

Report to the Corporate Overview and Scrutiny



**Heywood, Middleton
and Rochdale**
Clinical Commissioning Group

Date of Meeting:	24/03/2020
Portfolio	Portfolio Holder of Corporate Overview and Scrutiny
Lead Member	Councillor Michael Holly
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Draft Joint Equality, Diversity and Inclusion Strategy 2020-2024

Executive Summary

This report provides an update on the development of the proposed Joint Equality, Diversity and Inclusion Strategy 2020-24 and its role in helping satisfy Rochdale Borough Council's and NHS Heywood Middleton and Rochdale Clinical Commissioning Group's obligations under the Public Sector Equality Duty (section 149 of the Equality Act 2010).

- 1.1 This report provides an update on the development of the draft Joint Equality, Diversity and Inclusion Strategy (Joint EDI Strategy 2020-24) and its role in helping satisfy both NHS HMR CCG and Rochdale Borough Council obligations under the Public Sector Equality Duty (PSED: section 149 of the Equality Act 2010).
- 1.2 The content of this report is as follow:
 - Update Report: Proposed Joint Equality, Diversity and Inclusion Strategy (2020-24);
 - Appendix 1: Proposed Joint Equality, Diversity and Inclusion Strategy (2020-24).
 - Appendix 2: Equality, Diversity and Inclusion Engagement and Consultation Report

Recommendation

2.1 It is recommended that the Corporate Overview and Scrutiny:

- Note the contents of the report and strategy;
- Provide any feedback and comments;
- Note the next steps outlined in the report for engagement with stakeholders and governance leading to the final version of the Joint Equality, Diversity and Inclusion Strategy 2020-24 being taken to the Governing Body on the 20th March 2020 and Rochdale Borough Council Cabinet 31st March 2020 for formal adoption by both organisations.
- Note that the CCG governance route for the Joint Strategy 2020-24 will be completed on the 20th March 2020, where it will be presented for ratification. Chairs Actions has been requested from the CCG Governing Body should they be required, to endorse any further changes that may be required following the Corporate Overview and Scrutiny meeting.

Reason for Recommendation

3.1 This is the first joint EDI strategy of NHS Heywood Middleton and Rochdale Clinical Commissioning Group (NHS HMRCCG) and Rochdale Borough Council (RBC). Previously both organisations had their own equality and diversity strategies which have now expired

Key Points for Consideration

4.1 NHS HMRCCG and RBC are obligated to operate within the legal framework of the Equality Act 2010; PSED; Human Rights Act 1998 and the Health and Social Care Act 2012.

4.2 The table below provides a summary of our legal and mandatory requirements:

Equality Act 2010 (PSED)	Human Rights Act 1998	Health and Social Care Act 2012	Mandatory Requirements (to support meet the PSED)
<p>General Duty</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Act; • Advance equality of opportunity between people who share a protected characteristic and those who do not share it; • Foster good relations between people who share a protected characteristic and those who do not share it. <p>Specific Duties</p> <ul style="list-style-type: none"> • Publish annual equality information (Services and workforce) • Publish equality objectives (4 yearly) • Gender Pay Gap recording 	<p>Section 6 of the HRA makes it unlawful for a public authority (NHS HMR CCG and RBC) to act in a way that is incompatible with a person's rights.</p> <p>The FREDA principles</p> <ul style="list-style-type: none"> • Fairness • Respect • Equality • Dignity • Autonomy 	<p>NHS HMR CCG and Integrated Commissioning must have regards to:</p> <ul style="list-style-type: none"> • Reduce inequalities between patients with respect to their ability to access health services • Reduce inequalities between patients with respect to the outcomes achieved for them by the provision of services 	<p>NHS Equality Delivery System (EDS2)</p> <p>NHS Workforce Race Equality Standard (WRES)</p> <p>NHS Workforce Disability Equality Standard (WDES)</p> <p>NHS Accessible Information Standard (Health and Social Care)</p> <p>NHS Sexual Orientation Monitoring Standard (Health and Social Care)</p> <p>NHS Constitution</p> <p>Local Government Equality Framework.</p>

4.3 The table above illustrates the PSED as laid out in section 149 of the Equality Act 2010 and the requirements public authorities must do in the exercise of its functions. It also provides an overview of other legislative requirements and mandatory standards and frameworks applicable to NHS HMRCCG, Health and Social Care and good practice for Local authorities; which support public bodies to meet the PSED.

4.4 In addition, the Equality Act 2006 gave the Equality and Human Rights Commission (EHRC) the duty to report regularly on the extent to which equality and human rights are improving in Britain. In their [2015 report](#) on the state of the nation and [2018 review](#), eight key priorities were identified, that are needed to tackle existing discrimination (listed below) and the ongoing challenges that must be addressed in respect of access to justice, hate crime and sexual harassment. Also increased inequalities in child poverty, socio economic disadvantage, large gaps between the experiences and outcomes of disabled people and some ethnic minorities and the population. Improve the evidence and the ability to assess how fair society is.

- Improve the evidence and the ability to assess how fair society is.
- Raise standards and close attainment gaps in education,
- Encourage fair recruitment, development and reward in employment.
- Support improved living conditions in cohesive communities.
- Encourage democratic participation and ensure access to justice.
- Improve access to mental health services and support for those experiencing (or at risk of experiencing) poor mental health.
- Prevent abuse, neglect and ill-treatment in care and detention.
- Tackle targeted harassment and abuse of people who share protected characteristic.

4.5 The reports briefly discussed above (point 4.4) along with the recent Health Equity in England; Marmot Review '10 Years On' (February 2020); highlights how life expectancy has stalled for the first time in at least 120 years and the impact of socio economic disadvantage on infant and child health. This all presents the enormity of the challenges public bodies face in addressing complex inequalities and discrimination for all their residents with constraint resources, which align with priorities in our Locality Plan.

4.6 As listed in the table above the main improvement framework mandated for the NHS including the CCG's is the Equality Delivery System (EDS) which has 4 Goals (listed below):

1. Better health outcomes
2. Improved patient access and experience
3. A representative and supported workforce
4. Inclusive leadership.

NHS organisations are rated by their stakeholders against these goals as: underdeveloped, developed, achieving and excelling. Since October 2013 HMR CCG has measured its performance against goals 2 and 4 and was rated as achieving.

- 4.7 The NHS Long Term Plan places a greater focus on place-based approaches and integration of health and social care. The trajectory is for the NHS mandated standards listed in the table above (point 4.2) to be incorporated within a more health and social care, placed based paradigm.
- 4.8 The Equality Framework for Local Government (EFLG), although not mandated for local authorities, is like the NHS EDS by providing an improvement framework to help councils to meet the equality duties by ensuring that a robust evidence base informs local decisions. The EFLG comprises of five performance areas:
1. Knowing your communities
 2. Leadership, partnership and organisational commitment
 3. Involving your communities
 4. Responsive services and customer care
 5. A skilled and committed workforce.
- 4.7 Both the NHS EDS and EFLG ensure that public bodies can demonstrate that equalities is at the heart of its work. The Joint Strategy and the Equality Objectives ensures both the CCG and RBC meet the needs of its communities and staff while ensuring legislative, mandated standards and good practice improvement frameworks can be evidenced and met.
- 4.8 At a Greater Manchester level, more focus is galvanising within Greater Manchester Combined Authority (GMCA) and Greater Manchester Health and Social Care Partnership (GMHSCP) in addressing equalities. and is reflected in structures that have been established including:
- GMCA Equalities Advisory Groups for: Women and Young Girls, Disabled People, LGBTQ and more recently 2 panels for Race and Faith
 - GMCA Apprenticeships programme with a focus on underserved communities (BAME and Disability)
 - GMHSCP Workforce Race Equality Steering Group with a GM Public Sector Focus
 - GMHSCP Pride in Practice – focus on primary care services
 - GMHSCP Inclusion and Wellbeing Partnership Board- main role is to encourage and champion equality, diversity and inclusion through engagement across GM and within localities
 - Several GM commissioning workstreams with a focus on equalities including: Mental Health, Dementia, Cancer, Smoking etc

This focus anticipates that localities, including Rochdale borough, are focusing on the addressing inequalities raised within their local plans.

- 4.9 As outlined above (point 3.1), NHS HMR CCG and RBC previously set out their equality objectives through their own organisational strategies and policies. A new set of joint equality objectives have now been developed which are listed below (point 4.10) and detailed in Appendix 1: Joint EDI Strategy (2020-24). This ensures we continue to fulfil our obligation to publish our objectives at intervals of no more than four years from the date of first publication.
- 4.10 Through a process of assessment, review and engagement with stakeholder five high level Equality Objectives 2020-24 have been themed with the acronym '**READI**', further details about the equality objectives are detailed in Appendix 1.
- **Reduce** inequalities and improve outcomes
 - **Embed** EDI in our way of working and meet our statutory and mandatory requirements
 - **Actively** consult, engage, involve and communicate with our communities
 - **Develop** inclusive leadership, workforce and culture
 - **Improve** access to information services and data collection and usage
- 4.11 The proposed equality objectives listed above are strategically aligned to the mandatory and good practice drivers as listed in the table above (point 4.2) and to the Corporate and Locality Plans, our new joint values and the national NHS Long-Term Plan (including People's Plan).

As public sector organisations our Equality Objectives cover a broad range of areas. Over the next 4 years we will deliver our objectives through projects, policies and strategies that shape how we commission and deliver services; and we will work with others on areas like workforce, communities, children's and young people, skills and health and wellbeing.

Each year, we will produce an Annual Equality Report, that will provide an update on each of the Five Objectives, including how we are delivering and the outcomes. Our Annual Equality Report also includes a detailed set of data on our workforce diversity, so you can see how we are progressing. The first Annual Equality Report for our new 2020-24 objectives will be published in spring 2020.

- 4.12 Some strategic and measurable actions have already been identified and are detailed within the strategy and will be reviewed annually to ensure ongoing relevance to the needs of both organisations as it continues to develop and evolve.
- 4.13 Development of the Strategy included a strategic review of equality which was initiated in October 2018 by Joint Equality Steering Group, followed by a series of engagement and involvement events, listed below. The main aim was to enable dialogue and learning between different stakeholders working with and representing a range of communities from protected characteristic groups, senior leadership across both RBC and HMR CCG and the staff voice.

- **Advancing Equalities Across the Borough of Rochdale**, communities, voluntary sector 14th February 2019
- **Equality and Inclusion Session**, Wider Leadership, 26th February 2019
- **Equality and Inclusion Staff Focus Groups** 8th and 10th March 2019
- **Disability Senior Influencer Group** - sharing the learning: from knowledge to Action (leadership Academy), 11th June 2019
- **Greater Manchester Workforce Race Equality Events**, 15th October 2019 and 22nd October 2019
- **BAME Conference**, 28th October 2019
- **Greater Manchester Public Sector EDI Professional Network**, hosted in Rochdale 15th November 2019
- **Building Leadership for Inclusion Intersectionality Day**, 14th November 2019
- **LGBT Conference**, 21st November 2019
- **Joint Equality, Diversity and Inclusion Strategy briefing Session**, 10th December 2019
- **Joint Equality, Diversity and Inclusion Strategy Session**, Wider leadership team, 17th December 2019
- **Joint Equality Steering Group**, 29th October 2018, 15th January 2019, 9th July 2019, 21st October 2019 and 25th November 2019
- **Joint Workforce EDI Working group**, 30th July 2019, 18th September 2019 and 5th December 2019
- **Rochdale Borough, Health and Care EDI Working Group**, 1st October 2019 and 3rd December 2019
- **Action Together Influencing Group** – 26th February 2020
- **Consultation Survey of our Draft Equality Objectives, February – March 2020**

4.14 In addition, the list below highlights the activities undertaken to date to inform this strategy:

- Fact finding exercise across both organisations, identify gaps and work towards joint approach
- Review of Equality Impact Assessment process across RBC and HMR CCG
- Insight and engagement from LGBT and BAME conferences
- Mapping exercise Joint Health and Care EDI working Group
- Insight and engagement from Engage Project (asylum seeker and refugees), RADDAG Disability Report, Pride in Practice, HIV, Cancer Awareness in BME Communities, #IThrive
- Review of HMR CCGs: Equality Delivery System Grading Report; Workforce Race Equality Standard reports; Annual Equality Publication and Equality Workforce Reports January 2019
- RBC Organisational Values and Behaviours Report

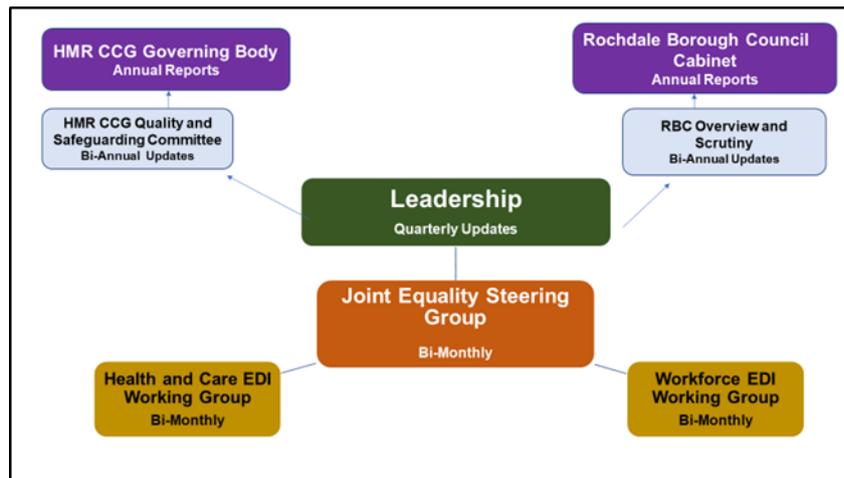
- Feedback from Joint Leadership and Wider Leadership teams
- Review of Greater Manchester Local Authorities and CCG's progress around EDI
- Insight from GMHSP and the Shadow Equalities Board
- Feedback from the Greater Manchester Public Sector EDI Professional Network
- Review of latest national, regional and local reports around EDI in public sector (NHS Long-Term Plan and the People's Plan etc)
- Insight from the Unknown and Unseen - The needs and issues of Kashmiris in Rochdale
- Horizon scanning pending changes: ethnicity pay gap, disability reform around statutory sick pay.
- Insight from the GMCA Equalities Advisory Panels – Annual Reports March 2020 for Disabled people, LGBTQ and Women and Girls.

Costs and Budget Summary

- 5.1 The Medium Term Financial Strategy (MTFS) is a 5-year plan which sets out Rochdale Councils commitment to provide services that meet the needs of people locally and represents good value for money. The MTFS links the Council's vision and priorities with forecasted resources and budgets. The Locality Plan sets out the priorities for the CCG for Health and Care which is aligned with both local and national priorities from the national The Long Term. The proposed joint EDI strategy aligns with the MTFS, Corporate Plan and Locality Plan. It acts as an enabler by developing a culture where due regard is taken of underserved communities and staff, statutory, mandatory and good practice requirements are met, and outcomes improve.

Governance Risk and Policy Implications

- 6.1 RBC and NHS HMR CCG will need to have the structures that will enable them to comply with Equality Act 2010 and to deliver our Joint EDI Strategy 2020-24. The same structure will monitor delivery of our mandated reports as described in table 4.2 and publishing our progress against the joint equality objectives on an annual basis.
- 6.2 The diagram below (point 5.3) sets out the governance structure to monitor the performance against the joint EDI strategy and equality objectives 2020-24.
- 6.3 Accountability in meeting our legal and mandatory obligations ultimately sits with the CCG Governing Body and RBC Cabinet. EDI will be led from the top of our organisations, for the CCG the Director of Operations/Executive Nurse and for RBC the Director of Neighbourhoods. They will be responsible for this Joint Strategy and for ensuring that the CCG and RBC publishes annual reports that demonstrate compliance with the Public Sector Equality Duty and progress on the equality objectives as laid out in this document.



- 6.4 RBC Cabinet and Governing Body will monitor progress through annual reports. For the CCG the Quality and Safeguarding Committee; will continue to ensure EDI considerations are at the core of CCG business through bi annual reports. Equally for RBC Corporate Overview and Scrutiny ensure EDI considerations are at the core of RBC business through bi annual reports.
- 6.5 The EDI Strategy and Action Plan will be managed through the Joint Equality Steering Group, (chaired by Councillor Sara Rowbotham). Quarterly performance updates will be presented to Leadership. The two working groups; Health and Care (chaired by CCG’s EDI Strategic Lead) and Workforce EDI (chaired by Councillor Daalat Ali) will ensure the operational delivery of our mandated requirements.
- 6.6 We will continue to embed EDI into our core decisions rather than manage them in isolation. Both organisations will need to operate and promote EDI in line with the ‘Brown Principles’, ensuring decisions -makers are made aware of their duty to have 'due regard to the equality duty.
- 6.7 The CCG EDI Strategic Lead will manage the day to day business, monitoring progress on equality objectives and advising colleagues on legal duties for the CCG and will work with partners to progress work including RBC.
- 6.8 Ultimately, the responsibility of EDI sits with all employees working in both organisations at all levels.
- 6.9 This strategy supports NHS HMR CCG and Rochdale Borough Council in meeting the Public Sector Equality Duty (PSED) and the obligation to publish equality objectives as set out under the PSED (section 149 of the Equality Act 2010); and to publish information pursuant to the Equality Act 2010 (Specific Duties and Public Authorities regulation 2017) which replaced the 2011 regulations in 2017.
- 6.10 The strategy should be reviewed in advance of formal adoption to ensure continued compliance. This Strategy fulfils the commitment for equalities issues to be monitored on a regular basis it also ensures the awareness of the agenda at strategic levels.

Consultation

7.1 The draft strategy attached at Appendix 1 has been shared with key stakeholders and other interested parties across both organisations, as part of a period of informal engagement and feedback running to the 25th March 2020.

7.2 The following groups have been part of the informal engagement and feedback:

Patient and Public Engagement Committee	CCG	16/01/20	Consultation
Primary Care Commissioning Committee	CCG	14/02/20	Consultation
Quality and Safeguarding Committee	CCG	20/02/20	Consultation
Integrated Commissioning Board	Joint	25/02/20	Consultation
Informal Cabinet	RBC	03/03/20	Consultation

7.3 In addition, consultation has taken place via a survey monkey from the 6th February to the 6th March 2020, providing an opportunity for all staff from the CCG and Council and our stakeholders and public to feedback on the proposed joint equality objectives. Responses to this survey was low, with 25 respondents, making it statistically unreliable however the survey provided some good thoughtful comments and provides a snap shot only for more information please refer to Appendix 2.

7.4 RBC's governance route for this final draft version of the Joint EDI Strategy 2020-24, proceeds the CCG's Governing Body sign off, as listed in the table below. Chair's Actions has been requested from the Governing Body should it be required to endorse any changes requested, following today's Corporate Overview and Scrutiny meeting:

Governing Body	CCG	20/03/20	Ratification with request for 'Chair's Actions'
Corporate Overview and Scrutiny	RBC	25/03/20	Consultation
Cabinet	RBC	31/03/20	Ratification

7.5 Subject to feedback from today's Corporate Overview and Scrutiny meeting, this strategy will then be taken forward for formal adoption and publication by both organisations as below:

- NHS HMR CCG Governing Body, 20th March 2020;
- RBC Cabinet, 31st March 2020;
- Formal publication including an easy read version will be launched post approval by Governing Body and Cabinet, between April and May 2020.

- A further detailed action plan for internal use will be developed as part of the launch to ensure all RBC and CCG directorates identify improvement actions. The performance against this action plan will be monitored quarterly by Leadership.

Background Papers	Place of Inspection
8.1 Appendix 1: Proposed Joint Equality, Diversity and Inclusion Strategy (2020-24).	
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