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12 December 2022

Dear Mr Lightfoot,

Freedom of Information Act (FOIA) Request – 221117024

Thank you for your request dated 17/11/2022 in which you asked for the following information from the Ministry of Justice (MoJ):

a) The number of roles in your association (expressed in numbers of FTE), that are mainly or exclusively focussed on issues of equality, diversity, or inclusivity. For example, this could include (amongst other guises) “EDI officers” or “diversity and inclusion project managers” but would not include general HR managers.

b) Either

a) the pay band of each of these roles, or

b) the combined total salaries for these roles. Whichever measure is more in accordance with your data preferences.

c) In the past 12 months the number of staff days across your organisation which have been committed to attending equality training programmes, whether internally run or with external consultants. (staff days = duration of the training programme multiplied by the number of staff in attendance for the course). If unable to provide please mark as N/A in your return.

Your request has been handled under the FOIA.

With regards to your request sent to HM Courts and Tribunal Service and Employment Tribunal Service, I am unable to confirm if the MoJ holds the information you have requested within the cost limit. Section 12(2) of the FOIA means a public authority is not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information.

Where section 12 applies to one part of a request we refuse all of the request under the cost limit as advised by the Information Commissioner's Office.

In this instance to determine if all of the information requested is held, we would be required to contact 22 business units across HMCTS and collate the returns, which would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. You may wish to consider, resubmitting your request and asking questions a and b only. Please be aware that we cannot guarantee at this stage that a refined request will fall within the FOIA cost limit, or that other exemptions will not apply.

With regards to your request addressed to Judicial Office for England and Wales and Judicial College, the MoJ does not hold the requested data. Judicial Office and the Judicial College are not a public authority for the purposes of the FOIA. They are not listed under Schedule 1 of the Act and requests for information held by them are therefore outside the scope of the Act.

With regards to your requests addressed to Advisory Committee on Justices of the Peace for London, Tribunal Procedure Committee, Insolvency Rules Committee, Civil Procedure Rule Committee, and Family Procedure Rule Committee, please note that the MoJ does not hold the requested data, This is because they are separate public authorities to the MoJ as listed under Schedule 1 of the FOIA.

Please contact these public authorities directly.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty is to only provide the recorded information held.

For guidance on how to structure successful requests please refer to the ICO website on the following link: <https://ico.org.uk/your-data-matters/official-information/>

http://www.legislation.gov.uk/ukxi/2004/3244/pdfs/ukxi_20043244_en.pdf

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

HMCTS HR