

Minutes

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NHS NATIONAL SERVICES SCOTLAND BOARD

MINUTES OF MEETING HELD ON 24 MARCH 2021 VIA TEAMs DIGITAL PLATFORM AT 0930 HRS

Present:

Mr Keith Redpath, NSS Chair
Ms Lisa Blackett Non-Executive Director
Ms Julie Burgess, Non-Executive Director
Mr Ian Cant, Employee Director
Mr John Deffenbaugh, Non-Executive Director
Mr Gordon Greenhill, Non-Executive Director
Professor Arturo Langa, Non-Executive Director
Mrs Carolyn Low, Director of Finance
Dr Lorna Ramsay, Medical Director
Ms Alison Rooney, Non-Executive Director
Mr Colin Sinclair, Chief Executive

In Attendance:

Mrs Jacqui Jones, Director of HR and Workforce Development (until item 5)
Mrs Mary Morgan, Chief Executive Designate
Mr Matthew Neilson, Associate Director – Strategy, Performance and Communications
Mrs Norma Shippin, Head of Central Legal Office [Items 1-7]
Mrs Karen Nicholls, Committee Services Manager [Minutes]
Ms Jacqueline Reilly, Nurse Director
Mr Scott Barnett, Head of Information & Cyber Security
Mr Gordon Young, Counter Fraud Services [Item 1]

Apologies: Mr Deryck Mitchelson, Director of Digital and Security (DaS)

Observer: Carol Grant, Audit Scotland

1. WELCOME AND INTRODUCTIONS

1.2 Mr Redpath welcomed all to the meeting which was being held virtually via the TEAMs platform. Before starting the formal business of the meeting, Mr Redpath asked the Board Members if they had any interests to declare in the context of the Agenda items to be considered. No interests were declared.



Chair
Chief Executive

Keith Redpath
Mary Morgan

NHS National Services Scotland is the common name of the Common Services Agency for the Scottish Health Service.

- 1.3 Members then took part in Fraud Awareness Training as part of their ongoing development plans.
- 1.4 There then followed a short discussion on the work of Counter Fraud Services and Members expressed their support for the team. Ms Burgess asked for confirmation, in her role as Board Fraud Champion and Chair of NSS Audit & Risk Committee, that all NSS fraud and audit action plans were aligned and queried where the assessments mentioned against the 12 'Principles' would be reporting. Ms Low advised that this was done collaboratively and the NSS Fraud Liaison Officer, currently Ms Laura Howard, was working with CFS to develop NSS strategy and response to the 12-step process. Additionally, there was a pilot programme looking at procurement to enhance the approach that the National Fraud Initiative takes, and to be more proactive in this instance.
- 1.5 Members noted that an update on progress would be taken to the NSS Audit & Risk Committee as part of the Quarter 2 reporting.

Action: Mrs Low to liaise with Board Services to add to forward programme for NSS Audit & Risk Committee.

- 1.6 After further discussion Members thanked Mr Young for his informative presentation and asked that the quarterly reports be shared with the Board for interest outwith meetings.

Action: Board Services to contact FLO and arrange for bulletin to be shared.

2. CHAIR'S UPDATE

- 2.1 Mr Redpath then updated the Members on changes to the Board since the last meeting;
- Ms Dunlop had now retired as a Non-Executive and all Members passed on their thanks for her help and support during her tenure;
 - Mr Cant had been re-elected as Employee Director for another four-year term from July 2021;
 - Mr James Miller, Director Procurement, Commissioning and Facilities (PCF) would be leaving to take over the Chief Executive role for NHS24 shortly and Mr Gordon James would become the Director for PCF. Members thanked Mr Miller for all his work during his time with NSS, particularly during the pandemic;
 - The interviews for the new Director for NSS Strategy, Performance and Service Transformation were in progress;
 - Mr Sinclair would be leaving his role as Chief Executive of NSS at the end of March and after a robust recruitment process Mrs Morgan would be taking up this role. Members thanked Mr Sinclair for all his support and leadership during his time with NSS. Members also wished Mrs Morgan well in her new role.

2.2 Mr Redpath then updated Members as follows;

- The NSS Remobilisation Plan would be discussed in the In Private session later on the agenda as this was not yet in the public domain;
- There had been a 3-month extension to the current Emergency Powers;
- Board Chairs were meeting monthly and holding joint sessions with the NHSS Chief Executives and the Cabinet Secretary.
- A separate meeting had also been held with the First Minister focusing mainly on the vaccination programme;
- Other areas of discussion included:
- Chair's Appraisals;
- New Whistleblowing Standards and associated actions;

3. MINUTES AND MATTERS ARISING [Papers B/21/02 and B/21/03 refer]

- 3.1 Members considered the minutes from 21 December 2020 and following a brief discussion, approved them in full. Members noted that all outstanding actions were either complete, programmed for a future meeting, or would be covered by the agenda.

4. CHIEF EXECUTIVE'S UPDATE

4.1 Mrs Morgan took Members through her update and highlighted the following areas;

- In addition to NSS responsibilities, Mrs Morgan would Chair the following committees on behalf of NHS Board Chief Executives:
- Business Systems Programme Board
- Unique Device Identifier Programme Board
- National Infertility Group
- Scottish National Trauma Network
- A full induction programme for new CEO's was available and she would be taking full part in this;
- Work already started with the communications team to design future employee engagement programme, building upon what is already in place and works well.
- NSS continued to underpin the COVID response for NHS Scotland;
- Work is underway to define the NSS workplace of the future through our "Future Ready" programme which reports through the Partnership Forum;
- Public Inquiries – two currently in progress – The UK Infected Blood and Scottish Hospitals Inquiry - QEUH (NHS Greater Glasgow & Clyde) & The Royal Hospital for Children and Young People (NHS Lothian). Mrs Morgan provided additional details on the substantial ask on NSS Staff for both inquiries and would provide further updates to Members as appropriate;

- Two additional reports had been published in relation to the Queen Elizabeth University Hospital – an Independent Case Review of 84 children and the final oversight board report. NSS was working through both these reports as they contained national recommendations which were relevant to NSS services. An action plan would be developed and taken forward through the Assure programme, with governance via the NSS Clinical Governance and Quality Improvement Committee in due course;
- Two further reports were also being reviewed: Adult Social Care and Delivery of Forensic Mental Health and further updates would be provided. **Action: Board Services add to forward programme.**

4.2 Mr Sinclair thanked Mrs Morgan for her update and added his congratulations on her appointment as NSS CEO and the significant work that she had done to ensure that the new Royal Hospital for Children and Young People (NHS Lothian) was able to open. He then highlighted some additional areas as follows;

- COVID – Future for Vaccination/Test and Trace support which NSS had a significant involvement with had brought the number of NSS employees almost back to the level prior to the move of Public Health and Intelligence to Public Health Scotland;
- The performance appraisals for the Executive Management Team (EMT) had been carried out already and were with Mr Redpath for ‘grand-parenting’. It was noted that the scores reflected the performance of the organisation and the EMT over the year, and this had been exceptional. Mrs Morgan would then be setting the objectives for the new year.

4.3 Members briefly discussed the vaccination programme in more detail, including the root cause of issues the previous week and were satisfied with the explanations received. Members noted that NSS had a considerable digital role in the vaccination programme, including developing the vaccination system in ServiceNow in an 8-week period, and Mr Sinclair advised that this was being well-managed.

5. PEOPLE REPORT [paper B/21/06 refers]

5.1 Mrs Jones took Members through the report and it was noted that;

- NSS was currently in a good place on a wide range of issues, however, there were some areas of concern raised at the EMT meeting that took place on 22 March 2021 that would require further discussion outwith the meeting. One area of concern related to the number of RIDDORS. These had all occurred in PCF and Scottish National Blood Transfusion Service (SNBTS) and were being fully investigated. Mrs Jones advised that she had personally spoken with the Directors involved and there would be additional work looking at ‘human behaviours’ as a result of the reviews.
- Mandatory and Statutory Training – this should now start to improve and it was noted that staff had been struggling to get time to undertake the courses and this would be constantly reviewed;
- Personal Development Plans/Objectives – discussions were on going with National Education Scotland around access to the raw data to enable NSS to

fully understand what the factual data was, as the current format did not provide the review and assurance required;

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- 5.2 Mr Cant, as Chair of the Occupational Health and Safety Committee advised that the Committee had been reassured that the proper processes were in place in relation to the RIDDORS, including the focus on human behaviours, and were working to understand the underlying issues.
- 5.3 With regards to the levels of statutory training, whilst they were not where they should be, a new fire module had been created in 2020 and since then staff had generally not been office based which may have impacted these figures. It was therefore anticipated that this would improve and OHSAC would look at this in more detail and this would be built into the 'future ready' programme.
- 5.4 Members briefly discussed the current situation with regards to Social Security Scotland ask and Mrs Jones confirmed that a future update would be provided as to what services would now be included. **Action: Board Services to add to forward programme.**
- 5.5 Ms Burgess asked whether accidents in the home were also being recorded in relation to RIDDORS etc, given that most staff were still out of the office. Mrs Jones advised that earlier communications to all staff had included this information and all had been encouraged to complete a Display Scene Equipment (DSE) assessment and return them to their Line Managers for discussion. This would be discussed further at OHSAC, but it should be remembered that the home environment was completely outwith NSS control so it was important to establish what had caused any incident.

Action: All items to be discussed at OHSAC.

- 5.6 Members noted that the policy on foreign travel and quarantine on return for the coming summer would be a nationwide issue and dealt with appropriately in line with that policy. Mrs Jones advised that any changes to this would be communicated to all staff.
- 5.7 After further discussion relating to RIDDORS, culture and wellbeing Ms Blackett offered her experience to support this. 9
- Action: J Jones/I Cant and L Blackett to liaise outwith meeting.**
- 5.8 Members noted the excellent work being done around the NSS COVID vaccination programme as well as supplying vaccinators to the wider programme.
- 6. BOARD ASSURANCE FRAMEWORK [paper B/21/05 refers]**
- 6.1 Mr Neilson took Members through a presentation relating to the development of a new Board Assurance Framework and highlighted the following;

- Important that as an organisation there was agreement on the assurance goals – and what should be achieved by the framework;
- Agreement on the framework approach;
- Set out principles of reporting to drive change and provide assurance.

6.2 Members then discussed each slide in detail and thanked Mr Neilson and his team for the work carried out to date. Members gave their support to the framework and were content with the proposals. Mr Neilson was asked to take them forward based on the discussions held.

7. NSS STANDING FINANCIAL INSTRUCTIONS [paper B/21/08 refers]

7.1 Ms Low took Members through the revised NSS Standing Financial Instructions and highlighted the updates that had been made and the accompanying communications plan and training programmes. Members, including Ms Grant from Audit Scotland, noted that Appendix 1 provided a full summary of these changes and were content to approve them in full and noted that this had strengthened financial governance for NSS.

8. FINANCE REPORT [paper B/21/09 refers]

8.1 Ms Low took Members through her report and noted the following;

- NSS was on track to meet all objectives and were now in a positive position with a surplus that would be managed appropriately;
- Discussions were ongoing with Scottish Government in relation to any surplus and the options available, including COVID spend;
- Members noted the provisions in place in relation to 'working from home' and holiday pay accruals should this be required across the NHS;
- Additional travel costs in relation to COVID were related to logistics of supply from overseas.

8.2 Members thanked Ms Low for her informative report and noted it in full.

9. BOARD FORWARD PROGRAMME [paper B/21/12 refers]

9.1 Members noted the content of the programme including the additional meetings that would be required for the Annual Accounts in August rather than June.

10. NSS CYBER SECURITY EXCELLENCE CENTRE [paper B/21/11 refers]

10.1 Mr Barnet took Members through the update and highlighted the following;

- Discussions had taken place with Scottish Government Digital and Health & Care Engagement Board on setting up the Centre and they had been supportive;
- First year funding had been received (Year 1 of 4) and recruitment was underway;
- Programme would be in 3 phases outlined in the presentation;

- This would provide a Once for Scotland approach to digital security.

10.2 Members discussed the paper in full and noted the importance of cyber security across the public sector, especially given the digital approach that was now in place. By having a single approach and campus it would bring speed and consistency to responses. Members looked forward to future updates on progress.

11. **NSS DIGITAL AND SECURITY (DaS) UPDATE [paper B/21/10 refers]**

11.1 In the absence of Mr Mitchelson, Mr Sinclair provided some detail on the DaS update as follows:

- DaS were playing an integral role in the Testing, Trace and Vaccinate programmes of work;
- Decision required around the Office365 option to renew the contract for another 3 years with a 2-year extension option, or take out a new 3-year contract instead. Discussions relating to this would be going through the Directors of Finance and Chief Executives in due course as the most appropriate governance route.

12. **WHISTLEBLOWING [paper B/21/07 refers]**

12.1 Professor Reilly took Members through the paper providing an update on NSS plans to implement the new mandatory Whistleblowing Standards from 1st April 2021 highlighting the following;

- All work done to date had been through due process;
- The new Roles and Responsibilities within NSS;
- Training and awareness programme for all NSS staff in progress;
- Impact on contractors/suppliers to the NHS.

12.2 Members discussed the paper in full and noted that whilst no specific financial implications had been identified, the widest reaching effect of the new standards was in relation to contracts/suppliers as they would also have to demonstrate that they had policies and procedures in place to meet the requirements of the Standards. Professor Reilly continued that a new risk had been articulated in relation to this, with mitigating actions identified should they be required. Additionally, a project group would be established within NSS to implement these mitigating actions. Ms Morgan commented that the Scottish Public Services Ombudsman may also see a role for NSS as a subject matter expert/partner in relation to the built environment. Mr Redpath thanked all for the update and added that all Members were encouraged to undertake the new training module on Whistleblowing now available in TURAS. **Action: All Non-Executives to undertake the Whistleblowing module available in TURAS.**

13. **MINUTES FROM OTHER GOVERNANCE COMMITTEES [papers B/21/13 to B/21/20 refer]**

13.1 Mr Redpath drew Members attention to the reinstatement of draft Governance

Committee minutes in the papers. These would now be included on a regular basis rather than the previous Highlights Report. It was noted that these would only be discussed by exception if Committee Chairs required input from the Board as a whole.

14. AOB

14.1 There was no other relevant business discussed as part of the public meeting.

This concluded the public session of the Board meeting and Members took the opportunity to thank Mr Sinclair for his contribution to NSS and wish him the best for his retirement when it came. His service to NSS had been exemplary. He had taken the organisation to an excellent position over the past years, and his role in supporting the wider NHSScotland should not be underestimated. This was also the view of those external to NSS and this new additional role, delaying his retirement, was testament to that.

At this point the Board Members resolved under 5.22 of standing orders to exclude the press and public from its consideration of the issues.

15. NSS REMOBILISATION PLAN [paper CICB/21/01 refers]

15.1 Members noted the progress on the NSS Remobilisation Plan and the updates provided by Ms Morgan, Ms Low and Mr Neilson. After a short discussion Members were content to approve the plan for submission and future progress updates against plan would be added to the forward programme of business over the coming months.

15.2 The Chair apologised for the late distribution of the associated financial paper and the Director of Finance confirmed that she was able to present a balanced financial position for NSS to match the commitments in the plan for 21/22. It was agreed that Mrs. Low would be available to answer any subsequent detailed questions that arose from the financial paper.

15.3 The Board thereafter agreed to confirm their approval of the Remobilisation Plan and their approval of the 21/22 budget paper for the organisation.

16. LEGAL PROFESSIONAL PRIVILEGE [paper CICB/21/02 refers]

16.1 Mr Spalding, Director SNBTS took Members through the paper. After a robust Discussion, the Board approved the recommended course of action (option 2) as set out in the paper which is consistent with the position already set out by Scottish Government.

Meeting closed at 1415 Hours.