



Scottish Workforce & Staff Governance Secretariat
Tuesday 29 June 2023
16:15 – 17:00
MS Teams

Attendance List

Confirmation of attendees at time of writing:

Name	Organisation
Pauline Howie	Scottish Ambulance Service
Mary Morgan	NHS NSS
Caroline Cooksey	NHS Dumfries and Galloway
Norman Provan (Chair)	Royal College of Nursing
Gordon McKay	Unison
Norman Provan	Royal College of Nursing
Steven Lindsay	Unite
Fiona Hogg	Scottish Government

In attendance:

Name	Organisation
Niall Anderson (Secretariat)	Scottish Government
Emma Weedon	Scottish Government
James Vasey	Scottish Government
Natali Higgins	Scottish Government

Apologies have been received from:

Name	Organisation
Tracey Ashworth-Davies	NHS NES
Anna Gilbert	Scottish Government



Meeting: SWAG Secretariat
Location: MS Teams

Date/Time: 16:15-17:00, 29 June 2023
Chair: Norman Provan

Item 1 - Welcome, introductions, and Minutes

- The chair welcomed Mary Morgan as new NHS Employer co-chair, and Fiona Hogg as the new Scottish Government co-chair.
- Members agreed the minute from SWAG Secretariat on April 25.
- The chair noted one outstanding action from the previous meeting:

25042023(1) Invite Health and Care Staffing Act team to SWAG Committee in September to share information from guidance chapters, e-Rostering, reporting, and the results from pilots.

Item 2: Menopause Menstrual Health Policy

- The Women's Health Plan commits to developing a menopause and menstrual health workplace policy for NHSScotland, as an example of best practice and to promote equivalent efforts across the public, private and third sector.
- We have a working group that has been developing this policy that contains representatives from clinicians, academics, NHS HR, union representatives, policy, and third sector organisation.
- Due to deadlines within the Women's Health Plan commitments, the workplace policy will initially be released as an Interim National Policy in the forms of a Director's Letter (DL).
- The policy will be incorporated within the Managing Health at Work suite of policies, when they are due for review as part of the Once for Scotland process.
- On 21st June, the Once for Scotland Programme for Development Group reviewed the policy which is attached. We have made a small addition which we are waiting on their approval (tracked changes) to include.
- Due to these timescales, we will be seeking PDG / SWAG approval offline or via an extraordinary meeting to ensure this can be published at a similar time.
- An independent report on the experiences of menopause and menstrual health in NHS Scotland workplaces is also due to be published publication in September based on a survey that the University of Glasgow conducted in autumn 2022.

Comments:

- Members highlighted relevant case law from employment tribunals associated with reduction in performance, and asked how this is reflected within the policy.
- The Workplace Adjustment section should be strengthened to show that there will be a "duty" to provide reasonable adjustments under the policy (i.e. when it is recognised as a disability).
- Uniform Policy isn't explicit about Menopause, Menstrual Health being a reason for receiving different materials to relieve heat and discomfort. There should be



the option to access alternatives via the catalogue and/or to review the national policy position.

Outcome:

- The group agreed that the Menopause Menstrual Health Interim Policy will become a part of the Managing Health at Work Policies.
- The group agreed that the Menopause Menstrual Health policy will be sent to SWAG Committee with agreed timeframe for providing comment.
- Comments will be collated and shared with SWAG Secretariat. A final version will be signed-off by SWAG Secretariat, unless disagreements would require an additional SWAG Secretariat meeting.

Item 3: HR Record Management

- The Code of practice is a framework for managing all records across NHS boards. It is based on current legal requirements and professional best practice.
- The Scottish Government are undertaking a review of the current version of the Code of Practice which was published in June 2020.
- There is guidance within the main text of the document relating to Occupational Health records and Staff records. Within the retention schedule records relating to the following categories are listed: employee relations, recruitment, learning and development.
- Records are fragmented between systems, HR managers and Line managers. They do not always follow staff from board to board, or even department to department.
- Information may require to be retained for a significant period of time to support pension claims, and for safeguarding purposes.
- The requirements to hold onto records and produce summary reports – can be resource intensive, and there are questions about its longer term feasibility.
- Records Management Forum has made some changes to the retention schedule and has added some new record types for consideration.
- In the last version new guidance was added regarding the requirement to retain information about staff until their 75th birthday, this may have an impact on physical storage within Boards – particularly larger territorial Boards.
- We need to consider how we strike the balance between keeping this record for organisations, but maintaining an appropriate amount of information.
- Natali asked members for thoughts on current proposals, and opportunities for further engagement.

Comments:

- Need to identify a pathway between where we are and where we need to be on records management.
- Assurance, that reporting will be simple and staff have time to complete training.
- Data collection shouldn't be burdensome, but should deliver consistency. Work will fall to either line managers or HR managers, neither of whom have capacity.
- Interest in how much is spent on record storage, digitally and physically?



Outcome:

The group welcomed the discussion on records management, and will retain an interest in the outcomes of the work. Contact was shared with depute HR Directors and HR Directors for a more detailed discussion.

Item 4 – Job Description and Job Evaluation for Partnership Lead Roles

The chair sought the views of the group on an email circulated to SWAG Secretariat about establishing uniform job evaluations for partnership leads nationally.

- The group agreed that there is no national policy position, and this is the advice to go to NHS Lothian. If a proposed position was issued to SWAG by either NHS Health Board or a Trade Union then that could be considered.
- The group identified significant challenges with adopting a national job description and banding.
- Gordon McKay (Unison) expressed the view that a role description would be beneficial to contribute to PDPs.
- The partnership lead role is not present in every health board, and therefore it is unlikely that SWAG, SPF or STAC will agree to a national level position.
- **Outcome:** a response to NHS Lothian will be issued, with advice that this is for local decision, and that there is no national position. If any of the constituent bodies participating in national partnership arrangements were to propose a national position, then it is something that SWAG could consider.

Item 5 – AOB

- The group expressed their thanks to Caroline Cooksey and Pauline Howie for their contributions to SWAG Committee and Secretariat as they both retire.
- No other matters were raised

Actions:

- **29062023(1):** Introduce policy team to deputy HR Directors and HR Director groups, to discuss records management.
- **29062023(2):** Share advice from SWAG Secretariat outlined above on Job Description and Job Evaluation for Partnership Lead Roles with NHS Lothian