

## Berkshire Healthcare WDES Report 2020

<b>Title</b>	Workforce Disability Employment Standard (WDES)
<b>Purpose</b>	To provide a summary of BHFT's 2020 Workforce Disability Employment Standard (WDES), along with the associated action plan.
<b>Business Area</b>	Corporate
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<b>Relevant Strategic Objectives</b>	As part of our "Supporting our Staff" objective we: <ul style="list-style-type: none"> <li>• Have a duty of care for staff with existing disabilities and members of staff who may develop a disability whilst employed by the Trust.</li> <li>• Aim to facilitate an inclusive, supportive and fair organisational culture that is underpinned by a moral obligation to make sure that every member of our diverse workforce has a sense of belonging and a positive working experience.</li> <li>• Recognise the added value that a diverse workforce brings.</li> </ul>
<b>CQC Registration/Patient Care Impacts</b>	Improving employee well-being will positively impact patient care outcomes.
<b>Resource Impacts</b>	N/A
<b>Legal Implications</b>	The Equality Act 2010. Public Sector Equality Duty
<b>Equality and Diversity Implications</b>	The NHS Workforce Disability Employment Standard (WDES) became a requirement as of 1 <sup>st</sup> April 2019 to enable NHS organisations to capture and compare the experiences of disabled staff with those of non-disabled staff. The WDES is part of the NHS standard contract and facilitates a better understanding of the experiences of disabled staff, thus supporting positive change and the creation of a more inclusive working environment for disabled people.
<b>EXECUTIVE SUMMARY</b>	<p>The WDES has a similar ethos to the Workforce Race Equality Standard (WRES). It is underpinned by 10 metrics that cover the workforce profile, recruitment and capability processes, experiences of disabled staff, board make up, and the opportunity that disabled staff have to voice and air their concerns and to be heard.</p> <p>BHFT continues to make gradual progress, however gaps remain and there are key areas for improvement are:</p> <ul style="list-style-type: none"> <li>• Significant presenteeism.</li> <li>• Work related stress.</li> <li>• Staff with a disability feel unable to make suggestions to improve the work of their teams/Dpts</li> </ul>

- Improvement in rates of declaration of disability.
- Comprehensive engagement with national NHS survey data to facilitate continuous improvement of the experiences of disabled staff.
- Implementation of the new (July 2020) Reasonable Adjustment Policy.

Our Purple Network for disabled members of staff continues to make incremental progress. Awareness and understanding continue to grow. We will continue to listen and work closely with the network as we continue towards achieving objectives set out in our WDES action plan.

# Workforce Disability Employment Standard (WDES) 2020

## 1. Introduction

This paper presents Berkshire Healthcare NHS Foundation Trust's Workforce Disability Employment Standard (WDES) results for 2020, along with the associated Action Plan. The WDES reporting requirements came into force on 1<sup>st</sup> April 2019 and are designed to improve workplace and career experiences staff with a disability. This paper was approved by the Strategic People Group (SPG) and Board for publication on the Trust's website in October 2020, as required by NHS England.

## 2. Background

5% (213 headcount) of staff working for Berkshire Healthcare have a disability, as recorded in our Electronic Staff Record (ESR) system. The national average percentage of staff declaring that they are disabled on ESR is 3%. It should be noted that 13% of the workforce opted not to declare their status. It is known both from research and anecdotal evidence, that many disabled staff are reluctant to disclose their status to their employers as they believe that it may have a negative impact on their career progression. This was confirmed by the 2019 NSS results: a significant number of staff (20% of the 2,525 members of staff who participated) declared physical or mental health conditions or illnesses that have lasted for 12 months or more. This highlights that the anonymity provided by the NSS encourages disclosure. Therefore, there is need for Berkshire Healthcare to continue removing potential barriers to disclosure via ESR.

The Workforce Disability Employment Standard (WDES) has been established to improve the experience of disabled staff working in, and seeking employment in the NHS. However, results of the NSS presented in Table 3 below suggest that disabled staff consistently report higher levels of bullying and harassment and less satisfaction with appraisals and career development opportunities compared to their non-disabled peers.

At Berkshire Healthcare, there is a commitment to make this a great place to work for everyone, to continue to improve the diversity of our workforce, and therefore improve the outcomes we can achieve for patients, as well as have a workforce that reflects the diverse population that we serve.

The WDES is a set of ten evidence-based metrics that will enable NHS organisations to compare the reported outcomes and experiences of disabled and non-disabled staff.

Metrics 1, 2, 3 and 10 compare the profile of disabled and non-disabled staff in terms of a) pay bands, b) recruitment processes, c) capability processes, and d) board make up. Metrics 4-8 are comparing the experiences of disabled and non-disabled staff as shown by responses to specific NSS questions. Metric 9 is focused on assessing the extent to which disabled staff have the opportunity to voice and air their concerns and to be heard. Organisations are expected to publish their results and develop action plans to address any areas of improvement highlighted.

Our results and associated action plan will be published on our website in October 2020 and will also be shared with East Berkshire and Berkshire West Clinical Commissioning Groups as required by NHS England.

Key points about the WDES are as follows:

- Metrics were introduced from 1<sup>st</sup> April 2019 based on 2018/19 financial year data.
- It is mandated in the NHS Standard Contract.
- It is restricted to NHS Trusts and Foundation Trusts in the first two years of implementation.
- Information this year must be published by 31<sup>st</sup> October 2020
- It is voluntary for national health bodies

### 3. WDES and a culture of continuous improvement at BHFT

- Cultural change: the organisation is committed to learning and developing from the results of the WDES. This is highlighted by the Trust’s investment in the amelioration of the lived experiences of disabled members of staff. There is buy-in from the Senior Executive Team to junior members of staff. For instance, the staff Purple Network is sponsored by the Deputy Chief Executive and Chief Financial Officer, the Acting Executive Director of Strategy is also the Equality, Diversity and Inclusion Executive Director, also there is a Deputy Director for Equality, an EDI Manager and OD Lead for EDI who are all committed to listening and working in collaboration with the staff Purple Network. Currently, all stakeholders are being consulted about how EDI could be woven into leadership development and Talent Management within BHFT.
- Facilitation of incremental progress – the data collected will be used to undertake year on year comparisons. This will highlight areas of improvement and areas where there is room for improvement.
- Data can also be used to facilitate comparison with other Trusts.
- The WDES results will be cascaded around the Trust to raise awareness. The Trust will work with members of the Purple Network to analyse and confirm priority actions in response to the findings. This approach will contribute to efforts being made to increase the diversity of the workforce; move a disadvantage section of the workforce to the centre of the discourse, and thus inform effective and appropriate reasonable adjustments to ensure a positive working experience for disabled members of staff.

### 4. WDES 2019 Results: workforce makeup

The numbers of disabled and non-disabled staff employed in our Trust at various bands are presented below. Although it is encouraging to note that though we are performing above our benchmark group, it is important to remember that our statistics are incomplete given the number of individuals who withhold their disability on ESR. As highlighted in Section 2, 505 (20%) of the respondents were comfortable to declare their disabilities on the NHS Staff Survey – the declaration rate within the Trust is 5%. Although this is a national issue, the Trust needs to continue fostering a culture where employees are comfortable to declare.

See Table 1 and Table 2 below for workforce overview.

**Table 1: Workforce Makeup - Non-Clinical Cohort**

<b>Non-Clinical Cohort</b>			
	<b>Disabled</b>	<b>Not disabled</b>	<b>Missing or not declared</b>
<b>Workforce Total</b>	5%	83%	13%
<b>Bands 1-4</b>	6.1%	79.7%	14.2%

<b>Bands 5-7</b>	3.8%	86.4%	9.9%
<b>Bands 8a-8b</b>	5.2%	82.6%	12.2%
<b>Bands 8c-9&amp;VSM</b>	2%	78.4%	19.6%

**Table 2: Workforce Makeup - Clinical Cohort**

<b>Clinical Cohort</b>			
	<b>Disabled</b>	<b>Not disabled</b>	<b>Missing or not declared</b>
<b>Workforce Total</b>	5%	83%	13%
<b>Bands 1-4</b>	4.52%	84.97%	10.51%
<b>Bands 5-7</b>	4.79%	84.76%	10.45%
<b>Bands 8a-8b</b>	4.07%	88.89%	7.04%
<b>Bands 8c-9&amp;VSM</b>	8.89%	80%	11.11%
<b>Medical and Dental Consultants</b>	2.44%	53.66%	43.90%
<b>Medical and Dental staff, Non-Consultant Career Grade</b>	5.32%	58.51%	36.17%
<b>Medical and Dental Staff, Medical and Dental Trainee Grades</b>	0.00%	3.57%	96.43%

## 5. WDES 2020 Results: relative likelihood of appointment

The likelihood of disabled staff being appointed from shortlisting is 0.18 (233 shortlisted and 41 appointed). The likelihood of non-disabled staff being appointed from shortlisting is 0.21 (shortlisted 4541 and 974 appointed).

This highlights that non-disabled staff have an advantage, they are more likely to be appointed than their disabled peers. However, it should be noted that there are 41 out of 181 applicants who did not disclose that were appointed. According to the Office for National Statistics, whilst there has been incremental progress from 2003-2019, disabled people are 28.6 percentage points likely to be in unemployment than non-disabled people. This reality was echoed by Scope, the disability equality charity in England and Wales. Their data suggest that 1 in 3 disabled people feel there is significant disability prejudice. Also, 1 in 3 people see disabled people as being less productive than non-disabled people. There is need for us to keep on raising awareness and work with recruiting managers and Recruitment to ensure that relevant safeguards are embedded into the organisation's culture.

## 6. WDES 2020 Results: relative likelihood of entering the formal capability process

Results show that the likelihood of a disabled member of staff entering the formal capability process is 0.02 (5 out of 213). Therefore, the relative likelihood of a disabled member of staff entering the formal capability process in comparison to a non-disabled member of staff is 9.61. Drawing on the WDES guidance, a figure above 1 indicates that disabled staff are more likely to enter the formal capability process. Therefore, a figure of 0.02 suggests that disabled members of staff are not treated unfairly viz-a-viz the formal capability process.

## 7. WDES 2020 Results: NSS responses

The total number of disabled people working for BHFT who responded to the NSS in 2019 was 505 – this represents 11.32% of the staff in the overall workforce. In 2019, 380 disabled members of staff participated – this represents 8.8% of the total headcount of the Trust. Those who identified as having a disability were 20% of the total number of respondents – up from 18.3% in 2018.

As discussed earlier, the trends are national. There are concerns around disability prejudice. Disabled members of staff seem to be experiencing more harassment, bullying and abuse; lower levels of belief that the Trust provides equal opportunities for career development and a lower level of satisfaction that the Trust values their work. However, it is encouraging to note that increasingly, members of staff with disabilities are reporting their experiences and concerns – see Table 3 below for more detail. The cohort’s growing willingness to report disability prejudice and the relatively high engagement with the NSS should be partly credited to the staff Purple Network, its allies and an increasingly inclusive culture within the Trust. Notably, 73.6% of the members of staff feel that the Trust has made reasonable adjustments to enable them to do their work.

**Table 3: Focus on Culture: Harassment, Bullying and Abuse**

NSS Q	Question	Overall Trust	Staff with disability	Staff with no disability
11e	Not felt pressure from manager to come to work when not feeling well enough	81%	73.1%	83.1%
5f	Percentage of disabled staff compared to non-disabled staff saying that they are satisfied with the extent to which their organisation values their work	55.1%	44.2%	58.4%
13a	Not experienced harassment, bullying or abuse from patients/service users, their relatives or members of the public	75.5%	65.3%	78%
13b	Not experienced harassment, bullying or abuse from managers	88.4%	81.2%	90.6%
13c	Not experienced harassment, bullying or abuse from other colleagues	83.9%	73.9%	86.9%
13d	Last experience of harassment /bullying/abuse reported	56.4%	60.4%	54.7%
14	Organisation acts fairly: career progression	85.1%	82.6%	86.2%
28b	Disability: organisation made adequate adjustment(s) to enable me to carry out work	73.6%	73.6%	

The data presented in Table 4 below chimes with the picture painted in Table 3 above. There are issues about presenteeism and health and wellbeing. Also, a significant number of staff who have declared a disability feel that they have no voice: they do not feel that they get the respect that they deserve from their colleagues and thus are unable to suggest improvements to the work of their teams/departments. See Table 4 below for more detail:

**Table 4: Focus on Role, Health and Wellbeing**

NSS Q	Description	Disabled	Not Disabled	Difference
4b	Able to make suggestions to improve the work of my team/dept	74%	84%	-10%
4j	I receive the respect I deserve from my colleagues at work	71%	78%	-7%
5a	Satisfied with recognition for good work	60%	69%	-9%
11c	Not felt unwell due to work related stress in last 12 months	45%	63%	-18%
11d	In last 3 months, have not come to work when not feeling well enough to perform duties	29%	48%	-19%

### 8. WDES 2020 Results: action taken to facilitate the voice of disabled people being heard.

Our Purple Network for staff with a disability has had a good year; however it has not been possible to maintain the pace of previous years due to the COVID-19 pandemic. Nonetheless, there have been some good highlights including:

- Promotion of World Mental Health Awareness Week,
- “Time to Talk” Day,
- World Autism Awareness Week
- “Purple Light Up Day”

As stated above, the results of the NSS were discussed with the Network’s representatives in March 2020. However, the COVID-19 pandemic hit before any robust action plan could be agreed, and thus no further action was taken. The Trust is keen to support the Network going forward and build on the successes to date as we continue to negotiate recovery from COVID-19.

The Network has also undertaken its own survey to support our understanding of the experiences of staff with a disability, and enable us to take action in response. This has informed our action plan as well as the priorities and goals of the network, which are:

- Increasing Purple confidence, and raising network profile
- Addressing barriers and issues faced by “Purple People”
- Supporting reasonable adjustments process
- Making a positive impact on staff wellbeing and work-related stress, and promoting the ‘Time to Talk initiative’

**WDES action plan 2020-2021**

Action	EDI Strategy Objectives	Progress	Next steps	Timescales
Review Making it Right for Purple programme/Talent Management/Career Progression	<i>Review of MIR programme: "We are a diverse and inclusive team"</i>	New OD Lead for ED&I started in July 2020. The postholder is conducting a full review of the MiR programme to ensure it is still fit for purpose. The whole Leadership offer is also currently be reviewed so the two strands of work are being joined up to ensure EDI is weaved through all of the Leadership behaviours	<p>Review of MiR Programme completed</p> <p>Presentation of findings, recommendations and proposed new programme to stakeholders will begin</p> <p>Stakeholders given up to October to give feedback.</p> <p>Design of new programme – to be completed by</p> <p>New programme planned to launch in Jan 2021</p>	<p>September 2020</p> <p>October 2020</p> <p>November 2020</p> <p>January 2021</p>
Support our Purple Network to achieve their objectives	<i>Supporting Staff Networks</i>	Based on feedback from the networks we have appointed a fulltime administrator to support all of the networks with dedicated time for each network	<p>Full Purple Network infrastructure review including terms of reference, job descriptions, training, protected time etc</p> <p>Review completed</p> <p>Proposed Infrastructure</p> <p>Agreement of new structures and roll out</p>	<p>October 2020</p> <p>November 2020</p> <p>December 2020</p>





Increase disability declaration rates on ESR	<i>Workforce Development and Talent Management</i>	Communication strategy to encourage people to feel safe to declare	Communicate a reminder about the importance of declaration to all staff, and how they can use ESR Self Service functionality to update their personal information.	October 2020
Design a strategy to attract a diverse range of applicants to work for us	<i>Workforce Development and Talent Management (QI approach to talent issues)</i>	Adverts and Job Descriptions written in plain English with little 'NHS' speak or jargon to make them accessible	EDI Team to work with the Purple Network (and other networks) to attract a wide range of clients and work towards becoming an employer of choice for Purple characteristic staff.	Completed review and launch new approach March 2021
Address the poorer experience of disabled staff reported through the NSS for Bullying and Harassment	<i>Inequalities and differentials in experience:</i> <ul style="list-style-type: none"><li>• <i>Just Culture</i></li><li>• <i>Bullying and Harassment</i></li></ul>	<p>Complete and implement the use of our videos and posters for internal training and events to promote our zero-tolerance message about bullying and harassment.</p> <p>The Trust introduced for the first time earlier this year a policy on reasonable adjustments, to provide clarity for our staff with a disability and our managers. As with most of our employment policies, there is also a set of guidelines</p>	<p>Reduction of Bullying and Harassment to be a key deliverable of the newly formed OD Steering group with targeted interventions with areas that show bullying and harassment on the staff survey.</p> <p>Build on reasonable adjustment policy work and imbed it within Leadership Training for managers</p> <p>Continue to promote the policy through the internal communication channels for staff and managers.</p>	October 2020 - ongoing



		accompanying the policy which are designed to support with the identification and provision of reasonable adjustments where they are needed, and they also include the contact details for some organisations which may be of use.		
Address the poorer experience of disabled staff reported through the NSS for Discrimination (both direct and indirect)	<i>Inequalities and differentials in experience:</i> <ul style="list-style-type: none"><li>• <i>Just Culture</i></li><li>• <i>Bullying and Harassment</i></li></ul>	Use of reliable and robust data – to understand the experiences of our staff and proactively using data to address areas of concern. We will work with the Purple Network to improve our use of soft intelligence about people’s experience, in combination with data from Human Resources and Freedom to Speak Up processes.	Key priority of the OD Lead for EDI and the wider EDI team, supported by the OD Steering group and all members of the People Department at Berkshire Healthcare  Build on reasonable adjustment policy work and imbed it within Leadership Training for managers	October 2020 - ongoing