

## Equality Objectives 2015 – 2019

This document is available in alternative community languages and formats upon request, such as large print and electronically. Please contact the Equality, Diversity and Human Rights Team:  
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## Introduction

Equality is at the heart of everything East Sussex Healthcare NHS Trust (ESHT) does. To ensure the Trust is actively seeking to remove barriers and eliminate unlawful discrimination, these objectives have been developed to demonstrate the Trust's on-going commitment to provide a fairer more inclusive organisation to all who use, visit or work for us.

The Objectives concentrate on four areas within the Trust where improvements will be made over a four year period. They also explain how the Trust plans to improve these areas. It is anticipated that during the next four years, these four areas will become embedded into everyday practice.

These objectives support the Trust in meeting its legal obligations as a public organisation (The Equality Act 2010, Public Sector Equality Duties). The Trust is committed to complying with The Equality Act 2010 and regularly reviewing its services will enable the Trust to exceed expectations of all who use, visit or work for us.

The Trust will not only ensure implementation of the objectives but will continue actively seeking to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic (age, race religion, gender, gender reassignment, sexual orientation, marriage and civil partnership, pregnancy and maternity and disability – including carers) across all services.

### East Sussex Healthcare NHS Trust Values

#### **Respect and compassion**

We care about acting with kindness. We want our staff, patients and local people to have a positive experience of us.

#### **Engagement and involvement**

We care about involving people in our planning and decision-making. We want patients, staff and the public to help us to shape the delivery of high quality and safe care.

#### **Improvement and development**

We care about striving to be the best. We want to continue to improve our services and make the best use of our people and resources for the benefit of our patients.

#### **Working together**

We care about building on everyone's strengths. We develop strong teams and partnerships to benefit local people.

## Engagement

Through engagement with Trust staff and patient groups East Sussex Healthcare NHS Trust has developed four Equality objectives that not only address areas highlighted by the Trust's recent Care Quality Commission (CQC) report but also support the Trust in meeting its overall values and objectives.

Using the outcomes and metrics that make up the refreshed Equality Delivery System (EDS2) and the Workforce Race Equality Standard (WRES) the Trust has identified and will improve four areas that will really benefit service users and staff.

These objectives are East Sussex Healthcare NHS Trust's four year plan to improve four areas within the Trust where equality of opportunity has been identified as "lagging".

They have been developed with the following groups, data and legislation

BAME LiA groups	Staff surveys of interpreter users
Interpreter user groups	Staff Surveys
Public Sector Equality Duties	NHS National Standards (EDS2, WRES)
CQC Reports	Local Demographic Data
The Equality Act 2010	NHS Constitution
Equality Steering Group	Patient Experience Steering Group
Staff Engagement Group	Quality & Standards Committee

## Our duties to you

The objectives include actions that support the organisation in meeting the legal obligations set out in the public sector equality duty (Section 149 of the Equality Act 2010). In exercising the organisation's functions the Trust will have due regard to the need to:

- a. Eliminate discrimination, harassment, victimisation and other prohibited conduct
- b. Advance equality of opportunity between persons who share a protected characteristic and those who do not
- c. Foster good relations between persons who share a protected characteristic and those who do not

### Protected Characteristics

These are the differences in peoples' identity and circumstances that are protected by the Equality Act 2010 from disadvantage and discrimination.

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Marital / Civil Partnership Status (discrimination only)

All people can expect us to fulfil our duties, including: patients, service-users, carers, visitors, residents, workers and contractors.

## Specific Duties

To help organisations deliver the general duty, there are also specific duties:

- a. **Publication of Information**  
Publish information annually about employees, patients and service-users to demonstrate compliance with the general duty
- b. **Equality Objectives**  
Publish specific and measurable objectives to deliver the general duty
- c. **Accessible Publication**  
Ensure that information published to meet the other two specific duties is accessible to the public.

The Equality and Human Rights Commission (EHRC) is a statutory body independent of government. It has powers to enforce the Equality Act, including by investigation and launching legal proceedings if any public organisation fails to comply with the duties.

## Accountabilities

The Trust Board - has overall responsibility for ensuring these objectives are implemented effectively and will receive an Annual Report on progress in achieving the Objective aims.

The Quality and Standards Committee - will receive quarterly updates on progress and provide assurance to the Board

The Equality Steering group - will be responsible for monitoring progress of the objectives at the quarterly meetings.

The Equality & Human Rights Lead - is responsible for the day to day implementation and coordination of the equality objectives.

## Accessible Information

The Equality Objectives and all other publicly available documents can be made available in a range of accessible formats and languages upon request.

Other information required in different formats or languages can be obtained by contacting the listed author in a publication or leaflet or the signatory on a letter. Alternatively you can speak directly to your healthcare worker or to a member of the PALS (Patient Advice and Liaison Service) team.

## National Equality Policies

### NHS Constitution

Section 2(1) of the Health Act 2009 states that an NHS Trust must 'in performing its functions, have regard to the NHS Constitution'. The constitution states:

"The NHS provides a comprehensive service, available to all irrespective of gender, race, disability, age, sexual orientation, religion or belief. It has a duty to each and every individual that it serves and must respect their human rights.

At the same time, it has a wider social duty to promote equality through the services it provides and to pay particular attention to groups or sections of society where improvements in health and life expectancy are not keeping pace with the rest of the population."

### The NHS Outcomes Framework 2015/16

The NHS Outcomes Framework, alongside the Adult Social Care and Public Health Outcomes Frameworks, sits at the heart of the health and care system. The NHS Outcomes Framework:

1. provides a national overview of how well the NHS is performing;
2. is the primary accountability mechanism, in conjunction with the mandate, between the Secretary of State for Health and NHS England; and
3. improves quality throughout the NHS by encouraging a change in culture and behaviour focused on health outcomes not process.

The NHS Outcomes Framework was developed in December 2010, following public consultation, and has been updated annually. Refreshing the NHS Outcomes Framework allows it to become a tool which reflects the current landscape of the health and care system, and to be better suited to approach the many challenges that the system faces.

As the outcomes framework develops nationally our Equality Objectives will be updated accordingly.

## **Refreshed Equality Delivery System (EDS2)**

The EDS2 is designed to support NHS organisations to deliver better health outcomes for patients, improve access to the Trust's services and provide a positive experience for all who work for the Trust which is fair, equal and well led.

At the centre of the EDS2 is a set of 18 outcomes grouped into four goals. These outcomes focus on the issues of most concern to patients, carers, communities, NHS staff and Boards. It is against these outcomes that performance is analysed, graded and action determined.

The four goals are:

1. Better health outcomes
2. Improved patient access and experience
3. A representative and supported workforce
4. Inclusive leadership

The outcomes have been used to assist the Trust in identifying the actions planned within this equality strategy.

## **The Workforce Race Equality Standard (WRES)**

The WRES was introduced by NHS England to all NHS organisations from April 2015. The WRES consists of 9 metrics that can be used to assist NHS organisations in identifying and addressing race inequalities.

The metrics have been used to assist the Trust in identifying the actions planned within this equality strategy.

Copies of the EDS2 and the WRES can be found on the Trust website <http://www.esht.nhs.uk/about-us/equality/>



## Equality and Human Rights Analysis (EHRA)

A new Equality and Human Rights Analysis was developed in 2015. Approval of all strategies, business plans and annual reports that come before the Board and other major committees, will be subject to completion of Due Regard, Equality & Human Rights Analysis, which includes how inequalities will be managed. It guides staff to ensure that all protected characteristics are considered at every step of the decision making processes for patients, service-users, carers, communities and workers.

An analysis identifies any gaps in our evidence and it ensures action is taken to fill these gaps.

### What we will analyse

Equality and Human Rights Analyses should be carried out when:

- Developing a new strategy, policy, plan, function or project;
- Specifying or procuring new services;
- Reviewing an existing strategy, policy, plan, function or project.

## Quality and Compliance – Inspection and Enforcement

### Care Quality Commission

The Care Quality Commission (CQC) is the independent regulator of health and social care in England. The Care Quality Commission measures the quality of healthcare provided by the Trust which also includes equality.

East Sussex Healthcare NHS Trust is registered with the CQC to deliver certain types of care in line with the 'Essential Standards of Quality and Safety'. The CQC undertakes reviews and inspections of our health care.

These standards were introduced by the Health and Social Care Act 2008 (Regulated Activities) Regulations 2009 and the Care Quality Commission (Registration) Regulations 2009.

### Equality and Human Rights Commission

The Equality and Human Rights Commission (EHRC) is a statutory body independent of government. Its responsibilities include:

- Ensuring people are aware of their rights and how to use them
- Helping employers and service providers develop best practice
- Ensuring policymakers promote equality
- Using their powers to enforce the laws that are already in place:
  - Investigations
  - Agreements not to commit an unlawful act
  - Judicial review and interventions
  - Inquiries
  - Injunctions
  - Applications to restrain from unlawful advertising, pressure to discriminate.

The Equality and Human Rights Commission have formal joint-working practices with the Care Quality Commission.

# East Sussex Healthcare NHS Trust Equality Objectives 2015 -2019

## Equality Delivery System outcome 1

### *Better Health Outcomes*

- 1.1 When people use NHS services their safety is prioritised and they are free from mistakes, mistreatment and abuse.

### Review Serious Incident action points

This objective will commence with a review of how equalities data is collected, analysed and reported for Serious Incidents (SI). The Trust will implement a systematic approach, to evaluate, change practice and share learning if a SI has arisen due to a protected characteristic.

Relevant staff are provided with learning opportunities from SI's. Where an SI has resulted in or identified a person who has been treated less favourably on the grounds of a protected characteristic (age, disability including their carers, gender, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief and sexual orientation) the Equality & Human Rights Lead will seek to provide additional learning and awareness.

SI's involving protected characteristics will be identified and discussed at the following groups

- Weekly Patient Safety Summit meetings

Relevant SI's will be flagged to the Equality & Human Rights Lead to implement learning opportunities or further escalation depending on the nature of the SI.

### **Objective aim**

The Trust will have an auditable record of serious incidents involving those with protected characteristics and can demonstrate improvement and learning as a result of analysis of these.

## Equality Delivery System outcome 2

### *Improved Patient Access and Experience*

- 2.1 People, carers and communities can readily access hospital, community health or primary care services and should not be denied access on unreasonable grounds.
- 2.2 People are informed and supported to be as involved as they wish to be in decisions about their care
- 2.3 People report positive experiences of the NHS

### Evaluate arrangements and raise awareness of existing interpreting and translation services

The Trust will seek a framework that best meets the needs of the Trust and enter a Service Level Agreement with a sole supplier that will provide qualified, competent interpreters to service users or their representative, who do not use spoken English as their first language. Patients and staff who require an interpreter (or communication via other medium) can be confident that they will not have their appointments delayed due to communication barriers. Implementing a robust, streamlined system will provide simple access to interpreters.

Post interpretation surveys will be conducted by the interpreters to ensure those who do not use spoken English as their first language have equal opportunities to participate in the Friends and Family Test (FFT). Further participation of additional surveys and feedback opportunities will enable the Trust and supplier to continually review patient feedback, ensuring the service meets the needs of the service users and that the Trust is continually improving patient experience and avoiding delays in access to services.

A joint training programme between the supplier and the Trust, will raise staff awareness of access to interpreting services. Further training will be implemented to increase staff confidence in using interpreters and increase cultural awareness

This service will be managed by the Equality and Human Rights department and reviewed regularly by the following steering groups:

- Equality
- Patient Experience
- Staff Engagement

**Objective aim**

Analysis of completed FFT and other post interpretation surveys will demonstrate an overall positive experience of the interpretation services.

Patient post interpretation surveys will demonstrate appointments, admissions and treatment were not delayed on the grounds of accessing interpreters.

Staff feedback will report easy access to interpreters.

## Equality Delivery System outcome 3

### *A Representative and Supported Workforce*

- 3.1 Fair NHS recruitment and selection process lead to a more representative workforce at all levels

#### *Workforce Race Equality Standard Metrics*

- 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.

Analyse percentage of BME staff at all levels of the organisation and ensure that the recruitment process is reflective of best practice.

Conduct analysis of BME staff at all levels and develop actions such as encouraging BME staff to participate in training and development opportunities.

Shadowing opportunities will be offered on a regular basis with priority given to members of staff from under-represented groups.

Band 8+ recruitment panel will aim to consist of a BME member or the EDHR Lead.

Action plans will be developed for BME under-representative bands.

#### **Objective aim**

Recruitment data will demonstrate a fair recruitment process.

Workforce metrics demonstrate that the Trust is representative of the population the Trust serves.

## Equality Delivery System outcome 4

### *Inclusive Leadership*

- 4.2 Papers that come before the Board and other major committees identify equality –related impacts including risks, and say how these risks will be managed.

All relevant procedural documents will only be ratified and or approved once a Trust Equality and Human Rights Analysis has been completed.

The Trust will implement a standard Equality and Human Rights Analysis (EHRA) to be used as a guide to ensure that all protected characteristics are considered when procedural documents are reviewed and developed. The EHRA will act as an index to highlight where in the processes a protected characteristic has been treated less or more favourably, where due regard has been given and any reasonable adjustments made. The EHRA will ensure any inequalities and barriers are eliminated where possible and where this is not possible that there is a rigorous monitoring process in place to manage inequalities and barriers. All ratification groups that approve procedural documents will ensure EHRA forms are attached to documents requiring ratification.

Staff training will be delivered to managers raising awareness of how to identify and effectively manage equality related risks.

The Equality & Human Rights Lead will assist in ratification of procedural documents as a member of a Group that has authority to ratify documents.

### **Objective aim**

All relevant procedural documents, policies, strategies and business plans will have due regard to all protected characteristics.

Solid evidence that reasonable adjustments are being made where required.

Increased staff awareness of how to identify and manage equality related risks.

## Summary of Equality Objectives at East Sussex Healthcare NHS Trust

EDS2 Goal	EDS2 Goal	Method	Actions	EDS2 Outcome	EDS2 Outcome	Lead	Monitored / Reviewed
1	Better Health Outcomes	Review SI action points	Review learning from incidents to ensure we are not treating anyone less favourably and implement actions appropriately	When people use NHS services their safety is prioritised and they are free from mistakes, mistreatment and abuse.	1.4	Director of Nursing/ Patient Safety Lead	TNMAG EDS2/WRES SG
2	Improved Patient Access and Experience	Evaluate arrangements and awareness of existing interpreting and translation services	Enter a Service Level Agreement to implement a robust streamlined system providing easy access to interpreters.	People, carers and communities can readily access hospital, community health or primary care services and should not be denied access on unreasonable grounds	2.1	Company Secretary / EDHR Lead	EDS2/WRES SG
			A post interpretation survey will be conducted by the interpreter.	People are informed and supported to be involved as they wish to be in decisions about their care	2.2		
			Raise staff awareness of access to interpreting service	People report positive experiences of the NHS	2.3		
3	A Representative and Supported Workforce	Analyse percentage of BME staff at all levels of the organisation and ensure that the recruitment process is reflective of best practice.	Conduct analysis of BME staff at all levels and develop actions such as encouraging BME staff to participate in training and development opportunities  Band 8+ recruitment panel will aim to consist of a BME member or the EDHR Lead.	Fair NHS recruitment and selection process lead to a more representative workforce at all levels	3.1  WRES metric 1 & 2	Director of HR / Assistant Director Workforce Development	EDS2/WRES SG
4	Inclusive Leadership	Strategies, business plans and annual reports will require EHRA.	Approval of all strategies, business plans and annual reports that come before the Board, will be subject to completion of Due Regard, Equality & Human Rights Analysis, which includes how inequalities will be managed.	Papers that come before the board and other major committees identify equality –related impacts including risks, and say how these risks will be managed.	4.2	EDHR Lead / Assistant Director of Nursing (Safeguarding)	EDS2/WRES SG