

INCLUSION NEWS

The Newsletter of the Equalities and Diversity Team of Central and North West London NHS Foundation Trust, bringing you examples of good practice, information and updates on developments within Equalities, Diversity and Human Rights.

Issue No. 13, May 2009

In this issue

The process of updating Equalities and Diversity-related policies within the Trust has now been completed, and in this issue we highlight the new Equality, Diversity and Human Rights Policy Service Delivery) and Transgender (Recognition and Response) Policy.

We also include information about two new Equalities and Diversity posters. One promotes awareness of the Trust's Single Equality Scheme 2008/11, the other publicises the Trust's Staff Disability Equality Group.

As you can see from the contents listing, we also have a range of other articles which we hope you will find both interesting and informative.

Contents

The Equality Bill – update	1
Revised DofH advice regarding treatment of failed asylum seekers	1
Equality, Diversity and Human Rights Policy Service Delivery)	2
Transgender Policy	3
New Equalities Posters	4
deafness and the Deaf Community	4
Further Equalities and Diversity Training DVDs	4
Assessing the Spiritual Needs of Service Users	5
Equalities in Mental Health	6
Delivering Race Equality	6
National NHS BME Network Conference	7
Book Review	7
PRISM DofH LGBT network	8

The Equality Bill - update

The new Equality Bill was introduced into Parliament on April 27th 2009. Links to the actual Bill and further information from the Government's Equalities Office can be accessed at: http://www.equalities.gov.uk/equality_bill.aspx where you can also access the Government document, *A Fairer Future - the Equality Bill and other action to make equality a reality* which provides an overview of the Bill's planned content. We cannot be sure yet exactly when the Bill will be enacted or, of course, what amendments may be introduced during its passage through Parliament.

Revised DofH advice on the right to treatment of failed Asylum Seekers

Treatment of The Court of Appeal has overturned a High Court ruling that failed asylum seekers can be considered 'ordinarily resident' in the UK and thereby entitled to free NHS hospital treatment. It also found DH guidance unlawful for being unclear when to treat overseas visitors in certain circumstances. Revised advice for overseas visitors managers on:

- 1a) failed asylum seekers & ordinary/lawful residence;
- 1b) when to provide treatment for those who are chargeable;
- 2) victims of human trafficking

can be accessed at:

http://www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Dearcolleagueletters/DH_097384

Equality, Diversity and Human Rights Policy (Service Delivery)

‘The Trust recognises and values the different backgrounds and experience (race, culture, gender, disability, religion or belief, sexual orientation, age) that service users and staff have and embraces the contribution and difference of others by actively utilising skills and experiences to help promote good quality care to service and other users’.

In the last issue of Inclusion News we drew your attention to the new Equality, Diversity and Human Rights Policy (Employment). The Trust has now ratified the Equality, Diversity and Human Rights Policy (Service Delivery) which sets out the Trust’s policy commitments within its function as a deliverer of services.

It includes sections addressing:

- Definitions
- Principles
- Human Rights
- Race
- Disability
- Gender
- Religion or Belief
- Sexual Orientation
- Age
- Cultural needs
- Service User and Carer Responsibilities
- Dealing with complaints
- Contracts and Tendering
- Training
- Monitoring

The policy confirms the Trust position in supporting ‘the rights of all people to receive treatment without unlawful discrimination, with due regard to equality legislation and with respect for their diversity and human rights’. It also states that “Managers and staff have a joint responsibility in the course of their work to protect service users from being discriminated against on the grounds of their race, colour, religious beliefs, nationality, age, social background, ethnic or national origin, gender (including gender-reassignment), HIV status, marital status, sexual orientation, disability, political affiliation, domestic circumstances or employment status.

All of the sections within this policy are important, but we would like in particular to draw attention to the Human Rights section. The policy confirms that ‘the Human Rights Act means that all public bodies must pay

proper attention to individuals’ rights when they make decisions that affect those individuals’, and that ‘service users/carers, their relatives and/or visitors will be able to rely on many of these rights in their dealings with the Trust’.

An example of the application of the Human Rights Act within the provision of services would be Article 2, the right to life. This underpins a number of Trust policies and procedures such as the Observation Policy, Clinical Risk Assessments, etc. The Policy also includes references to the use of The Mental Health Act in relation to Human Rights.

The Trust expects service users from all groups covered by equalities legislation to have and to experience equality of access to care and treatment. The Trust Statement on Equalities and Diversity makes it clear that:

‘The Trust’s objective is to deliver high quality services that are accessible, responsive and appropriate to meet the diverse needs of different groups and individuals. Unlawful discrimination and other forms of exclusion have no place within CNWL.’

In addition, the Policy includes reference to recent Equalities legislation which gave public authorities general duties to have due regard to when carrying out their functions:

- Eliminate discrimination that is unlawful under the current equality acts of race, disability, gender and gender identity.
- Eliminate harassment of disabled persons that is related to their disability
- Promote equality of opportunity between all groups.
- Promote good relations between different racial groups
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life; and

- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

The Policy also includes a section detailing expectations from staff and clarification as to

what Equality of Opportunity and Respect for Diversity is, and what it is not.

Transgender (Recognition and Response) Policy

The Trust's Transgender (Recognition and response) Policy provides a comprehensive document describing the requirements of the organisation and individual staff in responding to transgender people – staff, service users, carers, visitors – addressing issues arising within employment and service delivery. The Policy:

1. provides guidance for the appointment and employment of transgender people or existing staff who have undergone, are undergoing or are intending to undergo, gender reassignment.
2. provides a framework for line managers to work to in respect of the issues that must be considered and/or undertaken when existing staff or individuals within the recruitment process identify themselves as undergoing or wishing to undergo gender reassignment.
3. provides guidance on the management of transgender service users within both community and in-patient settings
4. addresses issues such as personal records, single sex facilities, time off for medical appointments, staff briefing and confidentiality.

While a person may describe themselves as a trans man or trans woman it is key for CNWL staff to be fully aware that trans men are men and trans women are women. However, the majority of transsexual people will do their utmost to be accepted in their acquired gender and will not offer their transsexual status, nor wish it to be

disclosed, preferring just to be considered their chosen gender.

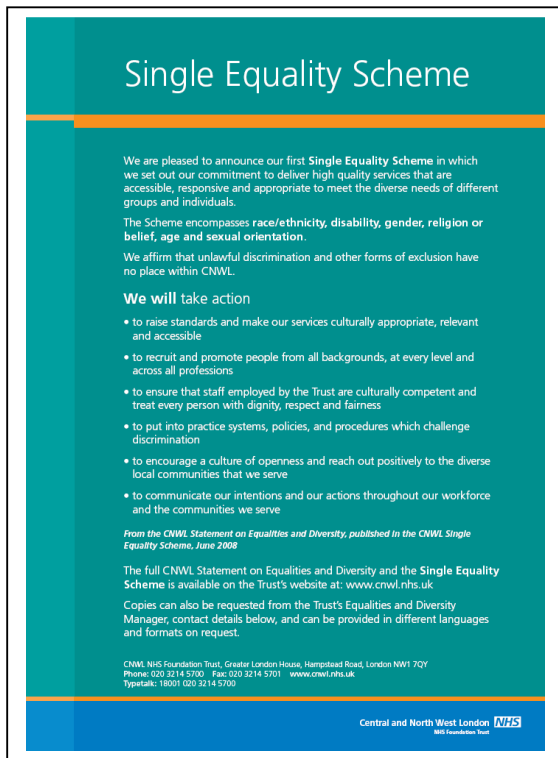
The Trust is committed to protecting trans people from being treated less favourably due to their intending to undergo gender reassignment, being in process of undergoing gender reassignment or having at some time in the past undergone gender reassignment. The Trust respects an individual's right to self-identity as male or female and commits to recognising all employees and service users of the Trust as the gender in which they choose to present in so far as is reasonable and practicable. In instances where the trans person holds a Gender Recognition Certificate the Trust recognises that it is bound by law to do so for all purposes.

Harassment of an individual on the ground of gender reassignment – either by their employer or by other employees is a form of unlawful discrimination under the Sex Discrimination (Gender Reassignment) Regulations 1999.

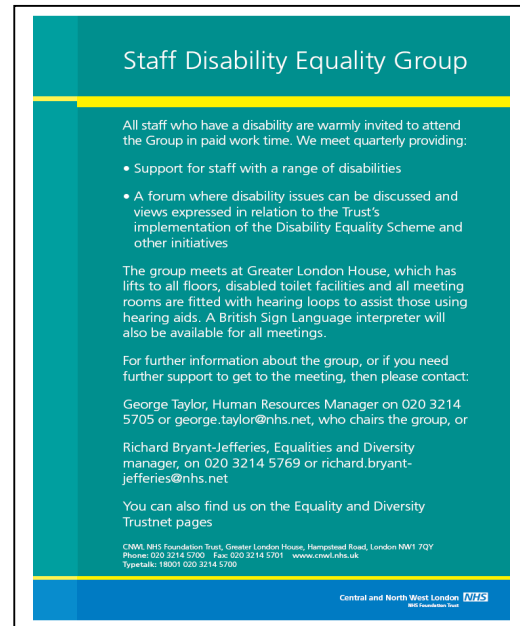
Like Lesbian, Gay and bisexual people, trans people often meet with discrimination and prejudice in their everyday lives. Many, regardless of social position or class, experience isolation and face limited understanding of their lives. These experiences place many trans people at risk of alcohol abuse, depression, suicide, self-harm, violence, substance abuse and HIV.

Equalities and Diversity Posters

The Trust has published two new posters in recent months which have been sent out to all sites and services. Both should be displayed. If you do not have them at your site, please contact the Equalities and Diversity team.



The Single Equality Scheme poster incorporates the Trust's Statement on Equalities and Diversity.



The Staff Disability Equality Group publicises this group and provides contact details for staff to obtain more information.

deafness and the Deaf community

The Trust does have a number of staff who are Deaf or who have reduced hearing. Concern has been raised that some hearing members of staff feel awkward and uncertain about what to do when communicating with a person who

is deaf. We would like to therefore take the opportunity of reminding all staff that we have produced and published our own *Guidance on deafness and the Deaf community*.

Further E&D Training DVDs

In addition to the Skillboosters Training DVDs featured in the February issue of Inclusion News, we are please to announce that we are also building up a library of other DVDs that will be available for loan to services for training and awareness raising processes.

Currently, we have the following titles available:

Face2Face Mentoring Project – Migrant and refugees Communities Forum: Working with forced migrants to improve mental health and wellbeing. Interviews with forced

migrants and medical and community support staff. (13 minutes)

Hard to Believe – a film about mental health and spirituality. It explores models of good practice in terms of how mental health services can work better to meet peoples' spiritual needs and also how faith communities can develop a better understanding of mental health problems and thus support people in their community who may be experiencing such difficulties. (64 minutes)

Carers' Journeys – the material on this DVD reflects the views of a multi-ethnic group of carers and community members in Wolverhampton who meet regularly to share their experiences and hope for the future. (20 minutes)

From the Cradle to Beyond the Grave? A Multi-faith Conference – Held at Staffordshire University, January 2008, this Conference examined issues around the last stages of life and whether death is the end of existence or a gateway to somewhere and something else. DVD 1 – presentations (1hr 39 mins)
DVD 2 – case studies and workshop extracts (1hr 03 mins)

Open Secrets – an award winning short film about the stigma of mental illness and its effects on family life. 'The stigma that surrounds mental illness prevents people from getting the support they need. In different communities stigma and shame are experienced in a variety of ways. *Open Secrets* will help audiences understand the dynamics of stigma within the family and help people to overcome its negative effects' Professor Dinesh Bhugna, President, Royal College of Psychiatrists. Languages: English, Hindi, Gujarati. (17 mins)

Focused Implementation Site (FIS) – Delivering Race Equality (DRE) – West Midlands

This DVD was produced by West Midlands FIS and conveys the different approaches and activities that have been implemented and initiated within the West Midlands area to support the delivery of DRE. The purpose of FIS has been to generate focussed initiatives that can capture the service reform characteristics outlined within the DRE guidance. (14 mins)

If you have any Equalities and Diversity-related DVDs that we could add to this listing, or know of any that you would recommend we obtain, please contact the Equalities and Diversity team.

Assessing the Spiritual Needs of Service Users – Why should we do it?

Several authors have described spiritual care as a response to the spiritual needs of a person understood through exploring life events, beliefs, values and meaning. However, if we have not assessed these needs how will we know the most appropriate therapeutic support to enable a person challenged by mental illness, trauma or bereavement to find meaning in their experiences?

Guidance by the Chief Nursing Officer on mental health nursing, (From Values to Action: DoH 2006) acknowledges the relevance of spirituality and/or religion in mental health care and looks to nurses to recognise and respond to the spiritual and religious needs of service users. Essence of Care (DoH 2003) also indicates that religious needs of patients are to be assessed and recorded, that there is coordination with

chaplains for patient visiting and that information about spiritual care be made available to service users and staff.

The Healthcare Commission's acute inpatient mental health service review notably looked at this dimension for the first time in 2007. The second of its four criteria, 'the care and support provided appropriate to individual needs' involves staff receiving diversity training in religious awareness and service users assessment of, and access to, staff support for cultural and spiritual needs. In future the 'annual health check' will also include the developmental standard that patients receive effective treatment and care that takes into account their individual requirements and meets their physical, cultural, spiritual and psychological needs and preferences.

Currently the CPA forms contain a box that covers spiritual and religious needs with a few prompt questions. As providing an opportunity to understand service users' spiritual needs is an important element of assessment processes and in order to assess this area more fully, an adapted form of the HOPE assessment questionnaire (for use in the mental health settings) is now available on Trustnet.

HOPE stands for:

H: Sources of hope, meaning, comfort, strength, peace, love and connection
O: Organized belief systems/religion
P: Personal spirituality and practices
E: Effects on care

Dr Sarah Eagger, Consultant Psychiatrist for Older Adults and Chair of the CNWL Faith and Spirituality Implementation Group.

Equalities in Mental Health Programme

The Equalities in Mental Health Programme seeks to improve outcomes and reduce inequalities for people with mental health issues. It has evolved within National Institute for Mental Health in England (NIMHE) and is a major workstream within the new National Mental Health Development Unit. A new website has been established providing information and links with regard to the work

of the programme. The site has captured all the information on the existing sites of www.actiondre.org, www.olderpeoplesmentalhealth.csip.org.uk and the NIMHE gender pages. The site has been developed to improve access to information and people. It can be accessed at <http://www.mentalhealthequalities.org.uk/>

Delivering Race Equality

The CNWL Focused Implementation Site Project has now been completed and the final report is now available.

The full Evaluation Report on the CNWL FIS Project and Executive Summary can be accessed on Trustnet at: <http://trustnet/CNWL/trustwide/12214.htm>

A number of other reports have also been produced as part of the Focussed Implementation Site Project. These are listed below and are also being made available on the same page.

- 'Count Me In' Census reports
- Brent and Westminster Clinical Trailblazer Report
- Court Diversion Monitoring Report
- PLIAS report
- Brent Court Diversion Outcomes Users Perspectives report
- Brent Multi-Faith Forum – 'One Year On' Report
- Tongues on Fire Film report
- Mental Health Needs of Chinese Community Report

- Mental Health Needs of South Asian Community Report
- Report on mental health awareness raising within the community
- Presentation on Mental Health Act
- Presentation on Stigma
- Presentation on Raising Awareness about Mental Health
- Report on EKTA
- Report on evaluation of Cultural Competence Training for Managers
- Cultural Competency Training Handbook
- Special Edition of FIS news for World Mental Health Day 2007

Also on the FIS page on Trustnet is a listing of FIS Project Community Partners, Community Contacts and organisation that the FIS Project worked with in an advisory role.

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For information nationally about DRE and the different FIS Projects nationally, please access the national DRE website can be accessed at: www.actiondre.org

National NHS BME Network Conference

The inaugural National NHS BME Network Conference is being held in London on June 5th. Entitled 'Race Equality and Race Reality', the Conference will discuss the current reality with decision-makers and present fresh approaches to the promotion of racial equality. It is also planned that a sounding will be taken from delegates on the development of an independent National

NHS BME Network to drive forward the process of change. CNWL BME staff who attend this Conference will be invited to attend a CNWL meeting to discuss the possible establishing of a CNWL BME staff network.

A Conference report will be included in the next issue of *Inclusion News*.

Book Review – Interviewing Clients across Cultures: A Practitioner’s Guide, by Lisa Aronson Fontes

Interviewing and communicating with people in a cultural context is a vital and some would argue the foundation stone, for effective working. The assessment interview is a crucial element in the process of gathering information about a new patient or client, in building a strong working relationship and providing information and insight that will guide and inform decision making processes in relation to treatment and other interventions.

Interviewing Clients across Cultures provides a valuable resource and addresses a wide range of issues that can, and do arise, when undertaking interviews. Throughout there are extremely helpful case examples to illustrate points being made within the text. Although it addresses interviews across cultures within a range of settings, there are numerous references to health and social care.

Amongst the themes addressed are:

Preparing for interviews: information required prior to interview, the impact of settings (including home visits), the difficulties associated with professional ethnocentrism. The author writes: The dominant culture is so pervasive that it can be taken for granted as easily as the air we breathe. Therefore, it is especially incumbent upon members of the dominant culture (and all of us who have received training in that culture) to be self-reflective and respectful when working with people who have a different set of values and beliefs.'

Addressing biases and boundary issues: the value and difficulties associated with ethnic/cultural matching of patient and professional, religious symbols, gifts, issues specific to crisis situations.

Building rapport, conveying respect: tone of voice, pace and timing, professional titles and names.

Non-verbal communication: greetings and taking leave, gestures, posture, gait, expression (or non expression) of emotion and pain, touch, personal space, smiling, eye-contact.

Further chapters address language competence in the context of working with someone in a language that is not native to them, and working with interpreters. cultural factors impacting on whether information is divulged or not, interview reports and record keeping, authority and trust, cultural misunderstandings that can, and do, arise.

A full chapter is given to interviewing culturally diverse children and adolescents with reference to behavioural observations and interpretation, developmental assessment, use of alternative media, trauma symptoms issues of adolescence.

In summary, *Interviewing Clients across Cultures* contains a wealth of information and tips to encourage good practice. Yes, it does cover a lot of topics and perhaps as a result some areas might be dealt with at greater length, or in more depth, however, for the person seeking to develop a fuller understanding of cultural factors as they can

affect the interview process, and who wants to be challenged in their practice, this book will prove both informing and thought-provoking.

Cultural competency is a journey, part of the life-long learning that enables us to be more effective practitioners. The author concludes:

The road toward cultural competence has a beginning and middle, but does not end. As I become more culturally competent, I realize how much I still have left to learn'.

Interviewing Clients across Cultures, by Lisa Aronson Fontes. Published by The Guilford Press, New York.

PRISM – Dept. of Health’s Lesbian, Gay, Bisexual and Transgender (LGBT) Network

The Department of Health held an event for LGBT History Month at the end of February. It provide an opportunity for speakers to emphasise the role of LGBT people within society, and to highlight that whilst many challenges remain, much has been achieved. The event was hosted by PRISM, the LGBT staff network at the Department of Health. LGBT staff within CNWL who would be

interested in being members of this network can obtain further information from:

<http://www.dhprism.com>

Also, would members of the LGBT community working within CNWL be interested in forming a CNWL LGBT staff network? If you would like to be involved, please contact the Equalities and Diversity team who are keen to set up an initial meeting to discuss this possibility.

Please remember to let us know if you know of books addressing health-care related issues in the context of Equalities and Diversity we could mention in *Inclusion News*.

Aware that not all staff have access to Trustnet, we encourage managers to make available paper copies of *Inclusion News*, new reports and other Equalities and Diversity information on Trustnet to staff.

To receive a copy, provide feedback, or to suggest topics for future issues of **INCLUSION NEWS** contact:

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A large print version of this Newsletter is available