

SWAG Secretariat
Tuesday 23 September 2025
15:45 – 16:45
MS Teams

Attendees:

Name	Organisation
Fiona Hogg (Chair)	Scottish Government
Jane Hamilton	Scottish Government
Anna Gilbert	Scottish Government
Mary Morgan	National Services Scotland
Jacqui Jones	NHS Lanarkshire
Steven Lindsay	Unite
Gordon McKay	Unison
Norman Provan	Royal College of Nursing

Additional attendees:

Name	Organisation
Ronan O'Dowd (Secretariat)	Scottish Government
Zachary Deponio	Scottish Government
Catriona Hetherington	Scottish Government
James Vasey	Scottish Government

Apologies from:

Name	Organisation
Elaine Watson	NHS Tayside

Welcome, Introductions and Apologies

- The Chair welcomed attendees and noted apologies. The minutes of the previous meeting were approved without amendment. Members agreed to the recording of the meeting for note-taking purposes.

Agenda Item 2 – Nursing & Midwifery Taskforce (NMT) Recommendations: Flexible Working (Paper 1)

- CH introduced the paper summarising NMT recommendations relating to flexible working in rostered environments. Views on whether additional policy or guidance is required; and what practical support would assist Boards in implementing existing Once for Scotland (OfS) provisions was invited. The current OfS policies were highlighted, namely the Flexible Work Patterns, and Flexible Work Location policies.
- Key asks emerging from the NMT included clarifying what 'flexible working' constituted in rostered contexts; the approach to self rostering; and, addressing barriers that may emerge between policy and practice.

Discussion

- Members agreed that any anticipated challenges would arise primarily in implementation rather than from any issues with the existing policies. It was noted that staff often receive generic refusals that do not seem to align with the person-centred intent of the OfS policies. It was suggested that appeals guidance should place an onus on managers to set out what they will do, over time, to enable flexible working instead of repeating the same refusal. At the same time, the group also recognised that system pressures often drive decisions and that this is not solely a line-manager issue. Where service need is cited, it was suggested that managers should provide explicit evidence justifying any decision.
- It was emphasised that SWAG's remit extends to the whole workforce and not just nursing staff. Refusals should include specific justifications, such as what recruitment activity or job-share exploration has been attempted in order to facilitate a request. The need for proportionate data on applications and outcomes to reduce reliance on anecdote was raised, and the risk of employment tribunal challenge where decisions are not reasonable was also noted.
- Comparable challenges were reported in other 24/7 services, including laboratories with increasingly female workforces, and examples where flexible working is already working well so that good practice can be adopted elsewhere was suggested. It was felt that repeated refusals may push some staff towards bank or other alternatives.



- The Chair observed an apparent gap in rostering skills and capability, particularly where services move to a 24/7 model and existing tools feel nursing-centric. The Chair supported the collection of good practice and cautioned against relying on vacancies as a standing reason to refuse requests, given the risk of attrition and burnout. The overall sense was to prioritise guidance and support rather than revisiting the core policy which is applicable to the wider workforce.
- Members noted similar challenges in other female-dominated areas and suggested reviewing research and current use of self-rostering, with a suggestion of pilots where appropriate. With day-one flexible working rights expected to increase demand and scrutiny, the group considered it desirable to strengthen practice now. It was also observed that difficulties with bank and agency usage can lead managers towards tightly controlled rosters, reinforcing a cycle of vacancy, and inflexibility. Self-rostering was seen as one tool among many rather than a universal fix; reviews of e-rostering have already exposed sub-optimal patterns, and targeted support has released capacity in some wards. Managers need practical, easy-to-use resources rather than additional compliance burdens.
- The Chair concluded that members favoured implementation support, namely guidance, capability building, data collection and exemplars. Members were content with the policy as it stands.

Actions	
A23092025(1)	SG to consider any additional whole workforce guidance relating to the rationale and evidence related to Flexible Working request refusals.
A23092025(2)	SG to consider a practical support offer for line managers covering FAQs, worked examples and case studies.
A23092025(3)	SG to consider proportionate options to gather and use flexible-working data (applications, approvals/refusals, high-level trends by service/staff group), drawing on existing systems.

Agenda Item 3 - iMatter

- JV sought members views on whether an extraordinary meeting would be required to consider this year's iMatter results. A mid-November 2025 publication is currently anticipated, subject to final clearances. The scheduled **SWAG Committee** date in early October was noted as too early for a

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meaningful update, while the Secretariat on 2 December would fall shortly after publication.

- Members favoured a single-agenda extraordinary Committee session focused on action plan completion/quality (“you said, we did”) and Scotland-wide themes, with the purpose of informing the SWAG workplan rather than simply sighting the results. It was observed that, while some Boards are exploring alternatives and pulse surveys, iMatter response rates remain high and Boards are making increasing use of web reports and deeper analysis; improving use of iMatter may be preferable to replacing it.
- The Chair supported this approach. Emphasised that a clear agenda with a focus on follow up activity would be helpful

Decision	
D23092025(1)	SG will organise an extraordinary SWAG Committee meeting post-publication.

Actions	
A23092025(4)	Secretariat to schedule an extraordinary SWAG Committee meeting (single agenda item) following publication of the 2025 results.

Agenda Item 4 – SWAG Terms of Reference (Paper 2)

- AG introduced the item concerning existing SWAG Terms of Reference.
- On membership, the background to the historic references to NES and regulated area experts, it was recalled that individuals had previously been listed in this capacity but, in practice, had not been asked to contribute differently from other members and had not been replaced. It was advised that these roles appear historical and inactive and should either be removed or clearly re-defined if there remains a specific need.
- The working relationship between Secretariat and Committee was highlighted, particularly the value of a clear sequence (Secretariat feeding Committee with

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sufficient spacing for items to progress). MM also observed that SWAG routinely holds an extraordinary session on iMatter each year. Rather than arranging this ad hoc, MM proposed building a planned, annual iMatter session into the ToR.

- The Chair invited written comments so an iterated draft can return to Secretariat before going to Committee.

Actions	
A23092025(5)	Members to provide written comments on SWAG ToR
A23092025(6)	SG to consider member feedback and prepare an iterated ToR draft reflecting members comments, returning first to Secretariat and then to Committee for approval.
A23092025(7)	Secretariat to consider how agreed ToR changes (including the annual iMatter session and revised sequencing) will be reflected in the forward schedule and present an updated forward look.

AOB

5.1 Trade union complaints – follow-up from previous Secretariat

- A follow-up was raised concerning an item discussed at a previous Secretariat concerning instances where an employee had complained about the behaviour of a trade union representative who is also an employee. Members observed that the appropriate route depends on the specific circumstances and that this type of issue is best handled locally through established processes and escalation routes, rather than at SWAG level.

Decision

D23092025(2)	Agreed that complaints of this nature should be addressed locally via the relevant Once for Scotland policy or trade union procedures, recognising that applicability depends on the facts of each case. No further action required by SWAG.
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5.2 Paramedics in the Community – paper “for information”

- A “Paramedics in the Community” paper had been circulated for information but was not listed on the agenda. Members considered the potential scale and workforce implications and indicated that, while information was welcome, the subject warranted discussion at SWAG Committee rather than Secretariat alone.

Decision	
A23092025(8)	Secretariat to add “Paramedics in the Community” to the next SWAG Committee agenda, allocate sufficient time for discussion, and invite any advance questions from members.

Next Meeting: SWAG Secretariat Tuesday 2 December 2025, 15:00 – 16:00