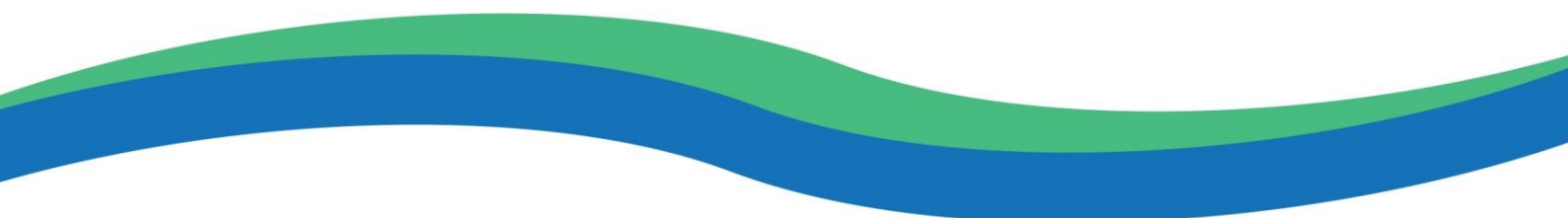




Western Sussex Hospitals
NHS Foundation Trust

Western Sussex Hospitals NHS Foundation Trust

Workforce Disability Equality Standard 2018-19





Introduction

There has been legal protection for workers with disabilities for many years, making it unlawful to treat a worker with a disability less equally than workers without a disability. The most recent legislation that offers this protection is the Equality Act 2010.

The act goes further than just banning unfair behaviour to workers with disabilities, it also places public sector organisations under duty to seek opportunities to proactively address areas of equality of opportunity and promoting good relations between workers with disabilities and those without.

Whilst there have been improvements with societal attitudes towards people with disabilities, they have not necessarily moved as quickly as the act (and its predecessors) had intended. This being the case, there are still many inequalities surrounding the employment of workers with disabilities. The employment rate of people with disabilities is 51.3%, versus those without 81.4%, this means a difference of 30.1%. This difference is often referred to as the disability employment gap. Given that 22% of adults of working age have a disability, more needs to be done to close this gap.¹

Breaking down disability further the picture for people with mental ill health and learning disabilities is far worse. 1 in 4 adults and 1 in 10 children experience mental health illnesses in their lifetime² however; the stigma around mental health is still rife within the UK. In the 2016 green paper *Improving Lives: The Work, Health and Disability Green Paper*, states only 32% of people with mental illness were in work. There are approximately 1.5 million people in the UK with some form of Learning Disability, of which 17% of people of working age are in paid employment. It is estimated that 28% of adults of working age with mild or moderate learning disabilities, 10% of adults of working age with severe learning disabilities and 0% of adults of working adults with profound learning disabilities are in employment.³

The inequalities can be vast, and may include inflexible recruitment practices that do not take the needs of the candidate's disability, providing adequate reasonable adjustments in the workplace, progression into more senior roles, overrepresentation in employee relations procedures, poor attitudes to those with a disability and poor

¹ Briefing Paper 7540, People with Disabilities in Employment, 30 November 2018, Andrew Powell: House of Commons Library).

² (*Improving Lives: The work, Health and Disability Green Paper*, NHS England)

³ (Emerson and Hatton, 2008)

access to development opportunities. These inequalities help to build a picture of poor employment / retention rates and experiences of employment.

The Workforce Disability Equality Standard (WDES) was introduced in April 2019 by NHS England; it was developed to demonstrate compliance with:

- UK Government's pledge to increase the number of disabled people in employment - this was made in November 2017
- The NHS Constitution - relating to the rights of staff
- The 'social model of disability' - recognising the societal barriers that people with disabilities face which is the disabling factor, not an individual's medical condition or impairment
- The Equality Act 2010 - specific requirements not to discriminate against workers with a disability, advancing equality and fostering good relations
- 'Nothing about us without us' - a phrase used by the disability movement to denote a central principle of inclusion: that actions and decisions that affect or are about people with disabilities should be taken with disabled people.

The standard allows NHS organisations to review the experiences and outcomes of both staff with and without disabilities. The standard provides a framework for NHS organisations to review their key employment cycle policies, practices and processes to identify if inequalities (listed above) exist, and gives them an opportunity to engage with disabled workers to put actions in place to address areas of inequality.

There are some specific issues that impact workers with disabilities and NHS organisations, these include:

- Significant under reporting of the numbers of staff who declare themselves as having a disability
- 15% difference between Electronic Staff Records (ESR) and Staff Survey declaration rates. ESR is the integrated Human Resources and Payroll system.
- Lack of representation of disabled staff at senior levels
- Disabled staff consistently report:
 - higher levels of bullying and harassment
 - less satisfaction with appraisals and career
 - lack of development opportunities

Through this programme and with annual reporting it is hoped NHS Organisations will see many benefits including, continuous improvement for workers with a disability, better understanding of the needs of workers with a disability, improved data (declaration rates), improvements to the culture, improved employment and retention.



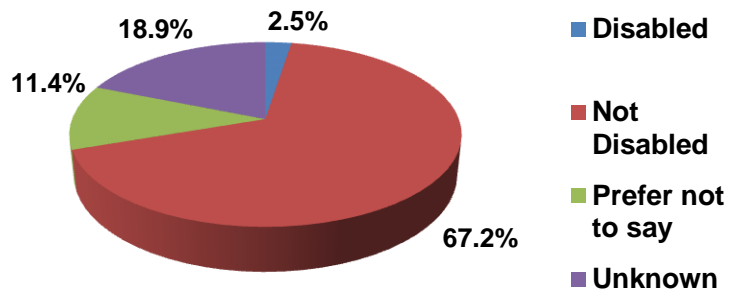
Background Information

1) Total number of staff:

2019
7073

Proportion of staff with a disability employed within this organisation at the date of this report:

	2019	
	Headcount	% of Staff
Disabled	180	2.5%
Not Disabled	4754	67.2%
Prefer not to say	803	11.4%
Unknown	1336	18.9%
Total	7073	100.0%



2019

2) Self-reporting

a) The proportion of total staff who have self-reported their disability status:

	2019	
	Headcount	% of Staff
Disability Status Declared	4934	69.8%
Disability Status Not Declared	2139	30.2%
Total	7073	100.0%

b) Have any steps been taken in the last reporting period to improve the level of self-reporting by disability?

We collect information relating to disability as part of the recruitment process. The Trust has launched the Electronic Staff Records self-service facility which allows staff to update their disability status confidentially.

c) Are any steps planned during the current reporting period to improve the level of self-reporting by disability?

The Trust is planning to undertake an exercise to improve the workforce declaration of diversity monitoring data across all protected characteristics.

3) Workforce Data

a) What period does the organisation's workforce data refer to?

1 April 2018 to 31 March 2019.

4) How is disability defined under the standard?

The standard uses the definition of disability found in the Equality Act 2010. Under the act a person is considered as having a disability if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.

5) Population Demographic 2011 Census (Southeast England)

	Census 2011
Activity limited a lot	6.9%
Activity limited a little*	8.8%

* Within this section there will be some (not all) people who would meet the test under the Equality Act 2010 as being disabled, but it is impossible to say what proportion.



Workforce Disability Equality Metrics

For each of the indicators, the standard compares the metrics for staff with a disability and staff without a disability.

Metric 1 - Percentage of staff in AfC pay bands or medical and dental subgroups and very senior managers (VSM) (including executive board members) compared with the percentage of staff in the overall workforce.

Cluster 1: AfC Band 1, 2, 3 and 4

Cluster 2: AfC Band 5, 6 and 7

Cluster 3: AfC Band 8a and 8b

Cluster 4: AfC Band 8c, 8d, 9 and VSM (including Executive Board members)

Cluster 5: Medical and Dental staff, Consultants

Cluster 6: Medical and Dental staff, Non consultant career grade

Cluster 7: Medical and Dental staff, Medical and dental trainee grades

Note: Organisations should undertake this calculation separately for non-clinical and for clinical staff.

	Non-Clinical					
	Disabled	Not Disabled	Not Known	Total	Disabled %	Not Disabled %
Cluster 1	48	1000	422	1470	3.2%	68.0%
Cluster 2	4	207	84	295	1.4%	70.1%
Cluster 3	3	68	15	86	3.5%	79.1%
Cluster 4	0	38	12	50	0.0%	76.0%
Total	55	1313	533	1901	2.9%	69.1%

In the table above in the column labelled 'Disabled %' the green cells demonstrate representation is either equal or more than the general representation of disabled staff in the workforce (2.5%). The red cell details an underrepresentation when compared to the general representation of disabled staff in the workforce.

What the data tells us:

- There is a higher than expected representation of staff with declared disabilities in cluster 1 (bands 1-4) and cluster 3 (bands 8a and 8b).
- There is a lower than expected representation of staff with declared disabilities in cluster 2 (bands 5-7) and cluster 4 (bands 8c-9 and VSM).

Clinical						
	Disabled	Not Disabled	Not Known	Total	Disabled %	Not Disabled %
Cluster 1	43	1078	422	1543	2.8%	69.9%
Cluster 2	65	1769	829	2663	2.4%	66.4%
Cluster 3	4	95	36	135	3.0%	70.4%
Cluster 4	0	14	11	25	0.0%	56.0%
Cluster 5	7	189	119	315	2.2%	60.0%
Cluster 6	4	241	121	366	1.1%	65.8%
Cluster 7	2	55	68	125	1.6%	44.0%
Total	125	3441	1606	5172	2.4%	66.5%

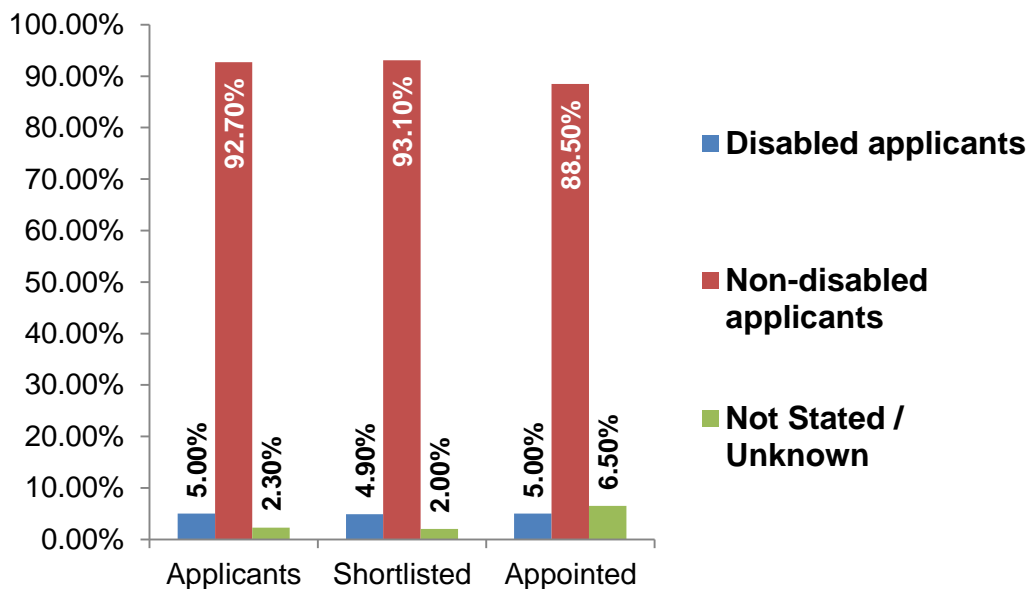
In the table above in the column labelled 'Disabled %' the green cells demonstrate representation is either equal or more than the general representation of disabled staff in the workforce (2.5%). The red cell details an underrepresentation when compared to the general representation of disabled staff in the workforce.

What the data tells us:

- There is a higher than expected representation of staff with declared disabilities in cluster 1 (bands 1-4) and cluster 3 (bands 8a and 8b).
- For all other grades there is a lower than expected representation of staff with a declared disability.
- Staff with a declared disability are underrepresented in medical and dental grades (clusters 5-7).

Metric 2 - Relative likelihood of Disabled staff compared to non-disabled staff being appointed from shortlisting across all posts. This refers to both external and internal posts.

	Applicants		Shortlisted		Appointed		Relative Likelihood of being appointed
	Number	%	Number	%	Number	%	
Disabled applicants	859	5.0%	525	4.9%	27	5.0%	0.0514285
Non-disabled applicants	15988	92.7%	9972	93.1%	474	88.5%	0.047533
Not Stated / Unknown	405	2.3%	211	2.0%	35	6.5%	0.1658767
Total	17252	100%	10708	100%	536	100%	



The likelihood of non-disabled candidates being appointed from shortlisting:
 $474 / 9972 = 0.047533$

The likelihood of disabled candidates being appointed from shortlisting:
 $27 / 525 = 0.0514285$

The relative likelihood of non-disabled candidates being appointed from shortlisting compared to disabled staff is: 0.047533 (non-disabled candidates) / 0.0514285 (disabled candidates) = **0.92 times**.

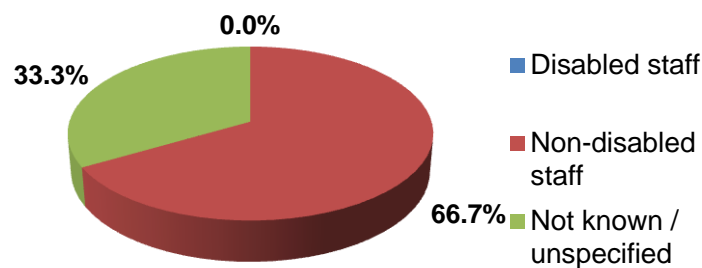
Disabled applicants	<div style="width: 100%; height: 15px; background-color: #008000;"></div>	1.00
Non-disabled applicants	<div style="width: 92%; height: 15px; background-color: #008000;"></div>	0.92

In this instance the data suggests disabled candidates are slightly more likely than non-disabled candidates to be appointed from shortlisting.

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.

Note: This indicator will be based on data from a two year rolling average of the current year and the previous year

	Number of Capability Procedures	Number in Workforce	Relative Likelihood of entering procedure
Disabled staff	0	180	0.000000
Non-disabled staff	6	4754	0.001262
Not known / unspecified	3	2139	0.001403



The likelihood of non-disabled staff entering the formal disciplinary process:
 $6 / 4754 = 0.001262$

The likelihood of disabled staff entering the formal disciplinary process:
 $0 / 180 = 0.000000$

The relative likelihood of disabled staff entering the formal capability process compared to non-disabled staff is: 0.000000 (Disabled Staff) / 0.001262 (non-disabled Staff) = **0.0 times.**

Disabled Staff	0.0
Non-disabled Staff	1.0

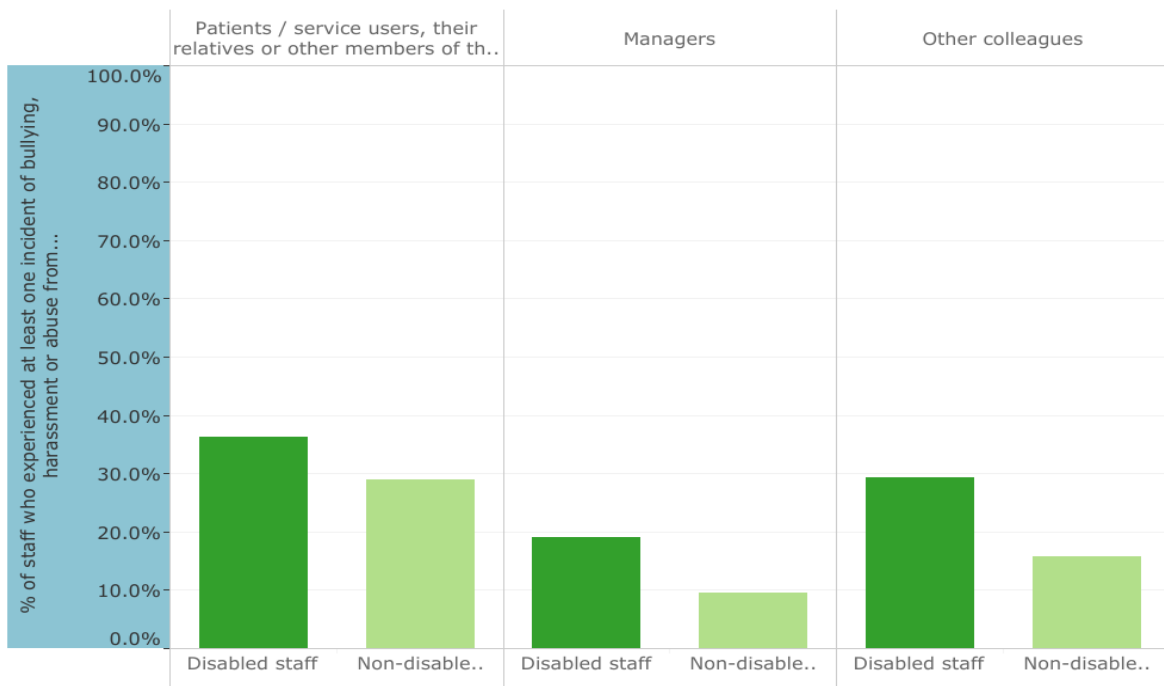
In this instance no disabled staff members have entered into a capability process during the period. Therefore we are unable to reach any conclusions.

Metric 4a - Percentage of Disabled staff compared to non-disabled staff experiencing harassment, bullying or abuse from:

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

	Patients/service users, their relatives or other members of the public	Managers	Other colleagues
Disabled staff	36.2%	19.0%	29.3%
Non-disabled staff	29.0%	9.6%	15.7%

Indicator 4a: Harassment, bullying or abuse (q13a-c)



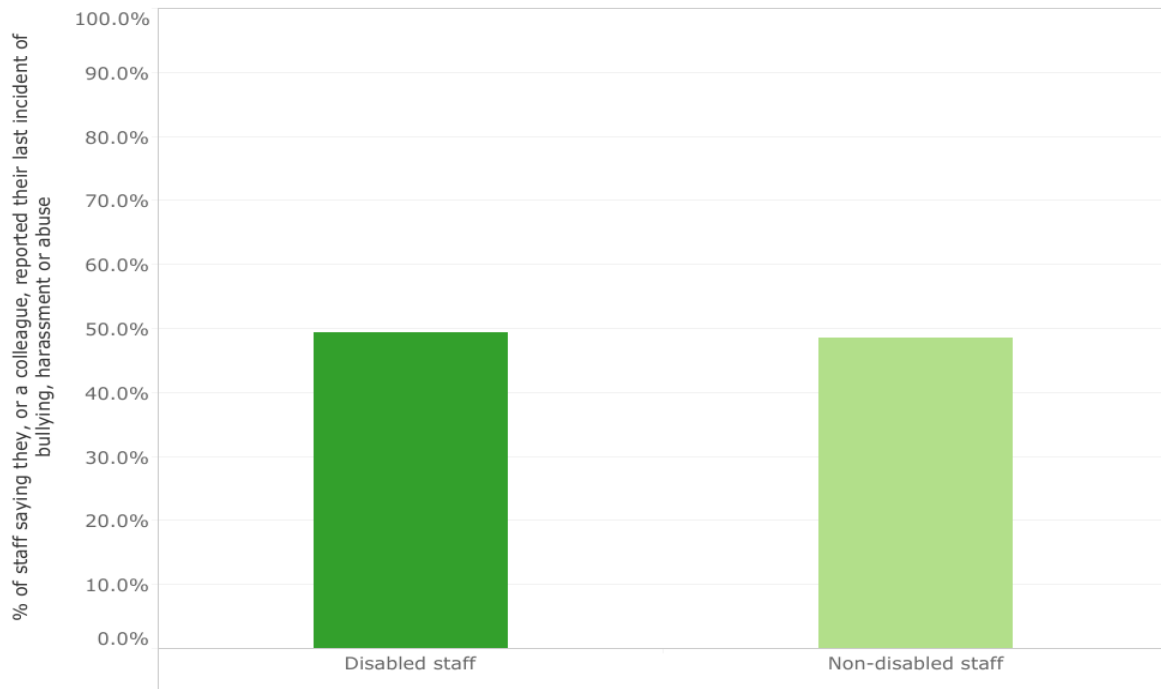
What the data tells us:

- Displayed as a likelihood:
 - Disabled staff are 1.25 times more likely to experience harassment, bullying or abuse from patients/service users, their relatives or other members of the public than non-disabled staff.
 - Disabled staff are 1.98 times more likely to experience harassment, bullying or abuse from managers than non-disabled staff.
 - Disabled staff are 1.87 times more likely to experience harassment, bullying or abuse from other colleagues than non-disabled staff.

Metric 4b - 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.

Disabled staff	49.4%
Non-disabled staff	48.5%

Indicator 4b: Reporting harassment, bullying or abuse (q13d)



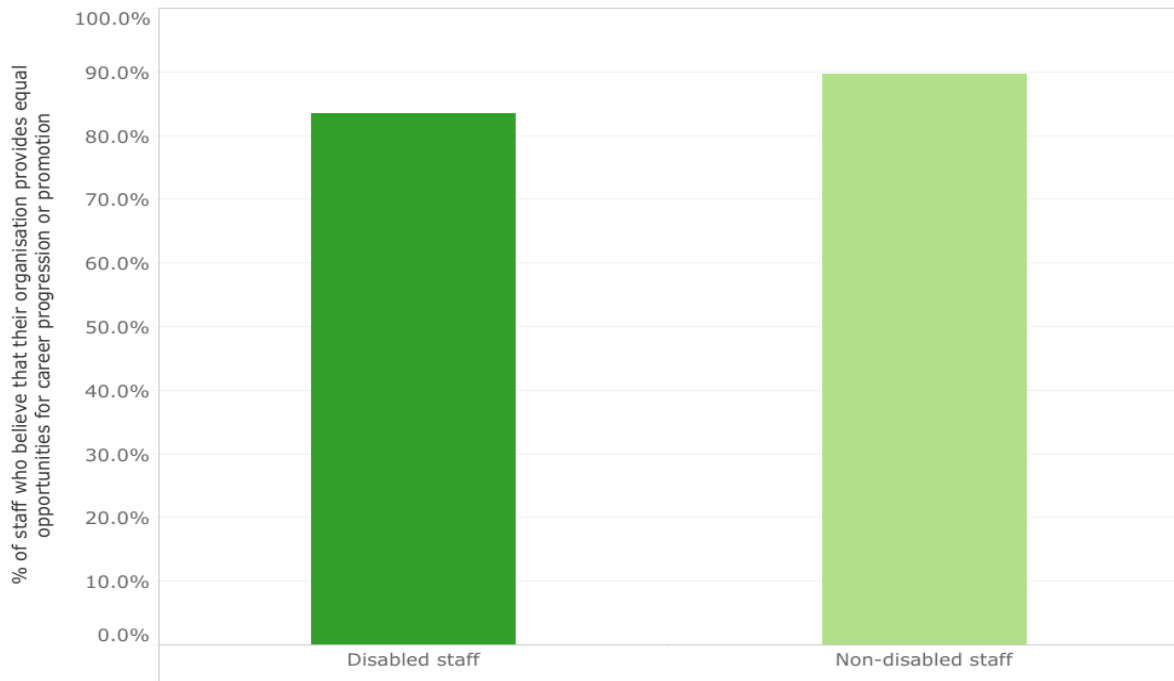
What the data tells us:

- Displayed as a likelihood:
 - Disabled staff are 1.02 times more likely to report incidents of harassment, bullying or abuse at work than non-disabled staff.

Metric 5 - Percentage of Disabled staff compared to non-disabled staff believing that the Trust provides equal opportunities for career progression or promotion.

Disabled staff	83.5%
Non-disabled staff	89.6%

Indicator 5: Equal opportunities for career progression/promotion (q14)



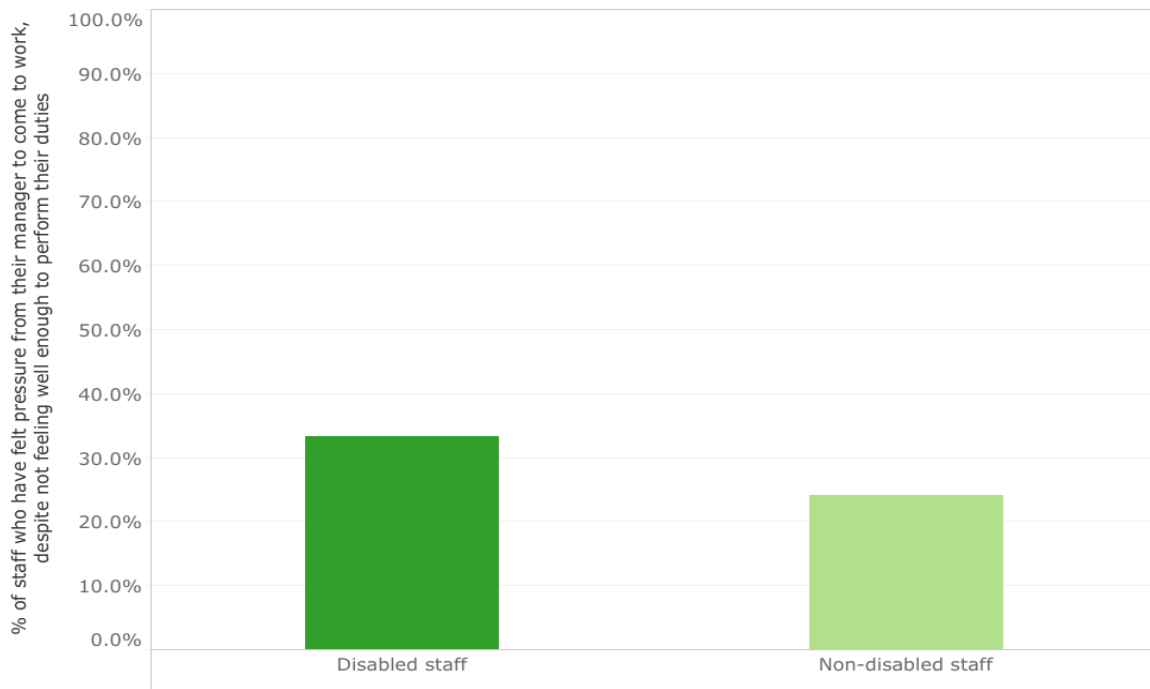
What the data tells us:

- Fewer disabled staff feel the Trust provides equal opportunities for career progression or promotion than non-disabled staff.

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.

Disabled staff	33.3%
Non-disabled staff	24.1%

Indicator 6: Experiencing pressure from your manager to attend work when unwell (q11e)



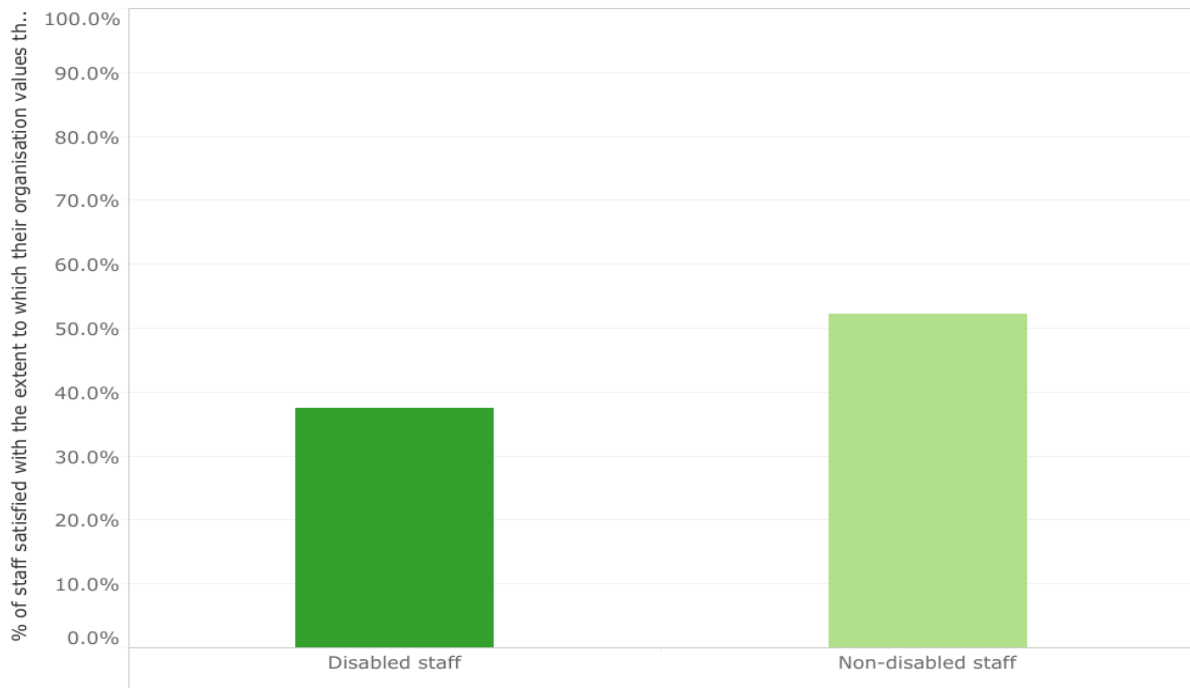
What the data tells us:

- Displayed as a likelihood:
 - Disabled staff are 1.38 times more likely to have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties than non-disabled staff.

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.

Disabled staff	37.5%
Non-disabled staff	52.2%

Indicator 7: Staff satisfaction with extent work is valued by organisation (q5f)



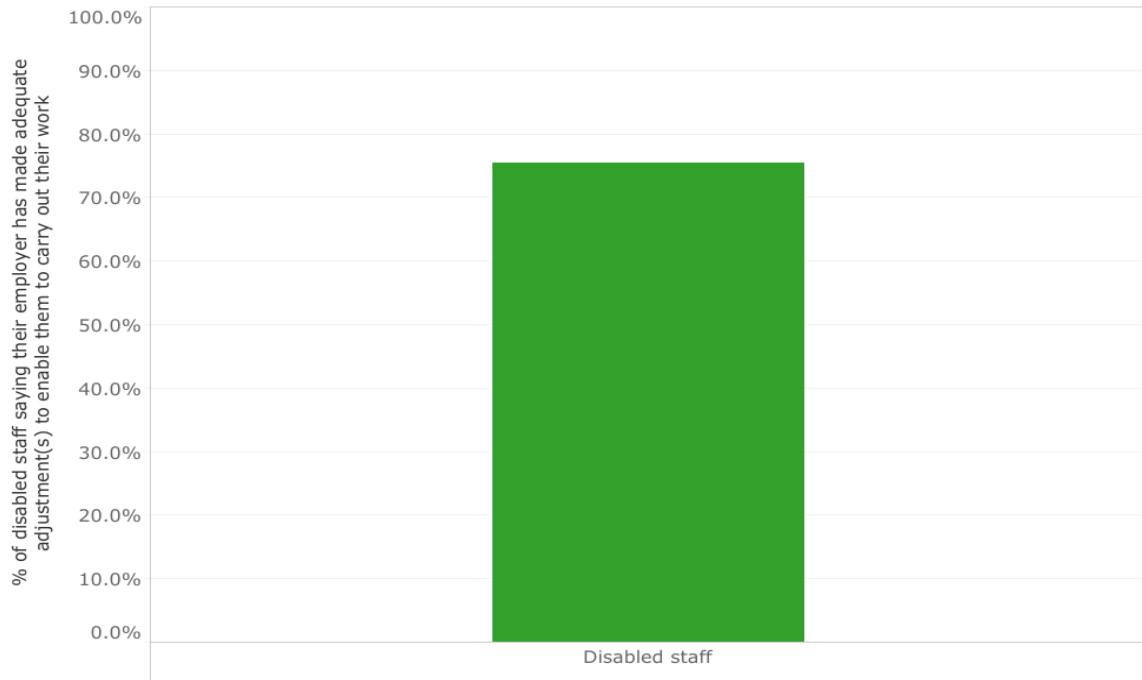
What the data tells us:

- Fewer disabled staff feel they are satisfied with the extent to which their organisation values their work than non-disabled staff. However, the overall scores for disabled staff is quite low.

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

Disabled staff	75.5%
-----------------------	--------------

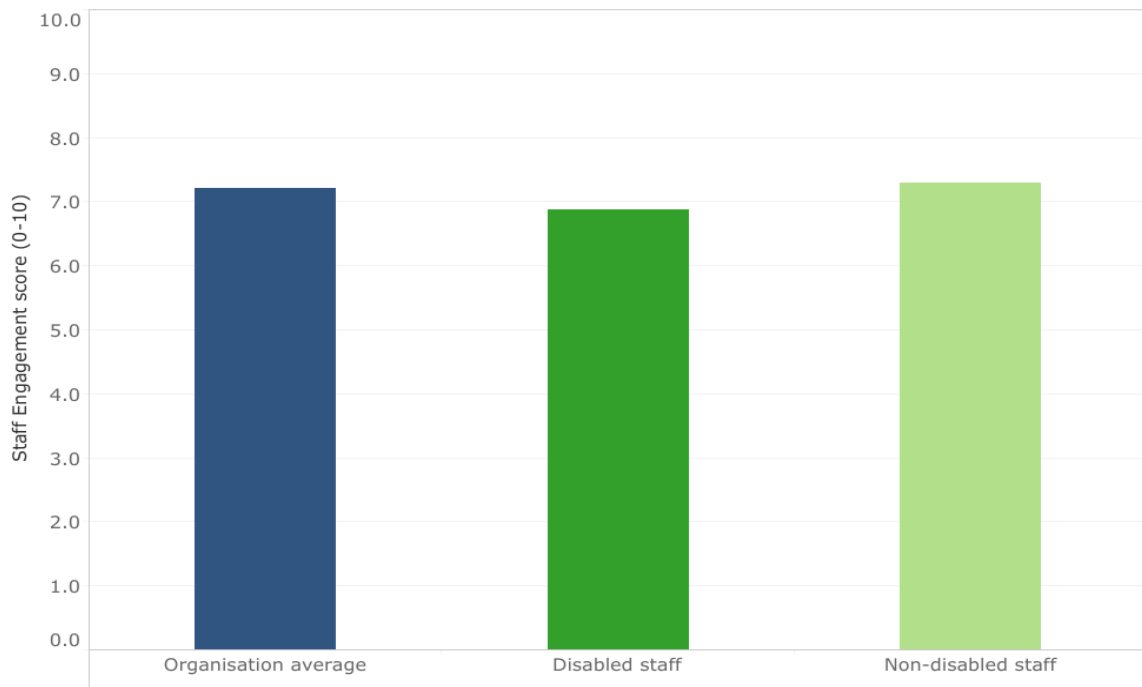
Indicator 8: Adequate adjustments made for disabled staff (q28b)



Metric 9a - The staff engagement score for Disabled staff, compared to non-disabled staff and the overall engagement score for the organisation.

Disabled staff	6.9
Non-disabled staff	7.3
WSHFT average	7.2

Indicator 9a: Staff Engagement



Metric 9b - Has your trust taken action to facilitate the voices of disabled staff in your organisation to be heard?

Yes - The Trust has a disability staff network. The aim of the network is to provide an avenue for staff to discuss disability related issues, the WDES outcomes and action plan was discussed with the network. The network reports to the Diversity Matters Steering Group, which is chaired by the Chief Executive and the Chief Workforce and Organisational Development Officer.

Metric 10 - Percentage difference between the organisation's board voting membership and its organisation's overall workforce, disaggregated:

(i) The organisation's Board voting membership and its overall workforce

	Overall Workforce		Voting Board Membership		% Difference
	Number in workforce	% in workforce	Number on board	% of board	
Disabled	180	2.5%	0	0.0%	-2.5%
Non-disabled	4754	67.2%	7	46.7%	-20.5%
Not known	2139	30.3%	8	53.3%	23.0%
Total	7073	100.0%	15	100.0%	

(ii) The organisation's Board executive membership and its overall workforce

	Overall Workforce		Executive Board Membership		% Difference
	Number in workforce	% in workforce	Number on board	% of board	
Disabled	180	2.5%	0	0.0%	-2.5%
Non-disabled	4754	67.2%	7	46.7%	-20.5%
Not known	2139	30.3%	8	53.3%	23.0%
Total	7073	100.0%	15	100.0%	

Are there any other factors or data which should be taken into consideration in assessing progress?

In 2018 the NHS Staff Survey was open to all Western Sussex Hospitals NHS Foundation Trust staff to participate in which a potential sample of circa 6,500 were permitted to participate. A total of 4,363 responses were received from staff.

The Trust's Annual Equality Report is also produced and the workforce data is analysed for trends across recruitment, employee relations, training and development and demographics. The report is scrutinised and approved by the Trust's Senior Management Team, and the actions feed into the Trust's Equality Objectives.

The system used to provide recruitment data, picks up all recruitment activity across a user specified period, in this instance 1 April 2018 to 31 March 2019. The system does not differentiate recruitment campaigns that start and finish within this period.

Any issues of completeness of data

a. Any matters relating to the reliability of comparisons with previous years

Not applicable - this is the launch report for the Workforce Disability Equality Standard.

b. Any issues of completeness of data

This report is based on information presented to the Trust's Management Board in July 2019.