



Report to:	People and Culture Committee		
Date of meeting:	09 October 2019		
Report title:	Workforce Disability Equality Standard (WDES)		
Agenda item:	10		
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Presented by:	Ali Layne Smith, Director of People and Culture		
Status:	<input type="checkbox"/>	Assurance	<input checked="" type="checkbox"/> Discussion
	<input type="checkbox"/>	Decision	<input checked="" type="checkbox"/> Information
Background / Purpose:			
This report provides information on the Workforce Disability Equality Standard			
Recommendation(s):			
The Committee are requested to review and discuss the content of this report			
Links to Board Assurance Framework (BAF) and key risks:			
N/A			
Please indicate which Board Assurance Framework (BAF) risk it relates to:			
Clinical and Quality	<input type="checkbox"/>		
Performance	<input type="checkbox"/>		
Financial	<input type="checkbox"/>		
Workforce	<input checked="" type="checkbox"/>		
Governance and Well-led	<input checked="" type="checkbox"/>		
Reputation	<input checked="" type="checkbox"/>		
Other	<input type="checkbox"/>		
This report supports the achievement of the following Business Plan Workstreams:			
Ensure safe, timely and effective care	<input checked="" type="checkbox"/>		
Ensuring staff are valued, respected and engaged	<input checked="" type="checkbox"/>		
Partners are supported to deliver change in London	<input checked="" type="checkbox"/>		
Efficiency and sustainability will drive us	<input type="checkbox"/>		

Workforce Disability Equality Standard

What is the Workforce Disability Equality Standard?

- The Workforce Disability Equality Standard (WDES) is a set of specific measures (metrics) that will enable NHS organisations to compare the experiences of disabled and non-disabled staff. The WDES is now a requirement that is incorporated into NHS Standard Contracts This WDES will require the London ambulance to develop a local action plan, and enable London Ambulance to demonstrate progress against the indicators of disability equality. The aim will be to deliver a holistic approach to workforce transformation and workforce growth ('more people, working differently').

Making a difference for disabled staff

- The implementation of the WDES will enable NHS Trusts and Foundation Trusts to better understand the experiences of their disabled staff. It will support positive change for existing employees, and enable a more inclusive environment for disabled people working in the NHS. Like the Workforce Race Equality Standard on which the WDES is in part modelled, it will also help to identify good practice and compare performance regionally and by type of trust.

Make the NHS the best place to work

- Delivering the themes set out in the interim NHS People Plan, includes responding to the requirements of the new Workforce Disability Equality Standard, establishing the cultural values and behaviours we expect from our senior leaders, implementing system-wide processes for managing and supporting talent, and developing strategies to support all staff to work in compassionate and inclusive leadership cultures.

Employment Rates for disabled staff

- The poor employment rates for people with disabilities has been well documented and well known about for many years, and was one of the drivers behind the landmark Disability Discrimination Act in 1995. Less well documented and researched is the lived experience of disabled people in the workplace. A 2015 report from the universities of Middlesex and Bedfordshire¹, based on analysis of the National Staff Survey found that 17% of NHS staff describe themselves as disabled. The analysis, drawn from the NHS Staff Survey, found that disabled staff were 12 percentage points more likely to say they felt bullied by their manager, 11 points more likely to say they felt pressured to work when unwell, and 8 points less likely to say their organisation acted fairly with regards to career progression². Further research has indicated the moral arguments against discrimination are clear and the impact on patient care is negative and substantial³

Nationally there are 13.9 million disabled people in the UK.

- 8% of children are disabled
- 19% of working age adults are disabled
- 45% of pension age adults are disabled

- More than 3.7 million disabled people are in work.
- Disabled people are more than twice as likely to be unemployed as non-disabled people.
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- Over 20 years after the Disability Discrimination Act, many disabled people working in the health and social care sector do not feel any closer to equity or parity with their non-disabled colleagues. The Equality Act, which came into force in 2010, strengthened the duty on employers to eliminate discrimination and advance equality of opportunity for disabled employees.
- The WDES is intended to provide real impetus, not just on workforce disability equality, but on equality generally, for all those who experience unfairness and discrimination within the health and social care sector. For sustained improvement in this area, the focus will be to implement the WDES, but also to use it as an opportunity to help improve the wider culture of health and social care organisations for the benefit of all staff and patients alike.
- The WDES follows the Workforce Race Equality Standard (WRES) as a mandated workforce standard; both standards are making improvements in Equality across the NHS. As the fifth biggest employer in the world and employing 1.2 million people, the NHS is in a pivotal *position* to lead the way and make improvements for Disabled staff in the NHS workforce. This is especially needed, given the nature of NHS work and the benefits of a disability aware workforce for Disabled people using healthcare services.

Potential areas for action within the London Ambulance Service

- *Currently we have 3.4 per cent of the London Ambulance Service staff who have declared themselves as having a disability. We know from the Staff Survey that the figure is closer to 15%. Currently we have a complete ESR record for 59% of the LAS workforce.*
- *A data validation exercise would need to be carried out by the ESR team using MyESR whereby staff are able to update their records if they have a Disability or long term condition.*
- The Trust has held initial exercises over Summer 2019 consisting of workshops and a series of one to one conversations with staff within the London Ambulance Service. These staff had a Disability or long term conditions. The workshops were run by the Diversity Consultant and also attended by union reps, and members of the senior leadership team and managers and staff.
- The session covered the discussion around the WDES metric's and what staff felt the trust could do more to support staff with a disability or long term condition and were staff felt they had a positive experience these examples can be built on.
- **Key areas of concern and differential experience for disabled staff from focus groups and one to one conversations**

- i. Concerns about staff with disabilities' representation at all levels of the NHS and covering different types of disability.
- ii. A significant disparity between the proportion of staff who declare a disability on the Electronic Staff Record System and of those who declare a disability on the anonymous NHS staff survey.
- iii. Differential perceptions about how well disabled staff feel they supported by managers
- iv. Differential experience of bullying and harassment by peers and managers with disabled staff reporting significantly higher rates than their non-disabled counterparts.
- v. Differential levels of confidence for staff with disabilities compared to non-disabled staff with regard to both the value of appraisals and promotion how they feel valued by their organisations.
- vi. Potential issues for disabled staff with differential levels of access to training and development as non-disabled staff.
- vii. Variation in whether and how well London Ambulance Service make reasonable adjustments for staff with disabilities, from the recruitment process to the end of employment.
- viii. Differential numbers of staff with disabilities who are the subject of employment processes and procedures, for example disciplinary and capability processes.
- ix. Lack of support from managers around attending hospital appointments
- x. Staff shared positive experience of reasonable adjustments made in the organisation

Next Steps

- It is recommended that a task and finish group be established to work on the identified actions areas of the WDES action plan, and that regular updates are provided to the Equalities & Inclusion group, the People and Culture Committee and the Trust Board.

- The positive outcome of the action plan for London Ambulance Service will be:
 - More transparency and more accurate data reporting and analysis;
 - Drive up the declaration rate of disabled staff;
 - Enable improvement in the relevant staff survey indicators.
 - Establish a staff Disability and long term conditions group

NHS Workforce Disability Equality Standard						
WDES Indicators		2018/19				
Workforce indicators	Indicator 1: Percentage of staff in each of the AfC bands 1-9 and VSM (including executive board members) compared with the percentage of staff in the overall workforce (data completion = 59%)	3.24%				
	Indicator 2: Relative likelihood of Disabled staff compared to non disabled staff being appointed from shortlisting across all posts.	0.85	A figure below 1:00 indicates that Disabled staff are more likely than Non-Disabled staff to be appointed from shortlisting.			
	Indicator 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: i) This metric will be based on data from a two year rolling average of the current year and the previous year. ii) This metric is voluntary in year 1	1.56	A figure above 1:00 indicates that Disabled staff are more likely than Non-Disabled staff to enter the formal capability process.			
National staff survey indicators	Indicator 4: Percentage of staff experiencing harassment, bullying or abuse from patients, relatives or the public in the last 12 months. Difference:	Non-disabled: 55.3% Disabled:60% 4.70%				
	Indicator 5: % of staff experiencing harassment, bullying or abuse from managers in the last 12 months Difference:	Non-disabled: 16% Disabled:28.7% 13%				
	Indicator 6: % of staff experiencing harassment, bullying or abuse from other colleagues in the last 12 months Difference:	Non-disabled: 15.5% Disabled:27.9% 12.40%				
	Indicator 7: % of staff saying that the last time they experienced harassment, bullying or abuse at work, they or a colleague reported it in the last 12 months Difference:	Non-disabled: 28.3% Disabled:31.5% 3%				
	Indicator 8: % of staff believing that the Trust provides equal opportunities for career progression or promotion. Difference:	Non-disabled: 69.1% Disabled:52% 17.10%				
	Indicator 9: % of staff saying that they have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties. Difference:	Non-disabled: 38.7% Disabled:53.6% 15%				
	Indicator 10: % staff saying that they are satisfied with the extent to which their organisation values their work. Difference:	Non-disabled: 32.4% Disabled:20.6% 11.80%				
	Indicator 11: % of disabled staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work. Difference:	Disabled:48.9%				
	Indicator 12: The staff engagement score for Disabled staff, compared to non-disabled staff and the overall engagement score for the organisation. Difference:	Non-disabled: 6.2% Disabled:5.6% 0.60%				
	Board representation indicator	Indicator 13: Percentage difference between the Organisations Board voting membership and its overall workforce. NB. Only voting members of the Board should be included when considering this indicator.	Non-disabled: 100% Disabled:0%			

Appendix 2

Objective	Actions	What WDES indicator will this action contribute towards	Time scale (Delivered by)	Owner
To Validate how many staff in the organisation have a disability or long term condition	Data Validation exercise to increase the number of staff for whom we have a completed ESR record. 10% increase of data completion	1	March 2020	Chris Randall Head of Workforce Analytics
	Data validation of all members of the Board and Executive Leadership Team	13	December 2019	Melissa Berry Diversity Consultant
To communicate with all staff around the Workforce Disability Equality standard	To inform staff about the WDES and the action plan and the data validation exercise	1,4,5,6,7,8,9	October 2019	Anthony Tiernan Director of Communications and Engagement
	To educate staff about disabilities and long term conditions and the support available within the trust		January 2020	Melissa Berry Diversity Consultant Julia Smyth Head of Leadership, Education and Performance

	HR BPs/HRM to advise managers on how to support staff with a disabilities			Roujin Ghamsari Head of Engagement
To ensure Candidates with a Disability or long term condition have a positive experience in the recruitment process	To move London Ambulance Service from 'disability committed' which is the Trust's current position to 'disability confident' which is achieved via the Department for Work & Pensions.	2	April 2020	Averil Lynch Head of Recruitment Melissa Berry Diversity Consultant
Media Campaign	Campaign to be launched within the media, alongside Awesome to raise awareness of the mistreatment of staff	4,5,6,7,8,9,10,11,12	September 2019	Anthony Tiernan Director of Communications and Engagement
Develop Guidance for Managers to implement	Guidance for managers to know how to support staff with a disability or long term condition	1, 4,5,6,7,8,9,10,11,12	November 2019	Melissa Berry Diversity Consultant

Launch a Disabilities and long term conditions network	The network will provide a safe and open space for staff to talk and feed in to the work in the organisation	1, 4,5,6,7,8,9,10,11,12	December 2019	Melissa Berry Diversity Consultant
To ensure the capability process is fair and objective and in line with best practice	Review the policy and process on capability Where changes have been made train managers on the refreshed new ways of working	3	December 2019 April 2020	Roujin Ghamsari Head of Engagement Julia Smyth Head of Leadership, Education and Performance
Senior leadership on the WDES	Identify a Trust Board NED/ Executive lead to champion the Plan and promote at the highest level	13	November 2019	Garrett Emmerson Chief Executive