

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

This report illustrates employee relation cases as required by the Public Sector Equality Duty. Where non-medical and medical staff are managed under separate policies/procedures, reporting is split to reflect this ie Disciplinary/Conduct and Capability. For all other employee relation cases, where staff work to the same policies, ie Dignity and Respect, Grievance and Formal Sickness Hearings reporting is joint.

Disciplinary Cases

The following analysis relates to non-medical staff who are managed through the Trust's Disciplinary Policy & Procedure.

From April 2014 to March 2015, there were a total number of 78 formal disciplinary cases representing 1.5% of the total non-medical workforce - a decrease from 107 cases reported from the previous 12 month reporting period.

Band	Disciplinary cases by band
Bands 1 to 5	63
Bands 6 to 7	14
Bands 8 and above	1
Total	78

Gender

Of the above cases 33 (42%) involved male staff and 45 (58%) involved female staff. The gender split shows some disproportionality when comparing the total workforce gender profile: 17% male and 83% female. Further analysis of the statistics will be carried out to provide assurance that the correct processes have been followed and that they are fair and equitable.

Disability

Of the cases above 3 (4%) members of staff recorded declared themselves to have a disability. The numbers are small, but are broadly proportionate with the proportion of the total workforce with a declared disability.

Ethnicity

Of the 78 disciplinary cases:

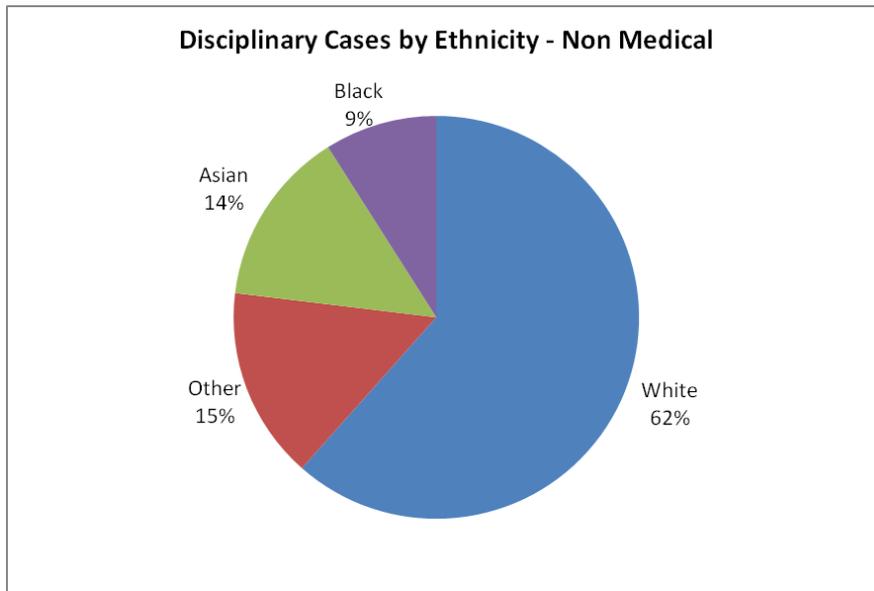
48 (62%) of cases involved staff of a 'white' background; the percentage of the total workforce declaring themselves as 'white' is 75% (incl 3 white groups).

11 (14%) of cases involved staff of an Asian background; the percentage of the total workforce declaring themselves as Asian is 9%.

7 (9%) of cases involved staff declaring themselves as 'black': the percentage of the total workforce declaring themselves as 'black' is 4%.

12 (15%) of cases were recorded as 'other' (mixed background, not stated or any other ethnic group); this broadly reflects the percentage of the total workforce in this category 12%.

Table 1 – Pie Chart illustrating the breakdown of disciplinary cases by ethnicity (non medical)



Non – Medical Workforce Profile by Ethnicity	White	Asian	Black	Other
	75%	9%	4%	12%

These overall figures appear to show some disproportionality when compared to the ethnic background of the staff population as a whole. Further analysis will be carried out as part of the Trust’s work on the NHS Workforce Race Equality Scheme.

Conduct Cases (Medical Staffing)

The cases below relate to Medical staff who are managed through the Trust’s Maintaining High Professional Standards policy.

There were 13 conduct cases for the period April 2014 to March 2015 - this represents 2% of the medical staff profile of 626 staff. As the numbers are small, it is not possible to draw any conclusions as to the whether the policy has a disproportionate impact on staff with a protected characteristic.

Gender

Of the above cases, 12 (92%) involved male staff and 1 (8%) female; a disproportionate number of cases involved males when compared to the workforce gender split for medical staff is 53% male and 43% female. Further analysis of the statistics will be carried out to provide assurance that the correct processes have been followed and that they are fair and equitable

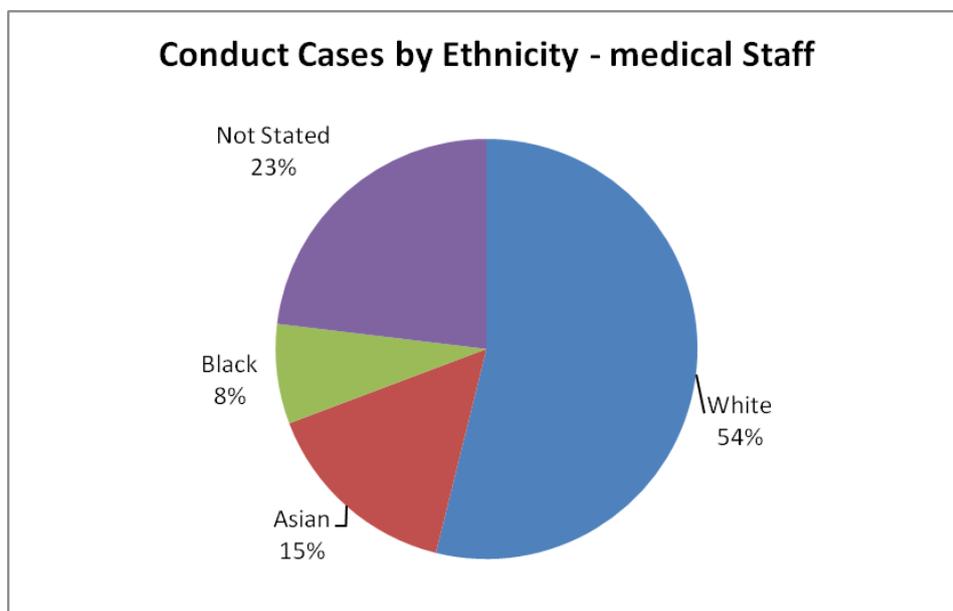
Ethnicity

Of the above cases, 7 (54%) involved staff who declared their ethnicity as 'white', 2 (15%) Asian and 1 (8%) 'black' and 3 (23%) non stated ethnicity. The percentage of the total medical workforce declaring themselves as 'white' is 55%, Asian 30% and 'black' is (3%) or other 12%. The numbers are small, but through the work for the Workforce Race Equality Scheme we will carry out further analysis and assurance processes.

Disability

Of the cases above 2 (15%) of conduct cases staff had a declared disability. Of the general medical workforce, 10 (2%) declared to have a disability/impairment.

Table 2 – Pie Chart illustrating the breakdown of conduct cases by ethnicity (medical staffing)



Medical Workforce Profile by Ethnicity	White	Asian	Black	Other
	55%	30%	3%	12%

Capability Cases (Non Medical Staffing)

There were 8 capability cases for the period April 2014 to March 2015 – 1% of the non-medical workforce. Of these 8 cases the breakdown is set out below. However, as the numbers are small, it is not possible to draw any conclusions as to the whether the policy has a disproportionate impact on staff with a protected characteristic.

Gender

Of these cases, 7 (87%) involved were female and 1 (12%) male. These numbers broadly reflect the **total** workforce gender split: 83% female and 17% male.

Ethnicity

5 (63%) cases involved staff declaring themselves as 'white' background, 2 (25%) of 'black' background and 1 (12%) 'other' This compares with a workforce profile of 75% 'white' , 9% Asian, 4% 'black' and 12% other (unstated, mixed background or any other ethnic group). As the numbers are small, it is not possible to conclude whether these figures represent any disproportionality.

Disability

1 (12%) capability case involved a staff member with a declared disability

Capability Cases (Medical Staffing)

There were **no** formal capability cases for the period April 2014 to March 2015 out of a total medical workforce of 626 staff.

Other Employee Relations Casework (Medical staffing and non-medical i.e combined)

Non medical and medical staff work to the same policies for the management of Dignity and Respect, Grievance and Formal Sickness Cases; both staff groups are reflected in the reporting below.

Dignity and Respect

Across the entire workforce of 5,800 staff there were a total of 12 Dignity and Respect cases between April 2014 and March 2015. Of these cases the breakdown is set out below. However, as the numbers are small, it is not possible to draw any conclusions as to the whether the policy has a disproportionate impact on staff with a protected characteristic.

Gender

Of the above cases, 8 (67%) were female and 4 (33%) male. The workforce gender split 83% female and 17% male.

Ethnicity

Of the above cases, 9 (75%) staff declared their ethnicity as 'white' and 2 (17%) Asian and 1 (8%) did not state. This broadly reflects the workforce profile of 75% 'white' , 9% Asian, 4% 'black' and 12% other (ie unstated, mixed background or any other ethnic group).

Disability

Of the above cases, 1 (8%) staff member declared as having a disability

Grievance Cases

Across the entire workforce of 5,800 staff there were 7 Grievance Cases between April 2014 and March 2015. As the numbers are small, it is more difficult to draw any conclusions with regards to disproportionate representation of staff with a protected characteristic.

Gender

Of these cases 6 (86%) were female and 1 (17%) male this directly mirrors the workforce gender split.

Ethnicity

Of the 7 cases, 5 (71%) of these cases involved staff of a 'white' background and 2 (33%) Asian; against a workforce profile of 75% 'white', 9% Asian, 4% 'black' and 12% other (unstated, mixed background or any other ethnic group).

Disability

2 (33%) Grievance Cases involved staff with a declared disability; 2% of the total workforce have a declared disability.

Formal Sickness Hearings

There were a total 15 sickness hearings between April 2014 and March 2015. Of these 15 cases the breakdown by protected group is set out below. However, as the numbers are small, once again it is more challenging to draw any conclusions as to the whether the policy has a disproportionate impact on staff with a protected characteristic.

Gender

6 (40%) cases were female and 7 (47%) cases were male. Despite being very small numbers this would appear to show a slightly higher representation of males when looking at the overall workforce which has an 83% female and 17% male gender split.

Ethnicity

8 (53%) cases involved staff of a 'white' background, 1 (7%) of 'black' background, 3 (20%) of 'Asian' background and 1 (7%) case as 'other',

Disability

There was 1 (7%) staff member with a declared disability; 2% of the workforce have declared disability.

Flexible Working

The Trust is committed to improving the working lives of staff and to help them 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.

Examples of why staff ask for a flexible working option include childcare/caring responsibilities, care of elderly/disabled relatives, personal development and more. Requests can also be made as a part of a reasonable adjustment for staff with a declared disability.

The majority of flexible working applications are managed locally and as a consequence, do not involve a formal change to an employment contract.

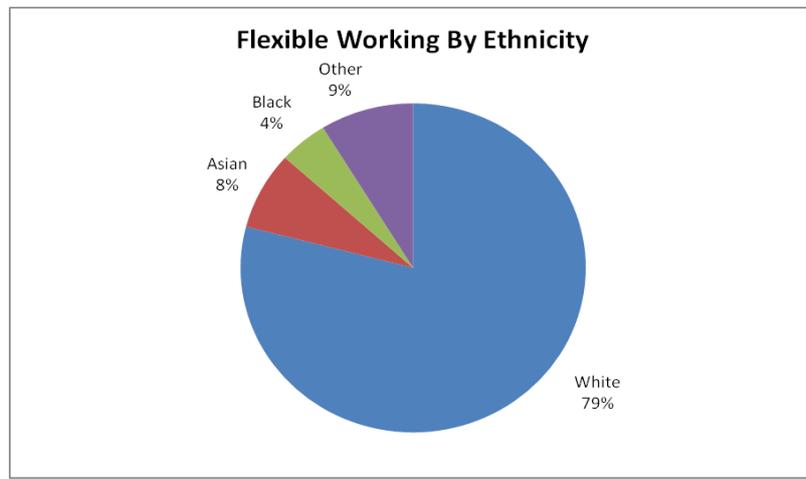
During the year April 2014 to March 2015, 811 of the total workforce changed their hours.

The figures broadly reflect the workforce profile of staff, illustrated by gender, ethnicity, age and disability which is positive:

Flexible Working by Gender:

April 2014 – March 2015	Male	Female
Staff who have changed their hours	71 (9%)	740 (91%)

Flexible Working by Ethnicity:



Ethnicity	White	Asian	Black	Other
Applications	641	62	37	71

Flexible Working Applications by Age:

Age range	Below 24	25-34	35-44	45-54	55 and over
Applications	22	190	225	238	136

Flexible Working Applications by Disability:

Of the 811 Flexible Working Applications 18 (2%) were from staff members with a declared disability; this is proportionate to the 2% of the total workforce who have declared a disability.