

Equality and Diversity Council (EDC)			
MINUTES	18 OCTOBER 2016	14:00-16:00	RACE EQUALITY FOUNDATION, DEANE HOUSE STUDIOS, GREENWOOD PLACE, LONDON
MEETING CALLED BY	Equality and Diversity Council		
ATTENDEES	See annex		
APOLOGIES	See annex		
NOTE TAKER	Ranjit Senghera		
WELCOME & INTRODUCTIONS	Joan Saddler		
Agenda topics			
1.	WELCOME AND INTRODUCTION	JOAN SADDLER	
DISCUSSION/ CONCLUSIONS	<p>The co-chair, Joan Saddler welcomed everyone to the meeting and offered apologies from Simon Stevens, who had been called to a meeting of the Health Select Committee.</p> <p>Joan thanked Jabeer Butt and the Race Equality Foundation for hosting the EDC meeting and the Inclusion health meeting for the second time this year, and asked council members to support the pro bono hosting of the EDC meetings in the future.</p> <p>Joan welcomed Anu Singh, Director of Patient and Public Participation and Insight, NHS England to the meeting. The EHI Unit has recently moved to the Nursing Directorate and so Anu Singh will be the Director representative on the Group, replacing John Holden, who left NHS England in July. Jane Cummings will also be attending future meetings but was unable to attend today's meeting.</p> <p>Joan also welcomed Helen Buckingham, Executive Director of Corporate Affairs, NHS Improvement to the meeting. Helen is replacing Janice Scanlan (NDTA/ NHS Improvement) and Suzie Bailey (Monitor) on the Council. However Suzie Bailey (NHS Improvement) will continue to represent NHS Improvement on the EDC EDS 2 sub group.</p> <p>Joan thanked Janice and Suzie for their hard work and dedication to the agenda.</p> <p>Joan also welcomed Dr Anthea Mowat, Chair of the BME representative body) and Claire Woodford (Senior Policy advisor on Equality, Inclusion and Culture) to the meeting. Dr Anthea Mowat will be replacing Mark Porter, as the representative for the BMA.</p>		

It was agreed that future EDC minutes will be circulated in good time, allowing for comments and feedback and a timely sign off of the minutes. The EDC secretariat would ensure the minutes reflect the overall discussion at EDC and, as appropriate, document members' expressed views.

The following issues were discussed regarding the minutes of the 26th July meeting.

The EDC lived experience members asked if the comments raised by John Holden at the last EDC where he made reference to a 'self-selected group of people from Manchester' regarding the selection and recruitment of EDC lived experience members, could be included in the minutes of the last meeting.

Stewart Moors informed the Council about the email sent today by Lynne Berry (EDC Lived experience member) who sent her apologies for today's meeting. In the email she expressed how upset she was about the comments made by John Holden at the July meeting and also behaviours of a Council member, which made Lynne feel devalued, upset and angry. Lynne's email was noted by the Council.

Stewart Moors informed the Council that the issue of payments of lived experience members, discussed at the July 2016 meeting was still outstanding as was the agreement of retrospective payments, for attendance at previous meetings, when this issue was raised and discussed at length. The further issue concerned reimbursement of out of pocket expenses.

Council members stated that this had been a live issue for EDC for some time and agreed by the EDC on multiple occasions. Joan expressed her concern about this outstanding issue and asked the Council why this issue of expenses cannot be resolved? Regarding the attendance payment, this had to be in line with when the agreement was made to honor the payment to lived experience members and needed to be resolved.

Caroline Humphreys (NHS England) clarified the situation regarding the payment to Lived Experience members. Caroline stated there were two distinct issues currently being considered: It had been agreed that the four Lived Experience members would receive the £150 payment as an "Expert Advisor" as set out in the NHS England Patient and Public Voice (PPV) engagement Policy. However, the issue of back payments was still being investigated, as this may not be in line with NHS England Standing Financial Instructions (SFIs). The second issue concerned reimbursing out of pocket expenses. Again, there was a facility within the PPV policy to do this. However, any cash payments to lower barriers to participation can only be made, by exception, through a CVS partner. Solutions are being sought to enable the four Lived Experience members to participate at EDC meetings in the future without being out of pocket.

Action: CH and Anu Singh to discuss actions and outcomes with the aim of resolving the issue of lived experiences expenses and attendance fee, before the next EDC meeting in January 2017.

A point of clarity on page 3 of the minutes, the reference to the numbers of GPs who reported incidents of racial discrimination, should be amended to all

	<p>GPs, not just BME GPs as referenced. This would need to be amended in the July minutes. Action: EDC secretariat to make the necessary amendments.</p> <p>Amir Hannan raised two points: regarding the number of people with a learning disability employed by NHS England and comparative rates of people with a learning disability employed across the private sector, for example Sainsbury's. Secondly, Amir raised a point of information regarding what difference the WRES programme had made. Both queries to be picked up in the respective updates, Agenda 5 and 6.</p> <p>Matters arising and actions from the meeting on the 18th October were addressed in the respective EDC sub group papers and update papers.</p>	
2.	<p>PROGRESS ON EDC PERFORMANCE TABLE QUARTER 2 – JULY – OCTOBER 2016</p>	<p>JOAN SADDLER</p>
<p>DISCUSSION/ CONCLUSIONS</p>	<p>The EDC performance table provides a high level progress update on the delivery of the EDC Work Plan as of October 2016. This is supplemented by the more detailed EDC sub-group papers.</p> <p>Joan Saddler informed the Council that the performance table is completed quarterly and it is important that chairs of the sub groups ensure that they are capturing the progress of the work, as outlined in the work plan.</p>	
3.	<p>AN OVERVIEW OF FORM, FUNCTION AND IMPACT OF THE NHS EQUALITY AND DIVERSITY COUNCIL SINCE APRIL 2015 - PAPER FROM THE CO-CHAIR ADVISORY GROUP</p>	<p>SESSION FACILITATED BY ANU SINGH AND JOAN SADDLER</p>
<p>DISCUSSION/ CONCLUSIONS</p>	<p>Joan introduced the paper and informed the Council that the paper had been produced by the Co-Chair Advisory Group. The paper reflected on whether the EDC was delivering on its key objectives and work plan. Essentially it asked whether the current model was working and set out a series of recommendations for discussion by EDC members.</p> <p>Anu suggested that the Council break into small groups to discuss the recommendations and then to feedback to the main meeting. Feedback sheets were provided to each table, to ensure all the key points were captured and fed back to the EDC secretariat.</p> <p>Action: EDC Secretariat to collate the feedback from the facilitated session and report back to EDC at the next meeting.</p>	
4.	<p>EQUALITY IN SUSTAINABLE TRANSFORMATION PLANS (STPS)</p>	<p>DISCUSSION LED BY LUCY WILKINSON, CQC ON BEHALF OF EDC</p>
<p>DISCUSSION/ CONCLUSIONS</p>	<p>Lucy Wilkinson, CQC informed the Council of the recent launch of CQCs report 'State of Care' which provides an annual overview of health and social care in England, looking at the trends, highlighting examples of good and outstanding care, alongside identifying factors that maintain high-quality care. Action: Lucy to share the link to the CQC 'State of Care' Report with the EDC secretariat to disseminate to EDC members.</p>	

Lucy, on behalf of EDC, led the discussion around desk research that she had undertaken; examining 44 STP's across England to review the equality considerations therein.

Lucy had undertaken a Google search of STP Plans and reported the following findings to the council:

- Only six STP plans mentioned equalities;
- 14 STPs flagged their intention to complete an Equality and Health Inequalities Analysis (EHIA).

Lucy informed the Council that STPs were not new statutory organisations, but local partnership arrangements bringing key stakeholders together to develop a shared plan. Lucy stated that from her study of the 44 STP's, the evidence and processes at a local level were difficult to determine e.g. JSNAs are one source of data used.

A number of suggestions were discussed:

- STPs could look at each of their 3-5 top priorities and consider how they could bring a focus to making progress on equality issues relevant to the priority areas, taking into account the needs of people with protected characteristics.
- To explore work with the Five Year Forward View team to support work to build equality considerations into STPs;
- The Council demonstrates active leadership by EDC writing to STP leads asking for their views on implementation of equality considerations
- It was suggested that further guidance be produced for STPs and CCGs around equality issues thereby supporting CCGs in this area.

Lucy reinforced the message, that it was important for the EDC to take the initiative on this matter.

Anu Singh informed EDC about the NHS England engagement guidance. Overall, STP partner organisations were aware of the need to engage with local communities and NHS England is now offering more local direct support to STPs rather than simply issuing additional guidance.

Tom Cahill, an STP lead for Hertfordshire clarified that STPs are made up of different organisations, and there is a collective decision making process in place, and STPs are aware they need to consult and engage. It is the organisations within the STPs which are responsible for meeting the relevant legal duties.

Amir Hannan emphasized the importance of GPs being involved and engaged in the STP process.

Joan recommended that the Council's should work to draft an offer to the STPs, with information on where local support and information exists on addressing equality issues.

Anu Singh highlighted that the STP local engagement guidance already has a list of areas of support and outlines the legal duties for promoting equality and tackling health inequalities. She undertook to feedback on the discussion from

	<p>EDC to Michael McDonnell (Commissioning Strategy) in NHS England, who is leading the next stage of the STP process and explore the feasibility of including a question on equality in the next stage review of the STP Plans. Joan proposed that a set of principles should be developed and issued by EDC regarding equality considerations in STP's; this was supported by the Council members.</p> <p>It was agreed that the Equality and STP discussion would be an agenda item for the January 2017 EDC meeting.</p> <p>Action: EDC secretariat, working with Lucy and members, to draft a set of principles and questions for STPs to consider, this could be in the form of a blog from EDC. (November 2016)</p> <p>Action: Anu Singh to provide feedback on the EDC discussion to Michael McDonnell, regarding an assurance question on equality considerations for STPs in the next stage review. (January 2017)</p> <p>Action: EDC secretariat to ensure equality and STPs discussion is an agenda item for the January EDC meeting. (December 2016)</p>	
5.	WRES UPDATE	ROGER KLINE
DISCUSSION/ CONCLUSIONS	<p>Roger Kline outlined that the paper focusses upon the importance of putting in place system levers to effect change.</p> <p>Roger informed the Council that the preliminary analysis of data for WRES was still being validated, however, from the preliminary analysis, Roger updated the council on the following points:</p> <ul style="list-style-type: none"> • The first year, demonstrated significant change with an increase from 5.5% to 6.9% BME Board membership. The Report to be issued at the end of February will contain more detail. • Data on the other WRES metrics is still being validated. • A focus going forward for the programme will be replicating/mainstreaming good practice across organisations. <p>Roger reported positive progress on WRES reporting with a 95% return rate. Roger highlighted that the programme is moving in a proactive and positive direction and the team are now working up the position of the WRES programme for the next 2 and 5 years.</p> <p>Gail Adams to follow up a query with Roger about the feasibility of monitoring rates and practice regarding likelihood of BME candidates being appointed from shortlists.</p> <p>Amir to follow up a query with Roger about BME people in middle management positions and what support there is to help them get into leadership positions.</p> <p>Helen Buckingham, NHS Improvement stated that there is a need for NHS organisations to look at the composition of the community which they serve and compare it with the composition of the Trust Board.</p> <p>Tom Cahill asked about potential mechanisms to hold Trusts to account now that the WRES & EDS 2 are included in the NHS Contract. Roger confirmed</p>	

	<p>that the WRES programme is working with the CQC to look more closely at how well organisations are using the WRES as a system lever for change. Joan thanked Roger and the WRES Team for all their hard work.</p>	
<p>6.</p>	<p>LEARNING DISABILITIES EMPLOYMENT UPDATE EDC SUBGROUP UPDATES</p>	<p>LELA KOGBARA</p>
<p>DISCUSSION/ CONCLUSIONS</p>	<p>Lela Kogbara invited EDC members to advise on the challenge of how to support the programme to access information about the current number of Learning Disabled people employed across the health and care system. The numbers that are currently available relate to the NHS Learning Disability employment support programme itself. The programme has now put in place a range of building blocks to support organisations, including; – Guidance, Good practice examples, sharing case studies about people with a learning disability who have been successful in gaining employment.</p> <p>Lela said that the programme was proactive and had produced good results, working with 94 organisations pledging support for employment of people with a learning disability. Lela thanked NHS Employers for their support in this endeavor, including through an active sign up of its Equality & Diversity/Inclusion partners.</p> <p>Lela informed the Council about a forthcoming meeting with contractors on the 4 November, where hopefully a significant number of organisations will also pledge support to the programme.</p> <p>Lela updated the council on the employment of people with learning disabilities in Skipton House, and Wellington House.</p> <p>From the paper, Lela highlighted three key updates for EDC to consider:</p> <ol style="list-style-type: none"> 1. Apprenticeships Schemes: Lela was in discussion with Health Education England (HEE) to action the opportunity to use the apprenticeship levy to deliver some traction and targets. 2. HEE are developing an apprenticeship framework for people with Lived Experience and are working with Project Choice to get more people into apprenticeships, so that the learning can be shared. Lela updated the Council with some very positive examples of where people have been employed, which has resulted in other organisations signing up to the pledge and getting involved. For example – Royal Bath NHS Trust currently employs 24 people with learning disabilities in the Trust. 3. Lela asked the Council to consider the sustainability of the programme after March 2017 and how to embed the employment of people with a learning disability as ‘business as usual’ across the wider health and care system. 4. Lucy informed the council CQC were planning to sign up to the ‘Disability Confident’ programme <p>Jabeer asked for an update on the DH easy read recruitment application. Lela confirmed that the development of an easy read application form is not moving</p>	

	<p>as fast as she had hoped and she was currently working with DH to move this on. Anu welcomed the paper and agreed that the discussion regarding the sustainability of the programme was a priority, The focus upon “what good looks like” was helpful and how systems can be improved in the future to remove barriers making it easier to employ people with learning disabilities in the NHS.</p>	
7.	EDC SUBGROUP UPDATES (by exception)	SUB GROUP CHAIRS
DISCUSSION/ CONCLUSIONS	<p>1. ED2 2 sub group – Tom Cahill, SRO for EDS 2</p> <p>Tom Cahill updated EDC on the roll out of the 9 EDS 2 engagement events currently taking place over October 2016 and 2017. Joan asked that each EDC member attend at least one event. Action: EDC secretariat to email the link to the events to EDC.</p> <p>2. Leadership and Workforce sub group papers. Paul Wallace on behalf of Danny Mortimer, NHS Employers.</p> <p>Paul reported no issues other than those outlined in the paper to EDC. Paul agreed informed the WDES consultation work was progressing well and a paper on the plans for the development year 2017-18 was needed. Action: LWG to present a paper on the plans for the development year 2017/18 for the WDES.</p> <p>Anthea Mowatt, BMA informed EDC about the recent report ‘<i>Homophobic and biphobic discrimination in the workplace</i>’, commissioned by the BMA and GLADD (The Association of LGBT Doctors and Dentists). The report was produced by the Labour Research Department, an independent trade union research organisation, to survey current attitudes towards LGB doctors and medical students in the workplace or place of study. Action: EDC Secretariat to send out the report ‘Homophobic and biphobic discrimination in the workplace’, to EDC members.</p> <p>3. Data Measurement sub group</p> <p>The scoping of the Community languages Information standard is progressing well and will be updated in detail at the next meeting.</p> <p>4. Inclusion Health/Lived experience sub-group – Ruth Passman and Stewart Moors</p> <p>Paper taken as submitted. Stewart Moors raised the concerns expressed in the email from Lynne Berry. Action: It as agreed that Anu Singh would respond to Lynne Berry’s email about payment and issues raised in the email.</p> <p>5. EDC Communications sub group – Sarah Smith, Chair</p> <p>Sarah informed the Council that an EDC communications work plan was developing well and encouraged all organisations to ensure that their communications leads are involved in the sub group work and supporting the promotion of the work. Over the next three months, there will be regular EDC</p>	

	blogs from council members, an update of the EDC webpages, with links to respective council member websites; twitter hashtag for sharing communications message's and a twelve month forward plan of events and opportunities to promote the work of the EDC.	
8.	BRIEF UPDATE PAPER ON THE PROGRESS OF THE RECOMMENDATIONS FROM THE BREXIT PAPER	PAUL DEEMER, NHS EMPLOYERS ON BEHALF OF EDC
DISCUSSION/ CONCLUSIONS	Paul Deemer updated on the update paper submitted to EDC and the recent request from the Cabinet Office interested in the work of the Cavendish Group. EDC agreed to actions outlined in the paper.	

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
1. CH and Anu Singh to discuss actions and outcomes with the aim of resolving the issue of lived experiences expenses and attendance fee, before the next EDC meeting in January 2017.	Caroline Humphreys and Anu Singh	January 2017
2. EDC secretariat to make the necessary amendments reported above to the notes of the 26 th July meeting.	EDC Secretariat	November 2016
3. EDC Secretariat to collate the feedback from the facilitated session and report back to EDC at the next meeting.	EDC Secretariat	December 2016
4. Lucy to share the link to the CQC ' <i>State of Care</i> ' Report with the EDC secretariat to disseminate to EDC members	Lucy Wilkinson (CQC) with EDC secretariat	November 2016
5. Equality in STPs		
<ul style="list-style-type: none"> • A) EDC secretariat, working with Lucy and members, to draft a set of principles and questions for STPs to consider, this could be in the form of a blog from EDC. • B) Anu Singh to provide feedback on the EDC discussion to Michael McDonnell, regarding an assurance question on equality considerations for STPs in the next stage review. • C) EDC secretariat to ensure equality and STPs discussion is an agenda item for the January EDC meeting. 	<p>Lucy Wilkinson, Jabeer Butt and Anu Singh</p> <p>Anu Singh</p> <p>EDC secretariat</p>	<p>November 2016</p> <p>January 2017</p> <p>December 2016</p>
6. EDC sub group actions	EDC secretariat	November 2016

<ul style="list-style-type: none"> • EDS 2 Sub group action: EDC secretariat to email the link to the EDS 2 events to EDC for members to attend • Leadership and workforce sub group: LWG to present a paper on the plans for the development year 2017/18 for the WDES. • EDC Secretariat to send out the BMA report on '<i>Homophobic and biphobic discrimination in the workplace</i>', to EDC members. • Inclusion Health Sub-group: It as agreed that Anu would respond to Lynne Berry's email about payment and issues raised in the email. 	<p>Paul Deemer and LWG with WDES SAG</p> <p>EDC Secretariat</p> <p>EDC Secretariat Anu Singh</p>	<p>December 2016</p> <p>November 2016</p> <p>Prior to the next meeting</p>
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<p>DATES OF FUTURE MEETINGS</p>	<ul style="list-style-type: none"> • 24th January 2017 – 14.00 – 16.00 - Skipton House, London • 19th April 2017 – 14.30 – 17.00 – Skipton House, London • 18th July 2017 – 15.00 – 17.00 – London • 30th October 2017 – 14.00 – 16.30 – London • 30th January 2018 – 13.00 – 15.30 - London <p>Meetings to be held in London.</p>
<p>WEB LINKS TO EDC PAGES & PAPERS</p>	<p>Link to the EDC web pages and Papers on the NHS England Equality & Health Inequalities Hub</p> <p>https://www.england.nhs.uk/about/gov/equality-hub/edc/</p> <p>https://www.england.nhs.uk/about/gov/equality-hub/edc/papers/</p>

Annex – Attendance List for 18th October 2016 EDC Meeting

First name	Surname	Organisation	Attending	Comments
Gail	Adams	NHS Staff Council, Unison	Yes	
Elham	Atashkar	Lived Experience Greater Manchester NHS Values Group	Apologies	
Dame Sue	Bailey	Academy of Royal Medical Colleges	Apologies	
Lisa	Bayliss-Pratt	Health Education England	Yes	
Lynn	Berry	Lived Experience Greater Manchester NHS Values Group	Apologies	
Henry	Bonsu	Broadcaster	Apologies	
Helen	Buckingham	NHS Improvement	Yes	
Jabeer	Butt	Strategic Partners (Race Equality Foundation)	Yes	
Tom	Cahill	Hertfordshire NHS Foundation Trust	Yes	
Saffron	Cordery	NHS Providers	Apologies	
Jane	Cummings	Chief Nursing Officer	Apologies	
Andrew	Dillon	National Institute for Clinical Excellence	Apologies	
Flora	Goldhill	Department of Health	Apologies	Retired, follow up representation
Dr Amir	Hannan	Haughton Thornley Medical Centres, Hyde	Yes	
Isabel	Hunt	Health & Social Care Information Centre	Yes	
Wendy	Irwin	Royal College of Nursing	apologies	
Tracie	Jolliff	NHS Leadership Academy	Yes	
Alistair	Lipp	NHS England	Apologies	
Paul	Martin	Strategic Partners (LGBT Foundation)	Yes	

First name	Surname	Organisation	Attending	Comments
Prof Lynn	McDonald	Middlesex University	Yes	
Stephen	Moir	Head of Profession: Human Resources	Yes	Helen Bullers is deputising
Stewart	Moors	Lived Experience Greater Manchester NHS Values Group	Yes	
Danny	Mortimer	NHS Employers	Yes	Paul Wallace is deputising
Katherine	Murphy	Patients Association	Yes	
Mark	Porter	British Medical Association	Yes	Dr Anthea Mowat and Clare Woodford are deputising
Iman	Rafatmah	Lived Experience Greater Manchester NHS Values Group	Yes	
Jon	Restell	Managers in Partnership	Yes	
Joan	Saddler	NHS Confederation	Yes	
Liz	Sayce	Healthwatch	Apologies	
Anu	Singh	NHS England	Yes	
Simon	Stevens	NHS England	Apologies	
Tony	Vickers-Byrne	Public Health England	Yes	
Ray	Warburton	NHS Lewisham CCG	Apologies	
Lucy	Wilkinson	Care Quality Commission	Yes	

In attendance/ invited guests

First name	Surname	Organisation	Attending	Comments
Paul	Deemer	NHS Employers	Yes	Presenting on Brexit paper
Caroline	Humphreys	NHS England	Yes	Secretariat Support to EDC
Roger	Kline	NHS England		Update on WRES
Lela	Kogbara	NHS England	Yes	Update on the Learning Disabilities Employment Programme
Ruth	Passman	NHS England	Yes	Representing NHS

First name	Surname	Organisation	Attending	Comments
				England Equality and Health Inequalities Unit
Ranjit	Senghera	NHS England	Yes	EDC Secretariat Support
Sarah	Smith	NHS England	Yes	Update on EDC communications sub group
John	Brittain	NHS England	Yes	Observer
Cassie	Absolom	NHS England	No	