



Minutes

Meeting: NHSScotland 'Once for Scotland' Workforce Policies Programme Board
Date: Thursday 29 August 2019
Location: Meeting Room GW0.6, St Andrew's House, Edinburgh

Attendees:

Present: (SN) Sean Neill, Deputy Director Health Workforce, Scottish Government (**Chair**)
(JAn) Jane Anderson, Branch Secretary, Unison
(JB) Janis Butler, HR Director, NHS Lothian
(AG) Anna Gilbert, Head of Staff Governance, Scottish Government
(NP) Norman Provan, Associate Director (Employment Relations), Royal College of Nursing (RCN)

In attendance: (AC) Adam Campbell, Project Support Officer, NHS NSS (**Minutes**)
(LH) Lynn Hunter, Programme Manager, NHS NSS

Apologies: (JA) Jeff Ace, Chief Executive, NHS Dumfries & Galloway
(JJ) Jacqui Jones, HR Director, NHS National Services Scotland (NSS)
(SLR) Stephen Lea-Ross, Head of Workforce Practice, Scottish Government
(JO'C) James O'Connell, Regional Officer, Unite

1. Welcome and Apologies

Sean Neill (SN) welcomed those present and acknowledged the apologies as above. Quorum requirements for the Programme Board are 2/3 of the representative group. Employer Programme Board members had agreed in advance of the meeting that Janis Butler would represent Employers collectively.

2. Minutes and Actions from Meeting on 11 July 2019

The Minutes from the previous meeting were approved as a true reflection of the meeting.

The Actions were discussed and updates added to the Action Log. The Board noted the response from the Scottish Terms and Conditions (STAC) Committee in reference to the issues raised in relation to phased return, triggers and notice of termination (Actions 11/07/2019 - 02, 03, and 05)

Janis Butler (JB) advised that work is ongoing with HR Directors Group to ensure that each NHS Board develops a local implementation plan in partnership (Action 09 (11/07/2019)). JB was unable to attend the most recent HRD meeting and agreed to seek an update from Jacqui Jones (JJ).

3. Highlight Reports

3.1 Highlight Report – Policy

The Board noted the Policy Highlight Report.

3.2 Highlight Report - Digital

The Board noted the Digital Highlight Report.



4. Standard Sections for Review

4.1 Training and Implementation

The Board approved the draft content for the Training and Implementation section.

For Attendance and Capability policies only, the Board suggested that individuals at the very start of the process should move across to the refreshed policy on the completion of Stage 1, provided both sides are in agreement. If both sides are not in agreement, the individual would remain on the extant PIN. The Board asked that the Policy Development Group (PDG) check this with Central Legal Office (CLO).

ACTION 01: (29/08/19) PDG to check with CLO that for Attendance and Capability policies only, it is appropriate for an individual to move across to the refreshed policy on the completion of Stage 1 if all parties are in agreement.

4.2 Monitoring and Evaluation

The Board approved the draft content for the Monitoring and Evaluation section.

4.3 Review

The Board approved the draft content for the Review section. The Board agreed that technical updates can easily be made on the digital portal and SWAG Committee appraised. SWAG Committee will advise where legislative changes may require further consultation.

The Board agreed that for formal review, out with technical updates, this should be no earlier than 3 years from the date of publication. Learning from the development and implementation of NHSScotland Workforce Policies on a 'Once for Scotland' approach will inform the tripartite process for a formal review.

The Board discussed the process for ensuring that all new policies developed in future adopt the 'Once for Scotland' format on completion of the current work. The Board agreed that any new workforce policies that require to be developed will follow the 'Once for Scotland' approach. This work would be commissioned by SWAG Committee and a Policy Development Group formed with a clear mandate from SWAG.

4.4 Legal Context

The Board agreed to remove the legal context for each individual policy and replace with an overarching statement to cover that all policies are legally compliant.

The Board requested that the PDG finalise the remaining sections and circulate electronically for approval. The Board then agreed that Standard Sections should be shared with SWAG Committee as soon as they are available.

ACTION 02: (29/08/19) PDG to finalise the remaining Standard Sections for review by the Programme Board.

ACTION 03: (29/08/19) LH to share Standard Sections with SWAG Committee following approval by Programme Board.

The additional paper on feedback received from SWAG Committee members on the draft was discussed at this point.

The Board agreed to the following amendments:



- extend the timescale for return of investigation notes from 7 to 14 days
- add further clarification in respect of grievance in the conclusions from the investigation process
- amend the status quo bullet within the Grievance policy to include patient safety issues
- remove the extended sanction from the Conduct Policy

The Board agreed with the position to limit the number of people representing at each stage of a grievance process to a maximum of 3 persons.

The Board agreed that further clarity on staff entitlement to annual leave when off sick if they so choose would be helpful. The Board noted steps taken by the PDG to clarify system processes with payroll to ensure no financial benefit to staff.

The Board agreed to circulate a final draft version of each policy (Draft V2.0) to SWAG Committee for review on 23 October 2019 with changes made as a result of the feedback from SWAG Committee Members and consistency issues identified post July 2019. The cover note should state no material changes and attach a record of change/no change as an addendum to the original analysis document.

ACTION 04: (29/08/19) Programme Team to update final draft versions of each policy to incorporate changes agreed and circulate with papers for SWAG Committee Meeting on 23 October 2019.

The Board agreed that the refreshed workforce policies will stand from the date of implementation. Any local issues in respect of historic variation should be addressed locally.

5. Project Plan

5.1 Approach

The Board discussed and agreed the approach for the development of the Whistleblowing Policy, following the publication of the Whistleblowing Standards. Anna Gilbert (AG) advised that the Standards would be available in October 2019. The Board discussed some of the challenges in relation to recording as part of the informal process. AG agreed to speak with the Scottish Public Services Ombudsman (SPSO) and request sight of the draft documentation to understand if Boards' fundamental issue on recording of informal notifications has been addressed.

ACTION 05: (29/08/19) AG to speak with the SPSO and request sight of the draft documentation to understand if Boards' fundamental issue on recording of informal whistleblowing notifications has been addressed.

The Board agreed the published policies will be branded 'NHSScotland Workforce Policies'.

Lynn Hunter (LH) outlined the key milestones and delivery dates for the completion of Phase 1.

A question was raised on whether the timescale between the soft launch with NHS Boards and Cabinet Secretary approval presented a risk to the programme. SN advised that any risk was minimal and preparatory discussions will be held with the Cabinet Secretary. The Board agreed to amend the finish date of the soft launch to 28/02/2020.

The Board approved the revised plan for the completion of Phase 1 of the programme.

The Board discussed the delivery of Phase 2 and noted the proposal outlined. The Board approved the overall approach. SN noted a concentrated period of work in relation to the consultation process in the autumn of 2020. Members were keen to de-risk the delivery of Phase 2 by separating the number of consultations – potentially up to 4 consultations - and staggering



dates. The Board acknowledged that further work was required to build in the supporting documentation. The Board agreed that the programme should deliver in packages for SWAG Committee review.

The Board discussed and confirmed that the consultations will focus only on the draft policies and will not include the supporting documents. Supporting documentation will be developed following the drafting of the policy.

The policy writer role was discussed. The Board acknowledged that it was not possible for one individual released part time to fulfil this role for the number of policies involved. The view was taken that the policy writer role is a shared responsibility across the PDG and with support from additional Subject Matter Experts (SMEs). Phase 1 has provided learning in terms of style guides and templates for policy and supporting documentation development. This should form part of setting expectations at the planned away day for Phase 2 PDG.

LH noted that in terms of work planning it would be useful for one of the two days allocated to 'Once for Scotland' was a set day. The Board agreed in principle however noted individual challenges and the need to agree this with members at the away day.

5.2 Milestone Chart

The Milestone Chart was discussed by the Board and the planned milestones were noted. LH agreed to update the project plan and milestone chart to reduce risk of delivery as agreed earlier.

ACTION 06: (29/08/19) LH to further develop the draft project plan for Phase 2 and submit a revised version to the next meeting of the Programme Board.

5.3 Start-End Dates

The Board approved the Start-End Dates.

6. Lessons Learned

The Programme Board commended the report prepared on Lessons Learned and noted the value of this process to inform Phase 2. The Board discussed the key recommendations within the report:

1. Work closely with SWAG Committee to ensure clarity on roles, responsibilities and delegated authority between SWAG Committee and Programme Board to allow early identification and resolution of potential issues

The Board agreed to discuss this recommendation in detail at the January 2020 meeting of SWAG Committee.

2. Ensure clarity on roles and responsibilities for the Policy Development Group at the start of Phase 2, including induction for new members

The above recommendation will be addressed at the away day planned in October for the Phase 2 PDG.

3. Review mechanisms to communicate key decisions made by the Programme Board

The Board decided to agree key messages at the end of each Board meeting and communicate through a briefing to the agreed stakeholder distribution list.



4. Strengthen communication messages and channels. Some reiteration of key messages required – what the work is not seeking to do, for example

The Board agreed that this would be addressed through a combination of Engagement Events and Stakeholder Briefings.

5. Consider the approach to engagement events, the ask of Boards and expectations of delegates

The approach to Phase 2 will include longer workshops (AM and PM) and choice of workshop. Further consideration will be given to the request sent to Boards for representation at the events .

6. Scheduling should be improved and processes adapted based on the experience of delivering Phase 1. In particular, additional time for the consultation analysis and requirement for a 'soft launch' implementation period for NHS Boards

Project plan has incorporated additional time based on experience of completing tasks in Phase 1. Further request to de-risk Phase 2 through a staggered approach to delivery.

The Board agreed that the Lessons Learned Report should be circulated for information with papers for the SWAG Committee meeting on 23 October 2019. A detailed discussion on recommendations relating to relationship between SWAG Committee and the Programme Board will be scheduled for the January 2020 SWAG Committee meeting.

ACTION 07: (29/08/19) LH to circulate Lessons Learned Report for information with papers for the SWAG Committee meeting on 23 October 2019 and request agenda item for detailed discussion at the SWAG Committee meeting in January 2020.

7. Risks & Issues

SN queried whether all risks are closed on the completion of Phase 1. LH advised that the risks will be closed and those which remain a risk to the delivery of Phase 2 created as a new risk with agreed mitigating actions.

The Board agreed that the likelihood should be reduced for the risk on “failure to get it right first time with clear, consistent and user friendly national policies...” as all mitigating actions were in effect. Risk level reduced to Amber.

The Board agreed to continue to review the risk on “resources being taken away from this work to mitigate and understand the result of Brexit...”. Risk level Red unchanged.

The Board agreed that the likelihood should be reduced for the risk on “different partners having different expectations on approach to policies...” now that the Benefits Management Strategy and Plan is in place. Risk level reduced to Green.

The Board agreed to close the risk on “timescales not being met for the review of 17 policies in three groupings over 18 months” as this risk has materialised. A new risk will be created against re-baselined timescales for Phase 2.

The Board agreed to close the risk on “specific skills and/or resources not being made available to inform the work of the Development Groups...” and create a new risk for Phase 2. Mitigating actions to include: all PDG members to undertake a policy writing role and setting expectations on roles and responsibilities at the PDG Phase 2 away day.

The Board discussed the risk on “concerns raised on facility time and backfill for Staffside representative on the PDG...”. The Board recognised the need to resolve this issue quickly. It



was agreed that in the first instance, a conference call would be set up between Sean Neill, Jeff Ace and Norman Provan to discuss. If unable to resolve, the issue would require to be escalated by the Programme Board to the SWAG Committee Co-Chairs.

ACTION 08: (29/08/19) SN Office to set up a conference call between SN, JA and NP to discuss the issue of facility time and backfill for Staffside representative on PDG.

8. Benefits Profiles

LH updated the Board on the work carried out up to this point on Benefits Management. Benefits profiles have been produced by a tripartite sub-group of the Programme Board working with additional SMEs. The Programme Board approved five benefits profiles and agreed to remove the previously identified benefit on “increased self-service and reduced reliance on line manager to access basic information” noting that this is covered by the remaining benefits. The Board approved the revised Benefits Map.

ACTION 09: (29/08/19) LH to update the Benefits Management Strategy to include the approved Benefits Map.

9. Any Other Business

The Board agreed the key messages to be included in a briefing to stakeholders following this meeting:

- Timeline for the completion of Phase 1
- Ongoing concerns around resources
- Proposed approach to Phase 2, including multiple and staggered consultations

ACTION 10: (29/08/19) LH to prepare stakeholder briefing to include key messages from the August meeting of the Programme Board and circulate to agreed stakeholder distribution list.

ACTION 11: (29/08/19) NP to ensure that upon receipt of the briefing, his office circulates to all trade union and professional organisations.

10. Date of Next Meeting

The next meeting of the Programme Board will be held on Tuesday 24 September 2019.