

Report to the Board of Directors

Board Date : July 2016

Title of Report	Equality and Diversity Report
Reporting Officer	Rebecca Bradd, Acting Director of Workforce
Lead Director	Rebecca Bradd, Acting Director of Workforce
Responsible Sub-Committee	Executive Group
Executive Summary	<p>The Equality and Diversity report provides the Board with the annual workforce monitoring report, the Workforce Race Equality Standard, a refreshed commitment to Equality and Diversity including Equality objectives as below:</p> <ul style="list-style-type: none"> • Implement the Equality and Diversity System 2 (EDS2) and use the information to develop the Trust Equality objectives for 2017 • Improve performance against race equality measures identified through the NHS Workforce Race Equality Standard • Ensure equality of employment outcomes regardless of protected characteristics in regard to recruitment and selection and bullying and harassment • All staff have undertaken Equality and Diversity training (including awareness of unconscious bias) by March 2017 including all Board members <p>The Equality and Diversity report, the Workforce Monitoring report and Workforce Race Equality Standard all identify areas of improvements required in terms of our contractual commitments but also more importantly the treatment of staff and workforce outcomes.</p>
Risk and Assurance	<p>The Trust has not been meeting its contractual and statutory requirements in regard to Equality and Diversity for a number of years. Last year the Trust produced its first workforce monitoring report since 2012 and limited action has taken place in year.</p> <p>A refreshed commitment to Equality and Diversity and the implementation of the Equality Objectives will go some way to address the statutory and contractual requirements. An Equality and Diversity Group is currently being established and will take forward the number of actions that has already been identified to take forward. The Group will engage with our staff and our community to ensure equity of access and treatment for our staff and our patients.</p>
Legal Implications/Regulatory Requirements	<p>There are legislative requirements under the Equality Act 2010.</p> <p>There is a contractual requirements to publish the Workforce Race Equality Standard document (attached) and implement EDS2.</p>
Recovery Plan	Diversity is an important part of our culture, diversity and engagement

Implication	workstream.
Quality Impact Assessment	n/a
Purpose & Actions required by the Board : <ul style="list-style-type: none"> • Assistance • Approval • Decision • Information 	Approval
Recommendation	The Board is asked to approve the Equality and Diversity report and Equality objectives

MEDWAY NHS FOUNDATION TRUST EQUALITY AND DIVERSITY REPORT 2016

Best of Care, Best of people is Medway NHS Foundation Trust's vision for healthcare for our patients and local community. Our vision can only be realised through engagement of our people, our patients and our community and by tackling health inequalities and by promoting a culture of equality, diversity and inclusion. Our new values and behaviours (below) have been developed with our people and support our commitment to a values based approach to equality, diversity and inclusion.

Bold

We are *inspiring* and *ambitious*

Every Person Counts

We are *respectful* and *supportive*

Sharing and Open

We are *open* and *speak up*

Together

We are *inclusive* and *responsible*

The Trust also has a legal responsibility to promote equality as required by the Equality Act 2010, and to address health inequalities, as required by the Health and Social Care Act 2012.

The Public Sector Equality Duty (PSED), part of the Equality Act (2010) requires all public sector organisations to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

This report provides our equality information including our commitment to a refreshed approach to equality, diversity and inclusion, our Equality objectives, the Workforce Race Equality Standard outcomes and annual Workforce Diversity monitoring report by protected characteristics.

Medway NHS Foundation Trust's Commitment to Equality and Diversity

Medway NHS Foundation Trust is committed to promoting equality and diversity. We aim to ensure that respect for equality, diversity and human rights are embedded in all areas of our service delivery, patient care, planning and employment.

We will make sure that the services we deliver are accessible, responsive and appropriate for the diverse community that we serve. We will treat patients, visitors and staff with the fairness, respect, equality and diversity that they deserve.

As a Trust, we will:

- involve patients and their families in decisions about their treatment and care. Patients should expect to be treated with dignity and respect and will not be discriminated against on any grounds including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- ensure that staff members are treated fairly in recruitment, in their work and career progression. We continue to build a working environment where diversity is valued and equality of opportunity is promoted. Staff will not be bullying, harassed, abused or discriminated against on any grounds including age, disability, gender, race, religion or belief or sexual orientation.
- ensure that our practices are embedded within the Trust's policies and procedures.

Our vision can only be realised through engagement of our people, our patients and our community and by tackling health inequalities and by promoting a culture of equality, diversity and inclusion.

Equality Objectives

A detailed plan for the development of robust Equality Objectives will be developed as part of the implementation of EDS2 by early 2017. However in the meantime, the Trust Equality objectives have been refreshed to ensure that activity takes place within 2016 to improve the services that the Trust provides for our local communities and provide better working environments, free of discrimination, for those who work in the NHS, while meeting the requirements of the Equality Act 2010.

There are four Equality Objectives for 2016 that the Trust Board are asked to approve. Below are the objectives, how they were chosen and how they will be measured.

Equality objective 1: Implement the Equality and Diversity System 2 (EDS2) and use the information to develop the Trust Equality objectives for 2017

Why this topic?

- The Equality Delivery System (EDS2) was introduced to help local NHS organisations, in discussion with local partners including local communities, to review and improve their performance for people with characteristics protected by the Equality Act 2010. The EDS2 also helps us to deliver on the Public Sector Equality Duty (PSED). The four EDS2 goals are:
 - Better health outcomes;
 - Improved patient access and experience;
 - A representative and supported workforce;
 - Inclusive leadership.
- The EDS2 methodology will enable the Trust to have a robust framework to identify areas that may affect staff or patient services in an adverse way and put

plans in place to improve our performance for people with characteristics protected by the Equality Act 2010.

- The EDS2 methodology involves engagement with all of our stakeholders which aligns to one of our Values – *Together*.
- The EDS2 is a contractual requirement for the Trust to implement and over 90% of Trusts have already started or completed its implementation.
- To support the implementation of the Accessible Information Standard (due 31 July 2016) to ensure that people who have a disability or sensory loss get information that they can access and understand, and any communication support that they need when using NHS or adult social care services.

How we will tackle this

- An Equality and Diversity Group will be introduced involving a wide range of stakeholders to implement EDS2 and develop the Equality objectives for early 2017.

Measures of success

- Equality and Diversity Group to commence in August 2016
- EDS2 to be implemented by January 2017 with action plan to address and improvement in performance
- Equality objectives for 2017 agreed by Trust Board by March 2017

<p>Equality objective 2: Improve performance against race equality measures identified through the NHS Workforce Race Equality Standard</p>
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Why this topic?

- Recent work by Roger Kline (The snowy white peaks of the NHS – 2013) and work by Michael West, Jeremy Dawson and others show both the link between patient safety and race equality for NHS staff and that there is strong evidence that Black and minority ethnic (BME) NHS staff still experience discrimination.
- This year's performance against the WRES for the Trust (Appendix 2) identified that:
 - there were no BME senior managers
 - that BME staff were more likely to experience discrimination
 - that BME staff were less likely to be appointed

How we will tackle this

- An Equality and Diversity Group will be introduced in August 2016
- A BME Forum (sub group of the Equality and Diversity Group) will be introduced
- Recruitment training for managers including unconscious bias
- Mentoring initiative for BME staff

Measures of success

- The ratio of BME shortlisted candidates/ successful candidates compared to white shortlisted candidates/ successful candidates.
- The percentage of BME staff who are at Band 7 and above compared to the percentage of white staff who are at Band 7 and above.

A decrease in the number of BME staff who experience discrimination in the NHS Staff Survey.

Objective 3: Ensure equality of employment outcomes regardless of protected characteristics in regard to recruitment and selection and bullying and harassment

Recruitment and selection

Why this topic?

- The Workforce Diversity Monitoring report (attached) identifies differences in terms of outcome through recruitment and selection and in terms of complaints of bullying and harassment for a number of the protected characteristics.
- Roger Kline's report, The Snowy White peaks of the NHS examines the issues for health and social care organisations of having a differential success rate in recruitment and a low number of people from BME backgrounds in senior management.

How we will tackle this

- **Candidate attraction:** Deliver attraction strategies that are inclusive, helping us secure talented people from a diverse base through reviewing our candidate attraction strategies.
- **Targeted recruitment:** Deliver targeted recruitment strategies through talking to others about best practice and by analysing diversity of workforce population on a geographic basis to help with targeted recruitment in different areas of the country. Commit to the NHS Learning Disability Employment Programme
- **Support for promotion:** Deliver a mentoring initiative, which will help staff in under-represented groups prepare to take more senior roles (eg BME staff and disabled staff).
- **Equality in selection processes:** Deliver learning for managers on tackling unconscious bias in recruitment as part of management modules, building on the generic unconscious bias learning that all staff will receive. Review our recruitment processes to ensure that we use values-based recruitment approaches that promote equality and diversity.
- **Additional actions relating to senior recruitment:** Give a greater focus on attracting and recruiting diverse candidates when we recruit for senior roles and advertise all posts at senior manager and executive level externally to attract senior staff from a more diverse pool.

Measures of success

By April 2017 there will be a smaller gap between:

- The ratio of BME shortlisted candidates/ successful candidates compared to white shortlisted candidates/ successful candidates.
- The percentage of BME staff who are at Band 7 and above compared to the percentage of white staff who are at Band 7 and above.
- The percentage of disabled staff who are at Band 7 and above compared to the percentage of non-disabled staff who are at Band 7 and above.

Bullying and harassment

Why this topic?

In the 2015 staff survey, 30% of all staff said that they had experienced bullying or harassment in the previous 12 months – up from 27% from last year. The percentage was higher amongst staff in particular equality groups:

- Disabled staff: 42%
- Black and minority ethnic staff: 31%

How we will tackle this

- Introduce BME, Disability and LGBT Forums (sub groups of the Equality and Diversity Group)
- Organise engagement events with the Forums to bring together ideas about best practice in relation to the issues identified and to identify the actions that could make the most difference.
- Deliver a plan of action, based on this work.

Measures of success

- In the 2016 staff survey, the gap between the percentage of staff who say that they have experienced bullying and harassment has decreased for staff in equality groups where the percentage is currently higher – particularly for disabled and BME staff.

Equality objective 4: All staff have undertaken Equality and Diversity training (including awareness of unconscious bias) by March 2017 including all Board members

Why this topic?

- Everyone has unconscious biases that affect their perceptions, judgements and decisions. An understanding and awareness of unconscious bias will help all staff to improve the judgements they make as part of their roles
- An understanding of how unconscious bias works can contribute to the fair treatment of staff – improving our working relationships and supporting the growth of an inclusive and fair organisational culture.

How we will tackle this

- 91% of all staff (July 2016) have undertaken Equality and Diversity training within the last 3 years
- Training around unconscious bias will be provided to all staff with an understanding of what unconscious bias is and how to eliminate it within the workplace. The learning should, through initial assessment and later reflection, help staff to a greater understanding of their own unconscious biases and how to work with them.
- All Board members will undertake Board development regarding Equality and Diversity including understanding of unconscious bias to ensure that there is an agreed awareness and understanding of Board responsibilities in regard to the Equality Act 2010 by September 2016.
- All staff will receive training around unconscious bias as part of Equality and Diversity mandatory training by March 2017.

Measures of success

- All Board members to have completed Board development on Equality and Diversity by September 2016
- All staff will have received learning in unconscious bias by the end of March 2017
- Evaluation from this learning to ensure that staff find it helpful and are able to apply learning in their job role.

References

- i Kline, *The Snowy White Peaks*, 2013
- ii West M., Dawson J., Admasachew L., Topakas A., NHS Staff Management and Health Service Quality, Lancaster University Management School and The Work Foundation Aston Business School, 2012
- iii NHS Workforce Race Equality Standard