

The experience of black people working in health services in Leicester and Leicestershire – recommendations update.

Public Health and Health Integration Scrutiny Commission

Date of meeting: [06/02/2024]

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Useful information

- Ward(s) affected:
- Report author:
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- Report version number:

1. Summary

This report provides an update following key recommendations within the published report 'The experience of black people working in health services in Leicester and Leicestershire'.

2. Recommendation(s) to scrutiny:

Public Health and Health Integration Scrutiny Commission are invited to:

- Note the positive progress and successes made against all recommendations resulting from The Experience of Black People Working in Health Services report, by both Leicestershire Partnership NHS Trust (LPT) and University Hospitals of Leicestershire (UHL) Trusts and the Leicester Leicestershire and Rutland (LLR) ICB.

3. Detailed report

In December 2022, a report was commissioned by Leicester City Council which would provide insight into the experiences of black people working in the health service in both Leicester and Leicestershire.

On the 21st April 2022, following the reports publication, Leicester City Council members endorsed a number of recommendations. These recommendations are listed below alongside an update on the positive progress made to date.

Recommendation 1:

Existing systems are either improved or systems that facilitate such data collection are procured to identify and monitor workforce information (and progression).

Update:

- Both NHS Trusts continue to monitor the progression of staff through the Workforce Race Equality Standard (WRES) requirements and publish annual action plans. LPT's data and action plan which includes specific actions around talent management can be found here: <https://www.leicspart.nhs.uk/about/equality-diversity-and-inclusion/publication-of-equality-information/#content>. And UHL's can be found here: <https://www.leicestershospitals.nhs.uk/aboutus/equality-and-diversity/reports-and-data/>

- The Head of Nursing, Midwifery and Allied Health Professionals (Equalities) co-ordinating a number of system wide development programmes to progress black clinical staff into senior positions.
- The Developing Diverse Leadership Programme delivered during 2022/23 with 40 delegates. This programme has seen immediate benefits and success with participants progressing during and post programme.
- Another programme aimed at more senior black staff “Developing You, Developing Me” has also been launched in 2023 aimed at Bands 8b and 8c staff with 15 delegates signing up.
- LPT’s WRES data shows an improvement in the diversity of its workforce and perceptions of equality of opportunity for career progression from 2021/22 to 2022/23.
- LLR partners are working collaboratively in delivering against the NHSE EDI Improvement Plan. A national dashboard of key EDI metrics has been developed. This enables local organisations and NHS England to monitor progress, identify challenges and assist peer-to-peer learning alongside an EDI repository. It incorporates relevant education and training metrics, created by Health Education England. This plan supports the achievement of strategic EDI outcomes, which are to:
 - Address discrimination, enabling staff to use the full range of their skills and experience to deliver the best possible patient care
 - Increase accountability of all leaders to embed inclusive leadership and promote equal opportunities and fairness of outcomes in line with the NHS Constitution, the Equality Act 2010, the Messenger Review
 - Support the levelling up agenda by improving EDI within the NHS workforce, enhancing the NHS’s reputation as a model employer and an anchor institution, and thereby continuing to attract diverse talents to our workforce
 - Make opportunities for progression equitable, facilitating social mobility in the communities we serve.

Recommendation 2:

To compare the journeys of substantive staff against bank staff. This is because bank staff can often enter and leave the organisation in ‘freer and looser’ terms compared to substantive staff, which may result in the danger of contributing to unconscious bias.

Update:

Both NHS Trusts continue to monitor the journey of our bank staff, including comparisons of bank and substantive colleagues where we are able to obtain data.

- The comparisons between bank and substantive are contained within LPT’s WRES report on our website.
- LLR NHS apply the principles of a just and fair culture in its application of the disciplinary processes.
- LPT have developed an action plan following the Michelle Cox case, this includes a review of our investigation training. This is available for all LPT staff. Monthly learning sets are being coordinated across the Trust; and all HR colleagues are specifically expected to attend Race Equality and Cultural Intelligence Learning sets.
- New guidance has been published in respect of ensuring equity in disciplinary processes and we will be reviewing the recommendations of this during 2023/24.

Recommendation 3:

Regarding the use of mandatory training for equality, diversity, and inclusion, it was recommended that organisations look to use different channels to deliver this training that encourages interaction, rather than the use of e- learning modules.

Update:

The Active Bystander Programme has been launched. This is a face-to-face training session that aims to reduce bullying, harassment and discrimination by giving colleagues the skills and strategies to intervene when they witness bullying and/or discriminatory behaviours. The LLR Programme was awarded 'Outstanding Corporate Achievement of the Year' at the National BAME Health & Care Awards at a celebration event in London in September 2023. The programme enables delegates to become Active Bystanders who feel confident and have the skills to intervene and de-escalate incidents of harmful behaviour and to promote prosocial behaviours and supporting our ethnic and cultural minorities staff to thrive in their workplace.

In addition to this, there have been wider developments including:

- LPT have developed interactive learning sets on Race Equality and Cultural Intelligence which share the direct experience of black staff. These are now being rolled out systemwide across LLR.
- The reverse Mentoring Programme provides a unique opportunity for learning through the eyes of black staff for senior leaders. We are now on our 4th cohort and in 2022; a programme which won the Midlands Inclusive Diversity awards scheme for “Most inclusive ICS of the year”.
- The system has also been delivering 360 Cultural Competency Assessments to leaders across the health and social care system and providing feedback and support to improve levels of cultural competency. It is currently evaluating the success of the feedback sessions provided to participants provided by its 40 or so Cultural Competency Enablers that include our black staff.

Recommendation 4:

The progression of ethnic minority employees can be hampered by the lack of development opportunities which are often arranged on an informal basis. Organisations should look at how such development opportunities are filled and facilitated.

Update:

We have been developing talent programmes for our ethnic and cultural minority staff that are linked to organisational talent management processes and sponsorship. This is a very deliberate connection between such career development programmes that ensure line-manager and Executive level involvement in the growth and progression of black colleagues.

- LPT have a specific programme aimed at its ethnic and cultural minority staff called “We Nurture” which is very well attended and delivered via a partnership between Organisational development and EDI.
- LPT hold regular listening events with its black staff to understand any barriers to career progression and use this information to unblock any barriers. All directors set Race equality Objectives within their appraisals and there continues to be a Together Against Racism Priority that includes 3 targeted areas for intervention; Inclusive Recruitment, Addressing Racist Abuse and Career Development.
- 80% of interview panels for LPT are now ethnically diverse with a changing culture of inclusivity and learning integral to the diverse panel approach.
- UHL have specifically worked with British Indian Nurse Association and British Association of Physicians of Indian Origin (BAPIO) to improve the experiences of

our clinical staff.; in addition to, working with an international organisation to understand and improve the disparities in health outcomes.

- Both UHL and LPT have a dedicated Head of International Recruitment who provides additional support, advice and pastoral care to overseas recruits.
- The LLR Developing Diverse Leadership programme is a system level development programme, aimed at ethnic and cultural minorities aspiring leaders within Nursing, Allied Health Professionals, Midwifery, bands 5-7 and their line managers. Uniquely, the programme offers leadership development programmes for participants and line managers from a range of organisations, with shared Action Learning Sets to the two groups and their learning. The programme is underpinned by the inclusion of Organisational Leads, Executive Sponsorship and Executive & Senior Leadership support, mentoring and guidance, because we identified that the provision of a development programme in isolation is not enough to engender change and inclusion. Action Learning Sets completed which form part of this programme, and outcomes/ Career Tracking will be managed for the next 18-months. However, early feedback is telling us that at the end of the first year of the programme starting, there are positive outcomes for both participants and line managers:

To demonstrate the benefits of the programme, see below links to two testimonials from participants who have been on the programme and gone on to further their career because of the learning.

<https://youtube.com/shorts/35DolyZInqM?feature=share>

<https://youtube.com/shorts/9mdzJNhSygg?feature=share>

Recommendation 5:

With regard to the use of data and monitoring in relation to progression and training, organisations should track shadowing opportunities and training, to challenge their counterparts on how they are progressing with their own initiatives.

Update:

The reverse mentoring programme has provided some opportunity for reverse mentors to be matched to mentees from other organisations.

- This has created shadowing opportunities across organisational boundaries, with learning and reflections to take place.
- The Developing Diverse Leadership programme has also allowed minority ethnic colleagues to shadow senior leadership. This has been built into the new system wide Developing Me Developing You programme.
- System wide data is shared at the EDI taskforce meetings, chaired by the ICB Deputy Chief Officer (Culture, OD and Inclusion). This is where best practice is shared and disseminated. System wide priorities have been set around OD, Culture and EDI at the ICB People and Culture Committee during 2023 for 2023/24. These include key drivers for creating inclusive cultures which include the Active Bystander Training, Reverse mentoring, Inclusive Talent Management, Cultural Competency Development and a clear focus on the health and wellbeing of staff.

Recommendation 6:

The existing work and attitude on diversity and inclusion should be embedded across the organisation, to ensure there is a form of succession planning, should key staff individuals leave.

Update:

LPT have been working jointly with Northamptonshire Health Care NHS Foundation Trust to embed best practice in relation to its Together Against Racism work. Some of the key successes in terms of embedding positive EDI cultures which have improved its WRES metrics between 2021/22 and 2022/23 include:

- Leadership behaviours that include a specific EDI behaviour built into all aspects of recruitment and training
- Race Equality and Cultural Intelligence Learning sets with lived experience
- The Active Bystander Programme being promoted and accessed
- Anti-Racism activities led by the Chief Executive and becoming business as usual.
- A Zero Tolerance approach to racism
- Active REACH staff support Network with co-chairs from black African backgrounds
- Celebration of BHM built in to annual events calendar
- EDI objectives built in to all appraisals
- Speaking Up becoming part and parcel of everyday culture via our Freedom to Speak Up Guardians
- Health and wellbeing initiatives taking in to account the needs of staff from diverse
- Change Leaders working on a number of specific themes to help with retention, attraction and reform in line with the NHS Workforce Strategy.

Recommendation 7:

To consider the wider response to EU recruitment and staff from overseas, who may not be able to take leave due to management pressure and whether guidance to management can be issued to clarify leave arrangements and concerns. This is because staff from these cohorts are often from an ethnic minority background, and this may be a further adverse effect.

Update:

The NHS have implemented the right to flexible working for all colleagues to ensure that they have an opportunity to request working arrangements that fit their personal circumstances. In addition:

- Staff can request extended paid leave,
- unpaid leave, and where appropriate
- special leave.
- Both acute Trusts have dedicated Head of International Recruitment who provide additional support, advice and pastoral care to overseas recruits to ensure they have access to all NHS benefits such as flexible leave arrangements.

Recommendation 8:

Relating to disciplinaries and reporting, the impact of bias training and bystander support should be shared with the Health Scrutiny Commission once completed, along with consideration of how widely this is being delivered across the organisations.

Update:

The Active Bystander Programme commenced rolled out during 2022. (A summary of evaluation feedback is attached.)

Recommendation 9:

The experiences of bank staff and their journey through the organisation to be recorded, to ensure there are no adverse outcomes suffered. This also included the treatment of temporary bank staff, who are often from an ethnic minority background, as well as the need for the City Health and Wellbeing Scrutiny Commission to understand the implications this will have on local staffing and whether this could lead to any new ways of working.

Update:

The bank staff survey has now been rolled out nationally. This records the experiences of bank staff against a number of predetermined areas and is analysed on an annual basis. The first national bank staff survey took place in 2022 and we should receive the results of the 2023 survey shortly, and we can compare the results to measure progress or identifying areas for improvement.

- LPT have used the staff survey to identify areas where it has been working with its “Change Leaders” (around 50 staff from across the Trust) to co-produce immediate actions to address some of the key issues arising from the 2022 staff survey identified by staff such as improving psychological safety, Health and Well Being, Managing Expectations and Career Development.
- In addition, we continue our work to improve our approach to Zero Tolerance against abuse and violence against staff which includes racism.
- LPT has an ongoing Zero Tolerance project team that has representation from across the trust to work on quality improvement measures to provide support to staff experiencing abuse and violence.
- Resources include a 6 step process, training, case studies and we are in the process of producing videos. The Active Bystander Programme compliments this work.

Recommendation 10:

In relation to the Mersey Trust – Just and Learning Culture, the Task Group recommended that local agencies should reflect on this model as an example of good practice due to the positive impact on wellbeing.

Update:

Both Trusts have embedded the Just and Fair Cultures within their procedures and processes. For example, within LPT’s disciplinary policy it states:

“The policy and procedure reflects the ACAS Code of Practice on Disciplinary and Grievance Procedures and also takes account of the NHS Improvement ‘Just Culture’ recommendations and the Trust’s commitment to developing a just and learning culture.”

- Within LPT, the Patient Safety team throughout all of their reviews use the Just Culture guide from NHSE. Additionally, the human factors model is utilised for investigations which is ‘naturally just’.
- Work is ongoing to explore with Organisational Development to explore Sydney Dekkers work which is what Mersey Care adopted. LPT is working towards ensuring that the whole organisation is thinking and working in this way.
- In addition, LPT are committed to the principles of the Freedom to Speak Up review and its vision for raising concerns and will respond in line with them. These include an independent fair and objective investigation into the facts and without the purpose of finding someone to blame.

The Task Group commented positively on the commitment and engagement of senior health staff to racial inequality in the workforce, and how transparent they were with sharing workforce information.

5. Background information and other papers:

Appendix of the report and recommendations are attached, in addition to the feedback received from the Active Bystander Programme.