

Equality and Diversity Statement of Intent 2015 – 2020

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Foreword by Chief Executive

Lancashire Care NHS Foundation Trust strives to promote health and wellbeing and ensure equity of access to health care and employment. Health care provision should be equitable and relevant to the needs of the individual with assumptions based on stereotypes being challenged at every opportunity.

This Statement of Intent will assist every department of Lancashire Care NHS Foundation Trust to ensure we work inclusively.

One of the measures of our success is the extent to which service users, carers and staff are engaged in everything the Trust does. The Trust will strive to do this effectively through the Trust adoption of the Department of Health's Equality Delivery System (EDS2) by ensuring that performance monitoring and scrutiny include all diverse groups defined as the 'protected characteristics' in the Equality Act 2010. Qualitative feedback from service users, staff and carers will also help us make sure that every person, mindful of their diversity, is treated with dignity and respect in line with the organisation's Values of Integrity, Respect, Excellence, Accountability, Compassion and Teamwork.

The Trust will seek to challenge discrimination at all levels in positive and constructive ways allowing the organisation and our partners to constantly improve our efforts in meeting the needs of the diverse communities we serve and our workforce.

Heather Tierney - Moore
Chief Executive
Lancashire Care NHS Foundation Trust

Introduction

In order to ensure that we take practical steps to live up to our commitment to equality, diversity and inclusion at Lancashire Care NHS Foundation Trust, it is important to have a clear and common understanding of what this actually means to every employer, patient, service user or carer and member of the public.

This Statement of Intent outlines this understanding, as well as some strategic and operational aims for the next five years. It also explains some of the methodologies we will use to measure our progress and celebrate our achievements.

What do we mean by Equality, Diversity and Inclusion?

Staff from all levels and networks across the Trust, as well as ideas inspired by a variety of other public and private sector organisations, have contributed to developing the language and concepts expressed in the following definitions.

Equality

Equality is about treating individuals fairly and ensuring that they have the same opportunities to fulfil their potential, even if this means doing things differently for different people sometimes.

The Equality Act 2010 protects individuals and groups of individuals from discrimination so they cannot be treated less favourably, no matter what their age, disability, race, religion or belief, sex, sexual orientation or circumstances in relation to gender reassignment, marriage and civil partnership, pregnancy or maternity.

Diversity

A culture which values variety of ideas, experiences and practice where differences are respected and celebrated for the benefit of ourselves, LCFT and the communities we serve.

Inclusion

When individuals with diverse needs are included without prejudice or discrimination, societies can access a wider pool of talent, commitment and experiences, taking the best from all backgrounds.

Why is this important to us?



The Business Case

Research suggests that there are six main areas in which an organisation can benefit from a robust approach to equality and diversity.

<p>Cost Increased productivity, reductions in costs relating to discrimination claims, lower turnover, better competitive advantage in the market place etc.</p>	<p>Reputation Ability to attract the best quality employees from the widest pool. Employer and supplier of choice. Reduction in negative publicity.</p>
<p>Marketing Improved insight and cultural sensitivity makes access to a range of potential 'customers' easier to achieve.</p>	<p>Creativity Diversity of perspectives and new ideas drives innovation and creative thinking.</p>
<p>Problem Solving Groups with diverse viewpoints are able to make better decisions and are more likely to challenge existing norms.</p>	<p>System Flexibility Less standardisation leads to greater fluidity and more flexibility to react quickly to environmental changes.</p>

The Law

Lancashire Care has a number of legislative and contractual obligations, some of which are covered in more detail later in this document. These include:

❖ Equality Act 2010

- This act combined all other equality legislation and protects under law, the personal characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

❖ Public Sector Equality Duty

- As part of the Equality Act 2010, all public authorities have a statutory duty to pay due regard to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.

❖ Human Rights Act 1998

- This act came into force in the United Kingdom in October 2000. It meant that the protections in the European Convention on Human Rights became UK law.
- All public bodies (such as courts, police, local governments, hospitals, publicly funded schools, and others) and other bodies carrying out public functions have to comply with the Convention rights.
- This means, among other things, that individuals can take human rights cases to domestic courts; they no longer have to go to Strasbourg to argue their case in the European Court of Human Rights.
- The Act sets out the fundamental rights and freedoms that individuals in the UK have access to. They include the right to life, freedom from torture and inhuman or degrading treatment, respect for your private and family life, home and correspondence, freedom of thought, belief and religion, freedom of expression and the right to marry and start a family.

❖ Workforce Race Equality Standard (WRES)

- There is significant evidence to support the fact that BME employees are treated less favourably than their white counterparts and that there has been limited improvement for a long time. This has resulted in the introduction of a set of outcome focused metrics and there is now a legal requirement for all NHS organisations with contracts over £200k to return data annually to demonstrate progress against a set of nine indicators of race equality, including one specifically to address the low levels of BME Board representation.

❖ Equality Delivery System (EDS2)

- The Equality Delivery System (EDS2) is a framework for organisations to measure their progress against goals and outcomes associated with ensuring compliance with the Equality Act 2010 at the same time as improving services provided for local communities and better workplaces, free of discrimination. For the first time, in 2015, use of EDS2 has been mandated for NHS Trusts.

❖ Contractual Obligations

- The Trust has contracts to provide commissioned Community and Mental Health services as well as with NHS England for Specialist, Child and Adolescent Mental Health Tier 4 and HIV services. These three contracts all make specific provision for Equality and Diversity outcomes.

The Right Thing To Do!

Notwithstanding the very strong business and legal drivers for taking equality and diversity seriously, Lancashire Care also recognises the moral and ethical imperatives.

Alongside the NHS Constitution and our commitment to the 6Cs, our Trust Values of Teamwork, Excellence, Respect, Accountability, Compassion and Integrity provide a robust framework for behaviours which underpin everything we do at Lancashire Care.

We believe that investing in making staff, patients and other stakeholders feel comfortable and respected as individuals, is a critical part of maintaining our values-driven culture and retaining our status as a Health and Wellbeing Trust. In short, it's the right thing to do!

How does this all fit in with the Trust Strategy?



The Trust 5 year plan identifies six areas of strategic focus and it is important that equality and diversity priorities are designed to further these aims. This section outlines some of these key activities and objectives for the next five years and makes explicit links with the six areas of the Trust plan shown above.

Excellence

- Seek out opportunities to gain awards and accreditations
- Be recognised as a national leader in the field of Equality and Diversity
- Build our reputation, knowledge and skills through partnership working
- Use feedback from our service users to ensure our services are high quality
- Celebrate our successes as a positive workplace for women
- Promote our annual Opportunity Knocks! to become a destination event

- People
- Further develop the Equality and Diversity Champions network
- Support the HR Director with the Employee Engagement agenda
- Provide expert Equality and Diversity advice to the Health and Wellbeing Steering Group
- Review online Equality and Diversity mandatory training package
- Redesign the Induction and face to face mandatory training provision
- Support delivery of the Care Certificate
- Create a prospectus of Equality and Diversity training information
- Ensure employees know how and where to access support in relation to equality and diversity issues
- Be explicit about welcoming LGBT staff
- Continue our commitment to the Two Ticks scheme, encouraging applications from people with disabilities
- Work proactively to improve access to services and employment for those with learning disabilities
- Hold one another accountable for actions and behaviours
- Empower our employees to make decisions and do their best work
- Encourage our service users to get involved with service user groups and act on what they tell us

Innovation

- Support the evolution of the Trust's 'Innovation as Usual' culture
- Create time to challenge, question and learn from other organisations
- Keep up to date with emerging technology and product development relevant to Equality and Diversity
- Actively participate in appropriate research and/or development projects
- Redesign the Trust Equality, Diversity and Human Rights web pages
- Develop an online Equality and Diversity resource for Trust employees
- Exploit social media to publicise and celebrate our successes and learning

Money

- Source any available external funding for Equality and Diversity project work
- Identify opportunities for income generation and/or partnership working or sponsorship to reduce costs
- Work with Finance and/or Network Directors to agree appropriate budgets for Equality and Diversity activity
- Ensure suppliers are good value for money and appropriately managed

Quality

- Support the Trust in meeting the CQC Fundamental Standards of Care
- Adopt the Quality Improvement Framework for all Equality and Diversity improvements and promote involvement in the QIF Pioneer Programme
- Empower our employees to make decisions and do their best work
- Provide access to high quality translation and interpreting services
- Use diagnostic tools to ensure activity is evidence based
- Review equality and diversity strategy regularly
- Consider the Lancashire Care Way before acting



Outcomes

- Keep the patient experience at the centre of what we do
- Create an environment where our staff and patients feel comfortable and safe in sharing their personal diversity
- Ensure patients are cared for in appropriate environments and services
- Collaborate with the recruitment, procurement and estates teams to conduct equality reviews of key processes
- Exploit the links between the Equality and Diversity and Social Value, Health and Wellbeing, Quality, Organisational Development and Employee Engagement agendas
- Ensure that equality and diversity issues are taken into consideration as part of the Delivering the Strategy programmes
- Provide equality and diversity information for contract bids and tenders
- Improve the quality of monitoring data held in relation to personal characteristics
- Demonstrate improvement in relation to EDS2 outcomes and WRES metrics
- Comply with legal and contractual obligations
- Identify and manage risks in relation to equality and diversity
- Publicise outcomes to promote transparency and knowledge sharing

How will we deliver these objectives?

The Trust will employ a wide range of methods to deliver these aims and it is important that networks, teams and individuals feel empowered to act to achieve success in the most meaningful ways for themselves and their services.

Action Planning

Analysis of data and effective risk management will inform action planning on both a Trustwide and more local, team or service level. The annual network business plans are expected to consider equality and diversity outcomes and demonstrate how the network/service lines will ensure compliance with legal and contractual obligations.

The EDS2 framework described in more detail below, will provide a common methodology for measuring progress against these action plans.

The Role of the Equality and Diversity Team

Although small, the Equality and Diversity team, has a critical role to play in helping to ensure a 'high challenge, high support' environment across the Trust. It is responsible for horizon scanning and understanding how the Trust's activity feeds the wider Equality and Diversity agenda as well as drawing together the various pieces of work taking place to form a coherent Trust picture.

With a focus on providing expert information, education and training and promotion of success, alongside ensuring compliance with legal and contractual obligations, the Trust's Equality and Diversity experts should be visible and accessible, championing the organisational values, and sharing stories.

The Champions Network

Equality and Diversity Champions exist to help the Equality and Diversity team provide advice and share best practice. The organisation is committed to empowering them and they:

- ❖ Treat others with respect and dignity, placing high value on diversity and fairness
- ❖ Recognise equality and diversity as intrinsic to high performance and success
- ❖ Proactively support efforts to create a positive, inclusive work environment
- ❖ Challenge and overcome obstacles, removing barriers that impede progress
- ❖ Communicate the benefits of diversity and the Trust's successes
- ❖ Act as Equality and Diversity role models

The Champions follow ten key principles:

- | | |
|--------------------------|---------------------------------|
| ❖ Get to know the issues | ❖ Put words into practice |
| ❖ Make it personal | ❖ Demonstrate leadership |
| ❖ Be yourself | ❖ Mentor and support colleagues |
| ❖ Ask for help | ❖ Hold others to account |
| ❖ Be visible | ❖ Make it natural |

The role of the Champion is to:

- Attend quarterly knowledge sharing events
- Collect and compile evidence to support the Equality Delivery System (EDS)
- Celebrate and share good news stories via Trust communication channels
- Scrutinise Equality Impact Assessments and provide feedback
- Act as part of a network of 'critical friends' in relation to Equality and Diversity
- Identify and escalate risks and support action planning as appropriate
- Cascade information throughout the Trust and report back to the Champions

Risk Management

The Trust adopts a proactive approach to risk management, seeking to establish and identify risks to the organisation's strategic aims and objectives. This cultural shift from reactive risk management to a future-focused system is based on responsibility, accountability and assurance and informs a process of continuous improvement that moves beyond risk management.

Any risks identified when ensuring that the Trust's services are developed and delivered in line with the Equality Act 2010 and EDS2 goals must be clearly identified and appropriate controls designed to address these. These should be reflected in relevant business plans, described within the networks' risk registers and recorded in the appropriate system such as Datix. Networks must develop their own assurance mechanisms to ensure that equality and diversity compliance is achieved and that this is on an on-going basis.

Governance

In line with the Trust governance framework, equality and diversity assurances are the responsibility of the Quality Committee. Ultimate accountability for quality rests with the Board of Directors and the Board level Quality Committee ensures that the appropriate level of scrutiny is provided into quality standards and patient safety. The role of the Quality Committee is to test the robustness of the assurances provided that the organisational systems and processes in relation to quality are robust and well-embedded and to identify and manage the risks to the quality of care we provide. The Committee is also responsible for monitoring strategic level risks associated with the effective delivery of education, training and leadership opportunities and the recruitment and retention of high quality staff.

The Quality and Safety and People Sub-committees provide the Quality Committee with assurance and serve as escalation points for risks identified by the HR Director, Equality and Diversity and network and service line leads.

How will we evaluate our performance?

Equality Delivery System (EDS2)

The primary framework for measuring the success of our activity is the Equality Delivery System (EDS2). All networks and corporate services have to provide evidence of the work they are doing to ensure that all the outcomes in the framework are being addressed. Lancashire Care NHS Foundation Trust will scrutinise evidence twice annually, once internally during the Quarter 2 Champions network meeting and once in Quarter 3 as part of the Trust's annual Opportunity Knocks! event. The groups of scrutinisers are made up of service users, carers, community members, partner agency representatives and staff from across the Trust. Evidence is rated 'developing', 'achieving' or 'excellent'.

Whilst continuing to work towards excellence across all four goals, for the next five years, in terms of scrutiny the Trust will focus on one goal per year followed by a review of all four goals in 2019/20. This is in order to enable our networks to focus on achievable and sustainable change and robust provision of evidence. The evidence will be requested in line with the following timetable.

2015/16	Goal 2 Improved patient access and experience
2016/17	Goal 4 Inclusive leadership at all levels
2017/18	Goal 1 Better health outcomes for all
2018/19	Goal 3 Empowered, engaged and well-supported staff
2019/20	Review of all four goals

Goal	Narrative	Outcome
1. Better health outcomes for all	The NHS should achieve improvements in patient health, public health and patient safety for all, based on comprehensive evidence of needs and results	1.1 Services are commissioned, designed and procured to meet the health needs of local communities, promote well-being, and reduce health inequalities
		1.2 Individual patients' health needs are assessed, and resulting services provided, in appropriate and effective ways
		1.3 Changes across services for individual patients are discussed with them, and transitions are made smoothly
		1.4 The safety of patients is prioritised and assured. In particular, patients are free from abuse, harassment, bullying, violence from other patients and staff, with redress being open and fair to all
		1.5 Public health, vaccination and screening programmes reach and benefit all local communities and groups
2. Improved patient access and experience	The NHS should improve accessibility and information, and deliver the right services that are targeted, useful, useable and used in order to improve patient experience	2.1 Patients, carers and communities can readily access services, and should not be denied access on unreasonable grounds
		2.2 Patients are informed and supported to be as involved as they wish to be in their diagnoses and decisions about their care, and to exercise choice about treatments and places of treatment
		2.3 Patients and carers report positive experiences of their treatment and care outcomes and of being listened to and respected and of how their privacy and dignity is prioritised
		2.4 Patients' and carers' complaints about services, and subsequent claims for redress, should be handled respectfully and efficiently
3. Empowered, engaged and well-supported staff	The NHS should Increase the diversity and quality of the working lives of the paid and non-paid workforce, supporting all staff to better respond to patients' and communities' needs	3.1 Recruitment and selection processes are fair, inclusive and transparent so that the workforce becomes as diverse as it can be within all occupations and grades
		3.2 Levels of pay and related terms and conditions are fairly determined for all posts, with staff doing equal work and work rated as of equal value being entitled to equal pay
		3.3 Through support, training, personal development and performance appraisal, staff are confident and competent to do their work, so that services are commissioned or provided appropriately
		3.4 Staff are free from abuse, harassment, bullying, violence from both patients and their relatives and colleagues, with redress being open and fair to all
		3.5 Flexible working options are made available to all staff, consistent with the needs of the service, and the way that people lead their lives. (Flexible working may be a reasonable adjustment for disabled members of staff or carers.)
		3.6 The workforce is supported to remain healthy, with a focus on addressing major health and lifestyle issues that affect individual staff and the wider population
4. Inclusive leadership at all levels	NHS organisations should ensure that equality is everyone's business, and everyone is expected to take an active part, supported by the work of specialist equality leaders and champions	4.1 Boards and senior leaders conduct and plan their business so that equality is advanced, and good relations fostered, within their organisations and beyond
		4.2 Middle managers and other line managers support and motivate their staff to work in culturally competent ways within a work environment free from discrimination
		4.3 The organisation uses the "Competency Framework for Equality and Diversity Leadership" to recruit, develop and support strategic leaders to advance equality outcomes

Workforce Race Equality Standard (WRES)

We will compile an annual report of data in relation to race equality and publish it on the Trust website at the following URL www.lancashirecare.nhs.uk/WRES

The information from this report will be combined with other relevant data to inform a specific WRES action plan for the Trust with progress against the plan measured against the EDS2 goals.

Workforce metrics	
For each of these three workforce indicators, the Standard compares the metrics for white and BME staff.	
1.	Percentage of BME staff in Bands 8-9, VSM (including executive Board members and senior medical staff) compared with the percentage of BME staff in the overall workforce
2.	Relative likelihood of BME staff being appointed from shortlisting compared to that of white staff being appointed from shortlisting across all posts.
3.	Relative likelihood of BME staff entering the formal disciplinary process, compared to that of white staff entering the formal disciplinary process, as measured by entry into a formal disciplinary investigation* Note. This indicator will be based on data from a two year rolling average of the current year and the previous year.
4.	Relative likelihood of BME staff accessing non mandatory training and CPD as compared to white staff
National NHS Staff Survey findings. For each of these five staff survey indicators, the Standard compares the metrics for each survey question response for white and BME staff. For 4. below, the metric is in two parts	
5.	KF 18. Percentage of staff experiencing harassment, bullying or abuse from patients, relatives or the public in last 12 months
6.	KF 19. Percentage of staff experiencing harassment, bullying or abuse from staff in last 12 months
7.	KF 27. Percentage believing that trust provides equal opportunities for career progression or promotion
8.	Q23. In the last 12 months have you personally experienced discrimination at work from any of the following? b) Manager/team leader or other colleagues
Boards. Does the Board meet the requirement on Board membership in 9.	
9.	Boards are expected to be broadly representative of the population they serve.

Equality Impact Assessments (EIAs)

Equality Legislation instructs that public bodies, when there is significant change in service provision, should conduct an Equality Analysis (known as an Equality Impact Assessment or EIA). Lancashire Care NHS Foundation Trust has to comply with this duty.

The Trust also recognises that analysing the effects of existing and new services, documentation and other activity, in relation to equality and diversity, is an important way to consider the needs of the people who are involved with the Trust and to continuously improve the way the Trust works.

An EIA should be made of any documents or activity (existing or proposed) which will have an impact on people and is designed to assist service managers and stakeholders to:

- consider protected characteristics and human rights considerations and identify any potential impact on different groups from Trust activity. This might include:

- ❖ changes to service provision or introduction of new services
 - ❖ major organisational change
 - ❖ process and procedure changes that may arise in functions or services
 - ❖ changes to where services are provided
 - ❖ new policies or strategies
 - ❖ project work
- ensure policy or practice will be fully effective for all target groups
 - take action to remove any actual or potential unlawful discrimination
 - identify practical steps to remove or mitigate adverse effects and promote equality
 - improve the quality and effectiveness of activity
 - promote equality and diversity and ensure that everyone has the opportunity to benefit from Trust activity
 - comply with the law, and therefore reduce potential discrimination claims

All Lancashire Care NHS Foundation Trust policies require an EIA before they can be ratified and this assessment and any arising action plan, will be considered by the People Sub-committee.

Annual Equality and Diversity Report

In Quarter 2 of each year, the Trust will compile an annual equality and diversity report which will bring together quantitative and narrative information, including that previously collated for the Trust Annual Report, WRES data and a summary of EDS2 scrutiny outcomes. As well as highlighting key actions for future activity, this report will function as a way of sharing positive stories and celebrating success.

Information Sources

www.lancashirecare.nhs.uk

<http://trustnet/Pages/home.aspx>

<http://www.nhsemployers.org/your-workforce/plan/building-a-diverse-workforce>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/49638/the_business_case_for_equality_and_diversity.pdf

<http://www.skillsforcare.org.uk/Standards/Care-Certificate/Care-Certificate.aspx>

<http://www.england.nhs.uk/wp-content/uploads/2012/12/6c-a5-leaflet.pdf>

<http://www.cqc.org.uk/content/fundamental-standards>

<http://www.england.nhs.uk/ourwork/gov/equality-hub/eds/>

<http://www.england.nhs.uk/ourwork/gov/equality-hub/equality-standard/>