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PS/Mr Hanley (DENI, B&L)  
PS/PUS (B&L)  
PS/Mr Fell  
Mr Ledlie  
Mr Thomas  
NI Perm Secs  
Dr McKenna  
Mr Blackwell  
Miss Cooper  
Mr Wilson

FROM: P J SMALL  
DEPARTMENT OF FINANCE & PERSONNEL

2 NOVEMBER 1992

PS/Secretary of State (B&L)

FAIR EMPLOYMENT: COMPOSITION OF THE SENIOR NORTHERN IRELAND CIVIL SERVICE (NICS)

Purpose and Background

1. This submission provides advice on a goal and timetable for improving the proportion of women in the senior General Service grades of the NICS as promised in Mr Fell's paper of 10 July 1992 to the Secretary of State. The recommendations in this submission have been agreed by Mr Fell.
2. The earlier paper detailed the current imbalances between Protestants and Roman Catholics and men and women at the top of the NICS; demonstrated continuing steady, but limited, improvement in the period to end 1996; examined possible remedial action and concluded that there are no readily available, speedy solutions within the law on either the gender or the religious dimension. Nevertheless the paper recognised the political imperative of a goal and timetable for improved Roman Catholic representation if only to challenge conventional thinking and signal the Service's desire to make progress, and recommended a goal of 25% Roman Catholic representation, by end 1996. The Secretary of State's acceptance of that advice was confirmed in Mr Fittall's minute of 14 July 1992.
3. Since that time, detailed consideration has been given to how best to present this decision to staff, bearing in mind likely wider political interest, and the fact that we do not know specifically how we propose to get to the 25% figure. The position is also complicated by the timing of the introduction of new promotion procedures for senior General Service grades and the need for discussion with NICS Trade Union Side (TUS), and the Fair Employment Commission (FEC). We did, however, have a constructive discussion with the FEC on 9 October, which cleared the way for an announcement on the Roman Catholic goal. This has provisionally been scheduled

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for the second half of November, ie after any Talks-related announcement.

- 4. This leaves the issue of a goal and timetable for women to be resolved. The remainder of this paper addresses this dimension.

Female Representation in the General Service Grades 1985-1991

- 5. The relative levels of female representation in the General Service grades in the period 1985-1992 are set out in the Table below:

Percentage Female Representation

GENERAL SERVICE GRADE	1985	1987	1989	1991
5 (and above)	2.8%	3.2%	4.9%	4.6%
7	6.5%	7.4%	7.7%	10.8%
Deputy Principal	12.9%	14.7%	17.4%	20.3%
Staff Officer	29.5%	32.3%	34.9%	39.4%
Executive Officer I	47.8%	50.7%	54.0%	55.8%
Executive Officer II	63.4%	65.0%	67.0%	68.1%
Admin Officer	72.7%	70.7%	79.5%	71.6%
Admin Assistant	77.3%	76.7%	76.0%	76.0%
OVERALL	62.8%	62.4%	63.0%	63.6%

all dates 1 January

- 6. Currently, of 152 staff at General Service Grade 5 and above, 8 (5.3%) are female and all are Grade 5. This figure will rise to 9 (5.9%) in November.

Projected Position by 31 December 1996

- 7. Projections, based on retirements at age 60 by 31 December 1996 indicate that 25/26 posts at the senior level are likely to be filled in this period. Given the level of representation of women at Grade 7 from which promotees to Grade 5 are drawn, (ie 10.8%), the expectation is that 1 in 10 promotees could be female so that in filling 25/26 posts 2, or possibly 3, women would be successful. Since one of the retirees in the period to end December 1996 will be female, the statistical projection is that by the end of 1996 there will be a net increase of 1 or possibly 2 females at Grade 5 and above. Assuming no increase in the size of the overall group a net

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increase of 1 female would bring representation to 6.6% and a net increase of 2 would give 7.2%.

A Goal and Timetable?

8. It is against this background that the issue of a possible goal and timetable for increasing female representation in the senior General Service grades must be viewed. In addition, the fact that a goal of 25% Roman Catholic representation for the same category of staff by end 1996 has been agreed cannot be ignored, since publication of this decision to the FEC, TUS and staff will almost certainly result in pressure from TUS and the Equal Opportunity Commission (EOC) to apply the same discipline so far as female representation at the senior level is concerned. [Sex discrimination legislation, unlike the Fair Employment legislation, is silent on goals and timetables, but this is unlikely to be regarded as sufficient grounds on which to resist what many would regard as a measure of the Service's determination to tackling the problem of under-representation of women in the senior grades.] Although stopping short of requiring numerical goals, the Opportunity 2000 initiative, of which the NICS is a member and which the Prime Minister publicly endorsed, clearly favours the establishment of measurable objectives or targets and the development of action plans to achieve these. Those who wish to see more women in the top posts in the NICS and elsewhere are likely to look to the NICS to set the pace for other NI organisations in this respect.

What is Practicable?

9. To achieve the same proportionate gain as that envisaged on the religious dimension, where a goal of 25% has been agreed, projected female representation would need to rise to 9%. However it is clear from the work already undertaken in relation to the community imbalance at Grade 5 and above that some of the more obvious affirmative action measures (eg early retirement and secondment) are just as problematic in terms of gender as they are on religion.
10. Theoretically, opening up senior NICS posts to the wider market throughout the UK might improve the potential female feeder group (only around 5% of managerial personnel in Northern Ireland are female as compared to 10.8% at Grade 7 in the NICS) but we could not do this without potentially affecting adversely the composition of the workforce on the religious dimension, which would not be sensible.
11. Over time more flexible working practices and more sensitive line management may help reduce the number of women refusing to go forward for promotion to Grade 7, and hence become eligible for Grade 5 posts, but the prospects of a rapid improvement in the proportion of women at Grade 5 and above are, frankly, pessimistic. Nevertheless, for the same underlying reasons as those which led to a 25% goal for Roman Catholic representation, Mr Fell and the Permanent Secretaries

believe that a broadly similar stretching goal must be adopted for women.

12. The question therefore is whether the goal should be 9%, which looks derisory, or 10%. Presentationally 10% is clearly better but delivering even 9% by end-1996 would be very difficult. The only realistic way in which 10% could be a credible objective would be to increase the timescale for its achievement to end-1998, and this is what is now proposed.

Home Civil Service (HCS) Position

13. There is, considerable potential for read-across on gender and we from the HCS have liaised with Cabinet Office colleagues on the proposal for a Northern Ireland goal and timetable on gender. It has just been decided in GB that Mr Waldegrave will shortly announce a goal of 15% female representation in Grades 1-3 of the HCS by the year 2000 as part of the HCS response to the Opportunity 2000 initiative. This compares to 7% representation when Opportunity 2000 was launched late last year. The HCS announcement is likely to be made on 17 November to coincide with the first anniversary of the initiative and will stress the Service's commitment to equality of opportunity and selection on merit.

14. We have also learned that the issue of a gender goal may be raised at the Cabinet Sub-Committee on Women's Issues on 5 November when the GB 15% goal will be trailed. Mr Waldegrave is also due to appear on Question Time on 12 November alongside Ms L Symons, the General Secretary of the First Division Association, which represents senior civil servants. Ms Symons is a vociferous critic of the Civil Service record on senior female appointments and it is possible that the issue will feature on that programme.

Implications for NICS of GB Developments

15. We do not believe that the GB goal of 15% has a substantive impact on the goal for the NICS. A figure of 10% by 1998 is at the outer limit of what we can hope to achieve. Presentationally we will be able to point to an earlier target date for the NICS and we will also be able to say that the 10% figure is within the range of individual Departments in GB.
16. The GB developments mean that Mr Hanley, who is the NIO representative on the Cabinet Sub-Committee on Women will need to be briefed on the NICS position for the 5 November meeting. We will also need to be in a position to say something about the NICS when the HCS goal is announced on 17 November, or depending on the tenor of the Question Time debate, possibly on 12 November.

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17. One option would be to announce the Roman Catholic and gender goals together to coincide with the HCS announcement. This would have the virtue of getting both NI goals into the public domain at the same time, would allow us to relate the NI announcement to the GB announcement, which might be useful presentationally, and would further confirm the Service's commitment to equality of opportunity in the round, and not simply on the religious dimension. On the other hand, a single NI announcement will invite instant comparison between the HCS goal and the two NI goals and questions about the different timescales, which will in turn draw attention to the weakness of the Service's affirmative action plans on both fronts. A single announcement within this timescale will also limit the opportunity for prior discussion with NICS Trade Unions on the gender goal, and with the EOC whose understanding of the thinking behind the goal and timetable could be critical to its wider public acceptance.
18. Having considered these issues our preference is for separate announcements with the religious goal being announced first, probably during the second half of November, but to include the promise of a goal and timetable on gender in December. This would allow us to clear the ground with TUS and the EOC and would give us some feel for reaction to the Roman Catholic goal before going public on that for gender.
19. There remains the issue of what we should say when the HCS goal is made public. Subject to the Secretary of State's agreement on a gender goal and timetable, what we have in mind is to announce the intended introduction of goals and timetables on religion and gender in the NICS and to say that separate NICS announcements on religion and gender will be made over the next few weeks. This staged approach, linking into the GB announcement, would allow people to get used to the idea of goals and timetables on religion and gender, without initial controversy over the figures chosen. It would suggest also that NICS was not acting in isolation, but was part of a broader Government initiative and would still allow us to separate the religion and gender announcement as discussed in the preceding paragraphs.

Form of Announcement

20. Announcements of goals and timetables for Roman Catholic and for female representation in the senior ranks of the NICS will obviously be of political and public interest in Northern Ireland. One critical audience however is likely to be staff, some of whom will see these developments as "guaranteeing" jobs for the under-represented groups at the expense of selection on merit. This would be quite erroneous but we must be careful to present these decisions to staff in a positive and constructive way which distinguishes between goals and quotas, which of course are illegal. Mr Fell intends, therefore, to do this by way of a personal message

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from him as Head of the NICS. Alongside this, a press release would also be prudent to ensure that the media gets our explanation of these developments before staff, or other interests, offer their own interpretation.

Conclusions

20. The Secretary of State is asked to:

- (1) note the proposed announcement on 17 November of a goal of 15% female representation in Grades 1-3 of the HCS by the year 2000;
- (2) agree a goal of 10% female representation in the senior General Service grades of the NICS (ie Grade 5 and above) by end 1998;
- (3) agree that the goal of 25% Roman Catholic representation by end-1996 should be announced during the second half of November;
- (4) agree that the NICS gender goal should be trailed in the announcement of the Roman Catholic goal with the substantive announcement being made before the end of the year.
- (5) agree that only a short announcement of the intended introduction of goals and timetables on religion and gender should be made when the HCS gender goal is announced to be followed by the more substantive announcements at (3) and (4) above in due course;
- (6) note that DFP will provide Mr Hanley with a short brief for use at the Cabinet Sub-Committee on 5 November.

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