

Improving Lesbian Gay Bisexual and Trans (LGBT) equality across the NHS: a paper for the Equality and Diversity Council

1. Background

In July 2015, Stonewall published a report called 'Unhealthy Attitudes' which found evidence of discrimination and unfair treatment of lesbian, gay, bisexual and trans (LGBT) staff and patients across the health and social care sector.

The report presented 21 key recommendations and a range of practical solutions for health and social care providers to follow, and was discussed at the 28 July meeting of the Equality and Diversity Council (EDC), where it was agreed for a substantial item to follow at the October meeting of the EDC.

'Unhealthy Attitudes' should be considered in the broader context of an evidence base demonstrating that LGBT people report poorer experiences when accessing health and social care; are likely to delay access to healthcare based on previous negative experiences and low expectations of service; and may have poorer health outcomes than their heterosexual and non-trans peers.¹

The purpose of this paper, written jointly by LGBT Foundation, NHS Employers and Stonewall, is to present to the EDC possible action and activity to help improve LGBT equality across health and social care. The activities cited in this paper are intended to compliment and further enhance the current work programme of the EDC. Annex A outlines the proposed actions to improve LGBT equality. Annex B presents a brief overview of the work that NHS England is currently undertaking on this agenda.

It is acknowledged that despite some good inroads on LGBT equality over recent years, stark inequalities persist, and there are instances when people are not treated with the dignity and respect that they deserve. This applies to patients, carers as well as to staff working in health and social care organisations.

¹ See Elliot, M. *Sexual Minorities in England Have Poorer Health and Worse Health Care Experiences: A National Survey*, Journal of General Internal Medicine (2014); The Lesbian & Gay Foundation, *Lesbian, gay and bisexual patients' experiences of their GP: Greater Manchester findings*, and *Trans patients' experiences of their GP*, The LGF (2014); Buffin, J et al, *Part of the Picture - LGB people's drug and alcohol use in England*, The Lesbian & Gay Foundation and University of Central Lancashire (2014); Guasp, A. *Gay in Britain*, Stonewall (2013); Macneil, J. et al, *Trans Mental Health Study* Scottish Transgender Alliance (2012); Light, B. et al, *Lesbian, Gay & Bisexual Women in the North West: A Multi-Method Study of Cervical Screening Attitudes, Experiences and Uptake*, The Lesbian & Gay Foundation and University of Salford (2011). Further evidence can be found via the Evidence Exchange: www.lgbt.foundation/evidence.

Having scoped the current gaps in the promotion of LGBT equality, and taking full consideration of the recommendations in Stonewall's 'Unhealthy Attitudes' report along with findings from other research studies, we present three broad areas where we believe concerted effort would be beneficial. The key areas are:

- i. Patient experience
- ii. Training and workforce development
- iii. Data and monitoring

2. Recommended actions

2.1 Patient experience

A visible campaign focused upon equitable access to services for and experiences of LGBT patients across the NHS would be timely and well-received. A number of local NHS organisations have in recent times implemented their own local campaigns and initiatives. However, a nationally-driven and system-wide campaign that can be adopted and adapted at local level – complimenting local use of the Equality Delivery System (EDS2) – will provide much needed momentum to the agenda.

2.2 Training and workforce development

Positive and robust leadership on promoting LGBT equality will be essential in helping to ensure that NHS workplaces are free from discrimination. There is scope to make available financial resources (an innovation fund) to help local NHS organisations to focus attention on creating LGBT-friendly workplaces across the NHS. Aligned to Stonewall's Workforce Equality Index (WEI), the resource can focus upon areas such as:

- Staff (including frontline staff) training on LGBT equality
- Establishing local LGBT staff networks
- Initiatives to improve LGBT representation at senior and Board level

2.3 Monitoring of patients and the workforce

Understanding the make-up of our communities, and what their needs are, is fundamental to both intelligent commissioning and the provision of effective and high-quality health and care services. We also need to ensure that the workforce at all levels is as diverse as it can be and that working environments are free from discrimination and prejudice. Monitoring the sexual orientation of patients and staff will support the health and social care system to meet these aims, and to fulfil its requirements under the Equality Act public sector equality duty.

NHS England is leading the way in implementing system-wide patient sexual orientation monitoring (SOM) through its involvement in a national SOM task and finish group and commissioning development of an HSCIC Information Standard for SOM, delivered by LGBT Foundation.

A national drive to support this ongoing work will help both the Information Standard development process and create the necessary culture shift towards normalisation of patient and staff SOM. This would include identifying and sharing good practice examples and case studies of sexual orientation data collection and data use. The

input of those responsible for educating and training the workforce (including NHS Employers, Health Education England and the Royal Colleges) would also be required, as well as patient representative bodies such as the National LGB&T Partnership.

There are plans to develop an integrated equality demographic monitoring Information Standard to improve monitoring for patients and the workforce across all protected characteristics, including gender reassignment. This would be a key step in ensuring equality for trans patients and staff.

**LGBT Foundation, Stonewall and NHS Employers
October 2015**

Annex A: Thematic outline of action to improve LGBT equality across the NHS

Theme	Stonewall's recommendation	What is currently happening	What needs to happen	Key stakeholders	Timescales / priorities (if known)
Patient experience	<ul style="list-style-type: none"> • Visible campaign • Patient complaints • Patient information 	<p>There has not been a specific NHS-wide anti bullying and harassment campaign for some time. Some local employers have implemented their own local campaigns and initiatives. Recently both trades unions and employers have begun to suggest that the time is right for a new, nationally driven initiative.</p>	<ul style="list-style-type: none"> • A visible campaign focused upon equitable access to services for and experiences of LGBT patients across the NHS (with associated guidance and resources) will be timely and well-received. <p>Discussions should be initiated in the first instance through the NHS Staff Council to develop a comprehensive national campaign.</p> <ul style="list-style-type: none"> • A note should be sent from the joint chairs of the NHS Staff Council to all HRDs alerting them to the Stonewall report and advising them to ensure that analyses of their patients complaints procedures (across 	<ul style="list-style-type: none"> • NHS Staff Council • Social Partnership Forum • Voluntary sector strategic partners • Trades unions (covering medical, managers, nursing and allied health professionals) 	<ul style="list-style-type: none"> • This must be a priority as it will underpin / drive / legitimise much of the other activity cited below

	<ul style="list-style-type: none"> • “Gay cure” therapy statement 	<ul style="list-style-type: none"> • Check which organisations have formally responded to this matter and issued formal press statements 	<p>all protected characteristics) has happened through the use of EDS2.</p> <ul style="list-style-type: none"> • EDC to co-ordinate a system wide response 	<ul style="list-style-type: none"> • EDC 	<ul style="list-style-type: none"> • Immediately
<p>Training and workforce development</p>	<ul style="list-style-type: none"> • Workforce policies • Workplace Equality Index • Mandatory LGBT training / frontline training • National training bodies/strategy • Medical curricula • Staff network groups • LGBT role models • Positive leadership and representative 	<ul style="list-style-type: none"> • Mandatory Equality and Diversity training in the NHS – which briefly covers LGBT issues. • Health and social care have a good showing on the Stonewall Workplace Equality Index. 	<ul style="list-style-type: none"> • To make available financial resources (an innovation fund) to help NHS organisations to focus attention on creating LGBT-friendly workplaces across the NHS and for good practice to be shared. • A note should be sent from the joint chairs of the NHS Staff Council to all HRDs alerting them to the Stonewall report and advising them to ensure that this analysis of their bullying and harassment policies (across all protected 	<ul style="list-style-type: none"> • NHS Staff Council • EDC (EDS2 subgroup) • NHS Employers 	<ul style="list-style-type: none"> • To be sent at the time of / just before the launch of the national campaign (see above)

	Boards		<p>characteristics) has happened through the EDS2 process.</p> <ul style="list-style-type: none"> NHS Employers will promote and encourage organisations to participate in the Workforce Equality Index – including voluntary sector strategic partners. 		
Data and monitoring	<ul style="list-style-type: none"> Monitoring of LBGT 	<ul style="list-style-type: none"> NHS England has issued a position statement in relation to monitoring in this area and has initiated the development of a data Information Standard for sexual orientation monitoring (SOM). 	<ul style="list-style-type: none"> A national drive to support the ongoing work on developing the SOM data Information Standard will help this process and culture shift. This would include identifying and sharing good practice examples / case studies of sexual orientation data collection and data use. 	<ul style="list-style-type: none"> NHS England EDC 	<ul style="list-style-type: none"> Currently ongoing

Annex B: NHS England's ongoing work to promote equality and reduce inequalities for the lesbian, gay, bisexual and transgender communities

The following summarises the work that NHS England is currently doing with regard to promoting lesbian, gay, bisexual and transgender (LGBT) equality and reducing the inequalities faced by these groups.

Gender Identity Services

NHS England became the sole commissioner of Gender Identity Services in April 2013 and has a legal duty to ensure equitable access to treatment. NHS England has committed to a programme of work to improve current NHS Gender Identity Services across England.

An interim NHS England Gender Identity services protocol and guidance² was issued in November 2013 – this should be read in conjunction with the CR181 Good Practice Guidelines for the assessment and treatment of adults with gender dysphoria. NHS England has also confirmed that people accessing gender identity services have a legal right under the NHS Constitution to be seen within 18 weeks of referral.

Engagement through the NHS Citizen and the Transgender and Non-binary network

NHS Citizen³ is a programme that enables NHS England to take better account of the views of patients and the general public when making decisions about the NHS. The issues facing people who use gender identity services was one of five priority discussion topics at the NHS Citizen Assembly in September 2014⁴. Members of the Board heard first hand from people who use these services. A progress report was prepared for the subsequent meeting held in March 2015⁵.

NHS England has established a transgender and non-binary network⁶ with over 150 members. Five workshops have been held with the network since June 2013 with the next one is planned for December 2015. The network is organised and facilitated by the NHS England Patient and Public Voice Team with support and contributions from colleagues in Highly Specialised and Specialised Commissioning, NHS clinicians, transgender and non-binary people, organisations that represent them and providers.

The workshops are designed to hear the views of attendees, provide updates, share information and to work together in partnership. Workshops have also used live webcasting to extend the reach of involvement and to make the workshops more inclusive and accessible.

The network is also invited to a variety of engagement events arranged by NHS England e.g. the Health and Care Innovation Expo and NHS Citizen.

² <http://www.england.nhs.uk/wp-content/uploads/2013/10/int-gend-proto.pdf>

³ <http://www.nhscitizen.org.uk/design/>

⁴ <http://www.nhscitizen.org.uk/wp-content/uploads/2014/08/3-Gender-Identity-Services-1.pdf>

⁵ <http://www.nhscitizen.org.uk/wp-content/uploads/2015/03/Gender-ID.pdf>

⁶ <https://www.england.nhs.uk/ourwork/patients/public-voice/identity/>

Memorandum of Understanding (MoU) for the Gay Conversion Therapy

NHS England has signed the Memorandum of Understanding for the gay conversion therapy⁷. Gay conversion therapy is the umbrella term for a type of ‘talking therapy’ or activity which attempts to change sexual orientation or reduce attraction to others of the same sex. Though the actual therapy is condemned professionally, it is not currently illegal.

Development of an Information Standard for Sexual Orientation Monitoring

Working with key partner organisations, NHS England is developing Information Standards for the collection and monitoring of equality data across all characteristics given protection under the Equality Act 2010. The development of an Information Standard for sexual orientation data monitoring is already underway. Work to scope the development of a unified Information Standard across the other equality characteristics, including gender reassignment, is in progress.

Other activity

- In June 2015, NHS England launched three staff networks including one for its LGBT employees
- NHS England is a Stonewall Diversity Champion and has made a submission for the 2016 Workforce Equality Index
- NHS England presented at the Stonewall Health Index Launch 2015
- NHS England is currently represented at the advisory board for the Public Health England BME Men who have Sex with men (MSM) Project and has provided feedback to the Public Health England Strategic Framework for addressing health inequalities for MSM⁸

⁷ http://www.psychotherapy.org.uk/UKCP_Documents/policy/MoU-conversiontherapy.pdf

⁸ <https://www.gov.uk/government/publications/promoting-the-health-and-wellbeing-of-gay-bisexual-and-other-men-who-have-sex-with-men>)