

Board of Directors' Meeting Report – Agenda item 317/14

Title	Workforce & Patient Equalities Quarterly Report
Sponsoring Director	Director of Human Resources
Author	John McLellan, Diversity Consultant and Keith Warrior, Acting Director of Human Resources
Purpose	To provide the Board with an update on progress
Previously considered at	Trust Board 30 th July 2014 and 27 th August 2014
<p>Executive Summary:</p> <p>Equality, Diversity and Inclusion activities within the Trust are largely overseen by John McLellan (external consultant). The Acting Director of Human Resources is the executive lead for workforce, the Chief Nurse for patients and the Board Champion, Qadir Bakhsh.</p> <p>This report summarises recent activity in relation to equality, diversity and inclusion. In particular the Trust has developed a specific role to provide leadership and coordination and it is intended to fill the post on an internal secondment basis. The Diversity Committee has been re-started and has commenced work in relation EDS 2 (Equality delivery system from NHS England). The Committee has updated its terms of reference and these are appended to this report.</p> <p>Our three staff networks are in the process of being revamped.</p> <p>In addition the Trust has attended three meetings of the NHS Employers' partnership programme, since our election in the spring. Further meetings will hopefully include the network leads and/or the secondee once appointed.</p> <p>Training workshops have been held to support specific groups of staff and in-house training capacity has been enhanced.</p>	
Related Trust Objective	Corporate Objective 1 – Patient Focus – keep getting better. Corporate Objective 2 – Staff – feel proud to work here and keep making a difference.
Related Risk	N/A

Legal implications / regulatory requirements	As a public sector body the Trust has a statutory duty under the Equality Act 2010 to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people with protected characteristics.
Quality impact assessment	The report provides assurance that evidence can be provided to show that we are meeting the public sector equality duty. The Trust strives to demonstrate best practice in all areas of equality for both patients and staff
Equality impact assessment	As far as can be considered this paper has no detrimental impact for the 9 protected characteristics under the Equality Act 2010. The implementation of the Trust's EDS objectives will have a positive impact.
Action required by the Board	
Approve	Assure X Note

Workforce & Patient Equalities Quarterly Report

Equality, Diversity and Inclusion activities within the Trust are currently overseen by John McLellan (external consultant). The Acting Director of Human Resources is the executive lead for workforce, the Chief Nurse for patients and the Board Champion is Qadir Bakhsh.

Arising from the departure of the former Diversity Manager the Trust engaged John McLellan of Walters McLellan Ltd to undertake a strategic review of diversity and inclusion. The Trust has previously accepted the recommendations in his report.

John McLellan has provided advice and support to the Trust in relation to diversity and inclusion whilst an internal secondment role has been developed in order to lead on these matters. This post is due to be advertised in October 2014 and it is planned that support to the seconded employee will include an element of coaching and mentoring from John McLellan, who will also provide an element of consultancy support in the meantime.

Progress has been made in delivery of the action plan that was discussed by the Board of Directors in May 2014 and last updated in July 2014. In particular:

- The Diversity Committee has been re-started with a revised membership and updated terms of reference. It met after a ten month gap, on 23rd July with Sandra LeBlanc's chairing, and again on 29th September with Keith Warrior as Chair.
- The Diversity Committee agreed revised terms of reference at its meeting held on 29th September 2014 and these are at **Appendix 1** to this report.
- The three staff network groups i.e. Lesbian, Gay, Bisexual and Transgender (LGBTB), Black and Ethnic Minority (BME) and Disability are in the process of being revamped. The intention is for them to have a more engaged and participatory role in the Diversity Committee.
- A day of activity organised by the BME Network as part of the celebration of Black History Week was due to take place on 21st October 2014. The Group is re-launching itself as the Ethnic Minority Network, so that it more clearly inclusive of all national and ethnic minorities represented in our diverse workforce.
- The secondment role for leading diversity and inclusion has been developed and is due to be advertised internally in October 2014.
- The Trust has attended three meetings of the NHS Employers' Partnership programme, since our election in the spring. It is intended that the network

leads and/or the diversity and inclusion lead once appointed will attend future meetings.

- Training workshops have been held for specific groups, e.g. Spanish nurses; Theatres; volunteers. A train-the-trainer approach has been used from John McLellan to the Trust's Learning and Development team, to create a more sustainable solution for internal E&D workshops.
- EDS 2 (Equality delivery system from NHS England) is being adopted at the Trust as both a record of achievement/compliance and as a gap-analysis tool. Following the most recent Diversity Committee meeting, the EDS 2 framework will be populated and then be available on the external website – and kept updated (this will be a key activity for the secondment post). On behalf of the Trust John McLellan is attending a briefing about EDS 2 at the Department of Health on 14th October 2014.
- There is a proposed 'race equality standard' for the NHS. This is also being discussed at the Department of Health meeting on 14th October and John McLellan will report back to the Trust.

Appendix 1

Diversity Committee (DC) – Terms of Reference
Draft September 2014

Committee Status	Committee of the Executive Team
Purpose	The DC will ensure the Trust meets its equality and diversity legal obligations. The DC will promote inclusion, equality and the understanding of diversity. This will apply to the role of the Trust as an employer and as a service provider.

Membership	<p>The Committee shall be will be made up of ?:</p> <ol style="list-style-type: none"> 1. Director of HR (co-chair) 2. Director of Nursing (co-chair) 3. Head of HR ops 4. Equality and Diversity secondment role. 5. Staff Side Rep 6. Diversity Groups/Networks Reps – LGBT, BME and Disability. 7. Chaplaincy Representative 8. Learning and development team rep 9. Board of Governors Rep 10. Voluntary Sector Rep (SAVS) 11. Associate Director Operations Rep 12. Senior Clinician Operations Rep 13. Service Reliability and Patient Safety Rep 14. Strategy/Service Improvement Rep 15. Business Development and Marketing & Communications 16. Estates Rep 17. Facilities Rep 18. Head of Patient Experience 19. Others to be added or removed/changed??? <p>Where possible each of the members should have a nominated and named deputy.</p> <p>The committee will review its membership annually to ensure that it best reflects the requirements of implementing the equality agenda.</p> <p>Individuals may be co-opted for specific projects.</p> <p>Representatives of the external and internal agencies will attend from time to time. The chair can invite others to attend.</p>
Frequency of Meetings	<p>The DC will meet bi-monthly, usually for 1.5 hours.</p>
Meeting administration	<p>Papers will normally be circulated seven days in advance.</p> <p>The committee will be serviced by the HR Support Services A secretary will be nominated to prepare agendas, keep minutes and deal with any other matters concerning the administration of the group.</p> <p>The group members will approve the minutes of the previous meeting at the start of each meeting</p>
Required frequency of attendance by members	<p>Members will be expected to attend at least 50% of meetings per annum.</p>
Reporting to	<p>The DC chair will report to the Service Delivery Board. ??</p>

To receive reports from	<p>The DC will receive reports produced internally and by external parties.</p> <p>The committee will receive internal and external reports, for e.g. on the following, as part of an agreed programme of activity:</p> <ul style="list-style-type: none"> • EDS 2 – the main focus for evidence of action and progress – and for identifying gaps in inclusion. • NHS Employers' partnership programme. • HR Reports • National Patient Safety Agency (NPSA) National • Dignity at Work Group • Compliance with CQC • National patient and staff surveys • Equality and Human Right Commission • Health sector national, regional and local partners • Others to be added / deleted??? <p>The subjects on which the committee receives reports should include but not be limited to those listed, and the committee will also be able to call for further information from services and departments</p>
Public admission	Open to the public by invitation
Quorum	The quorum is five members
Duties	<p>There will be a forward programme of activity agreed by the committee. Additionally, any member or regular attendee will be able to suggest items for the agenda. EDS 2 will be the focus for identifying where actions are currently successful (by citing evidence) and where there are gaps in meeting inclusion for different people.</p> <p>Ensure compliance with the general and specific duties of the Equality Act as required by the relevant legislation, namely to:</p> <ul style="list-style-type: none"> • <i>eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;</i> • <i>advance equality of opportunity between people who share a protected characteristic and people who do not share it;</i> <i>and</i> • <i>foster good relations between people who share a protected characteristic and people who do not share it.</i> <p>Monitor the results of the impact assessments to ensure equality and diversity is considered in the development of all policies, services and processes</p>

	<p>Support the creation and development of diversity groups/networks in setting and meeting their objectives.</p> <p>Assess the information available to monitor Trust performance in meeting statutory obligations (e.g. PALS feedback, complaints, patient access information, staff information, incidents of bullying and harassment, staff surveys, incident forms) in relation to diversity</p> <p>Ensure the view, needs and preferences of diverse groups inform the delivery of services across the Trust through influencing and monitoring community engagement activity.</p> <p>Work with the local community and representative groups in order to learn from them and their needs from the services we provide.</p> <p>Raise the profile of equality and diversity across the Trust through supporting good practice and promoting and monitoring equality, diversity and dignity training.</p> <p>The DC shall:</p> <ul style="list-style-type: none"> • Undertake training as required, subject to budgetary approval. • A member of the DC may not disclose a confidential matter covered by the DC unless agreed by the Chair
<p>Monitoring and review</p>	<p>The DC's Terms of Reference will be subject to annual review.</p> <p>The DC will undertake an annual review of its performance, via self-assessment by its members.</p>