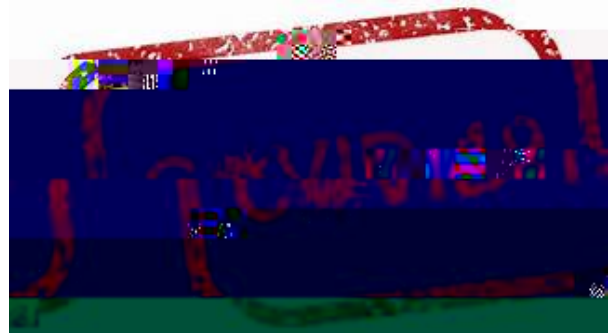# Workforce Disability Equality Standard (WDES) Report 2020

On the 4th April 2020 the Trust received a notification from NHSE/I that the collection of Data for the Workforce Disability Equality Standard was being suspended for 2020 due to the effects of Covid19.

On the 20th May 2020 a further communication was received from NHSE/I reinstating the WDES process with the following message.

Disability Equality Standard (WDES) and Workforce Race Equality Standard (WRES)

Our Workforce Disability Equality Report for 2020 contains a number of elements:

The specific information published on the government website for the snapshot date of 31st March 2020 regarding our overall workforce and comparisons between Clinical and Non-Clinical staff.

Some comparison with the 2019 WDES data.

Recommendation as to future action to support our people who identify with a disability within the workforce.

Clinical / Non-Clinica72.024 526.63 Tm[ )]TET E4>3 T32no2-59i9 i96152.06n43>BDC BT1 0 0 1

986
25%

2919
75%

Clinical
Non-clinical
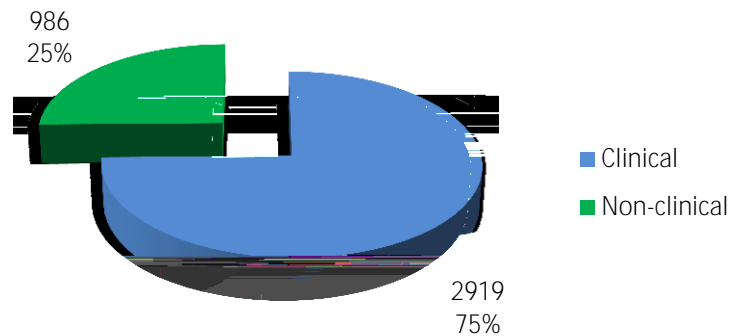
When we look at these numbers compared with last year's figures we see that they have increased slightly, although the non-disclosure numbers have decreased.

Not known — 245 / 242

Non-Disabled — 3269 / 3565

Disabled — 82 / 98

Legend: 2019, 2020
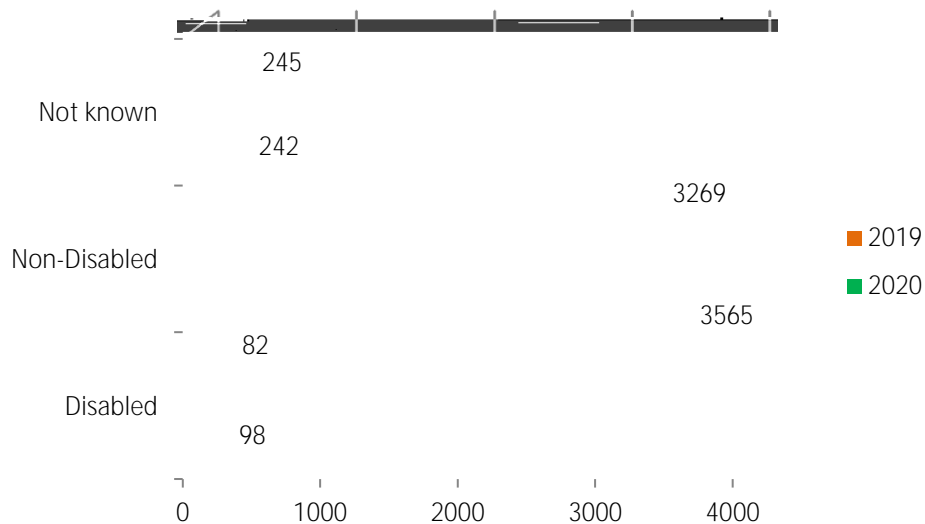
There has been an increase of 16 people who has disclosed their disability on ESR. As with last years figures the disclosure rate on ESR is quite low with a total of 98 people identifying as having a disability.

When we look at the later matrix in this report relating to staff survey responses we see a discrepancy in those identifying as having a disability. Of those taking part in the staff survey 330 identified as having a disability.

The following graph compares the staff survey results to our ESR results. The ESR figure is the total of people who have identified as having a disability or preferred not to say. You will see that the 2020 figures show that the staff survey and ESR figures are very close.

2020 — 340 / 330

2019 — 327 / 217

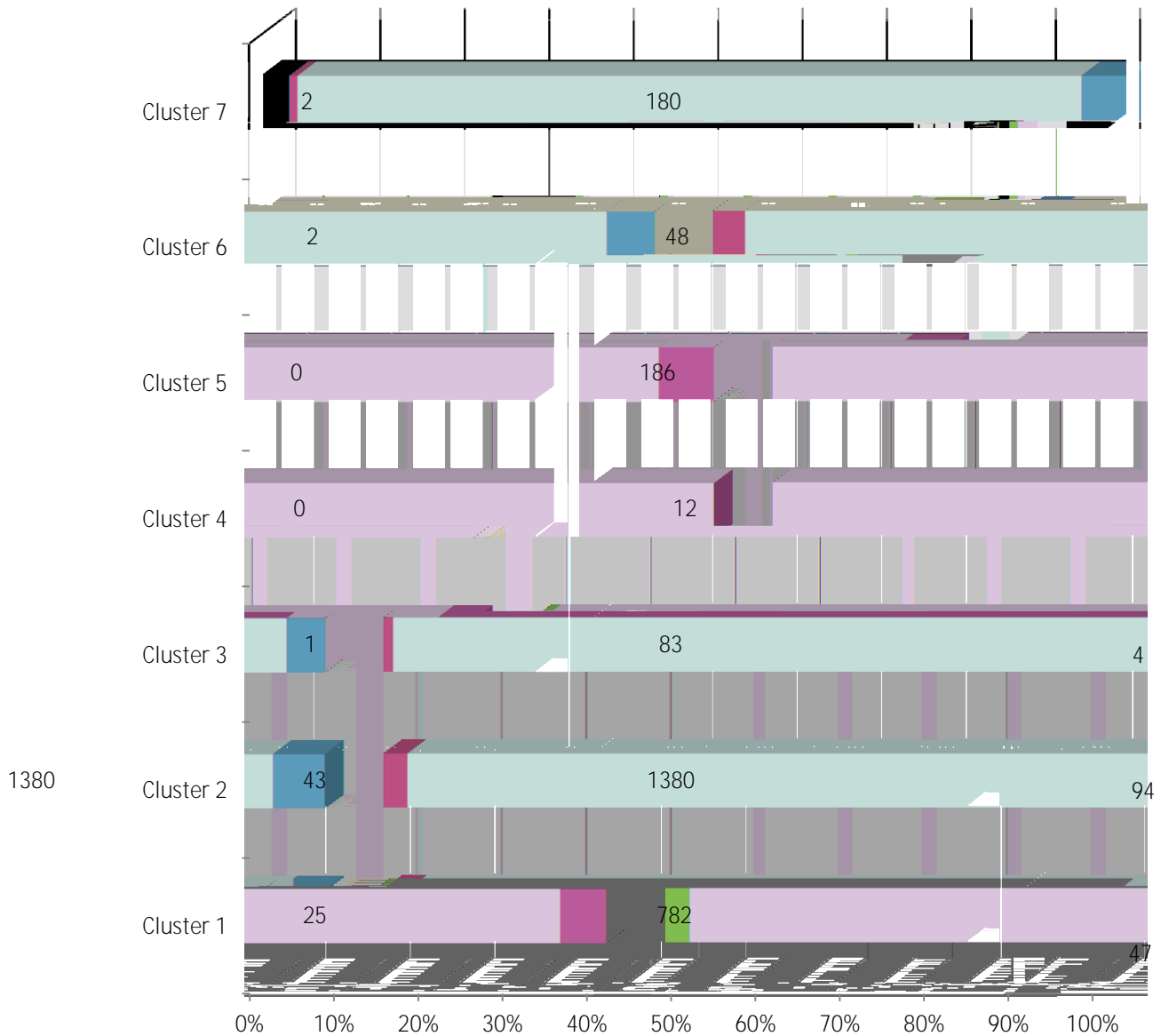Legend: Disabled/Not Known ESR, Staff Survey
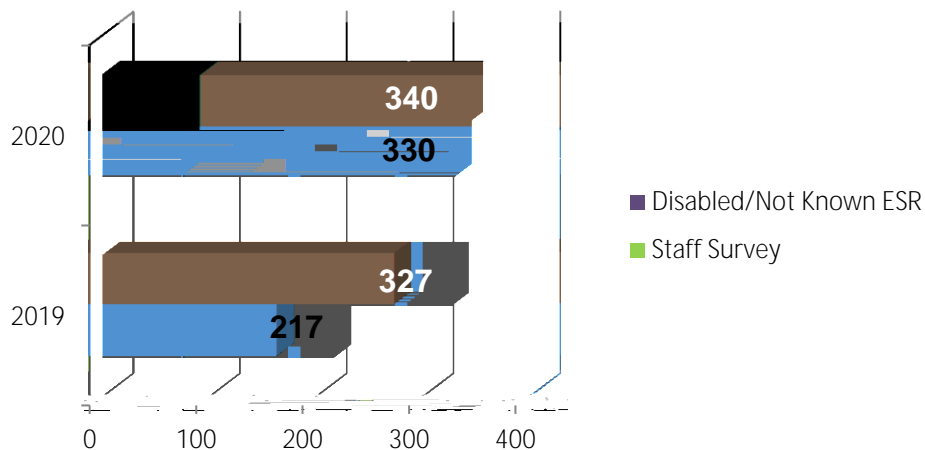
The following graphs show the numbers and percentage of staff in AfC paybands or medical and dental subgroups and very senior managers (including Executive Board members) compared with the percentage of staff in the overall workforce.
Clinical and non-clinical staff are display on separate graphs.

Non-clinical:
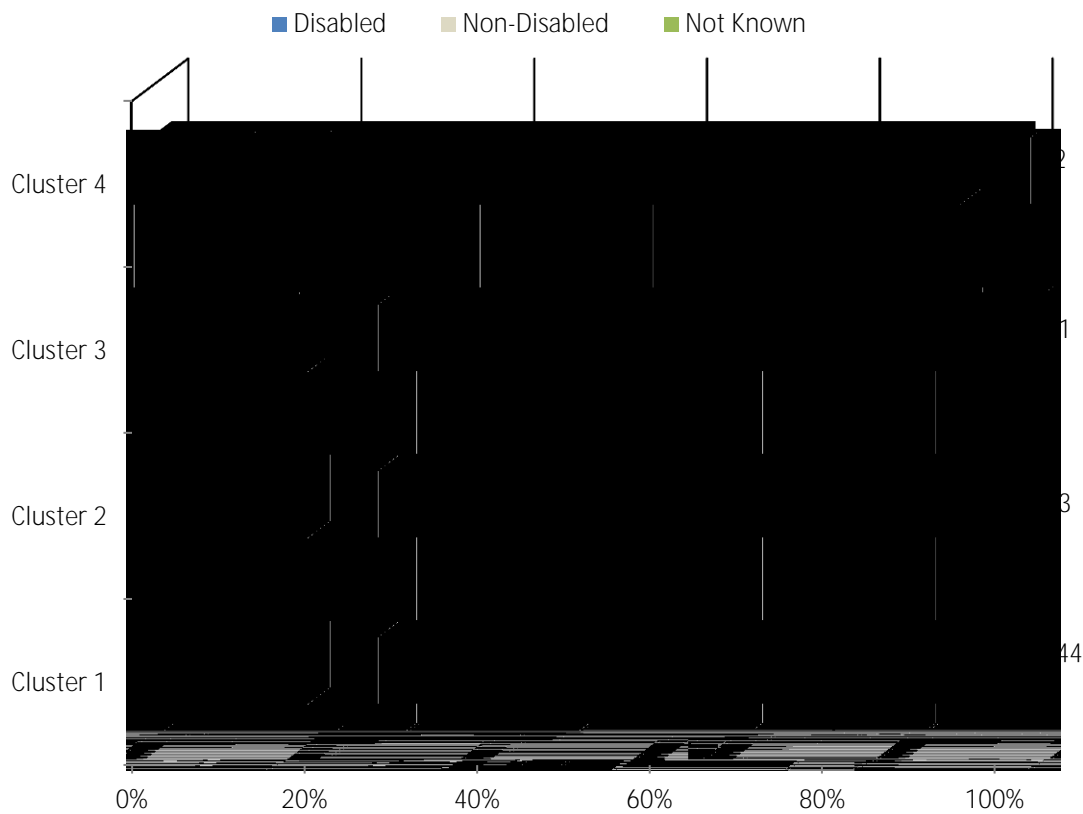
100% of non-clinical staff who identify with a disability (totalling 25) are located within Clusters 1 to 3 (Bands 1 to 8b). This represents a total of 2.5% of thith 2.(me4lJ8o)6(f)-11( )8(n)-3(c

Clinical:

Cluster 7	2	180
Cluster 6	2	48
Cluster 5	0	186
Cluster 4	0	12
Cluster 3	1	83	4
Cluster 2	43	1380	94
Cluster 1	25	782	47

1380

0%   10%   20%   30%   40%   50%   60%   70%   80%   90%   100%

95% of our clinical staff who identify with a disability (totalling 69) are located within clusters 1 to 3 (Bands 1 to 8b). The remaining 5% (totalling 4) are located within clusters 6 & 7 (Medical and Dental: Non-consultant career grade and trainees). This represents 2.4% of the total clinical workforce.

Number of shortlisted and appointed applicants:

A total of 1651 people were shortlisted for positions within the Trust during 2019/20. Of these 384 were appointed to posts, this equates to 23% of those who were shortlisted.

384
23%

Total Shortlisted 1651
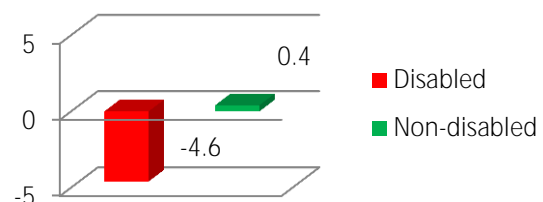
■ Not appointed
■ Appointed

77%
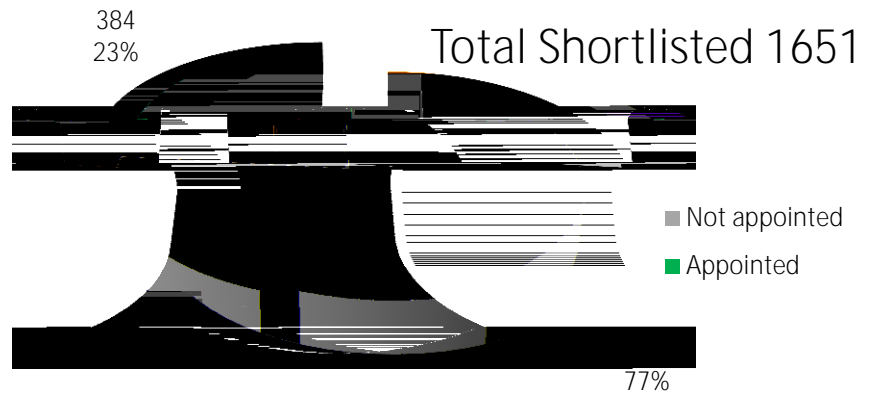
Of those shortlisted 79 people identified as having a disability. 18 people with disabilities were appointed, this equates to 22.8% of shortlisted candidates with a disability.

1572

366

79   18

Disabled   Non-disabled
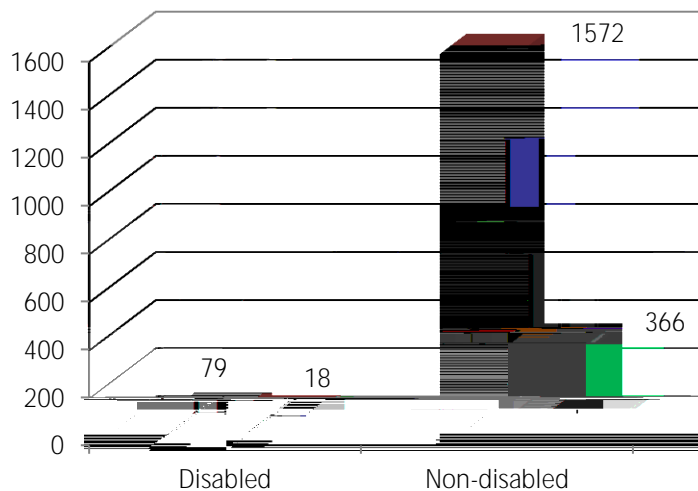
1572 of those shortlisted identified as having no disability or preferred not to say. Of these 366 were appointed to posts, this equates to 23% of those shortlisted.

This represents a 4.6% decrease in the number of staff with disabilities being appointed against a 0.4% increase in non-disabled staff being appointed.

0.4

-4.6

■ Disabled
■ Non-disabled

Relative likelihood of being appointed:

Non-disabled staff are 1.03 times more likely to be appointed than staff who identify with a disability.

Staff entering the formal capability process:

5
7%

3
4%

■ Disabled
■ Non-disabled
■ Not known

61
89%
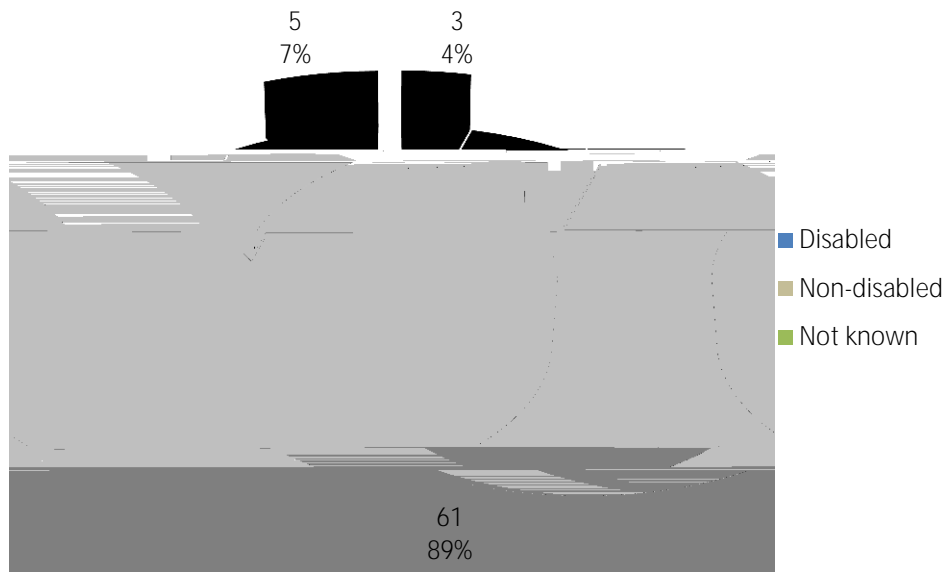
At the present time our ESR records show 98 people who have identified as having disabilities with the workforce. Using this figure to calculate the relative likelihood of Disabled staff entering the formal capability process compared to Non-Disabled staff it shows that Disabled staff are 1.79 times more likely than Non-Disabled staff.

The above graph
capability process

330
17%

1575
83%

- Disabled
- Non-disabled
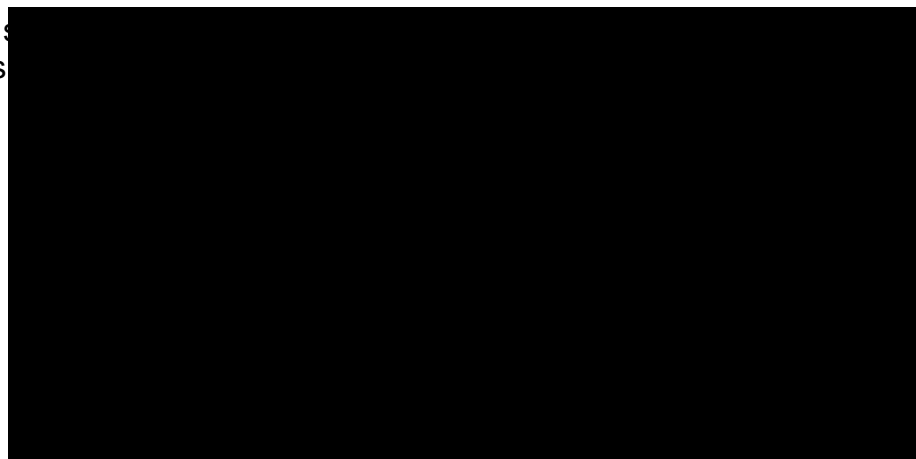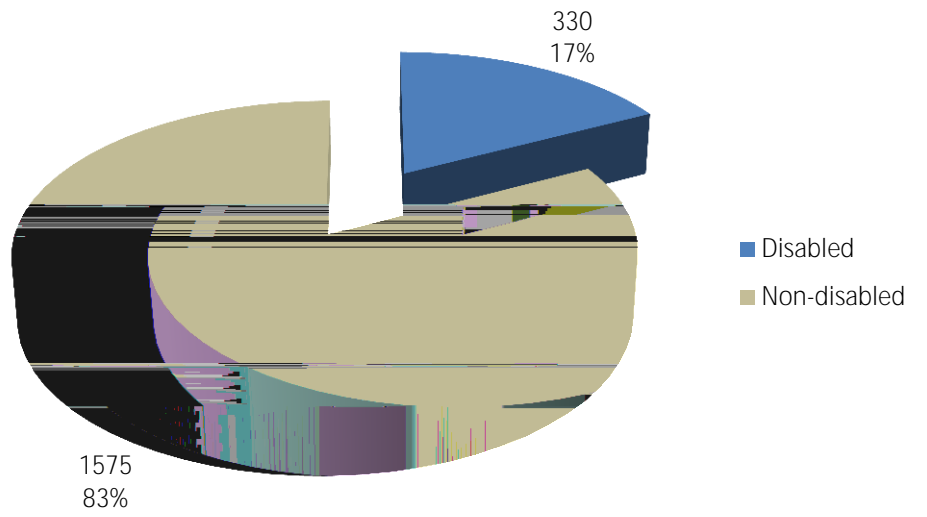
You will see that a total of 330 of our people stated in the Staff Survey that they had a disability compared to only 98 in our ESR records. The previous graph shows the breakdown of responses from the staff with a disability who responded to the staff survey.

Of the 330 respondents 89 (27%) said they had experienced harassment, bullying or abuse from patients/service users, 60 (18%) from managers and 89 (26%) from colleagues.

Of the 1575 non-disabled staff who responded, a total of 367 (23%) stated that the

%

	■ Disabled
	■ Non-disabled

47

46

Non-disabled

Disabled

45.5   46   46.5   47
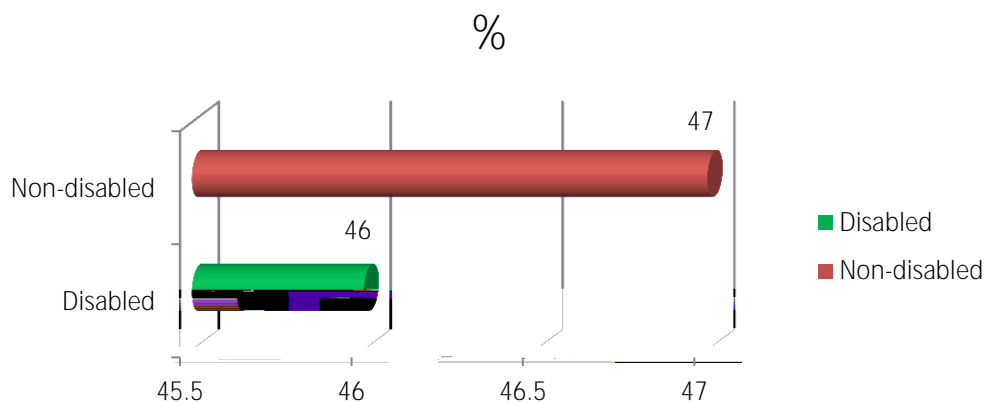
**Concern re: Metric 4:** The number of staff with disabilities experiencing bullying and harassment is low with figures of 89, 60 and 86. However the number of staff who have identified as having a disability on the ESR system amounts to only 98. Although we cannot be sure that those answering this question are those who have identified on ESR we should consider that that might be the case.

80% of staff with a disability believe that the Trust provides equal opportunities for career progression and promotion. This compares to 88% of non-disabled staff.
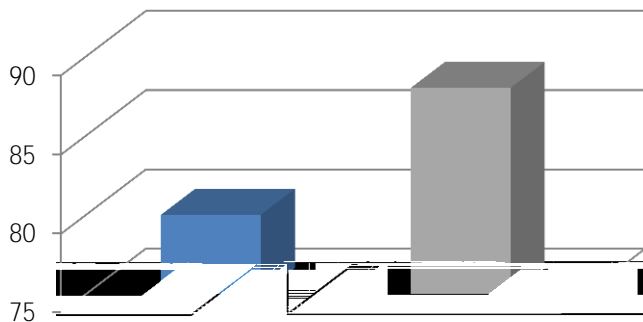
31% of staff with a disability stated that they had felt pressure from their manager to come to work despite not feeling well enough. This compares to 20% of non-disabled staff.

Of greater concern was the response to Question 11g in the staff survey:
 Not put myself under pressure to come to work when not feeling well enough
Only 4% of staff with a disability

There was an additional question asked in this section:

> Has your Trust planned any targeted actions to increase the workplace satisfaction of Disabled staff?

A specific action was included in the 2019 WDES action plan to work with the Disability Diversity Champions to facilitate the development of a Disability Network. During the year we have run a number of workshops, attended by the champions, a number of staff with disabilities and mangers to begin the development of the network. This work has been disrupted by the onset of the Covid19 pandemic.

13. Metric 8 –

Note: This NHS Staff Survey Metric only includes the responses of Disabled staff.

Of the 330 disabled staff who responded to the NHS Staff Survey 261 (79%) stated that the trust had made adequate adjustment(s) to enable them to carry out their work.
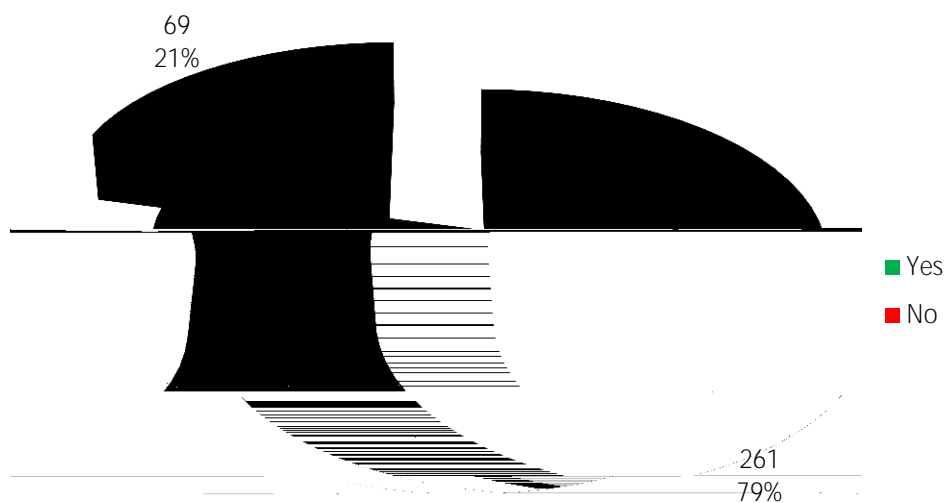
There is anecdotal evidence that many staff who have minor or hidden disabilities, which are not identified on ESR, have received assistance from the organisation informally.

For example: being provided with specific chairs or desks.

Many of these have not been recorded as reasonable adjustments.

There were a number of additional questions asked:

Does your organisation have a reasonable adjustments policy?
Are costs of reasonable adjustments met through centralised or local budgets?
Has your organisation taken action to improve the reasonable adjustments process?

In response to the additional questions we reported that we do not have a specific policy referring to reasonable adjustments. However, our process is included in the "Employment of People with Disabilities Policy" which is linked to the "Attendance Management Policy"

At the present time we do not have a central register of reasonable adjustments. These are agreed between the individual and there line manager, who keeps the record of adjustments.

Cost of adjustments are met at a local department level.

At the present time the reasonable adjustment process is being reviewed.

14. Metric 9

Staff Engagement Scores (NHS Staff Survey)

Salisbury NHS Foundation Trust had an overall engagement score of 54%. When we look at disabled and non-disabled staff the picture is not clear because only 98 people have identified with a disability on ESR.
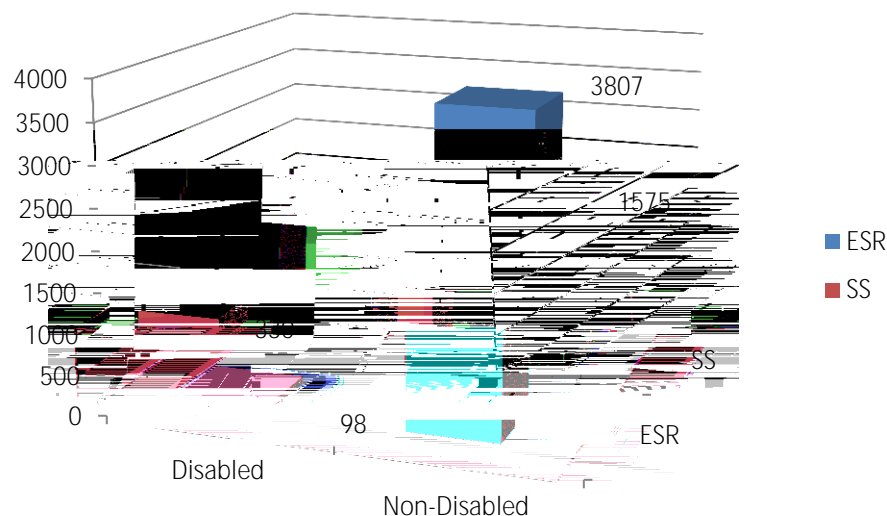
Using the ESR figure as a baseline, our staff survey engagement with disabled staff works out at 336%. This compares to 41.7% of staff who identified as non-disabled.
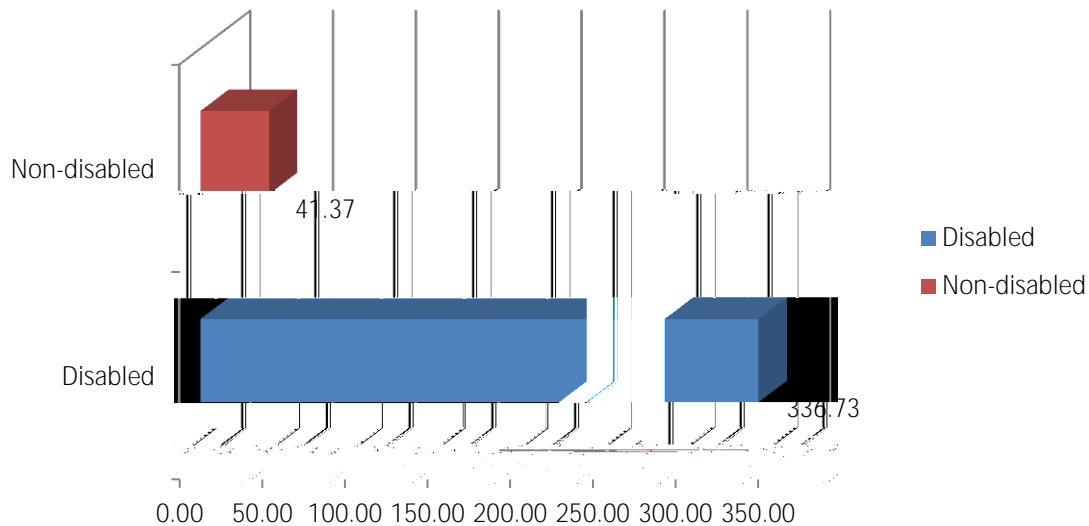
Part B:
Has your Trust taken action to facilitate the voices of Disabled staff in your organisation to be heard?

Yes. Our lead Disability Diversity Champion sits on our strategic EDI Committee. The Trust has also run a number of workshops for disabled staff to share their views.

There was an additional question:

Does your organisation have a Disabled Staff Network?

At the present we do not have a Disabled staff network but we have for a number of years had dedicated Disability Diversity Champions. During the past years we have run a number of workshops with our champions, disabled staff and mangers to facilitate the development of a network. We have used our first WDES report as a catalyst for this discussion.

Unfortunately work on the development has been disrupted due to the effects of Covid19, with many disabled staff self-isolating or working remotely.

Percentage Board/Workforce:
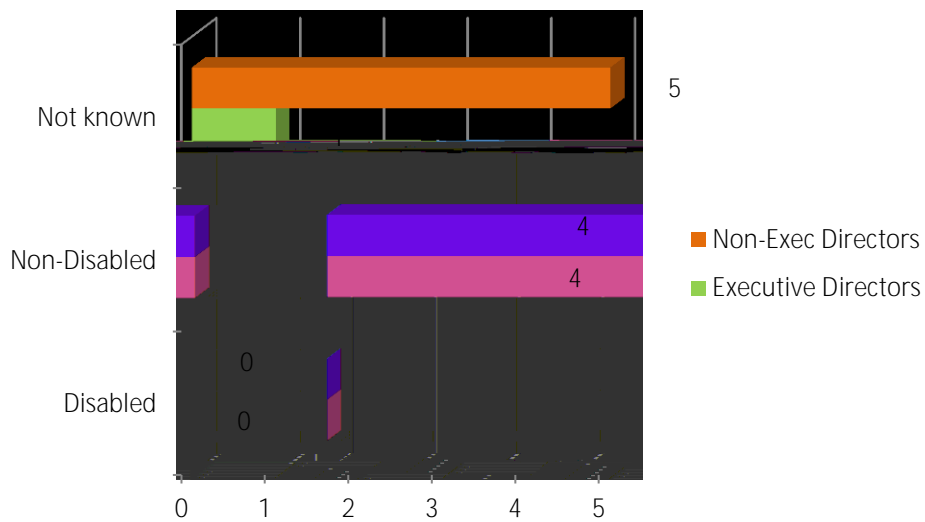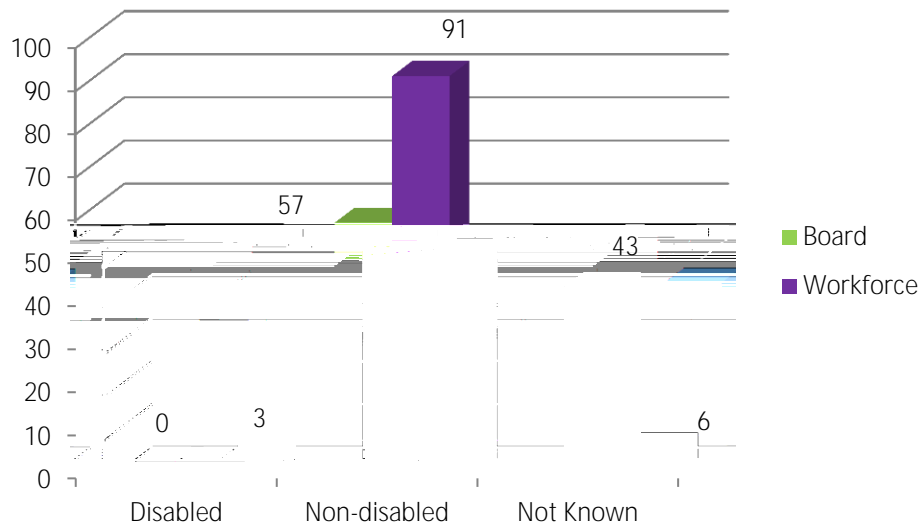
There was an additional question in this section:

Does your Board have a champion for Disability Equality?

Judy Dyos, the Executive Director for Nursing has been nominated as the Board sponsor for Disabilities.

We recommend that Salisbury NHS Foundation Trust take the following action to support our people who identify with disabilities to ensure they have an equal opportunity to progress within the workforce:

Encourage our people to provide up-to-date, relevant and accurate equality data through our ES87552 .-3(ro)9(10(a)-3(Ro(g)6(h)-53(d)-3(l)]TJET)]TJETa)-97p65 dl ity

Appendix A: WDES Metrics.

For the following three workforce Metrics, compare the data for both Disabled and non-disabled staff.

Metric 1

Percentage of staff in AfC paybands or medical and dental subgroups and very senior managers (including Executive Board members) compared with the percentage of staff in the overall workforce. Organisations should undertake this calculation separately for non-clinical and for clinical staff.

Cluster 1: AfC Band 1, 2, 3 and 4
Cluster 2: AfC Band 5, 6 and 7
Cluster 3: AfC Band 8a and 8b
Cluster 4: AfC Band 8c, 8d, 9 and VSM (including Executive Board members)
Cluster 5: Medical and Dental staff, Consultants
Cluster 6: Medical and Dental staff, Non-consultant career grade
Cluster 7: Medical and Dental staff, Medical and dental trainee grades

Note: Definitions for these categories are based on Electronic Staff Record occupation codes with the exception of medical and dental staff, which are based upon grade codes.

Metric 2

Relative likelihood of Disabled staff compared to non-disabled staff being appointed from shortlisting across all posts.

Note:
i) This refers to both external and internal posts.
ii) If your organisation implements a guaranteed interview scheme, the data may not be comparable with organisations that do not operate such a scheme. This information will be collected on the WDES online reporting form to ensure comparability between organisations.

Metric 3

Relative likelihood of Disabled staff compared to non-disabled staff entering the formal capability process, as measured by entry into the formal capability procedure.

Note:
i) This Metric will be based on data from a two-year rolling average of the current year and the previous year.
ii) This Metric is voluntary in year one.

National NHS Staff Survey Metrics

For each of the following four Staff Survey Metrics, compare the responses for both Disabled and non-disabled staff.

Metric 4 Staff Survey Q13

    a) Percentage of Disabled staff compared to non-disabled staff experiencing harassment, bullying or abuse from:
    i. Patients/service users, their relatives or other members of the public
    ii. Managers
    iii. Other colleagues

    b) Percentage of Disabled staff compared to non-disabled staff saying that the last time they experienced harassment, bullying or abuse at work, they or a colleague reported it.

Metric 5 Staff Survey Q14

Percentage of Disabled staff compared to non-disabled staff believing that the Trust provides equal opportunities for career progression or promotion.

Metric 6 Staff Survey Q11

Percentage of Disabled staff compared to non-disabled staff saying that they have felt pressure from their manager to come to work, despite not feeling well enough to perform their duties.

Metric 7 Staff Survey Q5

Percentage of Disabled staff compared to non-disabled staff saying that they are satisfied with the extent to which their organisation values their work.

The following NHS Staff Survey Metric only includes the responses of Disabled staff

Metric 8 Staff Survey Q28b

Percentage of Disabled staff saying that their employer has made adequate adjustment(s) to enable them to carry out their work.
NHS Staff Survey and the engagement of Disabled staff

For part a) of the following Metric, compare the staff engagement scores for Disabled, non-disabled staff and the overall Trust's score For part b) add evidence to the Trust's WDES Annual Report

Metric 9

    a) The staff engagement score for Disabled staff, compared to non-disabled staff and the overall engagement score for the organisation.

    b) Has your Trust taken action to facilitate the voices of Disabled staff in your organisation to be heard? (Yes) or (No)

Note: For your Trust's response to b) If yes, please provide at least one practical example of current action being taken in the relevant section of your WDES annual report. If no, please include what action is planned to address this gap in your WDES annual report. Examples are listed in the WDES technical guidance.

Board representation Metric
For this Metric, compare the difference for Disabled and non-disabled staff.

Metric 10

Percentage difference between the organisation's Board voting membership and its organisation's overall workforce, disaggregated:
• By voting membership of the Board.

Note: definitions for these categories are based on Electronic Staff record occupation codes with the exception of medical and dental staff, which are based upon grades.

Appendix C: Equality Act Definition of Disability

The definition is set out in section 6 of the Equality Act 2010. It says you're disabled if:

> you have a physical or mental impairment
> that impairment has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities

Some impairments are automatically treated as a disability. You'll be covered if you have:

- cancer, including skin growths that need removing before they become cancerous
- a visual impairment - this means you're certified as blind, severely sight impaired, sight impaired or partially sighted
- multiple sclerosis
- an HIV infection - even if you don't have any symptoms
- a severe, long-term disfigurement - for example severe facial scarring or a skin disease

These are covered in Schedule 1, Part 1 of the Equality Act 2010 and in Regulation 7 of the Equality Act 2010 (Disability) Regulations 2010.

Please note the definition is quite wide - for example, a person might be covered if they have a learning difficulty, dyslexia or autism.

Section 20 of the Equality Act 2010 creates a legal duty on employers which comprises the following three requirements.

1. The first requirement is a requirement, where a provision, criterion or practice of A's puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.

2. The second requirement is a requirement, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.

3. The third requirement is a requirement, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.

When must an employer make reasonable adjustments?

An employer must consider making reasonable adjustments, involving the disabled worker or successful job applicant in the discussion about what can be done to support them and the decision, if:

it becomes aware of their disability
it could reasonably be expected to know they have a disability
the person asks for adjustments to be made
the worker is having difficulty with any part of their job
either the worker's sickness record, or their delay in returning to work, is linked to their disability.

What does reasonable mean?

What is reasonable will depend on the circumstances of each individual case. And it will depend on an assessment of factors including:

Is the adjustment practical to make?

Does the employer have the resources to pay for it?

Will the adjustment be effective in overcoming or reducing the disadvantage in the workplace?

Will the adjustment have an adverse impact on the health & safety of others?

The size of an employer can be a factor. An employment tribunal may expect more from a large organisation than a small one because it may have greater means. Also, whether the employer has access to other funding, such as the Government's Access to Work scheme, could be another factor. The employer is responsible for paying the cost.

An employer is not required to change the basic nature of a job. And if there are times when suggested adjustments are unreasonable, an employer could lawfully refuse to make them.