

# Workforce Disability Equality Standard Report 2019

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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 will be 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<sup>1</sup>. 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 paybands 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

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 organisation 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 voluntary in year one.

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 WDES Results 2019**

The data represented below is a snapshot taken on 31 March 2019 or in the year ending 31 March 2019.

3.1 **Metric 1** Percentage of staff in AfC paybands 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.

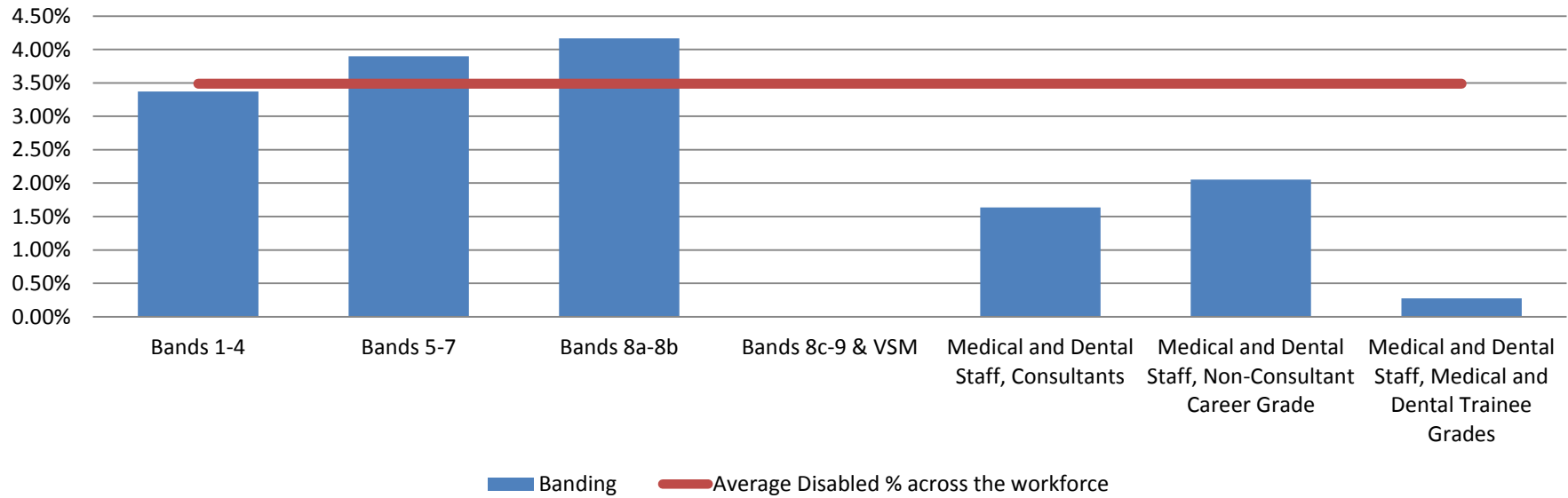
- Cluster 1: AfC Band 1, 2, 3 and 4
- Cluster 2: AfC Band 5, 6 and 7
- Cluster 3: AfC Band 8a and 8b
- Cluster 4: AfC Band 8c, 8d, 9 and VSM (including Executive Board members)
- Cluster 5: Medical and Dental staff, Consultants
- Cluster 6: Medical and Dental staff, Non-consultant career grade
- Cluster 7: Medical and Dental staff, Medical and dental trainee grades

		Disabled	Non-Disabled	Not Declared	Prefer Not To Answer	Total	Disabled %	Average Disabled % across the workforce	% Difference	Non-Disabled %	Not Declared %	Prefer Not To Answer %	Band % of Clinical Workforce
Clinical	Bands 1-4	59	1173	515	3	1750	3.37%	3.49%	-0.12%	67.03%	29.43%	0.17%	28.41%
	Bands 5-7	124	2086	970	1	3181	3.90%	3.49%	0.41%	65.58%	30.49%	0.03%	51.65%
	Bands 8a-8b	8	130	54	0	192	4.17%	3.49%	0.68%	67.71%	28.13%	0.00%	3.12%
	Bands 8c-9 &	0	34	14	0	48	0.00%	3.49%	-3.49%	70.83%	29.17%	0.00%	0.78%
	Medical and Dental Staff, Consultants	7	225	196	0	428	1.64%	3.49%	-1.85%	52.57%	45.79%	0.00%	6.95%
	Medical and Dental Staff, Non-Consultant Career Grade	4	79	112	0	195	2.05%	3.49%	-1.44%	40.51%	57.44%	0.00%	3.17%
	Medical and Dental Staff, Medical and Dental Trainee Grades	1	40	324	0	365	0.27%	3.49%	-3.22%	10.96%	88.77%	0.00%	5.93%



= negative difference  
= positive difference

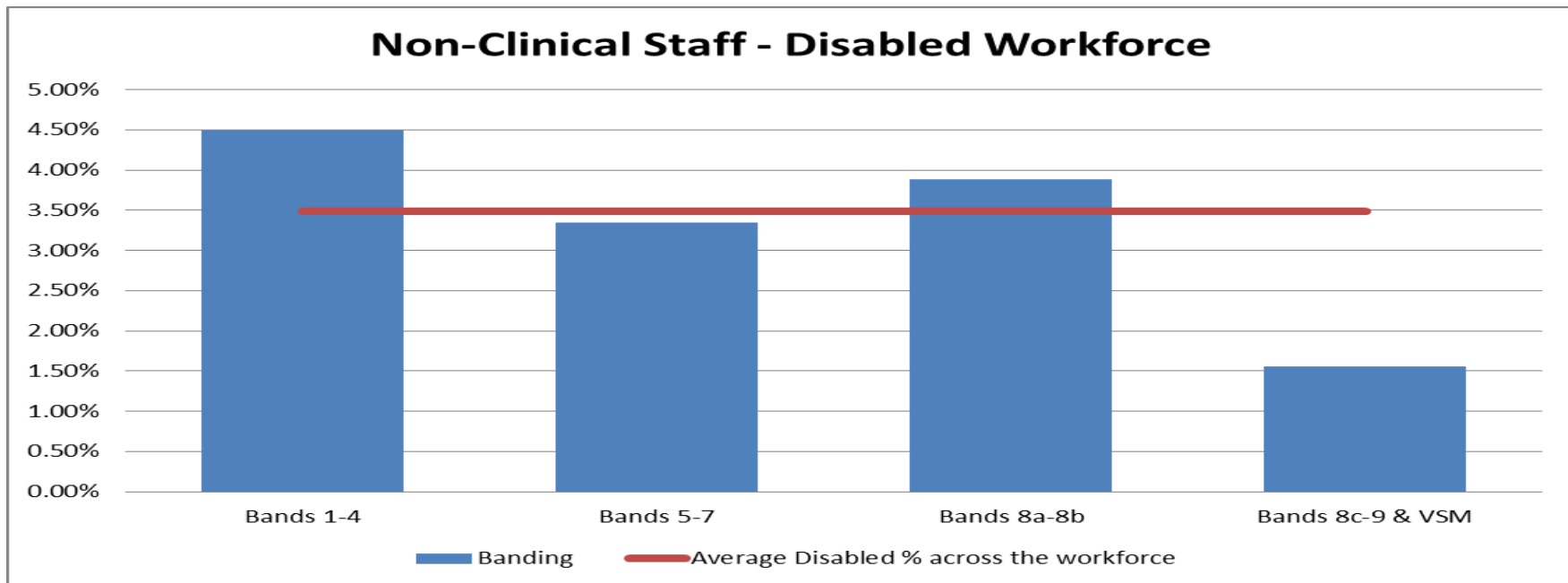
## Clinical Staff - Disabled Workforce



		Disabled	Non-Disabled	Not Declared	Prefer Not To Answer	Total	Disabled %	Average Disabled % across the workforce	% Difference	Non-Disabled %	Not Declared %	Prefer Not To Answer %	Band % of Non-Clinical Workforce
Non-Clinical	Bands 1-4	58	894	337	1	1290	4.50%	3.49%	1.01%	69.30%	26.12%	0.08%	71.07%
	Bands 5-7	12	243	103	0	358	3.35%	3.49%	-0.14%	67.88%	28.77%	0.00%	19.72%
	Bands 8a-8b	4	68	31	0	103	3.88%	3.49%	0.39%	66.02%	30.10%	0.00%	5.67%
	Bands 8c-9 & VSM	1	45	18	0	64	1.56%	3.49%	-1.93%	70.31%	28.13%	0.00%	3.53%



= negative difference  
= positive difference



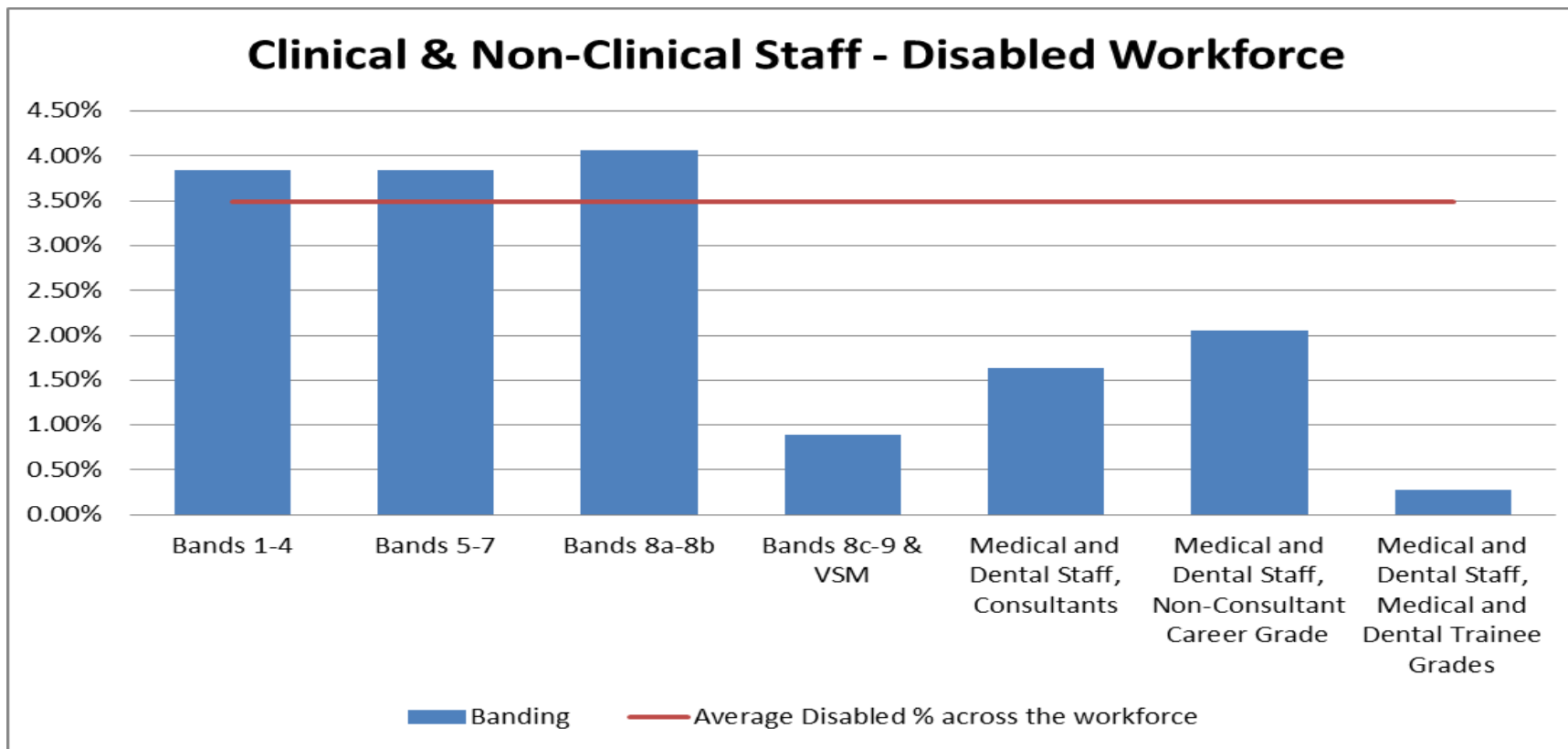


		Disabled	Non-Disabled	Not Declared	Prefer Not To Answer	Total	Disabled %	Average Disabled % across the workforce	% Difference	Non-Disabled %	Not Declared %	Prefer Not To Answer %	Band % of Clinical Workforce
Clinical & Non-Clinical	Bands 1-4	117	2067	852	4	3040	3.85%	3.49%	0.36%	67.99%	28.03%	0.13%	38.12%
	Bands 5-7	136	2329	1073	1	3539	3.84%	3.49%	0.35%	65.81%	30.32%	0.03%	44.38%
	Bands 8a-8b	12	198	85	0	295	4.07%	3.49%	0.58%	67.12%	28.81%	0.00%	3.70%
	Bands 9-9a VSM	1	79	32	0	112	0.89%	3.49%	-2.60%	70.54%	28.57%	0.00%	1.40%
	Dental Staff, Consultants	7	225	196	0	428	1.64%	3.49%	-1.85%	52.57%	45.79%	0.00%	5.37%
	Medical and Dental Staff, Non-Consultant Career Grade	4	79	112	0	195	2.05%	3.49%	-1.44%	40.51%	57.44%	0.00%	2.45%
	Medical and Dental Staff, Medical and Dental Trainee Grades	1	40	324	0	365	0.27%	3.49%	-3.22%	10.96%	88.77%	0.00%	4.58%



= negative difference

= positive difference



3.1.1 Declaration. 1.1 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. 3.5% of EKHUFT employees have declared a disability using the Electronic Staff Record. 33% of the workforce have chosen not to declare whether or not they have a disability. This figure rises to 64% medical and dental staff. 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 three times more likely than disabled candidates to be appointed from shortlisting.

3.2.2 The Trust is a “Disability Confident employer and offers Guaranteed Interviews to all Disabled applicants who meet the minimum requirements stipulated on the job description. The Trust also guarantees to make any special arrangements, for example an alternative venue to allow wheelchair access. However, declaration of a disability for either of these purposes will result in the applicant’s paperwork becoming identifiable as an application from a person with a disability. Other protected characteristics are anonymised during the selection process.

3.2.3 Shortlisting for interview under usual circumstance involves selecting those applications demonstrating the highest criteria for the role in question. Selecting a application because it meets the minimum standard may result in a candidate attending an interview where the other applicants have demonstrated higher criteria than the minimum standard putting the disabled candidate at a disadvantage.

3.2.4 The data relating to the recruitment of disabled candidates warrants a detailed investigation into the application of the guaranteed interview scheme.

The data indicate that, an individual who does not apply for a guaranteed interview is three times more likely to be appointed than an individual who does apply.

	Shortlisted	Appointed	likelihood
Non-disabled	1262	261	0.21
Disabled	176	12	0.07
Relative Likelihood			3.03

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.

3.3.1 The relative likely hood of Disabled staff compared to non-disabled staff entering the formal capability process is zero. It is surprising that NHS England has used performance capability process as a metric. Had the requirement been to calculate the relative likelihood of Disabled staff compared to non-disabled staff entering the formal health capability process based on this year’s figures Disabled staff were 3.20 times more likely to enter the formal capability process.

### 3.3.2

Performance	Workforce	Capability	likelihood
Non-disabled	5017	27	0.01
disabled	278	0	0.00
not disclosed	2679	20	0.01
	7974	47	
<b>Relative Likelihood</b>			<b>0</b>

HEALTH	Workforce	Capability	likelihood
Non-disabled	5017	62	0.01
disabled	278	11	0.04
not disclosed	2679	48	0.02
	7974	121	0.02
<b>Relative Likelihood</b>			<b>3.20</b>

3.3.3 There are indications that next year the WDES will include a Health Capability metric.

### 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

3.4.2 In all categories Disabled staff report higher levels of harassment, bullying or abuse than non-disabled staff.

3.4.3 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.

	Disabled Staff	Non-disabled Staff
Public	38.70%	32.50%
Managers	30.50%	21.20%
Other colleagues	30.90%	24.30%
Reported	43.60%	41.60%

### 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.

Disabled Staff	Non-disabled Staff
70.80%	82.20%

### 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.

Disabled Staff	Non-disabled Staff
43.20%	29.40%

### 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.

Disabled Staff	Non-disabled Staff
27.00%	38.40%

### 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 has made adequate adjustment(s) to enable them to carry out their work.

- 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.

Organisation average:	Disabled average:	Non-disabled average:
6.5/10	6.0/10	6.6/10

- 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)

- 3.9.2 EKHUFT Has taken action 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.

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.

	Staff Percentage			Percentage difference	
	workforce	Voting Membership	Exec	Voting Membership	Exec
<b>Non-Disabled</b>	62.92%	66.67%	85.71%	3.75%	22.80%
<b>Not Disclosed</b>	33.60%	26.67%	14.29%	-6.93%	-19.31%
<b>Disabled</b>	3.49%	6.67%	0.00%	3.18%	-3.49%

#### 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).

Activity	Responsible	Accountable	Start date
Develop programme to increase Protected Characteristic reporting on ESR	BCS JJ Comms DSC	HR Director	01 Sept 2019
Comprehensive review of Disability Confident process	LG BCS DSC	HR Director	01 Aug 2019
Set Up working group	BCS & HRBP Respect Programme DSC	HR Director	31 Aug 2019
Set research parameters	Working group	HR Director	30 Sept 2019
Develop Recommendations	Working group	HR Director	30 Nov 2019
Implement appropriate strategies	Working group	HR Director	31 Jan 2020
Monitor and report on progress and developments	BCS & HRBP Respect Programme	HR Director	31 Mar 2020

## **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 NHS England has sent the Head of EDI a pre-populated WDES spreadsheet based on data from the NHS Staff Survey and ESR for the period 1 April 2018 – 31 March 2019 (similar to the Workforce Race Equality Standard (WRES) process).
- 5.3 The checked and completed spreadsheet will then be submitted via the Strategic Data Collection Service (SDCS) by 1 August 2019.
- 5.4 The Head of EDI will complete and submit a WDES online reporting form, which asks key questions about the percentage of Disabled staff, the size of the workforce and who has approved the data and the Metrics by 1 August 2019 .
- 5.5 By 30 September 2019, EKHUFT must publish the WDES Metrics and action plan on our website.
- 5.6 The raw data submitted to NHS England via SDCS will enable high-level comparative analysis across all NHS Trusts and Foundation Trusts.