

# NHS Ayrshire & Arran



<b>Meeting:</b>	<b>Ayrshire and Arran NHS Board</b>
<b>Meeting date:</b>	<b>Monday 1 February 2021</b>
<b>Title:</b>	<b>NHS Ayrshire &amp; Arran Corporate Equalities Structure</b>
<b>Responsible Director:</b>	<b>Hazel Borland, Nurse Director</b>
<b>Report Author:</b>	<b>Elaine Savory, Equality and Diversity Adviser</b>

## 1. Purpose

This is presented to the Board for:

- Decision

This paper relates to:

- Legal requirement

This aligns to the following NHSScotland quality ambition(s):

- Person Centred

## 2. Report summary

### 2.1 Situation

With the impact of Covid-19 on different groups in the community, along with the re-setting of equality outcomes and workforce requirements, it is proposed that a new structure for driving forward and reporting progress on equalities be established.

The Board is asked to approve the proposed structure to support NHS Ayrshire & Arran to embed equalities in our business functions and at the same time ensure compliance with equalities and other relevant legislation.

### 2.2 Background

NHS Ayrshire & Arran disbanded their equalities group in 2017, due to the legislation changes for the Health and Social Care Partnerships, with a view to re-establishing an internal group to drive forward the equalities agenda. Prior to this, NHS Ayrshire & Arran had a strategic group to monitor progress with a sub group to drive forward the actions and this structure worked well.

In light of the changes to equalities legislation and introduction of the Scottish Specific Equality Duties a structure is required to ensure NHS Ayrshire & Arran are meeting their obligations under these.

## **2.3 Assessment**

To drive forward the equalities agenda across NHS Ayrshire & Arran the following is proposed:

- The establishment of a Corporate Equalities Committee (Appendix 1 for draft Terms of Reference) which will be a sub-committee of the NHS Board. It is proposed that a Non-Executive member of the Board chair this group – to be decided by the Chair of the NHS Board.
- The establishment of an Equalities Implementation Group (Appendix 2 for draft Terms of Reference) which will report to the Corporate Equalities Committee. This group will monitor the work being taken forward and seek to address any areas where slippage has occurred and mitigating actions are needed.
- Hazel Borland, Nurse Director and Sarah Leslie, HR Director to be the joint sponsor director leads for this agenda respectively leading on citizen/public priorities and workforce priorities.
- The Corporate Equalities Committee to meet bi-annually.
- The Equalities Implementation Group to meet initially bi-monthly until the group is established, with a view to meeting quarterly. It is anticipated that the first meeting of the group will take place in January/February 2021.

The work of both these groups will be supported by the Equality and Diversity Adviser.

### **2.3.1 Quality/patient care**

It is expected that the new structure will support greater integration of equalities across the organisation and lead to improved positive impacts for patients covered by the protected characteristics.

### **2.3.2 Workforce**

It is expected that the new structure will support greater integration of equalities across the organisation and have positive impacts on those covered by the protected characteristics.

### **2.3.3 Financial**

It is expected that the work will be undertaken within existing resources.

### **2.3.4 Risk assessment/management**

Not having an appropriate governance process in place could result in NHS Ayrshire & Arran failing to meet their legislative requirements as outlined above which could result in the organisation being prosecuted for failure to comply with legislation.

### **2.3.5 Equality and diversity, including health inequalities**

The content of this paper will provide governance and support for NHS Ayrshire & Arran to meet the requirements of the Public Sector Equality Duty to:

- Advance equality of opportunity.
- Eliminate discrimination, harassment and victimisation.

- Foster good relations between groups of people who share protected characteristics and those who do not

As well as our requirements under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 to:

- progress on mainstreaming equality into business
- progress to achieve agreed equality outcomes 2017-2021
- workforce equalities data breakdown
- gender pay analysis
- occupational segregation information
- information on how we gather and use employee information

An impact assessment has not been completed because the attached information outlines NHS Ayrshire & Arran's proposal for a new internal corporate equalities structure. Any work arising from this structure will require to be assessed for need for an equality impact assessment.

### **2.3.6 Other impacts**

The outcome of this work will be the positive impact on all staff and citizens covered under the protected characteristics outlined in the Equality Act 2010. This includes all the following areas of impact:

- Best value
- Vision and Leadership
- Effective Partnerships
- Governance and accountability
- Use of resources
- Performance management

Compliant with the corporate objectives specifically:

- Deliver services that are clinically effective, safe, efficient and patient-centred;
- Promote and embed the Caring, Safe, Respectful culture and support all staff to demonstrate the required behaviours and appropriately challenge when this does not happen.

### **2.3.7 Communication, involvement, engagement and consultation**

The attached information outlines NHS Ayrshire & Arran's proposal for a new internal corporate equalities structure and has been developed through discussions with the Chief Executive and some Directors at this stage.

It should be noted that areas of work flowing from this proposed structure may require wider public and staff engagement.

### **2.3.8 Route to the meeting**

This has been previously considered by the Corporate Management Team as part of its development. The groups have either supported the content, or their feedback has informed the development of the content presented in this report.

- Corporate Management Team on 5 January 2021.

## **2.4 Recommendation**

For decision. Members are asked to approve the proposed corporate equalities structure and terms of reference as outlined in Appendix 1.

Members are asked to consider and endorse, with approval of the Board Chair, that a Non-Executive Member Chairs the Corporate Equalities Committee.

## **3. List of appendices**

The following appendices are included with this report:

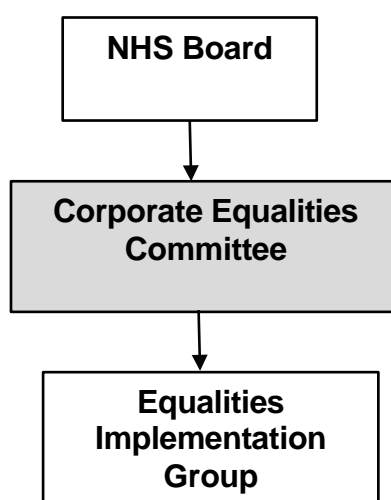
- Appendix 1, Corporate Equalities Committee Terms of Reference

## Corporate Equalities Committee

### Terms of Reference

#### 1. Introduction

- 1.1 The Corporate Equalities Committee (CEC) is a sub-committee of the NHS Board. The group will oversee the work of the Equalities Implementation Group including delivery of our equality outcomes and associated legislative requirements. The group aims to achieve sustainable continuous quality improvement across all NHS Ayrshire & Arran functions.
- 1.2 The CEC is a sub-committee of the NHS Board and will be accountable to the NHS Board with the Equalities Implementation Group reporting to the CEC on progress towards embedding equalities into our functions.



#### 2. Remit

- 2.1 The CEC will provide assurance to the NHS Board that the organisation is compliant with our requirements in line with the Equality Act 2010 Public Sector Equality Duty and duties under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

#### 3. Membership

- 3.1 The membership of the CEC shall comprise:

- Non-Executive Board Member (Chair)
- Area Partnership Forum Representative
- Nurse Director / Deputy Chief Executive
- Human Resource Director
- Equality and Diversity Adviser
- Senior representative, Acute Services
- Senior representative Corporate Support Services
- Senior representatives from the three Health and Social Care Partnerships
- Senior representative Mental Health Services
- Senior representative from Organisation and Human Resource Development

- Senior representative Public Health
- Senior representative Transformation and Sustainability

3.2 The Chair of the committee will be a Non-Executive Board member.

3.3 Support to the group will be provided by the Equality and Diversity Adviser.

3.4 The membership of the CEC will be reviewed annually.

#### **4. Quorum**

4.1 Six members will constitute a quorum, one of whom must either be the Nurse Director or HR Director.

#### **5. Attendance**

5.1 Additional members may be co-opted as required.

5.2 Deputies should be provided by members on an exceptional basis.

#### **6. Frequency of Meetings**

6.1 The CEC will meet bi-annually, however, the Chair may at any time convene additional meetings.

#### **7. Role**

7.1 The CEC will focus on five key areas of activity:

- To take forward the equality outcomes, in line with the organisational transformation plan, to achieve maximum consistent impact in progressing the equality and diversity agenda.
- To ensure that equality and diversity considerations are an integral part of all planning, service delivery and evaluation.
- To ensure that equality and diversity considerations are an integral part of workforce planning.
- To review, clarify and promote accountability within delivery directorates in line with legislation, national guidance, new intelligence and local priorities.
- To monitor progress, identify solutions to barriers and report to the NHS Board.

#### **8. Conduct of Meetings**

8.1 Meetings will be called by the Chair.

8.2 The agenda and supporting papers will be sent to members at least five working days before the date of the meeting.

## **9. Reporting Arrangements**

- 9.1 Notes will be kept of proceedings of the meeting. These will be circulated in draft form, following Chair approval, to members within 10 working days of the meeting before being formally signed off at the next meeting.
- 9.2 An annual work plan will be produced which will inform an annual report for submission to the NHS Board.
- 9.3 The actions that will deliver the various projects, that will ensure we progress towards achieving the outcomes, will be reported to the NHS Board.

*(Draft ToR January 2021)*