



**NHS HEALTH SCOTLAND  
PARTNERSHIP AGREEMENT**

## Foreword by the Chief Executive of NHS Health Scotland and the Staff Side Chair

All NHS Boards are required to have in place formal partnership working arrangements, including a Partnership Forum, in line with the guidance associated with NHS Scotland's Staff Governance Standard. The overarching purpose of the Standard is to ensure the fair and effective management of staff. We are also committed, as an NHS Board, to the 2020 Workforce Vision which sets out the core values – care and compassion, dignity and respect, openness, honesty and responsibility, quality and team work – which we strive to promote and uphold with all our staff.

Those are the external drivers. However, we also believe in partnership working for NHS Health Scotland because we are confident that involving and supporting all our staff in decisions that affect their working lives is critical to achieving the productive and healthy workforce required to achieve our strategic ambition of A Fairer Healthier Scotland.

The five key elements of the Staff Governance Standard are to ensure that our staff are:

- Well informed.
- Appropriately trained and developed.
- Involved in decisions.
- Treated fairly and consistently, with dignity and respect, in an environment where diversity is valued; and
- provided with a continuously improving and safe working environment, promoting the health and wellbeing of staff, patients and the wider community

We would go further to be explicit in saying that all our staff have the right to be fully informed and consulted at the earliest possible stage, in matters relating to their working life and the contributions of all staff should be recognised and respected. The Partnership Forum is the formal mechanism through which staff representatives and senior managers of the organisation work together to ensure that this happens and that all matters that have an impact on our staff are discussed and developed through this route. This is far more than consultation – this is about ensuring that staff and their representatives are involved in the formulation of process, policy and plans from the outset.

We are committed to promoting this way of working with its clear focus on the **values** which will act as the cornerstones to the partnership approach, the **principles** which will be fundamental to effective partnership working and the **rights** and the **responsibilities** of the participants in partnership working.

**Gerald McLaughlin**  
Chief Executive

**Michael Craig**  
Staff Side Chair

# PARTNERSHIP AGREEMENT

## Introduction

This Partnership Agreement sets out the framework applied across NHS Health Scotland through which we will ensure effective partnership working between managers and recognised trade unions in order to create and sustain a working culture and environment that motivates, develops and supports staff to give their best and achieve the highest possible standards in quality and customer support.

## What is Partnership Working?

Partnership working was introduced into the NHS in Scotland in 1999. It is about delivering the process, infrastructure and behaviours required to achieve the common objective of management and staff to shape policy and influence how services are delivered. It is a shared responsibility between managers, staff and their representatives to manage change by including and informing staff in the process of formulating, consulting, implementing and evaluating issues related to service delivery.

## Scope of the Agreement

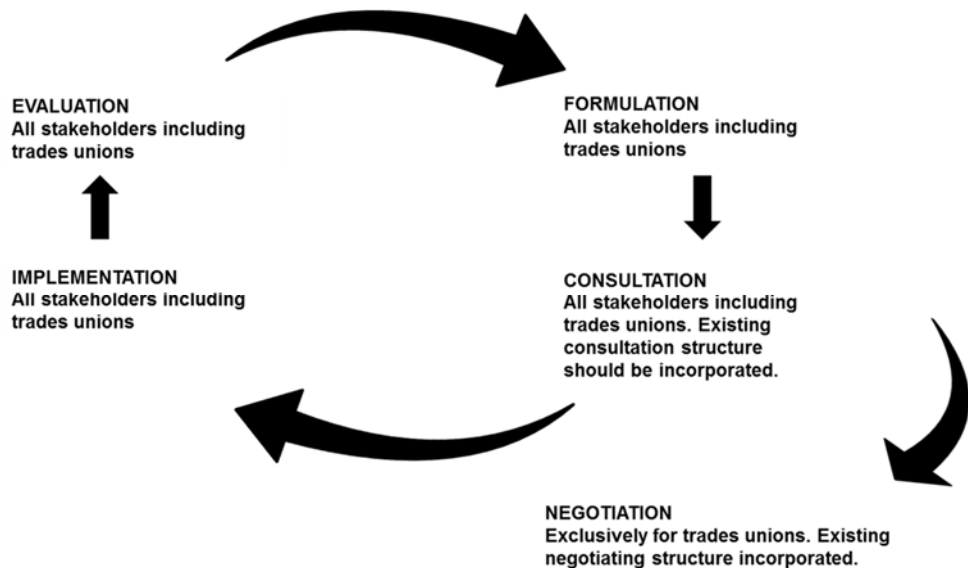
The agreement involves all NHS Health Scotland staff. In terms of the specific mechanisms identified in the agreement, the key participants are management and staff side representatives of trade unions formally recognised by NHS Health Scotland. The Partnership Agreement is intended to cover all areas impacting on staff including:

- Organisational culture, values and staff experience.
- Operational and strategic planning.
- Proposals for organisational change.
- Terms and conditions of employment.
- Matters affecting employment security.
- Workforce policy and practice.
- Staff learning and development.
- Staff health and welfare.

This is not an exhaustive list and other matters may be dealt with on an ad hoc or ongoing basis.

## Partnership Model

The NHS Partnership Model follows an agreed process which is set out below.



## Partnership Principles

The above model is based on a number of recognised principles to partnership working. These include:

- Trade unions and management are recognised as partners in the process of formulating and implementing plans within the terms of the agreement.
- Management and trade unions have a right to be at all levels of the partnership process.
- Trade unions and managers agree to work within the framework set out in the agreement.
- Appropriate arrangements, including the provision of time and resources, are made to enable all to participate in the partnership process. This is part of NHS Health Scotland's facility arrangements.
- Effective involvement means that all stakeholders are involved in the review of any current service provision or any proposal for a change as the proposal is being formed.
- Formal consultation is the part of the process which seeks to amend or improve proposals once they have been through the formulation stage. This includes formal consultation with all recognised trade unions as well as with all staff and stakeholders affected by the proposal.

- Implementation is the formal recognition that partners are jointly responsible for supporting the effective implementation of agreed changes.
- Effective evaluation and monitoring of implementation includes ensuring specifically that feedback from staff is actively sought and considered at the Partnership Forum.
- Negotiation is that part of the process which provides for all recognised trade unions to be exclusively involved in any discussion involving the terms and conditions of their members and requires agreement from both sides. Existing negotiating arrangements will apply, e.g. formal Local Negotiating Committees and Joint Negotiating Committees. Negotiating committees can be set up at the request of either a recognised trade union or management via the Partnership Forum and should set their terms of reference at the onset.
- Negotiation on matters which affect staff is with the recognised trade unions. This negotiation will take place through the existing negotiating bodies as outlined above.

### **The Partnership Process**

Taking into account the above model and principles for partnership working in the NHS in Scotland, the partnership approach in NHS Health Scotland is described through the following key steps:

- Informal discussion between Chief Executive and Staff Side Chair of the Partnership Forum, or representatives, about an emerging change or new approach.
- Early discussion of emerging issues in the Partnership Forum.
- Establishment, where agreed, of specific project steering or sub-groups of the Partnership Forum, to progress particular issues or develop specific proposals.
- Agreed approaches to involvement and consultation of staff in any proposed change, including joint and early briefing of all staff potentially affected by a proposed change.
- Monitoring of impacts on staff of any change that is progressed and implemented.
- Direct and open involvement of staff representatives in any number of initiatives or groups deemed to be relevant or have an impact on staff, e.g. strategic and operational business planning.

### **Roles and Responsibilities**

NHS Health Scotland, its staff and trade unions all have responsibilities within this process. All stakeholders require to demonstrate commitment and be willing to contribute to partnership working. This involves accepting responsibility for agreeing decisions by consensus and by demonstrating confidence and confidentiality in the local partnership process.

All stakeholders agree to work within the terms of the agreement. Any disagreement should not prejudice a stakeholder's position or duty at any later stage in the partnership. There will be situations where, although supportive of partnership working, trade unions or employers are unable to agree a joint approach. We recognise that trade unions

retain the right to represent their members' interests and we make a joint commitment to remain involved in the partnership process even when there is disagreement in order that differences are dealt with appropriately and locally, wherever possible. The current structure for dealing with grievances will be available to support this.

### **Staff Side Chair of NHS Health Scotland's Partnership Forum – Employee Director<sup>1</sup>**

The Staff Side Chair of the Partnership Forum is a critical role within NHS Scotland's partnership and decision making processes. The Staff Side Chair of the Partnership Forum is invited, subject to Ministerial approval, to sit on the NHS Health Scotland Board as Employee Director.

In addition to the collective responsibilities shared by all members of NHS Boards, in this capacity the Staff Side Chair has a key role in:

- Providing a staff perspective on strategy development and service delivery issues considered by NHS Health Scotland.
- Acting as a focal point for staff from across the local NHS system who wish to contribute to the business of NHS Health Scotland.
- Explaining the work of NHS Health Scotland and promoting opportunities for staff to be involved in decision-making locally.
- Reflecting the views of the Partnership Forum on the performance of employers within the local NHS system in discharging their staff governance responsibilities; and;
- Championing partnership working and providing a vital link between NHS Health Scotland and the Partnership Forum.

### **Partnership in Action**

All parties to this agreement are committed to a partnership approach and subscribe to the following values, principles, rights and responsibilities of partnership working.

#### **Values**

- Working in partnership to improve delivery of business objectives.
- Working from a default of mutual trust, honesty and transparency amongst and between the partners.
- Looking for consistency, fairness and equity in all decisions and approaches.
- Partnership working will incorporate good employment practice.
- Accepting that consensus is the best way to reach agreement.

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## **Principles**

- Partners are included in agreeing and reviewing the work programme for the Partnership Forum.
- Partners uphold the values, principles and processes set out within this Agreement.
- Any disagreement will not prejudice a partner's position at a later stage.
- Partners will receive appropriate induction, support and development.
- Partnership working will be subject to review and audit in a spirit of continuous improvement.

## **Rights**

All parties to partnership working have the right to:

- Be recognised and participate in the formulation and implementation of changes to service provision within the partnership process.
- Be involved at all levels of the partnership process.
- Be advised at the earliest possible stage of any possible strategic and organisational changes to NHS Health Scotland which might affect staff and to be consulted upon them.
- Participate in decision making and to have these decisions implemented in accordance with the formal arrangements for partnership.
- Access information relevant to the issues under discussion.
- Access appropriate support and development.
- Have protected time for Partnership Forum business.

## **Responsibilities**

All parties to partnership working commit to the following:

- Agree to work within the arrangements set out in these papers.
- Accept decisions reached by consensus.
- Abide by jointly agreed communications.
- Use any information provided for the purposes of discussion in a responsible manner and to respect confidentiality where this is specified.
- Contribute to the implementation of decisions.

## **Communication**

Sharing of information is a fundamental principle of effective operation of this Agreement. It is expected that there will be a responsible use of shared information at all times and a respect for confidentiality where specified.

## **The Partnership Forum**

The NHS Health Scotland Partnership Forum is the focal point for this Partnership Agreement. The Partnership Forum is made up of management representatives and staff side representatives as set out in the terms of reference attached in Appendix 1.

As well as overseeing and monitoring the steps of partnership working outlined above, the Partnership Forum has specific responsibilities to:

- Take a proactive approach in embedding partnership working at all levels to assist the process of devolved decision-making in relation to staff.
- Take a proactive approach to ensuring that feedback and views from all staff have a route into and is fed back from the Partnership Forum and its decision making processes, via both management and recognised trade unions.
- Lead the detailed formulation, monitoring and performance review of the NHS Health Scotland workforce plan and Staff Governance Action Plan, reporting back to the Staff Governance Committee as required.
- Oversee workforce policy development and review.
- Actively monitor staff experience (e.g. through the national staff survey) and formulate plans to address any improvement actions needed based on staff feedback.
- Link with the Scottish Partnership Forum (SPF) (through the Scottish Workforce and Staff Governance Committee (SWAG)) and provide reports on progress within its area.
- Agree consultation responses to the SPF, SWAG and any other groups with proposals for policy development or initiatives affecting staff.

The Partnership Forum will devolve agreed responsibilities to a number of sub-groups which will in turn report back to the Forum. These currently include: Health, Safety and Facilities Group, Organisational Policy Sub-group, Healthy Working Lives Group, the Office Improvement Group and Admin Leadership Group.

## **Review**

It is acknowledged that partnership working is an evolving process. This agreement will change over time to reflect national guidance or developing working practices. It will be formally reviewed annually by the NHS Health Scotland Partnership Forum, or in the event of significant organisational change. The joint Chairs of the Partnership Forum will report regularly on partnership working to the Staff Governance Committee.



## Partnership Forum Terms of Reference

### Remit

The Partnership Forum will consider predominantly strategic issues affecting the organisation and its role will be to:

- Engage in debating all major topics affecting the workforce of NHS Health Scotland, as agreed, and be involved in the formulation of policy as well as contributing to the development, monitoring, review and implementation of a number of issues affecting staff including:
  - Service planning
  - Workforce planning
  - Strategy development
- Support NHS Health Scotland in striving to be an 'exemplar' employer in relation to staff governance and compliance with equality, diversity and human rights legislation.
- Champion partnership working within NHS Health Scotland in order to maximise the involvement and engagement of staff in decision making.
- Take a proactive approach in embedding partnership working at all levels of the organisation to assist the process of devolved decision making.
- Provide the main forum where staff representatives and managers can work together to deliver the objectives of NHS Health Scotland.
- Ensure that staff and management deliver Staff Governance Standards within NHS Health Scotland by jointly developing and implementing an action plan.
- Agree and monitor a workforce development plan for NHS Health Scotland, including the provision of consistent good quality people management and employment processes across the organisation.
- Raise awareness of the aims of partnership working and communicate the work of the Partnership Forum to all staff and managers within NHS Health Scotland.

### Membership

Membership will comprise representatives of both senior management and representatives of recognised trade unions (Staff Side).

**Management** membership is as follows:

- Chief Executive (Joint Chair)
- Director of Strategy
- Director of Health Equity
- Director of Public Health Science
- Director of Health and Work
- Executive Finance & Procurement Manager

Directors should attend meetings of the Partnership Forum. In the event that a Director cannot attend a meeting, they should nominate a deputy to attend on their behalf, with the prior agreement of the Joint Chairs.

**Staff Side** membership is as follows:

- Staff Side Chair (Joint Chair and Employee Director)
- Five Staff Side representatives

Staff Side representatives must be a member of a NHS Health Scotland recognised trade union/professional organisation. They may be self-nominated and must be approved by the Staff Side Chair. Any union member putting themselves forward for selection should discuss with their line manager beforehand. Permission should not be unreasonably withheld. Candidates for Staff Side representatives should indicate their interest to the Staff Side Chair.

In the event of there being more than one recognised trade union/professional organisation, the accredited representatives will require to agree jointly on the arrangements for the role of Staff Side Chair.

Staff Side representatives will serve for two years in the first instance and will be available for re-nomination after this period except in the case of the Staff Side Chair of the Partnership Forum who will normally be elected for four years to run co-terminously with his/her term of office as a Non-Executive Member of the NHS Health Scotland Board.

The number of members representing management and representing staff should be equal.

In the event that a nominated Staff Side representative cannot attend a meeting, they may nominate a deputy to attend on their behalf, with the prior agreement of the Joint Chairs.

Other members of staff will be invited to attend Partnership Forum meetings with the agreement of the Joint Chairs, but in a non-voting capacity. Deputies have full voting rights.

### **The Nomination Process**

The nomination process will be invoked whenever a vacancy arises for a Staff Side representative or the Staff Side Chair when an individual's normal term of office comes to an end, or when an individual expresses a wish to stand down as a member of the Partnership Forum. This responsibility lies fully with Staff Side. The Staff Side Chair may only be selected from the accredited representatives of trade unions or professional organisations and will be elected by all Staff Side representatives of the Partnership Forum.

### **Roles and Responsibilities**

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## **Chairs**

The Management Chair will be the Chief Executive.

Accredited Staff Side representatives will elect a Chairperson (Staff Side Chair) who will be nominated (subject to Ministerial approval) to serve as the Employee Director on the Board of NHS Health Scotland. The Staff Side Chair will be an accredited representative of a trade union/professional organisation and will usually be appointed for a period of four years at a time.

The Chief Executive and the Staff Side Chair will rotate the chairing of the Partnership Forum meetings. At times, it will be necessary for designated deputies to chair the meetings.

Issues for wider dialogue with the Scottish Partnership Forum and associated committees should be addressed through the Employee Director.

Chairs are responsible for:

- Ensuring meetings run to time.
- Ensuring agenda and minutes are appropriate and relevant.
- Intervening if behavioural commitments are breached by members.
- Reporting progress and any major issues to the Staff Governance Committee.

### **Partnership Forum members:**

Members should seek to reach consensus and make continuous efforts to strengthen the partnership approach, through working towards a shared understanding of developing NHS Health Scotland to meet its strategic goals and being an excellent employer. It is all members' individual responsibility to invite feedback from staff ahead of meetings. Both management and staff side representatives each need to agree and establish the best mechanisms for communication with those they represent at the Partnership Forum, e.g. Staff side with their trade union members and Management via their team structures.

### **Conduct of Meetings and Business**

Participation in partnership meetings brings together diverse views. Such an approach allows mutual interests to grow around a shared agenda and a joint commitment.

Five meetings of the Partnership Forum and one development session will take place each year and will be chaired on an alternating basis by agreement between the Joint Chairs. The Joint Chairs will agree the minutes of the previous meeting prior to circulation and the agenda and papers which will be distributed to members not less than five working days before each Partnership Forum meeting.

In addition, joint meetings with the Staff Governance Committee will take place at least once a year in line with the Terms of Reference for the Staff Governance Committee.

Agenda items will be received not less than 10 working days before the meeting.

The Executive and Governance Team in the CEO Directorate will provide secretariat support to the Joint Chairs and the meetings.

The quorum will be at least six, three from management and three from staff side. One of the Joint Chairs must always be present.

Full-time officers of recognised trade unions/professional organisations may attend meetings of the Partnership Forum with the prior agreement of the Joint Chairs; however, this should be notified to the Secretary of the Partnership Forum prior to the meeting.

Standards of behaviour for meetings are set out in Appendix 2.

Sub-groups may be mandated by the Partnership Forum to carry out specific pieces of work, for example, an Organisational Policy Sub-group to review and revise policies and report progress to the Partnership Forum. Any sub-group must include Staff Side representatives of the Partnership Forum to ensure effective feedback mechanisms.

To enable the Forum to continuously improve the quality of its meetings, the Chair will carry out a review of the meeting with all members at the end of the meeting.

## **Review**

The Terms of Reference will be reviewed annually.

## Behaviour Standards for Partnership Forum

### Introduction

Partnership is an essential way of managing change in NHS Health Scotland, under which all staff (management, employees and unions) aim to develop strong workplace relationships based on mutual respect, trust and shared responsibility. It is a departure from the traditional top-down approach to decision-making processes. A partnership approach to managing change is an effective way to develop organisational flexibility and adaptability.

Partnership also increases employee awareness of the consequences of management decisions, and ensures that change and improved performance lead to mutual gains for all staff. Partnership empowers employees to take an active role in decisions, which may affect their employment, and helps to develop a holistic and shared understanding of a collaborative approach to managing change. It involves a continuing commitment by employees to improvements in quality and efficiency; and the acceptance by management of employees as stakeholders with rights and concerns, to be considered in major decisions affecting their employment.

### Culture

To ensure the continued success of our Partnership Forum, it is important that we consider our commitments and behaviours as Forum Members. We need to adhere to certain norms, including those of confidentiality, attendance and participation. Other group norms can be added or changed as needed throughout the year.

### Our Commitments

It is essential that every member is committed to the Forum in order to create the type of atmosphere necessary for success. Members who place a high priority on NHS Health Scotland's Partnership Forum will:

- Arrive on time and be fully prepared, including having read all papers and other circulated information wherever reasonably possible.
- Be fully attentive and respectful of other members.
- Listen to each other.
- Recognise and respect the responsibilities that individuals have as representatives of their directorates/unions/professional organisations.
- Participate fully in discussions/debate.
- Stay until the conclusion of the meeting whenever possible.
- Follow up on agreed actions.
- Feedback to the wider staff group on all appropriate matters.
- Adhere to any confidential boundaries agreed by the Chairs.

## NHS HEALTH SCOTLAND PARTNERSHIP AGREEMENT

This agreement is signed by:

### **Chairs:**

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Staff Side Chair Date

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Management Side Chair Date

### **Staff Side Representatives:**

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Agnes Allan Date

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Steven Daire Date

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Irene Hamilton Date

.....  
Wendy Hearty Date

.....  
Amanda Stewart Date

**Management Side Representatives:**

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Director of Strategy Date

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Director of Health Equity Date

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Director of Public Health Science Date

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Director of Health & Work Date

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Executive Finance & Procurement Manager Date

**This Partnership Agreement is effective from:** .....

**Review date:** .....January 2017.....