

A large decorative graphic on the right side of the page, composed of several overlapping hearts of various colors: red, pink, purple, blue, teal, and green. The hearts are arranged in a vertical, slightly curved sequence, creating a sense of depth and movement.

Equality Duty Assurance Report (EDAR)

2018

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1. Introduction

Background

Public Sector organisations are required by the Equality Act 2010 to demonstrate how they are actively working to reduce health inequalities by promoting equality and working to eliminate discrimination, whilst maintaining a commitment to respect human rights. Moreover, they need to demonstrate the outcomes of this work, in particular, showing how they have assessed the impact of policies, strategies and action plans on the local population and its workforce.

Aims of the Equality Duty Assurance Report (EDAR)

In formulating this Equality Duty Assurance Report (EDAR), Wirral Community NHS Foundation Trust (WCT) is not only aiming to ensure that it is meeting the legal duties to promote equality and challenge unlawful discrimination, but also to ensure that consideration of equality and human rights issues is incorporated into day-to-day practice across the organisation. Intended outcomes will be equal access to services for all groups and reduced health inequalities and improved health outcomes for patients. Safeguarding employees across the protected characteristics and a commitment to advance equality of opportunity across the organisation are also key components.

Scope of the Equality Duty Assurance Report (EDAR)

This Equality Duty Assurance Report sets out the commitment of WCT in how it will endeavour to adhere to statutory obligations, building upon progress achieved under previous equality schemes and directives.

2. The Public Sector Equality Duty

Legislation overview

In April 2010, the Equality Act received Royal assent. The act identified the phased implementation of legislative requirements, to bring into effect measures to promote equality and eliminate discrimination, which were built upon nine previous pieces of equality law.

The Act now includes all the protected characteristics. The only part of the general duty that applies to *civil partnership and marriage* is the responsibility to eliminate discrimination and prohibited conduct.

The full list of protected characteristics is:

- age
- disability
- gender reassignment
- civil partnership and marriage
- pregnancy and maternity
- race
- religion or belief
- sex (formerly referred to as gender)
- sexual orientation

The Act introduced both a general public sector duty and specific duties, which came into effect from the 10th of September 2011.

General Duty

The general duty is as follows:

- **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.**

The following are the public sector specific duties which came into force on 10th of September 2011. To meet the specific duties, public sector bodies should:

- **Publish Information outlining how they will comply with the general duty by 31/1/2012 (Annually thereafter).**

- **Publish details on their workforce breakdown and the local population by various equality denominations e.g. age, race etc., by 31/1/2012 (Annually thereafter).**
- **Undertake a revised equality screening process to replace equality impact assessments called an *Equality Analysis*, in functions, services and policies.**
- **Formulate one objective for each protected characteristic, by 5th of April 2012.**
- **Publish an equality strategy by 5th April 2013.**
- **All information published on how they will meet the equality duty must be presented in such a manner that it is accessible to the public.**

The Government Equalities Office indicates strongly that there should be less bureaucracy within the equality and human rights agenda. Emphasis now focuses on equality outcomes and productivity, rather than process. This follows some of the key outcomes of the White Paper 'Liberating the NHS: Equity and excellence':

- **Putting Patients & Public First**
- **Autonomy, Accountability and democratic legitimacy**
- **Improving Healthcare outcomes**
- **Cutting bureaucracy & improving efficiency**

WCT will continue its commitment to adhere to the revised equality duties and build upon the significant progress of work already undertaken with regard to race, disability and gender and all other protected characteristics. This equality duty assurance report is clear and provides the means to demonstrate adherence to the general duty are indicated within this document.

3. Meeting the equality duties

Providing evidence of how we are meeting our duty

Through this EDAR, WCT aims to demonstrate how it is paying due regard to the general duty. This assurance report has been published, to fall in line with the requirements of its specific duties.

The EDAR outlines the equality governance framework of the organisation, which underpins equality and human rights activity across all functions, policies and services within the organisation.

Wirral Community Trust relaunched its Community Equality Panel (CEP) in 2017 and plans to build this during 2018. WCT are committed to increasing membership from staff and local organisations, hosting quarterly meetings and naming the panel as assessors for the annual EDS2 assessments. The CEP is chaired by the Director of HR and OD who reports to the Board of Directors, advising and endorsing a range of initiatives, reports and actions.

The future assessment of the 18 individual EDS2 outcomes will be done by internal and external stakeholders, who reflect the spectrum of the protected characteristics and represent their respective interests and collective insight. This will ensure that the grades provide robust assurance that the Trust's functions, services, policies and strategies are working towards reducing equality and health inequalities across the whole organisation.

WCT began work to create a Workforce and Community Disability Support Group (WCDSG) in 2017 and so far has held focus groups and 1 to 1 discussions with staff on working with a disability. The staff who took part are keen to be involved further in 2018 and will be invited to form part of the WCDSG. The WCDSG will focus on disability matters and improving access for disabled staff and patients.

The WCDSG will meet 4 times a year and will be chaired by the Equality and Diversity Manager who will report directly to the CEP and Director of HR and OD, who in turn will report to the Board. The WCDSG will have internal and external stakeholder membership, with active involvement from patient representatives, charities, local government bodies and staff.

Reasonable Adjustments for Disabled Staff

“Equality legislation recognises that bringing about equality for disabled people may mean changing the way in which employment is structured, the removal of physical barriers and/or providing extra support for a disabled worker. This is the duty to make reasonable adjustments

The duty to make reasonable adjustments aims to make sure that, as far as is reasonable, a disabled worker has the same access to everything that is involved in doing and keeping a job as a non-disabled person.” Equality and Human Rights Commission 2017

WCT is committed to our duty to make reasonable adjustments for disabled staff and to ensuring that members of the workforce are adequately supported and adjustments

made wherever appropriate. The assessment and practice of making reasonable adjustments is agreed via a multi-disciplinary approach involving communication with the individual, their manager, Human Resources, and Occupational Health, where required.

Trust policy that further underpins this commitment includes:

- Flexible Working Policy
- Dignity at Work Policy
- Attendance Management Policy
- Work Life Balance Policy
- Management of Work Related Stress Policy

These policies embed guidance on the 'when and how' to introduce reasonable adjustments for a staff member, and ensure that this is done seamlessly. These policies refer to specific instruction, referral templates, risk assessment and support services. The Attendance Management policy was updated in 2017 to support the process for supporting staff who require adjustments to their role. These policies are regularly reviewed and going forward, will include the input of WCDSG and CEP where required.

The trust will continue its commitment to maintaining the "Disability Confident" level 2 accreditation and being a "Mindful Employer".

Consultation and Involvement of Staff and Service Users

WCT is committed to ensuring that staff and service users are involved in shaping the equality and human rights work stream and have opportunities to influence health service planning and delivery. The Trust intends to achieve this via staff and service user access to the CEP, WCDSG and the Your Voice patient experience group.

WCT has a strong emphasis on engagement in its equality action plans, in order to facilitate '*autonomy, accountability and democratic legitimacy*' with regard to how it discharges undertakings under the general duty of the equality Act (2010). Only by working in partnership with people and our staff can we develop services that meet local need and are utilised effectively. In addition to the groups identified above, individual services have patient engagement groups and undertake specific consultation exercises in relation to improving their services.

Equality Monitoring

Good quality data underpins all equality and diversity work from identifying priorities to measuring the effectiveness of our actions. The quality of data collection and analysis needs to be improved in order that we may effectively understand our local population and who is using local services. Improvements in this area have already been made with the migration of the majority of services to System One to achieve consistency however further progress can be made. We will formulate actions into the equality strategy to improve the capture of data, especially with regards to protected characteristics, where the profile is incomplete or requires more impetus.

Equality Analysis

A commitment to undertaking equality analysis ensures that our policies, strategies, functions and any services we deliver endeavour not to lead to an unfavourable effects on different people and help to identify any positive action we can take to promote equality of opportunity and access. By ensuring we have effective processes for undertaking Equality Analysis, WCT aims to ensure the services it provides meet the needs of patients and thereby increases public confidence.

Equality impact forms a fundamental part of the Cost Improvement and Policy Development processes to ensure due considerations are made to the impact of change to those with protected characteristics and those who might experience barriers to healthcare within the Community. This will continue to be done using an Equality Impact Assessment form as part of any process changes. The Trust's Equality & Diversity Manager is a member of the Quality Impact Assessment (QIA) Panel.

Creating Accessible Information

Barriers to information can prevent people from effectively accessing health services and may affect health outcomes for some people. It is important that local people are involved in helping us to identify these needs and agree solutions. This is an important element of how WCT intends to actively work with its internal and external stakeholders.

WCT is committed to achieving this through its launch of WCDSG and CEP, and through its continued commitment to achieving the Accessible Information Standard. Work will be carried out in 2018 to ensure that actions resulting from the collection of AI data are captured and reported upon.

Promoting Equality Among the Workforce

WCT aims to have a workforce that reflects the demographic make-up of the local population. It will do this through positive and targeted recruitment policies and procedures. In addition it will ensure that the workforce is supported to promote equality of opportunity and challenge discrimination.

WCT make an annual commitment to produce a full Workforce Equality Analysis Report (WEAR) and Workforce Race Equality Standard (WRES) action plan, in order to support future planning and development options. In 2018 WCT will publish its first annual Gender Pay Gap Report.

Working on Health Inequality

The Trust will collaborate with partner agencies in both statutory and the third sector, to work on improving accessibility to services and the patient experience of patients from seldom heard groups in the community, who have been shown in Joint Strategic Needs Assessments and epidemiology studies to be disproportionately prevalent in poor health outcomes, morbidity and low access to both primary and secondary care services and resources.

WCT will utilise its growing engagement network and links to local 3rd sector organisations, to gain the perspectives and ascertain the needs of both its workforce and the public that it serves.

Equality and Human Rights links to priorities and functions, Values and Vision

Our vision is “To be the outstanding provider of high quality, integrated care to the communities we serve” regardless of potential barriers to health care and services. We commit to tackling these when they arise.

We have agreed Values that reflect respect, individual and person centred care.

The values at our HEART...

H *Health and wellbeing at the heart of everything we do*

E *Exceptional person-centred care*

A *Actively supporting each other*

R *Responsive, professional, innovative*

T *Trusted to deliver*



To underpin this, we have agreed **Behavioural standards** we want to see and encourage in everyone. They underpin what we do as a Trust and how we do it. They define how we behave, treat each other and our patients. Our supporting behaviours are to:

- provide compassionate care, with empathy, kindness, respect and dignity
- act with honesty and integrity
- communicate openly with patients and colleagues
- act with courage when things are not right
- build effective partnerships

4. Accountability

Responsibilities and Accountability

The Board of Directors have overall responsibility to ensure that the organisation adheres to the statutory obligations contained within section 149 of the Equality Act (2010) known as the Public Sector Equality Duty (PSED).

The Director of HR and OD chairs the quarterly Community Equality Panel (CEP) and in turn will report to the Board.

Wirral Community Trust (WCT) as a whole will work together to ensure that it builds up significant progress in meeting the equality duties and embedding the fundamentals of equality analysis and engagement in its functions, services, strategies and organisational undertakings.