

Trust Board Report

Meeting Date:	24 October 2011
Title:	Equality Delivery System Briefing Paper
Executive Summary:	To provide details of the Trust's requirement to embed the Equality Delivery System (EDS) and outline action required This report provides a briefing for TMT on the EDS introducing the framework and detailing the action required by the Trust
Action Requested:	To note the content of the report and agree the executive level leads.
Report of:	Nina Dunmore, Patient Experience Lead
Author: Contact Details:	01902 695363
Resource Implications:	<p>There are no direct financial implications arising from this new framework. However, there will be ongoing resource implications in terms of :</p> <ul style="list-style-type: none"> - Developing and implementing an ongoing community engagement exercise around developing equality objectives and prioritised actions and assessing organisational performance against these - Participating in a regional cluster of NHS Trusts to share good practice and peer support <p>However, it should be noted that as the Trust meets the Equality Act 2010 duty, the above implications would be incurred regardless.</p>
Public or Private: (with reasons if private)	Public
References: (eg from/to other committees)	
Appendices/ References/ Background Reading	
NHS Constitution: (How it impacts on any decision-making)	<p>In determining this matter, the Board should have regard to the Core principles contained in the Constitution of:</p> <ul style="list-style-type: none"> ✚ Equality of treatment and access to services ✚ High standards of excellence and professionalism ✚ Service user preferences ✚ Cross community working ✚ Best Value ✚ Accountability through local influence and scrutiny

1. Background Details

The NHS Equality and Diversity Council was formed in 2009, chaired by Sir David Nicholson it reports to the NHS Management Board. One of the key developments of the Council has been the Equality Delivery System (EDS) a performance tool and assurance framework to mainstream and embed equality in a consistent way into 'NHS business'. The framework will also provide evidence for CQC registration and assist compliance of duties under the Equality Act 2010.

2. Options

There are a number of important EDS drivers to note:

- NHS Operating Framework 2011/12
- NHS Outcomes Framework
- NHS CEO's 'Transition' letter April 2011
- Quality, Innovation, Productivity and Prevention [QIPP]
- CQC Standards
- Authorisation processes for GP Consortia and Foundation Trusts
- Equality Act 2010 - public sector duties
- NHS constitution

3. What we are required to do

The EDS requires the Trust to analyse and grade our performance in a self assessment against a set of four objectives and 18 outcomes (see appendix 1 for list of objectives and outcomes). A similar assessment is also carried out by the LINK and other 'local interests' to grade how they perceive the Trust's performance against the defined objectives.

The Trust must assess its performance against the objectives and outcomes for each of the nine Personal Protected Characteristic groups as set out in the Equality Act 2010.

- Age
- Disability
- Gender
- Gender re-assignment
- Marriage and civil partnership
- Race including national identity and ethnicity
- Religion or belief
- Sexual orientation
- Pregnancy and maternity

In addition other groups and communities who face stigma and difficulties in accessing and using the NHS in the local population such as homeless people, drug users etc must be considered.

The analysis must be evidence-based and transparent. As a result of the analysis the organisation and its local interest groups will award a grade for each outcome. There are four grades and a related RAG rating, to choose from:

- Excelling - Purple
- Achieving - Green
- Developing - Amber
- Undeveloped -Red

The local grades must reflect the extent to which, for protected groups:

- Good outcomes are delivered.
- The QIPP challenge is met.
- The Equality Act duty is met, including the fostering of good relations.
- The NHS constitution is delivered
- Effective use is made of JSNAs (Joint Strategic Needs Assessments) and other evidence.
- Local interest groups are empowered, supported and actually take part.

Large Trusts with multiple sites and departments should ensure that the analysis of performance and resulting grades, takes account of different levels of performance across sites and departments. Such an approach can help to justify the awarding of a good EDS grade.

Following these assessment exercises the Trust is required to develop a set of equality objectives by April 2012, supported by an action plan. Performance against the selected objectives should be annually reviewed. These processes should be integrated within mainstream business planning.

The nine steps for implementation are set out below

Step 1	Confirm Governance and Partnership working – both internally such as identifying lead directors for each of the goals, and setting up a Trust wide governance group. Externally links should be made with the local authority, who should be involved in the process
Step 2	Identify local interest groups to be involved in the analysis of the Trust's performance and decisions on grading
Step 3	Assemble evidence – including JSNA, public health data, staff and patient surveys, PALS and Complaints data etc
Step 4	Agree roles with LINK/HealthWatch, Health and Well-Being board and local authority
Step 5	Analyses performance on 18 outcomes for each protected group, with local interest groups
Step 6	Jointly agree overall grade for each outcome with local interest groups
Step 7	Prepare equality objectives and associated actions, to span the EDS goals
Step 8	Integrate equality objectives within mainstream business including, where appropriate NHS integrated plans and Quality Accounts
Step 9	Publish grades/equality objectives locally, share with commissioners, inform Health and Well-Being Boards.

4. Accountability

LINKs and their successor HealthWatch will be encouraged to help NHS Organisations to engage with local interests and agree the Equality Objectives and priorities. The grades resulting from the assessments will be forwarded for review by the NHS Commissioning Board or Care Quality Commission. The grades for all organisations will be published nationally in the form of Red, Amber, and Green rating. The CQC will take account of any concerns as part of its processes to monitor registration requirement.

5. Recommendations

That Trust Board support the approach to EDS.

That the Executive Director lead sponsors this project and chairs a task and finish group to oversee its implementation within timescales.