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An Employment Equality Plan for the Northern Ireland Court Service

2007 - 2009



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Foreword by the Director



I am pleased to introduce our second 3 year employment equality plan, which sets out the Northern Ireland Court Service's continuing plan to achieve a workforce, which is reflective of the community. This plan is to cover the period 2007-09.

The Court Service is already recognised for its work to achieve equality of opportunity under Fair Employment regulations. This plan builds on that achievement, by outlining how the Court Service intends to ensure equality of opportunity in employment for people with different political opinion, religious belief, race, gender, age, marital status, sexual orientation, whether or not they have a disability and whether or not they have dependants.

This plan has been developed to cover all aspects of employment, so that equality of opportunity might be experienced, by all persons, throughout their career with us.

By doing so we believe that public confidence will be maintained in the Northern Ireland Court Service as a fair and ethical employer who offers equality of opportunity to all employees.

David Lavery

Director, Northern Ireland Court Service

Introduction

The purpose of the Northern Ireland Court Service (Court Service) is to facilitate the business of the courts and to give effect to the enforcement of judgments.

The review of the Criminal Justice system in Northern Ireland carried out in 2000, reported that public confidence in the justice system in Northern Ireland could be enhanced in a number of ways. One of the recommendations was that:

“..whatever machinery is devised for administering criminal justice matters after devolution, it should have as a primary task the development of a concerted and proactive strategy for securing a “reflective” workforce in all parts of the system”

The development of an employment equality action plan was the Northern Ireland Court Service’s response to that recommendation. This second plan describes achievements to date, work that is ongoing, and sets out our programme of action for the next three years. If any major workforce changes take place a review of the demographic data will be undertaken and the validity of this plan over its unexpired term will be assessed.

This plan demonstrates the Court Service’s ongoing commitment to equality of opportunity for all staff and achievement of the strategic objective to establish a workforce that is reflective of the community.

The plan is in two parts:

Part 1 – 3 year Timetable of Activity.

Part 2 – Employer of Choice Programme.

Background

The Court Service has key policies in place, which support equality of opportunity and fair treatment, both in recruitment and employment. Those policies are:

The Equality Scheme

This scheme describes how the Court Service in carrying out all of its functions will promote equality of opportunity between persons of a different political opinion, religion, race, gender, age, marital status, sexual orientation, whether or not they have a disability and whether or not they have dependants.

The Equal Opportunities Policy

The aim of this policy is that all eligible persons shall have equal opportunity for employment and advancement in the Northern Ireland Court Service on the basis of their ability, qualifications and skills.

The Diversity Strategy

The diversity vision is to create a culture where differences are recognised and valued with a view to maximising the efforts of individuals and optimising their contribution to the organisation.

The combined effect of the Equal Opportunities Policy, Diversity Strategy and Equality Scheme is to bring in and bring on the right people to deliver our business, in a working environment that offers fair participation and equality of opportunity.

The Court Service undertakes regular reviews of workforce flows by gender and religion and the effectiveness of people management policies in accordance with Fair Employment Regulations. The regulatory authority, the Equality Commission for NI have not requested or recommended any points for action in this area.

The Employment Equality Plan is specifically aimed at fulfilling the recommendation of the Criminal Justice Review.

Achievements against the Employment Equality Plan 2004-2006 are contained in **Appendices 1 and 2.**

Diversity Champion

The Court Service has appointed a member of the Management Board, Laurene McAlpine, as a Diversity Champion for the organisation. The Diversity Champion's role is to contribute to our aim of taking diversity issues into account in everything the Court Service does. She will ensure that perspectives of under-represented groups are heard in the top decision-making body of the organisation, and promote departmental policies and procedures that are free from discrimination. This means that she will ensure that Court Service policies are fully inclusive, encourage attendance at diversity events, fulfil an advocacy role and exemplify taking personal responsibility for valuing diversity.

The Court Service currently monitors religion, race, age, gender and disability status of staff. There is a recognised under-representation of males and a perceived under-representation of people with disabilities and people from ethnic minorities. Activities designed to address the under-representation in these groups have been built into the plan. We also continue to expand the categories of data captured on the staff database.

The Court Service is one of the 7 main statutory criminal justice organisations involved in delivering criminal justice in Northern Ireland. The Criminal Justice Board which is composed of the heads or senior officers from the 7 main organisations has developed an overarching diversity strategy. Due regard has been given to that strategy in the development of this plan.

Equality Impact Assessment

The Northern Ireland Court Service has made a commitment in its Equality Scheme to screen all policies for potential adverse differential impact on any of the 9 groups contained in section 75 of the Northern Ireland Act 1998.

This plan has been submitted for equality screening and after due consideration was screened out for Equality Impact Assessment.

Part 1 Proposed Action Plan 2007- 2009

The following plan has been informed by the outworking and success of our previous plan for the years 2004 -2006 which was developed in consultation with the Equality Commission for Northern Ireland (Equality Commission).

The Equality Commission have welcomed the original Employment Equality Plan acknowledging in their letter of response that it was a “very detailed action plan which embraced all the relevant equality areas” and recognising the Plan as “a model of good practice”.

Some of the work carried out to inform the revised plan includes:

- **Appendix 1 - Review and evaluation of achievement** against the targets and objectives contained in the 2004-2006 plan
- **Appendix 2** – Review of activities contained in the 3 year timetable
- **Appendix 3** - Participation in Opportunity Now Benchmarking Exercise – September 2005

This plan is aligned with the organisational Corporate Plan and the Fair Employment monitoring periods and will cover the period 2007-2009.

Targets

By 31 December 2009

- To maintain the religious balance in the Administrative grade (AO)
- The proportion of applicants for promotion will be gender reflective of the applicant pool.

Review

The report of the Criminal Justice Review contained an acknowledgement that “It will take time to get a **reflective workforce** and we do not recommend compromising the merit principle in order to achieve this objective.”

We therefore recognise that a reflective workforce at all levels will take time to achieve, and that on the expiration of the 3 years contained in this action plan, a review of progress will take place and areas will be identified for a further action.

Progress Reporting

By 31 March each year a report of progress against targets and activities will be published on the organisational website.

Timetable of Activity

Year 1 (By 31 December 2007)

Equal Pay

- To continue to formally monitor Equal Pay and report to HM Treasury, to ensure that 'pay drift' does not occur.
- The Court Service will focus on the need to continue shortening pay ranges and ensure that this is supported with clear and transparent progression arrangements.

Employment Policies

- To implement the outcome of the Special Leave Policy Review
- To review our Dignity & Harmony at Work Policy by 31 December 2007.
- To review our Flexible Working Policy by 31 December 2007
- To monitor proportions of staff by community background and gender, against workforce figures from the 2001 Census, and identify any areas of under-representation.
- To conduct a review of workforce flows and report the findings to the Equality Commission for NI.
- To develop and implement a programme to proactively encourage under-represented groups to view the Court Service as an employer of choice.
- To conduct a workforce Disability Survey.
- To conduct an Age Audit of all policies, including a review of the age profile
- To maintain our disability positive action programmes such as Access to Work and the Orchardville placements

Working Environment

- To ensure that all complaints of discrimination are dealt with appropriately.
- To ensure that outcomes from complaint investigation are followed up.
- To provide learning events for new entrants in diversity and equality awareness.
- To maintain learning provision for managers in our Dignity and Harmony at Work Policy.
- All Human Resource Unit staff to have regular access to anti-discrimination law updates

Year 2 (By 31 December 2008)

Equal Pay

- To continue to formally monitor and report the situation to ensure that 'pay drift' does not occur.
- The Court Service will focus on the need to continue shortening pay. ranges and ensuring that this is supported with clear and transparent progression arrangements.

Employment Policies

- To implement any recommendations from the Flexible Working policy review.
- To monitor proportions of staff by community background and gender against workforce figures in 2001 Census statistics and identify any areas of under-representation.
- To review our disability code of practice and Good Practice Guide.
- Continuous implementation of the programme to proactively encourage under-represented groups to view the Court Service as an employer of choice.
- To implement any recommendations from the Age Audit.

Working Environment

- To ensure that all complaints of discrimination are dealt with appropriately.
- To ensure that outcomes from complaint investigation are followed up.
- To maintain learning provision for new entrants in diversity and equality awareness.
- To maintain learning provision for managers in our Dignity and Harmony at Work Policy.
- All Human Resource Unit staff to have regular access to anti-discrimination law update.

Year 3 (By 31 December 2009)

Equal Pay

- to continue to formally monitor and report the situation to ensure that 'pay drift' does not occur.
- The Court Service will focus on the need to continue shortening pay ranges and ensuring that this is supported with clear and transparent progression arrangements.

Employment Policies

- To review the equal opportunities policy.
- To review recruitment and selection procedures
- To monitor proportions of staff by community background and gender against workforce figures from 2001 census and identify any areas of under-representation.
- Review the effectiveness of the programme to proactively encourage under-represented groups to view the Court Service as an employer of choice, particularly applicants from ethnic minorities.
- To participate in diversity benchmarking exercise.

Working Environment

- To ensure that all complaints of discrimination are dealt with appropriately.
- To ensure that outcomes from complaint investigation are followed up.
- To maintain learning provision for new entrants in diversity and equality awareness.
- To maintain learning provision for managers in our Dignity and Harmony at Work Policy.
- All Human Resource Unit staff to have regular access to anti-discrimination law updates.

Part 2 Employer of Choice

A Programme to pro-actively encourage under-represented groups to view the Northern Ireland Court Service as an Employer of Choice

Background

The Report of the Review of the Criminal Justice System in Northern Ireland states that:

“The attainment of a workforce that is, at all levels, and in its constituent agencies, broadly reflective of the community in Northern Ireland, by religious background, gender and other categories identified in section 75 of the Northern Ireland Act 1998, is an objective for the criminal justice system which we strongly endorse. It will take time to get there and we do not recommend compromising the merit principle in order to achieve this objective.”

This programme demonstrates the Court Service’s ongoing commitment to equality of opportunity for all staff and our desire to affect through lawful means a workforce that is reflective of the community.

The implementation of this programme will also promote good relations between persons of different political opinion, religious belief and race by offering outreach and employment opportunities.

Defining Under-representation

To define whether a group is under-represented we need to monitor the proportions of each group in the workforce and make a comparison against a recognised benchmark. The NI Census 2001 provides a benchmark for community background and gender in the workplace. In relation to the other section 75 groups monitoring protocols have not yet been decided therefore any perceived under-representations in these groups cannot yet be measured. Whilst no definitive measurement of all groups is available, from the data that is available, under-representation of people from ethnic minorities and people with disabilities is perceived. The programme will include specific measures targeted at these groups.

Maintaining Public Confidence

The Equality Commission have advised that the desire to increase the proportions of under-represented groups, must be balanced with the need to maintain the confidence of those sections of the community that already have confidence in the criminal justice system.

The programme must be sufficiently flexible, that the focus can be changed or removed if balance is being or is close to being achieved. Demographic change is slow to respond to external influence so we must be sure that we can halt the process when necessary. The safest method to achieve this is a slow but steady change. The Disability Discrimination Act 1995 allows for positive action in respect of people with disabilities, which for other groups might constitute discriminatory action.

Employer of Choice

The programme will from time to time contain all or some of the following elements:

Internal

- Targeted survey of new entrants, focusing on under-represented groups
- Action on areas identified in Staff Attitude Survey
- Branding of recruitment process
- Monitoring of appointments/leavers/proportions at all levels
- Exit Interviews

External

- Removal of unnecessary barriers
- Welcoming statements
- University Recruitment Fairs
- Job event recruitment fairs
- Government Unemployment initiatives
- Advertising
- Marketing the NI Court Service
- Targeted careers initiatives at secondary level schools
- Student Work Placements

Measurement of Effectiveness

The effectiveness of the programme can be measured by the reduction in under-representation both in the applicant profile and the appointee profile. In order to ensure that the programme does not damage public confidence in the Court Service as a fair employer, the programme should be reviewed annually. See **annex 4** for proposed review template.

Various elements of the programme will show benefits over different timescales.

These timescales can be categorised into:

- immediate, 0-2 years
- medium term 2-5 years
- long term 5-10 years

Recommendations

That the programme of activity should be decided on a year on year basis.

Programme for 2007

	Key Area	Activity	Results expected
Activity to achieve immediate impact	Targeted advertising Removal of barriers to fair participation	Any AO schemes to be widely advertised in areas of high proportions of under-represented groups, to ethnic minority community groups and to disability sector organisations To continue removal of requirement for 5 GCSE's for disabled people and responding to individual requests for reasonable adjustments as required	0-2 years
Activity to Achieve Medium-term impact	Recruitment Fairs Surveys Exit interviews	To participate in recruitment fairs Conduct targeted new entrant surveys Take action on areas of weakness identified by staff survey Conduct targeted exit interviews with Under-represented groups	2-5 years
Activity to Achieve Long-term impact	Work placements	Invitations for work placements targeted at under-represented groups including ethnic minority children and children with physical disabilities	5-10 years

Report of Progress against Targets and Objectives in the Northern Ireland Court Service Employment Equality Plan 2004-2006
Targets - By 31 December 2006

Target	Achieved?	Comments
To increase the representation of Roman Catholics in the Administrative grade (AO) to 42.7% on the assumption that 2 recruitment schemes take place in that time	Yes	<p>The current Roman Catholic representation at the AO grade of staff with known religion is 43%.</p> <p>Two recruitment schemes took place one in 2004 the other in 2005</p> <p>The Equality Commission advised that welcoming statements for Roman Catholics were no longer required in advertisements</p>
The number of applicants for posts at Deputy Principal and Grade 7 will be gender reflective of the applicant pool	Yes	An examination of the gender representation at all grades over the past 11 years shows a shift in the distribution of males and females at all tiers up to Senior Civil Service. The previous trend of under-representation of females at the higher grades has changed with the proportions in each grade reflecting the grade below. The trend at Senior Service grades is still for an under-representation of females.
90% of part-time working applications will be facilitated within 8 weeks	Yes	All flexible working applications were facilitated 118 contracts of employment were amended to facilitate work life balance choices.

Review of Activities contained in the 3 year Timetable

Activity	Year timetabled	Achieved?	Comment
Equal Pay Reviews	2004,2005,2006	Yes	
Shortening of pay ranges and clear and transparent progression arrangements	2004,2005,2006	Partial	The department has continued to shorten pay bands year on year and staff are aware of how their annual pay rise is calculated. The current method of calculating pay progression is not transparent, in that staff are unable to easily calculate their 'journey time' from the bottom to the top of their pay band. The department is attempting to address this issue by introducing more transparent arrangements as part of the ongoing 2006 pay negotiations.

Employment Policy Reviews:			<p>In addition to the timetabled activity 22 other policies and schemes relating to the employment contract and work life balance were reviewed or developed. The creation of a staff handbook available on-line to all staff has created better access to employment policies, procedures and guidance</p>
Equal Opportunities	2004	Yes	
Promotion Policy	2005	Yes	
Recruitment Policy	2006	Yes	
Additional activity Undertaken:			
Diversity Benchmarking	2005		<p>The result of this exercise was that the Court Service benchmarked above other employers in the same group.</p>

<p>Monitoring</p> <p>To monitor staff by religion and gender in comparison with 2001 census, identifying any areas of under representation</p> <p>Evaluate the effectiveness of current affirmative action measures</p> <p>To develop and implement a programme to proactively encourage under-represented groups to view the Court Service as an employer of choice</p>	<p>2004,2005,2006</p> <p>2004,2005,2006</p> <p>2004,2005,2006</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Advised by Equality Commission for NI that welcoming statements for Roman Catholics no longer required in recruitment advertisements</p>
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Disability Initiatives			
To conduct a workforce disability survey	2004	Yes	Also re-surveyed in 2005/06
To implement the action plan from the disability survey	2005	Yes	A central register of reasonable adjustments was collated and a review programme developed
Staff with dependants			
To survey staff working flexibly or part-time	2005	No	Initially postponed in response to organisation survey fatigue
To implement the action plan from flexible working survey	2006	No	Has now been deferred to new plan to inform organisation response to changes to flexible working legislation.
Race			
To review the reservation of posts under the Civil Service Nationality Rules	2005	Yes	The review has been completed and supported by the Cabinet Office guidance and resulted in a reduction in the number of reserved posts from approx 80% to less than 1% of the workforce

Working environment			
Complaints of Discrimination are dealt with appropriately	2004,2005,2006	Yes	5 formal complaints lodged and investigated 1 separate request for mediation facilitated
Outcomes from complaints investigations are followed up	2004,2005,2006	Yes	Recommendations in investigation reports were implemented, the effectiveness of the review mechanisms will be assessed when the Dignity & Harmony at Work policy is reviewed
Training is provided for new entrants in diversity and equality awareness	2004,2005,2006	Yes	120 staff participated in the programme during the period of the plan
Training is provided for managers in Dignity and Harmony at work policy	2004,2005,2006	Yes	Training in this and other key people management policies are a standing item in the Corporate Learning Plan

Gender Equality and Diversity Benchmarking

“Opportunity Now” – is a business-led campaign that works with employers to realise the full potential of women at all levels and in all sectors of the workforce. Every year Opportunity Now members from the public, private and education sectors participate in the UK’s single largest survey of employer practices. The Northern Ireland Court Service is a member of Opportunity Now, and in 2005, participated in the benchmarking exercise, along with 158 other organisations.

The standards awarded are;

Platinum- indicates a score of 95-100,
Gold – indicates a score of 80-94,
silver indicates a score of 50-79 and
bronze – indicates a score of 25 – 49.

The Court Service achieved Gold Standard, having an overall score of 92%. The sector in which we benchmark is central government. Our score in this exercise benchmarks above the average scores for central government employers.

Table comparing the NI Court Service score against the Central Government Benchmark

	NI Court Service	Central Government Benchmark
Motivate Strategic vision and commitment	94%	84%
Act Operational action	91%	81%
Impact Monitoring participation and evaluation	91%	69%
Overall	92% (Gold)	78% (Silver)

Evaluation

The Court Service previously participated in this benchmarking exercise in 2003. The results of that exercise were that the Court Service benchmarked at the same average standard as other organisations in the same sector.

The results of the 2005 exercise show that the Court Service benchmarked higher than other organisations in the same sector.

This demonstrates an improvement in the management of diversity in the NI Court Service.

Appendix 4

Annual Review of Programme to encourage applicants from under-represented groups

Year				
	Roman Catholic	Protestant	Female	Male
Workforce Proportion (NI Census 2001)				
NI Court Service Proportion				
Difference				

Areas of under-representation:

Roman Catholic	Yes/No
Protestant	Yes/No
Male	Yes/No
Female	Yes/No

Number of Recruitment Schemes

	Roman Catholic	Protestant	Male	Female
% of Applicants				
% of Appointees				



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