

Employment and Skills within the Justice sector in Scotland



Workforce needs, skills priorities and scenarios

Executive Summary

Skills for Justice | May 2010

Foreword

The Justice and Community Safety sector is part of the bedrock of our society. It is vital to public safety, social cohesion, economic recovery and growth; the skills of its workforce are the key to delivering a range of social and economic priorities. Skills for Justice is proud to be working with employers from across the sector and in all four nations of the UK to help them ensure they have the right people with the right skills to deliver these essential services.

This report reviews the state of the workforce, the main drivers of change and future skills priorities in the sector in Scotland, and provides a set of workforce projections and a small number of alternative scenarios for the sector for the next 5-10 years. The labour market information presented in the report draws upon national datasets as far as possible, but it also incorporates research and information generated by Skills for Justice.

I am clear that while the report paints a picture, its real importance is as a stimulus to focused debate and to targeted action. I look forward to working with employers in the sector and with partners in Government across the UK on this agenda.

Alan Woods OBE

Chief Executive Officer

Skills for Justice

Summary

Skills for Justice is the Sector Skills Council covering all employers, employees and volunteers working to provide a range of essential public services in the UK Justice and Community Safety sector.

This report reviews the state of the workforce, the main drivers of change and future skills priorities in the sector in Scotland, and provides a set of workforce projections and a small number of alternative scenarios for the sector for the next 5-10 years. The labour market information presented in the report draws upon national datasets¹ as far as possible, but it also incorporates research and information generated by Skills for Justice.

The administration of the skills system is mostly devolved to country level within the UK, whereas there is greater variation as regards justice, even though some of the structural elements are mostly common regardless of which body is responsible. However, these variations mean that some individual UK countries will not be responsible to the same extent for the administration of their own affairs in these two respects. Therefore, within the same UK country, variations can exist between the administration of justice on the one hand, and of employment and skills on the other.

The broad areas of justice, education and skills are devolved in **Scotland** to departments of the Scottish Government. Structural

differences are more pronounced as well between the Scottish education and justice system and the rest of the UK, for example local authorities are responsible for administering probation through Criminal Justice Social Work departments, and Children's Hearing Panels are responsible for youth justice.

The Justice sector in Scotland, as represented in Skills for Justice's current footprint, employs over 56,000 people, which is approximately 2.2% of the total Scottish workforce and around 10% of the UK justice workforce as a whole. Over half of them work in Policing and Law Enforcement (52%), the Community Justice and Custodial Care strands employ around one in ten of the workforce respectively, with employees from Fire and Rescue services, which became part of Skills for Justice's footprint in April 2009, accounting for over 1 in 5 of the Justice sector workforce. Some of these employers across the strands also include members of the children and young people's workforce. The sector also has a large volunteer workforce. Although no firm estimate exists regarding the number of volunteers in the Justice sector, it is estimated that they number in the thousands.

The main contribution of the sector is ensuring a safe society, which is an essential prerequisite to the wellbeing of its citizens, and fundamental to a stable and well performing economy (this is vital for attracting and retaining business activity). It is therefore important that national, regional and local skills priorities consider and reflect the needs and aspirations of Justice sector employers side by side with those of employers in high potential growth areas such as advanced manufacturing.

The performance of the sector is subject to a high level of public and political scrutiny and measures of success are defined in a broad variety of ways such as reported and recorded crime rates, number of incidents and reconviction rates, performance indicators of service delivery, perceptions of safety among the public, and economic measures, (including, among others, the cost of crime and incidents, the cost of the Justice sector, and the savings achieved by preventing crime and incidents).

¹ The data in the report covers Standard Industrial Classification (SIC 2003) codes 75.23 (justice and judicial activities, 75.24 (public security and law and order activities) and 75.25 (fire service activities).

Compared with 2002 levels, total employment in the sector across Scotland by 2008 had grown by 33%, this compares to 34% in the UK, 53% in Wales, 31% in England and 100% in Northern Ireland.³³

The profile of the workforce in the sector suggests a pattern of stable employment with the overwhelming majority of the workforce consisting of employees on a permanent contract (99%), and the majority working in full time jobs (88%). Female workers make up 39% of the workforce (7 percentage points fewer than the proportion of females in the UK whole economy). However, significant differences exist across the Justice sector in Scotland. For example, only a quarter of all employees in custodial care are female, whereas in prosecutions, 70% of all staff are female and almost two thirds of staff are female in courts and tribunals.

Only 2% cent of the Scottish Justice sector workforce is from minority ethnic backgrounds (5 percentage points lower than their share in the whole UK economy, and as with gender, this varies considerably between strands).

The age profile of the workforce in Scotland shows that the sector employs a lower proportion of workers at either end of the age spectrum (under 25 and over 55, respectively) than the whole economy and the overall UK Justice sector. Younger and older workers make up only 16% of the Justice sector in Scotland compared to 31% in the whole economy, 21% in the UK Justice sector, 21% in England, 24% in Wales and 23% in Northern Ireland.

This reflects the minimum age requirement of 18 for most roles, and the tendency of the sector to look for recruits with life experience. However, the age composition of the workforce requires monitoring as an aging workforce might lead to loss of skills and experience in the medium to longer term and may also make it more difficult for the sector to engage with young service users.

Workforce projections freshly updated for Skills for Justice for the period 2010-2020² forecast a modest overall decrease (around 3.5%) in total employment in the Justice sector in Scotland. This compares to decreases of 6.1% (England), 5.9% (Wales) and 5.4% (Northern Ireland). The fall is expected to be the lowest in the area of justice and judicial activities, and highest in fire service activities.

Recent figures suggest that the proportion of the Justice sector workforce in Scotland with the highest level of qualifications (Level 4 or above) is the same as that of the whole economy and 1% less than that of the Justice sector as a whole. At the same time, the proportion of workers in Scotland is lower at the opposite end of the scale, with below Level 2 qualifications at 20%, compared with 30% in the whole economy and 21% in the overall UK Justice sector.

²Wilson, R. (2010) Update of Working Futures for Skills for Justice, Stage 2: Employment Projections.

The breakdown of qualifications across the sector broadly reflects prevalent recruitment and training practices, as well as the breakdown of the workforce by major occupational groups. The largest employers, such as Police forces, do not have entry-level requirements of formal academic qualifications, even though applicants may already possess general educational or other qualifications.

The majority of employers in the sector are large public sector employers but compared with the early 1990s, service providers in the sector have become far more diverse. There is significant private sector involvement, for example in the provision of custodial services, and third sector involvement has also greatly increased, for example in supporting victims, survivors and witnesses of crime as well as providing services to offenders and their families.

Internal skill gaps present a greater challenge in the sector than hard to fill vacancies. The rate of hard to fill vacancies is considerably lower than across the whole economy, and the number of those due to skills shortages among these vacancies is very modest. In contrast, the extent of internal skills gaps is by and large similar to that in the workforce of the wider economy and appears to be more prevalent amongst managers and senior officials, but even more amongst administrative and secretarial staff than other occupational groups.

In addition to the technical and practical, and the customer handling skills highlighted by national surveys, the analysis of skills needs undertaken in 2008 as part of the recent Sector Skills Agreement process identified skills needs in management and leadership, inter-agency working, ICT and in the area of equality and diversity. A recent survey by Skills for Justice amongst third sector employers in the Justice sector revealed a wide range of skills needs across the board, but more pronounced among volunteers.³

The main drivers of current and future skills needs of the sector are primarily determined by the domestic policy agenda and the internal trends of the UK public sector. This is chiefly due to the specific position of the Justice sector, and in particular, the central role of the state in Justice functions. This makes factors such as legislation and the regulatory powers of the state inextricably part of the Justice sector's closer, transactional context, and also means that many of the wider societal, economic and technological drivers are translated to the sector through Government policies and priorities.

Research undertaken for Skills for Justice towards the end of 2009⁴ identified a range of new and on-going influential drivers of change in the following broad categories:

- **policy and legislative changes**, for example in the run-up to the 2010 general election a set of emerging policy proposals on crime and justice, the skills system, public spending (including public sector employment and pay), as well as a possible increase of local democratic accountability and control in performance management mechanisms in some areas of the Justice sector.

³ Skills for Justice (2009) Skills in the Justice Sector: A survey of third sector employers 2009.

⁴ Institute for Employment Studies (2009) Skills Priorities and Scenarios in the Justice Sector.

- **economic circumstances**, the most important of which is an anticipated budget freeze or reductions for many Justice sector employers in the coming years, as well as a possible increase in acquisitive crime (e.g. burglary and theft) in those areas most severely affected by the recent recession
- **social and demographic trends** such as an aging workforce and service user groups (including victims, witnesses and offenders), and the continuing need to engage with young people. Also a range of other diverse but equally pressing issues for example the prevalence of people with mental health problems in the justice system or on-going concerns about radicalisation and terrorism
- **inter-agency working** is an on-going priority within the sector, which means closer integration in a variety of ways, for instance information and data sharing and sharing of knowledge and experience, as well as the smooth co-operation between public, private and third sector providers
- **other organisational and technological issues** such as the workforce modernisation agenda underway in the public sector, its potential industrial relations implications, as well as preparation for the implementation of the Equality Bill, and the on-going need to adopt existing and improving technologies at a fast rate
- **environmental concerns**, particularly environmental change, which impact most directly upon the capacity of Fire and Rescue Services to respond to emergencies, but also in terms of sustainable targets set for the public sector which continue to place demands upon the sector across the board.

Three basic scenarios have been built for the Justice sector for the next 5-10 years on the basis of the identified drivers of change. It is important to remember that scenarios are not forecasts or predictions. They are alternative but plausible, relevant, and challenging versions of the future, which can be used as a framework for thinking about the different ways in which the future might unfold and what strategies the sector might adopt in case of shifts in the Justice sector landscape. In reality, the future is likely to contain elements from these scenarios and, as yet, other unforeseen factors.

The scenarios are:

- **joined up justice** – in which the overarching concept is effectiveness through joined up working between the Justice sector and other organisations
- **essential justice** – where the keywords are ‘frugality’, and maintaining essential services
- **traditional justice** – with an emphasis on ‘toughness’ and a shift of focus to operations.

A number of strategic actions emerge from the scenarios, some of which are more relevant to one scenario or another. Some of these actions are more directly related to the workforce and its skills while others are primarily initial ideas for sector employers and stakeholders to consider should the situation require. In these cases our main role will be in developing a response for any skills implications. The strategic actions touch upon a number of areas already identified in the Sector Skills Agreements as in need of skills development, demonstrating that some skills needs are acute and on-going in the sector.

Some of key strategic actions are:

- mapping the ‘journeys’ of offenders, victims and possibly also witnesses
- to highlight areas for better co-ordination and co-operation to provide a seamless experience for service users, and to map these across to the roles and skills requirements in different Justice sector roles
- improving knowledge management and the sharing of best practice
- promoting cultural change and tackling ‘silo mentalities’ across organisations at all levels
- developing clear entry routes and opportunities to increase lateral career progression across the sector
- promoting better leadership and the creation of cross-sector leaders who could challenge entrenched strand-focused perspectives
- further developing para-professional qualifications with appropriate knowledge and practical skills content to make sure that staff have the right skills at the right level, ensuring efficiency and cost effectiveness

- devolving many managerial, decision-making and supervisory responsibilities as part of the drive for affordability
- improving HR and management monitoring systems for monitoring operational effectiveness and professional standards.

Some skills priorities emerging from the drivers of change and resulting scenarios are:

- expertise in working with specific categories of people who may present specific challenges or require specialist knowledge
- recruitment and development of staff (involving a whole range of skills) from groups under-represented across the sector and at senior and management grades
- better management and leadership skills, particularly for managing professionals and self-management, as well as leadership and decision-making skills for lower grade staff
- performance management skills to deal with performance targets, indicators and other accountability issues

- greater cost-consciousness and commercial acumen, alongside improved procurement and commissioning skills across the sector (and an understanding of developmental commissioning)
- good all round communications skills and public relations skills
- greater cross-agency knowledge, research skills and ICT skills
- process improvement skills throughout the workforce to ensure better information flow and co-ordination between agencies
- further appropriate para-professional learning and qualifications according to employer need.

Given the anticipated squeeze on employers' budgets, the projected slight fall in total employment across the sector over the next ten years, as well as the healthy supply of new applicants and comparatively low labour turnover rate in most parts of the sector, **skills supply is likely to meet the demand for skills in the medium term.** Despite this, skills gaps and occasional

skills shortages are likely to occur which, considering the expected increase in demand for services, will be more important than ever to respond to through joint action by the sector, Government and the skills system. Continual change in the sector - particularly in relation to legislation and policy - will also lead to an ongoing need to maintain and update skills across the sector to keep pace.

Some key areas for further action across the UK for Skills for Justice, employers in the sector and Governments include:

- the Justice sector has a very large proportion of its workforce in the associate professional/technical major occupational group. We therefore welcome emphasis on skills at this level, as well as on higher skills. We will continue to work with employers to identify and take opportunities to develop appropriate approaches, including Modern Apprenticeships and work based learning.

- the continuing trend of engaging private and third sector organisations in the delivery of justice should be supported by **actions to encourage effective performance** such as support for joint training through employer networks/ clusters, recognition of the need to factor in support for training and management of volunteers through commissioning, support for third sector organisations to access public funding for training and to come together to increase capacity (e.g. through sharing an apprentice, or developing joint purchasing power with providers). This will require joint action by Government, commissioners of justice services and employers. We will work with all interested parties to ensure that the support needed is available.
- We are already active in our **support for the third sector** (leading work across the Alliance) and are developing a strategy, based on new research, for improving our offer to third sector employers

- Governments need to maintain and increase the movement towards **a more employer driven skills system**, particularly in encouraging employers to focus on, and invest in, areas of their workforce which might otherwise have taken a back seat because of the pressure to target resources on front line delivery. This is particularly important in supporting workforce modernisation and ensuring tasks are effectively devolved as far as possible
- commissioning bodies need to invest in the provision of improved **procurement and commissioning** skills (and an understanding of developmental commissioning) at national and local level to maintain standards and secure effective and sustainable delivery. This should be complemented by skills in tendering and securing funding, particularly for third sector employers
- diversity issues must be a continued focus for joint action by Governments, other stakeholders, employers as well as Skills for Justice. Apprenticeships are one route to encouraging diversity, but we would like to see a range of creative and flexible approaches to supporting employers in their work. In particular we would like to see Government investment in **initiatives aimed at improving workforce diversity**, along the lines of the Women and Work project in England and Wales which is already having an impact on the confidence and progression of women in the sector
- we recognise the importance of **engaging young people** to enter the workforce, and we have seen positive engagement from Justice sector employers to work alongside learning providers to design and co-deliver relevant pre-employment learning and qualifications, including links to the Curriculum for Excellence. We wish to see continued Government commitment to the development and promotion of appropriate qualifications, including ensuring that Higher and Further Education institutions recognise them as acceptable entry qualifications.
- effective **inter-agency working** is a key issue for the sector. We will continue to work with employers and partners in Government to identify those areas where working together is essential for delivery – for example mental health, witness care, public protection – and we will explore the skills issues in order to develop and implement solutions
- Justice sector employers need to continue their high level of investment in the competence of their workforces, to ensure that skills, knowledge and understanding keep pace with changing policy and practice. **Learning and training must be high quality and fit for purpose** in order to maximise the return from that investment, particularly at a time of financial constraint. To ensure this, Government needs to direct public funding for learning and qualifications towards that which meets the priority needs of employers. We need to continue to work with employers to identify their skills needs and priorities and articulate them to learning providers and funders. We also need to exert influence over learning providers to make available, and provide mechanisms by which employers can readily identify, quality learning provision which is designed to meet employer needs and priorities.



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