EQUALITIES DRIVING JUSTICE

REPORT ON THE THEMATIC REVIEW OF EQUALITY
AND DIVERSITY IN EMPLOYMENT PRACTICE IN THE
CROWN PROSECUTION SERVICE

NOVEMBER 2006

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HM Crown Prosecution Service Inspectorate

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PREFACE

Stephen Wooler
HM Chief Inspector of the
Crown Prosecution Service

Her Majesty's Crown Prosecution Service Inspectorate was established as an independent body in 1999 and placed on a statutory footing by the Crown Prosecution Service Inspectorate Act 2000 which was implemented in October that year.

This was at a time when the Commission for Racial Equality was expressing concerns about race discrimination in the Crown Prosecution Service. This also coincided with publication of the Stephen Lawrence Inquiry which called for all agencies within the criminal justice system to examine their policies and practices to guard against disadvantaging any section of the community. Against this background, and as Chief Inspector of the new Inspectorate, I have always attached the greatest of importance to equality and diversity considerations within the inspection process and, as part of this, in scrutinising how equality and diversity is reflected in the policies and practices of the Crown Prosecution Service.

Following the Race Relations (Amendment) Act, 2000, I was pleased to facilitate the joint work between the Commission for Racial Equality and inspectorates of public services to develop an inspection framework that fully reflected the new responsibilities of public authorities, including inspectorates, under the Act. 'The Duty to Promote Race Equality. A Framework for Inspectorates' was published in 2002.

Hitherto the emphasis of this Inspectorate has been on ensuring that equality and diversity is properly reflected in the Service's casework. In 2002, the Inspectorate undertook a major Thematic Review of Casework having a Minority Ethnic Dimension, which was followed up by a further report in 2004. This focus on casework does not mean in any way that the Inspectorate has not appreciated the importance of equality and diversity in relation to the Service's employment practices. Because of circumstances described in the report the timing would not have been right for us to have looked at this aspect earlier as this would have cut across the important Denman Inquiry into race discrimination in the CPS and subsequent work to implement the recommendations arising from this.

This year, however, I judged the time to be right to formally assess progress being made in relation to employment issues. I am delighted to report that my review has found that in the five years since the Denman Inquiry, the CPS has made significant progress in addressing the recommendations of the Inquiry. It has also broadened its approach to equality and diversity to embrace other aspects of diversity including gender, disability and sexuality. While there is still scope for further improvement, and we have made a series of recommendations in this respect, I am confident that with the strong leadership and commitment to equality and diversity demonstrated within the Service that these aspects will be effectively addressed.

S J Wooler, CB
HM Chief Inspector of the Crown Prosecution Service

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1   INTRODUCTION

Context of the review

1.1   This is the report of Her Majesty's Crown Prosecution Inspectorate (HMCPSI) into progress made by the Crown Prosecution Service (CPS) in relation to equality and diversity in employment practice. The purpose of a thematic review is to paint a national picture about how the CPS deals with a given subject throughout England and Wales, based upon evidence drawn from CPS Headquarters and a number of Areas. The decision to undertake the review at this particular time reflects the high profile that equality and diversity issues have in the criminal justice system and their importance within the CPS. It follows an earlier Thematic Review of Casework Having a Minority Ethnic Dimension, the report of which was published in 2002 and followed-up in 2004.

1.2   The CPS acknowledges that for some time it did not give sufficient management attention to equality and diversity. Concerted attention only focused on these issues in the late 1990's, with the threat of a formal investigation by the Commission for Racial Equality (CRE) following a number of high profile employment tribunal cases brought by black and minority ethnic (BME) staff, and community concerns about prosecution decision-making. The CPS responded with an independent inquiry, led by Sylvia Denman, that reported in July 2001[1]. In 2003, in view of progress made in addressing issues raised by the Inquiry, the CRE lifted its threat of formal investigation and instead entered into a monitoring partnership with the CPS which still continues today. However, this will be reviewed and is due to cease in 2007. The Chief Inspector of the CPS considered it was now timely to assess progress being made in relation to employment issues.

1.3   In the five years since the Denman Inquiry 2001-06, the CPS has made significant progress in addressing the recommendations of the Inquiry and has broadened its approach to equality and diversity to embrace other aspects of diversity including gender, disability and sexuality.

1.4   At national level there are a number of key developments that provide historic and current context to this inspection:

- The Report of the Stephen Lawrence Inquiry was published in February 1999, which called on all agencies within the criminal justice system to 'examine their policies and practices to guard against disadvantaging any section of our communities'. Added to this, a number of the Inquiry's findings and recommendations were specifically directed towards the CPS.

- The Modernising Government White Paper published in March 1999, recognised the need for the Civil Service generally to reflect better the society which it serves and to recruit and develop a diverse workforce.

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1   Race discrimination in the Crown Prosecution Service – Final Report, Sylvia Denman, July 2001

- In November 2005, the new Head of the Home Civil Service launched 'Delivering a Diverse Civil Service - A 10 Point Plan', as an integral part of his vision for Civil Service reform. The Plan sets out challenging targets for a more visible and diverse Civil Service and requires all Departments to put in place action plans establishing how they will each work towards the targets. Aligned with this, the Cabinet Office has a formal co-ordinating role for equality and diversity across Whitehall. It has a Chief Diversity Adviser and Corporate Diversity Team who co-ordinate, through a Diversity Champions Network, a series of initiatives to underpin the 10 Point Plan which include peer review of Departmental plans, benchmarking and sharing of good practice.

- Legislative developments include the:

  ○ Race Relations (Amendment) Act 2000 which came into force in May 2002 and imposes a general duty on public bodies to promote race equality;

  ○ enactment of the Human Rights Act 1998 which has extended the law against discrimination;

  ○ Employment Equality (Sexual Orientation) Regulations 2003 which came into force in 2004;

  ○ Employment Equality (Religion and Belief) Regulations 2003 which came into force in 2004;

  ○ Gender Recognition Act 2004 which came into effect in 2005;

  ○ Employment Equality (Age) Regulations 2006, which come into effect in October 2006;

  ○ Disability Equality Duty which takes full effect in December 2006;

  ○ the forthcoming Gender Equality Duty which will take full effect in April 2007; and

  ○ the Single Equality Bill which will lead to a Commission on Equality and Human Rights in 2007.

The role of the Crown Prosecution Service

1.5 The CPS is the public prosecution service for England and Wales headed by the Director of Public Prosecutions (DPP) and answerable to Parliament through the Attorney General. It is a national organisation consisting of 42 Areas each headed by a Chief Crown Prosecutor (CCP). Each CPS Area corresponds to a single police force area[2] and enjoys substantial autonomy but within the framework of a national organisation. This means that policy made nationally then has to be interpreted and implemented locally, and may be dependent to some extent on local factors and circumstances. The CPS has its Headquarters in London which comprises a number of Directorates and units including the Equality and Diversity Unit (EDU), Human Resources Directorate (HRD) and Business Development Directorate. In total the CPS currently employs around 8,400 staff.

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2   Except CPS London which serves the Metropolitan Police Service and the City of London Police

Purpose and themes of the review

1.6 The purpose of the inspection was to assess how effectively the CPS's Equality and Diversity Strategy and policies in relation to employment (including recruitment, retention and development) are working in practice to promote and achieve diversity within its workforce and equality within its employment practices, and in so doing support the Service's business aims.

1.7 Specific objectives were to assess:

- the effectiveness of the Service's Equality and Diversity Strategy and policies post-Denman and the extent to which these are embedded within the organisation and support the Service's business aims;

- the extent to which the Service has achieved a diverse workforce; and

- the Service's response to new and emerging legislation in the field of equality.

1.8 The review examined the following themes:

- the extent and clarity of leadership in equality and diversity throughout the organisation (Chapter 4);

- the quality of equality and diversity policies and strategies and the extent to which these have been communicated, implemented and embedded within the organisation (Chapter 5);

- preparedness for new and emerging legislation in the field of equality (Chapter 5);

- the quality of planning and target setting in relation to equality and diversity including performance management (Chapter 6);

- the extent to which the CPS is achieving equality in its working practices (Chapter 7);

- the extent to which the CPS as a whole and Areas and business units have achieved diversity within the workforce (Chapter 8).

A copy of the inspection indicators against which evidence was collected is included in Annex A.

1.9 Chapter 3 of the report sets out the background to equality and diversity in relation to employment within the CPS and the remaining chapters set out our findings and the evidence on which these findings are based. Our conclusions are set out in Chapter 9 with a summary of recommendations and aspects for improvement identified in the main body of the report. The annexes at the end of the report contain supplementary information, including the results of the questionnaire survey and workforce statistics designed to assist the reader with matters of detail. A glossary is included in Annex K to assist external readers with CPS and other terms used in the report.

The review team

1.10 The review team was led by Sarah Merchant, HM Inspector, and two Assistant Business Management Inspectors, Deborah Peters and Ike Ilegbune, with the review overseen by Sally Hobbs, HM Deputy Chief Inspector. The administration unit of the Southern Group of HMCPSI supported the team. Oversight was provided by an independent expert in the field of equality and diversity, Cecilia Wells.

2 METHODOLOGY

2.1 A questionnaire on equality and diversity issues in relation to employment was sent to all 42 CPS Areas and two other business units in April 2006. This sought views on a range of matters including roles and responsibilities, how equality and diversity issues are addressed, an assessment of progress made identifying strengths and weaknesses and potential barriers to progress. There was a high response rate of 87% and analysis of the responses is contained in Annex C.

2.2 A range of internal and external stakeholders were interviewed who provided a valuable and enlightening overview of the key issues under examination. These included representatives of the:

Commission for Racial Equality (CRE);

Cabinet Office;

National Black Crown Prosecution Association (NBCPA);

Enable network;

Lesbian, Gay, Bisexual and Transgender Network (LGBT);

Prosecution Christian Fellowship (PCF);

Islamic Staff Network;

National Secretaries Forum; and

Trade Unions.

2.3 In late-May and June 2006, fieldwork was conducted in ten CPS Areas: Dorset, Greater Manchester, Leicestershire, Northamptonshire, North Wales, South London, Staffordshire and West Yorkshire and two business units - Business Development Directorate and CPS Direct. These represent a cross-section of the entire CPS and provided us with a mix of large and small and urban and rural Areas from which to draw out evidence. Interviews were conducted with the CCP or equivalent, the Area or Unit Business Manager (ABM/UBM) and, in some Areas, the Equality and Diversity Officer (EDO) or equivalent. A substantial portfolio of evidence was prepared by the Human Resources Directorate (HRD) and Equality and Diversity Unit (EDU).

2.4 In each Area and business unit, focus groups of managers and staff were held to explore the views of staff on equality and diversity issues. These provided us with valuable insights on aspects of equality and diversity where good progress is being made and also where there is scope for further improvement.

2.5 Interviews were also held with senior managers at CPS Headquarters including the DPP, Chief Executive (CE), Director of Equality and Diversity and the Human Resources Director and relevant members of their staff.

2.6   During the review, Areas and units were asked to identify good practice and helpful approaches to developing equality and diversity in employment. While we have not fully investigated and evaluated these examples, they were found by those who gave them to have been helpful in progressing equality and diversity. A number of these have been highlighted in the body of the report and others are summarised in Annex J.

2.7   We are grateful to all the CPS managers and staff who participated in the review, for their time and thoughtful contributions, and to the Equality and Diversity Unit and Human Resources Directorate for the information they supplied and their support and co-operation.

3   BACKGROUND TO EQUALITY AND DIVERSITY IN EMPLOYMENT PRACTICE IN THE CROWN PROSECUTION SERVICE

3.1   From its inception in 1985, the CPS declared its commitment to equal opportunities. However, it was only in the mid-to-late 1990's that management attention began to focus on issues of equality and diversity in a concentrated way. This followed a number of complaints and employment tribunal findings against the CPS which had been brought by black and minority ethnic (BME) staff and concerns on the part of some communities about the way in which the CPS prosecuted crime.

3.2   The Commission for Racial Equality (CRE) expressed its concerns and, in late 1999, indicated its intention to undertake a formal investigation into race discrimination in the CPS. Following urgent discussions, in early 2000, the Service and the CRE jointly announced that the CRE was suspending its decision to embark on an investigation. The CPS announced the setting up of an independent inquiry led by Sylvia Denman and, in addition, brought forward an immediate action plan on race, covering key aspects of staffing and related issues. While the Inquiry was underway, in July 2000, the Service appointed a Head of Equality and Diversity and began to establish a central Equality and Diversity Unit (EDU).

3.3   The Denman Inquiry produced a preliminary report in April 2000, which referred to evidence of possible segregated working at the Service's Croydon office. The CRE decided to undertake a formal investigation into these matters, the report of which was published in July 2001. While this did not find evidence of unlawful discrimination, it found that management had allowed a situation to persist in which teams in the Croydon office were segregated on racial lines.

3.4   The report of the Denman Inquiry was published in July 2001. It found that, for a large public employer, the CPS had responded slowly to modern equal opportunities legislation and practices. The principal findings in relation to employment practices included:

- significant under-representation of BME staff at senior administrative and lawyer grades, although well represented overall;

- poor management and, in particular, poor management training, which was seen to underlie many of the problems highlighted;

- a reluctance to take action against managers in the field of equal opportunities;

- significant variations in performance across the 42 Areas and a need for mechanisms to hold Areas accountable;

- a significant number of BME staff had experienced race discrimination within the CPS and there was a lack of confidence in the complaints procedure and fear of victimisation;

- manifestations of a growing backlash against equal opportunities initiatives amongst white staff that needed to be confidently managed; and

- the CPS had produced many action plans and policies without ensuring these were reflected in day-to-day practice.

3.5   On the positive side, it also found a clear commitment to change at the most senior levels and some progress in relation to developing the culture of the organisation to one that positively embraces all sections of the community.

3.6   The Inquiry made a series of recommendations that focused on developing clear and accountable equality and diversity structures, changes to policies and practices including to recruitment and progression and complaints procedures, training and positive action to address under-representation underpinned by improved monitoring procedures. These were implemented with immediate effect with progress overseen by the EDU.

3.7   Significant progress was made in the aftermath of the Denman Inquiry and, in view of this, the CRE lifted its threatened formal investigation in 2002. The CRE and CPS then entered into a monitoring partnership focused on continuous improvements, with particular emphasis on employment. This involves six monthly review meetings, an arrangement that continues until 2007.

3.8   Workforce data for the Croydon office indicates there is now no segregation between teams on racial grounds and at the time of the inspection there were no formal complaints under investigation.

3.9   Steady progress has continued since. While the focus initially was very much on race, progress to address the recommendations of the Denman Inquiry have created an environment in which other issues of equality could begin to be identified and addressed, including gender, sexuality and disability. As a result the CPS equality and diversity agenda has broadened considerably over recent years.

3.10   In 2004, three years on from the Denman Inquiry, the (then new) Head of Equality and Diversity conducted a review of equality and diversity covering both employment and service delivery. 'Addressing Equality and Diversity in the CPS - A Stocktake Report' was published in September 2004.

3.11   This internal report concluded that overall, considerable progress had been made and that the CPS had successfully completed its first phase of awareness raising and of improving its approach to equality and diversity issues. In relation to employment issues, it identified a number of key strengths including strong high level leadership and a workforce that was largely representative of the population served in terms of gender, ethnicity and disability. It also highlighted good performance information on equality in employment, enabling performance monitoring which was underpinned by a well established EDU with clear links to Service-wide management and governance.

3.12 It also identified scope for further improvement which in relation to employment included a need to:

- address under-representation of target groups at middle and senior levels;

- address any significant differences in employment processes, including within the performance appraisal and review system, disciplinaries and responses to staff surveys;

- undertake a review of the equality and diversity complaints procedure, focusing on issues of confidence;

- continue to learn from employment tribunal cases and ensure the lessons were properly disseminated across the organisation; and

- focus appropriately on the range of equality and diversity issues.

3.13 The report concluded that the priority was to move equality and diversity into its logical second phase - the delivery of outcomes. To do this it recommended that the CPS pursue a 'mainstreaming plus' approach. This was seen to involve achieving a balance between mainstreaming equalities into wider structures and work processes, while retaining the specific equalities structures and focus needed to drive the agenda forward. The approach was subsequently agreed by the CPS Board and provided the basis on which a revised Equality and Diversity Strategy was based.

4   LEADERSHIP IN EQUALITY AND DIVERSITY IN RELATION TO EMPLOYMENT PRACTICE

This chapter examines whether clear leadership is demonstrated within the CPS by managers at senior and operational level.

Overview

Commitment, together with strong and visible leadership is vital in bringing about any change of attitude and practice within the workplace, and is particularly necessary in the case of equality. This review has found the necessary commitment to change and leadership to be in place at the highest levels with the CPS. Commitment has been backed up by changes to governance structures, the development of a strong Equality and Diversity Unit and a good level of engagement with both internal and external stakeholders to support change. However, the clear link made at the highest levels between equality and diversity in employment and the prosecution process is not always made at operational manager level.

Leadership at senior and operational levels

4.1   There is a high degree of commitment to and clear leadership in equality and diversity at the most senior levels of the organisation. Interviews with those from inside and outside the Service invariably confirmed strong visible leadership at the top of the organisation supported by a real sense of personal commitment. There was also a general consensus that leadership in this area has developed and become more focused and central to the business of the CPS in recent years.

4.2   The CPS Board has set clear goals for equality and diversity in the workplace. These include developing a workforce which represents communities at all levels, increased employee satisfaction and a workforce in which there are no differences in employees' experiences that cannot be justified. There is a clearly articulated link between equality and diversity in employment and service delivery which runs through corporate plans, policies and strategies. The Service's Diversity Delivery Plan 2005-08 sets out its vision 'to build a public prosecutions service trusted and valued by all' and goes on to say 'to be trusted to make fair prosecution decisions, we realise that our workforce needs to reflect the population we serve and to treat all employees with respect. For the public and us, equality and diversity in employment and in the prosecution process are firmly linked'.

4.3   Senior managers regularly provide key note speeches promoting the equality and diversity vision and strategy to internal conferences and staff diversity network events. They also undertake external engagements. For the past two years, the DPP and Chief Executive have attended a series of staff road shows held around the country designed to communicate corporate priorities directly to staff and to give them the opportunity to ask questions. The last series took place in 2005 for unit managers and focused on the Director's vision for the future. Equality and diversity is a central theme in these. A further series of events is being planned for autumn

2006 and the potential to involve other levels of operational managers in these is being considered. This high level, personal involvement has had a powerful impact in clearly signalling the intent of the organisation.

4.4 CPS senior managers also play a positive and pro-active role in wider Government equality and diversity fora and initiatives. This includes the Civil Service Diversity Champions Network chaired by the Cabinet Office's Chief Diversity Adviser and responsible for driving progress across the Civil Service. The Equality and Diversity Director is the designated Diversity Champion for the CPS and in this capacity chairs the Network's Recruitment Sub Group and is a member of the Mainstreaming and Workforce Strategy Sub Group.

4.5 The review also found a good level of leadership in equality and diversity matters at Chief Crown Prosecutor (CCP) and Area Business Manager (ABM) level, which has again become more focused in recent years, although this was generally not as pronounced as at the most senior level. Some staff referred to 'lip-service' being paid to equality and diversity at Area senior management level although we found little hard evidence to substantiate this.

4.6 While there is strong and visible leadership at the most senior levels, the review found evidence of some dilution of leadership at operational management level with some managers seeing their role more in terms of managing equality and diversity issues in a re-active manner as opposed to a pro-active leadership role. In general, they did not appreciate how important their leadership was in conveying messages to staff. Many operational managers saw equality and diversity in relation to employment as solely about improving representation levels and 'ticking boxes' in this respect and did not have a sense of the wider aims. In such cases the links between employment issues and service delivery and confidence were not being made as effectively as they might. The CPS needs to continue to take every opportunity to re-inforce this link to ensure it becomes a reality at all levels.

Governance structures

4.7 In late 2004, the CPS reviewed and revised its governance structures, one of the outcomes of which has been to mainstream equality and diversity in all CPS business. This involved moving to a smaller Board (from 25 to 16 members) which includes both the Human Resources and Equality and Diversity Directors. The Board also includes three non-executive Directors who serve for a fixed term and whose appointment takes account of their equality and diversity experience and skills. Non-executive Directors have been actively involved in equality and diversity work.

4.8 The changes to governance structures have resulted in the appointment of more women to the Board providing positive role models for the organisation. The percentage of women on the Board increased from 27% in January 2000 to 44% in November 2004 following the changes, although it currently stands at 35%.

4.9 The new Board committee structure is smaller and more focused. Two committees have specific equality and diversity responsibilities, while the others are charged with ensuring that equality and diversity is mainstreamed in their work. This visible mainstreaming has had a positive impact in ensuring the focus on equality and diversity is maintained and it will be important that this clear focus continues in line with the organisation's "mainstreaming plus" approach.

The role of the Equality and Diversity Unit

4.10 The Service's Equality and Diversity Unit, established at the time of the Denman Inquiry in 2001, provides a clear focus for leadership in equality and diversity matters. It is a small strategic stand-alone unit reporting direct to the DPP and Chief Executive, and its role includes the development of equality and diversity policy and strategy, directing the delivery of strategy across the organisation and enabling and supporting the mainstreaming of equality and diversity within the Service.

4.11 Following the publication of the Stocktake Report on Equality and Diversity in 2004, a comprehensive review of the functioning of Equality and Diversity Officer (EDO) posts, established in the wake of the Denman Inquiry, was commissioned. This identified that while EDOs had provided an effective source of knowledge and expertise for Areas and had helped to raise the profile of equality and diversity issues, there had been a lack of clarity around roles, and arrangements for creating additional support in Areas had been undertaken in an ad hoc manner. It concluded that this approach would not facilitate the delivery of the next phase of development and put forward a number of options for the future.

4.12 New structures were put in place which envisaged ABMs actively co-ordinating and progressing equality and diversity at a local level, supported by Projects and Performance Advisors (PPAs) responsible for assessing Area performance on key equality and diversity measures and assisting them secure improvement.

4.13 Four PPAs were appointed between July 2005 and February 2006. Initial feedback from some fieldwork Areas about the role was positive. Some significant improvement work in relation to service delivery has already been done, for example, work with CPS Merseyside following the Anthony Walker murder case leading to two reports: an overview report on good practice and lessons learnt and a detailed internal case study.

4.14 However, this review has found that Areas do not yet fully understand the purpose of the PPA role and how this fits with local roles and responsibilities, including that of the ABM. The balance between reviewing performance and assisting improvement has yet to be struck although draft proposals addressing this are being taken forward. In addition, bearing in mind that one of the weaknesses of the previous EDO structure was identified as lack of clarity around roles, the EDU will need to ensure that once its future proposals are agreed, that these are effectively communicated.

4.15 On the ABM side, the original proposal for ABMs to have a co-ordinating role was superseded by re-structuring proposals as part of police reform which envisaged a dedicated equality and diversity resource in each of the newly created CPS Areas. Police reform however has not been taken forward as originally envisaged. More recently, the CPS has reviewed its Area structures and is taking forward a lead Area structure incorporating a dedicated equality and diversity officer resource.

Aspect for improvement
Clarification and communication of roles and responsibilities of Projects and Performance Advisors and their relationship with Area responsibilities.

Clarity of equality and diversity roles and responsibilities

4.16 The revised CPS Equality and Diversity Policy published in 2005 sets out broad roles and responsibilities for the DPP, Board, managers, staff and the EDU, the first time that roles had been set out in this manner.

4.17 This thematic review has found that senior managers are generally clear about their roles and responsibilities for equality and diversity. While operational managers and staff had a general understanding of their roles and responsibilities for equality and diversity in relation to employment, these tended to be expressed in a re-active manner. In many Areas there was a clear sense that equality and diversity was seen as very much the responsibility of, and left to, the ABM with managers themselves simply responding to equality and diversity issues as they arose in the workplace. The link between equality and diversity in employment and service delivery at this level was not always being made as effectively as it might.

4.18 Continued work at Area level is needed to ensure managers and staff understand how their roles and responsibilities impact upon and can contribute positively to the equality and diversity agenda.

Engagement and co-operation with representative groups

4.19 Externally, since the Denman Inquiry the CPS has worked hard to develop its relationship with the CRE and now has a positive and constructive relationship with the Commission. It also engages appropriately with the Equal Opportunities Commission and the Disability Rights Commission and more recently with Stonewall.

4.20 Internally the CPS recognises and funds three staff diversity networks, the National Black Crown Prosecution Association (NBCPA); Enable and the Lesbian, Gay, Bisexual and Transgender Network (LGBT), which make important contributions to equality and diversity developments. There are differences in the levels of dialogue with, and funding of, networks. The NBCPA has regular meetings with directors while dialogue with the others tends to be more ad hoc and generally at a lower level. While NBCPA receives funding in the region of £80,000 annually and facility time for executive committee members (333 days in 2005-06), the other networks receive funding of around £2,000 annually and no facility time. Some network

officers interviewed were struggling to find the time to deal with network business and said that their network responsibilities were not always taken into account when work was being allocated. The reasons for these differences are largely historical. After the Denman Inquiry the Service's focus was mainly on addressing race issues hence the need to ensure NBCPA was well resourced to support the organisational changes needed. Sexual orientation and disability issues have more recently come to the fore.

4.21 Three other staff networks, one occupation-based and two faith-based, are not supported financially: The National Secretaries Forum, Prosecution Christian Fellowship and the Islamic Staff Network (although the latter is not currently functioning). The latter two differ in their remit from the other staff networks as they not only provide a network for sharing a common set of experiences, in this case based on religion, but also, in part, seek to promote a particular faith. This poses a challenge to the CPS both as a secular organisation and an equality and diversity employer. Careful examination is needed of the role and contribution of faith-based networks to ensure that their purpose and role in supporting the business is clear.

4.22 Our review found that staff awareness of networks is generally very good although there was less awareness of the existence and role of Enable. Membership of this network is relatively small and with limited funding and no facility time, there were indications that it is struggling to fulfil its potential, although steps have recently been taken to ensure better links with the EDU and HRD.

4.23 The CPS is aware that it needs to achieve greater parity across its staff diversity networks and a review has recently been commissioned to help identify how networks can maximised their links to core business, including ensuring appropriate parity of treatment and developing protocols to guide the future relationship with the wider organisation.

RECOMMENDATION

We recommend that, as part of its review of staff diversity networks, the CPS:

- examines the role of faith-based networks and ensures that their role in supporting the business is clear;

- takes action on the findings of the network review to achieve appropriate parity across networks and ensure their contribution to core business is maximised; and

- strengthens the Enable network so that it can realise its full potential.

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5 EQUALITY AND DIVERSITY POLICY AND STRATEGY IN RELATION TO EMPLOYMENT PRACTICE

This chapter examines the extent to which appropriate policies and strategies in relation to employment practice have been developed and how effectively these are communicated.

Overview
The CPS Equality and Diversity Policy is clear, supported by a Strategy to 2008, and relevant to business aims. The Service takes its responsibilities in the field of equality and diversity seriously, and has adopted a thorough and comprehensive approach to impact assessments of employment policies. It is well prepared for new and emerging legislation. There has been good communication of the standards of behaviour expected in the workplace, which staff are well aware of and understand although further work is necessary to ensure that some of the policy and guidance materials is effectively communicated.

Policy and Strategy development

5.1 A revised Equality and Diversity Policy and a Strategy for 2005-08 were produced in 2005. These build on the previous Policy introduced at the time of the Denman Inquiry and provide a clear focus for delivering outcomes and results. The Equality and Diversity Policy sets out the Service's overall aims and commitments and how these will be delivered, responsibilities for delivery, and arrangements for review and reporting. The Policy is built upon by the Equality and Diversity Strategy for 2005-8 which sets out a vision for progress on equality and diversity and identifies key issues and challenges to be addressed, and the high level actions needed to achieve the vision. Clear linkages are made between equality and diversity in employment and service delivery.

5.2 Since its establishment, the EDU has employed a dedicated policy adviser whose role is to assist in the development of equality and diversity policy and guidance and to ensure that equality and diversity issues are appropriately incorporated in wider employment policies. The roles and relationships of policy makers in the EDU and the HRD have developed over the years and there is currently good evidence of positive and constructive joint working. For example, whereas in the past equality and diversity tended to be regarded as an 'add on', the EDU is now involved at the outset of Human Resources (HR) policy development.

5.3 The review found that, as a result of this positive partnership working, equality and diversity issues are well integrated and mainstreamed in wider employment policies and within staff and management HR guidance materials.

Stakeholder consultation in policy and strategy formulation

5.4   There was an impressive level of external stakeholder consultation in relation to the new Equality and Diversity Policy and Strategy. In early 2005, independent consultants were commissioned to facilitate a workshop to obtain feedback on early Policy and Strategy drafts from a number of organisations representing women, faith organisations, black and minority ethnic (BME) groups, disabled people, lesbian women, gay men, bisexual and transgendered people among others.

5.5   Internally, Areas reported that they were appropriately consulted in development of the revised Policy and Strategy. Internal stakeholders reported that there is generally a good level of dialogue with the EDU and HRD and appropriate consultation in equality and diversity matters. In 2004-05, staff diversity networks were asked to contribute to the review of the CPS Equality and Diversity Policy and Strategy, the performance assessment rating impact assessment (see paragraphs 7.38-7.43) and the review of the Equality and Diversity Complaints Procedure (see paragraphs 7.27-737). However, consultation in relation to equality and diversity aspects of wider employment policies has come under much pressure in recent months due to the high level of human resources policy reviews as part of the CPS Invest Programme. Some stakeholders said that consultation can be rushed and it can be unclear as to what stage a particular policy has got to.

Diversity impact assessment of employment policies and practices

5.6   The CPS has taken a comprehensive and thorough approach to impact assessments including a good level of stakeholder consultation and involvement. To date it has completed two employment related impact assessments, one covering the performance appraisal ratings (see also paragraphs 7.38-7.43) and the other covering Treasury Counsel, which was commissioned by the Attorney General. Partial impact assessments of the transition from Service Centres to Business Centres and the restructuring of the HRD have also been completed.

5.7   As a result of its approach, the Service has found the impact assessment process to be more resource-intensive than originally envisaged. While less employment related impact assessments than planned have been conducted, those that have are of a high standard. The assessment of performance appraisal ratings, undertaken in 2005, was a major and thorough piece of work which was commended by the CRE. The Commission has endorsed the Service's approach of fewer but more detailed assessments.

5.8   While at the time of the review the CPS was behind schedule with its programme, outstanding assessments are being taken forward. An impact assessment of the Service's Higher Court Advocacy Strategy was currently underway and there are plans to commission an assessment of the disciplinary process shortly. Work is also planned to undertake an impact assessment of any revision of CPS structures in response to police reform, although in the light of recent development this work is currently on hold.

Aspect for improvement
Completion of outstanding impact assessments, in particular of
e-learning and the Prosecution College originally planned for 2005-06.

5.9 The outcomes of employment related impact assessments are shared with relevant interest groups for instance staff diversity networks, although some stakeholders interviewed were not fully aware of the outcomes. There is scope for wider dissemination internally and to the public, in keeping with the Service's commitment in its Race Equality Scheme, to publish the results of assessments in order to increase openness, demonstrate its commitment, and enable stakeholders to assess performance.

5.10 Impact assessment training carried out several years ago proved ineffective largely because the extent of the full statutory requirements in relation to impact assessments required clarification. The Service is currently rolling-out a series of impact assessment workshops for staff from the Policy, HR and Business Information Directorates to facilitate early impact assessment of new policy in future.

Communication

5.11 While the revised Equality and Diversity Policy and Strategy was well promoted via CPS media at the time of its publication, this review has found that the current level of awareness of this policy document is mixed at Area level with many managers and staff saying they did not recall having seen the Policy. Adding to this, the Policy was not easily accessible to staff. At the time of the review, an Equality Statement which predated the Equality and Diversity Policy was all that was available on the staff intranet.

5.12 In 2001, the then DPP introduced agreed standards of behaviour within the CPS under the heading 'Dignity at Work'. These standards cover relationships between managers and staff, and between staff as a peer group. They make clear the sort of behaviour that is considered unacceptable, including bullying and all forms of harassment. The standards were, and continue to be, distributed to all members of staff in an easily understandable format, and have remained the mainstay of expectations about behaviour since then.

A number of Areas, including Dyfed-Powys, North Wales, Derbyshire and West Yorkshire, have introduced their own Area 'behaviours' documents, supplementary to the Service's Dignity at Work policy and expectations set out in the Equality and Diversity Policy. Generally, these are used to set local standards and drive Area vision and needs. In West Yorkshire's 'Behaviours we expect' document, a clear link with individual staff development was evident.

5.13 The CPS has worked hard to present staff information on HR policies, including those with an equality and diversity dimension, in a more user friendly and accessible way which has been appreciated by some staff. It has published a series of 'I need to know about....' booklets which cover the key essentials of a particular policy from a staff perspective. Topics covered include disability, flexible working, data protection, stress, internet and email usage, whistle blowing and employee domestic violence.

5.14 The review found that the vast majority of staff were aware of these booklets but relatively few had read them. Areas tend to circulate hard copies to offices generally without any accompanying note or email. Staff said that when booklets arrived on their desks they tended to put them to one side as a reference document. While this is acceptable in some circumstances, as this is their purpose, in others this is not the case. In particular, the information on disability provides guidance for all staff about working with disabled people.

5.15 For managers, guidance has been developed on the Employment Equality (Religion or Belief) Regulations and Employment Equality (Sexual Orientation) Regulations. Guidance is being developed on the Gender Reassignment Regulations. Other management guidance produced in the form of 'I need to know....' booklets covers the process of filling a vacancy and managing organisational change incorporates relevant equality and diversity considerations. While many managers said they were aware of these, others said they had not seen them. As with staff, managers tended to regard them as reference guides.

5.16 Although many fieldwork Areas and questionnaire respondents said that new equality and diversity issues, including any new guidance materials were discussed at management and team meetings, there was little evidence of this in minutes of meetings and in practice managers and staff were unable to give specific examples of such.

Aspect for improvement
Further consideration to be given to communicating equality and diversity policy and guidance materials to ensure that all staff, and particularly managers, are aware of the implications for their roles and that equality and diversity is fully integrated within management practice.

Preparation for new and emerging equality and diversity legislation

5.17 The Service takes a pro-active approach to new developments in the equality and diversity field. It keeps abreast of new and emerging legislation and practice in the field of equality and diversity through a range of means including membership of the Equality and Diversity Forum, a cross-strand national network of organisations which focuses on new and developing legislation and organisational practices, and the Organisation Resources Counsellors Network, a network of senior HR and diversity professionals across the public and private sectors. It subscribes to,

and on occasion contributes to, key journals on equality and diversity. There is also participation in the Diversity Champions and Diversity Practitioners Networks co-ordinated by the Cabinet Office, the Employers Forum on Age and the Stonewall Champions Network.

5.18 Appropriate action is being taken to prepare for new legislation. In preparation for the new equality duties that will extend general and specific duties to gender and disability - in addition to race - by April 2007, the CPS has secured agreement with the Disability Rights Commission, Equal Opportunities Commission and CRE to produce a Single Equality Scheme that will cover all three strands. Work is well underway with a view to publishing this by December 2006. There is a high level of stakeholder involvement with key internal and external stakeholders well represented on both the Project Board and Project Reference Group. A standing group on disability will form part of the proposals both in response to the legislative requirements to involve disabled people, and in recognition of the need to ensure greater focus on disability issues in the future.

5.19 In respect of developing legal obligations for what are termed the 'new' equality strands, namely religion or belief, sexuality and age, the Service is taking a pro-active approach in deciding to incorporate them within its Single Equalities Scheme. The Service has also volunteered to take part in a Cabinet Office initiative to undertake a pilot monitoring exercise on gender identity, faith and sexual orientation (sexuality and faith is already monitored through the staff survey). This was being taken forward at the time of our review.

5.20 Preparation for the new Employment Equality (Age) Regulations, which come into force later in 2006, is well advanced. A working group comprising HRD and EDU policy staff, established early this year, has undertaken a full review of employment policies in the light of the new regulations and amendments needed are currently being progressed.

5.21 Area senior managers told us that they were generally kept well advised of forthcoming changes and were appropriately involved and consulted. There was, though, some confusion around the timing of the forthcoming Single Equality Scheme and how this would impact on the existing Race Equality Scheme, which needs clarifying.

5.22 Comprehensive management guidance has been produced in respect of recent legislative developments, for example on the Gender Reassignment Regulations, the Employment Equality (Religion or Belief) Regulations and the Employment Equality (Sexual Orientation) Regulations, although as noted above these are not widely read by operational managers. Guidance on the new Age Regulations is planned.

6 IMPLEMENTATION: PLANNING FOR IMPROVEMENT AND REVIEWING PERFORMANCE

This chapter examines the mechanisms by which equality and diversity in the workplace is being implemented and sustained.

Overview

Equality and diversity issues are well integrated into the CPS's corporate business strategy: achieving equality in the workplace and a diverse workforce is a central theme. Generally, there has been an improvement in the way equality and diversity is reflected in the plans of the Service's business units and Areas, although there is scope for further improvement and more work is needed to improve the commitment and ownership of staff in respect of actions being taken to improve equality. The CPS produces a comprehensive Annual Equalities in Employment Report (the only criminal justice agency to do so in this way) which reviews the progress it has made in relation to gender, ethnicity and disability, but the accuracy and presentation of data needs to be improved. Good training is key to ensuring the strategy is understood and delivered. There has been no dedicated national programme of equality and diversity training for existing staff since 2001 as the Service has sought to integrate equality and diversity within training more generally. This approach needs to be revisited to ensure equality and diversity needs are being fully met.

Improvement planning

6.1 Equality and diversity issues in relation to employment are well integrated within the Corporate Business Strategy for 2005-08 and Business Plan for 2006-07, including an explicit priority and set of actions to become an organisation renowned for fairness, excellent career opportunities and the commitment and skills of its people. Achieving equality in the workplace and a diverse workforce is a central theme that runs through these actions.

6.2 While at Headquarters level, both the EDU and HRD Business Plans explicitly incorporate a high level of equality and diversity actions, the Service has taken positive steps to explicitly build equality and diversity issues into other Headquarters Business Plans in 2006-07. For example, there has been a step change in the level of equality and diversity actions included in the Business Development Directorate's Business Plans when compared with that of the previous year. Steps have also been taken to integrate equality and diversity into the work of the Centre of Excellence which oversees the project management of all major projects and, where equality and diversity is explicitly addressed in the business change checklist for all proposed projects. The Service recognises that there is scope to further build on this to ensure that equality and diversity is appropriately embedded in the strategic appraisal of all future major projects.

6.3   In response to the Cabinet Office's 'Delivering a Diverse Civil Service - A 10 Point Plan', which sets out employment targets for the Senior Civil Service to 2008 and actions to meet these, the CPS developed a comprehensive Diversity Delivery Plan. The Cabinet Office confirmed that this was in the top 10% of Departmental plans it had received. However, our review found a low level of awareness of the Plan at Area level and by stakeholders and action should be taken to ensure that it is appropriately communicated. The CPS responded promptly and action was taken in June 2006 to address this.

6.4   Of the 42 Areas and business units which responded to our questionnaire, 41 (98%) indicated that their 2005-06 Business Plans included employment related equality and diversity objectives and actions. However, in practice, the extent to which these issues were incorporated varied. While in some a good level of actions was included, in others there was very limited coverage. This year significant steps, led by the EDU, have been taken to improve the coverage of equality and diversity in Area plans. This includes actions focused on community engagement and prosecution of hate crimes as well as employment issues. The review found that where employment related equality and diversity plans had been limited in 2005-06, there had generally been a marked improvement in the coverage of employment related actions in current Area plans, either within overall Area Business Plans or as stand-alone workforce representation plans.

> CPS Leicestershire has adopted a local peer review process using the chair of the local Race Equality Council to review all Area plans with an equality and diversity element, for instance Area workforce representation plans.
>
> CPS West Yorkshire continues to hold a number of diversity-based focus groups, some externally facilitated, including BME, hard of hearing and part-time workers, which have been successfully used to assist the development of action plans and drive improvement.

6.5   In 2005-06 the Service carried out a Workforce Representation Themed Review, and as a result, Areas and business units were required to set employment representation targets, and plans to achieve them. The quality of targets and action plans was, at the time of this review, being assessed by Projects and Performance Advisors (PPAs) and results fed back to Areas. Early indications suggest that the quality of plans is variable, for example some plans do not incorporate quantifiable outcomes and others are limited in scope. However, the fact that such an assessment is being undertaken is a positive step which should allow the Service to broaden the plans to incorporate other actions to improve the approach to equality and diversity, as well as action to ensure appropriate levels of representation. There is also scope for developing clearer links between community engagement activities and employment actions and objectives.

6.6   The Service has had a Race Equality Scheme in place since 2002 which covers both employment and service delivery issues. The CPS has been commended by the CRE for the quality of its Scheme and the external consultation which underpinned it. The current Scheme runs until 2008 and will be superseded by the planned Single Equality Scheme due to come into force in December 2006.

6.7   While senior managers at Area level were aware of the corporate Race Equality Scheme, operational managers and staff had a low level of awareness. Overall, the Scheme did not have much meaning at local level. In an attempt to address this, in mid-2005, Areas were required to produce an Area-based Race Equality Scheme for publication including local action plans to support the corporate Scheme. In practice, these have taken a long time to produce and were just being printed at the time of our review with a view to publication. The review found that Area Race Equality Schemes are variable in scope and quality and Area managers were not clear as to the purpose of these and how they should be used. They were also unclear as to how these would sit alongside the future Single Equality Scheme. This should be clarified.

Aspects for improvement

Further development of Area workforce representation plans, in particular to ensure they incorporate quantifiable outcomes for actions and are broadened out to address equality and diversity in the workplace more generally as well as workforce representation.

Clarification to Areas of the purpose of local Race Equality Schemes and how they will fit with the Single Equality Scheme due to be produced in late-2006.

Communication of improvement plans

6.8   Senior managers at Area level are generally clear about high level actions being taken to promote equality and diversity in employment. The development of local workforce representation plans is serving to focus attention on work required at an Area level as opposed to a reliance on central actions. At operational manager and staff levels, however, awareness of improvement actions was more mixed with many staff unaware of actions being taken. Workforce representation action plans have yet to fully filter down throughout the organisation. In some Areas visited these plans had not yet been communicated to operational managers and staff.

6.9   The review also found that the level of commitment to and understanding of equality and diversity in employment at operational level was variable, with evidence of a small minority who do not see the importance of the equality and diversity agenda and expressed a clear sense that in their view it has 'gone too far'. The successful delivery of the equality and diversity agenda is very much dependent on the organisation's ability to gain the commitment and support of its people. While it may be unrealistic for the Service to secure the commitment of each and every one of its staff to its equality and diversity agenda, it needs to be aware that

some of those who are not engaged are in positions where their views and attitudes can adversely impact on others, in particular those in management roles and longstanding members of staff.

RECOMMENDATION

We recommend that the CPS takes further action to increase the commitment and ownership of operational managers and staff in respect of actions being taken to improve equality and diversity in the workplace and to counter any negative perceptions.

Reviewing performance

6.10 A system of six monthly reports to the Board on progress against the Diversity Policy and Strategy was introduced in January 2006.

6.11 Areas receive progress reports through Board papers but this was found to be insufficient to keep senior managers fully informed. The Service recognises that there would be value in sending progress reports direct to Areas in a summary format that could be disseminated to staff to help keep equality and diversity at the fore and to encourage staff awareness and engagement. CPS media is used to good effect to highlight key developments and achievements.

6.12 Assessment of workforce representation plans by the EDU was underway in the first quarter of 2006-07 (in progress at the time of the review). As reported earlier, the quality of initial workforce representation plans is variable, and in some Areas, meaningful review will be difficult. However, the Service expects the plans to evolve and improve in quality in time as Areas respond to feedback from the assessments provided by PPAs. There are plans to include progress reviews against Area plans to address issues raised in the 2006 staff survey later this year.

6.13 While some equalities measures are incorporated into the regular Area Performance Reviews (APRs) conducted by the DPP and Chief Executive, these currently focus on service delivery aspects of hate crime and community engagement. For 2006-07 no key performance measures relate to equality and diversity in employment practices, although the Service is currently piloting some 'people' measures for incorporation within the performance review system in future. These should include relevant equality and diversity indicators.

6.14 At local level the effectiveness of equality and diversity performance review is dependent on the effectiveness of Areas' overall systems for performance review which vary in quality.

CPS Durham is in the third year of assessing its performance against a Diversity Excellence Framework based on the European Excellence Model. The Framework provides a positive tool for focusing Area attention on equality and diversity performance and assessing Area progress against a range of relevant measures.

Public accountability and progress reporting

6.15 The CPS has produced, since 2003, an Annual Equalities in Employment Report which provides a comprehensive review of progress in relation to gender, ethnicity and disability in the workforce. According to the CRE, it is the only criminal justice agency to do this in such a comprehensive manner. The report is wide-ranging and goes well beyond the reporting required by the Race Relations (Amendment) Act 2000. It considers workforce data by gender, ethnicity and disability status with breakdowns covering recruitment, promotion and retention, performance appraisal ratings and alternative working patterns, with narrative highlighting any differences between workforce groups and trends. It also covers complaints, outcomes of disciplinary actions and learning and development.

6.16 While the Service is to be commended for producing such a report, there are some important weaknesses in the way in which the data is currently presented and analysed which need to be addressed. In particular, explanatory text is needed to show both the basis for calculating and how conclusions have been arrived at from the data. The way statistics on complaints and employment tribunal cases is presented is incomplete, and means that a full picture is not provided for readers. These are detailed in Annex B.

6.17 Reports on progress against the Race Equality Scheme have been made annually and with the last report incorporated in the new Scheme for 2005-08. A report on progress in 2005-06 is currently due.

RECOMMENDATION

We recommend that the CPS reviews its Annual Equalities in Employment Report with a view to improving the accuracy and presentation of the data, and accompanying text, and so provide a fuller picture of progress.

Monitoring the contribution of staff

6.18 Over three-quarters (76%) of the 42 Areas and business units that responded to our questionnaire indicated that they evaluate the effectiveness of specific objectives designed to promote equality and diversity in the workplace in the Forward Job Plans of staff and managers. However, in practice, the extent to which equality and diversity is incorporated within performance review arrangements was found to be variable. The majority of managers and staff indicated that they did not have personal objectives that related to equality and diversity practice in the workforce. Those that did, tended to have objectives worded in fairly general terms, for example 'behaving in a manner consistent with the Dignity at Work policy'.

Such general objectives were seen as difficult to measure and, as a result, not particularly meaningful. This tended not to be the case in relation to service delivery aspects of equality and diversity where objectives tended to be clearer and more measurable.

6.19 Managers were uncertain about how to capture employment related equality and diversity issues when setting staff objectives and some requested more guidance on how to do this.

RECOMMENDATION

The CPS, as part of the implementation of its new performance development review process, provides further guidance and support on how to set appropriate equality and diversity objectives which relate to employment.

Staff training and development

6.20 In 2001, at the time of the Denman Inquiry, the CPS undertook a major programme of equality and diversity training covering 7,000 staff, a significant achievement. The training was appropriately evaluated and found to have been effective in raising the profile and importance of equality and diversity issues. Positive feedback about this training was also received from staff during the course of this thematic review.

6.21 Since then the overall strategy in relation to equality and diversity training for existing staff has been to mainstream equality and diversity within all training where appropriate. We found good evidence of this. For example equality and diversity issues are explicitly incorporated within the current pro-active prosecutor management workshops.

6.22 In view of this approach, there has been no dedicated equality and diversity training for all existing staff since the 2001 training, although some Areas have arranged in-house training to meet local needs, for example on disability issues and Dignity at Work. A number of staff told us they would appreciate more training, for example on disability issues.

Subsequent to the national training following the Denman Inquiry, a number of Areas provided further local equality and diversity awareness training, for example CPS Gwent provided further training on race awareness through arrangements with its local Race Equality Council and further training for managers has been provided by some Areas, for example in CPS West Yorkshire. Courses conducted have also been aimed at developing staff awareness on specific disability issues, to improve communication with and support colleagues and the public. In one Area a course about communicating with those hard of hearing was run for staff to assist in communicating with a colleague.

6.23 For newcomers to the Service, an e-learning training module on equality and diversity was introduced in 2005. The intention was that staff who had joined since the 2001 training, and new ones, should complete the module. However, this review found that many staff, including new members, have yet to undertake the training. Of the 1,300 people due to undertake this module, fewer than 600 have completed it.

6.24 Opinions varied about the value of the training. Some found it helpful while others found it too basic, with those in post for some time tending to find it of less value. This is supported by individual evaluations completed by delegates which range from 'very useful and informative', to 'patronising and a complete waste of time'. We also found that there was generally limited follow-up of the equality and diversity module at an individual level in Areas. Most managers we spoke to had not undertaken the module themselves so were not in a good position to review it with their staff. It will be important for Areas to ensure all outstanding staff complete the training as soon as possible and then for new staff to undertake the training when they start with appropriate follow-up from line managers.

6.25 There are three different types of induction including guidance for managers as part of the Prosecution College. While efforts have been made to ensure that equality and diversity is appropriately covered in induction days, not all staff participating in the review had received induction and, of those that had, some had been in post for many months before attending. The quality of local induction and the extent to which equality and diversity was incorporated varied both for new staff and for staff moving to new roles. This is reflected in the 2006 staff survey, although the position is improving.

The proportion of staff survey respondents who responded positively to statements about induction

Staff survey statement	2002	2004	2006
When I started my current role, I was given an effective induction into my new job	32%	33%	41%
When I joined CPS, I was given an effective induction into the organisation	44%	45%	51%

6.26 Equality and diversity issues are well integrated within the Service's Transform programme for managers. The programme is built around a management competency framework which features equality and diversity as both integral and specific parts. The first of the Transform development programmes for Unit Heads and Area Business Managers included a core workshop that covers diversity issues and a 360 degree feedback exercise that addresses equality and diversity. A good level of equality and diversity coverage is also evident in the policies and procedures training for new line managers and in the introductory certificate for first time line managers.

6.27 However, the Transform programme is still in the process of being rolled-out and many operational managers we spoke to had not received any management development training.

6.28 In general, we found that operational managers were not all confident in their abilities to deal effectively with equality and diversity issues in the workplace. For example, some said they were nervous about refusing requests for flexible working or tackling poor performance in case of a complaint being brought against them. Some of these managers recalled having received training on HR policies and procedures but still considered they would benefit from further development focusing on dealing with potential conflict and difficult and sensitive issues. At the time of our review, a series of performance management workshops was being rolled-out which were expected to address some of these issues.

> In CPS South London, managers attend an Advisory, Conciliation and Arbitration Service (ACAS) course to improve their understanding of the disciplinary investigation process, and ensure appropriate management of situations according to CPS and statutory guidelines.
>
> CPS West Yorkshire has adopted a structured approach to management training including the adoption of a 'coaching management' style which facilitates improved management skills in addressing unacceptable behaviour and encourages a participative culture.

6.29 The Service recognised in its Diversity Delivery Plan that it needs to keep its approach to equality and diversity training under review. This thematic review has shown that a re-assessment needs to be carried out as soon as possible.

RECOMMENDATION

We recommend that the CPS:

- reviews the equality and diversity e-learning module and its approach of mainstreaming equality and diversity training to ensure equality and diversity needs are being fully met;

- ensures new starters receive a timely induction which incorporates relevant equality and diversity issues. If an e-learning module is to be retained, this should be completed by starters as soon as possible after joining and followed-up by line managers; and

- takes action to ensure that all operational managers are provided with the skills and confidence to deal effectively with equality and diversity issues faced in the workplace.

7   IMPLEMENTATION: ACHIEVING EQUALITY IN WORKING PRACTICES

This chapter examines the extent to which equality and fairness within the workplace has been achieved.

Overview

The CPS has established clear standards for behaviour in the workplace which are, both from the findings of this review, and the staff survey, well embedded within the organisation and understood by staff. The Service has put in place a range of flexible working arrangements both to attract staff and to enable a better balance between work and home commitments. However, flexible working arrangements are generally not being well managed either to ensure the business needs of CPS are being met or fairness of treatment to staff. Action needs to be taken to ensure that staff expectations about flexible working are realistic, and that managers have the confidence to manage flexible working properly. It would be unfortunate if staff discontent about flexible working overshadowed otherwise good progress in developing equality and diversity in the workplace. Action will also need to be taken to ensure that the Service's new complaints procedure secures the confidence of staff.

Perceptions of the workforce

7.1   Staff surveys are carried out on a biennial basis. Their purpose is to establish how CPS staff feel about their jobs and working for the Service, and for results to be used as a benchmarking tool to drive forward improved staff satisfaction. The survey, in the form of a questionnaire, is sent to all Area, Directorate and business unit staff.

7.2   Response rates for staff surveys have varied and although the overall rate increased from 64% in 2002 to 67% in 2004, it fell to 60% in 2006. There is considerable variation in response rates across CPS Areas, ranging in 2006 from below 50% to above 80%. The low response rate in the London Area, at 47% is a particular concern. There is generally a higher rate of response in Headquarters with less variation between departments.

Staff survey response rates 2002-2006

	2002	2004	2006
Total staff in post	7,165	8,148	8,526
Number of respondents	4,563	5,427	5,103
Percentage of respondents	64%	67%	60%

7.3   In some of the Areas visited, a small number of staff indicated that confidentiality of questionnaires remained a concern not withstanding that the staff survey is handled by an external company. CPS Areas need to make clear to staff the importance of staff surveys, and clarify any misunderstandings around staff confidentiality, if improvements in return rates which will provide a fuller picture of staff views is to be achieved.

7.4 Staff surveys explore the views of staff about dignity at work. In 2006 there were some positive overall findings. In total, 64% of staff felt they were treated with fairness and respect, an improvement of eight percentage points over 2004 and 10% above the external benchmark applied by the consultants undertaking the survey[3]. In total, 66% of respondents believed that the CPS is working towards equality and diversity, which is similar to the 2004 figure, and the same percentage considered that it is an inclusive organisation where people from different backgrounds are all able to contribute.

Key findings from dignity at work section of the staff survey

	2002		2004		2006	
Question	Agree	Disagree	Agree	Disagree	Agree	Disagree
I am treated with fairness and respect by the CPS	61%	17%	56%	20%	64%	15%
I think the CPS respects individual differences	59%	14%	68%	12%	NA	NA
I believe that the CPS is an equal opportunities employer	63%	15%	NA	NA	NA	NA
I believe the CPS is working towards equality and diversity	NA	NA	67%	11%	66%	10%
The CPS is an inclusive employer where individuals from all backgrounds are able to contribute fully	NA	NA	NA	NA	66%	9%
I think it is safe to speak up and challenge the way things are done in the CPS	NA	NA	NA	NA	36%	39%

NA - question not asked.

7.5 It is also positive that staff participating in this thematic review, who had joined the CPS from other organisations (including other Civil Service Departments), were generally impressed with the extent to which the Service is an equitable employer.

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3   External benchmarks provided by British Market Research Bureau are based on a nationally representative survey of employees working in the public sector

7.6 Further demographic analysis was undertaken of the 2006 survey findings which provides helpful information about the perceptions of staff across various diversity categories. This is included in the table below.

Staff survey 2006 - comparison of positive scores across diversity categories

Question	Percentage positive scores - respondents strongly agree or agree						
	Total	Disabled	Non-disabled	BME	Non-BME	LGBT	Non-LGBT
I am treated with fairness and respect (external benchmark - 54%)	64%	51%	66%	62%	66%	68%	66%
I think the CPS values its staff	28%	23%	29%	32%	28%	27%	29%
I feel motivated to do the best I can in my job (external benchmark - 71%)	58%	46%	59%	57%	59%	54%	59%
My job gives me a sense of personal accomplishment (external benchmark - 56%)	58%	48%	59%	56%	58%	61%	59%
I am satisfied with my job	51%	41%	53%	47%	54%	51%	52%
I would recommend the CPS as a good place to work	43%	32%	45%	50%	43%	41%	44%

External benchmarks provided by British Market Research Bureau are based on a nationally representative survey of employees working in the public sector.

7.7 This found that disabled staff tended to provide more negative responses than average across the board, particularly in relation to whether they are treated with fairness and respect and would recommend the CPS as an employer. (Disabled staff were also less satisfied than average with safety and comfort in the workplace.) The responses of black and minority ethnic (BME) staff were more mixed. While BME staff tended to be less satisfied with their jobs overall, they are more likely to consider that the Service values its staff and to recommend the organisation as an employer. Little difference in opinion was found between the opinions of Lesbian, Gay, Bisexual and Transsexual (LGBT) and non-LGBT staff respondents. No analysis by gender was reported, the consultants having advised the CPS that their analysis by gender revealed no significant differences. However, this is a positive finding in itself and we suggest that analysis by gender is incorporated within the survey reports in future.

7.8 As shown in the table below, grade and working pattern remained the most frequently mentioned reasons for perceived unfair treatment by staff in the 2006 survey. Comments provided in the survey, and borne out in interviews with staff, suggest that unfair treatment due to working pattern is felt by both full and part-time staff. Some full-time members mentioned that extra burdens fall on them because they are full-time and some part-time workers believed progression opportunities may be denied them because of their part-time status. Grade and working pattern reasons were followed by those of family status, age, health and gender.

Staff survey responses: percentages of staff who have experienced unfair treatment by category

Question	Percentage of staff confirming unfair treatment		
In the last two years do you feel you have been unfairly treated by any CPS staff as a result of the following … Please choose all that apply.	2002	2004	2006
Gender	7%	8%	4%
Disability	3%	3%	2%
Ethnic origin	4%	4%	3%
Age	6%	8%	6%
Sexuality	2%	1%	1%
Working pattern	15%	13%	11%
Grade	16%	18%	13%
Religion	NA	1%	1%
Gender reassignment	NA	NA	0%
Health	NA	NA	5%
Family status	NA	NA	7%
Staff networks/support group membership or activity	NA	NA	1%

7.9 Although on the face of it, relatively low proportions of staff considered that they had been unfairly treated as a result of gender, ethnic origin and disability, in the absence of further demographic breakdown of data it is not possible to draw full conclusions. For instance, if the 3% of staff in 2006 who considered themselves unfairly treated as a result of their ethnicity were all from a BME background, then the percentage of BME staff who considered they had been unfairly treated as a result of ethnicity could potentially be very high. It is suggested that the CPS provides fuller breakdowns and analyses in this respect in future.

7.10 The review found that in four of the Areas visited differing management styles and practices were adversely impacting on staff perceptions of fairness. For example, differences in the manner in which special leave and deputising arrangements were being applied were resulting in feelings of unfair treatment. The 2002 staff survey identified some negative views about managers' treatment of staff. For instance, while 52% of staff agreed that their immediate line manager treated people equally on merit alone, 21% disagreed. Only 28% agreed that senior managers treated staff in a fair and objective manner with 39% disagreeing. These questions were not repeated in the 2004 and 2006 surveys. The review found that managers' treatment of staff has a major impact on staff perceptions of equality and diversity and in the absence of continued focused questions in this respect, progress cannot easily be measured. It is suggested that the CPS considers including questions that focus on managers' treatment of staff in future in order to provide a basis on which to assess progress this respect.

7.11 While the overall staff survey results in respect of dignity at work were generally positive, in particular the increased proportion of staff who considered they are treated with fairness and respect, 48% of staff still felt that more could be done (albeit this represents an improvement on 2004 when 54% considered more could be done). Managers being held more accountable and training for staff and managers were the most frequently suggested methods by which this could be achieved.

7.12 Opinion was divided on whether it was safe to speak up and challenge the way things are done in the organisation. While 36% considered it was safe, 39% disagreed. There was also a notable lack of confidence in the staff equality and diversity complaints procedure. While it is positive that the majority of staff considered they would know how to report an incidence of bullying, harassment or discrimination (63%), only19% considered that this would be dealt with fairly (20% in 2004). The process is currently being reviewed (see paragraphs 7.27-7.37).

7.13 The Service takes the results of its staff surveys very seriously and corporate and Area level action plans are developed to address issues raised in the survey and communicated to staff. At a corporate level, the action plan to address the main findings of the 2004 survey in relation to equality and diversity relied heavily on rolling-out further staff and management training. Many objectives and outcomes were set in broad terms and would benefit from further clarification in terms of the precise level of improvement sought as a result of this.

7.14 At Area level, while it is positive that a large majority of respondents in 2006 (74%) said that the results of the 2004 staff survey had been disseminated to them, only 27% of staff considered that actions identified from the 2004 survey by their Area, Directorate or business unit had been progressed and results communicated. This was also confirmed during the course of this review and may be a factor contributing to the fall off in survey responses in 2006. The quality of action plans was found to vary. Areas need to ensure a planned approach is adopted to tackle highlighted issues and ensure plans are effectively taken forward and progress and results communicated to all staff.

Aspects for improvement
Further communication to staff to clarify any misunderstandings around staff survey confidentiality in order to encourage higher response rates and provide a fuller picture of staff opinions.

Exploration of the reasons for any differences in satisfaction between demographic groups and action taken to reduce these, particularly in relation to disabled staff.

Flexible working arrangements

7.15 The CPS is to be commended for putting in place a range of flexible working arrangements for all levels of staff with the objective of enabling staff to balance better work and home life commitments and in so doing aid and support the recruitment and retention of staff. Many staff told us that this was an important factor in their joining the organisation and in their continuing to work for it. Some said they would probably not have returned to work or been able to work at such a senior level after career breaks without such flexibility.

7.16 The Service's flexible working policy has been developed nationally and has to be interpreted and implemented locally. In practice there is a wide range of alternative working arrangements in place including flexible working hours; short-term alternative working arrangements, for example, changes to working hours to accommodate caring commitments or religious observance such as Ramadan; and long-term amendment to hours, including reduced or compressed hours and term-time only working. Although job sharing is available it is little used at present. The establishment of CPS Direct to implement the Service's out-of-hours statutory charging commitments has enabled further flexibility for some staff.

7.17 In the 2006 staff survey, 26% of respondents worked to an alternative working pattern and of those not currently doing so, 33% said they would like to take advantage of an alternative working pattern. In total 55% of staff were happy with the balance they have between work and home life with 29% expressing dissatisfaction, a similar level to 2004. Staff working in CPS Direct were much more positive than average about their work/life balance with 83% expressing satisfaction.

7.18 However, there are differences in how Areas are implementing alternative working arrangements and significant tensions exist in balancing individual requests for flexible working with operational requirements. Since 2005-06, the implementation of statutory charging requiring 9.00am to 5.00pm cover in charging centres and implementation of the CPS's advocacy strategy have added to these pressures.

7.19 From the questionnaires completed by 42 Areas and business units as part of this inspection, while 55% were satisfied (fully or in part) that flexible working arrangements harmonised with business needs, a large proportion (45%) were not

satisfied. Concerns centred on difficulties in covering courts and charging centres (mentioned by 41%) and providing appropriate office cover following the abolition of core working time (30%). Other concerns included difficulties in meeting annual leave requirements, the difficulties of managing compliance with the scheme, budgetary constraints and strong staff demand for flexible working being inconsistent with the Area's operational requirements.

7.20 Of the 27 unsatisfied or partly unsatisfied Areas that had taken steps to address difficulties with flexible working arrangements, nine (39%) had re-negotiated availability terms with individual staff, six (26%) had sought to resolve issues through discussion with their Whitley Council and five (22%) had amended flexible working schemes locally. Four (15%) of the 27 Areas had taken no action to address their concerns.

In CPS Dorset, a high rate of staff demand for compressed hours led to the Area introducing a compressed hours pilot scheme. The Area involved both the HRD and EDU in developing a structured and fair approach which included careful consideration of the number of staff requests the business could accommodate and how to allocate these opportunities fairly. The pilot was monitored and evaluated against business needs, and as a consequence, a compressed hours scheme was successfully introduced.

7.21 Many managers expressed concern about their ability to meet operational needs given flexible working practices in their departments, often agreed before they took up post. Compressed hours were cited as a particular concern that could lead to difficulties in covering Mondays and Fridays, and in ensuring fair allocation of work given the longer working days compressed hours involve. The lack of core hours was also cited as a concern with some managers saying they often did not know the times their staff were working. In some of the Areas visited, managers saw the abolition of core hours to have restricted their ability to manage staff attendance to ensure operational needs are met.

7.22 There were different practices to managing alternative working arrangements. For example, in some Areas core office hours had been introduced for all staff, in others only some grades operated core office hours and, in a number, management were dependent on the individual practices of staff to meet operational needs. There were also differences in application within Areas. For example, in one of those visited, one part of the organisation only allowed one flexible day of leave in lieu of excess hours worked each month while another allowed up to two days. The rationale for this was not clear to staff who saw this as unfair. There was also a concern that inconsistent application of flexible working hours and annual leave polices was creating difficulties in relation to percentage absence allowances and the ability to convert flexi leave to annual leave and vice versa. Amongst staff working flexible hours who responded to the 2006 staff survey, 47% said they typically lost some flexible leave due to workload, up from 40% in the 2004 survey.

7.23 The review found that, in general, once alternative working patterns were agreed they were not subject to periodic review. This could lead to alternative working patterns being less available for later applicants which some staff, particularly newer members, considered was unfair. Managers also found this to limit their flexibility, for example, when transferring people across teams as staff tended to consider that, once agreed, arrangements were permanent. Monitoring and reviews of alternative working should be undertaken by Areas to ensure that they continue to fit with business needs, and that staff understand arrangements are not permanent but subject to continuing business review.

A number of Areas have undertaken clear consultation with staff and involved them in developing operational HR related guidance in potentially problematic aspects, for instance in relation to Area rotas and annual leave policy.

7.24 Operational managers had varying levels of confidence in their ability to demonstrate business needs to staff and apply flexible working arrangements fairly. Some managers felt pressured into agreeing requests for alternative working arrangements and were fearful of refusing a request as this might be seen as discrimination or make them the subject of a complaint. Others took a more robust approach. There was a clear sense that some managers implemented the alternative working arrangements more equitably than others. Areas need to ensure managers have appropriate skills to deal appropriately with requests and ensure consistency of practice.

7.25 Some staff, particularly legal, considered that with the introduction of statutory charging and its advocacy strategy the CPS was beginning to pull back from its 'promises' on flexible working; 'promises' that had attracted them to join the Service in the first place. The Service should be aware of this as it has potential implications for retention and also recruitment of staff. Some staff, particularly newer ones, thought that the system could be unfair as it tended to be based on a first come first served basis while others said it could result in additional work burden and pressure for those with conventional working hours.

7.26 The Service monitors alternative working patterns by gender, ethnicity and disability, and publishes the results in its Annual Equalities in Employment Reports. However, this is not a comprehensive reflection of alternative working patterns as not all are included in the analysis, in particular compressed hours. The inclusion of a wider range of alternative working patterns would provide a fuller and more helpful picture.

RECOMMENDATION
We recommend that the CPS reviews how effectively alternative working arrangements are working in practice, in particular whether they meet current and future business needs, and provides further guidance, support and training for managers to ensure they are able to balance properly the implementation of alternative working arrangements with business needs.

Staff complaints and grievances

7.27 The current Equality and Diversity Complaints Procedure (EDCP) was introduced in 2002 to address concerns identified in the Denman Inquiry about how complaints were dealt with. It is based on the standards set out in the CPS Dignity at Work policy, also introduced in 2002, and includes procedures for dealing with both informal and formal complaints. In particular it introduced external investigators into the process. While the procedure has played its part taking forward the recommendations of the Denman Inquiry and subsequent developments, it is now accepted by the Service as being costly and time consuming and to have limited staff and management confidence. Our findings support this.

7.28 The current low level of confidence in the EDCP is also evidenced by views expressed in the staff survey. While in 2006, 63% of respondents were aware of how to report a complaint, only 8% of those who considered they had been bullied, harassed or discriminated against had raised the issue formally, and worryingly, only 19% of staff thought that if they reported a complaint that it would be dealt with fairly and appropriately. This represents a decline from the position in the 2004 survey.

Staff survey responses about unfair treatment and the complaints procedure

Staff survey question	2002	2004	2006
If you consider you have been bullied, harassed or discriminated against, did you raise the issue formally	30%	22%	8%
If you have been bullied/harassed or discriminated against, would you know how to formally report this	NA	63%	63%
If bullied, harassed or discriminated against, to what extent do you agree that if reported it would be dealt with fairly and appropriately	NA	20%	19%

NA - question not asked.

7.29 This review also found low levels of confidence in the system in particular in relation to the excessive time complaints take to resolve and a general lack of confidence in the outcomes and how these are handled. Specific concerns were raised about internal advisers who were perceived as favouring managers against whom complaints have been brought; the operation of the appeals process; and that those who had complaints brought against them which were not upheld tended to be left with a stain on their integrity.

7.30 The CPS is aware that action needs to be taken to ensure that complaints are dealt with appropriately and to restore confidence in the system. In 2005, the EDCP was subject to an independent review in consultation with stakeholders. This found the

system to be adversarial and that it did not result in resolution, damaged relationships, was time consuming and took too long overall. Worryingly, it also found a suspicion on the part of many interviewed that the adversarial nature probably prevented people with genuine concerns and complaints from making them.

7.31 As part of the EDCP review a new procedure, entitled 'Fairness at Work' was developed and agreed by the CPS Board in July 2005. This emphasises more detailed informal resolution procedures drawing on greater use of internal advisers, and more effective 'gate keeping' involving the HRD and the EDU to ensure that only appropriate cases go through the revised procedure. While in the short-term it is planned to continue with the use of external investigators, the longer-term aim is to deal with all complaints internally. While this may be an appropriate long-term aim as the organisation develops confidence and competence to deal with complaints in-house, a number of stakeholders expressed concern to us about the potential removal of the independent external element, which may in itself well be a further reflection of the lack of confidence in the current system. It will be important for the Service to work closely with stakeholders to build confidence if it is to meet its aim of dealing with complaints internally in the longer term.

7.32 It has taken some time to prepare for the implementation of Fairness at Work as the HRD wanted to ensure appropriate resources were in place before proceeding, but at the time of this review plans were well advanced including training for staff and managers. However, we found some confusion and concern amongst stakeholders as to the status of the new procedure, some understanding it to be still in draft and expecting further consultation before it is finalised. While stakeholders were appropriately involved in the course of the EDCP review, a final meeting of the stakeholder group was not held and instead stakeholders were asked to submit comments which were considered by the People and Equality Committee in agreeing the new procedure. It appears that this has been a factor contributing to the current misunderstanding and confusion. The Service needs to be aware of this and will need to work closely with stakeholders if the new procedure is to be successfully implemented.

7.33 Following legislative changes, a separate formalised grievance procedure, for staff who consider they have been 'treated unfairly or if they are required to act in a way' that is 'improper' (for example, if an employee is required to act in a way considered unethical or in breach of a professional code) is in place. It is planned that this will continue to operate alongside the Fairness at Work procedure. The definition of 'unfair treatment' in the context of the grievance procedure though is not clear and needs to be clarified. The managers and staff we spoke to were less familiar with the grievance procedure, and there was uncertainly about the difference between the grievance procedure and the EDCP. It will be important for the Service to ensure that the difference between the grievance procedure and the new Fairness at Work procedure is made clear to staff and managers in order that they know in what circumstances each applies.

7.34 The confidence of managers to deal with complaints and grievances varied. Some recalled having training in the EDCP and others said they had received no training. Not surprisingly, those who said that they had in the past had a complaint brought against them were more conversant with the system and confident about handling any future complaints. Others were less confident in their abilities to manage complaints. The EDCP review also found a consensus that some managers may lack the confidence as well as the competence to be able to manage staff firmly, as well as fairly, or to deal with complaints brought to their attention. It considered that this may result in staff having to resort to the EDCP. The service will need to ensure that all staff, especially operational managers, have sufficient understanding of the new system to deal with both grievances and complaints in a competent and confident manner, if it is to restore overall confidence in the system. Managers also need to understand that complaints can occur as a result of effective management of staff, and that it is the absence of adverse outcomes and not necessarily the number of complaints made that is relevant.

7.35 Our review found that the majority of complaints are dealt with informally and little use is made of the grievance procedure. Although the ECDP requires informal as well as formal complaints to be recorded, at present only formal complaints are recorded and monitored. In view of the higher number of informal complaints and the renewed emphasis on complaint resolution at an early stage, the CPS should ensure that systems are put in place in future to capture informal as well as formal complaints. It is envisaged that the Fairness at Work procedure will result in some complaints that do not have an equality or diversity dimension being re-directed to the grievance procedure. The CPS should also incorporate grievances within its monitoring data. This would provide a fuller picture and assist in monitoring the effectiveness of the new Fairness at Work procedure.

7.36 In terms of the numbers of formal complaints made by staff, as illustrated in the table below, while complaints increased to 39 in 2003-04, they fell to 29 in 2004-05, the last year for which data is available. These figures should be viewed in the context of increasing staff numbers. For the last three years around 50% of complaints have not been upheld and the percentage of complaints upheld or part upheld is showing an encouraging downward trend. However, this trend is based on small numbers.

Outcomes of formal equality and diversity complaints 2002-2005

Outcomes	2002-03		2003-04		2004-05	
	Number	%	Number	%	Number	%
Total number of complaints	26		39		29	
Not upheld	14	53.8	19	48.7	14	48.3
Part upheld	8	30.8	9	23.1	2	6.9
Upheld	1	3.8	3	7.7	4	13.8
Other (including withdrawn and not investigated)	3	11.5	8	20.5	9*	31.0

* Includes two complaints still to be resolved at the time of the review.

7.37 As illustrated in the table below, the number of employment tribunal cases also increased in 2003-04 (to 29) and fell in 2004-05 (to 15). A significant proportion of these cases were withdrawn, struck out or dismissed, although the proportion of these is falling. There is a trend towards a higher rate of settlement as the CPS has taken a pragmatic approach to clearing a backlog of long standing cases, although again this is based on small numbers. It is encouraging that from April 2002 to date there have been no tribunal cases which have found against the CPS[4]. The Service has worked hard to clear a backlog of cases originating from the early 2000's and to take a more constructive and managed approach. As part of this, during 2003-04, a number of master classes on employment tribunals were run by the HR Director and an employment lawyer for all Chief Crown Prosecutors and Area Business Managers, encouraging a more pro-active approach to case management.

Outcomes of employment tribunal cases 2002-2005

Outcomes	2002-03		2003-04		2004-05	
	Number	%	Number	%	Number	%
Total number of cases	17		29		15	
Withdrawn	7	41.2	7	24.1	2	13.3
Struck out/ dismissed	3	17.6	7	24.1	4	26.6
Settled	7	41.2	15	51.7	9	60.0
Found against CPS	0	0.0	0	0.0	0	0.0

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4 One case was found against the CPS in 2004, but originated prior to 2002. This was appealed with the original decision set aside and the case remitted to a different tribunal for hearing. The Court of Appeal's decision was not known at the time of our review.

RECOMMENDATION

We recommend that the CPS ensures that the Fairness at Work procedure is carefully implemented and monitored in a manner which secures the confidence of staff. In doing this it should ensure that:

- stakeholders are appropriately involved;

- guidance for staff and managers is developed that clearly differentiates between the Fairness at Work and grievance procedures;

- managers are appropriately trained and supported in the application of the new procedure; and

- systems are put in place to monitor and report on informal complaints and grievances.

Performance appraisal

7.38 The CPS monitors performance appraisal ratings by gender, ethnicity and disability and publishes the results of this in its Annual Equalities in Employment Reports. A summary is provided in the table below:

Performance appraisal ratings from 2002-2005 by gender, ethnicity and disability status

	2002-03		2003-04		2004-05*	
Gender	Male	Female	Male	Female	Male	Female
Box 1/2	40.5%	43.2%	42.0%	41.0%	42.5%	38.2%
Box 3	59.2%	56.5%	58.0%	59.0%	57.3%	60.8%
Box 4/5	0.2%	0.3%	0.0%	0.0%	0.2%	1.0%
Ethnicity	White	BME	White	BME	White	BME
Box 1/2	43.1%	35.0%	42.0%	40.0%	40.7%	38.8%
Box 3	56.7%	64.5%	58.0%	60.0%	59.1%	60.8%
Box 4/5	0.2%	0.4%	0.0%	0.0%	0.2%	0.4%
Disability	Non-disabled	Disabled	Non-disabled	Disabled	Non-disabled	Disabled
Box 1/2	41.5%	46.6%	41.4%	32.1%	37.2%	100.0%
Box 3	NA	NA	58.5%	67.2%	62.7%	0.0%
Box 4/5	NA	NA	0.1%	0.8%	0.1%	0.0%

Ratings: Box 1/2 - more than satisfactory. Box 3 - satisfactory. Box 4/5 - less than satisfactory.

* Figures based on performance assessments ratings completed at the time of the review.

7.39 This shows:

- there were no significant differences in performance ratings of men and women although in the most recent report, a slightly higher proportion of men received box 1 or 2 markings i.e. a higher rating, than women. In total, 38.2% of women received box 1 or 2 ratings compared with 42.5% of men;

- in 2002-03, BME staff were less likely to receive box 1 or 2 ratings than their white colleagues. In total 35% of BME staff received box 1 or 2 markings compared with 43.1% of white staff. The gap has since closed and in 2004-05 38.8% of BME staff received box 1 or 2 ratings compared with 40.7% of white staff; and

- while in 2002-03, disabled staff were more likely to achieve a box 1 or 2 marking, the position reversed in the following year when 32.1% of disabled staff received box 1 or 2 ratings compared with 41.4% of non-disabled staff. However, the integrity of figures provided for 2004-05 is questionable. It shows that 100% of disabled staff received box 1 or 2 ratings, a marked contrast with the previous year, and no non-disabled staff received a box 1 rating.

7.40 The CPS explained that the data provided in the 2004-05 report for disabled and non-disabled staff was incomplete as not all performance appraisal forms had been returned to the centre at the point at which the report was produced. This calls into question the complete accuracy of the performance appraisal ratings data published in the reports. If the data provided at the time of publication is incomplete then this should be clearly stated.

7.41 The CPS responded positively to the differences in ratings between BME and white staff identified in the monitoring data for 2002-03, by undertaking a diversity impact assessment of performance appraisal ratings the results of which were published in March 2005. This was a major and comprehensive piece of work involving a good level of consultation with internal and external stakeholders and was commended by the CRE. It found no statistically significant differences in ratings on the basis of gender and ethnicity, which is borne out by the monitoring data for 2004-05, a positive finding.

7.42 However, the impact assessment did find a difference in ratings on the basis of disability. It saw this to be potentially explained by a number of factors including working patterns, a greater number of smaller objectives being agreed by this group and lower levels of job satisfaction, and suggested this merited further investigation. The CPS decided not to investigate the issues raised by the impact assessment about disability on the basis that the most recent data showed that disabled staff did not receive less favourable performance ratings. In the light of issues about the integrity of the performance appraisal data for 2004-05, it should review the data and, if necessary, take further action to address the underlying reasons for any differences found.

7.43 The impact assessment also identified issues about the performance appraisal system itself including limited value added by the countersigning officer, the limitations of a box rating system with gravitation towards average ratings and some perceptions that the overall system was unfair. The CPS took these into account in its recent review of the system and the revised one, the performance development review, no longer incorporates performance ratings but instead provides a renewed focus on development. However, the Service should be aware that a number of stakeholders expressed concern about the removal of the countersigning officer role.

Disciplinary action

7.44 The CPS monitors serious and gross misconduct by gender, ethnicity, disability and alternative working pattern. Due to the low number of cases and in view of incomplete data in respect of ethnicity, it is not possible to draw firm conclusions from the data and analysis would be more meaningful if monitoring also incorporated less serious misconduct cases and dismissals. The Service is currently putting a system in place to monitor less serious misconduct in the future.

7.45 However, from the data provided, it would appear that men, BME staff and disabled staff are more likely to be the subject of serious or gross misconduct disciplinary proceedings. It is positive that the CPS has identified this area as one for further research and a diversity impact assessment is currently underway.

Percentages of staff subject to serious and gross misconduct by diversity category

	No of cases	Gender		Ethnicity*		Disability		Alternative working pattern	
2002-03	19	5 women	26.3%	5 BME	26.3%	2	10.5%	Not monitored	
2003-04	24	14 women	58.3%	8 BME	33.3%	2	8.3%	3	12.5%
2004-05	17	7 women	41.2%	3 BME	17.6%	1	5.9%	1	5.9%

* Not all staff subject to disciplinary action had declared their ethnicity.

Aspect for improvement

Incorporation of less serious misconduct cases and dismissals within monitoring data collected to provide a more complete picture of disciplinary action taken against staff.

Access to learning and development programmes

7.46 In 2003-04, the CPS extended its monitoring of staff who participated in learning and development activities to incorporate gender and disability status, in addition to ethnicity, which was already monitored, a positive development. The results of its monitoring are published in its Annual Equalities in Employment Reports.

7.47 Data provided for 2004-05, indicates a good level of representation overall of women and BME staff in legal, non-legal and IT training activities and an improvement on the position on 2003-04. However, comparative data on the proportion of women, BME and disabled staff within the target groups is not provided, which limits the value of the data. The Service should consider incorporating a diversity breakdown of target groups in order to provide a fuller picture of progress.

7.48 In 2004-05 there was a concerning lack of representation of disabled staff in learning and development activities which should be investigated. Of over 6,500 staff who participated in activities only two had declared having a disability. Although only a few staff seen in focus groups volunteered to us that they had a disability (staff were not asked to divulge this information), two that did said they had been unable to attend certain development programmes because adjustments needed to take account of their disability had not been made despite requests. However, another member of staff praised the CPS for having adjusted its approach to basic job training to take account of her disability without having needed to ask. While this is not a representative sample and communications about learning and development clearly offer any necessary adjustments, the Service should investigate whether the former are isolated incidents or indication of a wider lack of compliance with policy.

7.49 Bearing in mind that 11% of staff survey respondents in 2006 considered that they had been unfairly treated by working pattern and some part-time workers mentioned in the survey that they believed progression opportunities might be denied them because of their part-time status, the Service should consider extending its monitoring of participation in learning and development activities to include alternative working patterns.

Aspect for improvement
Investigation of the under-representation of disabled staff in learning and development activities with a view to taking action to address the imbalance, and monitoring of the participation of staff to include alternative working patterns.

Access to staff diversity networks

7.50 It is positive to report that staff have a high level of awareness of the staff diversity networks that includes the National Black Crown Prosecution Association (NBCPA), LGBT and Enable networks. This was demonstrated by both the 2004 and 2006 staff surveys. In 2006, 88% of respondents stated they were aware of the opportunity to join any staff networks/support groups, in comparison with 86% in 2004. We found that while awareness of NBCPA and LGBT was very high, there was generally less awareness of the Enable network.

7.51 Generally good levels of access to networks was confirmed by staff and managers, although inspectors were told of a few instances where it was suggested that individuals has been refused to attend events without good reason. CPS Headquarters has on occasions written to Areas to remind them of the importance of the networks and to encourage them to release staff to attend wherever possible.

7.52 The level of staff interest in the networks was variable and Areas used a variety of methods to encourage staff to engage with networks. While communication about networks and events was often reliant on staff accessing information through the intranet and CPS media, many Areas encouraged participation by emailing staff with details of meetings and events while others helpfully provided information on diversity networks during staff induction. Interviews suggested there was uncertainty around specific business benefits of staff participation in diversity networks with networks tending to benefit individuals rather than their units. However, 76% of respondents to our questionnaire considered their Area/business unit benefited or partially benefited from staff participation. Most saw the benefits in terms of raised awareness (53%) although a number considered that outcomes of participation could inform decision-making (13%) and used to share best practice (16%). One Area stated it could be used for training purposes.

> In a number of Areas senior management team members have participated in staff networks which helps raise awareness and demonstrate commitment.

Workplace support and facilities to support a diverse workforce

7.53 Where the CPS has a responsibility in respect of management of premises, it seeks to ensure that it complies with the provisions of the Disability Discrimination Act 1995 and is as compliant with the Act as it can be. Prior to the introduction of the legislative requirements in October 2004, Access Audits were conducted in all its premises resulting in a programme of reasonable adjustments to the extent of around £2 million. The necessity of work to existing and new buildings continues to be reviewed. However, there are constraining factors; for some of the buildings appropriate adjustments are prevented by lease terms, physical impossibility or through being listed buildings.

7.54 This review found that Headquarters and Areas have made reasonable adjustments to accommodate disabled staff. These ranged from provision of equipment, such as keyboards and monitors, appropriate seating and telephone equipment; changes to accommodation, for example widening of doors and ramps; changes to hours worked; assistance from voluntary outside agencies; amendments to job role and changes to job location including some home working. There is also clear guidance on disability absence leave and the recording of such leave, with which the majority of managers with disabled staff were familiar. At present this is included as a category of special leave and is not monitored. It is suggested that disability leave is monitored in future.

7.55 The extent of reasonable adjustments made was comprehensive and reflected a positive response to accommodate staff needs. Of the Areas visited no refusals of reasonable adjustments had been made in the last two years, although one had been unable to accommodate IT software due to incompatibility with CPS systems and another anticipated refusal of a reasonable adjustment, under review at the time of our visit, due to incompatibility with operational requirements. Although staff feedback suggested straight-forward adjustments were made readily, several said that more complex adjustments involving the co-operation of partner agencies could take some time and required pro-activity on the part of the disabled staff member. The Service needs to ensure that systems are in place to manage more complex adjustments effectively.

> CPS Northumbria and Hampshire and the Isle of Wight have worked with charitable disability employment groups, for instance the Shaw Trust, to assist them in identifying appropriate reasonable adjustments for staff.

7.56 In early 2004, a number of Human Resources Ability Advisors (HRAAs) were appointed to assist staff with disability issues, including providing a link between disabled employees, managers, health and safety officers and outside organisations that assist with reasonable adjustments. We found that while senior managers are aware of the role or existence of the HRAAs, the majority of staff are unaware; this was contributed to by there being a tendency for HRAAs to be known by their main job title of HR Adviser. However, staff were generally confident that if they needed support on a disability issue, their ABM would be able to provide them with the appropriate contact or supply the support and information that they might need. We suggest that the Service should take steps to monitor and evaluate the support provided by HRAAs as the role develops.

7.57 Dedicated facilities for religious observance were available in four of the Areas and business units visited and questionnaire responses indicated that at least a further four Areas who responded had prayer rooms (Areas were not specifically asked in the questionnaire to identify whether they had prayer facilities). While the CPS Management Guidance on the Employment Equality (Religion or Belief) Regulations helpfully sets out broad guidelines in relation to the provision of prayer rooms, as reported earlier, relatively few managers had read this. In one multi-faith office visited concern was expressed by staff that no such facility was available to them. The guidance also covers how to deal with employees requesting time for religious observance when prayer facilities are not provided. The CPS should ensure managers are made aware of this guidance and it is suggested that it is also made available to staff.

7.58 The CPS offers a childcare voucher scheme to staff, for any registered or approved childcare providers, for instance childminders, day nurseries, and pre and after school clubs. The scheme provides an additional monetary benefit for childcare up to a set amount. In 2003-04, 750 staff used the scheme and childcare expenditure amounted to £381,000. Usage increased in 2004-05 with 984 staff used the facility and expenditure amounting to £386,000.

8   IMPLEMENTATION: DEVELOPING DIVERSITY WITHIN THE WORKFORCE

This chapter examines how and to what extent the CPS is achieving a diverse workforce.

Overview

The CPS has made real progress in developing a more representative workforce in recent years particularly in relation to the proportion of BME staff which it employs, which is now higher than the Civil Service average and above that of other criminal justice agencies. The proportion of women at senior levels is also increasing. To achieve this, the Service has worked hard to challenge and change perceptions particularly at senior levels and recruitment and selection procedures have been overhauled to ensure they are transparent and fair. However, further work is needed to ensure staff have confidence in the new procedures and to counter some negative perceptions held by operational managers and staff.

Representation levels within the workforce

Gender composition of the workforce

8.1   Annex E shows the staff gender breakdown by Area and for Headquarters compared with local Labour Force Survey (LFS) data as at March 2005. At this time, women made up 67.1% of the total CPS workforce, higher than the level of women in the overall working population (48.7%) and above the average for the Civil Service as a whole (60.7%). There is significant variation in the percentage of women employed between Areas ranging from 49.2% in Dorset to 80.4% in Wiltshire.

8.2   Annex D shows overall staff gender by grade from 2003 to 2005. This shows that overall women are over-represented at lower grades from A1 to C2 and under-represented at levels D upwards. However, as the table below shows, the percentage of women at level D and above is steadily increasing from 33.3% in 2003 to 36.9% in 2004 and to 38.7% in 2005. The increase is most marked at grade E where the percentage of women increased from 22.9% in 2003 to 30.8% in 2005 and at CCP level where the percentage increased from 18.2% to 25.5% over the same period, although there are fewer staff at these grades. There has also been a significant increase in the percentage of women at Senior Civil Service (SCS) level, although staff numbers are small, from 31.3% in 2003 to 38.1% in 2005. This compares favourably with the Civil Service average of 27.5%.

Proportion of women employed at Levels D and above

	2002-03	2003-04	2004-05	Total number male and female in grade (Mar 05)
SCS	31.3%	31.3%	38.1%	21
CCP	18.2%	22.0%	25.5%	47
Level E	22.9%	29.5%	30.8%	130
Level D	39.1%	41.6%	43.0%	391
Total	33.3%	36.9%	38.7%	589

Ethnic composition of the workforce

8.3 The CPS has made significant progress in developing a workforce that is more ethnically representative of the communities it serves. As at March 2005, the CPS overall employed 14.6% BME staff, well above the LFS benchmark of 8.9% and higher than other criminal justice agencies. This figure represents the number of BME staff as a percentage of the 79.2% of staff who had at that time declared their ethnicity. If expressed as a percentage of total staff this figure becomes 11.6%. The CPS benchmarks itself against a range of comparable Government Departments and in March 2005 employed a higher percentage of BME staff than the Civil Service as a whole (14.6% compared with 8.1%).

8.4 Annex F provides a breakdown of staff ethnicity by Area and for Headquarters compared with Area LFS data at March 2005. There is considerable variation in BME representation between CPS Areas. In 26 Areas the percentage of BME staff employed was above the local BME population and in the remaining 16 it was below. Some Areas employ a proportion of BME staff well in excess of that of the local population for example London employs 44.7% BME staff compared with a local BME population of 33.5% and Northamptonshire employs19.0% BME staff compared with a local population of 7.4%. At the same time five Areas employed no BME staff. Of the five largest Areas employing over 300 staff, three employed a level of BME staff above that of the local population and two below. It is particularly important for large CPS Areas which do not reflect the local population to make further progress towards a more diverse workforce.

8.5 Annex G provides a breakdown of staff ethnicity by grade over a three year period to March 2005. This shows that the percentage of BME staff in 2005 exceeded the overall BME proportion of the population in England and Wales (8.9%) at all grades except at Levels B3 and E. There have been particularly strong increases in BME representation at Levels B2 and trainee levels, for example over 46% of trainees at that time were BME staff. A high level of representation was maintained at Level C1 and good progress made at more senior grades with the exception of at Grade E. There was a significant increase in representation at CCP level with the percentage of BME staff increasing from 7.5% in 2003 to 13.3% in 2005.

8.6   The level of staff declarations in respect of ethnicity at 79.3% is too low and impacts adversely on the accuracy of monitoring data and the ability to make true comparisons with other departments and sectors. The latter is compounded by differences in calculating and presenting monitoring data across departments and sectors. However, the CPS is aware of this weakness and is currently updating its HR records with the aim of increasing the accuracy of data. At the time of the review, around 74% of staff had responded and the declaration level in relation to ethnicity had improved to just over 89% with further follow-up action targeting those who had declined to reveal their ethnicity and those yet to respond still in progress. Revised workforce monitoring data based on a higher level of declarations was not available at the time of this inspection, but will clearly provide a more accurate picture of progress.

Disabled staff

8.7   Annex I provides a breakdown of staff disability status by Area and for Headquarters as at March 2005. At this time 4.2% of staff employed by the CPS had a disability, better than the Civil Service average of 3.5%. However, these figures are based on a low level of declarations. In 2005, only 37.7% of total staff had declared whether or not they had a disability and unlike the ethnicity figures above, figures in Annexes H and I are based on the numbers of staff who have declared a disability as a percentage of all staff. Hence these figures cannot be relied upon as accurate.

8.8   Annex H provides a breakdown of disabled staff employed over a three year period. As may be seen, the percentage of disabled staff has reduced slightly from 4.8% in 2003 to 4.2% in 2005. If the Civil Service average of 3.5% is used as a benchmark, in 2005, disabled staff were similarly represented across most grades with the exception of at Levels B Trainee, C1 and CCP levels where representation was low or nil. However, the percentage of disabled recruits in the 2006 Legal Trainee Scheme was 7.0%. At SCS level, while numbers of posts are low, disabled people were well represented with 14.3% of post holders having a disability.

8.9   The CPS is well aware that it needs to improve the staff disability declaration level in order to establish a more accurate picture of its workforce in respect of disability. Early indications in respect of work being undertaken to update HR employee records show a significant increase in the level of declaration in relation to disability to nearly 100% in the responses from the 74% of staff received so far, with further follow-up action underway to target those that have yet to respond. Revised monitoring data, when available, will clearly provide a more accurate picture and base on which to build.

Aspect for improvement
Continued action to improve further the representation of women at senior levels within the organisation and to improve the proportion of disabled people employed.

Higher Court Advocates and designated caseworkers

8.10 The CPS has recently commissioned an independent consultant to undertake an impact assessment of its advocacy strategy (originally scheduled to take place in 2005-06). This will focus on an analysis by gender, ethnicity and disability of Higher Court Advocate (HCA) applicants, those accepted, those who complete the training successfully and those who fail. It will also incorporate an analysis of deployment and case allocation in a selection of Areas as well as consultation with diverse groups of eligible staff who have not applied in order to identify any barriers. In relation to designated caseworkers (DCWs), the impact assessment will focus on a retrospective analysis of applicants and appointees and an analysis of the current profile of DCWs.

Employment targets

8.11 The CPS has had targets in place in respect of the representation of women, BME staff and disabled staff across all staff grades for some years and these are regularly reviewed and revised as progress towards them is made.

8.12 In November 2005, the Cabinet Office published 'Delivering a Diverse Civil Service - A 10 Point Plan', which sets out challenging targets for women, BME and disabled staff in the SCS to be achieved by 2008 as follows:

- 37% of the SCS to be women (and 30% of top management posts to be filled by women);

- 4% of SCS to be from BME backgrounds; and

- 3.2% of the SCS to be disabled people.

8.13 As illustrated in the table below, as at March 2005, the CPS met each of three main targets. In view of this it has set more challenging targets for the employment of BME and disabled staff at SCS level as well as a further target for 40% women at the most senior SCS level. The CPS has also helpfully set targets for SCS feeder grades. Considerable progress has been made in this respect and there is some scope for raising the targets for women.

CPS performance against Civil Service-wide targets for the Senior Civil Service as at 31 March 2005

	HQ SCS posts (18 in total)		Area SCS posts (3 in total)		HQ and Area SCS posts combined		CPS target for 2008	Cabinet Office SCS targets for 2008	Civil Service SCS performance to 2005
	No in grade	% in grade	No in grade	% in grade	No in grade	% in grade			
Women	7	38.9	1	33.3	8	38.1	37.0	37.0	27.4
BME	2	11.8*	0	0.0*	2	10.5*	15.6	4.0	3.5**
Disabled	3	16.7	0	0.0	3	14.3	9.5	3.2	2.3

Source: CPS and Cabinet Office Annual Statistics. * BME figures calculated as a percentage of those who had declared their ethnicity. ** Actual numbers as a percentage of known ethnic origin.

8.14 However, it must be added that there are a relatively small number of posts at this grade (21 in 2005) and one or two staff changes can have a disproportionate impact on performance against targets. Although CCP posts are not formally included within SCS figures, considering performance across SCS and CCP grades, as in the table below, provides a clearer picture of progress which is less subject to fluctuations as a result of staff changes. Whilst it is recognised that reports to the Cabinet Office on progress against the 10 Point Plan need to focus on SCS posts, for more general progress reporting it is suggested that the CPS consider combing SCS and CCP grades.

CPS performance against Civil Service-wide targets for the Senior Civil Service incorporating CCP grades as at 31 March 2005

	HQ SCS and CCP posts (22 posts in total)		Area SCS and CCP posts (46 posts in total)		HQ and Area SCS and CCP posts combined		CPS targets for SCS and CCP grades in 2008	Cabinet Office SCS targets for 2008	Civil Service performance to 2005
	No in grades	% of total in grades	No in grades	% of total in grades	No in grades	% of total in grades			
Women	7	31.8	13	28.3	20	29.4	37.0	37.0	27.4
BME	2	9.0*	6	13.0*	8	12.5*	15.6	4.0	3.5**
Disabled	3	13.6	1	2.2	4	5.9	9.5	3.2	2.3

Source: CPS and Cabinet Office Annual Statistics.

* Actual numbers of BME staff CCP and SCS grades expressed as a percentage of total in these grades who had declared their ethnicity. ** Actual numbers as a percentage of known ethnic origin.

8.15 The CPS sets out its targets for all staff grades by gender, ethnicity and disability status in its Annual Equalities in Employment Reports. We consider current targets generally to be stretching but achievable. It also sets out milestone targets for each demographic category, enabling a staged approach to attaining the 2008 targets and providing a basis for annual progress reporting.

8.16 There are as yet no published targets for some specialised roles, for example, for HCAs and DCWs that have a high profile in the delivery of CPS business. However, there is a commitment to focus targets in this area included within the Race Equality Scheme 2005-08 and, as mentioned earlier, the CPS is currently embarking on a diversity impact assessment of its advocacy strategy which should provide a sound basis for setting targets. While the diversity of CCPs is monitored, the diversity of another high profile management role, that of ABMs is not.

8.17 While it is positive that Areas have had targets for the employment of staff by gender, ethnicity and disability for some years, the quality of these has not been formally monitored. Monitoring of progress against targets has been dependent on the effectiveness of individual Areas' performance review systems, which vary, and Areas have not been formally held to account for representation levels achieved.

8.18 However, the CPS is taking significant steps towards improving the quality of employment target setting and action planning and holding Areas to account for progress. As part of the Workforce Representation Themed Review, Areas have recently been required to set targets for each staff grade by gender, ethnicity and disability to 2008 based on current performance and LFS data provided by Headquarters, together with action plans to meet the targets.

8.19 While it is early days, the review found that the approach to and quality of target setting in Areas varied as did the comprehensiveness and quality of action planning. At the time of our review, a full assessment of Area plans was being undertaken by the EDU in association with the Business Development Directorate. This included scoring the quality of Areas' targets setting. Initial assessments showed the quality of target setting varied widely from poor to very good. Initial overall assessments indicated that there was considerable scope for development.

8.20 This systematic and thorough approach to improvement being taken provides a sound platform on which to build further development. While a good level of guidance was provided to Areas to assist them in developing their plans the review found that some would benefit from more support and help. The planned feedback from assessments coupled with support provided by Projects and Performance Advisors (PPAs) should provide the guidance needed for Areas with poor assessments to further improve their approach.

8.21 The review also found some sense that with such a strong focus on employment target setting some Areas saw the task of setting targets as an end in itself as opposed to focusing on the action required to achieve the targets. There was also a sense that with such a strong focus on representation levels some Areas were loosing sight of the fact that achieving equality and diversity in the workplace is not just about representation level but also about taking action to improve equality in the workplace for existing staff. A number of BME staff made this point to us. It will be important for PPAs to work closely with Areas to ensure a balanced approach. There is almost certainly a link between the outcome and the perception we found and have described above.

Action to develop a representative workforce

8.22 In achieving such good progress, particularly in relation to improved representation BME staff and of women at more senior levels, the CPS has not seen the need to operate any formal positive action schemes as defined by anti-discrimination legislation. There are however, a number of key factors that have contributed to the progress made.

8.23 The CPS has worked hard to challenge and change perceptions particularly at more senior levels. In particular, it needed to counter a perception that CCP posts could be filled only by lawyers of longstanding within the CPS who tended to be male and white. It did so by providing more clarity about the requirements of the role and stressing that appointments were made on merit in order to encourage a more diverse range of candidates to apply. Interview support was given to candidates

who requested this and feedback given to unsuccessful candidates. Since the first women and the first CCP from a BME background have been appointed and role models could be seen, staff perceptions have started to change and there has recently been a good level of women and BME applicants. Aligned with this, recruitment and selection processes were reviewed and overhauled to ensure they are clear and transparent, based on clear job specifications, and encourage applications from under-represented groups.

8.24 The CPS operates an internal Law Scholarship Scheme, introduced in 2003. The Scheme has provided a route by which a number of senior lawyers in the service have progressed from junior administrative grades to the legal profession. In total 549 staff have benefited from or continue to benefit from the Scheme. In practice, it has proved an important equalising measure for women and BME staff. It has also cut across the class boundaries that were perceived to exist within the legal profession and in so doing has made a significant positive contribution to the organisation's diversity profile. In 2005-06, 71% of participants were women and 36% were BME staff. More recently, the CPS introduced a high profile training scheme for law graduates to train as legal professionals with the CPS, which attracted a high level of women and BME candidates. The CPS recently won a 'Best Recruiter and Trainer' award for its legal trainee scheme for the third consecutive year. This award is sponsored by the Trainee Solicitors' Group and a legal publications company and organisations are nominated by the trainees themselves.

The CPS has established an additional place on its Law Scholarship Scheme dedicated to the memory of murder victim Anthony Walker, killed in a racially aggravated attack. The initiative, driven by CPS Merseyside working with the EDU and HRD is due to commence in autumn 2006.

A high proportion of Areas, generally through Chief Crown Prosecutors, offer mentoring to law students at universities and during the second stage of law qualification including those from different diversity groups: hard of hearing, other disabled and BME students.

8.25 The CPS supports staff to participate in the Civil Service-wide corporate diversity development programmes, which are positive action schemes designed to support talented individuals to progress into the SCS. Five staff are currently participating in the Disability Bursary Scheme and four staff in the Pathways development programme for BME staff. The Cabinet Office is currently reviewing these programmes as it is not clear whether they are fully meeting the aims set out for them with a view to launching successor arrangements later this year. While it is positive that the Service supports staff to participate in these programmes, the business benefits in return for a high level of investment (around £240,000 over the last three years for 12 staff) are not entirely clear.

8.26 The Service has chosen not to participate in the Fast Stream Development Programme run by the Cabinet Office as it is not seen to meet the specific management development needs of the business. It is aware that there is now

scope, building on its Transform development programme for managers, for considering the development of a fast stream type programme to promote talent actively through to senior roles, and providing a link forward from its successful Law Scholarship and legal trainee schemes.

8.27 The CPS is in the process of developing a succession planning policy for all job families within the Service. This is underpinned by the Invest Programme which is providing greater clarity about competences and valued behaviours. The HRD succession plan has already been completed and provides clear development routes for all positions. Effective succession planning has the potential for supporting further improvements in representation at senior grades.

Recruitment and progression

8.28 In support of its aim to improve the diversity of its workforce, the CPS has overhauled its approach to recruitment and selection. A new recruitment procedure has been introduced with the aim of simplifying the procedure and making it more transparent. The new procedure focuses on improved job descriptions and specifications, work-based assessments and diverse selection panels. The CPS is also working with a range of search consultants and advertising agencies to provide more diverse shortlists and has overhauled its recruitment advertising adopting a more modern inclusive image that better conveys its commitment to equality and diversity.

8.29 While the CPS is clear that it has not needed to employ any positive action to assist it secure improvement in representation levels, particularly at more senior levels, it should be aware that this is viewed with scepticism by some operational managers and staff who referred to a perception that to get a job or advancement 'you need to be a women or from a BME background'. There was also a concern that some Area and Directorate restructures have resulted in the appointment of pre-identified individuals to posts, with other contenders having no chance of success. These views are potentially very damaging to the Service's ethos of equal opportunities. Some of the specific comments about recruitment and promotion were made outside focus groups with individuals not wishing to make such comments in a mixed group of staff. This may indicate that more staff feel this way but did not wish to voice their concerns in a group setting. The Service needs to be aware of some negative perceptions within the workforce about the fairness of recruitment and progression processes and ensure that procedures are applied fairly across the board to help counter such concerns.

8.30 The staff survey also identified some concern about the fairness of recruitment. In the 2006 survey, only 25% of respondents considered that in their opinion the recruitment and selection procedure operated by the CPS is fair, open and objective. This compared with 55% of staff in 2004 who considered that in their experience the recruitment system was fair, open and objective and 37% who considered that the promotion system was fair, open and objective (the latter question was not asked in 2006). Such a low level of confidence is potentially damaging and it will be important for the CPS to take action to build confidence in its new procedures.

8.31 The CPS monitors relevant recruitment data by gender, ethnicity and disabled status and published the results of this in its Annual Equalities in Employment Report. In the last report covering 2004-05:

- While women made more applications for all posts except Level E, the more senior the role the lower the proportion of women applicants. However, women were generally more successful at interview in securing an appointment. Women were less successful than men in securing temporary promotion.

- While a higher proportion of BME applicants were successful in obtaining an interview than white applicants, BME candidates were generally less likely to be appointed than white applicants. No BME staff were successful in securing temporary promotion.

- 2.9% of applications were from candidates who consider themselves disabled and disabled candidates were most likely to be appointed at A1-B2 levels and through internal as opposed to external recruitment. No disabled staff were successful in securing temporary promotion.

8.32 We found that Areas used different approaches to recruitment for temporary positions including selection on the basis of expressions of interest and paper sifting of application forms as well as use of interview panels. Areas need to ensure that the approaches adopted are transparent to build upon improvements within the recruitment process, and guard against staff perceptions of inequitable treatment.

8.33 Deputising or acting up responsibilities created some ambivalent views amongst staff. Concerns were expressed that such responsibilities were not always used as development opportunities for staff and that opportunities tended to go to the same staff. The diversity of those in acting up positions is not monitored. Areas need to ensure that there is a consistent and transparent approach and that where possible, staff are given the opportunity to develop by acting up or that training is given to ensure acting up may be offered in the future.

Turnover and retention of staff
8.34 The Service has a relatively low staff turnover rate: in 2004-05 this was 4.9%, an improvement on the previous year. Staff turnover is monitored by gender, ethnicity and disability and the results of this published in the Annual Equalities in Employment Reports. This shows:

- For the last two years for which data is available the level of turnover between men and women is proportionate.

- The position is more difficult to assess in relation to relative proportions of white and BME staff leaving the Service as the ethnicity of a high percentage of leavers was not known (30.6% in 2004-05). However, given this, there appears no significant variation in turnover between white and BME staff.

- While disabled staff were slightly less likely to leave the organisation in 2003-04 (3.1% of leavers were disabled compared with 4.4% of the workforce) they were slightly more likely to leave the organisation in 2004-05 (5.9% of leavers compared with 4.2% of the workforce). However, it should be noted that due to the high level of non-declarations in terms of disability means that these figures cannot be relied upon.

8.35 While a breakdown of leavers by grade is provided for each of the diversity categories monitored, the manner in which this data is then calculated to provide a comparison of turnover across grades is inappropriate and does not allow comparisons to be made. (The percentage of leavers at each grade is calculated by showing the number of leavers at each grade as a percentage of total leavers as opposed to as a percentage of staff in post at each grade.) The Service should review its means of calculating its turnover data to enable comparisons across grade.

Diversity of counsel

8.36 For a number of years now, Joint Advocate Selection Committees (JASC) in each circuit have been responsible for monitoring the gender and ethnicity of counsel for certain types of work. There is no national format for monitoring and circuits determine how they go about this. In the Western Circuit, for example, the gender and ethnicity of all counsel used is monitored and reviewed annually including the level and allocation of work. There is though, currently, no national collation of monitoring data and public reporting including any actions taken or plans to ensure greater diversity. However, there is potential, in consultation with the Bar Council, for incorporating counsel diversity data within the Graduated Payments Scheme which would enable the CPS to generate regular and timely diversity monitoring data.

8.37 The CPS spends around £130 million annually on external legal services and, as part of its plans to ensure that counsel used are appropriately diverse, has developed an Equality and Diversity Expectations Statement for the Bar. This seeks to build on existing practices, where JASCs have been receiving analyses of ethnicity and gender data from chambers, in setting out a comprehensive list of CPS requirements and requiring each set of chambers undertaking CPS work to provide an annual report to the JASC for their circuit confirming achievement against the expectations statement. The Expectations Statement is currently in the process of being consulted upon. Early indications suggest that many chambers consider the requirements overly onerous.

8.38 The CPS is aware that it needs to pursue this development to ensure that appropriate steps are taken to ensure appropriate diversity of counsel employed.

9 CONCLUSIONS, RECOMMENDATIONS AND ASPECTS FOR IMPROVEMENT

9.1 Commitment, together with strong and visible leadership is vital in bringing about any change of attitude and practice within the workplace, and is particularly necessary in the field of equalities.

9.2 This thematic review has found that both the essential commitment to change, which was necessary following the concerns of the CRE in 1999 and the report of the Denman Inquiry in 2001, and the strength of leadership to bring it about, is in place at the highest levels within the CPS. Commitment has been backed up by changes to CPS governance structures, the development of a strong Equality and Diversity Unit, and a good level of engagement with both Government and internal stakeholders to support change in business units.

9.3 Equally, the CPS Equality and Diversity Policy is clear, supported by a Strategy to 2008, and relevant to its business aims. Policies seek clearly to link equality in the workplace, including ensuring the CPS workforce is representative of the communities it serves, with improved approaches to prosecution, understanding public concerns and the overall service it delivers to the public.

9.4 The Service has taken a thorough and comprehensive approach to assessing the impact of its practices on equalities issues and is well prepared for new and emerging legislation. It has sought to be open and transparent about its progress through the publication of its annual equalities report, which reviews the position in relation to gender, ethnicity and disability, and is only criminal justice agency to do so in this way.

9.5 In adopting these approaches it has sought to address head-on the recommendations arising from the Denman Inquiry and wider public concerns, following the report of the Stephen Lawrence Inquiry. The CPS has also broadened its equalities agenda to include gender and disability and, more recently, sexuality, religion and belief and age in accordance with the requirements of new legislation.

9.6 This thematic review has sought to examine whether these policies have worked in practice and whether they have been successful in addressing the shortcomings found in the Denman Inquiry (paragraph 3.4).

9.7 In terms of representation, the CPS has successfully tackled the issue of under-representation of BME staff at more senior grades and at the same time has also addressed the imbalance between men and women at senior level. At Chief Crown Prosecutor level there was a significant increase in representation with the percentage of BME staff, increasing from 8% in 2003 to 13% in 2005 and the proportion of women, increasing from 18% to 26% over the same period. The CPS

has achieved these levels of representation by reviewing recruitment procedures, ensuring the requirements for senior roles reflect the competences currently required and stressing that appointments are made on merit. The CPS internal Law Scholarship Scheme has provided a route by which junior administrative grades can progress to the legal profession. The Scheme has been an important equalising measure for women and BME staff and has opened up the legal profession to those who previously might have felt excluded from it. Overall, the percentage of BME staff in the CPS in 2005 was almost 12% higher than the Labour Force Survey benchmark figure and the Civil Service average.

9.8   The CPS has set out clearly standards of behaviour for staff and these are known and understood. Many new staff spontaneously mentioned that the approach to equality and diversity in the workplace adopted by the CPS was more comprehensive than that of their previous employers, including other Government Departments. The Service's own staff survey indicates that the proportion of staff who feel they are treated with fairness and respect has increased since 2002, and is currently 10% higher than the external benchmark.

9.9   Overall, formal equality and diversity complaints, after an initial rise following the introduction of a new procedure, have fallen. There is still, however, a relatively low level of confidence in the current arrangements, and monitoring and reporting needs to be improved. Although a new Fairness at Work procedure is in the process of being established the CPS will have to work hard to ensure it has the confidence of staff.

9.10   Intensive equality and diversity training of all staff followed the Denman Inquiry, a significant undertaking which was comprehensively carried out and which successfully raised the profile and embedded the concept of equality within the CPS. This review has found however that some managers, particularly operational managers, still struggle with the notion of equality and diversity issues in the workplace and what it does and does not mean for them as managers, and were nervous about, for example, tackling poor performance or requests for flexible working in case a complaint was brought against them. Managers and staff still need the skill and confidence to deal with such issues in the workplace and a re-assessment of the approach to training is needed.

9.11   The Denman Inquiry found significant variations in performance amongst CPS Areas in their approach to equality and diversity and that greater accountability was needed. Areas are now held accountable for ensuring equality of treatment within the prosecution process and improving their performance in dealing with hate crime and in their engagement with the community. Recently they have been required to set targets for workforce representation, although work is still need to ensure their quality and that their purpose is understood by staff.

9.12 The Denman Inquiry in 2001 also found a growing backlash against equal opportunities on the part of white staff that needed to be carefully managed. While this review did not find anything of this scale, and indeed the need for equality was generally well accepted, a small minority of staff do not see the importance of the equality and diversity agenda and expressed the view that it had 'gone too far'. The successful delivery of equality is very much dependent on the organisation's ability to gain the commitment of its people. While it may be unrealistic for the Service to secure the commitment of each and every one of its staff, it needs to counter negative perceptions. The CPS is seeking to manage this situation by making the link between equality in the workplace and good service delivery. This link is well understood at senior levels within the organisation but less so among middle managers, and it at this level particularly where concentration is needed.

9.13 A key issue for the CPS, which needs urgent attention, is its arrangements for managing flexible working. This review has found that flexible working arrangements are generally not being well managed either to ensure the business needs of CPS are being met or to ensure fairness of treatment to staff. Action needs to be taken to ensure that staff expectations about flexible working are realistic and that those expectations are managed, and that managers have the confidence to control flexible working practices properly. It would be unfortunate if staff discontent about the handling of flexible working arrangements overshadowed otherwise good progress in developing equality and diversity in the workplace.

9.14 The CPS describes itself as being on a journey in respect of equalities. It sees itself as having successfully journeyed through its first phase on equalities, that of agenda setting and awareness raising, and is now moving towards its second phase - the delivery of outcomes. This review has confirmed that this is the position and that significant progress is being made, despite the need for improvement in some aspects. Overall, the CPS has sought to address the recommendations of the Denman Inquiry systematically and move the Service forward into a position where there are no differences in employees' experiences that cannot be justified. It is working hard to achieve this objective.

RECOMMENDATIONS

We recommend that:

1. As part of its review of staff diversity networks, the CPS:

    - examines the role of faith-based networks and ensures that their role in supporting the business is clear;

    - takes action on the findings of the network review to achieve appropriate parity across networks and ensure their contribution to core business is maximised; and

    - strengthens the Enable network so it can realise its full potential (paragraph 4.23).

2. The CPS takes further action to increase the commitment and ownership of operational managers and staff in respect of actions being taken to improve equality and diversity in the workplace and to counter any negative perceptions (paragraph 6.9).

3. The CPS reviews its Annual Equalities in Employment Report with a view to improving the accuracy and presentation of the data, and accompanying text, and so provide a fuller picture of progress (paragraph 6.17).

4. The CPS, as part of the implementation of its new performance development review process, provides further guidance and support on how to set appropriate equality and diversity objectives which relate to employment (paragraph 6.19).

5. The CPS:

    - reviews the equality and diversity e-learning module and its approach of mainstreaming equality and diversity training to ensure that equality and diversity learning needs are being fully met;

    - ensures that new starters receive a timely induction which incorporates relevant equality and diversity issues. If an e-learning module is to be retained, this should be completed by starters as soon as possible after joining and followed-up by line managers; and

    - takes action to ensure that all operational managers are provided with the skills and confidence to deal effectively with equality and diversity issues faced in the workplace (paragraph 6.29).

6. The CPS reviews how effectively alternative working arrangements are working in practice, in particular whether they meet current and future business needs, and provides further guidance, support and training for managers to ensure they are able to balance properly the implementation of alternative working arrangements with business needs (paragraph 7.26).

7. The CPS ensures that the Fairness at Work procedure is carefully implemented and monitored in a manner which secures the confidence of staff. In doing this it should ensure that:

- stakeholders are appropriately involved;

- guidance for staff and managers is developed that clearly differentiates between the Fairness at Work and grievance procedures;

- managers are appropriately trained and supported in the application of the new procedure; and

- systems are put in place to monitor and report on informal complaints and grievances (paragraph 7.37).

ASPECTS FOR IMPROVEMENT

Chapter 4: Leadership in equality and diversity
Clarification and communication of roles and responsibilities of Projects and Performance Advisers and their relationship with Area responsibilities (paragraph 4.15).

Chapter 5: Equality and diversity policy and strategy
Completion of outstanding impact assessments, in particular of e-learning and the Prosecution College originally planned for 2005-06 (paragraph 5.8).

Further consideration to be given to communicating equality and diversity policy and guidance materials to ensure that all staff and particularly managers, are aware of the implications for their roles and that equality and diversity is fully integrated within management practice (paragraph 5.16).

Chapter 6: Implementation: planning for improvement and reviewing performance
Further development of Area workforce representation plans, in particular to ensure they incorporate quantifiable outcomes for actions and are broadened out to address equality and diversity in the workplace more generally as well as workforce representation (paragraph 6.7).

Clarification to Areas of the purpose of local Race Equality Schemes and how they will fit with the Single Equality Scheme due to be produced in late-2006 (paragraph 6.7).

Chapter 7: Implementation: achieving equality in working practices

Further communication to staff to address any misunderstandings around staff survey confidentiality to encourage higher response rates and provide a fuller picture of staff opinions (paragraph 7.14).

Exploration of the reasons for any differences in satisfaction between demographic groups and action taken to reduce these, particularly in relation to disabled staff (paragraph 7.14).

Incorporation of less serious misconduct cases and dismissals within monitoring data collected to provide a more complete picture of disciplinary action taken against staff (paragraph 7.45).

Investigation of the under-representation of disabled staff in learning and development activities with a view to taking action to address the imbalance, and monitoring of the participation of staff to include alternative working patterns (paragraph 7.49).

Chapter 8: Developing diversity within the workforce

Continued action to improve further the representation of women at senior levels within the organisation and to improve the proportion of disabled people employed (paragraph 8.9).

ANNEX A: INSPECTION INDICATORS

1. **Clear leadership in equality and diversity, in relation to employment, is demonstrated throughout the Service at Headquarters and Area/business unit level.**

   - There is a clear commitment to equality and diversity at a senior level and throughout the organisation.

   - Leadership roles for equality and diversity at all levels are clear and key issues communicated in a timely and transparent manner.

   - Leaders demonstrate commitment to equality and diversity and are viewed as role models for example in challenging inappropriate behaviour.

   - There is appropriate co-operation and consultation with relevant representative groups.

2. **The CPS has developed relevant equality and diversity policies and strategy, in relation to employment, and these are well communicated and regularly reviewed.**

   - Relevant equality and diversity policies and strategy are in place which support the Service's business aims and reflect legislative requirements.

   - Equality and diversity policies and strategy are informed by stakeholder consultation and well communicated within the organisation.

   - Equality and diversity policies and strategy are regularly reviewed and progress reported upon.

   - Equality and diversity issues and measures form an integral part of the Service's business planning and performance review system.

   - Equality and diversity issues are explicitly mainstreamed in the framing of wider employment policies.

   - Relevant employment policies and practices are impact assessed to ensure they do not discriminate against any particular group of staff and action is taken to address any issues identified.

3. **The CPS as a whole and Area/business units have implemented relevant equality and diversity policies and strategy in relation to employment and these are well communicated and embedded.**

   - The Service as a whole and Area/business units have effectively implemented relevant equality and diversity policies and strategy and regularly review progress.

   - Staff at all levels are aware of equality and diversity policies and the implications of these for them.

   - There is an appropriate level of equality and diversity training for staff, including as part of induction and mainstream training, and the effectiveness of this is evaluated.

4.   The CPS as a whole and Area/business units have clear objectives and targets in relation to equality and diversity in relation to employment, are taking action to achieve these, and review progress regularly.

- The Service as a whole and Area/business units have clear objectives and action plans in place to promote equality and diversity either as stand-alone plans or as part of wider plans.

- Managers and staff are clear as to actions being taken to promote equality and diversity and their role in these.

- Equality and diversity performance indicators are in place and are monitored by senior managers.

- Outcomes of actions taken to promote equality and diversity are monitored and reviewed regularly.

- There are appropriate mechanisms in place to monitor the contribution of individual staff to equality and diversity.

5.   The CPS as a whole and Area/business units are achieving equality within working practices.

- Staff perceive the organisation to be an equitable one, including a positive response to the dignity at work section of the staff survey.

- Flexible working arrangements are in place and harmonise with business needs.

- Staff are allowed reasonable access to relevant diversity networks.

- Staff complaints/grievances, disciplinary proceedings and access to development programme participation are monitored for any equality and diversity issues, and action taken to address any issues raised.

- Staff facilities support a diverse workforce.

6.   The CPS as a whole and individual Areas/business units are achieving diversity within the workforce.

- Both the Service's workforce and that of Areas/business units is representative of the local working population in terms of gender, race and disability at all levels.

- The Service and Areas/business units have stretching but achievable targets.

- There are representative rates of retention and promotion, including temporary promotion within both the Service and individual Areas/business units.

7.   The CPS is aware of and is preparing for new and emerging legislation in the field of equality.

- The Service is aware of new and emerging legislation in the field of equality and its implications for the Service.

- Appropriate action is being planned to incorporate relevant new legislation.

- The Service provides guidance and briefing on new and emerging legislation as appropriate.

- The Service has plans in place to assess progress on those equality strands where there is no mandatory monitoring or targets.

HMCPSI
March 2006

ANNEX B: CPS ANNUAL EQUALITIES IN EMPLOYMENT REPORT DATA AND PRESENTATION ISSUES TO ADDRESS

- In many cases explanatory information to support the data presented is lacking. There are many instances where different figures are quoted for seemingly the same statistic for example in one table the total BME proportion of the CPS workforce is quoted as being 14.8% and in another as 11.8% with no explanation given to explain the difference. Explanatory information giving the basis of the calculations would help readers understand the data and allow comparability across the data tables.

- Data on outcomes of complaints and employment tribunal cases starting and ending in the year are given, but those outstanding at the end of the year are not considered in the next annual report. For example, there were 39 complaints in 2003-04 of which 20 were ongoing at the end of the year and hence not reported on in 2004-05.

- Following on from the above, the narrative does not always provide a full picture. Conclusions drawn on incomplete data are not always qualified. A further example is incomplete data in respect of performance appraisal ratings included in the 2006 report (not all ratings had been submitted at the time the report went to press) with no note to explain that the data was incomplete. There are also some errors in the narrative that adds to this weakness.

- In some cases insufficient data is provided from which to draw conclusions. For instance, local Labour Force Survey (LFS) data is provided by CPS Area, but CPS data is not provided for each Area, which would allow helpful comparisons to be made. Another example is the learning and development data provided where the diversity of target groups is not given as a basis from which to draw conclusions.

- While the narrative makes some reference to progress against previous years the report relies on readers accessing earlier reports to see progress. The provision of data for several years in key aspects would provide a picture of progress, for example in relation to overall representation rates, without the reader needing to refer to previous reports.

- While a breakdown of leavers by grade is provided for each of the diversity categories monitored, the manner in which this data is then calculated to provide a comparison of turnover across grades is inappropriate and does not allow comparisons to be made. (The percentage of leavers at each grade is calculated by showing the number of leavers at each grade as a percentage of total leavers as opposed to as a percentage of staff in post at each grade.)

- The averaging of averages used in some tables, for example, when considering the average representation across a range of pay bands renders the data meaningless and should be avoided.

ANNEX C: EQUALITY AND DIVERSITY QUESTIONNAIRE - ANALYSES OF RESPONSES

Notes

1. The format of the questionnaire required respondents to enter their responses to most questions in free text. Responses therefore included a wide range of information as opposed to predetermined responses used in a 'check box' approach.

2. The analysis of responses required interpretation of content and context in order to best categorise responses prior to the quantitative analysis shown below.

3. The sum of the numbers entered in the columns headed 'Number (out of X respondents)' does not add up to the total number of respondents to each question as each respondent was free to include a wide range of possible scenarios in their responses. Similarly, percentages shown in the columns headed '%' do not add up to 100%.

1. Please state who within the Area is/are responsible for equality and diversity (E&D) in relation to employment, and briefly describe their role(s).

Managers with sole or joint responsibility for employment related E&D
Number (out of 42 respondents)

- CCP only: 0
- Includes CCP: 14 (33.3%)
- ABM only: 23 (54.8%)
- Includes ABM: 39 (92.9%)
- EOD/other only: 2 (4.8%)
- Includes EOD/other: 10 (23.8%)
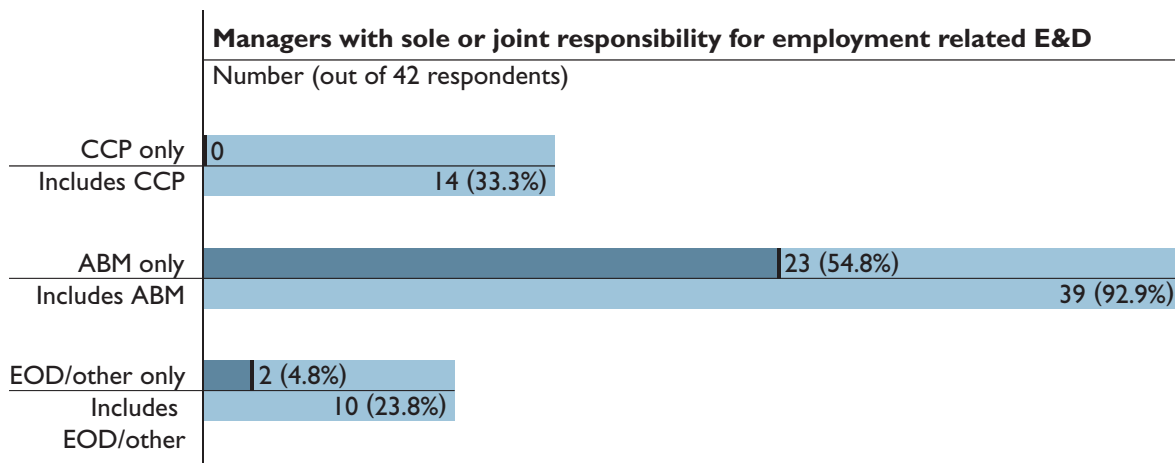
Overview

- Area Business Managers (ABMs) were typically at the forefront of equality and diversity activity in most Areas. They are therefore key to ensuring operational aspects of equality and diversity are in place.

- Only 5% of respondent Areas indicated that they had access to an Equality and Diversity Officer (EDO), Communications Manager or similar who had a role on employment related equality and diversity matters. In all, 24% of respondent Areas had access to EDOs who mainly assisted in delivery of this role, although the accompanying narrative highlighted the fact that in most instances the EDO role was utilised primarily for community engagement, with a supporting role in employment related equality and diversity in a minority of cases.

- Over 30% of respondents did not describe the roles of the officers listed as responsible for equality and diversity matters in the Area as required by the question.

2.   Describe how the Area ensures that staff at all levels are aware of CPS E&D policies and the implications of these for them:

Methods adopted by respondent Areas included:

Number (out of 42 respondents)

Incorporating objectives
in local policies and plans: 12 (28.6%)

Via meetings and circulation of minutes: 24 (57.1%)

Training (including induction and e-learning): 32 (76.2%)

Local communications (e.g. newsletters and bulletins): 20 (47.6%)

Circulation of CPS documentation: 20 (47.6%)

Setting relevant
staff objectives: 11 (26.2%)

Information held on the
Intranet or local shared drive: 4 (9.5%)

Overview

- The most popular means through which staff were made aware of CPS equality and diversity policies were training (including induction), meetings and distribution of CPS policy material and other local communications.

- Less than a third of the respondent Areas indicated that the incorporation of relevant objectives in business plans and policy documents was seen as a means of disseminating awareness of equality and diversity issues to staff. A similar proportion of Areas included the use of appropriate staff objectives. This has implications for performance monitoring and may suggest that managers have not been able to develop appropriate objectives through which equality and diversity progress is monitored and reported against.

- Use of the intranet and other electronic means had a low response rate with only four Areas (10%) indicating that this was used to communicate CPS equality and diversity policy to staff.

3. Does the Area monitor and evaluate the effectiveness of CPS E&D policies?

If yes, please describe how, and any outcomes arising from evaluation:

Responses

Number of respondents: 40

Yes	In part	No
15 (37.5%)	21 (52.5%)	4 (10%)

Total affirmative responses: 36 (90%)

Methods used to monitor effectiveness of policies included:

Internal Area reviews and surveys: 20 (55.6%)

Workforce representation monitoring: 12 (33.3%)

External surveys (e.g. biennial staff survey): 5 (13.9%)

Outcomes of evaluation included:

Taking action on findings: 8 (22.2%)

Feedback to Headquarters: 3 (8.3%)

Overview

- A significant majority of respondent Areas (90%) evaluated CPS policies in whole or in part, with the most popular means being the use of internal reviews and surveys. However, the supporting narrative suggests that actions such as monitoring workforce representation or acting on staff survey findings were regarded by many of these respondents as policy evaluation. This may suggest that while policy is not evaluated at Area level as such, actions taken in pursuit of implementing same were.

- Less than a quarter of respondent Areas (22% of affirmative respondents) indicated that they took any action in consequence of evaluation, and fewer still (8% of affirmative respondents) indicated giving any feedback on the effectiveness of policy to Headquarters.

4.   In your opinion, are there any barriers to the effective implementation of CPS E&D policies and guidance at Area or national level?
If yes, please explain what they are:

Responses

Number of respondents: 42

Yes 21 (50%)	In part 8 (19.1%)	No 13 (31%)

Total affirmative responses: 29 (69.1%)

Barriers to effective implementation included:

Inadequate information and guidance: 7 (24.1%)

Inadequate training for staff and/or managers (includes responses on quality and quantity of available training): 8 (27.6%)

Difficulty in setting workforce diversity representation targets: 4 (13.8%)

Inadequate support from Headquarters: 3 (10.3%)

Overview

- Close to 70% of all respondent Areas indicated impediments to policy implementation, with the most popular reason being the lack of adequate information and guidance.

- Only three respondents indicated that Headquarters support was inadequate, perhaps a measure of the support provided by the EDU.

- There were eight respondents (28% of affirmative respondents) indicating inadequate training for managers and staff (including issues relating to access to training).

- Some other minority examples of barriers indicated included:

  ○ lack of resources for a dedicated E&D role or similar;

  ○ unreliable base data; and

  ○ staff cynical of senior management commitment.

5.   In your opinion, are there any E&D issues in relation to employment that are not yet incorporated within existing CPS policies and guidance?
If yes, please detail:

Responses
Number of respondents: 42

Yes 12 (28.6%)	In part 5 (11.9%)	No 25 (59.5%)

Total affirmative responses: 17 (40.5%)

Issues not incorporated included:

Impending changes in legislation (2006): 8 (50%)

Disability issues: 3 (18.8%)

Overview

- Approximately 60% of respondents were satisfied that the existing CPS equality and diversity policy and guidance were comprehensive.

- Amongst the minority of respondents who indicated otherwise, 50% thought that policy and procedures should have been in place in view of expected changes to legislation (mainly relating to age and disability discrimination) due later in 2006.

6.   How does the Area ensure that newly appointed managers have the necessary skills to ensure employment related E&D issues are properly handled?

Sample of responses given:

Number (out of 42 respondents)

National training (e.g. Transform, Policy & Procedures, Recruitment & Selection): 22 (52.4%)

Prosecution College e-learning induction module: 14 (33.3%)

Local training arrangements: 12 (28.6%)

Mentoring and coaching: 19 (45.2%)

Other Induction: 13 (31%)

Limits to quantity of available training places: 5 (11.9%)

Overview

- It was difficult to discern if the responses to this question were based on fact (i.e. steps actually taken) or theory (steps that would be taken where necessary).

- A number of respondent Areas who mentioned training referred to difficulties in accessing sufficient central training courses (an issue also raised under question 4).

7.   List any employment related training, other than induction, undertaken by Area staff, either via e-learning or conducted in the Area or attended by Area staff since April 2005 which addressed E&D issues.

Sample responses given included:

Number (out of 40 respondents)

Recruitment & Selection: 14 (35%)

Prosecution College E&D
e-learning module: 10 (25%)

Staff Performance Appraisal
Review (PAR) training: 5 (12.5%)

Policies & Procedures: 7 (17.5%)

Managing sickness absence: 8 (20%)
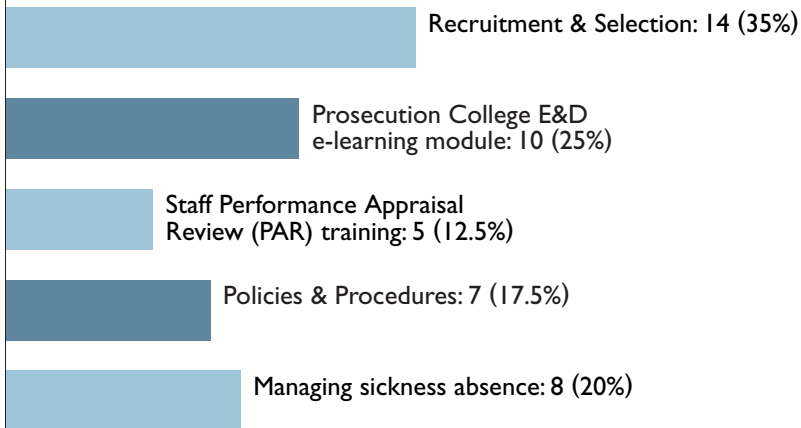
Overview

- Recruitment and selection training was indicated as the training course most attended by staff during the last financial year, followed by the E&D e-learning module.

- A number of Areas have used the E&D e-learning module to train existing staff other as well as part of induction for new staff.

8. What evaluation, if any, has been undertaken in respect of the training described in Q7?

Responses
Number of respondents: 40

Areas indicating that they evaluated training: 31 (77.5%)	Areas indicating that they did not evaluate training: 9 (22.5%)

Total affirmative responses: 31 (77.5%)

Evaluation methods included:

Post-attendance discussion with line manager: 13 (41.9%)

Evaluation forms completed by attendees: 12 (38.7%)

Monitoring staff performance against objectives (Performance Appraisal Review): 7 (22.6%)

Overview

- Over three-quarters of respondents indicated that they undertook some evaluation of training provided.

- Post-training discussions with managers (formal or informal) was the most common means of evaluation.

- Less than a quarter (22.6%) of Areas indicating that they evaluated training, did so by monitoring post-training performance against equality and diversity objectives. This is consistent with the responses to question 2 which showed that only 26.2% of respondents ensured staff awareness of equality and diversity priorities though setting relevant staff objectives.

9.   During 2005-06, in which of the following document(s) did the Area incorporate planned activities to promote E&D in relation to employment?

Methods adopted by respondent Areas included:

Number (out of 42 respondents)

Area business plans: 41 (97.6%)

Local operational plans: 16 (38.1%)

Human resources plans: 9 (21.4%)

Equality and diversity plans: 21 (50%)

Other plans including: 21 (50%)*

Local Criminal Justice Board plans: 5 (11.9%)

Race equality schemes: 4 (9.5%)

Workforce representation plans: 3 (7.1%)
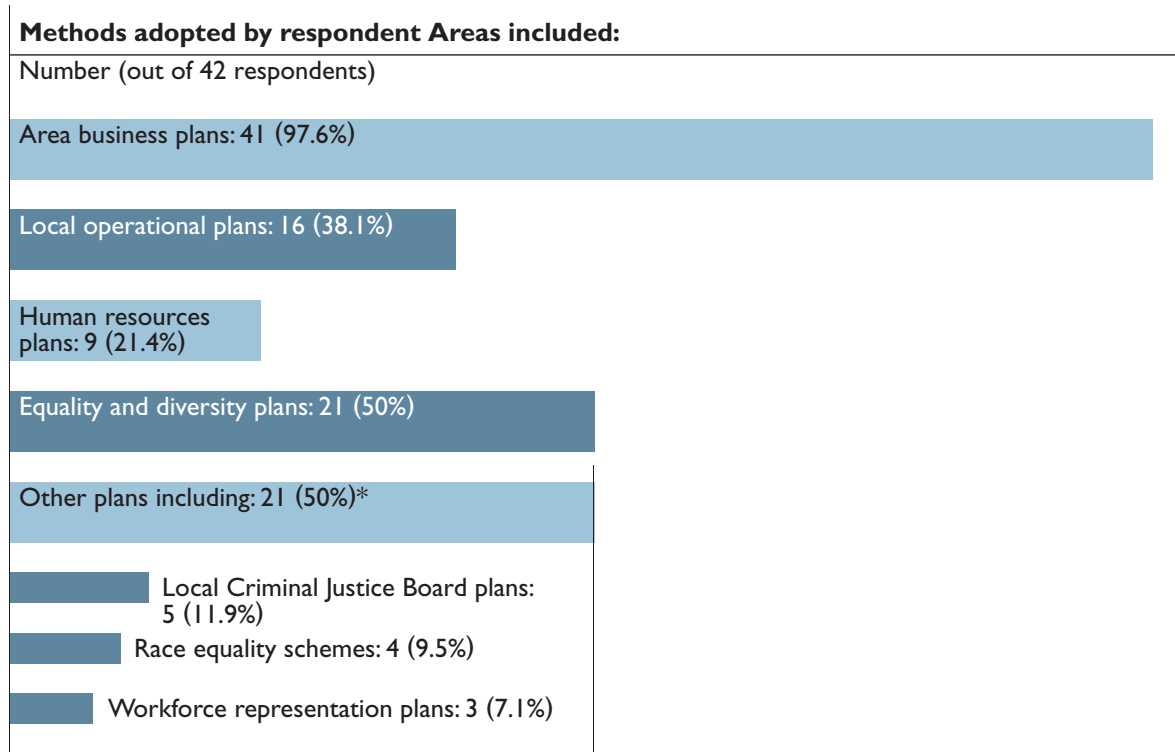
Overview

- All but one of the 42 respondents indicated that the annual Business Plans for 2005-06 included objectives aimed at developing employment related equality and diversity.

* Total figures for 'Other' category, followed below by some examples.

10. Do you evaluate the effectiveness of any specific objectives designed to promote E&D in the workplace in the forward job plans of staff and managers?
If Yes or In part please give brief explanation.

Responses

Number of respondents: 42

Yes	In part	No
23 (54.8%)	9 (21.4%)	10 (23.8%)

Total affirmative responses: 32 (76.2%)

Methods used for evaluation included:

Review of objectives during staff performance appraisal review exercise: 14 (43.8%)

Quality assurance by Area Business Manager: 4 (12.5%)

Routine monitoring of individual performance against targets set: 3 (9.4%)

Explanations not linked to employment related equality and diversity objectives: 10 (31.3%)

Overview

- Over three-quarters (76%) answered 'Yes' or 'In part', with the most common method of evaluation being during interim or year-end or Performance Appraisal Report (PAR) exercises.

- Ten respondents went on to provide explanations that did not support their original affirmative response, mostly as they related to casework and community engagement. When these respondents are subtracted from the total number of affirmative respondents (32), the proportion of respondent Areas which indicated that they evaluated employment related equality and diversity staff objectives drops from 76% to 52%.

11. Are you satisfied that the Area's flexible working arrangements harmonise fully with business needs?

Responses

Number of respondents: 42

Yes	In part	No
15 (37.5%)	8 (19%)	19 (45.2%)

Total non-affirmative responses: 27 (64.3%)

Operational issues raised or problems encountered included:

Court and charging centre cover: 11 (40.7%)

Office cover during normal business hours: 8 (29.6%)

Annual leave allocation: 3 (11.1%)

Difficulty in monitoring compliance: 4 (14.8%)
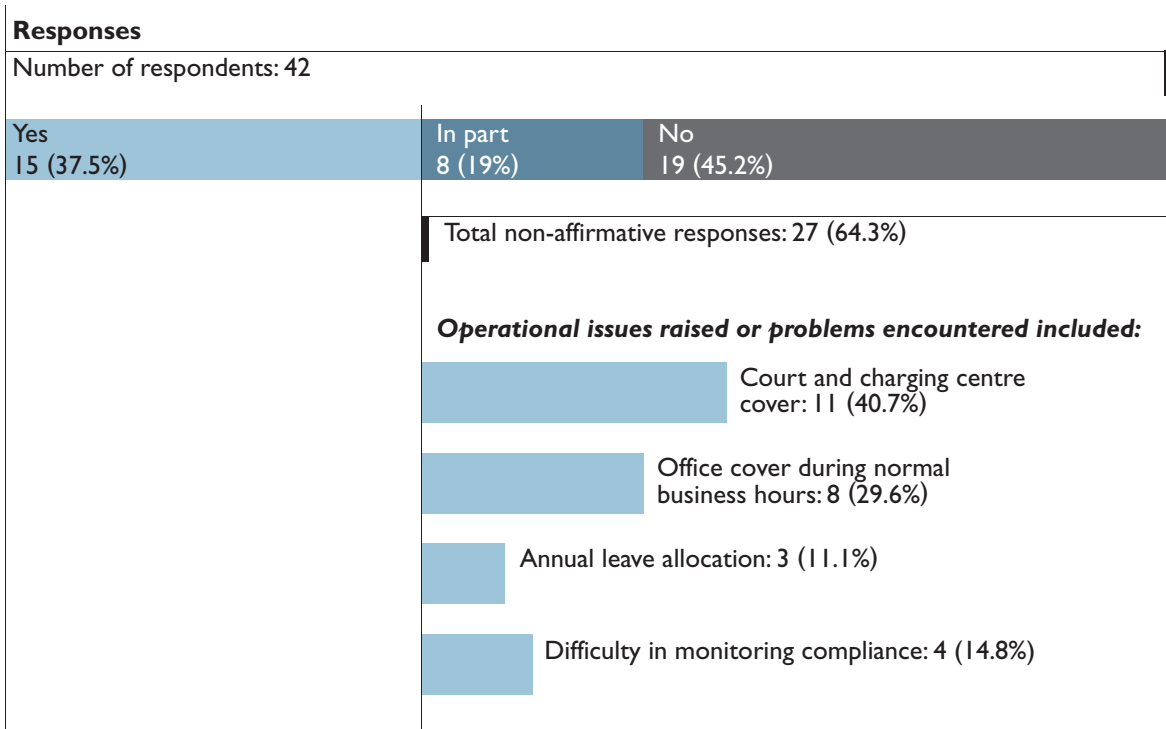
Overview

- Only 15 Areas (36%) indicated they were entirely satisfied with existing CPS flexible work policies. Office, charging centre and court cover are the most pressing issues identified.

- 27 respondents (64%) indicated they were either unsatisfied or partly (un)satisfied with the Area's flexible working arrangements.

- In addition to the reasons given in the columns above, there were seven others that did not fit into any of the categories above. There included:

  ◦ strong staff demand not matched by Area's operational requirements; and

  ◦ budgetary constraints.

- Notably, some of the 'satisfied' respondents also alluded to issues in this regard, but explained that steps had been taken to address them - see further under question 12.

12. What steps, if any, have you taken to address the issues identified in Question 11?

Responses

Number of respondents: 27*

Steps taken 23 (85.2%)	No steps taken 4 (14.8%)

Total affirmative responses: 23 (85.2%)

Steps taken included:

Review of individual staff work patterns/renegotiation of agreed flexible terms: 9 (39.1%)

Discussions with trade union representatives: 6 (26.1%)

Local amendments to flexible working scheme to reflect local needs: 5 (21.7%)

Establishing rules for staff leave that take account of minimum cover requirements: 3 (13%)

Overview

- Only four of the 27 Areas that were either dissatisfied or partly dissatisfied with the Area's flexible working arrangements had taken no action to address their concerns in line with existing CPS guidance which requires Area managers to take account of business needs in making decisions on flexible working.

- In dealing with the problems faced, all 23 used a variety of means that implied varying degrees of rigidity in the application of the general guidance issued to managers.

* We also received responses to the question from respondent Areas who answered 'Yes' to question 11. While they are excluded from the data analysis here, the examples of action taken to address issues relating to flexible working arrangements have been taken into account in other parts of the report.

13. **What level of access do staff have to relevant staff diversity networks?**
Please detail for each network

Responses

Number of respondents: 42

Allow access to any/all staff networks: 42 (100%)

Deny access to any/all staff networks: 0 (0%)

Total affirmative responses: 42 (100%)

Level of access described:

Active promotion of networks and benefits: 15 (35.7%)

Information on meetings: 22 (52.4%)

Allow access (passive): 5 (11.9%)
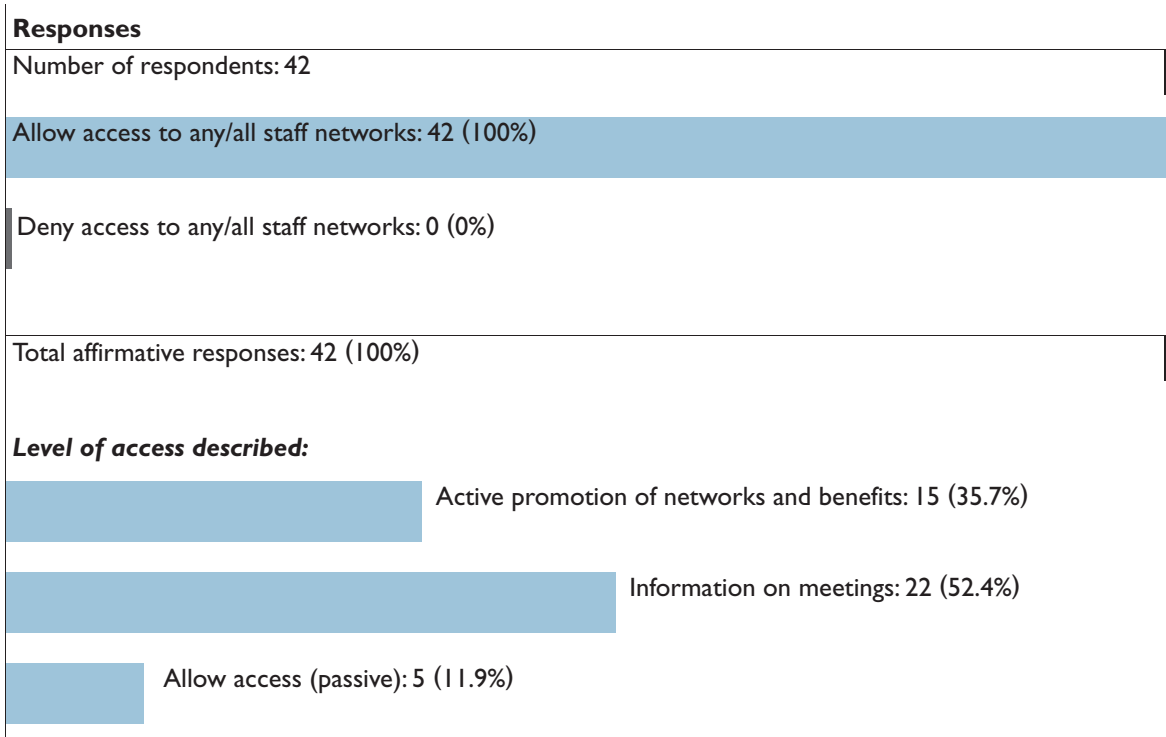
Overview

- Effectively all Areas allowed access to all staff diversity networks - Enable, National Black Crown Prosecution Association (NBCPA) and the Lesbian, Gay, Bisexual and Transsexual (LGBT) Network.

- Some Areas indicated that they went further in allowing staff access to groups that are not formally recognised by the CPS - Welsh Women's Aid, National Secretaries Forum, Islamic Network and Christian Fellowship Alliance.

- A minority of respondent Areas (36%) indicated that they adopted a more pro-active approach to staff participation in network activities, for example by encouraging by membership and e-mailing details of impending meetings to all staff.

14. In your opinion, does the Area derive any benefits from staff participation in diversity networks?

If Yes or In Part please describe?

Responses

Number of respondents: 42

Yes 24 (57.1%)	In part 8 (19%)	No 10 (23.8%)

Total affirmative responses: 32 (76.2%)

Benefits derived include:

Raising awareness: 17 (53.1%)

Sharing best practice: 5 (15.6%)

Informs decision making: 4 (12.5%)
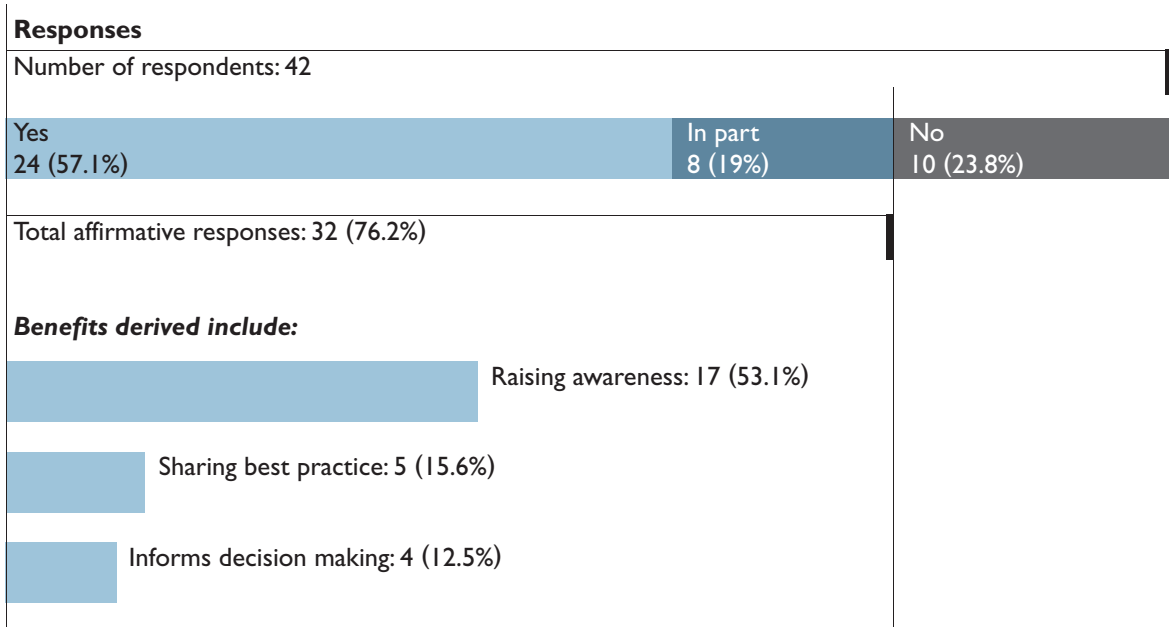
Overview

- Over three-quarters of respondent Areas indicated that there were some benefits of membership derived by the Area. Most of the 24% who derived no benefits either had no staff who belonged to any of the networks or were unable to determine what the potential benefits were.

- Just over half of respondents who derived some benefits acknowledged that staff membership of diversity networks enabled awareness of equality and diversity issues. Just one Area made the point that participation in network events was recognised as a means of training staff.

15. What facilities and/or support does the Area provide for staff to attract and retain a diverse workforce e.g. reasonable adjustments for disabled staff?

Examples of facilities/support provided include:

Number (out of 42 respondents)

Individual supply of equipment: 29 (69.0%)

Flexible working arrangements: 21 (50.0%)

Adjustments to accommodation:
14 (33.3%)

Other individual support: 24 (57.1%)
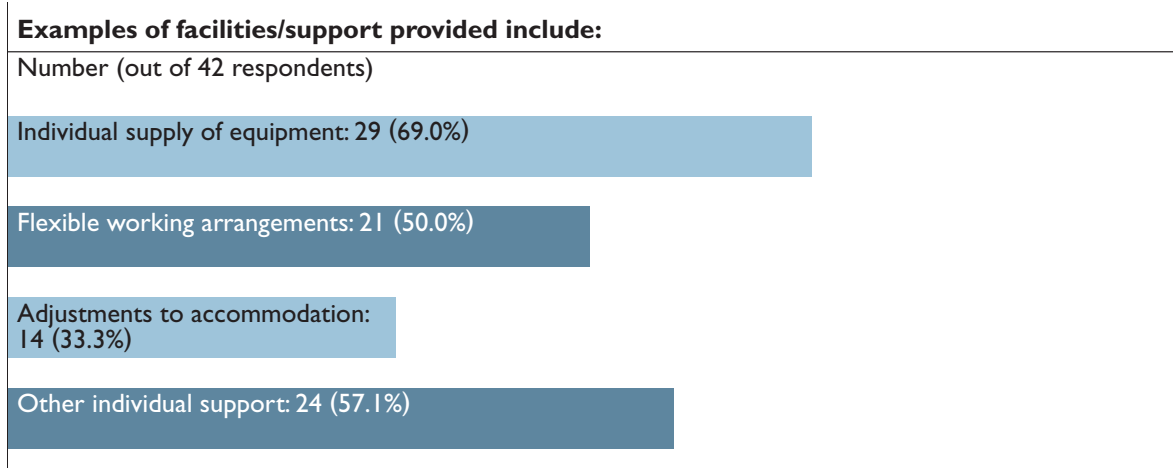
Overview

- Almost 70% of respondent Areas have had need to consider and/or supply specific equipment to support staff requirements. There were good examples of reasonable adjustments being made, for instance changes to computer equipment, chairs, amended hours and home working, while some adjustments were more extensive for instance adding lifts and ramps.

- Eight respondents (19%) indicated that staff are permitted time off to attend regular or occasional religious observances, mainly by allowing flexible work arrangements to accommodate Friday prayers for Muslim staff or by designating space for prayer.

- Flexible working arrangements (including remote working) were seen as relevant in attracting diverse staff by 50% of respondent Areas.

16. **Briefly describe the Area's main achievements in 2005-06 in relation to promoting E&D in employment.**

Achievements included:

Number (out of 42 respondents)

Staff development: 15 (35.7%)

Workforce representation: 11 (26.2%)

Enabling work experience opportunities: 7 (16.7%)

Review and amendment of flexible working arrangements: 5 (11.9%)
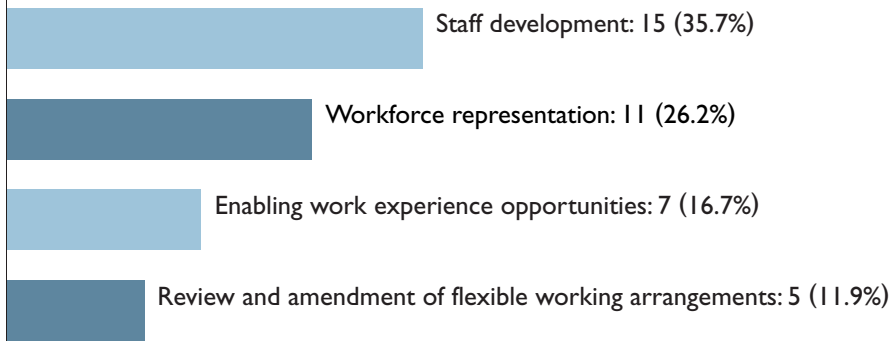
Overview

- The most popular response related to creation of opportunities for staff development (36%).

- The 26% of respondents who indicated progress with workforce diversity representation included Areas who had only started to develop a strategy and/or plan to address under-representation.

- Only three of the seven Areas who included provision of work experience opportunities as achievements in 2005-06 indicated that placements were targeted at specific minority groups.

17. What, if any, are the key barriers to achieving greater E&D in relation to employment within the Area?

Responses

Number of respondents: 42

Barriers identified 35 (83.3%)	No barriers identified 7 (16.7%)

Total responses identifying barriers: 35 (83.3%)

Barriers identified included:

Demographic or geographic issues relating to low proportion of BME population or small Area size: 13 (37.1%)

Low staff turnover (i.e. to facilitate reaching workforce diversity representation targets): 8 (22.9%)

Funding restraints and embargoes on employment: 7 (20.0%)

Low declaration rates by staff: 4 (11.4%)

Overview

- 35 respondent Areas identified barriers which fell into a wide range of categories. However, the top three were responses related to work being undertaken to meet workforce representation targets.

- Two Areas indicated that operational managers had limited ability to ensure achievement of equality and diversity objectives.

- Seven Areas indicated that they were no barriers at all.

18. What challenges, if any, does the Area face in increasing the representation of under-represented target groups (i.e. BME staff, disabled staff and women) at middle and senior management levels?

Responses

Number of respondents: 42

Challenges identified
35 (83.3%)

No challenges identified
7 (16.7%)

Total responses identifying challenges: 35 (83.3%)

Challenges identified included:

Low staff turnover (i.e. to facilitate reaching workforce diversity representation targets): 17 (48.6%)

Demographic or geographic issues relating to low proportion of BME population or small Area size: 7 (20%)

Low declaration rates by staff: 7 (20%)

Funding restraints: 7 (20%)

Internal recruitment: 5 (14.3%)

Overview

- Responses to this question were similar to those to question 17 above.

- Low staff turnover took on a higher profile, included in almost half of the responses from Areas who identified challenges. Recruiting internally from a pool of staff that is not itself diverse was regarded as a challenge to workforce diversity by five Areas (14%).

- Seven Areas identified no challenges at all to the task of increasing under-represented groups. However, this did not indicate that all of these Areas had a workforce that was representative at middle or senior management levels. Only two of the Areas who identified no barriers in question 17 also indicated that there were no barriers to workforce representation at middle and senior levels.

19. Does the Area have guidance that ensures the selection of agents and counsel are representative of the community served?
Provide a brief explanation:

Responses

Number of respondents: 40

Yes 18 (45%)	In part 6 (15%)	No 16 (40%)

Total affirmative responses: 24 (60%)

Explanations provided:

Area or local Joint Advocacy Selection Committee (JASC) directly monitors counsel by race and gender: 17 (70.8%)

Area directly monitors agents by race and gender: 2 (8.3%)

Overview

- Of the 24 respondents who indicated that their Areas had guidance, most monitored the ethnicity and/or gender of counsel only.

- The extent to which monitoring is undertaken by JASC was not clear although five Areas explicitly indicated that monitoring of counsel is undertaken by their JASC.

20. What factors, if any, would assist the Area better promote E&D in employment?

Responses

Number of respondents: 42	
Factors identified 34 (81%)	No factors identified 8 (19%)

Total responses identifying factors: 34 (81%)

Factors identified included:

Management training and development: 11 (34.2%)

Improved recruitment and selection processes: 10 (29.4%)

Designation of specific EDO role or improvements to existing EDO roles: 9 (26.5%)

Clearer HR/EDU policy and guidance: 8 (23.5%)

Better community engagement: 7 (20.6%)

Overview

- There was a wide array of responses to this question. The dominant themes are shown above.

- Of the eight Areas that did not indicate any factors, three explicitly indicated that there were no factors that could be introduced to improve equality and diversity in employment.

21. Overall, what do you consider are the Area's key strengths and weaknesses in relation to employment related equality and diversity?

Responses

Number of respondents: 42

Areas identifying strengths
40 (95.2%)

Areas identifying weaknesses
31 (73.8%)

Number of respondents identifying strengths: 40 (95.2%)

Strengths identified included:

Alternative working arrangements: 12 (30%)

Training and development: 11 (27.5%)

Workforce diversity representation: 10 (25%)

Number of respondents identifying weaknesses: 31 (73.8%)

Weaknesses identified included:

Workforce diversity representation: 14 (45.2%)

Limited resources: 6 (19.4%)

Staff management: 4 (12.9%)

Overview

- Only a limited number of examples are provided for each of the sections above (i.e. strengths and weaknesses). In both instances there were a number of items listed that did not fall under any of the broad categories used in the analysis.

- Interestingly, workforce diversity representation was considered either a strength or a weakness by 24 of the 42 respondent Areas (57.1%).

- Other strengths identified included Area commitment to equality and diversity (17.5%) and leadership (12.5%). Weaknesses also included staff perceptions of issues concerning employment related equality and diversity (9.7%).

22. List three main ways in which Area senior managers actively demonstrate clear leadership and high-level commitment to equality and diversity in relation to employment.

Responses

Number of respondents: 42

Responses received: 42 (100%)

Total number of respondents: 42 (100%)

Examples included:

Equality and diversity included within performance monitoring regime: 14 (33.3%)

Participation in or monitoring of recruitment processes: 10 (23.8%)

Ensuring that there are appropriate levels of training and development in equality and diversity: 10 (23.8%)

Involvement in community engagement initiatives: 13 (31%)

Overview

- As with question 20 above, there was a wide range of responses to this question with the most frequently identified methods shown above.

ANNEX D: CPS STAFF GENDER BY GRADE OVER A 3 YEAR PERIOD TO 31 MARCH 2005

CPS staff grades	Gender	Staff in grade as at 31 Mar 03		Staff in grade as at 31 Mar 04		Staff in grade as at 31 Mar 05		Civil Service benchmark as at 31 Mar 05
		No.	%	No.	%	No.	%	%
A1	Women	699	80.3	720	80.8	716	79.7	49.6
	Men	172	19.7	171	19.2	182	20.3	50.4
A2	Women	1,206	79.0	1,318	77.8	1,335	77.8	67.5
	Men	321	21.0	377	22.2	380	22.2	32.5
B1	Women	1,069	74.1	1,150	74.6	1,187	74.9	55.3
	Men	373	25.9	391	25.4	398	25.1	44.7
B2	Women	320	65.8	352	66.5	403	68.1	44.8
	Men	166	34.2	177	33.5	189	31.9	55.2
B3	Women	40	46.5	49	52.1	57	55.3	35.3
	Men	46	53.5	45	47.9	46	44.7	64.7
B Trainee	Women	22	64.7	35	72.9	26	72.2	†
	Men	12	35.3	13	27.1	10	27.8	†
C1	Women	209	68.8	250	71.4	232	69.7	†
	Men	95	31.3	100	28.6	101	30.3	†
C2	Women	920	53.1	1,010	53.7	1,130	54.7	†
	Men	812	46.9	872	46.3	937	45.3	†
D	Women	120	39.1	153	41.6	168	43.0	36.3
	Men	187	60.9	215	58.4	223	57.0	63.7
E	Women	24	22.9	41	29.5	40	30.8	30.4
	Men	81	77.1	98	70.5	90	69.2	69.4
CCP	Women	8	18.2	9	22.0	12	25.5	†
	Men	36	81.8	32	78.0	35	74.5	†
SCS	Women	5	31.3	5	31.3	8	38.1	27.5
	Men	11	68.8	11	68.8	13	61.9	72.5

† Non Civil Service Grade.

Source: CPS data and Civil Service Mandate and Departmental Returns as at 31 March 2005.

ANNEX E: CPS STAFF GENDER BREAKDOWN BY AREA AND HEADQUARTERS COMPARED TO AREA LFS DATA AS AT 31 MARCH 2005

CPS Area	Total number of Area staff	CPS Area staff breakdown by gender		LFS Area breakdown by gender as at 31 Mar 05	
		Male %	Female %	Male %	Female %
Avon & Somerset	181	39.2	60.8	51.4	48.6
Bedfordshire	64	28.1	71.9	49.9	50.1
Cambridgeshire	71	29.6	70.4	51.4	48.6
Cheshire	114	29.8	70.2	51.5	48.5
Cleveland	110	20.9	79.1	51.4	48.6
Cumbria	79	35.4	64.6	52.8	47.2
Derbyshire	110	24.5	75.5	52.0	48.0
Devon & Cornwall	126	35.7	64.3	52.5	47.5
Dorset	59	50.8	49.2	49.4	50.6
Durham	80	35.0	65.0	51.0	49.0
Dyfed-Powys	66	31.8	68.2	52.0	48.0
Essex	158	35.4	64.6	51.2	48.8
Gloucestershire	60	33.3	66.7	51.2	48.8
Greater Manchester	479	32.8	67.2	50.9	49.1
Gwent	83	41.0	59.0	53.8	46.2
Hampshire and I.O.W.	229	32.8	67.2	50.9	49.1
Hertfordshire	106	26.4	73.6	50.9	49.1
Humberside	107	26.2	73.8	50.9	49.1
Kent	163	30.7	69.3	51.1	48.9
Lancashire	252	30.2	69.8	51.5	48.5
Leicestershire	125	25.6	74.4	51.3	48.7
Lincolnshire	69	24.6	75.4	53.0	47.0
London	1,373	33.6	66.4	51.4	48.6
Merseyside	304	35.5	64.5	51.7	48.3
Norfolk	93	34.4	65.6	50.1	49.9
North Wales	72	29.2	70.8	51.2	48.8

North Yorkshire	76	27.6	72.4	51.8	48.2
Northamptonshire	69	21.7	78.3	50.4	49.6
Northumbria	259	32.8	67.2	50.9	49.1
Nottinghamshire	171	35.1	64.9	50.8	49.2
South Wales	213	36.2	63.8	50.4	49.6
South Yorkshire	186	37.6	62.4	51.7	48.3
Staffordshire	140	27.9	72.1	54.2	45.8
Suffolk	75	36.0	64.0	53.4	46.6
Surrey	70	32.9	67.1	51.9	48.1
Sussex	140	30.7	69.3	51.9	48.1
Thames Valley	199	21.6	78.4	50.6	49.4
Warwickshire	38	31.6	68.4	51.6	48.4
West Mercia	121	33.1	66.9	50.9	49.1
West Midlands	524	30.5	69.5	51.6	48.4
West Yorkshire	325	33.5	66.5	51.9	48.1
Wiltshire	51	19.6	80.4	51.5	48.5
CPS Direct	91	50.5	49.5	na	na
HQ - London	310	44.8	55.2	51.2	48.8
HQ - York	92	31.5	68.5	51.1	48.9
HQ - Birmingham	2	100.0	0.0	50.4	49.6
HQ - Other	34	38.2	61.8	na	na
Totals	7,919	32.9	67.1	51.4	48.7

Source: CPS data and Labour Force Survey data as at 31 March 2005.

ANNEX F: CPS STAFF ETHNICITY BY AREA AND HEADQUARTERS COMPARED TO AREA LFS DATA AS AT 31 MARCH 2005

Staff ethnicity expressed as absolute numbers

CPS Area	Total no staff	Ethnicity Declaration	White	Mixed	Asian or Asian British	Black or Black British	Chinese and other	Total BME staff	LFS Area BME population as at 31 Mar 05
		No.	No.	No.	No.	No.	No.	No.	%
Avon & Somerset	181	142	125	5	7	3	2	17	4.1
Bedfordshire	64	44	33	0	6	5	0	11	17.5
Cambridgeshire	71	48	46	0	1	1	0	2	5.6
Cheshire	114	98	95	2	0	0	1	3	2.4
Cleveland	110	82	80	0	1	0	1	2	4
Cumbria	79	53	53	0	0	0	0	0	2
Derbyshire	110	98	88	3	6	1	0	10	4.6
Devon & Cornwall	126	107	101	2	1	0	3	6	1.9
Dorset	59	50	47	1	0	1	1	3	5.1
Durham	80	63	60	1	1	0	1	3	1.8
Dyfed-Powys	66	57	57	0	0	0	0	0	1.6
Essex	158	113	106	1	3	1	2	7	3.7
Gloucestershire	60	47	44	0	0	3	0	3	3.5
Greater Manchester	479	339	312	3	19	3	2	27	9.4
Gwent	83	77	73	1	2	1	0	4	2.4
Hampshire and I.O.W.	229	199	184	7	2	5	1	15	4.2
Hertfordshire	106	68	58	0	7	2	1	10	8.5
Humberside	107	90	89	0	0	0	1	1	3.2
Kent	163	140	128	2	4	4	2	12	4.3
Lancashire	252	169	159	2	7	0	1	10	7.6
Leicestershire	125	102	78	2	19	1	2	24	17
Lincolnshire	69	60	59	0	1	0	0	1	1.4
London	1,373	966	534	31	165	216	20	432	33.5

Merseyside	304	197	194	0	0	1	2	3	3.6
Norfolk	93	66	63	1	0	1	1	3	3
North Wales	72	60	60	0	0	0	0	0	0.7
North Yorkshire	76	60	60	0	0	0	0	0	1.7
Northamptonshire	69	58	47	1	6	3	1	11	7.4
Northumbria	259	254	248	1	2	2	1	6	3.5
Nottinghamshire	171	145	136	3	5	1	0	9	5.8
South Wales	213	188	182	0	2	1	3	6	4.5
South Yorkshire	186	160	152	2	1	5	0	8	5.3
Staffordshire	140	118	112	2	2	1	1	6	2.7
Suffolk	75	48	45	1	0	2	0	3	4.7
Surrey	70	65	58	3	2	0	2	7	6.1
Sussex	140	115	110	1	1	3	0	5	5.2
Thames Valley	199	178	153	3	14	6	2	25	10.1
Warwickshire	38	35	33	0	2	0	0	2	3.3
West Mercia	121	107	106	1	0	0	0	1	2.1
West Midlands	524	466	362	8	71	23	2	104	18.9
West Yorkshire	325	283	240	6	28	5	4	43	13.8
Wiltshire	51	46	46	0	0	0	0	0	3.5
CPS Direct	91	71	91	2	2	1	0	5	0
HQ - London	310	232	174	5	18	30	5	58	78.3
HQ - York	92	79	73	1	2	0	3	6	3.4
HQ - Birmingham	2	2	2	0	0	0	0	0	28.7
HQ - Other	34	26	25	0	0	1	0	1	N/A
Totals	7,919	6,271	5,381	104	410	333	68	915	8.9

Staff ethnicity expressed as percentages

CPS Area	Total no staff	Ethnicity Declaration	White	Mixed	Asian or Asian British	Black or Black British	Chinese and other	Total BME staff	LFS Area BME population as at 31 Mar 05
		%	%	%	%	%	%	%	%
Avon & Somerset	181	78.5	88.0	3.5	4.9	2.1	1.4	12.0	4.1
Bedfordshire	64	68.8	75.0	0.0	13.6	11.4	0.0	25.0	17.5
Cambridgeshire	71	67.6	95.8	0.0	2.1	2.1	0.0	4.2	5.6
Cheshire	114	86.0	96.9	2.0	0.0	0.0	1.0	3.1	2.4
Cleveland	110	74.5	97.6	0.0	1.2	0.0	1.2	2.4	4.0
Cumbria	79	67.1	100.0	0.0	0.0	0.0	0.0	0.0	2.0
Derbyshire	110	89.1	89.8	3.1	6.1	1.0	0.0	10.2	4.6
Devon & Cornwall	126	84.9	94.4	1.9	0.9	0.0	2.8	5.6	1.9
Dorset	59	84.7	94.0	2.0	0.0	2.0	2.0	6.0	5.1
Durham	80	78.8	95.2	1.6	1.6	0.0	1.6	4.8	1.8
Dyfed-Powys	66	86.4	100.0	0.0	0.0	0.0	0.0	0.0	1.6
Essex	158	71.5	93.8	0.9	2.7	0.9	1.8	6.2	3.7
Gloucestershire	60	78.3	93.6	0.0	0.0	6.4	0.0	6.4	3.5
Greater Manchester	479	70.8	92.0	0.9	5.6	0.9	0.6	8.0	9.4
Gwent	83	92.8	94.8	1.3	2.6	1.3	0.0	5.2	2.4
Hampshire and I.O.W.	229	86.9	92.5	3.5	1.0	2.5	0.5	7.5	4.2
Hertfordshire	106	64.2	85.3	0.0	10.3	2.9	1.5	14.7	8.5
Humberside	107	84.1	98.9	0.0	0.0	0.0	1.1	1.1	3.2
Kent	163	85.9	91.4	1.4	2.9	2.9	1.4	8.6	4.3
Lancashire	252	67.1	94.1	1.2	4.1	0.0	0.6	5.9	7.6
Leicestershire	125	81.6	76.5	2.0	18.6	1.0	2.0	23.5	17.0
Lincolnshire	69	87.0	98.3	0.0	1.7	0.0	0.0	1.7	1.4
London	1,373	70.4	55.3	3.2	17.1	22.4	2.1	44.7	33.5
Merseyside	304	64.8	98.5	0.0	0.0	0.5	1.0	1.5	3.6
Norfolk	93	71.0	95.5	1.5	0.0	1.5	1.5	4.5	3.0
North Wales	72	83.3	100.0	0.0	0.0	0.0	0.0	0.0	0.7

North Yorkshire	76	78.9	100.0	0.0	0.0	0.0	0.0	0.0	1.7
Northamptonshire	69	84.1	81.0	1.7	10.3	5.2	1.7	19.0	7.4
Northumbria	259	98.1	97.6	0.4	0.8	0.8	0.4	2.4	3.5
Nottinghamshire	171	84.8	93.8	2.1	3.4	0.7	0.0	6.2	5.8
South Wales	213	88.3	96.8	0.0	1.1	0.5	1.6	3.2	4.5
South Yorkshire	186	86.0	95.0	1.3	0.6	3.1	0.0	5.0	5.3
Staffordshire	140	84.3	94.9	1.7	1.7	0.8	0.8	5.1	2.7
Suffolk	75	64.0	93.8	2.1	0.0	4.2	0.0	6.3	4.7
Surrey	70	92.9	89.2	4.6	3.1	0.0	3.1	10.8	6.1
Sussex	140	82.1	95.7	0.9	0.9	2.6	0.0	4.3	5.2
Thames Valley	199	89.4	86.0	1.7	7.9	3.4	1.1	14.0	10.1
Warwickshire	38	92.1	94.3	0.0	5.7	0.0	0.0	5.7	3.3
West Mercia	121	88.4	99.1	0.9	0.0	0.0	0.0	0.9	2.1
West Midlands	524	88.9	77.7	1.7	15.2	4.9	0.4	22.3	18.9
West Yorkshire	325	87.1	84.8	2.1	9.9	1.8	1.4	15.2	13.8
Wiltshire	51	90.2	100.0	0.0	0.0	0.0	0.0	0.0	3.5
CPS Direct	91	78.0	128.2	2.8	2.8	1.4	0.0	7.0	0.0
HQ - London	310	74.8	75.0	2.2	7.8	12.9	2.2	25.0	78.3
HQ - York	92	85.9	92.4	1.3	2.5	0.0	3.8	7.6	3.4
HQ - Birmingham	2	100.0	100.0	0.0	0.0	0.0	0.0	0.0	28.7
HQ - Other	34	76.5	96.2	0.0	0.0	3.8	0.0	3.8	N/A
Totals	7,919	79.2	85.8	1.7	6.5	5.3	1.1	14.6	8.9

Source: CPS data and Labour Force Survey Data as at 31 March 2006.

Please note: the percentage of BME staff is expressed as the number of BME staff as a percentage of those who have declared their ethnicity.

ANNEX G: CPS STAFF ETHNICITY BY GRADE OVER A 3 YEAR PERIOD TO 31 MARCH 2005

Staff grades	Total no staff in grade	Ethnicity Declaration as at 31 Mar 05		BME staff in grade as at 31 Mar 03		BME staff in grade as at 31 Mar 04		BME staff in grade as at 31 Mar 05		Civil Service benchmark as at 31 Mar 05
		No.	%	No.	%	No.	%	No.	%	%
A1	898	714	79.5	67	9.5	82	11.6	86	12.0	8.0
A2	1,715	1,362	79.4	177	15.1	224	17.0	240	17.6	10.0
B1	1,585	1,284	81.0	151	13.8	169	13.5	180	14.0	9.0
B2	592	500	84.5	38	9.5	54	12.1	71	14.2	6.6
B3	103	87	84.5	4	5.1	5	5.9	6	6.9	5.4
B Trainee	36	28	77.8	8	38.1	15	40.5	13	46.4	†
C1	333	246	73.9	68	31.8	82	30.0	81	32.9	†
C2	2,067	1,555	75.2	111	9.1	153	10.8	190	12.2	†
D	391	329	84.1	16	6.2	23	7.5	32	9.7	5.5
E	130	113	86.9	6	6.6	11	9.5	8	7.1	4.5
CCP	47	45	95.7	3	7.5	4	10.5	6	13.3	†
SCS	21	19	90.5	1	7.1	1	7.7	2	10.5	3.5
Totals	7,918	6,282	79.3	650	12.2	823	13.7	915	14.6	8.3

† Non Civil Service Grade.

Source: CPS data and Civil Service Mandate and Departmental Returns as at 31 March 2005.

Please note: the percentage of BME staff is expressed as the number of BME staff as a percentage of those who have declared their ethnicity.

ANNEX H: CPS DISABLED STAFF BY GRADE OVER A 3 YEAR PERIOD TO 31 MARCH 2005

Staff grades	Total no staff in grade	Disabled staff in grade as at 31 Mar 03		Disabled staff in grade as at 31 Mar 04		Disabled staff in grade as at 31 Mar 05		Civil Service benchmark as at 31 Mar 05
		No.	%	No.	%	No.	%	%
A1	898	38	4.2	35	3.9	35	3.9	4.8
A2	1,715	76	4.4	77	4.5	70	4.1	4.8
B1	1,585	61	3.8	63	4.0	69	4.4	4.8
B2	592	28	4.7	30	5.1	32	5.4	4.2
B3	103	3	2.9	3	2.9	4	3.9	3.5
B Trainee	36	2	5.6	3	8.3	0	0.0	†
C1	333	3	0.9	3	0.9	6	1.8	†
C2	2,067	96	4.6	94	4.5	89	4.3	†
D	391	16	4.1	17	4.3	18	4.6	3.2
E	130	3	2.3	6	4.6	4	3.1	2.7
CCP	47	1	2.1	1	2.1	1	2.1	†
SCS	21	2	9.5	2	9.5	3	14.3	2.3
Totals	7,918	329	4.2	334	4.2	331	4.2	4.5

† Non Civil Service Grade.

Source: CPS data and Civil Service Mandate and Departmental Returns as at 31 March 2005.

Please note: the percentage of disabled staff is not calculated as the number of disabled staff as a percentage of those who have declared their disability status but as a percentage of total staff.

ANNEX I: CPS DISABLED STAFF BY AREA AND HEADQUARTERS COMPARED WITH AREA LFS DATA AS AT 31 MARCH 2005

CPS Area	Total number of Area staff	Total level of disability declarations	CPS Area staff breakdown by disability status		LFS Area breakdown by disability status as at 31 Mar 05	
			Non-disabled	Disabled	Non-disabled	Disabled
		%	%	%	%	%
Avon & Somerset	181	16.0	96.1	3.9	81.2	18.8
Bedfordshire	64	75.0	95.3	4.7	84.1	15.9
Cambridgeshire	71	70.4	100.0	0.0	84.5	15.5
Cheshire	114	34.2	96.5	3.5	81.0	19.0
Cleveland	110	31.8	96.4	3.6	78.5	21.5
Cumbria	79	34.2	94.9	5.1	81.3	18.7
Derbyshire	110	8.2	96.4	3.6	80.2	19.8
Devon & Cornwall	126	8.7	98.4	1.6	79.6	20.4
Dorset	59	13.6	98.3	1.7	82.2	17.8
Durham	80	50.0	87.5	12.5	73.1	26.9
Dyfed-Powys	66	47.0	97.0	3.0	79.0	21.0
Essex	158	75.3	95.6	4.4	82.8	17.2
Gloucestershire	60	10.0	96.7	3.3	82.4	17.6
Greater Manchester	479	39.2	96.7	3.3	78.2	21.8
Gwent	83	62.7	94.0	6.0	74.7	25.3
Hampshire and I.O.W.	229	38.9	95.6	4.4	82.1	17.9
Hertfordshire	106	61.3	96.2	3.8	85.9	14.1
Humberside	107	89.7	96.3	3.7	79.3	20.7
Kent	163	37.4	97.5	2.5	80.6	19.4
Lancashire	252	25.0	95.6	4.4	79.3	20.7
Leicestershire	125	5.6	96.0	4.0	83.4	16.6
Lincolnshire	69	8.7	94.2	5.8	78.4	21.6
London	1,373	32.0	95.9	4.1	83.7	16.3
Merseyside	304	27.0	93.4	6.6	76.7	23.3

Norfolk	93	79.6	97.8	2.2	79.7	20.3
North Wales	72	55.6	97.2	2.8	78.4	21.6
North Yorkshire	76	89.5	94.7	5.3	81.0	19.0
Northamptonshire	69	4.3	98.6	1.4	80.9	19.1
Northumbria	259	45.9	95.4	4.6	75.5	24.5
Nottinghamshire	171	8.2	95.3	4.7	77.5	22.5
South Wales	213	51.6	95.3	4.7	75.8	24.2
South Yorkshire	186	95.2	94.6	5.4	74.7	25.3
Staffordshire	140	6.4	95.0	5.0	80.8	19.2
Suffolk	75	81.3	94.7	5.3	86.7	13.3
Surrey	70	55.7	94.3	5.7	85.9	14.1
Sussex	140	30.0	97.9	2.1	81.5	18.5
Thames Valley	199	35.2	98.0	2.0	85.0	15.0
Warwickshire	38	15.8	92.1	7.9	81.8	18.2
West Mercia	121	10.7	94.2	5.8	83.0	17.0
West Midlands	524	8.2	97.5	2.5	79.5	20.5
West Yorkshire	325	88.9	92.3	7.7	81.9	18.1
Wiltshire	51	11.8	100.0	0.0	83.1	16.9
CPS Direct	91	45.1	90.1	9.9	N/A	N/A
HQ - London	310	37.7	96.8	3.2	83.8	16.2
HQ - York	92	35.9	95.7	4.3	82.2	17.8
HQ - Birmingham	2	0.0	100.0	0.0	78.0	22.0
HQ - Other	34	29.4	100.0	0.0	N/A	N/A
Totals	7,919	37.7	95.8	4.2	81.1	18.9

Source: CPS data and Labour Force Survey data as at 31 March 2005.

Please note: the percentage of disabled staff is not calculated as the number of disabled staff as a percentage of those who have declared their disability status but as a percentage of total staff.

ANNEX J: HELPFUL APPROACHES TO DEVELOPING EQUALITY AND DIVERSITY IN THE WORKPLACE

A number of Areas include equality and diversity as a standard agenda item at senior management team meetings and other meetings including Area training and Whitley meetings.

CPS Cheshire, through joint working with other criminal justice agencies, has access to contacts within the BME community who are available to participate in consultation panels on policy issues for the partner agencies. CPS West Yorkshire is an example of another Area that demonstrated effective working with partner agencies to establish relevant community contacts for consultation purposes.

A number of Areas have co-operated with partnership agencies and Local Criminal Justice Boards to provide joint stands at job fairs and other events. For example, CPS Lancashire is part of a CJS Breakthrough Group which is taking forward a joint agency recruitment strategy.

Through a 'Connecting Communities' project, CPS Cheshire works with other local agencies adopting a structured joint approach to the promotion of the agencies and recruitment of BME staff, which involves the local Race Equality Council (REC). This has included a joint approach to the circulation of publicity material, a connecting communities newsletter, work experience and a database of potential BME candidates; with support given throughout the recruitment process by a member of staff jointly funded to facilitate this working with agencies and the REC.

CPS South Yorkshire has undertaken positive action to increase BME representation by targeting 50% of work experience placements offered each year at BME students, through links developed with Sheffield University, which has resulted in a successful work experience programme and positive qualitative feedback.

CPS West Yorkshire has implemented a mentoring programme for existing African Caribbean staff within the Area, to encourage personal and professional development, and to facilitate achievement of workforce representation plans.

A number of Areas have adopted a pro-active approach to promoting staff networks and ensuring staff are aware of, and can benefit from, participation in the networks. Examples included details of staff diversity networks being provided within induction packs, inclusion of details of networks and events within Area newsletters and promotion of network events via Area internal emails.

CPS West Yorkshire issued staff and managers with clear and helpful guidance on religious beliefs in relation to the Islamic Calendar, assisting staff and managers with their awareness and understanding, and enabling staff need to be better balanced against business need.

CPS Sussex includes a range of 'external friends', including representatives relevant to sensitive casework and diversity groups, for example local LGBT representation, as members of its Equality and Diversity Committee to ensure a holistic approach to casework and non-casework equality and diversity within the Area.

CPS Nottinghamshire has previously offered one year work placements to Nottingham Trent University third year law students, and a year's work placement through PATRA (Positive Action Training and Recruitment Agency) for BME students, promoting employment within the CPS.

ANNEX K: GLOSSARY OF TERMS USED IN THE REPORT

Area Business Manager (ABM)
The most senior non-lawyer manager at Area level. They are accountable to the Chief Crown Prosecutor and play a key role in the management of staff and resources and also in ensuring equality and diversity policies are effectively implemented at operational level.

Area Performance Review
The CPS system for quarterly monitoring and reporting of performance against key measures at Area and business unit level.

Black and Minority Ethnic (BME)
A term used to describe individuals who define themselves within the broad Census categories of black, Asian, mixed, Chinese or others.

Chief Crown Prosecutor (CCP)
The chief officer of each of the 42 CPS Areas and the non-geographical CPS Direct. These top managers have a degree of autonomy but are accountable to the Director of Public Prosecutions and the CPS Board for Area performance.

Chief Executive (CE)
The most senior non-lawyer manager in the CPS who, together with the DPP, is ultimately responsible for delivery of CPS objectives. The CE is responsible to the DPP and the CPS Board.

Civil Service Diversity Champions Network
This body, convened by the Cabinet Office, consists of board level members from all the main Departments in the Civil Service who have responsibility for leading on equality and diversity within their Departments.

Commission for Racial Equality (CRE)
An independent institution set up under the 1976 Race Relations Act. Its main aims are to work towards the elimination of racial discrimination and promote equality of opportunity as well as monitor compliance with the Act. It has investigative powers, and in certain instances can take legal action to enforce compliance. The CRE works with Government, public and private organisations and the general public to influence attitudes, promote good practice and improve race relations.

Designated Caseworker (DCW)
A senior caseworker who is trained to present straight-forward cases on guilty pleas, or to prove them in the magistrates' courts where the defendant does not attend.

Denman Inquiry
An internal inquiry set up by the CPS in 2000, led by Sylvia Denman and tasked with investigating allegations of racial segregation and discrimination in employment practices. Its report was published in July 2001.

Director of Public Prosecution (DPP)
The chief officer of the CPS who is responsible for ensuring the independent review and prosecution of criminal proceedings started by the police in England and Wales. The DPP makes decisions about the most complex and sensitive cases and reports to the Attorney General, the Government Minister who answers for the CPS in Parliament.

Disability Rights Commission (DRC)
An independent body established in April 2000 by Act of Parliament to stop discrimination and promote equality of opportunity for disabled people. Its key roles involve giving advice and information to disabled people, employers and service providers, as well as supporting disabled people in getting their rights under the Disability Discrimination Act (1995).

Employment Tribunals
Judicial bodies established to resolve disputes between employers and employees over employment rights.

Enable Network
The CPS disability staff network. Enable is one of three networks formally supported by the CPS.

Equality and Diversity Complaints Procedure (EDCP)
Introduced in 2002 to address concerns identified by the Denman Inquiry about how complaints were dealt with. It is based on the standards set out in the CPS Dignity at Work policy, also introduced in 2002, and includes procedures for dealing with both informal and formal complaints.

Equality and Diversity Officer (EDO)
A number of EDO posts were established in the wake of the Denman Inquiry to provide a source of knowledge and expertise for Areas and help to raise the profile of equality and diversity issues.

Equality and Diversity Unit (EDU)
A stand-alone unit reporting to the DPP and CE established in 2000 to provide a clear focus for leadership in equality and diversity matters. Its role includes the development of equality and diversity policy and strategy, directing the delivery of strategy across the organisation and enabling and supporting the mainstreaming of equality and diversity within the Service.

Equal Opportunities Commission (EOC)
An independent, non-Departmental public body, funded primarily by the Government. The EOC deals only with sex discrimination, and has as its main priorities: closing the 'pay gap' so that women's and men's earnings are the same; promoting equality in public services; investigating unlawful practices at work; helping individuals to secure their rights, and campaigning for modernisation of the law to help tackle deep-rooted gender inequality.

Graduated Payments Scheme (GPS)
A CPS scheme by which fees for counsel (self-employed barristers), acting on its behalf in prosecutions, are assessed and paid.

Higher Court Advocate (HCA)
A lawyer employed by the CPS who has a right of audience in the Crown Court.

Human Resources Ability Advisor (HRAA)
HR Advisors with a remit that includes assisting managers and staff with disability issues, including providing a link between disabled employees, managers, health and safety officers, and outside organisations that assist with reasonable adjustments.

Invest
A staff management and development scheme introduced by the CPS in 2006. It covers aspects such as grading structure, staff performance management and pay related issues.

Joint Advocate Selection Committee (JASC)
The role of the JASC is to provide each Area with sufficient advocates of the appropriate quality to service the business need and to implement arrangements for the grading or categorisation of individual advocates. Each committee, chaired by a CCP, is made up of representation from the Bar and each of the CPS Areas servicing the Crown Court centres within each Circuit.

Labour Force Survey (LFS)
A quarterly sample survey of households living at private addresses in Great Britain. Its purpose is to provide information on the UK labour market that can then be used to develop, manage, evaluate and report on labour market policies.

Lesbian, Gay, Bisexual and Transgender Network (LGBT)
The CPS staff network for lesbian women, gay men, bisexual and transgendered people. The LGBT Network is one of three networks formally supported by the CPS.

Local Criminal Justice Board (LCJB)
A body comprised of the chief officers of police, probation, courts, CPS and the Youth Offending Team in each criminal justice area, which is accountable to the National Criminal Justice Board for the delivery of the Government's overarching criminal justice targets.

National Black Crown Prosecution Association (NBCPA)
The CPS staff network for minority ethnic staff. The NBCPA is one of three networks formally supported by the CPS.

Performance Appraisal Report (PAR)
Outcomes from interim and/or end-of-year appraisals of staff performance. Until the recent introduction of 'Invest', PARs included box markings which identified the level of individual performance on a scale of one to five (high to low).

Projects and Performance Advisors (PPA)
EDU staff with responsibility for assessing Area performance on key equality and diversity measures and assisting them secure improvement.

Prosecution College
A virtual training facility operated by the CPS, through which modular training is facilitated either face-to-face or by e-learning.

Race Equality Schemes (RES)
A document which all UK public bodies are required by law (Race Relations (Amendment) Act 2000). It lays out activities planned in furtherance of meeting their public duty to promote race equality. The CPS has a corporate RES and individual Areas were more recently required by the Board to develop local Schemes.

Senior Civil Service (SCS)
Posts held by the top managers in Government Departments. In the CPS these posts are typically held by Board level officers.

Staff grades
CPS staff grades below SCS, arranged from low to high in order of pay scale, are: A1, A2, B1, B2, B3, B Trainee, C1, C2, D, E.

Unit Business Manager (UBM)
As with Area Business Manager (above) but with responsibility for a unit, an operational section into which an Area is typically subdivided.