Minutes 02/19

Staff Governance Committee

Minutes of Staff Governance Committee

Friday 10 May 2019 at 10.30 am

Room 5.5, Meridian Court, Glasgow

Members present:

Ali Jarvis (Chair)

Rani Dhir

David Crichton

Jane Claire Judson

Michele McCoy (TC)

Gerry McLaughlin

Della Thomas

Michael Craig

Karen Donnelly

Cath Denholm

Josephine White

In attendance:

Shonaidh Dyer (Items 8 – 10)

Erin Giles (Items 8 – 10)

Catherine Combe (Item 13)

Nicole Smith (Minute taker)

**Apologies:**

Theresa King

1. Welcome and apologies

The Chair welcomed everyone to the meeting. Apologies were noted as above. There was not a Staff Side representative available to attend on behalf of Theresa King, who is still on maternity leave.

2. Declaration of committee member’s interests.

None were declared.

3. Minute of previous meeting

The minutes of the Staff Governance Committee held on Friday 22 February 2019 were accepted without amendment.

The note of the Joint Staff Governance Committee + Partnership Forum joint development session held on Friday 15 March 2019 was accepted without amendment.

4. Matters arising (rolling action list)

All action updates were reflected on the Action List prior to the meeting, except for the following:

Item number 5 – **Change and Transition Update**

**Action:** “Directors and COG to keep a record of the questions being asked around change and transition via “Coffee with…” sessions, Ask COG, etc.

**Update:** A verbal update was given, leading to the following discussion points. The latest staff COG update was circulated to the meeting by way of information to demonstrate one of the ways we are addressing staff questions. While each directorate has two formal representatives as group members, all staff are invited to come to COG meetings, which has led to great questions and positive discussions and more staff from varying levels in from multiple parts of the organisation interacting voluntarily.

We also have analytics from the website showing regular traffic to the Change Hub, although data on how staff are processing or using the information is more difficult to capture. The Strategic Communications and Engagement Group have agreed to create a shared portal (which is actively being implemented) for presenting information that will be linked to the Public Health Reform website.

To a question whether there would be benefit to this Staff Governance Committee engaging with the NSS Partnership Forum/Staff Governance Committee at this time, it was decided this would be unlikely to add benefit given the different focus of the Committees. .

5. Change and Transition Update Report

Cath Denholm spoke to the paper.

Public Health Reform (PHR) Timeline

As per Internal Audit recommendations accepted by the Audit Committee (AC), the Change and Transition (C&T) Report now has the PHR timeline at the beginning and notes on how the timeline has changed. This version reflects the now officially announced 1 April 2020 vesting date.

Josephine White provided an update on the TUPE Consultation, the document for which has been drafted but delayed beyond the scheduled 1 May release. It is intended to go to the HR steering group on Wednesday 15 May, and will then be issued to both Chief Executives. The details around the recruitment of Directors’ posts is still to be concluded. A two stage matching process has been agreed but there is clarification needed on the breadth and scope of posts to ensure fair and consistent treatment throughout the process. Also, the scope with Health Protection Scotland is yet to be confirmed.

Graphics, FAQs, and other information are being produced to help support managers and staff and make the TUPE Consultation tangible for them. The TUPE Consultation will likely take place at the end of May, parallel to the Legislative Consultation. It is imperative that this 45 day consultation go out soon, to still allow time for any secondary consultations requiring the full 90 days.

Corporate Services

The corporate services work has been progressing well. There was recently a workshop with design leads and agreement was reached over how to invite NSS will provide an offer of services under the 5 service areas identified. The timeline for reviewing and determining these service offers is now being negotiated.

Whole System & Stakeholder Issues

The PHR Team now has a dedicated sub team for whole system working, which will work across government to develop links between policy areas that impact on public health. Michele McCoy will be noting this at the Directors’ of Public Health meeting on 10 May.

**Action:**

* **Michele McCoy** to feedback the news of the PHR sub team dedicated to whole systems working to the 10 May Directors’ of Public Health meeting.
* **Michele McCoy** to debrief the SGC / Board on the 10 May Directors’ of Public Health meeting.

Staff Communications and Engagement

Slido has been used in various forms. The questions staff have asked on Slido have been themed (accommodation, HR, etc.), and the Communications and Engagement Group (CEG) are coordinating the responses to them. Being mindful of other communications going out at this time period, the CEG are looking for the optimum time to release the Slido responses.

It was noted that this movement from working out the design of Public Health Scotland (PHS) to delivering PHS will make things much more concrete for staff, and could cause some discomfort for them. It’s important to remember that existing Terms & Conditions for employment will transfer into PHS, who will then make changes as they see appropriate.

**Action:**

* **Michael Craig** to talk with the HR steering group and coordinate the timing of the delivery of the Slido themes to staff.

There was a discussion about the governance implications of these processes for the Health Scotland Board and Staff Governance Committee. While it was recognised that much of the decision making on public health reform rests with Scottish Government on behalf of Public Health Scotland, this organisation must be clear on its governance obligations with regards to these processes from the perspective of employers’ liabilities and the staff governance standard. Gerry McLaughlin agreed to raise these queries with the Public Health Reform team and provide a response to the Committee.

**Action:**

* **Gerry McLaughlin** to consider the consequences of the Committee’s questions regarding the disconnect with the PHR Programme Board, understanding the specific governance structure and where there are crossovers in governance responsibilities, particularly that impact on Health Scotland SGC duties, responsibilities, and potential liabilities.

6. NHS Health Scotland Board Governance until dissolution: Implications for Staff Governance

Cath Denholm spoke to the paper, noting that this was a summary of a paper discussed at the last Audit Committee and that since the paper had been written it has now been formally confirmed that vesting day has been delayed until 1 April 2020.

The implications of this paper and the decision on vesting day likely mean substantive business for the Committee through March 2020, and as such the recommendation now being brought to the May Board will be to continue with Staff Governance Committees (SGC) through to March 2020.

The Committee noted that the recommendation to schedule a meeting between January and March 2020 will be brought to the 17 May Board.

7. Partnership working (including Partnership Forum Update)

The Partnership Forum (PF) held on Thursday 25 April discussed:

* Change & Transition
* SGAP 2018/19 for closure, and SGCP 2019/20 for agreement
* TUPE Consultation
* Workforce Policy Update
* Once for Scotland Policy Position engagement
* 2019/20 Workcycle
* Accommodation issues

Staff Side noted that their resources are currently stretched, but aim to have representation at as many meetings as possible. Michael Craig has also begun to meet regularly with Staff Side colleagues in PHI.

*Due to statutory requirements, documents covered in Items 8 and 9 have been published to the HS Website and are now for noting.*

**8.** **Equal Pay Statements**

**Equal Pay Audit**

Erin Giles and Shonaidh Dyer spoke to the documents.

There has been a 6% improvement in the gender pay gap, which is significant given the last few years have been static. This success is attributed to looking at unconscious bias in the recruitment process, ensuring gender balanced recruitment panels, introducing a scores based system for recruitment, and a number of other small changes in day to day practice which will be fed back to the HR workstream to embed in the values of PHS.

Disability and ethnicity statistics continue to have a growing gap. This could be due to an increase in data and disclosures compared to previous years. There is also difficulty in that Health Scotland is a small board, and some numbers can’t be reported on due to their size. Similarly, the characteristics of one staff member can drastically change the statistics. Other boards have just published their data, so no comparisons have been done as of yet.

The Committee noted the Equal Pay Statements and Equal Pay Audit.

**9. Workforce Profile Data**

The Committee noted the NHS Health Scotland Workforce Profile report.

**10. Workforce Plan 2019/20**

The Committee noted the Workforce Plan 2019/20, which can be found within the Delivery Plan 2019/20.

**11. Work Cycle 2019/20**

Cath Denholm spoke to the proposed SGC Work Cycle 2019/20.

The Work Cycle currently includes two meetings beyond the 31 November, on 13 December 2019 and 28 February 2020. Due to the anticipated workload, it was recommended to keep both of these meeting dates. A decision can be reached at a later date to reduce the number of meetings if necessary.

The Committee agreed the SGC Work Cycle 2019/20, in light of the discussed clarifications.

**12. SGC Annual Statement of Assurance 2018/19**

Josephine White spoke to the paper.

The Committee approved the SGC 2018/19 Annual Assurance Statement.

**SGC Effectiveness**

Josephine White spoke to the paper.

David Crichton pointed out that question 7 should be answered with “no”, as the fixed terms for committee members are flexible.

The Committee agreed that questions 28 – 30 could be answered with an unmitigated “Yes”.

**13. Workforce Policy update paper**

Catherine Combe spoke to the paper

As per the 25 April PF, it needs to be determined whether or not staff already receiving childcare vouchers under the Maternity Policy will lose them when moved to PHS on 1 April 2020.

In regards to voluntary redundancy policies, it was noted that agreement has been reached with NSS to take a shared view of any applications that come in for a consistent approach wherever possible (recognising that the final authority for decisions on our staff still rest with Health Scotland). This position has been agreed with the Partnership Forum.

The Committee noted the start of the Once For Scotland Policy Consultations, which have been promoted on the Source.

The Committee approved the revised Information Governance Policy, the training for which is now available on TURAS and will need completing every two years by staff.

**Action:**

* **Cath Denholm** to confirm that Jim Carruth has queried whether or not staff currently receiving childcare vouchers under the Maternity Policy will lose them when moved to PHS, as discussed at the Partnership Forum on 25 April.

**14. SGAP (Staff Governance Action Plan) – 2018/19 and 2019/20**

Josephine White spoke to the SGAP from 2018/19, and the SGAP for 2019/20.

The Committee noted the closing of the SGAP 2018/19.

The Committee approved the SGAP 2019/20, noting the short turnaround times for flexibility aligning with a rapidly changing external environment.

**15. SGHD Annual Returns**

Josephine White spoke to the document.

The SGHD Annual Returns shows a good approach to staff governance in terms of various themes. The Chair queried whether the work that Health Scotland has put into managing change and transition well was adequately captured. It was agreed to add a line on the extent to which time and resources have been invested to that regard.

The submission date for this report is to be confirmed, but expected to be 31 May 2019.

The Committee noted the SGHD Annual Returns.

**Action:**

* **Josephine White** to make the recommended changes to the SGHD Annual Returns, circulating it to Ali Jarvis, Michael Craig, and Gerry McLaughlin for sign off.

**16. Any other business**

- Gerry McLaughlin mentioned the publication around bullying in NHS Highland, *Cultural Issues Related to Allegations of Bullying and Harassment in NHS Highland Independent Review*, and that the cabinet secretary is asking all boards to see what learning/lessons they can apply from the report. This will be noted at the May Board.

**17. Issues to report to the next Board Meeting (Friday 17 May)**

The Chair will bring the following issues to the 17 May Board:

* The SGC has raised the issue surrounding overlapping governance responsibilities between Health Scotland and other bodies involved in public health reform, and is checking on the situation/governance procedures through Gerry.
* The Board has been asked to review the *Cultural Issues Related to Allegations of Bullying and Harassment in NHS Highland Independent Review* and seek any learning/lessons that can be applied.

**18. Date of next meeting:**

16 August 2019, 10:30am

Room 23, Gyle Square, Edinburgh