



Additional / To Follow Agenda Items

This is a supplement to the original agenda and includes reports that are additional to the original agenda or which were marked 'to follow'.

Nottingham City Council Health and Adult Social Care Scrutiny Committee

Date: Thursday, 16 February 2023

Time: 10.00 am

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

Governance Officer: Jane Garrard **Direct Dial:** 0115 876 4315

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**Health and Adult Social Care Scrutiny Committee
16 February 2023**

Nottingham University Hospitals Trust Improvement

Report of the Statutory Scrutiny Officer

1 Purpose

- 1.1 To hear from Nottingham University Hospitals NHS Trust about what it is doing to improve the way it is led with a focus on its work to ensure that all staff, including those with protected characteristics under the Equality Act, are treated equitably.

2 Action required

- 2.1 The Committee is asked whether:
- a) it wishes to make any comments or recommendations; and
 - b) any further scrutiny is required and if so the focus and timescales.

3 Background information

- 3.1 In September 2021, the Care Quality Commission (CQC) published a report of its Well Led inspection of Nottingham University Hospital Trust (NUH), which took place in July 2021. Following the inspection, the Trust was issued with a Section 29a warning notice under the Health and Social Act 2008, and was rated as Requires Improvement, with an Inadequate rating in relation to whether services are well-led. The Trust attended the Committee's meeting on 11 November 2021 to outline action that it had taken and intended to take in response to the CQC's findings. The Committee also heard from the Nottingham and Nottinghamshire Clinical Commissioning Group's Chief Nurse as local commissioners. Separately, the Committee gathered additional evidence from NHS England and trade unions representing employees of the trust.
- 3.2 In December 2022 the Trust's Chief Executive and Acting Assistant Director of Programmes spoke to the Committee about progress in addressing the issues identified by the CQC and through subsequent work. The Chief Executive of Nottingham and Nottinghamshire Integrated Care System also provided a system perspective. Noting that the CQC inspection had found a culture of bullying, including a number of cases that could be attributed to racial discrimination and that a theme of concern that had been raised at the time by the Trust's Freedom to Speak Up Guardian's was staff being treated differently due to race, the Committee requested that the Trust provide some additional written information about, for example, racially motivated grievances and provision of unconscious bias training for staff, which has been provided.

The Committee also invited the Trust to attend a future to specifically discuss its work to support BAME colleagues and tackle issues of racism in the workforce.

- 3.3 The Trust has submitted a written paper about its work to create a safe and inclusive workplace, which is attached. The Trust's Chief Executive, Chair of the BAME Network and Chair of the BAME Shared Governance Council will be attending the meeting to discuss this with the Committee.

4 List of attached information

- 4.1 'Creating a Safe and Inclusive Workplace at Nottingham University Hospitals NHS Trust' submitted by Nottingham University Hospitals NHS Trust

5 Background papers, other than published works or those disclosing exempt or confidential information

- 5.1 None

6 Published documents referred to in compiling this report

- 6.1 Report to, and minutes of the meeting of the Health and Adult Social Care Scrutiny Committee held on 11 November 2021 and 15 December 2022
- 6.2 Care Quality Commission (15 September 2021) 'Nottingham University Hospitals NHS Trust Inspection Report'

7 Wards affected

- 7.1 All

8 Contact information

- 8.1 Jane Garrard, Senior Governance Officer
jane.garrard@nottinghamcity.gov.uk
0115 8764315

Title: Creating a safe and inclusive workplace at Nottingham University Hospitals NHS Trust

Report for: Nottingham City Council Health and Adult Social Care Scrutiny Committee

Date: 16 February 2023

Report prepared by: Dr Neil Pease, Chief People Officer, Nottingham University Hospitals NHS Trust

1. Introduction

In 2021, the CQC undertook a well-led inspection at Nottingham University Hospitals NHS Trust (NUH), which identified a culture of bullying across the organisation, with particular emphasis on the experience of our black, Asian and minority ethnic (BAME) colleagues. NUH has committed to tackling these issues.

By listening to concerns raised by staff through the Big Conversation, forums and stakeholder events we have heard the issues and are now working hard to put actions in place to improve the culture within NUH.

2. What we have heard

Through our ongoing engagement with staff we have heard examples of direct and indirect racism, colleagues feeling excluded or ignored, micro-aggressions and examples of using pressures as an excuse for bullying.

When asking staff to help identify why they felt this was happening, themes include bullying becoming the norm, managers not having the skills or support to tackle bullying and a lack of information sharing about what action has been taken.

Staff also told us that they often didn't feel they were able to raise these concerns because bad behaviour and bullying is tolerated, they do not feel safe to raise concerns, there is a lack of trust in the processes to achieve resolution and investigation processes require individuals to relive experiences which can have a significant emotional or psychological impact.

3. Our response

We are clear that bullying, harassment and racism will not be tolerated at NUH. In response to what we have heard from staff we have created key programmes of work which include strengthening existing provision and creating new work streams

to make the necessary improvements. It is our ambition to create a safe and inclusive workplace. The following groups contribute to this ambition:

- BAME Strategy Project Team
- Kindness, civility and respect work stream
- Tackling bullying, harassment, racism and discrimination work stream
- Equality, Diversity and Inclusion Team (inc. Staff Networks)
- Freedom To Speak Up Guardians
- Embed a restorative just culture work stream
- Shared Governance councils

Each work stream or team listed above are currently delivering pieces of work which will contribute toward the overall agenda depending on their remit (see below). Some teams or work streams have been in existence longer than others and therefore are at different stages of their work.

We have identified co-dependencies between groups, so are working together to avoid duplication and ensure messaging between the groups is consistent and compliments each other to avoid confusion. The work of these groups is overseen by the Equality, Diversity and Inclusion Oversight Committee, which has been recently established.

BAME Strategy Project Team

- BAME ambassadors embedded within clinical divisions and corporate functions
- Health and wellbeing toolkit for BAME staff, including library of bespoke resources/leaflets
- Provide unconscious bias training on recruitment
- Provide cultural awareness training
- Developing positive action strategies (i.e. recruitment panels to include BAME panel members and cultural advisors for investigations)
- Facilitation of a reciprocal mentoring for senior leaders
- Dedicated surveys to capture the lived experience of BAME staff
- Support for managers to better tackle poor behaviours

Kindness, civility and respect work stream

- Delivered kindness, civility and respect weeks in partnership with the ICS
- Launched a kindness, civility and respect toolkit
- Essential Leadership Day - training for managers embedding kindness
- Recruiting teams to pilot kindness initiatives
- Set up a Culture Change Team with reps from different areas to help disseminate good practice
- Relaunch of Schwartz rounds

- E-learning programme (how to support cultures and call people in not out)
- Team based resources – how to promote culture of kindness in different workplaces

Tackling bullying, harassment, racism and discrimination work stream

- Design, publication and dissemination of Tackling Bullying, Harassment, Racism and Discrimination leaflet signposting to support
- Development of a Charter to set the expectations and demonstrate the commitment to deal with this effectively and instil confidence in staff
- Awareness campaign currently being designed to support the charter with resources for managers and staff and a specific focus throughout the year to keep this on the agenda. This will include specific campaigns on anti-bullying, being anti-racist, anti-misogyny etc.
- Commencement of an anonymous reporting mechanism for concerns
- Use of data and intelligence to identify 'hotspot' areas of concern
- Development of an intranet page with toolkits, resources and e-learning
- Cultural reviews completed in areas of concern

Equality, Diversity and Inclusion (EDI)

- Active staff networks for BAME, LGBTQ+ and Disability sponsored by Executive members
- Dedicated time for staff network chairs (7.5 hours per week)
- Developed and delivered training in EDI and anti-racist practice and behaviours for the HCA academy
- Re-commissioned 'Skillboosters': programmes include unconscious bias and allyship content.
- Developed an 'EDI Resource Bank'
- The NUH Staffability (Disability Awareness) video developed by staff for Disability History Month
- Digital inclusion calendar which highlights key awareness days linked to protected characteristics
- Reviewed recruitment and selection processes
- Worked with Project Search to find placements for people with learning disabilities in estates and facilities management
- A new allyship programme of work
- The adoption of the London Race Equality Taskforce anti-bias Recruitment Toolkit
- Accepted onto the NHS Employers Diversity in Health and Care Partners Programme 22/23
- BAME and Staffability Network Chairs successfully joined NHSE Chairs development programme

- Partnered with ICS networks to deliver events for Black History Month, LGBT+ History Month, integrated ICS Pride (live event) –Workshops on Gender Identity
- A new Neurodiversity toolkit is currently in development
- 'Inclusion Starts with Us' video featuring NUH staff from diverse protected characteristics
- Review and launch the new Impact Assessment (EqIA) process and training package for all staff.

Freedom to Speak Up Guardians (FTSU)

- We have now appointed three full time Freedom to Speak Up Guardians who support staff to speak up when they feel that they are unable to do so by other routes.
- Creation of a FTSU guide book for managers
- Increase in Freedom to Speak Up Champions from 9 to 21. These individuals act as a point of contact for staff who require advice, to inform them of the options available, whether informal or formal and to direct individuals to the support available.
- 51% increase in contacts with the FTSU team from March 2021 to March 2022
- Launched training modules in partnership with organisational development
- Currently developing a series of Freedom to Speak Up videos

Shared Governance Councils

- Approximately 24 departmental shared governance councils, facilitated by the Institute for Care Excellence, have been undertaking inclusion projects which are being presented at the NUH Inclusion Conference in March

Embedding a restorative just culture

- This work stream is in the process of being set up
- Initial diagnostic work is underway to inform the best approach to deliver

4. How we will measuring change - key metrics

The following key metrics are used to monitor progress across the whole portfolio and data is triangulated to help identify areas that might require more targeted support/interventions:

- National Staff Survey outcomes – with particular reference to staff engagement (derived from motivation, advocacy, involvement) and BHRD.
- Workforce Race Equality Standard (WRES)
- Workforce Disability Equality Standard (WDES)
- Casework figures

- Anonymous concerns reporting feedback
- National quarterly pulse survey
- Starters' and leavers' survey
- Feedback from advocates including Freedom to Speak Up Guardians, BAME ambassadors etc.

5. Progress To Date

From our key metrics described above we have seen positive changes in the data. General trends indicate:

- **National Staff Survey:** Our 2022 survey results are currently being evaluated and are still under national embargo, however early indications are showing improvements in the associated measures compared to 2021.
- **Casework:** We are seeing a greater proportion of cases referred to HR being dealt with informally
- **Starters' and leavers' survey:** The data demonstrates a decrease in staff leaving who have experienced discrimination related to protected characteristics
- **Freedom To Speak Up Guardians:** 51% increase in contacts with the FTSU team from March 2021 to March 2022

6. Conclusion

When developing a culture that is open and honest and where staff feel safe and supported when raising their concerns, we would expect an increase in reporting. We are therefore encouraged to see that issues are being raised that would otherwise not have been. This gives us greater transparency and insight into the issues faced by our staff and allows us take action to address them.

Improving our culture needs to be a change in mindset which cannot be achieved simply by telling people what to do. We are encouraging all staff to take responsibility in making NUH a better place to work through changing the way we approach situations, being open to listening, responding appropriately and challenging poor behaviours early before they get chance to turn into bigger problems.

Culture change does take time and we are encouraged that the indicators show that we are moving in the right direction. Our focus has the support and backing of the entire Trust Board and we will continue this important work to create a safe and inclusive workplace for all our colleagues.

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