

**BOARD MEETING: 22 March 2019**

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**NHS HEALTH SCOTLAND SCHEDULE OF BOARD BUSINESS 2019**

**Recommendation/action required:**

The Board is asked to:

- Approve the Board Schedule of Business for April – November 2019
- Agree the proposal to remain flexible in relation to the schedule of business as this is a transition period
- Agree to keep the Board Schedule of business under review

Author:

Della Thomas  
Executive and Governance Lead

Sponsoring Director:

Gerry McLaughlin  
Chief Executive

**14 March 2019**

## **NHS HEALTH SCOTLAND SCHEDULE OF BOARD BUSINESS 2018-19**

### **Purpose**

1. The purpose of this paper is to lay out the 2019 Board Schedule of Business and highlight any changes to this schedule, as 2019 is a significant Board governance transition period.

### **Background**

2. Transitional governance arrangements have been successfully put in place to ensure that Board Members whose terms were due to complete in December 2018, March 2019 and May 2019 are now all extended until 30 November 2019.
3. We are currently working on the assumption that the Public Health Scotland Board will be legally formed and quorate on or before 1 December 2019. Therefore it is our ambition that by 30 November 2019, the Health Scotland Board will have completed a successful and proportionate governance transition to the Public Health Scotland Board ensuring:
  - the health inequalities and health improvement legacy i.e. A Fairer Healthier Scotland, priorities are embraced by Public Health Scotland (PHS);
  - that Health Scotland staff are well informed and engaged;
  - that Health Scotland finances and assets are in order for smooth transfer to PHS.
4. In order to contribute to achieving the above outcomes, the Board should continue to govern the 2019 work of the organisation in line with the Board schedule of business. However, as per the agreement at the 15 February Board meeting, this schedule will be developed to highlight the governance areas and issues that remain post 30 November 2019. This schedule will be considered to determine if, as with Health Governance Committee, there are any areas of business that should be transferred to the Board from the Standing Committees of Remuneration, Staff Governance and Audit Committee. This paper will be prepared for Audit Committee discussion and consideration on 26 April and then come to the 17 May Board meeting. Joint ownership of the document will be sought with the Scottish Government (SG) Public Health Reform (PHR) team by the Health Scotland Executive and Governance Lead. The Board may wish to note that this joint product is now included in the PHS Board and Committee Governance project work plan and appears as an item on the May Health Scotland Board schedule.

5. The Board is reminded that we have already agreed, the Q4 Performance Report coming to Board in May, will build in a little more 'end of year impact' than usual and will include sustainability reporting (agreed at 8 February Audit Committee)
6. As from May Board onwards and as per the proposal in the Board Standing Orders and Committee ToRs Board paper, the Remuneration Committee has been added to the Audit and Staff Governance Committee feedback item to enable any relevant issues to be fed back to Board if required.
7. The Board has previously agreed that an End of Year Performance Impact Report, which to date has been considered at the June Board meeting, will not be required. This will be removed from the Board schedule.
8. The Equality and Diversity Year End Mainstreaming report will come to Board in June as usual and as agreed at the February 2019 Board meeting the Equality and Diversity mid-year reports to Committees will be removed from their schedules of business.
9. The Board is reminded of the agreement we have with the SG sponsor team that during this period of transition, Health Scotland will not be required to hold an annual review in 2019. It is proposed that the 27 September Board, which the Minister for Public Health is expected to attend will consider our legacy and impact. Arrangements for this meeting have yet to be firmed up and agreed, but it is likely that the meeting, currently scheduled in Glasgow will be moved to Edinburgh to enable the Minister to attend.
10. The November Board meeting remains flexible and dependent on if this could or should be used to handover to the PHS Board, if by that point, it is legally formed and quorate. It is recommended at this stage the November Events update for noting will not be required by the Health Scotland Board and this has been removed from the schedule.
11. There were two Board Seminars scheduled for 2019. The first one scheduled for 5 April 2019 has been cancelled as we did not have a sufficiently robust agenda associated with governance transition. The 1 February Board Seminar had responded well to the outstanding aspects of the Health Governance Committee's work and two of these areas are now coming back to 22 March 2019 meeting. The Board was invited to express views at the February Board meeting if it would be helpful to discuss further details in relation to the PHR Commissions and the PHS Target Operating Model (TOM). It was the view of the Board that the reports coming to each Board meeting were sufficient enough of an overview and there was no requirement to develop Board Seminar discussion in this regard. The second Board Seminar is scheduled for 4 October and we remain flexible in terms of what this Seminar might

cover. We also have the flexibility to re-schedule the second Board Seminar at another time if the need arises.

### **Finance and Resource Implications**

12. The financial and staff resourcing of the Board's schedule of business is covered as part of the 2019 Draft Delivery Plan and will be scrutinised through Audit Committee and Staff Governance Committee and by the Board as part of the quarterly reporting process.

### **Staff Partnership**

13. There are no particular Staff Partnership issues associated with this paper.

### **Communication and engagement**

14. It will be important to maintain close engagement with the Scottish Government Public Health Reform Team and sponsor division to achieve clarity on the duties and requirements of the Health Scotland Board during transition and agree the respective arrangements that are their responsibility to progress.

### **Corporate Risk**

15. The most fundamental risk associated with this paper is that the Public Health Scotland Board has not been formed as a legal entity and/or quorate by 1 December 2019. At the time of writing, the Public Health Scotland Chair advert has still not been published a second time round and the Public Health Scotland 6 week legislative consultation is delayed. Whilst the Health Scotland Board has previously clearly noted and agreed with the SG that the successful establishment of PHS is not part of our remit or accountability, the risk of the Public Health Scotland Board not being available for 1 December 2019 as per our planned governance transition may be something the Board wishes to consider.

### **Issues Associated with Transition**

16. During the period ahead it will be difficult to provide the level of certainty and assurance the Board would normally expect. We will need to remain flexible about some aspects of the future requirements of the Health Scotland Board business whilst we seek further clarity. The areas of the Board schedule of business that are most affected by transition as far as we can understand at this time are detailed in paragraphs 4-11 of this paper.

### **Promoting Fairness**

17. There are no explicit promoting fairness aspects associated with this paper

## **Sustainability and Environmental Management**

18. There are no particular sustainability and environmental issues associated with this paper.
19. We continue to apply an approach to Board and Committee business that uses electronic devices as opposed to paper copies to contribute to environmental targets.

## **Action/ Recommendations**

20. The Board is asked to:
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  - Agree to keep the Board Schedule of Business under review

Della Thomas

Executive and Governance Lead

14 March 2019

**NHS HEALTH SCOTLAND**

**SCHEDULE OF BOARD BUSINESS 2019**

**DRAFT**

2019 NHS Health Scotland				2020 key line of sight for Public Health Scotland – connections with NHS Health Scotland governance continuity		
17 May	21 June	27 September	22 November	February	May	June
Part III meeting	Annual Accounts 2018/19 (Part II)	NHS Health Scotland Legacy Report presentation and valedictory meeting with Minister	Part III meeting			
Appointment of Vice Chair			Final Board Meeting – formal opportunity to handover to PHS Board if this board has been legally formed and is quorate?  <b>Note: Products/papers required tbc</b>			

Matters arising	Matters arising	Matters arising	Matters arising			
<p>Health and Social Care Delivery Plan Implementation</p> <ul style="list-style-type: none"> <li>• Feedback from Public Health Reform Board and Public Health Reform Programme Board</li> <li>• Change and Transition Report</li> </ul>	<p>Health and Social Care Delivery Plan Implementation</p> <ul style="list-style-type: none"> <li>• Feedback from Public Health Reform Oversight Board and Public Health Reform Programme Board</li> <li>• Change and Transition Report</li> </ul>	<p>Health and Social Care Delivery Plan Implementation</p> <ul style="list-style-type: none"> <li>• Feedback from Public Health Reform Oversight Board and Public Health Reform Programme Board</li> <li>• Change and Transition Report</li> </ul>				
<p>Board Governance Transition Plan</p>	<p>Transition Influence Plan and governance of (CR) 18-6 risk.</p> <p>("As a result of not engaging local authority and third sectors in creating the new public</p>	<p>Transition Influence Plan and governance of (CR) 18-6 risk.</p> <p>("As a result of not engaging local authority and third sectors in creating the new public</p>	<p>Transition Influence Plan and governance of (CR) 18-6 risk.</p> <p>("As a result of not engaging local authority and third sectors in creating the new public</p>			

	health body, key perspectives are not heard, reducing its credibility.”)	health body, key perspectives are not heard, reducing its credibility.”)	health body, key perspectives are not heard, reducing its credibility.”)			
Board Schedule of Business and PHS governance line of sight	End of Year Performance Impact Report (as per previous Board and sponsor team agreement – <b>not</b> being produced)	Q1 Performance Report	Q2 Performance Report			
Transition Influence Plan and governance of (CR) 18-6 risk.  (“As a result of not engaging local authority and third sectors in creating the new public health body, key perspectives are not heard, reducing its credibility.”)	Annual Risk Report					



Q4 Performance Report	Equality and Diversity Year End Mainstreaming Report					
	2018/19 Annual Assurance Statements from SGC, HGC and Remuneration Committee					
Chair's Report	Chair's Report	Chair's Report	Chair's Report			
Chief Executive's update, including complaints return	Chief Executive's Report, including complaints return	Chief Executive's Report, including complaints return	Chief Executive's Report, including complaints return			
Significant issues of note from recent Board Committee meetings: <b>Audit Committee</b>	Significant issues of note from recent Board Committee meetings: <b>Audit Committee</b>	Significant issues of note from recent Board Committee meetings: <b>Audit Committee</b>	Significant issues of note from recent Board Committee meetings: <b>Audit Committee</b>			

<b>Staff Governance Committee</b>	<b>Staff Governance Committee</b>	<b>Staff Governance Committee</b>	<b>Staff Governance Committee</b>			
<b>Remuneration Committee</b>	<b>Remuneration Committee</b>	<b>Remuneration Committee</b>	<b>Remuneration Committee</b>			
Committee/Forum minutes, for homologation HGC/SGC/AC/PF	Committee/Forum minutes, for homologation HGC/SGC/AC/PF	Committee/Forum minutes, for homologation HGC/SGC/AC/PF	Committee/Forum minutes, for homologation HGC/SGC/AC/PF			
		2018/19 Complaints, Feedback, Comments and Concerns annual Report (for noting)				
Events update (for noting)	Events update (for noting)	Events update (for noting)				

**2019 Board Seminar Dates**

<b>2019</b>	<b>Flexible Seminar Content</b>
5 April 2019	<ul style="list-style-type: none"><li>• Cancelled</li></ul>
4 October 2019	<ul style="list-style-type: none"><li>• Informal coming together of NHSHS and PHS Shadow Board?</li><li>• TBC</li></ul>