

Diversity appraisal resource guide

Helping employers, RCN officers and representatives promote diversity in the workplace





Contents

Introduction

1	Why diversity and equality in the workplace is a priority	1
	◆ defining diversity	1
	◆ benefiting from diversity	2
	◆ managing diversity effectively	2
2	A diversity appraisal tool for employers, RCN officers and representatives	3
	Section A: key elements of good practice	3
	◆ diversity is the mainstream	3
	◆ developing a diversity policy	3
	Section B: identifying areas for review	6
	◆ age	6
	◆ disability	7
	◆ gender equality at work	8
	◆ fitness to work (and case study)	9
	◆ race and ethnicity	11
	◆ religion	12
	◆ sexual orientation and transexualism	13
3	The final step: taking responsibility for change	14
	◆ the key people	14
	◆ the final step	14
4	References	15
5	Appendices	16
	You can find further information on equality and diversity in the following appendices:	
	A the legal framework	16
	B national agencies for promoting equality and diversity	17
	C the policy context: NHS initiatives and standards	19
	D further reading	21
	E useful organisations	23

Diversity appraisal resource guide

Helping employers, RCN officers and representatives promote diversity in the workplace

Introduction

This resource guide has been designed to support RCN officers and representatives when they assess the progress that health care employers have made in promoting diversity and equality for nurses¹ in the workplace.

Some of the guidance covers nursing students on clinical placement, but most elements relate only to nurses and other health care staff with employment contracts.

The focus of the guide is on how organisations promote equality and diversity in nurses' employment, and how they put policies into practice.

¹ This guidance promotes good practice in equality and diversity in human resource management and will provide benefits for all staff and their patients by supporting staff in the delivery of high quality, patient care.

1

Why diversity and equality in the workplace is a priority

Introduction

Most people in work today are familiar with the term *equal opportunities*. For many workers it means a workplace that is free from discrimination and where everyone is treated fairly and equally.

However, organisations often achieve this by limiting their actions to compliance with race, sex and disability legislation. But forward-looking employers are now actively pursuing a more positive approach that is called *managing diversity*. This is where employers promote an organisation-wide culture where differences and diversity are valued.

Defining diversity

Most definitions of diversity are nearly all based on the following ideas:

- ◆ people's diversity adds value to the organisation if managed effectively
- ◆ diversity includes almost all ways in which people differ such as education and sexual orientation as

well as the more obvious ones of gender, ethnicity and disability

- ◆ diversity has as its primary concern organisational culture and the working environment.²

Here is a well-regarded definition of diversity at work:

“A strategy to promote values, behaviour and working practices which recognise the difference between people and thereby enhance staff motivation and performance and release potential, delivering improved services to customers.”

(Taken from R R Thomas’s *Beyond race and gender*)

Benefiting from diversity

Research³ demonstrates that employers who take a proactive approach to managing diversity benefit in a number of ways. These benefits also provide strong negotiating arguments for RCN representatives and officers.

The following are just some of the benefits of managing diversity effectively.

1 Improved employee relations

This leads to:

- ◆ a healthier, more productive working atmosphere in which ideas can flourish
- ◆ fewer disputes
- ◆ better staff retention
- ◆ improved morale
- ◆ greater ability to attract quality staff and improved management systems.

2 Better services to patients and clients

A more diverse workforce that is encouraged to use its talents to the full, can better understand the needs of its patients and clients, and adapt services accordingly.

Consequently, the organisation is regarded more positively by a broader section of society.

3 Building a healthier society

Managing diversity can contribute to the health and well-being of society, and help to build a strong, expanding economy.

4 Avoiding the legal costs of discrimination

These can be avoided along with the associated negative publicity and damage to employee relations.

Managing diversity effectively

Organisations that manage diversity effectively do this in a number of proactive ways. For example:

- ◆ mainstreaming equality and diversity by making it central to business strategy planning and decision-making
- ◆ investing in cultural awareness training for both staff and managers
- ◆ keeping up with best practice in the positive management of diversity
- ◆ understanding the importance of developing organisational ethics and values that embrace and value diversity
- ◆ ensuring that everyone in the organisation behaves in a way that complies with equality legislation
- ◆ monitoring and evaluating the impact of policy and business decisions on equality and diversity.

(Adapted from the Institute of Personnel Development’s *Managing diversity position paper*)

² This is adapted from R Kandola and J Fullerton’s *Diversity in action: managing the mosaic*.

³ The report *The business of diversity* is published by Schneider-Ross. Details of how to obtain copies are available from www.schneider-ross.com. A copy of the executive summary is available on the Cabinet Office website at <http://www.cabinet-office.gov.uk>

2

A diversity appraisal tool for employers, RCN officers and representatives

Introduction

Successful organisations do not rely on written policies alone to ensure their staff are free from discrimination and valued for their diversity. Policies are important, but what matters is how *everyone* in the organisation behaves – it's about turning policy into practice.

Your role as an employer

You should understand that central to success is an organisational culture that recognises and values individual difference, and allows everyone to contribute to their full potential. To achieve the right equality standards you will have identified the key resources, systems and procedures needed, which includes reviewing practice on a regular basis.

Your role as an RCN officer or representative

You should be aware of the role of your employer and similarly understand the importance of an organisational culture that recognises and values individual difference, allowing everyone to contribute their full potential. You have a key role in working closely with your own employer or with other organisations by renewing practice and negotiating improvements. You can advise, help, support and monitor their progress in implementing diversity across all workplaces.

To help you do this the RCN has developed the *diversity appraisal tool*. This clearly sets out the key elements of an

effective approach to managing diversity in two sections:

- ◆ **Section A** identifies the key elements of good practice in the employment process
- ◆ **Section B** identifies the key questions for you as an employer, as well as those questions you should ask as an RCN representative or officer when you consult or negotiate with your organisation.

Section A: key elements of good practice

Diversity is the mainstream

“Managing diversity is not another policy to be added to the multitude of organisational policies: it is an organisational strategy.”

(Taken from R Kandola and J Fullerton's *Diversity in action*)

The success of any diversity strategy will be undermined if it is regarded as separate to core business activities. The positive management of diversity is not a single issue. This is illustrated in the all too common approach to managing diversity where organisations provide a series of training sessions.

This means that to establish good practice all organisational processes and systems must include the positive management of diversity. Also all business projects must be developed and audited to ensure that they do not discriminate and that they actively promote positive diversity.

Some examples of how this can work in practice are:

- ◆ project aims and objectives should state how they contribute positively to diversity and equality
- ◆ action plans for initiatives must demonstrate how this is achieved
- ◆ the appropriate dissemination of a project may require materials in Braille, tape, translation and so on
- ◆ a budget must be developed for this and included in the project costs.

Developing a diversity policy

The good practice and process outlined below highlights the key elements that need to be in place to put diversity into the mainstream of your workplace.

1 Developing a diversity policy

All policies should be developed in partnership with staff and staff side representatives. The process should include:

- ◆ genuine and transparent consultation
- ◆ inviting the views of a wide range of staff (additional guidance on staff involvement is referenced in Appendix D)
- ◆ where the RCN is recognised for the purposes of collective bargaining, policies should be agreed in the formal negotiating forum such as the Joint Consultative Committee.

2 Committing to equal opportunities and diversity

This should be written, made public and advertised widely. It should include:

- ◆ an inclusive definition of diversity that covers age, sex, race, disability, sexual orientation, gender identity, health status, ethnicity, religion and belief, and domestic circumstances (this list is not exhaustive)
- ◆ a commitment to identify and remove barriers to equal opportunities
- ◆ an obligation on all employees contractors and voluntary workers to treat each other with dignity and respect
- ◆ the name of the board or senior management member with overall accountability for policy implementation
- ◆ detail of the processes and structure for implementing the policy (see the end of this section on training, monitoring, awareness)
- ◆ details of the procedures for dealing with complaints of discrimination, which may include signposting to other dedicated policies such as bullying and harassment, application for special leave and so on
- ◆ a commitment to monitor and review policy implementation and impact, **and** the details of how this will be done.

3 Communication and awareness raising

The effectiveness of any diversity management strategy will depend on the extent to which staff are aware of policy provisions. Employers who truly value their staff will ensure that people who work in or use the

organisation, such as contractors, clients, patients, the public, are aware of relevant policies. This could include, for example, policies that are designed to support staff affected by violence and/or harassment in the workplace.

Staff should also be encouraged to discuss, share ideas or raise any concerns about equality and diversity issues. Useful mechanisms to do this include:

- ◆ induction training
- ◆ staff handbook summarising policy provisions
- ◆ use of leaflets/posters when appropriate
- ◆ articles in staff newsletters
- ◆ open-door policies operated by managers
- ◆ feedback to staff on progress made on equality and diversity issues such as results of staff attitude survey and reporting of workforce profile
- ◆ encouragement to regularly talk about equality and diversity issues at team meetings
- ◆ independent appraisal and development reviews.

4 Developing a strategy and action plans

As with any other business activity, diversity and equality initiatives are most effective when organisations:

- ◆ are clear about why they are implementing them
- ◆ tailor the initiative to meet specific organisational needs.

If this clarity and tailored approach is lacking, then policies are poorly implemented and are seen as an extra burden to the real business of the organisation.

Remedial action can be taken by developing action plans that link with the monitoring, review and budgeting processes. Action plans may cover a variety of activities. Some examples include the development of specific training programmes, development of mentorship schemes or employee support networks, tailored recruitment approaches and formation of links with community groups.

Other important actions include:

- ◆ publication of action plans
- ◆ regular progress reporting to the board
- ◆ review of staff attitudes/experiences via staff attitude survey.

5 A ring-fenced budget to promote diversity

Dedicated resources for training, promotion and monitoring are needed if diversity strategies are to succeed. This is what you should check is in place in your organisation:

- ◆ details of the budget and expenditure should be contained in the annual report to the board and to staff representatives
- ◆ appropriate resources should be identified to take forward the activities set out in the action plan (see the above sections).

6 Training for equality and diversity

Your organisation must take a strategic approach to equality and diversity training. To achieve this employers should ensure that all staff know and understand the:

- ◆ organisation's aims and objectives
- ◆ relevant policy provisions
- ◆ difference between acceptable and unacceptable behaviour
- ◆ meaning of cultural diversity
- ◆ meaning and impact of discrimination and institutional racism in the workplace.

This also applies to making sure that staff understand:

- ◆ their role in making the management of diversity a reality
- ◆ how personal attitudes and values can affect behaviour.

Managers play a key role in influencing the culture of an organisation, and will need additional training to ensure that they have the necessary skills to manage staff. The importance of this cannot be underestimated.

Some key issues to include in a management training programme are:

- ◆ recruitment and selection (for managers with these responsibilities)
- ◆ conflict resolution skills such as conciliation and mediation
- ◆ performance appraisal
- ◆ how to conduct a review of own decision-making

and staff management

- ◆ conducting interviews for grievances and disciplinary investigations
- ◆ leadership skills that include self-examination of own behaviour styles, attitudes, beliefs, acting as a role model and so on
- ◆ change management.

7 Monitoring and review ⁴

The extent and nature of equal opportunities and diversity monitoring will vary according to the circumstances of each organisation. The characteristics of the organisation's culture, workforce profile, size and the resources available will all determine what is appropriate, practical and feasible.

For example, a large NHS trust with a complex organisational structure may need to collect and analyse data on equal opportunities according to different trust directorates. While smaller, independent, health care employers may only need to examine monitoring information for the organisation as a whole.

Monitoring and reviewing information should be used to identify priorities and an action plan that identifies the necessary resources. The process should lead to continuous improvement that strives to overcome past inequalities, and to prevent new forms of discrimination and inequalities.

The purpose of a monitoring and review exercise is to identify:

- ◆ the effects of past discrimination
- ◆ existing barriers to the promotion of diversity and equality
- ◆ the impact of current policy – both anticipated and unanticipated. For example, the introduction of employee-friendly policies to support staff with childcare responsibilities may lead to increased and inappropriate pressure to cover shifts being placed on staff without children.

⁴ Under the Race Relations (Amendment) Act (2000), the named bodies (which includes NHS organisations) will need to produce by May 2002 a plan for being able to monitor numbers of staff in post by racial group and applicants for employment, training and promotion by racial group. Employers with 150 or more full time equivalent staff will also need to prepare plans to monitor, by racial group, staff who receive training; benefit or not from performance assessment; grievance procedures; disciplinaries and leavers. The monitoring results must be published annually.

The exercise will usually have three separate stages:

- 1 gathering information
- 2 analysing data
- 3 defining the actions needed to overcome any inequalities and to promote positive diversity.

As a baseline, an organisation should analyse information on its workforce profile and job applicants according to sex, race and disability. There may also be a need for further analysis, for example, on contractual status, age, number of dependants and marital status.

The breakdown of the following can provide useful information:

- ◆ job applications
- ◆ applications compared with appointments
- ◆ occupational groups
- ◆ pay
- ◆ training since appointment
- ◆ promotions and transfers
- ◆ resignations, redundancies and dismissals
- ◆ grievances
- ◆ disciplinaries
- ◆ implementation of specific policies, for example, requests/refusals for special leave arrangements
- ◆ complaints of bullying and harassment
- ◆ relevant legal challenges such as employment tribunals, personal injury and so on.

Section B: identifying areas for review

Introduction

The following section explores in detail a number of core diversity issues. There are key facts and figures about each, and the relevant issues that they raise.

Finally, each issue area has a series of questions that you can use to assess whether effective equality and diversity policies are in place in your organisation.

Core diversity issues

The core diversity issues that this section addresses are:

- ◆ age
- ◆ disability
- ◆ gender equality at work
- ◆ health or fitness to work
- ◆ race and ethnicity
- ◆ religion
- ◆ sexual orientation and transexualism.

Age

Facts and figures

- ◆ The European Framework Directive requires the UK Government to introduce legislation on age discrimination by December 2006.
- ◆ By 2010 in Britain:
 - almost 40% of the labour force will be aged 45 or over
 - 16 to 24-year-olds will make up only 17% of the workforce.⁵
- ◆ Only one in eight nurses on the register today is under 30 years old compared with one in four less than 10 years ago.
- ◆ More than 70,000 nurses are aged between 50 and 55 and these are likely to leave the labour market in the next few years.
- ◆ 55% of managers admit using age discrimination as a criterion for making recruitment decisions.⁶

⁵ The figures are from the Office for National Statistics's winter 1998/99 labour force survey.

⁶ The figure is from an Employers Forum on Age study.

Issues

The ageing and reducing UK workforce could have a significant impact on economic growth and standards of living. The NHS is undergoing a major modernisation programme that is dependent on having skilled and plentiful staff. As the average age of the nursing workforce increases, it is imperative that skilled and experienced nurses are not lost prematurely from the profession. Replacing them will not be easy.

Key questions for employers and RCN negotiators

- ◆ Does your organisation have a policy on age management?
- ◆ Do job advertisements/job descriptions contain unnecessary age requirements?
- ◆ Do job application forms request information on age/date of birth?
- ◆ Is age monitored by use of a confidential monitoring form?
- ◆ Do job advertisements contain a positive statement that applicants will not be discriminated against on grounds of age?
- ◆ Does the staff attitude survey ask older workers about their experiences of age barriers?
- ◆ Do older nurses have the same access to continuing professional development and other training as their younger colleagues?
- ◆ Do styles of training disadvantage older nurses?
- ◆ Do recruitment and returner programmes for nurses provide adequate scope for updating skills, confidence building and mentoring of older recruits?
- ◆ Is career planning and support available for nurses in mid-career?
- ◆ Does your organisation provide age awareness training for members of selection panels, managers, and for staff?
- ◆ Does your organisation offer flexible working patterns to all staff?
- ◆ Is your organisation able to state how many staff have responsibility for caring for elderly family members?
- ◆ Does your organisation offer advice and support to older nurses who wish to explore the possibility of phased retirement?

- ◆ Is workforce planning and succession planning age proofed?
- ◆ Are occupational health departments and health improvement schemes tailored to the needs of older staff?

Disability

Facts and figures

- ◆ 18% of the working age population have a disability.
- ◆ The unemployment rate for disabled people is nearly twice that of other people of working age.
- ◆ 44% of adjustment costs to assist disabled employees cost less than £50.⁷
- ◆ Back injuries (all NHS staff, England) costs the NHS £73.5 million annually, plus staff replacement costs of £52.5 million annually.
- ◆ Accident-related early retirements (NHS, England) cost £71 million annually.⁸

Issues

Discrimination in employment on the grounds of disability is unlawful. However, many employers and their staff continue to hold negative views about colleagues and potential employees with disabilities. These views are frequently based on the assumption and prejudice that disabled people perform poorly at work, and suffer poor health and higher sickness absence.

Experience actually shows that sickness absence among disabled staff is often lower than among their colleagues. Frequently only minor adjustments are needed to recruit or retain a disabled employee.

Employers and RCN representatives must pursue employment policies and practices that ensure that nurses with a disability are able to work. Furthermore, if the benefits of a diverse workforce are to be fully realised then health care employers' approach to disability must also encompass a pro-active approach to occupational rehabilitation for staff who are ill or injured. You can find further guidance on this in the RCN publication *Workability: injured, ill and disabled nurses can return to work*. For copies call RCN Direct on 0845 772 6100 and quote publication code 001 159.

⁷ Cited in DfES's good practice guide *Age diversity in employment*.

⁸ This figure is taken from the Williams, Michie, and Pattani report into improving the health of NHS staff.

Key questions for employers and RCN negotiators

- ◆ Does your organisation network locally or nationally with other organisations that support the employment of disabled people such as the Employers Forum on Disability?
- ◆ Does your organisation publicly welcome disabled job applicants?
- ◆ Does your organisation ask all job interviewees how the application and assessment process can be made as accessible as possible? For example, providing receipt and return of information in a variety of forms such as on tape/in Braille.
- ◆ Is your organisation committed to interviewing all disabled job applicants who meet the minimum criteria for a job vacancy?
- ◆ Have interviewers received disability awareness training?
- ◆ Does your organisation portray positive images of disabled people in its promotion literature?
- ◆ Does your organisation have a policy on disability and rehabilitation?
- ◆ Is this policy well advertised?
- ◆ Does it clearly state that every effort will be made to retain staff who become disabled?
- ◆ Does it allow staff to be absent during working hours for rehabilitation, assessment or treatment, which is not counted as annual leave or sick leave?
- ◆ Does the staff attitude survey ask disabled employees if anything further can be done to ensure they develop and use their abilities at work?
- ◆ Is there an agreed procedure to ensure that disabled people can evacuate the building in an emergency?
- ◆ Does your organisation monitor the number of employees with a disability?
- ◆ Does monitoring include a review of the costs of work adjustments (under DDA 1995) and the costs of ill health retirements?
- ◆ Are training programmes available that ensure access by staff with disabilities?
- ◆ Is your organisation accredited (or seeking accreditation) to display the Employment Service's Disability Symbol?⁹
- ◆ Are staff with disabilities encouraged to develop their careers and seek promotion?

9 This is a requirement of the Department of Health's equal opportunities strategy for England.

Gender equality at work

Facts and figures

Despite anti-discrimination legislation, many institutional inequalities persist in the workplace between men and women. For example:

- ◆ on average women take home 80% of the hourly pay of men
- ◆ women are very often the main child-carers and research demonstrates that this can significantly reduce their lifetime earnings (see Cabinet Office in the *References* section).

Although nursing is a predominantly female profession there is evidence that women who have primary responsibility for caring for dependants and children suffer disadvantages. For example:

- ◆ men and women are more likely to work in different nursing specialties
- ◆ women are more likely than men to take a career break(s), to work nights and to work part-time. "These organisational barriers played a key role in disadvantaging women compared with men in nursing"¹⁰
- ◆ men are twice as likely as women to be in either an H or an I grade position.¹¹

Issues

The anomalies highlighted mean that it is important for health care managers and RCN negotiators to work together to promote equality of opportunity for male and female staff. However, you should be aware that women very often suffer institutionalised gender discrimination in the workplace.

The 1976 Sex Discrimination Act is designed to protect both men and women. Schemes for parental leave, flexible employee-friendly working arrangements and childcare support are often targeted at women in combining work and family commitments.

However, employers must ensure that such schemes are made equally available to both men and women.

¹⁰ Information taken from Finlayson and Nazroo's gender inequalities in nursing report.

¹¹ This is also in the Finlayson and Nazroo report.

Key questions for employers and RCN negotiators

Many of the questions relating to gender equality are similar to those relating to race and ethnicity, and can be adapted as appropriate. The following questions relate to specific issues designed to improve gender equality in the workplace.

- ◆ Can women return from maternity leave on reduced hours?
- ◆ Does your organisation use a job evaluation or competency pay system?
- ◆ Has it been tested to show that it is free from gender bias?
- ◆ Are pay, grade, specialty and occupation audited according to gender and hours of work?
- ◆ Is the proportion of male and female nurses awarded discretionary points what you would expect?
- ◆ Are training and continuing educational opportunities equally available to full and part-time workers?
- ◆ If your organisation has an occupational pension scheme, can part-time staff join?
- ◆ Is a private room available for staff who are nursing mothers?
- ◆ Do recruiters/managers receive training on sex equality and discrimination?
- ◆ What proportion of senior managers are women?
- ◆ Does the organisation support equality networks/mentoring schemes for women?
- ◆ Are senior posts open to part-time and job-share arrangements?
- ◆ Are complaints of sexual harassment monitored?
- ◆ Does your organisation take appropriate action in response to these complaints?
- ◆ Does your organisation know what proportion of its staff have childcare needs?
- ◆ Is some form of support for childcare provided such as a childcare co-ordinator, childcare vouchers, on-site nursery or crèche?

Fitness to work

Facts and figures

The role of occupational health in recruitment

Occupational health (OH) departments are responsible for advising both employer and employee about an employee's fitness to work. The OH professional provides this advice prior to and during the recruitment and employment process.

All OH professionals are governed by codes of professional practice and are accountable for their advice. It is essential that they work independently from human resources departments and that they maintain client confidentiality.

OH assessments must be based on best practice guidelines and focussed on the individual and their capabilities. They should challenge any limitations based on stereotypical ideas. The aim of the process is to bring people with health problems into employment rather than to exclude them. An employer's OH policy must include guidance on how health assessment for employment is managed. An OH practitioner must be able to justify any fitness to work decision.

Issues

Employers can sometimes overestimate the cost and difficulty in making adjustments to support employees with a health problem. They may not look for innovative solutions to rehabilitation, redeployment and employment for staff or potential employees. However, this is a good practice standard of the 1995 Disability Discrimination Act (DDA). It should be applied whether or not a health problem falls within the DDA definition of disability.

OH professionals must use the health assessment process positively to determine a person's fitness to do the job. This is done by identifying reasonable adjustments to the job or working environment through open discussion between OH, the employer and employee.

Key questions for employers and RCN negotiators

- ◆ Is there a policy that gives clear guidance on when employees/applicants should be referred to the occupational health department?
- ◆ Are there clear procedures in place for managers to

refer applicants or employees to occupational health for health assessment?

- ◆ Is the occupational health department operating independently from the recruitment process?
- ◆ Does the occupational health department have a statement on their screening forms that meets the professional standard for confidentiality of client information?
- ◆ Are employees given access to their occupational health records?
- ◆ Are the questions on the occupational health assessment or screening forms related solely to the job the applicant or client is doing?
- ◆ Does the occupational health screening process have a stated aim that encourages inclusion of people with disabilities or health problems?
- ◆ Is there an occupational health policy that encourages the fair employment of people with mental health problems?
- ◆ Is there a policy on the fair employment of people with blood-borne viruses?
- ◆ What happens to the employment of a nurse who is diagnosed with an infectious disease such as TB, Hepatitis, HIV, Rubella?
- ◆ Is there a substance misuse policy that supports and provides help for employees with alcohol and drug problems?
- ◆ Are there clear guidelines and policies on the health management of staff with MRSA?¹²
- ◆ Is there a policy encouraging rehabilitation back to work?
- ◆ Do staff have access to fast-track referral to enable their return to work after injury or sickness?
- ◆ Does the occupational health department attempt to redeploy an employee if their health status prevents them from continuing in their current job?
- ◆ Does the occupational health department routinely undertake clinical audit?
- ◆ What clinical guidelines and/or government guidelines are incorporated into the occupational health department's operational policies?
- ◆ Are occupational health operational policies reviewed annually?

¹² MRSA is the acronym for Methicillin Resistant Staphylococcus Aureus.

CASE STUDY

The NHS Health Care Trust Blackburn, Hyndburn and Ribble Valley

The trust has recognised that its single biggest resource is its staff. So it has devised a recruitment and personnel strategy that specifically develops the diversity and skills of its workforce.

The trust is committed “to improving the quality of life at work and the work-life balance means making the trust a better place to work for staff”. Management recognise the importance of supporting staff to maintain health and not just in making adjustments after ill-health or disability has occurred. It has taken both a practical and holistic approach to introduce successfully a fitness to work concept across the entire hospital.

Some of the particularly successful developments have been:

- ◆ **staff support clinic**
through its *Health at work* programme the trust used its occupational health department and a specialist smoking cessation nurse to run a staff support clinic. The clinic helps staff give up smoking by offering drop-in sessions, one-to-one support, free nicotine replacement therapy and to provide general advice and guidance
“The encouragement I got to change my ways was unbelievable. I did not think I could do it, but with the support of the nurse I cracked it.”
a staff nurse
- ◆ **promotion of healthy eating**
positive promotion of healthy eating includes healthy eating choices in all the trust's restaurants
- ◆ **a fitness centre**
the staff fitness centre has long opening hours to fit in with shift patterns, and has a qualified instructor and a range of classes
“The gym is marvellous, it's very cheap and open all hours.”
a health care assistant
- ◆ **use of complementary therapies**
on-site subsidised complementary therapies are available for all staff
“Aromatherapy is very good – we need more of this (because) it could help reduce staff stress levels.”
a staff nurse
- ◆ **lifestyle assessments**
the occupational health department tests an individual's fitness levels using a specialist computer programme
- ◆ **workshops on assertiveness and managing and controlling stress**
the trust understands that stress can adversely impact on health, so workshops are open to all staff.
“They're great here helping you when you cannot manage to do your job. They help you a lot.”
a health care assistant

Race and ethnicity

The Stephen Lawrence inquiry report defined institutional racism as:

“..... the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen and detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage ethnic minority people”.

Facts and figures

- ◆ Two-thirds of black and minority ethnic nurses have reported racial harassment from patients.
- ◆ One-third of black and minority ethnic nurses have reported racial difficulties with other nurses.¹³

Issues

The Stephen Lawrence inquiry

One of the key outcomes of the Stephen Lawrence inquiry was the long-needed recognition that institutional racism exists and disadvantages people from black and minority ethnic communities.

The 2000 Race Relations Act (applies in England, Scotland and Wales) was recently amended as the response to the inquiry. It makes it a legal duty for public sector organisations to tackle institutional racism not only in its treatment of staff, but also in the services it offers clients. In England, NHS organisations are required to increase minority ethnic representation at executive board level to 7% by the end of March 2004.

The NHS and race relations

If the NHS is to be modernised, and is to meet the needs of an increasingly diverse society, it is essential that black and minority ethnic staff are able to contribute their full talents in the workplace. In addition to tackling overt forms of racism such as racial harassment, organisations must take action to change the structures and processes that covertly and insidiously disadvantage minority ethnic colleagues.

The English National Board reporting on research said: “Evidence suggests that factors in the selection process have the effect, intentionally or otherwise, of discriminating against some applicants on the basis of their ethnic group.” It also highlighted that higher proportions of minority ethnic applicants, compared with white applicants, are rejected at the short-listing stage.¹⁴

Key questions for employers and RCN negotiators

- ◆ Do people from minority ethnic communities apply to job vacancies? If so, do fewer or more than expected apply?
- ◆ Does your organisation advertise new positions in a way that is accessible to applicants from minority ethnic communities such as in targeted publications?
- ◆ Are minority ethnic applicants shortlisted? If so, are they shortlisted in the numbers you would expect?
- ◆ Are minority ethnic applicants successful at interview in the numbers you might expect?
- ◆ Are selection and psychometric tests used in recruitment? If so have they been shown to be free from race bias?
- ◆ Is consideration given to the composition of the interview panel to ensure it is representative?
- ◆ Does your organisation actively create links with community groups and the local Race Equality Council?
- ◆ What proportion of the workforce are from minority ethnic groups and how does this compare with the labour market?
- ◆ What proportion of black and minority ethnic staff hold senior positions?
- ◆ Are there mentoring and networking schemes in place to support the development of black and minority ethnic staff?
- ◆ Has your organisation set targets to improve recruitment and the promotion of black and minority ethnic staff to senior positions?
- ◆ Is positive action training available to black and minority ethnic staff?

¹³ Figure taken from Beishon, Virdee, and Hagell's report on nursing in a multi-ethnic NHS.

¹⁴ Information taken from the ENB's report into recruiting minority ethnic nurses.

- ◆ Are managers trained to value diversity among staff and to avoid racial discrimination?
- ◆ Are multi-cultural issues acknowledged in policies such as religious holidays and leave arrangements, dietary and prayer needs?
- ◆ Does the staff attitude survey ask black and minority ethnic staff about their experiences working for the trust?
- ◆ Do staff get feedback on the survey, and are action plans developed to address difficulties?
- ◆ Has the organisation signed up to the Commission for Racial Equality (CRE) Leadership Challenge and is it taking steps to achieve it?
- ◆ Do a greater proportion of black and minority ethnic staff work a particular shift pattern, and does this impact negatively on other aspects of their working life? For example, is there evidence that black and minority ethnic staff have less access to training and promotion opportunities or to accessing special duty payments?
- ◆ Are black and minority ethnic staff subject to more disciplinary actions than their white colleagues?
- ◆ How do turnover figures of black and minority ethnic staff compare with that of white colleagues?
- ◆ Are there systems for monitoring racial harassment complaints?
- ◆ Is there an agreed policy and procedure to protect staff from racially motivated harassment by patients, clients and the public?
- ◆ Is the organisation actively reviewing service delivery to ensure that it complies with the Race Relations Amendment Act 2000?

Religion

Facts and figures

- ◆ The European Framework Directive requires the government to introduce legislation to prohibit discrimination on the grounds of religion and belief by 2003.
- ◆ The majority of the UK population is nominally Christian. But estimates suggest that in the non-Christian population there are up to 1.5 million Muslims, 500,000 Sikhs and Hindus and 300,000 Jews.¹⁵

¹⁵ Figures taken from the Parekh report.

Issues

UK society today has many different and diverse religious groups. Northern Ireland is the only UK country with specific legislation prohibiting discrimination on religious grounds. The focus of the 1997 Fair Employment and Treatment Act (Northern Ireland Order) addresses inequalities between Catholics and Protestants.

However, Catholic workers in Northern Ireland are under represented as managers, administrators, craft and skilled manual workers, personal and protective services staff.¹⁶

In Great Britain some minority ethnic groups such as Jews and Sikhs have been protected by case law under the 1976 Race Relations Act. But Muslim communities, for example, have only been able to find similar protection via an indirect discrimination claim linked to nationality or national origin.¹⁷

Key questions for employers and RCN negotiators

Many of the religious equality questions are similar to those relating to race and ethnicity, and can be adapted as appropriate. The following questions relate to specific issues designed to improve religious equality in the workplace.

- ◆ Are selection and testing methods free from religious bias?
- ◆ What proportion of staff are from different religious groups and does this reflect the local economically active community?
- ◆ Does your organisation provide training for managers on valuing diversity and avoiding discrimination on grounds of religion?
- ◆ Does your organisation have a mechanism for asking employees about issues relating to their religion and the workplace?
- ◆ Are religious issues such as religious holidays/festivals, and the right to worship at particular times acknowledged in policies?

¹⁶ The statistics are from the Northern Ireland Equality Commission.

¹⁷ The 2001 Anti-terrorism Crime and Security Act amended the 1986 Crime and Disorder Act to add a new category of "religiously aggravated criminal offences". However, the usefulness of this legislation for incidents in the workplace is limited. This is because as a criminal offence it relies on the police and the Crown Prosecution Service rather than the victim to categorise the offence.

- ◆ Are there any arrangements for people with prayer needs and special religious dietary requirements?
- ◆ Does your organisation ensure that organisational dress codes do not deter job applicants from particular religious groups?
- ◆ Is there a policy to deal with religious harassment and systems to monitor complaints?
- ◆ Does your organisation regularly review service delivery to ensure equality of treatment on grounds of religion?

Sexual orientation and transexualism¹⁸

Facts and figures

- ◆ Research shows that gay men, lesbians and bisexuals experience problems at work because of their sexuality.
- ◆ 64% of people concealed their sexuality from some or all of the people they worked with.
- ◆ 4% of workers had lost their jobs because of their sexuality.
- ◆ 8% of workers had been refused promotion because of their sexuality.
- ◆ 21% of workers had been harassed at work because of their sexuality.¹⁹

- ◆ policy refer to sexual harassment with examples of unacceptable language and behaviour relating to sexual orientation and transexualism?
- ◆ Are complaints of bullying and harassment on the grounds of sexual harassment taken seriously?
- ◆ Do staff attitude surveys include questions about the experiences of gay men and lesbian employees, and does it ask what more the organisation could do to support them?
- ◆ Is there an employer-supported group for lesbian and gay employees?
- ◆ Is there a key senior employee designated as a champion for sexual orientation issues?
- ◆ Has your organisation considered whether more inclusive workplace benefits could be used to cover same sex partners?
- ◆ Has your organisation considered how it would support a member of staff undergoing gender re-assignment, for example, at what stage would the organisation acknowledge the employee's preferred identity?

Issues

There is no law in the UK that prevents discrimination in the workplace on the grounds of sexual orientation, although transsexual people have protection under the Sex Discrimination Act 1986. However, the UK government must implement the provisions of the European Employment Framework Directive by December 2003. This will make this form of discrimination illegal.

Key questions for employers and RCN negotiators

- ◆ Does your organisation's equal opportunities policy contain a commitment not to discriminate on the grounds of sexual orientation and gender identity?
- ◆ Does your organisation's harassment and bullying

¹⁸ Organisations committed to best practice can sign up as a *diversity champion* and benefit from a network that shares and develops best practice. The Diversity Champion scheme is a Stonewall-led initiative (see Appendix E for contact details).

¹⁹ The figure is taken from a 1995 Social and Community Planning Research report.

3

The final step: taking responsibility for change

Introduction

The culture of an organisation is the product of the behaviour and values of everyone in it. However, some personnel play a more influential role than others in creating a culture that positively values equality and diversity.

The key people

The key people who are primarily responsible for making change happen in an organisation are senior and board managers. They are more important in the change process because they:

- ◆ make decisions about how and where resources are allocated
- ◆ determine the desired and acceptable standards of behaviour
- ◆ performance manage and take overall accountability for strategic outcomes.

Operational and line managers also play a vital part in the change process because they are responsible for:

- ◆ communicating company culture and policy
- ◆ ensuring the successful implementation of policy.

And finally, trade union representatives are an essential influence in an organisation. As an RCN representative your role is to:

- ◆ negotiate policies
- ◆ exert pressure for change
- ◆ provide feedback on how policies are working in practice
- ◆ support and represent individuals in difficulty.

The final step

To promote positive diversity these key people must take account of the elements that make a successful equality and diversity strategy. This must include putting good practice into all employment functions and processes as described in Section 2A. Specific policies should then be addressed by using the questions set out Section 2B. And remember that all public sector organisations must meet new race equality obligations.

The development of equality audit, monitoring and communications processes to meet race equality requirements will provide the framework for addressing all aspects of equality and diversity. It will also contribute a wealth of learning and good practice for independent sector organisations.

RCN officers and representatives have a key role in playing an active part in these processes. This is particularly true for representatives, who develop good working relationships with their employers as part of the day-to-day experience of their workplaces.

4

References

- Thomas R R (1991) *Beyond race and gender: unleashing the power of your total workforce by managing diversity*. New York: AMACOM
- Kandola R and Fullerton J (2000) *Diversity in action: managing the mosaic*. London: Institute of Personnel Development
- Managing diversity: an IPD position paper* (1999 adapted). London: Institute of Personnel Development
- Metcalf H and Forth J (2000) *Business benefits of race equality at work*. Crown copyright
- Finlayson L and Nazroo J (1998) *Gender inequalities in nursing careers*. London: Policy Studies Institute
- Beishon S, Virdee S and Hagell A (1995) *Nursing in a multi-ethnic NHS*. London: Policy Studies Institute
- Working well? Results from the RCN working well survey into the wellbeing and working lives of nurses* (2002). RCN: London. Publication code 001 572
- Working well? Summary from the working well survey* (2002). London: RCN. Publication code 001 595
- Recruiting minority ethnic groups into nursing, midwifery and health visiting* (1998). London: English National Board for Nursing, Midwifery and Health Visiting
- Corporate plan: 2000-2003* (2000). Northern Ireland: Equality Commission
- The Parekh report: the future of multi-ethnic Britain* (2000). London: Runnymede Trust and Profile Books
- Quarterly labour force survey – winter 1998/99*. London: Office for National Statistics www.statistics.gov.uk
- Age diversity in employment: guidance and case studies* (1999). London: DfES
- Williams S, Michie S and Pattani S (1998) *Improving the health of the NHS workforce*. London: The Nuffield Trust
- The vital connection: an equal opportunities framework for the NHS* (2000). London: DH (England only)
- The Stephen Lawrence inquiry: report of an inquiry by Sir William Macpherson of Cluny* (1999). London: HMSO
- Discrimination against gay men and lesbians* (1995). London: Social and Community Planning Research
- Ageism: too costly to ignore* (2001). London: Employers Forum on Age

5

Appendices

Appendix A

The legal framework

The information in this appendix is a summary of the legal framework that provides employment protection against discrimination. The difference between positive action and positive discrimination is also defined.

What does equality legislation cover?

The main UK equality legislation is:

- ◆ Sex Discrimination Act 1975 and 1986, and the Indirect Discrimination and Burden of Proof Regulations 2001
- ◆ Sex Discrimination Act (Northern Ireland Order) 1976 and 1988
- ◆ Equal Pay Act 1970
- ◆ Race Relations Act 1976 and Race Relations (amendment) Act 2000
- ◆ Disability Discrimination Act 1995
- ◆ Disability Discrimination Act (Northern Ireland Order) 1998
- ◆ Fair Employment and Treatment Act (Northern Ireland Order) 1997. The Act covers religious and political discrimination.

Other significant legislation includes:

- ◆ Trades Union and Labour Relations Act 1992
- ◆ Employment Rights Act 1996
- ◆ Employment Relations Act 1999 (maternity provisions/parental leave/ emergency leave/part-time work)
- ◆ Human Rights Act 2000
- ◆ Maternity and Parental Leave Regulations 1999
- ◆ Part-Time Workers (prevention of less favourable treatment) Regulations 2000
- ◆ Northern Ireland Act 1998.

What is not covered by legislation?

There is no current legislation that provides protection against discrimination on the grounds of:

- ◆ age
- ◆ sexual orientation (transsexuals are protected under the 1986 Sex Discrimination Act)
- ◆ religion or politics (in England/Wales/Scotland).

However, there will shortly be protection under EU legislation (see below).

European Union equality legislation

Two new European directives are to be implemented in member states:

- 1 EU *Employment directive* covers both indirect and direct discrimination on the grounds of age, disability, sexual orientation, and religious belief. Member states must implement the provisions on sexual orientation and religious belief by December 2003. Legislation on age and disability must be in place by December 2006.
- 2 EU *Race and ethnic origin directive* covers employment, education, provision of goods and services and social protection. National implementation must occur by July 2003.

What is the focus of UK equality legislation?

Current legislation is primarily about making discrimination illegal rather than the positive promotion of equality. However, the newly amended Race Relations Act does require public authorities to promote equality positively.

When an individual makes a claim in an employment tribunal the remedies are in the form of compensation for the individual, rather than reform of the employer's practice.

What is positive or affirmative action?

The Commission for Racial Equality (CRE) defines positive action as:

“A series of measures by which people from particular racial groups are either encouraged to apply for jobs in which they have been

under-represented or given training to help them develop their potential and so improve their chances when competing for particular work.”

However, positive action can be taken to mean any action that assists people from any under-represented group to achieve their potential in the workplace, and to overcome any form of institutional discrimination.

Examples of positive action could be:

- ◆ employer support for equality networks in which women and minority ethnic employees can support and mentor one another
- ◆ making links with local ethnic minority and religious community groups to promote the organisation as a potential employer
- ◆ making a commitment to interview all applicants with a disability.

So action plans drawn up as part of an organisation's diversity and equality strategy could be described as positive action plans.

The positive action described above is quite legal. It would only become illegal if, for example, preferential treatment were given to an individual with fewer skills, qualifications and less experience because they were a member of an under-represented group (see below for specific example).

How does positive or affirmative action differ from positive discrimination?

It is important to understand the legal meaning of the terms positive or affirmative action and how they differ from the term positive discrimination.

Positive discrimination or preferential treatment, irrespective of the motive, is unlawful under race and sex discrimination laws. For example, in 1996 the Labour Party's attempt to have women-only shortlists for parliamentary selection was declared unlawful.

The 1995 Disability Discrimination Act is a significant exception in this respect. It is not unlawful to treat a disabled person more favourably than someone without that disability in certain circumstances.

What is the legal meaning of positive action?

The race relations and sex discrimination acts define specific types of positive action to overcome previous disadvantage in access to training and employment.

Will the amended Race Relations Act broaden the scope for positive action?

The Race Relations (Amendment Act) places a duty on all public authorities to “*promote equality of opportunity and good relations between persons of different racial groups*”. The CRE is currently developing a series of codes of practice to assist the implementation of the Act. The Home Secretary has the power to introduce specific duties via secondary legislation, and it is likely that the Act may broaden the scope for positive action.

Appendix B

National agencies promoting equality and diversity

The Equality Commissions

Introduction

The Equality Commissions of Great Britain and Northern Ireland support individuals and employers in equality and diversity issues. This appendix contains a brief description of the work of each commission. Their contact details are provided in Appendix E.

Commission for Racial Equality (CRE)

The CRE is funded by the Home Office but works independently of the government. It was set up under the 1976 Race Relations Act and has a remit for promoting racial equality in Great Britain. It has offices in London, Birmingham, Leeds, Manchester, Scotland and Wales.

The CRE's objectives are to:

- ◆ work towards the elimination of racial discrimination and promote equality of opportunity
- ◆ encourage good relations between people from different racial and ethnic backgrounds

- ◆ monitor the way the Race Relations Act (RRA) is working and recommend ways in which it can be improved (see CRE website www.cre.gov.uk).

The CRE provides legal advice and assistance to people who believe they have been discriminated against. Under the RRA the commission also has the powers to investigate companies and organisations where there is evidence. It will also work with organisations to help change policies and practice. The CRE has the power to take legal action against companies and organisations in specific circumstances.

The CRE is not an inspectorate but it has some powers to enforce the RRA.

Race Equality Councils

The Race Equality Councils work in the community tackling racial discrimination and promoting racial equality. The CRE and local authorities primarily fund the councils, although they are not part of the CRE. However, there are strong links and liaisons between the two organisations. The needs of the local community drive the work and set the objectives for equality councils.

Disability Rights Commission (DRC)

Like the CRE, the DRC is an independent body set up by the government in order to secure civil rights for disabled people in Great Britain. Its statutory duties are to:

- ◆ work to eliminate discrimination against disabled people
- ◆ promote equal opportunities for disabled people
- ◆ encourage good practice in the treatment of disabled people
- ◆ advise the government on disability legislation (the Disability Discrimination Act 1995 and the Disability Rights Commission Act 1999).

The DRC has the powers to:

- ◆ conduct formal investigations
- ◆ serve non-discrimination notices
- ◆ enter into agreements rather than take enforcement action against someone the DRC believes has committed an unlawful act

- ◆ act on persistent discrimination
- ◆ provide assistance
- ◆ issue codes of practice
- ◆ conciliate disputes.

Equal Opportunities Commission (EOC)

The EOC challenges discrimination and campaigns for equality in:

- ◆ gender
- ◆ sex
- ◆ equal pay.

The commission offers advice and information, as well as producing a range of free best practice publications for individuals and employers.

The EOC is an independent statutory body that advises the government.

Northern Ireland Equality Commission for Northern Ireland

The Equality Commission for Northern Ireland was established in 1999. It brought together the former Fair Employment Commission (covering religious and political discrimination), EOC, CRE and DRC, and took over their roles.

The commission now has a new role to supervise the new statutory duty on public authorities in Northern Ireland to promote equality on the grounds of:

- ◆ race
- ◆ gender
- ◆ religion
- ◆ political opinion
- ◆ sexual orientation
- ◆ disability
- ◆ marital status
- ◆ responsibility for dependants.

The Equality Commission is responsible to the Office of the First Minister and the Deputy First Minister of the Northern Ireland Assembly.

Appendix C

The policy context: NHS initiatives and standards

Introduction

Valuing diversity among health care employees, promoting equality of opportunity and overcoming all forms of discrimination is a priority for the NHS in all four UK countries. However, each country has its own issues, and devolution has led to the development of different standards and initiatives.

This appendix lists the main standards and initiatives. You can find further information from relevant Departments of Health (for contact details see Appendix E *Useful organisations*).

UK-wide

- ◆ the General Whitley Council Agreement on Equal Opportunities applies to everyone with Whitley contracts in England, Scotland and Wales
- ◆ the Agenda for Change initiative will introduce pay modernisation that will apply across the UK.

England

There are a number of initiatives and documents that apply to organisations in England that want to promote diversity and equality for employees. They include:

- ◆ *Working together* (1988). London: DH. This is the NHS human resource strategy
- ◆ NHS Equality Awards – annual awards scheme launched in 1999 to identify and reward best practice in promoting equality for staff and in service delivery
- ◆ *Tackling racial harassment: good practice guidance – key principles* (2000). London: DH
- ◆ The NHS Learning Network and the NHS Beacon Programme for 2000/2001 are initiatives to identify and share best practice in imaginative and positive approaches to staff management.
- ◆ The Positively Diverse Programme was launched in 1998 to promote approaches to increase workforce diversity and improve equality standards.

- ◆ *Report of the NHS taskforce on staff involvement* (1999). London: DH
- ◆ *Looking beyond labels* (2000). London: DH. This is good practice guidance on managing disability.

Further information on these and other supporting initiatives and documents can be obtained from the Department of Health (DH) website www.doh.gov.uk or from their response line 08701 555455.

Equality targets

Some specific equality targets have been made by DH in two documents:

- 1 *Improving working lives standard* (2000). London: DH
- 2 *The vital connection: an equality framework for the NHS working together for quality and equality* (2000). London: DH

The equality targets DH have made are:

- by April 2004 40% of executive directors on NHS boards should be women
- by April 2004 7% of executive directors on NHS boards should be from minority ethnic communities
- NHS organisations should have equality and diversity strategies that show local action and progress. The strategies should support regional and national *vital connection* equality targets, and include meeting targets to have workforces that are representative of the community they serve
- to meet the criteria to use the Employment Services disability symbol
- to demonstrate that managers are trained and are delivering fair employment practice and equality of opportunity
- to demonstrate that staff have received diversity awareness training in cultural competency, and that should include internationally recruited staff
- to make staff aware of procedures and policies for bullying, harassment, whistle blowing, tackling violence, racial and other forms of discrimination

- each local employer should use the annual staff survey to demonstrate a year-on-year increase in staff confidence to tackle harassment at work
- each local employer should agree a target percentage reduction in the level of harassment at work and demonstrate this progress year-on-year
- all NHS boards should have undertaken training on managing equality and diversity by April 2001.

Northern Ireland

Equality is the key theme that runs throughout the Northern Ireland NHS Human Resource Strategy *The employer of choice* (May 2002). The strategy builds on the 1998 Northern Ireland Act, which places a legal obligation on employers to promote equality in nine named categories:

- ◆ gender
- ◆ marital status
- ◆ religion
- ◆ political views
- ◆ race
- ◆ ethnicity
- ◆ disability
- ◆ sexual orientation
- ◆ age.

Employers must demonstrate that they are promoting equality by publishing equality schemes and carrying out an impact assessment.

The *The employer of choice* document is available from: <http://www.dhsspsni.gov.uk/publications/2002/employechoice.html>

Scotland

- ◆ The Scottish Partnership Forum published *Towards a new way of working* in 1998 to introduce a number of key themes of partnership working and performance through people. The forum's job is to ensure that the human resource priorities are carried forward and are consistent across trusts.
- ◆ The Partnership Information Network (PIN) Board

has developed equal opportunity policy guidelines. They detail equality indicators, policy, legal context and a model equal opportunities policy. The Scottish Partnership Forum and local partnership forums assess performance against the standards. This forms an integral part of the performance and accountability framework for the NHS in Scotland (NHSS). All health care organisations must adopt the values and principles of the PIN guidelines. The NHSS is also consulting on a staff governance standard.

- ◆ *Towards a new way of working* and the PIN guidelines can be accessed online at www.show.scot.nhs.uk/spf/

Wales

Sections 48 and 120 of the Government of Wales Act 1998 makes the promotion of equal opportunities policies a statutory duty for the National Assembly in Wales, and this includes NHS Cymru.

- ◆ *Delivering for patients* (2000) Cardiff: DH. This is the NHS Wales Human Resources Strategy. It sets out a series of measures designed to achieve the National Assembly for Wales equal opportunities objectives. For example, the strategy states:

Equality

4.12.10 Equal access to opportunities and fair treatment is important for all staff working in NHS Wales.

4.12.11 Fair and just practices for all staff require a programme of action that challenges discrimination and prejudice at all levels. More opportunities must be secured for those groups that have been vulnerable to disadvantage.

4.12.12 NHS organisations will implement monitoring processes, take action to assess and, where appropriate, redress the balance in their workforce with regard to the above groups.

4.12.13 Staff appraisal processes must be reviewed on a regular basis if equality is to be sustained.

4.12.14 NHS organisations must continue to ensure that equality awareness training to a high standard is in place.

The full text of *Delivering for patients* can be found on the hyperlink: <http://www.wales.gov.uk/show.dbs?393E4A690008C7260000134D00000000>

Appendix D

Further reading

Age

Age diversity in employment: a code of practice (1999). London: DfES

Managing an ageing workforce: a guide to good practice (1999). Ireland: European Foundation for the Improvement of Living and Working Conditions

Carry on nursing: employment brief 21/98 (1998). London: RCN. Publication code 000 997

Working lives flexing retirement: guidance for managers (2000). London: DH

Disability

Employing disabled people: a good practice guide for managers and employers (1999). London: DfES

Looking beyond labels – widening the employment opportunities for disabled people in the new NHS (2000). London: DH

Employing disabled people: a good practice guide for managers and employers (1999). London: Disability Rights Commission

Workability – injured, ill and disabled nurses can return to work (2000). London: RCN. Publication code 001 159

Equality monitoring

A measure of equality: monitoring and achieving racial equality in employment (1991). London: CRE

Gender equality checklist (1995). London: EOC

Gender equality at work

How to manage maternity in the workplace (2000). London: EOC

How to manage successful positive action under S47 and S48 of the Sex Discrimination Act 1975 (2000). London: EOC

How to monitor by gender and marital status (2000). London: EOC

How to set targets for gender equality (2000). London: EOC

Equal pay policy and pay systems review: guidance for employers code of practice on sex discrimination (2000). London: EOC

General

Fair employment in Northern Ireland: code of practice (1997). Northern Ireland: Department of Economic Development

Bullying and harassment at work: a good practice guide for RCN negotiators and health care managers (2001). London: RCN. Publication code 000 926

Challenging harassment and bullying: guidance for RCN representatives (2001). London: RCN. Publication code 001 303

Dealing with bullying and harassment at work: a guide for RCN members (2001). London: RCN. Publication code 001 302

Working well: a call to employers (2002). London: RCN. Publication code 001 595

Fitness to work

Medical aspects of fitness to work (2000). London: Faculty of Occupational Medicine

Health surveillance at work (1999). London: Health and Safety Executive

Manley, I and Sherr, A. *Advising clients with HIV and AIDS* (2000). London: Butterworth

Race

Tacey N D, Tamkin P and Sheppard E. Report 375. *The problem of minority performance in organisations* (2001). Brighton: The Institute for Employment Studies

Racism in medicine – an agenda for change (2001). London: King's Fund

Code of practice for the elimination of racial discrimination and the promotion of equality of opportunity in employment (1999). London: CRE

Beishon S, Virdee S and Hagell A. *Nursing in a multi-ethnic NHS* (1995). London: Policy Studies Institute

Racial equality means business: a standard for racial equality for employers (1995). London: CRE

Statutory code of practice on the duty to promote racial equality (2002). London: CRE

Ethnic monitoring: a guide for public authorities (2002). London: CRE

Statutory code of practice on the duty to promote racial equality: a guide for public authorities (2002). London: CRE

Statutory code of practice on the duty to promote racial equality: a guide for institutions of further and higher education (2002). London: CRE

Religion

Sectarian harassment at work: a resource manual (2000). Northern Ireland: Equality Commission for Northern Ireland

The Parekh report: the future of multi-ethnic Britain (2000). London: Runnymede Trust and Profile Books

Sexual orientation and transexualism

Equal opportunities for lesbians and gay men: guidelines to good practice in employment (1993). London: LAGER

Powers B and Ellis A. *A managers guide to sexual orientation in the workplace* (1995). New York: Routledge

Transsexual people in the workplace: a code of practice (1998). London: Press for Change www.PFC.org.uk

Managing diversity: sexual orientation in the workplace: practical guidance (1999). London: Stonewall

Lesbian and gay rights at work (1995). London: TUC

Staff involvement

Working together: staff involvement self-assessment tool (2000). London: DH

Appendix E

Useful organisations

England

Department of Health

0113 254 5000

www.doh.gov.uk

Scotland

There are two websites for the Scottish Executive Department of Health:

◆ **Scottish Executive**
www.scotland.gov.uk

◆ **Scottish Health on the Web**
(SHOW) www.show.scot.nhs.uk
0131 556 8400

Wales

The National Assembly for Wales

029 20 825111

www.wales.gov.uk

Northern Ireland

Department of Health & Social Services and Public Safety

028 90520500

www.dhsspsni.gov.uk

Equality Commission for Northern Ireland

Formed by the merging of CRE (NI), Fair Employment Commission, Equal Opportunities Council (NI) and Disability Council
028 90 50 0600

textphone 028 90 500 589

www.equalityni.org

Labour Relations Agency

Independent body responsible for assisting employers, employees and

their representatives to improve the conduct of their industrial relations and employment practices.

028 9032 1442

www.lra.org.uk

Northern Ireland Human Rights Commission

Statutory body established by the Northern Ireland Act 1998. Aims to ensure that the human rights of everyone in Northern Ireland are protected in law, policy and practice.

028 9024 3987

www.nihrc.org

General

Eclipse Industrial Relations Services

Publishes the equal opportunities review and other publications and conferences on equal opportunities issues.

0207 354 5858

www.irseclipse.co.uk

The Work Foundation

Campaigns, researches, trains, provides consultancy on employment, management and equal opportunities issues.

0207 479 1000

www.theworkfoundation.com

Andrea Adams Trust

A national charity that raises awareness of bullying and harassment.

01273 704900

www.andreaadamstrust.org

RCN Nurseline

Provides specialist teams and services to help with personal matters including counselling, career information, guidance on immigration advice, and services for ill, injured and disabled RCN members.

0207 647 3463

www.rcn.org.uk

Age

Employers Forum on Age

A network of employers confronting age discrimination in the workplace.

0208 765 7597

www.efa.org.uk

Age Concern

Campaign to influence government policy on the provision of information, research etc, and also provide local services for older people.

Age Concern Cymru

029 2037 1566

Age Concern England

0208 765 7200

Age Concern Northern Ireland

028 9024 5729

Age Concern Scotland

0131 220 3345

www.ace.org.uk

Disabilities

Disability Rights Commission

An independent body set up by the Government to help secure civil rights for disabled people.

08457 622633

textphone 08547 622644

www.drc-gb.org

Job Centre Plus

Provides specialist services for disabled people.

www.jobcentreplus.gov.uk

Disabled Living Foundation

Provides information on employing people with disabilities.

0207 289 6111

www.dlf.org.uk

Gender equality at work

Equal Opportunities Commission

The expert body on equality between women and men in Great Britain. Works to end sex discrimination promoting equal opportunities for women and men.

0161 833 9244

www.eoc.org.uk

Women and Equality Unit

Government department based in the Cabinet Office dealing with women's issues.

0207 273 8880

www.womens-unit.gov.uk

Parents at Work

Support for parents on employment rights, campaigning for changes in law, training and advice for employers of people with children.

0207 628 3565

www.parentsatwork.org.uk

DfES Childcare Information

The Department for Education and Skills (DfES) provides information and addresses of organisations dealing with childcare issues.

www.dfes.gov.uk/childcarecareers

New Ways to Work

Campaigns and provides expertise on new and flexible ways of working.

0207 503 3283

www.new-ways.co.uk/

Fitness to work

Terrence Higgins Trust

This is the largest HIV and AIDS charity delivering health promotion campaigns and direct support to all people at risk and living with HIV. The charity is UK-wide.

www.tht.org.uk

National AIDS Trust

The UK-wide national AIDS organisation.

www.nat.org.uk

Cultural diversity: race and ethnicity

Runnymede Trust

Runnymede is a UK-wide independent think tank on ethnicity and cultural diversity. It conducts policy research in order to challenge racial discrimination, influence anti-racist legislation and promote a successful multi-ethnic Britain.

www.runnymedetrust.org

DfES Race Relations Employment Advisory Service (RREAS)

The Department for Education and Skills provides free and confidential strategic advice to employers and others so that they can develop and

implement policies.

0121 452 5447/8/9

www.dfes.gov.uk/rreas

Commission for Racial Equality

Publicly funded, non-governmental body set up under the 1976 Race Relations Act to tackle racial discrimination and promote racial equality.

0207 828 7022

0131 524 2000 (Scotland)

029 2072 9200 (Wales)

www.cre.gov.uk

Religion

See organisations listed under *Cultural diversity*.

Sexual orientation

Press for Change (gender reassignment)

A political lobbying and educational organisation that campaigns to achieve equal rights for transgender people in the UK.

www.pfc.org.uk/

Stonewall

A campaigning body for the rights and welfare of lesbians and gay men that gives advice and information about discrimination in the workplace.

0207 336 8860

www.stonewall.org.uk

Lager (Lesbian and Gay Employment Rights)

Free confidential advice, help, information and advocacy/legal representation.

0207 704 2205

www.lager.dircon.co.uk



Royal College
of Nursing

October 2002

Published by the Royal College of Nursing
20 Cavendish Square
London
W1G 0RN

020 7409 3333

The RCN represents nurses and nursing,
promotes excellence in practice and shapes
health policies

RCNONLINE
www.rcn.org.uk

RCNDIRECT
www.rcn.org.uk/direct
0845 772 6100

Publication code 001 825

If you are an employer and would like to order a
copy of this publication telephone 020 7647 3620