

GOVERNING BODY MEETING **in Public**

29 March 2017

Agenda Item 5.3

Report Title	Meeting the Clinical Commissioning Group duties relating to Equality and Diversity: Progress Report 2016-17
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Purpose of report

This paper and attached appendices set out the progress which has been made on the equality and diversity (E & D) duties of NHS Eastern Cheshire CCG over the last year.

Outcome Required:	Approve	<input checked="" type="checkbox"/>	Ratify		Decide		Endorse		For information	<input checked="" type="checkbox"/>
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Recommendation(s)

The Governing Body is asked to

- **approve** for publication the Annual Report for Equality and Diversity 2016-17
- **approve** for publication the refreshed CCG Equality and Diversity Plan 2017-19 and its associated Equality and Delivery System (EDS2) action plan.
- **note** for information the establishment of a CCG Equalities and Diversity Assurance and Delivery Group and the results of the recent EDS2 assessment.

Benefits / value to our population / communities

A firm commitment to equality and diversity and a good collective understanding of this agenda will ensure that the CCG effectively and fairly meets its commissioning responsibilities and Public Sector Duty.

Key Implications of this report – please indicate

Strategic	<input checked="" type="checkbox"/>	Consultation & Engagement	<input checked="" type="checkbox"/>
Financial		Equality	<input checked="" type="checkbox"/>
Quality & Patient Experience	<input checked="" type="checkbox"/>	Legal / Regulatory	<input checked="" type="checkbox"/>
Staff / Workforce	<input checked="" type="checkbox"/>	Safeguarding	

Governing Body Assurance Framework Risk Mitigation:

N/A

Report Author	Contributors
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Date of report	Tuesday 14 March 2017

Meeting the Clinical Commissioning Group duties relating to Equality and Diversity: Progress Report 2016-17

1. Executive Summary

- 1.1 During the course of 2016-17, NHS Eastern Cheshire Clinical Commissioning Group (CCG) has continued to progress with regards the equality and diversity (E&D) agenda. This report brings together a number of documents which reaffirm the CCGs commitment to deliver the equality and diversity objectives and goals, which have been set nationally and locally.
- 1.2 This report introduces the draft NHS Eastern Cheshire CCG Equality and Diversity Annual Report 2016-17 (**Appendix A**).
- 1.3 This report also introduces the NHS Eastern Cheshire CCG Equality and Diversity Plan 2017-19 (**Appendix B**) which also contains the Equality Delivery System (EDS2) Action Plan. This plan is a refresh of the CCGs original E&D Plan.¹
- 1.4 The CCG is required to pay due regard to the Public Sector Equality Duty (PSED) and Specific Duties to set Equality Objectives as set out in the Equality Act 2010. Failure to comply has legal, financial and reputational risks. Furthermore all CCGs are required to utilise the EDS2 toolkit as part of the NHS England assurance process.

2. Recommendation(s)

- 2.1 **The Governing Body is asked to:**
 - **approve** for publication the Annual Report for Equality and Diversity 2016-17
 - **approve** for publication the refreshed CCG Equality and Diversity Plan 2017-19 and its associated EDS2 action plan.
 - **note** for information the establishment of a CCG Equalities and Diversity Assurance and Delivery Group and the results of the recent EDS2 assessment.

3. Population affected

- 3.1 The E&D Annual Report and the CCG E&D Plan is concerned with the whole population (male and female and all ages) but disaggregated by protected characteristics. The EDS2 approach and subsequent EDS2 Objectives Action Plan aims to improve access and outcomes for all protected groups.

4. Context

- 4.1 The CCG is required to pay due regard to the Public Sector Equality Duty (PSED) and Specific Duties to set Equality Objectives as set out in the Equality Act 2010. Failure to comply has legal, financial and reputational risks. Furthermore all CCGs are required to utilise the EDS2 toolkit as part of the NHS England assurance process.

¹ <https://www.easterncheshireccg.nhs.uk/About-Us/equality-and-human-rights-plan.htm>

- 4.2 The CCG is required to produce an annual Equality and Diversity Report which sets out how the organisation has been demonstrating 'due regard' to the Public Sector Equality Duty, aims to eliminate discrimination, advance equality of opportunity and foster good community relations. The report also provides evidence for the CCG meeting the specific equality duty, which requires all public sector organisations to publish their equality information annually.
- 4.3 All Public authorities are required to meet their specific duties under the Equality Act 2010 to set Equality objectives every four years. The CCGs Equality Objectives are to:
- improve commissioner understanding of the populations served
 - ensure accessibility to services and information
 - ensure the equality of opportunity in employment and training provision
 - demonstrate a commitment to Equality and Diversity through training and development at all levels of the organisation.
- 4.4 Resulting from the EDS2 process an Action Plan has been developed.

5. Finance

- 5.1 There are no financial implications directly associated with the annual E&D report and CCG E&D Plan as activity will take place within existing resources. There are however financial risks associated with failure to comply with PSED.

6. Quality and Patient Experience

- 6.1 Actions have been identified within the equality objectives plan that need to be addressed through the quality agenda and the quality contract schedule.

7. Consultation and Engagement (Public/Patient/Carer/Clinical/Staff)

- 7.1 The CCG has engaged with local organisations representing the views of people and communities who share protected characteristics in the undertaking of the EDS2 assessment.

8. Health Inequalities

- 9.1 The Annual Report, the CCG E&D Plan, EDS2 assessment and Action Plan all contribute toward the CCG achieving its commitment to reduce health inequalities across Eastern Cheshire.

9. Equality

- 9.1 The Annual Report is a statutory requirement and highlights key activity that demonstrates how the CCG has shown due regard to the Public Sector Equality Duty (Section 149 of the Equality Act).

10. Legal

- 10.1 The CCG is required to pay due regard to the Public Sector Equality Duty (PSED) and Specific Duties to set Equality Objectives as set out in the Equality Act 2010. Failure to comply has legal, financial and reputational risks.

10.2 The CCG has a statutory duty to publish its E&D Annual Report and its E&D Plan.

11. Communication

11.1 Following approval of the E&D Annual Report and refreshed E&D Plan by the Governing Body, both documents and supporting information will be published on the CCG website.

12. Background and Options

12.1 Further detail about the work undertaken in year with regards meeting our Equality and Diversity duties is contained within the Annual Report for Equality and Diversity 2016-17, attached to the paper as **Appendix A**. Highlights from the annual report include:

- around 30 members of staff trained on completing Equality Impact and Risk Assessments (EIRAs)
- development of the refreshed CCG E & D Plan for the period 2017-19
- equalities section² of the CCG website updated considerably to reflect the developments and emergence of new initiatives and regulations with regards equalities and inclusion and also including the uploading of completed EIRAs
- E & D monitoring undertaken as part of two major engagement projects over the last year
- EDS2 assessment panel undertaken and new EDS2 objectives and action plan created.
- development of internal Equality and Diversity Assurance and Delivery Group Terms of Reference.
- Workforce Race Equality Standard Report (WRES). NHS England have mandated WRES for commissioners and large providers to help in developing a representative and supported workforce. The WRES focusses on race equality and has been introduced to ensure that staff from Black and Minority Ethnic (BME) are not disadvantaged compared to the rest of the workforce. The WRES data is collated by the Human Resources team in Midlands and Lancashire CSU (MLCSU) and the report is completed in conjunction with the Equality and Inclusion Business Partner from the MLCSU. Given the relatively small workforce in this organisation, data is not available for all the nine indicators at present. However within the Annual Report, relevant workforce data is available within the appendices.

12.2 **The following should be noted by the Governing Body regarding the Annual Equality and Diversity Report 2016-17:**

- due to the timing of receiving end of year data, the draft Annual Report presented to the Governing Body does not reflect the most up to date workforce data (as of March 2017), however subject to approval for publication, the data will be updated within the document to reflect end of year figures (available in the first week of April 2017)

² <https://www.easterncheshireccg.nhs.uk/About-Us/equality.htm>

- the EDS2 results indicate that there is one outcome area grading result that could change (*Outcome 1.1 Services are commissioned, designed and procured to meet the health needs of local communities*) from developing to achieving subject to the CCG providing additional evidence by the end of March to the EDS2 panel members. If the evidence provided is deemed sufficient to the panel to warrant a change in grading, then the Annual Report will reflect this before publication
- the Annual Equality and Diversity Report would normally indicate to the Governing Body the performance of the CCGs main providers with regards Equality and Diversity, via the EDS2 results. Currently the CCGs two main providers – East Cheshire NHS Trust and Cheshire and Wirral Partnership NHS Foundation Trust have not finalised their grading’s. Upon receipt of the final EDS2 grading’s, these will be reflected in the CCG Annual Report and Accounts 2016-17.

12.3 The Governing Body is asked to:

- **approve** for publication the Annual Report for Equality and Diversity 2016-17, noting the points raised in 12.2
- **note** for information the establishment of a CCG Equalities and Diversity Assurance and Delivery Group and the results of the recent EDS2 assessment.

12.4 Further detail about the work to be undertaken during 2017-19 with regards meeting our Equality and Diversity duties is contained within the refreshed CCG Equality and Diversity Plan 2017-19, attached to the paper as Appendix B. Within the 2017-19 Plan, the EDS2 Action plan is also contained as well as the Terms of Reference for the CCGs new E & D Delivery and Assurance Group. This meeting will implement and monitor regularly the CCG’s E & D action plan. Furthermore, the group will act as a forum to advise on EIRAs, and where necessary ‘check and challenge’ assessments prior to sign off.

12.5 The Governing Body is asked to:

- **approve** for publication the refreshed CCG Equality and Diversity Plan 2017-19 and its associated EDS2 action plan.

13. Access to further information

13.1 For further information relating to this report contact:

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14. Access to further information

Appendices Table

Appendix A	CLICK HERE to view NHS Eastern Cheshire CCG Equality and Diversity Annual Report 2016-17
Appendix B	CLICK HERE to view NHS Eastern Cheshire CCG Equality and Diversity Plan 2017-19

Governance

Prior Committee Approval / Link to other Committees	
n/a	

CCG 5 Year Strategic Plan programme of work this report links to <input checked="" type="checkbox"/>			
Caring Together		Quality Improvement	<input checked="" type="checkbox"/>
Mental Health & Alcohol		Other	<input checked="" type="checkbox"/>

CCG 5 Year Strategic Plan ambitions addressed by this report <input checked="" type="checkbox"/>			
Increase the number of our citizens having a positive experience of care		Increase the proportion of older people living independently at home and who feel supported to manage their condition	
Reduce the inequalities in health and social care across Eastern Cheshire	<input checked="" type="checkbox"/>	Improve the health-related quality of life of our citizens with one or more long term conditions, including mental health conditions	
Ensure our citizens access care to the highest standard and are protected from avoidable harm	<input checked="" type="checkbox"/>	Secure additional years of life for the citizens of Eastern Cheshire with treatable mental and physical health conditions	
Ensure that all those living in Eastern Cheshire should be supported by new, better integrated community services			

CCG Operational Plan 2016/17 programme of work this report links to <input checked="" type="checkbox"/>			
Quality, Innovation, Prevention & Productivity		Transformation across a wider geographic footprint	
Transformation of Primary Care		Continuous Service Improvement	<input checked="" type="checkbox"/>
Commissioning an integrated care system		Systems resilience	

CCG Values supported by this report – please indicate <input checked="" type="checkbox"/>			
Valuing People	<input checked="" type="checkbox"/>	Innovation	
Working Together		Quality	
Investing Responsibly			

NHS Constitution Values supported by this report – please indicate <input checked="" type="checkbox"/>			
Working together for patients	<input checked="" type="checkbox"/>	Compassion	<input checked="" type="checkbox"/>
Respect and dignity	<input checked="" type="checkbox"/>	Improving lives	<input checked="" type="checkbox"/>
Commitment to quality of care	<input checked="" type="checkbox"/>	Everyone counts	<input checked="" type="checkbox"/>