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| <p style="text-align: center;">Scottish Workforce & Staff Governance Secretariat Minute Wednesday 4 September 2019 4E.01, St Andrews House, Edinburgh</p> |
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Present: Stephen Lea-Ross, Scottish Government
Sean Neill, Scottish Government **(Chair)**
Norman Provan, Royal College of Nursing
Susan B Russell, Scottish Government
Anne Thomson, Royal College of Nursing
Simon Watson, Unison **(Teleconference)**
Dorothy Wright, NHS Education for Scotland

In attendance: Katie Cosgrove, NHS Health Scotland
Anna Donald, Scottish Government
John Malone, Scottish Government **(Minute)**
Liz Reilly, Scottish Government
Gordon Smith, Scottish Government

Apologies: Caroline Cooksey, NHS Dumfries and Galloway
Anna Gilbert, Scottish Government
Pauline Howie, Scottish Ambulance Service
Anne Thomson, Royal College of Nursing

Agenda Item 1 – Welcome, introductions and apologies

1. The Chair welcomed everyone to the meeting and noted the apologies. The Chair advised that the Secretariat was quorate. Due to technical difficulties with videoconference, Caroline Cooksey sent in her apologies. Simon Watson was also having issues with videoconference, however, managed to join the meeting through teleconference.

Agenda Item 2 – Minute and Summary of Action Points of meeting held on 25 July 2019 and matters arising

2. The minute of the meeting and summary of action points were agreed as an accurate record.

- Action point 1 (Annual Reviews, National Staff side)
 - A meeting took place on 3 September with HRD's. It was agreed that a short paper would be circulated to SWAG Secretariat in due course. It was agreed that there is benefit for Staffside to attend the Ministerial Annual Review process and they welcomed this.

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- Action point 2 (Staff Governance Monitoring Future Model)
 - A meeting took place on 26 July between Scottish Government, NHS Employers and Staffside to discuss the proposed peer support model. There was no firm conclusion from the meeting however, it was productive and discussions are still ongoing. Due to a number of concerns about the 1st proposed model for peer review it was agreed that this would be revisited and a fresh support model will be presented in due course.

Agenda Item 3 – Staff Experience

3. Liz Reilly gave a presentation on Staff Experience. During the discussion the following points were raised:

- The Strathclyde University research report into NHS Scotland Staff Experience and Continuous Improvement Model will be published in September. HRD's have received an embargoed copy of the report. The report presented 12 recommendations to improve staffs experience. The recommendations have been put into 4 workstreams which will allow colleagues to begin this work.
 - Workstream 1: Leadership, Ownership and empowerment recommendations 1, 8 & 9.
 - Workstream 2: Digital recommendations 3, 5, 10, 11 and 12
 - Workstream 3: General recommendations 2, 4 & 7
 - Workstream 4: Dignity at Work recommendation 6
- To progress the monitoring, it was identified which areas should be contacted in order to update:
- Recommendation 1
 - National Management Development Programme
 - Local Board/Regional Initiatives – Coaching & Mentoring Quality Improvement Hub
 - Website signposting to support managers and staff
 - Op lead network – Review existing materials and development programme – Re Focus Hearts & Minds.
- Recommendation 2
 - Limited discussion to date – Op lead network – questions not changed, improved communication and clarity around questions/organisational level. Ongoing discussions to take place.
 - HRD Collective feedback to be received
 - Wider stakeholder discussions need to take place with staff and feedback provided to communities and SWAG – final decision made in time for iMatter questionnaire running from February 2020

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- Recommendation 3
 - Ongoing discussions with NSS iMatter website developers – stakeholder needs identified via focus groups
 - Board contributions – animated action plan development films developed by NHS 24 and NHS Dumfries & Galloway – Assigned rights provided to all Op leads to upload local team stories/action plan development ideas
- Recommendation 4
 - No Report – alternative wording being developed by Op lead network, tested with stakeholders
 - Team Component Report discussion Op lead network, tested with stakeholders
 - iMatter questionnaire – branding introduced – logo and title Health & Social Care Staff Experience Questionnaire inserted – provide identity for 2020 run and tested with stakeholders.
- Recommendation 5
 - Early development of Dashboard, feedback provided to date from Op leads and SG Unit colleagues has been very positive
 - Dashboard to be circulated to stakeholder communities for further feedback
 - Statistical Significance Testing introduced in Health & Social Care Report 2019
 - Multivariate Data Analysis testing with small sample size using 2019 data to evidence value and seek feedback from stakeholders
- Recommendation 6
 - Draft proposal – Our Culture Matters. Early discussions taking place with a number of Boards and HSCPs to test concept.
- Recommendation 7
 - During other stakeholder contact will enquire further what is needed
 - Ongoing discussion with Webropol and will link into E & D lead group
- Recommendation 8
 - Staff Experience Regional hosted events – team/Directorate story telling – outcomes at the heart of the session
 - Staff Experience Conference wide event
 - Health & Social Care Staff Experience Report stories
 - Website further development to support shared practice
 - Local – how are Boards sharing good practice locally
 - Staff Governance Monitoring
- Recommendation 9
 - Project Life Cube – Team Thrive – Staff Engagement and Well Being (linked to senior management/ leadership involvement)
 - Project Lift – Creative Forum – Senior management/leadership
 - National Management Development Programme (Staff Experience Project Report and Recommendation 5)

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- Turas Appraisal/Executive Framework – accountability
- Recommendation 10
 - Ongoing discussion with Webropol, eESS & Turas
- Recommendation 11
 - IT developers – Webropol, eESS and Turas met 30 August with National Programme Leads
 - Project Plan, timescales and costs now being developed
 - Indicative Timescales – Single Sign On – September/October
 - Indicative Timescales – eESS Data March 2020 (practical work mapping eESS and iMatter teams completed by Boards September – November 2019)
- Recommendation 12
 - Testing complete
 - Costings now being finalized – proposed commencement – 2020 run

4. The Chair gave SWAG Secretariat the opportunity to ask questions and offer feedback. The following points were raised:

- Members welcomed the update from Liz and noted the progress to date. It was highlighted that the aim to introduce the proposals in 2020 will be challenging.

Outcome: SWAG Secretariat look forward to future updates.

Agenda Item 4 – Staff Governance Monitoring

5. Susan B Russell gave an update on the Staff Governance Monitoring. During the discussion the following points were raised:

- Staff Governance Monitoring returns for 2018/19 have all been received. The analysing of the returns is underway and Boards should receive feedback letters from Scottish Government at the end of September / early October.

6. The Chair gave SWAG Secretariat the opportunity to ask questions and offer feedback. The following points were raised:

- Members thanked Susan for the update.

Outcome: SWAG Secretariat look forward to future updates.

Agenda Item 5 – Ministerial SLWG update

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7. Stephen Lea-Ross gave an update on the Ministerial Short Life Working Group. During the discussion the following points were raised:

- The Ministerial Short Life Working Group (MSLWG), which has been commandeered to consider culture and how we can deliver sustainable behavioural and individual changes to leadership and management, met for the first time on 31 July.
- The group has representatives from amongst the collective leadership of NHS Scotland, including Chairs, Chief Executives, Staff side, the Royal Colleges and Professional and Regulatory bodies. There was a broad discussion on improving workplace cultures and many examples of good practice was discussed.
- The Cabinet Secretary has asked the group to consider how they can contribute to this agenda, so that a work plan can be developed. The Scottish Government will be writing to the group members shortly.
- NHS Highland have also organised a 2 day workshop. This took place on 28th and 29th August and Stephen Lea-Ross from Scottish Government is attending on 29th. This is a direct result of one of John Sturrock's recommendations and is for Board members and senior leaders. At the end of this NHS Highland will again look at their action plan "A Culture fit for the Future", consider any further requirements to plan and prioritise any actions within the plan.
- The next SLWG is scheduled to take place on 28 October 2019 and it is expected that there will be emerging themes which will pick up speed in the Autumn.

8. The Chair gave SWAG Secretariat the opportunity to ask questions and offer feedback. The following points were raised:

- Members thanked Stephen for the update. It was questioned if there would be an action plan and was there any early indication of key themes. It was confirmed that it was unlikely that an action plan would be created. The group is very action focused at the moment and key themes will be discussed further at the next meeting.

Outcome: SWAG Secretariat look forward to future updates.

Agenda Item 6 – Whistleblowing / INWO update

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9. Stephen Lea-Ross gave an update on Whistleblowing and Independent National Whistleblowing Officer. During the discussion the following points were raised:

- **Independent National Whistleblowing Officer** - The first laying of the draft order and consultation concluded in June. We have considered all of the consultation responses as well as the Health and Sports report following consideration of the Order and subsequent debate. We are currently working with Scottish Government Legal Directorate to make some amendments and anticipate that the Order will be ready laid for further scrutiny in the first week of October. SPSO are also finalising the Whistleblowing Standards following their consultation and these will be made available alongside the draft Order as requested by the Health and Sports Committee.
- **Whistleblowing Champions** - The Whistleblowing Champion role has been advertised and closed on 15 August. There were a total of 139 applications. This is being processed by our Public Appointments team who are in the process of sifting applications. It is anticipated that interviews will take place in October / November.
- Scottish Government has received a request from Chairs and Chief Executives to provide a response to 30 questions on this new role. We will respond in due course.

10. The Chair gave SWAG Secretariat the opportunity to ask questions and offer feedback. The following points were raised:

- Members thanked Stephen for the update.

Outcome: SWAG Secretariat look forward to future updates.

Agenda Item 7 – Human Trafficking and Exploitation Guidance

11. Gordon Smith, Katie Cosgrove and Anna Donald gave a presentation on Human trafficking and exploitation guidance for healthcare workers. During the discussion the following points were raised:

- In 2012, NHS Scotland published guidance for health workers on human trafficking and exploitation. Since then the Human Trafficking and Exploitation (Scotland) Act 2015 has been brought into force and the Scottish Government's Trafficking and Exploitation Strategy was published in 2017. The guidance requires to be updated to reflect these changes and the specialist support provision for victims of trafficking that is now in place

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- [CEL 19/2012](#) alerted healthcare staff to new guidance in detecting and responding to victims of human trafficking. This was produced by the Gender-based Violence (GBV) lead at NHS Health Scotland and was supplemented in 2013 with an e-learning module.
- The inclusion of human trafficking within the GBV programme reflected the fact that most victims detected at that time were females trafficked for the purpose of commercial sexual exploitation. Responsibility for leading local action within health boards on human trafficking was thus assigned to their Gender-based Violence Operational Leads.
- Since then the Human Trafficking and Exploitation (Scotland) Act 2015 (“the Act”) came into force and Scotland’s first Trafficking and Exploitation Strategy was published in 2017. The information available about the scale and extent of the issue in Scotland has continued to grow.
- Suspected cases of human trafficking and exploitation submitted to the National Referral Mechanism (NRM) from Scotland increased by 130% between 2013 (99 cases) and 2018 (228 cases). The NRM is the UK-wide framework for identifying victims of trafficking and exploitation and ensuring they receive appropriate specialist support.
- Katie Cosgrove, Gender-based Violence Lead for NHS Health Scotland has continued to lead on HT across NHS Scotland and has worked with both Justice and Health stakeholders to update the guidance ensuring it is fit for purpose and reflects the many changes since 2012. While the updated guidance reflects the current environment in relation to human trafficking and exploitation in Scotland, it does not place any new requirements on NHS staff.
- The guidance was distributed to all members of the Health and Social Care Management Board in July and the latest version incorporates the small number of amendments suggested through that process.
- A public consultation on section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015 was launched on 16 June and runs until 6 September 2019. Section 38 of the 2015 Act provides for a statutory duty on specified Scottish public authorities to notify Police Scotland about a person (adult or child) who is, or appears to be, a victim of a section 1 offence of human trafficking or a section 4 offence of slavery, servitude and forced or compulsory labour. However, the Cabinet Secretary for Health and Sport has agreed that it is appropriate to publish the guidance given the lead-in timescales and opportunities for awareness raising in the meantime.

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- The guidance is currently accessible online via the NHS Health Scotland website under the Gender Based Violence topic. However, since there are now more males (adults and children), who have been trafficked for the purposes of labour exploitation, including child criminal exploitation, identified in Scotland this needs to be revisited.
- It is expected that the updated guidance will also be published on the NHS Health Scotland website. However, it would be helpful to take views on where responsibility for directing local implementation of work on human trafficking within health boards should sit. Locating this within Public Health has been suggested given the strong preventive focus of the strategy. An alternative proposal is that the work could best be progressed within the ambit of Public Protection.
- SWAG Secretariat members are asked if they are content with the guidance; agree that the guidance should be issued by a Director's letter; and identify where responsibility for local leadership and promotion of the guidance should be located.

12. The Chair gave SWAG Secretariat the opportunity to ask questions and offer feedback. The following points were raised:

- Members thanked Gordon for his presentation and were content with the proposed guidance and letter, issued by a Director's letter, to Health Boards. Unfortunately it could not be identified where responsibility for local leadership and promotion of the guidance was due to technical issues. This will be followed up after the meeting, directly with Gordon.

Outcome: SWAG Secretariat look forward to future updates.

Action Points: John Malone to assist Gordon Smith with contact details for the local leadership and promotion of the guidance.

Agenda Item 8 – Set Agenda for SWAG Committee on 23 October 2019

13. The following items were agreed for the SWAG Committee meeting on 23 October 2019

- 'Once for Scotland' Workforce Policies
- Staff Governance monitoring

Agenda Item 9 – Set Agenda for SWAG Secretariat on 23 October 2019

13. The following items were agreed for the SWAG Secretariat meeting on



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23 October 2019

- It was agreed that the agenda items would be agreed by email to SWAG Secretariat members in due course.

Agenda Item 10 - AOB

14. No other business matter arose.

Date of Next Meeting

SWAG Committee – 23 October 2019, Conference room C, D & E St Andrews House, Edinburgh (10:00 – 12:30).

SWAG Secretariat – 23 October 2019, Conference room C, D & E St Andrews House, Edinburgh (13:00 – 15.00).