

Memorandum of Understanding

Between

The Government Equalities Office

and

The Department of Health and Social Care

and

NHS England

On the role of the National Adviser on LGBT Health

Purpose of this Memorandum of Understanding

1. This Memorandum of Understanding (MoU) sets out matters agreed between the Government Equalities Office (GEO), the Department of Health and Social Care (DHSC) and NHS England in relation to the role, function and responsibilities of the National Adviser on LGBT Health (the National Adviser) and their support. It is not legally binding and does not give rise to rights or liabilities for any party.

Context

UK-wide LGBT Survey

2. In July 2017, the Government launched a UK-wide LGBT survey (the survey). The survey, which ran until October 2017, asked LGBT and intersex people for their views on public services and about their experiences more generally living as a LGBT person in the UK. The survey received over 108,000 valid responses, making it the largest national survey to date of LGBT people anywhere in the world.
3. The survey asked questions about people's experiences of public healthcare in the 12 months preceding the survey. Questions covered people's access to physical, mental and sexual health services, and gender identity services. The survey showed that large numbers of respondents had difficulty accessing healthcare services and especially gender identity clinics. It also showed many respondents had experienced inappropriate questioning and curiosity from healthcare staff, and that some respondents felt their specific needs were ignored or not taken into account when accessing healthcare.

Action Plan

4. In response to the survey, the Government published the LGBT Action Plan ("the Plan") in July 2018. In the health section of the Plan, the Government committed to appointing a National Adviser on LGBT health in England:

"We will appoint a National Adviser to lead improvements to LGBT healthcare. The National Adviser will focus on reducing the health inequalities that LGBT people face, and advise on ways to improve the care LGBT people receive

when accessing the NHS and public health services. They will work across the NHS to ensure that the needs of LGBT people are considered throughout the health system.

The National Adviser will work to improve healthcare professionals' awareness of LGBT issues so they can provide better patient care. The National Adviser will work with relevant statutory organisations and professional associations to embed LGBT issues into physical and mental health services."

5. The Plan also stated the National Adviser would:

"...work to ensure healthcare professionals understand the benefits of asking patients about their sexual orientation and gender identity."

The National Adviser on LGBT Health

6. The role and purpose of the National Adviser on LGBT Health in England is to:

- Lead improvements to LGBT healthcare;
- Focus on reducing the health inequalities that LGBT people face;
- Advise NHS England, DHSC and GEO on ways to improve the care LGBT people receive when accessing the NHS and public health services;
- Work across the NHS in England to ensure that the needs of LGBT people are considered throughout the health system;
- Work to improve healthcare professionals' awareness of LGBT issues so they can provide better patient care;
- Work with relevant health sector organisations and professional associations to embed LGBT issues into physical and mental health services; and Work to ensure healthcare professionals understand the benefits of asking patients about their sexual orientation and gender identity.

7. The National Adviser will achieve this by:

- Being a visible advocate for LGBT equality within the NHS and publicly;
- Seeking system improvements to improve LGBT health within the NHS;
- Providing LGBT equality advice on operational delivery of healthcare services;
- Ensuring joined up policy development and operational delivery between NHS England, DHSC and GEO on LGBT health;
- Being the voice of the LGBT service user within the health system;
- Leading implementation of LGBT specific initiatives;
- Being an active member of relevant DHSC and NHS England committees, fora and working groups to drive forward visible change;
- Working with Health Education England, Deaneries and Royal Colleges to improve health care workers' knowledge of LGBT issues during initial training and during professional development;
- Supporting the implementation of the sexual orientation data monitoring standard;
- Keeping GEO, DHSC and NHS England informed of progress, initiatives and opportunities for change.

The role of GEO, DHSC and NHS England in support of the National Adviser

Key responsibilities of GEO

- i. Lead on specification of the National Adviser post and supporting roles. Recruitment will be the responsibility of NHS England in conjunction with DHSC and GEO.
- ii. Pay for the post of the National Adviser by reimbursement to NHS England of all costs (including salary, benefits and all other costs and expenses) incurred by NHS England in relation to the post.
- iii. Pay for the posts of the National Adviser's 2 support staff (1 policy manager, 1 operational support) by reimbursement to NHS England of all costs (including salary, benefits and all other costs and expenses) incurred by NHS England in relation to the posts.
- iv. Fund the budget for reasonable ancillary costs for the National Adviser and team, including attendance at conferences and reasonable subsistence.
- v. Pay for health projects commissioned from GEO's LGBT health grant funding scheme.

Key responsibilities of DHSC

- i. To participate in the recruitment process of the National Adviser.
- ii. To ensure that the National Adviser has effective influence and appropriate connections with NHS England.
- iii. To consult with the National Adviser on how to achieve LGBT equality when developing healthcare policy.
- iv. To support the National Adviser in the provision of advice to Ministers on issues of equality for LGBT healthcare.

Key responsibilities of NHS England

- i. To recruit to the roles the National Adviser and support roles through the NHS England recruitment process as fixed term posts . NHS England will be the employer of the National Adviser and support posts and NHS England terms and conditions of employment will apply.
- ii. To provide office accommodation and appropriate facilities (including access to IT and communications) to the National Adviser and their support staff in connection with their roles.
- iii. To encourage, facilitate and support the National Adviser in making improvements in LGBT healthcare and in reducing the health inequalities that LGBT people face.
- iv. To consult the National Adviser on ways to improve the care LGBT people receive when accessing the NHS and public health services.
- v. To facilitate, via existing networks and processes, the National Adviser's work across the NHS in England to ensure that the needs of LGBT people are considered throughout the health system.

- vi. To co-operate with the National Adviser's work to improve healthcare professionals' awareness of LGBT issues so they can provide better patient care.
- vii. To facilitate the National Adviser in the work of relevant health sector organisations and professional associations to embed LGBT issues into physical and mental health services.
- viii. To work to ensure healthcare professionals understand the benefits of asking patients about their sexual orientation and gender identity.
- ix. To facilitate the attendance of the National Adviser at the NHS Equality and Diversity Council.

Performance management

8. NHS England will be responsible for the immediate line management of the National Adviser. The Post specification (including salary and benefits) and objectives will be developed and agreed between GEO, DHSC and NHS England.
9. GEO, DHSC and NHS England will agree milestones for the performance of the National Adviser. Agreed milestones/KPIs will be detailed separate to this MoU.
10. There will be light touch performance management and appraisal through quarterly meetings and end of year review. These arrangements will minimise involvement at a detailed operational level but provide sufficient reassurance that the National Adviser and team are delivering within the role.
11. The person responsible for performance management is the Director for Experience, Participation and Equalities at NHS England.

Duration

12. Initial placement and funding is confirmed by GEO from 1 April 2019 until 31 March 2020.
13. GEO will seek an extension as part of the next spending review and will undertake a review of this MoU at that time.

Finance

14. NHS England will be responsible for paying the National Adviser and support staff. GEO will refund NHS England for these costs. GEO will agree a budget with NHS England to cover reasonable expenditure. The National Adviser and their team will be expected to operate within the constraints of the budget.

General

15. Any disagreement arising from the interpretation of this MoU will be referred to the GEO, DHSC and NHS England Directors for resolution. If a resolution cannot be agreed by the Directors, then the Permanent Secretaries responsible for GEO and DHSC and the Chief Executive of the NHS will be engaged to come to a decision.
16. Information will be shared freely between the National Adviser and their office, DHSC and GEO on matters relating to the post of National Adviser.

17. This MoU can be reviewed at the request of one of the parties to this MoU listed below but may only be varied by written agreement of all parties.

18. This MoU will take effect on the date on which it is signed[] and will end on 30 June 2020, unless otherwise agreed in writing by the parties.

SIGNED

GEO Director for and on behalf of The Government and Equalities Office

DHSC Director for and on behalf of The Department of Health and Social Care

NHS England Director for and on behalf of NHS England