



<b>Title</b>	Equality and Diversity in South Tyneside Foundation Trust			
<b>Meeting</b>	Board of Directors			
<b>Date</b>	1 December 2015			
<b>Executive Summary</b>				
<p>A considerable amount of work has been undertaken over recent years to progress the Trust's responsibilities under the Equality Act 2010, and perhaps more significantly to progress the Trust's aim of being recognised as an organisation that believes in access for all, in terms of employment and service provision.</p> <p>It is some time since Board members have received any written feedback or documentation about progress in this area, so this Report provides an update position, which will be particularly helpful for new members.</p> <p>The author is aware that, despite the work being undertaken in the background, there is a need to raise the profile of this important aspect of the Trust's agenda, so this Report also is an attempt to re-energise these issues at Board level.</p> <p>The Report reminds members of our legal responsibilities and roles, our strategy to meet those responsibilities and to further enhance our commitment to the principles of equality, diversity and human rights. The most up to date assessment of progress against the Equality Delivery System and Strategy objectives is also provided.</p> <p>Finally, the Report outlines the next steps to be taken, the time-line and the key milestones.</p> <p><i>The Policy was considered at the Executive Board Meeting held on 19 October 2015 and is recommended to the Board of Directors for approval.</i></p>				
<b>Recommendation</b>				
The Board is recommended to read and discuss the Report, and support the next steps highlighted in section 5.				
<b>Report Author</b>	Ian H Frame			
<b>Executive Director/ Sponsor</b>	I H Frame			
<b>Purpose of paper</b>	<b>Information</b>	√	<b>Discussion</b>	√
	<b>Decision</b>	√	<b>Assurance</b>	√
	<b>Specific action</b>			
<b>Implications</b>	<b>Staffing</b>			√
	<b>Finance</b>			√
	<b>Legal</b>			√

Enc item no

	<b>Public engagement</b>	
	<b>Partnership</b>	
	<b>Communication</b>	√
	<b>Equality &amp; Diversity</b>	√
	<b>Clinical</b>	√
<b>Risk assessment and mitigation (include risk register reference if appropriate)</b>		
<b>Link to STFT Business Plan</b>		
<b>Link to CQC outcome</b>		12, 13, 14
<b>Link to Board Assurance Framework</b>		8.1, 8.2, 8.4
<b>Link to Strategic Risk Register</b>		



## **EQUALITY AND DIVERSITY IN SOUTH TYNESIDE FOUNDATION TRUST**

### **1. Introduction**

- 1.1. This Report advises Board members of the structures, aims and objectives in place to assist the Trust to ensure that equality, diversity and human rights are embedded into all our functions and activities within the organisation.
- 1.2. All documents referred to in this Report can be viewed on the Trust's intranet and some of them on the internet. However for convenience, they are attached.
- 1.3. This Report provides progress against the Equality Strategy 2012 – 2016, current activities and next steps.

### **2. The Equality Delivery System**

#### **2.2. The Equality Act 2010**

The Public Sector Equality duty was created by the Equality Act 2010 and replaces the race, disability and gender equality duties. The duty came into force in April 2011 and covers nine protected characteristics which are:

- Age
- Disability
- Sex
- Race including nationality & ethnicity
- Religion or belief
- Marriage & Civil Partnership
- Sexual Orientation
- Gender re-assignment
- Pregnancy and maternity

In undertaking our functions and activities we must have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.

- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

We have recently published equality and diversity information in order to comply with The Equality Act 2010, we need to demonstrate through the information that we are complying with the need to eliminate harassment, advance equal opportunities and foster good relations between different groups.

## **2.2. The Equality Delivery System (EDS) and EDS2**

The Equality Delivery System (EDS) was re-launched as EDS2 in November 2013 and is a tool to help assess how well embedded equality, diversity and human rights are within the Trust's systems and processes. It helps us to understand better how we meet the needs of different people.

EDS2 is there to enable the NHS to introduce a systematic framework relating to equality, diversity and human rights. It tries to capture the essence and spirit of both the Equality Act and the Health and Social Care Bill by focussing less on process and more on outcomes. It is also designed to help deliver on the NHS Outcomes Framework and the NHS Constitution, as well as supporting the organisation to continue to meet CQCs 'Essential Standards of Quality & Safety' and Public Sector Equality Duty.

The framework is dependant upon good engagement with both staff and patients and their active involvement in the rating and grading of the Trust.

At the heart of the EDS2 is a set of 18 outcomes grouped into four goals:

- Better health outcomes
- Improved patient access and experience
- A representative and supported workforce
- Inclusive leadership

The outcomes focus on the issues of most concern to patients, carers, communities, NHS Staff and Trust Boards. It is against these outcomes that our performance is analysed, graded and action is determined.

2.3. For each EDS outcome, there are four grades to choose from:

- Excelling (for all protected groups) – **Purple**
- Achieving (for most protected groups) – **Green**
- Developing (for some protected groups) – **Amber**
- Undeveloped (for none of the protected groups) – **Red**



The grades are intended to help us clearly identify equality progress and challenges and embed equality into mainstream business.

The results from the most up to date EDS2 grading meeting (with key Trust representatives) are at the table in Appendix 1 which is a summary of the Trust performance against the 18 outcomes.

In assessing the grades for STFT we have looked at a wide range of information for e.g. annual report, joint strategic needs assessment (JSNA), board performance reports, patient surveys, patient stories, staff surveys, board workforce reports, personnel policies, workforce information.

### 3. The Equality Strategy 2012 – 2016

3.1. The Equality Strategy provided at Appendix 2, was developed in conjunction with a wide number of staff and external shareholders, and provides members with a very comprehensive set of information about the Trust's approach to Equality and Diversity since 2012. Members should note in particular, progress against the five agreed Equality objectives. (Can also be read in conjunction with Appendix 1 outcomes).

3.2

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|--------------------|--|
| <b>Objective 1</b> | Improving care to elderly patients with complex needs in the community   |
| <b>Objective 2</b> | Improving care to first time mothers under the age of 18 years   |
| <b>Objective 3</b> | Improving the patient experience of adults with learning disabilities when requiring admission to hospital in South Tyneside |

These objectives had target dates of April 2014. The Executive Director Nursing and Patient Safety is accountable for these objectives, but it is noted that the current post-holder was not in the post when these were set, therefore may not be fully sighted on them. However, it can be confirmed that all of the actions were taken within the timescale, and measures of success were assessed as being amber, i.e. developing, but not yet evidence of being fully achieved.

3.3

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|--------------------|--|
| <b>Objective 4</b> | Zero tolerance to bullying and harassment in the workplace   |
| <b>Objective 5</b> | Distributed leadership accountability for equality, diversity and human rights within South Tyneside Foundation Trust. |

These objectives have target dates of April 2016. The Executive Director of Personnel and Development is accountable for these

objectives. Again, the EDS assessment shows that progress is being made against each of these objectives, but have not achieved “green” status as yet.

Both of these outstanding objectives are highlighted in the Trust’s Annual Report 14/15, looking forward to 15/16.

#### **4. The Equality, Diversity and Human Rights Policy**

This Policy is attached at Appendix 3 and underpins all of the work featured in the Strategy and the EDS Assessment Plan. This Policy is not due to be reviewed until April 2017.

#### **5. Next Steps**

5.1. It has been agreed to reconvene and reconstitute the Trust’s Equality and Diversity Steering Group. The Executive Director of Personnel & Development will chair the Group, but the Executive Director of Nursing and Patient Safety will also be a member, reflecting that the action covers both employment issues and patient service issues. Pat Harle is the Non-Executive Director Lead for this area and will be Vice-Chair. The Group will be supported by the Head of Personnel and Divisional Personnel Manager.

- Recommence before end of December 2015

5.2. The key milestones for this Group will be:-

- Second assessment of EDS Outcomes and Strategy Objectives (May 2016)
- Review and re-issue of Equality Strategy via Board of Directors (August 2016)
- Policy reviewed and agreed (April 2017)

5.3. In addition to these high level actions and objectives, the Chair, Vice-Chair of this Group, together with the Head of Personnel are keen to see some more “simple” highly visible actions and outcomes, that show obvious commitment and progress to Equality and Diversity.  
(Jan – July 2016)

5.4. The Fairness at Work HR Matrix Group, will be re-energised by the Head of Personnel, enabling the Equality and Diversity Steering Group to be made aware of any “sore thumbs” in terms of employment issues, specifically recruitment and learning and development.

Ian H Frame  
Executive Director of Personnel & Development  
13<sup>th</sup> October 2015