proportion of BAME staff investigated in 2016/17 was higher than the proportion of White staff investigated, **4.6** per 100 staff compared to **3.0**. Similarly, a larger proportion of BAME staff, **1.7** per 100 staff, were subject to conduct and discipline action than White staff at **1.2** per 100 staff.

19. In 2016/17, the average working days lost (AWDL) due to sickness absence was **10.1**, a **0.3** percentage point decrease from 10.4 in 2015/16. Although this the lowest rate in the time series beginning in 2013/14, comparisons to previous years must be interpreted with caution due to an under-recording of sickness absence records between January and March 2017 during migration of data to the Single Operating Platform. There is therefore likely to be an undercount of working days lost during period covering 1 April 2016 and 31 March 2017.

20. The AWDL to sickness absence was slightly higher for female staff at **10.2** days, than for male staff at **10.1** days.

21. The AWDL was **9.1** days for BAME staff and **9.0** days for White staff.

22. The leaving rate for female staff was lower in the 12 months ending 31 March 2017 at **7.9**% than the rate for male staff at **9.5**%.

23. BAME staff had a higher leaving rate at **8.9**% in the 12 months ending 31 March 2017 than White staff at **8.1**%.

Commentary

Protected characteristics information is recorded for NOMS staff on gender, age, race, disability, sexual orientation and religion / belief, and work pattern. Caution should be exercised in attempting to make comparisons between the composition of the NOMS workforce and the wider population of England and Wales on the basis of protected characteristics. There is substantial regional variation of these distributions in the general population, and NOMS staff are not distributed across England and Wales in the same proportions as the general population, rendering such comparisons invalid.

Data on the protected characteristics race, disability, sexual orientation and religion/belief were collected from self-declared, non-compulsory fields on the Human Resources Management System (HRMS) until December 2016 and from the Single Operating Platform from January 2017 to March 2017. With lower declaration rates, the risk of bias increases greatly, and the accuracy of a representation rate based on known declarations falls rapidly. Consequently, when a declaration rate falls below 60%, no representation rate is provided.

Total staff in post

As at 31 March 2017, there were **46,021** staff (headcount) in NOMS, an **increase** of **112** (**0.2**%) on the previous year. This consisted of **24,931** staff in operational grades, **9,633** in the National Probation Service (NPS) grades, and **11,443** in non-operational grades.

Figure 1 shows the make-up of the workforce across the available protected characteristics. Representation rates are only illustrated where information is recorded for over 60% of staff. Additional details on staff in post can also be found in the supplementary tables 1a to 1c.

Figure 1: NOMS staff by protected characteristic, as at 31 March 2017
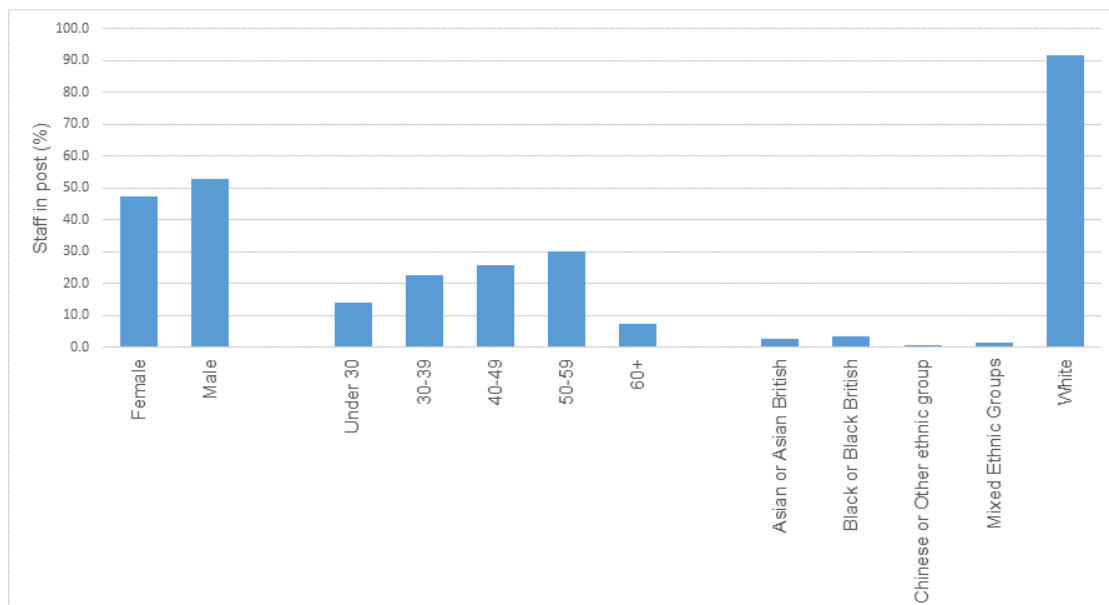
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

Gender

Females accounted for **47.3**% (**21,759**) of NOMS staff as at 31 March 2017, an increase of **0.5** percentage points on the previous year when there were **21,492** females.

37.5% (**72**) of senior leaders in public prisons and NOMS HQ (Senior Civil Servants and operational managers including governors) were female. Furthermore, females accounted for **32.8**% (**264**) of operational manager bands 7-9, **25.5**% (**4,897**) of prison officer bands 3-5, and **44.7**% (**2,129**) of Operational Support Grades (OSGs).

In contrast, the majority of staff in non-operational grades (in prisons, NOMS HQ and Area Services) were female. **53.3**% in manager grades (up by **0.3** percentage points from **53.0**% in March 2016), and **64.7**% in grades below management level (down by **0.8** percentage points from **65.5**% since the previous year).

The NPS[1] had higher female representation than the other parts of NOMS. Females predominated in the NPS at all levels, comprising **61.6**% (**85**) in senior NPS roles (NPS bands A-D), **68.1**% (**658**) in NPS bands 5-6, and **76.4**% (**6,517**) in NPS grades below management level (which includes probation officers at band 4).

Age

As at 31 March 2017, the age band with the largest proportion of staff was those aged 50-59, comprising **30.2% (13,897)** of all staff. This age band has replaced the 40-49 age group, which was previously the largest between 2012 and 2014. The proportion of those aged over 40 as at 31 March 2017 stood at **63.4**% (**29,193**), a decrease of **1.1** percentage points since the previous year whilst those aged under 30 represented **14.0**% (**6,434**) of the NOMS workforce, an increase of **0.9** percentage points since 31 March 2016.

By grade, **40.5**% (**3,450**) of NPS grades below management level are aged under 40, while **57.8**% (**111**) of senior leaders in prisons and SCS are aged 50 or over, **down** from **58.2%** in March 2016.

Race

76.9% of staff have declared their ethnicity. Of these, **8.2%** (2,919) were in a Black, Asian or Minority Ethnic (BAME) group. Caution should be used in interpreting this figure as declaration rates vary across the different parts of NOMS. In NPS grades, the declaration rate was only **63.8%**. The lower declaration rates are due to protected characteristics information not being migrated from Probation Trusts when the NPS was formed in 2014. The limited data available on NPS staff suggest that they have a different pattern of BAME representation and therefore having a larger proportion of missing data for this group suggests that the real level of BAME representation across NOMS may not reflect the reported figures.

By grade, of those with a declaration rate high enough to make a representation rate meaningful, the lowest BAME representation is for prison officer bands 3-5 at **5.8%** (**928**), showing no real change from the year before (**5.6**%).

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[1] In this report NPS staff are reported according to grade and therefore vary slightly from the total number of staff in the NPS due to the small number of NPS staff in non-NPS grades.

Other protected characteristics

58.9% of staff declared their disability, which is below the threshold at which meaningful representation rates can be considered.

Similarly only **34.9**% of staff declared their religion, and **34.6**% declared their sexual orientation. It is not meaningful to consider representation rates while declaration rates remain so low.

New joiners

The number of staff appointed to NOMS has increased from 798 in 2013/14 to **4,058** in 2016/17. 2016/17 saw NOMS recruit **610 less** staff than in 2015/16, a decrease of **13**%. The largest group of recruits is to band 3 to 5 officer, with **2,077** in the 12 months to 31 March 2017. Figure 2 shows a breakdown of joiners in terms of protected characteristics; additional details can also be found in the supplementary tables 2a to 2c.

Figure 2: NOMS new joiners by protected characteristic, 1 April 2016 to 31 March 2017
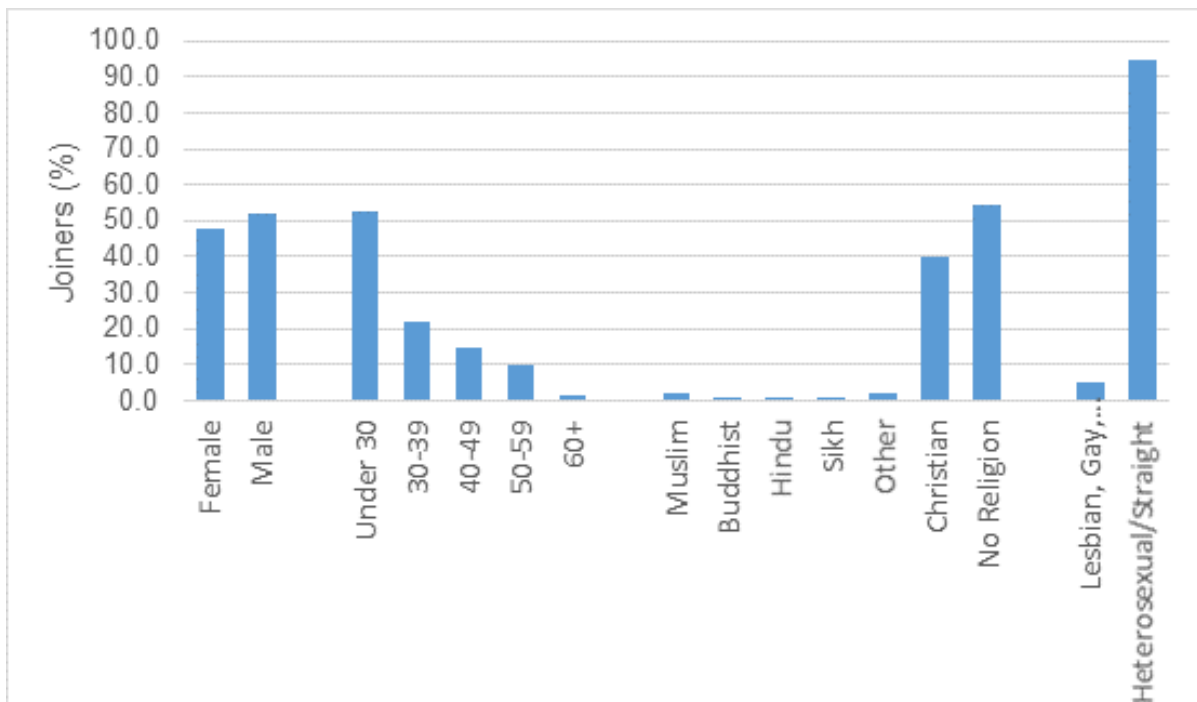
Note: Disability breakdown is not shown due to low declaration rates.

Overall, **52.1**% of those who joined NOMS were male with **47.9**% being female. This varies considerably by grade. Among the **2,077** band 3-5 officers who joined in 2016/17, **67.7**% were male. Among the **607** operational support grades (OSG) who joined in the 12 months to 31 March 2017, **48.3**% were male. In contrast the majority of non-operational joiners were female, **59.8**% of non-operational managers and **65.2**% of non-operational staff below management level. This pattern is similar to those who joined in 2015/16. Females also made up the vast majority of new recruits to NPS grades, below management level, accounting for **78.6**%, down from **81.1%** of new recruits in 2015/16.

More than half of new joiners (**52.7%**, equivalent to **2,137** individuals) in 2016/17 were aged under 30 whilst **25.7**% (1,042) were aged 40 or older. Specifically, **61.6**% (1,280) who joined as band 3-5 officers and **47.9**% (**291**) of OSGs were aged under 30 whilst staff in non-operational roles tended to have a higher proportion of those aged 40 and over; this includes **48.5**% of non-operational managers and **44.3**% non-operational staff below management level in prisons and NOMS HQ aged 40 and over.

In terms of ethnicity, declaration rates have increased since 2013/14. Overall declaration rates for joiners in 2016/17 was **52.0**% which remains below the level where it is meaningful to derive the representation rate for BAME staff. Unfortunately, the declarations for all grades are also insufficient to allow analysis.

The proportion of new recruits who declared their disability status was **53.9**%, this has increased from **44.0**% in 2013/14 but remains below the 60% declaration rate required to warrant further analysis.

For religious affiliations, **61.1**% of recruits across all parts of NOMS made a positive declaration. Of those, **40.1**% declared themselves as Christian, **5.7**% declared they were of a religion other than Christian and **54.2**% declared they had no religion.

The declaration rate for sexual orientation of new joiners to NOMS was **60.3**%, a decrease of **14.5** percentage points from 2015/16 including **94.7%** who declared they were heterosexual. Of the 5.3% that declared themselves as lesbian, gay, bisexual or other, **4.5%** were gay/lesbian and **0.8%** were bisexual.
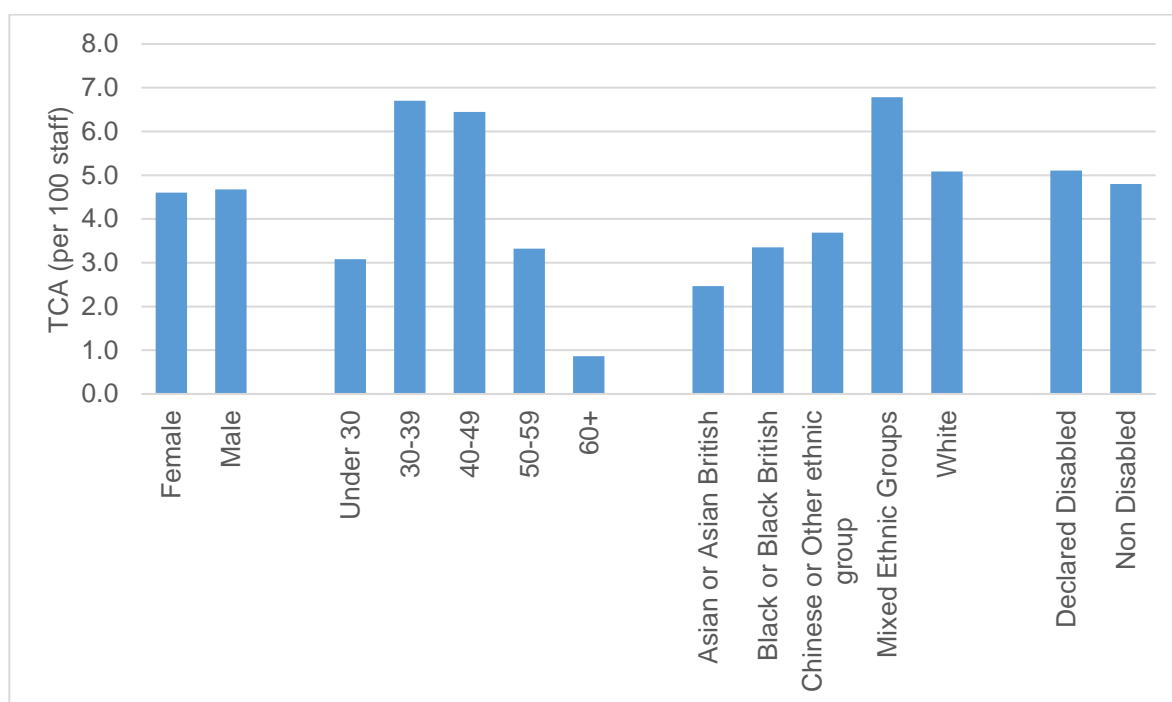
Temporary cover

Temporary cover payments are a system that enables staff to work temporarily in a more senior role and receive an additional payment while this work is undertaken. The NPS have a different system of temporarily filling higher roles and are not covered in this section of the report.

Although temporary cover payments tend to be received for a considerable duration, while an individual covers a role at a higher grade on a temporary basis, these figures are as snapshots at a moment of time at the end of a financial year. As such, they may not accurately represent the rates of those receiving cover payments during the financial year.

As at 31 March 2017, **1,681** staff were receiving Temporary Cover Allowances (TCA), for filling posts of a higher grade on a temporary basis. This represents **4.6** % of staff, an increase from **3.5%** of staff on temporary cover in the previous year. The rate of temporary cover allowances is illustrated in figure 3, additional details can also be found in the supplementary tables 3a to 3c.

Figure 3: Temporary cover allowances (TCA) per 100 staff, as at 31 March 2017

Note: Religion and sexual orientation breakdowns are not shown due to low declaration rates.

4.6 % of females were on temporary cover, comparable with **4.7**% of males. In the previous year, the proportion of males and females on temporary cover were lower (3.5% and 3.4% respectively). There were differences in the gender balance by grade group, most notably for non-operational below managers, where **4.5**% of females and **3.2**% of males were on temporary cover as at 31 March 2017. Rates of temporary cover amongst staff in NPS grades have been excluded for 2016/17 due to data quality concerns which are currently being investigated.

Temporary cover payments were most prevalent amongst those aged 30 to 39 and 40 to 49 (**6.7**% and **6.4**% respectively), compared to **3.1**% of under 30s, **3.3**% of 50 to 59 year olds, and **0.9**% of aged 60 or over.

3.7% of BAME staff were receiving temporary cover payments as at 31 March 2017, compared to **5.1**% of White staff. This represents the largest discrepancy to the ethnicity distribution in the last five years, last year 3.1% of BAME staff and 3.9% of White staff were on temporary cover. Numbers within the subset groups within BAME are lower, so some caution is advised when viewing rates. However within the BAME category, **6.8**% of those in the Mixed Ethnic group received a temporary cover payment representing an increase of **3.0** percentage points since the previous year.

For the first time since 2013, the proportion of staff receiving temporary cover allowances was higher amongst disabled staff compared to non-disabled (**5.1**% and **4.8**% respectively as at 31 March 2017).

Declaration rates for religion and sexual orientation are too low for comparisons to be meaningful.
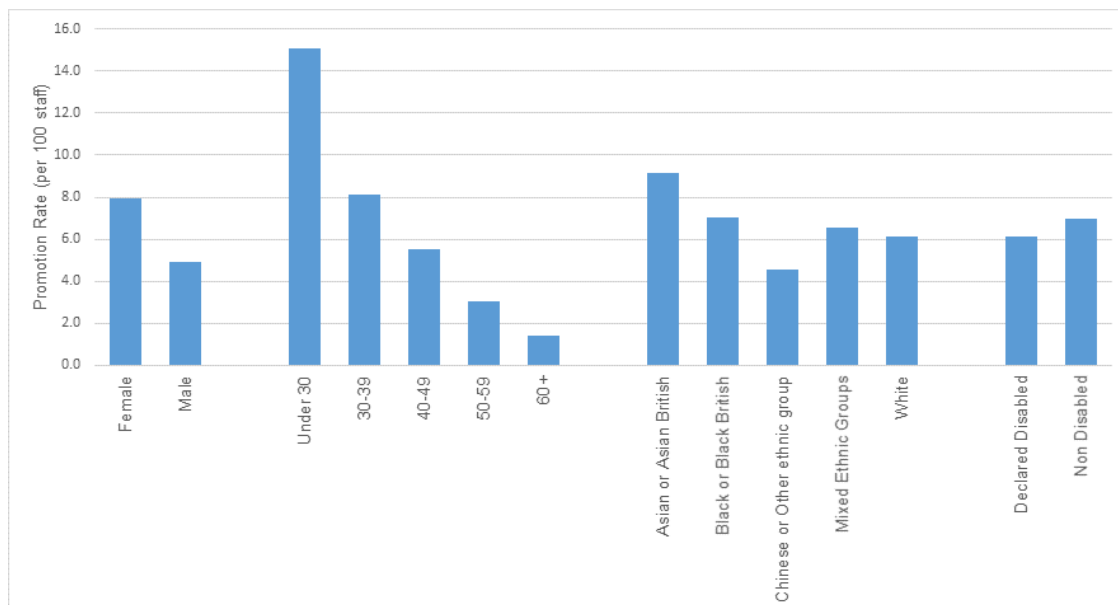
Promotions

Promotions relate to staff moving to a more senior grade through an internal process. Operational Support Grade staff who convert to become prison officers are not defined as promotions and therefore this specific grade change does not appear in this report. Promotions are reported in terms of the grade of the staff prior to promotion rather than the grade they were promoted into. Similarly, rates are calculated in relation to the number of staff in the lower grade.

The number of promotions has greatly increased over the past 4 years, from 1,957 in 2013/14 to **2,573** in 2016/17; the latter represents a **2.4** percentage point (**959**) increase compared to the previous year.

The rate of promotions, which represents the number of individuals promoted per 100 staff, in 2016/17 across all protected characteristics is illustrated in figure 4. Additional details on promotions can also be found in the supplementary tables 4a to 4c.

Figure 4: Promotions per 100 staff, 1 April 2016 to 31 March 2017

Note: Religion and sexual orientation breakdowns are not shown due to low declaration rates.

The promotion rate for female staff was higher in 2016/17 at **7.9%** (**1,525**) than for males at **4.9**% (**1,048**). Over the past 4 years, promotion rates have been generally higher amongst female staff compared to male staff. In relation to gender splits of promotion rates by grade, the rates for females were lower than males for the following grades: non-operational below manager (**4.9**% for females and **5.7**% males), NPS management (**3.6**% and **5.1**%), and NPS non-management (**11.9**% against **12.4**%). For the remaining operational grades and non-operational management females had higher promotion rates than males.

The rate of promotion declines sharply overall as the age of staff increases. In 2016/17, staff under the age of 30 had the highest rate of promotion at **15.1**% of staff in post compared to **3.1**% for the 50-59 age group and **1.4**% for staff over 60. This trend is consistent with previous years. The pattern of falling promotion rates with age is present in

non-operational below manager grades, NPS manager grades, and NPS below manager grades. Staff aged 40-49 in non-operational manager grades had a higher rate of **10.7**% than the 30-39 group at **9.3**%, although, all other age groups follow falling promotion rate with rising age pattern. The more notable exceptions are band 3-5 officer and operational manager grades. The band 3-5 officer promotion rate amongst under 30 year olds was lower at **3.5**% compared to **6.3**% amongst 30-39 year olds. For operational manager grades too few staff are present to comment on the under 30 category, despite this the 30-39 age group is lower at **11.1**% than the 40-49 age group at **17.5**%.

In the 12 months ending 31 March 2017, BAME staff had a higher promotion rate at **7.4**% than White staff at **6.1**%. All BAME groups had a higher promotion rate than White staff except the Chinese or Other ethnic group at **4.6**%, with those identifying as Asian or Asian British with the highest rate at **9.2**%. This is an increase in disparity from 2015/16 where the rates showed the first real difference between BAME and White staff over the last 4 years. All groups showed an increase from 2015/16 rates except for Mixed race staff.

In relation to grades, BAME staff had a higher promotion rate across non-operational and NPS below manager grades when compared to White staff. Promotion rates were lower for BAME staff than White staff for both the operational manager and NPS below manager grades with band 3-5 officers having equal promotion rates at 3.9% for BAME and white staff.

In 2016/17, the rate of promotion between staff who declared themselves disabled was lower than that of non-disabled staff, **6.1**% and **7.0**%, respectively.

The declaration rates among promotions for religion and sexual orientation are both below the threshold at which meaningful interpretation can be made.
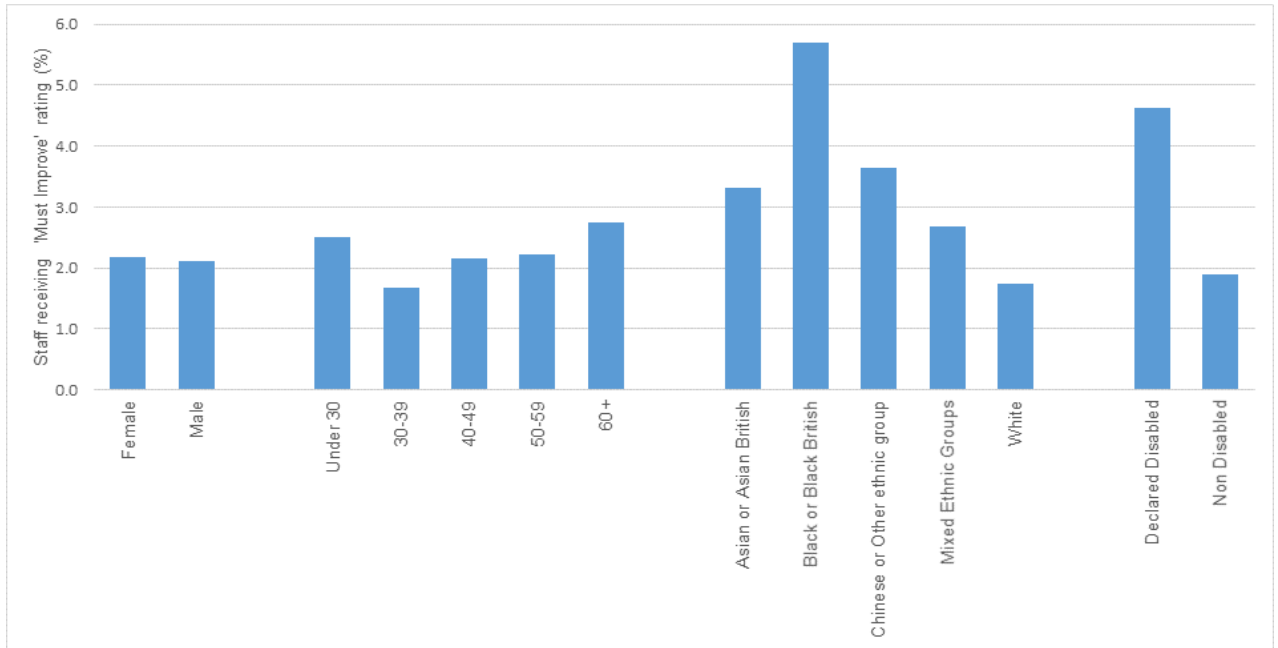

Staff appraisals

In NOMS the system of staff appraisals is called the 'Staff Performance and Development Record'. There is an annual cycle or appraisals and marks are awarded at the mid-year and then the end-year. It is the end-year markings that are analysed in this report. Further detail on appraisal ratings can be found in tables 5a and 5b of the supplementary tables.

Since 2014/15 NOMS has used the following appraisal rating categories: 'Must Improve', 'Good' and 'Outstanding'. In previous years there were four available markings of 'Unacceptable', 'Almost Achieved', 'Achieved' and 'Exceeded'.

In 2016/17, **35,208** NOMS staff received an appraisal rating. Of these, **2.1**% were awarded 'Must Improve', **82.0**% were awarded 'Good' and **15.8**% were awarded 'Outstanding'. The corresponding figures for 2015/16 for the **37,221** staff who received an appraisal rating were **2.8%** 'Must Improve', **83.1%** 'Good' and **14.2%** 'Outstanding'.

Figures 5 and 6 show the percentage of staff receiving 'Must Improve' and 'Outstanding' appraisal ratings respectively in 2016/17, split by protected characteristic.

Figure 5: Percentage of staff receiving 'Must Improve' appraisal rating

Note: Religion and sexual orientation breakdowns are not shown due to low declaration rates.

Figure 6: Percentage of staff receiving 'Outstanding' appraisal rating
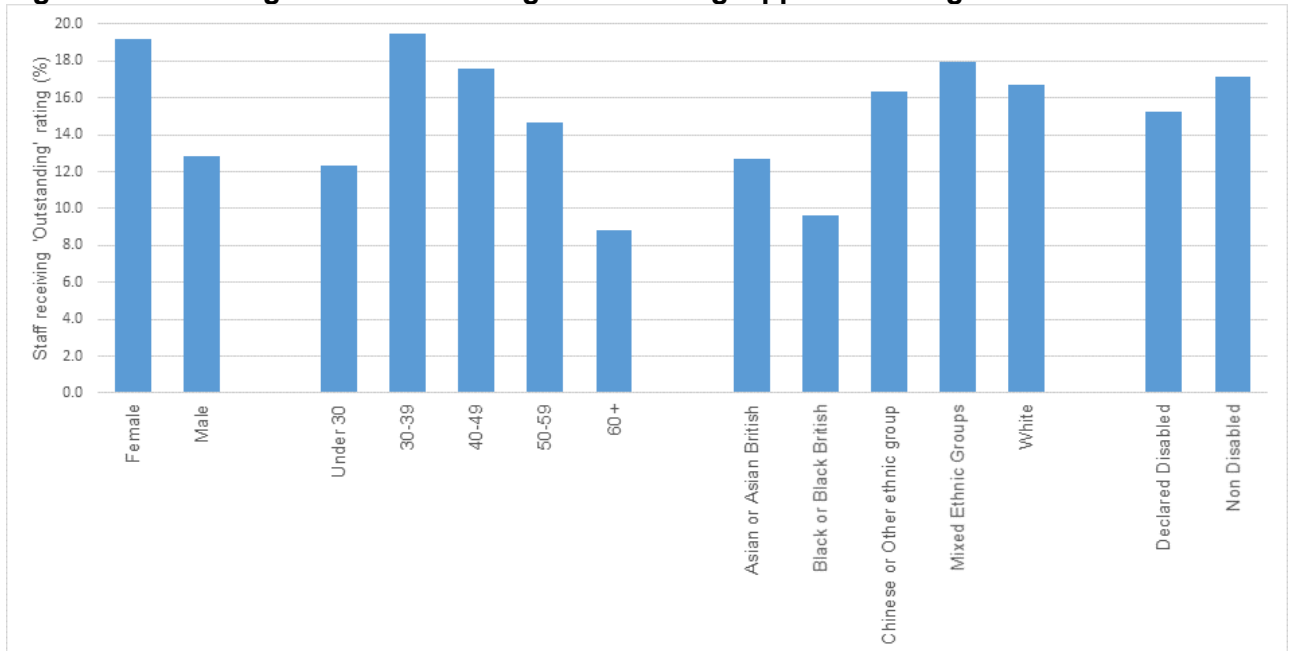
Note: Religion and sexual orientation breakdowns are not shown due to low declaration rates.

In 2016/17, a similar proportion of females (**2.2**%) and males (**2.1**%) received 'Must Improve' appraisal ratings. Female staff were however awarded a higher proportion of 'Outstanding' markings, **19.2**% compared to **12.8**% of male staff. Within most grade groupings the proportion of female staff receiving 'Outstanding' ratings was higher than that of males, although the scale of this difference varied within each grade grouping. The only exception to this was for operational manager grades where **32.7**% of male staff

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compared to **31.0**% of female staff received 'Outstanding'. Conversely, the proportions of females receiving 'Must Improve' ratings at most grades and within all staff groupings were lower than for males. Again the exception was operational manager grades where **2.4**% females and **1.8**% males received the must improve grade. However, amongst band 3-5 officers, females received lower ratings of 'Must Improve' than males (1.3% and 1.5% respectively).

The proportion of staff receiving 'Must Improve' varied with age in 2016/17. The proportion of 'Must Improve' markings was lowest for staff aged 30-39 at **1.7**%, proportions then increased again with age to **2.7**% of staff aged 60 and over receiving 'Must Improve'. The under 30 age group with **2.5**% have the largest reduction from 4.2% in 2015/16. The trend where proportions of staff receiving 'Must Improve' ratings increased from the 30-39 age group onwards has been present for the previous two years. Those aged under 30 had the middle, highest, and second highest proportions for 2014/15, 2015/16 and 2016/17.

The proportion of staff receiving 'Outstanding' ratings in 2016/17 varied more with age than 'Must Improve'; staff aged under 30 received 'Outstanding' ratings at **12.3**%. This proportion then increased to **19.5**% for staff aged 30-39 before decreasing with age to **8.9**% of staff aged 60 and over receiving 'Outstanding' ratings.

In 2016/17, a higher proportion of BAME staff received 'Must Improve' ratings at **4.2**% compared to White staff at **1.7**%. The proportions of 'Must Improves' were highest for Black staff (**5.7**%) and Other ethnic group staff (**3.6**%).

BAME staff also had worse outcomes than their White counterparts in terms of the proportion of 'Outstanding' markings awarded. In 2016/17, **12.7**% of BAME staff received an 'Outstanding' marking compared to **16.7**% of White staff. The gap has widened since the previous year when the proportion of BAME 'Outstanding' markings was **3.3** percentage points lower than White staff (compared to **4.0** percentage points in 2016/17). Black staff received notably lower proportions of 'Outstanding' markings than any other group with **9.6**% while Mixed race groups received the highest at **18.0**%.

There are substantial differences in the overall pattern of appraisal markings awarded according to grade level. More senior staff receive slightly more 'Must Improve' and substantially more 'Outstanding' markings. While this confounding effect would have the effect of exaggerating the disparity in BAME versus White markings due to the grade distribution of the groups, the pattern of worse outcomes for BAME staff persists across all grades with the exception of operational managers where **36.6**% of BAME staff received an 'Outstanding' marking compared to **32.2**% of White staff. The disparity in markings by race can therefore not be explained by the different distribution across grades.

The declaration rate for disability status had for the first time exceeded the 60% threshold. **4.6**% of staff declared as disabled received 'Must Improve', higher than the **1.9**% of staff declared non-disabled. Disabled staff receiving the 'Outstanding' rating was **15.2**%, also lower than non-disabled staff at **17.1**%.

The declaration rates for religion and sexual orientation are too low for any meaningful analysis to be carried out.
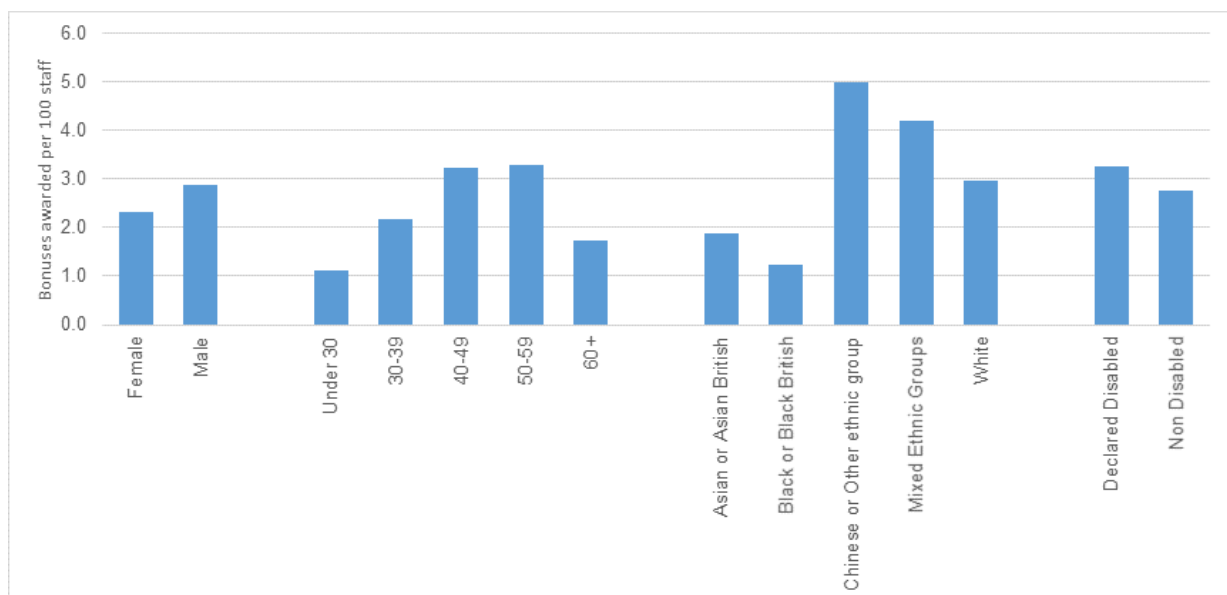
Special bonuses

Special bonuses allow local management the opportunity to recognise and reward any member of staff for exceptional performance in a particularly demanding task or situation through a one-off non-consolidated lump sum payment of up to £2,000 (or £20,000 with CEO approval). The rate of special bonuses awarded to staff in 2016/17 at **2.6** per 100 staff was slightly higher than the rate awarded in 2015/16 which was **2.3** per 100 staff. The average value of the awards however, increased by **33.5**% from £**764** in 2015/16 to £**1,020** in 2016/17.

The rate of bonuses awarded per 100 staff were higher for all grades in 2016/17 than in 2015/16 except for band 3-5 officer and 'non-operational manager grades. NPS grades had fewer special bonuses awarded than the rest of NOMS. The rate of bonuses awarded was higher for operational managers, **28.9** per 100 staff, than the more junior operational positions of band 3-5 officers, at **1.8** per 100 staff, and OSGs at **1.2** per 100 staff. There was a similar but less pronounced difference for non-operational grades.

The rate of bonuses awarded (i.e. the number of bonuses awarded per 100 staff) and the value per award across protected characteristics are illustrated in figures 7 and 8 and can be viewed in supplementary table 6a.
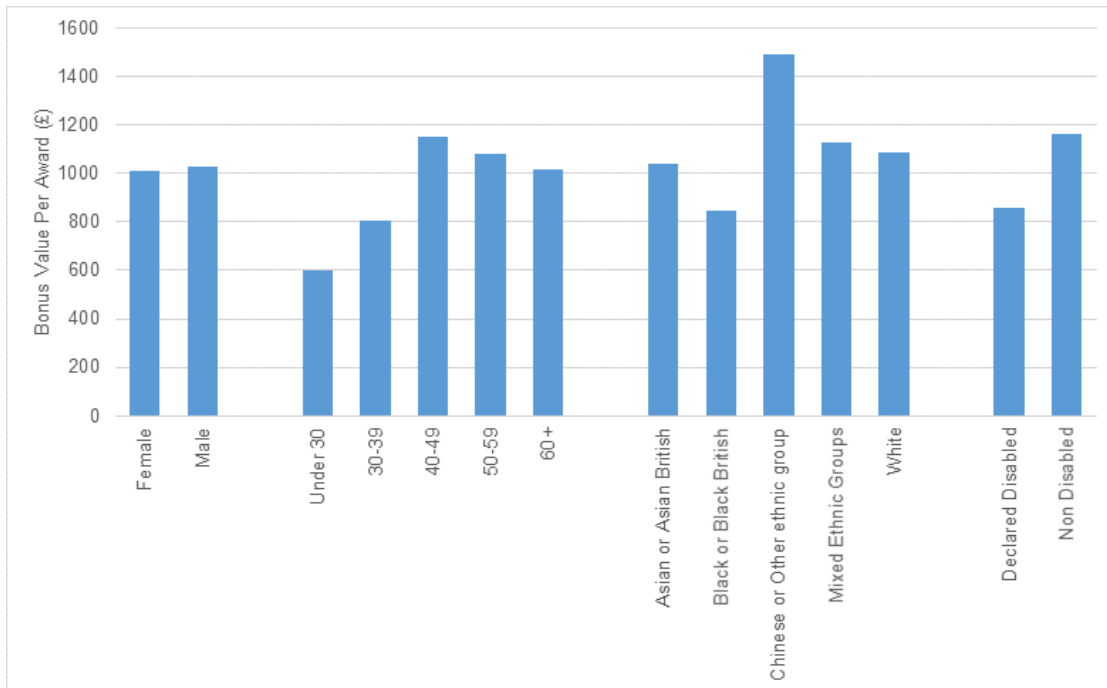
Figure 7: Special bonuses awarded per 100 staff, 1 April 2016 to 31 March 2017

Note: Religion and sexual orientation breakdowns are not shown due to low declaration rates.

Figure 8: Average value of special bonuses awarded, 1 April 2016 to 31 March 2017

Note: Religion and sexual orientation breakdowns are not shown due to low declaration rates.

The rate of special bonuses awarded in 2016/17 was higher for males at **2.9** per 100 staff than for females at **2.3** per 100 staff. The average value of the bonuses was also marginally higher for males who received an average of £**1,026** compared to females who received an average of £**1,012**. The higher rates of male bonuses was evident in most grades except operational support grades and NPS manager grades, NPS below manager grades had equal bonus rates for gender at **0.9** per 100 staff. Higher average bonus values for females were present in most grades except for operational manager and operational support grades where male average bonus awards were higher.

In 2016/17, staff in the **50-59** age-group had the highest rate of bonuses awarded at **3.3** per 100 staff, followed by staff in the 40-49 at **3.2** per 100 staff and 30-39 age-groups at **2.2** per 100 staff. Staff under 30 and over 60 had the lowest rates of bonuses (**1.1** and **1.7** per 100 staff respectively). The average value of awards peaked at the 40-49 age-grouping at £**1,150**, younger and older groups having progressively lower average bonus awards. Ages 50-59 received the second largest average value of award at £1,078 followed by over 60's at £**1,016,** while under 30s and 30-39 had lower average bonuses at £**598** and £**807** respectively.

In 2016/17, the rate of bonuses awarded to BAME was lower compared to White staff (**2.3** and 3.0 per 100 staff respectively). However, the average value of bonuses awarded was similar for declared BAME staff and White staff (£**1,100** and £**1,085** respectively). The rate of bonuses for BAME has decreased while for White staff this had increased since 2015/16 when both rates for BAME and White staff were 2.7 per 100 staff. As with the general trend, the value of bonuses has risen for both groups over the same time period, by **44.4**% for declared BAME staff and **41.0**% for White staff. There are differences between the rates and average value of bonuses awarded to different groups of BAME staff, although numbers tend to be too low to draw meaningful conclusions. Black staff

were awarded the fewest bonuses at a rate of **1.2** per 100 staff, and the lowest average value at £**843**. The low rate of bonuses for Black staff mirrors the differences in staff appraisal markings compared to other ethnic groups.

The rate of bonuses awarded in 2016/17 to those who declared as disabled was **3.2** per 100 people, higher than those awarded to non-disabled staff, **2.7** per 100 people. The average value of these awards was lower for those declared disabled at £**857**, a **5**% increase from 2015/16 compared to non-disabled at £**1,160**, a **41.5**% increase from 2015/16.

The declaration rates for special bonuses for the characteristics of religion and sexual orientation are both below the threshold at which meaningful interpretation can be made.

Grievances

A grievance is defined as any concern, problem or complaint raised by an individual member of staff relating to his or her employment. Only grievances that have gone through the formal procedure are analysed here. Where the grievances is resolved locally or through mediation, these are not recorded centrally. Further detail on grievances can be found in tables 7a to 7c.

In 2016/17, there were **892** staff who raised grievances, resulting in **1,077** cases. Of these cases, **46.8**% (**504** cases) were upheld or partially upheld. The overall figures in 2016/17 for the number of grievances raised was approximately **2.0** per 100 staff. This rate has steadily declined since 2012/13. The percentage of cases upheld or partially upheld in 2016/17 at **46.8**%, an increase of **1.8** percentage points since last year. Across grade breakdowns, band 3-5 prison officers had the highest rate in terms of raising a grievance at **2.7** per 100 staff.

Figures 9 and 10 show the rate per 100 staff raising grievances and the percent of cases upheld or partially upheld, split by protected characteristic.

Figure 9: Number of staff per 100 staff raising grievances, 1 April 2016 to 31 March 2017
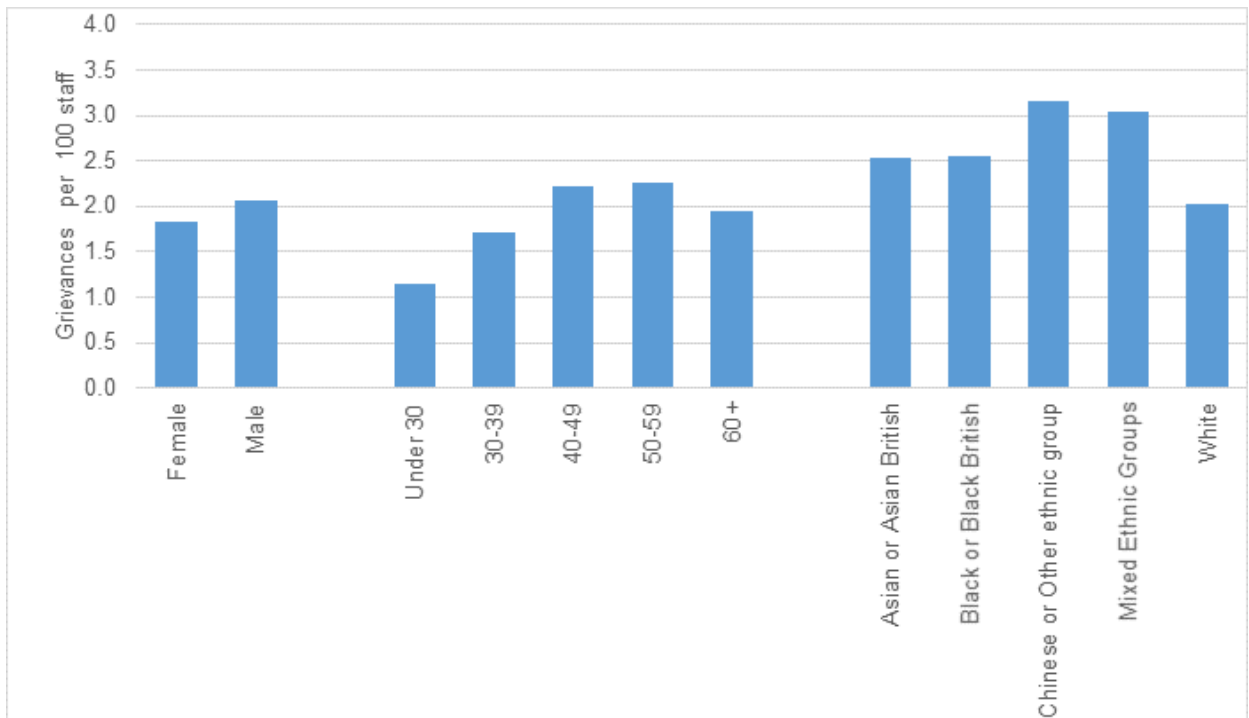
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

Figure 10: Percent of cases upheld or partially upheld, 1 April 2016 to 31 March 2017
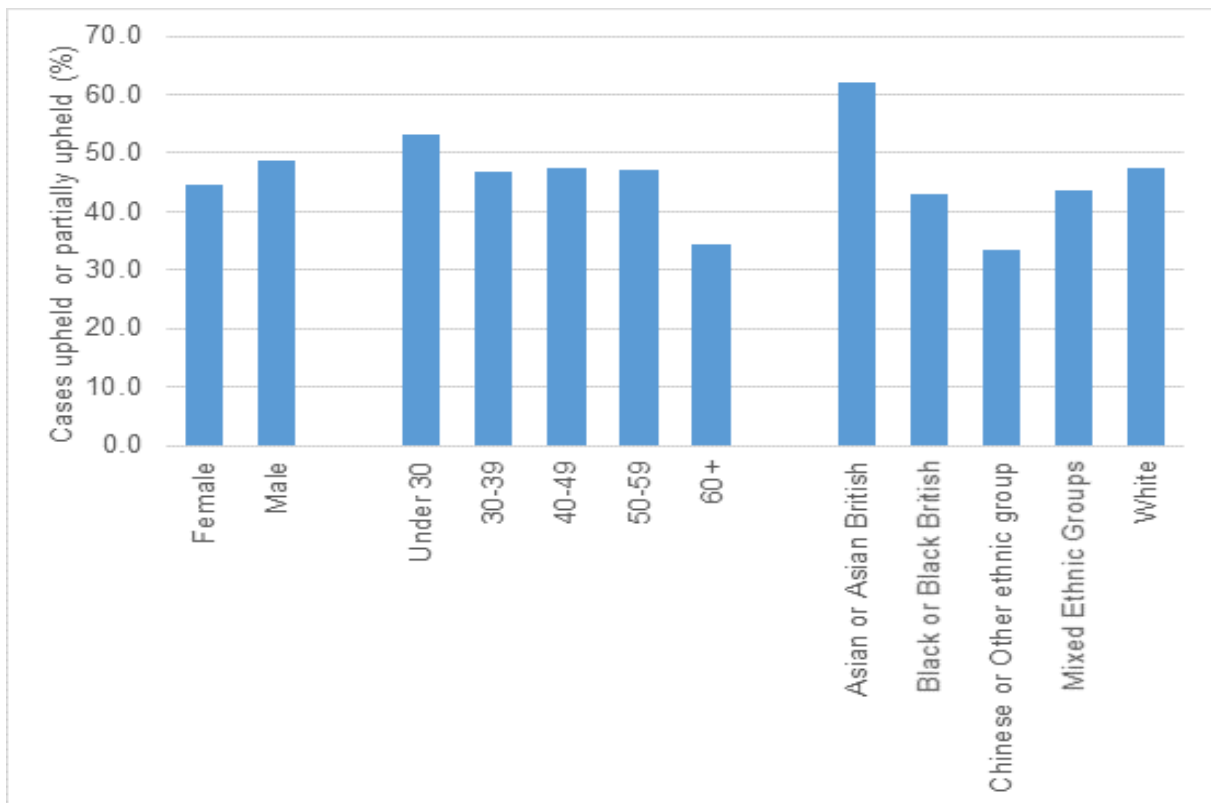
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

Overall, female staff raised fewer grievances in 2016/17, at a rate of **1.8** per 100 staff, than males, **2.1** per 100 staff. This overall finding may be distorted by the higher rate of grievances amongst band 3-5 prison officers, who are predominantly male. Specifically amongst band 3-5 prison officers, female staff raised more grievances than male staff (**3.1** and **2.9** per 100 staff respectively). This was also the largest difference between rates of female and male staff who a raised grievance.

The percentage of cases upheld or partially upheld in 2016/17 was lower for females (**44.7**%) than for males (**48.6**%). For males, the percentage of cases upheld or partially upheld in 2016/17 was higher than that in 2015/16. Although a decrease was seen for cases raised by females of **2.2** percentage points, there was still an overall increase of **1.8** percentage points of cases upheld or partially upheld compared to 2015/16.

In 2016/17, there was a tendency for the rate of grievances to increase with age from **1.1** per 100 staff for staff aged under 30, to **2.3** per 100 staff for staff aged 50-59. Fewer staff aged 60 and over raised a grievance (**1.9** per 100 staff) compared to those aged 40-49 and 50-59.

The proportion of cases upheld or partially upheld varied by age with a lower percentage of cases upheld for staff aged over 60 at **34.3**% and a higher proportion for those aged under 30 (**53.2**%). Excluding the 30-39 age group at **46.9**%, The percentage of cases upheld or partially upheld was **46.9%** for those aged 30-39, **47.5**% amongst 40-49 year olds and **47.2**% for those aged 50-59.

The overall rate of grievances raised per 100 staff was higher amongst BAME staff compared to White staff, at **2.7** per 100 and **2.0** per 100 staff respectively. As was the case for female staff, this overall finding may be confounded by grade differences. Apart from operational manager, in each grade group BAME staff had higher rates of grievance raising.

In 2016/17, the percent of cases upheld or partially upheld was broadly similar for White staff at **47.4**% than for BAME staff at **48.3**%. For both groups, a **higher** percent of cases were upheld or partially upheld in 2016/17 than in 2015/16, although the increase was higher for BAME staff at 6.7 percentage points when compared to an increase of 1.6 percentage points for White staff.

Declaration rates for disability, religion and sexual orientation are too low for any meaningful analysis to be carried out.

Investigations and conduct and discipline cases

Investigations into staff conduct are designed to establish the truth of the case and to determine whether conduct and discipline action is recommended. A conduct and discipline case imposes a penalty on a member of staff for wrong-doing. In cases of summary dismissal it is not always possible to have had a full internal investigation.

Both investigations and conduct cases may involve multiple charges and may have multiple outcomes for the different parts of the case. More than one member of staff can also be charged and penalised in a single case. For the purpose of this report a case is

defined as a charge or set of charges being brought against an individual. Where more than one individual is charged together they are counted as multiple cases in this report.

Further detail on investigations and conduct and discipline cases can be found in tables 8a to 8c and 9a to 9c.

In 2016/17, **1,444** staff faced at least one investigation, representing a rate of **3.2** per 100 staff and a small decrease compared to 2015/16. Of the **1,551** cases, **856** (**55.2**%) had further action recommended. Amongst grades, band 3-5 officers had the highest rate of investigations in 2016/17 at **5.0** per 100 staff, compared to **1.9** for all other staff combined.

There were **574** staff subject to conduct and discipline action given a disciplinary penalty in 2016/17 at a rate of **1.3** per 100 staff. There were a total of **597** conduct cases and of those **21.8**% resulted in the penalty of dismissal[2]. The rate of conduct cases (**1.9** per 100 staff) was highest amongst band 3-5 prison officers.

Figures 11 and 12 show the rates per 100 staff who were investigated in 2016/17 and the proportion of cases where further action was recommended split by protected characteristic.

Figure 11: Staff subject to at least one investigation per 100 staff in post, 1 April 2016 to 31 March 2017
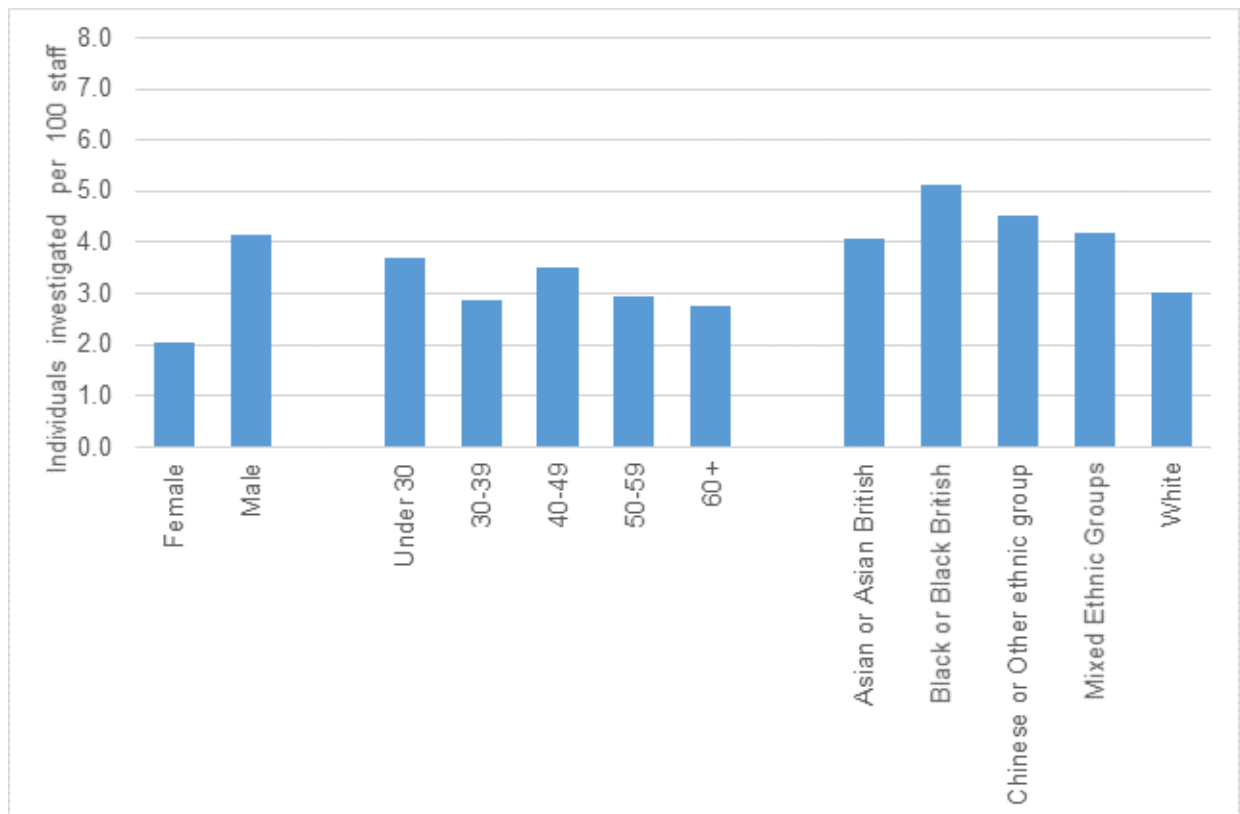
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

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[2] Details of appeals are not included in the analysis so a number of the penalties may have been overturned on appeal.

Figure 12: Proportion of Investigations where further action was recommended, 1 April 2016 to 31 March 2017
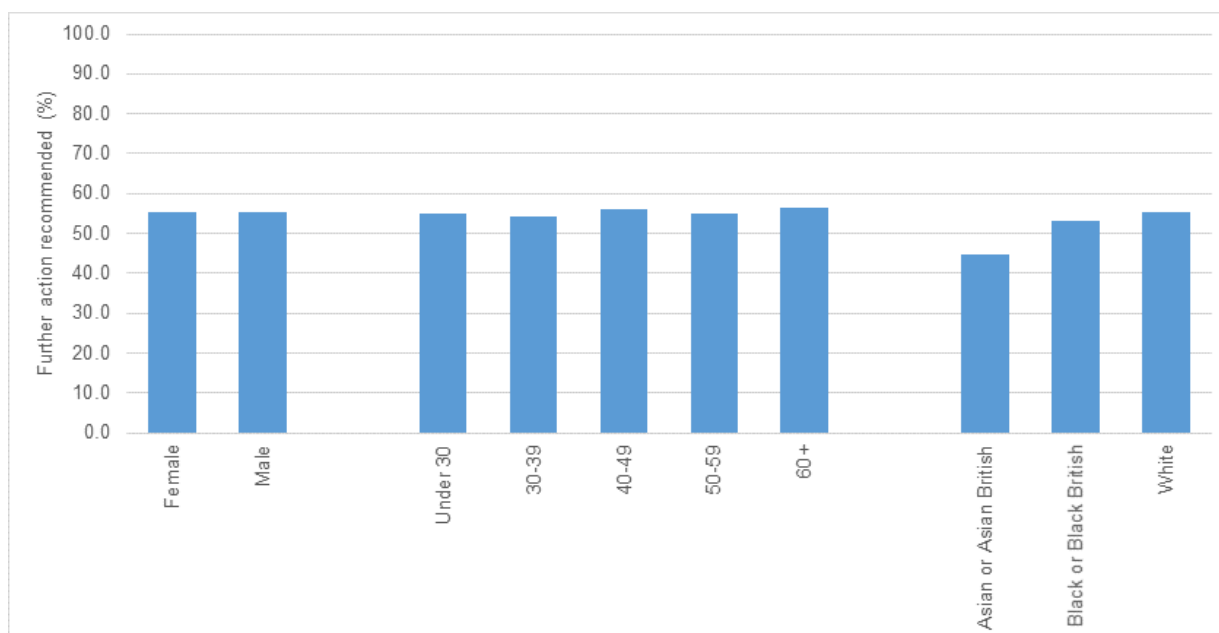
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

Overall, female staff were investigated at around half the rate of male staff in 2016/17, **2.0** per 100 females compared to **4.2** per 100 males. These levels were similar to those for 2015/16. The rate of investigations for male staff is higher across all grades other than operational managers. The percentage of cases with further action recommended, however, was the same for both genders at **55.2**%; this represents decreases from 2015/16 for females of **7** percentage points and of **4** percentage points for males.

In 2016/17, the number of staff investigated was similar across age groups with numbers of investigated staff ranging from **3.7** per 100 staff for those aged under 30, to **2.7** per 100 staff over 60. The percentage of cases with further action recommended was higher for staff aged 40-49 (**56.0**%) and over 60 (**56.4**%). The rest of the age groups had similar rates with **54.3**% for staff aged 30-39, and staff aged under 30 and 50-59 both at **54.9**%.

The proportion of BAME staff investigated in 2016/17 was higher than the proportion of White staff investigated, **4.6** per 100 staff compared to **3.0**. The percentage of cases with further action recommended was lower for BAME staff (**51.4**%) than for White staff (**55.4**%); this represented decreases from 2015/16 of **17.1** percentage points and **3.3** percentage points for BAME and White staff respectively.

Figures 13 and 14 show the rate per 100 staff who were subject to conduct and discipline action and the proportions of conduct cases leading to dismissal in 2016/17, split by protected characteristics. The patterns mirror those found for investigations due to the close connections of the two processes.

Figure 13: **Staff per 100 staff subject to conduct and discipline action, 1 April to 31 March 2017**
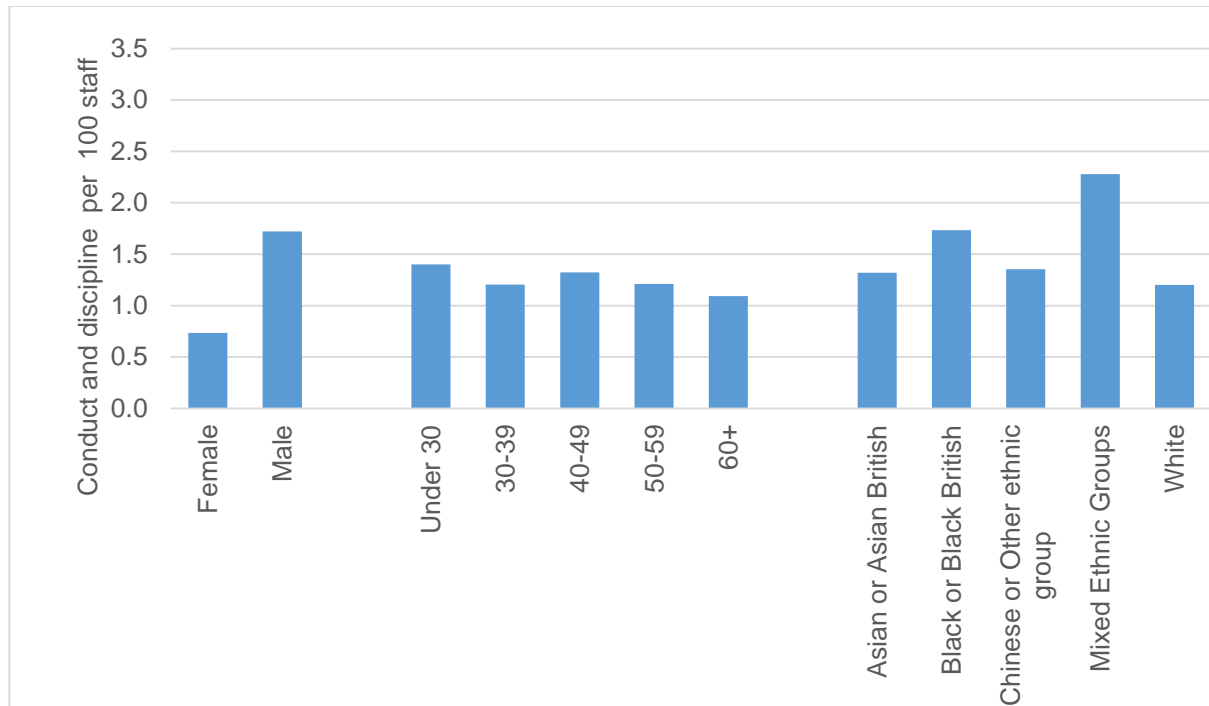
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

Figure 14: Percentage of conduct cases leading to dismissal, 1 April to 31 March 2017
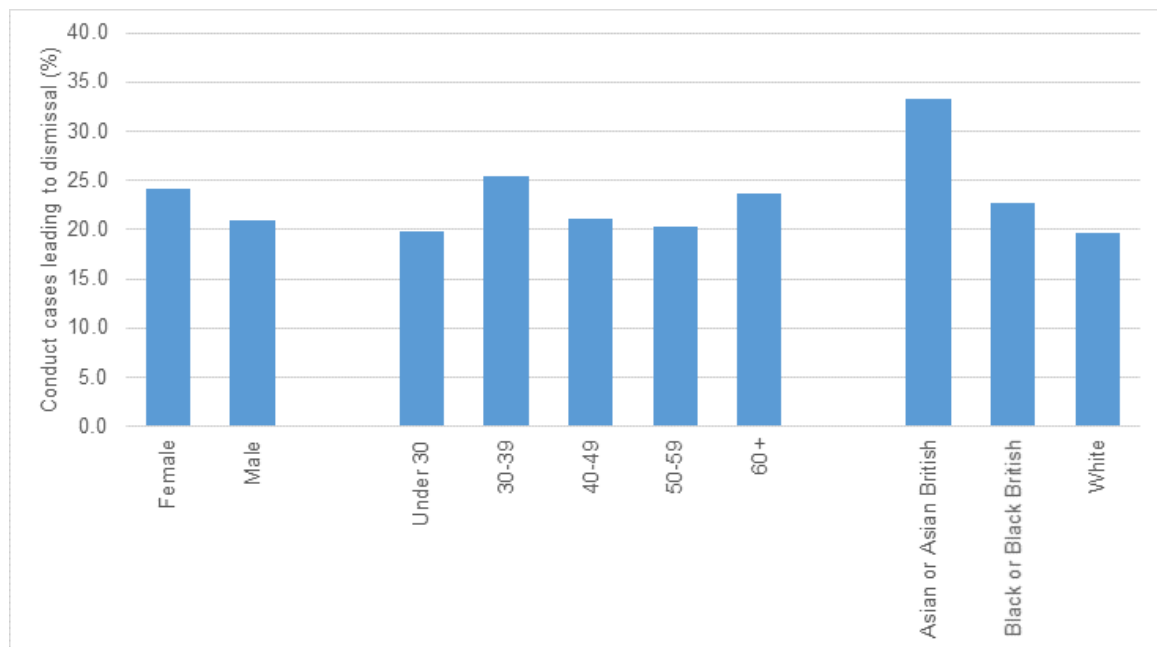
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

The rate of conduct cases involving male staff was more than double the rate for female staff, **1.7** per 100 male staff compared to **0.7** per 100 female staff. These rates are a minor reduction for both males and females of **0.1** per 100 staff from 2015/16. The proportion of

cases resulting in dismissal was lower for male staff than female, **24.1**% compared to **20.9**%.

The number of staff subject to conduct and discipline action in 2016/17 did not vary greatly with age, ranging from **1.4** per 100 staff aged under 30 to **1.1** per 100 staff aged over 60. In 2016/17, the percentage of conduct cases leading to dismissal **varied** with no distinguishable pattern with age. The percentage of dismissals issued ranged from **19.8**% for staff aged under 30 to **25.4**% for staff aged 30-39; for those aged 40-49, 50-59, and over 60, the percentage of dismissals issued were **21.1**%, **20.3**%, and **23.7**% respectively.

In 2016/17, a larger proportion of BAME staff, **1.7** per 100 staff, were subject to conduct and discipline action than White staff at **1.2** per 100 staff. For the three grades where both BAME and White staff have meaningful data for proportions of staff subject conduct and discipline action, BAME staff had higher rates per 100 staff than White staff. The percentages of dismissals resulting from conduct cases were also higher for BAME staff at **22.4**% compared to White staff at **19.7**%.
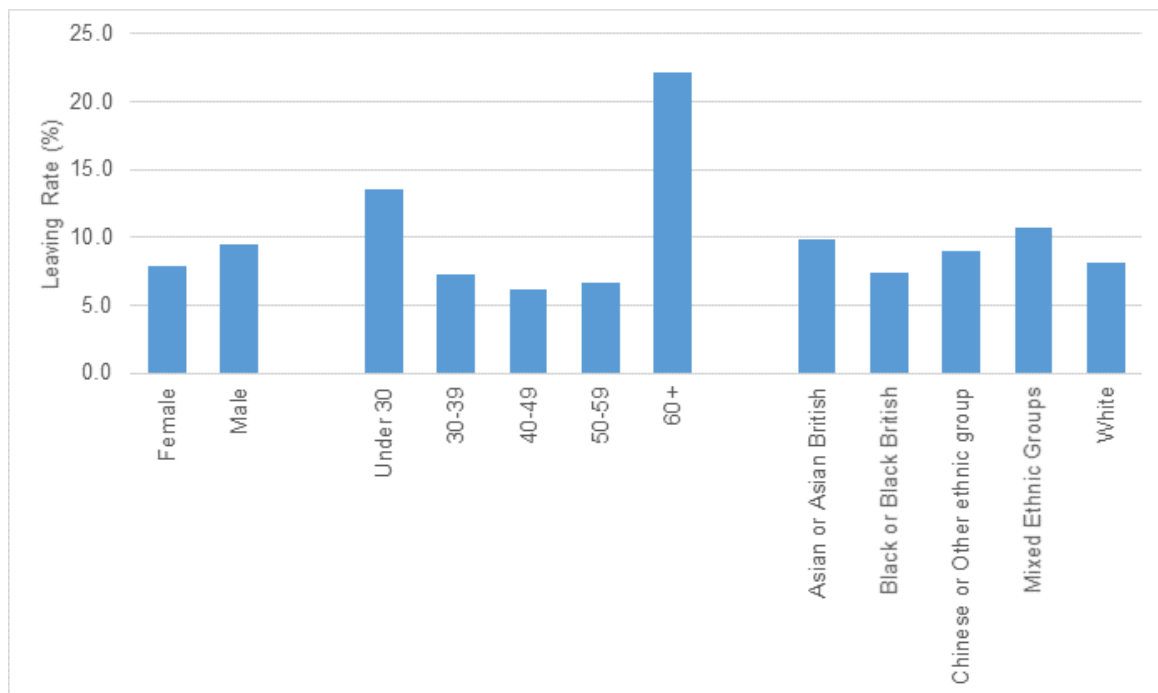
Declaration rates for disability, religion and sexual orientation are too low for any meaningful analysis to be carried out on investigations or conduct and discipline.

Sickness absence

Sickness absence is represented in this section by the average working days lost (AWDL) due to sickness per employee per year. In 2016/17, the AWDL due to sickness absence was **10.1**, a **0.3** percentage point decrease from 10.4 in 2015/16. Although this the lowest rate in the time series beginning in 2013/14, comparisons to previous years must be interpreted with caution due to an under-recording of sickness absence records between January and March 2017 during migration of data to the Single Operating Platform. There is therefore likely to be an undercount of working days lost during period covering 1 April 2016 and 31 March 2017.

In 2016/17, across operational, non-operational and NPS roles the AWDL was lower for senior staff compared to grades below management level. Operational and NPS grades had the highest levels of AWDL, **12.2** for NPS staff below management grade, **11.6** for band 3-5 prison officers and **9.0** for prison OSGs.

Figure 15 illustrates the AWDL in 2016/17 across all protected characteristics. Further details on sickness absence can be found in tables 10a to 10b of the supplementary tables.

Figure 15: Average working days lost due to sickness absence, 1 April 2016 to 31 March 2017
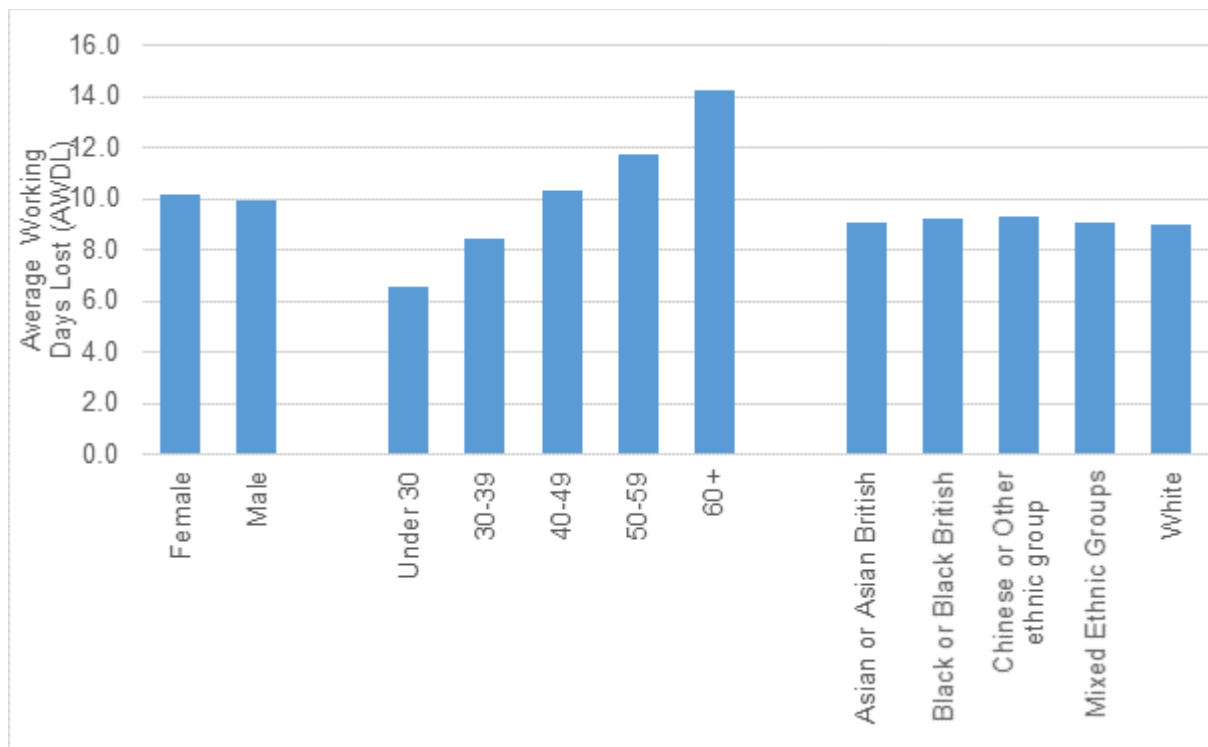
Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

In 2016/17, the average working days lost to sickness absence was slightly higher for female staff at **10.2** days, than for male staff at **10.1** days. The higher rate amongst female staff is despite the confounding factor of higher underlying rates for operational staff suggesting that female rates would be lower due to their grade distribution being less operational. The average working days lost to sickness absence is higher for females than for males across all staff positions except operational manager.

In 2016/17, the average working days lost to sickness absence increased with age. Under 30s had the lowest AWDL at **6.6** days, rising through each age group to the over 60's who had the highest AWDL at **14.2**.

In 2016/17, the AWDL was **9.1** days for BAME staff and **9.0** days for White staff. Within the BAME category.

Declaration rates for disability, religion and sexual orientation are too low for any meaningful analysis to be carried out on investigations or conduct and discipline.

Leavers

In the 12 months ending 31 March 2017, **3,961** permanent staff (headcount) left NOMS. The leaving rate stood at **8.7**%, representing an increase on the previous year's rate of 7.7%. The leaving rate in 2016/17 represented the highest of the last four financial year. The rates presented include retirement, but exclude voluntary exits under the Voluntary Early Departure Scheme (VEDS), under which large numbers left the department in 2012/13 and 2013/14, but which would distort leaving rates if included.

Leaving rates for each protected characteristic are shown in figure 16. Further detail on leavers can be found in tables 11a to 11d of the supplementary tables.

Figure 16: Permanent staff leaving rates (excluding VEDS and redundancy), 1 April 2016 to 31 March 2017

Note: Disability, religion and sexual orientation breakdowns are not shown due to low declaration rates.

The leaving rate for female staff was lower in the 12 months ending 31 March 2017 at **7.9**% than the rate for male staff at **9.5**%. This is a change from the previous year, with a **0.9** percentage point increase to the leaving rate of females and a **1.2** percentage point increase to the leaving rate for males since the previous year. The difference in leaving rates between males and females were smaller in the previous 3 financial years, and in 2013/14 the rates for were the same males and females. This change coincides with a change in the female representation in NOMS due to the creation of the NPS in 2014. As such, comparison of gender splits of leaving rates across the time series should be considered with some caution.

Band 3-5 prison officers had the largest increase in leaving rate from 7.8 in 2015/16 to **9.7** in 2016/17. Considering gender splits of leaving rates by grade group, in the 12 months ending 31 March 2017, band 3-5 prison officers had similar leaving rates by gender at **9.5**% for female officers and **9.8**% for male officers. Leaving rates of OSGs were higher

than for officers, but with a larger gender difference with the rate for male OSGs at **11.8**% compared to **8.8**% for females. Leaving rates for both operational and non-operational managers were lower in general, with lower rates for females than males. Non-operational NOMS grades below management level had high leaving rates with **7.9**% for females and **9.4**% for males. NPS managers had lower leaving rates than NPS staff below manager grades, but the leaving rates for females were lower than for males in both cases – **3.8**% compared to **5.6**% for NPS manager females and males respectively, and **7.5**% and **8.5**% for NPS below manager females and males respectively.

As leaving rates include retirement, considering rates by age group is limited in meaning, as it would be expected that those aged 60 and over would have the highest leaving rates given staff will not continue working indefinitely. As expected, the leaving rate for those aged 60 and over was by far the highest at **22.2**% in the 12 months to 31 March 2017, consistent with previous years. Leaving rates were similar for those aged 30 to 59, ranging from **6.1**% for 40-49 to **7.3**% for 30-39, while those aged under 30 had an increase in leaving rate of **3.2** percentage points compared to the previous year to stand at **13.5**% in 2016/17.

BAME staff had a higher leaving rate at **8.9**% in the 12 months ending 31 March 2017 than White staff at **8.1**%. There are some differences in the leaving rates of the subset groups within the BAME category with Black or Black British having the lowest leaving rate of **7.4**% and Mixed Ethnic Groups having a particularly high leaving rate of **10.7**%. Compared to 2015/16 there was a small increase in the leaving rate among White staff of **0.6** percentage points and a large increase for BAME staff of **2.6** percentage points. By grade in the 12 months ending 31 March 2017, the leaving rate was noticeably higher for BAME staff in non-operational below manager grades at **10.0**% than for White staff at **7.6**%. Ethnicity declaration among NPS below manger leavers is too low for leaving rates by ethnic group to be meaningful.

Declaration rates among leavers for disability, religion and sexual orientation are below the level at which meaningful consideration can be made for these protected characteristics.

Users and uses of these statistics

These statistics have many intended uses by a diverse range of users, and are designed to meet as many of the needs of these users as possible in the most useful and meaningful format.

Intended use of statistics:	Summary of main statistical needs:
Ministry of Justice ministers	Use the statistics to monitor changes to HMPPS staff numbers, and to the structure of the organisation over time.
MPs, House of Lords and Justice Select Committee	These statistics are used to answer parliamentary questions. This publication aims to address the large majority of parliamentary questions asked.
Trade unions	Used as a source of statistics to inform the work of the unions in relation to the staffing within HMPPS.
Policy teams	These statistics are used to inform policy development, to monitor impact of changes over time and to model future changes and their impact on the system. This publication addresses the primary questions internal users ask on a regular basis, and forms the basis for workforce monitoring and decision making.
Academia, students and businesses	Used as a source of statistics for research purposes and to support lectures, presentations and conferences
Journalists	As a compendium of quality assured data on HMPPS staff, to enable an accurate and coherent story to be told.
Voluntary sector	Data are used to monitor how trends within the staff population relate to trends observed in offenders, to reuse the data in their own briefing and research papers and to inform policy work and responses to consultations.
General public	Data are used to respond to ad-hoc requests and requests made under the Freedom of Information Act, to provide greater transparency of staffing and equalities related issues in HMPPS.

Data sources and data quality

The statistics in this bulletin relate to civil servants employed by NOMS. The data presented in this publication referring to the reporting period to 31 December 2016 are drawn from the Oracle Human Resources Management System (HRMS) used previously by NOMS. However, data covering the period from 1 January 2017 onwards have been extracted from the newly introduced Single Operating Platform (SOP), an administrative IT system which holds HR information. Both SOP and the previous Oracle HRMS are live dynamic systems, not designed for use in presenting consistent statistical figures. Although both can generate what appear to be historical figures, subsequent updates to details of records on the system will only show the latest position, and not the position as it stood at the time in question.

Information relating to staff in post, joiners, leavers and sickness is closely scrutinised, and the data presented in this bulletin are considered to be fit for purpose. Extensive quality assurance of the data is undertaken, and care is taken when processing and analysing the data. While the figures shown have been validated and independently checked, the information collected is subject to the inaccuracies inherent in any large scale recording system. More specifically though, this publication includes statistics produced using cuts of data taken from the newly introduced SOP. As a result, additional validation of this data has been necessary, including the use of alternative approaches to support production of the statistics. **Whilst we are confident that the statistics compiled for this particular period remain of fit for purpose, it must be noted that SOP has only came into effect this year and investigations continue so as to fully understand the impact of this change. Caution should therefore be taken when interpreting the findings.**

For statistical and archive purposes, extracts have been taken from both the Oracle HRMS system, SOP and the Case Management Application, which allow consistent figures to be obtained for historical time points. It is not uncommon for a small number of updates to the Oracle or SOP systems to be implemented slightly in arrears. To account for this the data extracts used for statistical purposes are taken at a pre-determined point in time shortly after the situation date. This process accommodates the majority of such late updates whilst maintaining the timeliness of the data. While this is a standard, and indeed the best approach to obtain accurate and timely data from HR systems, there is the inevitable potential for a small number of late updates to be missed, occurring after the regular extracts are captured.

Certain aspects of the data relating to the National Probation Service (NPS) are not currently of the quality necessary to be included in a publication of official statistics.

Disclosure policy

It is MoJ disclosure policy to assess the risk of disclosure of sensitive information about identifiable individuals and the consequent harm that disclosure could cause. This risk is then balanced against the loss of utility of statistics that have been supressed.

Sensitive information includes protected characteristics such as race, disability, sexuality or religion of the individuals, or incidents that happen to staff that could cause distress to the individual or their family if they were disclosed. Examples would be conduct and discipline cases, grievances, sickness absence, dismissals.

In this publication, it has been assessed that the risk of identification of individuals is minimal and that the majority of the information presented is not sensitive. However, where suppression has been used, this generally applies to:

- small populations of staff with particular protected characteristics;
- small populations of staff for whom incidents have occurred (eg. conduct and discipline cases, grievances, sickness absence, dismissals); or
- cells containing two or fewer cases together with secondary suppression of cells that could be used in combination with totals to deduce the original figures.

Explanatory notes - Symbols and conventions

The following symbols are used within the tables in this bulletin:

..	not available
~	values of two or fewer
-	not applicable / not meaningful
(p)	Provisional data
(r)	Revised data
(e)	Estimated data

List of tables

Further information

Accompanying files
As well as this report, the following products are published as part of this release:
- A technical guide and glossary providing details of the data sources and quality. Information on the revisions policy and disclosure relevant to NOMS staffing data as well as a definition of terms used is also included
- A set of supplementary tables for the year as well as over time
- A statistical note and consultation regarding changes made to this year's NOMS Annual Staff Equalities Report.

Official Statistics
The statistics in this bulletin are classified as official statistics. The Statistics and Registration Service Act 2007 defines 'official statistics' as all those statistical outputs produced by the UK Statistics Authority's executive office (the Office for National Statistics), by central Government departments and agencies, by the devolved administrations in Northern Ireland, Scotland and Wales, and by other Crown bodies (over 200 bodies in total). The statistics in this bulletin comply with all aspects of the Code of Practice for Official Statistics. The Code encourages and supports producers of statistics to maintain their independence and to ensure adequate resourcing for statistical production. It helps producers and users of statistics by setting out the necessary principles and practices to produce statistics that are trustworthy, high quality and of public value.

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Next update: 29 November 2018
URL: https://www.gov.uk/government/statistics/announcements/hm-prison-and-probation-service-staff-equalities-report-2017-to-2018