

# Public Sector Equality Duty Annual Report- Patient Equality, Diversity and Inclusion

2019-2020



## Our Patient Equality and Diversity Commitment

York Teaching Hospital NHS Foundation Trust is dedicated to encouraging a supportive and inclusive culture where our patients can receive high quality healthcare irrespective of their differences. It is within our best interest to promote diversity and eliminate discrimination amongst our workforce, in the development of services and our hospital environments.

We are committed to providing equality and fairness to all our patients and ensuring we provide no less favourable facilities or 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.

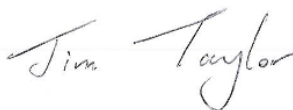
We are opposed to all forms of unlawful and unfair discrimination and we will ensure that all patients are treated fairly and with respect.

York Teaching Hospital NHS Foundation Trust commits to

- ✓ being an organisation that is welcoming to all
- ✓ not tolerating any forms of discrimination and will challenge it wherever we see it, ensuring that equality, diversity and inclusion is everybody's business
- ✓ ensuring that there are no barriers to accessing our services.
- ✓ engaging with our communities, in a bid to ensure we meet the needs of the people who use our services, with the aim of ensuring better outcomes for all, improving our patient access and experience
- ✓ listening to our users, particularly those from "seldom heard" groups in our community (for example, the travelling community and people with learning disabilities)
- ✓ developing interventions which help our staff to understand and support one another for the benefit of patients in our care
- ✓ working with partner organisations to reduce inequality within the Strategic Transformation Plan 'footprint'



Heather McNair  
Chief Nurse



Jim Taylor  
Medical Director



Simon Morritt  
Chief Executive

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## **1. Our responsibilities**

As an NHS healthcare provider, the NHS Constitution requires us to support our communities and wider society to reduce health inequalities and address imbalances for minority or diverse groups of people.

At the same time, it has a wider social duty to promote equality through the services it provides and to pay particular attention to groups or sections of society where improvements in health and life expectancy are not keeping pace with the rest of the population.

### **Legal & Regulatory Framework**

In addition, the Trust is required to meet a number of legislative and regulatory frameworks. These include:

- Human Rights Act 1998
- Equality Act 2010
- Public Sector Equality Duty- section 149 Equality Act 2010
- Health and Social Care Act 2012
- Health, public health and social care outcomes frameworks
- CQC key line of enquiry questions
- The Care Act 2014

### **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

## 2. Performance against Equality Objectives 2016-20

The financial year 2019/20 was the final year of the equality objectives, set in April 2012. An opportunity arose in 2019 for the equality and diversity agenda to be refreshed with the appointment of a new Chief Nurse, resulting in a separation of 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, HR Business Partner

### 2.1 Performance 2019/20

Our annual report 2018/19 identified a number of important priorities to support the equality objectives for 2016-20. There has been progress on all of these objectives as indicated below.

Status	Progressed achieved on the priorities identified in 2019/20
<b>Achieved</b>	We reviewed the complaints policy to ensure that it was accessible to all patients, including those with communication support needs and we are now able to provide responses in the patient's chosen format.
<b>In progress</b>	We have developed a draft policy for Assistance Dogs within Trust premises and this is in the final stages of consultation. This will be finalised during 2020/21.
<b>In progress</b>	The Trust's compliance with the Accessible Information standard continues to improve.  In August 2019, we relaunched our commitment to the standard and, we completed a Trust wide audit of our compliance. This

	<p>audit identified that there was still some work required to achieve compliance with the standard. An action plan was developed and shared with the Fairness Forum who oversees its delivery. By March 2020, an additional 370 staff completed the online training since the relaunch. We have also improved the range of interpretation and translations services across the York and Scarborough sites with</p> <ul style="list-style-type: none"> <li>• on demand video remote interpreting for British Sign Language</li> <li>• Video relay interpreting for British Sign Language and international spoken language for Attend Anywhere video led clinics.</li> <li>• Plans are in place to extend on demand remote interpreting for international spoken language during 2020/21.</li> </ul>
<b>Ongoing</b>	Following feedback from colleagues, we are reviewing the Trust's current Equality Impact Assessment process, seeking views of staff on its use, to ensure it meets our legal obligations and develop a reporting system of all assessments.
<b>Ongoing</b>	Since July 2019, we have formally reviewed the performance standards of the interpreter and translations services each quarter. Monthly performance reports are now available with the headline details shared with the Fairness Forum. Positive progress has been noted.
<b>Ongoing</b>	Over 40 access audits have been completed highlighting areas for action and prioritisation with the Trust's estates and capital planning teams. We are working to identify a recurrent funding stream in order to progress remedial work at a greater pace.
<b>Ongoing</b>	The inclusive built environment lead continues to provide advice to capital planning and minor works teams on all new build development to address our accessibility and inclusivity needs.
<b>Achieved</b>	In December 2019, we carried out a number of Stirling Dementia Audits across our sites to assess their compliance with the "Dementia Friendly" environment standards. A report and action plan was subsequently developed and discussed with the Fairness Forum. A new dementia friendly colour palette is now available for all Trust premises. A new rolling programme of audits will take place over the next four years.
<b>Ongoing</b>	Signage and wayfinding audits have taken place across the Trust during the last year to improve our compliance and action plans are in place, where further work has been identified.

## 2.2 Additional Developments

In addition to these priorities, there has been further progress in a number of other areas:

- ✓ Reduction in the minimum card spends in Ellerbys to support patients who struggle to use cash as a method of payment.
- ✓ Significant progress has been made in reviewing how the Trust produces patient information, to ensure it maintains an inclusive format, which recognises the cultural and sexual orientation differences as well as accessible information standard needs.
- ✓ A review of the equality and diversity pages on the staff intranet to ensure that information and advice on equality and diversity is accessible. The site is regularly maintained and provides staff with information on:
  - Equality and Diversity
  - Supporting Patients – The accessible information standard, accessing information in alternative formats, accessing interpretation and translation services, reasonable adjustments for patients, hospital menus in large print
  - Accessing interpretation and translation services
  - Supporting Staff
  - Inclusive Built Environment
  - Training and Resources
- ✓ Basic level British Sign Language training was organised in March 2020 and over 80 staff had expressed interest in this course, supported through the non-work related grant scheme offered through Staff Benefits. However, due to the pandemic it was necessary to postpone this training. This training will be re-organised as soon as it is safe to do so.
- ✓ Discussions with local partner organisations began during 2019/20 on supporting the transgender community when accessing health services

to ensure that their health records presented their acquired, rather than their assigned at birth identity. We suspended this work in March 2020 due to the pandemic.

- ✓ The Trust also worked with AccessAble and York Hospital Charity to secure funding for access guides to be published and available for staff, visitors and patients to our hospital at the Scarborough site and it is hoped that further funding applied for will be provided to extend the access guides across more of our sites in 2020-2021.
- ✓ Physical design features and aids to improve accessibility have been introduced at a number of sites during the period these include improvement of some pedestrian routes at the Scarborough site.
- ✓ Improvements to accessible parking and setting down points at the Bridlington Hospital site
- ✓ Improvements to the Main Reception and waiting area at the York Hospital site including decoration, new reception counters and increased hearing assistance systems.
- ✓ Additional hearing assistance systems have also been provided at Children's clinics, Library, Outpatients Reception and Malton and Bridlington Hospitals.

## **2.3 Progress on the Equality Delivery System 2**

The Equality Delivery System (EDS2) was commissioned by the national Equality and Diversity Council in 2010 and launched in July 2011. It is a system that helps NHS organisations improve the services they provide for their local communities and provide better working environments, free of discrimination, for those who work in the NHS, whilst complying with the Equality Act 2010.

EDS2 was due to be replaced in July 2019 with a revised range of standards. Whilst we await further news, the Trust has continued to develop and improve its services with actions including:



- Engagement with the CCG LeDeR Panels, which review the deaths of people with a learning disability and can give recommendations for health care.
- Working with patients to increase the number of hospital passports in use
- Meeting the mental health requirements for patients we are providing a purpose built anti-ligature room with the Scarborough emergency department that is a 'safe space' for patients who have additional needs/suicidal tendencies.
- Reviewing and enhancing our safety procedures to protect patients with tendencies to self-harm to ensure that all medical equipment that could be used to cause self-harm is stored in locked storage areas. This includes devices that may have a blade or any tubing or similar that could be used for ligature.
- The Emergency Departments have a designated Learning Disabilities lead nurse who offers disability awareness training to all staff. There is a focus on 'hidden' disabilities and guidance on how to support patients of all ages and all abilities, who express anxiety in different ways.
- Encouraging patients to bring their Patient Passports when they attend hospital. Where a patient passport is not in place on attendance to the Emergency Department/ Emergency Assessment Unit staff are proactive in contacting parents/caregivers to learn more about their patient in order to meet their individual needs and provide them with the best care possible. The Learning Disabilities team are also available to provide support and guidance on how to support patients during inpatient stays across our sites.
- Enhancing the children's waiting area in the Emergency Department in Scarborough to provide wall mounted toys and a sensory distraction projector. Paediatric treatment areas have been re-designed to be more 'child friendly' and provide both the relevant distraction and medical equipment needed in the treatment of children. Development of paediatric emergency department on the York site is in progress.
- Actively supporting and encouraging staff to promote issues that



demand cultural sensitivity and awareness and, which may hold personal importance and significance to them.

### 3. Patient and Public Engagement

During the last twelve months, the Lead for Patient Equality and Diversity has been developing links with Healthwatch North Yorkshire and Healthwatch York as well as other health-related voluntary organisations, forums, local CCGs and mental health service providers.

Since August 2019, the Trust has responded to the following reviews undertaken by Healthwatch partners through the development of action plans to address the review recommendations and findings:

- ECLO Services Report, October 2019 – Healthwatch York
- Policy V Reality: Interpreting in Health and Social Care Services , January 2020 – Healthwatch North Yorkshire
- Listening to Children and Young People in York, March 2020 – Healthwatch York
- LGBTQ+ People’s Experience of Using Health and Social Care Services in North Yorkshire , June 2020- Healthwatch North Yorkshire

“I particularly welcome the action plans that have been developed which will help us let people across North Yorkshire know how the Trust has listened and responded to the report. I look forward to further developing the open channels of communication we have established this year and continuing to work together to involve people and to address equality and diversity affecting people across North Yorkshire.”  
*Claire Canavan, former Community Outreach Coordinator, Healthwatch North Yorkshire*

The Trust’s Fairness Forum oversees the progress of the action plans. The Trust has also established an Inclusive Built Environment patient focus group, to seek the views of patients living with disabilities.

#### 3.1 Patient Complaints

During 2019/20, the Trust has received seven complaints that related to patient equality and diversity. Of these, the breakdown against protected characteristics is as follows:

Race	Gender Reassignment	Disability
2	1	4

Following investigation, five of the complaints were upheld in relation to equality and diversity aspects and learning from these complaints is being undertaken by the areas concerned, for example understanding the range of needs of individuals with physical disabilities.

One of these complaints related to the Trust's actions in respect of the Accessible Information Standard.

There was also one complaint where a patient felt discriminated against in respect of their lifestyle choice. The complainant's concerns were resolved however, as the concerns fell outside the remit of the equality act they have not been included in the complaints data for this report.

In addition, we received 2 comments, 2 concerns and 3 enquiries regarding patient equality and diversity matters. All of these were considered and contact was made with the individuals to resolve their concerns.

### **3.2 Patient Complaints relating to the Accessible Information Standard**

In 2019-20, the Trust received one complaint and one comment specifically about accessibility.

The complainant is deafblind and when admitted to Scarborough Hospital staff tried to talk to the patient on a number of occasions despite the fact that their partner put up a sign to say patient was registered deafblind, although was partially sighted. No arrangements were being made for a specialist BSL interpreter to be present and there was an assumption that the family would interpret for staff. The patient also complained that menus were not available in an easy read format and wanted to know what the Trust is doing to make staff aware of communication techniques for deaf/blind people.

#### **Action Taken:**

The Trust introduced remote video BSL to ensure that there is access to an interpreter 24 hours a day, 7 days a week via a video link. This will involve the Trust having web-enabled communication links for BSL to enable in the moment contact with a BSL interpreter. This will provide quicker, more reliable access to BSL interpreters both in and out of hours. This service will be an additional resource for our staff to use to support the communication with patients and does not replace the face-to-face interpreter service. Arrangements for specialist

interpreters are already in place for patients who require hand sign interpretation.

The Trust has undertaken an Accessible Information standard audit to understand how embedded the standard is within clinical services. An action plan is now in place to increase training on understanding patient communication needs, increase awareness in how to request and access information in a range of formats. Progress on the action plan is monitored through the Fairness Forum.

The comment received was from a Deaf patient and following an episode in hospital suggested the use of flash cards or a tablet to ask basic questions to deaf patients.

**Action Taken:**

The Trust already has in place 'Pictacomm' books in place at the hospital, which like flash cards, have images and words to help patients needing communication support. The on demand video remote interpreting service for British Sign Language will also enable better communication for patients with hearing loss. The Trust will continue to look at all appropriate measures to support patients with hearing problems when they access our services, including the development of flash cards.

The Trust is committed to ensuring that we communicate with patients in their chosen format. We are listening to patient feedback and looking to develop improved services that meet all our patient's needs.

**3.3 Partnership working**

During 2019/20, through the work of the Lead for Patient Equality and Diversity, the Trust has engaged with the following organisations to understand further the needs of patients across the protected characteristics:

- York Human Rights City Network
- York Disability Forum
- Healthwatch York
- Healthwatch North Yorkshire
- York Dementia Action Alliance

- My Sight York
- York LGBTQ Forum

The Lead for Patient Equality and Diversity and the Inclusive Built Environment lead will continue to listen to the views of our patients and partner organisations to support the needs of our patients.

#### **4. Inclusive Built Environment**

The inclusive built environment agenda across our organisation has had a primary objective to make our built environments more inclusive and accessible to everyone including patients, staff and visitors.



The approach to improving the inclusive built environment is twofold and includes

- 1** undertaking accessibility audits of our buildings and Estate. The Equality Act Code of Practice states that the completion of an Access Audit by a 'suitably qualified person' will 'help service providers to meet their obligations under the Act'
- 2** Ensuring that any refurbishment works or new building development that takes place across our sites has principles of inclusive design embedded at the start of the project and throughout the project development stages.

The age of our buildings which in many cases exceeds current versions of The Building Regulations means that much of our Estate does not meet current regulatory or good practice guidance in terms of access to and the use of buildings for people with a range of mobility, sensory and neurological impairments. Our completed access audit reports and prioritized recommendations provide a framework for the position to improve and inform other assessments such as PLACE. The significant access barriers identified via access audits over the past 12 months include:

- ramped access at Scarborough site,
- Accessible toilet provision across our sites.
- Poor wayfinding systems at Scarborough, Malton and Bridlington Hospital sites and,
- general environments which are not conducive to people with visual impairments either due inadequate lighting and/or visual contrast.

The Inclusive Built Environment lead will continue to work with the LLP and Capital Planning teams to advise on environmental improvements.

## **Our Objectives 2020-2024**

In April 2020, the Trust identified its patient equality objectives for the next four years:-

**Objective One - To engage with patients, carers, governors and local stakeholders and organisations (including CCGs, social care, Healthwatch), to listen and understand the needs of our patients.**

We will do this by:

- ✓ Continuing to engage with stakeholder groups, such as Healthwatch North Yorkshire, Healthwatch York and, Healthwatch East Yorkshire to listen to feedback provided by patients and services users, to help understand how to shape our services.
- ✓ Reviewing the reports published by Healthwatch partners on services in respect of equality and diversity and develop action plans to address, as far as practicable the concerns identified.
- ✓ Working with partner organisations, and the LGBTQ+ community to develop appropriate processes to ensure that the health records of the transgender community are appropriately maintained, reflecting the wishes of the patient.
- ✓ Engaging with CCG colleagues on shared actions for improvement
- ✓ Engaging with our patients across the protected characteristics to understand their needs and concerns and engage with them on service developments and improvements.
- ✓ Reviewing feedback provided from the inpatient surveys to establish any themes for equality and diversity improvements and take action on these.
- ✓ Working with our Facilities Management Compliance team, we will work collaboratively on the process for PLACE assessments to ensure appropriate involvement and engagement of our patient and service users and respond to the outcomes of the assessments to deliver quality improvement.
- ✓ Support complaints investigation where there is an equality and diversity or, accessible information standard concern

- ✓ Support the analysis of patient experience feedback by protected characteristics.
- ✓ Working with patient groups/advocates to ensure that a wide range of communities have the opportunity to contribute to our service development and provide clarity to us about how and what we can do differently to make a difference
- ✓ Working with patient groups, develop the arrangements to introduce the Hidden Disabilities Sunflower Lanyard Scheme to the Trust, to provide support to patients with hidden disabilities.
- ✓ Exploring the feasibility of the Trust signing up to the Safe Places Initiative, where organisations agree to provide a safe and supportive space if someone who is vulnerable needs to ask for help.

**Objective Two - To engage internally with services to discuss the needs of patients to ensure the reduction in health inequalities, that discrimination is eliminated, and patients and staff are supported with appropriate tools.**

We will do this by:

- ✓ Increasing the frequency of the Trust's Fairness Forum meetings, with representation from across care groups, governors and non-clinical services. This Forum will have oversight of the Trust's progress on our objectives.
- ✓ Exploring the development of 'Patient Equality Champions' across our care groups and LLP to help drive the agenda.
- ✓ Reviewing all equality and diversity incidents reported via DATIX to understand the circumstances, identify improvements and share best practice.
- ✓ Working across services to promote health screening for hard to reach patient groups.
- ✓ Having appropriate systems in place to ensure that patient's identification details match their chosen gender identity when they have made a decision to transition
- ✓ Ensuring that our workforce are educated about the needs of our patients living with dementia, learning disabilities, communication needs and accessing patients with lived experience to help increase education and awareness.

- ✓ Promoting the Trust as an organisation that respects the rights of nursing parents to breastfeed their children within our open spaces, should they choose to do so.
- ✓ Ensuring that our patients are supported irrespective of their marital or civil partnership status and their partners are afforded the same respect, care and compassion
- ✓ Improving access to menu choice for patients of differing faiths
- ✓ Improving access to ablution facilities for patients and staff of differing faiths
- ✓ Providing a safe place for patients to be open with us about their gender identity
- ✓ Increasing awareness and understanding of the needs of the LGBTQ+ community.
- ✓ Ensuring that LGBTQ+ patients feel safe in our environment and feel safe to be open with us, without fear of victimisation, harassment or bullying
- ✓ Ensuring sufficient hearing loops are available across the Trust premises to support our patients' needs
- ✓ Ensuring sufficient wheelchairs are available across the Trust premises to support our patients accessing services.
- ✓ Introducing an Assistance Dogs policy across the Trust, which recognises and supports the valuable contribution assistance dogs provide their owners to lead independent lives.
- ✓ Progressing the introduction of sexual orientation monitoring for all patient contacts.
- ✓ Ensuring that hospital passports are stored and accessible on the hospital CPD system
- ✓ Working to ensure, as far as possible, that there is access to specialised learning disability teams seven days a week across our York and Scarborough sites
- ✓ Creating more 'Changing Places' and accessible toilet facilities across all our hospital sites.
- ✓ Improving site maps and signage throughout our hospitals.
- ✓ Introducing an online resource called AccessAble across the hospital sites to support patients and visitors in attending our sites.
- ✓ Reviewing the Trust's Equality Impact Assessment process to ensure that it remains robust and implemented across all services.



- ✓ Working with colleagues within Systems and Network services to develop and improve the effective capture and flagging of patient written and communication needs.
- ✓ Providing an advice and support service to colleagues reviewing policies, procedures, guidance to ensure they are 'equality fit'
- ✓ Working with LLP colleagues, work to create an environment that meets the needs of our patients with impairments such as dementia and learning disabilities

### **Objective Three - To achieve compliance with the Accessible Information Standard 2016**

We will do this by:

- ✓ Developing a new Accessible Information policy that seeks to ensure that all patients with a disability, impairment of sensory loss have the appropriate written and communication support to understand and can consent to the healthcare being provided to them and can be supported in making decisions about their care.
- ✓ Increasing awareness of the Accessible Information Standard by expanding the training resources and, access to the tools and support available.
- ✓ Ensuring that hospital appointment letters are clear, relevant, and available in a range of formats which signpost patients in how to request and record information about their written and verbal communication needs.
- ✓ Producing revised guidance on the written patient information to ensure that any patient information produced is inclusive, meets our patients' needs, and is available in a range of formats, both on line and in hard copy version
- ✓ Continuing to engage with patients to improve the range and access to patient information in formats, which meet their needs, using where necessary, recognised and accredited media subscriptions.
- ✓ Exploring all available technologies to improve access to patient information
- ✓ Improving the range and access to interpretation services for patients requiring British Sign Language (BSL) and, spoken language support.
- ✓ Improving the availability of information in an Easy Read format.

- ✓ Meeting the requirements outlined in the Website Content Accessibility guidelines which are required by autumn 2020.

## **5. Summary**

The last 12 months, ending March 2020, has seen a considerable amount of work undertaken to address patient equality and diversity, but there is still much to be done to ensure that our organisation can meet the diverse needs of our patients. We are committed to seeing this work through. Care Groups will also develop their local actions against these objectives and these will be incorporated into the overall action plan.

We anticipate that over the next four years, the actions set against our objectives will evolve as the needs of our patients change, services are developed and technology changes. We will monitor our progress against our objectives through the Fairness Forum to our Trust Board.

## **6. Information Contacts**

For further information on the work outlined in this report please contact:

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