

Meeting the general equality duty

Employee Relations: 2018 - 2019

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 (ER) casework we can analyse the number of cases by protected characteristic group for any patterns or trends. The Trust continues to improve data interpretation and quality checks for possible trends in our casework. On-going monitoring and analysis of this type of information informs our actions and help us to advance equality for the different groups.

Any other comments/actions:

The report reflects how Trust policies and procedures are applied across all staff groups (medical and non-medical). As the numbers of ER cases are relatively low, the Trust's Equality, Diversity & Inclusion Steering Board will also review a sample of cases to ensure that the policies have been appropriately applied.

There was a decrease in the overall numbers of formal employee relations cases (medical and non-medical) in 2018/19 compared to the previous year (2017/18). There were differences between the different types of cases:

- A decrease in the number of formal conduct cases
- No change in the number of capability cases
- A small increase in the number of grievance and dignity & respect cases
- An increase in formal sickness hearing cases

We believe that these changes are due to a number of interventions that have been introduced during the year. These are listed below:

- The HR team:
 - Supporting managers to resolve conduct issues at an informal stage when appropriate.
 - Providing 'bite size' training sessions on key employment policies.
- The Trust's values and behaviours being embedded into all people practices e.g. recruitment, appraisal and training interventions;
- Staff feeling empowered to raise concerns, in particular through the work of our Freedom to Speak Up Guardian.
- Structured training programmes are in place to support leadership capability.

Disciplinary Cases

The following data relates to disciplinary cases as managed under the Trust's Disciplinary Policy & Procedure. There were 38 formal disciplinary cases during the year; this is a decrease from 65 formal cases in the previous year. As in previous years, the majority of cases involve staff in Bands 1 to 5. Just over 50% of staff are in bands 1-5; the number of staff in these bands involved in formal cases is disproportionate. Further analysis will consider the banding, staff group and service area of cases.

Agenda for Change Band	Disciplinary cases by Band non-medical staff
Bands 1 to 5	24
Bands 6 to 7	7
Bands 8 and above	5
Medical and Dental	2
Total	38

Gender

Of the above cases, 25 (66%) involved male staff and 13 (34%) involved female staff. Although the number is relatively small as a proportion of the total staff number, the gender split is disproportionate when comparing the total workforce gender profile of 19% male and 81% female. Further analysis will consider the banding, staff group and service area of cases.

Disability

Of the above cases, 2 (5%) members of staff had a declared disability, 22 (58%) did not have a declared disability and 14 (37%) preferred not to say. Although the numbers are small, there is some disproportionality when comparing staff with a declared disability against the workforce profile of 3%; this is an increase in the disciplinary cases for staff with a declared disability when compared to the figures reported last year (nil cases were reported).

Ethnicity

Of the 38 disciplinary cases:

- 20 (53%) of cases involved staff of a white background; 72% of the workforce declare their ethnicity as white.

- 9 (24%) of cases involved staff of an asian background; 12% of the workforce declare their ethnicity as asian.
- 1 (2%) of cases involved staff of a black background; 5% of the workforce declare their ethnicity as black.
- 8 (21%) of cases were recorded as 'other' (mixed background, not stated or any other ethnic group) compared to 11% of the workforce as a whole.

This difference in experience of staff of differing ethnicities will be taken forward in our Workforce Race Equality Standard (WRES) work.

Capability Cases

There were 6 formal capability cases in the year – the same as the previous year. Although the numbers are small, our Equality, Diversity & Inclusion (ED&I) work in 2019/20, in particular for the WRES and the WDES will consider how all aspects of the Trust's employee relations work impact on staff.

Gender

Of the 6 cases 2(33%) involved male staff and 4 (67%) involved female staff.

The numbers are small; it is therefore not possible to draw conclusions as to whether or not there is any difference in how the policy is applied to male and female staff.

Ethnicity

Of the 6 cases, 4 (66%) involved staff declaring their ethnicity as white, 1(17%) as asian and 1 (17%) case recorded as other (either mixed background, not stated or other ethnic group).

Disability

Of all the cases above, 3(50%) did not have any declared disability and 3(50%) preferred not to disclose of any disability.

Dignity and Respect

There were 15 Dignity and Respect cases in the year. Although the numbers are small, our ED&I work in 2019/20, in particular for the WRES and the WDES will consider how all aspects of the Trust's employee relations work impact on staff.

Gender

8 (53%) cases were reported by female staff and 7(47%) were reported by male staff.

Ethnicity

5 (33%) cases were raised by staff declared their ethnicity as white, 3 (20%) as asian, 3 (20%) as black and 4 (27%) categorised as other.

Disability

7 (47%) staff did not have a declared disability and 8 (53%) preferred not to disclose of any disability.

Grievance Cases

Across all staff groups, there were 20 formal grievance cases this year, an increase from the 16 cases reported in the previous year. Although the numbers are small, our ED&I work in

2019/20, in particular for the WRES and the WDES will consider how all aspects of the Trust's employee relations work impact on staff.

Gender

13 (65%) cases were raised by female staff, 7 (35%) by male staff.

Ethnicity

15 (75%) cases were raised by staff who declared their ethnicity as white and 5 (25%) recorded as 'other' (i.e. any other ethnic group or not stated).

Disability

8 (40%) cases were raised by staff who did not declare a disability, 3 (15%) staff had declared disability and 9 (45%) preferred not to say.

Formal Sickness Hearings

There were a total of 12 sickness hearings this year, an increase of 7 from the previous year. Although the numbers are small, our ED&I work in 2019/20, in particular for the WRES and the WDES will consider how all aspects of the Trust's employee relations work impact on staff.

Gender

10 (83%) cases involved female staff and 2* (17%) male staff. This is representative of the workforce gender split.

Ethnicity

10 (83%) cases involved staff who declared their ethnicity as white and 2 (17%) as asian

Disability

2 (17%) cases involved staff who had declared disability, 4 (33%) staff did not have a disability and 6 (50%) would prefer not to say.

Flexible Working

We are committed to improving the working lives of staff and to help them achieve a balance between the demands of their job and personal responsibilities. The Trust's Flexible Working Policy facilitates and supports staff/managers to develop local working practices to meet the needs of patients and the workforce.

One indication of the take up of flexible working is the number of staff who changed their hours. During the year, 561 staff changed their working hours; this is a decrease from the 587 staff that changed their working hours the previous year.

Gender

The figures show that a greater proportion of female staff than male staff changed their hours.

April 2018 - March 2019	Male	Female
Change of Hours	9%	91%

* One of the cases reported were third party subcontractor managed through the Trust policy.

Workforce profile by gender	19%	81%
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Ethnicity

The figures show that Figures as shown above adequately correspond with Trust's workforce profile by ethnicity.

Ethnicity	White	Asian	Black	Other
Changed their hours	78%	9%	5%	8%
Workforce profile by ethnicity	72%	12%	5%	11%

Flexible Working by Age

Age range	Below 24	25-34	35-44	45-54	55 & above
Hours change	3%	23%	27%	25%	22%

The figures show indicate that the group of staff with the highest proportion of flexible working changes were age 35 to 44.

Flexible Working by Disability

Of the 561 staff that changed their working hours 3% of staff had a declared disability, this is proportionate with the workforce profile of 3% with a declared disability

Disability	%
Declared - Yes	3%
Declared - No	86%
Not Declared	11%