

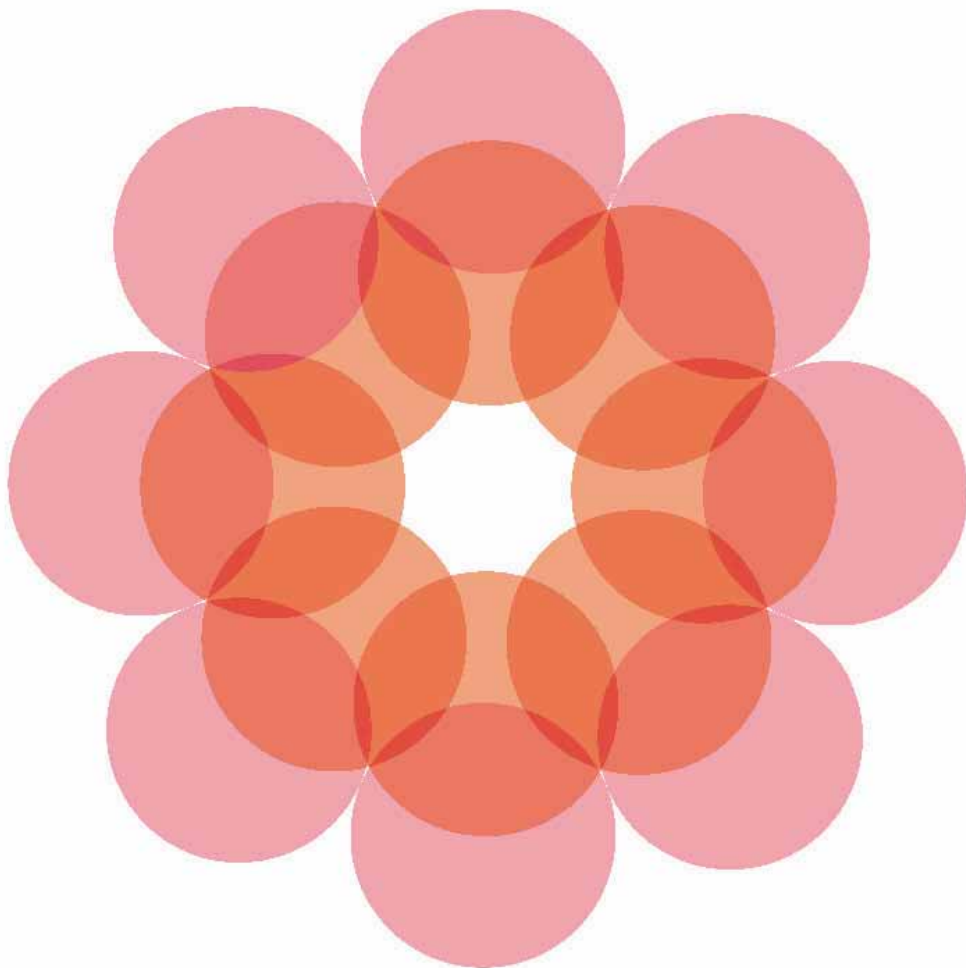


Ministry of  
**JUSTICE**

# Diversity Report

## 2010/11

Ministry of Justice  
(Excluding NOMS)



Published December 2011



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# Introduction

This report provides diversity data for all staff within the Ministry of Justice (MOJ) excluding those for the National Offender Management Service (NOMS)<sup>1</sup>. It has been produced using data from CHRIMSON, a Ministry of Justice administrative database, and also Phoenix (the recently introduced self service IT system) which some business areas were using prior to 31st March 2011. The data included is a snapshot of the position at 31st March 2011. If the report refers to a 'period' of time, for the purposes of this report this will be from 1st April 2010 to 31st March 2011.

The collection process involves self declaration at several points during the employment process, including application through to departure. The data was extracted from the system as at 31ST March 2011 and any subsequent changes will not be reflected in this report.

CHRIMSON data is obtained in various ways including payroll changes and self reporting. This method of information gathering means that not all data is available nor are changes reflected in real time.

The MOJ is one of the largest direct delivery departments in Whitehall, employing over 28,000 staff.<sup>2</sup> Our staff develop policies and deliver services to a diverse range of individuals and communities. To ensure that we are effective, we need to make good use of the diverse talents that we have at all levels of the workforce. This means supporting all our staff to develop to their full potential.

Understanding the composition of our workforce enables us to highlight differences between groups in terms of satisfaction, engagement and progression. This in turn can help us to identify, tackle and prevent issues that would otherwise undermine employee engagement and productivity. It also allows us to support our staff by understanding their unique yet different contributions and encouraging them to use their talents to deliver better services to those who need them. MOJ recognise that levels of declaration for Ethnicity and Disability can still be improved, and work has been initiated to encourage staff to update their personal information on "My Services".<sup>3</sup>

It is well recognised that organisations in which diversity is valued, reap many benefits, which ultimately improve the way we deliver our services:<sup>4</sup>

- Reduction in staff turnover
- The creativity and innovation that comes from tapping into diverse perspectives
- Enhanced motivation and business performance
- Increased work harmony and reduce stress related absence

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

<sup>2</sup> This figure is for all staff that were employed by MOJ, including HMCS, Tribunals, Corporate Performance Group, Policy Group, Law, Rights and International Group, and Arms Length Bodies who are recorded on Chrimson/Phoenix and who are included in MOJ headcount. It excludes those who work in NOMS, Wales Office, Scotland Office and UK Supreme Court.

<sup>3</sup> Central data collection system, which can be accessed by all staff.

<sup>4</sup> Talent Not Tokenism EHRC 2008

MOJ is committed to cultivating a diverse workforce and creating an inclusive workplace where people from all backgrounds are given equality of opportunity enabling them to reach their full potential. Robust diversity monitoring ensures that we demonstrate real commitment to the Civil Service Diversity Strategy and the MOJ Equality Action Plan. Valuing and respecting our diverse workforce sends an important message to the diverse communities that we serve and makes us truly representative of them.

Finally, a number of abbreviations have been used throughout this report. Their meanings are clarified in the Explanatory Notes section on page 17.

# Gender

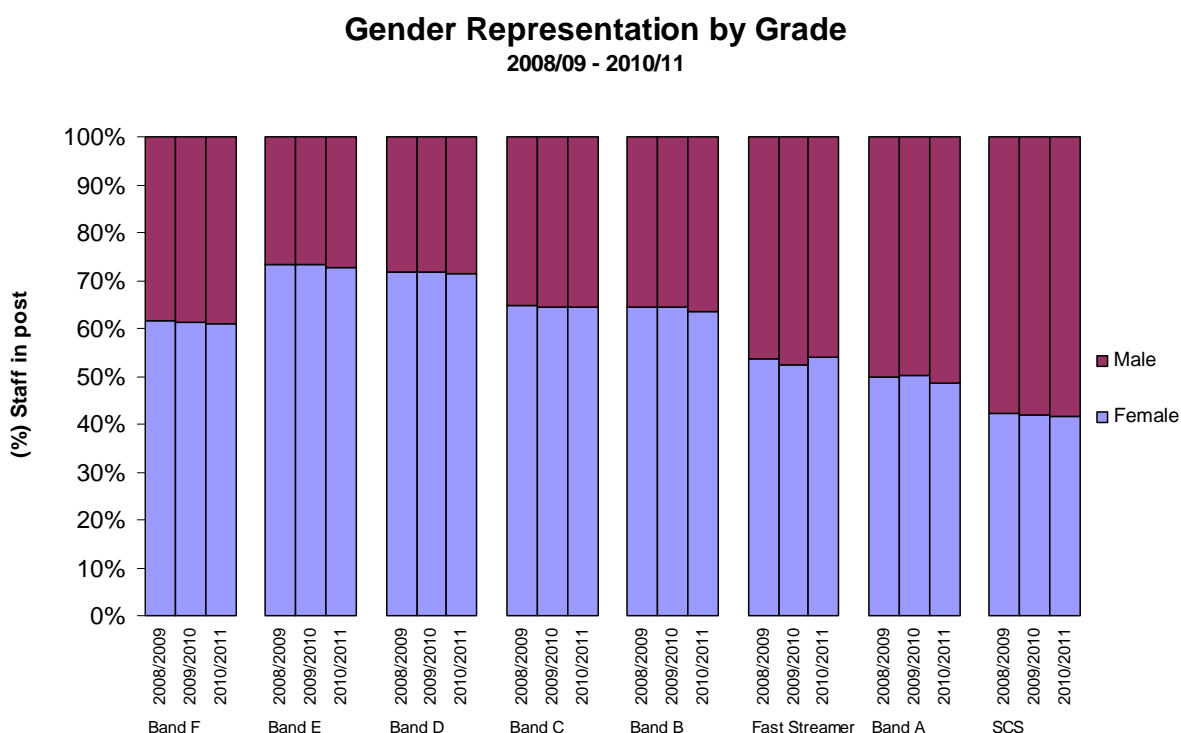
**Table 1: Gender Profile Statistics – 2010/11**

Gender Profile	Female	Male
Average Age	42.9 yrs	45.3 yrs
BAME <sup>1</sup>	16.0%	14.5%
White <sup>1</sup>	84.0%	85.5%
Tenure (mean)	8.5 yrs	8.3 yrs
Disabled <sup>2</sup>	3.4%	5.1%
Non-Disabled <sup>2</sup>	96.6%	94.9%
<b>Overall (%)</b>	<b>67.6%</b>	<b>32.4%</b>

Notes:

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

**Figure 1: Gender Representation by Grade, 2008/09 to 2010/11**



The graph above shows the gender of MOJ staff in post segmented by grade over a three year period. In total there are over twice as many female staff (68 per cent) compared with male staff (32 per cent). This figure remains unchanged from the previous year, 2009 to 2010.

### **Summary of Position: Grade**

There is a larger proportion of female staff at every grade other than Band A and the SCS.

The chart shows that for the SCS, the representation shifts, the proportion of males is 16 per cent higher than that for females at this level. At Band A the representation is nearly equal with 49 per cent females to 51 per cent males. The percentage of females decreases as the level of seniority rises. The male to female representation of staff in feeder grades<sup>5</sup>, is approximately equal.

There is a larger majority of female staff at lower grades and middle manager grades with females accounting for 73 per cent of staff at band E and 71 per cent of staff at band D.

Female staff gaining entry to the SCS has stayed consistent at around 42 per cent since 2008.

### **Summary of Position: Temporary Responsibility Allowance (TRA)**

64 per cent of staff receiving TRA are female, this is slightly lower than their overall representation in MOJ.<sup>6</sup>

### **Summary of Position: Performance Markings<sup>7</sup>**

Outstanding<sup>8</sup> markings were awarded to more women (66 per cent) compared to men (34 per cent) this is similar to their overall representation. Outstanding markings were given to slightly more females than males in the SCS, and at all other grades more women were awarded outstanding markings than men.

### **Summary of Position: Sick Absence**

Sick absence rates are higher amongst female staff. This is a trend that is known to exist across most organisations. On average, female members of staff lost 8.2 days in this period compared to an average of 6.1 days for male staff.

### **Summary of Position: Leavers, Retirement and Career Breaks**

Slightly more female staff than male staff retired from MOJ during this period, 52 per cent female to 48 per cent male. This trend is seen in each age group until age band 65-69 years where there are nearly twice as many males than females retiring from MOJ. At age band 70 years plus, equal numbers of males to females retired.

63 per cent of staff leaving MOJ were female – this is similar to their overall representation.

Of those staff taking a career break 86 per cent are female. This figure is slightly higher than the previous year. The majority of these are taken by females at Band E (41 per cent), with less than 1 per cent taken by female SCS. There is a perception that the majority of career breaks are taken to provide childcare, it would appear therefore that women are still responsible for the greater amount of childcare.

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<sup>5</sup> Feeder grades denote the Fast Stream and Band A's.

<sup>6</sup> No TRA information is available for just over 1,300 staff transferred from NOMS in July 2010. Total number of staff used to calculate TRA is 27,201.

<sup>7</sup> The total number of staff whose performance markings have been recorded is 23,777 which is less than the number of staff in post. See "Explanatory Notes" section for more information.

<sup>8</sup> The performance markings that are awarded to staff are "Outstanding" (only available for bands A to D), "Effective," and "Improvement Required."

# Ethnicity

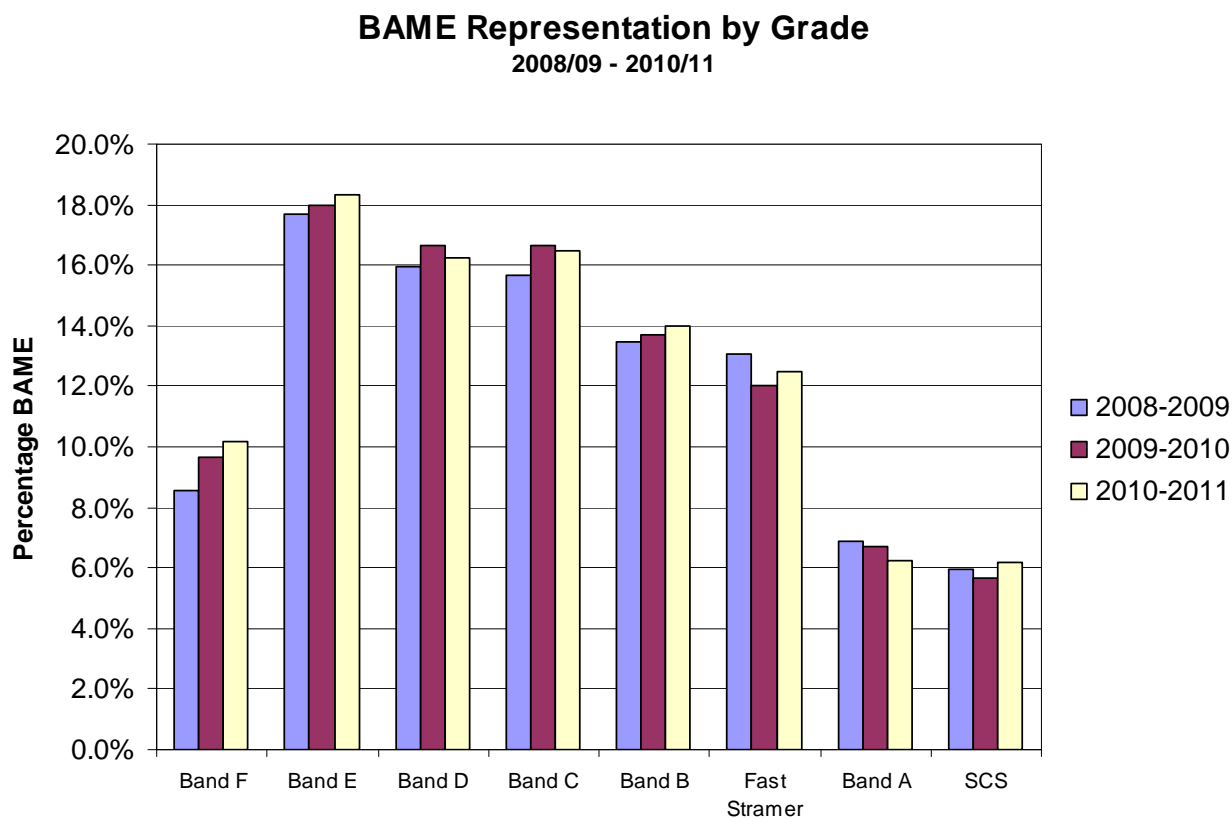
**Table 2: BAME Representation Statistics – 2010/11**

<b>BAME<sup>1</sup> Representation</b>	<b>BAME<sup>1</sup></b>	<b>White</b>
Female	16.0%	84.0%
Male	14.5%	85.5%
Average Age	39.5 yrs	44.8 yrs
Tenure (mean)	7.2 yrs	9.1 yrs
Disabled <sup>2</sup>	3.7%	3.1%
Non-Disabled <sup>2</sup>	77.3%	80.3%
<b>Overall (%)</b>	<b>15.5%</b>	<b>84.5%</b>

Notes:

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

**Figure 2: BAME representation by Grade, 2008/09 to 2010/11**





As at the 31st March 2011 the proportion of employees within MOJ from BAME backgrounds was 16 per cent, a slight increase from the previous year 2009 to 2010. Asian or Asian British are the most highly represented group (7 per cent), followed by Black or Black British (5 per cent).<sup>9</sup>

### **Summary of Position: Declaration Rates**

Currently one in five MOJ staff does not declare their ethnicity (21 per cent.) This greatly affects the ability to present an accurate picture of the workforce profile. The declaration rates are the same as the previous year. The figures provided in this section exclude those who have not declared their ethnicity status.<sup>10</sup>

### **Summary of Position: Grade**

Employees from BAME backgrounds are more highly represented in Band C, Band D and administrative (Band E and F) grades. The proportion of employees from BAME backgrounds in these bands are all at around 16 per cent. This compares with 6.2 per cent in Band A – the least ethnically diverse responsibility level and 6.5 per cent in the SCS.

Each year since 2008 the representation of BAME staff in MOJ has increased at bands F, E and B. The SCS shows a slight increase in BAME representation in 2010/2011, while Band A has remained at around 6 per cent.

### **Summary of Position: Temporary Responsibility Allowance (TRA)**

Of staff receiving the temporary responsibility allowance just over 13 per cent are from BAME backgrounds, this remains unchanged from the previous year and is slightly lower than their overall representation within MOJ.<sup>11</sup>

### **Summary of Position: Performance Markings<sup>12</sup>**

Outstanding markings awarded to staff who had declared their ethnicity represented 9 per cent of outstanding markings given. This is significantly lower than their overall representation (16 per cent).

### **Summary of Position: Leavers**

13 per cent of staff leaving MOJ are from BAME backgrounds. This is slightly lower than their overall representation within MOJ.

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<sup>9</sup> This section excludes undeclared BAME status.

<sup>10</sup> See table on page 18 for figures of undeclared BAME status.

<sup>11</sup> No TRA information is available for just over 1,300 staff transferred from NOMS in July 2010. Total number of staff used to calculate TRA is 27,201.

<sup>12</sup> The total number of staff whose performance markings have been recorded is 23,777 which is less than the number of staff in post. See "Explanatory Notes" section for more information.

# Disability

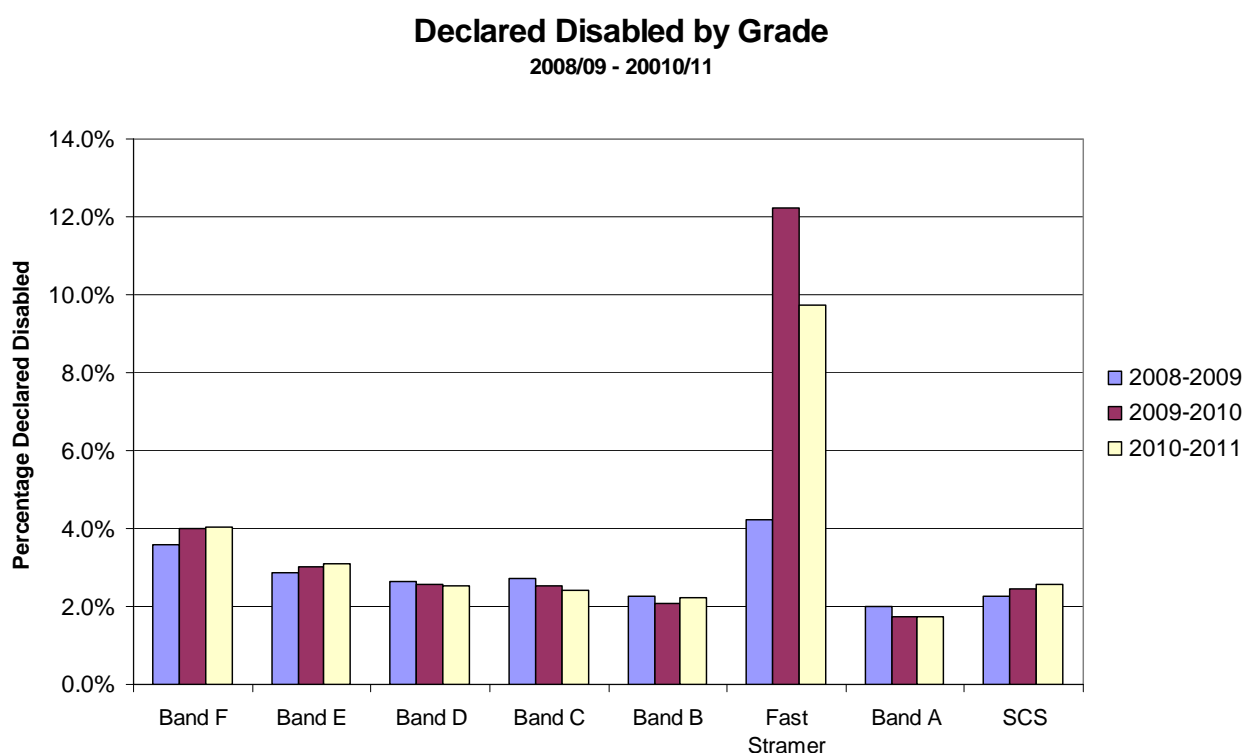
**Table 3: Disability Profile Statistics – 2010/11**

Disability Profile	Disabled	Non-Disabled	Not stated
BAME <sup>1</sup>	3.7%	77.3%	18.9%
White	3.1%	80.3%	16.6%
Female	2.6%	72.4%	25.0%
Male	3.6%	66.8%	29.6%
Average Age	45.8 yrs	44.0 yrs	31 yrs
Tenure (mean)	11.1 yrs	9.1 yrs	8.6 yrs
<b>Overall (%)</b>	<b>2.9%</b>	<b>70.6%</b>	<b>26.5%</b>

Notes:

1. Excludes undeclared BAME status

**Figure 3: Proportion of employees declared disabled, 2008/09 to 2010/11**



Staff within MOJ who declared a disability represented 3 per cent of permanent staff in post, this is slightly higher than the period 2009/2010.

### **Summary of Position: Declaration Rates**

Currently 26 per cent of MOJ staff do not declare their disability status. This again greatly affects the ability to present an accurate picture of the workforce profile. The figures provided in this section exclude those who have not declared their disability status.<sup>13</sup>

### **Summary of Position: Grade**

There are more staff who have declared a disability in the lower grades – with nearly half working at Band E and 81 per cent are made up from Bands D, E and F. Staff who have declared a disability represent almost 2 per cent of staff at Band A.

The SCS has 3 per cent of staff with a declared disability. This is an increase from the previous year, this increase will need to continue in order to meet the 2013 Diversity target set out in the MOJ Equality Action Plan, which states that MOJ is aiming to achieve disability representation of 4 per cent at SCS level.

Almost 10 per cent of the Fast Stream has a declared disability; this is higher than their overall representation which is less than 1 per cent of the workforce, although it is a decrease from the previous year.

### **Summary of Position: Temporary Responsibility Allowance (TRA)**

2 per cent of staff who had been awarded TRA allowances had declared a disability. This is slightly lower than their overall representation in the general workforce.<sup>14</sup>

### **Summary of Position: Performance Markings<sup>15</sup>**

3 per cent of staff with a declared disability were awarded an outstanding marking; this is in line with their overall representation. 8.6% of staff with a declared disability were marked as improvement required which is much higher than their overall representation.

### **Summary of Position: Working Patterns**

3.7 per cent of staff in MOJ who work a different working pattern other than full time, have declared a disability. The majority of staff with a declared disability work full time (74 per cent).<sup>14</sup>

### **Summary of Position: Leavers, Retirement and Career Breaks**

Of those staff leaving MOJ, 7.9 per cent had a declared disability; this is more than double their overall representation in MOJ. This figure has increased slightly each year from 2005.

9 per cent of staff retiring from MOJ had declared a disability. This is more than three times their overall representation in MOJ, with 95 per cent of these staff being over 50 years of age, this could offer an explanation for the slightly higher retirement rates. Only 2 per cent of staff taking a career break had a declared disability.

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<sup>13</sup>See table on page 18 for figures of undeclared disability status.

<sup>14</sup>No TRA or Working Pattern information is available for just over 1,300 staff transferred from NOMS in July 2010. Total number of staff used to calculate TRA is 27, 201.

<sup>15</sup>The total number of staff whose performance markings have been recorded is 23,777 which is less than the number of staff in post. See "Explanatory Notes" section for more information.

# Age

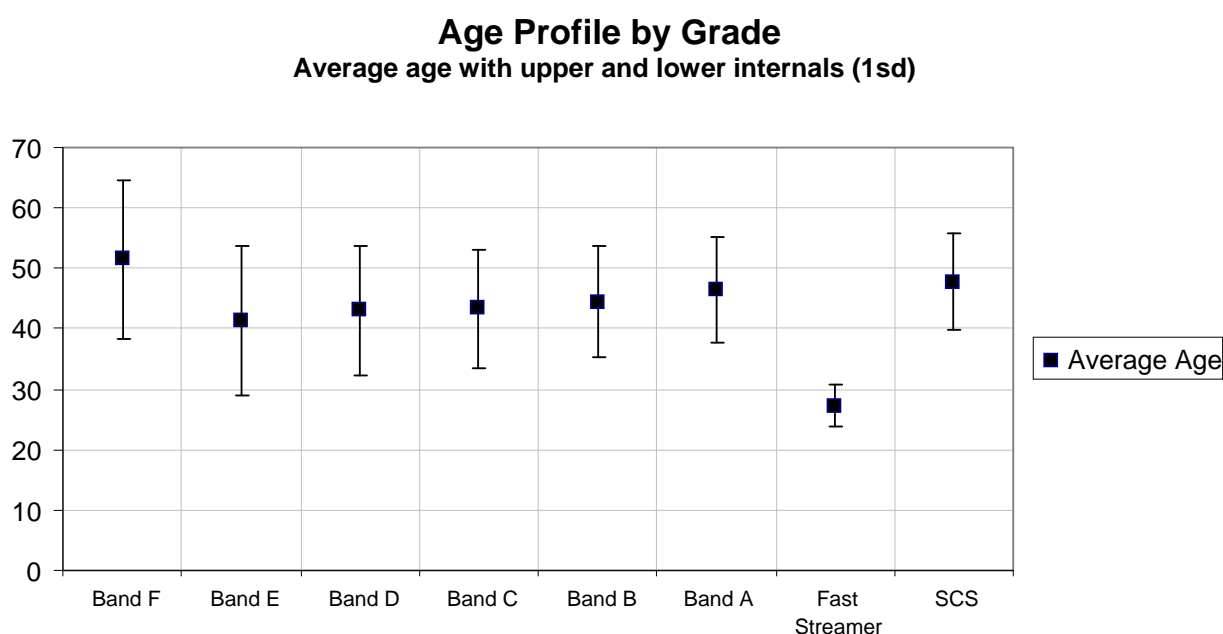
**Table 4: Age Representation Statistics – 2010/11**

<b>Age Profile</b>			
BAME <sup>1</sup>	39.5 yrs	White	44.8 yrs
Female	42.9 yrs	Male	45.3 yrs
Declared Disabled	45.8 yrs	Non Disabled	44.0 yrs
<b>Overall</b>	<b>43.7 yrs</b>		

Notes:

1. Excludes undeclared BAME status

**Figure 4: Age profile by grade in 2010/11**



The average age of staff within MOJ is 43.7 yrs. The average age of a female member of staff working in MOJ is 42.9 yrs and a male member of staff is 45.3 yrs. Staff aged 40 and above represent 61 per cent of staff in MOJ.

The largest three age groups in MOJ are 45 to 49 year olds (14 per cent) and 40 to 44 year olds and 50 to 54 year olds (both 13 per cent) of the total workforce.

## Summary of Position: Grade

43 per cent of the SCS in MOJ are aged 50 or over, with no SCS aged below 30 years. This compares to 36 per cent of staff aged 50 or over working at administrative grades. This shows a reduction in SCS aged over 50 compared to the 2009/2010 period. The amount of staff working in the administrative grades aged over 50 has remained about the same.

Staff working in the fast stream are generally younger than those working in other bands, which indicates that those normally recruited are university graduates. Also the upper and lower age ranges for the Fast Streamers are not as wide spread as other Bands, starting in the 20 to 24 years old and ending in the 40 to 44 years range. There are no Fast Streamers under 20 years old and only 2 per cent aged above 34 years.

### **Summary of Position: Temporary Responsibility Allowance (TRA)**

The largest age band to receive TRA is 25 to 29 year olds, and within this age band, Band E's were the highest group to receive TRA. As band E grades make up the largest part of the workforce, this is to be expected.<sup>16</sup>

### **Summary of Position: Performance Markings<sup>17</sup>**

There were no staff under the age of 20 years or over the age of 70 years who received an outstanding marking. Only 2 per cent of staff in the 20 to 24 year old age group and the 65 to 69 year age group received an outstanding marking. These groups are the least likely to receive an outstanding marking.

### **Summary of Position: Sick Absence**

The amount of sickness absence recorded varies with age of staff. Younger staff tend to have lower absence levels and staff over 55 years old tend to have higher levels. This could indicate that staff aged over 55 are more likely to have more serious or complex health conditions which lead to longer periods of absence. This would also be the case in the overall population with serious illness being more frequent in the over 55's.

### **Summary of Position: Leavers, Retirement and Career Breaks**

Age bands 60 to 64 years have the highest numbers of staff leaving MOJ. This would indicate most staff leaving around the time of their expected retirement. However, only slightly less is the 25 to 29 year olds. If this trend continues there could be longer term impacts for MOJ as this indicates that trained, experienced members of staff who potentially have years left to work and contribute are leaving MOJ. It should be noted however, that the current VEDS<sup>18</sup> scheme will have had an impact on the numbers of staff and age bands of staff who have left MOJ.

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<sup>16</sup>No TRA information is available for just over 1,300 staff transferred from NOMS in July 2010. Total number of staff used to calculate TRA is 27,201.

<sup>17</sup>The total number of staff whose performance markings have been recorded is 23,777 which is less than the number of staff in post. See "Explanatory Notes" section for more information.

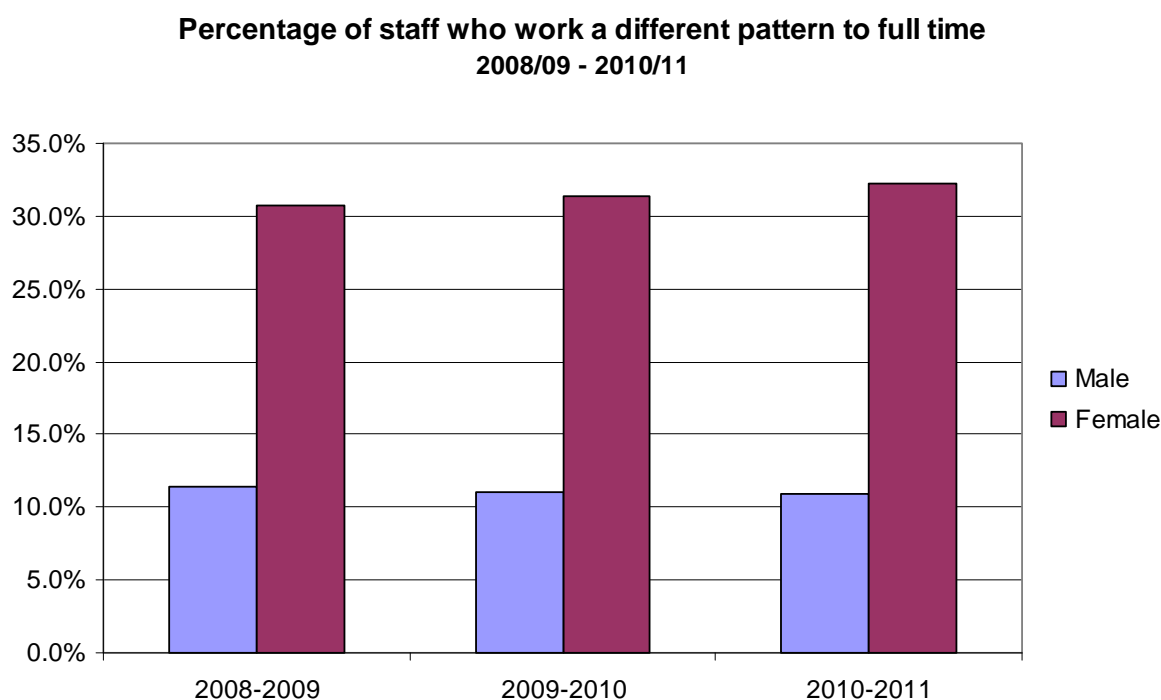
<sup>18</sup>Voluntary early departure Scheme

## Working Patterns

In MOJ, flexible working is available to all staff regardless of their gender. There are a variety of options that may be available to staff, these include compressed hours, home working, job-share, non-fixed or non-standard hours, part time, part year working and partial retirement. Currently 28 per cent of the workforce works a pattern other than full time.<sup>19</sup> However, the majority of staff who utilise this opportunity are female (85 per cent) compared to male (15 per cent).

It should also be noted that not all working patterns are recorded for example some working patterns may have been agreed at a local level e.g. working from home. However, efforts are being made to improve the coverage of this data and it is hoped that future reports will see an improvement in the completeness and accuracy of these areas.<sup>20</sup>

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



### Summary of Position: Grade

At all grades, there are more female staff working an alternative working pattern other than full time than male staff. There is a general perception that those who work a different working pattern other than full time, do so to enable them to care for children or for a relative, this would demonstrate that in MOJ the majority of all caring is still carried out mainly by females.

<sup>19</sup>The MOJ definition of "full time" working is "37 hours per week (slightly less for London based staff) worked in an office based location, working an equal number of hours each day for 5 days.

<sup>20</sup>No TRA or Working Pattern information is available for just over 1,300 staff transferred from NOMS in July 2010. Total number of staff used to calculate Working Patterns is 27,201.

14 per cent of all Band A's working in MOJ work a pattern other than full time, and this falls to 11 per cent for those working in the SCS.

At Band A there are 22 per cent of females working an alternative working pattern compared with 6 per cent of male staff; this is only a very slight increase when compared to 2009/2010. The SCS has the lowest proportion of those working a different working pattern. This has fallen slightly to 19 per cent for females and 5 per cent for males.

Band F has the highest proportion of staff who do not work full time (50 per cent). This Band also has the highest proportion of males who do not work full time, (41 per cent), and also has more females working a different pattern than full time (55 per cent). Band F is usually the grade associated with court ushers. These are often people who are age 50 plus who may not want to work full time.

Less than 3 per cent of the fast stream work a pattern other than full time. This would suggest that those entering the fast stream either have no requirement to work a different working pattern or perceive that they are required to work full time.

### **Summary of Position: Temporary Responsibility Allowance (TRA)**

Only 10 per cent of staff awarded TRA are working a pattern other than full time. This could suggest that managers are more likely to give TRA to full time staff.<sup>21</sup>

### **Summary of Position: Leavers**

Staff who work a working pattern other than full time represented 28 per cent of staff leaving MOJ, this is similar to their overall representation.

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<sup>21</sup>No TRA or working pattern information is available for just over 1,300 staff transferred from NOMS in July 2010. Total number of staff used to calculate TRA is 27,201.

## Sexual Orientation

Sexual orientation data collection commenced in 2008 for new starters only. The introduction of HR Shared Services is expected to enable more data on sexual orientation to be available for the 2011/2012 report.

For 84 per cent of staff we currently have no response recorded to questions regarding their sexual orientation. This is largely due to the majority of staff not being asked these questions. The new system introduced in May 2011 allows each staff member to declare their sexual orientation although it is not mandatory.

Of the staff who have been asked and responded to questions about their sexual orientation 92 per cent are heterosexual. Gay men identify as the second largest group of MOJ staff (2.4 per cent). Within the responses 3.5 per cent have declared that they would prefer not to say.

## Religion and Belief

Religion and belief data collection commenced in 2008 for new starters only. The introduction of HR Shared Services is expected to enable more data on religion and belief to be available for the 2011/2012 report.

For 97 per cent of MOJ staff we currently have no response recorded to questions regarding their religion and belief. This is largely due to the majority of staff not being asked these questions. The new system introduced in May 2011 allows each staff member to declare their religion and belief although it is not mandatory.

Out of those who have been asked and responded to questions about their religion and beliefs, the largest group is Christian (57 per cent), 28 per cent said that they had no religion or beliefs, 4 per cent declared Muslim and within the responses 4 per cent have declared that they would prefer not to say.



# Explanatory Notes

## Percentages

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

## Working Hours

Full time employees are those who work 37 hours per week (36 hours in London). Reduced Hours employees are those who work less than the normal contracted hours.

## Performance Markings

The total number of staff whose performance markings have been recorded is 23,777 which is less than the number of staff in post. This is because not all staff have an end of year report. Those without an end of year report include those on probation and those who are temporarily not on the performance system due to maternity leave or a career break. The figure also excludes those who have not been logged onto the reporting system.

## Abbreviations

BAME Black, Asian and Minority Ethnic

HMCS Her Majesty's Courts Service, from April 2011 this combined with the Tribunals Service to become known as HMCTS

MOJ Ministry of Justice

NOMS National Offender Management Service

TRA Temporary Responsibility Allowance – Where a member of staff is covering a post at a higher pay band for a period of more than 5 days in total an allowance (TRA) is used.

VEDS Voluntary Early Departure Scheme

## Responsibility Levels

### Senior Management

SCS – Senior Civil Service

### Other Management Grades

Band A – (formerly Grade 6 and 7)

Band B – (formerly SEO – Senior Executive Officer)

Band C – (formerly HEO – Higher Executive Officer)

Band D – (formerly EO – Executive Officer)

### Administrative Grades

Band E – (formerly Administrative Officer)

Band F – (formerly Administrative Assistant)

## Data Quality

There is limited data available for sexual orientation and religion and belief because this information has not previously been routinely collected. As a result, limited information is contained in this report.

In May 2011 a new Employee Self Service IT System was introduced in MOJ (Phoenix). All staff have access to it and it allows them to review and edit their own personal details, including sexual orientation and religion or belief. It is therefore expected that there will be more data available in these areas, which will be accessible for the 2011/2012 period.

## Declaration Rates for Ethnicity and Disabled Staff

	<b>Number of staff</b>
<b>Ethnicity Status - Declared</b>	22,660
<b>Ethnicity Status - Non-Declared</b>	5,850
<b>Total No of staff</b>	28,510

<b>Disabled or non-Disabled Status - Declared</b>	20,968
<b>Disabled Status - Non- Declared</b>	7,542
<b>Total No of staff</b>	28,510

### TRA and Working Pattern Data Rates

	<b>Number of staff</b>
<b>Total No of staff used for TRA data</b>	27,201
<b>Total No of staff used for working pattern data</b>	27,201

## Contact points for further information

Press enquiries on the contents of this bulletin should be directed to the Ministry of Justice press office:

**Press Office**

Tel: 020 3334 3536

Other queries should be directed to:

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1st Floor  
102 Petty France  
London  
SW1H 9AJ

Tel: 020 3334 4628

Email: [Equalityadvice@justice.gsi.gov.uk](mailto:Equalityadvice@justice.gsi.gov.uk)