

PSED Review Consultation

**NHS Confederation
and
Royal College of Nursing**

**BME Leadership Forum
Held on 5th February 2013**

Report

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Executive Summary

The session was well received by participants. The facilitators would like to thank all those who participated for their contribution.

The total number of returned completed statement sheets was **65**. The largest group of organisations represented were from Acute Trusts, with Mental Health organisations well represented. Present in smaller numbers were organisations such as Primary Care Trusts, Community Care Groups, Integrated Health Care, Social Care and an Ambulance Organisation. Other organisations present included a Charitable Organisation, a Trade Union, a Professional Body and an Independent Management Consultant.

The key findings outlined below are from the statement sheets: please note that the numbers overall were relatively small, and the mix of organisations present was uneven, being predominately from the NHS acute sector with very small numbers of representation from other parts of the NHS. Therefore whilst it provides some information for further exploration, no conclusions can be drawn from this one event.

Statements	Overview of Findings
Statement 1: The Public sector duty is well understood	Of the 65 completed statement sheets 12 % stated that they strongly agree, 32% stated that they agree, 56% of respondents stated that they disagree with the statement. There were no responses for strongly disagree and all completed this statement. <i>The result indicated that within this group, there was in general terms a broadly even split between those that agreed and those who disagreed.</i>
Statement 2: There is sufficient guidance to help public sector bodies understand the PSED	Of the 65 completed statement sheets 15% indicated that they strongly agreed with the statement, 62% indicated that they agreed with the statement, 20% disagreed and 1% strongly disagree, with 2% not giving a response. [Strongly disagree and No response are calculated to the nearest percentile]. <i>The result indicated that within this group a high proportion considered there to be sufficient guidance.</i>
Statement 3: In my experience the PSED has improved on the previous duties	Of the 65 completed statement sheets 8% strongly agreed with the statement, 57% agreed with the statement, 22% disagreed and 1% strongly disagreed, with 12% not giving a response. <i>The result indicated a high degree of agreement with the statement.</i>
Statement 4: I believe that my organisation has proactively engaged with the Public, Voluntary and Community Sectors more as a result of the PSED	Of the 65 completed statement sheets 6% strongly agreed with the statement, 41% agreed with the statement, 35% disagreed and 6% strongly disagreed with 12% not giving a response. <i>The result indicated a fairly even distribution of opinion within this group.</i>
Statement 5: In my experience the PSED has resulted in organisations adopting a more integrated approach to equality	Of the 65 completed statement sheets 3% indicated that they strongly agreed with the statement, 52 % agreed, 37% disagreed and 3% strongly disagreed. 5% did not

	<p>give a response.</p> <p><i>Results showed a slight leaning towards agreement that the PSED is helping organisations to integrate equality. However, overall this statement had a fairly even mix of opinion.</i></p>
<p>Statement 6: The PSED and/or the specific duties has resulted in an increase in requests for the equality statistics/information we hold and for our EIAs</p>	<p>Of the 65 completed statement sheets 11% indicated that they strongly agreed with the statement, 43% agreed, 31% disagreed and 3% strongly disagreed. 12% did not give a response.</p> <p><i>Feedback indicated that some participants felt two separate issues were being addressed within this statement.</i></p>
<p>Statement 7: In my experience, the PSED has reduced the burden on public bodies in terms of resources, personnel, time etc</p>	<p>Of the 65 completed statement sheets 8% indicated that they agreed with the statement, 69% disagreed with the statement and 17% strongly disagreed. 6% did not give a response. Strongly agree was a zero response.</p> <p><i>Results clearly demonstrated that $\frac{3}{4}$ of the people who responded did not feel that the PSED had reduced the burden on public bodies.</i></p>
<p>Statement 8: My organisation has changed / put in place methods to mitigate or reduce the risk of legal challenge</p>	<p>Of the 65 completed statement sheets 9% strongly agreed with the statement, 60% agreed, 19% disagreed and 3% strongly disagreed. 9% did not give a response.</p> <p><i>Results indicated that organisations may see this as important.</i></p>
<p>Statement 9: My organisation has progressed well how it embeds / mainstreams equality and diversity considerations</p>	<p>Of the 65 completed statement sheets 6% indicated that they strongly agreed, 42% agreed, 40% disagreed, 6% strongly disagreed. 6% did not give a response.</p> <p><i>Results demonstrated an even mix of opinion.</i></p>
<p>Statement 10: I believe senior leaders are clear about their role in ensuring the commitment of public bodies to mainstreaming equality</p>	<p>Of the 65 completed statement sheets 8% strongly agreed, 41% agreed, 37% disagreed and 9% strongly disagreed. 5% did not indicate a response.</p> <p><i>Results demonstrated a fairly even mix of opinion.</i></p>

1. Introduction

The Government Equalities Office (GEO) is undertaking a review of the Public Sector Equality Duty (PSED), part of the Equality Act 2010 to establish whether the Duty is operating as intended. The NHS has lots of evidence and experience to contribute to the review (for example the Equality Delivery System implementation and the NHS Constitution).

The DH has agreed to work directly with the GEO to collect this evidence and to influence future Public Sector Duty policy and legislation. This work will be of national significance. In light of its specific expertise and knowledge in equalities, the equality legislation, gathering, evaluating and presenting evidence and information and access to organisations across the NHS - NHS Employers will be ideally placed to capture the NHS learning and experience and will be project managing the work on behalf of the DH.

NHS Employers comprehensive networks are to be utilised to liaise with the range of different NHS organisations in order to facilitate the collection of information and evidence.

2. Main aim and objectives of the overall NHS Contribution to the PSED project

The main aim of the project is to utilise existing NHS Employer networks to collect the evidence and experiences of the NHS in regard of the operation of the Public Sector Equality Duty in a wide range of NHS organisations.

The objectives are to examine:

- how both the General and Specific Duties are working;
- how effectively the Duty supports delivery of the UK Government's Equality Strategy; and
- options and recommendations for changes or improvements in the way the Duty operates

3. Project Audience

The overall audience for the project is seen as senior managers including board members, personnel / HR Managers, policy makers and advisors [including E&D specialists] and front line staff.

With this in mind on the 5th February 2013 BME Leadership forum was consulted. The forum kindly allowed NHS Employers to hold a session to inform the NHS element of the PSED review. The session was 45 minutes long and comprised of participants responding to a series of statements. Participants were informed about the importance of the review and its aims.

4. Participating organisations

The following chart indicates the composition of the organisations present at the Forum meeting on the 5th February.

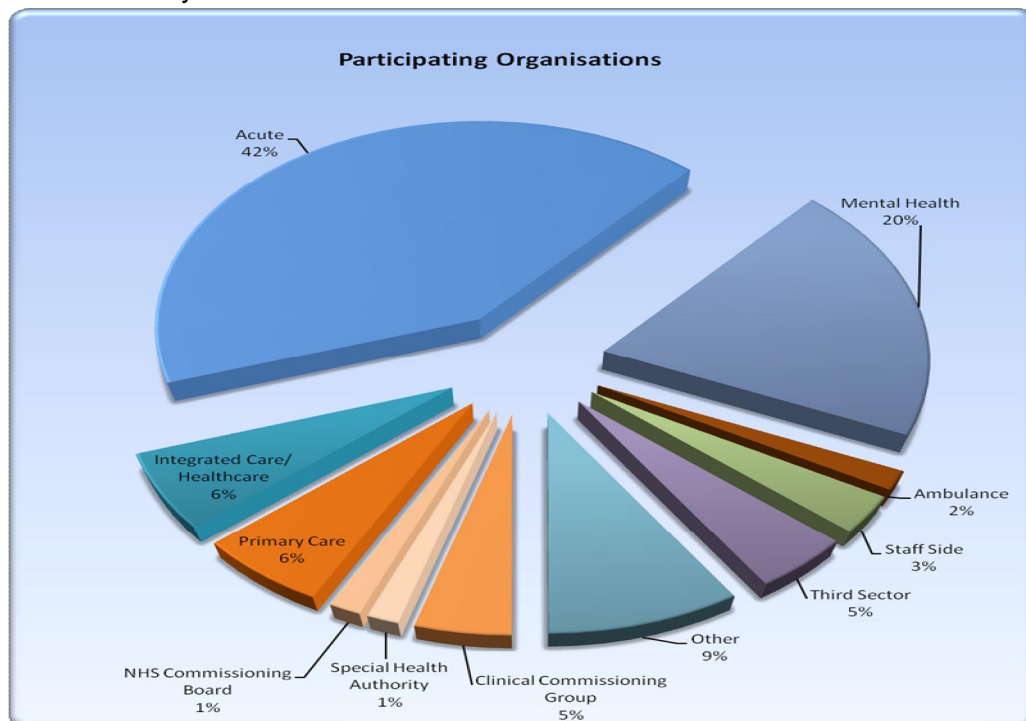


Figure 1

5. How the session was run

Participants were given a statement sheet containing all ten statements [*Appendix 1 details the statements*] and asked to put the type of organisation they belong to at the top of this statement sheet. The process to be followed was explained including the use of the green & red cards and the statement sheets. Participants were informed that the statement sheets will be collected in at the end of the session.

The session was then delivered using four steps as follows:

Step 1 = each statement read out using power point

Step 2 = participants individually asked to tick their chosen box on the statement sheet

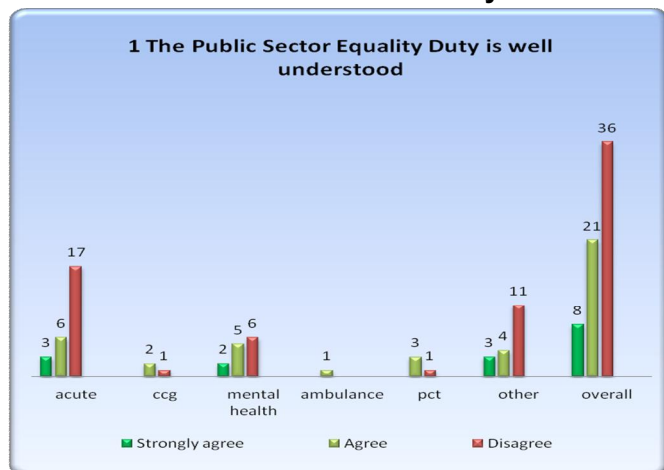
Step 3 = participants asked to demonstrate their response using their green or red card

Step 4 = the Facilitators then chose 2 people; one who held up a green card and one who held up a red card to feedback. These steps were repeated for each statement.

6. Findings

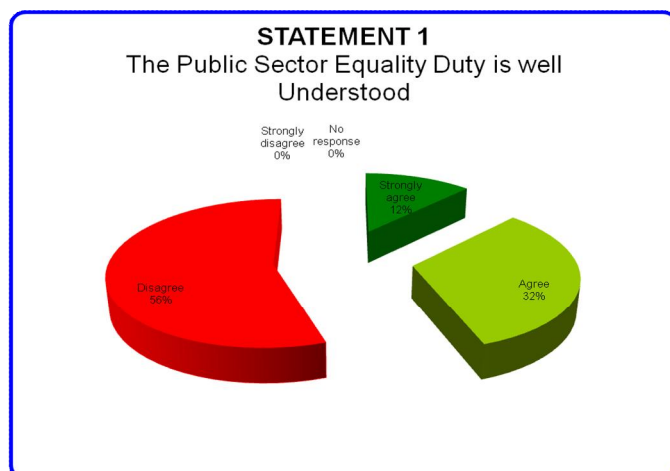
There were 65 statement forms returned in total. The following is a summary of the data they contained.

6.1 Statement 1: The Public Sector Duty is well understood



Numbers of respondents by type of organisation and overall numbers

Figure 2



Overall result

Figure 3

Returned statement forms

Statement 1	Strongly Agree	Agree	Disagree	Strongly Disagree	No Response
Total	8	21	36	0	0

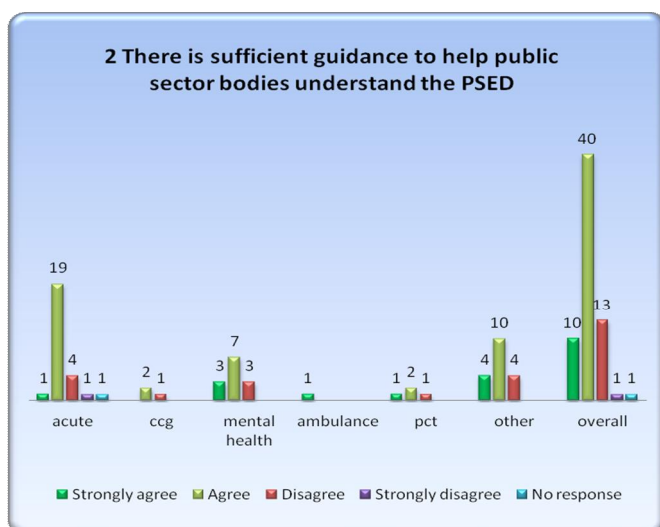
Participant Feedback

Participants stated:

One participant stated that - Senior Managers do but wider organisation does not well understand the Public Sector Equality Duty.

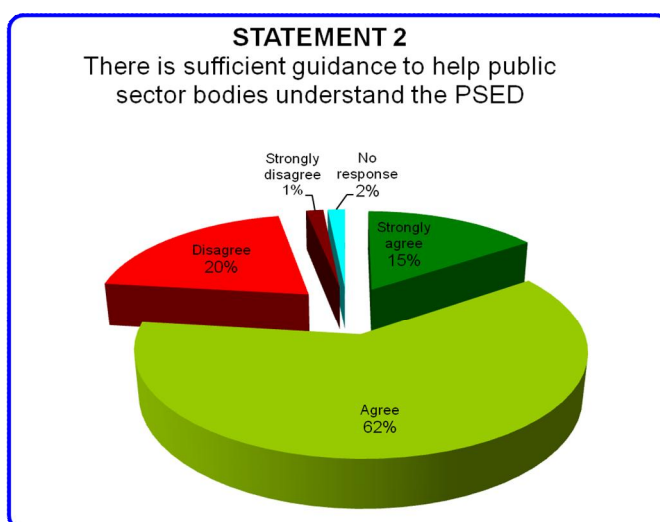
One participant asked the question ~~by whom?~~q

6.2 Statement 2: There is sufficient guidance to help public sector bodies understand the PSED



Numbers of respondents by type of organisation and overall numbers

Figure 4



Overall result

Note: Strongly disagree and No response are calculated to the nearest percentile and are in fact 1.5% each.

Figure 5

Returned statement forms

Statement 2	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	10	40	13	1	1

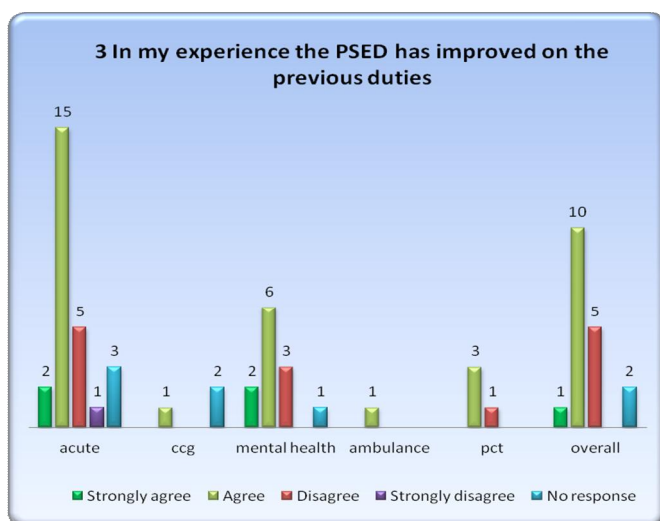
Participant Feedback

Participants stated:

One participant stated ~~and~~ know not done enough research yetq

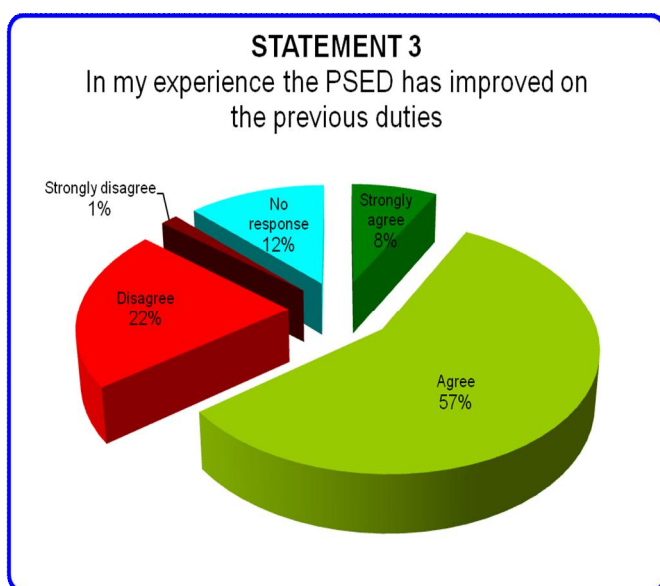
Access to the guidance was seen as not always consistent

6.3 Statement 3: In my experience the PSED has improved on the previous duties.



Numbers of respondents by type of organisation and overall numbers

Figure 6



Overall result

Figure 7

Returned statement forms

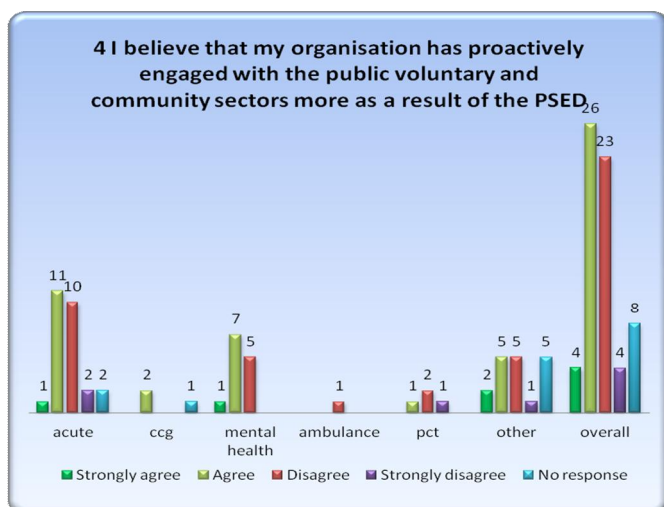
Statement 3	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	5	37	14	1	8

Participant Feedback

Participants stated:

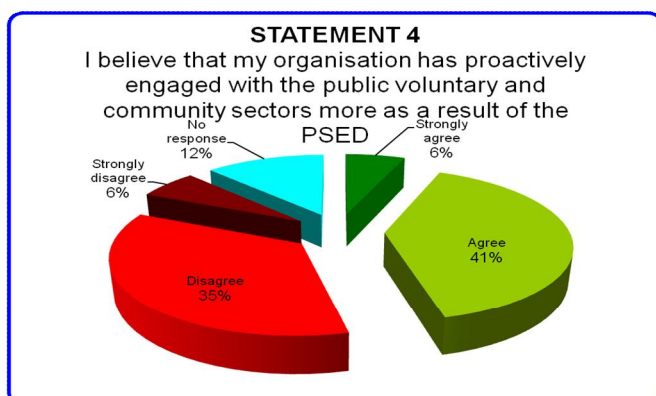
The no responses consisted of participants who stated they had no knowledge of the previous duties

6.4 Statement 4: I believe that my organisation has proactively engaged with the public voluntary and community sectors more as a result of the PSED



Numbers of respondents by type of organisation and overall numbers

Figure 8



Overall result

Figure 9

Statement 4	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	4	26	23	4	8

Participant Feedback

Participants stated:

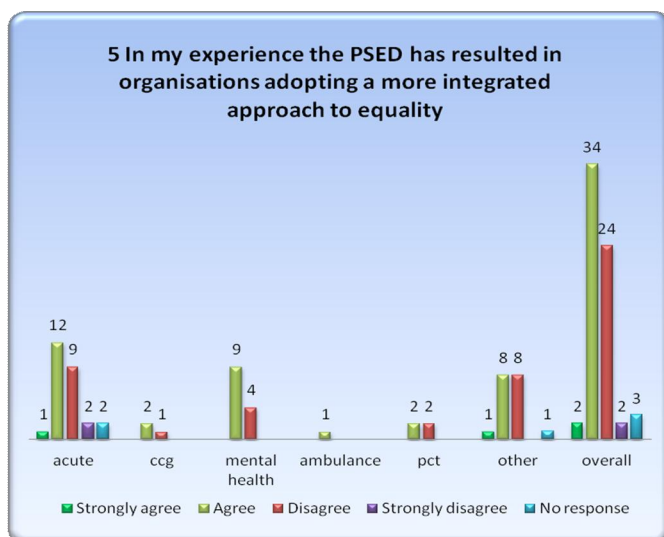
Agreed but marginally

That this was part of the Foundation Trust application process and therefore was it done for equality purposes or because it was part of the application.

Not due to PSED the organisation was doing this already

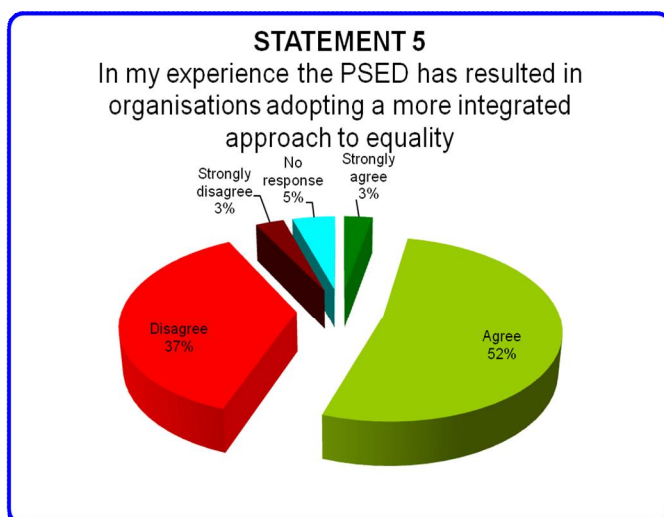
That the consultation and engagement of staff was omitted from the statement

6.5 Statement 5: In my experience the PSED has resulted in organisations adopting a more integrated approach to equality



Numbers of respondents by type of organisation and overall numbers

Figure 10



Overall result

Figure 11

Returned statement forms

Statement 5	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	2	34	24	2	3

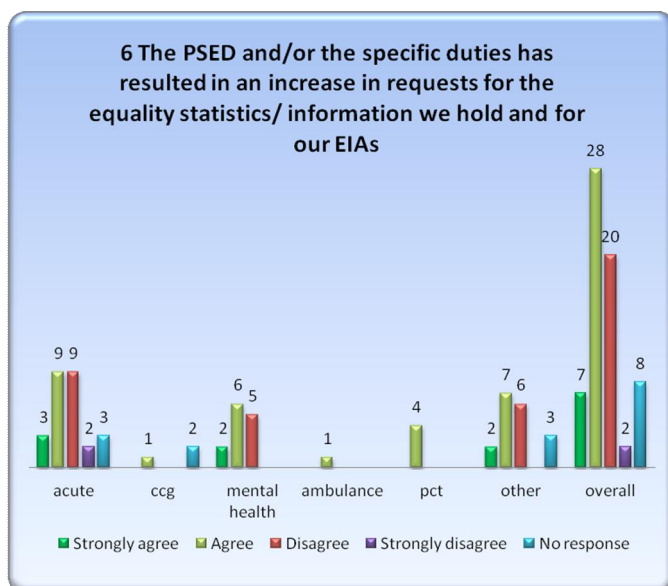
Participant Feedback

Participants stated:

That the statement should be reworded to ~~a~~My organisation rather than ~~a~~organisationsq

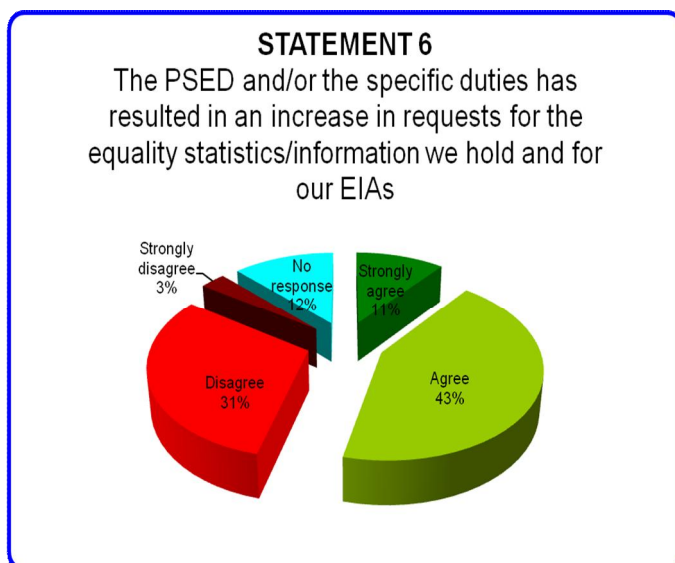
That a post had been identified as ~~a~~diversity and inclusion managerqdemonstrating a willingness to embrace the agenda

6.6 Statement 6: The PSED and/ or the specific duties has resulted in an increase in requests for the equality statistics/ information we hold and for our EIAs



Numbers of respondents by type of organisation and overall numbers

Figure 12



Overall result

Figure 13

Returned statement forms

Statement 6	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	7	28	20	2	8

Participant Feedback

Participants stated:

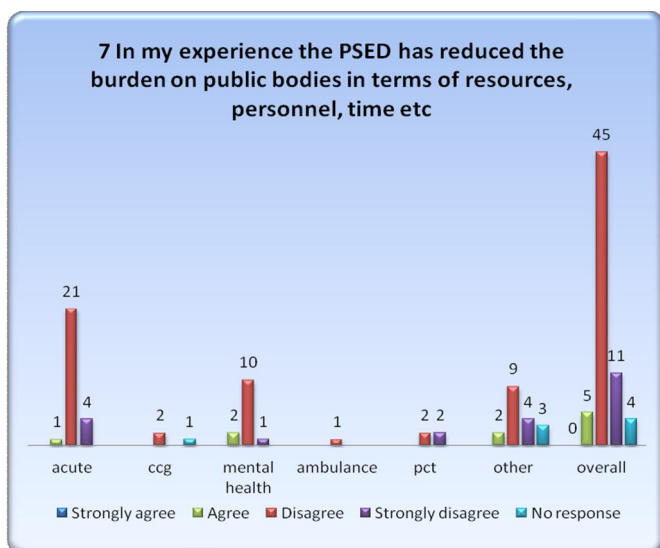
That time was needed to prepare for the response to this statement

Don't know how many requests have been made

The EIA and requests for information should be two separate statements

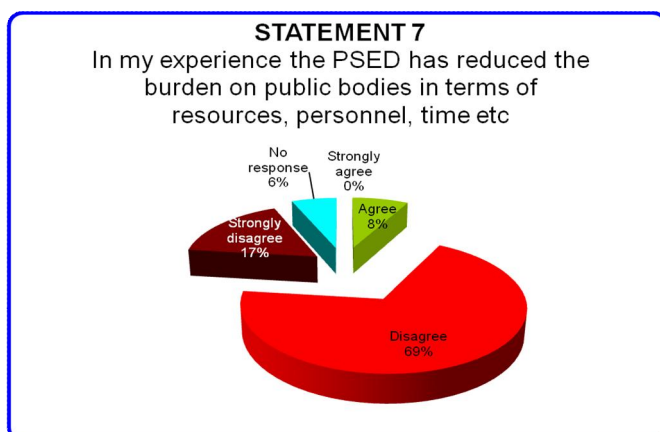
Don't know and suggested this was the remit of the E&D lead

6.7 Statement 7: In my experience, the PSED has reduced the burden on public bodies in terms of resources, personnel, time etc



Numbers of respondents by type of organisation and overall numbers

Figure 14



Overall result

Figure 15

Statement 7	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	0	5	45	11	4

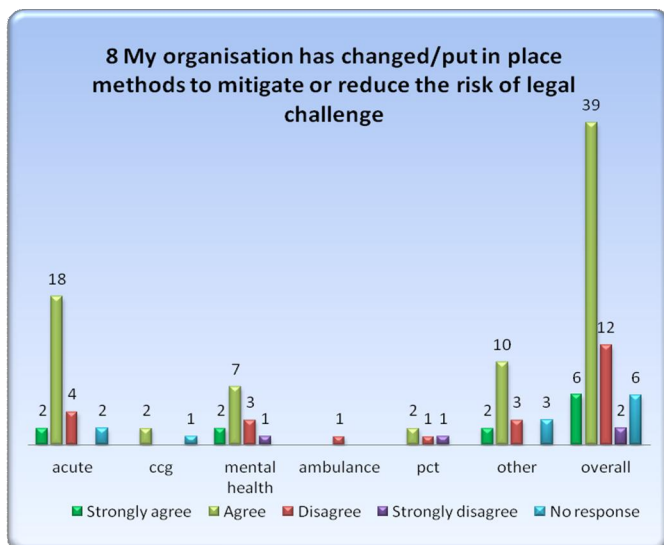
Participant Feedback

Participants stated:

That ~~the Burden~~ was a loaded word It was suggested that this be changed to ~~a challenge~~

That the PSED has not been in place long enough to judge

6.8 Statement 8: My organisation has changed/ put in place methods to mitigate or reduce the risk of legal challenge



Numbers of respondents by type of organisation and overall numbers

Figure 16



Overall result

Figure 17

Statement 8	Strongly agree	Agree	Disagree	Strongly disagree	No response
Sub total	6	39	12	2	6

Participant Feedback

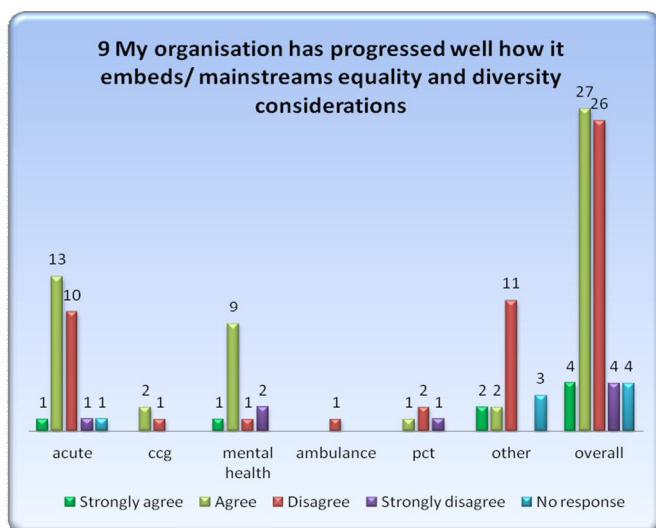
Participants stated:

In terms of EDS this helps to mitigate but unsure it limits risk of legal challenges

Not sure but think we have

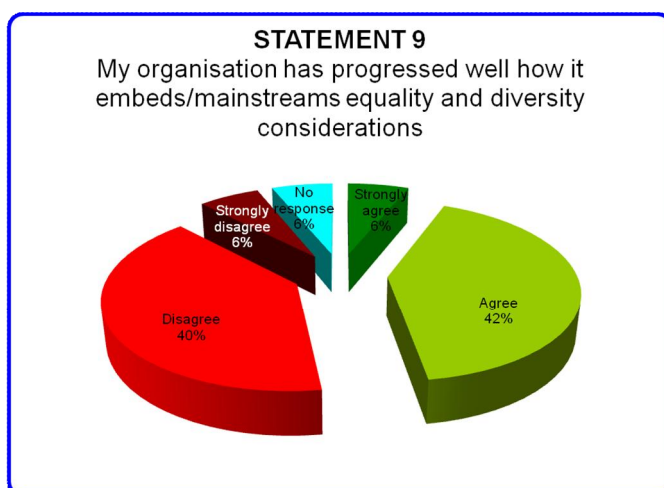
Believe methods are in place

6.9 Statement 9: My organisation has progressed well how it embeds/ mainstreams equality and diversity considerations



Numbers of respondents by type of organisation and overall numbers

Figure 18



Overall result

Figure 19

Statement 9	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	4	27	26	4	4

Participant Feedback

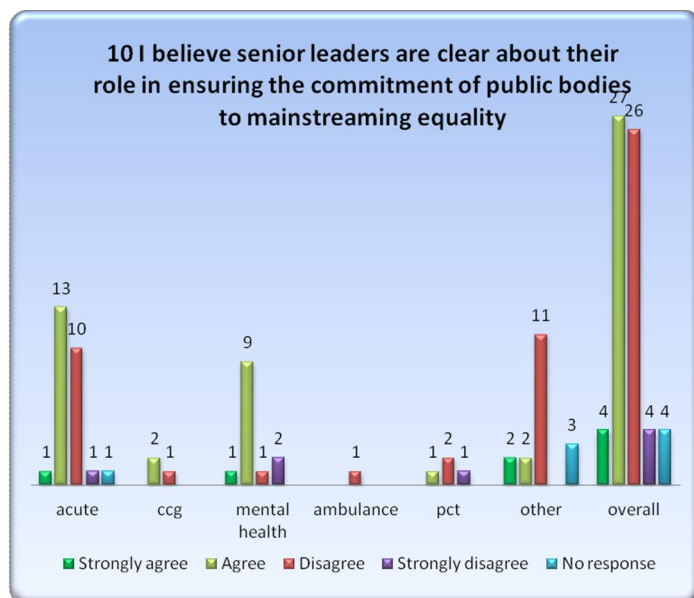
Participants stated:

Progressed but still seen as the E&D leads responsibility

Have done work on some levels but could still do more

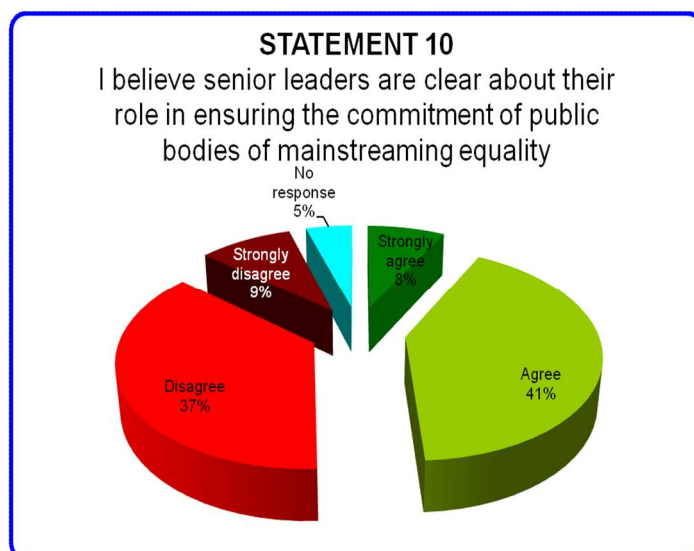
EIA's for each area in place

6.10 Statement 10: I believe senior leaders are clear about their role in ensuring the commitment of public bodies to mainstreaming equality



Numbers of respondents by type of organisation and overall numbers

Figure 20



Overall result

Figure 21

Statement 10	Strongly agree	Agree	Disagree	Strongly disagree	No response
Total	5	27	24	6	3

Participant Feedback

Participants stated:

I think they are clear but actions don't support this

Not sure of senior managers equality and diversity action. They appear committed but not sure how well it is implemented.