

Equality Delivery System (*EDS2*) Sub-Group of the Equality and Diversity Council

Paper for the 4th February 2014 meeting of the EDC

Purpose

Supporting NHS organisations to promote equality and meet the public sector Equality Duty, using *EDS2*, is a priority for both the EDC and NHS England. An '*EDS2* implementation' sub-group was established – emerging from the EDC – to help shape how this priority will be taken forward.

This paper provides strategic and operational recommendations for action to help NHS organisations in promoting equality using the *EDS2* as a tool. There are links here with the 'system alignment' sub-group of the EDC.

Background

Under the auspices of the EDC, the Equality Delivery System (*EDS*) for the NHS was originally made available to the NHS in June 2011. It was formally launched on 11 November 2011.

The main purpose of the *EDS* was, and remains, to help local NHS organisations, in discussion with local partners including local people, review and improve their performance for people with characteristics protected by the Equality Act 2010. By using the *EDS*, NHS organisations can also be helped to deliver on the public sector Equality Duty.

The *EDS* was taken up by the majority of NHS organisations, and initial implementation was monitored at SHA level. Support was provided from a range of organisations and bodies including the NHS, Department of Health, Care Quality Commission, Monitor and the FT Network. In its guidance to inspectors, the CQC asked them to look for use of the original *EDS* by NHS providers.

The *EDS* was also included within the accreditation process for clinical commissioning groups (CCGs) – with the requirement for CCGs to commit to promoting equality and to be helped in meeting the PSED using the *EDS* or a robust equivalent.

Based upon the findings of an independent evaluation of the *EDS* in 2012, and subsequent consultation with a spread of NHS and key stakeholder organisations, a refreshed *EDS* – known as *EDS2* – was made available in November 2013. Following the NHS reforms, the EDC was refreshed and re-established in November 2013, and has taken on the joint governance arrangements for *EDS2* with NHS England.

Current position

The EDC has prioritised further uptake of *EDS2*, such that a minimum of 95 per cent of all NHS organisations should be implementing *EDS2* by 2015/16. This aspiration also forms one of the nine objectives for tackling health inequalities and promoting equality that NHS England, in its role as system leader, has currently set itself.

Recommendations

1. Strategic actions:

- i. Embed the promotion of equality using EDS2 into:
 - the heart of CCG assurance
 - the Annual Corporate Governance Statement
 - CQCs inspection processes

The above system levers cover the majority of NHS business for both commissioners and for providers. Featuring the promotion of equality using EDS2 within these levers, will go a long way in helping to achieve this aspiration.

As such, where the promotion of equality is recommended to be hardwired into other major system levers, EDS2 should be identified as a potential tool to help NHS organisations in achieving that. For example, the CCG Assurance Framework should require CCGs to adopt and use EDS2 – or a robust and tested equivalent – as they go about promoting equality.

Other key system levers will include: the NTDA Planning Guidance, the NHS Standard Contract, Quality Accounts, and the publications of the NHS Staff Council.

- ii. Activities to promote equality – and the use of the EDS as a tool – must prioritise influencing NHS Boards and Governing Bodies

At every opportunity, NHS England and its area teams should emphasise this message in discussions with Chairs and Chief Executives. The other promotional activities are important, but little will be achieved without the support of NHS leaders.

2. Operational actions:

- Implementation dashboard to monitor EDS2 uptake by NHS commissioning and provider organisations. (by July 2014)
- Embedding EDS2 implementation training within NHS equality training (working with Health Education England and partners). (by July 2014)
- Publication of good EDS implementation practice examples (including the role of engagement – and engaging with the community and voluntary sector). (by September 2014)
- Support local Healthwatches to play a key role in local EDS implementation. (Ongoing)
- Ensure robust communications planning for EDS2 (to feature in mainstream newsletters, conferences, articles and publications). (Ongoing)