

Scottish Workforce & Staff Governance Secretariat Minute
Thursday 30th June 2022 14:00 – 15:00
MS Teams

Present

| <u>Name</u> | <u>Organisation</u> |
|--------------------------------|---------------------|
| Steven Lindsay | Unite |
| Pauline Howie (Chair) | SAS |
| Anna Gilbert | Scottish Government |
| Norman Provan | RCN |
| Gordon McKay | Unison |
| Laura Zeballos | Scottish Government |

In attendance:

| <u>Name</u> | <u>Organisation</u> |
|-------------------------------------|---------------------|
| Niall Anderson | Scottish Government |
| Nicola Anderson | Scottish Government |
| Sara Eccles | Scottish Government |
| Lynn Hunter | Scottish Government |
| Natalie Muir (Secretariat) | Scottish Government |

Apologies have been received from:

| <u>Name</u> | <u>Organisation</u> |
|-----------------------|----------------------------|
| Tracey Ashworth Davis | NHS Education for Scotland |
| Victoria Bowman | Scottish Government |
| Jennifer Martin-Nye | Scottish Government |
| Caroline Cooksey | NHS Dumfries and Galloway |

Agenda Item 1 – Welcome, Introductions, Apologies, Minute and Summary of Action Points of meeting held on 24 May 2022 and matters arising

The Chair welcomed everyone to the meeting. Apologies were noted and the Chair advised that the Committee was quorate.

The minutes of the meeting from 24th May were agreed as an accurate record.

The status of the following Action Points were noted

Action 1: **Once for Scotland** - Anna Gilbert to liaise with Employee Directors and Deputy HRDs to push forward Once for Scotland programme of work. **Completed**

Action 2: **Once for Scotland** - Anna Gilbert to contact Jacqui Jones and Janis Butler regarding membership status of development boards. **Completed**

Action 3: **Once for Scotland** - Anna Gilbert to seek suggestions on prioritisation and produce an update paper for the SWAG secretariat on 26 April 2022. **Completed**

Action 4: **Workforce Strategy** - SG colleagues to provide an update on recruitment and retention aspects of workforce strategy at the next meeting on 26 April 2022. Will be brought to the forum when necessary. **Completed**

Action 5 – **Agenda** - Production of Work Plan for next 12 months. **Ongoing**

Action 5 – **Terms of Reference** - Provide partners with description and Terms of Reference of SWAG. **Completed**

Declaration of interest to be noted in the minutes. Norman Provan advised that he and Nicola Anderson (Scottish Government) are married.

Agenda item 2 – Once for Scotland

Lynn Hunter presented a paper for SWAG Secretariat on request of Programme Board. Lynn advised that the Programme Board met at the end of May to discuss restarting the programme of work after a significant pause. It was recognised that there have been changes in the service and landscape over this period. The Board agreed to progress the 'Supporting the Work Life Balance' suite of policies refresh next. In addition, there are new emerging policy development priorities and ministerial commitments, including:

- Retire and Return: A new dimension to the Retirement Policy, not covered in the extant PIN
- Menstrual Health and Menopause Policy: new policy entirely.

To ensure the integrity of the product, the Programme Board sought SWAG approval to extend the scope of work to formally bring these pieces of work under the Once for Scotland Programme.

The Programme Board is also mindful that these two specific pieces are required ahead of the schedule to refresh the Supporting Work Life Balance suites of policies. Retire and Return is required to be in place early September as a robust arrangement for this winter. The paper proposes an agile approval mechanism based on the approach taken for Adverse Weather.

Next Steps

- Nursing and Midwifery Task and Finish Group are looking for the progress on Retire and Return by early September

Lynn advised that the Programme Board is looking for SWAG Secretariat's consent to seek full SWAG Committee's approval to:

- Extend the scope of work to include 'Retire and Return' and 'Menstrual Health and Menopause' policies; and
- Agree the agile approval mechanism allowing policies to be implemented out- with programme schedule.

In terms of overall actions required Lynn is seeking views on the following key points

- The terminology of accelerated policies to ensure they have full operational status and authority.
- The accessibility of the policy and a view on supporting documents. Proposed same route as adverse weather.
- Agreement from SWAG Committee to review and agree accelerated priorities process.

The Chair asked for feedback on action points and the following points were made;

- Nursing and Midwife Task Force – devolved policy development work on retire and return to 'Once for Scotland'
- The Policy Development Group have commenced work on the Retirement Policy. They are aiming to take to the Programme Board as a full policy and extract the Retire and Return component on the 1st of August, if SWAG is in agreement with this.

ACTION

Extraordinary meeting of SWAG Committee to be scheduled late August to review the draft Retire and Return Interim National Arrangement.

OUTCOME

- In terms of the mentioned action points, members advised they are content with the agile approval mechanism and the potential wording of interim national arrangement on retire and return.
- With regards to accessibility, members were content that the interim national arrangement will be available alongside current PIN policies on the Staff Governance website.
- Members agreed that an email should be issued from the 3 co-chairs to SWAG Committee noting unanimous support from Secretariat. However, should any members have any issues or objections then a full Committee meeting could be arranged.

Agenda item 3 – Annual Staff Governance Standard Monitoring

Anna Gilbert provided an overview of the paper circulated in advance of the meeting which highlighted the themes which came out of the 2020/21 Staff Governance Monitoring exercise.

Agreement was sought on the following:

- Timescales and approach going forward
- Continuing with the more streamlined approach going forward, mirroring the successful exercise from 2020/21.
- Issuing the Monitoring Exercise to Boards by first week in August 2022, which would include the overview of themes from 2020/21.

Anna asked the Secretariat if the current annual exercise continues to be appropriate or if a move to every two years could be considered given ongoing workforce pressures. The following points were made:

- The Chair advised that colleagues have fed back that they welcomed last year's streamlined approach.
- The Chair indicated that she felt that the current annual frequency remains appropriate as this ties in with other required reporting mechanisms and the iMatter cycle.
- Members asked that the questions on information on the number Bullying and Harassment complaints include information on those that have been resolved at early resolution stage and, where this was not the case, proceeded as a formal complaint. This was agreed.
- Anna advised this would also be included in the Whistleblowing process where information was being sought on the recorded stage of complaints made i.e. Stage 1 (informal) and Stage 2 (formal).

OUTCOME

Members agreed they are content with the frequency, format and process of the Staff Governance Monitoring Exercise including the changes proposed regarding Bullying and Harassment reporting.

Agenda item 4 – Measuring of Whistleblowing Standards

Nicola Anderson presented the following paper on Whistleblowing Standards. This paper brings members up to speed on discussions between the Whistleblowing Champions, the Cabinet Secretary and SG around some measurement on how staff are feeling about raising concerns and the impacts of The Standards.

Nicola advised that the Cabinet Secretary has committed to including questions to measure this within a staff survey. Nicola continued that there are two potential options for the staff survey:

- Dignity at Work Monitoring Tool
- iMatter 2023

There are risks and opportunities with both options and there is further exploration and assessment required, including cost and resource required before coming to a decision. Once this is considered it can be brought back to a future meeting for further discussion.

Nicola welcomed any comments and the following points were raised:

- The Chair felt that option one is high risk in terms of Dignity at Work and Whistleblowing becoming conflated. She would have concerns around this and thinks it fits better within iMatter survey. Another member commented that adding different questions to iMatter adds complexity and that the Dignity at Work monitoring tool could be better as its being refreshed at the moment. If we had a note of the questions first he would prefer to go out with iMatter, due to cost and having questions validated via the iMatter process can add complexity. He added we would need to see the questions first.
- Another member advised that he can see the arguments on both sides and in terms of significant cost, how much would it be to include in each option?
- Is there a third option for example a Pulse Survey? Could we separate dignity at work from whistleblowing which would address concerns highlighted from Whistleblowing Champions in terms of conflation.

OUTCOME

Nicola advised the options will be explored asap and a further update brought back to SWAG Secretariat.

Agenda item 5 – Terms of Reference

Niall Anderson presented the following paper on Terms of Reference. This is on the agenda following the last Secretariat meeting where members requested that Terms of Reference be circulated to the committee to ensure that the group are aware of the guiding principles and purpose of the group.

Niall advised that the papers have been circulated with slight amendment's to ensure they are up to date and accurate and reflect current practice and protocols.

Niall asked if members can review the ToR and confirm that they are content. Following this the ToR can be circulated to SWAG Committee for wider consideration. This will be part of a wider partnership development piece that will be taken forward in the future.

Members advised that they had no issues with the adjustments to the paper but made the following suggestions for inclusion.

- That SWAG is the arbiter when there is lack of agreement in relation to the interpretation of a policy where there is dispute between staff side and employers..
- On the point that Secretariat can make decisions out with SWAG Committee meetings given that Secretariat should be consulting with constituent members where possible before making any decisions.
- Around 'quorum' and attendance at meetings, the Chair suggested that modern hybrid and virtual working practices are included in the ToR.

Niall is happy to take forward the three actions suggested and mentioned two further questions:

- A description of the frequency and purpose of SPF Secretariat should be removed from the SWAG Terms of Reference.
- Number of members from NHS Employers in the group is less than the number within the Terms of Reference

Members have advised that we put a figure in the appendix to illustrate the relationship between SWAG, SPF and STAC.

There is an important balance in the membership of Employers and TUs on the group. No changes to ToRs suggested, but NHS Employers will review their membership.

OUTCOME

Comments will be included in a revised draft which will then be shared with SWAG Committee for their awareness.

Agenda Item 6 - AOB

The matter distribution schedule for 2023 has been proposed as a seven week window from mid-April to 29th May for distribution of the survey, and that we should continue around those dates in future years with room for review.

Members advised that they are content with this.

Request for SWAG to develop job descriptions for roles.

In relation to developing job descriptions with Partnership involvement which has happened via STAC in the past. A new suggestion is that SWAG should put a group together to write job descriptions. Secretariat member would like to bring this to the meeting as he has been approached about it informally. Member suggested that doesn't fit with SWAG remit and unless its explicitly agreed that SWAG should take on the function the view is STAC should set up a groups to go through the mechanism of setting up a job description.

Members agreed this isn't under SWAG remit and should fall under STAC, however this could be a Partnership decision. Another member suggested that this could be put on an SPF Secretariat when the co-chairs for the 3 groups come together. Could consider the inter relationship of work and decide how this will be worked out.

There was no further business to report and the Chair closed the meeting.

Next Meeting

The next SWAG Secretariat meeting is scheduled to be held on 27th September 2022 at 15:45 – 16:45 by MS Teams.