

## **FOI144 Response**

### **1. For 1 April 2010 to 31 March 2020, information provided by financial year, your Public Sector Equality Duty (PSED) compliance policy and reports on how you have met this policy.**

The Trust has reported on all compliance standards such as Equality Delivery System (EDS2), Workforce Race Equality Standard (WRES), Workforce Disability Equality Standard (WDES) and Gender Pay Gap.

The Trust fully understands the requirements against the Public Sector Equality Duty (PSED) and the latest documents and reports which demonstrate compliance with PSED can be found on the Trust website, for ease of access I have included the link below.

Link: <https://www.bsmhft.nhs.uk/about-us/equality-inclusion-and-human-rights/>

Please be aware that the WRES/WDES documentation is currently under review and will not be available until 31<sup>st</sup> October 2020.

In addition to this, the Diversity, and Inclusion (EDI) Framework 2017-2020 (as enclosed in the correspondence email) is also due for review.

However, as a result of the Covid-19 crisis and the unprecedented demands on the Trust, the ratification of the Framework has been delayed and is currently being reviewed by a work stream. It is anticipated that an updated version of the Equality, Diversity, and Inclusion (EDI) Framework will be deployed in 2021.

Furthermore, please note that the Trusts Public Sector Equality Duty (PSED) compliance policy and reports from the period of 2010-2017 cannot be provided. This is because the information has not been captured electronically on our systems.

Obtaining this information will require a manual search which the Trust is unable to facilitate during these unprecedented times and therefore a Section 12 exemption has been applied as the Trust does not have capacity to provide the requested information for the period of 2010-2017.

### **2. For 1 April 2010 to March 2020, information provided by financial year, provide a list of all LGBT organisations (e.g. Stonewall, Mermaids, Gendered Intelligence, GIRES, Action LGBT, Trans health) you have:**

- 1. Consulted.**
- 2. Received training from/ helped formulate training for Trust staff – including classroom based and e-learning.**
- 3. Paid monies to for goods and services, advertised on your website or intranet, links, or print outs of information.**
- 4. Granted permission to display/share/use Trust logo.**

The Trust has obtained advice and support from the following organisations,

- Birmingham LGBT Centre
- Mermaids
- Stonewall



The Trust's Safeguarding Team have established strong links with Birmingham Solihull Women's Aid (BSWAID), as part of the Information Sharing Protocol for MARAC (Multi Agency Risk Assessment Conference) and the MARAC Steering Group. The team will consult with BSWAID informally for advice and support when needed.

In addition to this, BSWAID have also previously provided some informal training to Trust Staff members in 2017. Please note that the cost related to this training cannot be provided as this information is not readily captured within our system. Obtaining this information will require manually searching and collating the data which the Trust does not have capacity to facilitate. With this in mind, a Section 12 exemption has been applied as the Trust cannot provide further financial information.

The Safeguarding Team also have established links with Roshni, a charity which supports Black, Asian & Minority Ethnic communities (BAME) affected by domestic abuse including Forced Marriage & Honour Based Abuse. Funding to commission some free counselling with Roshni for our service users (Specialist Domestic Abuse service aimed at South Asian victims) has been secured for a year.

Furthermore, as a standard aspect of service delivery, the Trust Safeguarding Team provide domestic abuse training to Trust staff members. A figure for this training cannot be estimated, this is due to fluctuations in costs associated with availability of training locations and staff release for attendance.

During 2019 the Trust had hosted a menopause in the workplace workshop to raise awareness, initiate discussions around the subject and to empower our staff members to openly discuss all menopause related issues that were affecting them. The workshop was delivered independently and cost £500.

Please note that the Trust's does not have scope for additional funds to facilitate subscription to women's organisations/ charities.

#### **4. The money spent annually, during this same period, on supporting and promoting LGBT groups and causes including:**

- 1. LGBT/rainbow merchandising, such as involvement in diversity champion schemes, lanyards, flags, posters, and other materials.**
- 2. attending conferences and events and training for Trust staff - including classroom based and e-learning.**
- 3. subscriptions and donations to LGBT organisations such as Stonewall, Gendered Intelligence and Mermaids, GIRES, Action LGBT, Trans health.**

The Trust carry out the following to support the LGBT community,

- Funds raised through dress down day – monies contributed to the LGBT centre to provide Christmas lunches for isolated LGBT people.
- Contribute towards a float during PRIDE parade.
- The Trust's LGBT staff network will pay for the tickets for those who attend and march in the PRIDE event. Please note that this is a limited amount of paid tickets available for staff.
- Attending annual stonewall conferences and other associated LGBT events

Please see table below for the total annual spend on supporting and prompting LGBT groups and note the following,

- The data is from the period of 2015 – 2019.



- Deployment of specialist language support for BAME victims
- To support LGBTQ patients suffering from DVA

Furthermore, as a standard aspect of service delivery the Safeguarding Team provide domestic abuse training to Trust staff members. A figure for this training cannot be estimated, this is due to fluctuations in costs associated with availability of training locations and staff release for attendance.

Please note that the Trust's does not have scope for additional funds to facilitate subscription to women's organisations/ charities.

**6. Can you forward all of your official policies, including your staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, children's transgender policy, any inpatient school materials, any patient treatment guidelines and patient literature/posters written in conjunction with the LGBT groups. Please detail the contribution each LGBT group made to each policy/guideline.**

Please find attached the following polices and framework and note that a Section 40 exemption has been applied, which means that the policy author's and policy leads name have been removed as it pertains to personal information.

- Trust's Trans Equality Policy, Equality
- Inclusion and Human Rights Policy, Equality
- Diversity and Inclusion Framework
- Stonewall Feedback Report.

Currently the Trust does not have a specific Women's Policy as referenced in the request however, the Trust has recently launched an internal menopause toolkit.

The toolkit will contain sources of support as well as further information and is intended to raise awareness of menopause transition for staff members who are directly and indirectly affected.

The toolkit will also enable staff members to obtain better understanding on the symptoms, associated issues women face when managing menopause and potential actions senior managers can take to support their staff members.

For further details of the toolkit please see the link below.

Link: <http://connect/corporate/humanresources/healthandwellbeing/Pages/Menopause-Toolkit.aspx>

**7. Can you forward all of your official policies, including your staff/patient equality policy, Women's policy, LGBT policy and Transgender policy, children's transgender policy, any inpatient school materials any patient treatment guidelines and patient literature/posters written in conjunction with the women's groups. Please name and each women's group and detail the contribution each made to policy/guidelines.**

Please find attached the following polices and framework and note that a Section 40 exemption has been applied, which means that the policy author's and policy leads name have been removed as it pertains to personal information.

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**8. Did your Trust obtain legal advice to determine the legality of the Transgender policy, specifically in terms of the Equality Act (2010) and single-sex exemptions? If so, what law firm did you consult with and what were the associated costs?**

The Trust did not obtain legal advice when composing the Trans Equality Policy however, advice and guidance was sought from Stonewall, a gay, bisexual and transgender rights charity that work with organisations to create inclusive and accepting cultures for LGBT people.

As the Trust is a member of Stonewall Diversity Champion Programme our policies were reviewed by Stonewall's in-house team of experts to ensure the policy is inclusive and is in line with the Equality Act 2010.

**9. Which staff roles and other NHS organisations - include name of NHS organization, date and policy referred to - provided input to your transgender policy, who is the executive owner of the transgender policy and of the approved committee consultation comments, where were they taken from and which role reviewed them? Please name any internal networks, committees or groups also consulted.**

The Trust's Trans Equality Policy and Equality, Inclusion and Human Rights Policy and Equality Diversity and Inclusion Framework, has been reviewed at by the following,

- Trust wide level review
- The Trust's LGBT staff network
- Service users and staff focus groups.
- Trade Union - (JOSC)
- Trade Union -UNISON

Furthermore, as the Trust is a member of Stonewall Diversity Champion Programme our policies were reviewed by Stonewall's in-house team of experts for LGBT inclusion.

Comments and feedback from the mentioned groups were incorporated into the final version of the policies and framework by the Trust's Workforce subcommittee.

For details regarding Stonewalls feedback on Trust's policies please see the attached Stonewall Feedback Report.

In addition to this, to obtain further details of Policy Lead and which committee the final policy was approved within please refer to the cover page of both policies.

Please note that the Trust's Transgender Policy and Equality, Inclusion and Human Rights Policy is due for review. However, as a result of the Covid-19 crisis and the unprecedented demands on the Trust the ratification of the policy has been delayed and the policy is currently being reviewed by a workstream.

It is anticipated that an updated version of the policies will be deployed in 2021.

For the listed and attached policies and framework note that a Section 40 exemption has been applied, which means that the policy author's, policy leads, and executive owners name have been removed as it pertains to personal information.