

EQUALITY & DIVERSITY GROUP - STAFF

Minutes of meeting held on 23 June 2016 at 2:00pm in HR 1

Present: Janine Brennan – Chair (JBr) Liz Aldridge (LA) Kate Bates (KB)

Andrea Chown (AC)

In Attendance: Sarah Kinsella (SK)

	AGENDA ITEM	ACTION/ PAPER ATTACHED
1	Apologies:	
	Julie Kelly, Rachel Morris, Clare Topping.	
	It was noted that the Medicine Divisional Representative had left the Trust. SK will	SK
	contact Sue McLeod to establish who will be replacing them.	
2	Minutes of last meeting:	
	The minutes of the meeting on 11 February 2016 were accepted as correct.	
3	Matters Arising:	
	Matters Arising – Staff Side Items:	
	SK confirmed that she had asked the Operational Subgroup for their view on whether	
	specific reference should be made in contracts of employment to the information from	
	Codes of Practice about refusing to give care on grounds of religion or belief. It was their view that there should be no specific reference about this and the wording should	
	be left as is, with the reference to the appropriate codes of conduct only.	
	Matters Arising – Staff Side Update:	
	SK advised that she had published on the internet the two analysis reports (protected	
	characteristics of the staff that applied for flexible working through Shift Standardisation	
	and disciplinaries in relation to ethnicity).	
	Matters Arising – Staff Side Update:	
	JBr advised that she didn't believe she had reported to the Workforce Committee that	
	the protected characteristics of the staff that applied for flexible working through Shift	SK
	Standardisation had been looked at. SK to provide Adam Cragg with information for inclusion in the past Workforce Committee report	3N
	inclusion in the next Workforce Committee report.	
	Matters Arising – Staff Side Update:	
	SK brought back additional information regarding the seniority of the managers	
	referred to in the disciplinary (ethnicity) analysis report presented at the previous	
	meeting. Of the 8 managers there was:	
	• 1 x band 4	
	• 1 x band 5	
	• 1 x band 6	
	• 1 x band 7	
	4 x band 8a's.	
	Concern was expressed about the number of managers at band 8a who had been	
	disciplined especially as some related to incompetence, but it was also acknowledged	
	that it demonstrated that the Trust will take appropriate action if there is a breach of	AC
	conduct regardless of banding. Further discussion took place and AC will give more	70
	detailed feedback on the individual cases to JBr outside of the meeting.	
	Workforce Race Equality Standard (Non Mandatory / CPD Training Analysis):	
	JBr advised that she didn't believe she had advised the Workforce Committee of the	

	issues with this or requested their permission not to pursue this any further due to the enormous amount of resources that would be required deal with the issues. SK to provide Adam Cragg with information for inclusion in the next Workforce Committee	SK
	report.	
	Corporate Update: SK confirmed that she had contacted 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. The author confirmed that the Trusts Service Equality Lead had been included in the consultation. SK has asked them to note that it needs reviewing the next time the policy is reviewed.	
	All other items from the action log are covered on the agenda.	
4	Audit of Shortlisting for Posts Band 8a and Above: SK went through the attached report produced by the HR Advisors (HRA) who had undertaken the analysis of the shortlisting of 8 random posts, at bands 8a or above, advertised during 2015/2016. Of the 8 posts analysed there were 2 posts that had no BME applicants. The HRA's were satisfied that for 4 of the posts, which did have BME applicants, those who were not shortlisted did not meet the essential criteria. In relation to the remaining two posts it was the view of the HRA's that there were BME applicants who were not shortlisted, yet they appeared to meet the essential criteria:	8A Recruitment - v.2.docx
	 Compliance Governance Manager (2 BME applicants not shortlisted who appeared to have met the essential criteria) ePMA Lead Pharmacist (1 BME applicant not shortlisted who appeared to have med the essential criteria) 	
	AC added that the HRA's had indicated that not having an understanding of the post or the clinical knowledge it was a difficult exercise to undertake. JBr requested that the Appointing Officers for both posts be spoken to in relation to this and AC will feedback to the HRA's regarding this request.	AC
5	Draft Annual Report 2015/2016 & Draft Monitoring Report 2015/2016: SK and AC presented the Draft Equality and Diversity Annual Report and Monitoring Report and asked for any comments prior to their final approval at the July Workforce Committee. AC confirmed that the monitoring report is also a legal requirement and therefore very data/analysis based. SK expressed thanks to Paula Wilson and Becky Sansom for their assistance in the production of the annual report into a 'glossy' publication. The two reports were approved, but it was suggested that an alternative photograph on the front page of the annual report be used as the current one did not demonstrate the diversity within the organisation. SK will organise for the photo to be changed and forward the reports to Adam Cragg for inclusion in the next Workforce Committee report.	SK
6	Divisional Monitoring Reports: AC confirmed that as per the discussions at the previous meeting a monitoring report had also been produced by each HR Business Partner on the E&D data for their Division (four clinical divisions only). AC advised that as this was the first time that this had been undertaken the level of analysis varied across the different reports. JBr requested that the HRBP's undertaken some further work on their reports, using the best one, of the four, as a model to basis them all on. AC will organise for the HRBP's to undertake this further work. The next steps (when the reports have been revised) is for the HRBP take the report to a DMT meeting so that the Divisions can study the data and decide on the areas they need to work on, which will determine what their divisional E&D objectives are to be. JBr expressed thanks to all for the work undertaken in relation to this so far.	AC HRBP's
7	Revised Divisional Report Template: SK the suggested changes to the template had been made to give guidance on what the Divisions should be reporting on at each meeting. In addition also built into the template was the mechanism for the Divisions (one Division per quarterly meeting) to report on their objectives and then subsequent progress as per discussed in item 6 of the minutes. The template was approved and SK will distribute it to the Divisional	SK

	Leads and the HRBP's along with the schedule of reporting on objectives and progress.	
8	Workforce Race Equality Standard: SK gave a brief overview of WRES and advised that in April 2016 the data was gathered against the 9 indicators again and compared to the 2015 results to establish where there were improvements or not. In addition, as per the WRES Technical Guidance, an annual report was also developed.	
	SK went on to report that whilst this work was being undertaken NHS England published a national report in relation to the WRES results for the whole of England based on data that had been submitted in 2015 (i.e. 2014 staff survey results) and SK had put together a briefing paper, which JBr will be taking to the next Workforce Committee meeting. SK explained that the national report also included caveats in relation to the quality of the data presented as it had been identified that organisations had interpreted the instructions and calculations within the Technical Guidance differently.	
	In mid-June SK received an email from NHS England that appears to supersedes the information provided in the Technical Guidance. At this point in time SK knows that the 2016 WRES data submission for deadline is 1 August 2016. On or around 1 July 2016 SK will be sent data that will be extracted by NHS England from our ESR system with formulas in place to provide the WRES calculations required for each indicator (SK assumes this is to try and resolve the issues highlighted in the caveat of the report). SK will be able to make changes to the data extracted if it is felt it is not correct. A report template that has been provided will need to be completed with the results and SK felt that we should be able to copy and paste into this template using the information from the work already done in April 2016. Finally the information received indicates that an action plan needs to be produced, however there is no mention of an annual report anymore. Discussion took place regarding the action plan and SK advised that within the Annual Report there is mention of plans/actions but not set out in what might be traditionally seen as an action plan format. JBr felt that it would be better to build WRES actions into existing plans/objectives rather than another action plan (see item 9).	
	SK is on annual leave the week the data is due to be sent, so will meet with AC w/c 11 July to discuss further including the next steps. SK has blocked out two days in her diary to look at this to endeavour to meet the 1 August 2016 deadline.	SK/AC
9	4 Year Plan/Trust Workforce Equality Objectives – Progress Report: SK went through the attached report and advised that the Trust's 4 Year Plan/Equality Objectives need reviewing. JBr had reviewed the general wording of the two workforce objectives as part of the review of the E&D Strategy, but the key actions need to updated. Discussion took place and it was agreed to amend the current actions to make the show that they are continuing rather than being implemented and to also add in key actions around:	2012 - 2016 Equality Objectives Review 20
	 WRES Health & Wellbeing Strategy Divisional Monitoring and objective setting 	
	SK will look at these with AC and update as required.	SK/AC
10	Divisional Reports – Verbal: The Divisions represented at the meeting had nothing to report.	
11	Corporate Update – Verbal:	
12	Staff Side Update – Verbal:	
13	n/a Any other business:	
	None	
	Date and Time of next meeting:	
	Thursday 1 September 2016 at 2:00pm in HR Meeting Room 1	

"These minutes may be subject to disclosure under the Freedom of Information Act 2000, subject to the specified exemptions, including the Data Protection Act 1998 and the Caldicott Guardian principles"

Action Log - Key points from meeting				
Agenda Item	Description	Action		
1	Apologies It was noted that the Medicine Divisional Representative had left the Trust. SK will contact Sue McLeod to establish who will be replacing them.	SK		
3	Matters Arising SK to provide Adam Cragg with information for the next Workforce Committee Report for JBr to report that: 1. Protected characteristics of the staff that applied for flexible working through Shift Standardisation had been looked at. 2. Issues with Non-Mandatory Training/CPD reporting and recording and to requested their permission not to pursue this any further due to the enormous amount of resources that would be required deal with the issues	SK		
3	Matters Arising – Staff Side Update AC to feedback to JBr outside of the meeting on the individual cases of the band 8a managers who were referred to in the disciplinary (ethnicity) analysis report.	AC		
4	Audit of Shortlisting for Posts Band 8a and Above AC to ask an HRA to speak to the relevant Appointing Officers for both posts where the shortlisting analysis had indicated a BME candidate met the essential criteria but were not shortlisted.	AC		
5	Draft Annual Report 2015/2016 & Draft Monitoring Report 2015/2016 SK to organise for the photo to be changed on the front cover of the Annual Report and forward both reports to Adam Cragg for inclusion in the next Workforce Committee report, for their approval.	SK		
6	Divisional Monitoring Reports AC to organise for the HRBP's to undertake further work/analysis so that 4 reports contain the same information and level of analysis.	AC		
	HRBP's to take their finalised report to a DMT meeting so that the Divisions can study the data and decide on the areas they need to work on, which will determine what their divisional E&D objectives are to be.	HRBP's		
7	Revised Divisional Report Template SK to distribute finalised template to Divisional Leads and the HRBP's along with the schedule of reporting on objectives and progress.	SK		
8	Workforce Race Equality Standard SK to meet with AC w/c 11 July to discuss further including the next steps.	SK/AC		
9	4 Year Plan/Trust Workforce Equality Objectives – Progress Report: SK will look at these with AC and update as required.	SK/AC		