

Board of Directors
30 January 2020

Paper title:	Equality, Diversity and Inclusion Report	Agenda item 16
Presented by:	Sandra Knight, Director of Human Resources and Organisational Development	
Prepared by:	Lisa Wright, Head of Equality	

Purpose of the report		
<p>This report provides an update on the Equality, Diversity and Inclusion Workforce Strategy and Action Plan; including the 2020 Gender Pay Gap figures for information. These will be submitted to the government via the following website on 31st March 2020 https://www.gov.uk/guidance/gender-pay-gap-reporting-overview.</p> <p>A detailed report on the Workforce Race Equality Standard and Workforce Disability Standard results and action plans went to the Trust Board in September 2019 and can be viewed here https://www.bdct.nhs.uk/wp-content/uploads/2019/09/Item-9.0-WRES-and-WDES-report.pdf this report focuses on activity and outcomes taken since that report.</p>	For approval	
	For discussion	Y
	For information	Y

Executive summary		
<p>The EDI Workforce Strategy sets out the drivers and action plan for delivering the workforce equality objectives which are a requirement of the Equality Act Public Sector Duties 2010. It aligns with the Trust's People Strategy to support the strategic objective of being the Best Place to Work. The equality objectives include delivery of the Workforce Race Equality Standard (WRES), the Workforce Disability Equality Standard (WDES) and the Gender Pay Gap. Each of these elements has been reported separately to the Board of Directors following the submission of the data in March and September 2019. As a result, this paper focuses on activity since those reports; specifically, the staff engagement undertaken over the last 3 months.</p> <p>The BDCFT Gender Pay Gap has stayed almost static at 7.21%. BDCFT has the 6th lowest GPG figure of benchmarked Foundation Trusts. The Bonus Gender Pay Gap has been reduced from 37% to 16.69% since 2017 due to the positive action undertaken to encourage more females to apply for the Clinical Excellence Awards.</p>		
<p>Do the recommendations in this paper have any impact upon the requirements of the protected groups identified by the Equality Act?</p>	<p>State below 'Yes' or 'No'</p>	<p>The EDI Workforce Strategy aims to make a positive impact on the Race, Disability, Sexual Orientation, Gender and Gender Reassignment protected characteristics; please see action plan for actions. https://www.bdct.nhs.uk/wp-content/uploads/2018/04/Equality-and-Diversity-Workforce-Strategy-2018-2020-Approved.pdf</p>
	<p>Yes</p>	

Recommendation

The Board of Directors is asked to consider the following proposals;

- that reporting of the WRES, WDES, Gender Pay Gap and Workforce EDI Strategy are amalgamated into one annual report with a presentation and discussion at the Board of Directors,
- that the WRES, WDES and Gender Pay Gap submissions are taken to the Workforce and Equality Committee in March and September annually subject to confirmation of Committee dates.
- ongoing monitoring of progress against key actions will be reviewed by the Workforce Transformation Steering Group which reports into the Senior Leadership Team as part of the Accountability process.
- to review and relaunch the Workforce EDI Strategy and launch the new video to cover the Trust's service/care and workforce related Equality Objectives that run 2020 – 2024.
- Note the actions documented in section 2 and consider the proposal in Section 3.

Strategic vision				
Please mark those that apply with an X				

Providing excellent quality services and seamless access	Creating the best place to work	Supporting people to live to their fullest potential	Financial sustainability growth and innovation	Governance and well-led
X	X	X	X	X

Care Quality Commission domains				
Please mark those that apply with an X				

Safe	Effective	Responsive	Caring	Well Led
	X	X		X

Relationship to the Board Assurance Framework (BAF)	The work contained with this report links to the following strategic risk(s) as identified in the BAF: <ul style="list-style-type: none"> • 2296 2.2 if we fail to recruit and retain a skilled workforce • 2299 3.2 if we fail to attract a diverse workforce (action - Staff Networks not all established and aligned to Trust priorities to ensure achievement of our ambitions)
Links to the Corporate Risk Register (CRR)	The work contained with this report links to the following corporate risk(s) as identified in the CRR: <ul style="list-style-type: none"> • 1831 If the Trust fails to recruit, retain and engage a diverse workforce
Compliance and regulatory implications	The following compliance and regulatory implications have been identified as a result of the work outlined in this report: <ul style="list-style-type: none"> • Compliance with the Equality Act 2010 and 2018 Regulations. • WRES and WDES standards. • NHS Equality Delivery System Implementation.

Meeting of the Board of Directors

30 January 2020

Equality, Diversity and Inclusion (EDI) Report

1 Purpose

Public Sector organisations with more than 150 staff are required to publish Equality Objectives every four years to be compliant with the Public-Sector Duties of the Equality Act 2010. The BDCFT Equality Objectives have been developed using the NHS Equality Delivery System Framework (2) (EDS2¹). The EDS2 is the mandated NHS framework for assessing equality performance and priorities and the EDI Workforce Strategy has been developed as the strategic driver for delivering the Trust's workforce related Equality Objectives for 2018 - 2021. The objectives align with the Trust's strategic objective of becoming the Best Place to Work and support key projects to improve retention, Inclusive leadership, involvement and fair processes linked to talent management. Currently the results of the staff survey and workforce data show that staff with protected characteristics receive less favourable treatment than the rest of the workforce. The equality objectives and the strategy hold all the statutory and mandatory equality requirements; Gender Pay Gap², Workforce Race Equality Standard (WRES)³, Workforce Disability Equality Standard⁴. The strategy and action plan can be found on the BDCFT website here <https://www.bdct.nhs.uk/wp-content/uploads/2018/04/Equality-and-Diversity-Workforce-Strategy-2018-2020-Approved.pdf> and in **appendix 1**. **Appendix 1** provides a detailed update on all the actions in the strategy. Key highlights since the WRES and WDES reports in September 2019 are summarised below.

1.1 Gender Pay Gap (GPG) and Bonus Gender Pay Gap (BGPG)

The GPG is 7.21%; that is a reduction of 0.49% from the gap reported in 2019, this is the 6th lowest when benchmarked with all Foundation Trusts. The highest GPG is 41% and lowest is 3%.

The BGPG is calculated from Clinical Excellence Awards (CEA) within the Trust. A CEA is available to consultants who have at least one year's service to apply for annually and can demonstrate that they have made a difference above and beyond their role to research and deliver innovative ways of working or developing the service. The BGPG is 16.69% a reduction of 20.39% since 2018. Work was successfully carried out to reduce the BGPG by encouraging applications for the award from female consultants and reviewing the criteria for evidencing meeting the award requirements, although in the most recent round there were no female applicants which will impact next year's figures. The Medical Director is reviewing the factors impacting this position and what can be done to address this under-representation. A breakdown of the results over the last three years is included in **appendix 2**. Further analysis has been undertaken and a full report will be taken to the Workforce and Equality Committee.

Workforce Disability Equality Standard

A focus group was held with staff who have disabilities and long-term health conditions in December 2019 to share the WDES results, discuss their lived experiences within the Trust and priorities that are set out in the strategy. This was the first focus group for this protected characteristic for some time advertised via the IT screensavers. Six staff attended and in-depth discussions were enabled. Key themes that emerged from the discussion were: continuity of

¹ <https://www.england.nhs.uk/about/equality/equality-hub/eds/>

² <https://gender-pay-gap.service.gov.uk/public/assets/pdf/gender-pay-gap-explained.pdf>

³ <https://www.england.nhs.uk/about/equality/equality-hub/equality-standard/>

⁴ <https://www.england.nhs.uk/2016/09/wdes/>

reasonable adjustments across the Trust; including in attendance management processes, staffs' perception that their disability is their problem, impact on career progression, feeling isolated and excluded and concern over disclosing health information to managers and the impact it will have on the relationship. The full report is drafted and being signed off by the group participants to be shared at the Equality Strategic Reference group in February.

1.2 Workforce Race Equality Standard

The Race Equality Group Reciprocal Mentoring session was held in December 2019 involving 31 BAME staff and Board members. The session invited honest and open conversations to take place about the lived experience of BAME staff and the WRES data with a view to prioritising issues and taking action via the participants making personal pledges. A full report of the session is included in **appendix 3**. The BAME staff network held a Black History Month event in October where the WRES results were shared and discussed and an annual general meeting is taking place on 23rd January to plan their strategic objectives for 2020.

1.3 Sexual Orientation

The Rainbow Badge Scheme was launched in October 2019 and is being driven by the LGBT+ Staff Network and Head of Equality. 200 staff have now been trained and taken a personal pledge for LGBT+ equality. This is a Place project with a steering group and codesigned materials developed by BDCFT, BTHFT, Airedale HFT and the CCGs. A piece of research has been commissioned to measure the impact of the scheme funded by the CCG. A baseline will be measured by survey and focus groups of LGBT+ service users experiences of accessing our services and then reviewed in 18 months. The initial baseline will be reported as part of the 6 monthly Quality and Safety Committee Equality report.

2 Focus for next six months –

The focus for the next six months will be on: -

- Group Reciprocal Mentoring Session – Disability Focus to increase awareness and understanding of the issues facing Disabled staff – **April 2020**
- Include the updated WRES and WDES data in the recruitment and selection training along with key messages about bias and its impact to increase the likelihood of BAME and Disabled staff being appointed after shortlisting- **May 2020**
- Review the disciplinary and grievance data alongside the data collected from Bullying and Harassment Support Officers to identify themes and trends and to look at the impact that the work carried out in 2018 and 2019 to address the data has had – **February 2020**.
- Establish a system for monitoring diversity of participants on the LDMP and leadership opportunities within the Trust -**May 2020**.
- Review of Reasonable Adjustment processes following on from disabled staff focus group feedback to increase continuity of policy implementation – **September 2020**.
- Review of capability cases to highlight any actions that need to be taken to address the findings – **April 2020**.
- Publish the Gender Pay Gap and Bonus Gender Pay Gap with further analysis paper to be taken to the Workforce and Equality Committee to meet the statutory requirements – **First full meeting of the Committee**
- Relaunch of the EDI strategy and Video Campaign – **December 2020**
- Launch of 2020 – 2024 Equality Objectives – **April 2020**

3 Proposals to refine reporting arrangements.

It is proposed to review the current reporting arrangements. Currently there is repetition with the Race equality, Disability equality, Gender Pay Gap and Workforce EDI Strategy reporting process. In light of this it proposed to: -

- *consolidate these into one paper with an accompanying presentation and discussion annually at the Trust Board in January.*
- *Submissions for the WRES, WDES and Gender Pay Gap to go to the Workforce and Equality Committee for sign off in March and August in time for publication within the requirement deadlines subject to confirmation of Committee meeting dates.*

In addition to the EDI Workforce Strategy and requirements the Trust has a set of equality objectives that relate to services and care. Progress against those is currently reviewed at the Quality and Safety Committee every six months. In April 2020 a new set of Equality Objectives will be launched; these are shared across the Bradford and Airedale place. As there is a direct correlation between workforce equality and quality of care it is proposed that when the EDI Workforce Strategy is reviewed in Autumn 2020 it is launched as an Equality, Diversity and Inclusion Strategy covering all the Equality Objectives for care and workforce together.

4. Risk and Implications

This work supports compliance with the Equality Act 2010. The CQC Equally Outstanding Guide makes the correlation between equality being a top embedded priority and outstanding care. The diversity of Bradford requires equality, diversity and inclusion to be everyone's business. The cost benefits of meeting the needs of service users in a culturally sensitive way are high whether it is as a result of reducing hospital admissions, reducing DNAs or improving prevention rates and self-care. The risks of getting it wrong from a workforce perspective are a dissatisfied workforce with high turnover rates, absence levels, hard to fill roles and missed opportunities for creating better solutions for service users and the workforce in meeting our strategic objectives.

Currently the work to co-ordinate and manage delivery of the EDI Strategy, is led by a part time postholder. The staff network objectives are being designed to strategically align with the EDI Strategy and the 2020 -2024 Equality Objectives. Capacity is an issue and where possible small task groups have been set up to deliver elements of the work for example the Reasonable Adjustment Review that involve key staff from across the organisation. To make good use of resources where feasible, projects are delivered across the health partnership via the EDS Steering Group which involves BTHFT, Airedale Hospital FT, the CCGs and BDCFT. The next step must be to ensure that delivery of the equality objectives is owned and embedded in each care group and corporate function with responsibilities and accountabilities clearly identified and embedded in reporting arrangements. This will be supported by the developing processes in SLT and its subgroups and within the quality improvement work, emerging performance dashboards at every level and communication cells. The Equality, Diversity and Inclusion work remains a key area of focus for the coming year and it will be important to ensure prioritisation of the areas of work and how they support being the best place to work and development of services sensitive to the needs of our diverse population.

5. Reporting of Impact/Results

The results of the work to deliver the EDI Workforce Strategy are reported across the Trust to Care Group Quality and Safety Groups, the EDI Strategic Reference Group, the Quality and Safety Committee and The Trust Board currently. In addition, the headline data is shared as part of training on the Leadership and Management Development Programme and in staff events and focus groups. An equality report is submitted to commissioners annually and progress is reported to the EDS Steering Group which involves place partners every month.

The next reports are due to QSC in March 2020, to the Workforce and Equality Committee in August 2020 and to the Board of Directors in January 2021 subject to confirmation of the new Workforce and Equality Committee dates.

Sandra Knight

Lisa Wright

January 2020