

# Navigating equality and diversity: guidance for the NHS

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# Introduction

There's no shortage of advice and guidance on equality and diversity in the workforce. But how does it fit with national policy for the NHS and how should it be applied? The Final Report of the Equalities Review, published in 2007 makes clear that public institutions have a responsibility in this. NHS Employers is committed to helping NHS organisations bring equality and diversity considerations into their policies, practices and procedures to improve the working environment and, in turn, lead to improved services for patients and service users.

Working with our Positively Diverse lead sites, we have produced this document as a single reference point for the key equality and diversity actions and deliverables as they apply to the NHS. As the largest employer in Europe, the NHS has a responsibility to take a lead on equality and diversity, not only meeting the legal requirements, but where possible, exceeding them.

This document:

- signposts the key equality and diversity workforce requirements.
- provides managers and professionals with a quick reference guide on what needs to be done to meet them.

It can be used:

- for induction of managers and professional staff
- as a tool for personal development plans
- to check policy compliance as part of equality impact assessments or equality audits.
- to support the development of equality strategies.

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<p><b>No 1a</b>  <b>IWL Practice Plus National Audit Instrument 2002</b> –            Department of Health  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>The Improving Working Lives Standard sets out the benchmarks against which organisations can create working environments that promote staff welfare and development, and enable NHS staff to measure their employer's human resources management.</p> <p>The audit instrument is designed to support a system of organisational self-assessment and peer review for the achievement of Improving Working Lives Practice Plus accreditation.</p>	<p>To ensure that NHS organisations can demonstrate commitment to their staff and improve work-life balance.</p>	<p>All managers, supervisors and staff are expected to work towards good practice in the following seven areas:</p> <ul style="list-style-type: none"> <li>• human resource strategy and management</li> <li>• equality and diversity</li> <li>• staff involvement and communication</li> <li>• flexible working</li> <li>• healthy workplaces</li> <li>• training and development</li> <li>• flexible retirement, childcare and support for carers.</li> </ul>	<p>All NHS members of staff work in an organisation that can prove that it is:</p> <ul style="list-style-type: none"> <li>• investing in more flexible supportive and family-friendly working arrangements</li> <li>• improving diversity, tackling discrimination and harassment</li> <li>• developing the skills of its entire workforce to improve patient services.</li> </ul>
<p><b>No 1b</b>  <b>IWL Practice Plus National Audit Instrument 2002: [Section 2] Equality and diversity</b> –            Department of Health  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>These IWL publications serve to ensure that NHS employers have fully embraced best employment practices, making a real and tangible difference to the working lives of staff and through them, having a positive impact on service delivery.</p>	<p>To ensure equality and diversity is effectively planned for at a local level, jointly agreed, and based on robust monitoring.</p> <p>To create an understanding of how equality of opportunity for all staff enhances service delivery.</p> <p>To ensure all staff are treated with dignity and respect.</p> <p>To ensure compliance with</p>	<p>Managers should:</p> <ul style="list-style-type: none"> <li>• ensure that the NHS Staff Survey is properly conducted and that Trusts act on the results</li> <li>• take responsibility for diversity awareness training</li> <li>• ensure recruitment data is monitored, appraisals are held and reported, staff records for training are kept.</li> </ul>	<p>Staff feel valued and are able to see how they contribute to service improvements and how their contribution is recognised.</p> <p>Manager and staff experiences demonstrate effective diversity awareness and they understand how this impacts on service delivery.</p> <p>Individual experiences demonstrate organisational commitment to tackling discrimination / harassment and bullying.</p>

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		<p>the requirements of the Disability Discrimination Act, the Code of Practice and implementation of rehabilitation and redeployment policies.</p> <p>To increase reputation as an employer of choice.</p> <p>To ensure harassment and bullying is not tolerated.</p>	<ul style="list-style-type: none"> <li>• review harassment policies in line with the McPherson report</li> <li>• review whistleblowing policies to ensure compliance with the Public Interest Disclosure Act 1998</li> <li>• analyse turnover rates and determine the reason for staff leaving (for example through exit interviews, grievances and disciplinary interviews)</li> <li>• ensure a Race Equality Scheme is jointly developed and resources are allocated to support it (now extended to schemes for disability and gender).</li> </ul>	<p>The workplace environment actively supports people with disabilities</p> <p>Occupational health is used to retain the skill base ie. a staff member unable to continue duties because of injury is redeployed.</p> <p>Staff are aware of zero tolerance policies in relation to all forms of harassment and bullying and are aware of the availability of support.</p> <p>Staff feel supported and safe in the employment environments and are able to challenge discriminatory and/or unacceptable behaviour.</p> <p>Analysis and trends with regards to staff raising grievances and complaints are reported to the board and the Joint Staff Consultative Committee or equivalent.</p> <p>Recruitment monitoring data, staff ethnicity profiling and population data comparisons are used to inform strategic direction especially around positive action initiatives.</p>
<p><b>No 1c</b>  <b>IWL BME Staff Networks: Guidance –</b></p>	<p>This guidance aims to promote the idea that active and well supported BME staff networks are important to a</p>	<p>To demonstrate organisational commitment through positive investment in people.</p>	<p>Leaders and managers at all levels should:</p> <ul style="list-style-type: none"> <li>• actively support the</li> </ul>	<p>BME staff have access to career advice and advocates for progression.</p>

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<p>Department of Health  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>successful human resource strategy for recruiting, retaining and returning a diverse workforce.</p>	<p>To ensure that all NHS organisations become Positively Diverse.</p>	<ul style="list-style-type: none"> <li>• development of networks</li> <li>• recognise the organisational benefits of BME staff networks</li> <li>• ensure networks fit into the overall structure of the organisation as part of the various forums through which staff contribute to the development of policy and practice</li> <li>• allow time to attend networks.</li> </ul> <p>BME staff should not feel that they are drawing attention to themselves if they access a BME network.</p> <p>BME networks should not be seen as a threat or 'lobbying group'.</p>	<p>Networks provide a learning environment, peer support, role models, increased awareness of organisational goals and philosophy, empowerment of staff, and increased staff confidence.</p> <p>Trust has examples of partnership working with other local stakeholders especially voluntary and community groups.</p>
<p><b>No 1d</b>  <b>IWL: Programmes for Change Looking Beyond Labels – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This document is intended to help organisations gather evidence of meeting the criteria to use the Employment Services Disability Symbol 'two ticks'.</p>	<p>This guidance makes the legal, business and moral case for action in pursuing good practice in the employment of disabled people.</p> <p>The objective is to highlight the benefits of employing people with disabilities within a representative workforce.</p>	<p>Managers are accountable for delivering fair employment practice and equality of opportunity</p>	<p>Interviews are guaranteed for disabled applicants meeting the criteria of the person specification.</p> <p>Achievement of IWL Practice plus accreditation.</p>

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<p><b>No 1e</b>  <b>IWL: Tackling Racial Harassment in the NHS Good Practice guidance – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This document is part of the overall strategy [Positively Diverse] for tackling harassment and discrimination and building a diverse workforce. It sets the standards that will be expected of all NHS employers in tackling racial harassment, while allowing for local actions to be tailored to meet local circumstances, policies and issues.</p>	<p>To ensure that employers are pro-active in eliminating racial harassment.</p> <p>To ensure that employers have effective arrangements to record and monitor the extent and nature of bullying and harassment at work.</p> <p>To demonstrate employer commitment to bringing about change in the behaviours of staff and service users.</p> <p>To identify trends in the extent and nature of harassment experienced by staff and ensure corrective action is taken.</p> <p>To ensure pre-emptive action is taken to prevent racial harassment and effective action is taken to tackle it when it occurs.</p>	<p>Managers need to be trained to:</p> <ul style="list-style-type: none"> <li>• understand the nature and extent of all forms of harassment</li> <li>• understand the causes of prejudice, discrimination and racism</li> <li>• carry out their responsibilities under their organisation’s policy</li> <li>• prevent and challenge harassment effectively</li> <li>• assist and support both targets and perpetrators</li> <li>• handle difficult and sensitive personal issues</li> </ul> <p>Staff and managers need to be aware of the policies and procedures around harassment and bullying, and be trained to understand the nature, extent and causes.</p> <p>Boards should make a clear statement of commitment to a working environment free from harassment, where discrimination at any level will not be tolerated.</p> <p>Organisations should evaluate the effectiveness of policies</p>	<p>Staff concerns and attitudes about bullying and harassment are clearly reflected in attitude surveys.</p> <p>All staff understand the organisation’s policy, procedures and commitment to eradicating harassment, and their responsibilities under this policy.</p>

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			<p>and practices to tackle harassment.</p> <p>Success in achieving the targets for tackling harassment should be measured in the Human Resource Performance Framework.</p>	
<p><b>No 1f</b>  <b>IWL: Programmes for Change, Positively Diverse – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>Positively Diverse is a national organisational development programme which aims to change the culture of NHS organisations.</p> <p>It provides a strategic approach to addressing equality and diversity issues based on staff attitudes and opinions.</p>	<p>To make the working environment one that is free from harassment and bullying, where staff are actively motivated and where the diversity of staff is valued.</p> <p>To create an organisational culture where staff are able to express their views and concerns and have them taken seriously.</p>	<p>Board members should clearly demonstrate their commitment to the programme, which should be implemented throughout the organisation.</p>	<p>Managers and staff directly influence and improve the quality of their working lives.</p> <p>Best practice is shared through networking.</p> <p>Quality and retention of staff improves, as does the quality of service that patients receive.</p>
<p><b>No 2a</b>  <b>Knowledge and Skills Framework – produced by Department of Health,</b>  available at  <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></p>	<p>The Knowledge and Skills Framework 2004 defines and describes the knowledge and skills which NHS staff need to apply in their work in order to deliver quality services.</p> <p>It provides a consistent, comprehensive framework of indicators on which to base staff development and review.</p>	<p>To develop services so they better meet the needs of the public, through investing in the development of all members of staff.</p> <p>To support effective learning and development for individuals and teams.</p> <p>To support the development of individuals in the post in which they are employed.</p>	<p>Implement this equitable framework for all staff covered by Agenda for Change (excluding dentists and some board level positions) according to appropriate competencies for each individual post.</p>	<p>Staff development is based on the knowledge and skills required for each post and staff are able to develop within their individual roles.</p>

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<p><b>No 2b</b>  <b>Knowledge and Skills Framework: Equality and Diversity Core dimension 6 – produced by Department of Health,</b>  available at <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></p>	<p>The equality and diversity core dimension promotes equality and diversity among all staff. It is crucial to <b>all</b> positions within the NHS KSF.</p> <p>The document sets out the indicators of applied knowledge and skills in the area equality and diversity.</p>	<p>To identify knowledge and skills that support, promote and develop a culture of equality and diversity.</p>	<p>Ensure that all posts are described by appropriate core indicators.</p>	<p>Knowledge and skills among staff and managers is increased to the appropriate level.</p> <p>Increased capability contributes to effective equality and diversity policies and procedures within the service/agency and the development of good practice.</p> <p>Patterns of discrimination are identified and dealt with effectively.</p> <p>Action is taken to overcome discrimination and promote equality.</p>
<p><b>No 3</b>  <b>SHA Race Equality Guide: Performance Framework 2004 – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This document is designed to provide a framework for SHAs as leaders to support NHS organisations to be systematic in the way they promote race equality and positive race relations, as well as tackle racial discrimination in all aspects of their business.</p>	<p>SHAs should use the document to manage the performance of local trusts and help them identify areas in need of improvement.</p>	<p>Organisations should:</p> <ul style="list-style-type: none"> <li>• set a developmental agenda with realistic objectives</li> <li>• assess own progress</li> <li>• incorporate race equality into performance management arrangements</li> <li>• keep within the law.</li> </ul>	<p><b>Leadership and corporate commitment:</b></p> <p>The organisation is recognisably committed to promoting race equality and positive race relations</p> <p>The board and its individual members ensure race equality is part of the main business of the organisation at all levels and across all relevant activities</p> <p>The board and its individual members challenge discrimination when it is identified</p>

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				<p><b>Workforce:</b></p> <p>Staff in all services, directorates and partnerships actively promote race equality and positive race relations in their work and are confident in their ability to challenge racism</p> <p>Staff of all ethnic backgrounds experience the organisation as a fair and rewarding place to work and want to stay</p> <p>Staff reflect the community they serve at all levels in the organisation</p> <p>Recruitment rounds lead to ethnic minority candidates gaining jobs at all levels and in all areas of the trust's activities</p> <p><b>Finance and procurement:</b></p> <p>The organisation invests to promote racial equality and positive race relations</p> <p>The organisation ensures contractors comply with their responsibilities under the Race Relations Amendment Act (RRAA).</p>

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				<p><b>ICT information communication technology:</b></p> <p>The organisation maximises opportunities for staff to access information to support their work, eg. internet, library, research, findings, national policy etc.</p>
<p><b>No 4</b>  <b>Code of conduct for NHS Managers 2002 – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This code sets out the core standards of conduct expected of NHS managers. It provides a guide for:</p> <ul style="list-style-type: none"> <li>managers and employing health bodies in the decision-making process.</li> <li>reassuring the public regarding professionalism and accountability.</li> </ul>	<p>To ensure that managers treat the public, patients, carers, staff and partners with respect, dignity and fairness.</p>	<p>Managers should:</p> <ul style="list-style-type: none"> <li>comply with the standards within this code</li> <li>address unlawful discrimination for all diversity strands</li> <li>protect against harassment and bullying</li> <li>help to achieve a reasonable balance between work and personal life</li> <li>ensure that concerns about breaking the code can be raised without fear</li> </ul>	<p>Knowledge, skills and potential of staff is recognised.</p> <p>Fair, consistent and unbiased judgements about colleagues (including appraisals and references) are made.</p>
<p><b>No 5</b>  <b>Commissioning a Patient Led NHS: HR Framework for SHAs and PCTs</b>  <b>Nov 2005 – NHS Employers</b>  <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></p>	<p>This framework is designed to ensure that the NHS is equipped with the leadership skills and diversity necessary to strengthen commissioning in order to deliver improvements in health services. It provides national</p>	<p>No employee should receive less favourable treatment on the grounds of race, age, gender, marital status, religion, creed, sexual orientation, colour, disability, working patterns or trade union membership.</p>	<p>Employers should consider how they will avoid adverse impact.</p> <p>Staff should be trained in and aware of all aspects of equality and diversity both from a service delivery and</p>	<p>All appointment and selection procedures are seen to be fair, transparent and meet the requirements of Equal Opportunities legislation and best practice.</p>

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	<p>consistency in handling the proposed NHS changes.</p> <p>It also:</p> <ul style="list-style-type: none"> <li>• sign posts the development of local strategies</li> <li>• provides minimum standards to be built upon</li> <li>• directs employers to conduct an equality impact assessment that considers the effect of the proposed changes on services to patients and the employment of staff.</li> </ul>	<p>All key decision makers including interview panel members should receive training in diversity including legislation and good practice.</p> <p>Records of decisions taken should be kept and should include, gender, ethnicity, disability and age as a minimum.</p> <p>Records to be monitored to ensure no direct or indirect discrimination exists.</p>	<p>employee perspective.</p> <p>Equality and diversity training attendance should be monitored.</p> <p>Employers should demonstrate their commitment to diversity through their activities, demonstrating new skills and competencies, and being responsive to local populations with a workforce representative of the people they serve.</p> <p>Employers should consider how they will encourage applications from under represented groups particularly in leadership positions.</p>	<p>There is <b>no</b> direct or indirect discrimination against a group or individual.</p>
<p><b>No 6</b>  <b>Equalities and Diversity in the NHS: Progress and Priorities 2003 – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This report is designed to act as a sign post and discussion document giving good practice information as well as acting as a reference source.</p> <p>It is a record of where the Department of Health was up to with these issues and its plan for tackling them in future.</p>	<p>To ensure public services are fully accessible and responsive to the diverse needs of all groups and communities</p> <p>To promote equality and diversity in public sector employment</p> <p>To tackle discrimination and harassment, improving</p>	<p>To use the Equalities and Diversity strategy to identify key NHS challenges and priorities.</p>	<p>Good practice is shared and the challenges of mainstreaming equality and diversity in the NHS are met.</p>

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	<p>It includes three broad themes:</p> <ul style="list-style-type: none"> <li>• leadership and culture change</li> <li>• sharing and cultivating good practice</li> <li>• building capacity to deliver a workforce which reflects the community.</li> </ul>	<p>diversity within the workforce</p> <p>To improve the working lives of staff, who are direct contributors to patient-centred, accessible and responsive services.</p>		
<p><b>No 7</b>  <b>Managing for Excellence in the NHS –</b>  <b>Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>Sets the direction and vision for the NHS. The goal is to guide managers to achieve excellence through delivering best practice.</p> <p>Priorities and workforce aims are to make significant progress in building capacity in staff and facilities.</p>	<p>To create a more participative and open culture where everyone can contribute.</p> <p>To recognise the complexity of the environment and the work.</p>	<p>Management should:</p> <ul style="list-style-type: none"> <li>• create partnerships in clinical processes and service delivery</li> <li>• fully engage with patients, staff and local communities</li> <li>• develop new skills to deliver lasting change.</li> </ul>	<p>Modern ways of working through teams and networks (rather than hierarchies and formal systems) are embraced.</p> <p>Culture of decentralisation and diversity is underpinned by shared values.</p>
<p><b>No 8</b>  <b>Performance Guidelines for Health Organisations [CRE], 2002 – produced by the Commission of Racial Equality (CRE) now part of the Equality and Human Rights Commission</b>  <a href="http://www.equalityhumanrights.com">www.equalityhumanrights.com</a></p>	<p>Describes the main results or outcomes that will distinguish a health organisation that is meeting its Duty well [RRAA].</p>	<p>To ensure that:</p> <ul style="list-style-type: none"> <li>• members of the board and the executive are representative of the ethnic groups in the communities the organisation serves</li> <li>• staff from all ethnic backgrounds are satisfied with the way the organisation is run and</li> </ul>	<p>Employers should ensure that:</p> <ul style="list-style-type: none"> <li>• board members and staff from ethnic minorities play an active and responsible part in all areas of the organisation's work</li> <li>• functions and policies that are relevant to the Duty have been identified</li> <li>• the impact its policy</li> </ul>	<p>Arrangements are in place for the organisation to monitor staff applicants and employment processes by ethnic group.</p> <p>There are no disproportionate differences between ethnic groups in complaints about unfair treatment or racial discrimination, either from staff or their representatives.</p>

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		<p>say the organisation is a good employer</p> <ul style="list-style-type: none"> <li>the organisation's workforce is representative of the population, local or national, from which it fills its posts.</li> </ul>	<p>proposals are likely to have on the Duty to promote race equality are assessed and consulted on</p> <ul style="list-style-type: none"> <li>race equality objectives are set for all partnership work, and work carried out under contract</li> <li>reports on its assessments, consultations and monitoring are published every year</li> <li>the effect of policies on different groups is monitored</li> <li>training attendance is monitored</li> <li>patient/stakeholder complaints are monitored</li> <li>staff training regarding the Duty has been arranged</li> <li>all staff and board members receive training on the RRA and on how to prevent discrimination and encourage respect for people from different backgrounds</li> <li>a race equality scheme has been published.</li> </ul>	<p>Staff in the organisation are aware of the diverse health and cultural needs in the communities they serve and know how to meet them.</p> <p>Employment practices attract good candidates from all ethnic groups.</p>

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<b>No 9</b> <b>The NHS Improvement Plan; Putting People at the Heart of Public Services [section 6 more staff working differently] 2004 – Department of Health</b> <a href="http://www.dh.gov.uk">www.dh.gov.uk</a>	<p>This document aims to reshape the NHS, building on the NHS Plan, so that it is not just a national health service but also a personal health service for every patient.</p>	<p>To modernise services and set out priorities for 2004-08.</p> <p>To support national standards (Standards for Better Health July 2004) by setting local stretching targets that reflect local circumstances, ethnicity and inequalities within the community they serve and local priorities of the people that use them.</p>	<p>Modernising services includes a role for managers to:</p> <ul style="list-style-type: none"> <li>improve team working, appraisal, diversity and create a working environment that supports the acquisition of new skills and a culture responsive to change</li> <li>refer to a range of measures to further increase the workforce, focusing on the growth of clinical staff and planned , ethical international recruitment.</li> </ul>	<p>Services delivered reflect the needs of local people.</p> <p>Any health care inequalities reflected in service delivery are addressed.</p>
<b>No 10</b> <b>Vital Connections: Equalities Framework 2000 – Department of Health</b> <a href="http://www.dh.gov.uk">www.dh.gov.uk</a>	<p>This framework describes equalities as central to the government’s modernisation agenda and aims to produce:</p> <ul style="list-style-type: none"> <li>a workforce for equality and diversity</li> <li>a better place to work</li> <li>a service that uses its leverage to make a difference.</li> </ul>	<p>To achieve a representative leadership reflecting the diversity of our wider society.</p> <p>To ensure that NHS employers, education consortia and education providers provide a learning environment and curriculum that are non discriminatory and promote understanding and skills to meet the needs of diverse communities</p> <p>To ensure leaders and managers set direction and standards.</p>	<p>In order to demonstrate a year on year increase in the level of confidence that staff have in their ability to tackle harassment at work NHS organisations should:</p> <ul style="list-style-type: none"> <li>take action to ensure the NHS is free from harassment</li> <li>work with education providers to offer flexible working and training patterns throughout the organisation that enables staff to achieve the balance they need</li> </ul>	<p>Opportunities in health care careers are open to the whole of the community.</p> <p>The workforce is representative of the community served.</p> <p>Organisations are better places to work</p> <p>The NHS uses its leverage to make a difference to local communities.</p>

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		<p>To agree upon a target percentage reduction in the level of harassment at work and have arrangements in place to be able to demonstrate this progress year on year.</p> <p>To ensure service commissioners plan the development of the workforce to achieve an effective language and communication strategy as part of health improvement programmes.</p>	<ul style="list-style-type: none"> <li>• between work and home involve staff in developing plans and action on equality</li> <li>• modernise equal opportunities policies and embed these in all of the organisations activities and accountability arrangements</li> <li>• monitor workforce and employment practices as the foundation for improving performance.</li> </ul>	
<p><b>No 11</b>  <b>Delivering the HR in the NHS Plan 2004 – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This document is about building a health service that responds to the needs of its patients and staff.</p>	<p>The action plan identifies the following aims:</p> <ul style="list-style-type: none"> <li>• To ensure that the NHS has a diverse workforce in order to deliver sensitive and appropriate services that are receptive to the race, ethnicity, gender, sexual orientation, disability, religion, belief or age of the population that it serves.</li> <li>• To ensure NHS employers continue to have systems in place to record and monitor violence against staff and have published</li> </ul>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• produce annual equality statements</li> <li>• increase the number of women to executive posts at NHS Board level to 40% or above</li> <li>• increase BME representation to executive posts at NHS Board level to 7%.</li> </ul> <p>SHAs need to continue to ensure equality and diversity initiatives throughout services and assist with reaching the above targets.</p>	<p>Representation at Board level is improved.</p> <p>Involvement, consultation and partnership working is improved.</p> <p>Good practice is shared.</p> <p>The capacity and capability to deliver equitable practices is improved though the use of case studies.</p>

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		<p>strategies in place to achieve a reduction in such incidents.</p> <ul style="list-style-type: none"> <li>To ensure Department of Health needs to continue to promote the Positively Diverse Programme throughout the service and in Department policy.</li> </ul>	<p>The Department of Health needs to continue to:</p> <ul style="list-style-type: none"> <li>issue a draft action plan for consultation on developing a partnership action programme on equality and diversity in the medical workforce</li> <li>identify, map and benchmark good practice in positive action initiatives through the Positive Action 'mapping and benchmarking project', and share examples with the NHS</li> <li>identify, in partnership with the five PCTs involved with the 'Equality and diversity in primary care project', the key drivers and critical factors that have enabled these organisations to achieve equality and diversity and issue good practice guidance.</li> </ul>	
<p><b>No 12</b>  <b>Age and the Workplace</b>  <b>– (Acas)</b>  <a href="http://www.acas.org.uk">www.acas.org.uk</a></p>	<p>This is a generic document produced by Acas, which offers guidance for organisations regarding age discrimination and retirement issues.</p>	<p>To ensure that there is no discrimination against worker, employees, job seekers and trainees because of their age.</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>ensure that policies and practices support the employee's right to request to work beyond</li> </ul>	<p>Recruitment is based on the skills required to do the job.</p>

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			<p>65 years, or any other retirement age set by the organisation</p> <ul style="list-style-type: none"> <li>• remove age/date of birth from application forms</li> <li>• training to help those making judgements to be objective and avoid stereotyping people because of their age.</li> </ul>	
<p><b>No 13</b>  <b>Age Diversity in the Work Place 2005 – NHS Employers</b>  <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></p>	<p>This documentation developed by NHS Employers is a briefing for NHS organisations, stating why they should develop a strategy to retain their workforces and to comply with the legislation.</p>	<p>To provide guidance for the NHS regarding compliance with the Age regulations.</p>	<p>The organisation should take a strategic approach to comply with the new age discrimination legislation and make the best use of an experienced older workforce in a tightening labour market.</p>	<p>NHS organisations have in place a strategy for ensuring compliance with the Age Regulations.</p>
<p><b>No 14</b>  <b>Age Diversity in the Work Place 2006 – NHS Employers</b>  <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></p>	<p>This document describes the benefits of age profiling to the organisation.</p>	<p>To identify recruitment patterns that may be determined by discriminatory employment practices, either direct or indirect.</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• ensure they have strategies to combat all forms of ageism</li> <li>• demonstrate appropriate systems are in place to provide evidence of non discriminatory practices</li> <li>• ensure that sound workforce profile information is required.</li> </ul>	<p>Demography determines the sustainability of organisational recruitment, retention and employment practices.</p>

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<p><b>No 15 Retirement and Redundancy – NHS Employers</b> <a href="http://www.nhsemployers.org">www.nhsemployers.org</a></p>	<p>This document describes the new arrangements regarding retirement and redundancy.</p>	<p>Employers understand and deliver their duty to consider requests to work beyond the age of 65 years.</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• consider flexible retirement and the development of policies around the changing workforce</li> <li>• be aware of the impact of predicted demographic changes on the workforce</li> <li>• be aware of the new processes for extended working and appeals</li> <li>• be mindful of the pitfalls in the selection for redundancies.</li> </ul>	<p>Employers understand and comply with the Age Regulations.</p>
<p><b>No 16 Equality and Human Rights in the NHS – A Guide for NHS Boards 2007 – Department of Health</b> <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This Guide accompanies the 2007/08 NHS Operating Framework for Health and wellbeing.</p> <p>The purpose of the guide is to assist board members of NHS organisations to understand the statutory board responsibilities, obligations under the law, as they relate to equality, diversity and human rights.</p>	<p>Board members and directors should:</p> <ul style="list-style-type: none"> <li>• Understand their corporate responsibilities in relation to equality and human rights</li> <li>• Systematically identify and then eliminate any discriminatory practice (service provision and employment)</li> <li>• Ensure adequate education and training is delivered</li> <li>• Ensure they are personally accountable for ensuring that services</li> </ul>	<p>Board members are directly accountable for all actions and omissions in relation to equality and human rights legislation and this accountability cannot be delegated.</p> <p>Non executive directors have a responsibility to ensure the board acts in the best interest of the public, and is fully accountable for the services provided by the organisation and the use of public funds.</p> <p>Chief executive officers have</p>	<p>All policies, functions and services do not discriminate against sections of the community covered by equality legislation.</p> <p>Services are compliant with human rights legislation, disability, gender and race equality.</p> <p>Schemes are produced and reviewed and requirements for other equality strands are met.</p> <p>There is realistic resourcing of action plans that underpin all schemes.</p>

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		<p>provided by their part of the organisation are compliant with human rights legislation</p> <ul style="list-style-type: none"> <li>• Ensure they are accountable to the NHS and social care regulatory bodies and other enforcement agencies.</li> </ul>	<p>accountable officer status and are personally accountable.</p> <p>The chair of the board has a specific responsibility to ensure that issues of equality and human rights are appropriately reflected in all aspects of the board's strategic planning, performance scrutiny and its own agenda and activities.</p> <p>Board members should consider how the legal obligations are incorporated into governance arrangements.</p> <p>Personal obligations of board directors should include:</p> <ul style="list-style-type: none"> <li>• being accountable for elements of action plans under statutory requirements of Schemes</li> <li>• being accountable for Equality Impact Assessment.</li> <li>• holding personal and/or vicarious accountability for ensuring all policies, functions and services delivered by your area of the organisation do not discriminate against</li> </ul>	

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			sections of the community covered by equality legislation.	
<b>No 17 National Minimum Standards for Domiciliary Care Agencies 2003</b> – Department of Health <a href="http://www.dh.gov.uk">www.dh.gov.uk</a>	Sets out the national minimum standards for domiciliary care agencies including local authorities and NHS trusts. Forms the criteria by which the National Care Standards Commission determines whether the agency provides personal care to the required standard.	To ensure the quality of personal care and support which people receive while in their own homes in the community.	NHS organisations must: <ul style="list-style-type: none"> <li>• not fall below the minimum standards</li> <li>• meet the requirements of legislation, equal opportunities and anti discrimination practice through a rigorous recruitment and selection procedure</li> <li>• ensure the protection of service users and their relatives.</li> </ul>	Quality of provision of personalised care and support is high.
<b>No 18 Our Health, Our Care, Our Say. White paper 2006</b> – Department of Health <a href="http://www.dh.gov.uk">www.dh.gov.uk</a>	This white paper builds on the principle of accelerating change to build a world class health and social care system.	To meet equality and diversity legislative requirements as good employers.	Support work-life balance, flexible working, childcare and healthy work place policies.  Extends recruitment to all equality target groups including volunteers and people who have used services and can now make a new career in a caring role.	Increased capacity and capability of the workforce.

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<p><b>No 19</b>  <b>Race Equality Action Plan; Leadership and Race Equality in the NHS 2004 – Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>Led by Sir Nigel Crisp, this action plan details how the NHS must give greater prominence to race equality as part of the drive to improve health.</p>	<p>To include a personal stretch target on race equality in their 2004/5 objectives.</p> <p>To show the organisation's commitment by offering personal mentorship to a member of staff from an ethnic minority.</p> <p>To acknowledge the contribution of all staff in tackling race inequalities and promote opportunities for staff from ethnic minorities to celebrate their contribution to the NHS</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• expand training development and career opportunities</li> <li>• enhance training for all staff in race equality issues</li> <li>• develop more entry points for people from ethnic minorities to join the NHS and take up training</li> <li>• improve access for black and minority ethnic staff to the full range of development programmes, support networks and professional training</li> <li>• encourage appropriately qualified leaders from ethnic minorities in health and other sectors to consider and apply for executive positions</li> <li>• build systematic processes for tracking the career progression of staff from ethnic minorities including local and national versions of the NHS Leadership Schemes.</li> </ul>	<p>Workforce is representative at all levels including senior leadership positions and board level appointments</p>

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<p><b>No 20</b>  <b>Doubly Disabled:</b>  <b>Equality for Disabled</b>  <b>People in the New NHS;</b>  <b>Access to services 1999</b>  <b>Supported by</b>  <b>HSC/1998/156 –</b>  <b>Department of Health</b>  <a href="http://www.dh.gov.uk">www.dh.gov.uk</a></p>	<p>This document is a good practice guide, a resource to help NHS managers and staff improve their awareness of and response to the needs of disabled people, whether they are patients, carers or employees.</p>	<p>The development of local strategies that include accessibility of local hospitals and other NHS facilities (including access audits) and meeting the requirements of the DDA 1995.</p>	<p>Staff who have relevant experience of disability should be fully involved in the development of a strategic plan.</p> <p>A designated senior manager should be responsible for overall strategy design, co-ordination and implementation.</p> <p>A designated senior manager, responsible for liaising with voluntary statutory and business organisations, should work with and for disabled people.</p> <p>Consultation should occur with a disability advisory group to agree achievable targets for services which include the requirements of the DDA.</p> <p>Performance should be reviewed against targets and advisory monitoring group of disabled people should be engaged in the review process.</p> <p>Consultation processes should engage disabled people.</p>	<p>Policies are in place which enable users and carers to be fully involved in strategic planning and service delivery.</p> <p>The organisation has developed information on the incidence of different types of disability and the implications for health services and budgets.</p>

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			<p>A programme of staff training on disability awareness and equality should be developed in partnership with disabled people and local organisations.</p> <p>An accessible complaints procedure should be in place for monitoring patterns of complaints.</p>	
<p><b>No 21</b>  <b>Access to health services premises; audit check list 1999</b>  <i>To be read in conjunction with 'Design for Accessibility of buildings for disabled users' published by the Centre for Accessible Environments.</i>  <b>Centre for Accessible Environments</b>  <a href="http://www.cae.org.uk">www.cae.org.uk</a></p>	<p>This access audit checklist contains technical data developed to support all health service providers audit the accessibility of their premises.</p> <p>The checklist provides a consistent baseline standard which aims to improve the quality of access for disabled people.</p> <p>It is based on part M of the Building Regulations 1991 (Access and Facilities for Disabled People), which is statutory and requires minimum access standards, but does not address all the elements of an inclusive environment.</p>	<p>To use the access audit tool results as a basis for identifying and prioritising access improvements over a rolling programme.</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• consult with local authority access officer and disability groups/organisations</li> <li>• establish a timetabled strategy of progressive access improvements ending in 2004, when the implementation of the physical access requirements of Section 21 of the DDA comes into force</li> <li>• ensure a manager who has responsibility for disability issues in the organisation owns the Access Audit checklist</li> <li>• consider a nominated person or gate keeper with specific responsibility</li> </ul>	<p>NHS premises comply with the Disability Duties.</p>

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			for coordinating and monitoring access issues.	
<b>No 22</b> <b>Delivering Race Equality in Mental Health 2005 – Department of Health</b> <a href="http://www.dh.gov.uk">www.dh.gov.uk</a>	<p>This is a five year action plan for tackling discrimination in NHS and local authority mental health services.</p> <p>It is a key component of the Department of Health’s wider equalities and human rights strategy.</p>	Chief executives are directly accountable for progress and active race equality and cultural capability framework and plans should be integral to organisations governance frameworks.	<p>Employers should:</p> <ul style="list-style-type: none"> <li>recruit, support and train a diverse and culturally capable workforce, including common skills set for mental health practitioners</li> <li>work to map out training needs and good practice</li> </ul>	Workforce has a high level of cultural capability.
<b>No 23</b> <b>National Occupational Standards 2005 – Health and Safety Executive</b> <a href="http://www.hsc.gov.uk">www.hsc.gov.uk</a>	The National Occupational Standards for health care (64 sets) cover a wide range of levels of practice and employment groups. They include equality rights and diversity competences and relate closely to the Knowledge and Skills Framework Competencies.	To increase the capability of the workforce through defining competency levels.	Employers should refer to and use these standards when redesigning jobs, roles or services.	Workforce has capacity to deliver culturally competent services.

## NHS Employers

**supporting • promoting • representing**

NHS Employers represents trusts in England on workforce issues and helps employers to ensure the NHS is a place where people want to work. The NHS workforce is at the heart of quality patient care and we believe that employers must drive the workforce agenda. We work with employers to reflect their views and act on their behalf in four priority areas:

- pay and negotiations
- healthy and productive workplaces
- recruitment and planning the workforce
- employment policy and practice.

**NHS Employers is part of the NHS Confederation.**

## Contact us

For more information on how to become involved in our work, email [getinvolved@nhsemployers.org](mailto:getinvolved@nhsemployers.org)

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