

**Scottish Workforce & Staff Governance Secretariat Minute
Tuesday 8 September 2015
Conference Rooms D & E, St Andrews House, Edinburgh**

Present: David Forbes, UNISON
Anne Gent, HR Directors Group **(By Tele Conference)**
Jane Hamilton, Scottish Government
Norman Provan, Royal College of Nursing **(Chair)**
Malcolm Summers, Scottish Government
Anne Thomson, Royal College of Nursing
Dorothy Wright, NHS Education Scotland

In Attendance: Peter Faassen De Heer, Scottish Government
Anna Gilbert, Scottish Government
Andy MacFarlane, Scottish Government
Robyn McCormack, Scottish Government **(Minute)**
Liz Reilly, Scottish Government
Susan Russell, Scottish Government

Apologies: Pauline Howie, Scottish Ambulance Service
Shirley Rogers, Scottish Government

Agenda Item 1 – Welcome, introductions and apologies

The Chair welcomed everyone to the meeting and noted the apologies. The Chair advised that the Secretariat was quorate.

Agenda Item 2 – Minute of meeting held on Thursday 18 June 2015 and matters arising

The minute of the meeting was agreed as an accurate record.

It was agreed that action point 1 would be completed at this meeting when the agenda was set for the SWAG Committee in October.

Outcome: Minute and status of action points were agreed as an accurate record.



SWAG

Agenda Item 3 – National Staff Experience Moving Forward

Jane Hamilton introduced her paper which outlined the options for National Staff Experience Moving Forward. During the discussion the following points were covered:

- It was agreed at the June 2015 SWAG Secretariat meeting that SWAG Secretariat will agree recommendations to take to the full SWAG Committee meeting in October 2015;
- SWAG Secretariat had the opportunity to discuss the key options for National Staff Experience Moving Forward, which were:
 - Moving to a bi-annual staff survey;
 - Continuing with an annual survey, but look to reduce the size of it;
 - Not holding a Staff Survey in 2016 to allow full implementation of iMatter, with the potential to run Pulse Surveys as an alternative to the full national Staff survey.
- Members thoroughly discussed the pros and cons of running both the staff survey and iMatter simultaneously in 2016. They concluded that as 2016 is a critical year for iMatter implementation it could be beneficial for Boards to pause the 2016 staff survey. Under this option the staff survey would resume in 2017 the format of which will be agreed nearer the time. i.e. a full staff survey similar to the one being run in 2015 or a shorter pulse staff survey.

Outcome: SWAG Secretariat agreed that options would be developed more fully and presented to the SWAG Committee for decision.

Agenda Item 4 – PIN Policy – interpretation – SWAG role

Susan Russell presented an update on the SWAG Secretariat's proposed role in relation to the interpretation of PIN Policies. A paper was circulated in advance of the meeting. During the discussion the following points were covered:

- The paper provided SWAG Secretariat with a proposal to help clarify its role on issues relating to the interpretation of PIN policies which have been raised in the past by Health Boards; staff representatives; and, individual members of staff;
- This item relates to previous discussions held at SWAG and members recognised that there is a need to determine where the responsibility of interpreting PIN policies should lie;
- This included considering the policy itself and providing clarity on the intent of the policy;
- Secretariat members were cautious that this responsibility should not end up solely for SWAG but should go through the correct local mechanisms and procedures before reaching them;
- It was highlighted that individuals currently write to Ministers and officials regarding the interpretation and application of PIN Policies and that the Scottish Government are clear that these issues must be addressed locally;
- Members agreed that Health Boards should be encouraged to continue to use existing PIN Policies as they stand with minimal local adaption.

Outcome: SWAG Secretariat agreed that Scottish Government officials would prepare a paper for SWAG Committee in October 2015, with outline proposals on the role SWAG may play in determining policy intent in relation to PINs. This will include defining criteria and principles to determine at what point SWAG will be involved in this process.

Action: Anne Gent's representation on the SWAG Committee & Secretariat Attendance List to be changed to Representative HR Directors Group

Action: Susan Russell to prepare a paper for SWAG Committee in October 2015, with outline proposals on the role SWAG may play in determining policy intent in relation to PINs.

Agenda item 5 – Whistleblowing

A paper was circulated in advance of the meeting to inform discussion. This session builds on the discussions at previous SWAG Committee & Secretariat meetings. Malcolm Summers and Anna Gilbert led a discussion based on the paper.

- The Cabinet Secretary for Health, Wellbeing and Sport set out the Scottish Government's response to the Freedom to Speak Up Review in June 2015, Anna Gilbert gave an update on the progress that has followed;
- Whistleblowing Champion:
 - SWAG Secretariat gave approval for the guidance to support the non-executive whistleblowing champion role to be progressed by the working group that previously developed the whistleblowing champion's role and remit ;
- It was highlighted that an FOI request had been made to Boards which highlighting that the whistleblowing governance process, including the recording of whistleblowing cases, is inconsistent across Health Boards. This was further highlighted by the information provided in the annual Staff Governance monitoring returns.
- Work has previously been undertaken to develop whistleblowing monitoring templates to encourage consistent recording of cases across Boards. Members were asked for approval to re-introduce those templates for further consideration at SWAG Secretariat on 27/10. This was agreed;
- Independent National Officer (INO):
 - Consultation will commence in Autumn 2015;
 - Initial proposals, which are yet to be agreed by the Cabinet Secretary, will be subject to a full public consultation and it is anticipated will include:
 - The scope of the INO role, including criteria of complaints and methodology of complaint handling;
 - Principles and process for raising concerns with the INO;
 - Possible powers an INO may have;
 - Resources required;
 - Where the INO could be hosted;
 - Legislative implications of the different options;
 - Whether the role should cover staff working in integrated Health and Social Care services.
- Members thoroughly discussed the high level initial proposals, and were of the view that integrated services should be included, recognising the complexities which this may entail;
- SWAG Secretariat were advised that detailed proposals will be submitted to the Cabinet Secretary within the next few weeks for her agreement. Following

SWAG

this a consultation paper will be developed. It is intended that the consultation will commence in late October/early November.

Outcome: SWAG Secretariat noted the update and agreed the proposed actions

Action: Scottish Government to re-introduce proposed templates for Health Boards to capture numbers of formal whistleblowing cases reported. This is to ensure consistency of recording across NHSScotland.

Action: Scottish Government to write to members of the working group that previously developed the role and remit of the non-executive whistleblowing champions to establish that they are content to be involved in the development of guidance to support the role.

Agenda Item 6 - Agenda for SWAG Committee on 27 October 2015

The cover sheet for this item was circulated in advance of the meeting, highlighting potential agenda items:

The following agenda items were agreed for presentation/discussion:

- Revalidation of nurses and midwives;
- Whistleblowing - update on progress of proposals for an Independent National Officer;
- Confidentiality Clause and Derogatory Statement Clause Guidance - for SWAG to agree final sign off and publication.
- Shaping the Future of Shared Services;
- National Staff Experience moving forward;
- PIN Policy – Policy Intent – SWAG role;
- NHSScotland 2015 Staff Survey Update.

The following papers for information were agreed:

- Staff Governance Standard Monitoring – Themes/Good Practice;
- Healthcare Retail Standard.

Outcome: SWAG Committee agenda agreed for the meeting on Tuesday 27 October 2015.

Agenda Item 7 – Agenda for SWAG Secretariat on 27 October 2015

The cover sheet for this item was circulated in advance of the meeting, highlighting potential agenda items:

The following agenda items were agreed:

- KSF Update;
- Whistleblowing - Recording Templates;
- Review of SWAG Committee held on 27 October 2015;
- Secondary Employment PIN Policy - permission to consult;
- Agenda setting for SWAG Secretariat on 8 December 2015.

The following papers for information were agreed:

- eEES Update

Outcome: SWAG Secretariat agenda agreed for the meeting on Tuesday 27 October 2015.

AOB

Healthcare Retail Standard

Peter Faassen De Heer provided an update on the Healthcare Retail Standard:

- The Healthcare Retail Standard aims to improve the health and wellbeing of staff, patients and visitors in Hospitals across NHSScotland by offering healthy meals and snacks and alternatives to confectionery;
- Staffside members recognised the aim of the initiative but highlighted the importance of also ensuring that staff have access to staff facilities which allow them bring their own healthy food options into work and heat/refrigerate them;
- A letter will be issued to Health Boards from the Chief Medical Officer shortly to announce the Healthcare Retail Standard this work implementation;
- SWAG Secretariat members fully support this piece of work.

Date of Next Meeting

SWAG Committee & Secretariat - Tuesday 27 October 2015 in Conference Room 4ER, St Andrews House, Edinburgh from 10:00 to 14:30.