

Meeting the general equality duty

Title: Employee Relations

Which of the three aims is this information relevant to?

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not.

Foster good relations between people who share a protected characteristic and those who do not.

How does this information help us to show we are paying due regards to advancing equality?

By focusing on our employee relations casework we can analyse the number of cases by protected characteristic group in order to see any patterns or trends. The Trust continues to improve data interpretation and quality check for possible trends in our casework.

Ongoing monitoring and analysis of this type of information can help to inform our actions and help us to advance equality for the different groups.

Any other comments/actions

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Section one: Employee Relations – Non Medical Staff

Disciplinary Cases

From January to December 2013, there were 107 formal disciplinary cases, a reduction from 144 the previous year. Below is a breakdown by band. As can be seen, the majority of cases (82%) involved staff in bands 1-5. This is in the context of 64% of our staff being in these bands 1 – 5.

Bands 1 – 5	88
Bands 6 – 7	16
Bands 8 and above	3

Disciplinary by Gender

Of the above cases, 20 (18%) involved male staff and 87 (81%) involved female staff; a slight increase in the numbers of male staff from the previous reporting period. The overall staff gender split of the Trust (non-medical staff) is 12% male and 88% female.

Disciplinary by Disability

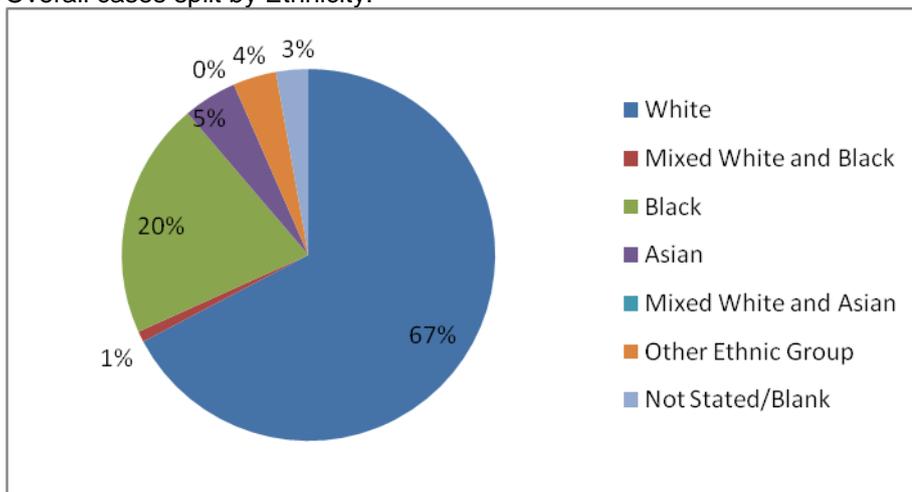
Of the cases above 4 members of staff that went through a disciplinary case declared themselves to have a disability. This is approximately 3% of staff which is broadly in line with the number of the workforce with a declared disability (of 2%).

Disciplinary by Ethnicity

Of the 107 cases:

- 72 (67%) involved staff who declared their ethnicity as white. The percentage of the total workforce declaring themselves as “white” is 77%.
- 23 (21%) involved staff that have declared their ethnicity as “black.” The percentage of these groups of staff in the workforce is 5% “black.”
- 5 cases (4%) involved staff that declared their ethnicity as “Asian.” The percentage of these groups of staff in total workforce is 8% “Asian.”

Overall cases split by Ethnicity:



These overall figures appear to show some disproportionality when compared to the ethnic background of the staff population as a whole. The figures also show some change from the previous reporting period, when 13% of staff involved in

disciplinary cases declared themselves as “Black”, and 11% of staff declared themselves as “Asian”.

Further analysis of the statistics and a review of case work will be carried out to provide assurance that the correct disciplinary processes have been followed and that processes are fair and equitable.

Other Employee Relations Casework

For the following types of employee relations work, the number of staff involved is small. It is therefore not possible to draw any firm conclusions as to whether there is any adverse impact on any particularly staff group. However, the Trust policies ensure that individual cases are conducted in a manner and monitored to avoid any discrimination. As part of the review of all cases, referred to above, these cases will also be reviewed to ensure that processes were fair and equitable.

Dignity and Respect Cases

There were 9 Dignity and Respect cases between January and December 2013. Of these 9 cases the breakdown is as follows:

Gender

1 was brought by a male staff member and 8 by female staff. This is reflective of the overall gender split in the workforce.

Ethnicity

8 cases were brought by staff of a “white” background and 1 of Asian background.

Disability

There were no cases which involved a member of staff who has a declared disability.

Capability Cases

There were 9 capability cases between January and December 2013. Of these 9 cases the breakdown is as follows:

Gender

Of these cases, 2 involved male staff, 7 female staff. These numbers are reflective of the context of the overall workforce gender split ie a greater number of females.

Ethnicity

5 cases involved staff of “white” background, 2 of “black background” 1 “other ethnic group” and 1 not stated.

Disability

None of the staff involved declared that they had a disability.

Formal Sickness Hearings

There were 10 formal sickness hearings between January and December 2013. Of these cases 10 cases the breakdown is as follows:

Gender

1 case involved a male staff member and 9 cases involved female staff.

Ethnicity

8 cases involved staff of a “white” background and 2 cases involved staff from a BME background.

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Grievance Cases

There were 8 Grievance cases between January and December 2013. Of these 8 cases the breakdown is as follows:

Gender

Of these 8 cases, 1 involved male staff and 6 female staff; one was a collective grievance.

Ethnicity

All cases involved staff of a "white" background except one member of staff whose ethnicity was "not stated".

Disability

1 case involved a member of staff who declared themselves to have a disability.

Flexible Working Applications

The Trust is committed to improving the working lives of staff and helping them to achieve a balance between the demands of their jobs and personal responsibilities. The Trust recognises that employees work best when there is a balance between work and home life.

Our flexible working procedure allows for staff and managers to develop local working practices which meet the needs of our patients and the workforce. Some examples of why staff may want to ask for a flexible working option can include childcare/caring responsibilities, care of elderly/disabled relatives of personal development and more. They can also be made as a part of a reasonable adjustment for staff that declares a disability.

The majority of flexible working applications are managed locally and do not result in a formal change to an individual's contract. Only one formal flexible working request, that involved HR, was refused in 2013. During the year, 344 staff changed their hours; an analysis of these changes are set out below:

These figures are positive and help to demonstrate our commitment to helping improve working lives and enable a more flexible way of working according to need.

Flexible working applications by Gender:

	Female	Male
Applications accepted	327	17

Flexible working applications by Ethnicity:

	White British	White Irish	White Other	Asian	Black	Mixed Back-ground	Other	Not Stated
Applications accepted	251	6	36	14	13	1	10	12

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Flexible working applications by Age:

	25yrs – 34yrs	35yrs – 44yrs	45yrs – 54yrs	55yrs – 69yrs
Applications accepted	68	94	113	68

Flexible working applications by Disability:

Of the 344 Flexible Working applications, 6 were from staff who declared themselves to have a disability.

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Section Two: Employee Relations – Medical Staff

For January 2013 – December 2013, there were 13 cases managed under the 'Conduct, Capability, Ill Health and Appeals Policies and Procedures for Practitioners (Maintaining High Professional Standards Policy) involving Medical Staff.

Conduct Cases

There were 7 Conduct cases from January 2013 to December 2013. Breakdown of these is as follows:

Gender

Of these 7 cases, 6 involved male staff and 1 involved female staff.

Ethnicity

Of these 7 cases, 4 involved staff of a white background and 3 involved staff of BME background.

Capability Cases

There were no Capability cases from January 2013 to December 2013.

Sickness Absence Cases

There were 6 Sickness Absence cases from January 2013 to December 2013. Breakdown of these is as follows:

Gender

Of these 6 cases, 4 involved male staff and 2 involved female staff.

Ethnicity

Of these 6 cases, 4 involved staff of a white background 2 involved staff of BME background.

Representation of BME staff tends to be higher as a proportion of the medical staff group than in the general workforce as is demonstrated by the non AFC group data in the workforce report, e.g. of 639 doctors approximately 29% have declared themselves as Asian. Therefore, this finding should not be assumed to be disproportionate and these are very small numbers.

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