

NHS ORKNEY

Management report 2019/20



 AUDIT SCOTLAND

Prepared for NHS Orkney

May 2020

Audit findings

Introduction

1. As part of the 2019/20 audit, under the [Code of Audit Practice](#), we have carried out work on the wider dimension audit. All Accountable Officers have to comply with the duty of Best Value placed upon them. It is an auditable requirement and subject to scrutiny. This review has focused on one cross-cutting theme, that of equality.

2. This report contains a summary of the key issues identified during the interim audit work carried out at NHS Orkney. We have conducted the work at a high level with reference to a number of key documents and in consultation with key officers. We have structured our review as follows:

- How well does the organisation demonstrate compliance with the Equality Act 2010?
- How well does the organisation advance equalities internally?
- How well does the organisation advance equalities externally?

Background

3. Guidance was issued to Accountable Officers in 2011 to ensure arrangements are in place to secure Best Value in public services. The 'Equality' theme is one of two cross-cutting themes and focuses on how a Best Value organisation has embedded an equalities focus which will secure continuous improvement in delivering equality.

4. Public Bodies have a range of legal duties and responsibilities with regard to equality. A Best Value organisation will demonstrate that consideration of equality issues is embedded in its vision and strategic direction and throughout all of its work.

5. The equality impact of policies and practices delivered through partnerships should always be considered. A focus on setting equality outcomes at the individual Public Body level will also encourage equality to be considered at the partnership level.

6. An organisation working to secure Best Value will be able to demonstrate:

- that it meets the requirements of equality legislation, has a culture which encourages equal opportunities and is working towards the elimination of discrimination
- that Executive and Non-Executive leadership and senior managers recognise the diversity of their customers and stakeholders, engage in an open, fair and inclusive dialogue to ensure information on services and performance is accessible to all and commit to contribute to the achievement of equal opportunities in all it does
- that the organisation ensures that all members of staff are informed of the organisational commitment to, and objectives for, equality outcomes and that the contribution by the organisation to the achievement of equality outcomes is reflected throughout the corporate processes

- that the organisation reflects in its planning, design and continuous improvement of services that different groups within the community have different needs, which must be taken into account to allow them to access those services
- that the organisation can demonstrate that all leaders and senior officers within the organisation are committed to considering the needs of equality groups in their policies, functions and services, where relevant
- that the organisation, wherever relevant, collects information and data on the impact of policies, services and functions on different equality groups to help inform future decisions and that it engages with and involves equality groups to improve and inform the development of relevant policy and practice, and
- that as part of the Performance Management approach, the organisation regularly measures and reports their performance in contributing to the achievement of equality outcomes.

Conclusion

7. In terms of our wider dimension audit work we have concluded that appropriate arrangements are in place to demonstrate compliance with the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, as amended, for the advancement of equalities internally and for the advancement of equalities externally. We have identified a small number of areas for improvement as set out in [Exhibit 1](#); we note that the organisation is self-aware and already has improvement plans in place for certain other areas.

8. The contents of this report have been discussed with relevant officers to confirm its factual accuracy. The co-operation and assistance we received during the course of our audit is gratefully acknowledged.

9. Any weaknesses identified represent those that have come to our attention during the course of normal audit work and therefore are not necessarily all the weaknesses that may exist; it is the responsibility of management to decide on the extent of the internal arrangements appropriate.

How well does the organisation demonstrate compliance with the Equality Act 2010?

10. In line with the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, as amended, NHS Orkney has developed equality outcomes, and it has put arrangements in place to mainstream equalities and its report progress on them.

11. NHS Orkney is managed by a Board of 14 people, comprising five executive and nine non-executive members, of whom five are women, eight are men and there is one vacancy. The Staff Governance Committee considers reports on equality and provides assurance to the Board on how the organisation addresses the Equality Act 2010 and the public sector equality duty.

12. Due to the size of the organisation, NHS Orkney shares an experienced Equality and Diversity Manager with NHS Grampian and NHS Shetland. In addition there is a partnership arrangement with other local bodies: the multi-agency Orkney Equality Forum (OEF). Other key players are the Orkney (Community Planning) Partnership and Orkney Health and Care. The OEF coordinates the public-facing consultation activity of its member organisations, from both the public and third sectors.

13. The NHS Board has set 25 equality outcomes in consideration of the nine protected characteristics: race (two outcomes); disability (four); age (four); sex (four); sexual orientation (two); gender re-assignment (two); pregnancy and maternity (three); marriage and civil partnership (two); and religion or belief (two).

14. NHS Orkney has published comprehensive Equality Outcomes and Mainstreaming Reports every four years since 2013, and update reports in alternate years. These reports are all on the NHS Orkney website. The update reports include helpful coverage of progress against each outcome. Progress has been made on most outcomes, such as through further staff training, which benefits work on all nine protected characteristics; and by improving the accessibility of services – including the use of video British Sign Language (BSL). However, the latest update report did not assess the status of outcomes affecting four characteristics:

- Disability – help for carers of disabled people .
- Age – information and consultation underpinning the age equality mainstreaming priorities.
- Sexual orientation – training to help staff to be sensitive to the healthcare needs of the local LGBT community.
- Pregnancy and maternity – improved facilities for pregnant patients and nursing mothers at the new Balfour Hospital. However, this is because the new hospital opened following the report.

15. The latest Mainstreaming Report did not summarise how well the management of equality and diversity is progressing overall; nor did it distinguish priorities for further improvement. NHS Orkney acknowledges that it faces challenges, not least in managing service provision within budget at a time of financial austerity. For instance, a local face-to-face BSL interpreter is no longer available. Orkney has a relatively high cost of living and accommodation limits the availability of staff who can afford to live there.

How well does the organisation advance equality internally?

16. Policies and procedures, when established or significantly changed, should be subject to an Equality and Diversity Impact Assessment to ensure they are non-discriminatory. Progress has been made in this regard since 2013 and six staff received training to undertake impact assessments in 2014. The last of those staff

left in 2018. However, six NHS Orkney staff received training in August 2018 and five more staff were trained in February 2020. NHS Orkney considers it now has an appropriate number of trained staff.

17. Seven impact assessments are publicly available on the NHS Orkney website; four from 2018 and three from 2019. We are advised that NHS Orkney accidentally omitted some content from its website when it undertook a 'data cleansing exercise' before the new Balfour Hospital opened. The Equality and Diversity Manager indicated that a number of new policies and strategies under development would all be listed on the NHS Orkney website by mid-2020.

18. Because relatively few impact assessments are listed on the NHS Orkney website, it is difficult to glean the overall value that the organisation has gained from the impact assessments it has conducted. It also constrains scope for holding the organisation to account regarding the impact of its policy and budget decisions. It is therefore important for NHS Orkney to post details of the policies and strategies which have recently been completed so that stakeholders can be assured that people with protected characteristics have been taken into account in the development of a policy or procedure.

19. NHS Orkney uses staff surveys to profile its workforce. On 31 March 2019, NHS Orkney had 917 staff, of whom 78 per cent were female and 22 per cent male. Lower-paid grades predominantly comprised female employees. For example, Agenda for Change staff (including nurses, midwives and allied health professionals) accounted for 797 staff, comprising 677 females compared to 120 males. The workforce is more diverse than the general population of Orkney. The limited availability locally of some skills requires NHS Orkney to recruit nationally and internationally.

20. Whilst diversity monitoring data are collected by the NHS Board, to ensure it does not discriminate in employment matters, many staff prefer not to disclose information with regard to the nine protected characteristics. It is also important to recognise that with small numbers involved, it can make it difficult for NHS Orkney to draw meaningful conclusions. Surveys record that staff are generally happy with how they are treated and that they are treated with dignity and respect.

21. NHS Orkney applies the UK-wide NHS Knowledge and Skills Framework (KSF). It has six core skills, of which one is about Equality and Diversity. All staff are trained in equality and diversity at one of two levels, except for the executive cohort, senior managers and medical staff, who have separate arrangements. Additional training is provided to certain staff groups on particular issues; for example front line staff are trained to detect the signs of gender-based violence and to have the knowledge and skills to respond.

22. The sex of staff applying for and receiving training is not recorded due to technical limitations of the IT systems in use (at July 2019). Nor is marital status recorded in recruitment and retention data. Scope to improve monitoring data about applicants and participants in training is already recognised by management. It is anticipated that implementation of a new management information system will enable better profiling of staff by protected characteristic.

23. NHS Orkney had a gender pay gap of 65 per cent across the workforce in 2019. This reflects that, overall, the mean hourly basic rate of pay for male employees was significantly higher than for female employees, although it varied among staff groups. For example, among Hospital Dental and Medical Staff, women earned slightly more than men, on average. In certain situations, small numbers of individuals can make it difficult to draw meaningful conclusions. The Board's published Equal Pay Monitoring Report could be more explicit in identifying the overall gender pay gap and the issues involved in addressing it. NHS Orkney promotes all healthcare posts as being open to males and females equally. Recruitment literature shows equal numbers of male and female staff to avoid stereotyping occupations. The board recognises there are still historical issues to be addressed, especially in Nursing and Allied Health Professions. In common with other Scottish health boards, NHS Orkney is a Living Wage employer.

How well does the organisation advance equalities externally?

24. For major healthcare-related projects, NHS Orkney conducts large-scale, direct involvement consultation. A recent example was its work to involve the local community in the design of the Balfour Hospital, and in determining the services which should be provided in Orkney rather than on Scotland's mainland.

25. NHS Orkney engages with a wide range of local partners to deliver services. Reducing health inequalities, preventing ill-health, and making early interventions are key objectives of the Orkney Health and Social Care Integration Joint Board (IJB). NHS Orkney is one of the two partners which form the IJB and is represented on the IJB's Board.

26. There is extensive engagement with public bodies, the third sector and special interest groups pertinent to service areas. For example, NHS Orkney supports: the Royal National Institute for the Blind's Good Practice Guidelines on the publication of written material; the national Butterfly Scheme for people with dementia; the See Me Campaign to support people experiencing mental health difficulties; and the Getting it Right for Every Child Policy.

27. NHS Orkney's website carries useful content. Information on the handling of equality and diversity issues is publicly available from its website at Home > About us > Equality and diversity, including its latest (2019) mainstreaming progress report, and equality and diversity workforce monitoring reports. It could be enhanced by featuring further information on Impact assessments, as noted above.

28. NHS Orkney has good arrangements for handling feedback and complaints. The complaints process caters for any patient, family member or service user. For example, any complaint or alleged incident with a sex equality element is promptly investigated and appropriate follow up action taken, involving other agencies, as appropriate. No such issues were raised by staff in the two years to April 2019. An annual report on complaints is submitted to the Board.

29. NHS Orkney participates in national NHS procurement arrangements. Contractors are required to sign-up to national NHS contract terms and conditions regarding equality issues. Locally, NHS Orkney can consider the inclusion of community benefits as part of the procurement process. NHS Orkney procurement practice includes an opportunity within tenders for a supplier to say whether they meet the Scottish Living Wage.

30. NHS Orkney uses a Patient Public Reference Group (PPRG) which meets quarterly. The PPRG is a network of local people with an interest in improving NHS services in Orkney. This engagement involves the Procurement Team presenting to the local population information about who they are, what they do, what benefits they bring to NHS Scotland in general and NHS Orkney in particular.

Exhibit 1

Key findings and action plan

Issue identified	Management response	Responsible officer / target date
<p>Progress against equality outcomes</p> <p>The biennial Mainstreaming Report could report more fully on progress against certain equality outcomes to assure stakeholders that progress is being made.</p> <p>The biennial report would also be an opportunity to conclude overall on the progress being made and to elaborate on priorities going forward.</p>	<p>Agreed.</p>	<p>The Equality and Diversity Manager will make these additions when the next Mainstreaming Update Report is produced.</p>
<p>Equality Impact Assessments</p> <p>In compliance with the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulation 2012, Equality and Diversity Impact Assessments should be posted on the NHS Orkney website in a timely manner.</p>	<p>Agreed.</p>	<p>The Equality and Diversity Manager, in liaison with the local Impact Assessors, will ensure that this takes place in future.</p>
<p>Gender Pay Gap</p> <p>The Board's Equal Pay Monitoring Report could be more explicit in highlighting and explaining the overall gender pay gap.</p>	<p>Agreed.</p>	<p>The next Equal Pay Monitoring Report due in 2021 will include all of the specific additional information highlighted by this Audit Report.</p>

Source: Audit Scotland

31. All our outputs and any matters of public interest will be published on our website: www.audit-scotland.gov.uk.

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