

Board

2004.

From: Helen Munro, Director of Human Resources

Date: August 2006

Subject: **Ethnic Monitoring of Staff and Applicants**

For: **Information and approval**

Synopsis

The Race Relations Act 1976 was amended by the Race Relations (Amendment) Act 2000. This amendment introduced a statutory general duty on public authorities to promote race equality. The general duty's aim is to make race equality a central part of the way public authorities work, by putting it at the centre of policy making, service delivery, regulation and enforcement and employment practice .

The Trust must aim to eliminate unlawful racial discrimination; promote equality of opportunity, and promote good relations between people from different racial groups.

As an employer, the Trust has additional specific duties which requires it to monitor staff in post, applicants for jobs, promotion, and training by racial group.

As the Trust employs more than 150 full time staff it is also required to monitor, by racial group staff who

- benefit or suffer from performance appraisals

- are involved in grievances

- are subject to disciplinary action

- end their service with the Trust

Monitoring can tell the Trust how its policies and functions are affecting different racial groups and whether they are having an adverse impact on some of their group.

Without monitoring the Trust will have no reliable way of knowing whether discrimination might be taking place, or whether policies to prevent or tackle discrimination are actually working.

The Trust has a number of monitoring processes in place, however these need to be

Oxford Radcliffe Hospitals

revised in order to address the requirements of its Race Equality Scheme. In addition the Trust currently collects ethnic data as opposed to monitoring it and it will therefore need to start to analyse the data in order to identify any potential for race discrimination in its policies, procedures and practices.

Comment by Director of Finance

Ethnic Monitoring of Staff and Applicants

Introduction

Race Relations (Amendment) Act 2000

1. The Race Relations Act 1976 was amended by the Race Relations (Amendment) Act 2000. This amendment introduced a statutory general duty on public authorities to promote race equality. The general duty's aim is to make race equality a central part of the way public authorities work, by putting it at the centre of policy making, service delivery, regulation and enforcement and employment practice .
2. The Trust must aim to eliminate unlawful racial discrimination; promote equality of opportunity, and promote good relations between people from different racial groups.

Specific Duties under the Act

3. In addition to the general duty, the Trust has a number of specific duties under the Act and is required to produce a Race Equality Scheme.
4. This scheme must list the functions and policies that the Trust has assessed as being relevant to the general duty to promote race equality.
5. It must also set out the Trust's arrangements to
 - 5.1 monitor its policies for any adverse impact on promoting race equality
 - 5.2 assess and consult on the impact that policies the Trust is proposing to introduce are likely to have on promoting race equality
 - 5.3 publish the results of our assessment, consultation, and monitoring
 - 5.4 make sure that the public have access to information and services
 - 5.5 train staff on the general duty and specific duties

The Duty to Monitor Ethnicity

6. As an employer, the Trust has additional specific duties which requires it to monitor staff in post, applicants for jobs, promotion, and training by racial group.
7. As the Trust employs more than 150 full time staff it is also required to monitor, by racial group, staff who
 - 7.1 benefit or suffer from performance appraisals
 - 7.2 are involved in grievances
 - 7.3 are subject to disciplinary action

7.4 end their service with the Trust

Enforcing the Duty

8. The Commission for Racial Equality (CRE) have the power to enforce the specific duties. If the CRE believe that the Trust is not meeting these duties they can issue a "compliance notice".
9. This notice is a legal document that would order the Trust to meet the specific duties within a certain timescale.
10. A failure to comply with the notice could result in a court order which may lead to legal action for contempt of court.

What is the reason for monitoring?

11. Monitoring can tell the Trust how its policies and functions are affecting different racial groups and whether they are having an adverse impact on some of their group.
12. Without monitoring the Trust will have no reliable way of knowing whether discrimination might be taking place, or whether policies to prevent or tackle discrimination are actually working.
13. Monitoring is more than data collection. Data must be analysed in order to identify any adverse impact, potential barriers or failures in policies and processes.

Ethnic monitoring within the HR Function

Staff in Post

14. The Trust currently asks staff for their ethnicity on the appointment form and this information is entered onto the HR system, PRISM.
15. Reports can be produced from PRISM which details staff ethnicity broken down into profession, banding etc.
16. The Trust has 75% of its staff coded to known codes. Based on these numbers 88% of the Trust is coded as white(including white compared to 95.1% for Oxfordshire¹
17. A staff census is planned in 2006 in order to cleanse the staff data on the system and to ensure all data is updated.
18. Appendix 1 details the ethnic breakdown within the ORH and within broad staff groups

¹ 2001 Census

Applicants

19. The Trust application form contains a tear off slip in relation to various equal opportunities information, including ethnicity, age etc.
20. The information contained on this slip is entered onto the recruitment database, Empower. This information is confidential and is not shared with the interview panel at any time. A large number of reports can be requested from Empower an example of which can be found in Appendix 2
21. Medical Staffing do not use Empower and the equal opportunities information is currently monitored using an Excel database. This is due to change as Medical Staffing are in the process of implementing Empower.

Promotions

22. If staff obtain a promotion as a result of a successful job application then the ethnic data will be picked up under the normal recruitment monitoring processes. See paragraph 18 - 20.
23. Staff who receive re-banding or receive promotion outside of the normal recruitment process are currently not monitored.

Training & Development

24. All formal training that is organised through the Learning & Development Department is entered onto the PRISM system.
25. This information is currently not reported, and investigations are taken place as to how this information can be accessed.
26. Training that is not booked through Learning & Development is currently not recorded.

Appraisal

27. The Trust does not currently have a system whereby all appraisals are recorded and ethnicity monitored. Some monitoring occurs in relation to Consultant appraisal.
28. All appraisals undertaken in 2006 will be entered onto the electronic KSF tool which will be linked to PRISM, enabling reports to be produced.
29. One challenge for the Trust is to identify a method of monitoring the ethnicity of those staff benefiting/suffering a disadvantage.

Performance & Conduct, Grievances, Bullying & Harassment

30. Quarterly returns are currently received from the HR Teams which detail performance & conduct, grievances, and bullying & harassment cases by ethnicity.

Leavers

31. Information on leavers is currently entered onto PRISM which also stores ethnic data.
32. Exit questionnaires also records ethnicity and the information obtained from this source can be sorted by ethnicity.

Reporting Requirements

33. The Trust has a specific duty under the Race Relations (Amendment) Act 2000 to publish the monitoring results each year.

Impact

34. Having monitored the data any issues that have arisen will be addressed by the implementation or revision of policies, procedures or processes, the success of which will then be reviewed by ongoing ethnic monitoring.
35. Examples of this may include changes in the recruitment process, if monitoring highlights a potential for race discrimination further training can be introduced in order to reinforce the equality legislation and to emphasise the need for robust paperwork. High numbers of BME staff experiencing bullying and harassment would indicate the need to introduce more Harassment Support Colleagues from BME backgrounds and also to provide additional training sessions for managers and staff
36. The monitoring process is cyclical, as issues are highlighted and solutions implemented. The effects of these are then monitored in order to see how successful these have been in addressing the issues raised.

Recommendations

37. There are a number of actions required in order for the Trust to comply with the HR monitoring requirements. These are detailed in Appendix 3.
38. It is recommended that all HR Ethnic Monitoring reports are formally reported to the HR Committee on a six monthly basis and to Trust Board on an annual basis.
39. The HR ethnic report is already published in the Annual Report. In doing this the Trust should ensure that it meets the requirements of the Data Protection Act.

Victoria Evans HR Manager, Corporate

July 2006

References:

“The duty to promote race equality – a guide for public authorities” – Commission for Race Equality 2002

“Ethnic monitoring – a guide for public authorities” – Commission for Race Equality

ETHNIC ORIGIN – ORH TRUST 2005

Count of Employee Number		
Ethnic Origin	Ethnic Code	Total
Asian Bangladeshi/BritBan	K	10
Asian Indian/Brit Indian	H	210
Asian Other	L	278
Asian Pakistani/Brit Pak	J	40
Asian Sri Lanka	LE	2
Black African	N	88
Black British	PD	1
Black Caribbean	M	26
Black Nigerian	PC	2
Black Other	P	12
Chinese	R	37
Mixed Asian / Chinese	GE	1
Mixed Chinese / White	GD	1
Mixed Other	G	20
Mixed White/Asian	F	11
Mixed White/Blk African	E	16
Mixed White/Blk Caribbean	D	8
Other Filipino	SC	19
Other Japanese	SB	1
Other Malaysian	SD	3
Other Specified	SE	8
Other Stated Origin	S	73
White British/Mxd British	A	6211
White English	CA	9
White Greek	CF	1
White Irish	B	38
White Irish Traveller	CL	1
White Italian	CK	1
White Northern Irish	C2	2
White Other	C	271
White Other European	CY	2
White Unspecified	C3	2
Grand Total		7405

6538

88.3

ORH has 75% of its staff coded. The percentages presented are based on "known codes". The trust is working hard to improve the quantity of coding. Based on numbers given the trust has 88% of its staff coded as white.

ETHNIC ORIGIN FOR ORH TRUST - BY PROFESSIONAL GROUP - 2005

SG	Prol Ethnic Code	Ethnic Origin	Total	% Split
Admin & Estates	A	White British/Mxd British	1581	
	B	White Irish	4	
	C	White Other	23	
	CA	White English	4	97.17
	D	Mixed White/Blk Caribbean	3	0.18
	E	Mixed White/Blk African	1	0.06
	F	Mixed White/Asian	2	0.12
	G	Mixed Other	1	0.06
	GD	Mixed Chinese / White	1	0.06
	GE	Mixed Asian / Chinese	1	0.06
	H	Asian Indian/Brit Indian	8	0.48
	J	Asian Pakistani/Brit Pak	4	0.24
	L	Asian Other	5	0.30
	M	Black Caribbean	6	0.36
	N	Black African	7	0.42
	P	Black Other	2	0.12
	R	Chinese	2	0.12
	S	Other Stated Origin	3	0.18
SC	Other Filipino	1	0.06	
Admin & Estates Total			1659	100.00
HCAs	A	White British/Mxd British	924	
	B	White Irish	2	
	C	White Other	42	
	CA	White English	1	92.20
	D	Mixed White/Blk Caribbean	1	0.10
	G	Mixed Other	2	0.19
	H	Asian Indian/Brit Indian	9	0.86
	J	Asian Pakistani/Brit Pak	5	0.48
	K	Asian Bangladeshi/BritBan	1	0.10
	L	Asian Other	18	1.71
	LE	Asian Sri Lanka	1	0.10
	M	Black Caribbean	7	0.67
	N	Black African	18	1.71
	P	Black Other	2	0.19
	R	Chinese	5	0.48
	S	Other Stated Origin	9	0.86
	SB	Other Japanese	1	0.10
	SC	Other Filipino	3	0.29
HCAs Total			1051	100.00

ETHNIC ORIGIN FOR ORH TRUST - BY PROFESSIONAL GROUP - 2005

Healthcare Scientists	A	White British/Mxd British	452	
	B	White Irish	1	
	C	White Other	24	
	CA	White English	1	89.68
	D	Mixed White/Blk Caribbean	1	0.19
	E	Mixed White/Blk African	1	0.19
	F	Mixed White/Asian	1	0.19
	G	Mixed Other	3	0.56
	H	Asian Indian/Brit Indian	15	2.81
	J	Asian Pakistani/Brit Pak	1	0.19
	K	Asian Bangladeshi/BritBan	5	0.94
	L	Asian Other	8	1.50
	N	Black African	11	2.06
	P	Black Other	1	0.19
	R	Chinese	2	0.38
	S	Other Stated Origin	2	0.38
	SC	Other Filipino	3	0.56
SD	Other Malaysian	1	0.19	
Healthcare Scientists Total			533	100.00
Medics	A	White British/Mxd British	640	
	B	White Irish	14	
	C	White Other	66	
	C2	White Northern Irish	2	
	C3	White Unspecified	2	
	CA	White English	1	
	CF	White Greek	1	
	CK	White Italian	1	
	CL	White Irish Traveller	1	
	CY	White Other European	2	77.91
	D	Mixed White/Blk Caribbean	1	0.00
	E	Mixed White/Blk African	1	0.00
	F	Mixed White/Asian	4	0.00
	G	Mixed Other	5	0.01
	H	Asian Indian/Brit Indian	106	0.11
	J	Asian Pakistani/Brit Pak	26	0.03
	K	Asian Bangladeshi/BritBan	4	0.00
	L	Asian Other	18	0.02
	LE	Asian Sri Lanka	1	0.00
	M	Black Caribbean	2	0.00
	N	Black African	6	0.01
	P	Black Other	2	0.00
	PD	Black British	1	0.00
	R	Chinese	16	0.02
	S	Other Stated Origin	9	0.01
	SD	Other Malaysian	2	0.00
	SE	Other Specified	3	0.00

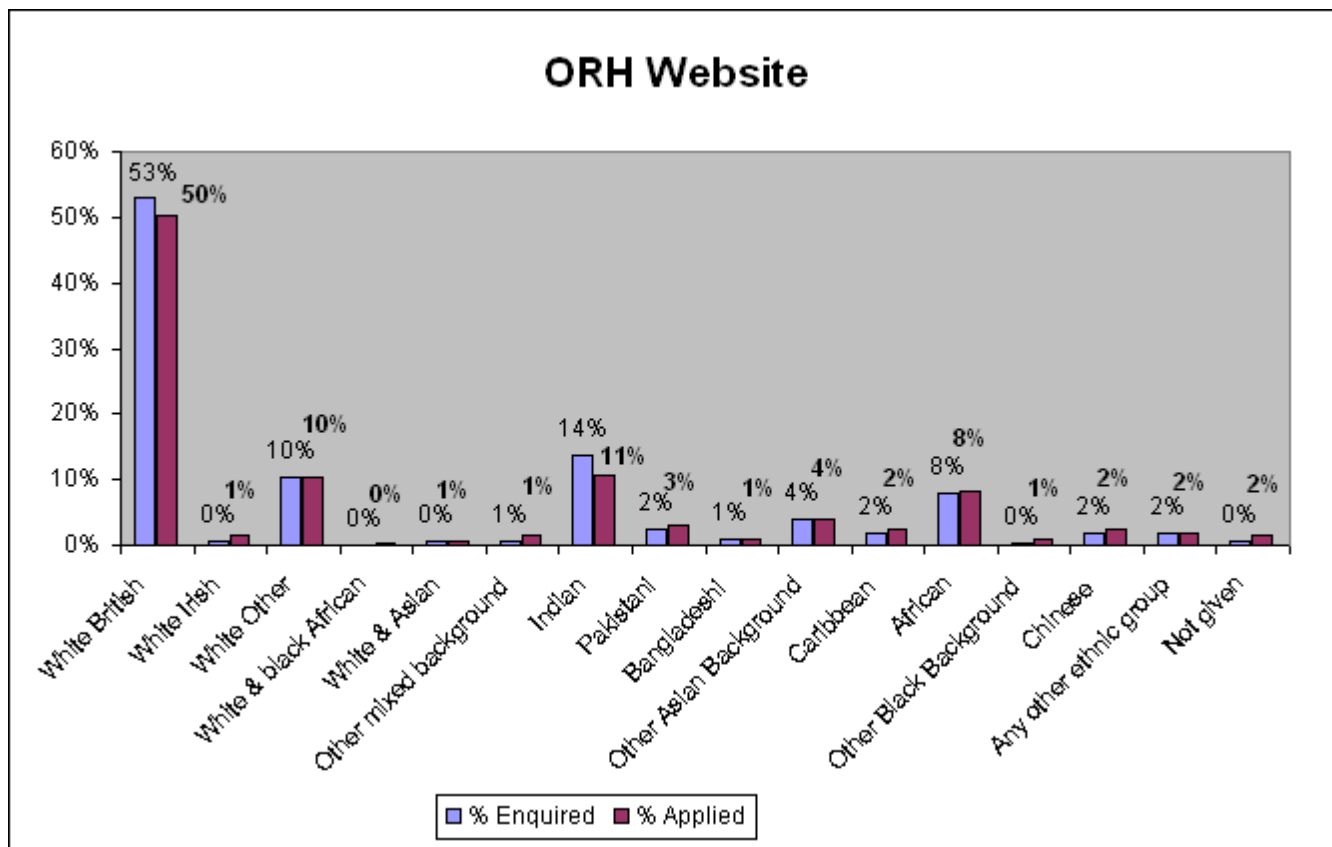
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Medics Total			937	78.13
No Description	A	White British/Mxd British	43	
	B	White Irish	1	97.78
	N	Black African	1	2.22
No Description Total			45	100.00
Qualified Nurses	A	White British/Mxd British	1955	
	B	White Irish	11	
	C	White Other	83	
	CA	White English	2	82.14
	D	Mixed White/Blk Caribbean	2	0.08
	E	Mixed White/Blk African	13	0.52
	F	Mixed White/Asian	3	0.12
	G	Mixed Other	8	0.32
	H	Asian Indian/Brit Indian	67	2.68
	J	Asian Pakistani/Brit Pak	3	0.12
	L	Asian Other	223	8.93
	M	Black Caribbean	10	0.40
	N	Black African	39	1.56
	P	Black Other	4	0.16
	PC	Black Nigerian	2	0.08
	R	Chinese	8	0.32
	S	Other Stated Origin	47	1.88
SC	Other Filipino	12	0.48	
SE	Other Specified	5	0.20	
Qualified Nurses Total			2497	100.00
ST&Ts	A	White British/Mxd British	485	
	B	White Irish	4	
	C	White Other	30	94.88
	F	Mixed White/Asian	1	0.18
	G	Mixed Other	1	0.18
	H	Asian Indian/Brit Indian	5	0.91
	J	Asian Pakistani/Brit Pak	1	0.18
	L	Asian Other	6	1.10
	M	Black Caribbean	1	0.18
	N	Black African	6	1.10
	R	Chinese	4	0.73
S	Other Stated Origin	3	0.55	
ST&Ts Total			547	100.00
Unfunded	A	White British/Mxd British	131	
	B	White Irish	1	
	C	White Other	3	99.26
	P	Black Other	1	0.74
Unfunded Total			136	
Grand Total			7405	

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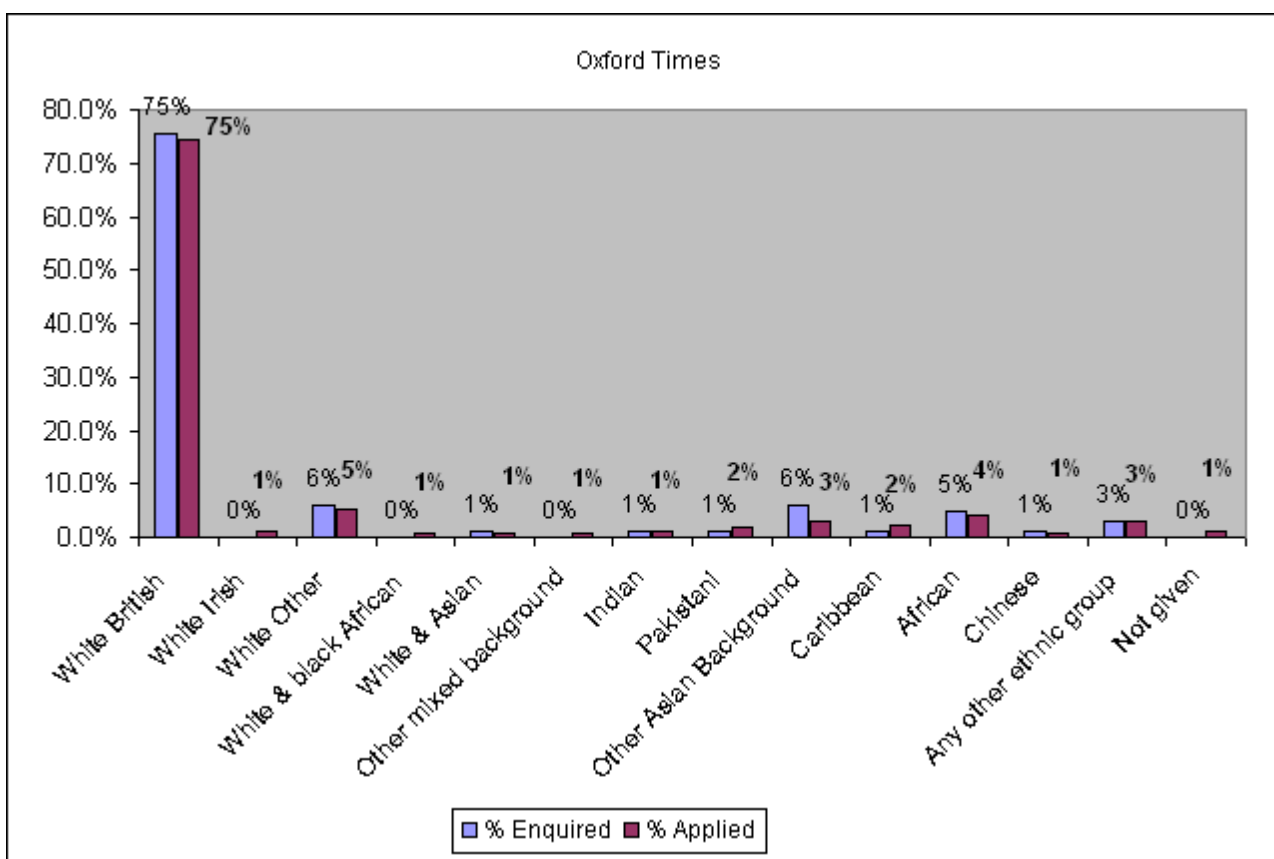
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	% Enquired		% Applied	
	Enquired	% Enquired	Applied	% Applied
White British	217	52.9%	615	50.3%
White Irish	2	0.5%	17	1.4%
White Other	42	10.2%	128	10.5%
White & black African	0	0.0%	3	0.2%
White & Asian	2	0.5%	9	0.7%
Other mixed background	3	0.7%	17	1.4%
Indian	56	14%	130	11%
Pakistani	10	2.4%	38	3.1%
Bangladeshi	4	1.0%	11	0.9%
Other Asian Background	16	3.9%	47	3.8%
Caribbean	8	2.0%	29	2.4%
African	33	8.0%	99	8.1%
Other Black Background	1	0.2%	10	0.8%
Chinese	7	1.7%	28	2.3%
Any other ethnic group	7	1.7%	22	1.8%
Not given	2	0.5%	20	1.6%
Total	410		1223	



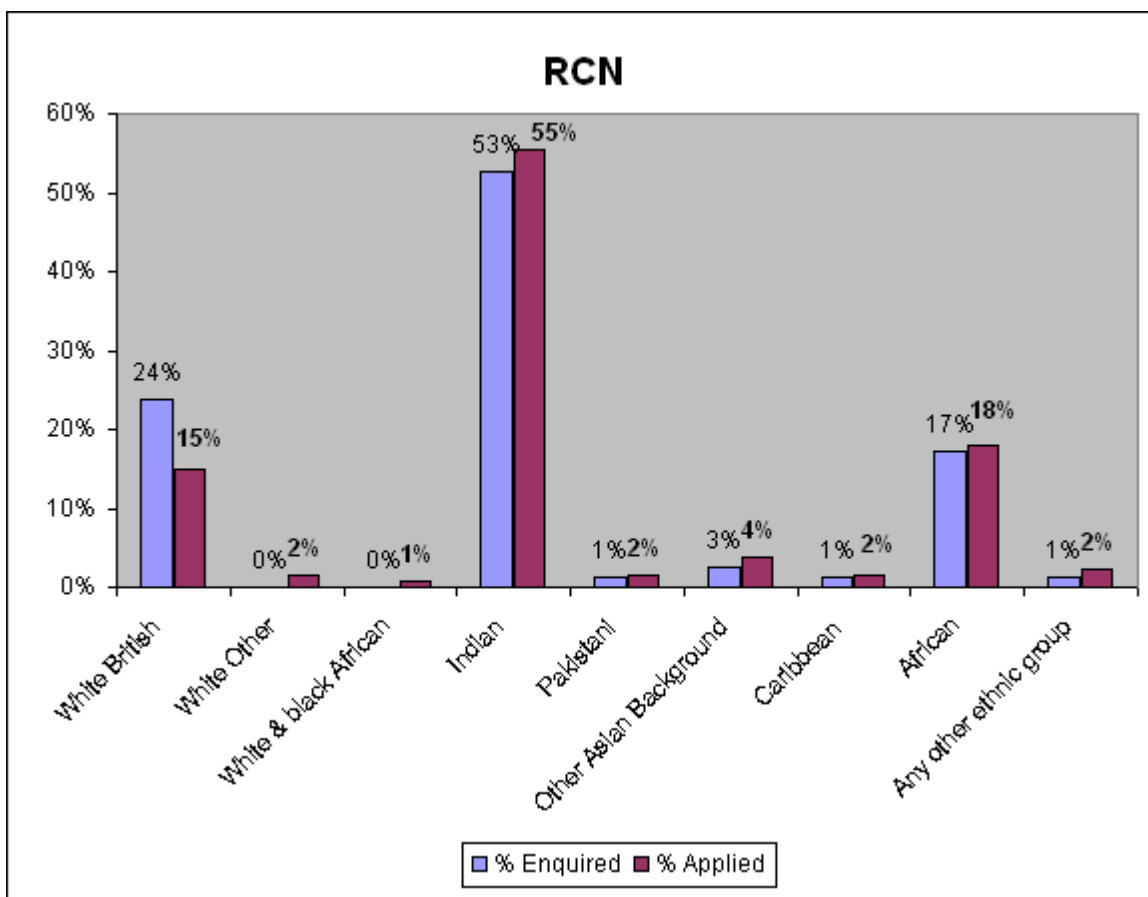
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Applied
White British	77	75.5%	126	74.6%
White Irish	0	0.0%	2	1.2%
White Other	6	5.9%	9	5.3%
White & black African	0	0.0%	1	0.6%
White & Asian	1	1.0%	1	0.6%
Other mixed background	0	0.0%	1	0.6%
Indian	1	1.0%	2	1.2%
Pakistani	1	1.0%	3	1.8%
Other Asian Background	6	5.9%	5	3.0%
Caribbean	1	1.0%	4	2.4%
African	5	4.9%	7	4.1%
Chinese	1	1.0%	1	0.6%
Any other ethnic group	3	2.9%	5	3.0%
Not given	0	0.0%	2	1.2%
Total	102		169	



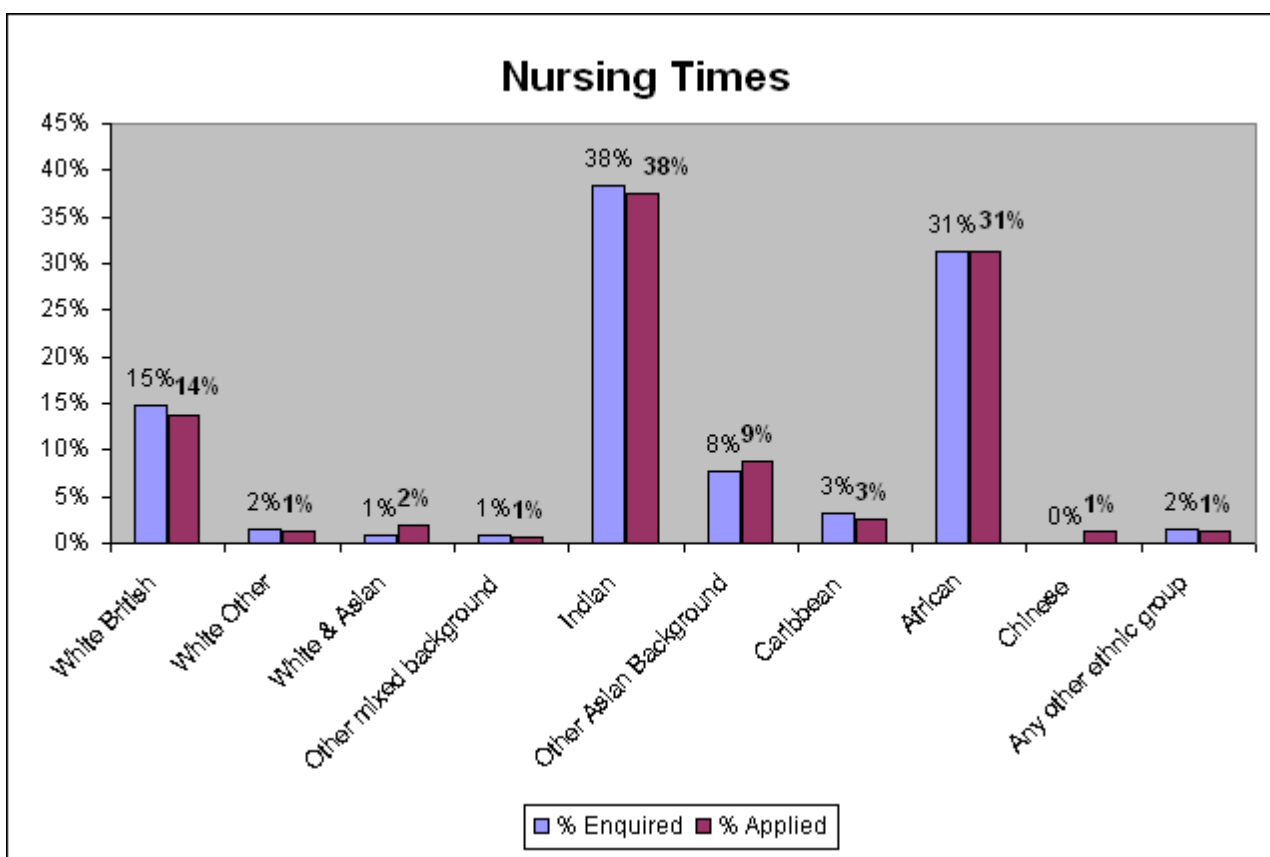
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Applied
White British	18	23.7%	19	14.8%
White Other	0	0.0%	2	1.6%
White & black African	0	0.0%	1	0.8%
Indian	40	52.6%	71	55.5%
Pakistani	1	1.3%	2	1.6%
Other Asian Background	2	2.6%	5	3.9%
Caribbean	1	1.3%	2	1.6%
African	13	17.1%	23	18.0%
Any other ethnic group	1	1.3%	3	2.3%
Total	76		128	



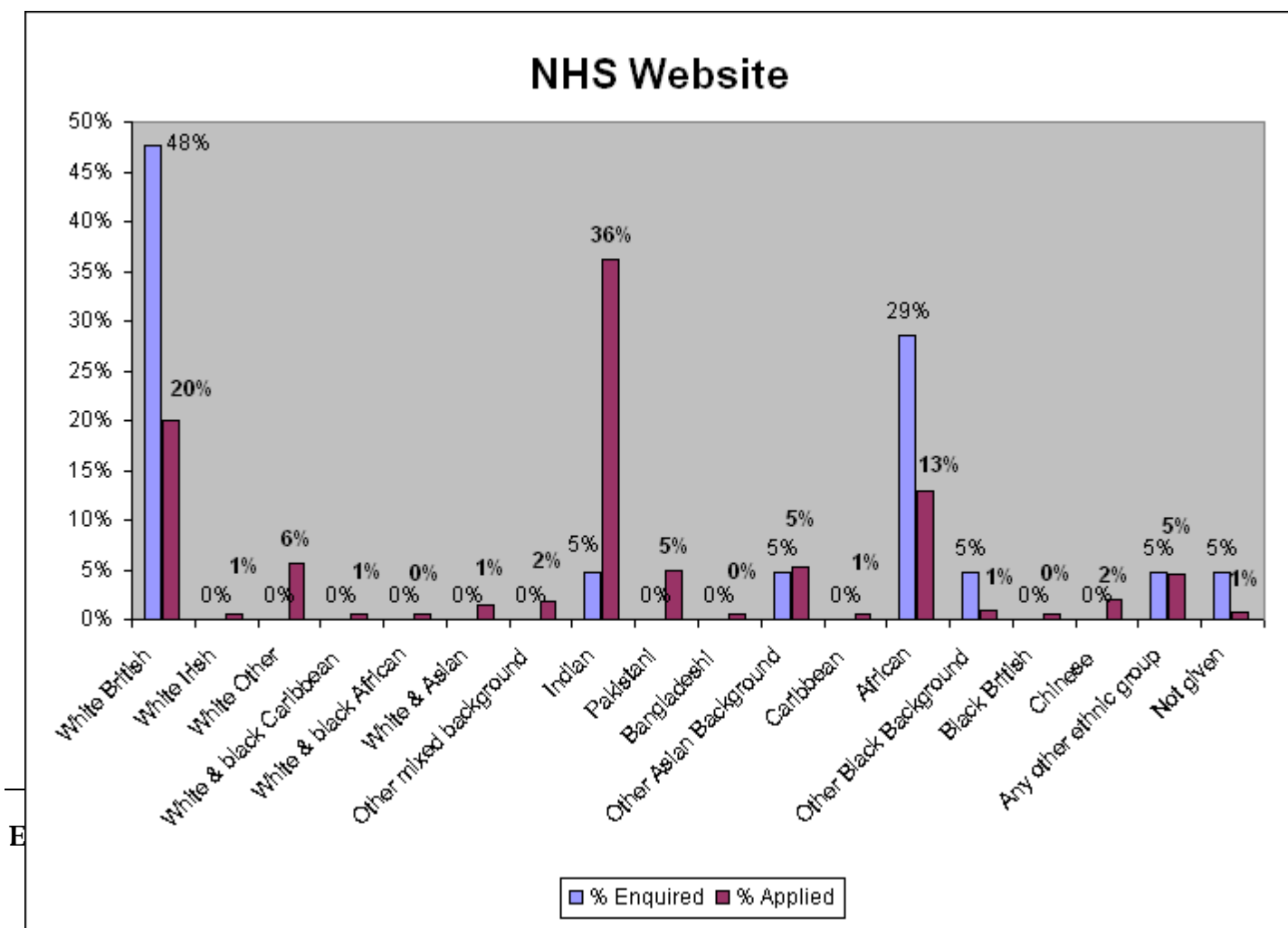
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Applied
White British	19	14.8%	22	13.8%
White Other	2	1.6%	2	1.3%
White & Asian	1	0.8%	3	1.9%
Other mixed background	1	0.8%	1	0.6%
Indian	49	38.3%	60	37.5%
Other Asian Background	10	7.8%	14	8.8%
Caribbean	4	3.1%	4	2.5%
African	40	31.3%	50	31.3%
Chinese	0	0.0%	2	1.3%
Any other ethnic group	2	1.6%	2	1.3%
Total	128		160	



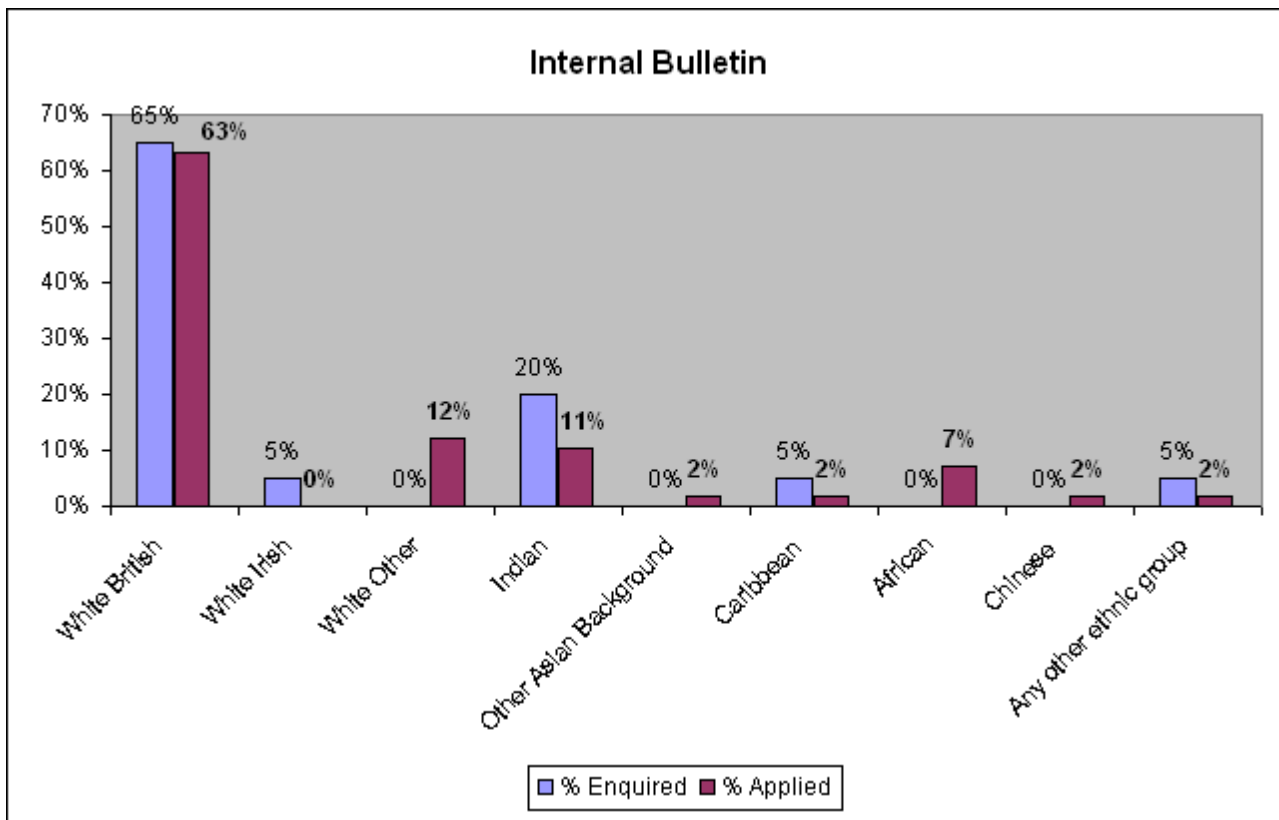
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Applied
White British	10	48%	430	20%
White Irish	0	0%	13	1%
White Other	0	0%	120	6%
White & black Caribbean	0	0%	12	1%
White & black African	0	0%	10	0%
White & Asian	0	0%	31	1%
Other mixed background	0	0%	39	2%
Indian	1	5%	777	36%
Pakistani	0	0%	107	5%
Bangladeshi	0	0%	10	0%
Other Asian Background	1	5%	114	5%
Caribbean	0	0%	13	1%
African	6	29%	278	13%
Other Black Background	1	5%	21	1%
Black British	0	0%	10	0%
Chinese	0	0%	43	2%
Any other ethnic group	1	5%	99	5%
Not given	1	5%	17	1%
Total	21		2144	



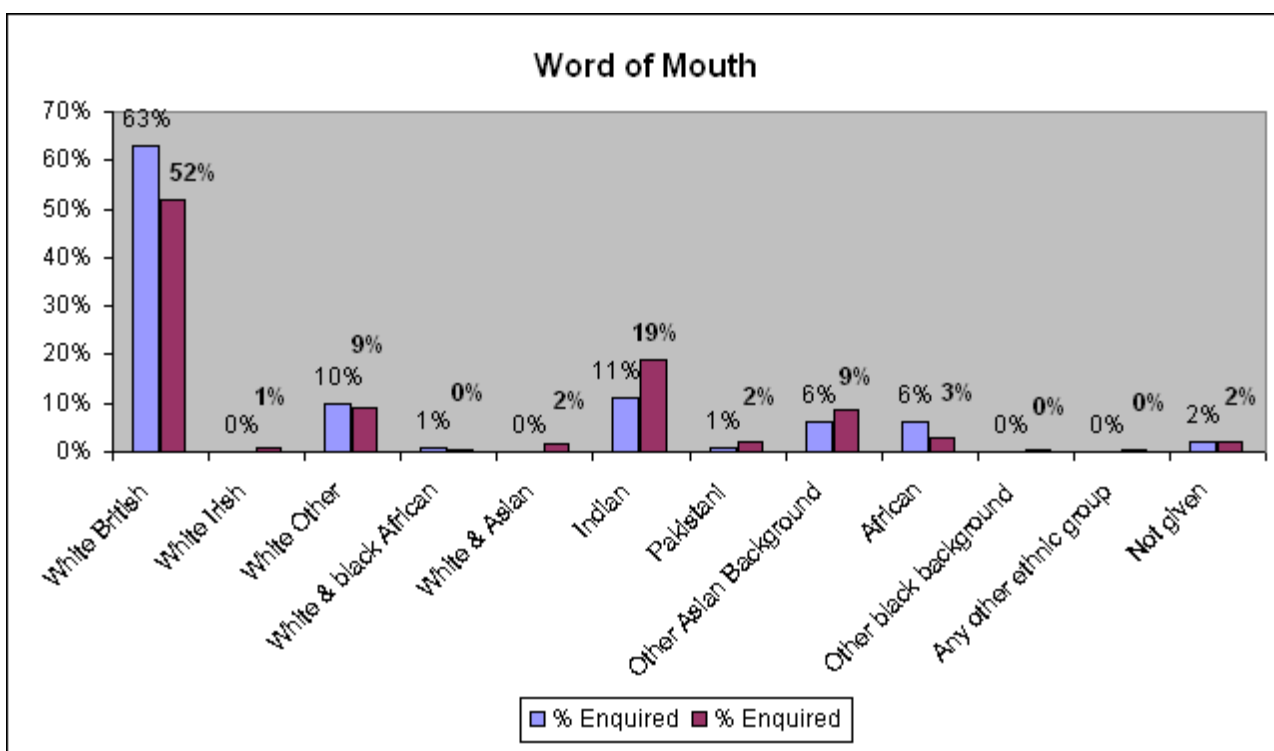
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Applied
White British	13	65%	36	63%
White Irish	1	5%	0	0%
White Other	0	0%	7	12%
Indian	4	20%	6	11%
Other Asian Background	0	0%	1	2%
Caribbean	1	5%	1	2%
African	0	0%	4	7%
Chinese	0	0%	1	2%
Any other ethnic group	1	5%	1	2%
Total	20		57	



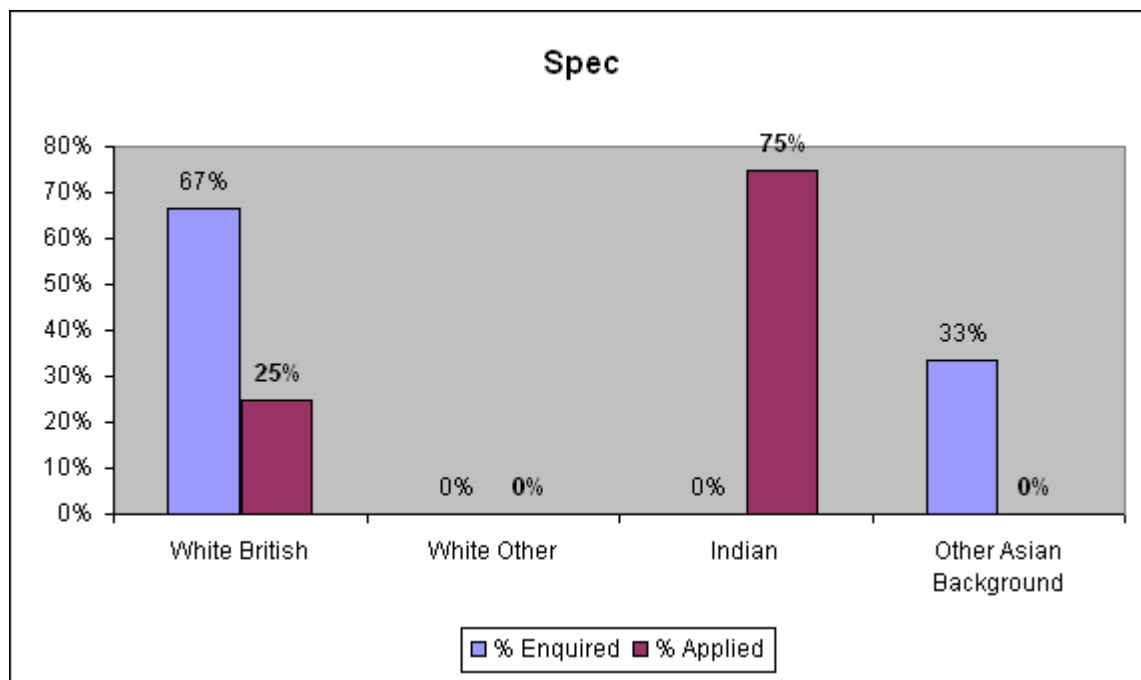
ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Enquired
White British	63	63%	119	52%
White Irish	0	0%	2	1%
White Other	10	10%	21	9%
White & black African	1	1%	1	0%
White & Asian	0	0%	4	2%
Indian	11	11%	44	19%
Pakistani	1	1%	5	2%
Other Asian Background	6	6%	20	9%
African	6	6%	7	3%
Other black background	0	0%	1	0%
Any other ethnic group	0	0%	1	0%
Not given	2	2%	5	2%
Total	100		230	



ETHNIC ORIGIN BY SOURCE OF RECRUITMENT – 1/7/05 TO 31/12/05

Ethnic Origin	Enquired	% Enquired	Applied	% Applied
White British	2	67%	2	25%
White Other	0	0%	0	0%
Indian	0	0%	6	75%
Other Asian Background	1	33%	0	0%
Total	3		8	



Oxford Radcliffe Hospitals

ACTION PLAN

AREA	SHORTFALL	ACTION REQUIRED	BY WHEN
Staff in post	No in depth interrogation of ethnic data	In depth reporting to include ethnicity by band, department, profession etc	August 2006
Applicants	No in depth interrogation of ethnic data	In depth reporting to include ethnicity by band, department, profession etc	August 2006
Applicants	Limited monitoring and reporting of medical applicants	Introduction of computerised recruitment system	August 2007
Promotions	Staff who receive re-banding or are promoted outside of normal recruitment system not monitored	Develop system to identify and monitor these staff groups through PRISM	March 2007
Training & Development	Training booked through Learning & Development is not reported	Develop system to identify and monitor this training through PRISM	October 2006
Training & Development	Training not booked through Learning & Development is not recorded	Investigate use of ESR as managers may be able to enter training information.	March 2007
Appraisal	The Trust does not have a system for monitoring appraisals	All appraisals to be entered onto the electronic KSF tool Develop interim process for monitoring	December 2006 August 2006
Performance & Conduct, Grievance, Bullying & Harassment	No in depth interrogation of ethnic data	In depth reporting to include ethnicity by band, department, profession etc	May 2006
Leavers	No reporting of leavers by ethnicity	Introduce in depth reporting to include ethnicity by band, department, profession etc	August 2006
Leavers	No reporting of exit information	Review exit information process	August 2006