

Minutes (Draft)

NHS NATIONAL SERVICES SCOTLAND (NSS)

B/21/18

MINUTES OF STAFF GOVERNANCE COMMITTEE MEETING HELD ON TUESDAY, 23 FEBRUARY 2021 HELD VIA TEAMS, COMMENCING 1330HRS

Present: Mr John Deffenbaugh, Non-Executive Director [Chair]
Ms Lisa Blackett, Non-Executive Director
Mr Tam Hiddleston, UNISON
Professor Arturo Langa, Non-Executive Director
Mr Gerry McAteer, UNISON
Mr Mark McDavid, Non-Executive Director
Mr Keith Redpath, NSS Chair

In Attendance: Mrs Jacqui Jones, Director of HR & Workforce Development
Ms Louise MacLennan
Ms Jayne-Marie McIntyre
Ms Sarah Moffat
Mrs Mary Morgan, Director of Strategy, Performance and Service Transformation
Professor Jacqui Reilly, Director of Nursing
Ms Aileen Stewart, Associate Director of HR
Mrs Lynsey Bailey, Committee Secretary

Apologies: Mr Ian Cant, Employee Director
Mrs Susan Cook, UNISON
Ms Suzanne Milliken, Union Representative
Mr Colin Sinclair, Chief Executive

ACTION

1. WELCOME AND INTRODUCTION

1.1 Mr Deffenbaugh welcomed all to the meeting, in particular to Ms Blackett and Professor Langa who were attending their first meeting as full members. Apologies were noted as above. Members were asked to declare any interests in the context of the agenda items to be considered but no interests were declared.

2. MINUTES AND MATTERS ARISING FROM NSS STAFF GOVERNANCE COMMITTEE ON 19 NOVEMBER 2020 [papers SG/21/02 & SG/21/03 refer]

2.1 Following a brief discussion, and subject to minor corrections to paper references, Members approved the minutes of the meeting held on 19 November 2020 as a true and fair record.

2.2 Members noted that all actions were either completed, covered by the agenda, or being taken forward outside of the meeting. Members asked about staff uptake of the COVID-19 vaccine. Members were advised that only identified priority groups of staff were being offered the vaccine through in-house clinics but were assured uptake among these groups had been higher than anticipated and, in some areas, was over 90%. Members felt it helped that the COVID-19 vaccine programme was clearly focussed on protecting the vulnerable.

3. NSS PARTNERSHIP FORUM UPDATE

3.1 Mrs Morgan updated Members on the work of the NSS Partnership Forum since the previous NSS Staff Committee meeting. The main discussions had been

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Chair
Chief Executive

Keith Redpath
Colin Sinclair

ACTION

around the vaccination programme and the COVID-19 lessons learned in respect of new ways of working. Members were given a high-level overview of the likely hybrid model being proposed but noted that this was subject to confirmation of the national level guidelines. Members discussed potential timelines for returning to normal office working and acknowledged this would also be contingent on national guidelines and the Scottish Government's roadmap out of lockdown.

4. NATIONAL CONTACT TRACING CENTRE (NCTC) UPDATE

- 4.1 Members received a presentation which provided an overview of how HR had responded to the request for the establishment of the NCTC. It covered the work on recruitment, collaboration with colleagues from across many SBUs, development of the services, and the proposed next steps. Members discussed the basis on which NCTC staff had been contracted and the numbers of fixed-term and bank staff. They also received an overview of how the national contract tracing service aligned with local contact tracing infrastructure. Members recognised the huge scale of this work and how well everyone involved had worked together. Members were keen that some work was done to look at the detail of staff turnover and establish whether further improvements could be made. Members commended a job well done, recognising the team effort involved, and were pleased to note that it had provided some useful lessons learned for the future. Members requested a more detailed spotlight session on this at a future meeting. Mrs Bailey and Mrs Jones agreed to look at the forward programme and schedule it in. **ACTION: Mrs Bailey and Mrs Jones to schedule a spotlight session on the National Contract Tracing Centre at a future meeting.**

**L Bailey/
J Jones**

5. PEOPLE REPORT [paper SG/21/04 refers]

- 5.1 Members were pleased to note that NSS remained in a positive position. They recognised that this was still a work in progress and a number of issues required closer monitoring. These were the number of incidents reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), the sickness absence rate in Procurement, Commissioning and Facilities, appraisal and objective completion rates, and the Statutory and Mandatory Training figures. A major contributory factor to these issues was the number of new employees into NSS, and conversations were taking place at EMT and with SBU Directors to address that. HR also continued to support Strategic Business Units to make any necessary improvements. In respect of appraisals, Members were given an overview of the technical issues which were contributing to the challenges in recording them but were assured there were plans to address them. Members also discussed highlighting employees' individual responsibility for ensuring their appraisal took place and was appropriately recorded.
- 5.2 Members discussed the work on the new ways of working and how to monitor the well-being of staff working at home. NSS was receiving a range of feedback on how staff felt about working from home and there was some engagement with staff that needed to take place to establish more detail (e.g. there had some reduction in sickness absence, but it was not entirely clear why). Members noted the recruitment and turnover figures and were keen for clarification on the impact of the NCTC on the figures. Members noted that exit interviews for NCTC staff were being established which would help to inform future strategies. Going back to the key issues mentioned at the beginning of the discussion, Members were assured that NSS had an active Occupational Health and Safety Advisory Committee which was monitoring the RIDDORS, the mandatory and statutory training position was improving and being monitored, and sickness absence rates were also improving. The COVID-19 response year should be a resetting year and Members recognised that there would be associated harms which had yet to be identified. There was also a need to also understand and establish what would be considered as "normal" and acceptable in a post-pandemic situation. Members thanked Mrs Jones for her

ACTION

update. NSS was doing well in the current circumstances and Members were pleased to note the number of lessons learned being identified and taken forward.

6. NSS STAFF RISKS – RED AND AMBER [paper SG/21/05 refers]

- 6.1 Members discussed the report and particularly noted the amber risks highlighted regarding the health and well-being of staff working from home, the impact of leaving the EU on NSS's non-EU workforce, and the limited opportunities to redeploy technical and specialist staff. Members discussed the proportionality of risk and getting the balance between highlighting something for awareness and having clarity about any actions which could or should be taken by the Committee. Members recognised that there had been a move towards looking more at strategic risks but there was also a need for understanding risks more generally and continuing to challenge. Mr Deffenbaugh suggested it may be worth having a discussion at a later date on the potential "vaccination passport" which had been proposed and what NSS's response would be if it were enacted.

7. WHISTLEBLOWING UPDATE [papers SG/21/06 and SG/21/06a refers]

- 7.1 Members noted that the National Whistleblowing Standards had a new process and procedure for handling whistleblowing concerns raised by staff and others delivering NHS Services. Professor Reilly spoke to the paper, which provided an update on NSS's plans for implementation for approval, which included a proposal for communications and staff training needs. The key issue for discussion related to the requirement that any organisation delivering NHS services, whether it is a private company, a third sector organisation or a primary care provider, has the same requirement to ensure access to a procedure in line with these Standards. Members noted that while it was not clear to what extent NSS was required to ensure these were in place for all its suppliers, NSS would aim to ensure all those in scope were at least aware of NSS's policy and process and know who to contact to raise a concern. The communication plans took account of this scope and could be adapted to meet any additional need. Members agreed that the response to this needed to be proportionate to the size of the risk and recognised that, for third party suppliers, it would be hard to monitor completely. NSS would also not be expected to investigate in all cases, but there needed to be some mechanism for ensuring NSS was notified of issues raised involving suppliers in order to consider whether further action was necessary. Consideration had been given to creating an entry for this on the risk register but, since the risk was low and the mitigations in place were appropriate, Members were content with the proposals for how assurances would be provided to the Board. Members were content to note and approve the paper, thanking all involved for the significant work which had gone into it.

8. EQUALITY AND DIVERSITY UPDATE [paper SG/21/07 refers]

- 8.1 Members were advised that key staff involved in the equality and diversity work had been diverted to COVID-19 response work but there had been no extension granted in relation to publication of the statutory reports. Ms MacLennan provided an overview of the ongoing work to gather the required information and publish reports and assured Members that the deadlines would be met. Members were also updated on the progress in embedding the Equality and Fairer Scotland Duty Impact Assessment process, and ensuring the clarity was being provided regarding the responsibilities and legal requirements. Members also noted the national activity being driven by Scottish Government on race equality and how NSS was responding to that. Members asked about NSS's position on trans issues and were assured that NSS was well engaged and would have an appropriate position or response if asked. Members confirmed they were content with the update and fully supported the work being done.

ACTION**9. GREAT PLACE TO WORK PLAN UPDATE**

- 9.1 Ms Stewart spoke to her presentation which provided an update on NSS's 2020/21 Great Place to Work plan. Members were pleased to note the good progress achieved, in particular that a number of the plan's deliverables had been achieved despite the challenges of responding to the pandemic. Members were advised that the plan for 2021/22 should continue to maintain and improve on all strands with particular attention to Stands 3 and 4 of the Staff Governance Standard (i.e. "treats all employees with dignity and respect", and "provide staff with a continuously improving and safe working environment"). This would include the Workforce Vision on ways of working for the future, a focus on wellbeing (which extended to financial and digital wellbeing), and delivering Equality and Inclusion outcomes. Members thanked Ms Stewart for her presentation.

10. DRAFT TERMS OF REFERENCE [paper SG/21/08 refers]

- 10.1 Members considered the draft Terms of Reference and were broadly content with them. Following a brief discussion, it was agreed to consider how to make the link with the NSS Partnership Forum more explicit in the wording. **ACTION: Mrs Bailey and Ms Stewart to look at how to highlight links with the NSS Partnership Forum in the final draft of the SGC Terms of Reference.**

**L Bailey/
A Stewart**

11. DRAFT ANNUAL REPORT [paper SG/21/09 refers]

- 11.1 Members briefly discussed the initial draft of the Committee's annual report to the Board and had no feedback on the content at this time. Members were invited to get back to Mrs Bailey with any other feedback that might arise ahead of the next meeting

12. OTHER COMMITTEE ISSUES

- 12.1 Members were updated on discussions at the recent Remuneration and Succession Planning Committee (RSPC). The main highlight had been a presentation from Mrs Jones on leadership capability. Other highlights were the agreement to review the Standing Orders in relation to vacancies over £75,000, the conversation on Project Lift, and discussions about the Executive Level Appraisals. On a more general note, Members were pleased to note that Mr Cant had been re-elected as Employee Director for another four year term which had been confirmed by the Scottish Government's Public Appointment Unit.

13. ITEMS FOR THE BOARD COMMITTEE HIGHLIGHTS REPORT [paper SG/21/10 refers]

- 13.1 Members agreed the following for inclusion in the Committee's Highlights Report to the Board:

Issues and Risks for the Board's Attention:

- Discussion on whistleblowing and proportionality of the response to requirements relating to suppliers;
- The need to reflect on the potential vaccine passport – namely the associated issues and risks, and planning the organisational response.

Emerging Themes:

- Lessons learned emerging and being taken forward e.g. contract tracing and sickness absence;
- Good assurance that people issues were being addressed by the Executive Management Team.

Governance improvements:

- Corporate consideration of risk to NSS and function of risk reports

ACTION**14. ANY OTHER BUSINESS**

- 14.1 Professor Langa asked whether whistleblowing reporting could be incorporated into People Report in future. It was agreed that consideration would be given as to how this could be done.

15. REVIEW OF MEETING

- 15.1 Members felt it had been a very positive meeting. They discussed summaries of papers, agreeing that some papers had done this well, and were keen to try and standardise it across all papers. In terms of meeting etiquette, it was suggested asking for contributors to only have their cameras on while speaking could potentially feel exclusionary to some people, and was perhaps not as necessary for preserving bandwidth as previously thought. Members also discussed the requirement for all presenters to attend for the whole meeting and how to ensure this did not create undue pressure or stress, especially during the pandemic response period. Members noted that continuing to hold meetings in this virtual form would need to be carefully monitored. Under the current restrictions there was no other option, but Members agreed that it was becoming too easy to move from meeting to meeting without taking adequate breaks and were mindful of the negative impact this could have.

16. DATE OF NEXT MEETING

- 16.1 Members noted the next meeting was scheduled for Thursday, 13 May 2021 at 0930hrs.

There being no further business, the meeting finished at 1702hrs.