

Report to:	Public Board of Directors	Agenda item:	
Date of Meeting:			

Title of Report:	WDES Submission
Status:	For information
Board Sponsor:	Claire Radley, Director for People
Author:	Gayle Williams, Equality and Diversity Officer
Appendices	Appendix 1: WDES Indicators Appendix 2: Definition of Disability

1. Executive Summary of the Report
This paper outlines the Trust's performance against the Workforce Disability Equality Standard (WDES) and, where shortcomings have been identified; a number of actions will be undertaken over the next 12 months from 1 st August with input from the Equal Abilities Network.

2. Recommendations (Note, Approve, Discuss)
Board of Directors is asked to note & approve the report and following recommendations/actions: <ul style="list-style-type: none"> • Examination of the data currently available in support of the Trust's position against the WDES indicates further work is required in establishing better self-declaration rates of disability as well as a deeper understanding of the underlying causes for the poorer experiences reported by staff with disabilities. The Trust has made good progress in the last year, reducing the number of 'unknowns' by 5%, however this work needs to continue in order to ensure any action plan is effective at addressing inequalities. • In order to ensure that meaningful and sustained change is made, the data will be shared with the Trust's Equal Abilities Network and widely across the Trust to help shape and form an action plan over the coming 12 months. • The WDES metric data to be submitted to NHS England no later than 31st August, Board report and action plan to be published no later than 31st October on the RUH Website in line with the regulatory obligation to publish. • Diversity and Inclusion Steering Committee will monitor the implementation of the action plan on a quarterly basis as part of a standing agenda item on the committees meeting.

3. Legal / Regulatory Implications
Statutory obligation under the Equality Act 2010 to publish information to demonstrate compliance with the public sector equality duty (PSED) at least annually and is further required to publish the results of the annual WDES data collection and subsequent action plan.

4. Risk (Threats or opportunities, link to a risk on the Risk Register, Board Assurance Framework etc)
Workforce risks associated with this report are monitored through the Diversity and

Inclusion Steering Committee

5. Resources Implications (Financial / staffing)

None.

6. Equality and Diversity

This report supports equal opportunities for all staff.

7. References to previous reports
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16 th July 2019 WDES Board Report WDES National 2019 report

8. Freedom of Information

Public

1. Introduction

1.1 This paper outlines the Trust's performance against the Workforce Disability Equality Standard (WDES) and, where shortcoming has been identified, identifies a number of actions to be undertaken over the next 12 months.

2. Background

2.1 Following the implementation of the WRES, (Workplace Race Equality Standard), NHS England introduced equality standards for staff with disabilities from 2019 onwards, this is the second year of reporting. This reflects a lengthy consultation process on the metrics to be used as part of the standard. As with the WRES, the WDES is a requirement for NHS providers, with an annual report required to be submitted to the co-ordinating commissioner, alongside an action plan.

2.2 The Care Quality Commission will also consider the Workforce Disability Equality Standard in their assessments of how "well-led" NHS providers are.

3. Workforce Disability Equality Standard (WDES)

3.1 The WDES comprises nine standards against which the Trust is required to assess its performance:

- Three standards cover the comparison of staff with and staff without disabilities staff metrics held within the Electronic Staff Record (ESR)
- Five standards cover the comparison of staff with and staff without disabilities responses within the annual NHS staff survey results for 2019
- One standard looks at the staff engagement score for staff with and without disabilities
- One standard covers an assessment of whether our Board is representative of the overall staff within the RUH.

3.2 The details of the Trust's performance highlighted in Section 4 forms the basis for the formal submission to NHS England due by 31st August 2020. The WDES standards are contained within **Appendix 1**.

3.3 Data Accuracy and Definition of Disability

- 3.4 Staff are asked to self-disclose whether or not they consider themselves to have a disability. There are multiple definitions used by the Trust to define disability, the definitions used by the Equality Act, NHS Jobs and the NHS staff survey are contained within **Appendix 2**. Broadly the Trust defines having a disability as identifying as having a physical, mental, learning or sensory impairment or long term health condition which impacts on the staff member's day to day life. This data is collected at appointment to the Trust and again if staff move from one post to another.
- 3.5 3.2% of the overall workforce state they consider themselves to have a disability. 76.6% of staff state they do not consider themselves disabled, 1.4% prefer not to say. The remaining 18.8% of the organisation does not have the answer to this question recorded. This is an improvement on last year's figure where 24% of staff did not have this recorded.
- 3.6 In part this is due to staff who have worked a many years at the Trust and do not have this information recorded, this figure reduces every year as staff leave and new staff join. Furthermore, staff do not routinely update their details if they develop a disability during their employment, though the Trust, with the introduction of self service, now have this option to update their details.
- 3.7 Figures from the annual staff survey indicate that 15% of staff who chose to complete the survey considers themselves to have a disability. This would indicate that the number of staff who consider themselves to have a disability is closer to 7% than the 3% recorded.
- 3.8 There are many reasons as to why a person may choose to not self-declare. They may not 'feel' disabled; for instance not all people who wear hearing aids, or have undergone or are receiving treatment for cancer would consider themselves to have a disability, yet both are considered disabilities under the Equality Act. Concern over stigma and the ability to gain a promotion/job may be a factor for some as well as not wishing to be treated differently or having assumptions made about them are all factors.
- 3.9 Given the levels of 'unknown' within the data set, (18%), improving self-declaration rates regarding disability needs to remain on the WDES action plan.

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4. Performance against the Workforce Disability Equality Standard (WDES)

4.1 Metric 1: Percentage of staff in AfC pay bands or medical and dental subgroups and very senior managers (including Executive Board members) compared with the percentage of staff in the overall workforce.

Descriptor	Disabled		Non-disabled		Not Known	
	2018	2019	2018	2019	2018	2019
Staff In:						
Bands 1 -4	4.58%	5.67%	72.12%	74.24%	23.3%	20%
Bands 5-7	3.24%	3.58%	72.20%	75.6%	24.56%	20.82%
Bands 8a and 8b	1.64%	2.8%	69.23%	70.56%	29.13%	26.6%
Bands 8c – 8d, 9 and VSM	6.6%	4.83%	76.6%	77.7%	16.8%	17.74%
Medical and dental staff (M&D); Consultants	0%	0.74%	61%	67.7%	39%	31.56%
M&D staff; non Consultant and career grade	0%	1.49%	66%	46.27%	34%	52.24%
M&D Staff: trainee grades	1%	1.74%	97%	94.08%	1%	4.18%

*Note: this indicator is based on directly employed workforce data within ESR at 1st April 2019, (excludes bank staff).

*VSM Very senior managers including Board Members.

By far the highest concentration of staff with disabilities is in the bands 1-4 cluster. This may reflect the success of schemes such as Project Search, which support young people with disabilities in preparing them for work. It is encouraging to note that the percentage of staff with disabilities all bands and above have increased from last year with the exception of Bands 8c-9.

4.2 Metric 2: Relative likelihood of non disabled staff compared to Disabled staff being appointed from shortlisting across all posts.

Descriptor	Disabled 2020	Non-disabled 2020
Number of shortlisted applicants	256	4888
Numbers appointed from shortlisting	43	1248
Likelihood (shortlisting / appointed)	0.17	0.26

*Note: this indicator is based on data held in NHS Jobs between 1st April 2019 and 31st March 2020

4.3 Applicants are 1.5 times more likely to be appointed if they do not have a disability than if they do. This is a marked improvement on last year's figure, (non-disabled staff were 4 times more likely to be appointed from shortlisting). The RUH, like 97% of all NHS Trusts operates a guaranteed interview scheme for applicants with disabilities under the governments Disability Confident scheme. The national WDES reporting team when reviewing the WDES figures from 2019 found that having a guaranteed interview

scheme on its own did not improve the chances of a disabled applicant being appointed.

4.4 Metric 3: Relative likelihood of Disabled staff compared to non-disabled staff entering the formal capability process, as measured by entry into the formal capability procedure.

Descriptor	Disabled	Non-Disabled
Number of staff in workforce	231	4199
Number of staff entering the formal performance management process	0	4
Likelihood (entering formal process)	0.0	0.0

*Note: this indicator will be based on data from a two year rolling average of the current year and the previous year for identified disabled and non-disabled staff

4.5 There is no more or less likelihood of entering the formal performance management process if staff have a disability. The number of informal cases was also reviewed and did not show a discrepancy in number of staff with disabilities versus those without disabilities.

4.5 In future this metric is likely to include those staff entering into the formal sickness absence process and this will present difficulties in collating the data, due to how sickness management is currently recorded.

4.6 Metrics 4-9:

4.7 The following metrics are taken from the staff survey results from 2019

Metric 4

a) Percentage of Disabled staff compared to non-disabled staff experiencing harassment, bullying or abuse from:

- i. Patients/service users, their relatives or other members of the public
- ii. Managers
- iii. Other colleagues

b) Percentage of Disabled staff compared to non-disabled staff saying that the last time they experienced harassment, bullying or abuse at work, they or a colleague reported it.

Descriptor	Disabled	Non-disabled	Comparison to 2018
% of staff experiencing harassment, bullying or abuse from patients/service users, their relatives or other members of the public in the last 12 months	33.5%	24.4%	Worsening position for disabled staff
% of staff experiencing harassment, bullying or abuse from managers in the last 12 months	17.5%	10.8%	Improving position for disabled staff
% of staff experiencing harassment, bullying or abuse from other colleagues in the last 12 months	31.6%	17.0%	Worsening position for disabled staff
% of staff saying that the last time they experienced harassment, bullying or abuse	45.8%	46.0%	Reporting has gone up for

at work, they or a colleague reported it in the last 12 months			both sets of staff
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4.8 Metric 5: Percentage of Disabled staff compared to non-disabled staff believing that the Trust provides equal opportunities for career progression or promotion.

Descriptor	Disabled	Non-disabled
% of staff believing that the Trust provides equal opportunities for career progression or promotion.	79.9% (improvement on last year)	87.2%

4.9 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.

Descriptor	Disabled	Non-disabled
% of staff saying that they have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties	31.3% (improvement on last year)	19.6%

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

Descriptor	Disabled	Non-disabled
% of staff saying that they are satisfied with the extent to which their organisation values their work	37.7% , (improvement on last year)	49.5%

4.11 Metric 8: The following NHS staff survey metric only includes the responses of staff with Disabilities. Percentage of disabled staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work.

Descriptor	Disabled
% of staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work.	71% (worsening position)

4.12 Staff with disabilities are well represented with regards to the staff survey results with 17.2% of respondents stating they had a physical or mental health condition(s) disabilities or illnesses that have lasted or are expected to last for 12 months or more.

4.13 The metrics above highlight that staff with disabilities consistently report a lower or worse experience at work than those who do not have a disability. Staff with disabilities report higher instances of bullying; are less likely to believe that opportunities for career progression are fair and feel more pressure to come to work when feeling unwell.

4.14 Furthermore the experiences of staff in having adjustments made is mixed. These results are reflected in Metric 9 which reviews the overall staff engagement score for

staff with disabilities and those without. Staff with disabilities have an overall lower score for engagement.

Metric 9: a) The staff engagement score for Disabled staff, compared to non-disabled staff

Metric 9: Descriptor	Disabled	Non-disabled
The staff engagement score for Disabled staff, compared to non-disabled staff and the overall engagement score for the organisation.	6.7	7.1

This score has not changed from last year’s engagement figure.

b) Has your Trust taken action to facilitate the voices of Disabled staff in your organisation to be heard? (Yes) or (No)

Yes. The Trust has an Equal Abilities Staff Network. The network is small, but has grown to 35 members with the introduction of Workplace. The group in response to last year’s WDES report helped develop the 2019 Action plan and are in the process of finalising reasonable adjustment guidance for the Trust as part of that action plan in recognition of the experiences reflected in the staff survey.

4.15 Metric 10: Percentage difference between the organisation’s Board voting membership and its organisation’s overall workforce, disaggregated:

- **By voting membership of the Board.**
- **By Executive membership of the Board.**

% difference between organisations board membership and overall workforce, disaggregated	Board	Trust	Difference
By voting membership of the Board	20%	3%	+17%
By executive membership of the Board	29%	3%	+25%

The Board continues to exceed representation of staff with disabilities

5. Conclusion & Recommendations

5.1 Examination of the data currently available in support of the Trust’s position against the WDES indicates further work is required in establishing better self-declaration rates of disability as well as a deeper understanding of the underlying causes for the poorer experiences reported by staff with disabilities. The Trust has made good progress in the last year, reducing the number of ‘unknowns’ by 5%, however this work needs to continue in order to ensure any action plan is effective at addressing inequalities.

5.2 In order to ensure that meaningful and sustained change is made, the data will be shared with the Trust’s Equal Abilities Network and widely across the Trust to help shape and form an action plan over the coming 12 months.

- 5.3 The WDES metric data to be submitted to NHS England no later than 31st August, Board report and action plan to be published no later than 31st October on the RUH Website in line with the regulatory obligation to publish.
- 5.4 Diversity and Inclusion Steering Committee will monitor the implementation of the action plan on a quarterly basis as part of a standing agenda item on the committees meeting.

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