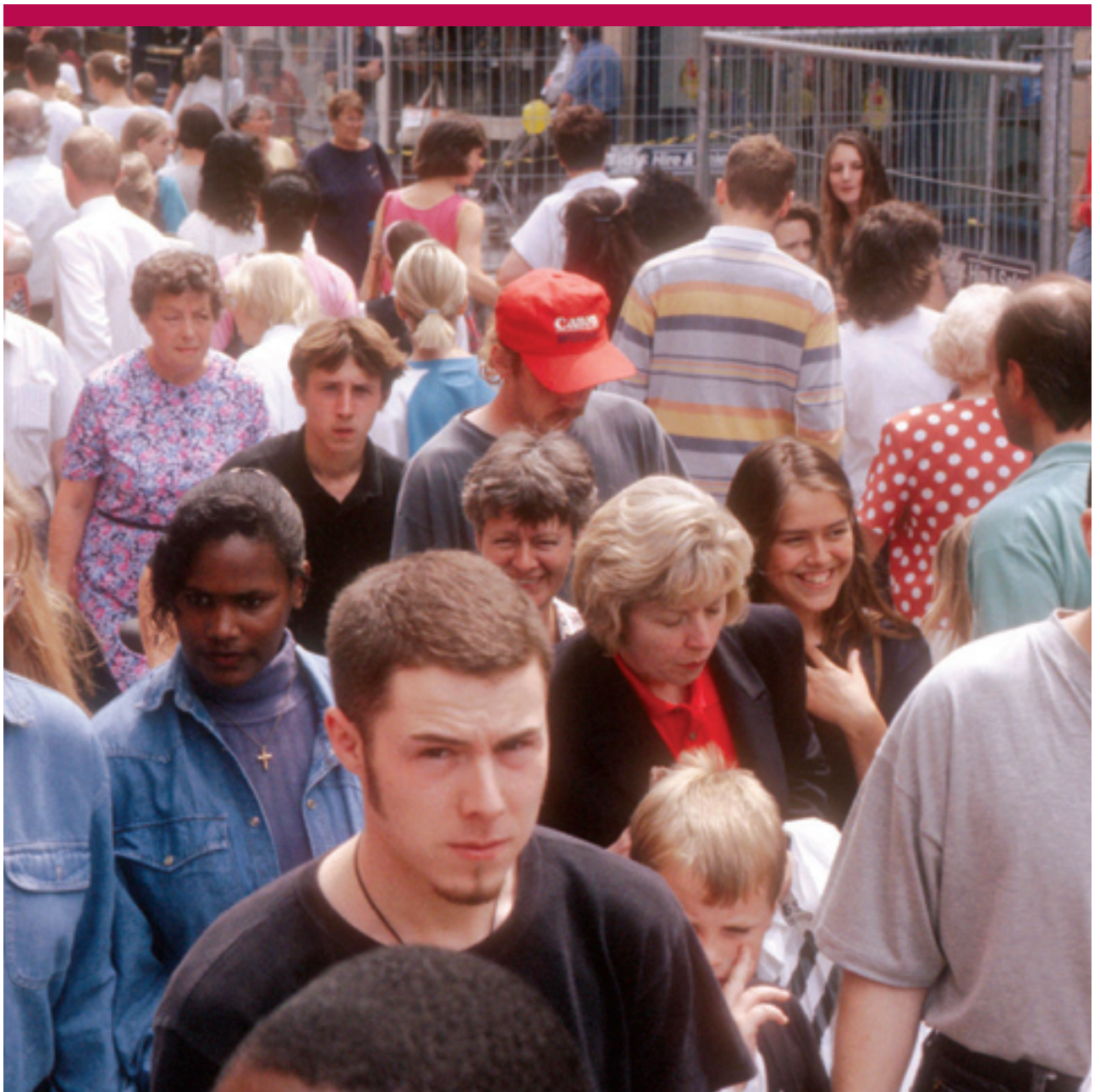


# Delivering for the Public



## Moj's role

**7.1** Our aim is to create a modern, efficient and effective Department which has the capacity and capability to deliver excellent public services. We will ensure that:

- our business is delivered in the most efficient and cost effective way and that we are living within our means
- we are positioned to deliver a service which is based on the current and future needs of our users, the public and stakeholders
- we continue to develop our capability and capacity to deliver our businesses and commitments.

## Departmental strategy

**7.2** MoJ was established on 9 May 2007. We serve the public by taking responsibility for setting out the framework within which rights and responsibilities are protected and enforced. Our goal is to uphold and protect justice and democracy.

We have four strategic objectives:

- **Democracy, Constitution and Law**  
Strengthening democracy, rights and responsibilities
- **Access to Justice**  
Delivering fair and simple routes to civil and family justice
- **National Offender Management Service**  
Protecting the public and reducing re-offending
- **Criminal Justice**  
A more effective, transparent and responsive criminal justice system for victims and the public

**7.3** In creating MoJ the intention was to recognise the vital linkages between the administration of justice and the mandate given by society to institutions like the courts and our prisons: in turn, putting into practice the ambition of putting the needs of the public at the heart of this agenda of working for a democratic and just society; and to improve the justice system for the public.

**7.4** However, the creation of the MoJ has enabled much more:

- first, by bringing many of the organisations, agencies and stakeholders who have to work together to deliver a successful justice system, under the responsibility of one Department. This helps the system to join-up and work together as never before, building on what already works to deliver a more effective system for the public
- secondly, the creation of a new more influential Department enables issues around justice and democracy to be led by a major Government department as in most other European countries. This, in turn, provides the focal point for leadership both at a local and a national level.

**7.5** The challenge over time for MoJ is to grasp the opportunities these changes present and use what we learn from criminal, civil, family and administrative justice to make the justice system as a whole work better and serve the public.

## Financial planning

### Comprehensive Spending Review (CSR) 2007

**7.6** The 2007 CSR looked three years ahead and set the departmental budget for the years 2008/09, 2009/10 and 2010/11.

**7.7** The former Department of Constitutional Affairs (DCA) reached an early settlement of £4bn, announced by the Chancellor of the Exchequer in his pre-budget report in December 2006. In March 2007 the Prime Minister announced a transfer to the Ministry of Justice for NOMS and OCJR of c. £4.6bn in 2007/08 rising to £4.8bn in 2010/11 from the Home Office settlement previously announced in Budget 2006.

**7.8** The final settlement for the newly formed MoJ was agreed in October 2007 and provided us with approximately £9.5bn per annum, across the CSR period. The settlement also provided additional funding to build and run additional prison places, which was supplemented in December 2007 with additional funding of up to £1.2bn as a result of the Government's response to Lord Carter of Coles Review of Prisons. Therefore, MoJ budget is approximately £10bn per annum.

### Business Plan

**7.9** The first MoJ business plan was produced in October 2007 and focussed on the effective and efficient use of resources to deliver key and demanding

responsibilities. The departmental business plan for 2008/09 will be structured around the Departmental Strategic Objectives (DSOs). The business plan will set out what we need to deliver and focus on:

- priority objectives which will support the delivery of the DSOs and the Public Service Agreement (PSAs)
- key financial information.

### Efficiency

**7.10** As part of the Spending Review 2004 (SRO4), Sir Peter Gershon was invited to conduct a review on the scope for making efficiency savings in central government, with a view to reallocating resources to frontline service delivery.

**7.11** The three year Gershon efficiency programme covered the period to 31 March 2008. During this time, the Department has worked hard to deliver more efficient, effective public services.

**7.12** The latest figures to 31 December 2007 showed strong performance:

**Table 1 Efficiency targets and latest performance**

	Target (end March 08)	Q3 07-08 (end Dec 07)
Financial savings	£292m	£396m*
Headcount reductions	1,473 FTEs*	1,364 FTEs*
Relocated posts	280 FTEs**	524 posts*

\* combines savings from former Department of Constitutional Affairs and National Offender Management Service

\*\* target to 31 March 2010

## Financial savings

**7.13** At the end of December 2007 MoJ had delivered £396m savings against a target of £292m, including £355m cashable savings. These savings were delivered through a range of initiatives such as:

**Table 2 Financial savings**

Area	Delivered by 31 Dec 07 £m
<b>National Offender Management Service</b> <ul style="list-style-type: none"> <li>• NOMS HQ efficiencies</li> <li>• NOMS – Criminal Justice (CJIT) BENEFITS</li> <li>• NOMS procurement including electronic monitoring</li> </ul>	£15m
<b>Her Majesty's Prison Service</b> <ul style="list-style-type: none"> <li>• Phoenix Programme and National Shared Service Centre</li> <li>• Procurement including Logistics Review</li> <li>• Sickness absence reduction</li> </ul>	£37m
<b>National Probation Service</b> <ul style="list-style-type: none"> <li>• National initiatives</li> <li>• Local initiatives</li> </ul>	£5m
<b>Legal Aid</b> <ul style="list-style-type: none"> <li>• Fixed fee legal help scheme to cover the family-civil representation</li> <li>• Capping civil legal help by use of tailored fixed fee scheme</li> <li>• Inclusion of 'cracked' trials, guilty pleas and Crown Courts</li> <li>• Controlling the costs of very high cost criminal cases</li> <li>• Capping civil legal help - CLS direct (Community Legal Service Direct is now called Community Legal Advice)</li> </ul>	£152m
<b>Cross CJS</b> <ul style="list-style-type: none"> <li>• Xhibit system in Crown Court</li> <li>• Performance improvement to reduce cracked and ineffective trials</li> </ul>	£31m
<b>HMCS</b> <ul style="list-style-type: none"> <li>• Rationalising HMCS estate</li> <li>• Streamlining support functions through area restructuring</li> </ul>	£59m
<b>Procurement</b> <ul style="list-style-type: none"> <li>• Greater use of Government Procurement Card</li> <li>• Savings from office supplies contract</li> </ul>	£31m
<b>Tribunals Service</b> <ul style="list-style-type: none"> <li>• More efficient asylum appeal process in Asylum and Immigration Tribunal</li> <li>• Restructuring corporate services</li> </ul>	£57m
<b>Corporate Services</b> <ul style="list-style-type: none"> <li>• Reducing sick absence</li> <li>• Restructuring HQ services (finance, IT, HR)</li> </ul>	£10m

## Headcount reductions

**7.14** MoJ had a target to reduce workforce by 1,473 full time equivalents (FTEs) by 31 March 2008. By December 2007 headcount had been reduced by 1,364 FTEs from the following areas:

Area	Reductions by December 2007 (FTEs)
Ex-DCA	<b>1,055</b>
National Offender Management Service*	<b>303</b>
Office of Criminal Justice Reform	<b>6</b>

\* Reductions in back office staff following creation of MoJ on 9 May 2007

## Relocations

MoJ has a target of relocating 280 posts by 31 March 2010. By December 2007 MoJ had relocated 524 posts from the following areas:

Area	Number of relocated posts
Legal Services Commission	<b>5</b>
HMCS	<b>9</b>
Judicial Studies Board	<b>10</b>
E-Delivery Group	<b>35</b>
Land Registry	<b>39</b>
Tribunals Service	<b>11</b>
OCJR - CICA	<b>130</b>
HMPS - Phoenix	<b>285</b>

## Value for money

**7.15** During SR04 our focus was on improving the efficiency of the services we provide. From 2008/09,

we will combine this with looking at how resources can be re-balanced to target high value activity by scaling back or stopping lower value activity.

Moj's Value for Money programme aims to deliver over £1bn of savings by 2010/11. Highlights of this programme include:

- zero-based approach to budgeting across the MoJ to ensure resources are targeted in best value for money activities
- implementing policy recommendations in Lord Carter of Coles report *Securing the Future: Proposals for the efficient and sustainable use of custody in England and Wales*
- strategic workforce planning to ensure we secure the right workforce, capacity and capabilities required and that these are used in the right place
- implementing *Legal Aid Reform - the Way Ahead*, legal aid reforms to deliver savings through the progressive extension of fixed and graduated fees, as well as targeted reductions to the prices paid for some aspects of criminal legal aid
- Her Majesty's Courts Service working with the judiciary to improve case management and listing, supporting case progression with better technology and enhancing efficiency and effectiveness of back office functions
- Transforming Tribunals Programme targeting five core areas: new business model, rationalisation of the estate, restructuring of non-public facing functions, rationalisation of IT legacy systems, and development of a common case management system.

**7.16** Full details of the Value for Money programme can be found in our Value for Money Delivery Agreement published on the MoJ website on 18 February 2008.

## Risk management

**7.17** The active management of

risk is fundamental to the effective and economical achievement of the Department's objectives and has a central role in the way our business is conducted. It informs the financial planning process, operational decision-making, contingency planning and the Department's management of change. The formation of MoJ will improve the ability of the justice system to serve the public. The effective identification and response to the uncertainties faced by the Department will be central to success.

**7.18** A number of steps have been taken this year further to strengthen our risk management capability, both corporately and within each of our departmental bodies. Building upon existing best practice, a common policy and framework for risk management and reporting across MoJ has been developed. Improved supporting guidance on risk identification, assessment and management has also been published in the form of a handbook for use by staff.

**7.19** Other key aspects of the Department's framework for managing risk include:

- maintenance of local business area risk registers across the organisation
- monthly update of corporate risks to the Department's Management Board, with mitigating actions agreed and owned by Board members
- regular identification, assessment and monitoring of key financial risks, through an internal financial planning process
- an established network of risk co-ordinators to support best practice and the effective escalation and sharing of cross-cutting risk information.

**7.20** In the coming year the MoJ Risk Management Policy and Framework will

be further embedded through provision of additional training and support to staff. The effectiveness of risk management across the MoJ will be reflected in the 'Statement on Internal Control' for 2007/08, which will be reviewed by the Corporate Audit Committee and published as part of the Annual Resource Accounts.

### MoJ organisational review

**7.21** Following the creation of the MoJ, a review was announced to consider the best possible structure and ways of working to deliver improved services for our users and the public. It was clear that we needed to bring together existing business areas into a clear and coherent structure and as well as to deliver on existing priorities such as end-to-end offender management, commissioning and the 'breakthrough' initiative in the courts.

**7.22** The review focused on how to ensure that roles and responsibilities are clear and governance (decision-making) processes are simple and effective for the new Department. That means ensuring we do not have any overlaps or duplication of responsibilities and checking that there are no gaps in strategy, policy, corporate services or delivery.

**7.23** Key activities in devising the new organisational structure have included:

- looking at organisational models and best practice in Whitehall and beyond
- consulting with staff, Ministers, and key stakeholders to understand their views and preferences
- analysing this information to develop a new departmental structure and business model.

**7.24** Other factors were also taken into consideration, such as Lord Carter's review

(published in December 2007) and ongoing discussions with the judiciary.

**7.25** The new organisational structure was announced in January, and details are available at [www.justice.gov.uk](http://www.justice.gov.uk).

### Capability Review

**7.26** The Capability Review programme is part of the wider Civil Service reform agenda aimed at developing a Civil Service that can deliver its existing targets, understand its future challenges and rise to meet them efficiently and effectively. The reviews are run for the Cabinet Secretary by the Capability Reviews team in the Cabinet Office and provide an assessment of capability for Departments, identifying key areas for improvement and setting out key actions.

**7.27** The first Capability Review for the MoJ was conducted during February 2008 when the Department was undertaking significant changes to its organisational structure and senior management responsibilities. It provided a baseline assessment which the Department will use to measure its progress and assess what further work still needs to be done to meet its current and future challenges.

**7.28** The Capability Review identified four key areas for action MoJ needs to address. These were to:

- clearly communicate a unifying thread which binds together staff in the different parts of the MoJ
- define clear roles, responsibilities and business models and make them work
- improve the Department's ability to make prioritisation and resource allocation decisions on the basis of robust data and evidence

- address the challenge of building capacity across the MoJ in an environment of financial constraint.

**7.29** The review recognised that MoJ had already taken significant steps forward to address these areas for action as part of its Organisational Review. Important progress has been made since to put in place the organisational structure, strategies and processes needed to meet the Department's current delivery challenges and create the strong foundations needed for the future. It also noted that there exists a commitment and enthusiasm among the Department's Ministers and staff to introduce the changes needed and develop the Department for the future. Further work is now taking place to assess if there are any gaps identified in the review which are not being addressed by current improvement plans and what action needs to be taken to meet these requirements.

## Better regulation

### Overview

**7.30** The MoJ is not a major regulator when compared to some other central Government departments but does undertake a range of regulatory activity. During the year, further steps have been taken to confirm that policy development throughout MoJ takes full account of the principles of better regulation. The Department's Better Regulation Unit (BRU) has worked with colleagues within the Department and throughout associated organisations to embed best practice and ensure current developments are widely disseminated, including via a number of seminars held throughout the summer of 2007.

### Simplification and administrative burdens reduction

**7.31** The first MoJ Simplification Plan was published on 11th December 2007 and

can be found at: <http://www.justice.gov.uk/publications/moj-simp-plan.htm>. It builds on the first plan published by DCA and relevant sections of the first Home Office plan, both published in December 2006, to chart progress on the delivery of the Department's public commitments and to set out future plans.

**7.32** The MoJ's 2007 Simplification Plan described how net savings of administrative burdens of £70m have been identified against the Department's public commitment to produce net savings of £92m by May 2010. Further work is underway to ensure that the department's next plan will show how we will deliver our full public commitment of £92m. The main highlights of the 2007 plan are savings of over £15m per annum already delivered as a result of changes to legal aid contracts and the potential savings arising from the current Review of the Land Registration Rules.

**7.33** As well as describing what the Department is doing to reduce administrative burdens on businesses and the third sector, the 2007 plan also describes what the Department is doing to reduce burdens on its front-line staff. MoJ is responsible for a number of major front-line delivery organisations and each was canvassed during the second half of 2007 to identify the top irritants for front-line staff. Action is being taken to tackle these and progress will be reported in the 2008 plan. Work has also taken place to identify all of the datastreams that the front-line organisations are required to collect on behalf of the centre of the Department. A target to reduce the overall number of datastreams has been agreed and once again progress will be reported in the 2008 plan.

## Improving policy development and impact assessment

### Engagement and consultation

**7.34** The MoJ engages extensively with a wide range of external stakeholders as a means of informing its policy development. A range of methods are used, ranging from formal sectoral stakeholder meetings to electronic discussion groups and consultation papers. On consultations, during the year, DCA and latterly the MoJ launched a total of 30 written public consultations<sup>15</sup>. 25 of these were full public consultations lasting for 12 weeks or more.

**7.35** The five limited consultations were all authorised by a Minister as required in accordance with the Government's code of practice on public consultation. The limited consultations lasted less than 12 weeks and were targeted at a specialist audience. Each limited consultation paper contained the required ministerial authorisation and set out the reasons why a limited consultation was appropriate. The reasons for authorising limited rather than full public consultation were that only minor, procedural amendments were being made or that the consultation was of a specialised nature of interest to a small and clearly defined group of stakeholders.

**7.36** Each consultation paper issued by the Department during the year which required an impact assessment in order to comply with the 'Impact Assessment Guidance' issued by the Department of Business, Enterprise and Regulatory Reform (BERR) did so. There were a range of reasons why consultation papers did not require an Impact Assessment. These included where an initial assessment indicated no significant costs or savings

to business, third or public sectors, where a full assessment had been carried out for earlier primary legislation and still remained current, or where proposals were at too early a stage to make a sensible assessment and a commitment was given to produce an impact assessment once they were more clearly defined.

### Impact assessment

**7.37** Effective use is made of impact assessment throughout the Department as a means of analysing policy options and assessing associated risks. For example, in May 2007, the Department published a consultation paper, which presented a number of Law Commission proposals concerning the amendment and revision of a number of aspects of damages law. The Department rejected one of the commission's recommendations on psychiatric illness. A regulatory impact assessment was developed as a means of presenting the evidence for this decision to stakeholders and to allow them the opportunity to make an informed consideration and to comment on the Department's decision. The new impact assessment introduced in May 2007 is now in use throughout the Department and its associated offices. Its introduction has been accompanied by training and education activity and further training will take place in 2008.

### Policy development

**7.38** On the wider question of developing and maintaining proportionate and transparent regulation, a good example of the Department's approach concerns our responsibility for regulating the provision of claims management services. The Claims Management Regulation HQ Team at MoJ has overall responsibility for the regulation and the day to day

<sup>15</sup> as of 18.12.07 for period 1.4.07-31.3.08: will add up final total at end of Mar 08

monitoring and compliance function is carried out by the Claims Management Monitoring and Compliance Unit, provided under contract by Staffordshire County Council Trading Standards.

**7.39** The MoJ team has recently undertaken an internal review of its own regulatory processes to ensure that regulation is carried out according to better regulation principles. The team is committed to keeping up-to-date with developments in better regulation and to learn from other regulators' best practice. This contributes to the ongoing effort to ensure the regulatory regime is proportionate, flexible and risk-based.

#### **Common commencement dates and annual statements**

**7.40** MoJ does not produce significant amounts of regulation which impacts on business or the third sectors. However, it is committed to producing its first statement of regulation which impacts on those sectors during 2008 and will then update this annually.

### **Communications**

**7.41** We aim to increase the scope and impact of communications to connect better with users, the public and stakeholders.

#### **Correspondence from MPs and peers**

**7.42** The Department has a target to reply within 20 working days. For the period 1 January – 31 December 2007, Ministers replied to 4,777 separate pieces of correspondence with the target met in 90 per cent of cases compared to 84 percent in 2006.

#### **Correspondence from members of the public**

**7.43** The Department has a target to reply within 15 working days. For the

period 1 January – 31 December 2007, 7,210 separate pieces of correspondence (including e-mails) were answered with the target met in 91 per cent of cases compared with 86 per cent in 2006.

### **Tribunals Service – user satisfaction**

#### **Service strategy**

**7.44** The Tribunals Service is building on the high levels of customer service delivered within individual tribunals to develop a user strategy that will focus on users and the community by “putting the user at the heart of everything we do”.

#### **Charter Mark and 'The Standard'**

**7.45** As part of its service strategy, the Tribunals Service has used the Charter Mark framework to validate its service delivery and to drive continuous improvement in the service it provides. The Asylum and Immigration Tribunal (AIT), the Employment Tribunals Service (ETS) and the majority of the Special Tribunals have continued to achieve accreditation.

**7.46** The evaluation of the first Tribunals Service corporate evidence template took place in November 2007 and will form a solid baseline for achieving Tribunals Service-wide accreditation. The future strategy is to move to area based applications will include all tribunal jurisdictions, following the revised accreditation system, 'The Standard'.

#### **User feedback**

**7.47** The complaints handling procedure was reviewed and as a result standardised categories were introduced in the electronic recording and monitoring package. This has enabled the Tribunals Service to provide in-depth analysis about what is important to its customers. It has also provided information which has

enabled tribunals to learn from complaints received and to share best practice.

### **User insight**

**7.48** The Tribunals Service has commissioned a three year national survey which commenced in October 2007 and is linked to the key drivers of satisfaction: service delivery, timeliness, information, how staff dealt with users and the hearing venue environment.

**7.49** It will use the results of the satisfaction survey to set its Key Performance Indicator (KPI) for user satisfaction and to provide an analysis of where the service it provides may not meet expectations. It is developing a range of supporting indicators and will be introducing a consistent set of service standards to test timeliness and quality of service.

## **HM Courts Service (HMCS)**

### **Service excellence**

**7.50** As part of its service strategy, HMCS has adopted the Government's national standard, Charter Mark, to help it focus on the needs of the public and to shape services around the needs of court users. Achievement of the standard is rigorously and regularly tested by independent assessors.

**7.51** HMCS has an established assessment programme affecting every part of the agency and considers this a driving strength to help achieve service improvements, greater consistency and excellence in all that it does.

**7.52** The quality of the corporate evidence against the Charter Mark standard was evaluated for the second year in September 2007 and it was confirmed that performance had been significantly strengthened since the previous assessment.

**7.53** For 2008/09, Charter Mark has been revised and 'The Standard' has replaced the Charter Mark accreditation system. This new standard brings with it a range of more challenging requirements that will help and enable HMCS improve service by applying user research and analysis more robustly and to develop, focus and target any service improvement work. And for the first time 'The Standard' will be opened to the private sector and will provide an even more comprehensive test of service standards reaching beyond the public sector.

### **User insight**

**7.54** HMCS has commissioned a national survey, managed by Ipsos MORI, covering all courts in England and Wales over a three-year period (2006-2009). Measuring and understanding court users' views about the service they have experienced and identifying how it could be improved is fundamental to improving service delivery.

**7.55** The HMCS court user survey measures satisfaction against a series of key service areas, previously identified by users as those that mattered most to them. These service areas also align closely to the standards we are striving to achieve through Charter Mark and are:

- accessibility
- how staff deal with users
- information
- waiting/timeliness, and
- the court environment.

**7.56** The first year survey results (2006/07) concluded that 80 per cent of HMCS court users were generally satisfied with the service provided, with significant recognition being given to the way users are treated by court staff.

**7.57** From these results, HMCS has also identified areas for improvement, such as management of waiting times. Waiting times are critical, as research has shown that not only are they a key priority for court users, they are also the single most critical factor that drives overall satisfaction levels.

**7.58** HMCS continues to use survey results to help decide on any improvement work needed and has developed a KPI to specifically measure and target user

satisfaction and to challenge the agency to deliver continuous improvement.

**Handling user feedback**

**7.59** During the period April 2007 - 31 March 2008 HMCS recorded 26,281 complaints. The figures below show how HMCS performed against its complaint handling target.

**7.60** During the above period, HMCS recorded a total of 6,449 compliments, where people expressed satisfaction with the service they received from HMCS staff.

	Target	Q3 07-08
Individual Courts	Handle 85% of complaints within 5 days	84.1 %
Area Directors Office	Handle 85% of complaints within 10 working days	86.6%
Customer Service Unit (HQ)	Handle 94% complaints within 15 working days	97 %

**National Offender Management Service (NOMS)**

**Service satisfaction**

**7.61** In 2007/08, NOMS received 1,200 and 3,050 requests for information under the Freedom of Information Act 2000 (FoIA) and Data Protection Act 1998 respectively. 91 per cent of these were completed within the statutory deadline. However in March 2008, the Information Commissioner issued a 'Practice Recommendation' covering the way in which FoIA deadlines are extended to allow consideration of the use of exemptions. Whilst many requests for information have involved issues requiring careful consideration before information is released, for example because there may be security or public protection considerations, the Information Commissioner's advice is accepted and MoJ is working to improve

future performance and reduce delays in such cases.

**Employee Engagement Project**

**7.62** The Employee Engagement Project has been set up to develop the Department's understanding of how our employees experience 'work'; how that experience motivates them to contribute extra effort to achieving organisational goals; and how that extra effort results in increased business performance.

**7.63** The aim of the project is to develop an engagement strategy with activities and materials to support implementation - with a view to achieving a highly engaged workforce, helping to create a high performing organisation. This activity is being led and implemented by MoJ businesses.

**7.64** A number of groups have been set up to include business representatives from throughout the MoJ to support the development of engagement activities. They include:

- a steering group which drives the direction and approves expenditure
- an engagement forum – open to employees at all levels – a market place for engagement ideas, activities, to share best practice, materials, experience and learning.

**7.65** There are currently two working groups:

- the first (virtual working group) has helped to develop managers' support materials (see below) and consists of more than 100 people from around the MoJ who will also be involved in the review of these materials towards the end of 2008
- the second is looking at the design of an Engagement Study to incorporate an MoJ-wide staff opinion survey (SOS/ES) and will include work on the MoJ values and behaviours.

**7.66** Trade Union Side (TUS) representatives have joined the steering group and will be joining the SOS/ES working groups. We are also working with the Cabinet Office to inform developing work on employee engagement, which will be rolled-out across government over the next couple of years.

**7.67** Activities include the development and launch of materials for all managers to provide support in improving their approaches to facilitated leadership. Also the engagement team, together with a pan-MoJ working group, will be developing an Engagement Study (incorporating the

next staff opinion survey) covering all MoJ staff. This will have a focus on identifying what questions help us to measure levels of staff engagement, and what 'drivers' have an effect on those levels, so that we can target future interventions and materials. This survey will also include work relating to the development of the MoJ values and behaviours (see below).

**7.68** Proposals for a pan-MoJ Engagement Champions Network are being developed, and we will also be working throughout the MoJ, to include all staff, in defining the values and behaviours for the Department. These values and behaviours will not replace existing agency / unit values and behaviours and will form an overarching set of values and behaviours for the Department.

## Human Resources (HR)

### Organisational change

**7.69** As a new Government department with over 80,000 people, HR has played a key role in supporting the business to manage the people implications of significant organisational change. This has helped ensure that the organisation is fit for purpose and delivering successful end-to-end justice.

### Core business activity

**7.70** Our objectives are:

- driving organisational development and business change to ensure that the Department delivers effective justice
- building leadership and management capability across the Department
- transforming how people are managed to ensure that leaders at all levels are providing effective performance management linked to business objectives

- developing and leading a people strategy to speed up the transformation of the business of justice
- driving through a transformational employee engagement and culture change agenda which will place the Department as a high quality, high performing workplace
- delivering effective and efficient HR services to support our people.

There are a number of critical work-streams being delivered at great pace to drive this agenda and support the changes the Department is currently experiencing.

#### **MoJ HR project**

**7.71** A joint MoJ working group (HR representatives from all areas of the MoJ) has been established to manage these critical HR work-streams. Working collaboratively with the Home Office a protocol was agreed to maintain and effectively manage business as usual activities whilst fuller consideration was given to the people implications of the creation of the new Department.

**7.72** The role of these critical work-streams is to design and develop all the necessary HR strategies, policies and procedures needed for the new Department. An early decision was made to implement the pay deal for former DCA staff. This was the culmination of over two years' work to integrate the 50 plus sets of terms and conditions we inherited as a result of the mergers to create HMCS and the Tribunals Service.

**7.73** In the meantime, and in accordance with Cabinet Office guidelines, staff transferring to the new Department from the Home Office retained their Home Office pay, terms and conditions at the point of transfer and adopted the Home Office pay award for 2007.

**7.74** HM Prison Service has separate collective bargaining arrangements. The challenge is now to develop a reward strategy for the new MoJ. Work is well underway to establish the current reward situation across the Department and identify the key issues. As the project progresses there will be full engagement of HR, business leaders and the Trade Unions to develop strategies for the near and long term.

#### **Pay and grading**

**7.75** A four-year pay deal for the 28,000 staff in the former DCA staff was implemented on 1 August 2007. The deal is a result of one of the most complex pay and grading reviews undertaken in Whitehall. Prior to the deal there were over 50 plus sets of terms and conditions in place across the Department. The aim was to deliver fair, consistent and competitive pay across the organisation, addressing the significant pay disparities inherited. The deal is being implemented within the agreed remit providing for average annual pay increases of 3.7 per cent over the four years of the deal.

**7.76** The deal introduced:

- a flexible six-banded grading structure
- five regional pay ranges, better enabling the organisation to recruit staff with the skills required where they are needed
- common pay and pay progression arrangements - with larger increases for those paid the least within each pay band so addressing unequal pay, and higher rewards for outstanding performers and an improved recognition and reward scheme
- specialist pay ranges to recruit and retain staff with professional qualifications skills and experience necessary to achieve departmental objectives

- a flexible benefits package, including childcare vouchers.

**7.77** The introduction of the deal has been a significant administrative exercise with all staff given a personalised options letter enabling them to choose to opt in to the deal or remain on legacy terms and conditions. We anticipate that around 95 per cent of staff will opt in to the deal.

#### **Learning and development, leadership, talent management and senior staffing**

**7.78** With the creation of the MoJ we have been reviewing our approaches in the areas of learning and development, leadership, talent management and senior staffing to identify how they might be improved better to support the Department and the outcomes we want to achieve.

**7.79** As a result of this, during 2008 we will introduce a new, more business driven, approach to learning which will support the Department in ensuring we have the level of skill and capability we need. Key to achieving this will be:

- provision of learning and development consultancy to all parts of the Department to ensure learning supports their business needs
- introduction of blended learning, incorporating e-learning as appropriate
- use of a learning management system
- enhanced support for leadership across the Department.

**7.80** Work on the leadership strategy builds on earlier work done in individual business areas, with a new focus on creating shared leadership expectations across the department. It will dovetail with the development of MoJ values and the staff engagement project.

**7.81** At the centre of the strategy is a 'Leadership Pathway' which encourages and supports staff to take responsibility for their own development.

**7.82** Talent management is a key part of the leadership strategy and is a core role for HR in partnership with business areas. There is a range of talent management programmes within MoJ, which specifically focus on:

- fast streamers
- senior civil servants identified as high potential candidates
- future leaders at various career points below Senior Civil Service (SCS) grade
- programmes aimed at under-represented groups.

**7.83** In the course of 2008/09 we will:

- launch the Leadership Pathway
- build a culture of coaching across the Department
- review our approach to talent management and succession planning to develop further corporate schemes for the MoJ
- take steps to improve diversity at senior levels, and on the talent management programmes
- develop a consistent approach on performance and potential to ensure parity and equality.

**7.84** Immediate operational needs have also been supported during the year, for example:

- new leadership and management modules have been implemented aimed at raising management capability

- the learning and development team supported the introduction of a new performance management system for former DCA staff, running extensive training sessions and producing a range of associated quick guides
- staff have been funded to undertake NVQ Customer Service and Administration qualifications and to participate in the Prince's Trust Team Programme
- we have also seen the first graduate of the F4GOV Degree Scheme across central government and have a number of people in their first and second years of study.

#### **Shared services**

**7.85** During 2007/08 HR continued to explore progress towards shared services as outlined in the HR Operating Model. The creation of the MoJ has created a new context within which the analysis of options for HR is being conducted. The position within the Department on HR shared services is mixed with various operating units at different stages of development and engagement.

**7.86** The Prison Service is well advanced with a shared services operation, based in Newport Gwent, covering finance, purchase to pay and HR (with payroll provided by Home Office Pay & Pensions Services (HOPPS) and using an Oracle platform. This covers the transactional processes but also some less directly operational activities, particularly in HR. This is already well established and will be fully functioning by mid 2008.

**7.87** The former DCA – covering DCA HQ, HMCS, Tribunals, and Associated Offices such as Office of the Public Guardian (OPG) – has its finance and payroll transactional operations (again using

Oracle) outsourced to Liberata. HR services are currently undertaken in-house using an Oracle platform.

**7.88** National Offender Management Service (NOMS) and Office for Criminal Justice Reform (OCJR) currently receive their services through the Home Office (with payroll using HOPPS) whilst the Probation Service uses a variety of providers, many based in local government.

**7.89** The Department continues to evaluate how to ensure it delivers high quality, cost-effective HR services using a shared services model. In the meantime, HR continues to invest in service development which will support a shared services framework such as technology improvements in resourcing, learning and development, and self-service.

#### **Managing attendance**

**7.90** The constituent parts of MoJ currently have their own managing attendance policies and work towards different absence targets. All, however, have been proactively working towards reducing absence rates. Workshops, seminars and training events have taken place to ensure managers understand and apply the existing policies and can use the tools provided to deal with sick absence.

**7.91** The former DCA had developed a closer and more productive working relationship with our occupational health provider to help reach the shared goal of reducing absence levels.

**7.92** In HMPS a full time occupational health adviser is based at the Shared Services Centre and is working to assist with sick leave excusals, serious underlying medical conditions etc, and is helping case workers to speed up existing absence cases.

**7.93** For the future, the MoJ will be working towards developing a new cross-MoJ approach to managing attendance.

Target number of days sick absence per person per day			
	Days	Currently	As at 31/3/08
Former DCA	7.5	10.7	10.8
HMPS	11	11.67 (rolling for financial year (April – Nov))	11.7
NOMS HQ	7.5	7.18 (subject approx 10% under reporting)	6.5
OCJR	7.0	5.67	3.3

### Equality and diversity

**7.94** The MoJ places great importance on equality and diversity. It strives to ensure an effective equality and diversity programme for its staff and the public to whom it delivers.

**7.95** All parts of the Department are involved in ensuring equality and diversity is embedded into daily business as well as in policy development. Staff use equality impact assessments to ensure they take account of equality and diversity issues when developing new policies and services. A central team ensures that we deliver fully on our statutory requirements under equality legislation in respect of gender, race and disability (legislation requiring all public authorities to take an active role in promoting equality of opportunity and eliminating discrimination).

**7.96** The Home Office and the former DCA published equality schemes for race, gender and disability covering the Department's current responsibilities. These schemes have been updated to reflect the

priorities of the new Ministry of Justice and were published by the end of the financial year 2007/08.

**7.97** The Prison Service has a detailed and comprehensive Race Equality Action Plan that sets out all the high-level actions being taking on race equality. It builds on the joint action plan agreed with the Commission for Race Equality (CRE) and includes actions to address the recommendations of the Zahid Mubarek Inquiry and the areas for development identified by HM Chief Inspector of Prisons (HMCIP) in the 'Parallel Worlds' thematic report on race relations in prisons, as well as the programme of work to meet and go beyond our legal obligations as set out in the Prison Service's Race Equality Scheme. Amongst the key measures in place to manage race equality are:

- race equality impact assessments of establishment service delivery, as well as national policy, with around 1500 having been completed across the Prison Service
- key performance targets on race equality

that combine measures of management processes, outcomes for prisoners and prisoner and visitor perceptions to provide an indicator of progress at establishment level

- Race Equality Action Teams, a sub-group of the Senior Management Team led by the Governor or Deputy Governor, meeting regularly to drive the work in each establishment, supported by race equality officers (with this being a full-time role in well over half of establishments).

**7.98** There is a range of networks across MoJ providing advice and support to staff on disability, caring responsibilities, minority ethnic, sexual orientation, faith and women's issues. These provide regular outreach events for staff across the country and represent the Department at wider diversity events. Champions support each of the strands at board level, to ensure that diversity and equality are embedded in the top-level decisions.

**7.99** The MoJ also has a range of development activities to help staff in minority groups to develop skills and to progress to more senior levels. This includes a new scheme we have developed for women and minority ethnic staff where we arrange a co-coach for them with a similar level person in the private sector. This will be extended to staff with disabilities and to lesbian, gay and bi-sexual staff during 2008.

**7.100** We also continue to take forward the Civil Service 'Ten Point Plan' to improve the representation of people from minority groups in the SCS and the feeder grades.

## **Investment and banking**

**7.101** The Investment and Banking Programme was established to modernise services provided by the Court Funds Office (CFO) and the trusts and estates work

of the Public Trustee. These activities are responsible for managing money belonging to members of the public. At CFO this is when funds are under control of a court order. Historically, the Public Trustee provided trust services on a commercial as well as last resort basis.

**7.102** Our main activity this year has been the review of the Public Trustee. In 2004 the National Audit Office (NAO) recommended the Public Trustee should establish a pro-active strategy to divest itself of all trusts and estates cases other than those of last resort. Following a written ministerial statement in May 2006, a contract was let with Capita Trust Company Ltd in March 2007. During this year we have completed the project to retire as trustee in favour of Capita Trust Company Ltd. This completes the repositioning of the Public Trustee onto work of last resort only.

**7.103** At CFO we implemented the revision to Part 36 of the Civil Procedure rules. This removed the need for funds to be paid into court as part of a civil case and replaced it with an exchange of letters between the parties. This was the first element of the modernisation strategy, which we are developing with CFO.

## **Sustainable development**

**7.104** As a new Department, we are committed to improving our performance on sustainable development and achieving the Government's sustainable development targets. To achieve this, work during the year has focused on developing a structure to support implementation of the Government's sustainable development policy in its own operations. The new structure will enable us to build on the good work carried out previously by HM Prison Service and HMCS, and provide a basis for further improvements in the coming years.

**7.105** Key actions taken during the year are:

- establishment of the MoJ Sustainable Development (SD) Steering Group comprising senior representatives from each activity area within the MoJ. The steering group representatives are responsible for promoting sustainable development within their area and overseeing the implementation of the departmental Sustainable Development Action Plan (SDAP)
- establishment of the MoJ SD Working Group comprising representatives from each activity area within the MoJ. The group is responsible for implementing the SDAP and establishing systems, standards and procedures to ensure proactive and long-term promotion and management of SD within the Department
- the SDAP is the overarching document which identifies specific activities and provides the reporting framework for it to report on progress against the key commitments. Each delivery area, no matter its size or activity, has an important role in contributing to the achievement of the SD commitments made by the Department
- the phasing-out of bottled water from the meeting rooms in MoJ. Water is now served in carafes in the headquarter buildings.

**7.106** The following steps have been taken:

- publication of the MoJ's Sustainable Development Action Plan (SDAP) (<http://www.justice.gov.uk/publications/sustainable-development.htm>)
- completion of a departmental audit, to establish baseline on sustainable development performance across the MoJ

- development of an intranet site, to increase staff awareness and raise the profile of SD issues.

**7.107** The following steps are planned:

- work with executive agencies in the development of their own SDAPs and monitor performance against sustainable development targets
- continued work to increase energy efficiency and reduce carbon emissions across the MoJ estate
- continued implementation of the waste management strategy to achieve a standard of best waste management practice across the MoJ
- continued work to phase out the use of bottled water across the MoJ estate
- the creation of a network of environmental management representatives, involving staff from business units across the country, to improve communication and encourage best practice.

**MoJ IT delivery**

**7.108** Information technology is increasingly at the centre of the work of the Department. It is both vital to the day-to-day running and efficiency of the organisation and a key enabler for change and reform. Elsewhere in this report you will read about how we are using information and technology to increase the efficiency and effectiveness of our services in the courts, prisons, tribunals and other areas of the Department. Delivering the IT to support the successful launch of the new MoJ last May was a significant achievement for the central IT department.

**7.109** During last year we also completed the transition of the former DCA IT infrastructure services (the networks

and computers) for our courts, tribunals, the Office of the Public Guardian, and headquarters, moving to a single joined-up network provided by our new supplier, Atos Origin. The transfer of business applications (the programs that run on a computer that automate manual processes) to LogicaCMG is underway, and will be completed during this year. These new contracts provide the framework to enable us to support further modernisation of our services.

**7.110** Underpinning successful IT delivery, the Government IT Profession was launched last autumn across the Moj by the Department's Chief Information Officer and Head of IT profession. By investing in career development, the Profession will ensure that our IT staff are equipped with the right skills, experience and qualifications to provide high quality IT services for the Department and public.

**7.111** Work is being taken forward in a number of areas aimed at joining-up Moj IT. These are:

- development and implementation of a pan-Moj IT strategy, including implementation of a common architectural governance framework. This will ensure all future IT developments across the Department align with the required Moj-wide strategy, architecture, security and compliance standards
- the implementation of a common commercial and financial approach (in line with work undertaken by the Moj commercial division) to ensure we maximise value for money across our commercial activities
- development of a centralised information assurance approach consistent with government security standards and ISO

27001. This will ensure data handling across the Department through the sharing of data with other parties.

## HM Courts Service change programme

**7.112** HMCS has a number of initiatives in place to transform the way in which courts do business. The HMCS Change Programme governs all these, ensuring they are aligned with HMCS business strategy, deliver better services for lower cost, make savings, and lead to standardised and modernised processes, to deliver sustainable change.

**7.113** Going forward, the programme aims to improve the CJS, in partnership with the Office for Criminal Justice Reform and other criminal justice agencies, modernise magistrates' courts, transform the civil and family courts and rationalise the court estate.

**7.114** During 2007 we saw two major improvements introduced to magistrates' courts:

- Criminal Justice: Simple, Speedy, Summary was implemented across all courts. The result is fewer, more effective hearings set, with less time between charge and disposal. This should ensure shorter waits for both victims and witnesses;
- the magistrates' courts case management application has been implemented successfully in 25 per cent of courts replacing out-of-date legacy systems and enabling improved joining-up and sharing of information between the courts and other criminal justice agencies. More importantly our new system will enable us to implement more consistent processes and service delivery across all our courts.

**7.115** In 2008, we will complete delivery of the system and processes, and implement the electronic transfer of court results into the Police National Computer (PNC) ensuring the PNC is updated faster and more reliably.

**7.116** In the civil and family courts, we are also introducing a modern IT system. Pilots in some courts and our Bulk Centre have proven the system works well to support our operations, and we can now start to roll out the system nationally from 2008. The new system will also enable us to modernise how we manage our work between courts, potentially moving some work into back offices, for more efficient ways of working.

**7.117** The Change Programme will also provide more focus and support for the implementation of family changes into HMCS operations. A Family Reform Programme will draw together the substantial legislative change and unification of family services, with the IT developments required to support them. The programme aims to improve processes, skills and to modernise service delivery for family justice.

**7.118** Strategically, our longer-term aim is to implement an electronic filing and document management service which would become the main communication channel between the courts and court users, bringing benefits to HMCS, judges, users and their legal representatives.

### **Tribunals change programme**

**7.119** The Transforming Tribunals Programme was set up in April 2007 to deliver the new operational structure and business model for the Tribunals Service. In addition to the new regional management structure, early achievements

include moving posts out of London in line with the MoJ's commitment to the Lyons Review recommendations. The programme will deliver six multi-jurisdictional Administrative Support Centres (ASCs) designed to do back office processing in support of around 50 multi-jurisdictional hearing centres. It will also deliver an efficient and effective common IT platform. It is planned that the first ASC will be located in Birmingham and will be operational in late 2008.

**7.120** The programme underwent a review by the Office of Government Commerce in late 2007 and, as a result, was restructured into three constituent projects – Commissioning of Administrative Support Centres (ASC), Commissioning of Multi- Jurisdictional Hearing Centres (HC), and the Tribunals, Courts and Enforcement (TCE) Act Implementation. By adopting this approach, the programme will be able to ensure that the delivery of ASCs and HCs is fully compatible with the changes outlined in the TCE Act.

**7.121** These changes will enable the Tribunals Service to maximise operational efficiencies by bringing together the work of the various tribunals to ensure simple processing systems. They will also improve access to services and rationalise the Tribunals Service estate by developing a network of multi-jurisdictional hearing centres in major towns and cities, focused on providing a choice of services to users.

### **Sustainable development in the Tribunal Service**

**7.122** The Tribunals Service is actively supporting the MoJ commitment to supporting the environment through sustainable development. During the year, it has identified ten sites for developing Environmental Management Systems

(EMS) and is now running pilot schemes at each. In the longer term, the Tribunals Service will seek EMS ISO 140001 accreditation.

## Balancing supply and demand for prison places

**7.123** Lord Carter of Coles reported in December on his review of prisons. The report contained proposals for the expansion and improved efficiency of the prison estate; the establishment of a sentencing commission and the reorganisation of NOMS HQ. All the proposals in the report were accepted. More detailed coverage of the action now agreed to increase the number of prison places (to around 96,000 by 2014) is provided in chapter 5. However, whilst an increase in prison places is vital, an arguably even more fundamental issue is to find a solution to the challenge of balancing supply and demand for prison places and this too was addressed in Lord Carter's report.

**7.124** In order to achieve that better balance, Lord Carter highlighted the need for a mechanism which reconciles prison capacity with criminal justice policy. He recommended the introduction of a structured sentencing framework and permanent Sentencing Commission. Such a framework would allow the drivers behind the prison population to be addressed and managed in a transparent, consistent and predictable manner through the provision of an indicative set of sentencing ranges. It does not mean that sentencers would be constrained by the availability of resources at any particular time. Custody will remain the option for those who need it.

## Offender Management Change Programme

**7.125** The Offender Management

Change Programme will focus on managing offenders, increasing capacity of the offender management system, improving front-line service effectiveness and increasing efficiency. The Offender Management Supervisory Board and NOMS Change Management Programme Board are being set up as the overarching governance for the Offender Management Change Programme and its composite programmes and workstreams. Work is currently underway to finalise the scope and structure of the programme and there are currently four programmes strands within the overarching offender management programme:

- Strategy and Regulation Programme – this will provide the mechanism for delivering specific strategies identified through the work of the Strategic Planning and System Policy Unit within the Criminal Justice Group (CJG) of the MoJ
- Organisational Restructuring Programme – this will be responsible for the effective restructuring of NOMS and implementation of the agency / CJG element of the MoJ restructure
- Prison Capacity Programme – this programme will deliver up to 20,000 additional new prison places within the prison system in England and Wales by 2014, in order to achieve objectives and obligations for enforcing the orders of the courts, public protection, decency of treatment of prisoners, and the maintenance of good order and control within prison establishments
- Organisation Effectiveness and Efficiency Programme – this will comprise the following workstreams aimed at ensuring effectiveness and efficiency in NOMS, performance enhancement, specifications and costing, implementing probation trusts, organisational

effectiveness, C-NOMIS, offender management model implementation and work force modernisation.

**7.126** Sub-programmes and workstreams will, during their lifecycle, move between the CJG and NOMS, to enable strategic development to be taken forward.

## Welsh language

### HM Courts Service' Welsh Language Scheme

**7.127** HMCS has adopted the principle that, in the conduct of public business and the administration of justice in Wales, it will treat the English and Welsh languages equally. Its Welsh Language Scheme sets out how it will apply this principle when providing services to the public in Wales, where court users have the right to give evidence in either English or Welsh. Specific protocols exist to facilitate the use of the Welsh language in court hearings and trials.

**7.128** Two strategies were published during the year whose objectives are to underpin the Welsh Language Scheme:

- a Welsh Language Strategic Plan was adopted in order to promote greater awareness on the use of the Welsh language within daily administration, making it better able to provide a bilingual service at all points of delivery
- the Welsh Skills Strategy aims to increase the number of staff comfortable in using the Welsh language at work thereby ensuring that courts and offices are better able linguistically to meet the needs of their local communities.

**7.129** HMCS Wales has also identified a Welsh language champion in all of its courts/offices who will play an important role in disseminating information internally about the Welsh language and raising its profile.

**7.130** HMCS has a dedicated Welsh Language Unit. It provides practical support to the courts which includes translating material, bilingual design, proof reading and giving advice on terminology. The unit also undertakes work for other Departmental agencies.

### Moj Welsh Language Scheme

**7.131** The Moj has also adopted the principle that, in the conduct of public administration and justice in Wales, it will treat the English and Welsh languages on the basis of equality. When the Moj's Welsh Language Scheme is published it will set out how we will give effect to that principle in the services to the public in Wales for which it is responsible.

**7.132** A new version of the Moj's draft Welsh Language Scheme is being finalised and subject to approval by the Welsh Language Board, we then intend to submit it for public consultation in 2008.

## Health and safety

**7.133** The Moj is committed to ensuring the health, safety and welfare of its employees, the judiciary, visitors, detainees, contractors and all others who may be affected by its activities. It accepts fully its responsibilities under the Health and Safety at Work etc Act 1974.

**7.134** The Moj acknowledges that positive, proportionate health and safety risk management prevents harm and enables efficient delivery of services across the Department. We also recognise that good health and safety management has a significant positive impact on the well being of staff, service delivery and achieving financial targets. Our corporate arrangements provide a framework for the leadership and co-ordination which are essential for achieving a positive health and safety culture.

**7.135** Delivery of our positive health and safety culture has been supported by the introduction, over the last year, of an improved corporate health and safety management system which has:

- increased the provision of in-house professional health and safety advice to accommodate the formation of the MoJ
- provided health and safety outreach to all business areas
- increased health and safety guidance and information systems
- introduced a programme of health and safety management system audits.