

Orkney NHS Board

Minute of meeting of the **Staff Governance Committee of Orkney NHS Board** held in the **Brodgar Room, The Balfour, Kirkwall** on **Wednesday 26 February 2020** at **10.30 am**.

Present:

Caroline Evans, Chair
Fiona MacKellar, Vice Chair
Issy Grieve, Non Executive Board Member
David McArthur, Director of Nursing, Midwifery, AHPs and Acute Services
Gerry O'Brien, Chief Executive
Kate Smith, Partnership Representative

In Attendance:

Ashley Catto, HR Manager
Julie Colquhoun, Head of Corporate Services
David Drever, Non Executive Board Member
Lauren Johnstone, Committee Support (Minute taker)
Marthinus Roos, Medical Director (item 9.1)
Jason Taylor, Whistleblowing Champion, Non Executive Board Member

762 Apologies

No apologies were noted.

The Chair welcomed Jason Taylor to his first meeting of the Staff Governance Committee, informing members that Jason had been appointed to Non Executive Whistle Blowing Champion from the 1 February 2020 and would be a member of the Staff governance Committee as part of his Non Executive Role.

763 Declaration of Interests – Agenda Items

There were no declarations of interest in relation to agenda items.

764 Minute of meeting held on 27 November 2019

The minute of the Staff Governance Committee meeting held on 27 November 2019 was accepted as an accurate record and approved, subject to the following amendments:

- Page 1 - David Drever to be added as committee member
- C Werb and A Ingram to be removed from attendance list
- Page 3, training, noted that the impact of staff time related to Nursing Students
- Page 3, second paragraph, amend 'allocated two peers' to '1:2 model of supervision'
- Item 542 – chorusy should read quoracy

765 Matters Arising

543 – iMatter report

Members were advised that a breakdown by directorate was being reviewed to establish whether this could be provided without affecting the anonymity of the results.

766 **Action Log**

The Action Log was reviewed and corrective action agreed on outstanding issues (see Action Log for details).

767 **Chairman's Report from the Board**

The Chair highlighted the areas that had been discussed at the Board meeting on the 19 December 2019

- Members had received the Public Health Annual Report which raised concerns that life expectancy in Scotland had stalled, this was being explored further at a national level.
- The Financial Position had been reported noting that fundamental changes would be required to achieve financial balance both in year and moving forward.
- Lynne Spence, Lead AHP gave an excellent presentation around the service which was well received. Members suggested that it would be useful to roll this out further to such groups as the Integration Joint Board and Area Clinical Forum.

Decision / Conclusion

The Committee noted the Chairs reported highlights from the Board meeting.

Governance

768 **Draft Staff Governance Committee Annual Report 2019/20 – SG1920-26**

The Chair delivered the draft Staff Governance Annual Report for review and approval, the following were noted:

- A challenge for the Committee was membership and continuing support, this would be added with the Chair to provide wording.
- Clarity was required on whether the Medical Director was a member or in attendance
- The success relating to the Staff Conference should be amended to read 'support the fit 2 group' with a suggestion that in future the bid to Endowments was supported by the Staff Governance Committee.
- A concern and success should be noted over the recruiting challenges and the positive way staff have stepped up and assisting in covering these gaps.
- The iMatter survey point should be reworded to state that the timing of the survey coincided with the opening of the new hospital and healthcare facility which had a huge impact on staff capacity

Decision / Conclusion

Members approved the annual report with the above amendments

769 Staff Governance Standard Monitoring Return 2018/19 - SG1920-27

The Human Resources Manager presented the Staff Governance Monitoring Return 2018/19 to the Committee for information and completeness. This provided a response to a letter received from the Scottish Government on 29 November 2019 regarding Staff Experience and Staff Engagement.

The response highlighted the following:

- Most teams were involved directly or indirectly in the hospital move;
- Regular staff briefing sessions and workshops were held in partnership regarding the move, with great levels of engagement from all teams;
- Teams were given the opportunity to pilot new processes prior to the move;
- Processes were subject to continuous review post-migration;
- A people management development programme would be delivered alongside the launch of once for Scotland Policies and the 2020 iMatter run;
- All apprenticeship, with the exception of 3 Foundation Apprentices, had substantive posts in the organisation;
- NHS Orkney would roll out its eESS Self Service Portal in early 2020;
- NHS Orkney was bringing its Occupational Health Service in house (currently outsourced) and with KPIs and due to closer working with managers it was hoped there would be a reduction in absence across the board.

Decision / Conclusion

Members noted the Scottish Government return.

Well Informed

770 Communication Strategy –SG1920-28

The Head of Corporate Services provided a progress update to members advising that NHS Orkney had agreed to adopt The Orkney Partnership Strategy for Communication and Community Engagement and in doing so was developing an implementation approach.

It was anticipated that the draft document would become available for consultation and comment towards the end of February 2020. There would be engagement with community, teams and partners in order to gain feedback where communication could be improved. The first draft of the strategy would be brought to the May meeting of the Staff Governance Committee.

D Drever sought clarity on the strategy linking with the partnership and noted that the paper did not inform around this. The Chief Executive advised that in previous discussions the structure was focused around community engagement, but NHS Orkney would incorporate staff engagement which would differ slightly.

The Head of Corporate Services stressed the importance of the document being

understandable and ensuring that staff communication was not lost.

The Employee Director noted that it was essential for the communication strategy to involve partner agencies but from a Staff Governance perspective internal communications were paramount.

Decision / Conclusion

Members noted the update on the Communications strategy.

771 Human Resources Directors Forum Update – SG1920-29

The Head of Corporate Services provided members with an update highlighting the following key items which had been discussed nationally:

- Whistleblowing Standards have been made available to Boards with a proposed go live in July 2020. The HRDs received a presentation from the SPSO who will have an ongoing relationship with the Whistleblowing Champions.
- A number of documents have been made available to Boards following PCS(PP)2019/1 issued in November around Pension REC (recycling of Employer Contribution) colleagues in NHS Grampian are assisting with this work locally
- A presentation from the eESS Programme Lead, Neil Warbrick, set out progress to date and the remaining programme scope. Proposals on a new business as usual governance structure were presented given the current Implementation Programme is due to end in September 2020. Discussions continued around building the structure between eESS and iMatter.
- Work around national recruitment continued with NHS Orkney staff participating in the workshops

I Grieve questioned whether the national changes in Human resources had impacted on local recruitment and was advised that there were currently a number of vacancies and changes in staff at all levels which were affecting services nationally and locally.

Decision / Conclusion

Members noted the update on matters being progressed by the HRD Forum.

772 Progress report on the Transition of Human Resources and Occupational Health Services – SG1920-30

The Head of Corporate Services delivered the update on the progress of the transition of Human Resources and Occupational Health Services from NHS Grampian to NHS Orkney, adding that good progress was being made. The committee were asked to note the following:

- All job evaluation would be brought back in house with effect from 1 March 2020.
- Training had been identified for those undertaking the roll of analyst
- Mock job evaluations would be completed to provide further training along

- with continuing to up skill staff in this area
- Close working relationships were maintained with Occupational Health Services in NHS Grampian
- All staff had been sent a letter advising them of the transfer of records.
- Systems had been reconfigured to allow for better reporting around Key Performance Indicators
- Interviews for the Human Resources Manager and Medical Staffing post were scheduled.

The Employee Director advised that there had been robust discussion at the Area Partnership Forum with staff side highlighting concerns around staff not being in post by the 1 April 2020. The Head of Corporate Services gave assurance that this was not a requirement and a short term solution would be implemented.

Decision / Conclusion

Members note the move of job evaluation back in house with effect from 1 March 2020 and the proposed dates for Occupational Health Service provision.

773 EU Withdrawal Update – SG1920-31

The Head of Corporate Services informed members of the letter received from the Scottish Government on the 15 January 2020 advising that Boards could stand down the necessary reporting arrangements and preparations in house for a potential “no deal”. The letter

A further letter had been received on 31 January 2020 from the Cabinet Secretary asking Boards to continue to support EU members and promote the EU Settlement Scheme.

It was noted that locally the Brexit steering group had been stood down but the Board would continue to promote the stay in Scotland campaign.

Decision / Conclusion

Members noted the update provided.

Appropriately Trained

774 Medical Appraisal and Revalidation Quality Assurance Review 2019 – SG1920-32

The Medical Director attended the meeting to present the report highlighting the key points:

- The proportion of secondary care doctors completing appraisal fell during 2018/19.
- Lack of administrative support had been a significant factor.
- A small number of doctors who no longer work for NHS Orkney had retained NHSO as their designated health board, this had been addressed
- There were also 4 doctors (primary & secondary care) who persistently delayed appraisal. This issue has been addressed.

Members were informed that doctors had responsibility for their own appraisal and revalidation, supported by NHS Orkney. There were challenges due to short term contracts, locums and part time staff as each had a different responsible officer. Locums had responsible officers but sometimes these are carried out by NHS Orkney due to long staying locums.

Administration support had not been consistent but this had been addressed going forward.

The Employee Director queried if the mobile nature of the workforce had an impact on the figures and was advised that this wasn't the case, if locums were with a Health Board for longer than 3 months it was the responsibility of the Health Board to ensure that appraisal and revalidation was carried out by the responsible officer.

The Employee Director raised concerns that doctors may have capacity issues that were affecting their ability to engage with the process, it was suggested that a formal timetable could be established.

Members were advised that there was process in place for anyone who refused to be appraised but this was not an issue in NHS Orkney. There were also performance management tools that could be used if required.

The Head of Corporate Services queried if completion of statutory and mandatory training formed part of the revalidation or appraisal process and was advised that it did not.

G O'Brien requested that a list of those who had missed the deadline was compiled and the date when the appraisal was carried out.

Decision / Conclusion

Members noted the report.

Post meeting note: Committee Support had contacted H MacPherson requesting information regarding missed appraisals. No response had been received as yet.

Involved in Decisions that Affect them

775 Partnership Forum Chair's Report

The Employee Director presented the Chairs Report from the Area Partnership Forum meetings held on the 19 November 2019, 17 December 2019 and 21 January 2020.

The Chief Executive advised that members of the Area Partnership Forum had raised concerns around culture and behaviour and he felt that it had been courageous that this had been brought to the attention of the chair. It had been agreed to hold a development session to address this issue.

I Grieve queried if this should be considered as a concern within other committees and was advised that although nothing had been formally raised it should always be a consideration.

Decision / Conclusion

Members noted the report.

776 **Meetings of Partnership Forum meetings held on 19 November 2019, 17 December 2019 and 21 January 2020**

Members noted the minutes provided.

Treated Fairly and Consistently

777 **Policies and Procedures**

No policies had been submitted to the meeting for approval.

778 **‘Once for Scotland’ Policies and report on status of PINs and progress against Human Resources policy timetable – SG1920-34**

The Human Resources Manager advised that from 1 March 2020, staff across NHS Scotland are set to benefit from a comprehensive refresh of workforce policies which means no matter what NHS Board you are in, the policies will be the same, and easily accessible on any device.

Until now, Boards have operated with different local policies based on the minimum standards outlined in the national ‘PIN’ policies and enhanced at local level. This has meant that staff working across different Boards have been subject to different approaches and personal experience.

Over the past year, NHS Scotland employers, trade unions and the Scottish Government have worked together to agree a core set of modernised workforce policies and associated supporting documents.

The first set of policies to be published on 1 March 2020 is:

- Conduct
- Capability
- Bullying and Harassment
- Grievance
- Attendance
- Workforce Policies Investigation Process.

These would be taken forward in partnership with Human Resources Teams and staff side colleagues who had reviewed the policies and identified the differences. There was a need to ensure that this is communicated throughout the staff and awareness raising session would be held to support the roll out.

It was noted that some policies would remain as NHS Orkney policies if they were not part of Phase 1 or 2.

The Chief Executive sought assurance that the policies were suitable for all including those with visual impairments and it was agreed that this would be checked.

D Drever questioned the process for when policies required to be updated and was advised that this would be a national process with consultation process if the review had significant material changes.

The Director of Nursing, Midwifery, AHP and Acute services withdrew from the meeting.

Decision / Conclusion

Members noted the update.

Post meeting note: A Catto advised that;

The NHSScotland Workforce Policies website was launched on 1 March 2020. We plan to make the website fully accessible in line with [new legislation](#) by the end of March 2020. At the moment (as of 1 March 2020) it is partially compliant. This website is improved on a regular basis in an Agile way and we want to be clear and transparent with regards to what we are doing to improve accessibility for the users of this software.

This website is run by [NHS Education for Scotland](#). We want as many people as possible to be able to use this website. For example, that means you should be able to:

- *zoom in up to 300% without the text spilling off the screen*
- *navigate most of the website using just a keyboard*
- *navigate most of the website using speech recognition software*
- *skip to content links at the top of the page*

[AbilityNet](#) has advice on making your device easier to use if you have a disability

779 National Whistleblowing Standards

The Head of Corporate Services delivered the recommendations on the National Whistleblowing Standards. She advised that the Area Partnership forum had suggested establishing a Short Life Working Group to drive the implementation of the standards locally.

Members were in agreement that work was required to ensure that there was consistency and clarity throughout the process. There was also a need to increase the number of confidential contacts as this had reduced due to staff turnover.

There would be close working with Jason Taylor, the new Non Executive Whistle Blowing Champion to implement the standards

Members were advised that the standards were extensive and wider reaching than the processes currently in place and included the Voluntary Sector, GPs and education.

J Taylor noted his agreement with the recommendations made, there was a national event being held for all newly appointed Whistle Blowing Champions and Board Chairs to provide more information and clarity around the role and how this related to the implementation of the standards.

The Employee Director noted that the Area Partnership Forum should drive the implementation of the standards. She agreed with the need to ensure that there

were more confidential contacts and that they were appropriately trained. There was also a need to ensure that the reporting structure was correct.

I Grieve noted that there was a need for clarity when communicating the role of the Whistle Blowing Champion and reinforcing to staff the correct reporting structures that were in place, she also felt that it would be useful to link this with the recommendations from the Sturrock review.

The Employee Director noted that negative press over the years around whistle blowing had resulted in people becoming very wary about using this method. It was noted that appropriate communication with anyone raising a grievance was essential.

It was agreed that the correct governance route for reporting should be Area Partnership Forum to Staff Governance to Board. With a suggestion that any Short Life Working Group reports to the Staff governance Committee.

Decision / Conclusion

Members noted the standards and agreed to the establishment of a Short Life Working Group to drive the implementation of the Standards locally.

780 Health and Social Care Staff Experience Report 2019 – SGC1920-36

The Head of Corporate Services delivered the report to members advising that there were 4 Key Performance Indicators for Boards in relation to iMatter:

- Response rate - NHS Orkney's response rate reduced from 83% in 2018 to 66% in 2019, higher than the national response rate of 62%, and among the highest response rates of the territorial boards.
- No Report - NHS Orkney had an increase in the number of "no reports" in 2019 – 30% of the teams did not receive the required 60% response rate to receive a report
- Employee Engagement Index – NHS Orkney's EEI score has dropped slightly from 76 in 2018. The current score being 75.
- Action Plans Agreed – only 70% of teams completed an improvement action plan, a significant drop in number from the previous year.

The Chief Executive noted that for the organisation to improve there was a need to further understand the responses.

The Head of Corporate Services agreed and advised that staff also needed to take some responsibility to find information out as well as ensuring that managers were communicating with their teams.

The Employee Director noted that Social Care staff would be completing the report for the first time in 2020 and this gave potential for significant changes in the results. The Head of Corporate Services advised that Social Care staff would be a separate report but would feed into the overall survey outcomes.

It was agreed that there may be some resilience in the first year for Social Care staff but once changes were implemented from the results it would encourage staff

to engage in future years.

Decision / Conclusion

Members noted the National Health and Social Care Staff Experience Report 2019.

Provided with a Safe Working Environment

781 Occupational Health and Safety Chairs Report

The Head of Corporate Services presented the Chairs Report from the recent Occupational Health and Safety meetings

Key points highlighted were:

- The Flu Vaccination campaign had been a success, as at 30 January 2020 the Board have reported a total of 62.1% of staff immunised against the 60% standard. Compared to last year 45-46% this was a positive increase and the team involved were commended on this work.
- The Committee had approved the Water Safety Policy
- The Committee received the Fire Risk Assessment for The Balfour and Graham House which highlighted a number of housekeeping issues which would be addressed. There had also been issues with certain staff groups not attending fire training.
- There remained issues with staff continuing to park in patient parking spaces. Fleet parking had also been challenging for staff finding the cars.

Members raised concerns that staff were not attending statutory and mandatory training, noting that once eESS was live for booking training data around staff who did not attend training would be much easier to capture.

Decision / Conclusion

The Committee noted the report and requested a report on compliance with training once the eESS system had been live for 6 months.

782 Information Governance Chairs Report

The Head of Corporate Services delivered the Chairs Report from the recent meetings of the Information Governance Group highlighting the following:

- There had been an agreement reached on retention period of Dental GP17 Forms
- The group had approved the Memorandum of Understanding for the provision of Data Protection advice to GP Practices.
- The updated Records Management Plan approved for submission to Keeper of the Records
- Assurance had been provided around disaster recovery arrangements
- The audit findings on the use of VPN tokens had been reported
- USB port locking had been discussed along with the need to share this information with staff.

Decision / Conclusion

The Committee noted the report and the assurance provided.

783 Workforce planning guidance – SCG1920-39

The Head of Corporate Services presented the report advising that the new guidance supports a partnership approach to workforce plans and replaced CEL 32(2011).

She advised that NHS Orkney and Integrated Authorities (IA) through their Health and Social Care Partnership were required to publish its first 3 year workforce plans by 31st March 2021. All Boards would continue to submit workforce projections by 30 June each year with an annual reporting process to be developed for completion in the intervening years between 3 year plans.

It was a requirement for NHS Boards and IAs to identify and nominate responsible officers to ensure the publication of the 3 year plans and reporting templates.

The Chief Executive noted that the IJB workforce planning would be at a high level. The IJB had been sent the information and guidance and the Chief Officer tasked with ensuring that this was taken forward.

I Grieve left the meeting

Decision / Conclusion

The Committee noted the new guidance and changes it contained.

Risks

784 Staff Governance Risk Report

The Head of Corporate Services highlighted the risks that were currently assigned under staff Governance.

There are currently 3 risks logged as Staff Governance Risks, one was being managed through the Technology Enabled Care Board, one was an operation risk in relation to staffing and failure to meet targets and one related to the transition of OHS and HR services being managed through the Transition Group

Decision / Conclusion

Members noted the report

Committee Annual Report

785 Terms of Reference

Members had been provided with the updated Terms of reference for review and approval.

Decision / Conclusion:

The Committee approved the Terms of Reference.

786 **Committee Risks, Controls and Assurance Framework**

Members had been provided with the updated Committee Risks, Controls and Assurance Framework for review and approval.

Decision / Conclusion

The Committee approved the Committee Risks, Controls and Assurance Framework

787 **Work Plan**

Members approved the new Business Cycle and agreed to remove the previous year's work plan.

788 **Business Cycle**

Members had been provided with the updated Business Cycle for review and approval.

Decision / Conclusion

The Committee approved the Business Cycle

789 **Issues Raised from Governance Committees**

There had been no reports from the Chairs of the Governance Committees regarding cross committee assurance.

790 **Agree any issues to be raised to Board/ Governance Committees**

The Committee agreed that the following items should be reported to the:

Board

- The appointment of the Whistle Blowing Champion and implementation of the Standards
- To highlight the concern around the figures for Medical Appraisal and revalidations

791 **Any Other Competent Business**

Peedie Breeks

Members noted that Peedie Breeks nursery would be closing in the summer and that the impact on staff should continue to be monitored.

Human Resources Manager

Members noted that this would be A Catto's last meeting of the Staff governance

committee and give thanks for her valuable input and contribution over her time on the Committee.

792 **Schedule of meetings**

The schedule of meetings for 2020/21 was noted.

793 **Record of Attendance**

The record of attendance was noted.

794 **Committee Evaluation**

Members noted that it had been a long meeting but this had enabled valuable discussion and debate to be carried out on important agenda items.