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Warrington and Halton NHS Foundation Trust Hospital

Equality Duty Assurance Report (EDAR) 2019



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Contents

1.	Introduction	3
1.1	Background	3
1.2	Aims of the Equality Duty Assurance Report (EDAR)	3
1.3	Scope of the Equality Duty Assurance Report (EDAR)	3
2.	The Public Sector Equality Duty	3-5
2.1	Legislation overview	3-5
2.2	Amendments to previous obligations	5
3.	Meeting the equality duties	5-9
3.1	Providing evidence of how we are meeting our duty	5
3.2	Consultation and involvement of staff and service users	6
3.3	Equality Monitoring	7
3.4	Equality Analysis	7
3.5	Creating accessible information	7
3.6	Improving Patient experience and quality	8
3.7	Health Inequality	8
3.8	Promoting equality among the workforce	8
3.9	Action planning	9
3.10	Warrington and Halton strategic vision	9
3.11	Vision, Values and Behaviours	9
4	Progress and achievements so far	9-10
4.1	Summary of key equality achievements:	9-10
5	Accountability	10
5.1	Responsibilities and Accountability	10



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1. Introduction

1.1 Background

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

1.2 Aims of the Equality Duty Assurance Report (EDAR)

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

This document aims to provide reassurance that the strategic direction of WHH for promoting equality and eliminating discrimination since April 2011 underpins its adherence to the general duty of the Equality Act (2010) and binding specific duties of the equality duty. Moreover, it may serve as a stepping stone towards formulating strategies and actions that build upon the previous achievements made under Equality Delivery System (EDS2) and related equality action plans.

1.3 Scope of the Equality Duty Assurance Report (EDAR)

This Equality Duty Assurance Report sets out the commitment of Warrington and Halton Hospitals NHS Foundation Trust (WHH) in how it will endeavour to adhere to statutory obligations, building upon progress achieved under previous equality schemes and directives.

2. The Public Sector Equality Duty

2.1 Legislation overview

In April 2010, the Equality Act received Royal assent. The act identified the phased implementation of legislative requirements, to bring into effect measures to promote equality and eliminate discrimination, which were built upon nine previous pieces of equality law. The initial phase came into force in October 2010. The second phase came into effect from 5th of April 2011. This took the form of the creation of a single equality duty for public sector bodies. The third phase came forward from 1st of October 2012 and this extended *Age equality* from only employment protection to include the duty with regard to the provision of goods and services



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This single equality duty replaces the three previous duties which applied to only race, disability and gender. The duty now includes other protected characteristics, although the part of the general duty that applies to *civil partnership and marriage* is the responsibility to eliminate discrimination and prohibited conduct.

The full list of protected characteristics is:

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

Warrington and Halton Hospitals NHS Foundation Trust (WHH) has been working towards eliminating discrimination across many of these protected characteristics (PC) for some time.

What are the equality duties?

The single equality duty requires public organisations to show how they will adhere to the new **general duty**. This is underpinned by a set of actions and assurances termed the **specific duties**. These serve as guidance on how the general duty can be met, through a range of actions and the provision of evidence in varied formats. The framework is based upon the inaugural creation of a public sector equality duty for race, which came into force in 2002, following the race relations (amendment) Act (2000).

The general duty is as follows:

- **Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

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

- **To publish information to demonstrate compliance with the general duty by 31st January each year.**

This is specifically achieved through the production of the Workforce Equality Analysis Report (WEAR) and the Equality Duty Assurance Report (EDAR).



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- **To publish one or more specific and measurable equality objectives which will help to further the three aims of the Equality Duty by 6th April 2012 (annual thereafter).**

To support in meeting the specific and general duties all information published on how they will meet the equality duty must be presented in such a manner that it is accessible to the public and be available in various formats upon request.

2.2 Amendments to previous obligations

There is no longer a requirement to produce a single equality scheme (SES). The Warrington and Halton Hospitals NHS Foundation Trust (WHH) SES ended on 31st of March 2014.

WHH introduced equality impact assessments, with regard to assessing potential differential impacts against protected characteristics and Human Rights Articles.

The Government Equalities Office indicates strongly that there should be less bureaucracy within the equality and human rights agenda. Emphasis now focuses on equality outcomes and productivity, rather than process. To help NHS Trusts to demonstrate equality assurance and performance, NHS England introduced the NHS Equality Delivery System.

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

Since the onset of the Specific duties of the single equality duty, WHH has met its obligation to “Publish Information outlining how they (WHH) will comply with the general duty”, through annually published Equality Duty Assurance Reports and Workforce Equality Analysis Reports, and the Workforce Race Equality Standard, within the designated Time frames and will subsequently meet the requirements laid out for the Workforce Disability Standard in 2019.

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

3. Meeting the equality duties

3.1 Providing evidence of how we are meeting our duty

Through this EDAR and the Workforce Equality Analysis Report (WEAR) (2019) which will also be published by 31st of January 2019, WHH aims to demonstrate how it is paying due regard to the general duty.

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



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The Equality, Diversity and Inclusion Sub Committee (EDISC) is co- chaired by the Deputy Director of Human Resources and Organisational Development and Deputy Chief Nurse who will in turn ensure reports go to the Board of Directors. EDSIC has internal and external stakeholder membership, with active involvement from patient representatives and members of third sector bodies. The Trust has run Black and Minority Ethnic Group and Disability Focus Groups in 2018, with the information being discussed feeding back through the EDISC. The aim of this is to help advise on further action and ensure the Trust is eliminating any potential for discrimination within its Workforce. The hope for 2019 is that these focus groups will subsequently lead into network groups for the organisation, which will regularly feed into the EDSC and be a supportive point for the Trust when making decisions.

The EDSC links in with the following groups within the Trust:

- Patient Experience Sub-committee
- Operational People Committee
- Strategic People Committee
- Quality Assurance Committee
- Trust Board

In 2018 WHH have liaised with external stakeholders to increase awareness and understanding of equality issues, these include:

- Warrington Hate Crime Prevention Group
- Halton Carers
- WIRED
- Warrington Disability Partnership
- Warrington Council
- Council of Faiths
- Deafness Resource Centre

We also have the following support elements within the Trust which links into the EDSC:

- Focus Groups (BME and Disability)
- Freedom to Speak Up Champions
- Mental Health first Aiders

As in previous years, WHH can provide its strategic documents in varied formats. Although it is not a legal requirement to publish equality analysis and engagement undertakings, WHH will continue to be transparent and inclusive, in demonstrating how it is meeting its equality duty and working in partnership with others.

3.2 Consultation and involvement of staff and service users

WHH is committed to ensuring that staff and service users are involved in shaping the equality and human rights work stream and have opportunities to influence health service planning and delivery. The Trust has reviewed its approach to staff engagement and well-being, this is supported by a Staff Engagement and Wellbeing lead post. The Trust also has an Equality, Diversity and Inclusion Committee (EDISC) made up of staff and external stakeholders, which directs its associated action plan for



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2019-2022. Both staff engagement and well-being and equality, diversity and inclusion agenda are reported through the Operation People Committee and the Strategic People Committee.

WHH has a strong emphasis on engagement in its equality action plans, in order to facilitate '*autonomy, accountability and democratic legitimacy*' with regard to how it discharges undertakings under the general duty of the equality Act (2010). Only by working in partnership with people and our staff can we develop services that meet local need and are utilised effectively.

3.3 Equality Monitoring

Good quality data underpins all equality and diversity work from identifying priorities to measuring the effectiveness of our actions. The quality of data collection and analysis needs to be improved in order that we may effectively understand our local population and who is using local services. We will formulate actions into the equality strategy to improve the capture of data, especially with regards to protected characteristics, where the profile is incomplete or requires more impetus.

3.4 Equality Analysis

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

3.5 Creating accessible information

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

The Trust has a range of focus groups and committees that include internal and external membership from advocate groups, patients, carers and 3rd sector organisations. Included in these groups are the Trust's Council of Governors, Patient Experience Committee, EDISC, Dementia Steering Group, the Learning Disabilities Steering Group and the Disability Focus Group. These groups continue to collaborate to try to make improvements to the experiences of disabled patients and to work on solutions to surmount any barriers they may face, including communications and related matters. WHH is working to enhance the range and format of communications to ensure equality of access and to provide additional support to those accessing our services. We are undertaking a new assessment under the Accessible Information Standard specifications in 2018-19 to ensure that information is fully accessible including greater use of new technologies to assist with this.

The Trust is also in review of its Translation Services to ensure that we are providing the best care for all our service users.



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3.6 Improving Patient experience and quality

WHH builds upon what it has learned from assessments undertaken as part of the Equality Delivery System (EDS2) and previously the Single Equality Scheme (SES) with a view to improving services and patient experience.

The Trust works toward engaging with local people from all communities and the Health Watch teams from Halton and Warrington. It also collaborates with partner organisations in the statutory sector, in order to gain greater understanding of the local picture and work to address potential health inequalities.

3.7 Health Inequality

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

3.8 Promoting equality among the workforce

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

WHH will maintain an annual commitment to produce a full workforce equality analysis, in order to support future planning and development options. The 2017-2018 workforce equality analysis will be published in January 2019, to fall in line with the directive of the specific duties.

The Trust has also complied with reporting requirements for the Workforce Race Equality Standard, with following appropriate action plans, and is in the process of preparing for the Workforce Disability Equality Standard (WDES) in 2019. The Trust also regularly reviews Staff Survey results with subsequent action plans and recommendations to ensure that equality is promoted and no potential discrimination exists.

Our policies and Strategies are also equality assessed to ensure no employee is at a detriment due to any protected characteristics and these are regularly reviewed.

In addition to this the Trust also has a Freedom to Speak Up Guardian and Champions who are available to support any member of staff who may wish to raise any concerns.

3.9 Action planning

In line with the single equality duty, WHH will utilise its growing engagement network and links to local 3rd sector organisations, to gain the perspectives and ascertain the needs of both its workforce and the public that it serves.



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3.10 Warrington and Halton strategic vision

The Board have identified a 3 Aims for the Trust which will deliver our vision. These Aims are as follows:

1. Quality – We will always put our patients first through high quality, safe care and an excellent patient experience
2. People – We will be the best place to work with a diverse, engaged workforce that is fit for the future
3. Sustainability – We will work in partnership to design and provide high quality, financially sustainable services

3.11 Vision, Values and Behaviours

Our Vision is to be the change we want to see in the world of health and social care.

Our Values are summarised as:

- Working Together – we will work together to ensure patients come first and our staff feel valued
- Excellence – we will provide excellent care
- Accountable- we will take responsibility to do the right thing, in the right way at the right time
- Role Models – what others observe in us will inspire them to do better
- Embrace Change – we are always learning and improving for our patients, the public and each other

Effective application of the actions relating to the equality duty will complement and support the organisation's strategic vision. An increase in knowledge and understanding of the Workforce and local patients and their needs will enable the more effective and efficient use of resources and as a consequence, help improve patient and staff experience, quality and minimise potential for inequalities or discrimination.

4 Progress and achievements so far

The equality governance framework serves to not only ensure that WHH remains compliant with legislation and that equality issues are considered as part of mainstream functions but that improvements are made and innovations realised in partnership with equality and health inequality stakeholder groups.

4.1 Summary of key equality achievements:

- ✚ Published workforce equality analysis report for each year commencing year 31/1/13, and have continuously done so per annum.
- ✚ Attained an achieving grade in 16 and 2 of excelling of 18 EDS2 outcomes in 2018 assessments.
- ✚ Ran staff focus groups to examine staff experience of disabled and BAME staff groups in 2018.



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- ✚ Published the inaugural four year equality objectives and will publish a new 3 year strategy in 2019 to cover 2019-2021
- ✚ All policies, procedures and service changes are equality impact assessed against protected characteristics
- ✚ Formulated the a Carers Strategy in partnership with the two borough Carer organisations *WIRED* and *Halton Carers Centre* and have initiated Carers Cafes, to raise staff awareness and promote Carer inclusivity at all stages of the care pathway
- ✚ In collaboration with The Disability Trading Company (Warrington Disability Partnership) we established and Independent Living Centre in our Outpatients department to support Patients, Staff and Carers in accessing advice and support
- ✚ Continuous interpretation and translation service to support minority communities and disabled patients
- ✚ Annual sponsorship of the international Disability Awareness Day event in Warrington
- ✚ Introduction of Mental Health First Aiders who will increase staff awareness of Mental Health and offer the workforce additional support
- ✚ Introduction of a dedicated quiet waiting area and treatment space in A&E to support patients with mental health issues or other additional needs
- ✚ Supported Various Awareness Days, including; Disability, Honour Crime and Human Rights
- ✚ Promoted the Stepping Up Programme to BME Staff and Secured a Place in 2018
- ✚ Started to increase the diversity of our Freedom to Speak Up Champions to support staff in raising concerns
- ✚ Retained Disability Confident Employer Status

5 Accountability

5.1 Responsibilities and Accountability

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

The Deputy Director of Human Resources and Organisational Development and Deputy Director of Nursing and Patient Experience co-chair the bi-monthly Equality and Diversity Sub-Committee (EDSC) which reports into the Operational People Committee, the Strategic People Committee and then subsequently the Board.





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Warrington and Halton Hospitals NHS Foundation Trust (WHH) as a whole needs to work together to ensure that it builds upon the significant progress that has been made so far, in meeting the equality duties and embedding the fundamentals of equality analysis and engagement in its functions, services, strategies and organisational undertakings.