

Scottish Workforce & Staff Governance Secretariat Minute
Thursday 11th March 2021
MS Teams

Present: Victoria Bowman –Scottish Government
Anna Gilbert – Scottish Government
Pauline Howie – Scottish Ambulance Service (**Chair**)
Stephen Lindsay- Unite the Union
Gordon McKay – Unison
Norman Provan – Royal College of Nursing
Suzanne Thomas – Scottish Government

In attendance: Nafees Ahmad - Scottish Government
Catriona Hetherington – Scottish Government
John Malone, Scottish Government
Jennifer Martin Nye - Scottish Government
Lynn Rance - Scottish Government (**Minute**)
Liz Reilly – Scottish Government

Apologies: Tracey Ashworth-Davies – NHS Education for Scotland
Caroline Cooksey – NHS Dumfries and Galloway

Agenda Item 1 – Welcome, introductions and apologies

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

Agenda Item 2 – Minute and Summary of Action Points of meeting held on 16 November 2020 and matters arising

2. An amendment to the minutes of the meeting under the last bullet point on Testing was requested with the removal of the word “refuse”. It was agreed that the wording would be “ staff may not participate in testing” and the minutes will be reflected accordingly. No action points recorded as outstanding.

Outcome: SWAG Secretariat agreed amendments to minutes and action points noted as complete.

Agenda Item 3 – Staff Governance Monitoring

3. Suzanne Thomas referred to the paper that was circulated prior to the meeting, which outlined the proposed approach for recommencing the annual monitoring exercise for 2020-2021 as the 2019-20 exercise was paused in response to the COVID-19 pandemic.

Feedback obtained from employer, HRD and Staffside colleagues informed further engagement and ensured partnership needs were fully considered with an amended approach to reflect this partnership work. The paper highlighted the key areas:

- A proposed revised timetable with a later date of 1st May for Boards to commence their work and the intention to allow a 4 month period for submission of returns to Scottish Government
- To undertake a review of the Annual Staff Governance Monitoring process in the coming year by revisiting previous discussions and proposals.
- Illustrating full areas of focus for the Proposed Annual Staff Governance Monitoring Framework – 2020/21.

SWAG Secretariat members were asked for views on the proposals but no concerns were raised.

Outcome: SWAG Secretariat agreed to the revised proposals and approach with the Staff Governance Monitoring Exercise.

Agenda Item 4 – iMatter

Liz Reilly advised that due to the January SWAG full meeting not going ahead feedback had been received and a verbal update on iMatter was provided:

- Revised distribution schedules received for 22 Health Boards.
- External analyst advises that parameter be set with a suggested period of August to September.
- NHS Lothian, Greater Glasgow & Clyde and Ayrshire & Arran are condensing their runs.
- NHS HIS, NHS Lothian and NHS Golden Jubilee have requested using different dates but have been asked to go with the suggested period.
- SWAG secretariat approval was sought for this revised schedule

Discussions with the external analyst on what the questions would look like concluded that:

- 29 questions should be asked.
- 60% threshold should be removed.
- Direct comparison with pulse survey should be made with question around redeployment to ascertain what percentage of staff are still redeployed
- Questions should involve equality and diversity, wellbeing

Further discussions are ongoing around:

- Developing a framework to measure outcomes/ agree level -still to be worked through with Chief Exec and HRD's
- Investigations continue with NHS England – Prof Mike West – regarding their 2 weekly pulse survey, which has changed to monthly.

Outcome: SWAG Secretariat were broadly content with proposals so far but should be brought back to the next full SWAG committee

Action point: SG Secretariat to invite Liz Reilly to the next meeting on 15th April to provide a further update on iMatter

Agenda Item 5 – Homeworking / Once for Scotland/ Whistleblowing Update

Catriona Hetherington advised that the Once for Scotland Programme Board meeting on 1 March 2021 discussed the need for the extant model homeworking policy to be refreshed to support the different methods of working identified during the pandemic. The Programme Board agreed that:

- The extant model policy in the Supporting Work-life Balance PIN Policy will be refreshed to develop a 'Once for Scotland' Homeworking Policy.
- The OfS Policy Development Group (PDG) will restart on a limited basis to undertake the refresh of the Home Working Policy.
- The PDG will engage with appropriate stakeholders to consider different aspects of Homeworking and inform development. This will include those involved in this work from a STAC and SWAG perspective and subject matter experts.
- The Homeworking Policy will be developed with some urgency. This will help support mobilisation.
- Whilst Phase 2 of the Once for Scotland Workforce Policy Programme remains paused the PB agreed that the work on the Homeworking Policy should commence in advance of the full OfS programme of work being restarted, which is likely on 1 August 2021.

The current policies prioritisation under OfS Phase 2 was discussed and SWAG members questioned the rationale for prioritisation of certain policies:

- Equality & Diversity, especially as the pandemic has exacerbated inequalities but availability of subject matter experts has been an issue.
- It was confirmed that Equality Impact Assessments are currently being revisited.
- The proposed timetable will be set by OfS project manager, Lynn Hunter, who will provide indications to SWAG in due course.

Outcome: SWAG Secretariat were broadly content with the approach towards the Homeworking Policy and a future update on the Once for Scotland Workforce Policy Programme.

Catriona Hetherington also provided an update on Whistleblowing. She advised that:

Work is continuing with Boards for the Independent National Whistleblowing Officer (INWO) implementation date of 1st April 2021 including:

- Rosemary Agnew (INWO) is meeting with Chief Executives and Chairs allowing for a Q&A session.
- The INWO has arranged a focus group following concerns about whistleblowing reporting for external contractors.
- The INWO expectations are that whilst Boards may not have final arrangements in place regarding reporting requirements for all external contractors on 1st April they would expect Boards to have plans in place.
- The INWO website will be updated on the 1st April 2021 to give clear signposting to those who wish to raise a concern.

The NHSScotland Whistleblowing Policy is currently available as a 'soft launch' to enable boards to prepare for implementation. To date, there has been limited responses to the pop-up survey that has been developed to gather feedback on format and presentation.

Outcome: Members welcomed the update and the involvement of SPSO in the lead up to implementation of INWO on 1st April

Catriona Hetherington also provided an update on Whistleblowing and advised that work is continuing with Boards for the Independent National Whistleblowing Officer (INWO) implementation date of 1st April 2021 including:

- Rosemary Agnew (INWO) is meeting with Chief Executives and Chairs allowing for a Q&A session.
- The INWO has arranged a focus group following concerns about whistleblowing reporting for external contractors.
- The INWO do not expect everything to be perfect at 1st April but that a plan should be in place regarding external contractors.
- Additional information and general points on signposting will be added to their Website prior to the 1st April 2021.
- A pop up survey has also been added to the site and more feedback would be appreciated.

Outcome: Members welcomed the update and the involvement of SPSO in the lead up to implementation of INWO on 1st April

Agenda Item 6 – Long Covid

Victoria Bowman referred to the paper produced as a result of NHS staff experiencing longer-term Covid symptoms which highlighted the need for a review of Workforce policies.

- SPF Secretariat asked SWAG to look at the policies for Long Covid and agree the key areas of focus albeit it is an emerging situation.
- The paper provided a background on the current clinical definitions and actions already being taken to support staff experiencing longer physical and mental health impacts of Covid-19.
- Consideration of the current attendance management policy in relation to sickness absence and the remit on SWAG to review a raft of other current policies detailed in the paper.

Members were asked for feedback and a discussion took place. The following points were made:

- Concerns were raised at the timescale which SPF Secretariat were requesting - SWAG to create an action plan with key milestones to SPF Secretariat by 29 March 2021.
- Doubts expressed on hard wiring policies when evidence on Long Covid is still emerging with an alternative suggestion to use temporary adjustments by Directors Letter (DL) instead.
- Issues remaining around the absence management policy in relation to sickness absence periods and risk of equalities and discrimination claims from staff with other long-term illnesses.
- Discussions ongoing with Staff Councils on a four Countries approach on whether Long Covid is an occupational disease for the purposes of welfare benefit claims and also repercussions in the longer term on pay.

Outcome: Further scoping work is required to identify and consider the policies in parallel with the emerging clinical evidence being gathered on Long Covid.

Action point: Victoria will provide a scoping paper on policies in relation to Long Covid for further consideration by SPF Secretariat

Agenda Item 7 – Set agenda for SWAG Committee and Secretariat 15th April 2021

Four substantive items were agreed:

- Honours
- iMatter
- Once for Scotland
- Equalities



SWAG

Agenda Item 8 – AOB

Gordon MacKay Unison asked that his concerns be noted regarding the cancellation of the SWAG Committee meeting that was scheduled to take place on 28th January 2021.

The Chair mentioned that due to current unprecedented circumstances, the Employers representatives were unavailable to attend the meeting and the meeting would not have been quorate. Furthermore, it was felt that there were items for agreement by the Committee, which required a full tripartite discussion.

Outcome: The Chair asked for apologies for the meeting cancellation to be formally noted in the minutes.

There were no further items for discussion

Date of Next Meeting

SWAG Committee – 15th April 2021, MS Teams – (14.00 – 15.30).

SWAG Secretariat – 15th April 2021, MS Teams – (15.30 – 16.30).