



Equalities Annual Report

2003/04

PREFACE

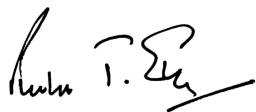
Joint Statement by Philip Ely OBE, Chair and Clare Dodgson, Chief Executive of the Legal Services Commission

This is the Commission's second equalities annual report, which presents the results of our equal opportunities monitoring for the period 1 April 2003 to 31 March 2004. The Report reflects a significant amount of activity to better inform the Commission in our aim to deliver fair and equal access to justice.

During 2003/04 we extended monitoring of our public service functions to include disability and gender. Alongside this we continued to gather information about the diversity of our staff profile. We are now in a period of consolidation, concentrating on making use of equalities information in policy making, service design and service delivery.

We are personally committed to ensuring that the Commission promotes equality and eliminates discrimination whether as an employer or in helping people get quality legal services that tackle real needs. This year equalities-related work has entered the lives of staff at all levels in the Commission: be it learning to make our buildings and services more accessible to diverse customers or the scrutiny of the equality impact of strategic policies by the Executive Team and the Commission. All in all we are making good progress to becoming an equalities confident organisation.

On the horizon there are a number of challenges. We will be publishing a revised *Equality Scheme* in May 2005 in which we will build on what we have learnt and anticipate the new public duty on disability as well as looking forward to a future gender public duty. We are excited by the opportunities that these developments offer. The monitoring work that we have set in motion will stand us in good stead to meet the new responsibilities and to take forward policies that contribute to a more equal society.



Philip Ely OBE, Chair



Clare Dodgson, Chief Executive

December 2004

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INTRODUCTION

About the Commission

The Legal Services Commission is an executive non-departmental public body reporting to the Department for Constitutional Affairs. Our remit is to maintain and develop the Community Legal Service (CLS) and Criminal Defence Service (CDS) through which we fund legal and advice services in England and Wales. We also have a responsibility to identify unmet need for publicly funded civil legal and advice services, and to develop suppliers and innovative services to meet the priority needs that we identify. In 2003/04 we received funding of £2.1bn with which we funded over 2.6m acts of assistance.

We employ over 1,500 permanent staff working in twelve offices across England, one in Wales, and a London head office. We also operate eight Public Defender Service (PDS) offices, where we directly employ staff to deliver criminal legal aid. We spent £83.9 on administration costs in 2003/04.

The Commission's equality duties

Under the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 the Commission has a duty to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups. We have specific duties to publish a race equality scheme and to ensure arrangements are in place to monitor and assess the impact of our policies on different racial groups.

The Commission published its *Equality Scheme* in May 2002. As well as race, we included disability and gender within the scope of the scheme. Our *Equality Scheme* identified the Commission's principal functions (relating to service provision and employment), and included commitments in respect of impact assessments, consultations, monitoring, access to information, training and complaints.

We published our first equalities annual report in January 2004, which covered the period 1 April 2002 to 31 March 2003. In this second report we publish the results of work carried out under the *Equality Scheme* during the period 1 April 2003 to 31 March 2004. All reporting complies with the relevant legislation regarding data protection.

Work of the Commission's equalities group

The equalities group is an executive staff group that contributes to the development and implementation of strategies intended to ensure ongoing compliance with

equalities legislation. The group also has oversight of the Commission's equalities related duties in conducting its functions both as an employer and a public body.

Membership of the group is drawn from central functions and regional office staff with experience in key business areas. The group generally meets on a monthly basis to discuss the integration of equalities aspects into the Commission's work. In addition to the main areas of work outlined in this report, the significant issues discussed and contributions made by the group in 2003/04 included the following:

- **Training:** As part of the Commission's duty to provide training on equality and diversity issues, the group contributed to drafting the equalities questionnaire that was sent to staff to help identify the Commission's training needs.
- **Accessibility:** The group had oversight of work around ensuring that the Commission was compliant with the Disability Discrimination Act 1995 in respect of accessibility to its buildings by the 1 October 2004 deadline.
- **Consultation:** The group contributed to the Commission's responses to equalities related consultation papers from various Government departments.

PART 1: KEY PUBLIC SERVICE FUNCTIONS

- 1.1 The Commission's functions as a service provider are determined by the Access to Justice Act 1999. The *Equality Scheme* sets out our key functions in relation to our duties under the Race Relations (Amendment) Act 2000 against which we undertake equal opportunities monitoring. We report below on the outcome of monitoring carried out in 2003/04.

Profile of clients funded by the Community Legal Service

We will review and report on relative success rates of individual applications for case funding
Equality Scheme, May 2002

- 1.2 The Community Legal Service (CLS) provides publicly funded civil legal aid and advice services. Solicitors' offices and Not for Profit (NfP) agencies undertaking civil legal aid work hold a General Civil Contract with the Commission, which specifies the categories of law they are authorised to practice.
- 1.3 The General Civil Contract operates under two headings: Controlled Work and Licensed Work. Controlled Work is referred to in this section as 'legal help'¹. Licensed Work covers all other representation, except very high cost cases which are managed under separate contracts, and is referred to here as 'civil representation'.
- 1.4 The Controlled Work contract for solicitors outlines the number of cases a supplier is authorised to start ('matter starts') in a particular year. The Controlled Work contract for NfP agencies sets out the number of hours of direct casework time that the supplier is authorised to undertake in the year.
- 1.5 The Licensed Work contract does not limit the amount of casework a supplier can undertake. Instead, an application for funding is made to the Commission for each case and our regional office staff decide whether the case will receive funding on the basis of the client's financial eligibility and the merits of the case.

¹ Controlled Work under the General Civil Contract (legal help) covers legal advice and assistance, Help at Court and Legal Representation before the Mental Health Tribunal and the Immigration Appellate Authorities.

- 1.6 During 2003/04 the Commission continued to monitor the ethnicity of CLS clients in receipt of legal help and civil representation. We principally contrast the findings for black and minority ethnic origin (BME) clients with their white counterparts. However, in places we report in more detail, examining the data according to the six main National Census 2001 categories² and their sub-categories³.
- 1.7 For the first time, we obtained data on the disability status of clients receiving legal help and gender data on clients receiving civil representation. We are working to enable the recording of reliable gender data on legal help clients and disability data for civil representation applicants. However, it will require fundamental changes to our IT recording systems . We expect to have reliable data on at least one of these areas in time for the 2005/06 report.
- 1.8 For both legal help and civil representation there was a proportion of clients for whom equal opportunities information was not provided. The proportion is indicated against each table as appropriate. The provision of this information is voluntary and we have no information about a substantial number of clients who decline to provide information and their reasons for doing so.
- 1.9 For meaningful analysis and to allow direct comparisons with the 2002/03 data, the 'not known' element has been discounted from the 2003/04 data. Although the proportion of civil representation applicants whose ethnicity is 'not known' has decreased from 60.4% to 55.3%, there is still some work to do to encourage suppliers to submit clients' equal opportunities information and to ensure it is being entered into our information systems.
- 1.10 The recording of equal opportunities data has formed part of the Commission's data integrity project, which is tasked with improving the quality of data held on the Commission's information systems. As part of this project, a great deal of work has already been done to communicate to solicitors and LSC staff the importance of recording equalities data. As a result, we expect that next year there will again be an improvement in the proportion of equal opportunities data supplied and recorded.

² The six main categories are: 'Asian', 'black', 'Chinese', 'mixed', 'other' and 'white'

³ The sub-categories are: 'Asian British Indian', 'Asian British Pakistani', 'Asian British Bangladeshi', 'Asian British other'; 'black British Caribbean', 'black British African', 'black British other'; 'mixed white and black Caribbean', 'mixed white and black African', 'mixed white and Asian', 'mixed other'; 'white British', 'white Irish', 'white other'.

Race

TABLE 1: Legal help matters completed by ethnicity of client*

Categories held in contracts	White %		BME %		Total numbers 2003/04
	2002/03	2003/04	2002/03	2003/04	
Actions against the police etc	73.6	76.1	26.4	23.9	4,616
Clinical negligence	88.9	88.0	11.1	12.0	3,907
Community care	56.9	64.0	43.1	36.0	2,961
Consumer	82.6	81.6	17.4	18.4	6,110
Debt	88.7	90.3	11.4	9.7	54,564
Education	74.5	76.0	25.5	24.0	3,073
Employment	80.2	82.2	19.8	17.8	10,773
Family	89.8	89.5	10.2	10.5	291,520
Housing	70.0	76.4	30.0	23.6	80,149
Immigration – asylum	9.1	28.0	91.0	72.0	116,657
Immigration – non asylum	8.5	32.6	91.5	67.4	34,104
Mental health	75.2	78.1	24.8	21.9	29,821
Personal injury	82.4	86.6	17.6	13.4	5,507
Public law	73.4	72.6	26.6	27.4	1,502
Welfare benefits	76.0	80.3	24.0	19.7	77,906
Miscellaneous	89.7	89.0	10.3	11.0	16,096
TOTAL	64.4	73.9	35.6	26.1	739,266

* Figures provided discount the 29,783 (3.9%) of matters where the ethnicity of the applicant was not known, i.e. not supplied or not recorded.

1.11 Table 1 shows that legal help matters completed by ethnicity of client for 2003/04 and includes comparative data from 2002/03. Although it appears that the percentage of BME clients receiving legal help have reduced significantly, this is largely as a result of there being a substantial drop in BME clients in the immigration categories. The make-up of clients accessing immigration and nationality advice is largely dependent on world events, and are therefore outside the LSC's control. Discounting the immigration categories, BME clients represented 14.6% of total recorded clients in 2003/04, compared with 16.3% in 2002/03. There has been a fall in BME clients in every contract category except clinical negligence and family where there have been slight rises.

1.12 A more detailed analysis of the data suggests that, discounting immigration, there has been fall in the number of black clients receiving legal help: 1.3% this year compared to 6.2% in 2002/03. Black British Caribbean clients make up 0.1% of all those helped, compared with 2.5% in 2002/03. Similarly 2.7% of clients helped in 2002/03 were black British African compared to only 0.1% in 2003/04. The most marked decline is in Asian British Pakistanis who made up 2.3% of the client base in 2002/03 but only 0.2% in 2003/04.

- 1.13 It is too early to tell whether these findings represent a trend. Nonetheless we will investigate potential reasons for the decrease.
- 1.14 As last year, a particularly high number of BME clients continue to be helped in community care, education, immigration and asylum and social welfare law. However, an examination of individual sub-categories indicates different findings from those reported last year:
- mixed white and black Caribbean: high in actions against the police etc. and mental health
 - mixed white and black African: high in actions against the police etc.
 - mixed white and Asian: high in consumer and welfare benefits
 - black British African: higher in mental health than other ethnic groups
 - Asian British Indian: highest in housing and welfare benefits
 - Asian British Pakistani: highest in community care
 - Asian British Bangladeshi: higher in actions against the police etc., education and public law than other ethnic groups
 - Chinese: higher in community care and education than other ethnic groups
- 1.15 The Commission has 10 regional offices in England and one in Wales. The Commission's regional boundaries largely reflect local authority boundaries and in England regional boundaries also match those of the Government's Regional Development Agencies. In last year's report we undertook to analyse legal help data further by our regions⁴ to help identify patterns of need in particular communities. An analysis of legal help data by region, where information on ethnicity was provided shows that the highest proportion of BME clients were in London: 58% of legal help clients in 2003/04 were of BME origin. This has clearly driven up the national figures; the West Midlands was the only other of the Commission's regions where there was a higher proportion of BME clients (28.9%) than there were nationally. Yorkshire & Humberside had the next largest proportion of BME clients (20.9%). The lowest proportion of BME clients was in Wales where 6.8% of clients were of BME origin. A full breakdown of regional data by category of law has been sent to each regional office in order that particular needs can be identified and addressed.

⁴ Our regions are Eastern, Merseyside, East Midlands, London, North East, North Western, South Eastern, South Western, West Midlands, Yorkshire & Humberside; and Wales.

TABLE 2: Number of applications received for civil representation by category of law and ethnicity*

Category of law	2002/03		2003/04		Total
	White %	BME %	White %	BME %	
Actions against the police etc	68.1	31.9	66.7	33.3	774
Clinical negligence	89.7	10.3	88.9	11.1	3,511
Community care	57.2	42.8	31.4	68.6	491
Consumer	73.9	26.1	74.8	25.2	643
Debt	73.6	26.4	65.4	34.6	425
Education	62.7	37.3	68.6	31.4	373
Employment	49.5	50.5	46.2	53.8	91
Family	85.8	14.2	87.1	12.9	70,699
Housing	49.5	50.5	49.9	50.1	8,129
Immigration & nationality	14.8	85.2	17.9	82.1	2,276
Mental health	77.8	22.2	65.0	35.0	120
Personal injury	58.0	42.0**	89.2	10.8	434
Public law	68.2	31.7	66.3	33.7	655
Welfare benefits	41.4	58.6	26.5	73.5	34
Miscellaneous	78.3	21.7	76.8	23.2	1,417
Total	79.7	20.3	80.9	19.1	90,072

* Figures provided discount the 111,316 cases (55.3%) where the ethnicity of the applicant was not known, i.e. not supplied or not recorded.

** The high proportion of BME clients in personal injury in 2002/03 was as a result of a multi-party action involving South African claimants, each of whom had a civil certificate.

- 1.16 Table 2 suggests that, as reflected in the 2002/03 report, there was a higher number of applications for civil representation from BME clients in immigration and nationality, welfare benefits, community care, employment and housing. Although the overall proportion of BME clients applying for civil representation remained at a similar level, the 2003/04 data suggests that there were differences in community care and mental health. The increase in BME clients represented under the welfare benefits category of law should be read with caution given the small sample of 34 applications recorded.
- 1.17 An examination of the applicants by ethnic sub categories indicates that there have been no significant shifts in the ethnic make up of applicants since 2002/03.

TABLE 3: Relative success of applicants for civil representation by ethnicity

Ethnicity	Decision						Total
	2002/03			2003/04			
	Grant	Part grant*	Refuse**	Grant	Part grant*	Refuse**	
White	90.0%	3.3%	6.8%	64,494 (88.5%)	3,297 (4.5%)	5,074 (7.0%)	72,865
BME	90.9%	1.9%	7.2%	15,054 (87.5%)	492 (2.9%)	1,661 (9.7%)	17,207

* Part grant – this is when a solicitor is awarded a lower level of representation than is applied for e.g. the solicitor applied for Full Representation but was only granted authority to provide the client General Family Help. Part granting does not affect whether or not the client pays a contribution, only the amount of work that the Commission determines it is appropriate for the solicitor to undertake.

** Applicants are entitled to appeal the Commission's decision to refuse to grant civil representation. The figures give the data in respect of the Commission's initial decision. Where an applicant appeals, his or her details are held on a separate part of the Commission's corporate information system, where details are also held concerning the outcome of the appeal.

1.18 A comparison of 2002/03 data with 2003/04 data shows similar trends in the granting and part granting of applications according to ethnicity. The refusal rate has increased for both white and BME applicants, but has increased by a greater proportion for BME applicants.

1.19 If an application is initially refused, and the decision carries a right to a review, the applicant is entitled to appeal that decision. The application for a review of the decision is examined by a regional office staff member with the authority to overturn the original decision (stage one). If they agree with the original decision then they will refer the matter to the Funding Review Committee (stage two), made up of independent solicitors and barristers. Appeals data are set out below.

TABLE 4: Outcome of stage one appeals to grant civil representation by ethnicity, 2003/04

	Decision				Total
	Further information* %	Grant %	Refuse %	Reject** %	
White	0.1	48.4	50.5	0.9	5,281
BME	0.4	35.5	64.0	0.1	1,506

* Where more information about the case is requested.

**Where insufficient or incomplete information is provided.

TABLE 5: Outcome of stage two appeals to grant civil representation by ethnicity, 2003/04

	Decision				Cases
	Abandon %	Grant %	Part grant %	Refuse %	
White	3.7	25.3	4.1	66.9	2,564
BME	3.3	29.3	2.2	65.2	908

1.20 The tables 4 and 5 above indicate that at stage one of the appeals process, BME applicants requesting a review of the original funding decision are more likely to have the appeal refused than white applicants. However, if the decision is referred to the Funding Review Committee (stage two), BME applicants appear slightly more likely than white applicants to have the application granted. Last year we undertook to analyse relative success rates of applicants by region: this data has been extracted and referred to the regional offices.

Disability

TABLE 6: Legal help matters completed in 2003/04 by disability status of client*

Categories held in contracts	Disabled %	Not disabled %	Total
Actions against the police	12.1	87.9	1,991
Clinical negligence	26.6	73.4	1,915
Community care	52.9	47.1	930
Consumer	17.2	82.8	3,366
Debt	18.5	81.5	29,294
Education	10.0	90.0	1,581
Employment	8.6	91.4	5,681
Family	5.5	94.5	163,067
Housing	19.1	80.9	44,691
Immigration asylum	1.3	98.7	71,970
Immigration other	3.2	96.8	20,735
Mental health	38.3	61.7	17,971
Personal injury	10.0	90.0	2,518
Public law	14.5	85.5	802
Welfare benefits	55.7	44.3	43,359
Miscellaneous	12.0	88.0	9,196
Total	14.2	85.8	419,064

*Figures exclude the 349,985 (45.5%) of cases where the disability status of the applicant was not supplied or recorded.

1.21 We recorded the disability of legal help clients for the first time in 2003/04. In consequence there was a relatively high number of matters where disability status was not provided. Table 6 shows that as expected a high proportion of disabled clients received legal help in welfare benefits, community care, and mental health. We will work to improve data collection for future reports.

Gender

TABLE 7: Number of applications received for civil representation by category of law and gender, 2003/04

Category of law	Female %	Male %	Total
Actions against the police etc.	23.5	76.5	1,701
Clinical negligence	56.3	43.7	8,203
Community care	47.9	52.1	828
Consumer	47.1	52.9	1,561
Debt	47.2	52.8	949
Education	38.8	61.2	860
Employment	42.2	57.8	173
Family	63.1	36.9	158,405
Housing	58.3	41.7	13,926
Immigration	30.5	69.5	3,081
Mental health	36.5	63.5	241
Personal injury	30.9	69.1	1,213
Public law	36.3	63.7	1,147
Welfare benefits	44.1	55.9	59
Miscellaneous	51.1	48.9	3,442
Total	60.6	39.4	195,789

* Figures provided discount the 5,599 (2.8%) of cases where the gender of the client is not known

1.22 Table 7 shows that there were a high proportion of female applicants for civil representation in housing, family and clinical negligence. Male applicants were more prevalent in actions against the police etc., immigration and personal injury. An analysis of the gender of applicants by region does not show any significant variances from the total national figures.

TABLE 8: Relative success of applicants for civil representation by gender, 2003/04

Ethnicity	Grant %	Decision		Total
		Part grant* %	Refuse** %	
Female	89.2%	4.6%	6.3%	118,639
Male	88.6%	2.9%	8.5%	77,150

* Part grant – this is when the solicitor is awarded a lower level of representation than is applied for e.g. the solicitor applied for Full Representation but was only granted authority to provide the client General Family Help. Part granting does not affect whether or not the client pays a contribution, only the amount of work that the Commission determines it is appropriate for the solicitor to undertake.

** Applicants are entitled to appeal the Commission’s decision to refuse to grant civil representation. The figures give the data in respect of the Commission’s initial decision. If an applicants appeals their details are held on a separate part of the Commission’s corporate information system, where details are also held concerning whether or not the appeal was successful.

1.23 Table 8 indicates that although there is little difference between male and female applicants in the granting of funding, there is some variance in part granting and refusal rates. This data will be used as a benchmark for future analysis.

TABLE 9: Outcome of stage one appeals to grant civil representation by gender, 2003/04

	Further information %	Grant %	Refer %	Refuse %	Reject %	Total
Female	0.1	49.5	0.1	49.7	0.7	8,712
Male	0.0	39.1	-	60.1	0.7	7,362

TABLE 10: Outcome of stage two appeals to grant civil representation by gender, 2003/04

	Abandon %	Grant %	Part grant %	Refuse %	Total
Female	4.5	25.9	3.9	65.8	4,099
Male	4.3	26.7	3.0	66.0	4,281

1.24 Tables 9 and 10 show the outcome of applications to regional offices to review funding decisions (stage one) and the outcome of appeals referred to the Funding Review Committee (stage two). Whilst there appears to be a higher proportion of refusals for male applicants at stage one, the outcomes according to gender at stage two are relatively even.

National surveys of civil legal needs

We will conduct and publish national surveys of civil legal needs
Equality Scheme, May 2002

- 1.25 The findings of the first Legal Services Research Centre's (LSRC) national periodic survey of justiciable problems were published in February 2004.⁵ This is the baseline survey in a long-term project to provide a broad empirical base for civil justice policy development. It was designed to establish the nature, pattern and impact of people's experience of justiciable problems across England and Wales, and detail the use and success of different problem resolution strategies.
- 1.26 There were 5,611 respondents to the survey conducted between July and October of 2001. Of these just under 11% identified themselves as BME. One-quarter reported having a long-term illness or being disabled. Fewer than 2% of respondents reported experiencing a discrimination problem in the previous three and a half years (the catchment period for the survey).
- 1.27 The findings from BME respondents, disabled respondents, those experiencing discrimination problems, and differences based on gender have been separately analysed and are set out below.

Findings relating to BME respondents

- 1.28 Initial analyses found that BME respondents had a higher incidence of doing nothing about their problems, and also a lower incidence of handling their problems alone. Consequently, they had higher advice-seeking rates than other respondents.
- 1.29 BME respondents who tried and failed to get advice about their problem were more likely to subsequently do nothing rather than handle their problem alone. In contrast, white respondents were likely to go on to handle their problem alone. Further statistical analysis (multinomial logistic regression analysis) found that Asian respondents adopted significantly different strategies from black or white respondents. A much higher proportion of Asian respondents than black or white respondents took no action to deal with their problems, regardless of the problem type.

⁵ Pascoe Pleasance, Alexy Buck, Nigel Balmer, Aoife O'Grady, Hazel Genn and Marisol Smith (2004) Causes of Action: Civil law and Social Justice (TSO: London). LSRC publications are available from the LSRC at <http://www.lsrc.gov.uk>.

- 1.30 When examining reasons for taking no action, it was found that BME respondents were more likely than white respondents to take no action because they thought that nothing could be done. BME respondents were also more likely to be reluctant to take any action.
- 1.31 BME respondents were less likely to contact a Citizen Advice Bureau, solicitor or Trade Union as a first adviser. A larger proportion than white respondents contacted the local council, police, other advice agencies or another source of advice. Asian respondents had a higher propensity to contact local councils: black respondents were likely to contact another sources of advice.
- 1.32 Respondents were asked if they received advice on: their legal position; what to do next; financial position; other type of advice, or 'none of these'. More BME respondents reported receiving advice on 'none of these' issues. Given adviser types contacted, and the responses associated with them, the expected rate would be less for BME respondents. The difference was not accounted for by the difference in adviser type.
- 1.33 BME respondents were more likely to find advisers 'not very helpful' or 'not at all helpful'. BME respondents were also more likely to say that they would probably or definitely not recommend their advisers. This difference is partly but not wholly explained by the type of adviser contacted.

Findings relating to disabled respondents

- 1.34 Disabled respondents were more likely to experience a justiciable problem than non-disabled respondents: 43% of the 1,395 disabled respondents had experienced one or more problems in the survey period. Disabled respondents' increased likelihood of experiencing a problem was observed in the majority of categories and particularly those relating to issues of social exclusion such as housing and welfare benefits.
- 1.35 Disabled respondents were more likely to go on to experience other problems, but showed no overall difference to other respondents in terms of advice-seeking behaviour, including both propensity to seek advice and types of advisers contacted.

Findings relating to respondents experiencing discrimination problems

- 1.36 Respondents with discrimination problems were more likely than any other respondents, excluding respondents who cited unfair police treatment as a problem, to find an adviser 'not at all helpful' and to give up attempting to solve their problems. With the exception of problems pertaining to mental health and unfair police treatment, respondents were least likely to resolve discrimination problems by agreement. Respondents with discrimination

problems were more than twice as likely than other respondents to have only non-monetary objectives.

Findings relating to gender differences

- 1.37 Gender had a significant influence in predicting three of the 18 problem types studied: domestic violence, clinical negligence and unfair treatment by the police.⁶ Female respondents were much more likely than male respondents to report domestic violence and clinical negligence problems, whereas male respondents were much more likely to report unfair treatment by the police.

Future work

- 1.38 The fieldwork for the second Legal Services Research Centre's (LSRC) national periodic survey of justiciable problems (now known as the English and Welsh Civil and Social Justice Survey) was concluded in October 2004. This first follow-on survey has been designed to reveal changes in people's experiences of problems, resolution strategies and outcomes since the first survey. It has also built on the first survey, particularly in relation to the causes and effects of justiciable problems and the impact of advice.
- 1.39 The survey data is currently being prepared for analysis, which will commence in January 2005. The analysis will include an examination of differences in experience, strategies and outcomes linked to disability, ethnicity, gender and age. The findings of this analysis will be published in 2005.

Award and management of contracts and management of the Quality Mark

We will monitor and report on the organisations which have been awarded LSC contracts and Quality Marks and changes to these
Equality Scheme, May 2002

- 1.40 All civil legal aid is delivered through contracts with quality assured suppliers. There are separate contracts for solicitors and NfP suppliers, all of which are required to be holders of the LSC's Quality Mark and are subject to auditing by the Commission.
- 1.41 The LSRC has conducted an annual equal opportunity survey of these suppliers since the launch of contracted services in 2000. The survey findings,

⁶ The 18 justiciable problem categories were: children; clinical negligence; consumer; discrimination; divorce; domestic violence; employment; homelessness; immigration; mental health; money/debt; neighbours; owned housing; personal injury; relationship breakdown; rented housing; unfair treatment by the police and welfare benefits.

covering ethnicity, gender, disability and age, are published each year by the LSRC in its equal opportunities reports series, which are available on the LSRC website at <http://www.lsrc.org.uk>.

- 1.42 The Fourth Equal Opportunities Annual Report was published in the Autumn of 2004 and as planned included data on criminal firms for the first time. The response rate overall was 31% for those with a civil contract and 30% for those with a criminal contract. In future, the LSRC survey will be integrated with the directory survey (currently conducted by the Resource Information Service). As this survey will include repeated follow-up exercises where suppliers do not return questionnaires, the response rate should improve significantly. Furthermore in this way all contracted and Quality Marked organisations will be monitored every year, including new organisations that are awarded a contract or Quality Mark between major survey rounds.
- 1.43 The Report takes in the effect on the supplier base of changes to the civil contract during 2003/04. According to the Report, the legal aid profession is becoming more ethnically diverse. 40% of respondent firms with a civil contract included at least one BME fee-earner, compared with 29% respondents to the 2000 survey. The proportion of BME fee-earners in firms with civil contracts was 14% in 2004 compared with 11% in 2000. Of respondents with a criminal contract, 42% had at least one BME fee-earner.
- 1.44 The proportion of firms with BME ownership or control has remained 11% in 2004 as in 2000. Of respondent firms with criminal-only contacts, 17.1% had BME ownership or control. It also remains the case that BME owned or controlled firms are smaller than other firms: of respondents in 2004, BME owned or controlled firms had a mean of 5.7 fee-earners whereas white owned or controlled firms had a mean of 8.9 fee-earners. However BME fee-earners had a greater representation in larger firms in 2004 than in 2000.

Equality impact assessments

We will publish a description and explanation of the policies we plan to introduce, and a brief summary of the results of our assessment of the likely effects of the policy as part of our consultation process

Equality Scheme, May 2002

- 1.45 Equality impact assessments consider the impact of policies on diverse groups, taking into account race, disability or gender. In this way, they are valuable in ensuring that equal opportunities principles, strategies and practices are incorporated into the Commission's everyday work.
- 1.46 In accordance with our specific duties under the Race Relations (Amendment) Act 2000, the Commission undertook in its Equality Scheme to conduct equality impact assessments for all new policies and revisions to existing policies being consulted on externally under the Commission's Code of Practice on Written Consultation. Consultations are available on the Commission's website at <http://www.legalservices.gov.uk>.

Developing Best Practice

- 1.47 During 2003/04 the Commission's Equality Executive took part in a user group involving the Commission for Racial Equality (CRE), the Home Office Race Equality Unit and other Government departments. The group was established to develop the CRE's guidance on race equality impact assessments and an internet site to host the guidance. The CRE guidance and website were launched in September 2004 and can be found at <http://www.cre.gov.uk/duty/reia/index.html>.
- 1.48 In September 2004 the Commission rewrote our equality impact assessment guidance to bring it up-to-date with the CRE's guidance. In addition, the Commission integrated equality impact assessment work into new project management standards being rolled out to staff in October 2004. An equalities impact assessment will be managed through the life of a project, starting with the inclusion of a provisional equalities impact assessment, if necessary, at the project proposal stage, and the inclusion of a full equalities impact assessment in the full business case during project initiation.
- 1.49 We will review the success of this revised guidance during the course of 2004/05 and 2005/06. Equalities impact assessments continue to be published on the Commission's website during consultation. (Address as above at 1.46).

Awards of grants to organisations

We will monitor and report on the organisations in receipt of grants and changes to these *Equality Scheme*, May 2002

Partnership Initiative Budget

- 1.50 The Partnership Initiative Budget (PIB), formerly the Partnership Innovation Budget, was introduced in December 2000, to help the Commission fund local initiatives to help individuals access advice and information in priority areas of laws that do not fall within normal funding mechanisms.
- 1.51 Decisions on what initiatives should be funded under the PIB to meet local needs are made on the advice of the Community Legal Service Partnerships (CLSPs) and the Regional Legal Services Committees (RLSCs). CLSPs bring together organisations offering legal and advice services, representatives of the Commission, local authorities and others. RLSCs were established by the Commission's predecessor, the Legal Aid Board, to assess the need for legal services in their region and provide an independent element in the strategic planning process. Each RLSC is chaired by a Commission member and acts as an independent evaluation body to determine whether the CLS and CLSPs are developing appropriately in the region. They also work to establish links with local and regional initiatives, and with regional Government offices.
- 1.52 In October 2002 we invited bids for a second round of PIB grants from projects that are involved in community legal education and the development of links between community groups and legal advice providers. For the second round of PIB grants, the process was as follows:
- Each region received an allocation of funding.
 - All bids were submitted to the local CLSP, which prioritised the bids according to how they fitted in with the local needs analysis or strategic plan.
 - The relevant RLSCs considered the bid in light of the information provided by the CLSPs and the budget available.
 - The bids supported by the RLSC were submitted to the National PIB Panel. This comprised of four members, including at least one non-executive Commission member, an Executive Director of the Commission and an official from the Department for Constitutional Affairs. The panel considered all projects based on the information provided by the RLSCs and those that it supported were approved funding 'in principle'.
 - Once bids were approved 'in principle' the conditions of funding were agreed with the bidding organisations before any money was formally approved or released.

1.53 70 projects are currently in receipt of funding PIB, 22 of which are equalities-related projects. Here are some examples:

Project	Aims	Progress (as of October 2004)
Welfare Rights Community Project London region	To overcome barriers preventing older members of BME communities from accessing mainstream welfare rights advice.	Following successful launch, advisers recruited and work begun with 6 local organisations to provide advice to the public.
CLEAR Advice Clinics & Casework Project South East region	To develop and run an advice clinic for refugees and asylum seekers.	During 2003 the service had 1,276 visitors. The project offers a range of services from general assistance, befriending and support groups to help with applications for asylum.
Prosiect Cynnwys Project Wales	To encourage community groups to work in partnerships and to raise awareness about services offered by CLSPs. It also aims to improve understanding of the needs of minority communities.	Launched in June 2004, project workers are currently working with 41 disabled groups, 10 BME organisations and 8 lesbian, gay, bisexual & transgender groups.
Cambridgeshire Travellers Initiative Project Eastern region	To fund a coordinator who will facilitate and provide advocacy services for the travellers to help them access services from the Citizens Advice Bureaux.	By the end of the second quarter 82 people had used the project's services, 30 individuals had accessed Citizens Advice Bureaux outreach services and 6 were signposted to the Traveller Advice Team. Approximately 14 hours per week of outreach work is undertaken with traveller communities.
Sefton CLSP – The Sefton Advice CD Series Merseyside	To produce information about rights and advice services in an audio format for people who cannot use written information audio.	Consultation has been completed, a pilot CD was produced and production of the CD for the public is now underway.
Domestic Violence Support Project South West	To provide a free, confidential support, advice and advocacy service to women who are, or have been, victims of domestic violence.	The project has assisted 390 women, some being referred to the service from the police. The service also runs training workshops.

- 1.54 The PIB has now been replaced by the CLS Development Fund. Under the CLS Development Fund the Commission has more flexibility to participate in activities that contribute to local needs. A total of £2 million has been made available for the Fund in 2004/05, which, like the PIB, is administered at the regional level in order to address local needs. We will report on the outcome of our equal opportunities monitoring of the CLS Development Fund in next year's report.

LSC Grants Budget

- 1.55 The Commission can spend up to £5 million on grants that do not directly support the provision of funded services to eligible clients. Applications for the LSC Grant funding are reviewed against set criteria. Each grant funded organisation or project must provide quarterly financial and progress reports to ensure appropriate progress is being made towards the project or the organisation's objectives. In 2003/04 the LSC Grants budget funded 13 projects. Several of these examined equalities related issues; these are detailed below:

Equal Opportunities Commission Online Legal Advice Project

- 1.56 A three-year grant was provided to the Equal Opportunities Commission to develop a website (www.eoc-law.org.uk) offering legal advice and information on sex discrimination to both the general public and CLS general civil contract holders. The website aims to help greater numbers of individuals benefit from advice on sex discrimination by providing specialist information for legal advisers.

Immigration Expansion Package

- 1.57 The Immigration Expansion Package was introduced to encourage firms with a Commission immigration contract to recruit new caseworkers to improve the provision of legal services for asylum seekers. The package consisted of three elements: recruitment, supervision and training, and capital loans.

Annual Management Charge – Language Line (translation service)

- 1.58 The grant pays for Language Line's annual management charge so that LSC contractors in the North East and those working under the fast track scheme in Harmondsworth Removal Centre can access the service. Firms pay for the interpretation charges per minute, and recoup the money from the Commission through disbursements.

Training support grants

- 1.59 In September 2003 we made training support grants available to help develop future legal aid solicitors. The grants are awarded to solicitor organisations to recruit trainees for legal aid work; they cover students' tuition fees for the Legal Practice Course (LPC) and support the provision of training contracts. In 2003/04 15 grants were specifically ring-fenced for NfP agencies.
- 1.60 100 grants were made available in 2003/04 with 86 being taken up. The grants were awarded according to the same criteria as the first round of grants except that firms no longer had to demonstrate that they derived at least 50% of their income from legal aid work, as this requirement was shown to exclude many legal aid suppliers running mixed practices. All organisations are required to comply with the LSC's Specialist Quality Mark, ensuring that all firms meet quality standards and have equal opportunities policies in place.
- 1.61 Grants were awarded to 82 organisations in total (some received grants for more than one individual); we hold equal opportunities information on 44 of these. Of the organisations for which we have data, 6.8% had majority BME control. This represents a decrease in the proportion of grants awarded to BME firms, which was 10.3% last year.
- 1.62 Organisations successfully awarded grants were responsible for recruiting candidates to the grant posts. The Commission again undertook equal opportunities monitoring of individuals receiving grants. However, this year we only received data on 34 of the 86 individuals provided with grants. Of those who returned forms, 17.6% were male and 82.4% were female. This compares to 30.8% male recipients and 69.2% female recipients in 2002/03. 85.3% of those that we received equal opportunities data on were white and 14.7% BME compared to 29.3% BME recipients last year. 2.9% considered themselves disabled, a similar proportion to last year (3.0%). However, given that we have only received data on 39.5% of individuals in receipt of grants in 2003/04 comparisons with 2002/03 where we received data on 70.7% of recipients may be misleading.

Direct provision of legal information

We will monitor and report on requests for provision of information in other languages and formats and outcomes of these requests
Equality Scheme, May 2002

- 1.63 In 2003/04 the Commission produced 24 public information leaflets providing consumer focused information on a range of civil legal issues. A review of the leaflets resulted in seven new titles being added to the series. We will report on these in more detail in the 2004/05 report.
- 1.64 In addition to public information leaflets, we produce nine leaflets that detail the type of funding that the Commission provides. All requests for the provision of the leaflets in alternative formats or languages are centrally recorded. A breakdown on this data is provided below:

Language/format	Percentage of requests		Language	Percentage of requests	
	2001 –03*	2003 – 04**		2001 -03	2003 - 04
Albanian	3.2	1.9	Pakistani	0.2	1.3
Arabic	3.9	4.8	Polish	1.0	0.3
Audio	0.4	1.9	Portuguese	1.5	0.3
Bangladeshi	0.5	0.3	Punjabi	10.7	3.9
Bengali	6.9	4.0	Pushtu	0.6	0.3
Braille	0.2	1.0	Romanian	0.1	0.3
Chinese***	4.8	9.4	Russian	1.2	1.0
Czech	0.6	1.3	Serbo-Croat	0.6	1.3
Dari	0.6	0.3	Somali	4.7	0.3
Farsi	2.3	3.9	Spanish	5.3	3.9
French	4.0	11.7	Sylheti	0.4	0.3
German	0.1	0.3	Swahili	0.4	0.3
Greek	1.4	0.3	Tamil	1.7	0.3
Gujerati	5.7	4.6	Thai	0.1	0.3
Hindi	6.1	4.6	Turkish	4.4	8.2
Iranian	0.1	0.3	Urdu	16.2	13.8
Iraqi	0.8	0.3	Vietnamese	1.7	3.9
Italian	1.4	1.3	Welsh	2.4	7.6
Kosovan	1.1	0.3	Yiddish	0.4	0.3
Kurdish	1.9	0.3	Miscellaneous	0.5	0.0
Total requests for alternative formats			2001-03	6,051	
			2003-04	673	

*Covers the period from April 2001 to July 2003

**Covers July 2003 to October 2004

***This covers all Chinese dialects including Mandarin and Cantonese

- 1.65 Urdu continued to be the most requested language for leaflets to be translated into. There were rises in requests for leaflets in French, Chinese, Turkish and Welsh. The largest drop in the number of leaflets requested was for in those Punjabi. The most requested leaflets in alternative languages and formats were Claiming Asylum, Immigration and Nationality, Alternatives to Court, and Dealing with Debt.
- 1.66 The format of the leaflets has recently been updated and Braille and Audio translations of the revised leaflets are being produced. There are also plans to translate all the updated leaflets into Welsh. The content of the leaflet on claiming asylum is in the process of being updated. Once revisions have been finalised, a review of the languages the leaflet was previously translated into (Albanian, Arabic, French, Farsi, Turkish and Urdu) will be undertaken to identify whether they remain the most appropriate languages for translations to be provided in. There are also plans to review the entire series of public information leaflets to assess whether translations of any of the other titles would be a valuable use of resources.

Other activities

Telephone advice

- 1.67 In 2003/04 we undertook an evaluation of the services offered by our telephone advice pilot. For this pilot we engaged external organisations to provide legal help, including casework and telephone advice. This forms part of our work to explore alternative methods of delivery for publicly funded legal services. As part of the evaluation, equal opportunities data on clients accessing the service was collected. Based on the 3,760 matters for which information on ethnicity was provided, 86.5% of clients accessing the services were white and 13.5% were BME. The advice line, has access to Language Line for translation services and we are looking at non-literary ways of publicising the telephone advice line.

Community Legal Service Direct Website

- 1.68 The Commission's Just Ask! Website has recently been re-branded as part of Community Legal Service Direct. The Community Legal Service Direct website provides legal advice and details of how to access publicly funded legal services. In 2003/04 a language strategy for the website recommended that sections containing legal information and advice be translated into Arabic, Bengali, Chinese, Gujarati, Hindi, Punjabi, Turkish, and Urdu. These languages will be available on the Community Legal Service Direct website in the spring of 2005.

PART 2: FUNCTIONS AS AN EMPLOYER

Diversity and Equality Training

Cultural Audit and Diversity and Equality Training Needs Analysis

- 2.1 As part of the Commission's continuing training programme for staff, the Commission engaged Equilibra, a diversity and equality consultancy, to carry out a diversity 'Training Needs Analysis' (TNA) and cultural audit of the organisation. Between November and December 2003, around 50% of Commission staff (813 people in total) completed diversity questionnaires. The consultant confirmed that this was a far higher response rate than normal, the average being 25 to 33%.
- 2.2 In March 2004 Equilibra provided a detailed report of its findings. They found that the Commission as an organisation had a number of strengths:
- "There is a strong desire to 'get it right' in terms of diversity"
 - "The LSC's culture is one where malicious or intentional discrimination is not tolerated"
 - "Senior managers are anxious to ensure that equality is permeated through the organisation and integrated into services"
 - "The public and funded clients are seen in a positive manner"
 - "Staff seek to recognise the cultural differences in clients' needs"
 - "Targets, outputs and productivity are seen as important"
 - "Information flows freely and accurately within the organisation and to the client/supplier base"
 - "People feel valued by their managers and peers"
 - "It is widely recognised that the LSC is focused on the development and training of staff"
 - "The Quality Mark is perceived as an excellent tool for ensuring the quality of suppliers"
 - "Innovation and organisational development are prized in the organisation"
- 2.3 Equilibra concluded that goodwill existed amongst Commission staff to 'get things right' with regard to diversity and equality issues. It also found no evidence of purposeful discrimination. However, Equilibra was of the view that there was a degree of 'naivety' in respect of all diversity issues in that staff had a misplaced belief in their knowledge of equalities law and their ability to manage diversity in the workplace and how to provide services equally to different social groups.

2.4 The Commission worked with Equilibra to identify training needs in order to fill in any gaps in staff's knowledge and correct any misplaced self-confidence staff may have in their own knowledge. There was also a need to address any 'colour-blind' attitudes that may have existed. Based on this analysis the training courses were designed for all staff based on the following objectives. By the end of the course for all staff, it was intended that staff should be able to:

- State the reasons why equality and diversity are important to the LSC;
- Know how your attitudes, values, beliefs and perceptions affect behaviour and practice in the workplace;
- Recognise and identify conscious and unconscious prejudices which may affect your workplace behaviour;
- Appreciate how discrimination manifests itself in the workplace and in service delivery;
- Identify how minorities respond to dominance and be able to identify associated behaviours;
- Know the rights and obligations under equalities law relating to direct and indirect discrimination, victimisation, harassment and positive action;
- State the definition of institutional discrimination and ways in which it impacts workplace behaviours and practices; and
- Identify how workplace behaviour and practice should change to create a more inclusive environment.

2.5 Training was rolled out to all staff between June and November 2004. Additional training courses were delivered to managers and supervisors and further courses designed for frontline service delivery staff, staff involved in strategic development and also an online induction module for new starters.

Workforce monitoring

We will monitor and report on relative success rates of individuals to recruitment, promotion, pay awards, performance ratings, access to training and secondments, and requests for special assistance. We will also report on outcomes of disciplinary proceedings, grievances and exit interviews.

Equality Scheme, May 2002

Introduction

- 2.6 The Commission monitors the ethnic origin of staff in accordance with its duty to promote good race relations under the Race Relations Act 1976 s71 and commitments made under the Commission's Equality Scheme. The Commission also monitors staff's gender and disability status under additional commitments set out in the Equality Scheme.⁷
- 2.7 We report the results of our workforce monitoring here, for the period 1 April 2003 to 31 March 2004.⁸ For comparison, we generally set out figures for 2002/03 against those for 2003/04. Statistics for non-executive Commission members and external appointees to Regional Legal Services Committees and our other national level committees are reported below.
- 2.8 The Commission has adopted the ethnic classification used by the 2001 census, but given the small numbers of staff falling into sub-categories, and the need to maintain anonymity, we report on one of two bases: (1) the six main census 2001 categories ('Asian', 'black', 'Chinese', 'mixed', 'other', 'white') or (2) black and minority ethnic origin ('BME')⁹ and 'white'¹⁰ ethnic origin. Applicants for posts and staff have been invited to provide equal opportunities data on a voluntary basis. Where information on ethnicity has not been provided we report it as 'not known'.
- 2.9 The Commission operates from its head office in London - which houses the central departments ('CD') including finance, operations, human resources and IT - and 10 regional offices ('RO') in England, and an office in Wales. The offices are abbreviated as follows:
East Midlands ('EM'); Eastern ('E'); London ('L'); Merseyside ('M'); North East ('NE'); North Western ('NW'); South Eastern ('SE'); South Western ('SW'); Wales ('W'); West Midlands ('WM') and Yorkshire & Humberside ('YH'). The Commission also operates a processing office in Chester ('Ch') and eight Public Defender Services ('PDS') offices.

⁷ The Commission also monitors staff on the basis of age and religion, whether they have caring responsibilities, by length of service, grade and employment status.

⁸ We reported the results of our workforce monitoring for the first time in our Equalities Annual Report 2002/03.

⁹ 'BME' includes 'other' ethnic group.

¹⁰ 'White' includes 'white British' and 'white Irish'.

- 2.10 For the purposes of this report we have simplified our staff structure of ten levels into four groups¹¹ in order of seniority:
- Group 'A' covers our most senior members of staff, including executive team¹² members, director positions, regional directors and heads of central departments
 - Group 'B' includes contract managers, regional planning and partnership managers and consultants, account managers and similar positions
 - Group 'C' includes regional and planning partnership executives and support officers, operations supervisors, senior caseworkers and similar positions
 - Group 'D' covers caseworkers and administration staff
- 2.11 Overall, during 2003/04, 2.8%¹³ of staff were employed at levels that fell within Group 'A'; 21.2% within Group 'B'; 44.0% within Group 'C' and 31.9% within Group 'D'. These percentages are similar to those reported in the Equalities Annual Report 2002/03.¹⁴

Staff in post

- 2.12 The Commission employed 1,807 staff as at 31 March 2004.¹⁵ This year we have included staff employed on a casual basis, not included in last year's report. During 2003/04, 9.5% (171) of Commission staff defined themselves as belonging to BME groups, which represented a slight drop from 2002/03 when we reported that 10.4% of staff were from BME groups. Table 9 shows the percentages of staff by the six main census 2001 categories. The 2003/04 data show a substantial increase in the proportion of staff for whom equal opportunities data has not been recorded. This has prompted us to review our equal opportunities monitoring procedures and database and we now have plans to improve the process to prepare for the challenges of future monitoring requirements.

¹¹ We have not included in the four groups a very small number of staff employed on a technical scale. During 2003/04, regional office posts were renamed from Levels 1 to 6 to Bands A-D; Groups A-D used in this Report do not correspond to the names of staff's grades.

¹² In June 2004 the Commission replaced its Executive Board with the creation of an Executive Team designed around the key processes at which the Commission needs to excel. The Executive Team consists of the Chief Executive and Executive Directors of Policy and Planning, Service Design, Service Delivery, and Corporate Services.

¹³ Percentages have been rounded up and so may not total 100%.

¹⁴ In the Equalities Annual Report 2002/03 the percentage of staff in each group were: 2.7% in Group A; 21.2% in Group B; 41.3% in Group C and 34.9% in Group D.

¹⁵ This is a snapshot of staff for whom we held equal opportunities data as at 31 March 2004. This figure includes PDS staff, employees on temporary contracts, and those on agency contracts.

- 2.13 During 2003/04, 60.5% (1093) of all Commission staff were female, and 39.5% (714) were male. 3.1% (56) of staff considered themselves a person with a disability.

TABLE 11: Ethnicity of staff in post

	Asian	Black	Chinese	Mixed	Other	White	Not known
2003/04 Staff %	3.1	4.3	0.5	1.2	0.2	75.8	14.9
2002/03 Staff %	3.4	4.7	0.3	1.5	0.5	86.5	3.1

Staff in post: ethnicity

- 2.14 Across the Commission as a whole, most staff were employed at levels that fell within Group C. However, Table 11 shows that as in 2002/03 Group D had the highest proportion of BME staff.

TABLE 12: Ethnicity of staff by level

	2002/03 %			2003/04 %		
	BME	White	Not Known	BME	White	Not Known
A	2.3	97.7	0.0	2.0	98.0	0.0
B	7.3	89.0	3.8	6.8	83.0	10.2
C	8.5	88.7	2.8	8.8	77.5	13.7
D	15.5	82.2	2.3	12.6	68.5	18.9

- 2.15 Table 12 shows that our West Midlands office and in the London offices (London regional office and central departments) employ the highest proportions of BME staff. The generally minor reduction in proportions of BME staff is mirrored in most offices. Similarly the number of 'not known' has increased significantly in all offices, and in particular in Chester, the North East and the South West.

TABLE 13: Ethnicity of staff according to office

	All staff %		BME %		White %		Not known %	
	2002/03	2003/04	2002/03	2003/04	2002/03	2003/04	2002/03	2003/04
All	100	100	10.5	9.4	86.7	76.4	2.8	14.2
LSC								
D	26.8	27.6	15.4	12.2	78.6	73.1	6.0	14.6
Ch	3.5	3.2	0.0	0.0	98.2	79.3	1.8	20.7
E	4.9	5.2	1.3	2.1	98.8	86.2	0.0	11.7
EM	7.2	7.1	6.8	7.8	92.3	76.6	0.9	15.6
L	12.1	12.1	25.5	23.4	71.9	65.1	2.6	11.5
M	4.4	4.1	1.4	1.3	97.2	91.9	1.4	6.8
NE	6.2	5.7	2.0	1.0	98.0	74.8	0.0	24.3
NW	6.2	5.5	5.0	5.0	93.0	86.0	2.0	9.0
SE	7.1	5.7	7.0	5.8	92.2	88.3	0.9	5.8
SW	5.9	5.8	3.1	3.8	89.6	66.7	7.3	29.5
W	4.3	4.0	4.3	4.1	95.7	89.0	0.0	6.8
WM	5.7	5.2	18.3	18.1	80.7	73.4	1.1	8.5
YH	5.9	5.0	7.3	5.7	93.7	81.1	0.0	13.3

Staff in post: gender

2.16 There was no significant change to the overall percentages of female and male staff employed by the Commission between 2002/03 and 2003/04. During 2003/04 the Commission employed 60.5% female staff and 39.5% male staff, compared with 60.1% and 39.9% in 2002/03. Table 13 shows that at middle levels, Groups B and C, the staff remained evenly distributed. More than two thirds of staff within Group D were female. Despite the fact that the majority of staff employed within Group A were male, there was a 44% increase in the proportion of female staff employed within this group, which comprises staff at the most senior level.

TABLE 14: Gender of staff by grade

	2002/03 %		2003/04 % ¹⁶	
	Female	Male	Female	Male
A	20.5	79.5	29.4	70.6
B	51.5	48.6	54.8	45.2
C	58.1	41.9	58.0	42.0
D	71.3	28.8	70.4	29.6

2.17 A similar ratio of female to male staff was found across most Commission offices. During 2003/04 the proportion of female staff increased in the Eastern, East Midlands, London, Merseyside, North Western West Midlands and Wales offices: see Table 14.

¹⁶ These figures exclude PDS staff, who are reported separately at Part 3.

TABLE 15: Gender of staff by office

	2002/03 %		2003/04 %	
	Female	Male	Female	Male
CD	54.3	45.8	53.0	47.0
Ch	71.4	30.4	63.8	36.2
E	56.3	43.8	58.5	41.5
EM	63.3	35.0	68.7	31.2
L	54.1	45.9	59.2	40.8
M	66.7	33.3	70.3	29.7
NE	59.0	41.0	56.3	43.7
NW	63.0	37.0	68.0	32.0
SE	68.7	30.4	63.1	36.9
SW	64.6	35.3	60.9	39.0
W	62.9	37.1	68.5	31.5
WM	64.5	30.1	66.0	34.0
YH	66.3	33.7	65.6	34.4

Staff in post: disability

2.18 Table 15 shows that in 2003/04 there was an increase in the percentage of staff employed by the Commission who declared that they had a disability from 2.3% in 2002/03 to 3.1% in 2003/04. Since the numbers of disabled staff remain small this increase may be the impact of including more staff in this year's data set than we did last year.

TABLE 16: Percentage of staff with a disability

	2002/03 %			2003/04 %		
	All LSC ¹⁷	RO	CD	All LSC	RO	CD
A	0.0	0.0	0.0	2.0	0.0	2.8
B	0.4	0.2	1.2	2.9	2.3	4.0
C	0.8	0.7	1.2	2.9	3.2	2.9
D	0.9	1.3	0.0	3.6	3.9	1.5
Overall	2.3	2.3	2.3	3.1	3.0	3.3

Recruitment, promotion and retention of staff

2.19 Tables 15 and 16 show that the Commission continued to recruit a similarly diverse staff in 2003/04 as it did in 2002/03. However, as for all staff, equal opportunities information for a significant number of externally recruited staff, particularly in central departments, was not available for the 2003/04 dataset. We are investigating the reasons for this and will take remedial

¹⁷ This data includes PDS staff.

steps. In the Autumn of 2004 the Commission launched an online recruitment website, <http://www.lsc-careers.info>. We will begin to report on the outcome of this change in next year's report.

TABLE 17: External candidates appointed by ethnicity

	2002/03 %			2003/04 %		
	BME	White	Not Known	BME	White	Not Known
CD	15.6	71.9	12.5	13.4	64.3	22.2
RO	18.4	71.1	10.5	17.5	68.5	14.0
All LSC	13.8	70.2	16.0	19.6	66.1	19.6

TABLE 18: External candidates appointed by gender and disability

	2002/03 %			2003/04 %		
	Female	Male	Disabled	Female	Male	Disabled
CD	53.1	46.9	3.1	61.4	38.6	2.4
RO	36.8	63.2	0.0	58.0	42.0	3.5
All LSC	52.1	47.9	1.1	60.6	39.4	2.6

2.20 During 2003/04 the Commission made 192 permanent promotions and 80 temporary promotions. Data recorded for 2002/03 suggested that a disproportionately low percentage of BME staff were appointed to internal positions. However, the data available for 2003/04, which has been broken down this year into permanent and temporary promotions, suggests that this may no longer be the case, subject to an increase in the proportion of staff for whom we had no equal opportunities data relating to ethnicity. Tables 17 and 18 show that during 2003/04, 8.8% of all Commission staff given a permanent promotion to an internal position were BME staff and 7.5% given temporary promotions were BME staff. Similar proportions of male and female staff were promoted during 2003/04. Tables 19 and 20 suggest that more disabled staff received promotions during 2003/04.

TABLE 19: Internal staff appointed, 2003/04

	Ethnicity %			Gender %		Disabled %
	BME	White	Not Known	Female	Male	Yes
CD	3.3	96.7	0.0	56.7	43.3	0.0
RO	4.4	91.3	4.4	67.4	32.6	0.0
All LSC	3.9	92.2	3.9	62.3	37.7	0.0

TABLE 20: Internal staff awarded a permanent promotion, 2003/04

	Ethnicity %			Gender %		Disabled %
	BME	White	Not Known	Female	Male	Yes
CD	7.9	69.8	22.2	61.9	38.1	1.6
RO	9.1	71.1	19.8	59.5	40.5	1.6
All LSC	8.8	69.8	21.3	60.4	39.6	1.6

TABLE 21: Internal staff awarded a temporary promotion, 2003/04

	Ethnicity %			Gender %		Disabled %
	BME	White	Not Known	Female	Male	Yes
CD	12.0	68.0	20.0	56.0	44.0	0.0
RO	5.9	78.4	15.7	54.9	45.1	3.9
All LSC	7.5	72.5	20.0	55.0	45.0	2.5

- 2.21 The Commission monitored the ethnicity, gender and disability status of all staff who left the employment of the Commission against the following reasons for leaving: dismissal; resignation; end of contract; ill-health retirement; not confirmed from probation; redundancy and unknown. The number of staff who left for a reason other than resignation is too small to report.
- 2.22 During 2003/04 a total of 420 staff left employment with the Commission in comparison with 319 during 2002/03. Table 22 provides the percentages of staff who left the Commission by ethnicity, gender and disability status. Where ethnicity was recorded, the proportion of departing staff who described themselves as BME was higher in 2003/04.

TABLE 22: Staff leaving the Commission, 2003/04

	Ethnicity %			Gender %		Disabled %
	BME	White	Not Known	Female	Male	
CD	17.7	71.9	10.4	66.7	33.3	3.1
RO	11.1	85.9	2.9	59.1	40.8	3.3
All LSC	12.9	82.3	4.8	61.2	38.8	3.2
All LSC 2002/03	6.3	52.7	41.1	59.9	40.1	1.3

Staff training

- 2.23 Managers are provided with a training budget each year, based on a head count within their department. This provides managers with flexibility and discretion to respond to individual training needs within the remit of departmental budgets.
- 2.24 Table 23 for the first time shows the percentages of staff receiving training across the Commission. Statistics for staff training include all those employees who received training regardless of whether they subsequently left employment with the Commission. During 2003/04 66.7% of all staff received training, representing on average 6.77 days for each member of staff.

TABLE 23: Staff trained, 2003/04

	Trained %	Not trained %
CD	51.8	48.1
RO	70.9	29.1
PDS	84.8	15.2
All LSC	66.3	33.7

2.25 It appears from Table 23 that the distribution of training reflects overall distribution of staff by ethnicity, gender and disability.

TABLE 24: Staff trained by gender, ethnicity and disability, 2003/04

	Ethnicity %			Gender %		Disabled %
	BME	White	Not Known	Female	Male	Yes
CD	12.3	71.1	16.6	51.9	48.0	1.9
RO	7.5	80.9	11.6	61.3	38.7	3.0
PDS	6.0	71.6	22.4	59.7	40.3	0.0
All LSC	8.4	78.4	13.1	59.3	40.7	2.6
All LSC 2002/03	7.3	76.5	16.3	59.8	40.2	1.9

Reward and recognition of staff¹⁸

2.26 The Commission operates a system of performance related pay. Following a six-month probation period staff agree a personal development plan with line managers. Under that plan staff receive one or more appraisals each year, at which they receive a rating based on their performance against personal targets and objectives. Performance ratings range from 'outstanding', 'very good', 'effective', 'not fully effective' to 'unsatisfactory'. A number of staff who are ineligible for a performance rating either because they had not yet completed their probationary period or were one of a small number of senior staff who were not included in the mainstream pay award and bonus scheme: these staff are recorded here under the category 'no rating'. Managers have discretion to award individual staff a percentage increase within a fixed band according to the appraisal rating awarded. These bands are as follows: 'outstanding' 5-6%; 'very good' 4-5%; 'effective' 0-4%; 'not fully effective' 0-2% and 'unsatisfactory' 0%.

2.27 We report here the distribution of staff within appraisal ratings and the average annual pay increase¹⁹ paid to staff by ethnicity, gender and disability.

¹⁸ The statistics reported in this section include senior executives who were excluded from the same section of our Equalities Annual Report 2002/03.

¹⁹ This is the consolidated pay increase, which is added to an employee's pensionable salary. During 2003/04 the way in which annual pay increases were paid to staff changed, removing the sub-division of pay bands into pay zones. Therefore, we do not report here on the distribution of staff across pay zones as we did in the 2002/03 Report.

During 2003/04 pay increases and non-consolidated bonuses²⁰ were awarded in two tranches. While we are able to report here equal opportunities data in respect to the annual pay increase, we have been unable as a consequence of the two payments to collate data to report on the award of bonuses. We will be able to report on bonuses awarded in 2004/05 in next year's report.

- 2.28 For the period 1 April 2003 to 31 March 2004, 1,406 staff received appraisal ratings. 401 staff were in their probationary period and so were ineligible for an annual performance appraisal. Discounting those staff who received no rating, 7.5% of staff were rated 'outstanding'; 30.9% were rated 'very good'; 46.6% were rated 'effective'; 1.3 % were rated 'not fully effective' and 13.7% were rated 'unsatisfactory'.
- 2.29 Table 25 suggests that similar percentages of staff were awarded each appraisal rating in 2003/04 in comparison with 2002/03. It is important to note that the small number of staff (18) awarded 'not fully effective' skews the data for ethnicity, gender and disability.

TABLE 25: Distribution across appraisal ratings for all LSC staff

Rating	2002/03		2003/04	
	Number of staff	Percentage of staff	Number of staff	Percentage of staff
Outstanding	106	6.5	105	5.8
Very Good	464	28.6	435	24.1
Effective	641	39.5	655	36.2
Not fully effective	38	2.3	18	1.0
Unsatisfactory ²¹	16	1.0	N/A	N/A
No rating	356	22.0	401	22.2
Total	1,621 ²²	100	1,807	100

Reward and recognition: ethnicity

- 2.30 During 2003/04 there was an increase in the percentage of BME staff receiving appraisal rating of 'outstanding' and 'very good': see Table 25. This appears to represent a real increase given that the number of such ratings awarded in 2002/03 and 2003/04 were similar: see Table 25. As for last year, a higher percentage of 'not fully effective' ratings were given to BME than white staff. This increase should be read together with the fact that fewer than 2.5% of staff were awarded a 'not fully effective' rating during 2003/04: see Table 25.

²⁰ This is a non-consolidated, one-off award, which is not added to an employee's pensionable salary.

²¹ Owing to a particular issue in 2003/04 with the recording of performance appraisals, the 171 staff employed on a casual basis (who were ineligible for a performance appraisal rating) were included in the number of staff awarded an 'unsatisfactory' rating. This means it has not been possible to provide a breakdown of those awarded this rating by ethnicity, gender or disability (see tables 25, 26, 27, 28).

²² The 2002/03 figure of 1,621 excludes PDS staff, but the 2003/04 includes PDS staff.

TABLE 26: Distribution within appraisal ratings by ethnicity

Rating	2002/03 %			2003/04 %		
	BME	White	Not Known	BME	White	Not Known
Outstanding	1.9	95.3	2.8	7.6	87.6	4.8
Very good	5.6	90.5	3.9	7.1	86.4	6.4
Effective	9.5	87.7	2.8	9.3	82.4	8.2
Not fully effective	26.3	65.8	7.9	27.8	61.1	11.1
Unsatisfactory*	6.3	87.5	6.3	N/A	N/A	N/A
No rating	11.8	65.2	23.0	12.7	61.3	25.9

* See footnote 21 on page 33.

2.31 During 2003/04 the average percentage annual pay increase received by BME staff (2.2%) was less than that awarded to white staff (2.7%): Table 26. As Table 27 shows there was little difference in the distribution of annual pay increases awarded to staff at each rating.

TABLE 27: Annual pay increase by ethnicity

	BME %	White %	Not Known %
All LSC 2003/04	2.2	2.7	1.2
All LSC 2002/03	2.6	3.4	0.7

TABLE 28: Annual pay increase by ethnicity, 2003/04²³

Rating	BME %	White %	Not Known %
Outstanding	5.1	5.2	5.1
Very good	3.9	4.2	4.0
Effective	3.2	3.2	3.1
Not fully effective	1.8	1.7	2.0
Unsatisfactory*	N/A	N/A	N/A
No Rating	0.0	0.0	0.0

* See footnote 21 on page 33.

Reward and recognition: gender

2.32 In general the gender split between female and male staff across the top three appraisal ratings continued to reflect the general distribution of staff by gender across the Commission: see Table 28. However, staff who received a 'not fully effective' rating during 2003/04 were more likely to be male rather than female. This is a reversal of the situation reported for 2002/03. For 2003/04 of all male staff who received an appraisal rating, 23.1% received a 'not fully effective rating' as opposed to 0.6% of female staff in the same situation; however, this may be affected by the small number of staff given this rating.

²³ Staff given an 'unsatisfactory' or no rating are ineligible for an annual pay increase.

TABLE 29: Distribution within appraisal ratings by gender

Rating	2002/03 %		2003/04 %	
	Female	Male	Female	Male
Outstanding	62.3	37.7	68.6	31.4
Very good	59.9	40.1	62.5	37.5
Effective	62.4	37.6	62.1	37.9
Not fully effective	65.8	34.2	38.9	61.1
Unsatisfactory*	56.3	43.8	N/A	N/A
No rating	61.0	39.0	58.8	41.1

*See footnote 21 on page 33.

2.33 Table 29 shows that there was little difference in the percentage annual pay increases awarded to female and male staff during the period under report.

TABLE 30: Annual pay increase by gender, 2003/04

Rating	Female %	Male %
Outstanding	5.1	5.3
Very good	4.1	4.1
Effective	3.2	3.1
Not fully effective	1.6	1.9
Unsatisfactory*	N/A	N/A
No rating	0.0	0.0

*See footnote 21 on page 33.

Reward and recognition: disability

2.34 Since the total number of staff reporting a disability is relatively small (58), caution should be taken when drawing inferences from the data where the proportion of disabled staff is compared with the remainder of LSC staff. Table 31 shows that in general the distribution of appraisal ratings amongst disabled and non-disabled staff was proportionate to the percentage of disabled staff employed by the Commission, with the exception of the 'not fully effective' rating, which as previously noted, represented a small group of staff. There was little difference in annual pay increases awarded to disabled and non-disabled staff during 2003/04: see Tables 32 and 33.

TABLE 31: Distribution across appraisal ratings by disability

Rating	2002/03		2003/04	
	Disabled	Non-disabled	Disabled	Non-disabled
Outstanding	1.9	98.1	2.9	97.1
Very Good	2.6	97.4	2.3	97.7
Effective	2.5	97.5	2.1	97.9
Not fully effective	2.6	97.3	5.6	94.4
Unsatisfactory*	0.0	0.0	N/A	N/A
No rating	0.8	99.2	2.7	97.3

*See footnote 21 on page 33.

TABLE 32: Average annual consolidated pay increase by disability

	Disabled %	Non-disabled %
All LSC 2003/04	2.3	2.5
All LSC 2002/03	3.5	3.3

TABLE 33: Average annual consolidated pay increase by disability, 2003/04

Rating	Disabled %	Non-disabled %
Outstanding	5.2	5.2
Very good	4.5	4.1
Effective	2.7	3.2
Not fully effective	1.5	1.8
Unsatisfactory*	N/A	N/A
No rating	0.0	0.0

*See footnote 21 on page 33.

Grievance and disciplinary proceedings

- 2.35 The Commission continued to record a small number of grievance proceedings. During 2003/04 four formal grievance proceedings were commenced by Commission staff, as against three during 2002/03. During 2003/04 of staff commencing a grievance, all were white and female.
- 2.36 A total of 15 disciplinary cases were brought against staff during 2003/04, all of whom were white, 4 were female and 11 were male. This was down by more than half from 2002/03, when 37 were reported.
- 2.37 No disabled staff were involved in either grievance or disciplinary proceedings.

Public appointments to the Legal Services Commission

Selection of non-executive Commission members

- 2.38 The Lord Chancellor is responsible for appointing non-executive Commission members, and defines their terms and conditions. The selection process is open and competitive. It is undertaken in accordance with guidance issued by the Office of the Commissioner for Public Appointments.
- 2.39 Equal opportunities monitoring of Commission members is undertaken by the Government. To enable a complete analysis of public appointments, we have included the information here. As at 31 March 2004 there were ten non-executive Commission members.

TABLE 34: Non-executive Commission members, 2003/04

	BME %	White %	Female %	Male %	Disabled %
Commission members	20.0	80.0	40.0	60.0	10.0

Members of the Regional Legal Services Committees

- 2.40 The Commission's Regional Legal Services Committees (RLSCs) mirror the Commission's regions in England and Wales. They provide independent advice about the need for legal services within their regions, which informs plans for developing services and awarding legal aid contracts. RLSCs analyse local needs assessments produced by Community Legal Service Partnerships to produce regional reports that identify priorities for LSC contracts. RLSCs also work to build up links with local and regional initiatives.
- 2.41 Each RLSC consists of external members and is chaired by a non-executive Commission member. All members are required to have knowledge and experience of aspects of publicly funded legal services. Typically, external members include local suppliers of legal services, local authority officers and other interested parties. They are appointed by the Chair of the Committee, with approval from the Commission's Chair. RLSC members are not Commission employees, but are regulated by the Terms and Conditions of External Appointments to the Legal Services Commission's RLSCs and must follow the *Code of Best Practice for Legal Services Commission members*. As at 31 March 2004 there were 53 serving RLSC members.

TABLE 35: Regional Legal Services Committee members, 2003/04

	BME %	White %	Not known %	Female %	Male %	Disabled %
RLSC members	7.5	77.4	15.1	54.7	45.3	5.7

Members of the Commission's national level Committees

2.42 The Commission has several national level Committees, which provide independent advice and decision-making. These Committees contain non-executive commissioners and external members. We have collected equal opportunities data on the external members of the following Committees:

Contract Review Body

2.43 Reviews appeals against regional office decisions concerning contract bids, the application of contract sanctions or other contracting issues.

Multi-Party Action Committee

2.44 Considers firms' membership of the Multi-Party Action panel, selects firms to enter into Multi-Party Action contracts and has the power to terminate contracts.

Public Interest Advisory Panel

2.45 Provides advice to the Commission on the public interest of applications or certificates referred to it.

Specialist Fraud Panel Committee

2.46 Where a firm is instructed with a fraud very high cost case, it can only enter into a case contract for that case if it is a member of the Specialist Fraud Panel Committee. Firms refused membership can appeal to the Specialist Fraud Panel Committee.

TABLE 36: Members of national LSC committees, 2003/04

	BME %	White %	Not known %	Female %	Male %	Disabled %	Total
Committee members	3.6	71.4	25.0	35.7	64.3	0.0	28

PART 3: PUBLIC DEFENDER SERVICE

3.1 The Public Defender Service (PDS) was launched as a pilot in 2001/02, following a Government recommendation that a proportion of advice delivered by the Criminal Defence Service (CDS) should be provided by lawyers directly employed by the LSC. The first offices opened in May 2001 and eight offices have now been established. These include three satellite offices (Pontypridd, Chester and Darlington), which were set up to enable access to the service in smaller towns, managed by the major city offices (Swansea, Liverpool and Middlesbrough respectively). The PDS offices are subject to a four-year research programme undertaken by independent academic researchers who are due to present their final findings of the pilot in autumn 2005.

Provision of Criminal Defence services by the Public Defender Service

We will monitor and report on the profile of clients accessing these services.
Equality Scheme, May 2002

3.2 Table 37 shows that there has been an increase in BME clients recorded in all offices apart from Liverpool where there has been a very slight decrease. Although the proportion of data not known in the Middlesbrough office has decreased, we still need to improve the recording of data there and in its Darlington satellite office. There has been a small increase in the percentage of data not known in the Birmingham and Liverpool offices which we intend to address in 2004/05.

TABLE 37: Public Defender Service client base by ethnicity

Office	Number of clients 2003/04	White %		BME %		Not known	
		2002/03	2003/04	2002/03	2003/04	2002/03	2003/04
Birmingham	355	59.4	54.1	39.2	41.1	1.4	4.8
Cheltenham	424	91.5	90.8	3.3	6.8	5.2	2.4
Chester*	217	-	95.9	-	2.3	-	1.8
Darlington*	364	-	86.3	-	3.6	-	10.2
Liverpool	518	81.3	81.3	13.9	13.1	4.8	5.6
Middlesbrough	488	62.9	66.2	5.7	11.1	31.4	22.7
Pontypridd	299	94.2	95.7	1.1	2.0	4.3	2.3
Swansea	425	91.2	91.5	4.9	6.8	3.9	1.6

*The Chester and Darlington offices opened towards the end of 2002/03 and handled only a small number of cases in that period; data for 2002/03 was therefore not recorded in last year's annual report.

3.3 There has been an increase since 2002/03 in the proportion of both male and female PDS clients recorded in all offices except Birmingham and Swansea where there has been a slight decrease in the proportion of female clients.

3.4 Although the proportion of data not recorded in the Pontypridd office has increased, this is mainly because the office was only open for part of 2002/03, it therefore saw a much greater number of clients in 2003/04.

TABLE 38: Public Defender Service client base by gender**

Office	Number of clients 2003/04	Female %		Male %		Not recorded %	
		2002/03	2003/04	2002/03	2003/04	2002/03	2003/04
Birmingham	355	18.9	17.5	71.2	79.4	9.8	3.1
Cheltenham	424	16.4	20.3	66.8	71.9	16.8	7.8
Chester*	217	-	19.8	-	80.2	-	0.0
Darlington*	364	-	14.0	-	84.1	-	1.9
Liverpool	518	11.9	18.0	72.2	73.4	15.9	8.7
Middlesbrough	488	15.3	21.5	77.7	73.8	7.0	4.7
Pontypridd	299	21.3	22.4	62.3	67.2	16.4	10.4
Swansea	425	22.1	21.9	64.5	71.1	13.4	7.1

*The Chester and Darlington offices opened towards the end of 2002/03 and handled only a small number of cases in that period; data for 2002/03 was therefore not recorded in last year's annual report.

** 2002/03 data on gender was only captured for the period 1 October 2002 to 31 March 2003 due to a fault on the PDS IT system.

TABLE 39: Public Defender Service client base by disability

Office	Number of clients 2003/04	Disabled		Not disabled		Not known	
		2002/03**	2003/04	2002/03	2003/04	2002/03	2003/04
Birmingham	355	2.3	0.8	89.5	94.1	8.2	5.1
Cheltenham	424	3.3	5.0	91.3	91.0	5.4	4.0
Chester*	217	-	8.3	-	89.9	-	1.8
Darlington*	364	-	3.3	-	83.2	-	13.5
Liverpool	518	6.4	5.4	87.0	88.4	6.6	6.2
Middlesbrough	488	2.4	4.1	61.4	70.9	36.2	25.0
Pontypridd	299	6.4	2.3	93.6	93.3	0.0	4.3
Swansea	425	2.9	6.4	93.5	91.1	3.6	2.6

*The Chester and Darlington offices opened towards the end of 2002/03 and handled only a small number of cases in that period; data for 2002/03 was therefore not recorded in last year's annual report.

**In 2002/03 clients were asked whether they were 'able bodied', 'unregistered disabled' or 'registered disabled'. Those recorded as 'unregistered disabled' and 'registered disabled' were classified as 'disabled' for purposes of the report. The PDS monitoring form has since been amended to ask whether the client considers themselves disabled, to reflect the Commission policy elsewhere.

Public Defender Service workforce monitoring

- 3.5 The PDS employ small numbers of staff in individual offices, ranging from two to twelve staff. We therefore report here on the 'staff in post' profile for the PDS as a whole. Statistics for PDS' employees' promotion, reward and recognition, grievances and dismissals are included in the overall figures for all Commission staff within Part 2.
- 3.6 During 2003/04 the diversity of PDS staff remained stable: see Table 40. The number of PDS staff increased by 7, to a total of 69 staff as of 31 March 2004 and a total of 10 staff left the PDS during 2003/04: see Table 44. Tables 41-43 show the ethnicity, gender and disability status of staff joining the PDS during 2003/04. It is apparent that the equal opportunities data for a significant percentage (75%) of LSC staff who were appointed to the PDS office on a temporary basis was 'not known'. The reason for this will be explored together with the issues of equal opportunities data recording across the LSC.

TABLE 40: Staff in post under the Public Defender Service

%	BME	White	Not Known	Female	Male	Disabled
PDS staff 2003/04	5.8	72.5	21.7	60.9	39.1	0.0
PDS staff 2002/03	6.5	80.7	12.9	61.3	38.7	1.6

TABLE 41: Appointments to the Public Defender Service during 2003/04

%	BME	White	Not Known	Female	Male	Disabled
All appointees 2003/04	8.3	79.2	12.5	62.5	37.5	0.0
All appointees 2002/03	3.9	61.5	34.6	69.2	30.8	0.0

TABLE 42: External candidates appointed to the Public Defender Service during 2003/04

%	BME	White	Not Known	Female	Male	Disabled
PDS staff	8.3	79.2	12.5	62.5	37.5	0.0

TABLE 43: Internal candidates appointed to the Public Defender Service during 2003/04

%	BME	White	Not Known	Female	Male	Disabled
Permanent	12.5	50.0	37.5	62.5	37.5	0.0
Temporary	0.0	25.0	75.0	50.0	50.0	0.0

TABLE 44: Public Defender Service leaving during 2003/04

%	BME	White	Not Known	Female	Male	Disabled
Leaving	20.0	70.0	10.0	70.0	30.0	0.0