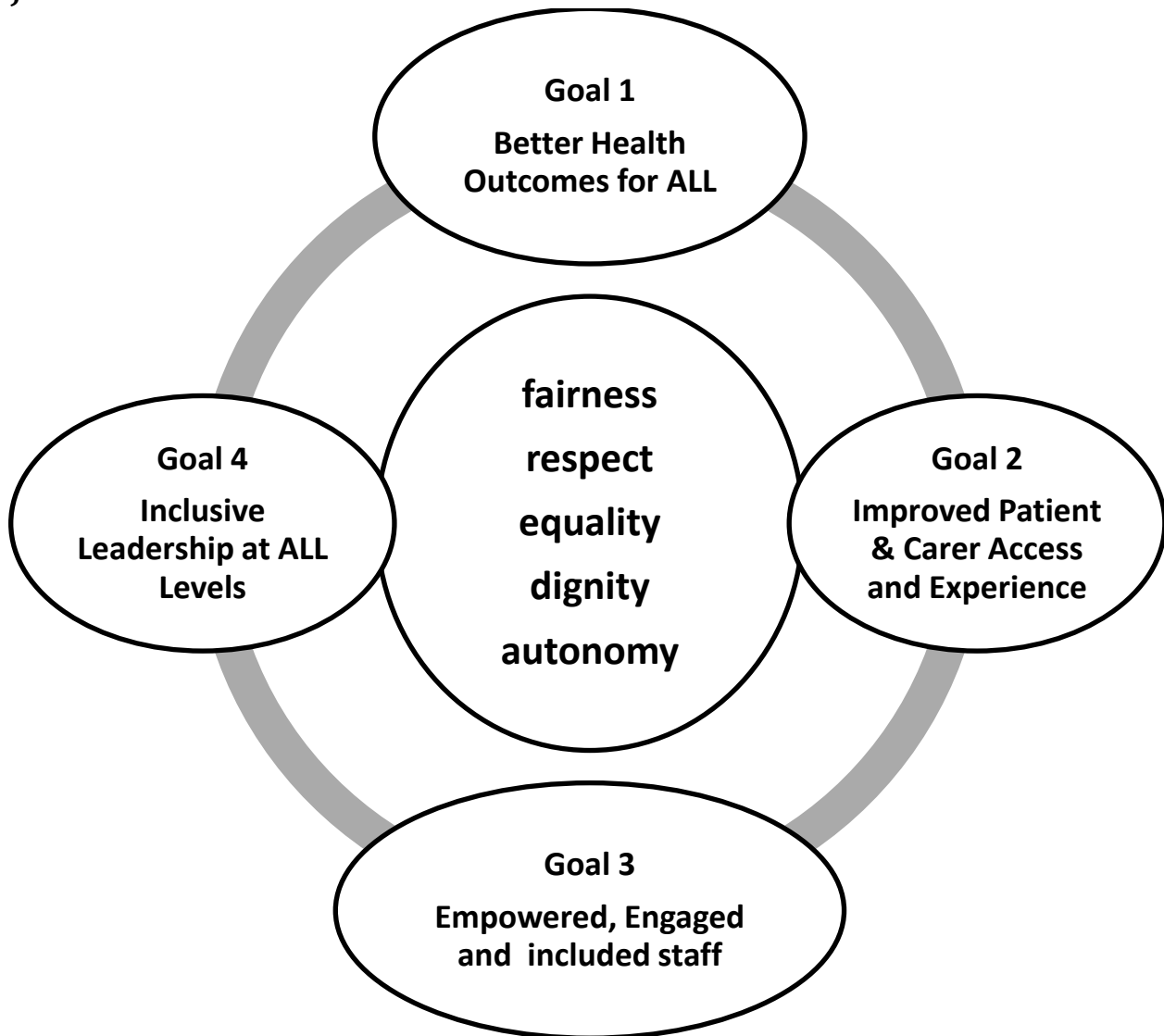




Equality & Inclusion Annual Report

Jan – Dec 2014



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Introduction

This is the Midlands and Lancashire Commissioning Support Unit's (CSU) annual Equality & Inclusion Report which sets out how the CSU has been demonstrating 'due regard' to the public sector equality duty's three aims. This report will provide evidence for meeting the specific equality duty, which requires all public sector organisations to publish their equality information annually and supports our Customers in meeting their Statutory Obligations as set out in the Equality Act 2010.

Midlands and Lancashire CSU Vision

To be pivotal in fully supporting the delivery of major improvements in health and wellbeing

Our Mission

To be a great place to work, to be great people to work with, striving to be better tomorrow than we are today

A Local Context

Midlands and Lancashire CSU is one of the largest CSUs in the country providing local, high quality commissioning support services to CCGs and other customers with a diverse range of commissioning challenges and pressures.

Key facts about us:

- Central Midlands CSU and Staffordshire and Lancashire CSU merged on 1 April 2014 to form Midlands and Lancashire CSU.
- Our new organisation serves 5.87 million people and covers the areas of Birmingham, the Black Country, Herefordshire, Lancashire, Solihull, Shropshire, Staffordshire and Telford & Wrekin
- We work with 24 CCGs - which have a combined commissioning budget of £6.84 billion and 970 GP practices – offering a great opportunity to work to enhance primary care
- We deliver services such as clinical service transformation and improvement, continuing healthcare, nursing and quality monitoring, data management, procurement, capacity management, communications and engagement and equality and inclusion - to improve health outcomes for patients



MIDLANDS AND LANCASHIRE
COMMISSIONING SUPPORT UNIT

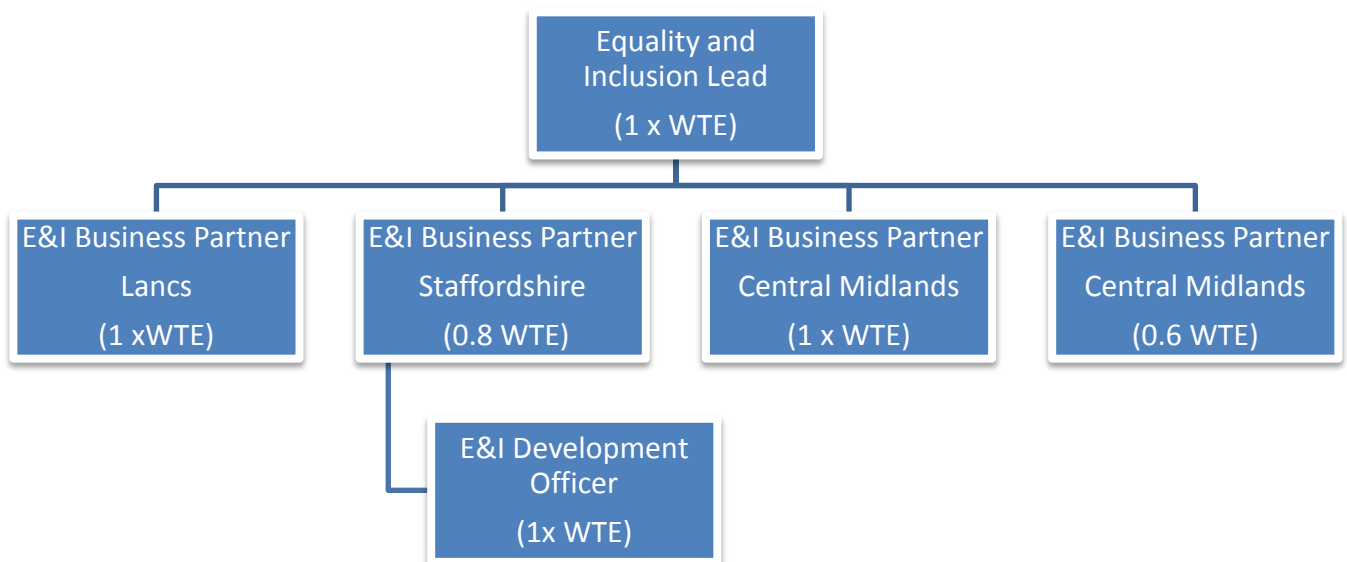
The CSU has to date had in place two Equality Teams;

1. Equality and Inclusion Team – this small team provides a service to CCGs in Lancashire and Staffordshire. This team has also provided a range of services to NHS organisations such as Acute Trusts, Foundation Trusts, GP Practices and Community and Faith.



2. Equality and Diversity Team – this small team has provided support to CCGs in Central Midlands during 2013 – 2014 and has provided a range of services to other NHS and Community and Faith Sector organisations across the Central Midlands area.

These two small teams have since December 2014 been working together and will provide a cohesive service to CSU customers and the CSU as the Midlands and Lancashire CSU Equality and Inclusion Team as part of the overall Corporate Governance Function.



CSU Compliance with the Public Sector Equality Duty

The CSU continues to work to show due regard to the aims of the Public Sector General Equality duty as set out in the Equality Act and shown below:

Aim 1	Eliminate unlawful discrimination, harassment and victimisation
Aim 2	Advance equality of opportunity between different groups
Aim 3	Foster good relations between different groups

CSU Staff Training

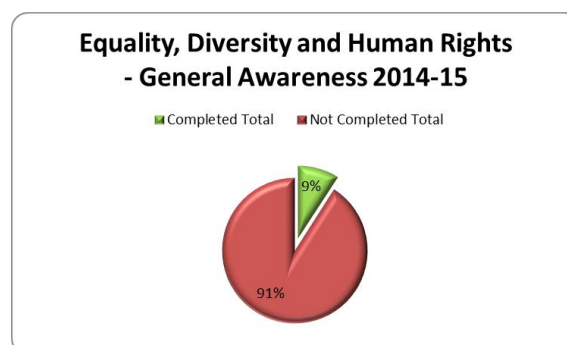
Mandatory Equality Training Programme

The CSU has ensured that staff have undertaken training which includes information on the three aims of the Public Sector Equality Duty (PSED) and has supported its customers to meet their legal and statutory requirements against the PSED. The mandatory training on Equality is required to be undertaken every three years and is currently an e-learning programme which is provided through Skills for Health. This training programme delivers an understanding of equality, diversity and human rights and helps staff to apply that knowledge in their role within the Clinical Commissioning Group. Staff are required to undertake this training as part of their mandatory training

Skills for Health e-Learning programme

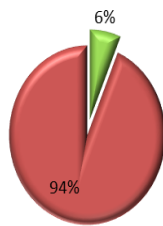
- Pre-assessment
- Module 1: General awareness
- Module 2: Age
- Module 3: Disability
- Module 4: Gender and gender reassignment
- Module 5: Race & ethnicity
- Module 6: Religion & belief
- Module 7: Sexual orientation
- Module 8: Pregnancy and maternity

programme every three years and each module is followed by an assessment with a pass mark of 70%. Below are the training figures for Jan – Dec 2014



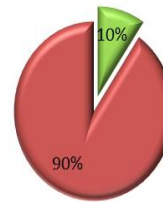
Equality, Diversity and Human Rights - Promoting Understanding 2014-15

■ Completed Total ■ Not Completed Total

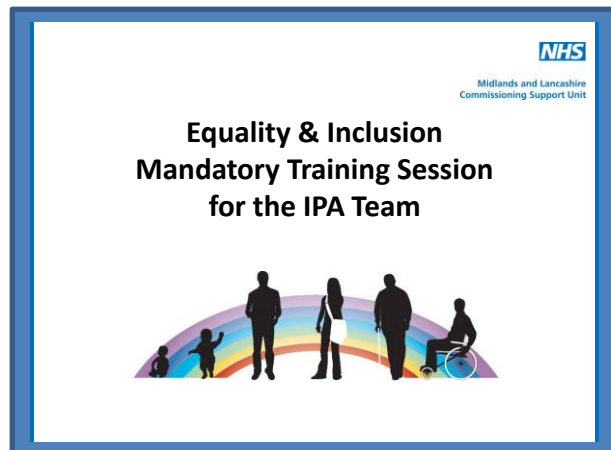


Equality, Diversity and Human Rights - Pre 2014 2014-15

■ Completed Total ■ Not Completed Total

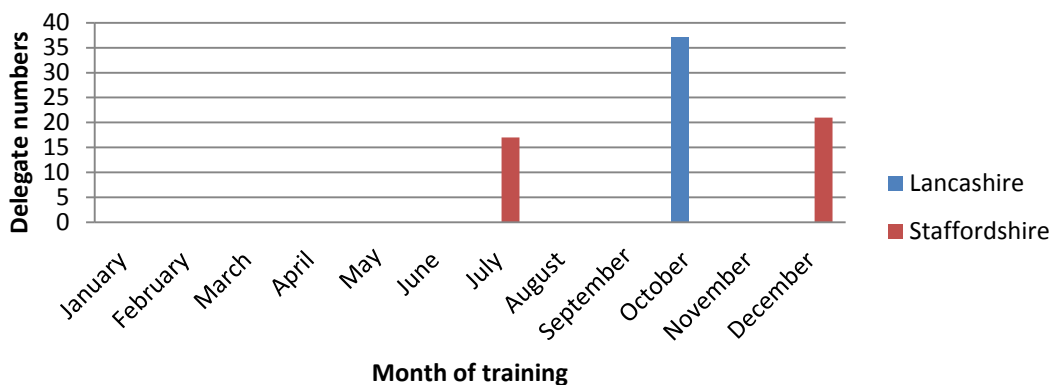


The Equality and Inclusion Team have also throughout 2014 provided bespoke Equality Training to specific teams in the CSU particularly our Individual Patient Activity Teams in both Lancashire and Staffordshire in place of the mandatory e-learning programme. This training has focused on the roles of the Staff in the Teams and has not only provided training around Equality and the Equality Act 2010 but has included training on the



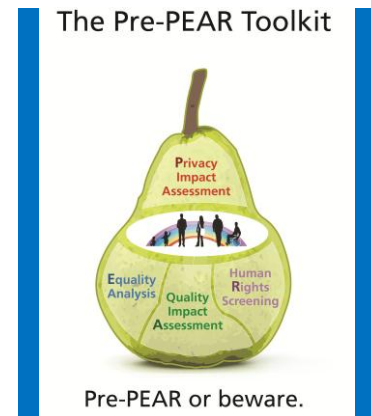
responsibilities of the Team in promoting and protecting patients human rights as set out in the Human Rights Act 1998.

Equality & Inclusion Mandatory Training to IPA Staff for 2014

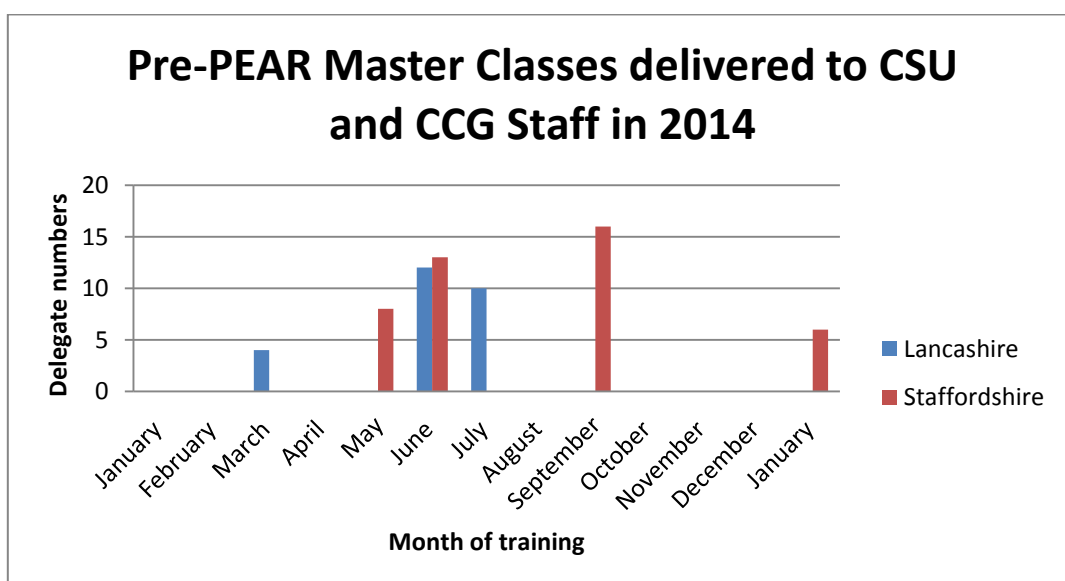


Equality Analysis and Human Rights Screening – PRE-PEAR Training

CSU staff have also received Pre-PEAR Toolkit Training during 2014 to ensure that they were able to undertake effective equality analysis and human rights screening to demonstrate ‘due regard to the three aims of the equality duty. The Pre-PEAR Toolkit has three stages and each one is covered in the training provided along with practical case studies. The training also includes the 3 aims of the public sector equality duty and the nine protected characteristics to ensure staff are able to align the learning from the e-learning programme with the Pre-PEAR training.



The training is provided by the Equality and Inclusion team of the Midlands and Lancashire Commissioning Support Unit and enables staff to develop an understanding of the Pre-PEAR process, assisting staff to identify the business, ethical and legal cases for undertaking equality analysis, privacy and quality impact assessments and human rights impact of outcomes assessments. This is vital to ensure that the CSU and our CCG customers are able to show due regard to the Public sector Equality Duty, Human Rights Legislation the NHS Constitution, NHS Outcomes Framework and other statutory requirements such as Information Governance. Below are the figures for CSU Staff who have attended training in 2014.



The Equality and Inclusion Team in supporting our Customers

Our service supports commissioners, other healthcare organisations and the community and voluntary sector in meeting the statutory duties enshrined in the Equality Act 2010, Human Rights Act 1998, the Health and Social Care Act 2012 and responsibilities under the NHS Constitution.

We have a highly specialised team with expertise and knowledge on equality, diversity and Human Rights, community engagement, organisational development and working in the NHS across commissioning and provider services with a track record on delivering the very best for its customers ensuring that the organisations have the necessary processes in place to ensure compliance with statutory obligations.



Over the last 5 months recruitment to the Business Partner posts for Staffordshire, Central Midlands and Lancashire has taken place, Julia Allen Business Partner for Staffordshire joined the Team in December 2014 and we are aiming to have both Business Partners for Lancashire and Central Midlands in post early to mid-March 2015.

This new model of working enables CCGs to have access to a whole service which provides strategic support from the Equality and Inclusion Lead and a named Business Partner, who will spend time out in their respective CCGs providing operational advice and support. This allows for business continuity all year, with the team coordinated centrally. The new model of delivery also allows customers to utilise the expertise across the team through a central point of access – equality.inclusion@nhs.net this allows additional flexibility required to meet the needs of our customers.

Some key areas of expertise the team has provided to CCG customers and the CSU during 2014 are:

- Strategic and operational support to meet statutory compliance and robust

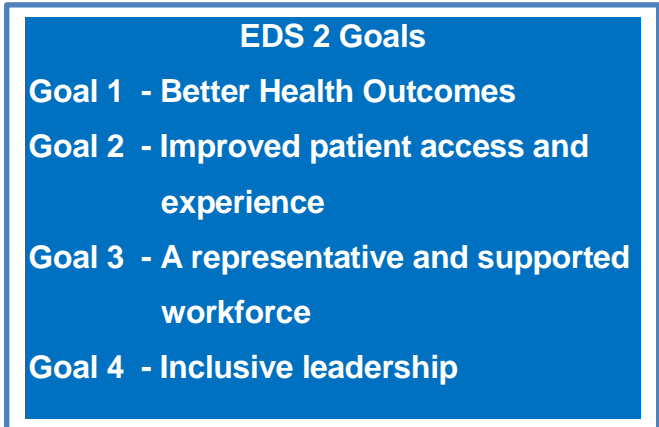
governance processes

- Embedding the Equality Delivery System (EDS2) into Organisation's day to day business including:
 - Project manage and facilitate appropriate customer Sub Group or Task and Finish groups to oversee implementation of EDS
 - Training EDS2 graders
- Strategy Development, review and revision
- Monitoring Provider organisations
- Supporting Commissioning & Tendering Processes e.g. ITT; PQQ
- Providing bespoke Equality, Diversity & Human Rights training and Pre-PEAR Toolkit training (covers 4 statutory requirements; privacy impact assessment, equality analysis, human rights screening and quality impact assessment),
- Reviewing the scope, quality and consistency of management information (for communities and workforce) about equality issues (e.g. robustness of equality monitoring) for Protected Characteristic Groups (Sources such as national local surveys; JSNA; complaints/PALS data; patient feedback and stories (e.g. NHS Choices, Patient Opinion))
- Supporting service redesign and commissioning/ de-commissioning decisions (including those across partnerships) / service specification development and resource targeting reducing inequalities for marginalised groups.
- Expert support for and undertaking of Equality Analysis of major decisions e.g. Commissioning Intentions Equality & human rights challenges on CCG decisions
- Provision of E&I information for Website - to meet equality duty
- Response to FOIs
- Scrutiny of provider complaints – post Francis to ensure effective capture of equality and human rights related issues.
- Accessibility Audits of externally facing reports/website/for employees - to meet equality duty and duty to make reasonable adjustments

NHS Equality Delivery System (EDS2)

All of the CCGs supported by the Equality and Inclusion Team adopted the NHS Equality Delivery System (EDS2) as its equality performance toolkit to support the CCG in demonstrating its compliance with the three aims of the Public Sector General Equality

Duty. Throughout the year CCG staff ensure that they are embedding equality and inclusion into the work they undertake on behalf of the CCG. This work includes engaging and involving local people in decision making, undertaking effective equality analysis prior to decisions being made, buying the best healthcare to meet local people's needs and monitoring the performance of healthcare providers including their compliance with equalities legislation.



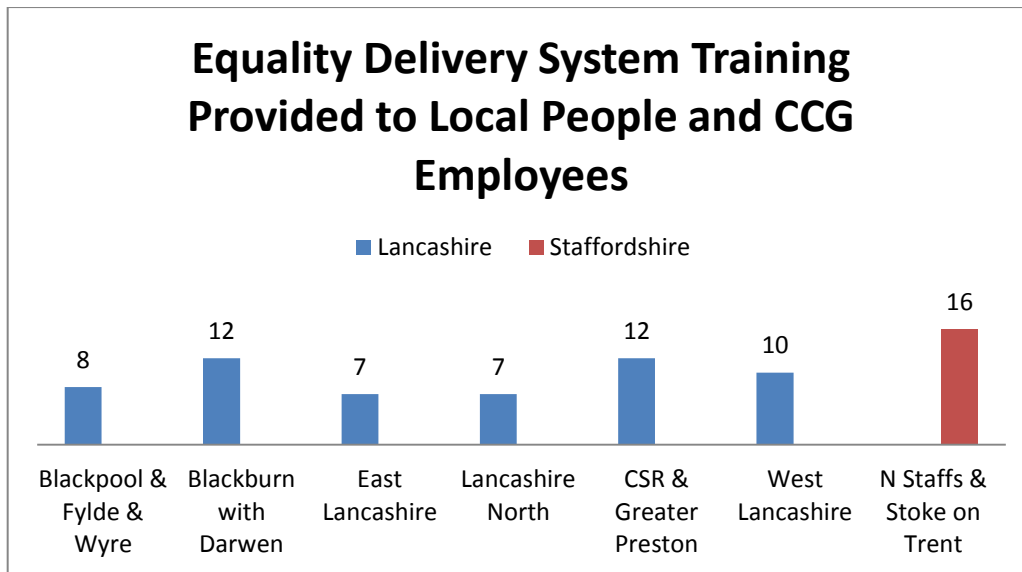
EDS 2 Goals

- Goal 1 - Better Health Outcomes**
- Goal 2 - Improved patient access and experience**
- Goal 3 - A representative and supported workforce**
- Goal 4 - Inclusive leadership**

All of this work generates evidence of the CCGs compliance with the PSED. This evidence is then reviewed by local people against the four goals and 18 outcomes of the NHS Equality Delivery System (EDS2) (NHS England, 2013) which is not only a performance toolkit but provides additional evidence in the annual compliance report of how the CCG is meeting statutory equality and human rights requirements such as showing due regard to the Public Sector Equality Duty.

The CSU has supported its Clinical Commissioning Group customers to utilise the NHS Equality Delivery System (EDS2) and to undertake public grading in 2014. This work has entailed the team's involvement in:

- engaging with local communities
- gathering and collating EDS outcomes focused evidence for each CCG
- developing video evidence for CCGs
- planning, organising and facilitating EDS2 grading workshops across all of the CCGs supported by the team during 2014 – this training was delivered to both local people, community representatives and staff to enable delegates to understand the role of the grader and to gain a firm knowledge in the use of EDS2 as a performance management toolkit for Equality and Inclusion. Below are the numbers of people trained across the patch in 2014.



NHS England who developed EDS2 also reviewed the work the CSU team undertook in 2014 to support our CCGs and a number of best practice case studies were submitted to NHS England which were subsequently used in national training delivered by NHS England and the Equality and Human Rights Commission. The current positions of CCGs Supported by the E&I Team in Lancashire and Staffordshire can be found in appendix 1.

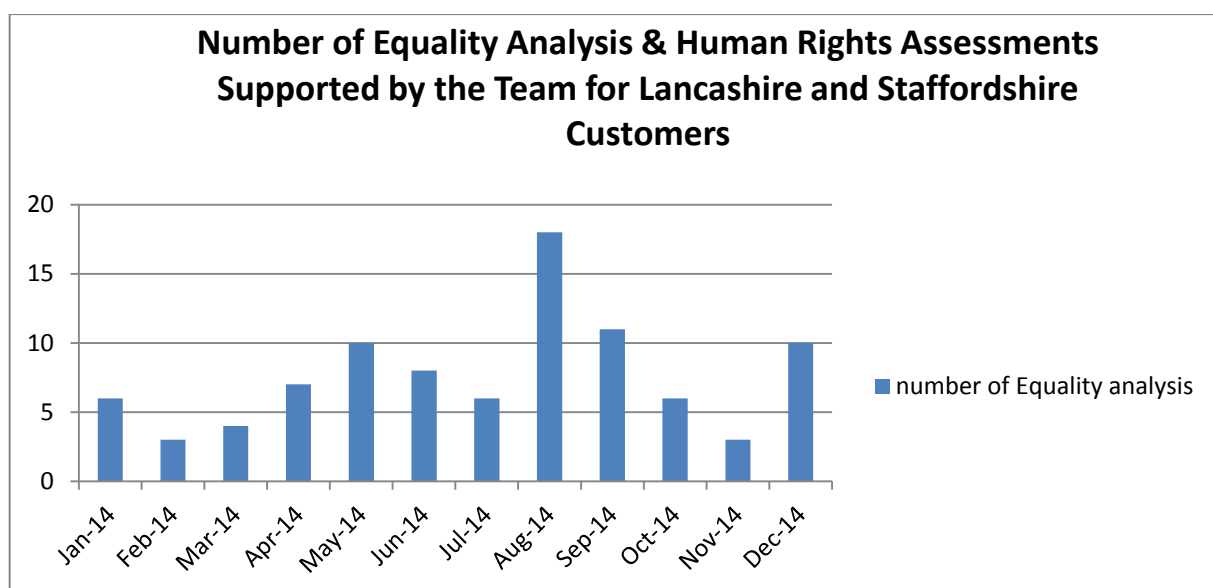
Equality Analysis

The Equality and Inclusion Team have supported staff in CCGs and the CSU to carry out a range of equality analysis and human rights screening when carrying out their duties to ensure the CSU is paying 'due regard' to the three aims of the Public Sector Equality Duty and the Human Rights Act. The teams input to this process has been to provide expert analysis of data, research on population trends, guidance and support for the leads of the assessment, advice and support in relation to engagement and involvement of targeted groups, which would be impacted on by the decision or policy training, one to one support for staff and final scrutiny / quality assurance check of completed paperwork.

The following are examples of the assessments supported by the Equality and Inclusion Team Jan – Dec 2014:

- Service Reviews e.g. Urgent Care Service; Primary Care Access & GP Out of Hours
- Enhanced Integrated Community Service Project; Acute Oncology; Dermatology; MSK Service; Ophthalmology Services; BSL IAPT

- CCG Commissioning Intentions Development
- 5 Year Plan
- Policy Development e.g. Assisted Conception Policy; Equality Analysis Policy; CCG HR Policies including Equality and Diversity
- Emergency Preparedness, Resilience and Response
- Long Term Conditions, Intermediate Care and Frail Elderly Projects
- Policy for making healthcare placements
- Strategy Development e.g. Quality Improvement; Risk Management & Communication and Engagement



Involving people in decision making

The Equality and Inclusion Team have supported CCG customers to engage and involve local people in decision making throughout 2014, we have also provided guidance to CCGs on their Duty to Involve and the findings of the Bristol CCG Judicial Review. This has led to the Team supporting the development and redrafting of Communication and Engagement Strategies and CCG Constitutions following this judgement. Below are some examples of the Engagement with local people:

- Gypsy Travellers in Blackburn with Darwen
- Asylum Seeker Community – Raising Concerns Policy Development
- Deaf community Engagement for Primary Care Access Project
- EDS grading for six Lancashire CCGs and two Staffordshire CCGs
- People with visual impairments – Eye Health Programme Blackpool

Performance Monitoring of Providers

The Equality and Inclusion Team supports CCGs to monitor how providers are meeting their statutory responsibility and below is an update in relation to the EDS grading assessments.

In 2014 the Business Partners and the E&I Lead have met with Equality and Diversity Managers in the following NHS Trusts either on a one to one basis or via the Lancashire Equality Delivery Partnership Group:

- Calderstones Partnership NHS Foundation Trust
- Blackpool Teaching Hospitals NHS Foundation Trust
- University of Morecambe Bay Hospital Trust
- East Lancashire Hospital Trust
- Lancashire Care Foundation Trust
- Southport and Ormskirk Hospital Trust

The Team has also developed an Equality Monitoring process which will be used in 2015/16 to support the performance management process and the team are currently working with the Quality and Performance Team in the CSU and with Quality Leads in CCGs to bring this online.

Meeting statutory Human Rights requirements

The Human Rights Act 1998 sets out a range of rights which have implications for the way the CSU buys services and manages their workforce. In practice this means that we must:

- Act compatibly with the rights contained in the Human Rights Act in everything we do
- Recognise that anyone who is a 'victim' under the Human Rights Act can bring a claim against the CSU (in a UK court, tribunal, hearing or complaints procedure)
- Wherever possible existing laws that the CSU as a public body deals with, must be interpreted and applied in a way that fits with the rights in the Human Rights Act 1998.

The Equality and Inclusion Team have supported CCGs in decision making and understanding the impact of decisions on people's human rights e.g. around decisions to move Care Home residents funded by the CCG.

Summary

The evidence set out in this report demonstrates that the Equality and Inclusion Team supports all its Clinical Commissioning Group customers and the CSU in demonstrating compliance with Equality and Human Rights Legislation and continues to make good progress towards paying 'due regard' or giving consideration to the way healthcare services are commissioned and delivered.

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Equality & Inclusion Lead
NHS Midlands and Lancashire
Commissioning Support Unit

Date: January 2015

Appendix 1 – EDS2 position following public grading in 2014 of CCGs Supported by the E&I Team in Lancashire and Staffordshire

EDS outcomes	Blackburn with Darwen	Blackpool	East Lancashire	Fylde and Wyre	Lancashire North	West Lancashire	Chorley and South Ribble*	Greater Preston*	North Staffordshire	Stoke-on-Trent
1.1	Achieving	Achieving +	Achieving +	Achieving	Achieving	Achieving	Excelling	Excelling	Developing	Developing
1.2	Achieving	Achieving	Developing +	Achieving +	Achieving +	Developing +	Excelling	Excelling	Developing	Developing
1.3	Developing	Achieving	Achieving +	Achieving +	Achieving +	Developing +	Excelling	Excelling	Undeveloped – not graded in 2014	Developing
1.4	Developing	Achieving +	Achieving +	Achieving	Achieving	Achieving	Achieving	Achieving	Developing	Achieving
1.5	Not assessed in 2014	Not assessed in 2014	Not assessed in 2014	Not assessed in 2014	Not assessed in 2014	Not assessed in 2014	Achieving	Achieving	Not assessed in 2014	Excelling – not assessed in 2014
2.1	Achieving	Achieving +	Achieving -	D	A	Developing +	Achieving	Achieving	Developing	Developing
2.2	Achieving	Achieving	Achieving	Developing	Achieving	Achieving +	Achieving	Achieving	Achieving	Developing
2.3	Achieving	Achieving	Achieving -	Developing	Achieving +	Achieving	Achieving	Achieving	Developing +	Developing
2.4	Developing	Achieving	Developing +	Achieving +	Achieving +	Developing +	Excelling	Excelling	Achieving	Achieving
3.1	Achieving	Achieving +	Excelling -	Achieving	Achieving	Achieving	Developing	Developing	Achieving	Achieving
3.2	Achieving	Achieving +	Excelling -	Achieving	Excelling	Achieving	Achieving	Achieving	Achieving	Achieving
3.3	Achieving	Achieving +	Excelling -	Achieving	Achieving +	Achieving	Achieving	Achieving	Achieving	Developing
3.4	Achieving	Excelling -	Achieving +	Achieving	Achieving	Achieving	Developing	Developing	Achieving	Developing
3.5	Excelling	Excelling	Excelling	Excelling	Excelling	Achieving	Achieving	Achieving	Achieving	Achieving
3.6	Achieving	Excelling -	Achieving +	Excelling	Achieving +	Achieving	Developing	Developing	Achieving	Developing
4.1	Achieving	Achieving +	Excelling -	Achieving	Achieving	Achieving	Achieving	Achieving	Developing	Achieving
4.2	Developing	Achieving +	A+	D+	Achieving	Achieving +	Achieving	Developing	Developing	New for 2014
4.3	Achieving	Excelling -	Achieving	Achieving	Achieving +	Achieving	Achieving	Achieving	Undeveloped – not graded in 2014	Developing