

Disability Workforce Reporting

NHS Employers' response to the government consultation

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Contents

Overview	4
Background	5
Consultation findings	7
Conclusions and recommendations	12

Overview

NHS Employers is the employer's organisation for the NHS in England. We help employers to develop a sustainable workforce, improve staff experience and be the best employers they can be. We are part of the NHS Confederation.

Our response to the consultation on proposals to introduce disability workforce reporting is based on collective views, feedback and responses received as part of a survey we conducted, aimed at NHS organisations and NHS staff in England.

This collective view is supplemented and underpinned by the experience of the NHS gained through a range of workforce standards already operating across the service.

The NHS already reports on disability workforce numbers through the national electronic staff record (ESR) system and the Workforce Disability Equality Standard (WDES). The WDES supports the social model of disability and aims to address the barriers that exist in the workplace

This response focuses on two areas of the consultation and their associated questions.

Background

As part of the disability workforce reporting consultation, NHS Employers undertook its own survey to gather the views of employers in the NHS in line with specific areas of the consultation. The survey opened on 20 January 2022 and closed on 11 March 2022. It received 144 responses.

The NHS Employers survey focused on the following consultation questions:

Benefits and barriers to disability workforce reporting (including transparency)

- Do you think that greater transparency on disability in the workforce leads to more inclusive practices? Please explain and provide evidence where possible.
- What do you think the main benefits of a mandatory approach to disability workforce reporting are?
- What do you think the main risks are?
- What do you think the main benefits of publishing disability workforce information are?

The mechanics of workforce disability reporting (including the impact on recruitment, retention and career progression).

- What, if any, statistic could be reported alongside or instead of the proportion of employees identifying as disabled? Please explain.
- There are many ways that people are asked to self-identify as disabled. If large employers were to use a standardised approach to data collection, which wording do you think should be used to ask employees if they identify as disabled?
- What could support large employers such as the NHS to implement disability workforce reporting in consistent and effective ways? For example, would tools or guidance help consistency across organisations and sectors, and if so, what could this look like.

Consultation findings

We sought views on a range of benefits and barriers for introducing disability workforce reporting, as well as ways of increasing transparency when managing workforce disability.

75 per cent of respondents declared they had a disability

In addition, when asked what percentage of staff in their organisation had a disability, the average was 15 per cent.

This once again highlighted the significant disparity between staff formally declaring they are disabled on the NHS ESR system (currently approximately 3.7 per cent) and staff declaring they are disabled through other sources such as the anonymised national NHS Staff Survey (currently disability declaration is at approximately 20 per cent).

Benefits and barriers to disability workforce reporting (including transparency)

76 per cent of respondents were of the view that greater transparency on workforce disability will lead to more inclusive practices.

18 per cent of respondents answered 'not sure.'

The key benefits of a mandatory approach to disability

The responses were grouped under three key themes:

- 1 There was a view that a mandatory approach to disability workforce reporting through the WDES increases data-driven and evidence-based practice.
- 2 Respondents felt that this in turn would foster greater accountability and encourage action.
- 3 There was a view that this would ultimately provide employers with the opportunity to report on and demonstrate tangible and measurable progress.

“Greater transparency creates greater awareness and understanding, thus enabling a more supportive and inclusive culture. The more disability becomes a part of everyday language rather than something seen as derogatory, the more people feel able to disclose and ask for the adjustments they need. The more other people see reasonable adjustments being used, it becomes the norm.”

Anonymous survey respondent

Potential risks of mandatory disability workforce reporting

Three key themes were identified from the responses:

- 1 A mandatory approach could force staff to identify as disabled, highlight those with a disability and thereby lead to them being stigmatised and discriminated against.
- 2 Without an agreed definition on what constitutes a disability, there could be a lack of accuracy of the data collected.
- 3 A mandatory approach could lead to the process being viewed as a tick-box exercise.

Benefits of publishing workforce information disaggregated by disability status

Once again, three key themes emerged from the responses:

- 1 Greater transparency in terms of staff willingness to declare their disability. This is supported by the WDES data, which shows that in the three years it was introduced, there has been a gradual improvement in the overall disability declaration rate.
- 2 Employers being able to measure and benchmark progress.
- 3 The publication process helps to demonstrate to the workforce that an organisation is an inclusive employer, committed to building a sense of belonging for all disabled staff.

“Raises awareness and helps provide disability with the visibility it deserves and also helps to remove the stigma attached.”

Anonymous survey respondent

Workforce disability reporting (including the impact on recruitment, retention and career progression)

89 per cent of respondents agreed that the proportion of employees identifying as disabled is a useful statistic to report on.

At the same time, 11 per cent disagreed.

Those taking part in the survey were asked: 'What, if any, statistic could be reported alongside or instead of the proportion of employees identifying as disabled?'

There were five themes that came out of this:

- 1 Recording categories should be more comprehensive and nuanced, so that staff could identify themselves against a range of definitions (both visible, hidden, physical and psychological).
- 2 Rather than a blunt disability question, the question should be based around whether somebody requires workplace adjustments.
- 3 The person's job role and working pattern is critical additional information needed.
- 4 A comparison of the turnover rates for disabled versus non-disabled staff would be helpful.
- 5 Any data gathered should be compared and contrasted to similar data gathered in the national census, in order to measure impact on the wider community served.

“Colleagues with long-term health issues, because it is not always viewed as a disability.”

Anonymous survey respondent

Engaging and encouraging staff to self-identify as being disabled or having a disability

A range of ideas were put forward by our survey respondents in terms of suitable wording, these were grouped into three:

- 1 Those who felt that we should use the definition laid down in the Equality Act 2010.
- 2 Those who suggested that we should ask staff members, ‘Do you have a disability’ or alternatively ‘Do you consider yourself disabled?’.
- 3 Those who felt that the definition should be broadened to reference physical, long-term health and neuro difference.

What type of support would help the NHS implement disability reporting in consistent and effective ways?

Suggestions put forward largely focused on the availability of toolkits, clear guidance on reporting, support for managers, training and awareness raising.

“People report when an organisation takes disability seriously and responds to disabled people, many people won't bother reporting if the organisation does not take disability seriously or is seen not to do so.”

Anonymous survey respondent

Conclusions and recommendations

For the last three years the NHS has been embedding the [Workforce Disability Equality Standard](#) (WDES) into its mainstream HR and workforce strategy. The WDES has at its centre, the core principle of comprehensive workforce reporting. Since 2019, the NHS has been in the unique position of being the only sector/organisation that has had a mandated workforce disability reporting standard in place. It has experienced the challenges and opportunities that have been represented through the introduction of such a mandated requirement.

The WDES has provided a platform for employers within the NHS to undertake the focused work that is needed to reduce the inequalities that disabled staff experience in the workplace.

From a data collection perspective, the NHS achieved 100 per cent data collection return for the past three years, with every trust reporting their WDES metrics data.

There are approximately 220 NHS trusts in England. NHS staff also declare they are disabled through other sources, such as the anonymised national NHS Staff Survey (currently a declaration rate of approximately 20 per cent).

- 1 We expect the continued focus of collecting and reporting on workforce disability data to be welcomed by employers and staff within the NHS. Collecting such data and turning the data into information and action plans has allowed trusts to measure progress, and reaffirm to prospective employees that the NHS welcomes people with a disability.
- 2 There are concerns about the mandatory nature for the proposed data collection, as this may force staff to declare their disability and in doing so suffer detriment in the process. Therefore, the ability for employers to use a combination of local discretion whilst at the same time investing in communications and education would be vital.
- 3 Overwhelmingly, respondents strongly agreed that the proportion of employees identifying as disabled is a useful statistic to report, and should be used alongside other factors to ensure a more intersectional and holistic approach to workforce development.
- 4 In addition, they believe that the WDES is also a useful tool for capturing the lived experience of disabled staff working in the NHS. It helps them better understand the barriers and challenges that they face in terms of recruitment, career progression and getting their voice heard.
- 5 The inadequacies of the Equality Act definition of disability and the need to reflect physical and psychological aspects of disability were frequently highlighted during our survey.

Survey respondents felt strongly that a better and more nuanced definition of what constitutes disability in 2022 was vital to any system/measurement process going forward.

- 6 They also welcomed future support and suggested the development of clear guidance and tools on disability workforce reporting together with good practice examples of raising awareness and supporting managers.

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