



University
of Worcester



Royal College
of Nursing
West Midlands

**A Realist Evaluation of the Impact of RCN West Midlands'
Cultural Ambassadors Programme on the Disciplinary
Experiences of Black and Ethnic Minority Staff**

An Independent Evaluation carried out by Dr Clare Bennett, Dr Emma Preece,

Natalie Farquharson and Professor Eleanor Bradley from the Institute of

Health & Society at the University of Worcester.

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The RCN West Midlands' Project Team

	<i>Job Title</i>	<i>Project Role</i>
Paul Vaughan	RCN Regional Director	Sponsor and Facilitator for Action Learning
Jane Paterson	Senior RCN Officer	Project Lead
Audrey Bergan	RCN Regional Administrator	Project Worker and Admin Lead
Ruth Burey	RCN Facilitator of Professional Learning and Development	Facilitator for Development Programme and Action Learning
Wendy Irwin	RCN Diversity Lead	Development and Delivery of Training Programme
Maria Lewis	RCN Learning and Development Facilitator	Promotion and Support
Bruno Daniel	Senior Equality and Diversity Lead, Birmingham and Solihull Mental Health Foundation Trust	Training and Mentor

Participating NHS Trusts and other organisations

Sandwell and West Birmingham Hospitals NHS Trust

Birmingham and Solihull Mental Health Foundation Trust

Heart of England NHS Foundation Trust

Birmingham City University

University of Worcester Evaluation Team

Clare Bennett, Research Fellow

Dr Emma Preece, Senior Research Assistant

Natalie Farquharson, Research Assistant

Professor Eleanor Bradley

Table of Abbreviations

Black and Minority Ethnic	BME
Cultural Ambassador	CA
Health Care Assistant	HCA
Human Resources	HR
National Health Service	NHS
Royal College of Nursing	RCN

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Executive Summary

Introduction

Research across the UK has demonstrated that NHS staff from black and minority ethnic (BME) backgrounds often experience inequality, discrimination and prejudice in the workplace. Indeed, BME staff are overrepresented in the national data outlining the number of grievances, investigations and disciplinary hearings against NHS staff. At the local level, BME activists alerted RCN West Midlands to the over-representation of BME staff in relation to grievances, investigation and disciplinary hearings. Focus groups conducted by RCN West Midlands in response to these concerns identified that BME staff believed that they were not adequately supported during formal processes RCN West Midlands subsequently developed the Cultural Ambassador (CA) Programme in which a sample of NHS staff from Band 7 or above received training to identify and challenge cultural bias and discrimination during investigations and disciplinary hearings within four participating organisations. This report sets out the University of Worcester's evaluation of the RCN West Midlands' CA Programme.

Methodology

A mixed-methods design was utilised for the purpose of the evaluation. This approach facilitated the return of detailed and comprehensive feedback regarding the RCN West Midlands CA Programme. The sample consisted of the nine CA programme participants, six programme organisers, five Investigation Team Leaders, three HR Advisors, one Chair of a disciplinary hearing and one BME staff member who experienced a disciplinary hearing which was supported by a CA. Data were collected using questionnaires, focus groups and interviews. This enabled the interpretation of quantitative data using descriptive statistics and the interpretation of qualitative data using thematic analysis. Findings from the evaluation were subsequently contextualised using Realist Evaluation.

Results

The participants who provided feedback during the evaluation welcomed the CA Programme. Indeed, most of the participants believed that the CA Programme could

increase the cultural competence of the participating organisations. Most of the participants also believed that the programme prepared the CAs for their involvement in the formal process. However, it was acknowledged that the skills and knowledge of the CAs would improve with practice and as the participating organisations refined the remit of the CA role.

Several CAs were actively engaged in cases during the twelve months' evaluation period. Most of the participants believed that the CAs were able to identify issues of a cultural nature and challenge cultural bias. However, the frequency of cases and level of involvement varied between CAs. This was associated with lack of engagement by some of the partnership Trust's in relation to ensuring that key staff such as HR were aware of the provisions and requirements of the programme. It was also noted that the lengthy period of time between training and being assigned cases affected the CA's confidence.

Several avenues for development of the CA Programme were also identified. This included greater communication of detailed information prior to enrolment, the inclusion of more practice-based learning, the inclusion of more information regarding legislation and investigative techniques, the development of a competency framework and the introduction of opportunities to shadow other CAs. Several participants in the evaluation also identified the importance of providing skilled leads within the partnership organisations to deliver on-going support and direction to the CAs and leadership and management of the CAs.

Discussion and Conclusion

The CA Programme met the majority of its aims and objectives which were identified by the RCN West Midlands during the design of the initiative. Indeed, substantial progress was made in the development, promotion and application of the CA role during the twelve months of this evaluation. The CA Programme and the CA role were welcomed by most of the participants in this evaluation. However, the participants also identified a number of areas for improvement in the CA Programme and the internal policies and practices relating to the CA role. Despite these avenues for development, this evaluation suggests that the CA role should have a lasting and beneficial impact on the cultural competence of the participating organisation that engaged.

1 Introduction

1.1 Background

Kline's (2014) recent report 'The "snowy white peaks" of the NHS: a survey of discrimination in governance and leadership and the potential impact on patient care in London and England', has brought in to sharp focus the discrimination that many black and minority ethnic (BME) staff in the NHS face. Anderson et al. (2003) has recently highlighted the importance of understanding cultural diversity and challenging cultural bias in the workplace. This is not just for the enhancement of working relationships and equality of staff within organisations, but also to improve service provision by equipping all staff with the same level of skills and support. Indeed, the need to improve the culture and leadership of the NHS in order to ensure all staff members are valued, treated equally and equipped to provide the same exceptional level of patient care has also been recently emphasised by Almino-Metcalf (2012), Berwick (2013), Dawson, (2009), Keogh (2013), Francis (2013) and West (2012). Archibong and Darr's (2009) report, "The Involvement of Black and Minority Ethnic Staff in the NHS Disciplinary Proceedings", found that BME staff were twice as likely to be disciplined in comparison to their white colleagues. They also identified that it was perceived that managers were more likely to discipline BME staff over insignificant matters and that disciplinary concerns involving staff from minority ethnic backgrounds were not always considered to have been dealt with fairly and equitably. The report recommends that in order to challenge poor customs and practices within Trusts, there is a need to devise innovative educational programmes and activities to raise awareness and engender better understanding of cultural differences at all levels within organisations. This demonstrates that there is a consensus in the literature that interventions are needed to improve the cultural competence of the NHS, facilitate equal treatment of all healthcare staff and subsequently improve healthcare provision (Coyle, 1999; Dawson, 2009; Pearson et al., 2007; Purnell et al., 2011). However, it must be acknowledged that there are multiple

attributing factors to cultural bias and interventions will need to be varied and far reaching to address the discrimination and inequalities faced by BME healthcare staff in the NHS.

Although conditions are improving, individuals from BME backgrounds often still face discrimination during their professional training and subsequent careers in the NHS (Berwick, 2013; Kline, 2013, 2014; Sprinks, 2014; West, 2012). For example, healthcare staff from BME backgrounds have been documented to face discrimination during NHS recruitment processes (Kline, 2013) and they are promoted to senior positions within the NHS less frequently than colleagues from non-BME backgrounds (Esmail, 2007). However, appointment and promotion are only two of the numerous areas in which staff from BME backgrounds report discrimination. Indeed, Kline and Prabhu (2015) have recently argued that discrimination against healthcare staff with BME heritage regarding appointment, promotion, access to training, representation during disciplinary procedures and bullying within the workplace has a direct impact on their ability to deliver an appropriate and high standard of care. Furthermore, the Francis (2013) report has recently highlighted that healthcare staff from BME backgrounds who have reported wrongdoings within their organisation frequently feel like they have been treated less favorably than non-BME staff who reported similar issues within the same organisations.

Collectively, these findings suggest that staff from BME backgrounds continue to experience discrimination, prejudice and inequalities in various spheres of their professional careers. Indeed, Sprinks (2014) identified that BME nurses are overrepresented during disciplinary proceedings. Indeed, whilst BME nurses make up 19% of the nursing workforce in England, disciplinary data for 2013 suggests that BME nurses accounted for more than 25% of cases (Sprinks, 2014). This study also highlighted that in a significant number of organisations BME nurses accounted for more than 50% of disciplinary cases. Furthermore, of the thirty-eight organisations that provided suitable data for the study conducted by Sprinks (2014), twelve reported that BME nurses accounted for more than 40% of referrals to the Nursing and Midwifery Council in 2013. These findings suggest that nursing staff with BME heritage are highly over-represented during formal investigation and disciplinary processes in the NHS.

A recent Freedom of Information Act application by Royal College of Nursing (RCN) West Midlands to NHS Trusts across the region suggests that the national picture is mirrored at

the regional level (RCN West Midlands, 2014). Although it was acknowledged that multiple interventions would be required to improve the cultural competence of the NHS, one intervention that was instigated by RCN West Midlands was the implementation of a Cultural Ambassadors (CA) programme which has been piloted in three NHS Trusts across the West Midlands region. A three-day training event was designed and delivered by RCN West Midlands to twenty-four CAs across the three participating NHS Trusts. The programme participants were nurses from Band 7 or above who were trained to sit on all investigation teams and grievance and disciplinary panels that involve BME nursing staff. This report details an independent evaluation of the CA Programme.

1.2 Programme Description

Following RCN Regional Director, Paul Vaughan, being appointed to the West Midlands he identified that there was an issue for BME staff in relation to lack of promotion prospects and discrimination in the work place. This was later confirmed by BME activists who reported that they did not feel confident that the RCN understood their issues well enough to support them through difficult times in their career. In order to get a better understanding of BME nurse's concerns he asked Sharon Pennant, CEO of the Council of Black Led Churches in Birmingham to set up a focus group and when he attended the focus group to discuss these issues with representatives from the BME community, it was identified that the nurses did not require any additional training to fulfill their roles but they felt that they were frequently passed over for promotion, received very little relevant and useful feedback following interview processes and were over-represented in disciplinary procedures. Following this he conceived an idea of creating a role in organisations for a BME member of staff to ensure equity and fairness for BME nurses involved in Disciplinary and Grievance processes. In response to these concerns, RCN West Midlands established a stakeholder group to explore the opportunities to reduce these inequalities. The stakeholder group ran over a course of twelve months and was facilitated by a change consultant and former Birmingham Young Entrepreneur award winner, Joel Graham Blake and Jane Paterson, RCN Senior Officer.

One recommendation made by the stakeholder group was to endorse Paul Vaughan's ideas and to consider training and campaigning for their introduction in Disciplinary and Grievance processes. Following this Jane Paterson was seconded for 12 months to ascertain if the situation in the West Midlands was mirrored nationally and to implement a trial of the concept.

Paul Vaughan determined that this intervention sought to train staff from BME backgrounds who met the criteria of being in Band 7 or above to sit as part of investigation teams or as members of the decision making panels for grievances and disciplinary hearings against BME nurses and HCAs. The rationale for seeking Bands 7 and above to undertake this role was that staff at this level would have an understanding of Disciplinary and Grievance processes and would have the authority, expertise and confidence to challenge in formal settings.

It was agreed that the staff undertaking this role would be called Cultural Ambassadors and that their role would be to identify and challenge any issues of discrimination and/or cultural bias which were observed during these formal processes.

Jane Paterson approached four Trusts to seek a partnership to implement a twelve month pilot of the Cultural Ambassador programme and all four agreed to take part. Prior to implementation of the programme, the RCN explained the project to the Trust Chief Executives, Directors of Nursing, Human Resources (HR), Senior Nurses and Union Representatives. The training programme and evaluations were shared and agreed by the Trusts and, to ensure transparency, two HR managers from each Trust were invited to the training. The aim of this approach was to ensure that all managers within the respective organisations were aware of the programme and would, therefore, support staff in being released to pursue development opportunities and cases.

Flyers advertising the role of the CA and the training were designed and distributed by RCN West Midlands to the four Trusts asking for expressions of interest from Band 7 and above staff from BME backgrounds. RCN membership was not a requirement for entry on to the programme. Two of the Trusts were very timely in circulating the flyers calling for volunteers. Another Trust was very late in circulating them resulting in no volunteers and the RCN received no communication from the fourth Trust despite their initial engagement. Twenty-six expressions of interest were received from one Trust and interviews were held

to select twelve CAs. Twelve expressions of interest were also received from a second Trust, nil were received from the third Trust and two expressions of interest were received from the fourth Trust through direct RCN engagement. Consequently, following this selection process, twenty-four CAs, three HR Managers and one Diversity Lead attended the training days.

The CA Programme included a three-day training event which was designed and delivered by Wendy Irwin (RCN National Diversity Lead) and Ruth Burey (RCN Facilitator of Professional Learning and Development). This was followed by a one-day training event which exposed the Cultural Ambassadors to the process of taking part in investigations and formal disciplinary hearings through the use of role play. This additional day was provided by Bruno Daniel (Equality and Diversity Lead) and Human Resources (HR) managers from Birmingham and Solihull Mental Health NHS Foundation Trust. The pilot for the RCN West Midlands CA Programme went live on the 3rd November 2014 and ran for twelve months following the completion of the initial training.

In October 2014 Jane Paterson returned to her substantive role incorporating the overseeing of the pilot. Ongoing support was provided by the RCN with 6 action learning sets facilitated by Paul Vaughan and Ruth Burey. Jane Paterson held 6 surgeries throughout the course of the pilot and Bruno Daniel provided additional support sessions at Birmingham and Solihull Mental Health Trust.

1.2.1 Aims of the RCN West Midlands CA Programme

The CA Programme was designed and implemented to meet the following objectives:

- BME nurses will have more confidence in the formal disciplinary process.
- Issues of a cultural nature will be identified and challenged during the formal process.
- Any acts of cultural bias will be identified and challenged during the formal process.
- Fewer cases will proceed to a disciplinary hearing.
- BME nurses will be better supported from the onset of the formal disciplinary process.

- The training and support of the Cultural Ambassadors will equip them to carry out their role.
- CAs will be included and regarded as part of the investigation teams and grievance / disciplinary hearing panels.
- CAs will experience the value of their role in influencing fairer outcomes for BME staff.
- CAs will be able to disseminate their learning amongst colleagues to enable a better understanding of the nature and effect of discrimination, cultural bias and the impact of cultural behaviour.

1.3 Aim and structure of the evaluation

The University of Worcester was commissioned by RCN West Midlands to evaluate the CA Programme. This evaluation aimed to:

- Evaluate whether the RCN West Midlands' CA Programme has achieved its objectives.
- Produce a report disseminating the findings of this evaluation.

To meet these aims, the objectives of this evaluation were to:

- Carry out focus group interviews with course participants at the end of the programme, and at six months, eight months and twelve months after the initial training event.
- Provide guidance to RCN West Midlands in the design and administration of questionnaires for: BME staff who are the subject of an investigation, BME staff who have logged a grievance, BME staff who have had a grievance lodged against them, BME staff who are involved in a disciplinary hearing, the CAs, the lead Investigation Officer, the HR Advisor to the panel and the Chair of the panel.
- Analyse the questionnaires that are designed and administered by RCN West Midlands.
- Analyse data, requested by RCN West Midlands, from each Trust relating to workforce banding and disciplinary and grievance processes by banding and

outcome, twelve months before the intervention and in the twelve months afterwards.

- Synthesise the findings of this evaluation with others through a comprehensive literature review.
- Complete a report for dissemination two-months post completion of the project.

1.4 Summary of the introduction

Previous research demonstrated that NHS staff from BME backgrounds often experience inequality, discrimination and prejudice in the workplace. Indeed, BME staff are overrepresented in the national figures outlining the number of grievances, investigations and disciplinary hearings against NHS staff. Consequently, it was identified that interventions were needed to improve the cultural competence of the NHS and to facilitate the equal treatment of all healthcare staff. It was argued that this could be partially accomplished through initiatives which improve intercultural understanding and promote a greater sensitivity to cultural bias within the workplace.

At the local level, BME activists alerted RCN West Midlands to the over-representation of BME staff in relation to grievances, investigation and disciplinary hearings. Initial focus groups conducted by RCN West Midlands in response to these concerns identified that BME staff believed that they were not adequately supported during formal processes RCN West Midlands subsequently developed the Cultural Ambassador (CA) Programme in which a sample of NHS staff from Band 7 or above received training to identify and challenge cultural bias and discrimination during investigations and disciplinary hearings within four participating organisations.

This report sets out the University of Worcester's evaluation of the RCN West Midlands' CA Programme.

2 Methodology

2.1 Design

A mixed-methods design underpinned this evaluation. The methods employed included secondary analysis of workforce data, the analysis of questionnaires administered by RCN West Midlands and the administration and analysis of focus group interviews with the Cultural Ambassadors, questionnaires administered to the CAs and one-to-one interviews with the programme organisers. Qualitative data was analysed thematically and quantitative data was analysed using descriptive statistics.

A partnership approach between RCN West Midlands and University of Worcester was essential for the success of this evaluation. RCN West Midlands was responsible for providing their questionnaire and Trust data as well as assisting in setting up the focus groups. The University of Worcester was responsible for conducting the focus groups, interviews and distributing its questionnaires, analysing the qualitative and quantitative data and reporting on it in the form of a final report.

2.2 Sample

The CA Programme participants mostly consisted of Band 7 and above nurses who were trained to sit on all investigation teams and grievance and disciplinary panels that involve BME nursing staff, but also included other healthcare professions such as Pharmacists, Information Analysts and Managers. All participants who completed the CA Programme were invited to take part in the evaluation of the programme during focus groups. However, only nine CAs agreed to participate in the evaluation. The sample also consisted of six programme organisers, five Investigation Team Leaders, one Chair of a disciplinary hearing and one BME staff member who experienced a disciplinary hearing while a CA was present. However, both the University of Worcester and RCN West Midlands acknowledged that

participants who viewed the CA Programme favourably may have been more likely to participate in the evaluation.

2.3 Procedure

The evaluation of the RCN West Midlands CA Programme was undertaken throughout the twelve months following the taught programme. The following methodologies were utilised during this evaluation.

2.3.1 Focus groups

The original intention was for eight focus groups to be conducted during the evaluation of the CA Programme. Indeed, the evaluation team aimed to schedule two focus groups two-months post-course completion, six-months post-course completion, eight-months post-course completion and twelve-months post-course completion. Each focus group was designed to last between 45-60 minutes and all of the focus groups were conducted in a private room at the Royal College of Nursing (RCN) in Birmingham. However, due to recruitment issues, not all of the scheduled focus groups took place during the evaluation and on one occasion an interview had to be utilised to maximise the return of data. Therefore, four focus groups and one interview were conducted during the course of the evaluation.

2.3.2 Formal process questionnaires

RCN West Midlands distributed questionnaires to all of the CAs, Investigation Team Leaders, Chairs and HR Advisors who participated in the formal processes and BME staff members who were undergoing investigation or formal disciplinary hearings during the course of this evaluation. The aim of these questionnaires was to identify the respondents' involvement in formal investigations and disciplinary hearings and experience of the CA role. A total of sixteen Formal Process Questionnaires were returned.

2.3.3 Reflective questionnaire

Due to recruitment issues, a reflective questionnaire was also developed to explore the CAs experiences of the programme and the challenges they experienced while performing their CA role. This consisted of an open-ended text box with a brief series of prompts.

2.3.4 Programme organiser interviews

Interviews with the programme's organisers sought to examine the programme organisers' personal observations, experiences and perceptions of the impact of the CA Programme. Each interview lasted twenty to thirty minutes.

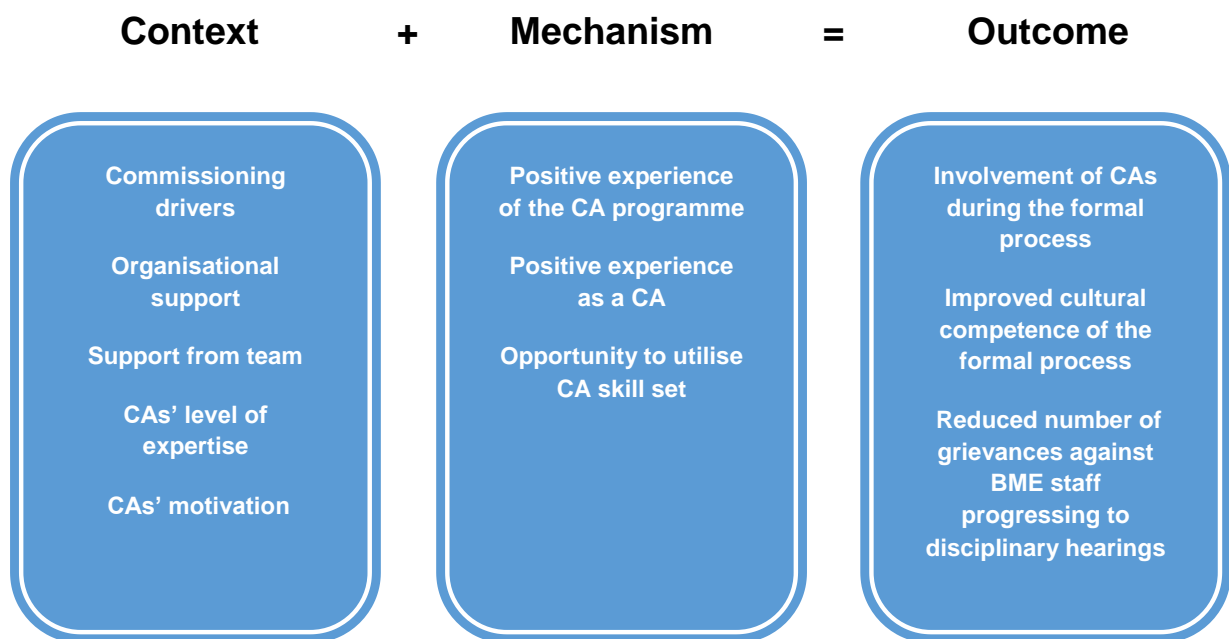
2.3.5 Internal evaluation

An internal evaluation was also undertaken by Bruno Daniel (Equality and Diversity Lead, Birmingham and Solihull Mental Health Foundation Trust) to explore the experiences of the CAs and the sustainability of the CA role.

2.3.6 The realist evaluation

Pawson and Tilley's (1997) realist evaluation was chosen because it facilitated detailed insights in to the programme's impact. As such, it was recognised that the interaction between the participant's individual context (e.g. organisational culture) and the mechanism (i.e. the CA programme) would create the programme's impacts or outcomes. In other words, Context + Mechanism = Outcome (see Figure 1).

Figure 1 Theory of Change Impact Map



2.4 Data management and analysis

As recommended by Gale et al. (2013) and Srivastava and Thomson (2009), data from the focus groups and interviews were entered into a framework which was organised according to question and time point. The framework was examined for reoccurring themes between and within cells, which enabled the researchers to identify recurrent themes both within and between focus groups. Data from the formal process questionnaires were synthesised and summarised for key findings. The same process was also adopted in relation to the data from the reflective questionnaires and internal evaluation.

2.5 Summary of the methodology

A mixed-methods design was utilised for the purpose of the evaluation. This approach facilitated the return of detailed and comprehensive feedback regarding the RCN West Midlands CA Programme. The sample consisted of the nine CA programme participants, six programme organisers, five Investigation Team Leaders, three HR Advisors, one Chair of a disciplinary hearing and one BME staff member who experienced a disciplinary hearing which was supported by a CA. Data were collected using questionnaires, focus groups and interviews. This enabled the interpretation of quantitative data using descriptive statistics and the interpretation of qualitative data using thematic analysis. Findings from the evaluation were subsequently contextualised using Realist Evaluation.

3 Results

3.1 Findings from the CA focus groups

The following sections outline the findings from the data collected via the focus group and interview discussions with the CAs at two, six, eight, and twelve-months post-course completion. At two-months post-course completion, three CAs participated in a focus group and one CA participated in an interview. At six-months post-course completion, four CAs attended a focus group while at eight and twelve months' post-course completion, two CAs attended the focus groups. To maintain confidentiality and anonymity of participants, data were synthesised and analysed for emerging themes but some distinctions were drawn between time points. The emerging themes, which are discussed below, were also corroborated by one of the action learning set facilitators.

3.1.1 The RCN West Midlands CA Programme

The RCN West Midlands CA Programme was viewed positively by the CAs across all of the time points. Indeed, all of the participants in the focus group praised the development of the programme, the delivery of the material and the support provided after the course via the action learning sets.

From as early as six-months post-course completion most of the CAs felt that the CA Programme had equipped them with the theoretical knowledge, skills and awareness needed to undertake the CA role. Although at eight-months post-course completion one of the CAs emphasised that the training programme alone could not fully prepare the CAs in undertaking the role:

"I don't think the training totally prepares you. It is the experience and the people that you work with that you get a better understanding and a better feel for what the role is and the impact of the other panellists."- Participant CAJ314

There was also a consensus at two, six, eight and twelve-months post-course completion that the CAs skill set would improve with practice during cases and experience of undertaking the role in practice.

The CAs who participated in the focus groups also identified a number of potential avenues for development of the CA Programme. Indeed, there was a consensus that the CAs required more information relating to the course and the role prior to the start of the training. For example:

“The information regarding the amount of time which could be spent was a bit woolly, because it’s not quite as clear cut as going on your study days, to be on panels, learning sets. So it’s quite time consuming.”- Participant CAD114

However, one of the CAs who participated in the six-month post-course focus group stated that they were fully aware of the CA role and the CA Programme before they began the training due to information contained on staff intranet. This CA identified that staff intranets may be a useful tool for sharing information about the CA role and the CA Programme before the start of the training.

While the CAs believed that the action learning sets were valuable in terms of their development in the CA role, it was suggested that more information on individual Trust policies in relation to investigations and disciplinary processes would have been beneficial as part of the training programme:

“The training equipped me with knowing what the role was about. But it would have helped to know about the local policies and grievance policies and how things were done within our local Trust... If I had that knowledge I would have been able to support that client where I was a bit unsure. I don’t think you need a working knowledge of the law, but you need some basics about what you can and can’t do.”- Participant CAO412

At two-months post-course completion one of the four participants felt that the CA Programme should be tailored to the specific and individual learning needs of the programme participants and that the programme should include more information on legislation. However, this suggestion did not reoccur. Indeed, most of the CAs who provided feedback at two, six and eight months’ post-course completion felt that they would benefit

from more practical training in the form of mock scenarios and role play, to equip them to undertake the CA role, possibly making the CA Programme longer. For example:

“...I think going back to the training and the extended training and being able to actually perform the role in a role-play, maybe on my first interview I wouldn’t have been so nervous or even a little apprehensive about asking my questions...”- Participant CAD113

Participants who provided feedback at six and eight months’ post course completion also suggested that the course should be extended over a longer period of time. The idea of competency frameworks for the CA role was also put forward by participants at six and eight months’ post-course completion, because this was seen as an approach that could ensure that all CAs were equipped with the appropriate skills for the role and that the role was being delivered at a high standard.

At eight-months post-course completion, both participants recommended that other factors in addition to CAs needing to be Band 7 or above to become a CA should be considered, such as leadership qualities and the ability to influence others. Furthermore, at twelve-months post-course completion, it was also suggested that HR representatives from each Trust should be present during CA training to provide more knowledge and support in relation to local policies.

3.1.2 Perceptions of the CA role by participants

The perception of the CA role differed over the period of the evaluation, for example, at two-months post-course completion, participants were still unsure of the role but they hoped that the CA role would have a positive impact on the investigation/disciplinary processes for staff, by ensuring that the process would be fair and unbiased with the CA being able to identify and challenge any instances of cultural bias. One of the four CAs stated that they hoped that the introduction of the CA role would restore BME nurses’ faith and trust in the investigation/disciplinary process, while another CA felt the role should make people more aware of their behaviour and how it may affect others, encouraging people to become understanding of and respectful towards other cultures. Notably, one of

the four CAs hoped that the mere introduction of the CA role would potentially deter the number of disciplinary cases and grievances being placed on BME staff unnecessarily:

"I'd like to think that there will be a reduction in the number of BME staff being taken to disciplinary or having grievances placed against them, in the knowledge that there is going to be a person in place, i.e. the Cultural Ambassador, that is going to be looking for any form of bias. I'd like to think that the very mention of our name or our role being present in a type of disciplinary investigation or panel will potentially deter people from making allegations or putting people forward for disciplinary and grievances unnecessarily."- Participant CAD113

At six-months post-course completion, the CA role was seen more as an opportunity to support BME nurses' by identifying and challenging cultural bias and discrimination during investigations and disciplinary hearings. The CAs also believed that part of their CA role was to improve equality and fairness in the workplace. For example, one of the four CAs stated that they had wanted to become a CA to support BME staff members not just in a formal situation but within their organisation in general:

"...my aim of joining in and expressing interest was just to learn more about how to support other staff in the work cultures that we find ourselves in. How to be the best, despite the fact that you are from a Black and Ethnic minority, without prejudice or fear."- Participant CAA219

At eight-months post-course completion, the CAs were more confident in their interpretation of the CA role. Indeed, the CAs believed that the introduction of the CA role was to reassure BME nurses that they would be facing a fair investigation or disciplinary process as the CA would be able to identify any potential cultural bias or discrimination within the processes. An example of the impact of the CA Programme was given by one of the two CAs, who had found that they were able to ask questions during the formal process and challenge any issues of cultural bias or discrimination during the formal process.

3.1.3 Undertaking the CA role

The participants' experiences of undertaking their CA role evolved substantially between the two, six, eight and twelve months but there was some consensus between the CAs who provided feedback across the time points.

According to all of the CAs who provided feedback, the CA Programme played a large role in their understanding of the investigation/disciplinary process and it helped them to develop the skills to undertake the CA role during the formal process. For example:

“For me, trying to ensure all aspects are covered and we’re not just focussing on certain elements [during investigations/disciplinary process]. We are covering all eventualities and asking certain questions and making sure... So when we come to an outcome decision we have all the evidence and all the information that we need to make an informed decision...”- Participant CAA217

“...We’ve been attending the action learning sets for quite some time and that gives us, helps us, in the way that we throw in the questions, not really direct, not throwing in your own opinions. It’s just trying to get the information out of them and at the same time passing on the information that you want to get across.”- Participant CAA219.

However, at two and six months’ post-course completion, some of the participants stated that they were initially unsure of what had been expected of them in their CA role and whether they would be able to fulfil all of the duties associated with the role. Some of the CAs felt that although they had taken part in the programme, being involved in cases would give them a true indication of whether the programme had fully equipped them to undertake the CA role:

“We’ve definitely got a greater insight into different types of biases, but putting that into practice is going to be key. It’s a learning process, and trying to pick those out. Because when you are faced with a case and sat with witnesses and other team members, it’s trying to keep that in your head and things to look out for...”- Participant CAD113

“It has helped us to understand, but I’m not fully equipped at the moment. But as time goes on I might be gaining a better understanding of the process.”- Participant CAD115

Indeed, one of the CAs who provided feedback at two-months post-course completion attributed concerns over undertaking the CA role to a lack of prior experience in being involved in investigation/disciplinary processes and a lack of focus in the programme of being part of an investigation/disciplinary process. This suggested that participants’ anxiety may have related, in part, to the novelty of the role.

However, the CAs also expressed concerns about being able to challenge inappropriate behaviour (e.g. of work colleagues and those in more senior roles), with some anxieties being expressed in relation to acting as a CA and monitoring performance. For example:

"... For a lot of us some of the anxieties that were coming out were actually sitting and forming part of the panel or disciplinary team, and how to actually ask the questions."- Participant CAD113

"I've personally had some anxieties about, am I doing the role justice as a CA? Because we haven't had anything to benchmark ourselves against. So, when we are in investigations or on the panels, I'm not quite sure what I should be expecting from myself, let alone trying to eradicate any form of bias."- Participant CAA217

Despite these concerns one of the CAs who provided feedback at eight-months post-course completion identified that they felt able to identify bias in the formal process, but they were also able to identify when a case was handled fairly. The participant stated that their experience of undertaking the CA role had allowed them to understand the investigation/disciplinary process:

"It is the experience and the people that you work with that you get a better understanding and a better feel for what the role is and the impact of the other panellists."- Participant CAJ314

Furthermore, at twelve-months post-course completion, one of the CAs stated that while they felt apprehensive about acting as a CA, their understanding of the importance of the CA role and its potential impact motivated them to carry out their role confidently. This suggested that the CAs level of anxiety may not have reflected an inability to perform the role, but rather apprehension about performing new duties:

"I think at first, I didn't feel that confident at first on the panel...I was a bit apprehensive... But I realised, in order for me to support that person I needed to be confident and speak up, otherwise it could be detrimental for that person."- Participant CAO412

However, the CAs identified that their ability to perform their CA duties was hindered by several restrictions on their attendance during the formal process. The CAs also felt more involved in disciplinary cases than investigations. For example:

“I think I felt more part of the disciplinary panel because you hear the case within a day or two and it’s always the same people there. I don’t feel like I’ve always been part of the panel in the investigation, because HR and the investigation team see other people and the only time I’ve been called to do it is actually just to see the accused... So then you feel like you’re not contributing to the case...”- Participant CAJ314

“With the investigations I do feel that it’s just given to you on the day and there’s no meeting beforehand. And that was my first one, so I could have done with being talked through what has gone on, what have they already done, what have they already investigated?”- Participant CAJ311

A number of other barriers to successfully undertaking the CA role were identified by the participants across two, six, eight and twelve months’ post-course completion, including:

- Concerns regarding the time constraints of training.
- Varying levels of understanding of the investigation/disciplinary process.
- Concerns about being able to access support (e.g. peer or organisational support).
- The physical and emotional demands of the role on the CAs.
- A perceived lack of awareness of the CA role within participating organisations.
- A perceived lack of consensus regarding the remit of the CA role.
- Potential resistance to change within some of the participating organisations.
- Difficulties performing the CA role alongside their everyday role.
- Concerns about integration in to the investigatory teams and disciplinary panels.
- Concerns about not receiving sufficient information about cases.
- Anxiety about challenging colleagues and senior members of staff.
- Concerns about being viewed negatively by colleagues and managers.
- Difficulties maintaining the CA skill-set if CAs are not actively involved in cases.
- Discrepancies between the number of referrals to each of the CAs.

3.1.4 Involvement in cases

Involvement of the CAs during investigations and disciplinary hearings varied between CAs and time points. At two-months post-course completion, one of the four CAs who provided feedback was preparing for an investigation and another had recently started to work on a case. At six-months post-course completion, two participants had been involved in

investigations or disciplinary hearings, one participant had experienced some involvement on a formal case and another participant had not yet been involved in any investigations or disciplinary processes. At eight-months post-course completion, one of the two participants who provided feedback had been involved in disciplinary processes and investigations. The other participant had just begun involvement on their first case. Finally, at twelve-months post-course completion, of the two participants who provided feedback, only one of the participants had been involved in any disciplinary/investigatory processes. The other participant reported being more able to look more in to cases through the knowledge gained in the programme, but was not directly involved. This demonstrated that some of the CAs were actively involved in investigations and disciplinary hearings at the times of the focus groups.

3.1.5 Perceptions of the role by others

The participants' impression of the level of understanding about the CA role within their respective organisations varied considerably between CAs, the time points and the participating organisations. For example, at two-months post-course completion, the participants were not sure if their organisations were fully aware the CA role or if staff and managers understood the remit of the role. One of the four CAs who provided feedback two-months post-course completion also stated that there were some inconsistencies in ensuring CA involvement within their organisation.

At six-months post-course completion, there appeared to be a varied view regarding the awareness of the CA role depending on the organisations that CAs worked for. For example, some of the CAs reported having a positive and supportive experience of the CA role due to their organisation having an awareness and positive attitude towards the CA initiative which meant that CAs were involved in the relevant investigations or disciplinary panels and had all the information needed in relation to a case. Furthermore, the CAs identified that the active promotion of the CA role by an Equality and Diversity Lead at one of the participating organisations significantly increased awareness and acceptance of the CA role.

However, despite the implementation of the CA role within other participating organisations, at eight-months post-course completion, one of the two CAs stated that

there was still a lack of awareness from some of the individuals involved in the formal processes, such as the union representatives.

At twelve-months post-course completion, participants felt that more awareness of the CA role was needed both within their organisation and during a formal process to effectively overcome cultural bias. The participants felt that the CA role should be defined within the investigatory/disciplinary panel so that all members and the person under investigation had a full understanding of the purpose of the CA within the formal process:

“I think there are still some people who have got their attitudes and beliefs, and there will still be those problems for BME staff, regardless of a CA being there. I think, if more people were aware that someone was going to be there supporting them, probably it would be different. But because so many people aren’t aware of it, they are just continuing as normal.”- Participant CAO412

All CAs who provided feedback agreed that more extensive promotion of the CA role was required to increase awareness of the CA role within the participating organisations, for example:

“We need to be exposed to the point where staff are asking for the Cultural Ambassador. It needs to be the staff that are asking for the Cultural Ambassador, because they know our role.”- Participant CAA222

“Certainly having the Chief Executive’s buy-in is key... But that needs to be filtered through the lines of communication all the way through to investigation teams and panels...Building it in to policy.”- Participant CAD113

“I don’t feel at the moment that enough people, or key people know about the role. So we talk about it and explain our existence... our role and what value we add to the investigation team.”- Participant CAD113

3.1.6 Impact of the CA role on the programme participants

Most of the CAs who provided feedback at two, six, eight and twelve months’ post-course completion found that the training and the CA role had a somewhat positive effect on them in terms of their behaviour and their awareness outside of the formal process. For example, participants found that taking part in the programme and becoming a CA made them more aware of the behaviours of others and of themselves. As early as two-months post-course completion, some of the participants felt more confident in undertaking their role and

challenging inappropriate behaviour both within the formal process and also within their organisation and in external situations, therefore extending the role of the CA beyond the scope of the formal investigatory, disciplinary process. The CAs also reported that they were less tolerant of behaviours that they may have previously ignored, for example:

“Certainly for me, it heightened the importance of not only your own behaviour but also behaviours you see in colleagues. Whereas before you would let it go, it’s important to challenge those statements or beliefs or values that other people that may be showing bias or treating people differently. That certainly brought it home for me, those 3 days. Because I think you become complacent over the years. Sometimes it can be seen as a joke, but it really isn’t funny...”- Participant CAD111

*“A crucial part of the role is to ensure that staff are treated well, but there’s no point in doing that if you’re not going to challenge day to day practice.”
- Participant CAD111*

By six-months post-course completion, a change in thinking and approach to situations where cultural bias had occurred was reported. Participants felt more confident to challenge inappropriate behaviour; although one of the four participants felt that they required more guidance on challenging different issues that may arise:

“I think previously there would have been a level of nervousness. Am I allowed to ask those questions? Am I only allowed to talk about my own culture?... Because it can be seen as being sensitive. But actually, since becoming a Cultural Ambassador, we just need to talk about it.”- Participant CAA217

As with the feedback provided two-months post-course completion, the CAs found that they were able to extend the CA role beyond that of the formal process six-months post-course completion. Indeed, one of the four CAs who provided feedback had used the CA role to promote inclusion and acceptance within their organisation and participants also found that they were able to confidently challenge behaviours within their working environments:

“It’s part of me now... It would be very difficult not to use what we have learnt in a situation that may come to us that has any of this background.”- Participant CAA222

The CAs who provided feedback eight and twelve months’ post-course completion also felt that the programme had increased their awareness of inappropriate behaviour of a cultural

nature and it had increased their understanding of how this behaviour may affect others and how others may react in different ways to this type of behaviour. Indeed, one of the two participants found that they had become aware of inappropriate behaviours that they would have previously tolerated or not taken offence to:

“If we weren’t friends and we were just working together, would it bother me more? Does it make it right for them to say those things? It has made me question things like that. Have I allowed that to happen? And because they’ve said it to me they might think it’s okay to say it to someone that they’re not close to because I can take it. I am just enabling them to carry on... It’s made me realise by not saying something, how much are you or we letting it happen?”- Participant CAJ311

Two of the CAs who provided feedback during the twelve-month post-course focus group also felt that the training had made them more aware of instances of cultural bias and felt confident in being able to challenge situations within an investigatory/disciplinary process and within their work environment, for example:

“Even before coming on the training that’s something that I look at and will say something. But coming to the training has highlighted it and has made some of it a bit more obvious”- Participant CAO411

“If I see things going on or a colleague comes to me I will advise them...I feel I have the knowledge to tackle it and deal with it in the correct way.”- Participant CAO412

However, at twelve-months post-course completion one of the two CAs reported that they were hesitant to challenge bias or discrimination without gaining sufficient knowledge in order to make an informed decision. It was also noted that it may be difficult to challenge the attitudes of staff who may have worked in their organisation for a long time.

3.1.7 Impact of CA involvement on the formal process

By as early as two and six months’ post-course completion, the CAs felt that they had had a positive impact on ensuring the investigation/disciplinary process was fair for BME staff. However other potential impacts that they may have had on investigations or disciplinary processes also arose. Although one of the CAs had noticed a decline in the number of cases within their organisations, the CA acknowledged that it was difficult to measure whether

the presence of the CAs had had a direct impact on this. One of the CAs speculated that the role may have made other staff on investigation teams and disciplinary hearing panels more aware of their own cultural biases and subjective opinions about BME nurses. Indeed, one of the CAs explained that they had been able to identify and challenge preconceptions of a BME staff member under investigation by the team prior to the formal process taking place, thereby making others more aware of their cultural biases.

One of the four CAs who provided feedback at six-months post-course completion reported that there had been tensions within the investigation/disciplinary processes in terms of CAs asking questions that were considered to be beyond the CA remit. However, it was also identified that there may be some difficulty in knowing what would be appropriate for a CA to ask or be involved in with no benchmark relating to the specific duties and scope of practice for the CA. Conversely, it was thought that the CAs may cause some insecurity if they were examining areas, undertaking duties (e.g. ensuring a fair process) or asking questions that were being avoided by other established members of the investigation team or disciplinary panel.

However, by eight-months post-course completion, one of the CAs believed that their involvement in the investigatory/disciplinary process allowed for the identification of bias to occur earlier on in the process and made for a smoother process:

“What I’ve noticed is the investigations where there has been a CA, the disciplinary is easier to manoeuvre and conclude...”- Participant CAJ314

Furthermore, one of the CAs had been able to make suggestions to improve the way in which cases were handled. The CA identified that their suggestions were fully considered by the panel and actioned when appropriate. However, as with the feedback provided at six-months post course completion, the CAs who provided feedback at eight-months post-course completion also noticed interpersonal conflict and personality clashes when undertaking the role. However, despite this conflict, the CAs felt that the presence of a CA gave confidence to those under investigation.

At twelve-months post-course completion, one of the two CAs who provided feedback felt that questioning to ensure fairness would probably be absent if a CA was not present during the formal process. However, one of the CAs found that they were positively involved in

panels during the formal process which included being part of the whole process, examining and discussing evidence and decision making. The CA also reported that they were given opportunities to challenge bias and decisions. However, it was also felt that although CAs were able to challenge cultural bias during the formal process, this would not necessarily change attitudes of a culturally biased nature, for example:

"I think there are still some people who have got their attitudes and beliefs, and there will still be those problems for BME staff, regardless of a CA being there."- Participant CAO412

"I know in the cases that I had they still felt that there were issues of racism in the actual process. And they just felt as though nothing had been done about it. Although they got to keep their jobs, the people they felt were involved in the racism just carried on as normal. So, some of them think that things are just brushed under the carpet."- Participant CAO411

It was also felt by one of the two CAs that cultural bias and racism were something that not only needed to be tackled during the formal process but also to be tackled from a senior level, downwards, within organisations.

3.1.8 Maintaining skills

Although all of the CAs praised the support and guidance they received from RCN West Midlands, some of the CAs also expressed concerns that their skills would decrease or be lost if they were not put in to practice or not used regularly. However, the suggestions for maintaining the CA skill set varied across the CAs, participating organisations and time points. For example, most of the CAs reported that the action learning sets, 360-degree learning and the use of case studies provided by the programme leaders were helpful in maintaining and refreshing their CA skills. Some of the CAs also found support from peers, their managers, investigation teams, disciplinary hearing panels, their Chief Executives and the Equality and Diversity Leads within their organisations. However, this was contrasted by some of the CAs reporting a lack of support within their organisations, for example:

"I think the support networks from the tutors are quite good...But for me, nobody in the Trust knows it [CA role], that I can see on the ground floor. Not even my manager knew about it..."- Participant CAD115

In relation to future support by the RCN West Midlands, some of the CAs who provided feedback at two, six, eight and twelve months' post-course completion suggested that information relating to the CA role should continue to be disseminated within the participating organisations to raise awareness of the remit of the CA role.

By six-months post-course completion, investigation teams and disciplinary hearing panels had provided feedback to the CAs regarding their involvement in cases. The CAs identified that this had allowed them to monitor their own progress. However, the CAs suggested that a handbook or competency framework could be developed as a means to monitor CA performance and, in turn, support future investment of the CA role. This recommendation was also made by CAs at six, eight and twelve months' post-course completion:

“So I think it would be good if we had something like the students have, a competency booklet and you tick off certain things that you’ve achieved, and you’ve got a timeframe to achieve those things. That could push the organisation to ensure investment is well spent. There’s more structure to it, it’s more tangible and it can be measured. At the moment it’s not being measured.”- Participant CAA222

“We’re all from different backgrounds and have different experiences. If there was a standard that everybody had to have I think that would be better. Even if it was a minimum standard that people needed to reach so that there is equality in the support that people are getting.”- Participant CAJ314

A ‘buddy system’, networking and shadowing of other CAs were also suggested as another possible support mechanism for the CAs whereby a less experienced CA could shadow a more experienced CA or CAs could offer peer support.

3.1.9 Summary of findings from the focus groups

The findings from the focus groups suggested that the CA Programme had had a positive impact on the participants from as early as two-months post-course completion in that they were more aware of their own behaviour, more observant of others’ behaviour relating to cultural issues, less tolerant of inappropriate behaviour and more willing to challenge

inappropriate cultural bias and discrimination than they were prior to undertaking the CA role.

From six-months post-course completion, some of the participants also felt that CA presence enabled others to become more aware of their own behaviours and attitudes. Indeed, most of the participants felt more confident in challenging behaviours and incidences of cultural bias within the formal process but also within their respective organisations. The participants felt able to examine areas within a formal process that may usually be avoided due to a possible fear of causing offence and they felt that they gave confidence to BME staff under investigation. However, some participants felt that the degree of involvement and integration of the CA role varied between investigations and disciplinary processes. Participants also accepted that their knowledge and skills would increase with experience.

Similar to the view expressed by participants at two, six, and eight-months post-course completion, participants in the twelve-month post-course completion focus group felt that the CA Programme had equipped them with the knowledge and increased awareness to be able to confidently challenge issues of cultural bias within the formal process and within their organisation. It was also felt that being given the opportunity to undertake the role soon after training and being regularly involved in investigations or disciplinary cases was key in maintaining confidence, role competence and enthusiasm. However, having knowledge of local Trust policies in relation to investigatory/disciplinary processes was felt to be something that was needed during training in order to effectively undertake the CA role within a participant's own Trust. HR involvement during training was suggested as a way of gaining knowledge of local policies. Furthermore, issues such as a lack of awareness and understanding of the CA role from others and work commitments again arose as some of the barriers to undertaking the CA role. Positive experiences of being involved in formal cases were expressed which included being involved throughout the whole process and being given the opportunity to challenge decisions. However, it was felt that being given these opportunities would not necessarily change culturally biased attitudes and this would need to be challenged from a more senior level within organisations.

The CAs also identified a number of ways in which the CA Programme could be improved for future cohorts;

- Clear information regarding the CA Programme and role should be disseminated to candidates before the start of the training.
- The CA Programme should incorporate more practice-based learning such as mock scenarios and role play.
- More information should be disseminated to participating organisations to raise awareness and acceptance of the CA role.
- The CAs would benefit from self or peer assessment in the form of competency frameworks and/or the opportunity to shadow other CAs.

Despite the findings from the focus groups suggesting that the CAs held positive views of the CA Programme, the CA role and their potential to impact on the investigation and disciplinary process for BME staff, a number of barriers to the role were also identified, including:

- A perceived lack of information prior to the start of training.
- A lack of previous experience of formal processes.
- The need for more practice based learning during and after training.
- Confusion about the remit of the CA role within participating organisations.
- Concerns regarding potential consequences of challenging colleagues.
- Perceived opposition from some staff members.
- A lack of leadership and management of CAs in some organisations.
- A lack of referrals to some of the CAs.
- A lack of sufficient notice to participate in cases.
- A lack of sufficient information regarding cases.
- Difficulties managing completing workloads.

3.2 Findings from the Formal Process Questionnaires

Sixteen Formal Process Questionnaires were returned consisting of four from CAs, five from Investigation Team Leaders, one from a Chair of a disciplinary hearing panel, three from HR Advisors, two from BME staff at the start of the formal process and one from a BME staff member undergoing a disciplinary hearing. The findings from these questionnaires are outlined overleaf.

3.2.1 Participants of the RCN West Midlands CA Programme

The CAs returned four questionnaires discussing their experiences during investigations and disciplinary hearings. Due to the small number of respondents, the four questionnaires were synthesised and analysed collectively to maintain participants' confidentiality and anonymity.

The responses to the questionnaires revealed that there was a high degree of consensus between the experiences of the CAs. However, there were also a number of discrepancies. For example, all of the CAs stated that they had had the opportunity to influence and promote the fair treatment of BME staff, establish effective working relationships with the investigation teams and disciplinary hearing panels, promote inclusivity and disseminate their knowledge within their organisations. Three of the four CAs also stated that they had had the opportunity to influence and promote better workplace culture and that they were able to identify and explore issues of a cultural nature during the process. Indeed, one of the four CAs explained that they had performed their CA duties by raising issues regarding the treatment of individuals from different ethnic backgrounds, the ethnocentrism of the panel and how the client was discussed during the formal process.

However, only two of the four CAs stated that they felt included as part of the investigation teams and disciplinary hearing panels while the remaining two CAs stated that they did not. In relation to influencing the decisions of the investigation teams and disciplinary hearing panels, only two of the four CAs stated that they were able to identify and challenge discrimination during the formal process while one CA stated that they did not and one refrained from answering this question. Furthermore, only one of the four CAs stated they

had identified cultural bias during the formal process, one CA stated that they did not and two CAs refrained from answering this question. The CAs also identified a number of organisational barriers or policy restrictions to the CA role, for example:

- Two CAs stated that they were requested at short notice.
- One CA experienced delays in receiving necessary paperwork relating to the case.
- One CA perceived opposition from a union representative at the start of a case.
- One CA stated that the other members of the panel were not aware of the CA role.
- One CA stated that the panel were confused regarding the remit of the CA role.
- One CA stated that the client was not aware that a CA would attend their case.
- One CA stated that they were not included during interviews with witnesses.
- One CA indicated that their recommendations were provided to the panel after the hearing because they were not included in the decision process.
- One CA stated that no cultural issues emerged during the case so their role was not utilised.

However, with regards to the impact of the CA role on BME nurses' experiences of the formal process, three of the CAs stated that their involvement resulted in better support of BME staff, while one respondent stated that it did not. The one CA who stated that the staff did not receive better support reemphasised that they were not included in interviews with witnesses due to objections from a union representative. In contrast, one of the CAs who stated that the CA role had had a positive impact on BME nurses' experiences of the formal process explained that the individual had not been assigned a representative so they welcomed the presence of the CA. Three of the four CAs stated that the CA role improved BME nurses' confidence in the investigation and disciplinary process while one CA indicated that they were not sure if the CA role had had an impact on the nurses' level of confidence.

3.2.2 Investigation Team Leaders and Chair of Disciplinary Hearings

Questionnaires evaluating the performance of CAs during investigations and disciplinary hearings were returned by five Investigation Team Leaders and one Investigation Chair. Due to the small number of responses, the data from six questionnaires were synthesised and analysed collectively to maintain the confidentiality and anonymity of the respondents. This

synthesis was appropriate due to the consistency of questions and the similarity between the Investigation Team Leader responses and the responses provided by the Chair of the disciplinary hearing.

The responses to the questionnaires were largely positive. For example, all six of the respondents stated that the CAs had had positive working relationships with the panels. Indeed, the respondents stated that the CAs were valued, positive and professional throughout the process. Five respondents stated that the CAs took the opportunity to promote and influence a better workplace culture while one respondent stated that they did not. One respondent elaborated to explain that the CA had accomplished this by explaining their role to the panel and the staff member involved in the formal process. Five respondents confirmed that the CA promoted fair treatment of BME staff while one respondent stated that the CA did not. Furthermore, three respondents stated that the CAs actively promoted inclusivity in the workplace, two respondents stated that they did not and one refrained from answering this question. This suggests that most of the CAs involved in these cases actively engaged with the process.

The Investigation Team Leaders were asked if the CA identified and explored issues of a cultural nature and four respondents confirmed that they did, while two respondents stated that they did not. However, one of the respondents who stated that the CA did not identify issues of a cultural nature during the case elaborated to explain that this was due to an absence of cultural issues during this case. Only three respondents stated that the CAs identified and challenged discrimination while three respondents indicated that they did not. However, one of the respondents who stated that a CA did not challenge discrimination during the process elaborated to explain that the CA did identify and challenge a manager's conduct during the disciplinary process. This suggests that the CAs were able to identify and challenge other aspects of inappropriate conduct during the investigations and disciplinary hearings. Indeed, four respondents stated that the CA identified and challenged bias while two respondents stated that they did not. However, one of the two respondents who stated that the CA did not identify cultural bias elaborated to explain that no cultural issues arose in the case. This implies that the CAs were able to identify discrimination and bias during formal investigation and disciplinary cases. However, some of the CAs may not have been involved in cases which required the use of these skills.

Four respondents stated that CA involvement resulted in better support of BME staff while one stated that it did not and one refrained from answering this question. One respondent elaborated to explain that CA involvement was vital in the specific case they were discussing, one respondent stated that the staff were well supported and two respondents explained that the role of the CA may result in better support but there were no cultural issues in these particular cases. Four respondents stated that the CA role gave BME staff more confidence in the investigation and disciplinary process, while two respondents refrained from answering this question. However, of the six respondents, three Investigation Team Leaders also indicated that it was difficult to ascertain whether BME staff were more confident due to the involvement of the CA. This suggests that the CAs may have a positive impact on the formal investigation and disciplinary process but these results should be interpreted with caution due to the limited number of returned questionnaires and the uncertainty expressed by some of the respondents.

The Investigation Team Leaders and Chair were also asked about how the CA role was received by other members of the investigation and disciplinary panels. All six of the respondents stated that the CAs were regarded as full members of the panel. Indeed, the six respondents also stated that they appreciated the value of the CA role during the investigation and disciplinary process. This suggests that the CAs were welcomed by other staff members who were involved in the investigation panels and disciplinary hearings. Indeed, one of the respondents also highlighted that they felt more confident in their role as Investigation Team Leader due to the support of the CA. However, only three of the respondents stated that the CA had influenced the recommendations of the panel and three stated that they had not. It is notable that one of the respondents who stated that the CA did not influence the panel's recommendations explained that this was because no cultural issues arose during the process. All of the six respondents stated that there were no negative effects of involving a CA in investigations and disciplinary hearings.

These responses suggested that while the CAs were given authority to influence the recommendations of the panels and there were no negative effects of involving CAs in the formal process, their expertise was relevant and/or fully utilised during all cases. When asked if there was anything the Investigation Team Leaders would like to add, one respondent stated that the CA was not able to contribute to the discussion fully because

they were new to the process, one respondent stated that the role of the CA was extremely beneficial and two respondents stated that the CAs were supportive and positive throughout the formal process. This suggests that while individuals working in the capacity of a CA may provide valuable insights during investigations and disciplinary hearings, the relevance of this addition may depend on the nature of the case and the level of experience of the CA.

3.2.3 HR Advisors

HR advisors who provided advice to the panels returned three questionnaires regarding their impressions of the CA role during investigations and disciplinary hearings. Due to the small number of responses, the three questionnaires were synthesised and analysed collectively to maintain the confidentiality and anonymity of the respondents.

There was some degree of consensus between the responses provided by the HR Advisors but there were also a number of discrepancies. For example, all of the HR Advisors stated that the CAs had developed effective working relationships with the HR Advisor and the other panel members, that the CAs had taken the opportunity to promote fairer treatment of BME staff and that the CAs were regarded as full members of the panel. However, only one of the HR Advisors stated that the CAs had taken the opportunity to promote a better workplace culture, two indicated that the CAs promoted inclusivity, two indicated that the CAs explored issues of a cultural nature during the formal process, one stated that the CAs challenged discrimination during the formal process and one stated that the CA had raised issues regarding cultural bias. This suggests that while the CAs were engaged in cases, their level of involvement during the formal process varied.

Indeed, in relation to the impact of the CA role on BME nurses' experience of the formal process, two HR Advisors stated that the CA role improved the level support available for BME staff while one respondent indicated that it did not have an impact in the particular case due to the factual nature of the hearing. Two of the HR Advisors also stated that the presence of a CA improved the BME nurses' confidence in the formal process while one HR Advisor indicated that it was too difficult to ascertain if the CA role had impacted on the nurses' level of confidence. However, when the HR Advisors were asked if they had

experienced the value of the CA role in influencing fairer outcomes for BME staff, only one HR Advisor stated that they had. Indeed, one of the HR Advisors stated the CA had influenced the panels' decision, one stated that the CA was included in the process but did not influence the decision and one stated that the panel adjourned to reach their decision in privacy and the CA was not included in this process. None of the respondents identified negative effects of involving a CA in the investigation or formal hearing processes.

3.2.4 Staff from BME backgrounds undergoing disciplinary hearings

Of the three questionnaires which were returned by BME staff members, one questionnaire was returned following a grievance being recorded, one was returned following an investigation and one was returned following a disciplinary hearing. However, the nature of the grievance, investigation and disciplinary hearing varied and the questionnaires were returned by different members of staff. Therefore, the responses to each of the questionnaires were analysed separately to maintain the richness of the data.

With regards to the questionnaire which was returned by a BME staff member following the grievance, the member of staff stated that they had had no previous experiences of a grievance being made against them prior to the current issue. The respondent indicated that they were relatively confident in the level of support they would receive from their union and that the investigation team would understand their position. However, the staff member also indicated that they did not believe they would receive a fair hearing, that the process would be transparent, that they would be treated with dignity or that they would be treated the same as other colleagues from non-BME backgrounds. This suggests that the BME staff member had little confidence in the formal process from the earliest stage of a grievance being made against them despite no previous experience of this process.

One questionnaire was also returned by a BME staff member undergoing investigation. This questionnaire revealed that they had not previously experienced the process of an investigation. This respondent indicated that they had been suspended following an allegation of misconduct. The respondent also indicated that they received union representation. The respondent stated that they were fairly confident that they would receive support, that the investigation team would understand their position and that they

would receive a fair hearing. The respondent also stated that they were fairly confident that they would be treated with courtesy and respect, that the process would be transparent and that they would be treated the same as other colleagues in similar positions and colleagues from a non-BME background. Furthermore, when asked if there was anything they would like to add, the respondent expressed the belief that the CA role might be beneficial to people undergoing investigation. This suggests that the staff member was moderately confident in the formal process and welcomed the presence of a CA.

Only one member of BME staff returned a questionnaire discussing their experiences of a disciplinary hearing when a CA was present for this process. This individual stated that they felt the CA provided an appropriate level of support and that this made the experience better than they had anticipated because they did not have a union representative to assist them during the process. The individual also believed that the Investigation Team attempted to understand their position and that this was as expected. The individual stated that the hearing was fair and that they were treated with respect and courtesy. However, while the individual identified that they did not have a point of reference due to not knowing any other members of staff who had undergone a disciplinary hearing, they did state that the treatment they received was the same as the treatment given to staff who were not from a BME background. Finally, when they were asked how the presence of a CA impacted on their confidence during the disciplinary hearing, the individual stated that it had had a positive impact and that they appreciated the level of support the CA provided. This suggests that the CA role had had a positive impact on the individuals' confidence during the disciplinary hearing.

3.2.5 Summary of findings from the Formal Process Questionnaires

The Formal Process Questionnaires revealed that there was a perceived positive effect of the CA role on the formal investigation and disciplinary process. While there were no foreseeable negative effects of the CA role, the respondents highlighted that there was some confusion regarding the scope and nature of the CA role. Indeed, while the CAs expressed frustration regarding the restrictions imposed by panels, the HR Advisors identified that further communication was required to consolidate their understanding of the CA role and facilitate clear distinctions during investigations and disciplinary hearings. The respondents also highlighted issues regarding the period of notice given to CAs and the

availability of information for CAs involved in certain cases. The Formal Process Questionnaires also revealed that the functions of the CAs varied depending on the individual's level of experience and the nature of the cases they participated in.

3.3 Findings from the Reflective Questionnaires

A total of four reflective questionnaires were returned during the evaluation. Of the four CA Programme participants who completed the reflective questionnaire, three had been assigned disciplinary cases totalling six cases between the participants. The participant who had not represented colleagues during disciplinary processes stated that although cases had been offered to them, the nature of their work lacked the flexibility to take on these cases. All of the participants had been assigned investigations, totalling seven investigations. Indeed, one of the participants reported that they had been offered more investigations than they had currently undertaken, however these often had to be declined as they were offered at short notice. Many of the themes identified throughout the focus groups were also identified through the questionnaire responses as reflected below.

3.3.1 The RCN West Midlands CA Programme

One of the main themes which emerged from the reflective questionnaires reflected discussion about the structure and content of the CA Programme. Of the four participants who completed the questionnaire, one participant felt that the CA Programme needed to be extended to run over a longer period of time in order to effectively embed the role in to organisations. Furthermore, a perceived lack of communication about the programme and the full remit of the CA role also arose in questionnaire responses. For example, one participant felt that information about the CA role and the programme was difficult to locate within their Trust. Furthermore, although there had been senior approval for the CA role to become a mandatory component of disciplinary processes and investigations involving BME staff, this information had not been filtered down to other levels of staffing.

3.3.2 Undertaking the CA role

With regards to undertaking the CA role, the most prevalent challenges identified by participants centred on the demands of the CA role and its impact on the individual's main duties within their organisations. Some participants felt that better coordination and advanced notification of disciplinary/investigatory cases were needed.

3.3.3 Perceptions of the role by others

It was felt that not all BME staff members were aware of the CA role and the support it can provide unless they had been involved in the investigation and disciplinary processes with CA presence. However, one participant felt that their organisation routinely included CAs as part of the investigation and disciplinary processes for BME staff.

3.3.4 Impact of CA involvement on the formal process

The participants stated that the presence of a CA during investigations and disciplinary processes had had a positive impact on these procedures. Participants felt that in some cases, outcomes had changed when cultural bias had been identified and challenged. Indeed, one of the participants felt that the introduction of the CA role had improved the experiences of BME staff during these formal processes. In terms of the CA role having an impact on participating organisations, one participant felt that it was too early to tell. However, another participant felt that the introduction of the role had *"raised the awareness of racial/cultural issues and dynamics"* within their team.

3.3.5 Maintaining skills

In relation to supporting the CA role, one participant reported that they had been responsible for disseminating information relating to cultural awareness/diversity and the CA role within their organisation. Support from Chief Executives was also identified. However, as mentioned previously this information was not always filtered across organisations. Although one participant felt that their organisation supported the CA role,

the involvement of CAs in investigations/disciplinary hearings seemed to be dependent on processes within the Human Resources department. A peer support group led by an Equality and Diversity Lead in one of the Trusts was reported by one of the participants, however, the need for further support within organisations was also identified.

3.3.6 Summary of findings from the Reflective Questionnaires

The introduction of the CA role has led to a fairer investigation/disciplinary process for BME staff and the role has also had an impact on cultural awareness within some organisations. However, a lack of awareness and the need for further dissemination for the CA role has also been identified. Responses also suggest that support is provided for CAs within their organisations, but issues such as the CA role impacting upon main work duties and time pressures for undertaking the CA role suggests that these issues require attention.

3.4 Programme organiser interviews

The six programme organisers who participated in a telephone interview were involved in various aspects of the RCN West Midlands CA Programme. This included:

- Recruitment of staff to the CA Programme.
- Design and delivery of the CA Programme.
- Design and delivery of action learning sets.
- Promotion and clarification of the CA role within participating organisations.
- Establishing links between RCN West Midlands and participating organisations.
- Leadership of the CAs within participating organisations.
- Monitoring the progress of the CAs during and after the CA Programme.
- Providing on-going support and advice to the CAs regarding equality and diversity, investigation techniques and the formal process.

- Reviewing and amending policy to integrate the CA role within the formal process.
- The dissemination of information between RCN West Midlands, CAs, participating organisations and managers within the participating organisations.

Due to the small number of responses, the data from the programme organisers was synthesised to protect their confidentiality and anonymity. The following themes emerged during the interviews.

3.4.1 The RCN West Midlands CA Programme

Overall, the CA role was viewed positively by all participants in relation to its purpose of ensuring fairness and challenging cultural bias during an investigation or disciplinary hearing. However, it was noted by one of the participants that the role had taken longer to embed within organisations than was previously anticipated.

Although the programme was perceived to prepare individuals to undertake the CA role by providing support and enabling the CAs to share experiences, there were many suggestions offered in relation to improvements to the programme. For example, one participant felt that the action learning sets provided to the CAs could be more structured to ensure attendance and to encourage networking and the sharing of knowledge between peers. A longer training programme or additional training days after the main CA training programme was also recommended in order to provide additional support to the CAs, especially those who had gained experience of an investigatory/disciplinary case in this time. More practice elements, role plays of formal hearings, greater coverage of investigation techniques and advice concerning the implementation of the CA role in a formal setting were seen as a possible improvement which may increase CA confidence and competence within their role. Furthermore, it was suggested by one participant that the role of the CA should be open to a wider selection of staff from different professions in order to widen participation and possibly increase collaboration, engagement and dissemination of the CA role. Similarly, it was felt that more education concerning the reasons for and the purpose of the introduction of the CA role needed to be disseminated across Trusts.

3.4.2 Self-motivation and development

Participants found that motivation for the CA role varied depending on individuals' existing workload, their level of experience and the level of support they received from the participating organisations. Those CAs who had had an opportunity to undertake the role during a formal process appeared to have been motivated by their experiences of the impact of the role. However, it was felt that a majority of the CAs were motivated and enthusiastic to undertake their role and appeared to want to make a difference. Where motivation was an issue, reasons centred on CAs not being included in any or in a sufficient number of investigations/disciplinary processes since training, not being able to manage existing workloads alongside the CA role, opposition from other staff involved in investigations and disciplinary hearings, a lack of understanding of the CA role within some participating organisations, a lack of support from team leaders or managers and a lack of leadership of the CAs within participating organisations. It appeared that these challenges may have also affected attendance to action learning sets as it was reported by programme organisers that they were not always aware of who would attend these sessions.

A number of benefits to individual CAs as a result of undertaking the role were identified by the programme organisers. It was thought that CAs were able to take "*Ownership of cultural issues*" through this role. Furthermore, the role was seen to build confidence, empower and develop the skills of the CAs in enabling panel members to make fair and reasoned decisions. However, although there appeared to be many benefits to the CA role, one of the participants reported CAs leaving the programme due to a lack of support from their employing Trusts.

3.4.3 CAs undertaking investigatory/disciplinary processes

It was felt, by the programme organisers, that CAs had had positive impacts on the formal process in terms of ensuring fairness and challenging cultural bias. Those who were able to comment from direct experience of investigations/disciplinary cases where a CA was involved reported that the CAs had impacted positively on the process. However, two of

the CAs reported that at times the formal hearing panel were unsure as to whether the CAs role was to advise the investigation team, advise the disciplinary hearing panel, support the staff member under investigation, support the member of staff during disciplinary hearings and/or to be included in the decision making process. This highlights that there was some initial confusion regarding the role in participating organisations. However, the participants identified that understanding of the CA role increased over time, through the continued dissemination of information and experience of CA involvement in the formal process.

3.4.4 Challenges to the CA role

Some of the main challenges to CAs undertaking their role included cases not being allocated or allocated fairly amongst all CAs in each Trust, CAs not being made to feel included as part of the panel during a formal process, a lack of understanding or awareness of the role by others, opposition from some representatives from Human Resources or union representatives, difficulties managing workloads alongside the CA role, a lack of support or understanding from managers for CAs to undertake their duties and a lack of organisational support for the role. One participant also reported scepticism from panel members during formal processes as to the purpose of the CA being involved in investigations/disciplinary cases. Furthermore, one participant reported that there was some demand from BME staff for a CA to be of the same ethnic origin as the individual under investigation or disciplinary. However, it was highlighted that all of the CAs were trained to the same standard and consequently, the participant believed that the ethnic origin of the CA would not impact on their ability to support and advise the panel during investigations and disciplinary hearings.

One participant also reported that of the three Trusts who had CAs, only one communicated well with the RCN. It was acknowledged that one of the Trusts was going through a re-organisation at the time of the innovation and this may have affected the resources available to ensure that CAs were used. However, RCN West Midlands would have been happy to consider extending the pilot. The RCN experienced great difficulty in getting responses from the third Trust. This meant that apart from the Trust who communicated well with the RCN, it was very difficult to resolve the issues the CAs were experiencing in

relation to the release of staff to undertake CA related work and general awareness of the programme.

3.4.5 Organisational support for the CA role

Organisational support for the CAs programme was found to be highly dependent on individual Trusts, with support for the programme varying between organisations. Overall, it appeared that only one of the three Trusts involved in the programme was fully engaged with the CA role. However, for one of the Trusts, organisational change, occurring during the implementation of the CA programme, appeared to have negatively impacted on plans to embed the CA role.

It was reported that the CA role had made the most impact in Trusts that had engaged well with the programme and were more motivated to incorporate the CA role within existing policies. The organisation where the CA role had worked well attached value to the role, actively sought ways in which to ensure the role was implemented effectively within their organisation and disseminated information to stakeholders. Indeed, one of the participants identified that there was extensive support for the CA role within their organisation which they largely attributed to the regular dissemination of information to the Trust Chief Executive, union representatives, the workforce subcommittee and quality committee. Furthermore, one of the participants also identified that a Trust in which the CA Programme had exerted a positive impact planned to continue the CA role indefinitely, due to the high value attached to the role during investigations and disciplinary hearings.

During the interviews with the programme organisers, one of the participants reported that some Trusts, although agreeing verbally to the implementation of the CA role, were reluctant to put the CA role in to practice within formal processes. Similarly, another participant felt that some organisations may have committed to the programme in order to give the appearance of aiming to tackle cultural bias. A lack of support or a lack of assigned cases for some CAs was also reported, with one of the participants stating that most of the support was often provided by RCN West Midlands. Furthermore, another participant, through feedback from others, suggested that some organisations may view the CA role as an opportunity to highlight issues of cultural bias and racism within organisations rather than widening understanding and promoting cultural awareness and fair treatment.

In terms of benefits to the organisations involved in implementing the CA role, participants felt that these organisations would be able to demonstrate that cultural issues were being taken seriously, instil trust, promote fair treatment and demonstrate that the organisation was prepared to make changes to ensure fairness. Furthermore, two participants reported that the CA role had broadened the understanding of panel members in relation to raising awareness of instances of cultural bias.

Participants expressed that better communication was needed between the programme organisers and participating Trusts. It was suggested by two of the participants that all levels of senior staff (e.g. Chief Executives, Modern Matrons) should be informed of the programme to ensure awareness and understanding of the CA role and gain support and commitment within Trusts. One of the participants felt that organisations should have more active involvement from the launch phase of programmes such as this, and should also be clearly informed on the role of the CA and the training they have received. Furthermore, one of the participants emphasised the importance of effective leadership, monitoring and support of the CAs within participating organisations.

The organisers believed that a significant and influencing factor in the engagement and successful implementation of the pilot which occurred in one Trust was due to the Diversity Lead, who was of BME heritage, driving the programme.

3.4.6 Summary of findings from interviews with programme organisers

Overall, the CA Programme was seen to equip CAs with the appropriate knowledge and skills. However, suggestions for improvements were made in order to maintain CAs knowledge, skills and competence. It was also suggested that the CA role should be offered to a wider variety of professions.

The programme organisers were able to identify the positive effects of the CA programme in relation to ensuring a fair investigatory/disciplinary process. However, it was noted that the impacts of the CA role heavily depended upon the support of the participating organisations.

The motivation of CAs also appeared to be dependent upon the support they received from their employing organisations as well as the opportunity to undertake their role in the context of being able to manage their everyday workload. A lack of understanding of the CA role by others was also cited as a barrier to its implementation. Many benefits for individual CAs arose during these interviews in relation to personal development.

The impact of the CA role on individual organisations appeared to be dependent on the level of engagement an organisation had with the programme. Organisations that engaged more with the programme were able to see the value of the CA role and were more effective in disseminating information about CAs. Benefits for organisations in implementing the CA role included: demonstrating that cultural issues were dealt with appropriately, instilling trust in their workforce and broadening the understanding of investigatory/disciplinary panel members in relation to their awareness of instances of cultural bias. However, it was felt that better communication, engagement and active involvement between organisations and the programme organisers was needed in order to effectively embed the CA role.

3.5 Findings from the internal evaluation

A total of eight CAs and two HR Advisors provided feedback regarding the number of cases in which CAs participated, their experiences of the formal process and their perspectives regarding the continuation of the CA role. The findings from the internal evaluation which was conducted by Bruno Daniel, Senior Equality and Diversity Lead for Birmingham and Solihull Mental Health Foundation Trust, are summarised overleaf.

3.5.1 Feedback from the CAs

Of the eight CAs who provided feedback during the internal evaluation, one respondent had completed one case, three respondents had completed two cases, two respondents had completed three cases, one respondent had completed six cases and two respondents had not completed any cases at the time of the internal evaluation. When the respondents were

asked if they were participating in any on-going cases, one participant indicated that they were involved in one on-going case and one participant indicated that they were involved in four on-going cases. This demonstrated that the frequency of cases varied between the CAs. Indeed, six of the eight respondents indicated that they might need to continue in the CA role in a limited capacity or cease to perform the functions of the CA role due to competing commitments. However, it is notable that all of the eight CAs commented that the CA Programme should continue. Indeed, the CAs identified that the CA Programme could have a beneficial impact on workplace culture, cultural and diversity policies within the participating organisations and staff understanding of cultural bias.

3.5.2 Feedback from HR Advisors

The two HR Advisors who provided feedback identified that the CA role was beneficial to the formal investigation and disciplinary hearing process due to the CAs' expertise in identifying cultural bias. The two HR Advisors stated that the CAs made vital contributions to the formal processes by identifying cultural bias, challenging discrimination and raising staff awareness of these issues. Indeed, one of the respondents stated that the CA role demonstrated that the Trust recognised the importance of treating staff fairly. Both respondents stated that the CA role should continue. However, one of the HR Advisors identified that the CAs would need to fully understand their remit, be willing to make themselves available to participate in the formal process and that more staff would need to be trained if there was a demand for CA involvement in cases. Furthermore, one HR Advisor expressed a desire to explore how the CA role would interface with the HR role.

3.5.3 Summary of findings from the internal evaluation

The internal evaluation revealed that there is a demand for CA involvement during investigations and formal disciplinary hearings and this appears to have had a positive impact within the participating organisation. However, more staff would need to be trained in the capacity of the CA role to secure the sustainability of the role due to the CAs other commitments.

3.6 Summary of the results

The participants who provided feedback during the evaluation welcomed the RCN West Midlands CA Programme. Indeed, the majority believed that the CA Programme could increase the cultural competence of the participating organisations. Most of the participants also believed that the programme prepared the CAs for their involvement in the formal process. However, it was acknowledged that the skills and knowledge of the CAs would improve with practice and as the participating organisations refined the remit of the CA role.

The evaluation revealed that several CAs were actively engaged in investigations and disciplinary hearings during the twelve months of the evaluation. Most of the participants believed that the CAs were able to identify issues of a cultural nature and challenge cultural bias by the end of this evaluation. However, the frequency of cases and level of involvement varied between CAs and participating organisations. This was associated with the motivation and confidence of the CAs in addition to organisational readiness for the CA role.

Several avenues for development of the RCN West Midlands CA Programme were also identified during the evaluation. This included the need for greater communication prior to enrolment, the inclusion of more practice-based learning, the inclusion of more information regarding legislation and investigative techniques, the development of a competency framework and the introduction of opportunities to shadow other CAs. Several participants in the evaluation also identified the importance of on-going support, leadership and management of the CAs.

The organisers believed that to ensure the success of any further trial, it was essential to identify a lead within each Trust who was committed and understood the cultural issues which lead to BME staff being treated differently to their white colleagues.

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4 Discussion

4.1 Did the CA Programme meet the objectives?

Nine objectives were formulated prior to the design, implementation and evaluation of the RCN West Midlands CA Programme. In the following sections of this report, the evaluation team ascertain whether these objectives have been met.

4.1.1 Objective one

The first objective was that BME staff would have more confidence in the formal disciplinary process. Conclusions regarding this objective are limited due to the low number of responses from BME staff. However, the individual who provided feedback following their disciplinary hearing identified that they were more confident due to the presence of a CA. The CAs, programme organisers and other members of staff involved in the formal process suggested that the CA role may have had a beneficial impact on the level of confidence of BME staff members. Indeed, RCN West Midlands' proactive approach to promoting equality and diversity through the CA Programme may have increased BME nurses' confidence that they would be treated fairly and that any complaints regarding cultural bias and discrimination in the workplace would be identified and challenged. This suggests that the RCN West Midlands CA Programme met the first objective during the twelve months of this evaluation.

4.1.2 Objective two

The second objective was that any issues of a cultural nature would be identified and challenged during the formal process. Although responses to the formal process questionnaires identified that this was not relevant to all of the cases in which a CA was present, the majority of individuals who provided feedback during this evaluation reported

that the CAs were well equipped to identify and challenge issues of a cultural nature during investigations and disciplinary hearings. However, it was also identified that the CAs ability to perform this function would vary depending on their level of experience and their level of confidence. Indeed, most of the individuals who provided feedback during this evaluation identified that it was vital for the CAs to use and refine their skills following completion of the RCN West Midlands CA Programme. This suggests that while the RCN West Midlands CA Programme met the second objective by preparing the CAs to perform this function, the development of the CA role is on-going.

4.1.3 Objective three

The third objective was that any acts of cultural bias would be identified and challenged during the formal process. The individuals who provided feedback during this evaluation stated that the CAs were able to identify and challenge cultural bias during the formal process but that additional information, practice and support would be required for the CAs to refine these skills and to enable them to participate in complex cases. Indeed, one of the programme organisers identified that the CAs required more training in investigation techniques to facilitate the role during complex cases. The programme organiser also argued that leadership of the CAs was required within the participating organisations to monitor, regulate, develop and promote the CA role. This suggests that while the RCN West Midlands CA Programme met the third objective by equipping the CAs with the skills and knowledge they needed to identify and challenge cultural bias, practice was required to improve the CAs' confidence and ability to participate in diverse and complex cases.

4.1.4 Objective four

The fourth objective was that fewer cases would proceed to a disciplinary hearing. While it is not possible to draw conclusive findings regarding this objective due to the on-going nature of the CA role, the findings from this evaluation suggest that the CA role may have a beneficial impact on the number of investigations which proceed to disciplinary hearings. Indeed, the CAs and programme organisers believed that in identifying and challenging

cultural issues and cultural bias during investigations, some cases may be resolved before progressing to disciplinary hearings. Therefore, there is evidence to suggest that the RCN West Midlands CA Programme met the fourth objective but further evaluation is required to fully explore this impact.

4.1.5 Objective five

The fifth objective was that BME staff would be better supported from the onset of the formal disciplinary process. However, as the RCN West Midlands CA Programme evolved, the programme organisers identified that the CA role should be to support the investigation teams and disciplinary hearing panels during the formal process; rather than directly supporting staff undergoing investigation or a disciplinary hearing. This decision was to ensure that the CA role did not conflict with the role of a union representatives or the role of HR Advisors. Despite this shift in focus, this evaluation has demonstrated that the CA role may have a beneficial impact on the level of support available to BME staff due to the CAs ability to identify and challenge cultural bias and discrimination during the formal process. Indeed, the CAs, programme organisers, HR Advisors, Investigation Team Leaders and Chair who provided feedback believed the CA role could have a beneficial effect on whether or not BME staff members felt supported from the onset of the formal process. However, it was notable that some of the CAs believed their skills could be utilised more extensively. This limitation was associated with an initial lack of understanding concerning the remit of the CA role, occasional opposition from other members of the investigation team or disciplinary hearing panel, the need for leadership at an organisational level, a lack of sufficient notice to participate in cases, a lack of sufficient information regarding the cases and inconsistencies in the level of confidence of CAs. Therefore, the RCN West Midlands CA Programme met the fifth objective during the twelve months of this evaluation but a review may be required to explore the longitudinal impact of the programme.

4.1.6 Objective six

The sixth objective was that the training and support of the CAs by RCN West Midlands would equip them to carry out their role. Most of the participants who provided feedback during the evaluation identified that the CA Programme partially equipped the CAs to undertake their role. However, most of the participants also identified that the CAs would continue to practice, consolidate and develop their skills through active engagement with cases in addition to the on-going support of RCN West Midlands and participating organisations. Indeed, some of the CAs were supported by a proactive Culture and Diversity Lead, who encouraged the application of the CA skill-set in practice. The CAs who provided feedback during the evaluation also praised the action learning sets delivered by RCN West Midlands. Indeed, the CAs believed that the action learning sets were very beneficial since they provided an opportunity to discuss and potentially resolve any issues concerning their role as CAs.

However, a number of potential ways to improve the CA Programme were also identified during the evaluation. This included disseminating more information prior to enrolment, extending the duration of the CA Programme, incorporating more practice-based learning, including more information regarding legislation and organisational policy, covering a greater range of investigative techniques, devising formal documentation for dissemination in participating organisations, developing a competency framework and the potential to incorporate shadowing/mentoring by other CAs. However, it was also identified that organisational awareness, acceptance and support were vital in facilitating the CA role. Furthermore, some of the participants who provided feedback during the evaluation identified that a lack of confidence and experience also hindered the involvement of some CAs in active cases. This suggests that while there are avenues for improvement in the CA Programme, organisational readiness and the confidence of CAs will also influence CA involvement in investigations and disciplinary hearings. Indeed, the CAs who did not engage in cases frequently identified organisational barriers and low confidence as key contributing factors to their inability to act as a CA in practice. This suggests that while the RCN West Midlands CA Programme met the sixth objective by preparing the CAs for this role, the remit

of the CAs and their ability to perform the CA role was still evolving during the twelve months of this evaluation.

4.1.7 Objective seven

The seventh objective was that the CAs would be included and regarded as part of the investigation teams and disciplinary hearing panels. Some of the participants who provided feedback during this evaluation identified that the CAs were included in the formal process and these participants also believed that the CAs were highly regarded as part of the investigation team and disciplinary hearing panels. Furthermore, one of the programme organisers identified that their Trust was continuing the CA role indefinitely and that the CA role would be integrated into their investigation and disciplinary policy. This suggests that the RCN West Midlands CA Programme may have a strong, longitudinal impact on equality and diversity within the participating organisations.

However, some of the participants who provided feedback during this evaluation identified that there was an initial lack of awareness regarding the CA role and that there may have been some opposition by other employees due to this confusion. Indeed, while some of the CAs initially speculated that investigation teams and disciplinary panels may be obstructive to the CA role, this was later attributed to a lack of understanding about the role. It must also be noted that most of the participants who provided feedback during this evaluation identified that organisational barriers regarding a lack of awareness or a lack of understanding were resolved over time as the CAs engaged in more cases and promoted the CA role within their organisations. However, the CAs continued to raise concerns regarding the period of notice and the amount of information they received before cases. Several of the CAs also expressed the opinion that their skills could be used more extensively than they had been throughout the course of this evaluation. Therefore, the RCN West Midlands CA Programme partially met the seventh objective during the twelve months of this evaluation, but progress is on-going to ensure that the CAs are integrated as part of the investigation teams and disciplinary panels.

4.1.8 Objective eight

The eighth objective was that the CAs would experience the value of their role in influencing fairer outcomes for BME staff. This evaluation has documented that despite the barriers experienced by the CAs while implementing the CA role in participating organisations, most of the CAs remained optimistic about their potential to influence fairer outcomes for BME staff. Indeed, some of the participants of the evaluation who completed the Formal Process Questionnaires stated that the CAs raised concerns regarding cultural bias and that the CA role had a direct impact on the outcome of cases. These findings were also observed during interviews with the programme organisers and during the focus groups. However, it must be noted that some of the CAs expressed doubts regarding their ability to influence the outcome of investigations and disciplinary hearings. This was attributed to a lack of referrals, a belief that their skills were not used to their full potential during the formal process, a lack of organisational readiness in some of the participating organisations and concerns regarding the effectiveness of the CA role if few CAs actively engaged in cases. Therefore, while the RCN West Midlands CA Programme met the eighth objective, there was variation between individual CAs and the participating organisations.

4.1.9 Objective nine

The final objective was that CAs would be able to disseminate their learning amongst colleagues to enable a better understanding of the nature and effect of discrimination, cultural bias and the impact of cultural behaviour. This evaluation has documented that some of the CAs actively shared their knowledge with colleagues and that some of the CAs were able to apply and share their knowledge externally. However, it must be noted that some of the participants of this evaluation identified that dissemination of learning varied between the CAs. Indeed, some of the CAs were reported to be very passionate about equality and diversity and these individuals were also proactive in promoting the CA role and disseminating their knowledge within in the participating organisations. In contrast, this evaluation has also demonstrated that some of the CAs were less assertive in promoting the

CA role. This demonstrated that while the RCN West Midlands CA Programme met the ninth objective, there was variation between the CAs who completed the programme.

4.2 Realist evaluation

The findings of this evaluation can be interpreted within the theory of change detailed previously in Figure 1. Indeed, the context of this theory of change refers to commissioning drivers, organisational support, support from the respective teams and the motivation of the individual CAs. The mechanisms behind this theory of change consisted of the positive experience of CA trainees during the RCN CA Programme and the positive experiences of the CAs while performing their role following completion of the programmes. The CAs who reported a demand for their skills, support from their organisation and team, high levels of self-motivation and positive experiences during and after training reported effective use of their new skill set in the CA role. In contrast, issues arose when the CAs reported a lack of demand for the CA role, a lack of organisational readiness, low levels of support from their teams, negative experiences during training and negative experiences while attempting to apply their skills in practice. These findings suggest that the organisational context significantly impacted upon the achievements of the RCN West Midlands CA Programme. The following section details the conclusion and recommendations which can be drawn from the analyses reported in this evaluation of the RCN CA Programme.

5 Conclusion

The results of this evaluation suggest that despite initial barriers to the CA programme and the implementation of the CA role, the initiative was welcomed by most of the individuals who participated in this evaluation. Indeed, by the end of the evaluation period, several of the CAs were actively engaged with cases and very positive feedback was received from the programme organisers, Investigation Team Leaders, the Chair of the disciplinary hearing and HR Advisors. However, the participants of the evaluation also provided constructive criticisms regarding some aspects of the programme and their subsequent experience of attempting to perform the CA role in practice. Consequently, the following recommendations can be based on this evaluation.

5.1 Recommendations

The following recommendations have emerged from this evaluation:

- More information regarding the CA Programme and the CA role should be disseminated to CAs prior to the start of the course.
- The CA Programme should be expanded to incorporate more information regarding legislation, organisational policies and the remit of the CA role.
- The CA Programme should be expanded to incorporate more opportunity for the CAs to engage in mock scenarios and practice investigative techniques.
- A handbook containing practical advice and a competency framework should be designed and disseminated to the CAs.
- The action learning sets should be continued with the aim of providing a support network and a source of guidance for the CAs.
- Comprehensive information regarding the CA role should continue to be disseminated within the participating organisations. This should include a description

of the remit of the CA role and details concerning the period of notice required by CAs, the documents required by the CAs and which stages of the formal process the CAs should attend.

- Communication between the RCN West Midlands and the HR departments within the participating organisations should be on-going to refine the remit of the CA role.
- The RCN West Midlands should continue to encourage buy-in by senior staff to ensure that the CA role is sustainable within the participating organisations.
- The RCN West Midlands should continue to cultivate relationships with Equality and Diversity Leads to ensure the CAs have access to their expertise during the training and following completion of the CA Programme.
- If the CA role is extended beyond the current remit, more staff should be trained as CAs to improve availability of the CAs and reduce the demand on existing CAs.
- If the RCN West Midlands should run a further programme a Memorandum of Understanding would ensure that accurate data to bench mark and assess outcome was available.
- If the RCN West Midlands should run a further programme a dedicated resource should be provided to monitor implementation and drive the programme throughout the pilot period.

5.2 Summary of the conclusion

The CA Programme largely met the aims and objectives which were identified by the RCN West Midlands during the design of the initiative. Indeed, substantial progress was made in the development, promotion and application of the CA role in the twelve months following completion of the programme. Indeed, despite initial confusion in the participating organisations, the CA Programme and the CA role were welcomed by most of the participants who provided feedback during this evaluation. However, participants also identified a number of areas for improvement regarding the CA Programme and the internal policies and practices relating to the CA role. Despite these avenues for development, the CA role has the potential to have a lasting and beneficial impact on the cultural competence

of the participating organisations. Indeed, by the end of this evaluation the CA role was integrated into the policies and practices of some of the participating organisations.

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