

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 25 May 2020** at **14:00**

Present: Caroline Evans, Chair
Fiona MacKellar, Vice Chair
Julie Colquhoun, Head of Corporate Services
Issy Grieve, Non-Executive Board Member
Gerry O'Brien, Chief Executive
Kate Smith, Partnership Representative
Iain Stewart, Chief Executive Designate
Brenda Wilson, Interim Director of Nursing, Midwifery & AHPs
Barbara Womack, Practice Education Facilitator

In Attendance: Lauren Johnstone, Committee Support (Minute taker)
Ryan McLaughlin, UNISON
Ingrid Smith, Human Resource's Manager
Jason Taylor, Whistleblowing Champion, Non-Executive Board Member

185 Apologies

Apologies were noted from David McArthur.

186 Declaration of Interests – Agenda Items

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

187 Minute of meeting held on 26 February 2020

The minute of the Staff Governance Committee meeting held on 26 February 2020 was accepted as an accurate record and approved, subject to the following amendments:

- Health and Social Care Staff Experience Report, last paragraph, “resilience” should read “resistance”

188 Matters Arising

Medical Appraisal and Revalidation Quality Assurance Review

No response had been received from H MacPherson pertaining to the number of missed appraisals in 2019. It was agreed that the Committee Support would follow this up.

Whistleblowing Standards

Members were advised that due to the current pandemic, implementation work had been paused and were awaiting further direction.

189 **Action Log**

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

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

The Chair highlighted the areas that had been discussed at the Board meeting on the 23 April 2020 and 14 May 2020

- Number of additional temporary contracted staff recruited due to Covid-19 and a review of requirement for these additional staff to remain employed.
- Ongoing pressures around the availability of finances to fund these positions.

Decision / Conclusion

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

Governance

191 **Final Staff Governance Committee Annual Report 2019/20 – SG2021-01**

The Chair delivered the final Staff Governance Annual Report for approval.

The Chief Executive commented that the report reflected the positive impact that the Committee had made in 2019/20 and was content with the report.

Decision / Conclusion

Members approved the Annual Report.

192 **Report on Circulars**

The Head of Corporate Services delivered the Report on Circulars for information and noting.

It was confirmed that the circulars listed within the report had been circulated through the appropriate staff groups and were available on the STAC website.

Decision / Conclusion

Members noted the summary of circulars.

Organisational Culture

193 **Staff Governance and Sturrock Improvement Plan – SGC2021-02**

The Head of Corporate Services reported that the Area Partnership Forum and Staff Governance Committee had received detailed reports on each of the 5 standards over the last 12 months. The improvement plan presented today addressed the findings and proposed actions on which to improve. On 20th May 2019 the Cabinet Secretary for Health and Sport wrote to all Boards requesting a response following the release of the "Sturrock" Report. The improvement plan has

been designed to encompass the areas identified by John Sturrock QC, influencing a positive working culture.

The following suggestions to the draft improvement plan were noted:

- Implement driver diagram to reflect objectives and outcomes
- Completion of an Ethos Survey
- Board led development session to discuss further
- Whistleblowing Standards – due to the programme of new standards currently on hold, ensure staff are aware of existing processes
- Incorporate figures and required resources to improvement plan
- Use of external facilitation

K Smith joined the meeting.

The Human Resources manager joined the meeting.

Decision / Conclusion

Members noted the plan and agreed to take to Board level for further discussion.

194 I-Matter

The Head of Corporate Services provided a verbal update on the position of I-Matter reports.

Members were advised that due to the current pandemic the programme was paused in March 2020. Reports were run for NHS Orkney which looked positive with a response rate of 63 per cent, matching the response rate of 2019. It was a first for Health and Social Care staff to participate in the programme and unfortunately was cut short due to Covid-19. It was acknowledged that up to this point there had been a 70 per cent response rate, however sadly few reports were generated due to poor uptake by directorate.

The Head of Corporate Services was please at the overall results and was awaiting direction on the programme returning online.

I Grieve congratulated those who had assisted in incorporating Health and Social Care into the process and acknowledged the positive forward footing for those colleagues to be involved.

Concern was raised throughout the group that there had been no increase in engagement in departments that historically had poor uptake. The Head of Corporate Services added that there was no requirement for action plans to be completed in areas where response was poor. Members agreed that it would be disappointing if the information that had been gathered was not used as an opportunity to take any action for improvement.

Decision / Conclusion

Members noted the update.

Appropriately Trained

195 Statutory and Mandatory Training Report – SCG2021-03

The Head of Corporate Services delivered the report on Statutory and Mandatory Training.

It was reported that prior to moving to the new Balfour, there was an increase in compliance across nine core subject areas, however fire safety compliance remained an area of concern across the staff groups and members agreed this should be highlighted to the Board.

The Head of Corporate Services clarified that there had been reporting issues on the Child Protection module and was pleased to confirm that there was an 80% uptake throughout Nursing and Midwifery staff.

J Taylor queried if there was understanding as to why uptake was poor across learning. The Head of Corporate Services gave assurance that staff were being allocated time to complete the modules, but felt the importance was misunderstood by staff and stressed that leadership was required to push this message throughout the clinical workforce. eEss provided reporting on those who did / did not attend when booked on to a course, however capacity did not allow to follow up on those who did not attend to get a better understanding as to why.

It was acknowledged that due to the move to the Balfour and Covid-19 there had been a number of scheduled training sessions cancelled. The Head of Corporate Services advised that the Organisational Development and Learning team were working through recovery plans and the reintroduction of training sessions.

Members were informed that a draft strategy for learning was being progressed and would be considered by the SMT in the first instance.

Decision / Conclusion

Members noted the report.

Involved in Decisions that Affect them

196 Partnership Forum Chair's Report

The Employee Director highlighted the key areas of discussion at the Area Partnership Forum meeting held on the 18 February 2020.

- Flu vaccination target which was set by the Scottish Government was achieved and exceed. It was felt that a targeted approach and better accessibility of the clinics to staff had played a major part in the increased uptake.
- An update was received from the Human Resources and Occupational Health and Safety services. It was identified that there were a few ongoing issues around consultant support and electronic databases. Since this meeting, the Head of Corporate Services was pleased update that consultant support had been secured and the electronic database was fully functional.
- Discussions were held with regards to holding a development session for the

group, however due to the current circumstances this has since been put on hold. It was agreed that from May 2020 meetings would resume on a monthly basis.

Decision / Conclusion

Members noted the update.

197 Meetings of Partnership Forum meeting held on 18 February 2020

Members noted the minute provided.

Treated Fairly and Consistently

198 Policies and Procedures

Electrical Safety Policy

The Head of Corporate Services presented the Electrical Safety Policy to members for approval. It was confirmed that the policy had received input from the necessary specialists and approval from the Health and Safety Committee.

Decision / Conclusion

Members approved the policy.

199 'Once for Scotland' Policies and report on status of PINs and progress against Human Resources policy timetable

The Senior Human Resource's Manager provided a verbal update on progress around the implantation of 'Once for Scotland' policies and Partnership Information Network (PIN)s.

Members were advised that the first cohort of policies went live on 1 March 2020 which included:

- Capability
- Conduct
- Bullying and Harassment
- Grievance
- Attendance
- Investigation process

It was noted that any new investigations from 1 March would be conducted following new guidance.

Training sessions held in partnership between Human Resource's and the Unions for managers were scheduled throughout March to provide an increase in awareness and understanding of implementation of each policy in relation to their area and employees. Due to the current pandemic, sessions were not as well attended as it was initially hoped, but one to one sessions had been delivered if required.

Phase two of the 'Once for Scotland' Workforce Policies Programme would refresh the remaining PIN policies which included:

- Embracing Equality, Diversity and Human Rights
- Gender-Based Violence
- Managing Health and Safety at Work
- Personal Development Planning and Review
- Redeployment
- Safer Pre and Post Employment Checks
- Secondment
- Supporting the Work-Life Balance
- Use of Fixed Term Contracts
- Facilities Arrangements for Trade Unions and Professional Organisations

The March 2020 mid-policy development event was attended by a small number of NHS Orkney employees and was well received.

The Human Resources Manager concluded the update by advising members that due to the ongoing Covid-19 situation, the Scottish Government had paused the National Once for Scotland Workforce Policies Programme until further notice.

For the information of members, the Human Resources Manager gave an overview of the Human Resources Team since transitioning to a local service.

Decision / Conclusion

Members noted the update.

200 Covid-19 Temporary Staff – SGC2021-04

The Head of Corporate Services delivered the recommendations on the contracts of temporary working staff for information and approval. She added that the paper contained information based on the opinion of our clinicians and/or hospital staff and still required scrutiny from Directors.

The Committee were informed that a paper would be presented to the in-committee Board containing further details around individual contracts. This paper provided information around the 95 additional colleagues which had joined the organisation over the last month and the position of each contract. In line with NHS Orkney's escalation plan, the following five stages were taken to address the additional staffing requirements;

Stage 1

Bank staff on payroll, across all disciplines were given the opportunity to take up a 3-month contract of employment. 7 of the current payroll Consultant Locums were appointed fixed term contracts for 3 months. Unless otherwise agreed, these colleagues will revert back to bank contracts as of 1 July 2020.

Stage 2

A social media campaign was launched enticing recently retired colleagues back into the workplace through an accelerated recruitment process. The process included a health and safety induction and training to the appropriate role. Circa 48 additional staff joined through this process. Contracts in this stage varied from bank

to 3 months ending 20 June 2020.

Stage 3

Increased agency nurses as well as an additional junior Doctor. It was anticipated that agency colleagues would be already considering their next placement with their contact at NHS Orkney ceasing on the 30 June 2020.

Stage 4

The NES recruitment portal was established to facilitate emergency registrant's across professional groups and support applications from returners and students to priority areas in health and social care across acute, primary, community and social care settings to support local mobilisation and surge planning. It was found that the portal had not been overly successful for NHS Orkney, as other stages had attracted those colleagues who wanted to return.

Stage 5

NHS Orkney welcomed the opportunity for students from RGU, Open University, UWS and the Universities of Edinburgh and Glasgow to join our workforce. A total of 14 students were employed by the Board through a NES model of employment with some remaining contracted until the end of September 2020.

It was explained to members that posts highlighted in red were fundamental to the organisation and we would strongly recommend that contracts were extended. It was recommended that posts highlighted in yellow were extended by a further 3 months and contracts in green were ceased as per original agreements.

Assurance was given to members that posts highlighted in red were not providing additionality and were assisting the return to business as usual and providing cover for some of the 48 workforce which were shielding.

The Interim Director of Nursing, Midwifery and AHPs stressed the importance of having additional staff available should there be a surge in cases. Work was ongoing around the structure and complexities for future running of the hospital whilst taking into consideration possible clinical risks and fundamental re-mobilisation planning.

The Head of Corporate Services confirmed that a number of areas had not yet carried out a clinical assessment around staffing at the time the paper was written.

The Chief Executive expected lengthy discussion around contracts to be held at the next Board meeting. He requested members whilst considering these proposals, that there was no requirement for the Scottish Government to fund these additional posts going forward and the Board was yet to be provided an update on the position of our colleagues shielding. In the event of a spike in cases, it may not be logical to have shielding staff return to work in the near future.

I Grieve acknowledged much remained unknown, but appreciated and valued the discussion prior to the Board meeting. It was agreed that the Board Chair, Chief Executive and Chief Executive Designate would hold a separate discussion to consider additional attendance at the Board meeting whilst the paper was presented.

It was requested that consideration was given to the ongoing work around Care Homes and the accountability on Nurse Directors to provide support and assistance.

It was suggested that there could be expectation that Registered Nurses were deployed to Care Homes should cases surge.

Decision / Conclusion

Members noted the report.

201 Scottish Public Sector Pay Policy 2020 to 2021

The Head of Corporate Services presented the Scottish Public Pay Policy 2020 to 2021 for the information and noting.

The Chief Executive Designate queried if the policy included the three per cent increase to social work colleagues. The Head of Corporate Services confirmed that the paper was released pre Covid-19 and this was an articulate to the overall Scottish Government Public Pay Policies.

Decision / Conclusion

Members noted the policy.

Provided with a Safe Working Environment

202 Information Governance Chairs Report – SGC2021-05

The Head of Corporate Services delivered the chairs report from the recent meeting of the Information Governance Group highlighting the following key topics:

- Quoracy issues had resulted in a delay in planning for the year ahead
- The application Zoom had been identified as an insecure platform and that staff have been requested to use MS Teams
- Increased profile of Information Governance

The Head of Corporate Services reported that a spreadsheet containing staff and patient identifiable information had been inadvertently released from the Clinical Assessment Centre. When made aware, the data breach was immediately notified to the Independent Commissioning Officer (ICO) and the Scottish Government. The company in receipt of the information was contacted and gave assurance that the document had since been deleted. Patients and staff affected by the incident would be notified by letter, advising them of the data breach.

The Chief Executive Designate requested that communications in response to press enquiries was prepared ahead of letters being sent. The Head of Corporate Services advised that the detailed report from the investigation was not yet finalised and was progressing under the control of the Corporate Records Officer.

The Chief Executive expressed concern that such information was being captured on a spreadsheet and not through a patient database such as TrackCare. Assurance was given that the spreadsheet was used as a form for organisations to complete requesting testing and from this information was inputted into a clinical database. In this instance a completed form had been inadvertently sent to an organisation which had thought to have been blank.

The Chief Executive Designate requested an update on the investigation ahead of

the next Board meeting so that queries could be responded to accurately and confidently should they arise.

Decision / Conclusion

The Committee noted the report and the assurance provided.

203 Staff Health and Wellbeing Update – SCG2021-06

The Head of Corporate Services presented the report which gave an overview on the work carried out in response to a letter received from the Cabinet Secretary for Mental Health Clare Haughey around staff health and wellbeing. The Secretary encouraged the maintenance of existing workplace support mechanisms, the creation and dissemination of new resources, and clear signposting to support through trade unions and professional bodies. The Secretary also included key messages and suggested that leadership teams discussed their local implementation.

Boards were asked to nominate a dedicated Mental Health and Wellbeing Champion who would liaise with and support the organisation in providing connectivity between frontline clinicians through to the Minister influencing future policy and commissioning of services. Rev Gordon Jones, NHS Orkney's Spiritual Care Lead had been identified as NHS Orkney's Mental Health and Wellbeing champion.

Initially discussions were held around in-house support services, however it became evident that links could be made with bigger Boards which had provided resilience as well as an independent service for those staff who wished to engage. A daytime manned local helpline had been established which would triage calls before referring onwards to services such as Mental Health or Occupational Health. Communications had increased in order to highlight the availability of the service to staff. The Head of Corporate Services added that uptake of the service across Boards had been slow, however it was quite possible that this service would be required further down the line. To date there had been no referrals made from NHS Orkney.

Decision / Conclusion

The Committee noted the update.

Risks

204 Staff Governance Risk Report

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

It was reported that one risk had been de-escalated and work was ongoing to mitigate the risk.

The Vice-Chair added that the introduction of the re-mobilisation plan could create many additional risks for the Committee.

Decision / Conclusion

Members noted the report.

205 Issues Raised from Governance Committees

Finance and Performance Committee

The Chairs report received from the Finance and Performance Committee was noted by members. It was acknowledged by the Committee that significant changes would be required in order to deliver the financial balance and the potential risks this could have on staff.

206 Agree any issues to be raised to Board/ Governance Committees

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

Board

- Staff compliance – Fire Training
- Data Protection and use of spreadsheets

207 Any Other Competent Business

Occupational Health and Safety

The Head of Corporate Services reported that over the last 8 weeks, over 600 face fit tests had been carried out which had resulted in an increase in compliance. Poor uptake of fire training had also been brought to the attention of the Group. It was agreed that a detailed report on face fit testing and compliance rates would be presented at the next Staff Governance Meeting.

The Chief Executive commended the work and input from Occupation Health staff in achieving our highest annual uptake of flu vaccinations throughout the workforce.

Frequency of Meetings

Members requested that the next meeting to be drawn before August in order to timetable outstanding business delayed due to Covid-19. It was agreed that the Committee Support would arrange for calendar invites to be sent once confirmation of the next date had been received from the Chair.

208 Schedule of meetings

The schedule of meetings for 2020/21 was noted.

209 Record of Attendance

The record of attendance was noted. J Taylor to be included in the attendance list for 2020/21.

210 Committee Evaluation

Members agreed that the first virtual meeting of the Staff Governance Committee had run smoothly. Whilst meeting were held via MS Teams, it was requested that

consideration was given to the length of these as the Committee acknowledged much of the working day was now spent virtually.