



York Teaching Hospital
NHS Foundation Trust

Annual Equality Diversity and Inclusion Workforce Report

2019-2020

December 2020



1 Introduction

York Teaching Hospital NHS Foundation Trust provides a comprehensive range of acute hospital and specialist healthcare services for approximately 800,000 people living in and around York, North Yorkshire, North East Yorkshire and Ryedale - an area covering 3,400 square miles. We have a workforce of around 8,034 working across our hospitals and in the community.

For information about our hospital please visit;

<https://www.yorkhospitals.nhs.uk/about-us/>

2 Our Staff Equality and Diversity Commitment

York Teaching Hospital NHS Foundation Trust is dedicated to encouraging a supportive and inclusive culture that fully embraces the diversity of its workforce and celebrates individual differences.

We are committed to providing equality and fairness to all our staff ensuring we provide no less favourable treatment on the grounds of age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, ethnic origin, colour, nationality, national origin, religion or belief or sex and sexual orientation.

We strive to have a zero tolerance approach to discrimination on any grounds and we aim to ensure that through our policies and procedures that our workforce is treated fairly and with respect.

York Teaching Hospital NHS Foundation Trust commits to:

- ✓ being an organisation that is welcoming and accessible to all
- ✓ ensuring that there are no barriers to accessing jobs, training or promotion
- ✓ listening to the voices in our communities, through local and national initiatives to continue to ensure that roles are accessible to all protected groups
- ✓ not tolerating any forms of discrimination and will challenge it wherever we see it, ensuring that equality, diversity and inclusion is everybody's business – creating a 'just culture' and learning environment for all
- ✓ listening to our staff and implementing changes
- ✓ developing interventions which help our staff to understand and support one another for the benefit of each other and patients in our care



Polly McMeekin
Director of Workforce and OD



Simon Morrill
Chief Executive

3 The Legal Bit

This report sets out how as a Trust we have met our responsibilities under the public sector equality duty.

A separate report is produced for York Teaching Hospital Facilities Management (LLP)

3.1 Public Sector Equality Duty

Under the Equality Act 2010, all public sector employers must abide by the Public Sector Equality Duty (PSED). The PSED has three key aims, which are:

1. Eliminate discrimination, harassment, and victimisation
2. Advance equality of opportunity between people who share a protected characteristic and people who do not
3. Foster good relations between people who share a protected characteristic and those who do not

The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

4 Other National and NHS reporting requirements

4.1 Gender Pay Gap

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 (the Regulations) require public sector organisations with over 250 employees to report on and publish their gender pay gap on a yearly basis. The purpose of the report is to identify gender pay inequalities.

4.2 Workforce Race Equality Standard (WRES)

Implementing the Workforce Race Equality Standard (WRES) is a requirement for NHS commissioners and NHS healthcare providers including independent organisations, through the NHS standard contract.

The WRES is a set of metrics that demonstrates our progress against a number of indicators of race equality.

4.3 Workforce Disability Equality Standard (WDES)

The Workforce Disability Equality Standard (WDES) is a set of ten specific measures (metrics) that will enable NHS provider organisations to compare the experiences of Disabled and non-disabled staff.

This report will set out our achievements and areas for development in relation to Equality, Diversity and Inclusion specifically for our workforce.

Please note that the report does not intend to duplicate information or actions as set out in our Gender Pay Gap report or WRES and WDES outcomes and the associated single Equality Action plan.

For further information please go to

<https://www.yorkhospitals.nhs.uk/about-us/equality-and-diversity/>

5 Updating our Equality Objectives

The financial year 2019/20 was the final year of the equality objectives, set in April 2012. In July 2019, the Trust made a conscious decision to separate the equality and diversity agenda into three work streams to ensure all three standards of the agenda were able to move forward.

The three work streams are:

Work stream	Executive Director Responsibility	Operational Lead
Patients	Chief Nurse	Lead for Patient Equality and Diversity
Buildings Environment	Chief Nurse	Inclusive Built Environment Lead
Workforce	Director of Workforce and Organisational Development	Care Group 3 Workforce Lead and Human Resources Business Partner

The Equality objectives 2020-2024 for the Workforce work stream are as follows;

1. To be regarded as a fully inclusive employer by
 - a) Continuously reviewing our recruitment processes to remove any unintended bias
 - b) Continuing to undertake activity which ensures we maintain our disability confident status
 - c) Engaging with members of our community, local charities and internal stakeholders to become a fully diverse employer that is reflective of society.

2. To contribute to the overall Trust's retention strategy by
 - a) Working to reduce inequalities experienced by staff from across the protected characteristics by engaging with key stakeholders to fully implement the Trust's ED&I action plans, which include Gender Pay Gap, Disability Confident, WRES, WDES and also, the annual staff survey action plan.
 - b) Providing a voice to our workforce through the development and implementation of staff networks
 - c) Fully equipping our workforce through training and development to proactively support staff to work in an equal, diverse and inclusive manner and environment.
 - d) Ensuring that our HR policies and procedures support the needs of a diverse workforce.
 - e) Supporting our staff to work flexibly wherever possible

Due to the development of the new work streams and revision of our Equality Objectives; this report aspires to demonstrate key actions and achievements during the 2019/2020 reporting year and our forward plan for Equality, Diversity and Inclusion rather than focus specifically on comparative year on year narrative.

We maintain a strong focus on creating a value based inclusive culture, which starts with our recruitment and selection of staff and is further achieved through staff development and appropriately challenging inappropriate behaviours within a culture of learning.

We acknowledge there is more work to do; our commitment to specific targeted activity can be found in our single equality action plan and gender pay gap action plan which can be found here:

<https://www.yorkhospitals.nhs.uk/about-us/equality-and-diversity/>

Additionally we will be publishing an action plan to support our updated objectives; this will be available in due course.

6 Reporting and Coronavirus (COVID-19)

The Trust reporting this year has been delayed due to the COVID-19 pandemic and whilst we remain absolutely committed to promoting equality and diversity within our Trust, due to the ongoing pandemic, levels of reporting will be reduced. Further, some specific planned activity in enabling us to meet our Equality Objectives and Equality Action Plan (which incorporates WRES and WDES) has been inevitably delayed whilst we appropriately focus on the here and now.

Much of our workforce activity since the beginning of the pandemic has been heavily focused on supporting staff from across the protected characteristics and in particular our colleagues from BAME groups and those with a disability or long term health condition which would render them 'vulnerable and or shielding'.

We have however seized the unique opportunity the pandemic has presented to push forward a number of things on the workforce agenda. We have implemented a new temporary redeployment policy, have fully supported flexible and agile working arrangements; we have undertaken risk assessments and used the findings of these risk assessments to fully support individual staff and we have set up a Race Equality Network.

7 Governance

The Trust retains its existing governance structure with Equality, Diversity and Inclusion activity being scrutinised by the Fairness Forum, which is made up from representatives from across the Trust and key stakeholders from our communities, and signed off at executive level by the Trust Resources Committee.

8 Equality and Diversity in Action

8.1 Board Commitment and Development

The Board has embarked on a Board Development Programme, which will continue in to 2021; this has included holding a session on Equality and Diversity provided by an external consultant in November 2020, the training included both Board members and Care Group Directors.

The session was called Leadership, Equality, Diversity, Inclusion and Facing/Making Change; with goals to provide clarity, self-awareness, leadership, mindfulness and development. The session resulted in a number of personal pledges and actions.

The Board is also committed to undertaking further work with the Council of Governors to seek their agreement to change the constitution to allow the recruitment of at least one Non-Executive Director from outside our current boundary as defined by our constitution. Given our local population it is considered this move is necessary to increase the diversity of the Board of Directors.

The Trust currently has 27 Governors, 16 are female, 10 are males (of which 3 are from Black, Asian and minority ethnic backgrounds) and we have one vacancy.

8.2 'Widening the Net' A Non-Executive Director Development Programme

It is well recognised that there is a diversity gap on NHS boards.

In order to widen the net and encourage applications from individuals in those groups that are currently under represented, a development programme is being established in partnership with the University of York and health care partners across our region.

The proposed programme will offer participants development opportunities to enable them to feel confident to apply for and undertake a Non-Executive Director role.

Whilst the final programme content has yet to be agreed, it is anticipated that the programme will span several months and will include theory input, (for example governance, NHS finance, patient safety) executive director level mentorship, executive level coaching, focused learning sets that link theory input to operational practice, “shadow board” scenario work, & real time board observation.

8.3 Workforce Planning

To support delivery of our workforce strategy, in August 2019, the Trust introduced workforce lead posts across the Trust to support our newly formed care group structure. Workforce information, such as for example, the age profile of the employees in the Trust is used alongside other information to develop a workforce plan that supports sustainability and diversity across the different staff groups. Further, this work enables us to specifically target activity to support under represented groups.

9 Communication and Engagement

9.1 Updating Our Values

Through late 2019 to early 2020 staff at York Teaching Hospital NHS Foundation Trust came together to share their ideas and insights, to enable us to co-create a new vision for the future of YTH, our values and our priority objectives. During these engagements, values and behaviours featured heavily in the narratives that staff shared, and these insights we’re used to create a new values and behaviours framework for our Trust.

Colleagues, co-created, challenged and agreed that collectively, above all else we should value being kind, open and excellent. These are the powerful principles which people said should guide everything we do at the trust, without which we’ll be unable to achieve our shared vision. Under each of these values sit three key behaviours which provide clarity and direction about how everyone who works in our Trust should act. Our agreed values and behaviours framework is as follows:

We are KIND meaning we:

- Respect and value each other
- Treat each other fairly
- Are helpful and seek help when we need it

We are OPEN meaning we:

- Listen, making sure we truly understand the point of view of others
- Work collaboratively, to deliver the best possible outcomes
- Are inclusive, demonstrating that everyone’s voice matters

We pursue EXCELLENCE meaning we:

- Are professional and take pride in our work, always seeking to do our best
- Demonstrate integrity, always seeking to do the right thing
- Are ambitious, we suggest new ideas and find ways to take them forward, and we support others to do the same

9.2 Investing in our Supervisors & Managers

Feedback received from supervisors and managers showed line management/supervisory in many cases felt unprepared for their new roles and would welcome more support at an early stage.

As a consequence a workshop was initially rolled out in 2019 for new starters to the Trust and those newly promoted to supervisory roles but also any existing supervisors and managers who may benefit from the opportunity to invest time in their own development around this subject. Listening to our staff, this program has evolved through 2019 into 2020 and is designed to supplement 1-1 staff development which is rolled out on an ongoing and bespoke manner.

The Trust believes that by developing a Leadership culture that is consistent with the Trust values, that not only will supervisors and managers feel more confident to lead and manage their staff, but will do so in a constructive way that leads to; for example, a reduction in the number of grievances brought against managers, disciplinary cases with individual staff, and referrals to the Freedom to Speak up Guardian, Organisational Development, Trade Unions and the Fairness Champions.

It enables supervisors and managers to spend protected time considering the following:

- ✓ Understanding of the desired behaviours expected from them as leaders, empowering them to use appropriate discretion, and be more people focused.
- ✓ Developing insight and understanding of one's own behaviour and how it may differ from that of others.
- ✓ How to effectively manage staff from all backgrounds
- ✓ Roles and responsibilities of managers/supervisors, Staff Side Representatives, HR, Fairness Champions, Freedom to Speak Up Guardian.

- ✓ How to manage consistently in line with Trust values, the personal responsibility framework, policies and procedures (and employment law), while understanding the level of discretion available to ensure people are managed in a compassionate way; i.e. on a case-by-case basis, and fairness being determined by the context of each case rather than being a one-size-fits-all approach.
- ✓ Practical, real-life examples of situations that supervisors and managers will find themselves in, to apply the above knowledge in practice.

9.3 A 'Just Culture'

We continue to proactively apply a 'placing people before processes' approach referred to as 'Just Culture' for every employee relations case which arises.

It helps reduce the role of unconscious bias when make decisions and will ensure all individuals are consistently treated equally and fairly no matter what their staff group, profession or background.

It ensures:

- ✓ A rigorous decision making methodology
- ✓ A learning approach to errors and incidents is adopted
- ✓ Learning is favoured over sanction wherever possible
- ✓ Support is provided to anyone who has allegations made against them and not just the perceived 'victim'

Since introducing the 'just culture' framework, we have seen a significant overall drop in new employee relations cases.

There will be a continuation of this work to embed 'Just Culture' in to other areas of work for example investigations and management of serious incidents in 2021.

9.4 Developing Talent

In early 2020 the Trust launched a talent management program to sit alongside the annual appraisal for non-medical staff.

Talent conversations will be held with all employees about their future aspirations, readiness and the support and development required to achieve personal objectives. The data will be recorded centrally and a matrix will be developed.

This matrix will identify where individuals sit within the talent matrix (are they new to role, ready for a new role, happy where they are) and timescales surrounding talent movement.

The learning matrix will detail the training/learning requirements to fulfil the talent aspirations aims to support inclusive talent management practices; the data will enable the Trust to proactive challenge under representation of staff from protected groups.

10 Supporting Staff

10.1 Lesbian, Gay, Bi-sexual and Transsexual (LGBTQ+) Network

The Trust continues to work with the following staff support groups; a staff Lesbian, Gay, Bi-sexual and Trans (LGBTQ+) Network and the Fairness Champions. Both groups are comprised of staff who have volunteered with the common aims to:

- ✓ Provide a safe environment to raise issues
- ✓ Give information, guidance and support to staff
- ✓ Contribute to staff development activities and awareness events
- ✓ Assist colleagues to assess impact of policy etc. to ensure inclusivity
- ✓ Signpost and support people to live the Trust values
- ✓ Support the role of the Freedom to Speak Up / Safer working Guardian.

10.2 Race Equality Network

During 2020 a Race Equality Network was established up to support staff; the vision of the Race Equality Network is to;

“Champion inclusivity within the workplace, through recognising diversity and naturally embedding cultural change that harnesses fairness, equality and equity in everything that we do.

To create an environment that promotes a level playing field providing opportunities for personal development and career progression.

To work collaboratively with colleagues from all backgrounds and ethnicities irrespective of grade/ role, respecting their voice as equals to drive positive change that is in congruent to our Trust Values, to achieve the wider Trust Vision whilst remaining patient centric.”

Our Organisational Development (ODIL) team are working with the Race Equality network to co create an ongoing development programme for members that supports their development and progression within the organisation.

This offering, is in addition to members being able to access the existing suite of leadership development opportunities and coaching provided by ODIL.

10.3 Chaplaincy Service

The Trust has a chaplaincy service; our chaplains work with staff with any faith or no faith and are active members of the Trust Fairness Forum ensuring that all faiths have a voice in the organisation.

10.4 Looking Forward

- The Trust commitment to creating a Disabled Staff Network by March 2020 has been paused due to COVID 19, work will recommence in the first quarter of 2021.

10.5 Fairness Champions

Further to the recruitment and development of the Fairness Champions in 2017, the 39 in role continue to play an integral role in promoting fairness, sign posting staff to the correct channels to gain support and help, raising concerns and challenging behaviour which is inconsistent with Trust values.

10.6 Trade Unions / Staff Representatives

The Trust continues to work in partnership with our trade unions and staff representatives. Working in partnership with this group of staff ensures that we are developing & applying all policies with fairness and equality in our people management processes and enables us to fully embed a 'Just Culture' approach.

Trade unions and staff representatives provide staff with support and promote awareness of key issues; they appropriately challenge the Trust and by listening to their feedback we strive to continuously improve the experience for staff across the organisation.

10.7 Freedom to Speak Up / Guardian of Safer Working

During 2019 a decision was taken to split this role with a specific contact for our medical staff; a safer working guardian and for all other staff a freedom to speak up guardian. Part of the Speaking Up agenda is to create a culture where workers feel safe and secure in speaking up about anything that may get in the

way of delivering safe, high quality care or affects their experience in the workplace.

11 Equality and Diversity Resources

We designed and delivered a series of resources for staff on dedicated Equality, Diversity and inclusion on our staff intranet; we have included fact sheets, videos and signposting to external resources. These pages will continue to develop over time in response to what we hear from our staff would be helpful.

We are writing an Equality and Diversity policy and have this year refreshed our guidance documents for transitioning staff.

We listen to our employees and run workshops that support for example, individuals going through the menopause or those considering retirement.

12 Key Achievements and Accreditations

12.1. Armed Forces Covenant

The Defence Employer Recognition Scheme (ERS) encourages employers to support defence and inspire others to do the same. The scheme encompasses bronze, silver and gold awards for employer organisations the pledge, demonstrate or advocate to support defence and the armed forces community, and align their values with the Armed Forces Covenant (an extract of which is set out below). In 2020, we achieved a gold award for our work.

The Trust recognises the value serving personnel, reservists, veterans and military families bring to our business. We will seek to uphold the principles of the Armed Forces Covenant, by:

- promoting the fact that we are an armed forces-friendly organisation;
- seeking to support the employment of veterans young and old and working with the Career Transition Partnership (CTP), in order to establish a tailored employment pathway for Service Leavers;
- striving to support the employment of Service spouses and partners;
- endeavouring to offer a degree of flexibility in granting leave for Service spouses and partners before, during and after a partner's deployment;
- seeking to support our employees who choose to be members of the Reserve forces, including by accommodating their training and deployment where possible;

- offering support to our local cadet units, either in our local community or in local schools, where possible;
- aiming to actively participate in Armed Forces Day;
- offering a discount to members of the Armed Forces Community;

We will publicise these commitments through our website and recruiting processes, setting out how we will seek to honour them and inviting feedback from the Service community and our customers on how we are doing.

12.2 Disability Confident and a Mindful Employer

- ✓ As a Trust we successfully attained Disability Confident Employer status until July 2021 and we are a Mindful Employer.

12.3 York Human Rights City

- ✓ The Trust continues its commitment to York: Human Rights City Network. This is a project which aims to make York the UK's first Human Rights City and comprises a range of voluntary, faith and public sector organisations.

13 Recruitment and Selection

The Trust continues to emphasise the importance of a values-based recruitment (VBR) approach through its recruitment strategy. All recruitment campaigns which are centrally supported by the HR team utilise VBR methodology.

- ✓ The VBR approach relies on the attraction and selection of new staff according to their motivations and drivers, and ensures that experience and qualifications are not given a disproportionate level of attention in the selection process.
- ✓ Research has shown that values-based recruitment increases workforce diversity as it takes a much broader view, not only of applicants, but of the attributes which make someone suitable to undertake a particular role.

The Trust's Recruitment & Selection training, which is available to all staff, promotes a values based approach. The content of this training course is continually under review to ensure that it reflects current legislation and best practice. This course is currently being developed to enable us to deliver it remotely and the Race Equality Network will help us make further improvements in 2021.

We have recently reviewed our Consultant interview process to ensure we get to know our candidates in a more rounded way. The conversation is now less structured which allows for a more tailored and personal experience for the candidate. Issues such as flexible job planning can be weaved into the conversation, ensuring the Organisation can promote its commitment to agile ways of working, which supports candidates with other outside responsibilities.

13.1 Careers Events

The Trust attends careers and recruitment-related events hosted in schools, colleges and universities in our community. We have significantly increased the number of careers events we have attended this year and we continue to build new relationships across the Scarborough/ Bridlington community.

Five short careers videos were developed to support with recruitment and have been shared with school/colleges to showcase the variety of roles available in the NHS.

13.2 International Recruitment

We continue with our project to recruit nurses from overseas to work in both York and Scarborough. On arrival they work as Band 4 pre-registered nurses while they study for the exam which will enable them to register with the NMC and ultimately work as a nurse in the Trust. We expect to continue with the project throughout 2020/2021.

13.3 Health Education England

We continue to work with HEE to recruit international nurses to the Trust and have been successful in bidding for Strand A and Strand B money to assist with restarting the programme post the first wave of COVID. Under Strand A, we have been awarded £46,967 to support the arrival and OSCE training by 31 January 2021 of 33 nurses. Under Strand B, we have been awarded £100,000 to enable greater capacity to recruit overseas trained nurses, and provide high quality OSCE training, induction and pastoral support between 1 November 2020 and 31 October 2021

13.4 Trust-Wide Recruitment

The Recruitment Team works with the Chief Nurse Team to recruit experienced and pre-registered nurses, arranging recruitment events including 'interview on the day' opportunities in York and Scarborough. We are continuing to work with the University of York and Coventry University to attract their nursing students to our Trust. We also work collaboratively with the Chief Nurse Team to recruit

Nursing Associates, Associate Practitioners and Health Care Assistants to the Trust.

13.5 Social Media

We continue to utilise the Trust Facebook and Twitter accounts to promote our vacancies, and are looking to strengthen this further in the future. To increase our use of social media as a strategy to broaden our level of reach and appeal in our recruitment campaigns we have been working with an external digital marketing company during the last 12 months. These campaigns enable us to reach a much wider audience than we would be able to if just using our Trust accounts. We also engaged with the same digital marketing company to shoot the five videos referred to in the Careers Events section above.

14 Staff Survey – The Headlines

The 2019 staff survey results showed us that 86.7% of our staff that responded to the survey felt the organisation acts fairly regards to progression / promotion. It is acknowledged that our ED&I score showed a small deterioration when compared to the 2018 survey; but this remains above average when compared with its peers in this area.

It should be noted that completion of the staff survey is not mandatory and only represents the views of those who responded each year. Completion rates will vary and therefore is it difficult to fully analyse the meaning of marginal year on year changes.

For further information regarding performance against the Equality, Diversity and Inclusion metrics measured by the annual staff survey and our corresponding actions please see

<https://www.yorkhospitals.nhs.uk/about-us/equality-and-diversity/>

15 Staff Learning and Development

15.1 Apprenticeships

The Trust has a mixture of new and existing staff undertaking apprenticeships from both clinical and non-clinical roles, and across a variety of work settings. Apprenticeship opportunities are linked to new starter recruitment as well as forming part of the Continuing Professional Development and appraisal processes for existing staff.

The range of apprenticeship programmes accessed includes: Business and Administration, Customer Service, Operations Department Manager, HR

Consultant Partner, Operating Department Practitioner, Mammography Associate, Nursing Associate and Registered Nursing Degree Apprenticeship, Learning & Development, Human Resources, Catering, Engineering, and Health Sciences. Programme levels range from Level 2 (GCSE equivalent) to Level 7 (MA equivalent).

All apprenticeship programmes require the learner to achieve (either before or during the programme) a minimum level of English/Maths learning. The Trust has now been awarded an account with BKSB and HEE/Talent for Care to ensure that staff can access for 'free' the Functional skills on-line training platform. This provides another option for staff and helps to mitigate against access to Maths and English qualifications causing a barrier to apprenticeships.

The clinical and non-clinical apprenticeship teams provide high levels of on-programme learner support, through sub-contracting agreements, as well as formal and informal arrangements with training providers. Learner progress is monitored and collaborative working with training providers means students are supported to achieve programme outcomes, with breaks in learning arranged where individual circumstances make this the best option for an apprentice. Where appropriate the Trust works alongside training providers, supporting apprentices who have disclosed additional learning needs, to ensure reasonable adjustments are put in place.

Within clinical apprenticeships we are now able to support staff to utilise apprenticeships as part of a continuing career pathway, for example a Senior Health Care Worker can undertake their Nursing Associate Foundation Degree apprenticeship and once complete, then top up with the Registered Nurse Degree.

Evidence suggests that for some, the tuition fees associated with undergraduate training, alongside the loss of salary for three years excludes access to nurse training and the apprenticeship routes have removed this financial barrier, leading to greater inclusivity. As the range of apprenticeships grows, we expect to see similar routes for other registered health care professionals across allied health also become more established.

Corporate promotional activity has continued to increase; this is reflected in the number of staff now undertaking apprenticeships, and the growing number of areas engaging in the apprenticeship agenda.

15.2 Looking Forward

- During National Apprentice Week from the 8th to the 12th February 2021 next year we plan to celebrate our apprentices and reinforce the value of apprenticeships across the Trust.

- Internships are no longer available; work will be refocussed on how we engage with young people through careers events, the NHS Ambassadors scheme and working with organisations such as North Yorkshire Business and Education Partnership to identify work experience opportunities.

16 Our Statistics

We have created a separate document which presents our workforce statistics other than those that can already be found in the WRES, WDES and Gender Pay Gap submissions and reports. These statistics form the basis of current and future activity.

For further information please go to

<https://www.yorkhospitals.nhs.uk/about-us/equality-and-diversity/>