

# **SECTION ONE**

## **INTRODUCTION TO RACE EQUALITY SCHEME**

### **BACKGROUND**

#### **1. THE RACE RELATIONS (AMENDMENT) ACT**

The Race Relations (Amendment) Act 2000 is a direct result of the Home Secretary's response to the Stephen Lawrence Inquiry. It gives public authorities a general duty to promote race equality. The duty applies to all public authorities, including the National Health Service (NHS).

The duty's aim is to make race equality a central part of the way we work, by putting it at the centre of policymaking, service, delivery, and employment practice. Under the general duty, we must have 'due regard' for the need to:

- eliminate unlawful racial discrimination;
- promote equality of opportunity; and
- promote good race relations between people of different racial groups.

The general duty is supported by a series of *specific duties*. The specific duties are not ends in themselves but provide the steps, methods or arrangements to be followed in order to help organisations meet the general duty. One of the specific duties is the requirement to publish a Race Equality Scheme by 31<sup>st</sup> May 2002. This document is Liverpool Women's Hospital NHS Trust (The Trust) Race Equality Scheme and sets out our arrangements for meeting the general and specific duties. Hard copies and electronic copies will be readily available upon request to all external and internal contacts.

The Trust intends to build on this Race Equality Scheme by incorporating existing diversity policies and procedures within a wider Equality Scheme. This will incorporate other relevant legislative Acts such as the Sex Discrimination Act 1975 and 1986, the Disability Discrimination Act 1995 and for the elimination of discrimination and training on the grounds of sexual orientation, religion, disability and age discrimination.

#### **2. ABOUT THE TRUST**

The Trust was formally established on 1<sup>st</sup> April 1992 and provides Obstetrics and gynaecology services to women in Liverpool and the wider catchment area of Merseyside across the following establishments:

- Liverpool Women's Hospital
- Aintree Centre for Women's Health, based at University Hospital Aintree
- Clinical Genetics Department, based at Alder Hey Children's Hospital

The Trust serves a diverse and multi-cultural population

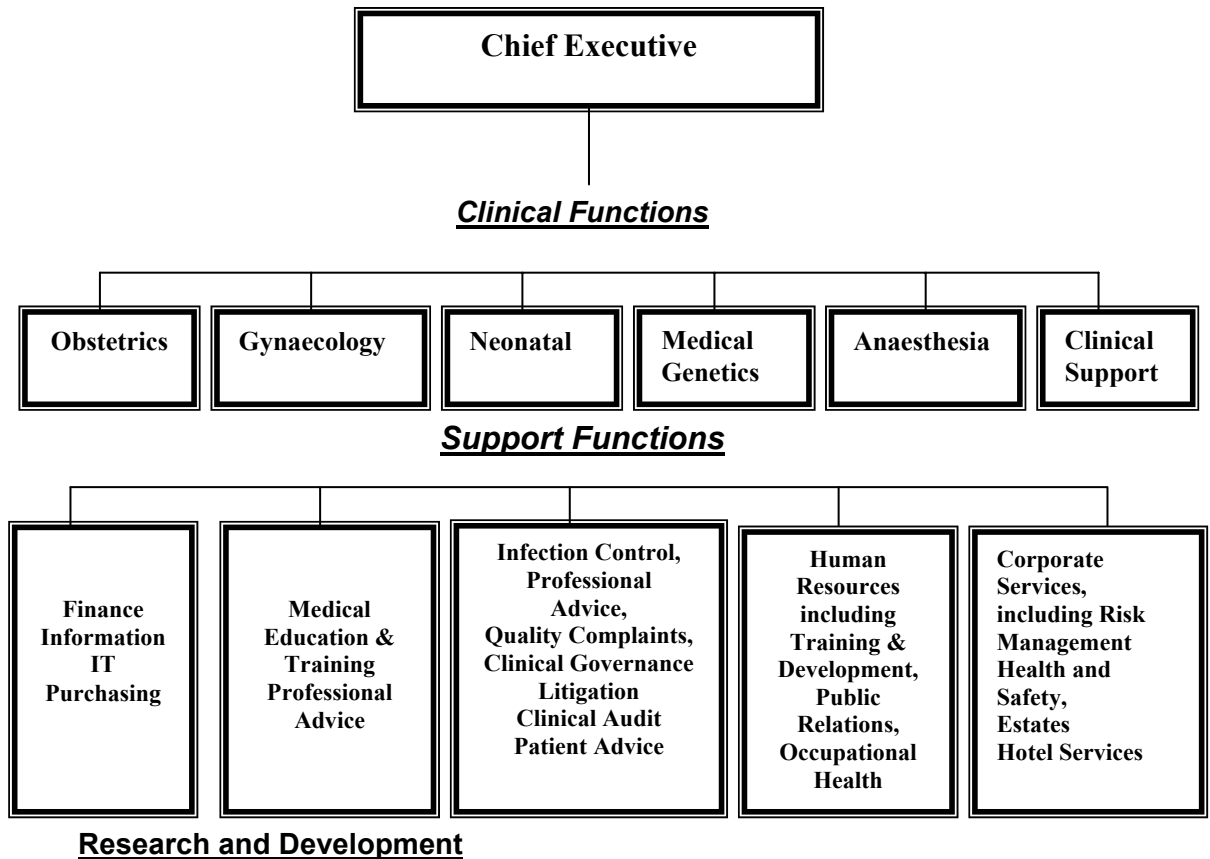
## **ORGANISATION, SERVICES AND FUNCTIONS**

For the purposes of the Scheme the Trusts main functions are:

- Provision of Clinical Services
- Research and Development
- Employment
- Contracting

### (a) **Clinical Services**

The following diagram indicates the clinical services provided and the functions that support them:



The Trust works in close partnership with the University of Liverpool and provides undergraduate medical teaching for the University. The Trust supports a portfolio of research and development and makes a contribution to the training of doctors, nurses and other health professionals.

### (b) **Employment**

The Trust employs 1,400 staff in a variety of clinical and support roles. It operates an equal opportunities in employment policy and has an open approach to employee involvement. Staff are supported through a framework of policies and procedures. The Human Resources Function is responsible for these functions and works closely with managers and clinicians to ensure that employment priorities are met. Staff consultation is achieved through two formal mechanisms, the Joint Consultative Forum and the Joint Local Negotiating Committee.

Training and education form a core element of the work of the Trust delivered through the Trusts Training and Development Function.

(c) **Contracting**

The Trust has a number of contracts and Service Level Agreements with external organisations to provide medical and support services. The Trust will endeavour to ensure that agencies supplying goods or services will also adopt and implement equality and diversity policies.

**3. WHY A RACE EQUALITY SCHEME IS IMPORTANT FOR THE TRUST:**

As well as it being a requirement for the Trust to produce a Race Equality Scheme by the 31<sup>st</sup> May 2002, the Trust welcomes the opportunity this provides to promote a fair and just organisation, which values diversity, gives everyone an equal chance to work, learn and live free from discrimination, prejudice and racism. This will allow the Trust to:

- improve access to services and information
- improve service user consultation and involvement
- improve the confidence of black and ethnic minority communities that their needs will be met
- improve and manage performance in the promotion of racial equality
- secure and retain a workforce at all levels that reflect the diverse community the Trust serves
- provide mandatory staff training to promote racial equality
- ensure that the Trust's contracting process and contractor's promote racial equality and build good race relations.

The Race Equality Scheme is also in harmony with the current agenda for modernisation in the NHS and will assist the Trust in meeting the challenges of providing high quality services, which are efficiently provided to meet the needs of black and ethnic minority people. In addition to the Stephen Lawrence Inquiry, there are wide range of government and NHS initiatives and policies relevant to the Trust having a Race Equality Scheme:

*NHS Plan*

*The New NHS: Modern, Dependable*

*Saving Lives – Our Healthier Nation*

*NHS Performance Assessment Framework*

*A First Class Service – Quality in the NHS*

*The Vital Connection*

*National Service Frameworks*

*Information for Health*

*The Trust's Commission for Health Improvement (CHI) Report*

*Health Improvement Programmes*

*Improving Working Lives*

**4. HOW THE TRUST WILL DELIVER ITS RACE EQUALITY SCHEME:**

The Chief Executive will be accountable to the Trust Board for the development, maintenance and review of the scheme in accordance with the legislation and any good practice guidance.

There will be an Equality Steering Group established to oversee the implementation and review of the Race Equality Scheme which will report directly to the Trust Board on a six-monthly basis.

The Steering Group will consider the outcome of monitoring and auditing of both service and employment issues and report any anomalies or area of concern to the Board. The point of contact within the Trust that will respond to any queries for all those affected by the statutory duties will be:

*For Service Issues Contact: Mrs E. Craig  
Director of Midwifery and Nursing  
Liverpool Women's Hospital  
Crown Street  
Liverpool L8 7SS  
Tel: 0151 702 4326*

*For Employment Issues Contact: Mrs A.M. Stretch  
Director of Human Resources  
Liverpool Women's Hospital  
Crown Street  
Liverpool L8 7SS  
Tel: 0151 702 4056*

**5. UNDER PERFORMANCE MANAGEMENT THE TRUST'S:**

- Objectives and targets relating to the statutory duties will be integrated into the Trusts strategic and operational plans
- Performance will be measured against the agreed plans
- Staff who are directly engaged in this work will include implementation of the statutory duties in their personal development plans, which are subject to appraisal
- This document will be incorporated within the Trust's induction processes to all new staff.

**6. PROGRESS REPORTING:**

The Equality Steering Group will conduct a review of progress in relation to the implementation of the Scheme and report to the Board on a six monthly basis.

**7. HOW THE TRUST WILL IMPLEMENT THE RACE EQUALITY SCHEME:**

The implementation of this scheme will be led jointly by the Director of Nursing and Midwifery (for service issues) and the Director of Human Resources (for employment issues).

The Equality Steering Group will provide guidance and support to Directorates/Departments on the implementation of the Race Equality Scheme, from which more local, detailed and time-tabled action planning will occur.

It is anticipated that this will involve an **initial stage** of assessment to scope the task and identify priorities, and an ongoing **annual cycle** of auditing and action planning.

**8. AIMS AND OBJECTIVES OF THE RACE EQUALITY SCHEME:**

The Race Equality Scheme is essentially a three-year strategy. It involves the development of an action plan that states how the Trust will arrange to fulfil its general and specific duties under the Act. The Scheme describes an assessment process which will identify functions and policies the Trust has assessed as relevant to the performance of the general duty to promote race equality and what arrangements it has for:

- Assessing and consulting on the likely impact of proposed policies on the promotion of race equality
- Monitoring policies for adverse impact on the promotion of race equality
- Publishing the results of assessments, consultation and monitoring
- Ensuring public access to information and services that are provided
- Training staff in connection with the general and specific duties.

**9. COMPLAINTS TO THE TRUST ABOUT NON COMPLIANCE WITH THE RACE EQUALITY SCHEME**

The Trust welcomes regular contact from individuals and organisations that have used or may wish to access services. Any complaints or queries to the Trust about non-compliance with the Race Equality Scheme should be directed to the points of contact referred earlier within the document.

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## **SECTION TWO**

### **THE RACE EQUALITY SCHEME IN PRACTICE**

#### **INTRODUCTION**

This scheme is a three year strategy, and as such will evolve over time. It involves a wide ranging systematic review of the functions and policies of the Trust to determine whether there are any implications for race equality currently or in proposals for the future. It will be progressed by a steering group who will consult internally and externally if required with appropriate groups. Regular feedback to the Trust Board will occur.

#### **1. REVIEW OF FUNCTIONS AND POLICIES**

'Functions and Policies' are defined as :-

'**function**' means the full range of the Trust's duties and powers. The term '**policy**' has a wide meaning under the Act and means the full range of formal and informal decisions made in carrying out a function or delivering a particular service.

The Trust will carry out a systematic review of all its existing and proposed policies, services and functions to determine whether there are any implications for race equality. If the assessment shows that a policy, service or function results in greater adverse impact than predicted, or if opportunities arise which will allow for greater race equality to be promoted, the Trust will ensure that the policy, service or function is revised. In carrying out the assessment the Trust will ask :-

- Could the policy have an adverse impact on relations between different racial groups?
- If there is an adverse impact, is it avoidable? Could it be considered unlawful racial discrimination? Can it be justified by the policy's aims and importance? Are there other ways of achieving the aims?
- Can the adverse impact be reduced by taking particular measures? Is further research of consultation necessary?

Each Directorate and Department will carry out an assessment of all the main policies for their relevance and determine their priority for action. The assessment grid devised by the North West Regional Diversity and Equality Steering Group will be used for this process (attached).

The assessment and prioritisation of functions and policies will be used as a baseline and will inform the action plan. This will help ensure that the Trust meets its general duty to promote race equality in all relevant areas.

Training in the interpretation and use of the grid will be provided to all appropriate managers and clinicians.

Knowledge and information obtained as the scheme progresses, plus the introduction of new functions and policies will be used to continuously review the relevance and priority of all functions and policies over the 3 year scheme.

2. **ASSESSING AND CONSULTING ON THE LIKELY IMPACT OF PROPOSED POLICIES:**

In addition to existing policies, the Trust will assess and consult on the likely impact of its proposed policies on the promotion of race equality.

3. **ASSESSING THE LIKELY IMPACT OF PROPOSED POLICIES:**

The Trust does not presently undertake a formal assessment of proposed policies in relation to race equality. However, this presents an ideal opportunity to build the assessment grid into the process for agreement of policies, procedures and guidelines. This will also be a major feature in relation to the development of services.

4. **CONSULTING ON THE LIKELY IMPACT OF PROPOSED POLICIES:**

The Trust will consult local ethnic minority groups, external organisations, local healthcare partners, patient groups, etc. To make the process worthwhile and realistic, it is anticipated that it will need to be targeted appropriately. The Trust will need to make an assessment of the group(s) to target for each policy and to do this may require different types of relevant data.

In carrying out this aspect of the Scheme, the Trust will see advice from the Diverse Workforce Facilitator.

5. **METHODS OF CONSULTATION**

It is appreciated that there are various methods of consultation and the most appropriate method(s) to use will be assessed in each case. The following are some of the methods proposed:

- Patient Involvement Steering Group
- Patient Satisfaction Surveys
- Focus Groups
- Meetings with relevant groups and individuals
- Face-to-face liaisons
- Internet communication.

6. **RESULTS OF ASSESSMENT AND CONSULTATIONS**

The results of assessment and consultations will be documented and distributed to those involved in the consultation process. They will also be made available to the public through a variety of methods.

7. **MONITORING TRUST POLICIES FOR ANY ADVERSE IMPACT:**

For policies, which are relevant to the general duty, the Trust will have monitoring arrangements in place to identify any adverse impact on the promotion of race equality.

The Trust's planned approach to monitoring policies for any adverse impact will be to ensure that its inpatient recording of ethnicity is of a good standard. This is required

in order to measure compliance with the general duty. The Trust will establish monitoring mechanisms which will enable the following to be tested:

- How racial groups take part in, or are affected by, Trust policies (e.g. how often and why people use the service, how often they make complaints and why, and whether they face disadvantage or find that their needs are not met)
- Whether people from all groups are equally satisfied with the way they are treated
- Whether services are provided effectively to all communities; and
- Whether services are suitable and designed to meet varied needs (e.g. whether they recognise language difficulties, individual cultural needs, or long standing patterns of discrimination or exclusion).

#### **8. PUBLISHING RESULTS:**

The Trust will publish the results of all assessments, consultations and monitoring it does to identify any adverse impact on race equality.

It is intended that barriers to proper communication will be removed by ensuring that language is as clear as possible. Systems will be established to ensure that results are available in appropriate formats to people who may have different needs (e.g. people with learning difficulties, people whose first language is not English, people with disabilities, young people, travellers) and any other group who request it.

#### **9. WHAT THE TRUST DOES NOW:**

The Trust currently publishes a range of information that includes:

- The Trust Annual Report
- CHI Report and associated Action Plan via the internet
- Staff Track – A magazine published for Trust staff every six weeks
- Annual Clinical Governance Report
- Annual Corporate Governance Report (Risk Management).

#### **10. THE TRUST WILL DO:**

- Consider access to information and services when assessing its functions (e.g. is there enough information available to the public in their own language/culture?)
- Consider whether poor use of a service could be because people do not have enough information about it, or because they are not confident the service can meet their particular needs sympathetically and fairly
- Ask whether the information is available at the right time and in the right place
- Take steps to improve the available information
- Monitor how effectively information is given to the public and make improvements where necessary and make sure staff have the necessary skills, information and understanding to deal with individuals fairly and equally.
- Publish the Race Equality Scheme.



**11. TO IMPROVE ACCESS TO SERVICES PROVIDED BY THE TRUST, THE TRUST WILL:**

- Consult local communities about what services they need and how best they may be provided
- Continue to provide link clinics to particular groups
- Strengthen co-operation with particular groups
- Continue to arrange for interpreters

**12. TRAINING TRUST STAFF IN CONNECTION WITH THE DUTIES:**

The Trust will undertake training for staff in connection with the duties imposed by the Race Relations Act.

This will need to be addressed within the Trust's in-house training programme and the Trust will produce an action plan outlining how this will be achieved.

To support the initial stage of the Race Equality Scheme, a range of training will be provided by:

- Raising awareness to all staff about the Act and its implications for the Trust and its employees, patients and other users of the service
- Explaining how the scheme will be progressed
- Providing training in the use of the assessment grid.

The Trust has successfully been re-accredited with Investors in People (IIP) Award, which clearly recognises the commitment from the Trust towards its workforce.

**13. Improving Working Lives**

By April 2003 the Trust will be expected to be accredited as putting into place the Improving Working Lives Standard as required within the NHS Plan. Equality and Diversity is one of the eight key areas of good practice that the Trust will be assessed against.

In addition the Trust is in the process of establishing a Black and Minority Ethnic Workers Network and this is being facilitated by the North West Regional Diverse Workforce Facilitator.

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## **SECTION THREE**

### **MEETING SPECIFIC DUTIES UNDER EMPLOYMENT**

#### **1. REQUIREMENTS TO THE ACT ON EMPLOYMENT DUTIES**

There are specific requirements of the Act in relation to employment issues. The Trust is required to monitor (and publish annually), per racial group, the numbers of:

*Staff in Post*

*Applications for employment, training and promotion*

*Staff who receive training*

*Staff who benefit or suffer detriment as a result of its performance assessment procedures*

*Staff that are involved in grievance procedures*

*Staff that are the subject of disciplinary procedures*

*Staff that cease employment with the Trust*

#### **What the Trust does now:**

The Trust currently employs 1,400 staff in a variety of clinical and support roles. The Trust has a comprehensive Equal Opportunities in Employment Policy which makes explicit its commitment to ensuring equal opportunities for all under-represented groups, to include those from black and minority ethnic backgrounds. All employment aspects of the Trust's workforce are supported through a comprehensive framework of policies and procedures.

The Trust currently collects a range of data on the ethnic profile of its workforce, and will ensure that all the above data are collated and published.

#### **What the Trust will do:**

The Director of Human Resources will identify a corporate work programme for 2002/2003, which clearly outlines the actions necessary to implement the equal opportunities policy and those specific actions relating to the Act.

In line with those requirements the Director of Human Resources will:-

1. Confirm the information requirements in order to inform the process of developing an action plan. This will include details on employees of their race, gender and disability as well as those details for each applicant for employment, training and promotion. Any formal disciplinary action and grievances will also be monitored as required by the policy and the Act.
2. The second stage of the process will involve an assessment of the robustness of data capture and information systems to provide the information requirements and, where deficiencies are identified, putting in place the actions necessary to ensure these are rectified.

3. The third stage will be to audit and analyse this range of data. Conducting ethnic monitoring will allow the Trust to have a clearer picture of what is happening in its workforce, so that it can see that its equal opportunities policies are working, and to measure their progress. It will give the Trust the basis on which to:

- make sure that we use people's talents to the full;
- make sure that staff-selection decisions are based on objective criteria that strictly match the job that has to be done
- avoid unlawful discrimination in employment
- make sure that we achieve our employment targets; and
- make the workforce more representative of the community it serves.

If the monitoring process reveals that some racial groups are under-represented in the workforce, the Trust will consider using 'positive action' which will allow the Trust employers to target their job training and recruitment efforts at groups that are under-represented in a particular area of work or in the workforce generally. Positive action does not allow discrimination when deciding who will be offered a job. This is likely to include linkages with the local community to promote genuine employment opportunities.

Whilst acknowledging its commitment to the systematic review outlined above, this will not preclude the Trust from taking immediate action in those areas where it is known that action is required (for example, awareness raising, working with international recruits on securing career progression).

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**Liverpool Women's Hospital (NHS) Trust in Partnership with Aintree Centre for Women's Health**

1. FUNCTIONS, POLICIES AND PROCEDURES  <i>by Function i.e. Directorate/Department</i>	2. IS IT RELEVANT TO THE GENERAL DUTY?		3. WHAT IS THE DEGREE OF RELEVANCE? (SEE FOOTNOTE BELOW)			4. OTHER RELEVANT INFORMATION	
	(a) Does it have an impact on the public/employees, or have consequences for them?  (This question is to help you think about everything you do – answer yes, no or not sure – for these three columns)  Public (P)      Employees (E)	(b) Is there any evidence or reason to believe that some racial groups could be differently affected?  (P)      (E)	(a) How much evidence do you have?  Answer: 0=None Not Sure 1 = a little 2 = some 3 = a lot  (P)      (E)	(b) Has there been any public/employee concern about the procedure/policy?  Answer: 0 = None Not Sure 1 = a little 2 = some 3 = a lot  (P)      (E)	(c) Total Score  (P)      (E)	(a) Is this service delivered through another organisation (contracted out)? e.g. Translation Services	(b) Is this procedure delivered through joint working with other public/private or voluntary organisations?

**Remember when considering these two questions i.e. Is this relevant to the general duty/what is the degree of relevance?**

*e.g. Do any or all of the following apply?*

- *eliminate unlawful racial discrimination*
- *promote equality of opportunity; and*
- *promote good race relations between people of different racial groups*