

Report to:	Board of Directors People and Culture Committee
Date of Meeting:	2 November 2022 14 November 2022
Subject:	Workforce Disability Equality Standard (WDES) Annual Report
Director Sponsor:	Polly McMeekin, Director of Workforce and Organisational Development
Author:	Virginia Golding, Head of Equality, Diversity and Inclusion and WRES Expert

Status of the Report (please click on the appropriate box)

Approve Discuss Assurance Information A Regulatory Requirement

<p>Trust Priorities</p> <p><input checked="" type="checkbox"/> Our People <input checked="" type="checkbox"/> Quality and Safety <input type="checkbox"/> Elective Recovery <input type="checkbox"/> Acute Flow</p>	<p>Board Assurance Framework</p> <p><input type="checkbox"/> Quality Standards <input checked="" type="checkbox"/> Workforce <input type="checkbox"/> Safety Standards <input type="checkbox"/> Financial <input type="checkbox"/> Performance Targets <input type="checkbox"/> DIS Service Standards <input type="checkbox"/> Integrated Care System</p>
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Summary of Report and Key Points to highlight:

This report is for assurance and has been shared with the People and Culture Committee for information and discussion. It sets out the Trust's 2022 WDES data, gives an overview on the progress of the 2021 action plan. It also incorporates an action plan for 2022-2023 to address the working experiences and career opportunities of Disabled colleagues.

The WDES data was required to be submitted to NHS England (NHSE) by 31 August 2022 and then uploaded to the Trust's website. The action plans are required to be approved and uploaded to the Trust's website by the 31 October 2022. As the October Trust Board meeting was deferred until November 2022, there will be a slight delay in obtaining approval.

The Fairness Forum and Staff Network members were asked to comment on the draft action plan.

Comparison of the 2021 and 2022 data has shown that there has been good improvement within Metric 1 regarding Disabled staff in post. This could possibly be attributed to the increase in disability declaration rates. Metrics 2, 3, 4c, 5 and 6 have improved, 4b, 4d, 7 and 8 have deteriorated and 4a, 9 and 10 have remained static with 1 Board Member declaring themselves as Disabled. A statistical analysis has been used of 0.5% and a

positive, negative and static movement have been highlighted in green, red and yellow. The data for Metrics 5-9 are taken from the Staff Survey so the Trust's data has been compared to our benchmark group's average

Many disabilities are hidden and should be taken into consideration when reading this report.

Responsibility at a senior level is required to ensure the Trust makes a significant improvement to improve the work experiences and career progression of our Disabled colleagues.

Recommendation:

The Board of Directors is asked to note the content of this WDES Annual Report, approve the Action Plan and provide their support for its implementation.

Report Exempt from Public Disclosure (remove this box entirely if not for the Board meeting)

No Yes

(If yes, please detail the specific grounds for exemption)

Report History

(Where the paper has previously been reported to date, if applicable)

Meeting	Date	Outcome/Recommendation
Board of Directors	2 November 2022	

1. Introduction and Background

The Workforce Disability Equality Standard (WDES) is a national annual reporting scheme which York and Scarborough Teaching Hospitals NHS Foundation Trust is required to comply with. Trusts are required by the NHS Standard Contract to use this data to develop action plans aimed at improving the experiences of Disabled colleagues. The data is required to be submitted to NHS England (NHSE) by 31 August 2022, this deadline was achieved. An action plan is to be drawn up and submitted to NHSE by 31 October 2022.

The WDES covers 10 Metrics regarding the career progression and work experiences of Disabled colleagues. The data is collected for the period of 1 April 2021-31 March 2022 and is taken from the Electronic Staff Record (ESR) and the national Staff Survey, with a snapshot of the data as at 31 March 2021. The Staff Survey data is from the 2021 Staff Survey.

This report provides an analysis of the 2022 data for the 10 Metrics covering the last three years, progress on the 2021 action plan and the action plan for 2022.

The Head of Equality, Diversity and Inclusion (EDI), the Fairness Forum and Trust colleagues have contributed to the production of the action plan. The Head of EDI will be attending the Enable Network to discuss the data and action plan with members. Combined Freedom to Speak Up and WDES roadshows will also be delivered.

Considerations

Due to the Head of Equality, Diversity, and Inclusion (EDI) commencing their role mid-August 2022 the presentation of the data analysis, staff engagement and co-production of the action plan has been carried out within a short timescale. The process will differ slightly within the next reporting period in 2023. An Annual Report will be presented before the data is submitted via the online portal by 31 August 2023 deadline. Wider staff engagement will take place to co-create the action plan prior to the deadline and submitted for approval before 31 October 2023.

North East, Yorkshire and Humberside Region, EDI support provided a data pack, 'WRES and WDES guidance' that was referred to in creating the action plan. Their information session was also attended.

2. Current Position/Issues

2022 Data Analysis

This analysis has used a method which highlights the positive, negative and static changes in the data. Positive is in green, negative is in red and a figure below 0.5% shows little statistical movement, therefore considered static and is highlighted in yellow. Statistically significant movement is +/- .0.5%.

Total Disabled Staff Headcount & Percentage (for 2022)	Total Non-Disabled Staff Headcount & Percentage (for 2022)	Total Trust Staff Headcount and Percentage (for 2022)	Total Headcount and Percentage of Staff Not Stated (for 2022)
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420 (4.08%)	7,869 (76.4%)	10,300 (100%)	2,011 (19.52%)
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According to the 'WDES Implementation team, May 2022, Workforce Disability Equality Standard 2021 data analysis report for NHS Trusts and foundation Trusts', there has been an increase of Disabled people in the total workforce, which is now 3.7%. Our declaration rate has increased to 4.08%.

Metric 1. Percentage of staff in each of the AfC Bands 1-9 and VSM (including executive Board members) compared with the percentage of staff in the overall workforce. Organisations should undertake this calculation separately for non-clinical and for clinical staff



2020 Total Disabled	2021 Total Disabled	2022 Total Disabled
<p>Non-clinical Disabled</p> <ul style="list-style-type: none"> Bands 1-4 = 3.1% Bands 5-7 = 2.3% Bands 8a - 8b = 2.4% Bands 8c – 9 & VSM = 3.1% <p>Clinical</p> <ul style="list-style-type: none"> Bands 1 - 4 = 3.1% Bands 5 - 7 = 2.78% Bands 8a – 8b = 1.13% Bands 8c – 9 & VSM = 0% M&D Consultants = 0.75% M&D Career Grades = 2.61% M&D Trainee Grades = 2.64% 	<p>Non-clinical Disabled</p> <ul style="list-style-type: none"> Bands 1-4 = 3.5% Bands 5-7 = 2.9% Bands 8a - 8b = 3.4% Bands 8c – 9 & VSM = 2.6% <p>Clinical</p> <ul style="list-style-type: none"> Bands 1 - 4 = 3.3% Bands 5 - 7 = 3.2% Bands 8a – 8b = 1.5% Bands 8c – 9 & VSM = 0% M&D Consultants = 0.7% M&D Career Grades = 1.7% M&D Trainee Grades = 2.3% 	<p>Non-clinical Disabled</p> <ul style="list-style-type: none"> Bands 1-4 = 4.5% Bands 5-7 = 4.7% Bands 8a - 8b = 5.5% Bands 8c – 9 & VSM = 3.6% <p>Clinical</p> <ul style="list-style-type: none"> Bands 1 - 4 = 3.9% Bands 5 - 7 = 4.6% Bands 8a – 8b = 2.1% Bands 8c – 9 & VSM = 0% M&D Consultants = 0.7% M&D Career Grades = 2% M&D Trainee Grades = 2.2%

2022 has seen a positive statistical improvement in all non-clinical bands and clinical bands 1-8b. Movement has remained static from band 8c and above, this could be related to the perceptions about sharing a disability status or understanding about what is considered a disability. Also, according to the above report, 59% of Trusts have fewer disabled colleagues in senior positions (bands 8c and above including medical consultants and Board members).

Metric	Description	2020 Total Disabled	2021 Total Disabled	2022 Total Disabled
2	Relative likelihood of Disabled staff being appointed from shortlisting compared to non-Disabled staff	8.79 of overall workforce	6.27 of overall workforce	1.87 of overall workforce



The relative likelihood of Disabled colleagues being appointed from shortlisting has significantly improved since 2021 and the data shows that the Trust is reaching the level of parity compared with non-disabled colleagues. The Trust is a Disability Confident Employer and if more applicants have felt comfortable in disclosing their status, they will have been shortlisted which will have put them in an equal position to be appointed. This is potentially why there has been an increase within Metric 1 above.

Metric 3	Description	2020 Total Disabled	2021 Total Disabled	2022 Total Disabled
	Relative likelihood of Disabled staff compared to non-Disabled staff entering the formal capability process, as measured by entry into the formal capability procedure	1.61 of overall shortlisted who revealed a disability	1.40 of overall shortlisted who revealed a disability 	1.35 of overall shortlisted who revealed a disability status 





Metric 3 has seen a positive decrease in Disabled people entering the capability process due to performance and if there is a year on year progress, parity should be reached.





Metric 4a Percentage of staff experiencing harassment, bullying or abuse from patients/service users, their relatives, or other members of the public in the last 12 months

Metric 4b Percentage of staff experiencing harassment, bullying or abuse from managers in the last 12 months

Metric 4c Percentage of staff experiencing harassment, bullying or abuse from other colleagues in the last 12 months

Metric 4d Percentage of staff saying that the last time they experienced harassment, bullying or abuse at work, they or a colleague reported it in the last 12 months

Metric	2020 (2019 Staff Survey)		2021 (2020 Staff Survey)		2022 (2021 Staff Survey)	
	Disabled	Non-Disabled	Disabled	Non-Disabled	Disabled	Non-Disabled
4a	31.2%	21.9%	30.9% 	20.2%	31.2% 	23.2%
4b	17.7%	10.5%	18.2% 	10.9%	19.4% 	9.4%

4c	27.3%	17.2%	29.7% 	16.2%	28.8% 	17.8%
4d	49.0%	45.7%	48.7% 	43.1%	45.0% 	41.6%

Whilst it is positive that there has been a decrease in the harassment, bullying or abuse that Disabled colleagues have experienced from colleagues, there has been an increase from managers and in either Disabled colleagues or other colleagues reporting it. Overall, the percentage for this type of negative behaviour remains high.

Staff Survey Comparison



Metric 4a - Statistically there has been little change over 2 years, 31.2% is still below the benchmark group average of 32.4%

Metric 4b - This figure is above the benchmark group average of 18.0%.

Metric 4c - This has seen a decrease from 29.7% in 2020 to 28.8% in 2021 but is still above the benchmark group average of 26.6% which equates to a negative experience.

Metric 4d - This metric has seen a deterioration from 48.7% in 2020 to 45% in 2021 and is below the benchmark group average of 47%.

Metric 5 Percentage of staff who believe that their organisation provides equal opportunities for career progression or promotion.

2020 (2019 Staff Survey)		2021 (2020 Staff Survey)		2022 (2021 Staff Survey)	
Disabled	Non-Disabled	Disabled	Non-Disabled	Disabled	Non-Disabled
50.5%	57.9%	49.3% 	56.5%	52.1% 	56.9%

Metric 5 has seen a positive increase and is above the percentage it was at in 2020.

Metric 6 Percentage of Disabled staff compared to non-Disabled staff saying that they have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties.

2020 (2019 Staff Survey)	2021 (2020 Staff Survey)	2022 (2021 Staff Survey)
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Disabled	Non-Disabled	Disabled	Non-Disabled	Disabled	Non-Disabled
25.6%	22.1%	27.7%	21.9%	26.9%	18.9%

There has been a positive decrease in Metric 6 and whilst some Trusts have found that colleagues have experienced 'presenteeism' throughout the pandemic because of the perceived pressure to support their teams, it has also been noted that enabling colleagues to work from home has supported them in balancing any health needs they need to be taken into consideration. Anecdotal evidence throughout the NHS suggests that colleagues that have been provided with the necessary equipment to work from home have overcome barriers they faced.

Metric 7 Percentage of Disabled staff compared to non-disabled staff saying that they are satisfied with the extent to which their organisation values their work.

2020 (2019 Staff Survey)		2021 (2020 Staff Survey)		2022 (2021 Staff Survey)	
Disabled	Non-Disabled	Disabled	Non-Disabled	Disabled	Non-Disabled
34.4%	46.9%	33.3%	46.3%	30.6%	39.6%



This metric has seen a year on year deterioration since 2020 and is addressed in the action plan, the figure is below the Staff Survey benchmark group average of 32.6%.

Metric 8 Percentage of Disabled staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work






2020 (2019 Staff Survey)	2021 (2020 Staff Survey)	2022 (2021 Staff Survey)
Disabled	Disabled	Disabled
77.7%	77.1%	74.4%

Metric 8 has also seen a year on year deterioration since 2020 and is addressed in the action plan. It needs to be ascertained from colleagues whether they felt reasonable adjustments were made during the pandemic to enable them to work from home, but not whilst on work premises. This is still above the Staff Survey benchmark group Average of 70.9% which is commendable, but anecdotal examples regarding the problems experienced means the organisation should review its process.

Metric 9 The staff engagement score for Disabled staff, compared to non-Disabled staff

2020 (2019 Staff Survey)		2021 (2020 Staff Survey)		2022 (2021 Staff Survey)	
Disabled	Non-Disabled	Disabled	Non-Disabled	Disabled	Non-Disabled
6.5%	7%	6.4%	7%	6.2%	6.7%
					

The staff engagement score for Disabled staff has remained static for the past two years, hopefully wider Trust work regarding the Staff Survey will have an impact on this.

Metric	Description	2020 Total Disabled	2021 Total Disabled	2022 Total Disabled
10	Disabled Board Members	0 out of 12 board members	0 out of 15 board members	1 out of 16 board members
	Percentage difference between the organisations' Board voting membership and its overall workforce	(0%)	(0%)	(6.25%) 
	Voting Board Members	0	0 	0 
	Non-voting Members	0	0 	1 

The percentage of Board members by Disability compared to its non-disabled workforce is 6.25%. The aim of this metric is for the Board to reflect its Disabled workforce, which is currently at 4.08%.

Progress Against the 2021 Action Plan

The responsibility for the Equality Action Plan 2021 was held with several colleagues within Workforce whilst carrying out their substantive roles.

The action plan covered both the WRES and WDES as several actions overlapped, the plan was quite extensive. National guidance is that where Trusts decide to have one action plan they should ensure that issues and actions are not conflated.

With any action plan an improvement in experiences and therefore data needs to be monitored on a year on year basis which will provide a true reflection of improvement. There have been different levels of progress with the 2021 action plan; for the following reasons:

- Absenteeism
- Staff Network members response
- Some actions not aligned with anyone specifically

- Postponement of the intervention

There has been progress with some of the actions, but this has not been the case throughout. Workforce colleagues have reviewed policies, the leavers questionnaire and engaged with the Staff Networks. The Trust has also continued with its development of an Open and Just Culture. Colleagues have held discussions with the Staff Networks about sharing their disability status, this is likely to have had an impact in the increase in declaration rates.

Some of the actions have been carried forward to the 2022/23 action plan to ensure they are implemented and the WRES and WDES action plans have been drawn up separately. Colleagues who hold responsibility for an area of work need to ensure that EDI is threaded throughout and take responsibility for consulting data to improve experiences.

2022-2023 Action Plan

This year's action plan focuses on the Metrics that have deteriorated and those where the data remains high, so experiences are negative. The National advice is not to necessarily focus on all Metrics but on those that require addressing the most. In saying this there will naturally be other organisational interventions that might have a positive impact on experiences and therefore the data. It is imperative that a deep dive into the data is carried out to ensure there is a better understanding of experiences. This will be intrinsic to some of the actions.

1. Summary

- Overall, the Trust has made good progress with disability equality, which can be seen in the improvements of the 2022 data. Given this it is important that we continue to progress and do not become complacent.
- There are Metrics that still require focus and these have been addressed in the action plan.
- The experiences of Disabled colleagues may impact on patient care
- Negative outcomes will affect our Well-led review, so it is important that we consider the needs of our Disabled workforce.

2. Next Steps

The data was submitted by the deadline of 31 August 2022. The Trust's action plan will be submitted by the deadline of 31 October 2022 and will be published on the Trust's website.

The Trust Board is asked to review the data and sign off and support the action plan for implementation.

Appendix 1 - WDES Action Plan

Date: October 2022

