Strategic Workforce Group

Date: 30th November 2015

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<tr>
<th>Agenda item</th>
<th>Title</th>
<th>Executive Director lead and presenter</th>
<th>Report author</th>
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<td></td>
<td>Equality Delivery System 2 (EDS2): Goals 3 &amp; 4 Outcomes</td>
<td>Mayur Bhatt – E&amp;D Advisor</td>
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This report is for:

- Decision X
- Discussion
- To Note

History

6th October 2015: Assessment of outcomes under Goals 3 & 4 was presented to the Join Union Council for consultation and feedback.

The following issues have been identified and assessed within this report

- Equality: EDS2 provides an essential framework to identify equality outcomes, and enables the Trust to continue to strengthen its equality commitments
- Quality: N/A
- Privacy: N/A

Executive summary of key issues

- The Trust’s assessment against outcomes under EDS2 Goals 3 & 4 provides a firm and thorough baseline assessment which members are asked to agree and approve.
- The baseline assessment provides clear focus on what the Trust needs to do to progress on its internal focused equality commitments.
- The Trust is graded as ‘Developing’ in all of the outcomes except three, where grading of ‘Undeveloped’, ‘Achieving’ and ‘Excelling’ have been given.
- The Trust has a strong opportunity to adopt Goals 3 & 4 as the Trust’s equality objectives for 2016 – 2019, with the aim of progressing towards at least ‘Achieving’ status across all the stipulated outcomes.

This report addresses these strategic priorities:

- We will deliver the best care
- We will support and develop our staff X
- We will continually improve what we do X
- We will use our resources wisely
- We will be future focussed X
1 Introduction
The Equality and Diversity System 2 (EDS2) forms a standard requirement in our contract with NHS England, including reporting arrangements to the South West Commissioning Support Unit.

The main purpose of the EDS2 is to help local NHS organisations to review and improve their performance for people with characteristics protected by the Equality Act 2010.

EDS2 contains four goals, each with their associated outcomes. The four goals are:

- Goal 1: Better Health Outcomes
- Goal 2: Improved patient access and experience
- Goal 3: A representative and supported workforce
- Goal 4: Inclusive Leadership

This report provides assessment against stipulated outcomes under goals 3 and 4 which are related to our workforce.

Work on evidencing outcomes against Goals 1 and 2, which are related to front line services and service user experience, is currently being progressed. These will be presented to the Quality and Standards Committee in January 2016.

2 Grading performance and evidence gathering
For each outcome, the Trust is required to find suitable evidence that demonstrates the level our progress and grade our performance. The EDS2 framework provides stipulated grading based on the amount of information and assessment across all the protected characteristics. For most outcomes the key question is how well do people from protected groups fare compared with people overall? There are four grades overall:

- **Undeveloped** if there is no evidence one way or another for any protected group of how people fare or if evidence shows that the majority of people in only two or less protected groups fare well
- **Developing** if evidence shows that the majority of people in three to five protected groups fare well
- **Achieving** if evidence shows that the majority of people in six to eight protected groups fare well
- **Excelling** if evidence shows that the majority of people in all nine protected groups fare well

An evidence based approach is essential to provide a clear and meaningful assessment. The main evidence sources for our assessment have been:

- Public Sector Equality Duty Annual Statistics (PSED). This is statutory obligation under the Equality Act for public bodies, which involves a thorough assessment of both workforce and service user data across all protected characteristics to identify how well the general duty is being met.
- Workforce Race Equality Standard (WRES). This is contractual requirement specifically focusing on understanding the experience of Black & Minority Ethnic (BME) staff within the NHS. It is aimed to enable the NHS bodies to develop plans for improvement (where identified) to ensure equality of opportunity and elimination of discrimination (both direct and indirect) and promote a healthy workforce culture.
- NHS Staff Survey 2014
- Internal Board / Committee Reports, and relevant policies and procedures

It should be noted that both the PSED and WRES provide insight and intelligence to enable a meaningful assessment against EDS 2 outcomes. In addition, disaggregation of Annual Staff survey by protected characteristics adds value to our understanding of staff perception of the organisation and its culture, enabling the Trust to progress upon organisational development plans.

The EDS2 framework suggests sources of evidence that may be used, and stipulates the approach for assessment. For example, outcome 4.1 relating to ‘Board and senior leaders routinely demonstrate their commitment to promoting equality within and beyond their organisations’ the framework stipulates the following:

- **Choose 10 to 20 instances when Board members and senior leaders had the opportunity to demonstrate their commitment to equality in the past year or, if needs be, a longer period.**
The grading for EDS2 outcomes are stipulated as:
- Undeveloped: There are no examples of a strong and sustained commitment
- Developing: Only some of the examples show a strong and sustained commitment
- Achieving: Many of the examples show a strong and sustained commitment
- Excelling: All of the examples show a strong and sustained commitment

### 3 Key Findings

Members are asked to refer to Appendix 1 (Goal 3: A representative and supported workforce) and Appendix 2 (Goal 4: Inclusive leadership at all levels) attached to this report

Below is a summary of the key findings against each outcome, and the rationale for the grading:

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<tr>
<th>Goal 3 – A representative and supported workforce</th>
<th>Grading</th>
<th>Rationale for Grading</th>
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<tr>
<td><strong>3.1 – Fair NHS recruitment and selection processes lead to a more representative workforce at all levels.</strong></td>
<td>Developing</td>
<td>There is no evidence that states that our recruitment and selection processes are disadvantageous to specific groups, however staff members from only some protected groups fare well in their representation within the workforce and across all levels.</td>
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<td><strong>3.2 – The NHS is committed to equal pay for work of equal value and expects employers to use equal pay audits to help fulfil their legal obligations.</strong></td>
<td>Excelling</td>
<td>NHS Job evaluation schemes and adherence to the ‘Pay, terms and conditions for medical staff’ ensures complete objectivity and eliminates any equal pay bias in relation to any of the protected characteristics Focus needs to be on increasing representation of specific groups across pay bands.</td>
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<td><strong>3.3 – Training and development opportunities are taken up and positively evaluated by all staff.</strong></td>
<td>Developing</td>
<td>Disaggregation of staff survey results in relation to training and development questions show that staff members from only some protected groups fare well in their representation within the workforce and across all levels. There is a need to identify robust training evaluation and record keeping systems that will enable effective and efficient assessment of whether staff from all protected characteristics participate and provide feedback to training and development opportunities.</td>
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<td><strong>3.4 – When at work, staff are free from abuse, harassment, bullying and violence from any source.</strong></td>
<td>Achieving</td>
<td>Disaggregation of staff survey results in relation to questions relating to abuse, harassment, bullying and violence show that staff members from some protected groups have perceptions of bullying and harassment. However, an internal fact finding work carried out by an independent consultant to better understand the perceptions / causes of bullying and harassment, common trends and experiences of staff, resulted in a report which was published in August 2015. This included findings from anonymised survey and confidential 1:1 interviews with respondents The independent researcher has confirmed that there was only 1 reported incident that could be viewed has having a racial component but found no evidence of a racially motivated bullying and harassment, nor in relation to the other protected characteristics. There is a need to assess actual incident data against service areas and role function, and where incidents are occurring and their causes (e.g. whether staff are experiencing bullying, harassment or abuse related to their personal characteristics or otherwise)</td>
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Avon and Wiltshire Mental Health Partnership Trust
### 3.5 – Flexible working options are available to all staff consistent with the needs of the service and the way people lead their lives

| Achieving | Staff members from most protected group fare well as the overall workforce |

### 3.6 – Staff report positive experiences of their membership of the workforce.

| Developing | Disaggregation of staff survey results in relation to staff members’ experience of their membership of the workforce shows that staff from only some protected groups fare as well as the overall workforce. |

### Goal 4 – Inclusive leadership at all levels

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<th>Rationale for Grading</th>
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<td>4.1 – Boards and senior leaders routinely demonstrate their commitment to promoting equality within and beyond their organisations.</td>
<td>Developing</td>
<td>A variety of evidence collected show that there are some examples that show a strong and sustained commitment to promoting equality within and beyond the Trust, however it is not enough to merit ‘Achieving’ status.</td>
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<td>4.2 – Papers that come before the board and other major committees identify equality-related impacts including risks, and say how these are to be managed</td>
<td>Undeveloped</td>
<td>On assessing a selection of Board Reports and Committee Reports and associated documents from 2014 to date, it is clear that the Trust does not have strong evidence, consistency and quality in the consideration of Equality related impacts. This could be remedied if report authors discussed the subject matter of reports (if not confidential) with the ED advisor in order to identify equality implications.</td>
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<td>4.3 – Middle managers and other line managers support their staff to work in culturally competent ways within a work environment free from discrimination</td>
<td>Developing</td>
<td>Disaggregation of staff survey results in relation to questions relating to management support show that staff members from only some protected groups fare well.</td>
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### 4 Learning gained and improvement plan

This has been the most robust assessment so far against EDS2 goals 3 and 4 that the Trust has completed.

Key learning points are:

- The completion of the Goals 3 and 4 (although time consuming) provides a strong baseline assessment to develop the Trust’s internal equality related work and wider organisation development work.
- Evidence gathered in relation to the outcomes provides good insight and intelligence, particularly in the area of staff experience in the workforce by protected characteristics (outcomes 3.3; 3.4; 3.6; and 4.3).
- Placing the EDS2 and managing of equality business into a mainstream governance structure provides opportunity to assess equality progress in a structured way.
- Getting hold of robust internal correlation of evidence across all protected groups remains a challenge in some areas of the EDS2. Evidence disaggregated by age, ethnicity and gender is easier to come by than other protected characteristics such as sexual orientation, marital status, pregnancy / maternity and religion.
- Disaggregated information through staff surveys and data derived from recently published Public Sector Equality Duty (PSED) statistics and the Workforce Race Equality Standard (WRES) provide crucial support to the meaningful completion of the Goals 3 and 4.
- The Trust needs to be conscious of identifying equality related evidence, and also to ensure that such evidence is used for effective ‘equality proofing’ of staff.
5 Improvement Plan
In order to work towards improving our grading for the future, we need to make any improvement plans manageable and doable.

It is suggested that improvement actions deriving from the analyses of the Public Sector Equality Duty statistics and Workforce Race Equality Standard (which were agreed by the former Employment Strategy and Engagement Committee on the 6th August 2015), are used to progress on the outcomes under Goals 3 and 4.

In this way, the Trust can strengthen an efficient and co-ordinated approach to delivering outcomes with aim of progressing towards at least ‘Achieving’ grade across all outcomes under goals 3 and 4 above.

6 Future Focused
In addition to the EDS2, the PSED and WRES, the Trust is required under the Equality Act 201 to publish its Equality Objectives.

Our existing Equality Objectives are:
- Improve data capture methods and quality of service user information.
- Embed equality and diversity principles into induction, supervision / appraisal training, and Leadership / management training
- To understand and gain improvements in practise in community treatment orders, detentions under the Mental Health Act, use of restraint, and recruitment and retention
- Ensuring that the Trust's Foundation Trust membership is not only representative of the population we serve, but is over-represented for those with protected characteristics.
- Explore the potential information available as system leader to understand resource utilisation in Bristol and the wider determinants of poor mental health.

Progress against these existing objectives will need to be reviewed. However, these are more akin to actual actions rather than objectives.

Therefore, in considering the assessment outcomes against Goals 3 & 4, which provide a firm baseline assessment from which we can progress from, it makes business sense that we adopt these Goals as our internal focused Equality Objectives from 2016 to 2019, and ensure that annual review of the progress against PSED and WRES actions are linked to improving upon our established assessment grading under the EDS2 for this year.

It should be noted that our external focused equality objectives will be determined once evidence and grading against outcomes under Goals 1 and 2 have been completed, and approved by the Quality and Standards Committee.

7 Equality Implications
Equality implications are contained in the body of this report.

8 Recommendations
It is recommended that members:
- Agree and approve the assessment outcomes under Goals 3 & 4
- Agree and approve Goals 3 & 4 as the Trust’s Equality Objectives for 2016 – 2019, with the aim of ensuring that the Trust obtains at least ‘Achieving’ status under each of the outcomes.