

Workforce Disability Equality Standard Report 2021

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1 Introduction

- 1.1 The NHS Workforce Disability Equality Standard (WDES) is designed to improve workplace experience and career opportunities for Disabled people working, or seeking employment, in the National Health Service (NHS). The WDES follows the NHS Workforce Race Equality Standard (WRES) as a tool and an enabler of change.
- 1.2 The WDES is a series of evidence-based Metrics that will provide NHS organisations with a snapshot of the experiences of their Disabled staff in key areas. By providing comparative data between Disabled and non-disabled staff, this information can be used to understand where key differences lie; and will provide the basis for the development of action plans, enabling organisations to track progress on a year by year basis. The WDES provides a mirror for the organisation to hold up to itself, to see whether or not it sees a reflection of the communities that it serves.
- 1.3 Organisations are encouraged to introduce new measures and practices, which positively support disability equality in the workplace and further the involvement and engagement of Disabled communities more widely in the work and aims of the NHS.
- 1.4 The WDES will help NHS organisations to review their performance against ten (10) Metrics and produce action plans to close the gaps in career and workplace experience between Disabled staff and non-disabled staff. The WDES will also encourage improvement in the representation of Disabled staff at NHS Trust Board level.
- 1.5 Section 149 of the Equality Act sets out the Public Sector Equality Duty (PSED), offers protection in relation to employment, as well as access to goods and services. The PSED strengthens the duty on employers to eliminate discrimination and advance equality of opportunity for Disabled employees. Implementing the WDES will assist NHS organisations to ensure that they are complying with the provisions of the Equality Act 2010, and the aims of the PSED.

2 WDES Metrics Workforce Metrics

For the following three workforce Metrics, compare the data for both Disabled and non-disabled staff.

2.1 Metric 1 Percentage of staff in AfC pay bands or medical and dental subgroups and very senior managers (including Executive Board members) compared with the percentage of staff in the overall workforce. Organisations should undertake this calculation separately for non-clinical and for clinical staff.

- Cluster 1: AfC Bands – Under 1, 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: Definitions for these categories are based on Electronic Staff Record occupation codes with the exception of medical and dental staff, which are based upon grade codes.

2.2 Metric 2 Relative likelihood of Disabled staff compared to non-disabled staff being appointed from shortlisting across all posts.

Note

- i) This refers to both external and internal posts.
- ii) If your trust implements a guaranteed interview scheme, the data may not be comparable with organisations that do not operate such a scheme. This information will be collected on the WDES online reporting form to ensure comparability between organisations.

2.3 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:

- 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 mandatory from 2020. This metric applies to capability on the grounds of performance and not ill health.

National NHS Staff Survey Metrics

For each of the following four Staff Survey Metrics, compare the responses for both Disabled and non-disabled staff.

2.4 Metric 4 Staff Survey Q13

- a) Percentage of Disabled staff compared to non-disabled staff experiencing harassment, bullying or abuse from:
 - i). Patients/service users, their relatives or other members of the public
 - ii). Managers
 - iii). Other colleagues
- b) 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.

- 2.5 **Metric 5 Staff Survey Q14** Percentage of Disabled staff compared to non-disabled staff believing that the Trust provides equal opportunities for career progression or promotion.
- 2.6 **Metric 6 Staff Survey Q11** 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.
- 2.7 **Metric 7 Staff Survey Q5** Percentage of Disabled staff compared to non-disabled staff saying that they are satisfied with the extent to which their organisation values their work.

The following NHS Staff Survey Metric only includes the responses of Disabled staff

- 2.8 **Metric 8 Staff Survey Q28b** Percentage of Disabled staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work.

NHS Staff Survey and the engagement of Disabled staff

For part a) of the following Metric, compare the staff engagement scores for Disabled, non-disabled staff and the overall Trust's score

For part b) add evidence to the Trust's WDES Annual Report

2.9 **Metric 9**

- a) The staff engagement score for Disabled staff, compared to non-disabled staff and the overall engagement score for the organisation.
- b) Has your Trust taken action to facilitate the voices of Disabled staff in your organisation to be heard? (Yes) or (No)

Note: For your Trust's response to b)

If yes, please provide at least one practical example of current action being taken in the relevant section of your WDES annual report. If no, please include what action is planned to address this gap in your WDES annual report. Examples are listed in the WDES technical guidance.

Board representation Metric

For this Metric, compare the difference for Disabled and non-disabled staff.

- 2.10 **Metric 10** Percentage difference between the organisation's Board voting membership and its organisation's overall workforce, disaggregated:
- By voting membership of the Board.
 - By Executive membership of the Board.

3 **East Kent Hospitals WDES Results 2020**

The data represented below is a snapshot taken on 31 March 2020 or in the year ending 31 March 2020.

3.1 **Metric 1** Percentage of staff in AfC (Agenda for Change) pay bands or medical and dental subgroups and very senior managers (including Executive Board members) compared with the percentage of staff in the overall workforce.

Organisations should undertake this calculation separately for non-clinical and for clinical staff.

- 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

3.1.1 Percentage of staff in AfC pay bands (All Staff)

2021	DISABLED	NON-DISABLED	DISABILITY UNKNOWN OR NULL
Under Band 1	12.5%	31.25%	56.25%
Band 1	0	100%	0.00%
Band 2	3.1%	67.7%	29.6%
Band 3	5.4%	72.9%	21.4%
Band 4	4.4%	72%	23.4%
Band 5	3.82%	65.6%	30.5%
Band 6	5.07%	69.56%	25.36%
Band 7	3.03%	70%	26.89%
Band 8A	3.47%	72.60%	23.91%
Band 8B	3.5%	69.29%	27.19%
Band 8C	0.00%	59.37%	40.62%
Band 8D	0.00%	58.33%	0.00%
Band 9	0.00%	100%	0.00%
VSM	6.25%	50.00%	43.75%
Consultant	0.94%	38.30%	38.30%
Non-Consultant	0.00%	83.3%	16.6%
Trainee Grade	0.00%	0.00%	0.00%
Other	0.00%	0.00%	0.00%

3.1.2 Percentage of staff in AfC pay bands (Non-clinical Staff)

2021	DISABLED	NON-DISABLED	DISABILITY UNKNOWN OR NULL
Under Band 1	0.00%	14.28%	85.71%
Band 1	0.00%	100%	0.00%
Band 2	4.59%	71.10%	24.30%
Band 3	4.86%	73.54%	21.59%
Band 4	5.08%	75.14%	19.76%
Band 5	2.31%	72.83%	24.85%
Band 6	5.07%	69.56%	25.36%
Band 7	7.07%	62.62%	30.30%
Band 8A	3.07%	69.23%	27.69%
Band 8B	3.92%	74.50%	21.56%
Band 8C	0.00%	64.28%	35.71%
Band 8D	0.00%	55.55%	44.44%
Band 9	0.00%	100%	0.00%
VSM	6.25%	50%	43.75%
Other	N/A	N/A	N/A
Exec Director	0.00%	83.33%	16.66%

2020	DISABLED	NON-DISABLED	DISABILITY UNKNOWN OR NULL
Under Band 1	0.00%	14.29%	85.71%
Band 1	0.00%	100.00%	0.00%
Band 2	5.88%	66.77%	27.34%
Band 3	4.06%	72.21%	23.73%
Band 4	4.44%	75.24%	20.32%
Band 5	2.45%	68.10%	29.45%
Band 6	4.76%	69.05%	26.19%
Band 7	6.32%	58.95%	34.74%
Band 8A	2.94%	73.53%	23.53%
Band 8B	1.89%	67.92%	30.19%
Band 8C	0.00%	50.00%	50.00%
Band 8D	0.00%	64.71%	35.29%
Band 9	0.00%	0.00%	0.00%
VSM	4.35%	65.22%	30.43%
Other	0.00%	0.00%	0.00%

3.1.3 Percentage of staff in AfC pay bands (Clinical Staff)

2021	DISABLED	NON-DISABLED	DISABILITY UNKNOWN OR NULL
Under Band 1	22.22%	44.44%	33.33%
Band 1	N/A	N/A	N/A
Band 2	2.41%	66.19%	31.38%
Band 3	6.26%	72.10%	21.63%
Band 4	3.96%	69.55%	26.48%
Band 5	3.92%	61.55%	34.52%
Band 6	3.93%	69.48%	26.57%
Band 7	2.55%	70.95%	26.48%
Band 8A	3.63%	73.93%	22.42%
Band 8B	3.17%	65.07%	31.74%
Band 8C	0.00%	55.55%	44.44%
Band 8D	0.00%	66.66%	33.33%
Band 9	0.00%	100%	0.00%
VSM	N/A	N/A	N/A
Consultant	1.22%	54.98%	45%
Non-Consultant	2.65%	51%	46.27%
Trainee Grade	0.00%	16.59%	83.40%
Other	N/A	N/A	N/A

2020	DISABLED	NON-DISABLED	DISABILITY UNKNOWN OR NULL
Under Band 1	0.00%	37.50%	62.50%
Band 1	0.00%	0.00%	0.00%
Band 2	2.52%	64.63%	32.85%
Band 3	5.07%	68.06%	26.87%
Band 4	3.24%	60.00%	36.76%
Band 5	3.77%	65.16%	31.07%
Band 6	4.49%	67.54%	27.97%
Band 7	2.98%	67.62%	29.40%
Band 8A	3.52%	72.54%	23.94%
Band 8B	3.13%	62.50%	34.38%
Band 8C	0.00%	66.67%	33.33%
Band 8D	0.00%	50.00%	50.00%
Band 9	0.00%	100.00%	0.00%
VSM	0.00%	0.00%	100.00%
Consultant	1.09%	54.49%	44.42%
Non-Consultant	2.78%	48.89%	48.33%
Trainee Grade	0.22%	19.57%	80.22%
Other	0.00%	0.00%	0.00%

3.1.4 **Declaration.**

5.97% of the working age population served by East Kent Hospitals University NHS Foundation Trust (EKHUFT) declared that they were disabled in the 2011 census.

3.4% of EKHUFT employees have declared a disability using the Electronic Staff Record. This is the same as the previous year WDES report.

32% of the workforce have chosen not to declare whether or not they have a disability. The previous year WDES report was 33%. 1% improvement.

10 individuals have chosen not to say.

It is difficult to validate our data when comparatively few staff members have declared their disability status.

The NHS in general has only 3% declaration rate.

3.2 Metric 2 Relative likelihood of Disabled staff compared to non-disabled staff being appointed from shortlisting across all posts.

3.2.1 Non-disabled candidates are almost one and a half times more likely than disabled candidates to be appointed from shortlisting. This is marginally different to last year.

3.2.2 The Trust is a Disability Confident employer and offers Guaranteed Interviews to those Disabled applicants who wish to be considered for and who meet the minimum requirements stipulated on the job description.

2019	Not Disabled	Disabled	Disability Null or Unknown	Total
Shortlisted	4762	281	271	5314
Appointed	905	24	131	1060
Shortlisted %	89.61%	5.29%	5.10%	100.00%
Appointed %	85.38%	2.26%	12.36%	100.00%
likelihood	19.00%	8.54%	48.34%	19.95%
Relative likelihood				2.23

2020	Not Disabled	Disabled	Disability Null or Unknown	Total
Shortlisted	5038	307	462	5807
Appointed	1293	54	334	1681
Shortlisted %	86.76%	5.29%	7.96%	100.00%
Appointed %	76.92%	3.21%	19.87%	100.00%
likelihood	25.66%	17.59%	72.29%	28.95%
Relative likelihood				1.46

2021	Not Disabled	Disabled	Disability Null or Unknown	Total
Shortlisted	5406	279	951	6636
Appointed	1147	45	749	1941
Shortlisted %	80%	4.2%	14.33%	100.00%
Appointed %	59.09%	2.31%	38.58%	100.00%
Relative likelihood				1.32

“A figure below 1:00 indicates that Disabled staff are more likely than Non-Disabled staff to be appointed from shortlisting. WDES Guidance Note)

The Trust is pleased to report the relative likelihood of disabled candidates being appointed from shortlisting has reduced from 2.23 2019 to 1.46 in 2020 and now 1.32 in 2021. In 2019 non-disabled candidates were over twice as likely to be appointed from shortlist than candidates who had declared a disability. In 2020 that figure has reduced to less than one and a half times more likely. In 2021 this has improved marginally.

3.3 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 Metric will be based on data from a two-year rolling average of the current year and the previous year (April 2019 to March 2020 and April 2020 to March 2021).

01/04/2020 - 31/03/2021	Disabled	Non-disabled	Not declared
Entry into the formal capability procedure	1	6	3
Total Number of staff	306	5762	2883
Likelihood	0	0	0
Relative likelihood of Disabled staff entering the formal capability process compared to Non-Disabled staff	7.06		

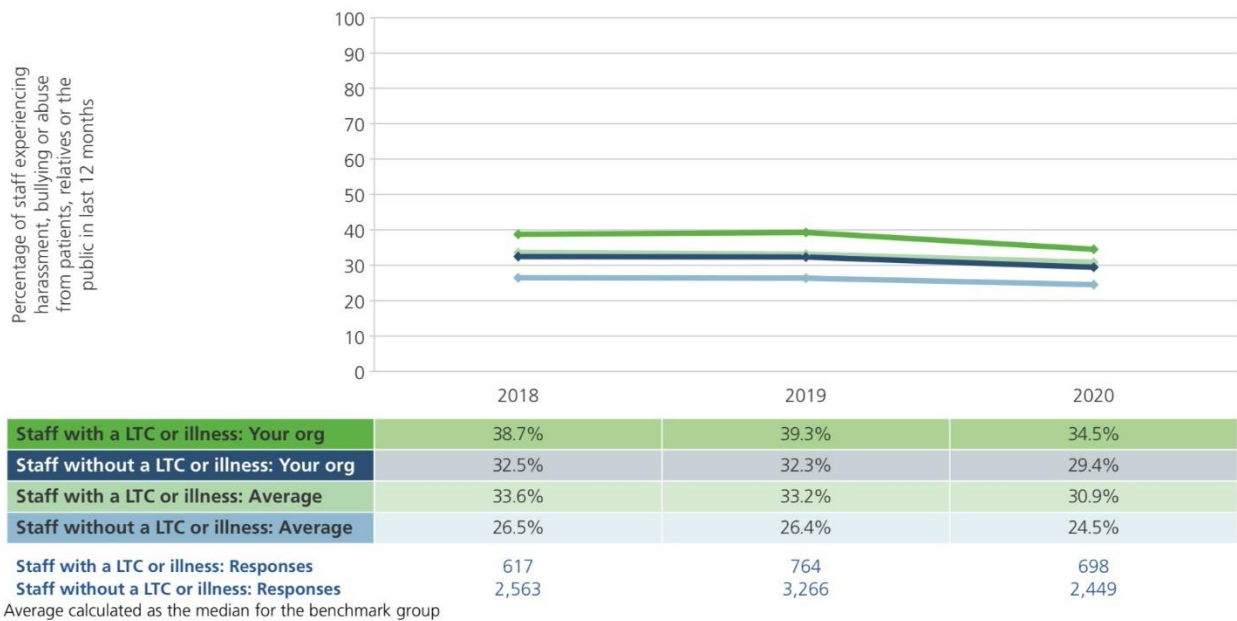
3.4 Metric 4

- 3.4.1 a) Percentage of Disabled staff compared to non-disabled staff experiencing harassment, bullying or abuse from:
- i. Patients/service users, their relatives or other members of the public
 - ii. Managers
 - iii. Other colleagues

The following data items have been pulled directly from the online reporting system for the NHS Staff Survey. Centrally NHSE/I access the same data items for the WDES reporting.

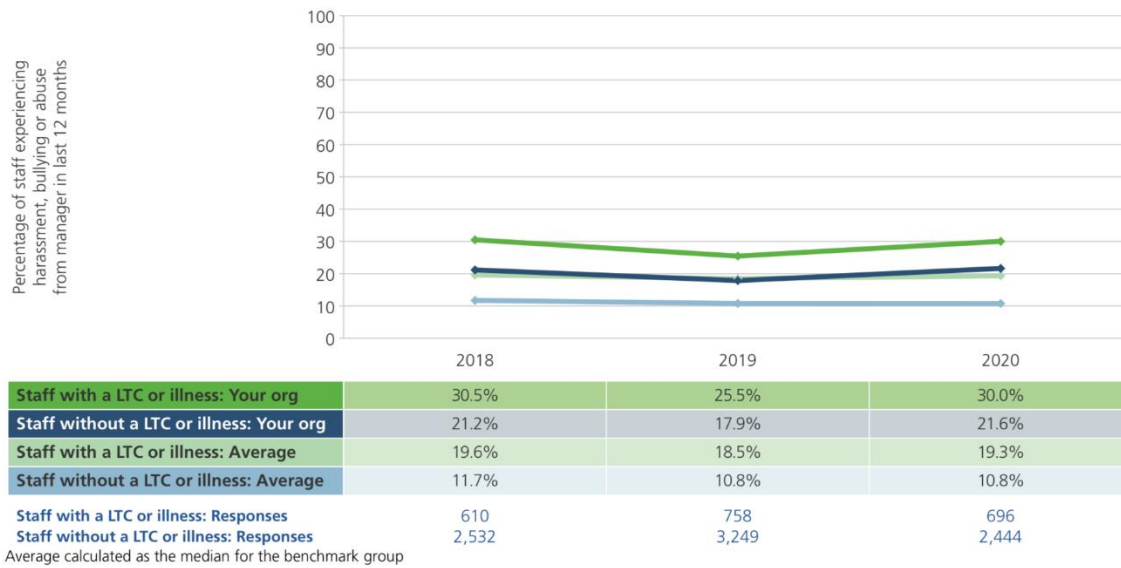
Survey
Coordination
Centre

2020 NHS Staff Survey Results > WDES > Percentage of staff experiencing harassment, bullying or abuse from patients, relatives or the public in last 12 months

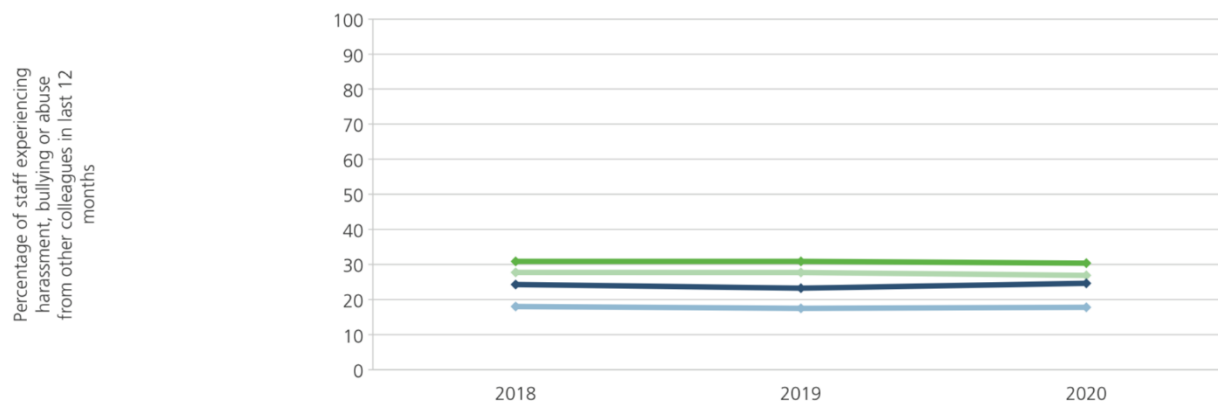


167

The proportion of disabled/long term condition (LTC) staff experiencing harassment, bullying or abuse from patients, relatives or public has reduced over the last year and EKHUFT remains higher than benchmark group.



In previous years there had been a drop in the level of disabled/LTC staff reporting harassment, bullying or abuse from managers. However the number of individuals and percentage has increased for 2021.



	2018	2019	2020
Staff with a LTC or illness: Your org	30.9%	30.9%	30.4%
Staff without a LTC or illness: Your org	24.3%	23.2%	24.6%
Staff with a LTC or illness: Average	27.7%	27.7%	26.9%
Staff without a LTC or illness: Average	18.0%	17.5%	17.8%

Staff with a LTC or illness: Responses

609

758

698

Staff without a LTC or illness: Responses

2,516

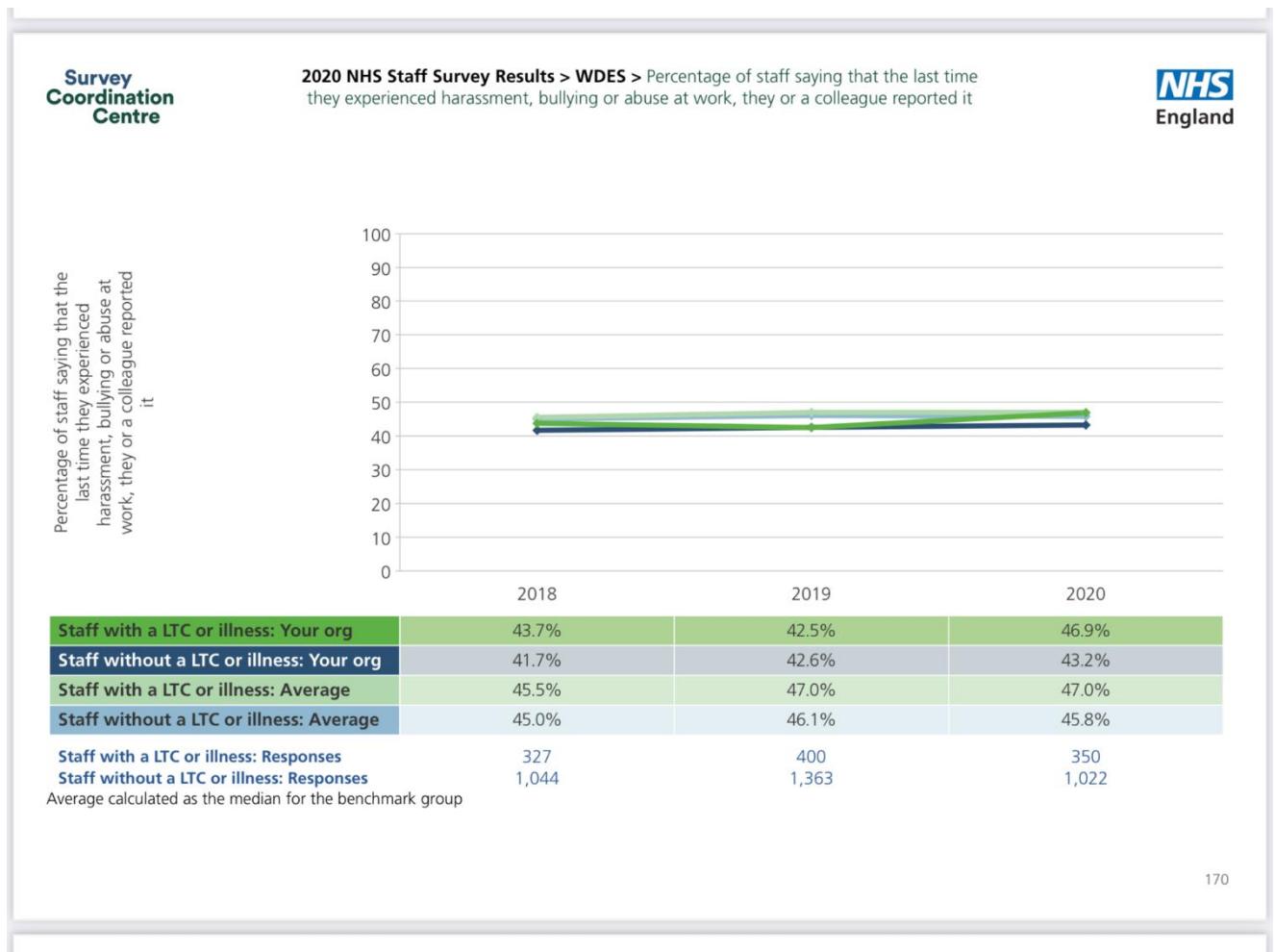
3,262

2,449

Average calculated as the median for the benchmark group

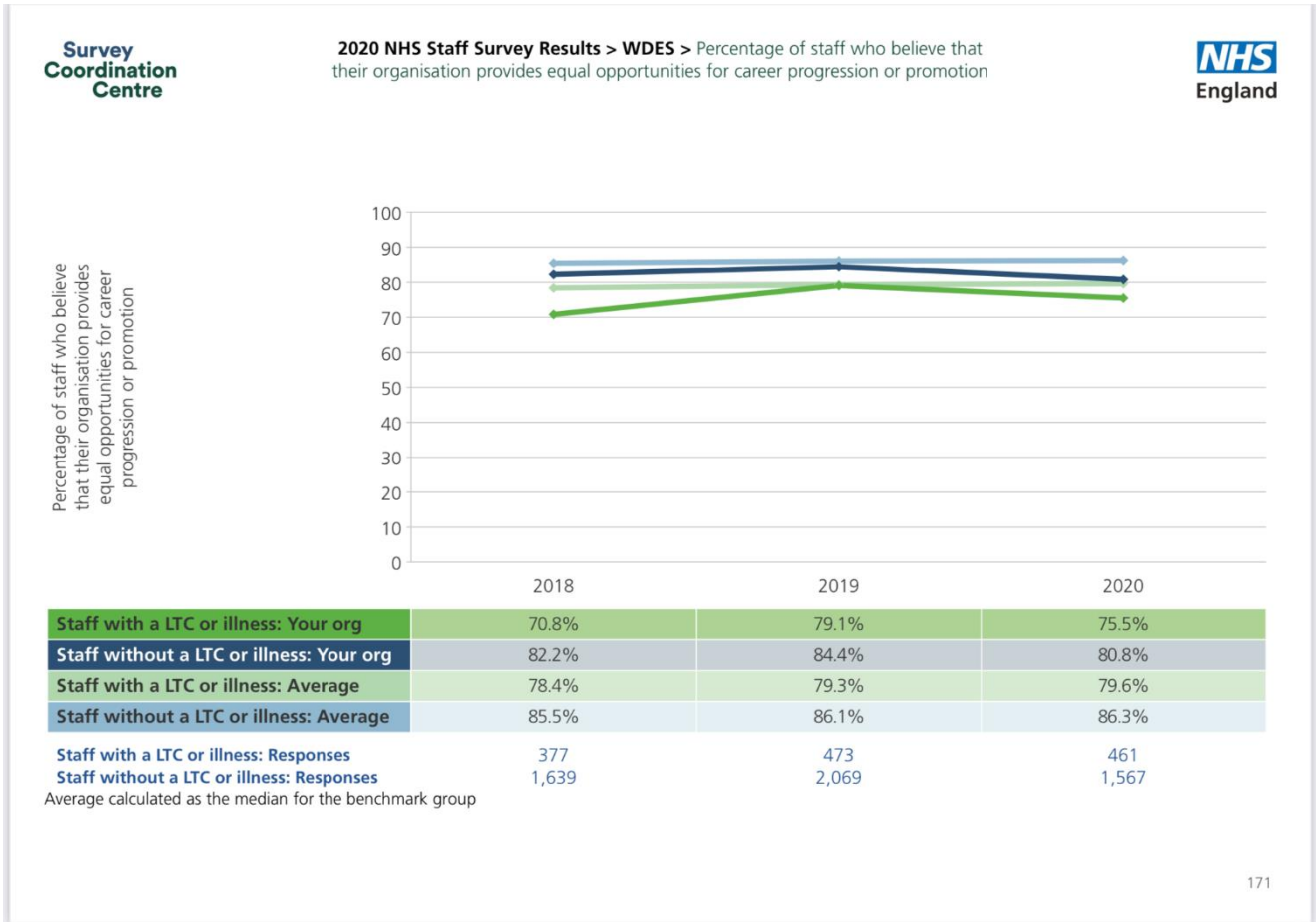
The levels of reported harassment, bullying or abuse from colleagues remains consistent

3.4.2 b) 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



3.5 Metric 5

3.5.1 Percentage of Disabled staff compared to non-disabled staff believing that the Trust provides equal opportunities for career progression or promotion.



There has been a reduction in the numbers of disabled staff believing that the Trust provides equal opportunities for career progression or promotion.

3.6 Metric 6

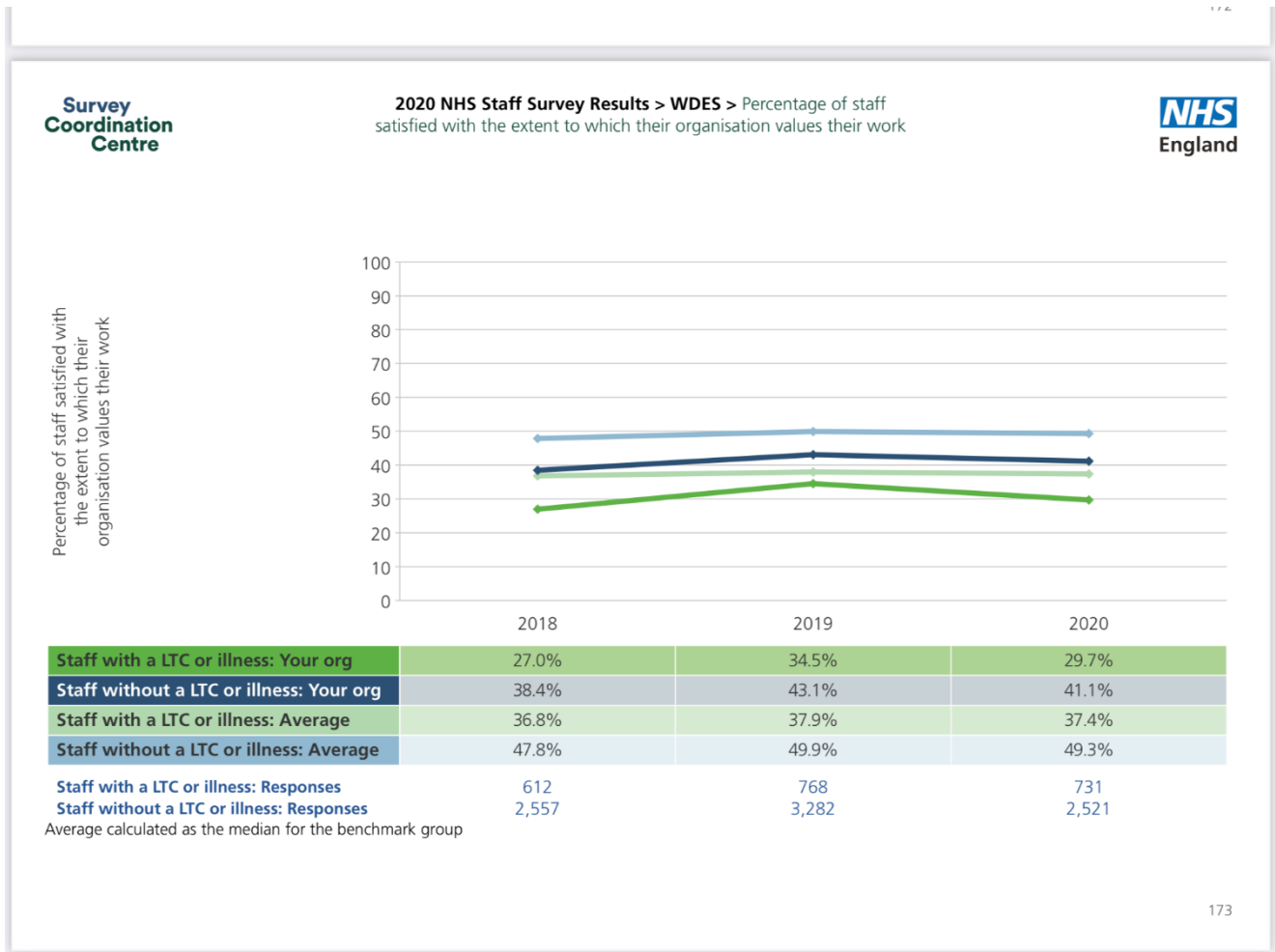
3.6.1 Percentage of Disabled staff compared to non-disabled staff saying that they have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties.



Percentage of Disabled staff saying that they have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties has increased.

3.7 Metric 7

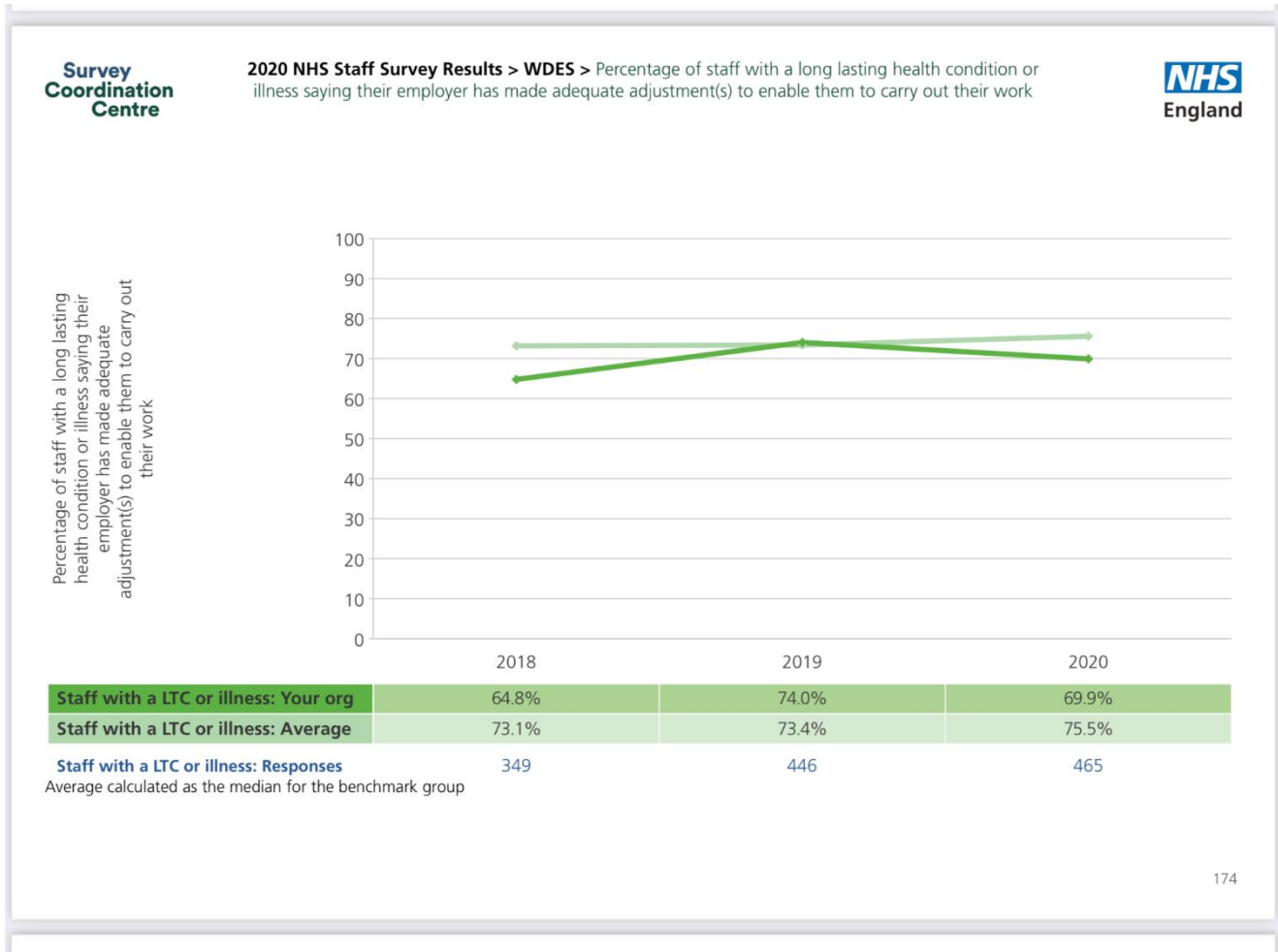
3.7.1 Percentage of Disabled staff compared to non-disabled staff saying that they are satisfied with the extent to which their organisation values their work.



The percentage of Disabled staff saying that they are satisfied with the extent to which their organisation values their work is another area which has seen a decline during the last year.

3.8 Metric 8

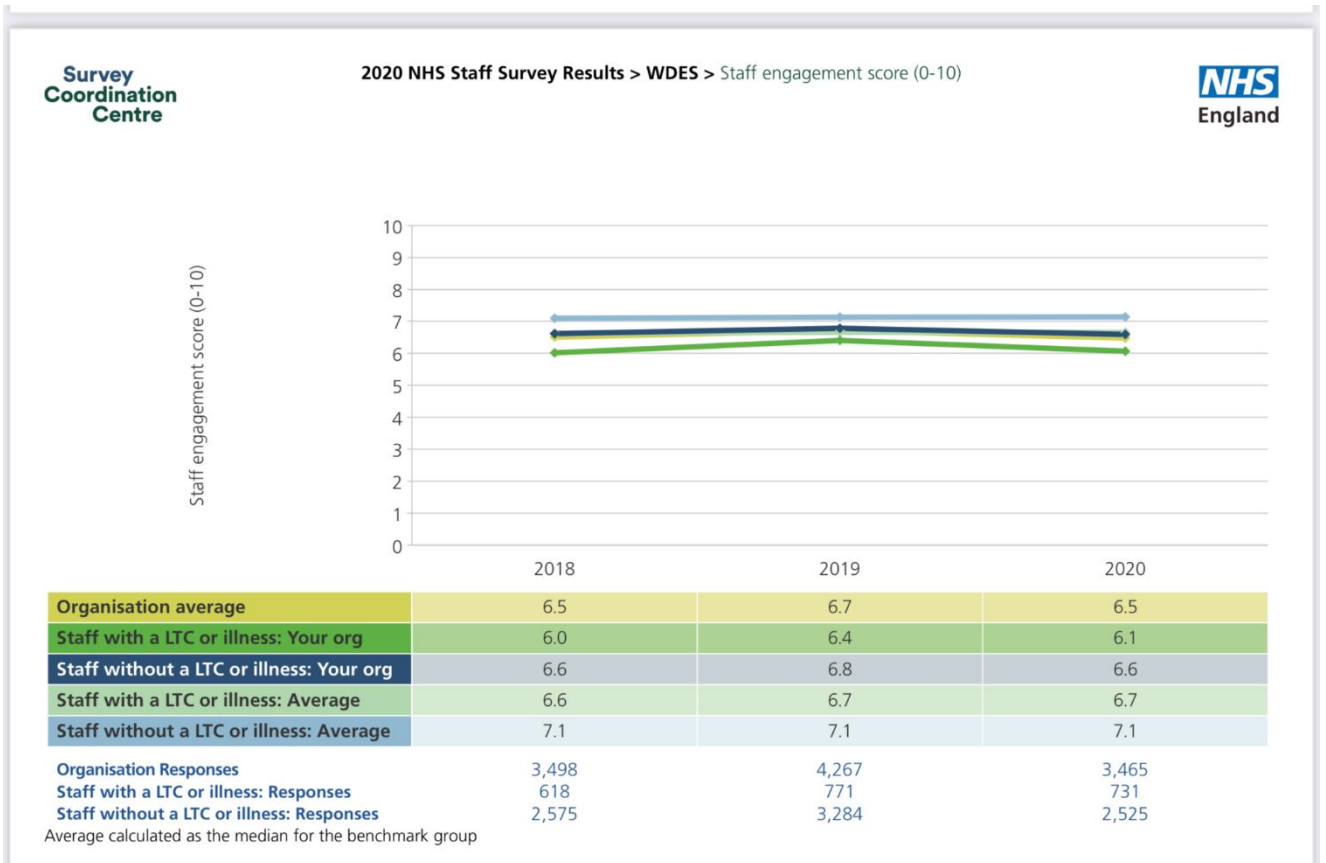
3.8.1 Percentage of Disabled staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work.



3.8.2 64.80% Disabled staff said that their employer had made adequate adjustment(s) to enable them to carry out their work in the 2018 survey that had increased to 74.0% in 2019 higher than the benchmark average. However this trend is now below our benchmark group.

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

Our disabled staff engagement score has decreased but remains lower than our benchmark group average



3.9.1 **Metric 9 b)** Has your Trust taken action to facilitate the voices of Disabled staff in your organisation to be heard? (Yes) or (No) **YES**

3.9.2 EKHUFT Has acted to facilitate the voices of Disabled staff in our organisation to be heard. We encourage and support staff to join the Disabled Staff Council (DSC), which meets once every two months. The Chair of the DSC attends the Equality, Diversity and Inclusion Steering Group (EDISG) which includes Chief Nurse and Director of Quality (Dep. Chair)

- Director of Communications
- Director of Human Resources (Chair)
- Director of Estates and Facilities
- Head of Patient Experience
- Healthwatch representative

The meetings of the EDISG are reported through the Strategic Workforce Committee and the Quality Committee to the Board of Directors. The voices of disabled people are promoted in recent campaigns and in development of guidance and policies.

3.10 **Metric 10** Percentage difference between the organisation’s Board voting membership and its organisation’s overall workforce, disaggregated:

- By voting membership of the Board.
- By Executive membership of the Board.

2021		Disabled	Non-Disabled	Not Declared
Percentage difference between the organisation’s Board voting membership and its organisation’s overall workforce, disaggregated: • By Voting membership of the Board • By Executive membership of the Board This is a snapshot as of at 31st March 2020.	Total Board members	7.69%	46.15%	46.15%
	<i>of which: Voting Board members</i>	8.33%	50.00%	41.67%
	<i>: Non Voting Board members</i>	0.00%	0.00%	100.00%
	<i>of which: Exec Board members</i>	0.00%	57.14%	42.86%
	<i>: Non Executive Board members</i>	16.67%	33.33%	50.00%
	Difference (Total Board - Overall workforce)	4%	-18%	14%
	Difference (Voting membership - Overall Workforce)	5%	-14%	9%
	Difference (Executive membership - Overall Workforce)	-3%	-7%	11%

4 Recommended Actions

The following actions are designed to address the most significant issues from the WDES metrics and to compliment the recommended Actions from the Workforce Race Equality Standard (WRES).

Workstream	Workforce Disability Equality Standard					
Accountable	Director of Human Resources and Organisational Development					
Specific Actions	Continue Conscious Inclusion training for Managers	New campaign highlighting trusts policy to protect Staff from experiencing harassment, bullying or abuse from Patients/service users, their relatives or other members of the public	Scope a project to deliver disability awareness training and resources in partnership with the Disabled Staff Council Members	Publicity Campaign to increase self reporting of all protected characteristics. Disability included.	Research an inclusive approach to disability/leave policy	Review Disability Confident process and support
Responsible	EDI Lead	EDI Lead	EDI Lead	EDI Lead	EDI Lead	EDI Lead
Start date	07 August 2020	30 September 2020	01 August 2020	30 September 2020	01 October 2020	01 October 2020
Progress Review Date	09 November 2022	01 January 2022	30 September 2021	30 November 2021	01 December 2021	30 November 2021
Progress	Underway, on track	Not Started	Not started	Not Started	Not started	not started
Completion date	Ongoing	31 March 2023	Ongoing	31 March 2022	01 December 2021	31 December 2021
Key Deliverables & Outcomes	Increase the proportion of disabled staff believing the trust provides equal opportunities	reduce reported levels from	Metrics to be determined	Reduce the level of undeclared disability	Reduce the relative likelihood of disabled staff entering the ill health capability process	Reduce the relative likelihood of being appointed from shortlisting to 1.00
RAG						
Risks to delivery	Staff availability and workload	Staff perception of HBA. Address with information campaign	Financial support dependent on cost	Appropriate media available	New policy approval	

Not Started	
Underway, on track	
Slight variation to plan (predicted 1 month delayed)	
Major variation to plan (predicted more than 2 months delayed)	
Completed	

5 Next Steps

- 5.1 EKHUFT is expected to publish data for each of the metrics and use this information to develop a local action plan to improve the experience of disabled staff. Year-to-year comparisons will demonstrate progress and challenges.
- 5.2 Further engagement with Disabled Staff Council on the data and feedback on unidentified actions.
- 5.3 Ongoing monitoring and reporting of action plans to EDI Steering Group.

6 Conclusion

6.1 The main issues identified as a result of the data analysis are:

- Bullying Harassment and abuse
- Ill health capability
- Presenteeism
- Feeling valued and
- Self-declaration of protected characteristic status.

It is anticipated that the action plan, and other strategies, for 2020/21 and beyond will begin to address these.