



Draft Minutes 04/19

Staff Governance Committee

Minutes of Staff Governance Committee

Friday 13 December 2019 at 10.30 am
Room 23, Gyle Square, Edinburgh

Members present:

Ali Jarvis (Chair)
Rani Dhir
Michael Craig
Theresa King

In attendance:

David Crichton
Gerry McLaughlin
Cath Denholm
Josephine White
Agnes Allan (Deputy for Karen Donnelly)
Nicole Smith (Minute taker)

Apologies:

Michele McCoy
Jane-Claire Judson
Karen Donnelly
Della Thomas

1. Welcome and apologies

The Chair welcomed everyone to the meeting. Agnes Allan was welcomed as a deputy for Karen Donnelly, and Teresa King was welcomed back to her first meeting since returning from maternity leave. The Chair also extended greetings from Michele McCoy to the Committee.

Apologies were noted as above.

2. Declaration of committee member's interests.

None were declared.

3. Minute of previous meeting

The Chair reminded the Committee that the meeting originally scheduled for the 18 October 2019 was cancelled due to concerns around quoracy and value, given that the Board Seminar on 4 October directly picked up on iMatter and other Staff Governance business in the interim.

The minutes of the Staff Governance Committee held on Friday 16 August 2019 were accepted pending the following amendment:

- Page 1, the attendance needs to be updated to accurately reflect members present and those non-members who are in attendance.

Action:

- **Nicole Smith** to amend the attendance on Page 1 of the 16 August 2019 Staff Governance Committee minutes as detailed above.

4. Matters arising (rolling action list)

All actions have been completed.

Michael Craig noted that going forward it will be the responsibility of the Executive Management Team and the Communications and Engagement Group to ensure staff are engaging with communications in a meaningful way.

The Committee noted the action list.

5. Change and Transition Update Report

Cath Denholm spoke to the paper.

Timeline

Highlights from the timeline on page 2 indicate that things are progressing quickly.

Public Health Scotland (PHS) exists legally as of Monday 9 December. This important step forward enables the set-up of important systems, such as payroll and finance, for day 1 readiness. It also allows PHS the capacity to enter into contracts.

It was noted that the timetable for appointing new board members is very tight, and the time available for the Health Scotland (HS) board to be a part of the emerging PHS board's induction is narrowing.

Workforce Transition

The TUPE 2 transfer consultation began in November and will run for 60 days. Unison has met with members involved and have received feedback on their questions from the HR steering group. A specific Q&A document will be sent to Unison members in the week commencing Monday 16 December followed by ballots. The balloting timeline has been extended due to it taking place over the festive period. The Committee is assured that the process is progressing in a timely fashion, that deadlines are being met as required, and nothing of concern has manifested from the consultation.

The directorate structure and team allocations for day 1 have been communicated and are having some impacts on the organisation and staff, as expected. The Senior Management Team matching process has been completed. Some specific questions have arisen as a result of that, and it was agreed that the FAQ document should be updated to reflect emerging/persistent staff concerns.

Actions:

- **Josephine White and Agnes Allan** to update the FAQ document to reflect emerging/persistent staff concerns and queries.

Angela Leitch started as Chief Executive Designate on 27 November. Her team has arranged a series of staff engagement sessions, the first of which are taking place at Meridian Court and Gyle Square on Tuesday 17 December and Thursday 19 December. It was agreed with Colin Sinclair that he and Gerry will also host a joint session for those staff moving from HS to National Services Scotland.

Staff Engagement and Communications

There is a continuous encouragement for staff to engage with communications, with emphasis on the role of line managers in that process.

The Change Oversight Group is continuing to meet, now with Public Health and Intelligence (PHI) involvement.

There is a new engagement tool called Trickle, which is generating comments from staff in regards to the establishment of PHS. There is management required to collate and action comments, respond to them, etc. There is a risk that such a tool raises new rumours, but it is also encouraging to see that some of the rumours that have been raised have been challenged by other staff members.

The staff engagement aspect of Managing Our Legacy is going as planned. There will be events held in Meridian Court and Gyle Square in March for staff to celebrate their time in HS. It is important that these events are put on for staff by staff and not coerced into more formal celebrations of organisational legacy or of individuals. More detail will be presented to the Partnership Forum in January and will be shared with the Committee in due course.

There is a noticeable difference in iMatter results between HS and PHI. It is important to understand where the iMatter results come from and where they will be coming from in future years. Health Scotland should be confident with their baseline and assured there is a future route for that to be fed into. The emerging PHS Partnership Forum will play a key role in this. It was requested that Michael Craig ensure that the importance of staff engagement and related concerns are highlighted in the draft partnership agreement. The Committee will also have an

opportunity to indicate any perceived inheritance issues in the annual return next year. The non-executive Committee members agreed they were assured that there is a firm understanding of what needs to happen and that the mechanism in place for that task is fit for purpose and working as expected. It was agreed that at the 28 February 2020 Staff Governance Committee meeting a report will be brought that shows the clear baseline data that HS is transferring over and any key principles this communicates.

Actions:

- **Michael Craig** to ensure that the importance of staff engagement and related concerns are highlighted in the draft partnership agreement
- **Cath Denholm and Josephine White** to prepare and analyse Health Scotland baseline data to be presented to the Staff Governance Committee at the 28 February 2020 meeting.
- **Nicole Smith** to ensure there is an agenda item relating to Health Scotland baseline data on the agenda for the 28 February 2020 Staff Governance Committee meeting.

Current Implications & Impacts on Workforce and Delivery

It was noted that the transition process is starting to have materially visible effects on the welfare, morale, and effectiveness of some staff.

Specific groups feel disproportionately impacted. Individuals and teams with specific additional support requirements need to be identified. The frequency and quality of communication requires continued attention, especially when communicating to staff that some questions are currently unanswered without creating uncertainty and anxiety. The answers to the majority of these questions need to be answered by PHS, so it is important that the relevant players are aware of the issues affecting staff.

There are currently active cases of work related stress. It is important to understand the drivers of this work related stress to implement solutions. It was recommended that data around work related stress be looked at regularly in the next few months, while also being realistic of what HS can achieve to manage this outside of providing support to staff and their line managers.

In regards to decisions being made for PHS, the Committee is interested in whether or not decisions are driven by the right principles and the operation is mindful of consequences.

The Committee noted the Change and Transition Update.

6. Workforce Policy Update

Josephine White spoke to the paper.

The Chair reminded those in attendance that the Committee previously decided to take a proportionate approach to the length of time taken to update policies. As such, policies are only being reviewed on request or as required to remain legally compliant. Allowing policies to be outwith their review date is a national position and HS remains legally compliant with no detriment to the organisation or staff.

A number of policies are waiting on the implementation of Once for Scotland before being reviewed. Phase Two of Once for Scotland has started and workshops will begin in January.

As communicated by NHS Scotland in October, updated severance guidance for Scotland has been in effect since 27 September 2019. It was noted that, while important, this guidance note does not simply override Agenda for Change or other legal requirements, which also need to be considered. It is requested that this guidance note accompanies the NHS Health Scotland Voluntary Redundancy Policy as an appendix.

The Committee formally noted the update and approved the inclusion of the Guidance on settlement and severance arrangements as an appendix in the NHS Health Scotland Voluntary Redundancy Policy on behalf of the Board.

It was noted that the policy on lone working arrangements is currently being reviewed to ensure it is being used appropriately.

7. Corporate Risk Register Update

Josephine White spoke to this paper.

Since the Corporate Risk Register Update Paper was prepared for the Committee, changes have been made to risk 19-4. The CMT reviewed the wording and score of risk 19-1 at the request of the Audit Committee. Afterwards, it was realised that the new wording of risk 19-1 held potential impacts for risk 19-4 and, therefore, risk 19-4 was reviewed. The following bullet point was added to try and capture additional action that has been taken to mitigate risk 19-4:

- “Clarity to be sought from Scottish Government whether this responsibility lies with Health Scotland and if so that funding will be made available for any resultant liabilities.”

The Board and Audit Committee wished for clarification that the responsibility for impacts of non-HS decisions are not the responsibility of HS. Furthermore, if those impacts result in financial consequences, they are seeking clarification that those funding needs will be met by government. This rewording also reflects on discussions that have taken place at the Remuneration Committee.

The Chair noted her concern that there are wider decisions PHS could make, outside of any form of settlements or financial implications, which this risk does not capture. There are no mitigation actions that focus on PHS and their executive/non-executive leadership. Due to this low locus of control, it is believed the net score should be higher.

The Committee approved risks 19-4 and 19-5 of the Corporate Risk Register on the basis that the CMT will review the scoring of risk 19-4. The Committee recognises that risks are being addressed and mitigated, and will seek more assurance to the extent to which this is effective.

Actions:

- **CMT** to review the score of risk 19-4 at their meeting on 17 December 2019.
- **Gerry McLaughlin** to communicate the rescoring of risk 19-4 with Ali Jarvis after discussion at the CMT.

8. Partnership working (including Partnership Forum Updates)

The dialogue that took place at the 26 November Partnership Forum was very useful. The Partnership Forum discussed the transfer to PHS with focus around engagement elements. They also discussed what learning they would like to capture and take to PHS. Since then, work has been commissioned to detail what a new Partnership Forum arrangement might look like. Staff Side and the PHI Partnership Forum have had input into this work as well. It will be for the new Partnership Forum to sign off.

The Committee dually noted the update from the Partnership Forum and on partnership working.

9. SGAP

Josephine White spoke to the SGAP.

It is approaching the time to decide how to conclude the SGAP. No new actions are anticipated. In terms of any actions continuing into PHS, it will be important to discuss this with the PHI Staff Group. A closing report for the HS SGAP will come to the next Committee meeting for sign off to explicitly note the concluding of the SGAP.

The Committee noted the update.

10. Minutes of Remuneration Committee

The Committee accepted the minutes of the following Remuneration Committee meetings:

- Friday 7 June 2019
- Friday 6 September 2019

11. Any other business

Staff Governance Monitoring Return 2018 – 2019 Feedback Letter

The Committee noted thanks to Jim Carruth and Josephine White for their response to the Staff Governance Monitoring Return 2018 – 2019 feedback letter. The Committee is happy for this to be submitted.

NHS Health Scotland Board Seminar, 4 October 2019

The aspiration of holding a joint board seminar for incoming PHS non-executives was noted at the October Board Seminar, but it is unlikely that will happen within the current timeframe.

12. Issues to report to next Board Meeting (Friday 14 February 2020)

The Chair will report the following to the 14 February Board:

- The general escalation of risks 19-4 and 19-5 and acknowledgement of the impact that uncertainties around transition are having on staff. The Committee seeks to maintain a governance oversight of impacts on staff and support the executive team during this time. Similarly, it is worth recording that HS has a strong Staff Governance record.
- The recognition that the nature of concerns some staff are expressing have moved from organisational issues to day to day practicalities of what will be different. Not all of these concerns can be, or need to be, solved by the Committee. It is important to remain mindful of intent when communicating with staff regarding these issues, as well as the value of communications and how they are conveyed.

13. Date of next meeting:

Staff Governance Committee
Friday 28 February 2020 at 10.30am
Room 5.5, Meridian Court, Glasgow