



Ministry
of Justice

Workforce Monitoring Report 2019/20

Ministry of Justice

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Foreword

I am pleased to present the Ministry of Justice's 2019-20 Annual Diversity Workforce Monitoring Report.

The global pandemic, which struck at the end of that year and has had such a huge impact on all our lives ever since, has reminded us strongly of our dependence on each other, highlighting the importance of understanding the different needs and vulnerabilities of individuals and communities within our society. Our resolve to build an ever more inclusive organisation, where everyone feels they belong and ensure diversity of our staff and our customers, is stronger than ever.

This report fulfils our statutory obligations, but it also demonstrates both through hard data and through rich case studies the reality of our commitment to diversity and inclusion and the steady but tangible progress we are making towards our goals. The Ministry of Justice is a long-established department whose core business is to create and ensure the continued delivery of a world-class justice system that works for everyone.

Our legal duties, as well as our commitment under our Diversity and Inclusion Strategy (set out on page 10), provides the context in which this data is collected, monitored and published.

Our commitment to equality, diversity and inclusion is underpinned by our four values, Purpose, Humanity, Openness and Together, which guide how we go about our business and act as a checklist for our actions.

The workforce data presented in this report (and accessible via the links at Annex A) help us to understand how representative we are of modern Britain and to ensure that everyone who comes to work as part of the Ministry of Justice family can feel that they belong. We take an evidence-led, analytical approach to developing our policies and initiatives to build a diverse workforce and an inclusive workplace and to ensure fair and accessible services for all.

I encourage you to read this report and welcome feedback on it and ideas for further improvement.



Mark Adam
Interim Chief People Officer

Summary

This report and accompanying tables provide data on diversity declaration rates and the workforce profile of the Ministry of Justice (MoJ), including its agencies, in 2019/20

As at March 2020, there were 76,449 staff (on a headcount basis) in the MoJ. Key results are:

- In March 2020, 85% of MoJ staff had declared their ethnicity, 78% had declared their disability status, 70% of staff had declared their religion or belief, and 72% had declared their sexual orientation. These declaration rates have increased compared to the previous year, when the figures were 77%, 63%, 54% and 55% respectively.
- These increases in declaration rates between March 2019 and March 2020 are due to improvements to MoJ recording systems and encouragement of staff to complete their diversity information.
- In March 2020, declaration rates amongst the Senior Civil Service (SCS) were 88% for ethnicity, 83% for disability, 79% for religion, and 82% for sexual orientation. These declaration rates have increased compared to the previous year, when the figures were 87%, 74%, 75% and 78% respectively.
- Declaration rates for sexual orientation and religion and belief for MoJ have increased over the last year to the point where reporting is possible on these characteristics across the majority of measures in this report.
- Just over half (54%) of staff were female and 46% were male in March 2020. This is similar to the wider Civil Service¹ (54% female in March 2019, the latest time period for which Civil Service data are available). In March 2020, the proportion of females at SCS level was higher in the MoJ (54%) compared to the wider Civil Service, where it was 45% in 2019.
- The MoJ saw a small increase in the proportion of female staff from March 2016 to March 2020, from 53.5% to 54.3%. There was a larger increase at SCS level, where from March 2016 to March 2020 the proportion of females increased from 44% to 54%.
- The highest proportion of MoJ staff were in the age categories 50-59 (28%) and 30-39 (23%). This was similar to the wider Civil Service where the proportions were 31% and 21% respectively in 2019. Just under a quarter of staff (22%) were aged 40-49, 17% were aged under 30 and 10% were aged 60 or over in MoJ.

¹ Figures for the wider Civil Service are taken from the Civil Service Diversity and Inclusion Dashboard (11th September 2019 update, the latest version available at the point this report was finalised.), <https://www.gov.uk/government/publications/civil-service-diversity-inclusion-dashboard/civil-service-diversity-and-inclusion-dashboard>

- Of the staff who had declared their ethnicity, 14% were from a Black, Asian and Minority Ethnic background (BAME; this proportion increased from 12% in March 2016). This is slightly higher than for the overall Civil Service in March 2019, where the figure was 13%. The proportion of BAME staff was similar across all lower grades: 13% of staff in the administrative grades (AA/AO) and 15% of middle and lower management grades (EO/HEO/SEO) were from a BAME background. The proportion of BAME staff in Grades 6/7 was 13% and in the SCS it was 6% (compared with 6% of SCS in the wider Civil Service who were from a BAME background in 2019).
- BAME representation differed markedly between MoJ business groups. Just under half (49%) of staff in OPG were from a BAME background compared to around a quarter (24%) in MoJ HQ, 14% in LAA, 20% in HMCTS, 5% in CICA and 10% in HMPPS.
- In March 2020, of staff who had declared their disability status 14% of MoJ staff were declared disabled, compared to 12% of staff across the overall Civil Service in 2019. 13% of staff at administrative grades (AA/AO) and middle and lower management grades (EO/HEO/SEO) were declared disabled. This compares with 10% of staff at Grade 7/6. 9% of staff at SCS level were declared disabled; this compares with 5% in the wider Civil Service in 2019.
- As at March 2020, of those staff who declared their religion 11% of MoJ staff reported their religion as a non-Christian religion. 49% of MoJ staff declared they were Christian, and 40% of staff declared No Religion. The proportion of staff with a non-Christian religion was higher at lower grades; 11% of staff at both AA/AO and EO/HEO/SEO grades had a non-Christian religion, compared to 8% at G7/G6 grades. In the wider Civil Service, as at March 2019 51% of staff declared they were Christian, 38% declared no religion, and 11% declared a non-Christian religion. Please note these Civil Service figures were based on a declaration rate of 55%, so should be treated with caution.
- As at March 2020, of those staff that declared their sexual orientation, 6% of MoJ staff declared they were Lesbian, Gay, Bisexual or Other non-heterosexual (LGBO) sexual orientation. The proportion of LGBO staff was higher at G7/G6 grades (7%) than at AA/AO (6%) and EO/HEO/SEO (5%) grades. In the wider Civil Service, as at March 2019, 5% of staff declared they were LGBO. Please note these Civil Service figures were based on a declaration rate of 57%, so should be treated with caution.

Key insights

Below are some key insights from the report, drawing together data for particular staff groups across the range of measures. Full details and figures can be found in the main report text:

- Gender:** The proportion of female staff in MoJ increased slightly between March 2019 and March 2020 from 53.6% to 54.3%. This overall increase was driven in particular by increases in female staff at the middle management grades (EO/HEO/SEO), from 51.5% to 52.8% and unknown grades (mainly NPS staff who do not have a civil service equivalent grade) which increased from 76.1% to 76.8%. Female representation in the senior management grades (G7/6) remained stable, increasing from 52.0% to 52.1%, while increasing in the Senior Civil Service grades from 49.3% to 53.6% over the same period.
- In 2019/20 female staff had lower rates of complaints, a higher rate of promotions, and slightly higher rates of average working days lost (AWDL) to sickness compared to male staff (9.3 days compared to 8.9 days). In MoJ (excluding HMPPS), female staff had similar rates of special bonuses/vouchers awarded compared to male staff, though the average total reward amount was lower (£365 for female staff versus £393 for male staff). This gap has reduced since 2018/19. Despite a higher rate of permanent promotions, female staff in MoJ had lower rates of temporary responsibility allowance (TRA) than male staff.
- Ethnicity:** Between the end of March 2019 and end of March 2020 the percentage of BAME staff in MoJ increased one percentage point to 14%. Percentages increased across all grades, with the increase driven particularly by an increase of one percentage point for EO/HEO/SEO staff and a one percentage point increase for AA/AO staff over the year.
- Looking across all the staffing measures covered in this report, in 2019/20 BAME staff in MoJ had similar rates compared to White staff across most of the measures: Temporary Responsibility Allowance awarded, Complaints, and Promotions. Sickness absence was higher for BAME staff (9.9 average working days lost) compared to White staff (8.7 AWDL). The AWDL for White staff has remained the same as in 2018/19, but the AWDL for BAME staff has increased from 8.9 in 2018/19 to 9.9 in 2019/20. In MoJ (excluding HMPPS) the rate of reward for bonuses/vouchers for BAME staff was lower than for White staff (71 and 76 respectively per 100 staff). The average reward value was also higher for White staff (£394) than BAME staff (£325). This is similar to the gaps in 2018/19.
- Disability:** As at March 2020, 14% of MoJ staff declared they were disabled - an increase of one percentage point since 2019 and seven percentage points since 2016. The increase between March 2019 and March 2020 was reflected across all grades with the exception of staff where their Civil Service equivalent grade is unknown (mainly NPS staff who do not have a Civil Service equivalent grade),

which saw a two percentage-point decrease from March 2019 to March 2020. The disability declaration rate amongst staff with an unknown Civil Service equivalent grade rose from 68% to 90% over the same time frame, so the decrease may be due to more staff declaring their disability status.

- Looking across all the staffing measures covered in this report, compared to declared non-disabled staff in 2019/20, staff who declared a disability had lower rates of TRA (5.8 versus 7.0 per 100 staff), a lower average rate of special bonuses awarded and lower average award amount, and higher AWDL (16.6 days versus 8.0 days). Declared disabled staff also had a lower rate of promotions and a higher rate of grievances raised.
- **Religion:** declaration rates for religion were above the 60% reporting threshold for most measures in 2019/20. As at the end of March 2020, of those MoJ staff who had declared their religion or belief, 11% of staff reported belief in a non-Christian religion, 49% of MoJ staff were Christian, and 40% reported having no religion.
- Looking across the various data measures: staff who declared a non-Christian Religion had higher sick absence than staff who declared they were Christian or declared No Religion. Staff who declared no religion had a higher rate of Temporary Responsibility allowance than staff who declared they were Christian or declared a non-Christian religion. There was a lower rate of rewards of bonuses/vouchers awarded to staff who declared a non-Christian Religion than staff who declared as Christian or No Religion (MoJ excluding HMPPS). The average reward value was higher for staff who declared No Religion (£431), followed by staff who declared as Christian (£370) and then staff who declared a non-Christian Religion (£336). Of those who were promoted, 4.9 per 100 Christian staff were promoted compared to 5.7 per 100 staff with a non-Christian religion and 6.6 per 100 staff with no religion.
- **Sexual orientation:** declaration rates for sexual orientation were above the 60% reporting threshold for most measures in 2019/20. As at the end of March 2020, of those MoJ staff who had declared their sexual orientation, 6% of MoJ staff were Lesbian, Gay, Bisexual, or Other non-heterosexual sexual orientation (LGBO).
- Compared to heterosexual/straight staff, in 2019/20 staff in MoJ who declared they were lesbian, gay, bisexual or other non-heterosexual sexual orientation had a higher rate of TRA, a similar rate of reward of bonuses/vouchers but a higher average award amount (MoJ excluding HMPPS), and a higher rate of promotions (6.7 versus 5.5 per 100 staff). LGBO staff had a higher rate of sickness absence (10.2 average working days lost per year) than heterosexual staff (8.5), and a higher rate of complaints (grievances, investigations and conduct and discipline actions).

Introduction

This report and accompanying tables provide data on diversity declaration rates and the workforce profile of the Ministry of Justice (MoJ), including its agencies, in 2019/20.²

The report focuses on those protected characteristics for which data is collected and available at a level sufficient to enable statistically reliable reporting. These characteristics include gender, age, ethnicity, disability, religion and sexual orientation.³

The MoJ collects, monitors and publishes staff diversity data in order to:

- check how representative of the UK population we are;
- examine and review the effectiveness and impact of our employment policies and processes, including identifying areas where these appear to have a disproportionate impact on certain groups of staff;
- show 'due regard' to the Public Sector Equality Duty, which is a legal requirement under the Equality Act 2010.

Information is provided on staff data with reference to protected characteristics in the following areas:

- Declaration rates (for ethnicity, disability, sexual orientation and religion or belief)
- Total number of staff in post
- Joiners
- Leavers
- Sickness absence
- Temporary responsibility allowance
- Special bonuses
- Complaints (grievances, investigations, conducts and discipline)
- Promotions

A note on the impact of the COVID-19 pandemic in this data

This report presents data for the financial year 2019/20, and although staff may have been impacted by COVID in the first quarter of 2020, it is not possible to establish what impact (if any) it has had on 2019/20 sick absence, as the data held centrally, at that point, did not distinguish between COVID and non-COVID sickness absence and more importantly the testing capability was not in place.

² The MoJ and its agencies comprise: MoJ HQ, Her Majesty's Prison and Probation Service (HMPPS) (known as NOMS prior to March 2017), Her Majesty's Courts and Tribunal Service (HMCTS), the Legal Aid Agency (LAA), the Office of the Public Guardian (OPG) and the Criminal Injuries Compensation Authority (CICA). CICA joined MoJ headquarters in 2016/17.

³ See glossary of terms for full list of protected characteristics.

Glossary of terms

Protected characteristics

The Equality Act 2010 sets out nine protected characteristic groups: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. For the purposes of this report references to protected characteristic groups refer to a subset of these groups: age, gender, ethnicity, disability, religion and sexual orientation.

'As at March 2020' or 2019/20

The data presented include both snapshots of the position as at 31 March 2020 (referred to as 'at March 2020'), as well as summary statistics covering the period from 1 April 2019 to 31 March 2020 (referred to as '2019/20' and in charts as '2020').

Average Staff

We have used 'Average Staff' to denote an average number of staff in post over the 2019-20 period. We have used this where the chapter in question uses counts (such as promotions or investigations) which span the entire financial year.

Total Staff

We have used 'Total Staff' in the MoJ section of the Special Bonuses chapter, where a count of all staff employed over the 2019-20 financial year is used in calculations of the proportion of employed staff that received reward and recognition bonuses under the system used in MoJ.

Declaration rates

Declaration rates refer to the percentage of all staff who have provided information on either their ethnicity, disability, religious beliefs or sexual orientation. The rate is calculated as a proportion of all staff and excludes staff for whom we have no information or prefer not to provide that information. Statistics reported on ethnicity or disability are based on data where declaration rates are 60% or higher. To report on figures where declaration rates are lower would be statistically biased because they would not provide a representative picture for all staff.

BAME

The BAME acronym is used to represent Black, Asian and Minority Ethnic groups.

Equality, diversity and inclusion (ED&I) objectives

The MoJ's three overarching ED&I objectives are to deliver the following:

- **An inclusive workplace:** A workplace that is inclusive and flexible, and where everyone is treated fairly and with respect
- **A diverse workforce:** A workforce that is reflective of our diverse society at all grades.
- **Fair and accessible services:** Fair treatment, fair outcomes and equal access for all our service users.

We know that by achieving a more inclusive workplace where employees are valued for who they are and what they bring, and by building a workforce that is representative of the UK's diverse communities and communities of interest, we will be best placed to support our third objective: the delivery of fair and accessible services to all those who use them, or who come into contact with the criminal justice system.

The MoJ's Diversity & Inclusion (D&I) Strategy details 23 commitments. These are set out below and demonstrate how we intend to realise our three strategic objectives. The workforce data and analysis contained within this report, along with other management information, supports this work and is vital in helping us understand what we need to do to make a tangible difference to how we function and operate as a modern, inclusive and representative department.

MoJ ED&I Commitments

Inclusive Workplace

- Use insight to improve our knowledge of diverse groups' experience of the workplace, and take action where we identify challenge
- Put inclusion at the heart of leadership and line manager development
- Develop a clear process for accessing good quality workplace adjustments in a timely manner for those that need them
- Embed diversity and inclusion activity and awareness as an integral part of performance management
- Align with wider work to recognise and support employee wellbeing and improved mental health
- Mobilise senior leaders to take action where employees may feel disengaged or experience unacceptable levels of discrimination, bullying and harassment
- Build a cohort of senior 'champions' to spearhead diversity and inclusion initiatives with meaning and action
- Make it easier for our employees to record their diversity data and promote the benefits that robust data brings in ensuring a fairer workplace for everyone

Diverse Workforce

- Strengthen the role of diversity in recruitment and selection processes
- Use innovative approaches to ensure diverse representation in the recruitment of new prison officers
- Identify and nurture diverse talent to participate in corporate leadership programmes
- Continue to promote programmes to support positive action and track progression and success
- Take action where some groups may disproportionately face barriers in performance through better support and fairer processes
- Support wider work to encourage employees from all socio-economic backgrounds to thrive at MoJ
- Establish ownership, responsibility and accountability in every business group for building a diverse workforce
- Explore where we're doing well on diversity and inclusion and where we need to improve through external benchmarking and assessment

Fair and Accessible Services

- Respond with timely plans to address the recommendations in Rt Hon. David Lammy MP's review on Race in the Criminal Justice System ⁴
- Readdress the balance for BAME representation in the justice system in terms of outcomes and prison population
- Ensure the distinct needs of women in the justice system are addressed to help them turn their lives around and stop re-offending
- Understand how changes to our services may impact diverse service users and take action where they face barriers or challenge
- Ensure our services are accessible including, where appropriate, easy to follow and inclusive digital solutions
- Anticipate and identify the particular needs of our diverse service users to ensure greater justice outcomes and comprehensive support for the most vulnerable
- Promote and nurture greater diversity within the judiciary

⁴ The review can be found at: www.gov.uk/government/publications/lammy-review-final-report

Declaration rates

High declaration rates ensure a reliable picture of the profile of the MoJ's workforce and provide us with a better understanding of how policies and practices may impact on different groups. We are keen to continue to improve staff declaration rates for all diversity characteristics to continue to improve our data and take action where disproportionality may exist.

Information about protected characteristics is volunteered by staff. The MoJ holds data on gender (binary male and female only) and age for all staff. MoJ collects information about ethnicity, disability, religion and sexual orientation from staff making voluntary declarations on the MoJ HR system. Figure 1 shows the declaration rates for these characteristics (i.e. percentage of staff who have declared a protected characteristic). Staff who have not declared a protected characteristic, either through not having had the opportunity or by stating that they would 'prefer not to say', are excluded from calculations of representation rates. We work on the assumption that staff who do not declare are distributed in the same proportions as those who have declared. When the declaration rate falls below 60%, representation rates and other calculations depending on the protected characteristic are not made as the risk of the data not being representative of the whole workforce increases.

As at March 2020, 85% of MoJ staff had declared their ethnicity. The overall declaration rate for ethnicity remained steady over 2016 to 2017 at around 76-77%, dropped to 67% in 2018⁵, and increased again to 77% in 2019 and 85% in 2020 (Figure 1). Declaration rates for ethnicity were highest among middle and lower management grades (89% for EO/HEO/SEO) and senior grades (88% in SCS), slightly higher than administrative grades (81% in AA/AO grades). Declaration rates for ethnicity among SCS have increased 21 percentage points from 67% in March 2016 to 88% in March 2020.

As at March 2020, the declaration rate for disability status was 78% in the MoJ. Declaration rates for disability have fluctuated since 2016, however the March 2020 declaration rate was 15 percentage points higher than at March 2016 (63%) (Figure 1). As with ethnicity, the declaration rate for disability status was lowest for administrative grades: 73% for AA/AO while being above 80% for all other grades.

As at March 2020, the declaration rate for religion was 70%, having increased from 54% in March 2019 and 28% in March 2018. An increase of this magnitude was seen broadly across all grades, although in March 2020 the declaration rate is the highest for senior grades (79% in SCS), while being the lowest for administrative grades (65% in AA/AO).

For sexual orientation, the declaration rate was 72% in March 2020, having increased from 55% in March 2019 and 30% in March 2018. The increase in declaration rates was also

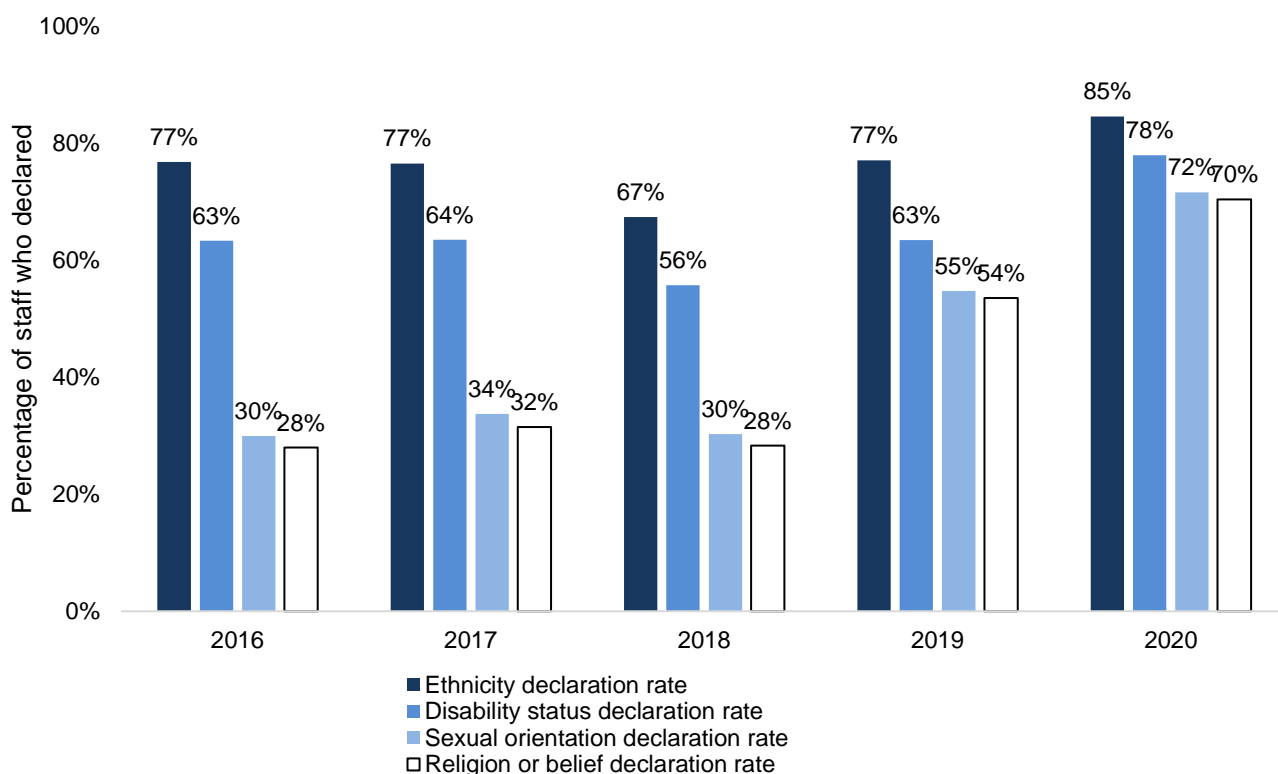
⁵ This was related to the introduction of a new HR data system, and large volumes of recruitment where new joiners were less likely to have filled in their diversity information than existing staff. Declaration rates have increased since then.

across all grades, although in March 2020 the declaration rate is highest for senior grades (82% in SCS), while being the lowest for administrative grades (67% in AA/AO).

The large increases in the declaration rates for religion and sexual orientation over the last year have taken the rates over the 60% reporting threshold for the majority of the data measures covered in this report. Therefore, statistics for these demographics can be reported on this year in most cases. However, comparisons to previous years are in general not possible due to the lower declaration rates in previous years.

This increase from March 2018 to March 2020 has occurred following efforts to encourage staff to complete their diversity characteristics on our HR systems, including regular reminder emails to staff who had not completed their diversity information and automated messages highlighting missing information to staff when they logged in to the HR system.

Figure 1: Declaration rates for MoJ workforce, as at 31 March 2016 to 2020



Workforce profile

This section covers the overall workforce profile (including SCS) and focuses on grade breakdowns for non-SCS staff. The profile of SCS staff is provided in a separate section (page 21).

Gender

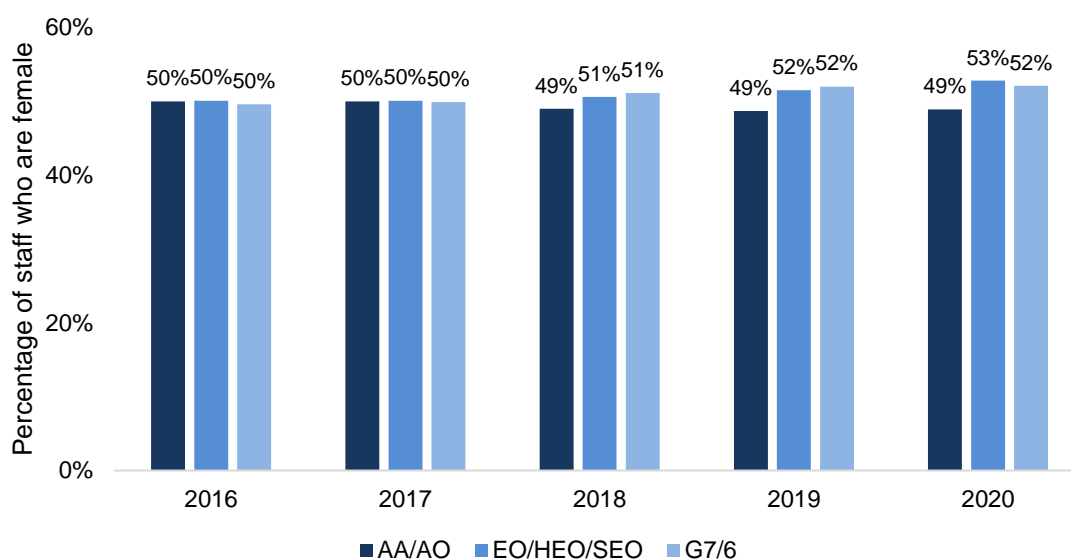
As at March 2020, there were 76,449 staff⁶ (on a headcount basis) in the MoJ. Just over half (54%) of staff were female and 46% were male. The MoJ overall has seen a gradual increase in the proportion of female staff over the last five years.

Females represented 49% of staff in administrative grades (AA/AO), and 53% of staff at middle and lower management grades (EO/HEO/SEO) (March 2020). The proportion of females in higher management grades (G7/6) has steadily increased since 2016 and in March 2020 stood at 52% (Figure 2).

Her Majesty's Courts and Tribunal Service (HMCTS) had the largest proportion of female staff (71%); significantly higher than other MoJ business groups. HMPPS had the lowest proportion of female staff (49%), whereas the proportion of female staff in other business groups ranged from 55% in CICA and 55% in OPG, to 57% female staff in MoJ HQ and 58% in LAA.

See accompanying Tables 1a and 1b in Annex A.

Figure 2: Proportion of female staff in MoJ by non-SCS grades, as at 31 March 2016 to 2020



⁶ This covers all staff excluding contract and contingency labour.

Age

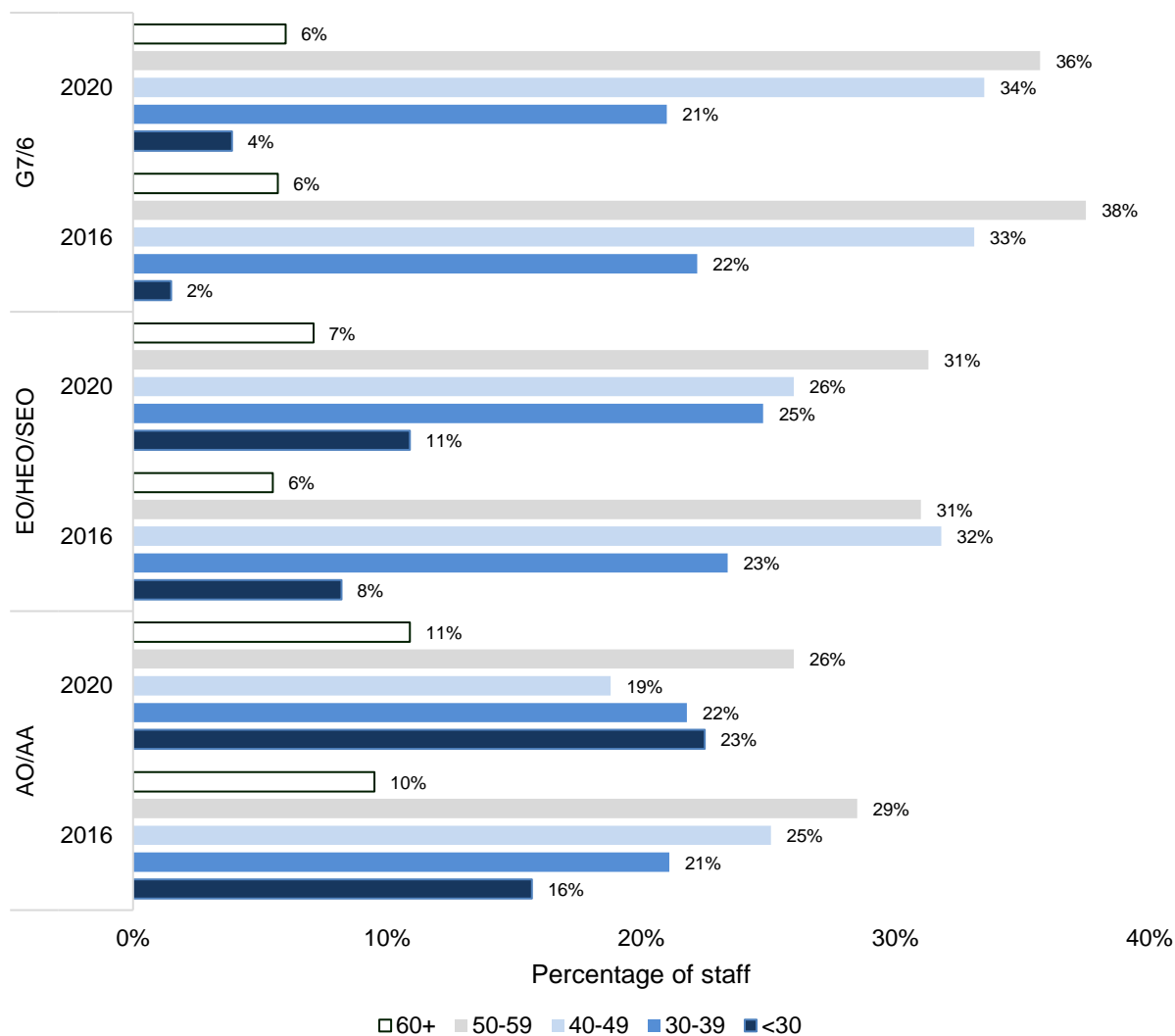
As at March 2020, the highest proportion of MoJ staff were in the 50-59 (28%) and 30-39 (23%) age categories. Just over a fifth (22%) were aged 40-49, whilst 17% were aged under 30 and 10% were aged 60 or over. These proportions are similar to the overall 2019 Civil Service age profile, where the majority of staff were within the 50-59 and 40-49 age categories, and the smallest proportions of staff were within the under 30 and 60 or over age categories.

Higher management grades (G7/6) included a larger proportion of staff in older age categories than more junior grades, apart from in the 60 or over age category. For example, 75% of staff at higher management grades (G7/6) were aged 40 or over as at March 2019, compared with 64% of staff at middle and lower management grades (EO/HEO/SEO) and 56% of staff at administrative grades (AA/AO). Since 2016, overall age distribution has seen a five percentage-point increase in the size of the less than 30 age category, a five percentage-point decrease in the 40-49 age group, and percentages of staff in other age groups remaining fairly steady over the time frame. There has been a change in the under 30 category at administrative grades (AA/AO), from 16% in 2016 to 22% in 2020, a six percentage point increase (Figure 3 and Table 1b in Annex A).

The age profile of staff varied between business groups. The majority of OPG staff were in the lower age categories; just over a quarter (28%) of staff in OPG were aged under 30 and 33% were aged 30-39. HMCTS and CICA had a higher proportion of staff in age category 50-59 (33% and 32% respectively) than in other age groups.

See accompanying Table 1a in Annex A.

Figure 3: Age demographics by non-SCS grade in MoJ, as at 31 March 2016 and 31 March 2020



Ethnicity

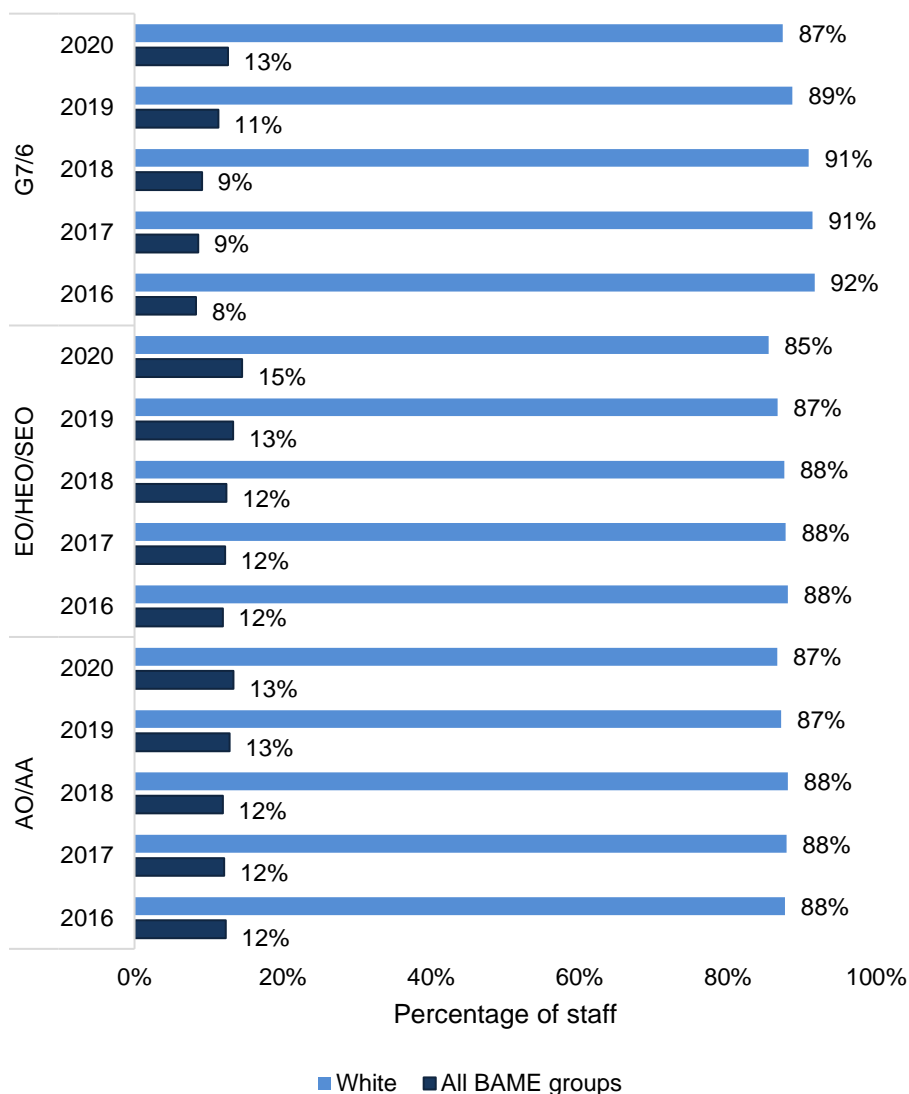
As at March 2020, 14% of those staff who had declared their ethnicity were from a Black, Asian, and Minority Ethnic (BAME) background, slightly higher than the overall Civil Service average in March 2019 of 13%. Asian or Asian British (6%) and Black or Black British (5%) were the largest ethnicities at a more granular level.

As at March 2020, the proportion of BAME staff was higher at lower grades; 13% of staff at AA/AO and 15% at EO/HEO/SEO grades were from BAME backgrounds (Figure 4). The percentage of BAME staff at G7/G6 has increased from 8% in 2016 to 13% in 2020. Since 2016, overall BAME representation has increased by two percentage points (12% in 2016 to 14% in 2020).

BAME representation differed between MoJ business groups. Just under half (49%) of staff in OPG were from a BAME background compared to almost a quarter (24%) in MoJ HQ, 14% in LAA, 20% in HMCTS, 10% in HMPPS and 5% in CICA.

See accompanying Tables 1a and 1b in Annex A.

Figure 4: Ethnicity by non-SCS grade in MoJ, as at 31 March 2016 to 2020



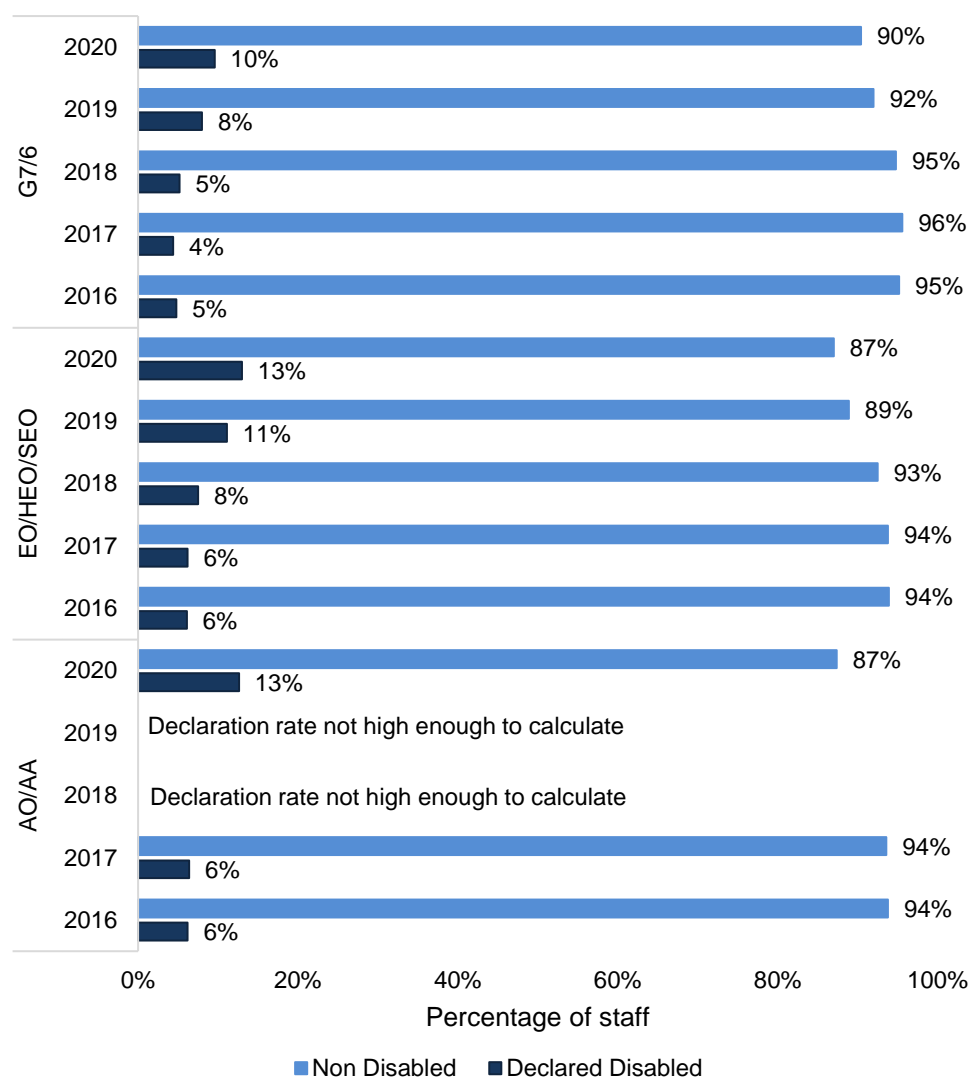
Disability

As at March 2020, of those that declared their disability status, 14% of MoJ staff declared they were disabled; an increase of seven percentage points since 2016. This compares to 12% of staff across the civil service in March 2019. The proportion of staff declaring a disability was higher at lower grades; 13% of staff at both AA/AO and EO/HEO/SEO grades declared a disability, compared to 10% at G7/G6 grades (Figure 5).

Of staff who declared their disability status, CICA (18%) and OPG (17%) had the greatest proportion of staff with a declared disability, compared with 13% in MoJ HQ and 12% in LAA.

See accompanying Tables 1a and 1b in Annex A.

Figure 5: Disability by non-SCS grade in MoJ, as at 31 March 2016 to 2020



Religion and Belief

As at March 2020, of those staff who declared their religion 11% of MoJ staff reported their religion as a non-Christian religion, of which Muslims were the largest group (4%). 49% of MoJ staff declared they were Christian, and 40% of staff declared No Religion.

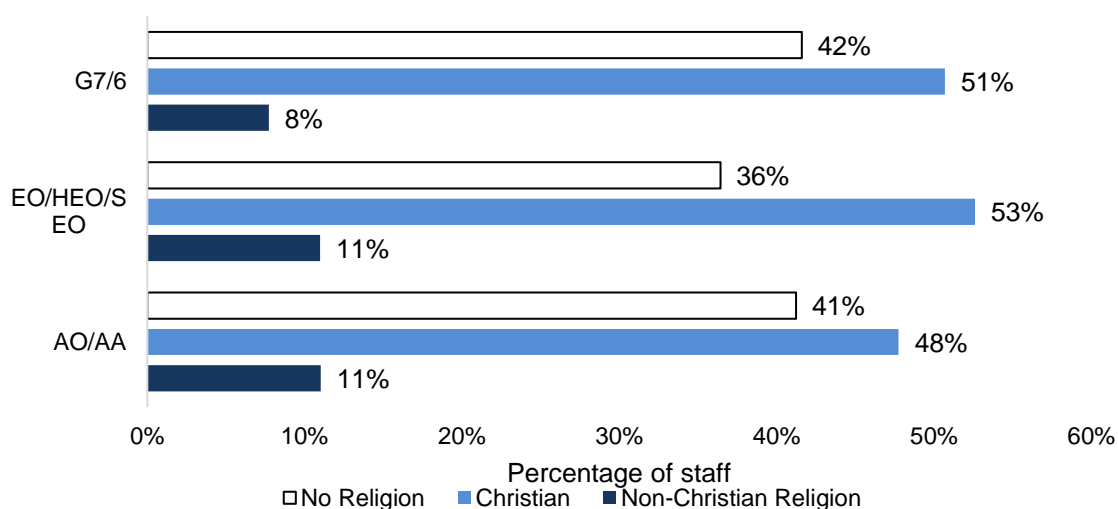
In the wider Civil Service, as at March 2019, 51% of staff declared they were Christian, 38% declared no religion, and 11% declared a non-Christian religion. (Please note these

Civil Service figures were based on a declaration rate of 55%, so should be treated with caution.)

The proportion of MoJ staff with a non-Christian religion was higher at lower grades; 11% of staff at both AA/AO and EO/HEO/SEO grades had a non-Christian religion, compared to 8% at G7/G6 grades (Figure 6).

Of staff who declared whether they had a religion, OPG had the greatest proportion of staff with a non-Christian religion (41%), compared with 6% in CICA and 8% in HMPPS. Within OPG the largest non-Christian religion is staff who are Muslim. Of OPG staff who declared whether they had a religion, 29% of OPG staff declared they are Muslim.

Figure 6: Religion by non-SCS grade in MoJ, as at 31 March 2020



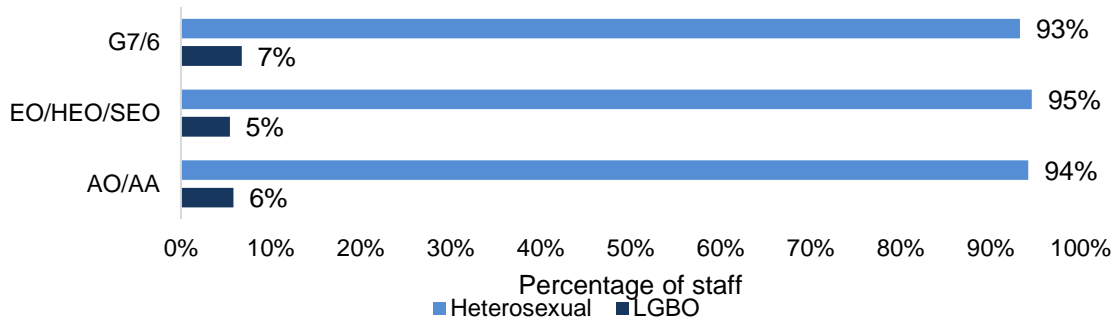
Sexual Orientation

As at March 2020, of those staff that declared their sexual orientation, 6% of MoJ staff declared they were Lesbian, Gay, Bisexual or Other non-heterosexual (LGBO) sexual orientation. In the wider Civil Service, as at March 2019, 5% of staff declared they were LGBO. (Please note these Civil Service figures were based on a declaration rate of 57%, so should be treated with caution)

Within MoJ, the proportion of LGBO staff was higher at G7/G6 grades (7%) than at AA/AO (6%) and EO/HEO/SEO (5%) grades (Figure 7).

The proportion of LGBO staff varied across business groups; CICA (9%) and MoJ HQ (7%) had the greatest proportion of LGBO staff, whereas LAA and HMCTS both had only 4% LGBO staff.

Figure 7: Sexual Orientation by non-SCS grade in MoJ, as at 31 March 2020

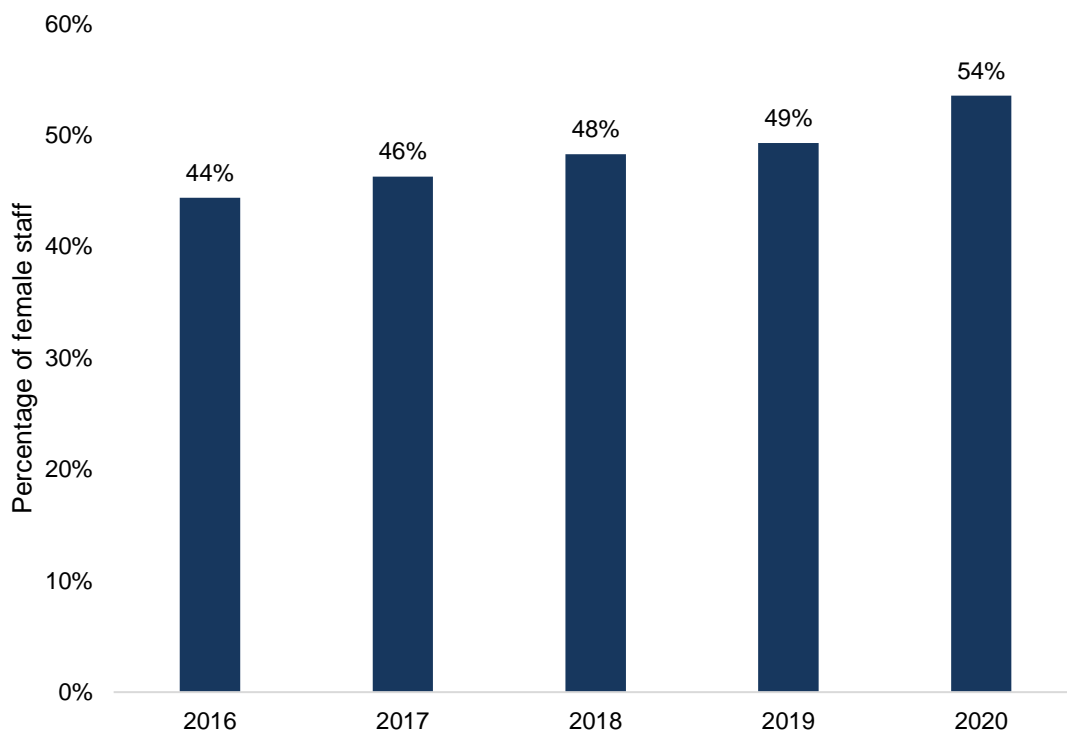


Senior Civil Service (SCS) diversity

MoJ is working to increase the representation of staff from different protected characteristics and backgrounds in the Senior Civil Service (SCS).

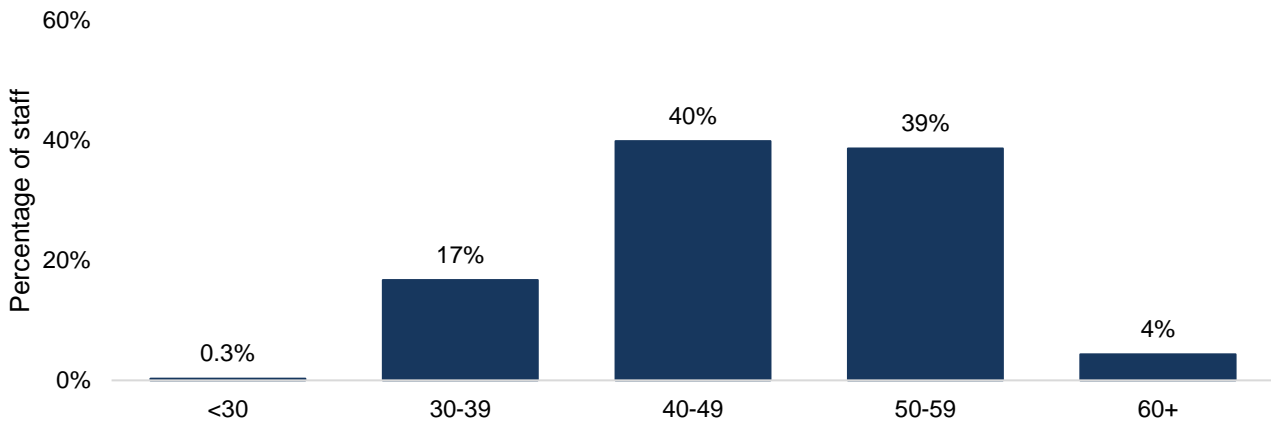
As at March 2020, 54% of the 323 SCS staff across the MoJ were female (compared to 45% across the Civil Service in March 2019). The MoJ has seen a year-on-year increase in female representation in the SCS since 2016, when 44% of SCS were female (Figure 8).

Figure 8: Proportion of female staff in MoJ in the SCS grade, as at 31 March 2016 to 2020



As at March 2020, the majority of SCS staff were in the age categories 40-49 (40%) and 50-59 (39%). There was only one SCS staff member under the age of 30 (0.3%) and 4% of SCS were in the 60 or over category (Figure 9). The age profile of SCS was similar over the past five years.

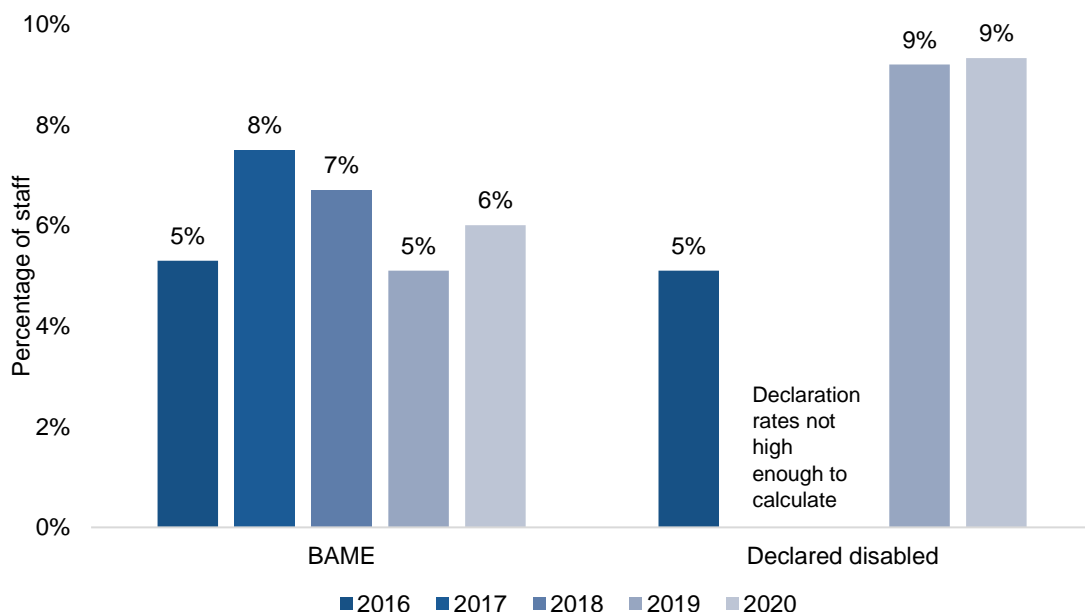
Figure 9: SCS staff by age in MoJ, as at 31 March 2020



As at March 2020, of SCS staff declaring their ethnicity, 6% were from a BAME background (compared to 6% of SCS in the wider Civil Service in 2019). Over time, BAME representation of the SCS in the MoJ has fluctuated between 5% and 8% between 2016 and 2020. (Figure 10)

Of SCS staff in the MoJ who declared their disability status, 9% (March 2020) were declared disabled (compared to 5% of SCS in the wider Civil Service in 2019). In the MoJ, the proportion of SCS staff with a declared disability increased from 5% to 9% between 2016 and 2020. (Figure 10)

Figure 10: Trends in BAME and declared disabled representation in SCS, as at 31 March 2016 to 2020

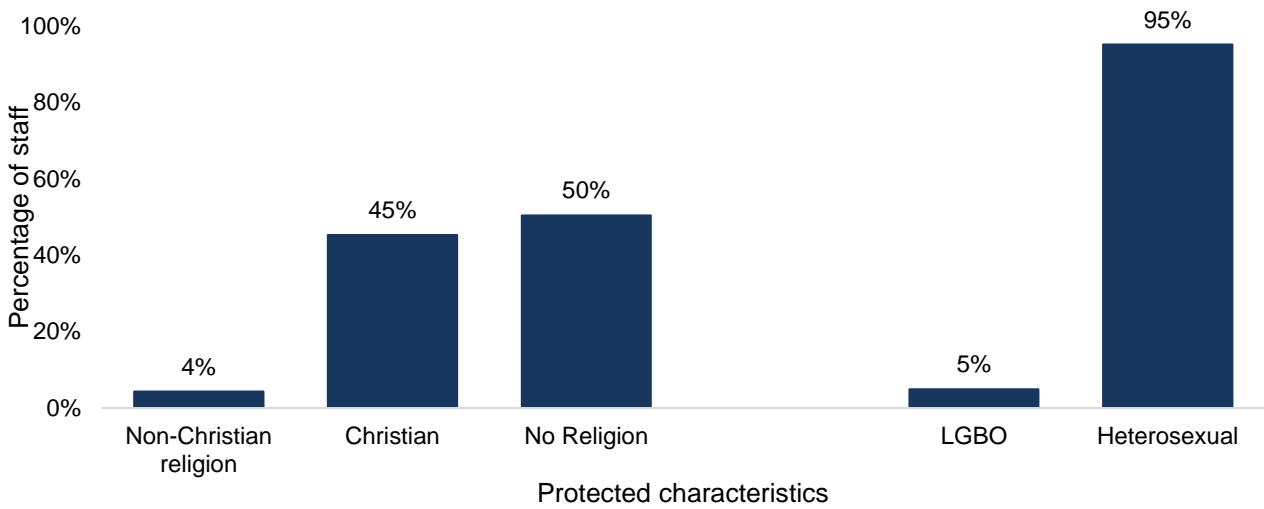


NOTE: based on all those who declared their ethnicity or disability (excludes unknown and prefer not to say)

For religion and belief, of SCS declaring their religious status, 4% were from a non-Christian religion as at March 2020, which was an increase from 3% from 2019. Of the SCS staff declaring their religious status in March 2020, 45% were Christian and 50% had no religion. (Figure 11)

Of those declaring their sexual orientation, 5% of SCS staff reported that they were Lesbian, Gay, Bisexual or Other non-heterosexual (LGBO) sexual orientation, which was a decrease from 6% in 2019. (Figure 11)

Figure 11: SCS staff by religion and sexual orientation in MoJ, as at 31 March 2020



NOTE: based on all those who declared their religion or sexual orientation (excludes unknown and prefer not to say)

See accompanying Tables 1a and 1b in Annex A.

Joiners

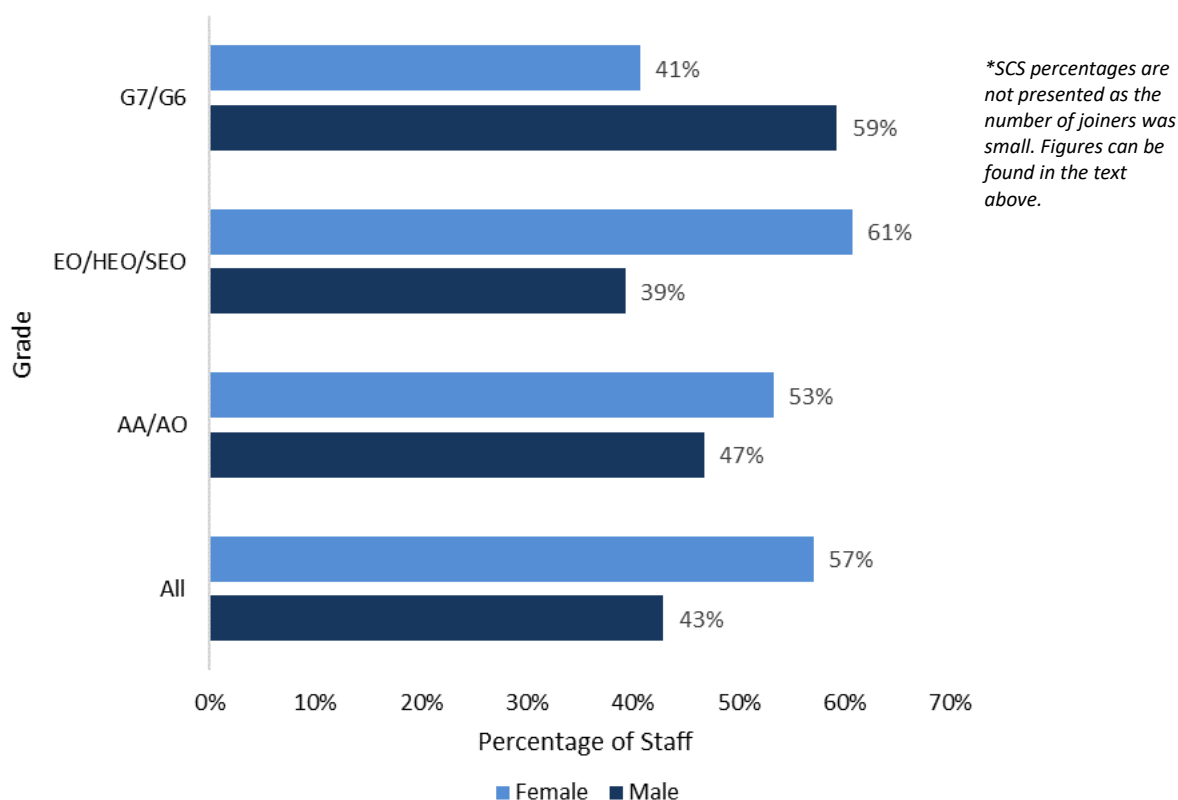
In 2019/20⁷, there were 7,957 joiners and 7,728 leavers from the MoJ, the third year in a row that the number of joiners has been higher than the number of leavers.

Joiners by gender

There were more female joiners by gender in 2019/20. 57% of all new joiners were female. This is an increase of 7 percentage points on 2018/19. The proportion of female joiners was 52% in 2015/16, 51% in 2016/17, 48% in 2017/18, and 50% in 2018/19. There were a large number of joiners in HMPPS from April 2017 - March 2019, of whom 55% were male.

In 2019/20 there were more females than males joining the SCS (of the 8 joiners: 7 were female and 1 was male). There were more female joiners in the middle and lower management grades (EO/HEO/SEO, 61%) and in the administrative grades (AA/AO, 53%). In the senior management grades (G7/6), 59% of joiners were male and 41% were female. (Figure 12)

Figure 12: Joiners by gender, split by grade in MoJ, in 2019/20



⁷ Refers to the period between 1 April 2019 and 31 March 2020.

Joiners by age

Just under half (49%) of all joiners were under 30 years of age. Just under a quarter (22%) were in the age category 30-39, 14% were in age category 40-49, 12% were aged 50-59 and 3% were 60 or over. The age profile of staff joining the MoJ has been relatively similar since 2015/16. See Figure 13 for a chart of joiners by protected characteristics.

Joiners by ethnicity

For those joining the MoJ, declaration rates for ethnicity have increased between 2018/19 and 2019/20 from 37% to 54% but are not yet high enough to enable meaningful analysis.

Joiners by declared disability

For those joining the MoJ, declaration rates for disability in 2019/20 were 61%, allowing reporting this year. Of those joiners who declared their disability status, 11% of joiners had a declared disability and 89% were non-disabled.

Joiners by religion

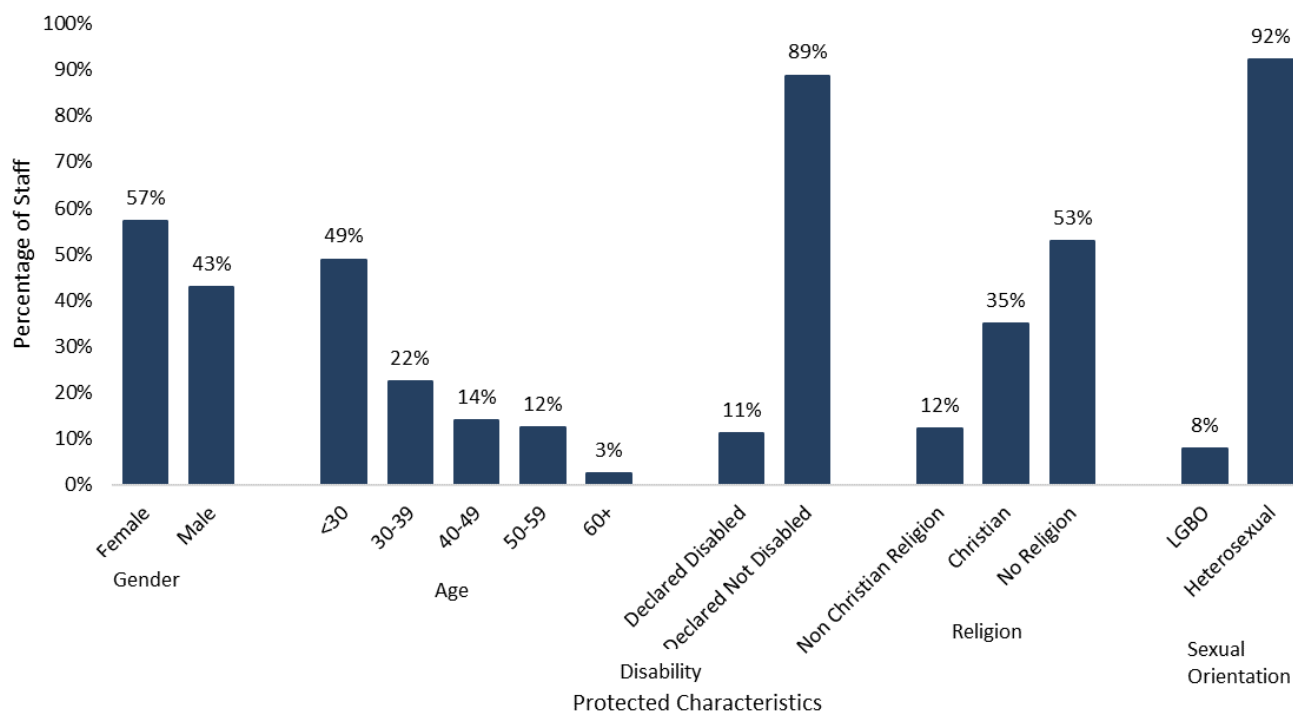
For those joining the MoJ, declaration rates for religion in 2019/20 were 61%, allowing reporting this year. Of those joiners who declared their religion, 12% of joiners declared they a non-Christian religion, 35% declared they were Christian, and 53% declared they had no religion.

Joiners by sexual orientation

For those joining the MoJ, declaration rates for sexual orientation in 2019/20 were 61%, allowing reporting this year. Of those joiners who declared their sexual orientation, 8% of joiners declared they were Lesbian, Gay, Bisexual or Other non-heterosexual sexual orientation, and 92% of joiners said they were heterosexual.

See accompanying Tables 2a and 2b in Annex A.

Figure 13: Joiners by protected characteristics in MoJ, in 2019/20



Note: Ethnicity breakdowns are not shown due to low declaration rates

Leavers

In 2019/20, 7,728 staff on a permanent contract left the MoJ, including those who resigned, retired or left under voluntary or compulsory redundancy or a voluntary early exit departure scheme⁸. See Figure 14 for a chart of leavers by protected characteristics.

Leavers by gender

In 2019/20, there were equal proportions of males and females leaving the MoJ, 50% in both cases. These proportions have stayed relatively constant over the last five years, with the proportion of female leavers varying from 48% to 50% between 2016 to 2020.

⁸ Leavers are all those individuals leaving a post and ceasing to work for MoJ for any reason. This does not include those taking up external posts on secondment, or those taking a career break, who would be expected to return. Staff who transfer out of MoJ as a result of machinery of government changes are generally not included within leaver numbers. Staff moving to the private sector as part of a transfer of control of an entire establishment are also generally not included as leavers.

Leavers by age

In 2019/20, 16% of leavers were aged 60+ compared to 28% of leavers who were aged under 30. Since 2016 there has been a steady increase in the percentage of leavers who are aged under 30 from 16% to 28%.

Leavers by ethnicity

The ethnicity declaration rate of those leaving the MoJ was 73% in 2019/20. Of leavers who declared their ethnicity, 14% were BAME (compared to 14% of all MoJ staff as at March 2020).

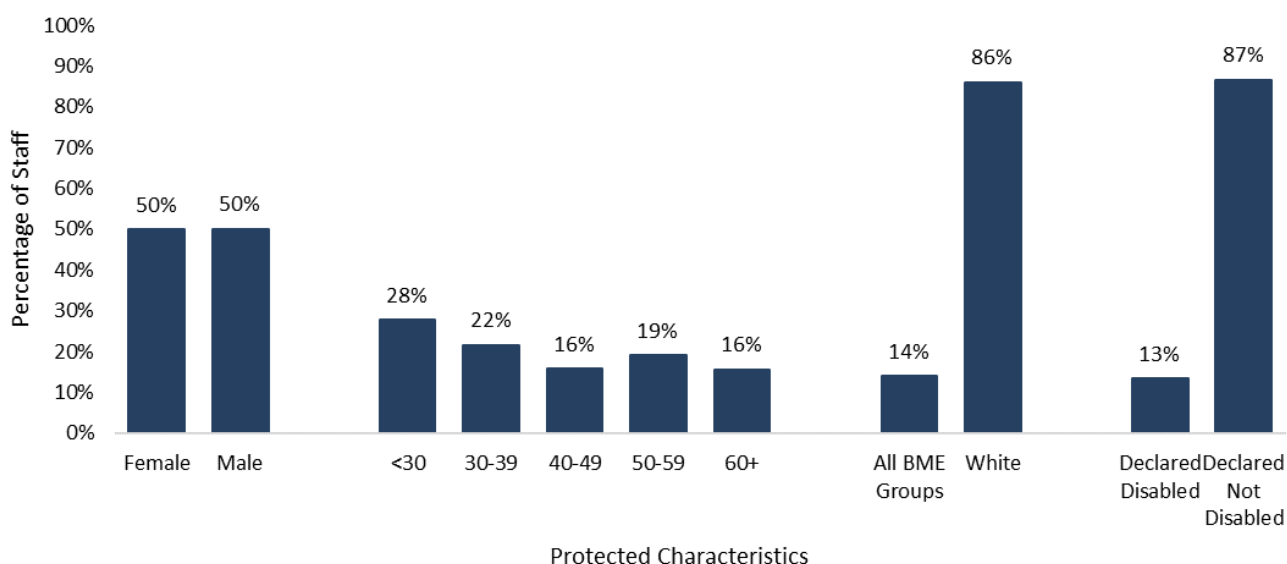
Leavers by declared disability

In 2019/20, the disability declaration rate of those leaving the MoJ was 68%. Of leavers who declared their disability status, 13% declared a disability (compared to 14% of all MoJ staff as at March 2020).

The declaration rates for religion and sexual orientation amongst leavers were 58% and 59% respectively. As this declaration rate is lower than our threshold for reporting, further figures are not calculated.

See accompanying Tables 2c and 2d in Annex A.

Figure 14: Leavers by protected characteristics in MoJ, in 2019/20



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

Appraisal ratings

Performance is managed pro-actively in the MoJ with a focus on continuous improvement, individual development, and managing poor performance in order to facilitate efficient business delivery in line with 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.

From 2018/19 onwards, a new performance management system has been introduced in MoJ (excluding HMPPS). This new system does not award appraisal rating categories. Therefore, appraisal ratings for MoJ (excluding HMPPS) are not reported on for 2019/20 in this report. Data relating to previous years' appraisal ratings can be found in previous years' versions of the Workforce Monitoring Report up to the 2017/18 version.

For HMPPS, data on staff appraisal rating categories can be found in the 2019/20 HMPPS Staff Equalities Report⁹.

The SCS have their own performance management system which is not reported on here.

⁹ The HMPPS 2019/20 staff equalities report can be found at <https://www.gov.uk/government/collections/hmpps-annual-staff-equalities-report>

Sickness absence

In 2019/20 there was an average of 9.1 working days lost (AWDL) per staff member in this year due to sickness absence. Overall, this is an increase of 0.5 working day lost per member of staff on average since 2018/19, where AWDL was 8.6. This increase primarily comes from staff aged under 40.

As mentioned previously, although staff may have been impacted by COVID in the first quarter of 2020, it is not possible to establish what impact (if any) it has had on 2019/20 sick absence, as the data held centrally, at that point, did not distinguish between COVID and non-COVID sickness absence and more importantly the testing capability was not in place.

Sickness absence by gender

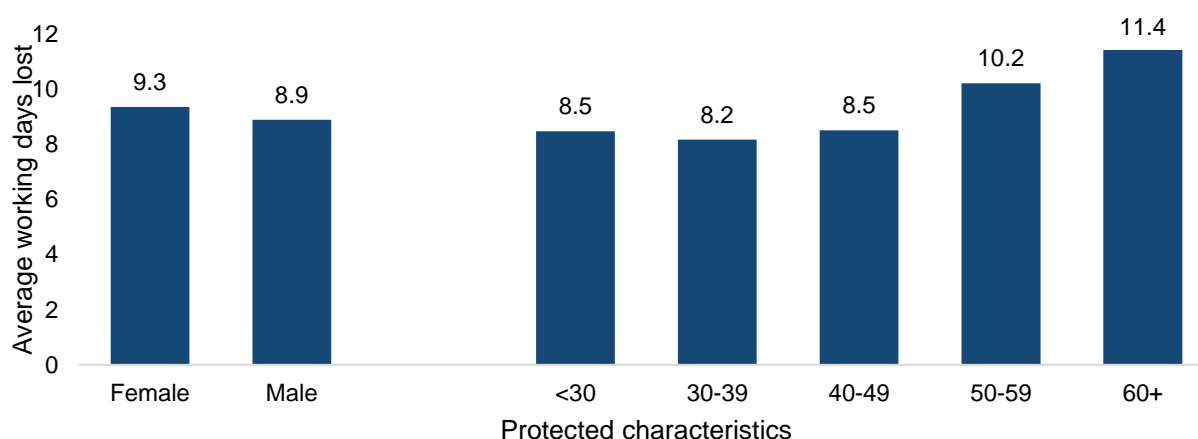
In 2019/20, sickness absence was slightly higher among female staff at 9.3 AWDL, compared to male staff at 8.9 AWDL (Figure 15).

Sickness absence by age

Sickness absence was highest in the oldest age groups. The AWDL were lower among those aged <30, 30-39 and 40-49 (8.5, 8.2 and 8.5 AWDL respectively) than among those in the older age categories of 50-59 (10.2) and staff aged 60+ (11.4) (Figure 15).

There has been an increase in AWDL for younger age groups in the past year. For <30 the figure has increased from 6.7 to 8.5 in 2019/20, and for those aged 30-39 from 7.2 to 8.2 in 2019/20, but unchanged for employees aged 40+.

Figure 15: AWDL by gender and age in MoJ, in 2019/20



Sickness absence by ethnicity

Of those with sickness absence, the declaration rate for ethnicity was 81% in 2019/20. Of those who declared their ethnicity, sickness absence was higher for BAME staff (9.9

AWDL) compared to White staff (8.7 AWDL) (Figure 16). The AWDL figure for White staff is the same as in 2018/19. The AWDL for BAME staff has increased from 8.9 AWDL in 2018/19 to 9.9 AWDL in 2019/20.

Sickness absence by disability

In 2019/20, of those with a sickness absence the declaration rate for disability status was 75%. Of those who declared their disability status, AWDL was 16.6 among staff with a declared disability compared to 8.0 AWDL for staff who were declared non-disabled (Figure 16). The figure for declared disabled staff is similar to in 2018/19, when the AWDL figure was 16.4.

Sickness absence by religion

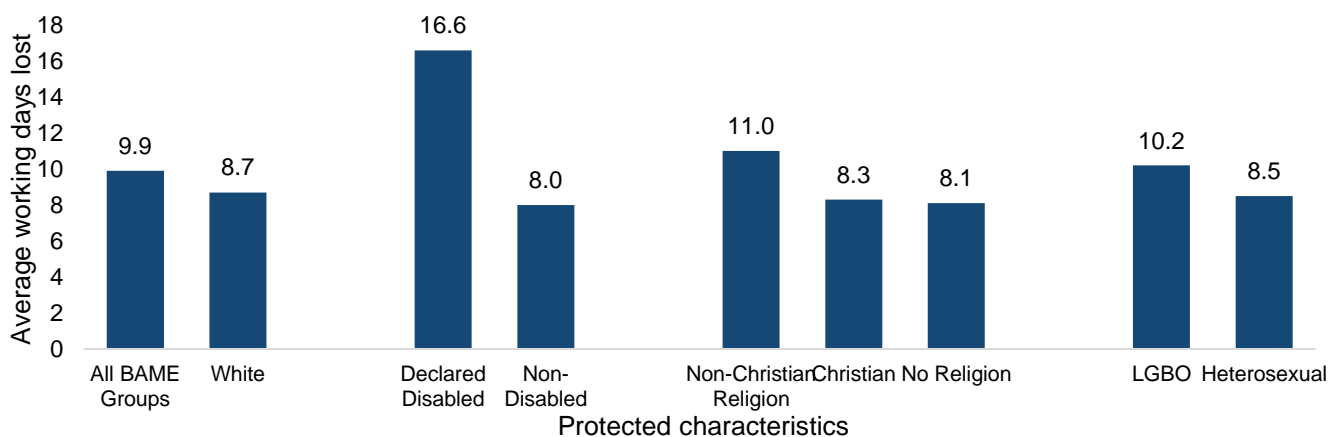
Of those with sickness absence, the declaration rate for religion or belief was 63% in 2019/20, making it high enough for representative analysis this year. Of those who declared their religion, sickness absence was higher for staff with a non-Christian religion (11.0 AWDL) compared to Christian and non-religious staff (8.3 and 8.1 AWDL respectively) (Figure 16).

Sickness absence by sexual orientation

In 2019/20, of those with a sickness absence the declaration rate for sexual orientation was 65%, making it high enough for representative analysis this year. Of those who declared their sexual orientation, AWDL was 10.2 among staff with a Lesbian, Gay, Bisexual or Other non-heterosexual (LGBO) sexual orientation compared to 8.5 AWDL for heterosexual staff (Figure 16).

See accompanying Table 5 in Annex A.

Figure 16: AWDL in MoJ by ethnicity, disability, religion and sexual orientation, 2019/20



Temporary promotions

Temporary responsibility

MoJ provides Temporary Responsibility Allowance (TRA) to staff who 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 higher band; or where a colleague is absent for reasons not associated with the duties of the post e.g. illness or maternity.

As at March 2020, 6.4 per 100 of MoJ staff were provided TRA; a small decrease since March 2019 when the rate was 6.8 per 100 staff.

TRA by gender

As at March 2020, higher proportions of male staff were awarded TRA; 6.8 in 100 staff, compared to 6.2 in 100 female staff. This is a slight decrease in difference from last year (March 2019), where the proportions of staff being awarded TRA were 7.3 in 100 male staff and 6.3 in 100 female staff.

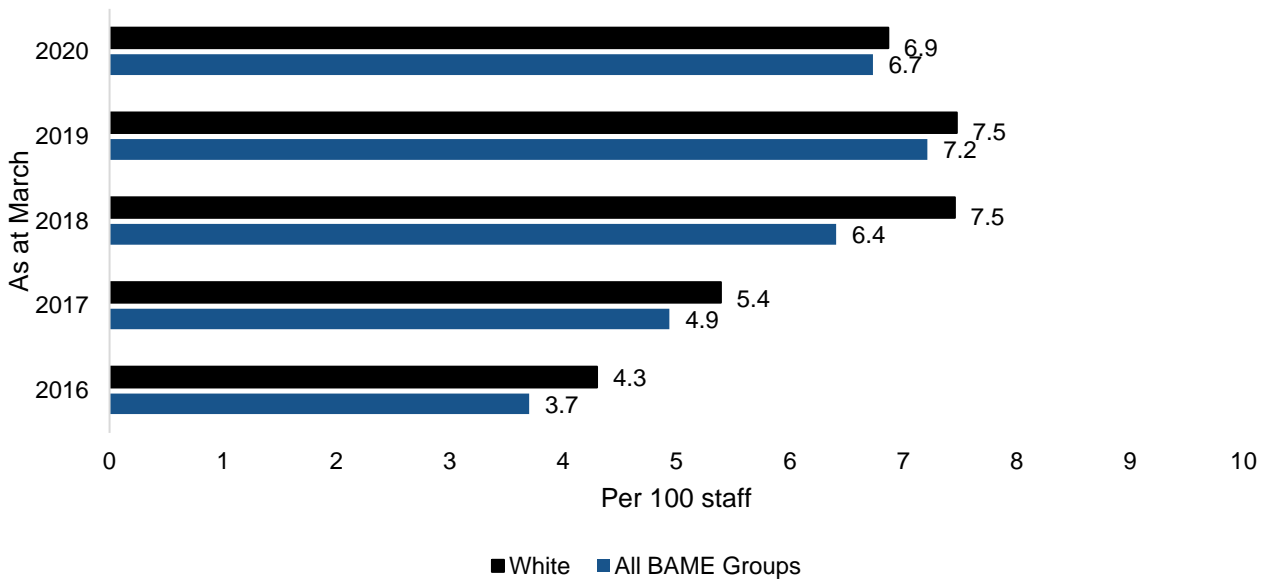
TRA by age

Staff in age categories 30-39 and 40-49 were more likely to be awarded TRA than staff in other age categories; as at March 2020, 8.5 per 100 staff in 30-39 and 7.6 per 100 staff in the 40-49 age categories were awarded TRA, compared to 6.0 per 100 staff in the <30 category, 5.4 per 100 staff in the 50-59 age category and only 2.2 per 100 staff in the 60+ category. This pattern has remained broadly consistent over the last five years.

TRA by ethnicity

Of those awarded TRA, the declaration rate for ethnicity was 90%. Of those who declared their ethnicity, there were similar proportions of TRA awarded to White staff (6.9 per 100 staff) as BAME staff (6.7 per 100 staff) as at March 2020. This represents a slight closing of the gap between the groups that has been going on over the last few years. (Figure 17)

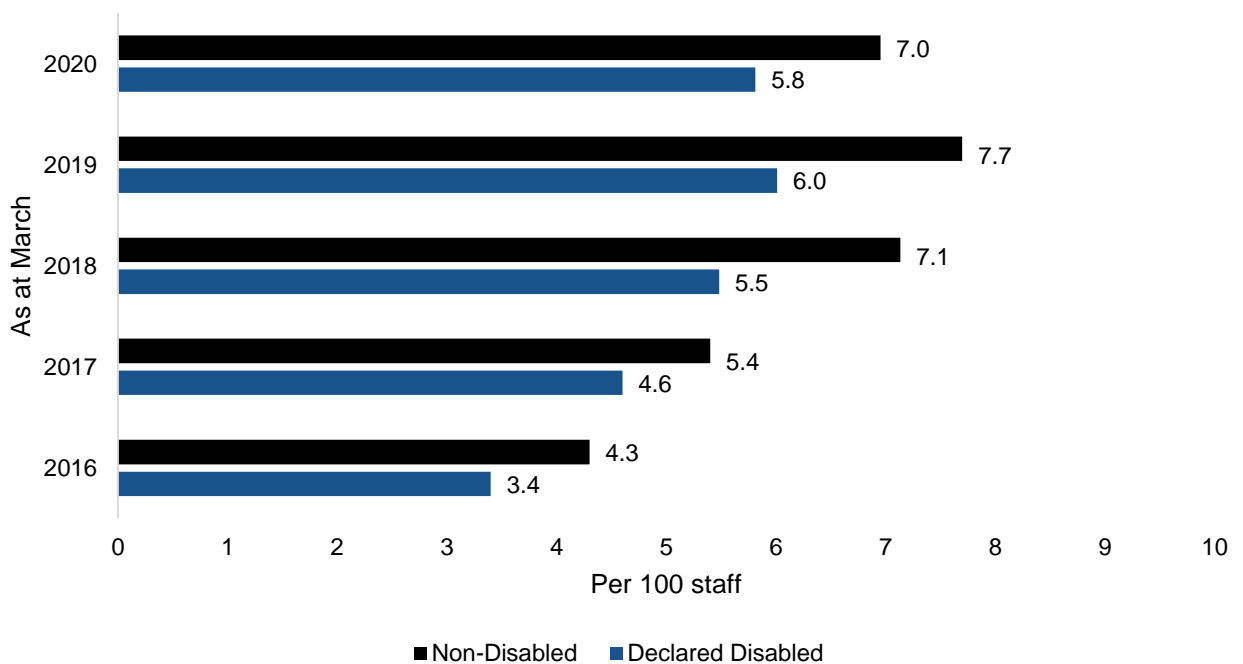
Figure 17: Rate of Temporary Responsibility Allowance for White staff and for BAME staff in MoJ, as at March 2016 to March 2020



TRA by disability

Of those awarded TRA, the declaration rate for disability status was 83%. Of those who declared their disability status, TRA was awarded to 5.8 per 100 declared disabled staff and 7.0 per 100 declared non-disabled staff as at March 2020. This is a slight decrease in the gap compared to March 2019. (Figure 18).

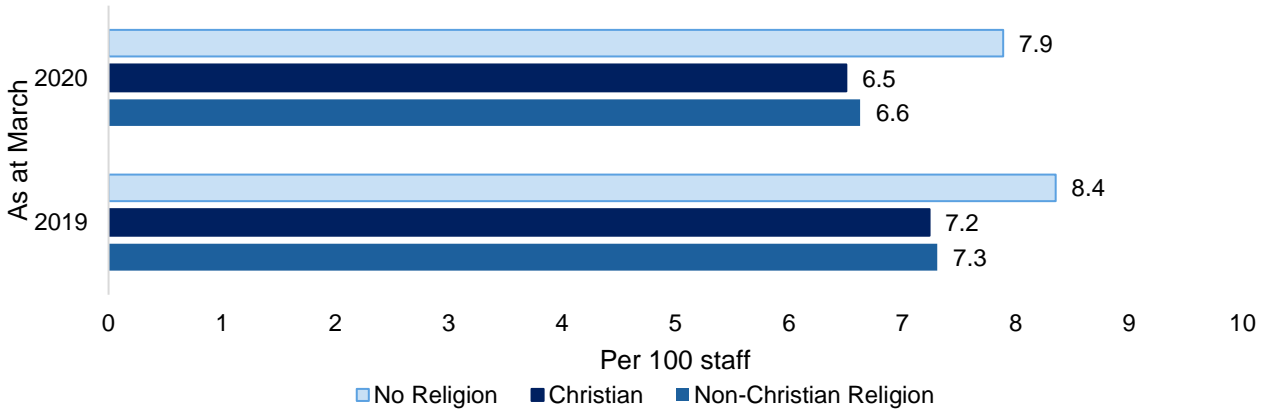
Figure 18: Rate of Temporary Responsibility Allowance for declared disabled and for declared non-disabled staff in MoJ, as at March 2016 to 2020



TRA by Religion

Of those awarded TRA, the declaration rate for religion was at 78 % in March 2020, which is the second year in a row above the 60% threshold. Of those who declared, TRA was awarded to 6.6 per 100 staff who declared a non-Christian religion, and 6.5 per 100 staff who were Christian, and 7.9 per 100 staff who declared No Religion. This was broadly similar to the pattern for 2019 (Figure 19).

Figure 19: Rate of Temporary Responsibility Allowance for staff with No Religion, a Non-Christian Religion and Christian staff in MoJ, as at March 2019 and 2020

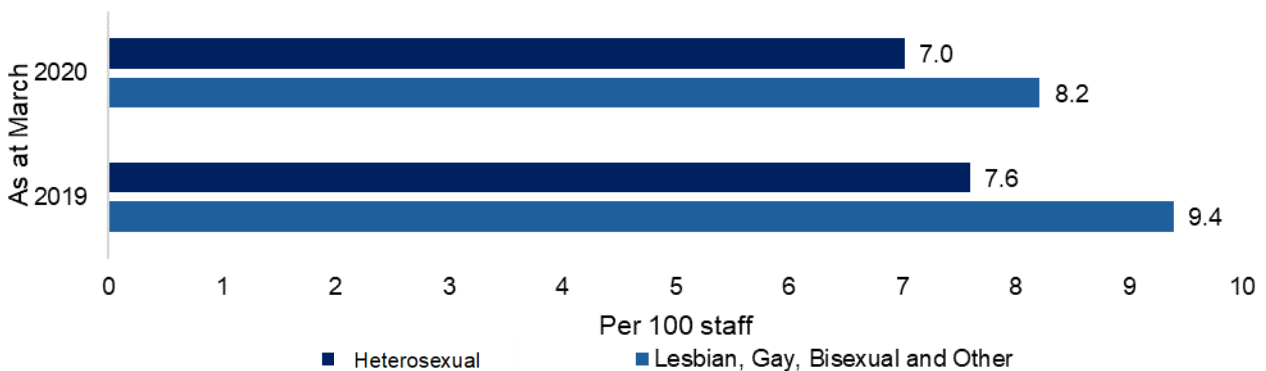


TRA by Sexual Orientation

Of those awarded TRA, the declaration rate for sexual orientation was at 80% in March 2020, which is the second year in a row above the 60% threshold. Of those who declared their sexual orientation, TRA was awarded to 8.2 per 100 lesbian, gay, bisexual and other staff compared to 7.0 per 100 heterosexual/straight staff, similar to the pattern for March 2019 (Figure 20).

See accompanying Tables 3a and 3b in Annex A.

Figure 20: Rate of Temporary Responsibility Allowance for Heterosexual staff and for LGBO staff in MoJ, as at March 2019 and 2020



Special bonuses

Bonuses

MoJ recognises and rewards individuals and groups of staff who make an exceptional (sustained or one-off) contribution that furthers the aims and objectives of the ministry or meets a shorter-term operational challenge.

MoJ (excluding HMPPS) has a performance management system that makes use of non-consolidated reward and recognition (both special bonuses and vouchers) on a regular basis throughout the year. This section reports on those staff who received bonus and/or voucher awards over the course of the year 2019/20. SCS staff are not included as they have a separate bonus system.

HMPPS has a separate system of special bonus payments. Data relating to HMPPS special bonus payments can be found in the 2019/20 HMPPS Staff Equalities Report.

MoJ (excluding HMPPS)

As of 2018/19, MoJ (excluding HMPPS) uses a performance management system that makes greater use of non-consolidated reward and recognition (both special bonuses and vouchers) on a regular basis throughout the year. The figures discussed in this section relate to overall rates of rewards (encompassing both bonuses and vouchers). Figures relating specifically to bonuses or specifically to vouchers can be found in the charts at the end of this section (Figures 21, 22 and 23) and the accompanying tables.

In 2019/20, the rate of staff receiving rewards per 100 staff was 73. The average value of reward in 2019/20 was £374. In 2018/19, the rate of staff receiving rewards per 100 staff was 69. The average value of reward in 2018/19 was £344. So overall rates of reward and average reward amounts are higher in 2019/20 than in 2018/19.

Please note in the figures below, the rates and averages reported as calculated as a rate/average within the demographic e.g. the rate of reward of BAME staff is the number of BAME staff who received awards divided by the total number of BAME staff.

Rewards by gender

In 2019/20, the rate of rewards was similar between females and males, at 72 per 100 female staff and 73 per 100 male staff. The average reward value was higher for males (£393) than females (£365) (Figure 21).

In 2018/19, the rate of rewards was also similar between females and males, at 70 per 100 female staff and 69 per 100 male staff. The average reward value was higher for males (£376) than females (£328), with the difference in reward value in 2018/19 larger than in 2019/20. (Figure 21)

Rewards by age

In 2019/20, the rate of rewards per 100 staff in the age categories 30-39, 40-49 and 50-59 were similar to each other (75, 76, 74 respectively). The <30 and 60+ age groups had the lowest rate of reward per 100 staff within the age groups (64 and 67 respectively).

The average value of reward for the 30-39 and 40-49 age groups was effectively the same (£421 and £420 respectively). The 50-59 age group had a lower average value of reward (£356) than those aged between 30 and 49. The <30 group had the third lowest average reward value at £370 and the 60+ group had the lowest average reward value at £232 (Figure 21).

In the last two years the youngest and oldest age groups are the least likely to be rewarded and have lower reward values.

In 2018/19, the rate of rewards per 100 staff in the age categories 30-39, 40-49 and 50-59 were similar to each other (71, 73 and 71 respectively). The <30 and 60+ age groups had a lowest rates of reward per 100 staff within the age groups (63 and 62 respectively). So 2019/20 follows a similar pattern to 2018/19 except the <30 category has the very lowest rate of reward in 2019/20.

In 2018/19 there was a small level of variation between the average value of reward in the age categories 30-39, 40-49 and 50-59 (£366, £387 and £347 respectively). The <30 group had the second lowest average reward value at £308 and the 60+ group had the lowest average reward value at £220. So in 2019/20 compared to 2018/19, the <30 age category and the 50-59 age category have swapped places as the third and fourth highest average award amount amongst the age categories.

Rates of reward rates have gone up since last year across all age groups, as have the average reward amounts. However, the gap between the average reward value for the highest and lowest age group in 19/20 (30-39 £421, 60+ £232) is larger than the equivalent gap in 18/19 (40-49 £387, 60+ £220).

Rewards by ethnicity

In 2019/20, the rate of rewards for staff from BAME backgrounds was lower than for White staff (71 and 76 respectively per 100 staff). The average reward value was also higher for White staff (£394) than BAME staff (£325) (Figure 21).

In 2018/19, the rate of rewards for staff from BAME backgrounds was lower than for White staff (69 and 73 respectively per 100 staff). The average reward value was also higher for White staff (£363) than BAME staff (£300). This average reward gap has remained similar in 18/19 (£63) and 19/20 (£69).

Rewards by disability

In 2019/20, declared disabled staff had a lower rate of rewards than declared non-disabled staff (72 per 100 staff compared to 76 per 100 staff). The average reward value was lower

for declared disabled staff at £310 compared with £390 for declared non-disabled staff (Figure 21).

In 2018/19, declared disabled staff had a lower rate of rewards than declared non-disabled staff (67 per 100 staff compared to 73 per 100 staff). The average reward value was lower for declared disabled staff at £275 compared with £358 for declared non-disabled staff. This average reward gap has remained similar in 18/19 (£83) and 19/20 (£80).

Rewards by religion

In 2019/20, there was a lower rate of rewards awarded to staff who declared a non-Christian Religion (72 per 100 staff), than staff who declared as Christian or No Religion (76 and 77 respectively per 100 staff). The average reward value was higher for staff who declared No Religion (£431), followed by staff who declared as Christian (£370) and then staff who declared a non-Christian Religion (£336) (Figure 21).

In 2018/19, there was a lower rate of rewards awarded to staff who declared a non-Christian religion (70 per 100 staff) than staff who declared as Christian or No Religion (74 per 100 staff in both cases). The average reward value was higher for staff who declared No Religion (£387) than for Christian staff (£352) and staff who declared a non-Christian religion (£305). The average reward gap between No Religion and non-Christian Religion has increased in 2019/20 (£95) compared to 2018/19 (£82).

Rewards by sexual orientation

In 2019/20, there was a similar rate of rewards awarded to lesbian, gay, bisexual and other staff, and heterosexual/straight staff (76 and 76 respectively per 100 staff). The average reward value was higher for lesbian, gay, bisexual and other staff (£425) than heterosexual/straight staff (£383) (Figure 21).

In 2018/19, there was a similar rate of rewards awarded to lesbian, gay, bisexual and other staff than heterosexual/straight staff (72 and 73 respectively per 100 staff). The average reward value was higher for lesbian, gay, bisexual and other staff (£403) than heterosexual/straight staff (£354). The average reward gap between LGBO staff and heterosexual staff was similar in 2019/20 (£42) compared to 2018/19 (£49).

Rewards by grade

In 2019/20, there were some differences between the grades in terms of rate of rewards per 100 staff. 69 per 100 AA/AO staff received a reward, 77 per 100 EO/HEO/SEO staff

received a reward and 76 per 100 G7/6 staff received a reward. The average reward value increased with seniority with AA/AO at £213, EO/HEO/SEO at £476 and G7/6s at £767.

In 2018/19, there were some differences between the grades in terms of rate of rewards per 100 staff. 66 per 100 AA/AO staff received a reward, 75 per 100 EO/HEO/SEO staff received a reward and 67 per 100 G7/6 staff received a reward. The average reward value increased with seniority with AA/AO at £194, EO/HEO/SEO at £449 and G7/6s at £767.

So between 18/19 and 19/20 rates of reward went up slightly for AA/AO and EO/HEO/SEO staff and notably for G7/6 staff. Average reward amounts increased for AA/AO and EO/HEO/SEO staff.

See accompanying Tables 4a and 4b in Annex A for further details.

Figure 21: Rewards (both bonuses and vouchers) by protected characteristics in MoJ (excluding HMPPS), in 2019/20

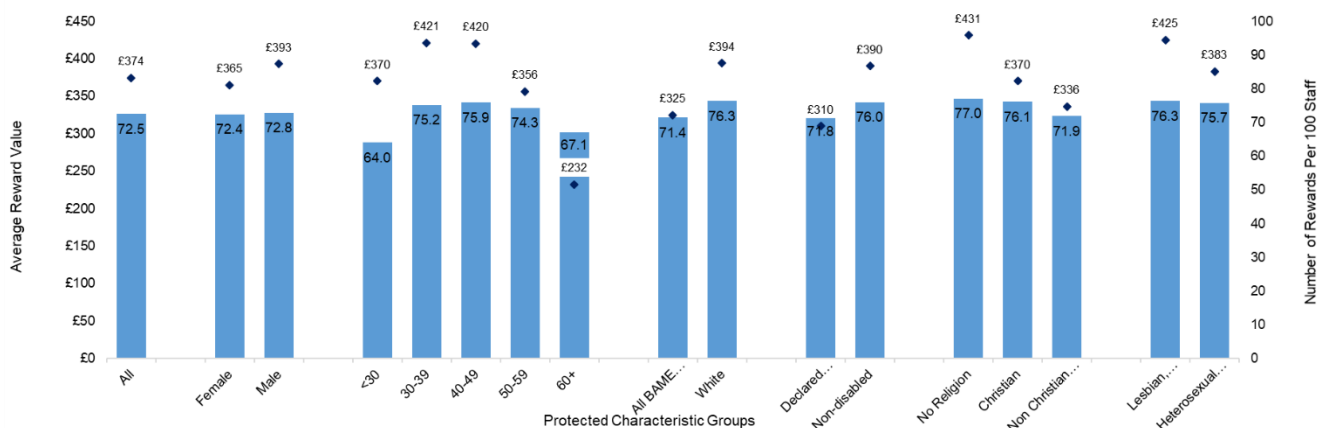


Figure 22: Bonuses by protected characteristics in MoJ (excluding HMPPS), in 2019/20

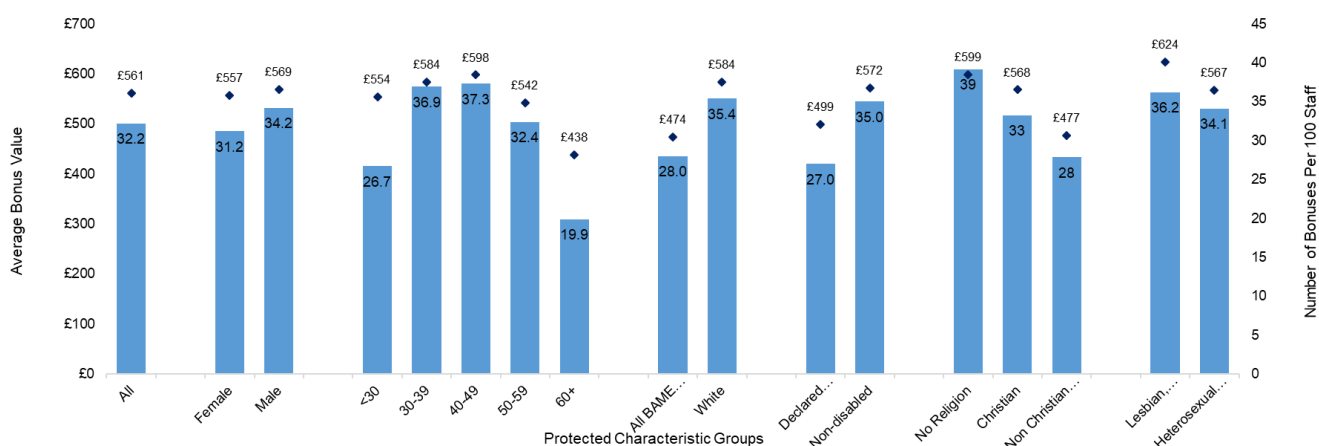
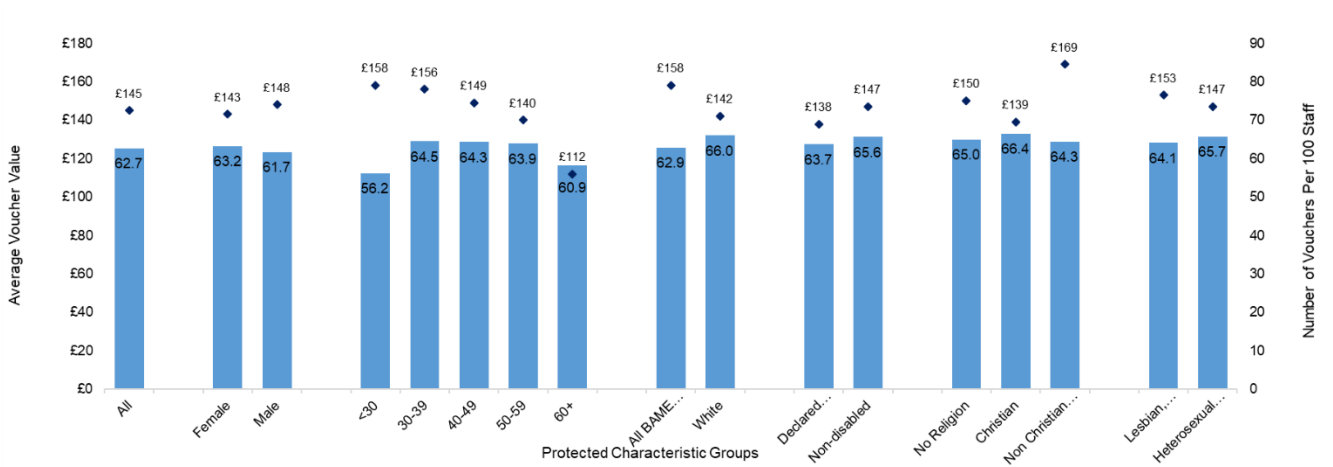


Figure 23: Vouchers by protected characteristics in MoJ (excluding HMPPS), in 2019/20



Complaints

MoJ values its staff and seeks to promote effective relationships between the Ministry and its staff, and between different members of staff. The grievance policy provides a framework for staff to raise concerns, problems or complaints, and for managers to deal with them effectively and promptly. All staff have the right to raise a complaint with their employer and have it considered in a fair and consistent way.

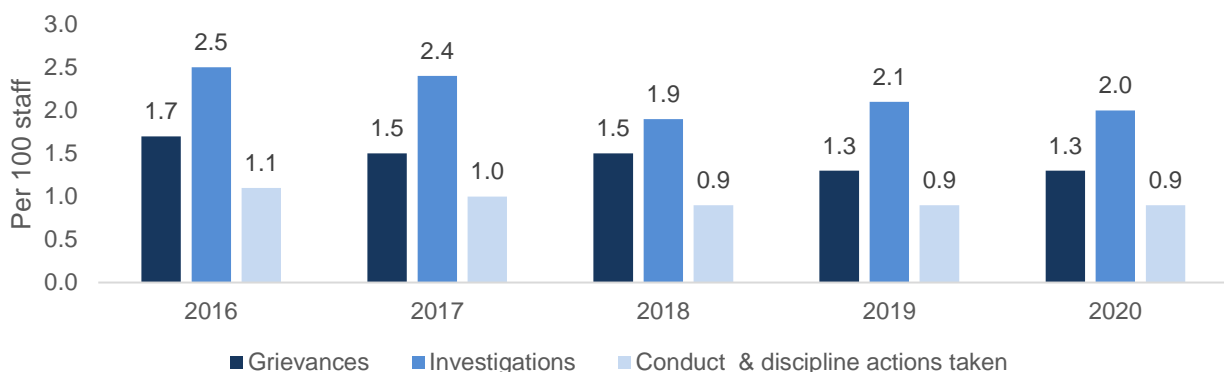
Data are presented for three types of complaints procedures: the rates of *grievances* raised, *investigations* concluded and *conduct and discipline* actions taken.

In 2019/20, the rate of *grievances* raised was 1.3 per 100 staff, the rate of *investigation* cases was 2.0 per 100 staff and the rate of *conduct and discipline* actions was 0.9 per 100 staff. While the rate of grievances and investigations have fallen since 2016, they have not changed markedly from 2019, while the rate of conduct and discipline cases has remained largely unchanged since 2016 (Figure 24).

Please note that when demographics are referred to below, the demographic refers to the demographic of the person *raising* a grievance, *subject* to an investigation, or *subject* to a conduct and discipline action.

Rate calculations are carried out on the demographic in question e.g. the rate of grievances for male staff is calculated by the number of male staff raising grievances divided by the total number of male staff.

Figure 24: Grievances, investigations and conduct and discipline cases, 2016 to 2020



Complaints by gender

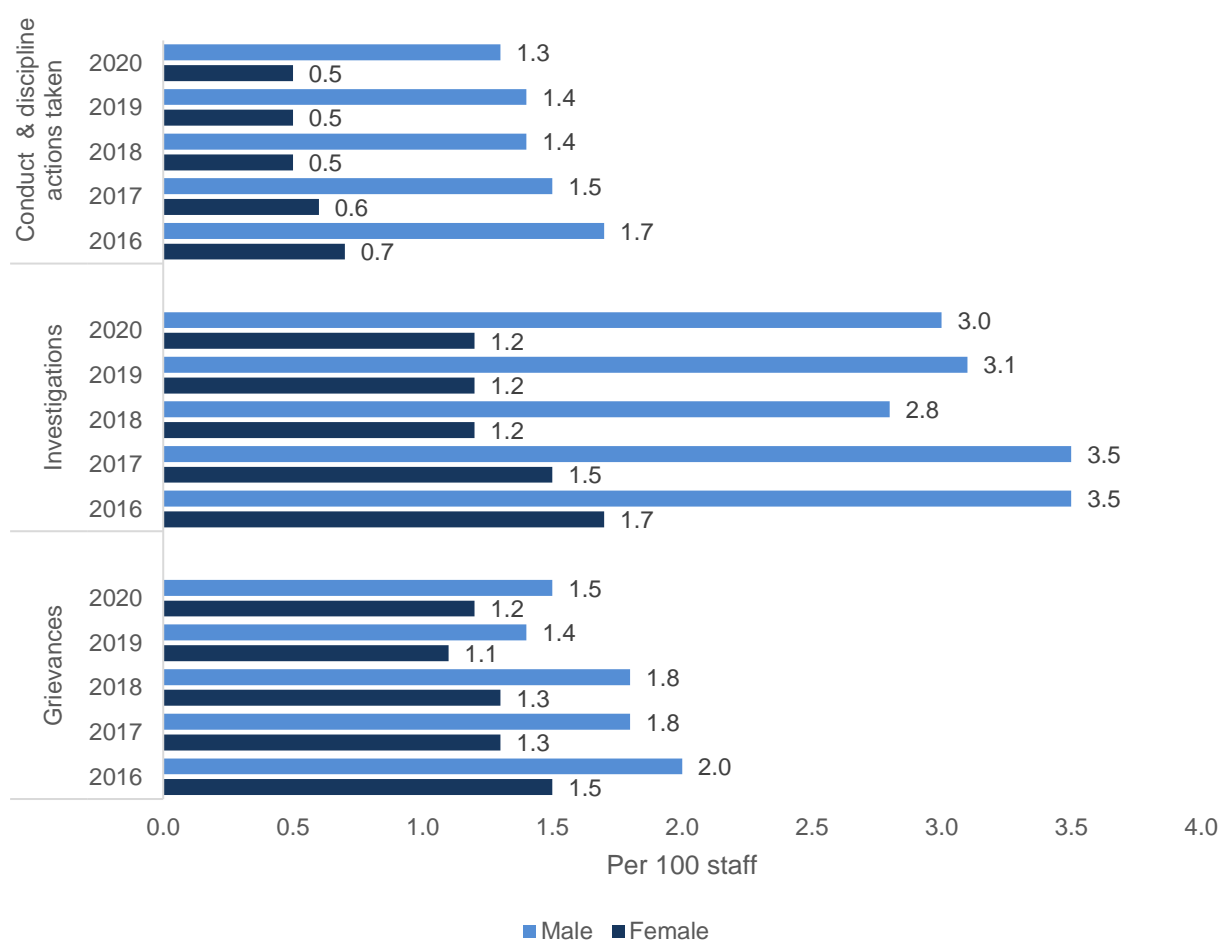
For all three categories, male staff were more likely to raise a complaint than female staff; a finding that has been observed since March 2016.

In 2019/20, *grievances* were raised by 1.5 per 100 male staff compared to 1.2 per 100 female staff. *Investigation* cases involved 3.0 per 100 male staff compared to 1.2 per 100

female staff; and *conduct and discipline* actions involved 1.3 per 100 male staff compared to 0.5 per 100 female staff (Figure 25).

Trend data for males shows that between 2015/16 and 2019/20 there was a decrease in the rate of *investigations*, notably in 2018 where the rate dropped to 2.8 per 100 male staff, and it has since risen marginally again. The rate of *grievances* has largely fallen since 2016, although there has been a slight increase in the last year, while the rate of *conduct and discipline actions* has decreased slightly. For females, in the same period the rate of *conduct and discipline actions* fell from 2016 to 2018 but has since been unchanged. The rate of *grievances* has also fallen slightly, while the rate of *investigations* has decreased since 2016 and has remained steady since 2018 (Figure 25).

Figure 25: Complaints by gender 2016 to 2020



Complaints by age

In 2019/20 the rate of *grievances* raised increased with age. *Grievances* were raised by 0.9 per 100 staff in age category <30 compared to 1.4 per 100 staff in both the 30-39 and 40-49 age categories, and 1.5 per 100 staff in both the age categories 50-59 and 60+. A similar pattern by age was observed in previous years.

In 2019/20 *investigations* were most falling with age, being most prevalent in age categories <30 (3.1 per 100 staff) and 30-39 (2.2 per 100 staff). This is similar to 2019, but

a change from previous years, in which the <30 and 40-49 had the highest rate per 100 staff of investigations.

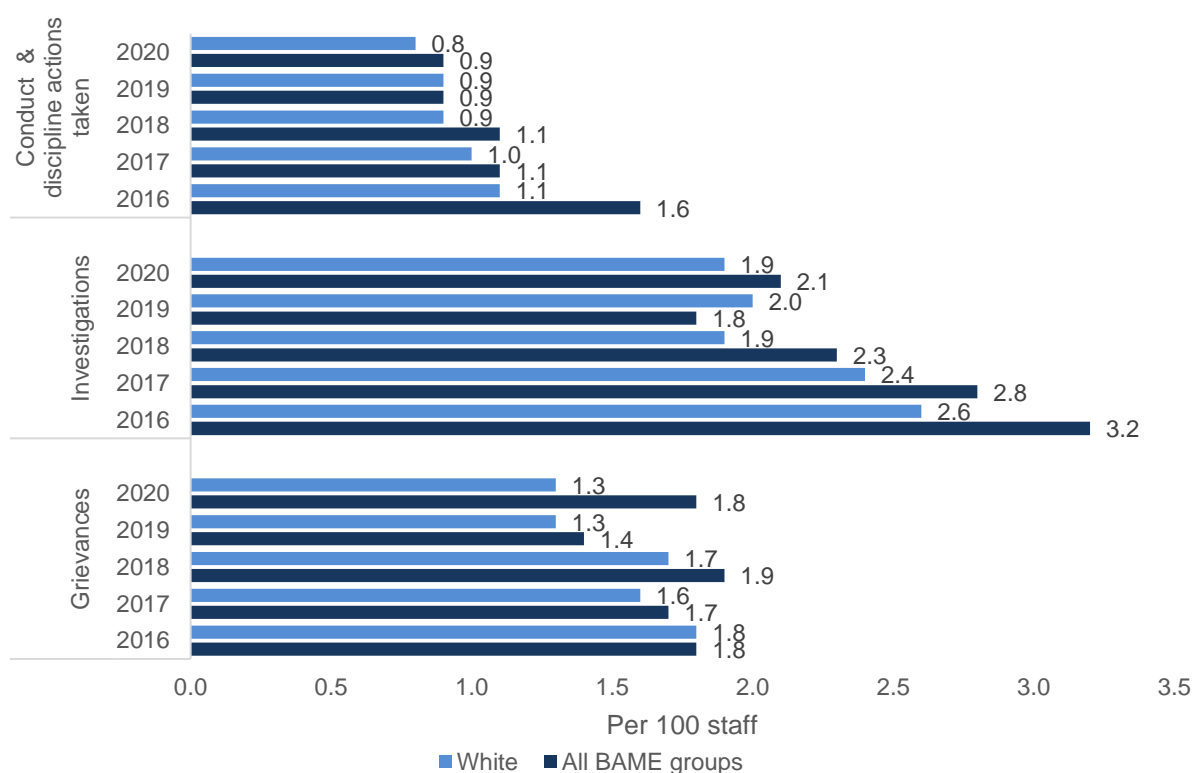
In 2019/20 *conduct and disciplinary* actions were the most common for staff in the age category <30 (1.3 per 100 staff), while rates were relatively similar across the age categories ranging from 0.9 per 100 staff aged 30-39 and 0.7 per 100 staff aged 50-59. These rates have remained fairly stable since 2015/16.

Complaints by ethnicity

In 2019/20, of those who declared their ethnicity, BAME staff had a higher rate of *grievances* raised (1.8 compared with 1.3 per 100 White staff), a similar rate of *conduct and disciplinary actions* (0.9 per 100 BAME staff and 0.8 per 100 White staff), and a slightly higher rate of *investigations* (2.1 per 100 staff) than White staff (1.9 per 100 staff) (Figure 26).

The rate of *grievances* raised by White staff has decreased since 2015/16, while the rate for BAME staff has remained broadly similar. The rate of *conduct and disciplinary actions* involving BAME staff has decreased from 1.6 per 100 staff in 2015/16 to 0.9 per 100 staff in 2019/20. Over the same period the rate for White staff has decreased from 1.1 to 0.8 per 100 staff. The rate of *investigations* has risen for BAME staff over the last year, from 1.8 per 100 staff in 2019 to 2.1 per 100 staff in 2020, although this is still a fall compared to a rate of 3.2 per 100 staff in 2015/16. There was also a decrease over the last years for White staff, as the rate has dropped from 2.6 per 100 staff in 2016 to 1.9 per 100 staff in 2020 (Figure 26).

Figure 26: Complaints by ethnicity 2015/16 to 2019/20



Complaints by disability

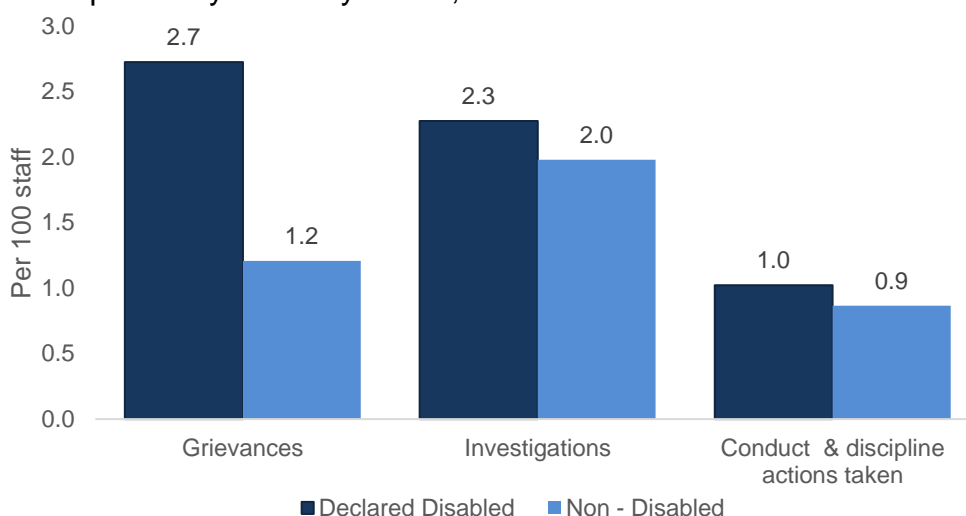
In 2019/20, of those who declared their disability status, declared disabled staff were more likely to have raised *grievances*, and slightly more likely to be involved in *investigations*, while there were similar rates of involvement in *conduct and disciplinary actions* compared to declared non-disabled staff.

The disability declaration rate for those who have been involved with a complaints procedure ranges is above 60% for all complaint types, although the declaration rate was only above 60% for those who have raised a *grievance* in 2019. Therefore, the rates for *investigations* and *conduct and disciplinary actions* will not be compared to previous years.

In 2019/20 the rate of *grievances* was 2.7 per 100 declared disabled staff compared to 1.2 per 100 non-disabled staff (Figure 27). This is a decrease from 3.3 grievances per 100 declared disabled staff in 2019.

In 2019/20 the rate for *investigations* was 2.3 per 100 declared disabled staff compared to 2.0 per 100 declared non-disabled staff, and the rate for *conduct and disciplinary actions* was 1.0 per 100 declared disabled staff compared to 0.9 per 100 declared non-disabled staff (Figure 27).

Figure 27: Complaints by disability status, 2019/20

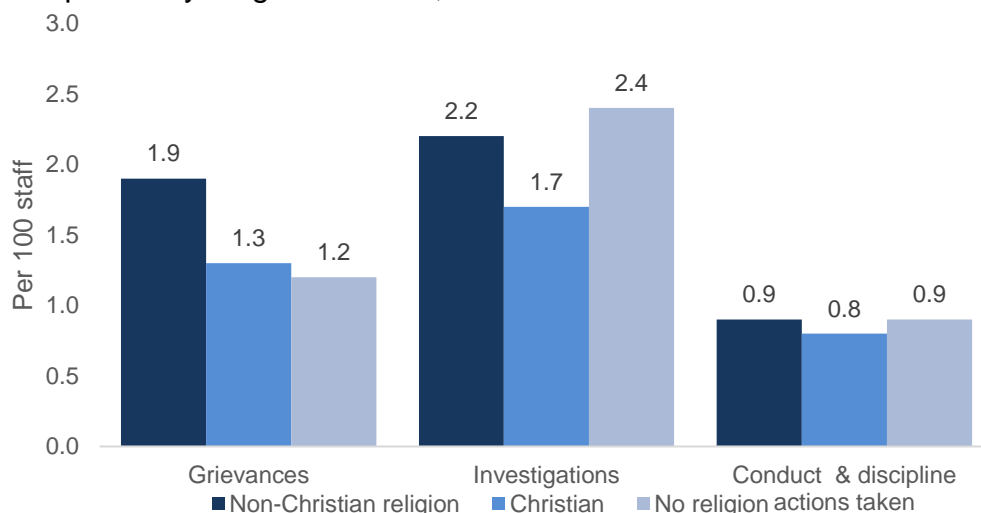


Complaints by religion

The declaration rate for religion or belief for those who have been involved with a complaints procedure is above 60% for all complaint types for 2019/20. No comparisons to previous years are presented as declaration rates were too low.

The rate of *grievances* was highest for non-Christian staff at 1.9 per 100 staff compared to 1.3 per 100 Christian staff and 1.2 per 100 staff with no religion. The rate of involvement in *investigations* was lowest for Christian staff at 1.7 per 100 staff compared to 2.2 per 100 staff with a non-Christian religion and 2.4 per 100 staff with no religion. The rate for *conduct and disciplinary actions* was similar across groups at 0.9 per 100 staff with a non-Christian religion or no religion and 0.8 per 100 Christian staff (Figure 28).

Figure 28: Complaints by religion or belief, 2019/20

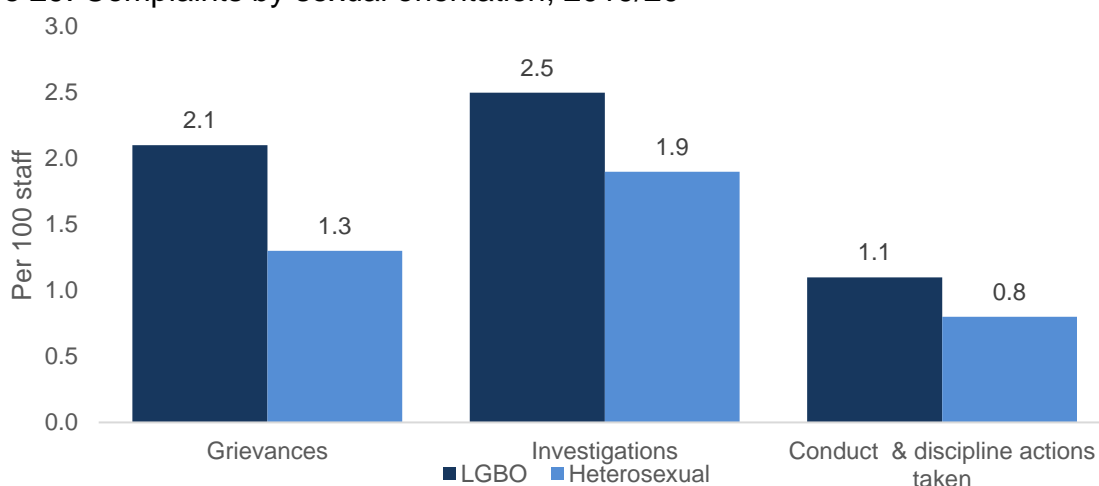


Complaints by sexual orientation

The declaration rate for sexual orientation for those who have been involved with a complaints procedure ranges is above 60% for all complaint types for 2019/20. No comparisons to previous years are presented as declaration rates were too low.

As of March 2020, the rate of *grievances*, *investigations*, and *conduct and disciplinary* actions were all higher for lesbian, gay, bisexual and other (LGBO) staff than for heterosexual/straight staff. The most marked difference was *grievances*, where the rate was 2.1 per 100 LGBO staff compared to 1.3 per 100 heterosexual staff. The rate of involvement in *investigations* was 2.5 per 100 LGBO staff compared to 1.9 per 100 heterosexual staff, while the rate for *conduct and disciplinary* actions was 1.1 per 100 LGBO and 0.8 per 100 heterosexual staff (Figure 29).

Figure 29: Complaints by sexual orientation, 2019/20



See accompanying Tables 6a and 6b in Annex A.

Promotions

A promotion is a permanent move to a higher grade gained through an internal process and excludes those promoted from another government department. In HMPPS it excludes Operational Support Grades (OSG) moves to prison officers (classified as a conversion rather than promotion) but does include OSG moves to other roles at a higher pay band.

When the number of promotions is broken down by grade the grade stated is the lower or original grade that the individual moved from.

In 2019/20, 4.6% of MoJ staff, or 3,473 individuals were promoted, a decrease from 5.1% in 2018/19.

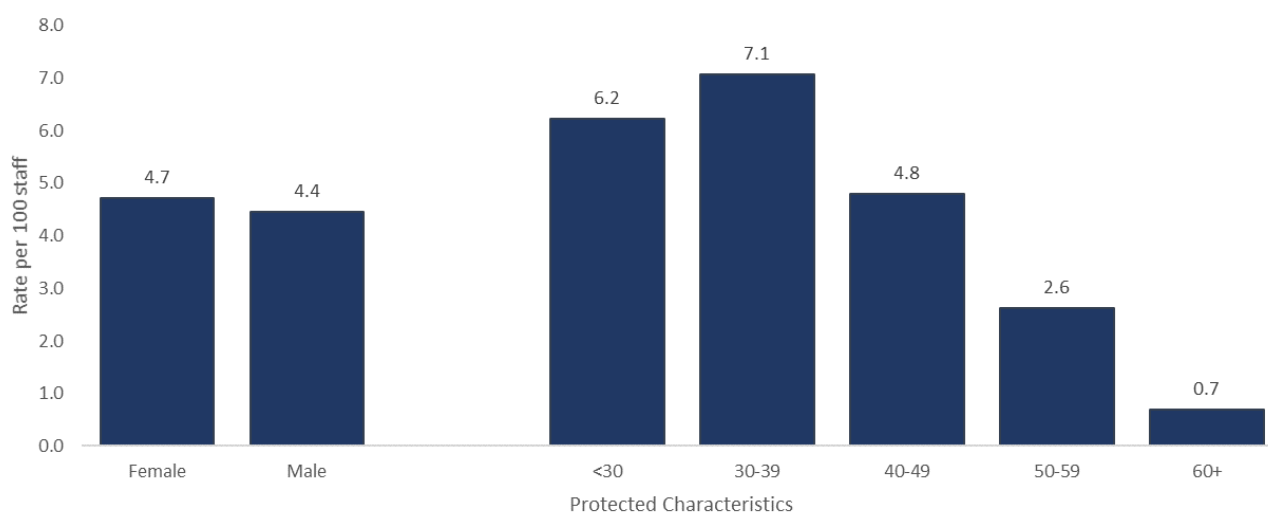
Promotions by gender

In 2019/20 a higher proportion of female staff were promoted; 4.7 in 100 female staff, compared with 4.4 in 100 male staff. There were more female than male staff promoted in all grades apart from G7/6, where 1.9 per 100 male staff were promoted compared to 1.6 per 100 female staff. (Figure 30)

Promotions by age

In 2019/20 the number of promotions per 100 staff decreased with age after the 30-39 category, with the under 30 category and the 30-39 age category had the highest rates, 6.2 and 7.1 promotions per 100 staff respectively. The group who had the lowest rate of promotions was the over 60 category, in which 0.7 people per 100 staff were promoted. (Figure 30)

Figure 30: Rate of promotions per 100 staff for age and gender, in 2019/20



Promotions by ethnicity

Of those who were promoted, the declaration rate for ethnicity was 90%. Of those who declared their ethnicity, a slightly higher proportion of BAME staff were promoted (5.2 per 100 staff) than White staff (5.0 per 100 staff). This pattern was consistent across the grades it was possible to report on (data suppression prevented reporting G7/6 and SCS figures). (Figure 31)

Promotions by disability

Of those who were promoted, the declaration rate for disability status was 83%. Of those who declared their disability status, there was a lower proportion of declared disabled staff who were promoted (4.2 per 100 staff) compared to declared non-disabled staff (5.5 per 100 staff). This pattern was consistent across the grades it was possible to report on (data suppression prevented reporting G7/6 and SCS figures). (Figure 31).

Promotions by religion

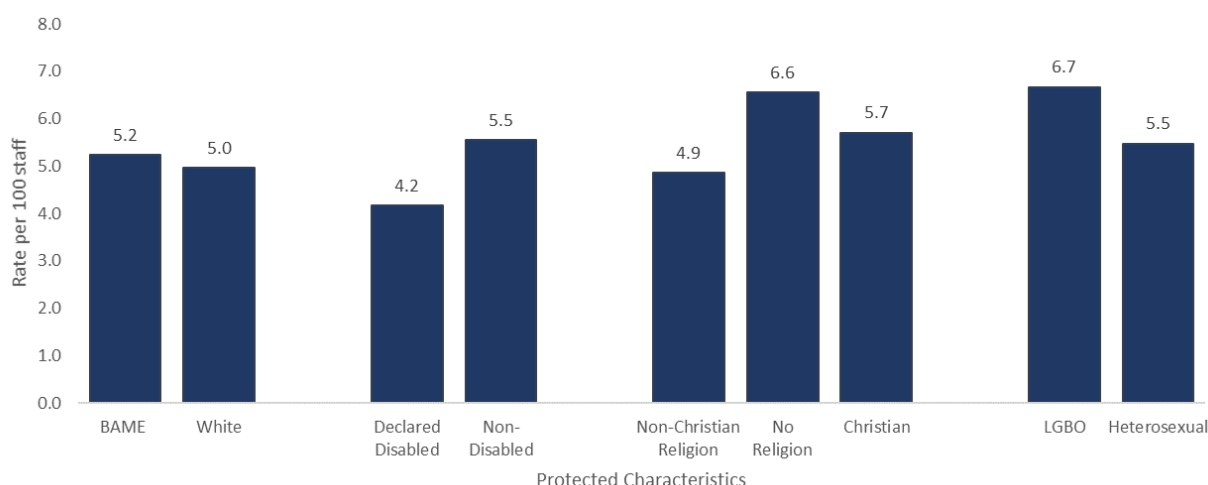
Of those who were promoted, the declaration rate for religion was 80%. Of those who declared, 4.9 per 100 Christian staff were promoted compared to 5.7 per 100 staff with a non-Christian religion and 6.6 per 100 staff with no religion (Figure 31).

Promotions by sexual orientation

Of those who were promoted, the declaration rate for sexual orientation was 80%. Of those who declared, a higher proportion of Lesbian, Gay, Bisexual and Other staff were promoted (6.7 per 100 staff) than Heterosexual/straight staff (5.5 per 100 staff). (Figure 31).

See accompanying Tables 7a and 7b in Annex A.

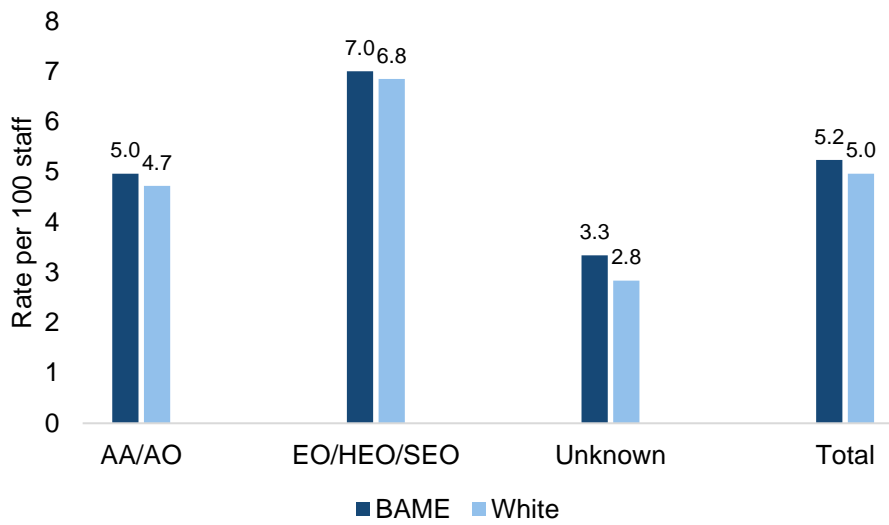
Figure 31: Rate of promotions per 100 staff by ethnicity, disability, religion, and sexual orientation, in 2019/20



Promotions by Grade

There were large variations in the proportions of staff promoted by grade. The lowest rate was in the G7/6 and SCS grades, with only 1.7 per 100 staff and 1.6 per 100 staff promoted, respectively, compared with the highest of EO/HEO/SEO with 6.6 per 100 staff.(Figure 32).

Figure 32: Promotions by ethnicity by Grade, in 2019/20



Notes and definitions

Coverage

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. Some of these areas are the responsibility of MoJ's agencies. The overall MoJ comprises: MoJ HQ, HMCTS, CICA¹⁰, LAA, OPG and HMPPS¹¹.

The treatment of data by HMPPS and the rest of the MoJ can sometimes differ for historical reasons, as in the past they have each processed and presented data separately. Where there are differences, they are small and do not affect the overall picture of staff in the MoJ. For example, workforce figures for HMPPS include staff who are both on-strength and off-strength (for example those on leave without pay), but the rest of MoJ excludes those staff who are off-strength. This is typically less than 0.5% of the HMPPS workforce.

Data Sources/Data Collection

The majority of data presented in this report have been extracted from MoJ's internal HR system the Single Operating Platform (SOP) and the previous system (prior to January 2017) Phoenix. In some cases, data are drawn from different sources (for example, grievance figures are collected from Case Management Application and special bonus data are collected separately), and these data have been matched to the internal HR system to ensure a consistent base population.

The data presented include both snapshots of the position as at 31 March 2020 (referred to as 'at March 2020', as well as summary statistics covering the period from 1 April 2019 to 31 March 2020 (referred to as '2019/20').

The data presented in this publication referring to the reporting period to 31 December 2016 are drawn from Phoenix used previously by MoJ. However, data covering the period from 1 January 2017 onwards have been extracted from SOP, an administrative IT system which holds HR information. Both SOP and the previous Phoenix are 'live' dynamic HR management systems; and as with all HR databases, extracts are taken at a fixed point in time, to ensure consistency of reporting. However, the database itself is dynamic, and where updates to the database are made late, subsequent to the taking of the extract, these updates will not be reflected in figures produced by the extract. For this reason, HR data are unlikely to be precisely accurate.

Subtotals may not always sum to totals due to rounding of the underlying data.

¹⁰ CICA became a separate Business Group in May 2016.

¹¹ HMPPS replaced National Offender Management Service (NOMS) in April 2017.

Declaration rate

Declaration rates refer to the percentage of all employees who have provided information on their ethnicity, disability status, sexual orientation, and religion or belief, excluding unknown and prefer not to say. The rate is calculated as a proportion of all employees.

Ethnicity

Employees are asked to identify their ethnicity from a list. Employees may also abstain from answering this question. These figures are based on the self-reporting of employees.

Disability status

Employees are asked to declare whether they consider themselves as disabled or not. They may also abstain from answering these questions. These figures are based on self-declarations not on any formal disability assessments.

Religion

Employees are asked to identify their religion or belief from a list. Employees may also abstain from answering this question. These figures are based on the self-reporting of employees.

Sexual Orientation

Employees are asked to identify their sexual orientation from a list. Employees may also abstain from answering this question. These figures are based on the self-reporting of employees.

Representation

Some of the data in this report relate to information volunteered by staff and is therefore not 100 per cent complete. To ensure MoJ are sufficiently confident that the completed figures reflect the true picture for all staff, figures have not been reported where the declaration rate is markedly below 60 per cent. Where declaration rates fall just below the 60 per cent threshold, this has been noted to aid interpretation.

From 2016/17 onwards, Chinese staff are included in the "Asian or Asian British" group. Prior to this they are included in the "Other Ethnic Groups" category.

Redaction policy

For ethnicity, disability, religious belief and sexual orientation, some numbers have been suppressed to protect the identities of individual employees; fields are suppressed if they contain 2 or fewer employees along with secondary suppression of cells that could be used in combination with totals to deduce the originally suppressed figures.

Grades

In the MoJ, 81% of staff are in grades AA to SEO and 15% in 'unknown' (where grade information is not available; in general, these individuals work in the NPS where grades do not map to traditional government grades). Overall representation rates are therefore more reflective of the proportions of staff at AA-SEO and unknown grades than the smaller proportions of G7/6 and SCS grades.

The wider civil service grading system is presented in this report. MoJ & HMPPS operate different systems and the equivalent of these to the wider civil service grading system can be found in a table in Annex A.

Abbreviations

AA	Administrative Assistant (grade)
AO	Administrative Officer (grade)
BAME	Black, Asian and Minority Ethnic
CICA	Criminal Injuries Compensation Authority
EO	Executive Officer (grade)
G6	Grade 6 (grade)
G7	Grade 7 (grade)
HEO	Higher Executive Officer (grade)
HMCTS	Her Majesty's Courts and Tribunals Service
LAA	Legal Aid Agency
MoJ	Ministry of Justice
MoJ HQ	Ministry of Justice Headquarters
HMPPS	Her Majesty's Prison and Probation Service
NOMS	National Offender Management Service (the previous name for HMPPS)
OPG	Office of the Public Guardian
SCS	Senior Civil Service
SEO	Senior Executive Officer (grade)
TRA	Temporary Responsibility Allowance

Annex A

Annex A: MoJ Workforce Monitoring tables:

<https://www.gov.uk/government/publications/ministry-of-justice-workforce-monitoring-report-2019-to-2020>

Annex B

Annex B: HMPPS Annual Staff Equalities tables:

<https://www.gov.uk/government/collections/hmpps-annual-staff-equalities-report>