

<p style="text-align: center;">Scottish Workforce & Staff Governance Secretariat Minute Thursday 20th May 2021 MS Teams</p>

Present: Tracey Ashworth-Davies – NHS Education for Scotland
Victoria Bowman – Scottish Government
Caroline Cooksey – NHS Dumfries and Galloway
Anna Gilbert – Scottish Government
Pauline Howie – Scottish Ambulance Service
Bob McGlashan – Royal College of Nursing
Gordon McKay – Unison
Norman Provan – Royal College of Nursing (**Chair**)
Suzanne Thomas – Scottish Government

In attendance: Noreen Clancy – NHS Lothian
Susan Curran – Scottish Government
Catriona Hetherington – Scottish Government
John Malone – Scottish Government
Angela Macfie – Scottish Government
Lynn Rance - Scottish Government (**Minute**)
Jennifer Veitch – Scottish Government

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.

Agenda Item 2 – Minute and Summary of Action Points of meeting held on 11 March 2021 and matters arising

2. The minute of the meeting and summary of action points were agreed as an accurate record. One remaining outstanding action point for a scoping paper on Long Covid but will be discussed in forthcoming agenda item 5.

Outcome: SWAG Secretariat agreed minutes as accurate and action points.

Agenda Item 3 – Once for Scotland –Attendance Policy

3. Members raised the question and asked for clarification regarding Pay in Lieu of Notice (PILON) in view of the NHSScotland Attendance Policy Stage 3 standard template outcome letter that may be used for termination of contract through ill health. The letter advises that payment will be made for the employees notice period on full pay. As there was no reference made to this within the previous PIN policy. Members advised that some Boards have applied PILON. It was noted that this was not included



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in the previous PIN Policy. uniformly but have not made physical payments, with the only exception being for terminal illness cases.

Members felt it was clear that changes to terms and conditions should not be implemented through supporting documents.

Noreen Clancy, the Chair of the NHSScotland Workforce Policy Development Review Group, informed that rules on PILON changed when Agenda for Change was adopted. The Agenda for Change T&Cs Handbook advises: Contractual notice must be given to a member of staff whose contract is being terminated on grounds of ill-health. Therefore if PILON was applied, where PILON was not included in the individual's contract of employment, that could constitute a contract breach. However, a person centred approach means this is not absolute in every case as it is driven by circumstances. The practice should be to consider PILON but if it means losing out in terms of superannuation or where there may be a tax issue to consider, then the policy needs to be supportive of individual's needs.

Outcome: SWAG Secretariat agreed that the wording in principal was to be approved in conjunction with the Policy Development Group and taken forward by SWAG.

Action point: SG Secretariat to arrange for a letter regarding NHSScotland Attendance Policy –Notice periods Stage 3 standard template outcome letter to be signed by SWAG Co-chairs.

Letter will then be distributed to SWAG Committee members, HRD's group and Employee Directors.

Agenda Item 4 – Wellbeing Metrics

Jennifer Veitch provided an update on the sense of direction for the workplace wellbeing priorities and seek views on collectively measuring the impacts for the future. A current overview of nationally led Wellbeing initiatives gives an understanding of what the wellbeing needs in the service are but future aim is to help SG develop policy; understand areas of targeted support; evaluate impacts of our policies and work in partnership with stakeholders. Next steps were highlighted as the following themes:

- Recovery Plan – identify and implement immediate actions
- Wellbeing Programme – supported by research, measurement, evaluation
- Wellbeing Framework – a national framework with local innovation
- Measuring the Impacts – survey's, research options, lived experience etc.
- Using the Metrics – how to make best collaborative use of data

Outcome: SWAG Secretariat welcomed the update and next steps and agreed further reflection on how SWAG, as a workforce committee could feed in to this work was required.

Action point: SG Secretariat to include as a future SWAG Secretariat agenda item and distribute the Wellbeing slides to members.

Agenda Item 5 - Long Covid

Anna Gilbert provided a verbal update, advising that further consideration had been given to the ongoing scoping of Long Covid in regard to the current workforce policies. The current view being that we do not revise any policies at the moment and as a person centred and sympathetic approach is required that instead, Long Covid is remitted to Scottish Terms and Conditions (STAC) to consider the issues further.

Members discussed and agreed that there would be potential implications and risks of inequalities claims, if within the absence management policy, special focus is placed on Long Covid as an illness and further consideration is required.

Outcome: SWAG Secretariat agreed that Long Covid is remitted to STAC to consider the approach with Long Covid and that SWAG may revisit at a future date

Agenda Item 6 – Review of SWAG Committee 20th May 2021

- **Dignity at Work and iMatter** - Decision taken to agree the final proposal on the framework and also the intentions for revisiting Dignity at Work
- **Honours Process** – Useful reminder of the whole nominations process and action point taken to distribute the presentation slides

Agenda Item 7 – Set agenda for SWAG Secretariat 1st July 2021

- **Ethnic Minority Framework** – update from Harry Dozier
- **Business Plan for SWAG** - Members advised that a Staff Governance Monitoring paper would be brought to SWAG at the end of the year. Boards will get early insight to inform pieces of work.
- **Wellbeing work**— members to be mindful that wellbeing will be a significant part of the Recovery Programme.
- **NHS Academy** – Update on the work of the academy and training and development.
- **New Cabinet Secretary Priorities** – to respond to Mr Yousaf's priorities when the agenda becomes clearer.

Action point: John Malone to draft suggested items with a timeline to be cleared by Co chairs before distribution to SWAG committee members.



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Agenda Item 8 – AOB

There were no further items for discussion

Date of Next Meeting

SWAG Committee – 1 July 2021, MS Teams – (14.00 – 15.30).

SWAG Secretariat – 1 July 2021, MS Teams – (15.30 – 16.30).