

## TRUST POLICY

In the case of hard copies of this policy the content can only be assured to be accurate on the date of issue marked on the document.

The Policy framework requires that the policy is fully reviewed on the date shown, but it is also possible that significant changes may have occurred in the meantime.

The most up to date policy will always be available on the Intranet Policy web site and staff are reminded that assurance that the most up to date policy is being used can only be achieved by reference to the Policy web site.

24 March 2010

## RACE EQUALITY SCHEME

Keywords: Race Equality Duty, Action Plan

**This document may be made available to the public and persons outside of the Trust as part of the Trust's compliance with the Freedom of Information Act 2000**

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Date of Issue... January 2010

Review Date... January 2013

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## RACE EQUALITY SCHEME

### 1. INTRODUCTION

The race, disability and gender duties are known as public sector duties. They are statutory duties, meaning that they are legally enforceable. All public bodies that are subject to the duties are legally obliged to pay 'due regard' to the need to take action on race, disability and gender equality.

This means that the weight given, in this instance, to gender equality, needs to be in proportion to its relevance. In practice this means that in order to meet its duties, the Trust will need to prioritise action to address the most significant areas of race inequality within its remit and to focus efforts where they can have most impact.

In July 2008 the Government announced plans to introduce a new equality duty. This will cover all seven equality strands, namely race, disability, gender, gender identity, religion/belief, age, and sexual orientation. The duty will not come into force until 2011 so it is important that the Trust continues to meet its legal obligations under the race duties until this time.

### 2. PURPOSE

In developing and implementing this Race Equality Scheme, the Trust aims to:

- be an organisation that harnesses the talents of all, by welcoming diversity and managing it in a truly effective manner.
- be an organisation where all forms of harassment and discrimination are not tolerated and are actively eradicated.
- demonstrate that equality of access is embedded in everything we do for users of our services.
- be an organisation that promotes good race relations between people of different racial groups.

The Trust is committed to ensuring race equality in its service provision and its responsibility as an employer. This Race Equality Scheme sets out how we intend to reinforce this commitment.

### 3. ROLES AND RESPONSIBILITIES

The Trust has overall responsibility for the Race Equality Scheme.

The Chief Executive and Directors are responsible for ensuring that the Scheme is put into action across the Trust.

Board Members, employees, managers of the Trust and our stakeholders all have a role to play in helping us to meet our duty to promote equality for all staff regardless of their race. This will include taking necessary action to report any issues/concerns to the Single Equality Scheme Committee.

### 4. DEFINITIONS

The Race Relations Act 1976 makes it unlawful to discriminate – directly or indirectly - against someone on racial grounds. Under this Act, “racial grounds” means race, colour, nationality (including citizenship) and ethnic or national origin.

The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 [the RR(A) A] places on all public authorities a general duty to promote race equality. The intention is to make race equality a central part of the way public authorities work – by putting it at the heart of policy making, service delivery, regulation and enforcement and employment practices.

The Race Relations Act (Statutory Duties) Order 2001 imposes two main specific duties:

- The requirement to publish a Race Equality Scheme, and review it thereafter, which covers service delivery and policy-making.
- The requirement in relation to employment to carry out ethnic monitoring, by racial group, with respect to the full range of employment issues.

## **5. THE RACE EQUALITY DUTY**

The Act introduces the Race Equality Duty which came into force on 31 May 2002.

The Trust is committed to promoting equality of opportunity for all members of our staff and for the communities we serve. We take seriously the obligation placed upon us by the RR(A)A and wider equality legislation.

The RR(A)A outlined a general duty and specific duties for public authorities to comply with.

A general duty is placed on all public authorities to have due regard to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups

The specific duties are:

- To state the functions and policies as relevant to its performance of the duty
- To assess and consult on the likely impact of its proposed policies on the promotion of race equality;
- To monitor its policies for any adverse impact on the promotion of race equality;
- To publish the results of Equality Impact Assessments and consultation and monitoring
- To ensure public access to information and services which it provides
- To train staff in connection with the duties imposed
- To review and revise the scheme every 3 years

## **6. SCHEME MANAGEMENT**

Gloucestershire Hospitals NHS Foundation Trust has an established Single Equality Scheme Committee to oversee and continuously review its Single Equality Action Plan.

The membership of this Committee is:

Director of HR & OD [Chair]  
Associate Director Workforce & OD  
GlosREC Representative  
Recruitment Manager  
Head of Patient Experience  
Staff Side Chair  
Occupational Health Physician  
Employee Representation

The Committee's responsibilities shall be to develop, maintain and oversee a contemporary Race Equality Scheme Action Plan [see Appendix c]

The Committee will meet bi-monthly to review progress against the Plan. The Committee will report to, and provide an Annual Report to the Trust Board.

## **7. INVOLVING PEOPLE WITH RACE**

In order to maintain an effective scheme it is essential that Glos REC remain central to the maintenance and development of a contemporary and fully compliant scheme.

## **8. POLICY DEVELOPMENT**

The Single Equality Scheme Committee will oversee the development and assessment of policies relevant to Race Equality.

Furthermore, this committee will establish arrangements for: monitoring and reporting on the ethnicity of its workforce; assessing and consulting on the likely impact of proposed policies on the promotion of race equality; monitoring policies for any adverse impact on the promotion of race equality; publishing the results of such assessments and consultation required by the Act; ensuring public access to information and services provided; training staff on the duties imposed by the Act.

## **9. DISCLOSURE IN THE PUBLIC INTEREST**

NHS Foundation Trusts are public benefit corporations. It is considered to be best practice to report public interest disclosures on the Trusts activities and policies in certain areas, including the Trust's policies in relation to race and equal opportunities.

It is the Trusts commitment to publish annually relevant employment statistics concerned with race as follows:

- Monitor (Regulatory Body)
- Trust Internet
- Trust Board

## **10. RACE EQUALITY SCHEME ACTION PLAN**

A three-year rolling action plan [see Appendix c] has been designed to help meet the needs of people from all ethnic backgrounds within the provisions of the Race Relations (Amendment) Act. The Single Equality Scheme Committee will be responsible for the management of this plan.

Each aspect of the plan has undergone a risk assessment in relation to any potential adverse impact, injury or legal claim using the Trust's standard risk evaluation methodology.

## **11. TRAINING**

The Trust will make the following training provisions:

- New staff will be made aware of the scheme during induction programmes.
- Information about this scheme and other equality schemes will be provided to existing staff and managers through the Trust intranet, staff newsletter and Team Brief.

## **12. DISSEMINATION**

Whilst it is the intention to publish the Race Equality Scheme on the Trust website, it is recognised that not all people have access or would be able to use this method to get information. Information will therefore be provided in a range of formats and languages upon request. Information relating to this scheme will also be published in the Staff newsletter, and through the Trust intranet.

### **13. MONITORING COMPLIANCE**

The operation of this scheme will be monitored on a regular basis by the Human Resources Department in conjunction with the Single Equality Scheme Committee who will report and review annually on progress of the Race Equality Scheme and action plan. It is intended that the Race Equality outcomes will be included in an encompassing Single Equality Scheme in the future. If anyone has any concerns regarding any aspect of the scheme they should raise this initially with the Associate Director of Workforce and Organisational Development.

### **14. REVIEW**

This Race Equality Scheme will undergo continuous review with the next formal review scheduled to take place in January 2013.

### Trust Vision and Aspirations

Detailed below are five principles which summarise the Trust's vision and aspirations in relation to race equality:

- To build and safeguard fair, open and compassionate healthcare for the Gloucestershire community and surrounding areas
- To provide a high quality service which is effective, efficient and responsive to the needs of the people we serve
- Challenge all prejudice and discrimination
- Improve the quality of life for staff, patients and service users
- Strengthen public involvement through freedom of information and the PALS and PPI Fora

Each aspect of the plan will be developed and managed according to these principles.

## APPENDIX B

### Supporting Legislation

The legislative framework for implementing the Race Equality Duty includes the following:

- Race Relations (Amendment) Act 2000
- Race Relations Act 1976
- Human Rights Act 1998

## Appendix 3

### Action Plan 2010 – 2013 (subject to review)

Objective	Action	Lead	Timescale
<b>1. Assessing functions and policies, or proposed policies for relevance to meeting the General Duty</b>	The Trust will continue to audit and prioritise existing and any new functions and policies in relation to impact on race equality under our duty to engage and involve service users. EIA is done on all events / service changes. All new policies will have a race equality impact assessment carried out during their development.	Executive Director of HR / Deputy CEO	Ongoing
<b>2. Arrangements for assessing and consulting on the likely impact of proposed policies on the promotion of race equality.</b>	Employment issues will be progressed via the Staff Committee and the Single Equality Scheme Committee. Policies and Procedures will have EIA's as part of their development. The Executive Director of HR & OD and the Staff Side Chair will sign these off.  Service issues with race equality elements will be progressed through the Patient and Public Involvement consultative mechanisms. Proposed service developments will have Impact Assessments completed as part of this process. The Deputy CEO will sign these off	Executive Director of HR & OD  Deputy CEO	Ongoing  Ongoing
<b>3. Monitoring policies for any adverse impact on the promotion of race equality</b>	All policies, strategies and plans relevant to the General Duty will be monitored on a time-defined basis via mechanisms which will include as appropriate the Policy Review Committee, the Staff Committee, the Staff Survey and the Patients' Forum	Director of Corporate Governance and Facilities	Annually
<b>4. Arrangements for publishing assessment, consultation and monitoring reports</b>	Assessment, consultation and monitoring relating to policies, strategies and plans connected to employment duties will be published via a variety of media including the Staff Committee Minutes, the Single Equality Scheme Committees, the HR intranet pages and through Impact Assessment forms.  For service issues and PPI please see 5 below.	Executive Director of HR And OD	Ongoing
<b>5. Arrangements to make sure the public have access to information and services.</b>	<b>Equal access to interpreter services across all services :</b> The Trust will ensure that its new translation and interpretation policy and practice guide for staff are well publicised and accessible The Trust will review its external website, its internal website for use of appropriate language, content, style and images	Head of Patient Experience  Associate Director of HR / Head of Communications	May 2011  May 2012
<b>6. Arrangements for training staff</b>	The Trust will continue to ensure that all Board members are trained and / or updated on their responsibilities under the Race Relations (Amendment) Act 2000. All staff will complete equality and diversity training as part of their annual mandatory training. Uptake will be centrally monitored and reported to the Board on an annual basis.	Executive Director of HR & OD	Ongoing
<b>7. Employment Duties</b>	The Director of Human Resources and OD will annually report to the Board the numbers of staff by ethnicity in post, applicants for employment, training uptake and those involved formally in grievance, disciplinary or harassment and bullying cases  Additionally, the Trust will: <ul style="list-style-type: none"> <li>Link its race equality workforce requirements to national strategy</li> </ul>	Executive Director of HR & OD	Annually / Ongoing

	<p>documents such as Improving Working Lives</p> <ul style="list-style-type: none"> <li>Through its Race Equality Scheme develop race equality targets and action for: <ol style="list-style-type: none"> <li>recruitment, retention; training and progression especially where there is any under representation</li> <li>to reduce bullying, racial harassment and violence</li> </ol> </li> <li>Staff will be involved at all levels to promote race equality at work and with the assistance of confidential incident reporting arrangements</li> </ul>		
<b>8. Finance and Procurement</b>	<p>Future Business Plans will need to highlight specific investment for promoting race equality and good race relations</p> <p>Contracts with external suppliers will be let under NHS Standard Terms &amp; Conditions or bespoke Terms &amp; Conditions developed by the Trust's solicitors. In each case full compliance with all Statutory requirements will be expected. Contracts will specifically refer to the Race Relations (Amendment) Act, equal opportunities and diversity policies.</p> <p>The Trust will need to mainstream this process fully within our contracts, finance and procurement teams.</p> <p>Tenderers will be required to produce examples of how they would meet the needs of diverse patient groups as part of the tender process. Special attention will be paid in contractual situations where service provider helps meet the needs of patients, e.g. renal dialysis, provision of enteral feeds. Specifications will reflect these needs, e.g. ensuring that the provider produces literature in different languages, production of meals suitable for patients requiring Halal food etc</p> <p>Patient satisfaction surveys will be undertaken as part of contract reviews</p>	<p>Director of Clinical Strategy</p> <p>Director of Finance / Head of Procurement</p>	<p>Ongoing</p> <p>Ongoing</p>



**TRUST POLICIES**

**Authorisation Form**

**DOCUMENT: DEPARTMENT/DIVISION – RACE EQUALITY SCHEME**

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<b>Authorisation</b>	<b>Name and Position</b>	<b>Date Approved</b>
Responsible Author	Mike Seeley	January 2010
Policy Sponsor	Dave Smith	January 2010
Policy Assurers		

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**Consideration at authorised groups (e.g. Board, Board sub committees, Policy Group, Clinical Policies Sub Group, Departmental meetings etc.)**

<b>Name of Group</b>	<b>Minute Details</b>	<b>Date considered</b>

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**EQUALITY IMPACT – RACE EQUALITY SCHEME**

INITIAL SCREENING

<p>1. Lead Name : Mike Seeley Job Title : Associate Director of HR</p>																															
<p>2. Is this a new or existing policy, service strategy, procedure or function?</p> <p style="text-align: center;">New <span style="margin-left: 200px;">Existing <input checked="" type="checkbox"/></span></p>																															
<p>3. Who is the policy/service strategy, procedure or function aimed at?</p> <p>Patients <input checked="" type="checkbox"/> Carers <input checked="" type="checkbox"/> Staff <input checked="" type="checkbox"/> Visitors <input checked="" type="checkbox"/></p> <p>Any other <input type="checkbox"/> Please specify:</p>																															
<p>4. Are any of the following groups adversely affected by this policy: If yes is this high, medium or low impact (see attached notes):</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Disabled people:</td> <td style="width: 10%;">No</td> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 10%;">Yes</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Race, ethnicity &amp; nationality:</td> <td>No</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Male/Female/transgender:</td> <td>No</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Age, young or older people:</td> <td>No</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sexual orientation:</td> <td>No</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Religion, belief &amp; faith:</td> <td>No</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Yes</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>If the answer is yes to any of these proceed to full assessment. If the answer is no to all categories, the assessment is now complete.</p>		Disabled people:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	Race, ethnicity & nationality:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	Male/Female/transgender:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	Age, young or older people:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	Sexual orientation:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	Religion, belief & faith:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>
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Religion, belief & faith:	No	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>																											
<p>Date of assessment: Jan 2010</p> <p>Signature:</p> <p>Director: Dave Smith</p>	<p>Completed by: Mike Seeley</p> <p>Job title: Associate Director of HR</p> <p>Signature:</p>																														

This EIA will be published on the Trust website. A completed EIA must accompany a new policy or a reviewed policy when it is confirmed by the relevant Trust Committee, Divisional Board, Trust Director or Trust Board. Executive Directors are responsible for ensuring that EIA's are completed in accordance with this procedure.