

## **MID CHESHIRE HOSPITALS NHS FOUNDATION TRUST**

### **Information to demonstrate compliance with the public sector equality duty of the Equality Act. January 2012.**

Under section 149 of the Equality Act, the Trust must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) tackle prejudice, and
- (b) promote understanding.

The relevant protected characteristics are—

age;  
disability;  
gender reassignment;  
pregnancy and maternity;  
race;  
religion or belief;  
sex;  
sexual orientation.

The Equality Act 2010 (Specific Duties) Regulations 2011 require the Trust to publish information to demonstrate its compliance with the duty not later than 31st January 2012 and subsequently at intervals of not greater than one year beginning with the date of last publication.

## **General Approach**

1. The Trust publishes information to demonstrate its compliance with the public sector duty in the document library of the Equality and Diversity section of the Trust's internet site. The content list of the document library is given on the Equality and Diversity home page and so is reached by a single click from the Trust's main home page. Each individual document in the library can be reached and opened with a total of 3 clicks from the Trust's main home page.
2. This document, taken with the other documents to which it refers, is intended to meet the publication duty for 31<sup>st</sup> January 2012. Sections that are underlined below indicate documents that form part of the Trust's publication of information to demonstrate its compliance with the duty. All these documents are available in the document library of the Equality and Diversity section of the Trust's internet site. The key document is the Annual Report on Equality, Diversity, Inclusion and Human Rights for 2010/11.
3. In the future, the Trust intends to publish the required information in or with its Annual Report on Equality, Diversity, Inclusion and Human Rights. That report is published by 30 September each year.
4. The Trust has adopted the National Health Service Equality Delivery System (EDS) to support its management of its duties under the Equality Act.
5. It is expected that EDS will support the formation, implementation, monitoring and review of the Trust's equality objectives and will also contribute in future to information published to demonstrate compliance with the public sector duty.
6. Subject to consultation, the Trust proposes to adopt 2 'headline' equality objectives. These will be
  - a) by working with others under the Living Well in Cheshire East initiative, to improve indicators of health in the local community whilst reducing indicators of health inequalities. By 31 March 2016.
  - b) by working with employees and trades unions, to improve levels of staff satisfaction in the Trust whilst reducing indicators of inequality in staff satisfaction. By 31 March 2016.
7. The Trust expects to adopt additional and more specific objectives based on EDS.

## **Elimination of discrimination, harassment and victimisation**

8. All the Trust's formal policies and procedures carry a statement of non discrimination.
9. Discrimination is listed as unacceptable conduct in the Trust's Disciplinary Policy.
10. The Trust prohibits bullying or harassment through its Dignity at Work Policy and provides a framework of support for those affected by bullying or

harassment.

11. The Trust actively supports public interest disclosures in its Whistleblowing Policy.

### **Advancement equality of opportunity**

12. The Trust's beliefs and approach to equality and diversity are described in its Single Equality Scheme 2010 – 2013. The scheme is published on the Equality and Diversity page of the Trust's internet site.
13. All the Trust's policies and services are subject to equality impact assessment to identify and address potential barriers to equality of opportunity. These impact assessments are published on the Equality and Diversity page of the Trust's internet site.
14. The actions from the impact assessments are monitored by the Equality and Diversity Committee at every meeting (6 times a year) and updated action plans are published on the Equality and Diversity page of the Trust's internet site.
15. In its Annual Report on Equality, Diversity, Inclusion and Human Rights, the Trust provides a substantial range of qualitative and quantitative information. As well as describing activity over the previous financial year, the report analyses a range of monitoring data and identifies areas for further investigation. The Annual Report on Equality, Diversity, Inclusion and Human Rights is published on the Equality and Diversity page of the Trust's internet site.
16. The Trust has undertaken an Equal Pay Audit. The Equal Pay Audit is published on the Equality and Diversity page of the Trust's internet site.
17. The Trust has recently completed a data validation exercise for staff with the aim of improving the completeness and robustness of monitoring data.
18. The Trust reviews its performance on the collection of ethnicity data from patients on a monthly basis.
19. The Trust does not routinely equality monitor service user data on disability, pregnancy and maternity, gender reassignment or sexual orientation. This will be kept under review. The Trust does actively monitor and assess data on sex, ethnicity, religion and age.
20. The Trust does not routinely equality monitor staff data on pregnancy and maternity or gender reassignment. Data is collected for disability, religion, and sexual orientation, but with substantial numbers of staff choosing not to disclose. This will be kept under review. The Trust does actively monitor and assess data on sex, ethnicity and age.
21. The Trust is seeking to expand the range of activities on which it considers monitoring data beyond that included in the current Annual Report on Equality, Diversity, Inclusion and Human Rights.
22. The Trust has committed to tackling health inequalities in its pledge under the 'Living Well in Cheshire East' initiative. The pledge is published on the

Equality and Diversity page of the Trust's internet site.

### **Foster good relations**

23. Bias and prejudice are covered in training events for recruitment and equality and diversity.
24. The Trust frequently uses its communications channels to make staff aware of religious festivals, news or events related to age, gender, race, sexual orientation, disability/long term illness or gender reassignment. The Trust regularly reviews its calendar of such events and plans communication appropriately.
25. The Trust takes part in the annual Stonewall Workplace Equality Index survey and encourages staff to complete the Stonewall questionnaire. It has established a working group specifically to consider the promotion of information and events related to sexual orientation.