







**EQUALITY & DIVERSITY GROUP - STAFF**


**Minutes of meeting held on 11 February 2016 at 2:00pm in Committee Room 1**

**Present:** Janine Brennan – Chair (JBr) Ian Beattie (IB) Andrea Chown (AC) Julie Kelly (JK)

**In Attendance:** Sarah Kinsella (SK)

	AGENDA ITEM	ACTION/ PAPER ATTACHED
1	<b>Apologies:</b> Kate Bates, Jakki Gilson, Sue McLeod, Rachel Morris, Clare Topping	
2	<b>Minutes of last meeting:</b> The minutes of the meeting on 10 December 2015 were accepted as correct.	
3	<p><b>Matters Arising:</b></p> <p><u>Trust Equality Groups Discussion:</u> SK has contacted the Deputy Director of HR at NHFT regarding information on the NGH staff attendance at NHFT Equality Groups and this email was forwarded onto other members of NHFT staff who have not responded despite being chased by SK. As SK first made contact with NHFT in Summer of 2015 that it is unlikely that they are going to respond.</p> <p><u>Staff Side Items:</u> SK looked at the codes of practice for nursing, midwifery, HCPC, HCA's and medical staff and put together the attached information regarding staff refusing or delaying treatment due to their religious beliefs. SK could not find any case law and the NMC findings of the case that RM originally referred to did not state that the reason for the person being struck off was due to refusing to give care due to their religious beliefs. Discussion was had as to whether explicit reference should be made to this in the Trust terms and conditions of service (already state <i>"You are required to comply with any Codes of Conduct relevant to your profession and any Trust policies, procedures and guidelines applicable to your area of work."</i>). JBr suggested that it was discussed with SPF at a future Operational Subgroup to get their view.</p> <p><u>Workforce Race Equality Standard (WRES):</u> SK confirmed that she had discussed/emailed GH and AL about the need for the newly redeveloped Appointing Officers training to be promoted across the Trust, especially to senior managers who would recruit bands 8-9, especially as the analysis that had been undertaken of the appointment of staff from BME groups compared to white applicants in band 8-9 for the previous 12 months had demonstrated that there had been 17.50% BME applicants but none had been shortlisted/appointed. All present expressed concern at this data and JBr requested GH provide the files for these jobs and an audit take place of the posts that the report related to so that they can all be checked as to who met the essential criteria and to establish if those who were shortlisted to attend an interview reflected the audit results. The outcome of this audit would determine if any further audits/analysis would be required. SK has requested the files from GH and will discuss with AC who should undertake this audit.</p> <p><u>Staff Side Update:</u> Following the issue raised at the last meeting, that flexible working applications had been refused on the basis of age/health, AC went through the attached report that gave information on the protected characteristics of the staff that applied for flexible working through Shift Standardisation. It was noted that there was a higher number of older staff whose applications for childcare were declined but otherwise it reflected the workforce profile. AC also explained that as part of the change paper an equality analysis was carried out. It was agreed that SK would publish this report on the</p>	<div style="text-align: center;">                       Extracts from Code of Conducts Regardin                 </div> <div style="text-align: center; margin-top: 20px;"> <b>SK</b> </div> <div style="text-align: center; margin-top: 20px;">                       Applications to Appointments Bands 8-9                 </div> <div style="text-align: center; margin-top: 20px;"> <b>SK/AC</b> </div> <div style="text-align: center; margin-top: 20px;">                       Shift Standardisation Flexible Working Analysis                 </div> <div style="text-align: center; margin-top: 20px;"> <b>SK</b> </div>

	<p>internet and JBr would report back to the Workforce Committee that this had been looked at.</p> <p><u>Staff Side Update:</u> As requested at the previous meeting whereby it was raised that high numbers of staff from BME groups are involved in disciplinary cases, AC went through the attached report and the ethnicity of those involved in disciplinary cases is in line with the workforce profile. It was noted that the number of males was higher than the workforce profile. JBr requested that the HRBP's investigate further into the seniority of the managers as she was concerned by the relatively high number in comparison to the number of senior managers in the Trust overall. AC has requested this information from an HRBP. SK will publish this report on the internet</p> <p>AC advised that the analysis that had been undertaken for the above two matters arising had been very time consuming and ultimately not demonstrated any major issues and therefore in future she would be requesting some definitive evidence rather than anecdotal before carrying out such analysis in the future. JBr agreed that prima facie evidence would be required.</p> <p>All other items from the action log are covered on the agenda.</p>	<p><b>JBr</b></p>  <p>2014-2015 formal disciplinary analysis fi</p> <p><b>AC SK</b></p>
<p><b>4</b></p>	<p><b>Workforce Race Equality Standard: Actions 2016</b> SK referred to the attached report and explained that during April 2016 the data for the 9 key indicators would need to be gathered and analysis in the same way as the previous year, however it would then need comparing against the 2015 data to see where there were any improvements, no changes or deteriorations. This would then determine if any further analysis/actions required. In addition by 1 May 2016 the Trust will need to publish on its website and share with the Commissioners, Trust Board and staff an annual report and in it the Trust should set out their own assessment of the challenges and risks faced in closing the gaps between the metrics for White and BME staff, alongside plans to close whatever gap between the treatment and experience the data reveals. SK has set aside time in her diary to commence gathering the data at the beginning of April and she and AC also have a meeting in the diary to produce the Annual Report.</p> <p><u>Non Mandatory / CPD Training Analysis</u> SK confirmed that she had requested a report from L&amp;D regarding who has accessed non-mandatory / CPD training by band, course and ethnicity and these were analysed and compared to the workforce profile. Bands 1, 2, 6, 8 and medical and dental were above the workforce profile percentage and the remaining bands including VSM were below the workforce profile percentage. A long discussion took place regarding this in relation to the difficulties of recording this sort of training/activity on our systems as a large proportion of CPD would not be in the form of formal courses and therefore it would be impossible for the Trust to monitor and record. In light of this if it was felt that the data used to undertake the analysis was not comprehensive enough to ensure that the outcomes of the analysis were accurate. JBr will advise the Workforce Committee of this and request their permission not to pursue this any further due to the enormous resources that would be required deal with the issues.</p>	 <p>Report on Actions Required for WRES J:</p> <p><b>SK SK/AC</b></p>  <p>WRES Indicator 4 Further Analysis.docx</p> <p><b>JBr</b></p>
<p><b>5</b></p>	<p><b>4 Year Plan/Equality Objectives – Progress Report:</b> SK advised that the Equality Objectives have been updated and published on the internet. The objectives/4 year plan is due to be reviewed this year and will be discussed at the next meeting (SK to add to agenda). AC suggested that we might need to consider including something about equal pay. JBr suggested that we look at the 2015 staff survey results to see how the Trust compared in relation to satisfaction with pay against the national average. Following the meeting SK checked this and the Trust scored 35% and the national average for acute Trusts was 36%.</p>	<p><b>SK</b></p>
<p><b>6</b></p>	<p><b>Annual Report – Progress Report: 2014/2015</b> SK confirmed that this had been approved at the Workforce Committee and had now been published on the internet along with the Monitoring Report.</p>	

	<p><u>2015/2016 (Workforce) Preparation</u></p> <p>Work on the next Annual Report has commenced with a view that it would come to the next meeting for comments prior to going to the Workforce Committee in July for approval. SK gave a brief overview of some of the ideas gathered so far and asked if anyone had any further ideas to let her know. JBr suggested that information regarding 'Mind the Gap' was included. This relates to research carried out in relation to 'Generation X and Y and age diversity issues. SK will liaise with JBr to get more information regarding this. AC will be asking the relevant staff to provide her with the data for the Monitoring Report by late April and will be requesting it for the Trust as a whole and also by Division. The Divisional data will be passed onto the Divisional Representatives to work with their Divisional Managers/Directors to determine their objectives for the coming 12 months (see item below for further information). HRBP's will work with the Divisional Representatives and AC is discussing this with the HRBP's.</p>	<p>All</p> <p>SK</p> <p>AC</p>
7	<p><b>Divisional Report Reviewed Template Discussion:</b></p> <p>The reviewed template was attached to the agenda and further suggestions for improvement were made. In addition information regarding the Divisions objectives will need to be included and it was suggested that at each meeting one Division would report on the objectives that have been set for their area and then at the meeting 12 months later they would report back on their progress. SK/AC will organise the changes to the template, which could then be trialled to see if it is fit for purpose.</p>	SK/AC
8	<p><b>Divisional Reports – Verbal:</b></p> <p>Of the Divisions represented there was nothing to report.</p>	
9	<p><b>Corporate Update:</b></p> <p>CT sent an email to advise that Facilities are considering an objective to ensure that the mandatory training delivered to their staff is appropriate and understandable.</p> <p>CT also reported that the Protecting Staff Against Violence, Aggression, Discrimination and Harassment Policy had been rewritten and now included an appendix on E&amp;D. JBr asked if feedback could be provided to the author to advise that the E&amp;D Staff Group had looked at it and were concerned that some of the content of the appendix was not related to E&amp;D and to suggest that when it is next reviewed the E&amp;D Patient Group are consulted and able to contribute to the review.</p>	SK
10	<p><b>Staff Side Update:</b></p> <p>Did not attend the meeting.</p>	
11	<p><b>Any other business:</b></p> <p>SK enquired if the E&amp;D Staff Group ToR was approved at the January 2016 Workforce Committee and JBr confirmed that it was and SK has published this on the internet.</p>	 EQDS ToR January 2016.doc
12	<p><b>Date and Time of next meeting:</b></p> <p>Thursday 23 June 2016 at 2:00pm in HR1</p>	

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Action Log – Key points from meeting		
Agenda Item	Description	Action
3	<p><u>Matters Arising – Staff Side Items:</u></p> <p>SK to take to a future Operational Subgroup the information from Codes of Practice regarding refusing to give care on grounds of religion or belief and to get the SPF view on if specific reference should be made to this in contracts.</p>	SK
3	<p><u>Matters Arising – Workforce Race Equality Standard (WRES):</u></p> <p>SK to discuss with AC who should undertake the audit of recruitment for Band 8 and above.</p>	SK/AC
3	<p><u>Matters Arising – Staff Side Update:</u></p> <p>SK to publish on the internet the two analysis reports (protected characteristics of the staff that applied for flexible working through Shift Standardisation and disciplinaries</p>	SK

	in relation to ethnicity).	
<b>3</b>	<u>Matters Arising – Staff Side Update:</u> JBr to report back to the Workforce Committee that the protected characteristics of the staff that applied for flexible working through Shift Standardisation had been looked at.	<b>JBr</b>
<b>3</b>	<u>Matters Arising – Staff Side Update:</u> AC to report back on the information requested from an HRBP in relation to the investigation into the seniority of the managers referred to in the analysis of disciplinarys.	<b>AC</b>
<b>4</b>	<u>Workforce Race Equality Standard (2016 Data):</u> SK has set aside time in her diary to commence gathering the WRES data at the beginning of April and she and AC also have a meeting to produce the Annual Report.	<b>SK/AC</b>
<b>4</b>	<u>Workforce Race Equality Standard (Non Mandatory / CPD Training Analysis):</u> JBr to advise the Workforce Committee of the issues with this and request their permission not to pursue this any further due to the enormous resources that would be required deal with the issues.	<b>JBr</b>
<b>5</b>	<u>4 Year Plan/Equality Objectives – Progress Report:</u> SK to add this subject to the next agenda for discussion and review.	<b>SK</b>
<b>6</b>	<u>Annual Report (2015/2016 (Workforce) Preparation):</u> SK to liaise with JBr to get more information regarding Mind the Gap and AC will ask the relevant staff to provide her with the data for the Monitoring Report by late April.	<b>SK/AC</b>
<b>6</b>	<u>Annual Report (2015/2016 (Workforce) Preparation):</u> Suggestions of articles for next workforce annual report to be forwarded onto SK.	<b>All</b>
<b>7</b>	<u>Divisional Report Reviewed Template Discussion:</u> SK/AC will organise the further changes to the template.	<b>SK/AC</b>
<b>8</b>	<u>Corporate Update:</u> SK to feedback to the author of the Protecting Staff Against Violence, Aggression, Discrimination and Harassment Policy to advise that the E&D Staff Group had looked at it and had some concerns.	<b>SK</b>