



**Scottish Workforce & Staff Governance Committee**  
**Wednesday 23 October 2019**  
**Conference Room C, D & E St Andrews House, Edinburgh**  
**Minute**

Present:

Confirmation of attendees at time of writing:

<b>Name</b>	<b>Organisation</b>
Jane Anderson	Unison
Caroline Cooksey	NHS Dumfries and Galloway
Emma Curren	Royal College of Midwives
Joyce Davison	BMA
Anna Gilbert	Scottish Government
Heather Gilfillan	Unite
Donald Harley	BMA
Pauline Howie ( <b>Chair</b> )	Scottish Ambulance Services
Jacqui Jones	NHS National Service Scotland
Scott Keir	British Dietetic Association
Stephen Lea-Ross	Scottish Government
Steven Lindsay	Unite
Caroline McDowall	College of Podiatry
Robin McNaught	The State Hospitals Board for Scotland
Sean Neill	Scottish Government
Adam Palmer	Employee Directors Group
Norman Provan	Royal College of Nursing
Susan Robertson	Unite
Susan B Russell	Scottish Government
Lorna Sim	Unison
Anne Thomson	Royal College of Nursing
Linda Walker	GMB
Simon Watson	Unison
Tom Wilson	Royal College of Nursing
Dorothy Wright	NHS Education for Scotland

In attendance:

<b>Name</b>	<b>Organisation</b>
Noreen Clancy	NHS Lothian
Lynn Hunter	Scottish Government
John Malone ( <b>Minute</b> )	Scottish Government
Roxanne Van Zyl	Scottish Government



Apologies have been received from:

<b>Name</b>	<b>Organisation</b>
Julie Collins	Chartered Society of Physiotherapy
Lynne Douglas	NHS Lothian
Gordon Jamieson	NHS Western Isles
Gordon McKay	Unison
Gerry McLaughlin	NHS Health Scotland
Jackie Mitchell	Royal College of Midwives
Sam Mullin	GMB
Diane Murray	Scottish Government
Claire Ronald	Chartered Society of Physiotherapy
Deborah Shepherd	Society of Radiographers

### **Agenda Item 1 – Welcome, introductions and apologies**

1. The Chair welcomed everyone to the meeting. Members were informed of the list of apologies (noted above) and that the meeting was quorate.

### **Agenda Item 2 – Minute and Action Points from the meeting held on 25 July 2019**

2. The minutes were agreed as an accurate reflection of the meeting.
3. It was confirmed that there were no action points from the last meeting.

### **Agenda Item 3 & 4 – ‘Once for Scotland’ Workforce Policies – Delivery of Phase 1**

4. Jacqui Jones and Jane Anderson gave a verbal update on delivery of Phase 1 of the ‘Once for Scotland’ Workforce Policies. During the update, the following items were covered:

- It is important to emphasise that ‘Once for Scotland’ Workforce Policies is a refresh of policy and not a re-negotiation. The programme of work set out to review and transform workforce policies that have already been agreed in partnership.
- SWAG Committee accepted the process undertaken to refresh the ‘core’ workforce policies including in Phase 1 and develop the digital solution. However, SWAG Committee had requested that the ‘Standard Sections’ and Supporting Documentation be made available to members in order to review and approve the draft workforce policies. Review and agreement was deferred until SWAG meet on 23 October.
- Refreshed ‘Once for Scotland’ workforce policies developed in partnership - simplified, standardised and person-centred - for consistent application across



NHSScotland. Phase 1 of the programme focussed on the following workforce policies:

- Attendance
  - Bullying and Harassment
  - Capability
  - Conduct
  - Grievance
  - Workforce Policies Investigation Process
- Refreshed policies reflect feedback from the engagement events, formal consultation and additional feedback received post-July 2019.
  - Draft policies amended and record of change / no change recommendations log updated post-July 2019 to incorporate further feedback received.
  - SWAG Committee access to the digital solution - displaying the Standard Sections and Supporting Documentation - to inform the review and approval of the draft workforce policies.
  - In addition to the draft policies for review, the programme considered implementation and assurance. NHS Boards will be provided with 'early bird' access/ soft launch to the policies in order to prepare and develop local implementation plans in partnership. This provides an opportunity to address any interpretation issues.
  - At the meeting of SWAG Committee on 25 July 2019, it was highlighted that the following points had been raised with the Scottish Terms and Conditions (STAC) Committee. An update is provided:
    - Attendance Policy - Phased return - STAC has confirmed that the period of paid leave (in relation to varied practice in the use of paid leave and/or annual leave in phased return to work) is a terms and conditions issue. A form of words has been drafted. Further discussion will take place at the Management Steering Group (MSG). Once an agreement is reached with MSG, a form of words will be put to STAC in December 2019. Providing agreement is reached, a circular will subsequently be published (and become the "terms and conditions" referred to in the Attendance Policy – 6.5.16.1).
    - Attendance Policy - Application of 8 working days as a trigger or prompt - STAC Secretariat advised that trigger points should not be applied pro-rata as this would be unfair to part time staff and lead, for instance, to situations where people hit trigger points after one absence.



- The Programme Board is seeking clarity from STAC on the position given. Further detail will be provided to STAC with a request to reconsider the points above, as it is the view of the Programme Board that not applying trigger points on a pro-rata basis is disproportionately unfair to full-time staff.
- Capability Policy - Notice of termination and redeployment - The consultation asked: “Where redeployment is the outcome at Stage 3, should notice of termination run concurrently with the 12 week redeployment period?” The consultation responses were split with no clear consensus. STAC Secretariat has confirmed that the redeployment and notice period should not run concurrently.
- The programme has produced the ‘Standard Sections’ and Supporting Documentation for Phase 1 workforce policies. Further feedback received post-July 2019 has been reviewed and draft policies amended. The Programme Board presented the final draft workforce policies developed in Phase 1 for SWAG Committee approval.

5. The Chair gave SWAG Committee members the opportunity to ask questions and offer feedback. During the discussion the following points were covered.

- It was highlighted by Committee members that the work undertaken by the project team had been exceptional. SWAG members thanked the project team for the work undertaken to date.
- Since the SWAG Committee meeting on 25 July 2019, the Programme Board have circulated the ‘Standard Sections’ and supporting documents for consideration. This process was helpful and lessons had been learned for the next phase of the Programme.
- A question was raised about how to promote the new workforce policies when they go-live. It was suggested that the Scottish Government and staff side tweet about them on the go-live date as well as the possibility of a platform at future conferences.
- It was also suggested that this Programme of work be put forward for an award in recognition of the substantial and ground breaking work that was undertaken in partnership. It was agreed that SWAG Secretariat will look into this further.
- SWAG Committee members approved the final drafts of the refreshed NHS Scotland Workforce Policies on Attendance, Bullying & Harassment, Capability, Conduct, Grievance and Workforce Policies Investigation Process. They also accepted delivery of the products commissioned at the end of Phase 1 of the ‘Once for Scotland’ Workforce Policies Programme.



**Outcome:** SWAG Committee members approved Phase 1 of the 'Once for Scotland' Workforce Policies.

## Agenda Item 5 – Implementation

6. Stephen Lea-Ross referred to a paper that was circulated prior to the meeting. The following items were covered:

- The 'Once for Scotland' Workforce Policies Programme has taken steps nationally to prepare for the launch of Phase 1 NHSScotland Workforce Policies. They include:
  - Digital:
    - NHS Education for Scotland (NES) digital engagement is underway with individual NHS Boards on integration solution.
    - Agreement to provide 'early bird' access to the digital solution to HR Departments and Staff side to allow NHS Boards to make preparations prior to launching with staff and managers.
  - Communications Toolkit
    - Discussion at Heads of Communications Meeting in June 2019 on materials to include in a national toolkit for NHS Boards.
    - Communications toolkit will include – generic article, visuals (including use for social media), poster artwork for local printing.
    - The Programme will also prepare a national communication and slide deck for NHS Boards to include: 1) Overall guidance from the Programme and 2) Key updates to PIN e.g. a change in terms of focus on 'early resolution'.
  - NHS Boards
    - Implementation discussion at HR Directors Meeting on 26 June 2019. It was agreed that 'early bird' access will be provided to the digital solution to allow NHS Boards to make preparations.
    - The Programme Board agreed that all supporting documentation should be in place to accompany the refreshed workforce policies prior to 'early bird' digital access for NHS Boards.
    - HR Directors are responsible for managing the implementation of the refreshed workforce policies in their respective Boards. Each NHS Board will require a local implementation plan with partnership input
    - It is recognised that training requirements include both awareness raising (short term) and soft skills (ongoing as part of Board leadership and management development arrangements).



- It is anticipated that a full launch of Phase 1 policies is in place by 1 March 2020.
- It was highlighted that there will not be a national training programme for the implementation of NHSScotland Workforce Policies. It was the collective view of the Programme Board that, as each NHS Board has a different starting point, standardised training beyond overarching principles would not be helpful.
- The Programme will provide national materials as outlined. It is the responsibility of each NHS Board to identify in partnership local requirements and the necessary awareness raising and soft skills training.
- It was proposed that NHS Boards are given 'early bird' access from November 2019. The purpose of the soft launch (November 2019 – February 2020) is to ensure NHS Board readiness for the policies to be launched with staff and managers. Policies will be applied from 1 March 2020 following ministerial approval.
- NHS Boards will develop a local implementation plan with partnership input. A central strand of work will be for NHS Boards to identify the key changes for the Board in moving to the NHSScotland workforce policy from their existing Board policy. NHS Boards will identify where they are now and where they need to be. This will inform training needs and where to focus training and skills development e.g. to upskill in early resolution.
- The HR Director has overall responsibility for implementation. Area Partnership Forums will have a key role in ensuring that local implementation plans are progressed.
- Following approval of the 'Core' policies and agreement to commence to the next phase of work, the remaining Partnership Information Network (PIN) policies will be addressed. The policies to be refreshed in Phase 2 are:
  - Embracing Equality, Diversity & Human Rights
  - Gender-Based Violence
  - Managing Health & Safety at Work
  - Personal Development Planning & Review
  - Redeployment
  - Safer Pre & Post Employment Checks
  - Secondment
  - Supporting the Work-Life Balance
  - Use of Fixed Term Contacts
  - Facilities Arrangements for Trade Unions & Professional Organisations



- Interpretation issues identified during the soft launch will be considered by the Programme Board. Any point of clarification that require policy amendment prior to submission to the Cabinet Secretary will be reviewed at the first SWAG Committee meeting of 2020.

7. The Chair gave SWAG Committee members the opportunity to ask questions and offer feedback. During the discussion the following points were covered.

- Members welcomed the presentation. It was highlighted that the programme board have an understanding of the process following Phase 1 and have learned lessons.
- It terms of the training it was reiterated that that should be undertaken within individual Health Boards,. It was highlighted that any training slides created should be the exact same for each and every board and that in most Boards they are not starting from scratch. All Boards have the minimum standard outlined in the current PIN already, therefore it will be, in the main, for Boards who have enhanced PIN to consider the possible differences.
- Members agreed to the implementation and approach timetable suggested and agreed to the commencement of Phase 2 of the programme to review and refresh the remaining workforce policies.

**Outcome:** SWAG Committee members welcomed the implementation timetable for completion of Phase 1 and delivery of Phase 2.

## AOB

8. It was highlighted that there has been a number of changes to SWAG Committee members and it was suggested that it would be helpful if a list of staff side representatives names and contact details could be created. It was also suggested that Employer side undertake this exercise,

Action: Staff side and Employer's contact details to be updated.

## Date of Next Meeting

The next SWAG Committee meeting will be held on 7 February 2020 in Room 4ER, St Andrews House, Edinburgh from 11.00 to 13.00.