

**THE LEEDS TEACHING HOSPITALS NHS TRUST
TRUST BOARD 1 June 2006**

EQUALITY AND DIVERSITY POLICY

1 PURPOSE OF THE PAPER

This paper presents the Equality and Diversity Policy and action plan for Board approval.

2 BACKGROUND

The Trust Board approved an Equality and Diversity Strategy in September 2004. However to help to ensure that the Trust meets the legislative and national policy requirements including the Standards for Better Health it was felt that that the work should be underpinned with the authority of a Trust policy.

Work has already been done to support Trust staff in meeting the requirements but there is still more to do. The Trust's Race Equality Scheme is an integral part of this policy and action plan which together form our equality and diversity strategy. A strategic plan has been developed to take this work forward.

3 SUMMARY OF KEY ISSUES AND REQUIRED ACTION

The Trust's approach is to bring equality and diversity into the mainstream of its work so that it becomes part of "the way we do things". Implementing the policy and action plan will enable us to

- Deliver patient centred services and contribute to our becoming both the employer and service provider of choice
- Comply with the equality and diversity dimensions of the NHS Standards.
- Comply with the current legislation
- Ensure that we are ready to implement pending and future legislation
- Develop a clear picture of our performance overall in relation to equality and diversity

Action Required

The Trust Board is requested to approve the policy. In particular the Board's attention is drawn to the fact that the action plan includes Equality and Diversity training for the Trust Board which it is anticipated will take place in September 2006.

An addition has been made to the Trust policy template in the attached policy (no.10) The Board is requested to approve this as a permanent addition to the trust policy template. This will enable the Board to satisfy itself that all policies have been appropriately equality impact assessed in line with the legislation.

It is proposed that six monthly progress reports should be sent to the Board, the first to be completed for the September Board meeting.

Ruth Holt – Chief Nurse

Rachael Allsop – Director of Human Resources

THE LEEDS TEACHING HOSPITALS NHS TRUST EQUALITY AND DIVERSITY POLICY

1. INTRODUCTION

The Leeds Teaching Hospitals NHS Trust is a major employer and health care provider for the people of Leeds, the West Yorkshire Region and beyond. Its catchment area is made up of a very diverse population. Equality legislation covering Race Gender and Disability has been in place for sometime. In recent years a range of new equality legislation has been put in place. It strengthens and extends earlier legislation and brings new areas within its scope. In conjunction with this, national policy initiatives and standards have been introduced to support fair recruitment and employment practice and to ensure that services are fully accessible and appropriate to individual patients.

1.1. Purpose

The purpose of the Equality and Diversity policy is to ensure that the Trust provides accessible, high quality services and employment opportunities to the widely diverse populations that it serves. Its aim is threefold:

- To deliver fully accessible, respectful, patient centred services
- To deliver best practice in terms of recruitment and employment
- To promote equality and ensure that no one is unlawfully disadvantaged by any Trust policies, practices or procedures

2. BACKGROUND

A wealth of legislation and policy underpins the need for this policy. Key aspects of this are summarised and available on the intranet.

3. POLICY STATEMENT

The Trust is committed to delivering high quality patient centred services and to becoming a model employer. It will promote equality and integrate an anti discriminatory approach into all areas of its work. It will ensure that barriers to access to services and employment are identified and removed, and that no person is treated less favourably on the grounds of their race, ethnic group, religion/belief, impairment, age, gender, sexual orientation or mental health status.

3.1. Strategic Outcomes

- Patients and their families are confident that, in choosing the Trust for their care they will be treated with respect and dignity and that their specific needs will be met
- Clinical and non clinical services are accessible, culturally appropriate and outcomes are equitable
- The Trust is acknowledged as a good employer that values its staff
- The Trust has a well trained and well-informed work force that reflects at all levels, the diversity in the population that it serves
- The Trust is widely recognised as an organisation that promotes equality and challenges discrimination as an employer and as a service provider

- The Trust has an up to date and effective Race Equality Scheme and similarly from December 2006 a Disability Equality Scheme and from April 2007 a Gender Equality Scheme and is ready to implement other new legislation as it arises
- The Trust is compliant with the Standards for Better Health and with equality legislation

3.2. Working Principles

- Equality and diversity considerations will be incorporated into all Trust activities so that it becomes part of “the way we do things”
- Staff will promote equality by challenging misconceptions, stereotypes and prejudice and by highlighting and working to eliminate any practices that are potentially discriminatory
- Equality impact assessments will be an integral part of the development of policy, practice and procedures and of planning and service changes
- Staff will work with patients and their families in ways which, wherever possible, take into account that they may have different attitudes, values and beliefs about health and healthcare. Where it is not possible to take this into account, clear information and explanations will be given
- Barriers to services and employment will be identified and removed and where they cannot be removed, adjustments will be made
- The social model of disability will be applied¹
- Auxiliary aids and services will be provided where these will facilitate access
- Equality of opportunity in recruitment and employment practice and the lawful use of positive action initiatives will be promoted

4. POLICY EFFECT

4.1 The Trust Board is ultimately responsible and accountable for ensuring that the Trust meets its legal and policy obligations in relation to Equality and Diversity. In particular the Trust Board must satisfy itself that the Trust:

- Is compliant with the legislation (Race, Disability, Gender, Employment Regulations covering Religion/Belief and Sexual Orientation, Human Rights)
- Meets the equality and diversity elements of the Standards for Better Health
- Has an up to date and effective Race Equality Scheme as part of its Equality and Diversity strategy
- Is ready to implement pending new legislation (Disability Equality 2006, Employment Regulations Age 2006, Gender Equality 2007 and other areas arising from the passing of the Equality Bill, date yet to be determined)
- Carries out the statutory equality impact assessments on business cases, strategic developments and on Trust policies when they have been assessed as relevant to the statutory equality duties

The Board will also ensure that the needs of different groups are explicitly considered and taken into account in its own strategic and policy development work, and satisfy its self that their needs have been considered and appropriately included in work submitted to the Board for decision, endorsement or approval.

¹ The Social model applied to disability states that: it is the response of society to people with impairments not the impairment itself, which creates disability. The responsibility lies with the organisations and institutions of a society (not with the individual) to take action to remove barriers and facilitate access. This approach can be applied to the other groups covered by this policy.

4.2 Executive Directors

All Executive Directors are responsible for ensuring that equality impact assessments are undertaken for all the policies for which they are responsible. This includes the development of new policies. The impact assessment report should be published as part of the policy document on the internet. They must also ensure that the work of their directorate departments promotes equality and takes full account of the needs of different groups. In addition:

The Chief Nurse and the Director of Human Resources are the lead directors for equality and diversity. They are responsible for ensuring the development of policy, strategy, guidance and advice to support Trust compliance with the legal and policy framework including the relevant Standards for Better Health. This work will be supported by the Head of Patient and Public Support Services for service delivery and by the Head of Human Resources-Diversity.

The Directors of Operations are responsible for ensuring the implementation of policy and guidance within their respective CMTs and are accountable for operational compliance through the performance management process.

The Director of Facilities is responsible for ensuring that physical access and Disability Discrimination Act compliance are taken into account in the management, maintenance and development of the Trust's estate He/she is also responsible for ensuring that procurement is dealt with in compliance with guidance produced by the Commission for Race Equality and that all services provided by facilities take into account the needs of the diverse population

4.3 Heads of Clinical Management Teams (CMTs) are responsible for the development and implementation of an equality and diversity plan as part of their business planning process. This must include details of proposed equality impact assessments, actions agreed as a result of completed equality impact assessments and detail steps to ensure compliance with Trust policy and guidance, the Standards for Better Health and the legislation. It should address the equality requirements of condition specific National Service Frameworks where relevant as well as those with more generic application such as the NSF Older People and the NSF Long Term Conditions.

They are accountable to the Directors of Operations for the performance of their CMT in relation to equality and diversity through the performance management process. The information provided from this process will provide key evidence for the Trust self declaration against the relevant Health Care Standards and will be needed for other inspection purposes including the Local Authority Health and Well Being Scrutiny Board, Patient Forum, Strategic Health Authority, Auditors etc.

4.4 Managers and supervisors

All managers and supervisors are responsible for ensuring that they and their staff carry out all their duties in accordance with this policy and associated policies and guidance. They should ensure that staff are aware of their responsibilities as part of their induction and throughout their employment with the Trust. They should ensure that they know where to find information and resources. They should include a consideration of staff training and development needs, particularly in relation to the core Equality and Diversity dimension of the Knowledge and Skills Framework (KSF), as part of the appraisal and personal development planning process. They are responsible for ensuring, enabling and encouraging staff to attend any relevant training provided.

4.5 All Staff

Staff at all levels are responsible for ensuring that their behaviour at work is consistent with the strategic outcomes and working principles set out in this policy and associated policies and guidance. This means that they will:

- Treat patients, visitors and colleagues with respect
- Ensure effective two way communication
- Recognise different cultures, customs, religious practices, family relationships and structures
- Ask patients about their needs and be willing to do things differently to meet those needs
- Avoid inappropriate generalisations
- Maintain the dignity of patients at all times
- Remove barriers and make adjustments so that services and employment are accessible
- Using auxiliary aids and services as necessary
- Challenge disrespectful behaviour
- Identify their training and development needs in their personal development plans using the KSF Equality and Diversity dimension as a guide undertaking training and development as necessary

4.6 The Policy will be monitored by the Diversity Action Group which leads this work and also through the Equal Access Advisory Groups where it will be a regular agenda item.

Failure to follow this policy could result in the instigation of disciplinary procedures.

5. EQUALITY AND DIVERSITY STATEMENT

The Leeds Teaching Hospitals NHS Trust is committed to ensuring that, as far as is reasonably practicable, the way we provide services to the public and the way we treat our staff reflects their individual needs and does not discriminate against individuals or groups on any grounds.

6. REFERENCES

Race relations Act 1976
 Race Relations (amendment) Act 2000
 Statutory Code of Practice on the Duty to Promote Race Equality 2002
 Race Equality and Public Procurement 2003
 Disability Discrimination Act 1995
 Disability Discrimination Act 2005
 The Duty to Promote Disability Equality: statutory Code of Practice 2005
 Sex Discrimination Act 1975
 Human Rights Act 1998
 Employment Equality Regulations (sexual orientation, religion and belief) 2003
 Civil Partnerships Act

7. CONSULTATION

Sent to all staff identified as having a lead role in the strategic action plan then
Circulated to Trust staff
Circulated widely to external bodies including voluntary and community groups,
Leeds City Council, Patient Forum

8. DOCUMENTATION CONTROL

Policy Title	Equality and diversity Policy
Version Number	6
Supersedes	Version 5 and the equality and Equality and Diversity Strategy 2004
Date Approved	
Approving Body	
Review Date	Oct 2008
Supporting Procedure(s)	Guidance on Equality Impact Assessment of Policy Guidance on Impact assessment of Functions Equal Access Reference Guide Ad Hoc Recruitment Tool Kit
Lead Director	Chief Nurse Director of Human Resources
Author	Cathy Peacock, Head of Patient and Public Support Services
Contact for further details	Cathy Peacock cathy.peacock@leedsth.nhs.uk
Distribution	All Staff

9. INDEX**Policy Title: Equality and Diversity Policy**

Section	Topic	Page
1.	Introduction	2
2.	Background	2
3.	Policy Statement	2
4.	Policy Effect	3
5.	Equality and Diversity Statement	5
6.	References	5
7.	Consultation	6
8.	Documentation Control	6
9.	Index	6
10	Equality Impact Assessment	7

10. EQUALITIES IMPACT ASSESSMENT – POLICIES: RELEVANCE AND IMPACT

Policy Title: Equality and Diversity Policy

Section 1 Screening						
Does this policy or procedure impact on staff patients or public? S = staff PA = Patients PU = Public (enter below)	How relevant is it to achieving the duties under race legislation? 0 = none 1 = a little 2 = some 3 = very (enter below)	Could some groups potentially be disadvantaged due to race? Y = Yes N = No (enter below)	How relevant is it to achieving the duties under disability legislation 0 = none 1 = a little 2 = some 3 = very (enter below)	Could some groups potentially be disadvantaged due to disability? Y = Yes N = No (enter below)	How relevant is it to achieving the duties under gender legislation 0 = none 1 = a little 2 = some 3 = very (enter below)	Could men or women (boys or girls) potentially be disadvantaged due to gender M = Men W = Women N = No (enter below)
S, PA, PU	3	N	3	N	3	N
Section 2 Assessing impact						
Please note in this section: <ul style="list-style-type: none"> any thing you have already included in the policy which helps to meet the equality duties any changes you have made to the policy in order to eliminate any potential for disadvantage on the grounds of race, disability or gender 	Race		Disability		Gender	
	(Put NA if not applicable) Included: The whole policy is about equality and diversity and makes it clear at the start that all groups are included Changed:		(Put NA if not applicable) Included: The whole policy is about equality and diversity and makes it clear at the start that all groups are included Changed:		(Put NA if not applicable) Included: The whole policy is about equality and diversity and makes it clear at the start that all groups are included Changed:	