

TO: 2gether NHS Foundation Trust Board

FROM: Kay Harrison, Director of Human Resources and Organisational Development

DATE: 27 February 2009

SUBJECT: Annual Equalities Report

1. PURPOSE

The purpose of this report is to provide the Trust Board with an annual overview of the work of the Diversity Steering Group and progress made against the Trust's formally adopted equality schemes.

2. SUMMARY OF KEY POINTS

- The Diversity Steering Group continues to monitor the objectives and actions as detailed in the Trust's equality schemes and action plans.
- Significant progress has been made with undertaking Equality Impact Assessments.
- The Race Awareness Staff Group has extended its remit to be inclusive of the wider equality and diversity agenda and is now called the Diversity Staff Network.

3. RECOMMENDATIONS

- The Trust Board is asked to continue to support the work and progress of the Diversity Steering Group and to agree to the extension of the Trust's schemes and supporting action plans for a further year to meet the timetable for the emerging Single Equality Act.

4. WHICH TRUST KEY STRATEGIC OBJECTIVES DOES THIS PAPER PROGRESS OR CHALLENGE?

Supporting clinical care		Skilled workforce	
Getting the basics right	P	Using better information	
Social inclusion	P	Financial efficiency	
Seeking involvement		Legislation	P

5. WHICH TRUST VALUES DOES THIS PAPER PROGRESS OR CHALLENGE?

Seeing from a service user perspective			
Excelling and improving		Inclusive open and honest	P
Responsive	P	Can do	
Valuing and respectful	P	Efficient	

6. REVIEWED BY:

Diversity Steering Group	Date: January 2009
	Date
Forums / Community groups who's views have been sort	
	Date

7. CONTEXT

- 7.1 The Trust has in place Equality Schemes and supporting action plans for Race, Disability, and Gender, and an action plan for Age. Each scheme and action plan addresses the separate legislative requirements and each is subject to a full review after 3 years, being either 2009 or 2010.
- 7.2 On the 26th June 2008 the government announced a new Single Equalities Bill. The Equality and Human Rights Commission has responded by setting out that it would like to see a complete overhaul of the equality laws and supporting a Single Equality Act which would bring together the existing legislation and extend the statutory duties to include sexual orientation, religion or belief and age. It appears therefore increasingly likely that a Single Equality Scheme will be the preferred option at some point in the future.
- 7.3 During 2008 the Diversity Steering Group had proposed that the Trust should work towards an outline Single Equality Scheme for April 2009. It has recently been announced that a Single Equality Act will now not be in place until late 2009 with implementation after this date and therefore the Diversity Steering Group have taken the decision to await developments before progressing with a Single Equality Scheme.
- 7.4 Underpinning the schemes and action plans there is a requirement for the Trust to assure itself that it can promote inclusive and fair service delivery and employment practices in line with the full range of equality and diversity legislation. In order to do this the Trust has undertaken 'Equality Impact Assessments'. The assessment is a structured process for measuring the effect of policy, procedure and service delivery on staff, service users and carers.

8. ACTION PLANS - ACHIEVEMENTS

- 8.1 The Diversity Steering Group has a rolling programme to review progress against each of the action plans. The following actions have been completed in 2008 against the objectives stated for gender, race and disability:
- Objective: Assess all Trust functions and policies against the requirements to eliminate unlawful discrimination and to promote equality of opportunity.*
- 8.2 At the end of 2007 the Trust had published 33 equality impact assessments. This had increased to 92 at the end of 2008. Further equality impact assessments are being completed on a regular basis and being updated in line with reviews of existing policies, procedures and service developments.
- 8.3 To assist with the progress of equality impact assessments, a further group of managers with representatives from each of the strategic service units have been trained to do the assessments, and a sub group of the Diversity Steering Group has been meeting to oversee the work.
- 8.4 The Trust is required to publish its schemes, supporting action plans and results of equality impact assessments. Extensive work has been undertaken to ensure that all of these documents are available on the Trust's internet webpage and intranet site.

Objective: Review the Trust's employment practices in the light of the requirements to eliminate unlawful discrimination, and promote equality of opportunity.

- 8.5 The Trust reviews on an annual basis:
- the staff profile against the profile of the population served by the Trust
 - the age profile of the staff that it employs
 - the gender profile of the staff it employs
 - the ethnicity profile of its staff
 - the disability profile of its staff
 - the activity data for the recruitment and selection process
 - data in respect of discipline, grievance capability and promoting dignity at work procedures.
- 8.6 For 2008 staff data was also compared against data available from NHS Jobs for applicants. It was noted that it was difficult in some cases to draw direct comparisons or make clear comparisons as the same information was not always available. This will be improved for 2009 through the ESR validation exercise and increased use of the functionality of NHS Jobs and the reports available.
- 8.7 The Trust's 'Promoting Dignity at Work' procedure was reviewed in February 2008 to widen the options available to manage and support staff.
- 8.8 Staff Surgeries and Managers Briefing Sessions continued throughout 2008. The concept of 'Staff Surgeries' is described on the 'Best Practice' page on the 'Mindful Employer Initiative' web site.
- 8.9 Appraisals were adopted as a KPI by the Trust. At December 2008 70% of staff are recorded as having had an appraisal against a target of 100% by the end of the financial year.
- 8.10 A review of appraisal paperwork commenced at the end of 2008 to ensure that objectives align with Trust objectives and the process is simplified. This work will be completed in 2009.
- 8.11 In addition to the above, the Trust's Age Action plan outlines key areas of best practice and actions to be taken to support this which are:
- Best Practice: In line with the Trust's commitment to the Two Ticks symbol 'Positive about Disabled People', all suitably qualified candidates who declare themselves on their application form as being disabled must be short listed for interview if they meet the essential criteria of the Job Description and Person Specification.*
- 8.12 All advertisements, both internal and external are being advertised via NHS Jobs. Managers are being supported to maximise use of NHS Jobs by short listing on line. This together with the use of an emailable application form for applicants who are unable to apply on-line enables individuals to clearly identify where they are requesting an interview under the 'Two Tick's symbol. The Human Resources Administrative Team are therefore able to advise recruiting managers which applicants need to be considered under this scheme.

- 8.13 The Trust is a signatory to the 'Mindful Employer Initiative' and the icon is shown on the emailable application form and a link from NHS Jobs to the Mindful Employer web site has been set up. This enables applicants to see that the Trust takes a responsible and pro-active approach to disabilities.
- 8.14 'Guidance for Managers' on how to short list on line via NHS Jobs is explicit about the manager's responsibility to short list all applicants who meet the minimum essential requirements under the 'Two Tick's symbol.
- 8.15 Corporate induction has been revised and Trust's work and involvement in social inclusion is highlighted. 'Diversity' is also specifically noted and additional time has recently been identified which will be used to expand on this.

Best Practice: The Trust has in place accurate staff records.

- 8.16 Accurate staff records are needed to enable accurate analysis of data which supports and underpins the action plans. Staff record details include information on all the equality indicators (age, race, gender, disability, sexual orientation, religious belief). These indicators are also requested as part of the application process via NHS Jobs and on hard copy and emailable application forms. Therefore it is important to have the data collected against the same indicators for existing staff.
- 8.17 A validation exercise was carried out shortly after ESR (Electronic Staff Record) was introduced. Whilst this improved the quality of the data as the functionality of ESR was extended it became apparent that additional fields needed to be populated and the data needed to be further validated. A second validation exercise commenced in November 2008 and will be closed in early 2009.
- 8.18 A significant amount of information which is required and used by ESR is collected from payroll forms (starter, variation and leaver forms). The existing forms reflected the data set required for the Payroll / HR Information system in use prior to the implementation of ESR. The forms are used county wide. In November 2008, the Trust embarked on a process of updating and consulting with Finance Shared Services on the use of new 'fit for purpose' payroll forms. These are in final draft format and it is intended that they will be in use within the Trust from April 2009. This will enable staff and managers to accurately record data which can be accurately entered into ESR thereby significantly improving analysis.

9 SERVICE DELIVERY

Objective: Ensure that all sections of the community have equal access to Trust services and facilities.

- 9.1 In September 2008, the Diversity Steering Group considered the 'Count Me In' census. It was noted that this was the fourth year that the Trust had completed the census and that the results were similar to those of last year. Variations within the Black and Minority Ethnic (BME) population were consistent with previous years. It was also noted that the questions on the census, although similar were not always the same which made it difficult to compare with previous years. Also the Practice Standards committee commissioned an audit examining the reasons behind the higher level of formal admission from BME communities. The results of this will inform future developments in practice.

- 9.2 Equality Impact Assessments are now being carried out as a matter of course as service developments take place.
- 9.3 Four Community Development Workers (CDWs) were appointed during 2008 and work continues to inform staff of their role and promote their work. The CDWs have been invited to attend a meeting of the Diversity Staff Network in early 2009 as part of this process. The workers will work specifically with Black and Minority Ethnic Communities to improve access to mental health services, both primary and secondary care.
- 9.4 A healthcare audit was undertaken during 2008 in the Substance Misuse Service which included a specific review of diversity. The results of the diversity element are awaited and will be brought to the Diversity Steering Group in due course.
- 9.5 Services across the Trust continue to employ staff from diverse backgrounds and use a range of flexible working arrangements to meet the differing requirements of service provision and personal needs.

Table 1 – Use of Flexible Working Opportunities as at 31st December 2008

	Headcount
Part time working	696
Bank contract	587
More than one job with the Trust ('Additional employment')	294
Career Break	5
Maternity or Adoption leave	31
Internal secondment	21
External secondment	1
Temporary promotion (Acting up)	10

- 9.6 The figures above are not mutually exclusive. There will be a significant percentage of staff who hold a part time contract and a few who hold a full time contract who also hold a bank contract. These individuals will therefore be counted in each of the relevant categories, but these figures represent the flexibility that is available within the Trust.
- 9.7 In response to the Michael Report 'Healthcare for All' the Trust developed an action plan to over see the implementation of the relevant recommendations. Progress so far against this action plan includes:-
- the development, agreement and implementation of an interface policy on joint working across the learning disability and working age adults strategic service units. There are plans to extend this best practice across the other Strategic Service Units
 - Equality impact assessment (EIAs) on the majority of services have been undertaken.
 - Building on the good practice that had already been established with the Trust's partners within the health community the Traffic Light Assessment process which records the needs of service users with a learning disability in the care plan prior to admission to an acute setting has been implemented at Wotton Lawn Hospital.

- A joint initiative across the health community led to a link workers conference using innovative training practices to challenge workers perception of people with a learning disability and promote best practice.

9.8 Of the 92 equality impact assessments which have now been undertaken, 62 relate directly to service delivery or practice policies The remaining 30 relate to a variety of health and safety, HR or training policies and procedures.

10 TRAINING AND DEVELOPMENT

Objective: Review training provision so as to ensure that all staff receive appropriate training in equality issues.

10.1 The Trust has adopted the principle that all diversity training is integrated into main stream training activity. During the year a diversity component has been included in the Management Development Programme and also included in the recently revised Corporate Induction Programme.

10.2 Two trainers from Collingwood House have become accredited trainers in race equality and cultural capability training. Race equality and cultural capability training is now integrated into a number of programmes that are being run, these include 'Foundations for Practice' which is aimed at staff who have responsibility for care co-ordination and 'First Steps', which is a programme to develop core skills for Band 2 and Band 3 staff. Discussions continue as to other ways that this training can be delivered as part of the annual training programme within Collingwood House.

11 COMMUNICATION

Objective: Effectively communicate the Trust's approach to promoting equality.

11.1 During 2008, the Race Awareness Staff Group which is supported by the Diversity Steering Group took the opportunity to consider its role and function. In response to the wider equality and diversity agenda, the group decided to change its name to Diversity Staff Network and sought to include staff who might have other interests beyond that of race. This work continues and managers are broadly supportive of the network.

11.2 During 2008 the Diversity Staff Network commenced a programme of attending team meetings to promote its role. This will continue in 2009.

11.3 The Trust's intranet has been updated to reflect the on-going work of the Diversity Steering Group and the revised role of the Diversity Staff Network. Equality Impact Assessments are uploaded onto the intranet and Trust web page as they are approved.

12 ACTIONS

12.1 There are action plans for each of the four areas, Race, Gender, Disability and Age which continue to be worked through and monitored by the Diversity Steering Group.

12.2 During 2009 progress of the Single Equality Bill will be monitored by the Diversity Steering Group along with the implications for the development of a single equality scheme.