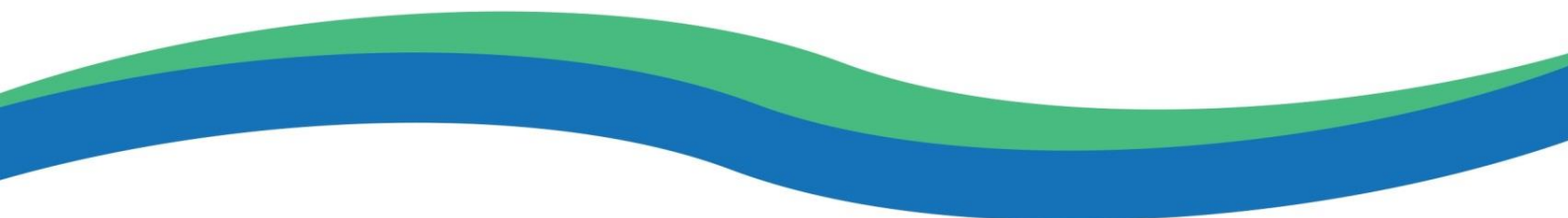


Brighton and Sussex University Hospitals NHS Trust

Workforce Disability Equality Standard 2019





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

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 lifetime (NHS England) 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 that 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 (Emerson and Hatton, 2008).

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

The Workforce Disability Standard 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 that it is 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 that 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.



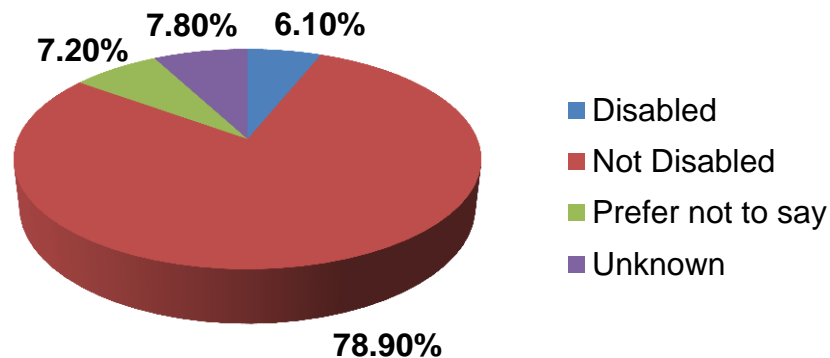
Background Information

1) Total number of staff:

2019
8487

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

	2019	
	Headcount	% of Staff
Disabled	514	6.1%
Not Disabled	6700	78.9%
Prefer not to say	608	7.2%
Unknown	665	7.8%
Total	8487	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	7214	85.0%
Disability Status Not Declared	1273	15.0%
Total	8487	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.

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?

1st April 2018 to 31st March 2019.

4) How is disability defined under the standard?

The standard uses the definition of disability that can be 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 Indicators

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	186	1477	162	1825	10.2%	80.9%
Cluster 2	24	324	51	399	6.0%	81.2%
Cluster 3	8	96	9	113	7.1%	85.0%
Cluster 4	3	39	7	49	6.1%	79.6%
Total	221	1936	229	2386	9.3%	81.1%

In the table above in the column labelled 'Disabled %' the green cells demonstrates representation that is either equal or more than the general representation of disabled staff in the workforce (6.1%). The red cell shows an underrepresentation when compared to the general representation of disabled staff in the workforce.

What the data tells us:

- There is a higher representation of disabled staff in AfC bands 1-4, this is where the highest concentration of disabled staff are.
- There is a marginally lower representation of disabled staff in AfC bands 5-7.
- There is a higher representation of disabled staff in AfC band 8a and 8b.
- The representation of disabled staff within band 8c-9 and VSM reflects the overall representation of disabled staff in the workforce.

Clinical						
	Disabled	Not Disabled	Not Known	Total	Disabled %	Not Disabled %
Cluster 1	71	1,042	183	1296	5.5%	80.4%
Cluster 2	166	2,628	526	3320	5.0%	79.2%
Cluster 3	15	181	34	230	6.5%	78.7%
Cluster 4	0	22	10	32	0.0%	68.8%
Cluster 5	6	317	129	452	1.3%	70.1%
Cluster 6	1	33	20	54	1.9%	61.1%
Cluster 7	34	541	142	717	4.7%	75.5%
Total	293	4764	1044	6101	4.8%	78.1%

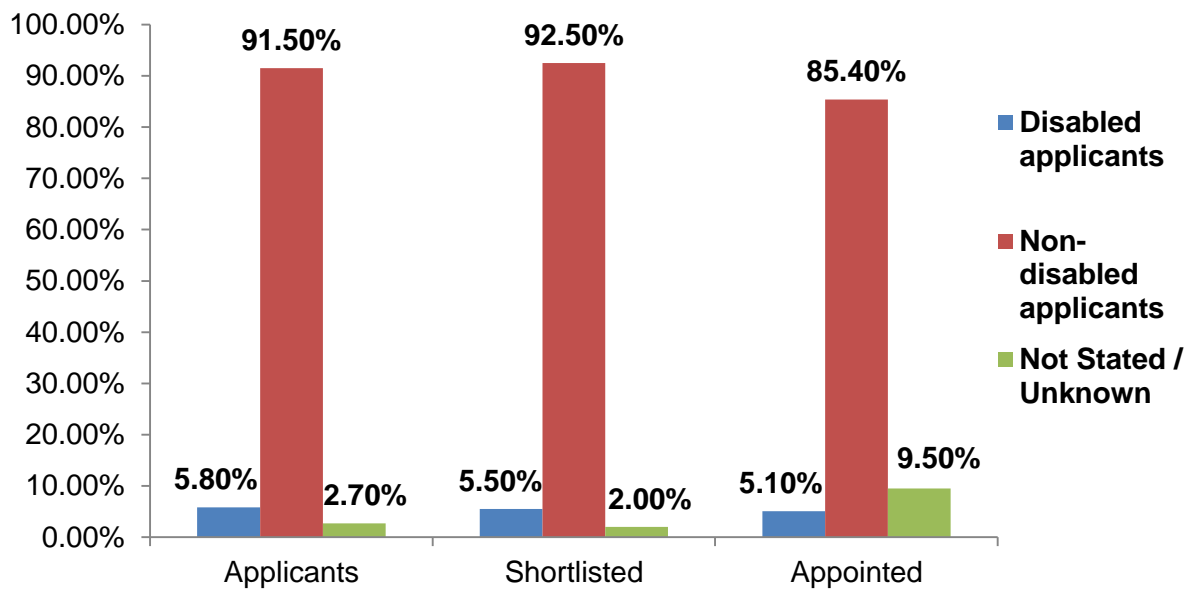
In the table above in the column labelled 'Disabled %' the green cells demonstrates representation that is either equal or more than the general representation of disabled staff in the workforce (6.1%). The red cell shows an underrepresentation when compared to the general representation of disabled staff in the workforce.

What the data tells us:

- Disabled staff have a slightly higher than representation within AfC bands 8a-8b.
- In all other bands disabled staff have a lower than representation when compared to the overall representation of disabled staff in the workforce.
- Disabled staff are underrepresented in senior management and consultant grades.

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	1152	5.8%	618	5.5%	35	5.1%	0.05663
Non-disabled applicants	18056	91.5%	10508	92.5%	592	85.4%	0.05634
Not Stated / Unknown	534	2.7%	230	2.0%	66	9.5%	0.28696
Total	19742	100.0%	11356	100.0%	693	100.0%	



The likelihood of non-disabled candidates being appointed from shortlisting:
 $592 / 10508 = 0.05634$

The likelihood of disabled candidates being appointed from shortlisting:
 $35 / 618 = 0.05663$

The relative likelihood of non-disabled candidates being appointed from shortlisting compared to disabled staff is: 0.05634 (non-disabled candidates) / 0.05663 (disabled candidates) = **1.00 times**.

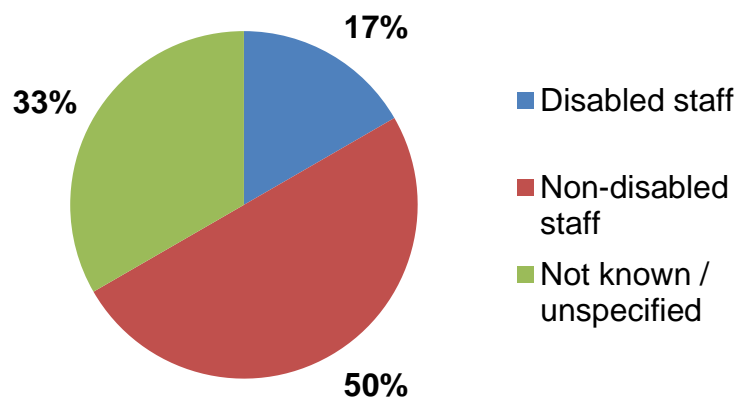
Disabled Candidates	<div style="width: 100%; height: 15px; background-color: #008000;"></div>	1.00
Non-Disabled Candidates	<div style="width: 100%; height: 15px; background-color: #008000;"></div>	1.00

In this instance the data suggests disabled candidates and non-disabled candidates have an equal chance of 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	1	514	0.0019455
Non-disabled staff	3	6700	0.0004477
Not known / unspecified	2	1273	0.001571



The likelihood of non-disabled staff entering the formal capability process:
 $1 / 514 = 0.0019455$

The likelihood of disabled staff entering the formal capability process:
 $3 / 6700 = 0.0004477$

The relative likelihood of disabled staff entering the formal capability process compared to non-disabled staff is: 0.0019455 (Disabled Staff) / 0.0004477 (non-disabled Staff) = **4.35 times**.

Disabled Staff		4.35
Non-Disabled Staff		1.00

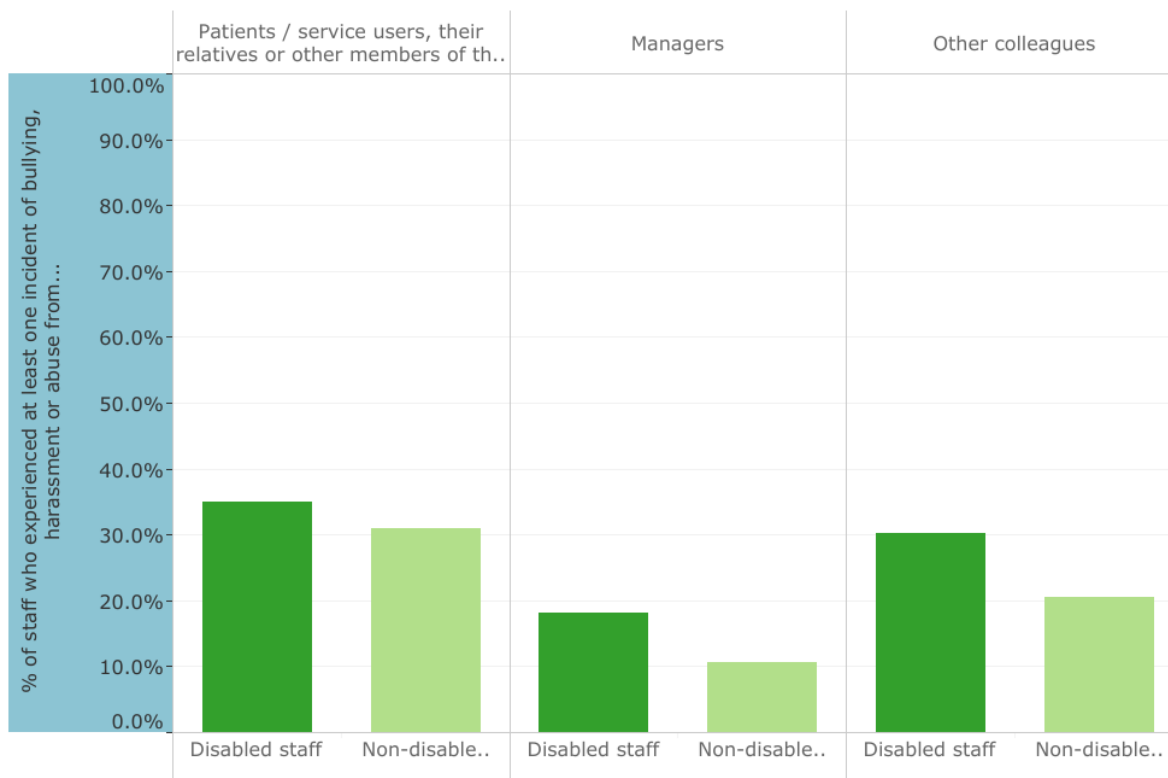
In this instance the data suggests that disabled staff members are more likely than non-disabled staff to enter into a formal capability process.

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	35.0%	18.2%	30.1%
Non-disabled staff	31.0%	10.7%	20.5%

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



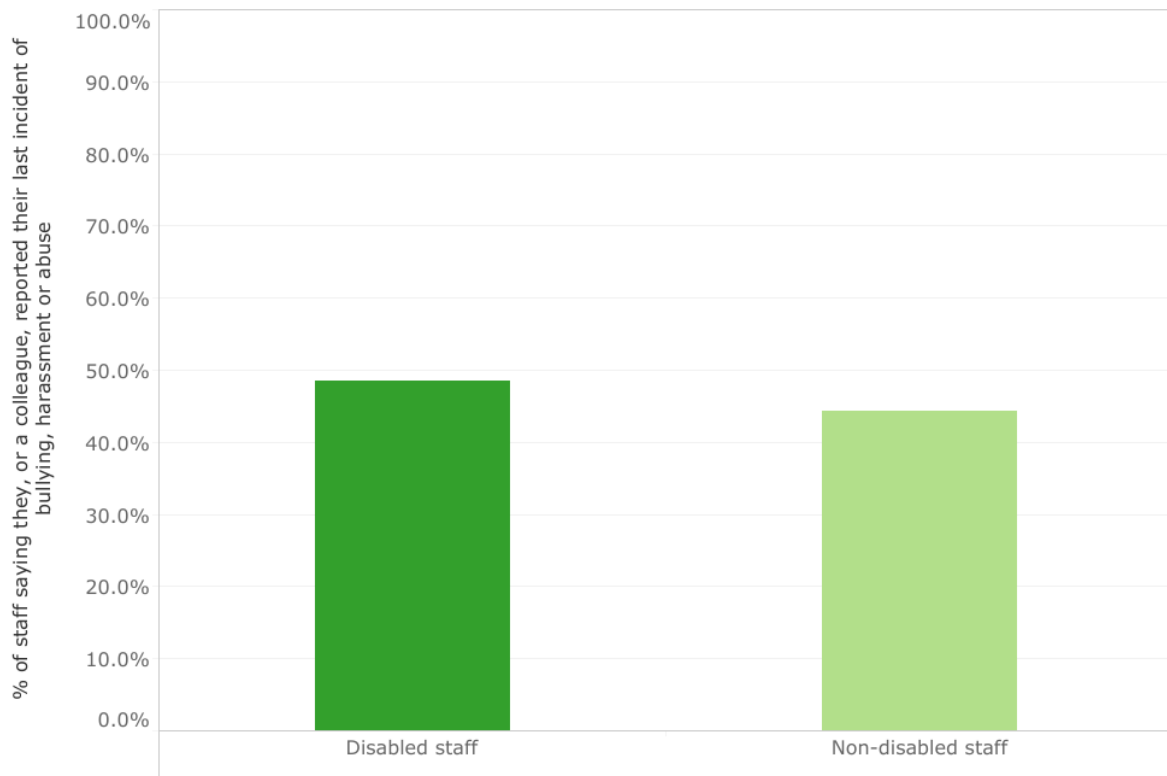
What the data tells us:

- Displayed as a likelihood:
 - Disabled staff are 1.13 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 1.70 times more likely to experience harassment, bullying or abuse from managers than non-disabled staff.
 - Disabled staff are 1.47 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	48.4%
Non-disabled staff	44.4%

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



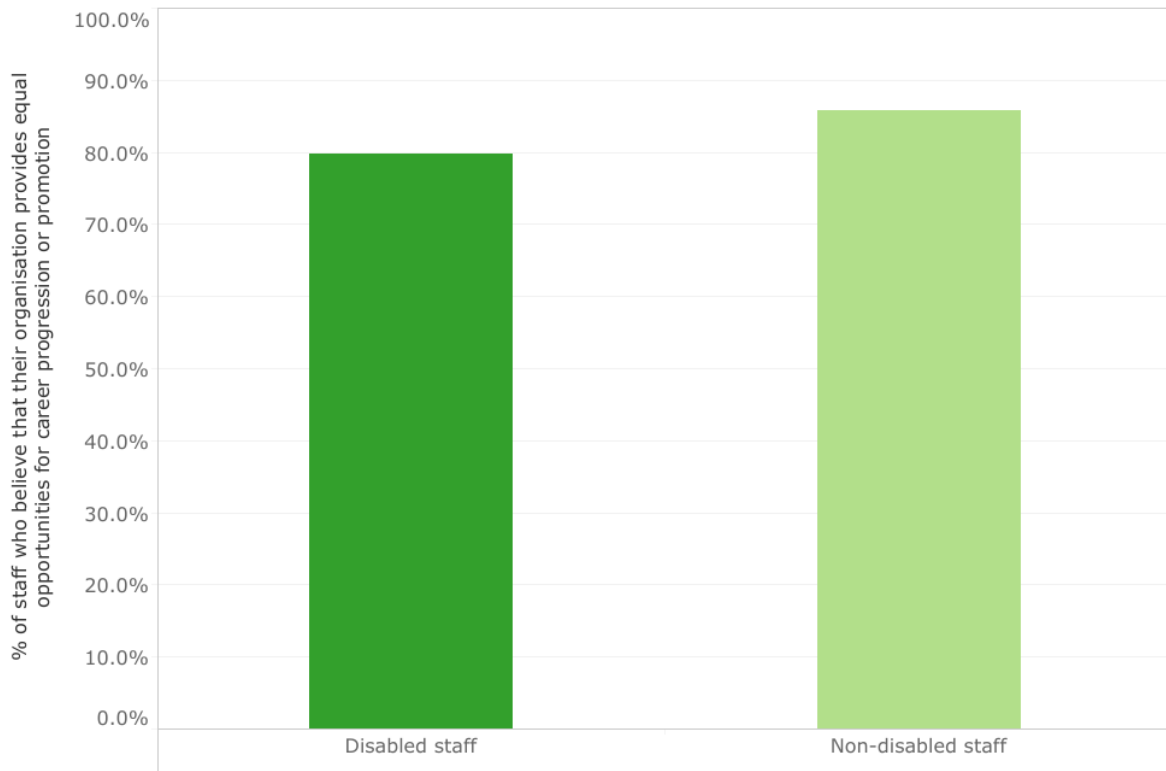
What the data tells us:

- Displayed as a likelihood:
 - Disabled staff are 1.09 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	79.8%
Non-disabled staff	85.8%

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



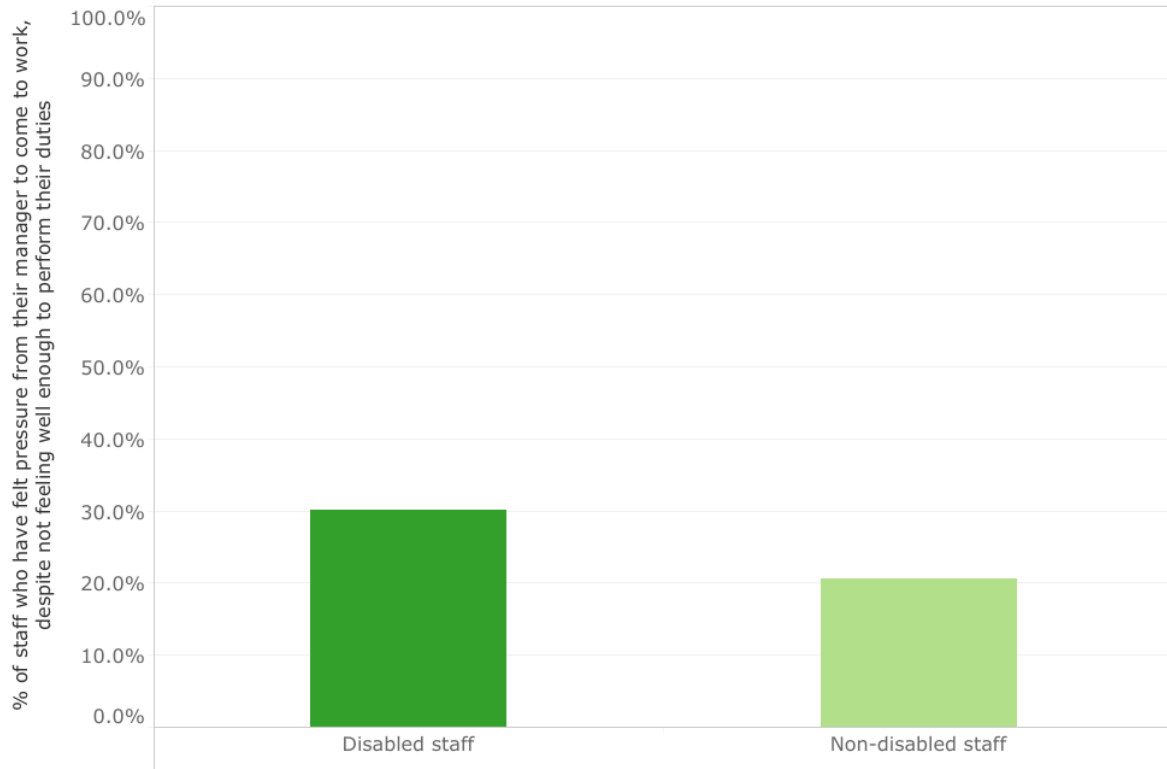
What the data tells us:

- Fewer disabled staff feel that 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	30.1%
Non-disabled staff	20.6%

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



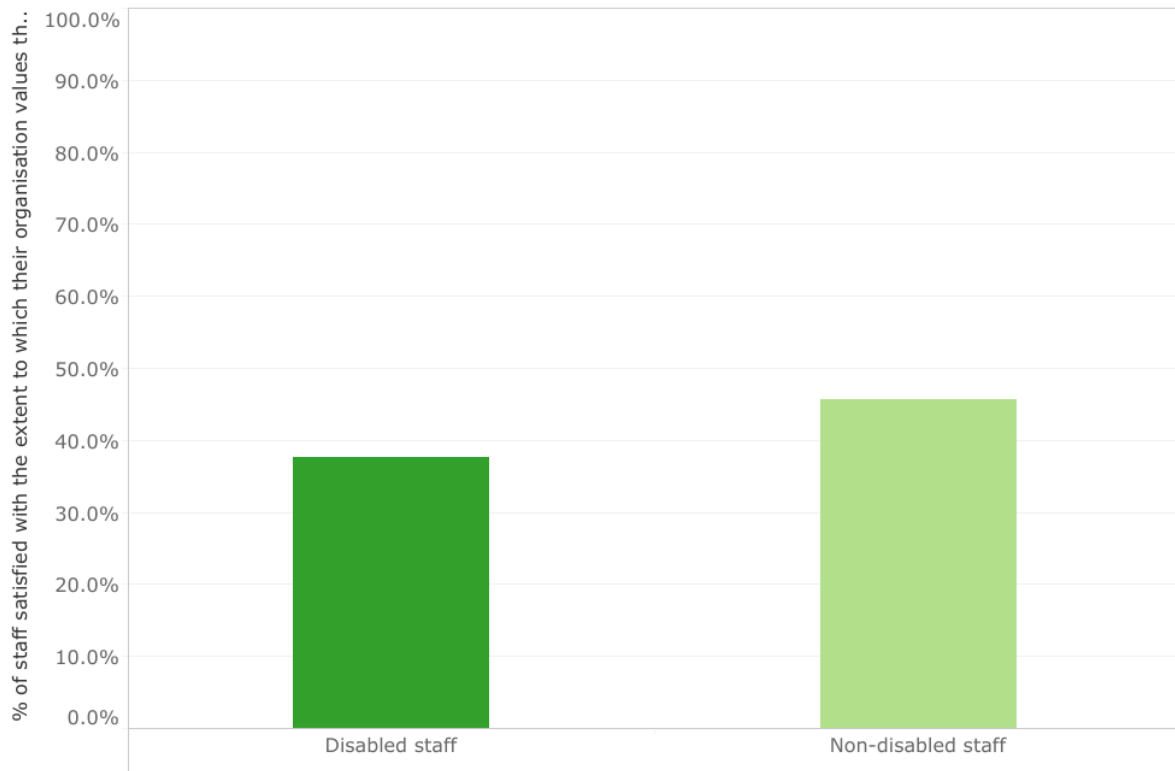
What the data tells us:

- Displayed as a likelihood:
 - Disabled staff are 1.46 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	37.6%
Non-disabled staff	45.7%

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



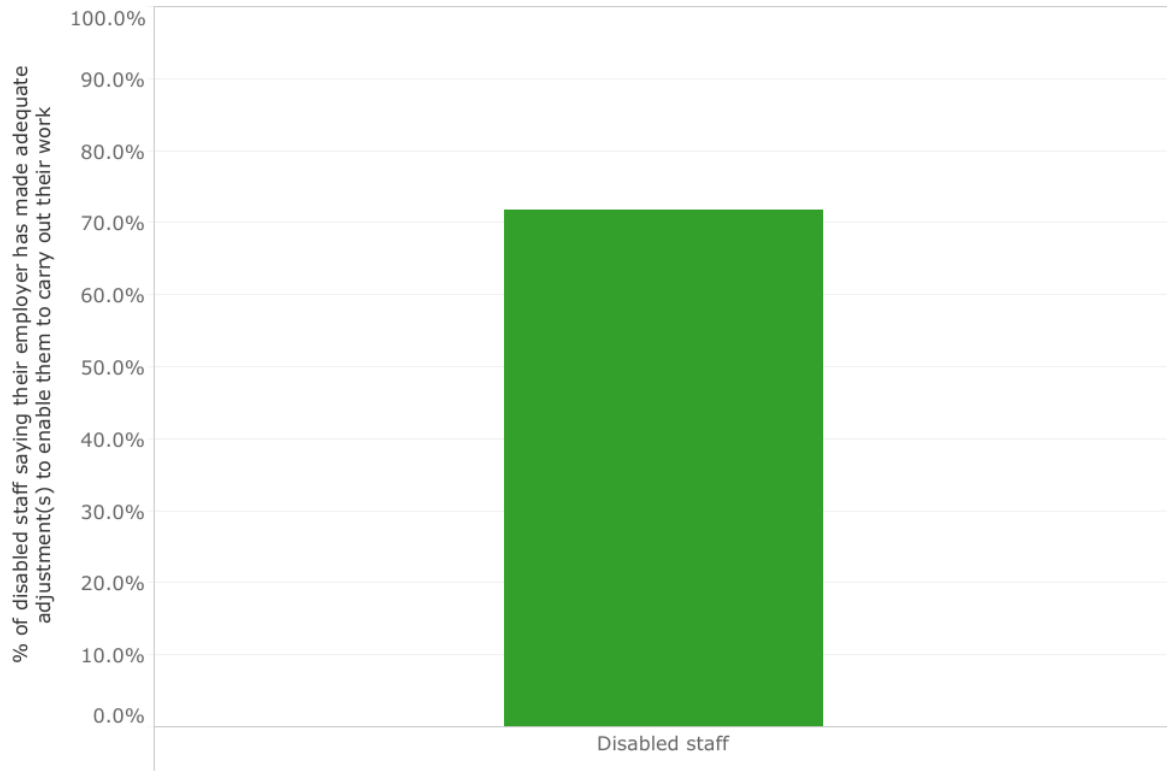
What the data tells us:

- Fewer disabled staff feel that they are satisfied with the extent to which their organisation values their work than non-disabled staff. However, the overall scores for both groups 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	71.8%
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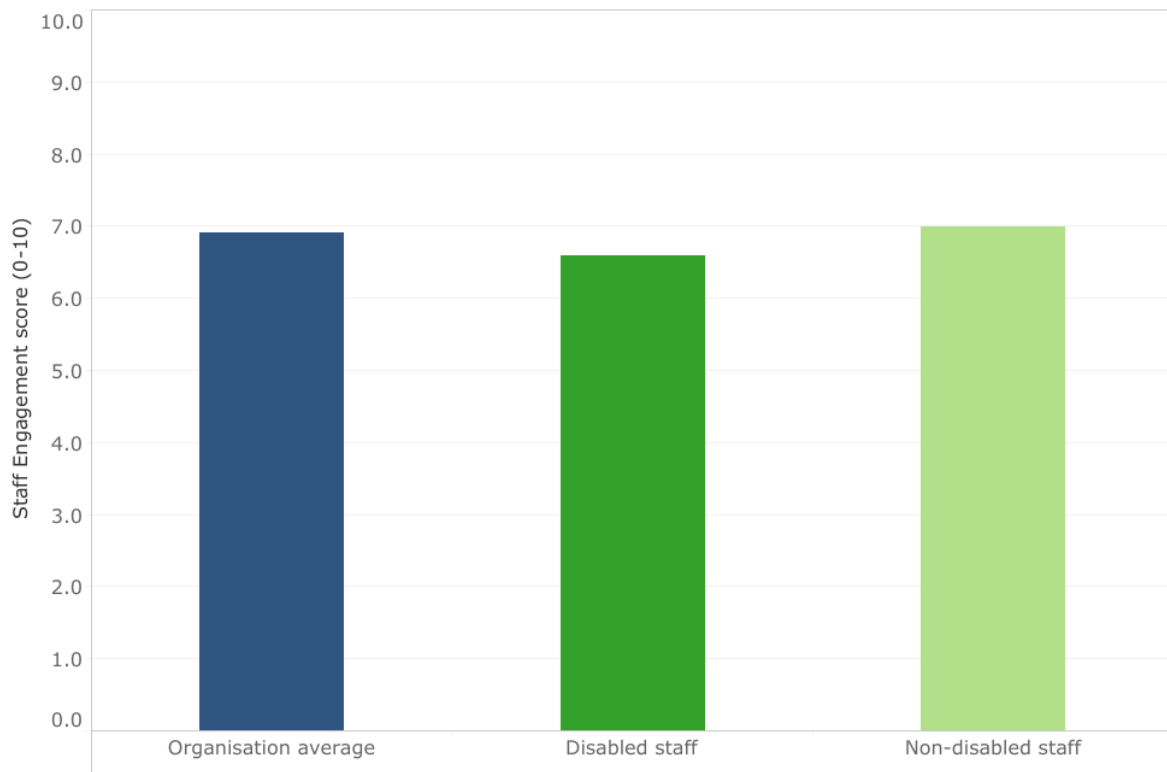
Indicator 8: Adequate adjustments made for disabled staff (q28b)



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

Disabled staff	6.6
Non-disabled staff	7.0
BSUH average	6.9

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 – In February 2019 the Trust signed of a Terms of Reference for the Disability Staff Network, from that point forward the network was formally recognised by the Trust. The aim of the network is to provide an avenue for staff to discuss disability related issues. 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	514	6.1%	0	0.0%	-6.1%
Non-disabled	6700	78.9%	7	46.7%	32.2%
Not known	1273	15.0%	8	53.3%	-38.3%
Total	8487	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	514	6.1%	0	0.0%	-6.1%
Non-disabled	6700	78.9%	7	46.7%	32.2%
Not known	1273	15.0%	8	53.3%	-38.3%
Total	8487	100.0%	15	100.0%	

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

This is the launch report for the Workforce Disability Equality Standard, which sets a benchmark to measuring progress.

a. Any issues of completeness of data

None

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

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