Equality diversity and inclusion (EDI) strategic framework 2020-25

Nursing & Midwifery Council

Contents

Introduction

EDI is at the heart of everything we do. We've already come a long way in our EDI work, but there's still a long road ahead of us. Our approach to embedding EDI comprises two elements:

- Delivering our commitments in the NMC Strategy 2020-2025
- Using this EDI Framework to guide our work

Our EDI Framework is a delivery plan to support the implementation of the NMC Strategy 2020-25. It describes how we deliver our compliance with equalities and human rights legislation and promote best practice. It is a corporate framework that encompasses delivery of our internal workforce plans as well our external policy work that impacts on the professionals on our register and the public.

Part 1 explains how EDI is embedded in our strategy, including our EDI priorities which will be reviewed annually. Part 2 sets out our approach, explaining practically how we deliver EDI in our work and aim to mainstream EDI in everything we do. Part 3 explains how we will monitor our EDI performance, and Part 4 covers the law that underpins our work.

Part 1

EDI in our Strategy 2020–25

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The Nursing and Midwifery Council (NMC) is the independent professional regulator for nurses and midwives in the UK, and nursing associates in England.

Our vision is safe, effective and kind nursing and midwifery that improves everyone's health and wellbeing. As the professional regulator of more than 700,000 nursing and midwifery professionals, we have an important role to play in making this a reality.

Our Strategy 2020-25 has three key roles that underpin our purpose: regulate, support, and influence. EDI is threaded throughout these roles.

Our core role is to **regulate**. First, we promote high professional standards for nurses and midwives across the UK, and nursing associates in England. Second, we maintain the register of professionals eligible to practise. Third, we investigate when nursing or midwifery care goes wrong – something that affects less than one percent of professionals each year.

To regulate well, we **support** our professions and the public. We create resources and guidance that are useful throughout people's careers, helping them to deliver our standards in practice and address new challenges. We also support people involved in our investigations, and we're increasing our visibility so people feel engaged and empowered to shape our work.

Regulating and supporting our professions allows us to **influence** health and social care. We share intelligence from our regulatory activities and work with our partners to support workforce planning and sector-wide decision making. We use our voice to speak up for a healthy and inclusive working environment for our professions.

The themes that will guide how we plan our work, and our investment in people and resources between 2020 and 2025 are:

- Improvement and innovation
- Proactive support for our professions
- More visible and informed
- Engaging and empowering the public, professionals and partners
- Insight and influence

Notably we take a strategic approach to EDI in **insight and influence**. Our intelligence informs regulatory decisions such as the safety of workplace settings that provide student placements, or the need for additional standards and guidance on EDI topics. We use research and data to understand and improve the impact of our regulatory approach. We analyse the diversity data we hold about nurses, midwives and nursing associates to ascertain disproportionality and take steps to understand and address potentially discriminatory outcomes for the professionals we regulate and the public.

Our **values** also have EDI at their core:

- **We're fair:** We treat everyone fairly. Fairness is at the heart of our role as a trusted, transparent regulator and employer.

- **We're kind:** We act with kindness and in a way that values people, their insights, situations and experiences.

- **We're ambitious:** We take pride in our work. We're open to new ways of working and always aim to do our best for the professionals on our register, the public we serve and each other.

- **We're collaborative:** We value our relationships (both within and outside of the NMC) and recognise that we're at our best when we work well with others

Part 1

Our EDI priorities

Where did the EDI priorities come from?

A key source of insight when developing our EDI priorities came from the wide engagement we undertook with people representing diverse members of the public, our employees and the professionals on our register for our Strategy 2020-25. We have reviewed research, reports and feedback from our EDI stakeholders and analysed the diversity data we hold about the professionals on our register and the people who work for us. Our priorities have also been influenced by a range of internal factors such as our strategic aims, values, diversity data and benchmarks, as well as the external environment and global issues such as Covid-19 and Black Lives Matter.

Using a range of intelligence and evidence we determined the following EDI priorities for the period 2020-25. We will review whether the priorities are still suitable and relevant annually, and we plan to review our organisational progress against the priorities every quarter.

1. Promote a just culture; challenge discrimination in the health and care sector's work and learning environments

- Use an evidence-based approach to press for work and learning environments that are safe and healthy for all.

- Set standards that empower the people on our register to challenge discrimination.

- Act when concerns are raised about discriminatory behaviour by people on our register.

- Share insights about disproportionality or discrimination with other organisations that are well-placed to act.

- Build an inclusive culture internally, acting on any evidence our employees are experiencing discrimination.

2. Support the reduction of health inequalities

- Ensure education programmes equip nursing and midwifery professions to work effectively and sensitively with diverse colleagues and service users.

- Set education and practice standards that support professionals to provide good care for everybody by adapting their practice to meet the needs of different people, and to equip them with the knowledge, skills and values to address health inequalities amongst patients and the public.

- Promote partner-led campaigns and resources that address health inequalities, nationally and in the devolved nations. For example, improving the cultural competence of professionals on our register, promoting person-centred care, and supporting overseas registrants to understand the diversity of patients in the UK.

3. Improve our EDI evidence base and extend our insight

Our register of over 700,000 nurses, midwives and nursing associates is a significant evidence source. How we analyse, use and share that information can inform the direction of anti-discrimination activities in our organisation and the wider health and care sector and how effective they are. We will:

- Use the diversity data we hold about the professionals on our register to monitor our regulatory activity for any evidence of different or disproportionate impacts on different groups.

- Improve our systems to ensure we have good quality diversity data and use it to provide intelligence about the diversity of our professionals.

- Assess and improve the diversity data we collect from our employees.

We also have evidence from other sources. We will monitor:

- The content and types of concerns raised about the professionals on our register for EDI themes and issues in the health and care sector.

- External communications and corporate complaints as these can inform our EDI priorities and help us measure progress.

- Current and emerging external data about the experience of groups accessing health and care services.

- Insight from our membership bodies, regulatory partners and other stakeholders which can inform our EDI work.

4. Support the health and wellbeing of nursing and midwifery professionals

- Primarily we will focus on where our processes and services impact directly on the health and wellbeing of the professionals on our register. For example, mitigating against the negative impact of our investigation processes on the mental health of the professionals on our register.

- We will support the health and wellbeing of nurses, midwives and nursing associates in their education and practice. For example, communicating to our partners and though our regulatory relationships with employers and education institutions on EDI topics such as mental health and menopause.

- We will seek to understand, and use our influence to speak out about, wellbeing issues facing nursing and midwifery professionals – particularly if some groups are disproportionately facing these issues.

- We also recognise that the wellbeing of our employees is crucial and we will build a culture that encourages collaboration, fairness and flexibility to enable all colleagues to realise their potential.

5. Improve the cultural competence of our leaders and the diversity of our teams

Culturally competent and diverse leaders will help us make fair decisions. There is well-established evidence that diversity in teams leads to better decisions. Our decisions-makers should understand and reflect the diversity of nursing and midwifery professionals, patients and the public, and a priority action for us is to set relevant benchmarks for diversity and targets for improvement. We aim for:

- Our data to show we are moving towards these benchmarks at all levels of our workforce.

- Council members and other leaders to be well-informed about EDI and able to speak to and challenge on EDI issues.

- Our recruitment processes to be fair and non-biased.

6. Be an inclusive place to work

- We value the diversity of our workforce, and we will work to systematically identify and break down barriers to full inclusion. We want to retain our talented people and ensure they can be themselves while at work. As a minimum we will comply with our legal obligations, policies and commitments, for example on providing reasonable adjustments, and we will also:

- Create a work environment that celebrates diversity, for example marking diversity dates and festivals.

- Promote EDI understanding for all, for example using internal communications, employee networks, training and senior sponsors to build a culture where people feel safe to be authentic and raise EDI issues where necessary.

- Hold ourselves accountable at the highest levels and support our leaders by providing leadership training and competence building opportunities for managing diverse teams.

- Benchmark our progress using external tools and resources such as the NHS' Workforce Race Equality Standard and Stonewall's Workplace Equality Index.

Our approach to EDI

Our EDI activities range across four areas with leadership at its core: employees, policy (including operational and regulatory processes), communication and evidence.

- Leadership is at the core of delivering the EDI agenda. This isn't just about seniority – all employees have a role to play in driving forward this agenda.

- Policy includes the development and implementation of policies as well as the operational processes in service delivery.

- People: we recognise that our employees, panelists and contractors are diverse and that their engagement and skills are key factors in delivering this agenda.

- Communication: our channels of communication must be fit for purpose and accessible to achieve our purpose of protecting the public.

- Evidence: our understanding of the diverse nature of the people on our register, the patients and public, and how our work impacts on them are key to informing our EDI priorities.
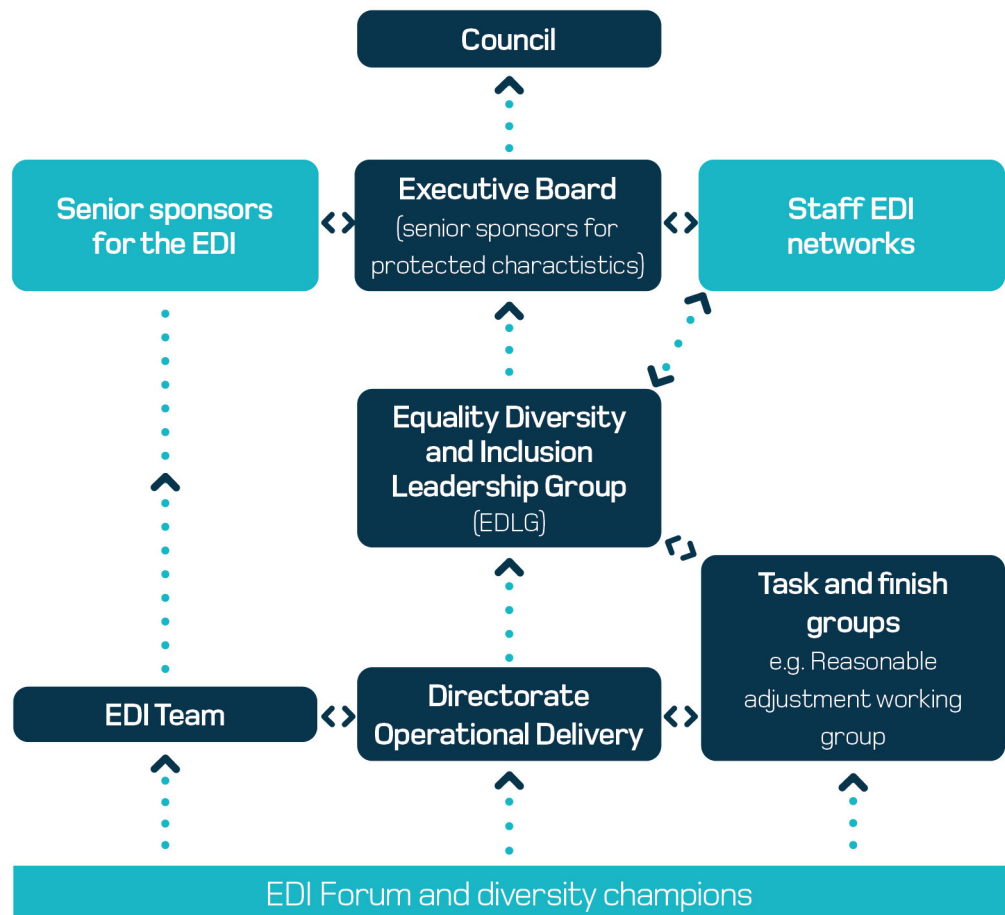
Diagram 1: EDI activities

Governance

Our EDI governance structure shows the decision-making routes for EDI in the organisation. The arrows denote how information flows.

Diagram 2: EDI Governance

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       │              │ Leadership Group  │
       │              │      (EDLG)       │
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│          EDI Forum and diversity champions                   │
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Roles and responsibilities

Delivery

The **senior sponsor for EDI** is the executive director who is accountable to the Chief Executive for ensuring adequate provisions are in place to deliver the EDI priorities via the EDI Framework. The senior sponsor chairs the EDILG and sponsors the EDI activities on behalf of the executive team. They also sponsor characteristics that do not have a dedicated senior sponsor (see below).

Directors deliver the EDI priorities. Directors are expected to incorporate the EDI priorities into their business plans. Directors are accountable to the Chief Executive for ensuring adequate resources are in place to deliver the EDI priorities via the EDI Framework. For example, equality impact assessing policies, processes and projects to ensure compliance with the Equality Act 2010 and any other relevant legislation, and monitoring progress against the EDI actions in senior management and performance reporting meetings. Directors report exceptions to the progress against EDI actions through performance reporting and governance papers.

Senior management and line managers are responsible for the delivery of the EDI priorities and for understanding and raising the importance of EDI in their area of responsibility. They must undertake equality impact assessments when developing new processes, policies or making significant changes. In managing teams, they must carry out appraisals and provide feedback on how colleagues are doing their work in line with EDI principles and values.

All employees All employees are responsible for the delivery of EDI and for compliance with equalities and human rights legislation. They are responsible for keeping their training and understanding of EDI up-to-date, and contributing to an inclusive working culture that celebrates the diversity of those using our services as well as our employees.

Assurance

Council must be assured that the NMC is compliant with equalities and human rights legislation in the decisions and information that the NMC presents to them. They are representative of the views of the people and voice of the professionals on our register, and as such should hold the NMC to account for placing EDI at the heart of all it does.

Our boards are responsible for compliance with equalities and human rights legislation. They sign off equality impact assessments and EDI initiatives for their areas of responsibility.

The members of the **Equality Diversity and Inclusion Leadership Group (EDILG)** are Assistant Directors or Heads of teams representing functions from across the organisation, plus the chairs and co-chairs of our employee network groups, who are responsible for driving and reporting against the progress of their directorates against the EDI priorities. EDILG members are responsible for championing EDI in their directorate and raising the profile of EDI with all colleagues.

The EDILG makes recommendations on corporate EDI decisions to executive level boards. The responsibilities of EDILG to support the NMC to progress against our EDI priorities are explained below.

Responsibility	EDILG activity
Setting measures	Agree annual EDI measures
Monitoring	Monitor action plans to achieve progress against EDI priorities.
Evaluation	Evaluating progress by assessing the measures and EDI evidence, including benchmark results.
Reporting	Exception reporting at EDILG meetings on the progress at a directorate level via EDI action plans. Six-monthly reports to the Executive on corporate EDI progress.
Reviewing and adjusting	Annual review. Adjust plans, priorities and measures to reflect up to date position.

The **EDI Forum** is a forum for sharing EDI best practice across the organisation. EDIF is open to all employees to join and attend meetings. Members of the EDIF:

- Communicate EDI messages
- Act as a consultative forum to scrutinise how the organisation has considered EDI in business plans
- Raise awareness of non-compliance in the directorates
- Share best practice and raise issues in their areas which can help us understand EDI issues and the level of progress we're making

EDI leads

Senior sponsors (for a protected characteristic) are executive directors, directors or assistant directors who promote equality and awareness for a particular protected or personal characteristic. Where appropriate, they work closely with employee network groups that represent the characteristic they are sponsoring.

Champions and diversity allies do not have particular legal responsibility for compliance. They are people at any level in the organisation that promote EDI messages and work to raise awareness of and remove barriers that may be blocking achievement against EDI priorities.

Employee network groups (ENGs) bring employees with shared characteristics such as gender, race, cultural heritage, sexual orientation, disability and allies together in a safe space. Our ENGs offer invaluable insight, they provide advice on policy, community and staff engagement. The activities of ENGs are generally aligned to the wider strategy, values and social goals of the organisation they represent - this makes getting things done easier too. The co-chairs for our ENGs are members of the EDILG.

The **EDI team** support the delivery of the EDI priorities in line with equalities and human rights legislation and best practice. Some of the EDI team's activities include:

- Providing advice and guidance to the business, shaping relevant policy;
- Raising awareness of the key issues and priorities for equality, diversity and inclusion;
- Providing the secretariat for the EDILG, the EDI Forum and task and finish groups;

- Compiling the responses from directorates on progress against EDI priorities, via directorate level action plans and external benchmark responses;

- Working with communications and engagement teams to build relationships with diverse groups and communicate progress on EDI internally and externally;

- Scrutinising and reviewing the quality of equality impact assessments (EQIAs);

- Providing training on a range of EDI topics

EDI performance monitoring

Setting EDI priorities

The EDI priorities are determined by the priorities for the NMC as a whole, the internal and external evidence we have gathered about key issues, and the ambitions we set out in our Strategy. We review them every year.

Monitoring

We have a corporate EDI action plan. This plan is monitored by the EDILG. We report EDI progress in the annual NMC reports and in our submissions for the EDI standard 3 to the Professional Standards Authority.

Measuring and evaluation

Our corporate EDI measures are part of our performance framework. In addition we measure progress through completion of EDI benchmarks such as the Stonewall Workplace Equality Index, the Business Disability Forum's Disability Standard and the WRES. The decisions on which benchmarks we complete are taken annually and may change determined by organisational priorities.

Project management

Equality impact assessments are built into the structure of our programme and project management processes. We complete EQIAs for all programmes. The project management boards (e.g. New Ideas Forum and Change Portfolio Management Group) provide an additional level of scrutiny of EDI compliance.

Business planning

Our business plans set out the activities that will give effect to our Strategy 2020-2025. The timeline for managing EDI is in line with the business planning cycle. The annual business planning process

ensures that EDI activities are planned into each directorate's business plans at the outset, which helps ensure we comply with equalities and human rights legislation.

EDI in the business planning cycle

Every year our Executive Board agrees how we will plan and budget for the year ahead. Each directorate develops first and second drafts of its plans and budgets, which includes deciding on EDI activities and setting associated measures. Our business planning templates have an EDI section and all draft directorate business plans are reviewed by the EDI team, EDILG and the EDI Forum.

Once drafts are finalised we present an overview of EDI actions and measures to directors and publish a summary of EDI actions in business plans internally. This is also when we review our EDI priorities, and update our actions and measures accordingly.

Every summer we present progress against our EDI priorities to Council in our annual NMC report.

Tools

The principal tools that we use to ensure that we are compliant and fair in how we deliver our strategy are:

- EDI actions in business plans
- Corporate action plans e.g. Ask Listen Do
- Equality impact assessments (EQIAs)
- Human rights impact assessments (HRIAs)
- Training and awareness raising
- Insight and evidence

Action plans: we use action plans to monitor our progress and hold the business to account. Action plans are developed for all areas that we want to make progress in, including progress against benchmarks and strategic commitments. SMART actions are monitored by the EDI Team. The EDI-related activities in each business plan are monitored by EDILG.

Equality Impact Assessments (EQIA): An EQIA is the tool that we use to assess the impact of our policies, processes and projects on people who share protected characteristics. Producing EQIAs demonstrates compliance with the Equality Act 2010, and other

relevant equalities legislation, including our Welsh Language Scheme. Similar to a risk assessment, the EQIA should begin at the start of any project or policy work and reviewed regularly when there is new evidence or at key decision points.

Human Rights Impact Assessments (HRIA): A checklist used by policy and legal teams to assess if our actions engage the articles of the European Convention of Human Rights (ECHR).

Training and awareness raising: Employees and panellists will be trained to understand the requirements of the relevant equalities legislation in relation to their roles; for example, on how to carry EQIAs, and unconscious bias training for decision-makers.

Insight and evidence: We look at different types of evidence to provide insight into differentials and issues by protected characteristics for nurses, midwives, nursing associates, the public and employees. This informs the prioritisation of our EDI activities:

- Reviewing research and reports (both commissioned by the NMC and external reports)
- Surveys and consultations
- Diversity data monitoring and analysis of the professionals on our register
- Benchmarks
- Employee diversity data and surveys
- Customer feedback and complaints

Co-production, consultation and engagement: with diverse groups or organisations that represent the views of those groups. Our external stakeholders are:

- Registered nurses, midwives and nursing associates
- Student nurses, midwives and nursing associates
- Overseas nurses, midwives and nursing associates
- EDI organisations relating to different areas of NMC work (e.g. Mencap)
- EDI watchdogs and expert groups (e.g. Equality & Human Rights Commission, Stonewall)
- EDI leads at healthcare regulators and unions e.g. GMC, RCN
- External employee networks e.g. LGBT+ inter-regulatory group and BME inter-regulatory network
- Diverse representative groups e.g. CNO BME Strategic Advisory Group (England)

The law

The Equality Act 2010[1] contains measures which have direct implications for our functions and underpins the legal framework in which we operate. It informs our approach as a regulator and employer.

The Equality Act 2010 identifies nine protected characteristics. These are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

In respect of these nine protected characteristics, section 149 of the Equality Act 2010 established the Public Sector Equality Duty (PSED), which requires us to have due regard to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

Having 'due regard' means that decision makers need to consciously consider their duties under the PSED, and how these can be applied to the work we do and decisions we make. We must also be able to show how we comply with the PSED. Although Equality Impact Assessments are not a legal requirement they are an important tool in demonstrating that we have considered our legal duties.

The Human Rights Act 1998 protects people's human rights in the UK and enshrines the articles of the European Conventionon Human Rights in British law. Examples of articles of particular relevance to the NMC, Article 6, the right to a fair trial in how we run our fitness to practise processes, Article 8, the right to private and family life, and Article 14, freedom from discrimination in how these rights are observed.

[1]The Equality Act 2010 doesn't apply to Northern Ireland, where the equalities legislation is spread across several orders and regulations and has some differences to the rest of the UK.