Ashford and St. Peter's Hospitals NHS
NHS Foundation Trust

Trust Board
16th December 2010

TITLE	**Equality & Diversity:** **Annual Report 2010 and Proposed Action Plan 2011**
EXECUTIVE SUMMARY	The purpose of this report is to provide assurance of the Trust's impact and effectiveness in terms of implementing the Single Equality Scheme and ensuring compliance with the legislative framework and relevant Care Quality Commission outcome standards.
BOARD ASSURANCE (Risk) / IMPLICATIONS	The Single Equality Scheme and ongoing work provides assurance that there is a framework for Ashford & St Peter's Hospitals NHS Foundation Trust to work within. BAF Risk 2.8
STAKEHOLDER / PATIENT IMPACT AND VIEWS	The Equality and Diversity Steering Group provides a forum for the diversity champions and patient representative to be involved in the development of action plans and policies
EQUALITY AND DIVERSITY ISSUES	The Single Equality Scheme is central to the Trust meeting its requirements under Equality legislation
LEGAL ISSUES	To meet the legal requirements of The Equality Act (2010)
The Trust Board is asked to:	Approve this paper
Submitted by:	Geeta Negroni and Jeremy Over on behalf of Raj Bhamber, Director of Workforce & OD
Date:	3 December 2010
Decision:	For Approving

Ashford and St. Peter's Hospitals NHS
NHS Foundation Trust

EQUALITY & DIVERSITY:
Annual Report 2010 & Proposed Action Plan 2011

Introduction

The purpose of this report is to provide assurance to the Board of the Trust's impact and effectiveness in terms of implementing the Single Equality Scheme and ensuring compliance with the legislative framework and relevant Care Quality Commission outcome standards.

Furthermore, the report includes a proposed action plan for 2011, building on the success and learning of the first year of the Single Equality Scheme. The Board is asked to consider and approve this action plan.

Ashford & St Peters' Single Equality Scheme (SES) and action plan were approved by the Board in December 2009 and implemented in January 2010. It is a three-year scheme with an in-built commitment to review and update it on an annual basis. Implementation of the SES is led by the Equality & Diversity Steering Group on behalf of Trust Executive Committee.

The SES provided a strong focus to the work of the Equality & Diversity Steering Group throughout 2010. The group, chaired by the Chief Executive, is well established with a full complement of staff champions for the six diversity strands. Steering Group meetings have been well attended.

Action Plan 2010: report (appendix 1)

Appendix 1 provides commentary and analysis regarding the various achievements during 2010, set against the original Single Equality Scheme action plan approved by the Board in December 2009.

Objectives/Forward Plan for 2011 (appendix 2)

The Equality & Diversity Steering Group has updated the Single Equality Scheme and proposes an action plan for delivery during 2011. The Board are asked to consider and approve the updated action plan.

Membership and Attendance (appendix 3)

A table of membership and record of meetings and attendance is attached as appendix 3.

Terms of Reference (appendix 4)

The Equality & Diversity Steering Group's current terms of reference are attached as appendix 2. These were last reviewed in September 2010.

Report compiled by:
Jeremy Over, Deputy Director of Workforce
Geeta Negroni, Programme Manager
Date: November 2010

Appendix 1: Key achievements / progress on objectives: 2010

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
Key Work Theme 1: Leadership and Governance										
Establish robust leadership and governance arrangements for equality and diversity	Produce a 3-year SES and clear priorities for 2010 **(achieved)** Establish a representative Equality & Diversity Steering Group with corporate leadership and champions for each of the six strands **(achieved)** Provide quarterly reports to Trust Executive Committee **(achieved)** Publish an annual Board Report **(achieved)**	Director of Workforce & OD	- The group has recruited champions and deputy champions for the six strands. We have also linked with external organisations (eg. Stonewall, local disability organisations, religious leaders) to enable benchmarking, inform the SES and facilitate the successful delivery of the Action Plan - Learning Disabilities & Disability Action Groups have been merged into the 'Disability Access Group', with a formal reporting line to EDSG. Includes employee and patient representation for each strand of disability and will provide more robust and formal governance arrangements	Nov 2009 June 2009 June 2009 Nov 2010	✓	✓	✓	✓	✓	✓

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
Key Work Theme 2: Finance & Procurement										
Ensure the SES and priorities are adequately resourced	Programme to identify budget and manpower to achieve action plan **(achieved)**	Programme Manager	- Budget for individual projects has been identified and supported	Dec 2009 and annually thereafter	✓	✓	✓	✓	✓	✓
Ensure the procurement policy and practice meets the Trust's responsibilities with respect to Equality & Diversity	Review procurement policy & guidance in line with good practice published by the NHS Purchasing & Supply Agency **(achieved)**	Head of Procurement	- Completed. To be followed-up at next policy review date	March 2010	✓	✓	✓	✓	✓	✓
Differences in pay between genders continue to decrease or have been eliminated	Carry out equal pay review during lifetime of scheme and act on results **(achieved)**	Deputy Director of Workforce	- Review carried out in October 2010 (gender by AFC pay band). The results showed no cause for concern. The proposal is for an audit to be carried out next year to cover a broader spectrum of staff and statistical analysis	March 2010			✓			
Key Work Theme 3: Equality impact assessments										
Equality considerations are fully embedded in the development, delivery and	Carry out EqIAs in accordance ensuring they are of a high quality, support and training is provided to staff and the assessments are made publicly	Deputy Director of Workforce	- Completion and assessment of EqIA's has been supported during the year. Assessments are	3 year plan to run until Sept 2012	✓	✓	✓	✓	✓	✓

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
evaluation of our policies, procedures, services and functions by carrying out EqIA's effectively	available **(achieved)**		published with individual policies and are therefore publicly available. - E&D Programme Manager and Quality dept provide advice and training in completion of EqIA's							
Key Work Theme 4: Accessibility										
Improve the accessibility of information, employment and services for all groups	Audit of publishing material will met with Royal National Institute for the Blind (RNIB) Guidelines **(achieved)**	Head of Comms	- Completed. Ongoing review in 2011	April 2010		✓				
	Audit of ongoing compliance with level 1 of the Web Content Accessibility Guidelines (WCAG) **(achieved)**	Web team	- Completed. Ongoing review in 2011	April 2010						
	Continue to meet the criteria for the ✓✓ scheme **(achieved)**	Recruitment Manager	- 2 ticks charter mark retained	June 2010						
	Ascertain requirements for RNID charter status and aim to achieve **(achieved)**	Disability Access Group	- The Trust has undergone an assessment for the RNID Charter mark (Oct 2010); outcome awaited - Disability Action	June 2010						

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
			Group recently commended by Runnymede Access Liaison Group for its efforts on behalf of disabled patients, visitors and staff							
	Complete physical works to wards & facilitate cultural change **(achieved)**	Deputy Chief Executive	- The Trust has successfully implemented Single Sex Accommodation as per the DoH directive	April 2010 (DH penalties thereafter)			✓			
Access audit of Trust premises to be carried out.	Runnymede Disability Access Liaison Group to carry out audit of sites **(pending: Nov 2011 deadline)**	Director of Estates & Facilities	- The audit of both hospital sites is approx. 50% complete and on-track for completion in 2011. Will inform future changes to site and accessibility improvements for patients, staff & visitors - Hearing aid loops now available at most reception points – staff awareness training completed	November 2011		✓				
Key Work Theme 5: Building capacity and capabilities										
Increase awareness of equality and diversity in the	Mandatory equality & diversity training as per training plan **(achieved; ongoing)**	Learning and Development Manager	- In-house E&D awareness programme designed and delivered (cascade model). As at	March 2010	✓	✓	✓	✓	✓	✓

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
workforce			December 2010, 112 trainers have been enabled to cascade the training. Over 1000 staff participated thus far. Flexibility in delivery of the session permits trainers to draw upon local staff survey results and open up discussions regarding staff's prejudices and behaviours towards others - Staff Champions have hosted bi-monthly awareness events - Local BME Network membership has doubled during 2010							
Areas of under-representation are identified and addressed	Produce quarterly workforce report broken down by 6 strands for EDSG **(achieved)** Develop positive action plans to address under representation **(achieved)**	Deputy Director of Workforce	- Quarterly workforce reports produced and reviewed by EDSG. Various efforts have been made to reduce 'gap' held re. staff's diversity data (disability, religion/belief, sexual orientation), although only limited success	March 2010 & onwards	✓	✓	✓	✓	✓	✓

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
			made. Further work in 2011. - Evidence from the workforce report and the BME Network's Race Equality Service Report has supported the launch of a leadership development programme for visible BME staff in bands 5 & 6 to facilitate career progression (launched by Trust Chairman at BME Network AGM on 03 December)							
Key Work Theme 6: Publication of monitoring, assessments and consultation										
We publicly demonstrate our commitment to embedding E&D throughout the organisation	Publish progress against the scheme and action plan **(achieved)** Publish monitoring data as required by legislation **(achieved)**	Workforce & OD Director	- Equality & Diversity reports presented to TEC and Trust Board quarterly and annually are published on TrustNet and website - Engagement with BME Network strengthened, including receipt of updated race equality service report and agreement of	November 2010 and annually thereafter	✓	✓	✓	✓	✓	✓

Objective	Action	Lead	Commentary	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
			action plan - Trust participated in SHA-commissioned qualitative analysis of compliance with equality duties. Action plan implemented to address identified areas for improvement - Patient data collection improved for ethnicity (exceeded CQC target level); similar initiative launched to underpin collection of patients' religious belief data - TrustNet and website content reviewed. Dedicated E&D page with branding established under the mantra 'people work best when they can be themselves'							

Appendix 2: Draft Single Equality Scheme Action: 2011

Objective	Action	Lead	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
Key Work Theme 1: Leadership and Governance									
Establish robust leadership and governance arrangements for equality and diversity	Publish an updated SES, including clear priorities for 2011 Equality & Diversity Steering Group with corporate leadership and champions for each of the six strands Re-launch the Disability Action Group as a sub-group of EDSG (incorporating learning disabilities) with quarterly reports to EDSG Provide quarterly reports to Trust Executive Committee Publish an annual Board Report	Director of Workforce & OD Chief Executive Disability Champions Programme Manager Programme Manager	Dec 2010 Ongoing Jan 2011 & quarterly Mar-Dec 2011 Dec 2011	✓	✓	✓	✓	✓	✓
Key Work Theme 2: Equality Act 2010 and Care Quality Commission essential standards									
Implementation of the Equality Act 2010	Monitor the implementation of the new Public Sector Equality Duty and produce an action plan for local implementation	Deputy Director of Workforce	Mar 2011	✓	✓	✓	✓	✓	✓
Support and provide assurance of compliance with equality & diversity elements of	Continue to improve records of patients' demographic data to ensure individual needs can be anticipated	Patient Access Manager	July 2011	✓	✓				✓

Objective	Action	Lead	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
CQC essential standards	Quarterly reports to EDSG re. CQC outcome standard compliance	Deputy Chief Nurse	Quarterly						
Key Work Theme 3: Finance									
Ensure the SES and priorities are adequately resourced	Programme to identify budget and manpower to achieve action plan	Programme Manager	Dec 2009 and annually thereafter	✓	✓	✓	✓	✓	✓
Differences in pay between genders continue to decrease or have been eliminated	Carry out follow-up, enhanced equal pay review and act on results	Deputy Director of Workforce	Sept 2011			✓			
Key Work Theme 4: Equality impact assessments									
Equality considerations are fully embedded in the development, delivery and evaluation of our policies, procedures, services and functions by carrying out EqIA's effectively	Carry out EqIAs in accordance ensuring they are of a high quality, support and training is provided to staff and the assessments are made publicly available.	Deputy Director of Workforce & OD	3 year plan to run until Sept 2012	✓	✓	✓	✓	✓	✓
Key Work Theme 5: Accessibility									
Improve the accessibility of information, employment and services for all groups	Audit of publishing material to assure compliance with Royal National Institute for the Blind (RNIB) Guidelines Audit of ongoing compliance with	Head of Communications Web team	June 2011 June 2011		✓				

Objective	Action	Lead	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
	level 1 of the Web Content Accessibility Guidelines (WCAG) Continue to meet the criteria for the ✓✓ scheme	 Recruitment Manager	 June 2011						
Access audit of Trust premises to be carried out.	Runnymede Disability Access Liaison Group to carry out audit of sites	Director of Estates & Facilities	November 2011		✓				
Key Work Theme 6: Building capacity and capabilities									
Increase awareness of equality and diversity in the workforce	Ongoing implementation of Level 1 awareness mandatory training for all staff Design and deliver specific E&D skills programme for line managers (level 2)	Programme Manager Learning and Development Manager	Ongoing July 2011	✓	✓	✓	✓	✓	✓
Areas of under-representation are identified and addressed	Deliver leadership development programme for bands 5 & 6 BME staff	Ethnicity Champion	Jan – Dec 2011	✓					
	Develop enhanced quarterly workforce report, broken down by 6 strands. EDSG to identify positive action plans to address under representation and/or potential discrimination issues	Deputy Director of Workforce	Feb 2011 & quarterly	✓	✓	✓	✓	✓	✓

Objective	Action	Lead	Timescale	Race	Disability	Gender	Age	Sexual Orientation	Religion/Belief
Key Work Theme 7: Publication of monitoring, assessments and consultation									
We publicly demonstrate our commitment to embedding E&D throughout the organisation	Publish progress against the scheme and action plan	Workforce & OD Director	November 2010 and annually thereafter	✓	✓	✓	✓	✓	✓

Appendix 3: Meetings, Membership and Attendance

The membership and number of attendances during the year are as follows:

Meetings held:
9th March 2010
15th June 2010
10th September 2010
11th November 2010

Title/role	No. of attendances	Comments
1. Chief Executive (Chair)	4	
2. Director of Workforce & Organisational Development	3	
3. Chief Nurse	2	
4. Deputy Chief Operating Officer (Equality Lead – Service)	4	
5. Deputy Director of Workforce & OD (Equality Lead – Employment)	4	
6. Head of Corporate Affairs	3	
7. Head of Learning & Development	4	
8. Gender Champion	1	Was a vacancy; now filled
9. Ethnicity Champion	4	
10. Age Champion	2	Was a vacancy; now filled
11. Sexual Orientation Champion	4	
12. Disability Champion	4	
13. Religion Champion	3	
14. Staff Representative	4	
15. Programme Manager (Secretary)	3	
16. Information Consultant	4	
17. Patient Representative	1	

Appendix 4

TERMS OF REFERENCE

EQUALITY & DIVERSITY STEERING GROUP

Constitution
The Trust Executive Committee hereby resolves to establish a sub-Committee to be known as the Equality and Diversity Steering Group.

Authority
The Group is authorised by the committee to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed to co-operate with any request made by the Group.

Membership

1 Chief Executive (Chair)
2 Director of Workforce and Organisational Development
3 Chief Nurse
4 Equality Lead – Service Deputy Chief Operating Officer
5 Equality Lead –Employment Deputy Director of Workforce & OD
6 Head of Corporate Affairs
7 Head of Learning & Development

Leads for each Key Strand:
8 Gender
9 Ethnicity
10 Age
11 Sexual Orientation
12 Disability
13 Religion
14 Learning Disabilities

15 Recognised Staff Representative
16 Programme Manager (Secretary)
17 Information Consultant
18 Patient Representative

Attendance
Attendance at meetings is essential. In exceptional circumstances when a member cannot attend they must arrange for a fully briefed deputy of sufficient seniority to attend on their behalf. Members will be required to attend as a minimum, 50% of the meetings per calendar year.

Quorum
In order to be quorate there must be 6 members of the group present.
Frequency and Conduct
The Group will meet quarterly. Items for the agenda should be submitted to the Secretary a

minimum of one week prior to the meeting.

Membership and terms of reference will only be changed with the approval of the Committee and will be reviewed and agreed annually.

Duties

- To provide assurance and support in respect of compliance with Equality Legislation, and equality & diversity elements of Care Quality Commission essential outcome standards:
  - Outcome 1: Respecting and involving service users (regulation 17) – providers recognise the diversity, values and human rights of people who use services
  - Outcome 4: Care and welfare of people who use services (regulation 9) – plan the delivery of care in order to avoid unlawful discrimination including, where applicable, by providing for the making of reasonable adjustments in service provision to meet individual needs
  - Outcome 5: Meeting Nutritional Needs (regulation 14)
  - Outcome 7: Safeguarding people who use services from abuse (regulation 11) – people who use services are protected from abuse, or the risk of abuse, and their human rights are respected and upheld.

- To ensure that the Trust's functions and policies have been identified and assessed in priority order with a timescale for action. To ensure that assessments are carried out every three years and that staff representatives and services users are involved in the process.
- To ensure that the full range of service users is identified and that they are aware of the Trusts involvement and consultation plans and how they can take part.
- To ensure that equality monitoring in relation to service delivery and employment is in place and the data is analysed and published.
- To monitor employee relations activity relating to bullying, harassment, disciplinary, capability and grievance matters.
- To plan and implement actions required to meet the equality standards in the Department of Health's Model Employer.
- To ensure appropriate links are made with the Quality, Clinical Governance and the Performance framework to make sure we provide equitable services for patients.

Key Responsibilities

- To oversee the management of the single Integrated Equality Scheme and Action plan, to review progress and report to the Trust Executive Committee on a quarterly basis
- To ensure that objectives and targets relating to equality are integrated into the Trust's strategic and operational plans.
- To ensure appropriate training, guidance and support is in place across the Trust to implement the Single Integrated Equality Scheme.
- To ensure that the Trust is prepared for external assessment in relation to the Single Integrated Equality Scheme and to be accountable to the Board for its implementation.

Reporting Lines

The group will report to the Trust Executive Committee.

Monitoring

The Secretary of the group will produce a quarterly report for the Trust Executive Committee and an annual report for the Trust Board.