

Workforce & Equality Committee Meeting

20.07.23

Paper title:	NHS Workforce Disability Equality Standard Update	
Presented by:	Lisa Wright Head of Equality	
Prepared by:	Lisa Wright Head of Equality	
Committees where content has been discussed previously	SLT 14.06.23 Strategic Staff Equality, Diversity and Inclusion Partnership 04.07.23	
Purpose of the paper Please check ONE box only:	<input checked="" type="checkbox"/> For approval <input type="checkbox"/> For information <input type="checkbox"/> For discussion	
Link to Trust Strategic Vision Please check ALL that apply	<input type="checkbox"/> Providing excellent quality services and seamless access <input checked="" type="checkbox"/> Creating the best place to work <input checked="" type="checkbox"/> Supporting people to live to their fullest potential <input checked="" type="checkbox"/> Financial sustainability, growth and innovation <input checked="" type="checkbox"/> Governance and well-led	
Care Quality Commission domains Please check ALL that apply	<input checked="" type="checkbox"/> Safe <input checked="" type="checkbox"/> Caring <input checked="" type="checkbox"/> Effective <input checked="" type="checkbox"/> Well-Led <input checked="" type="checkbox"/> Responsive	

Purpose of the report
This report provides the 2023 NHS Workforce Disability Equality Standard data for discussion and the relating action plan for approval.

Executive Summary	
The Trusts metric performance has improved for four of the thirteen metrics and dropped for nine. For two of these nine metrics the drop is not statistically significant. Disabled staff are more likely to be bullied or harassed than non-disabled staff, they are more likely to feel pressure to attend work when they are unwell and less likely to feel that their work is valued. The Disability Policy launched in 2022 aims to narrow the gap in disabled and non-disabled staffs experience of working in the Trust so that BDCFT is the Best Place to Work for all.	
Do the recommendations in this paper have any impact upon the requirements	<input checked="" type="checkbox"/> Yes (please set out in your paper what action has been taken to address this)

of the protected groups identified by the Equality Act?	<input type="checkbox"/> No
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Recommendation(s)
<p>The Workforce & Equality Committee is asked to:</p> <ul style="list-style-type: none"> • Note the data submitted to NHS England in May 2023. • Support and approve the action plan for publication on the BDCFT website.

Relationship to the Board Assurance Framework (BAF)	
<p>The work contained with this report links to the following strategic risks as identified in the BAF:</p> <ul style="list-style-type: none"> <input type="checkbox"/> SO1: Engaging with our patients, service users and wider community to ensure they are equal partners in care delivery (QSC) <input checked="" type="checkbox"/> SO2: Prioritising our people, ensuring they have the tools, skills and right environment to be effective leaders with a culture that is open, compassionate, improvement-focused and inclusive culture (WEC) <input checked="" type="checkbox"/> SO3: Maximising the potential of services to delivery outstanding care to our communities (QSC) <input checked="" type="checkbox"/> SO4: Collaborating to drive innovation and transformation, enabling us to deliver against local and national ambitions (Board) <input type="checkbox"/> SO5: To make effective use of our resources to ensure services are environmentally and financially sustainable and resilient (FBIC) <input type="checkbox"/> SO6: To make progress in implementing our digital strategy to support our ambition to become a digital leader in the NHS (FBIC) 	
Links to the Strategic Organisational Risk register (SORR)	<p>The work contained with this report links to the following corporate risks as identified in the SORR:</p>
Compliance & regulatory implications	<p>The following compliance and regulatory implications have been identified as a result of the work outlined in this report:</p> <ul style="list-style-type: none"> • Equality Act 2010 • NHS Equality Delivery System 2022 • NHS Workforce Disability Equality Standard • NHS Workforce Race Equality Standard

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NHS Workforce Disability Equality Standard Update

1 Purpose

The Workforce Disability Equality Standard (WDES) is part of the NHS Standard Contract and supports NHS organisations to be compliant with the Equality Act 2010 and the 2017 Regulations. The Workforce Disability Standard was launched in 2019 and the fifth submission of data against those metrics was made in May 2023.

The implementation of the WDES is an Equality Objective for the Trust. The Equality Objectives run from 2020-2024 and are a legal requirement to have under the Public Sector Equality Duty.

The Belonging and Inclusion Plan was approved at Trust Board in October 2021 and will run until 2024. The plan includes the Trusts priorities and what commitments are made to improve the Trust's performance against the NHS Workforce Equality Standards. An EDI Strategic Staff Partnership is in place to scrutinise and support implementation.

The data collected for the WDES was submitted via the Strategic Data Collection Service (SCDS) NHS Digital database and the DCF online platform in May 2023. This report outlines the headlines from that submission, the comparison, and trends over the previous years and the actions that will be and already have been embedded into the Belonging and Inclusion Plan. The intention is that this report is published as evidence on the BDCFT website. Publication is a key element of compliance with the Public Sector Duty of the Equality Act 201

2 Proposed Outcome

The Trust has been working to tackle inequalities within the workforce for over 10 years but the appetite for in depth conversation and understanding of the need for change has deepened. The opportunity to embed the aim to be the Best Place to Work for all staff as a shared objective which is everyone's responsibility has never been greater.

2.1 NHS Workforce Disability Standard¹

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

This standard introduced in 2019 aims to decrease the inequality that disabled staff face within the NHS workforce. The standard is based on the social model of disability. This is a useful film explaining that model <https://youtu.be/0e24rfTZ2CQ>

The Equality Act 2010 defines disability as follows; ‘if you have a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on your ability to do normal daily activities². ‘substantial’ is more than minor or trivial, for example, it takes much longer than it usually would to complete a daily task like getting dressed. ‘Long-term’ means 12 months or more. We aim to be The Best Place to Work by narrowing the gap between how disabled and non-disabled staff report their experiences and satisfaction levels in the metrics of WDES and by increasing representation of disabled staff across the organisation.

2.1.1 WDES Results Summary

The Trust has improved in four of the thirteen metrics and performance has dropped in nine, for two of those nine indicators the drop is not statistically significant.

The chart below provides the headline data taken from the Electronic Staff Record as a snapshot on 31st March 2023 and the Trusts Human Resources Directorates records as a collective for the reporting period.

Metric	Narrative	2023	2022	2021
1. Disabled representation in the workforce Disabled representation in bands 8a and above	The representation of disabled staff has dropped by 2% overall. The representation of disabled staff in positions 8a and above is above the Trust average. The Trust has been in the top 10% performing Trusts for metric 1 nationally.	8% 9%	10%	6%
2. Relative likelihood of non-disabled staff compared to Disabled staff being appointed from shortlisting across all posts.	Although there has been a slight increase in the likelihood of non-disabled staff being appointed when compared with disabled staff the National WRES team state that ‘a figure below 0 indicates that disabled staff are more likely than non-disabled staff to be appointed from shortlisting’.	0.66	0.55	0.92
3. Relative likelihood of Disabled staff compared to non-disabled staff entering the formal capability process, as measured by entry into the formal capability procedure.	There were less than 13 formal capability cases eligible to be included in this metric calculation over the last two years and 13% of those cases included a disabled member of staff. The national WDES team state that ‘a figure less than 1.25 is not considered a high relative likelihood. Despite this disabled staff are overrepresented in the process	1.07	0.54	0

² <https://www.gov.uk/definition-of-disability-under-equality-act-2010>

	when compared to the 8% of Trust staff who are Disabled.			
4. % difference between Board representation and workforce Disabled staff representation (8%)	Representation of Disabled people has increased on the Trust Board but is still below the overall Trust figure of 8%.	-0.11%	-10%	-6%

The 2023 WDES benchmark data has not been released. Once it is released in quarter 3 the BDCFT results will be compared against the national averages for mental health and community services NHS Trusts.

The chart below provides the metric data taken from the BDCFT 2022 Staff Survey results alongside the 2022 national benchmarked data.

Metric	Benchmark (2022)	2022		2021	2020
		Disabled	Non-Disabled	Disabled	Disabled
4a. % of staff who experienced at least one incident of harassment, bullying or abuse from:					
<ul style="list-style-type: none"> Managers 	12%	15%	6%	12%	14%
<ul style="list-style-type: none"> Other colleagues 	19%	20%	12%	15%	21%
<ul style="list-style-type: none"> Patients/Service Users, their relatives or other members of the public. 	32%	30%	21%	31%	29%
4b. % of staff saying the last time they experienced harassment, bullying or abuse they reported it.	60%	63%	63%	62%	55%

The percentage of disabled staff experiencing bullying, harassment and abuse from managers has reduced by 3% since 2022 but there is still a gap of 9% between the percentage amount of disabled staff experiencing this when compared with non-disabled staff. The Trust is also performing 3% below the national benchmark for this metric. 20% of disabled staff said that they had experienced bullying, harassment or abuse from a colleague and increase of 5% since 2022 and 1% above the national benchmark for this statistic.

Disabled staff reported experiencing bullying, harassment or abuse from patients or the public 1% less than in 2022 and 2% below the national benchmark. 1% more disabled staff shared that they reported incidents of bullying, harassment or abuse in 2022 than in 2021 and the Trust is performing 3% above the national benchmark.

NHS Workforce Disability Standard 2023

Indicator	2022		2021	2020
	Disabled	Non-Disabled	Disabled	Disabled
5. % of staff who believe that the organisation acts fairly with regards to career progression / promotion.	56% (56%)	59%	54%	53%
6. % of staff who have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties.	25% (19%)	15%	19%	28%
7. % of staff satisfied with the extent to which their organisation values their work.	44% (44%)	54%	48%	45%
8. % of staff with a long lasting health condition or illness saying their employer has made reasonable adjustments to enable them to carry out their work <i>(changed measure 2022)</i>	80%	N/A	N/A	N/A
9. Staff engagement score	6.8 (6.7)	7.2	7.0	6.7

Data taken from the 2022 Staff Survey

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Data in brackets is the 2022 national staff survey benchmark data

The percentage of disabled staff who feel the organisation acts fairly with regards to career progression and promotion has increased by 2% since 2022. There is a 3% gap between the perceptions of disabled and non-disabled staff to this metric and the Trust is performing equal to the national baseline.

5% more disabled staff reported feeling pressure to attend work when they were unwell than in 2022, the Trust is performing below the baseline for this metric. 44% of disabled staff feel the Trust values their work which is equal to the national benchmark but a reduction of 4% since 2022.

80% of disabled staff have had a reasonable adjustment made to enable them to carry out their work. This is no longer comparable with the 2022 and 2021 data as the metric has changed. Disabled staff are less engaged than non-disabled staff but the Trusts engagement score for disabled staff is above the national average.

Over the past year the following activities have been delivered to support the WDES action plan and the Belonging and Inclusion Plan:

- Launch and implementation of the Disability Policy with the aim to:
 - increase sharing of disability information and recording in ESR,
 - reducing the pressure to come to work when feeling too ill to perform your duties,

- provide consistency in expectations for providing reasonable adjustments to disabled staff.
- Disability History Month celebrations
 - Disability exchange amplify programme of seminars and learning events
 - Beacon Network celebrations and awareness raising events.
- Review of reasonable adjustment processes.
- Launch and development of Disability and Reasonable Adjustments connect intranet pages.
- Further development of the staff Wellbeing @ Work offer to include neurodiversity virtual space and training for managers and staff.
- Development and launch of the neurodiversity accessibility booklet.
- Review and relaunch of the Trusts Board and Committee report templates to increase accessibility.
- Establishment of the reasonable adjustments email address to field questions and concerns relating to the process.
- Implementation of the Kind Life project.

3 Options

The revised WDES Action Plan is included in appendix 1. Key priorities for 2023 – 2024 are:

- Launch of the reasonable adjustments e-learning and masterclasses as part of the Leadership and Management Development Programme.
- Review and update of the Disability sharepoint pages.
- Management competencies check list launch including disability related competencies.
- EDI calendar of events to celebrate disability related dates e.g. Disability History Month.

3 Risk and Implications

The experience of disabled staff appears to have dropped overall in 2022. This is often a factor when issues of inequality are discussed openly within the organisation. This is due to raising staffs expectations through setting new standards in policy and strategy. The recent publication and promotion of the Disability Policy places the Trust in this stage of development. The implementation phase is incredibly important to match expectation with reality.

There is a direct link between a workforce feeling valued and engaged and the quality of health care they deliver. High standards of equality and engagement are linked to high levels of compassion, innovation and productivity.

5 Results

The data in this report has been shared with the Senior Leadership Team in June and the Strategic Staff EDI Partnership in July 2023. Progress on the action plan will be reported to the Workforce and Equality Committee in the Belonging and Inclusion Plan update in October 2023.



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11.07.23
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