

Revised Staff Governance Standard

Foreword

Staff governance focuses on how NHSScotland staff are managed and feel they are managed by one of Scotland's largest employers. It makes up the third pillar of the governance framework (alongside clinical and financial governance) within which NHS Boards, Special Health Boards and the Common Services Agency must operate. NHSScotland's commitment to staff governance has been further reinforced by the legislative underpinning within the NHS Reform (Scotland) Bill which ensures equal parity with the other two governance pillars.¹ The Staff Governance Standard is the key policy document to support the legislation which aims to improve how staff in NHSScotland are treated at work.

The Standard cannot be achieved overnight; however, NHS employers must demonstrate that they are becoming exemplary employers. In order to be able to do this, they will be expected to have systems in place to identify areas that require improvement and to develop action plans that will describe how improvements will be made.

Staff Governance and its subsequent underpinning in legislation is a major achievement for NHSScotland and a first for the United Kingdom. The development and implementation of this Standard demonstrates the proactive approach of trade unions and professional bodies, NHS employers and the Scottish Executive Health Department to modern employment practices based on the concept of partnership working.

This second edition does not set out to rewrite the good work of the original Standard, but aims instead to build on it by reflecting changes as NHSScotland continues to evolve. We are determined that all staff across NHSScotland should continue to benefit from the positive changes that this Standard can bring to their working lives. We also recognise that investment in staff is a direct investment in patient care by having staff that are well informed and appropriately trained to influence and deliver services to the best of their ability in modern health care settings.

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¹ NHS Reform (Scotland) Bill.

Contents

	Page
Introduction	3
Strategic Framework	4
Definition of the Staff Governance Standard	6
Evidence and Monitoring Arrangements	8
Roles and Responsibilities	10
Appendix 1 : Key Policy Documents....	13
Appendix 2: Self Assessment Audit Tool	14
Appendix 3: Membership of Staff Governance Working Group	25

Introduction

The aims of NHSScotland are to

- improve health and wellbeing; and
- deliver high quality care to those with ill health.

Staff are central to achieving these aims. The Scottish Health Plan, *Our National Health: A Plan for Action, a Plan for Change*, set out a number of challenges for the service, one of which was the establishment of the concept of staff governance for NHSScotland. *Partnership for Care*, the White Paper on health, further strengthened the commitment to the effective delivery of staff governance through partnership working.

Both documents have raised the status of good people management in NHSScotland, placing it alongside financial and clinical governance to complete the governance framework within which NHS Boards, Special Health Boards and the Common Services Agency must operate. New legislation on staff governance will reinforce this parity with the other pillars of governance and reflects the commitment to the fair and effective management of staff.

The standard applies to all staff employed in NHS Scotland and NHS staff employed within Community Health Partnerships (CHPs). CHPs will be expected to develop employment practice frameworks for non - NHS employed staff working within CHPs (such as staff working in general practice) that meet staff governance and employment law requirements. CHPs should seek to commend best practice to all employers within the CHP, for the benefit of all employees and in turn for the benefits of patients and carers.

This document sets out:

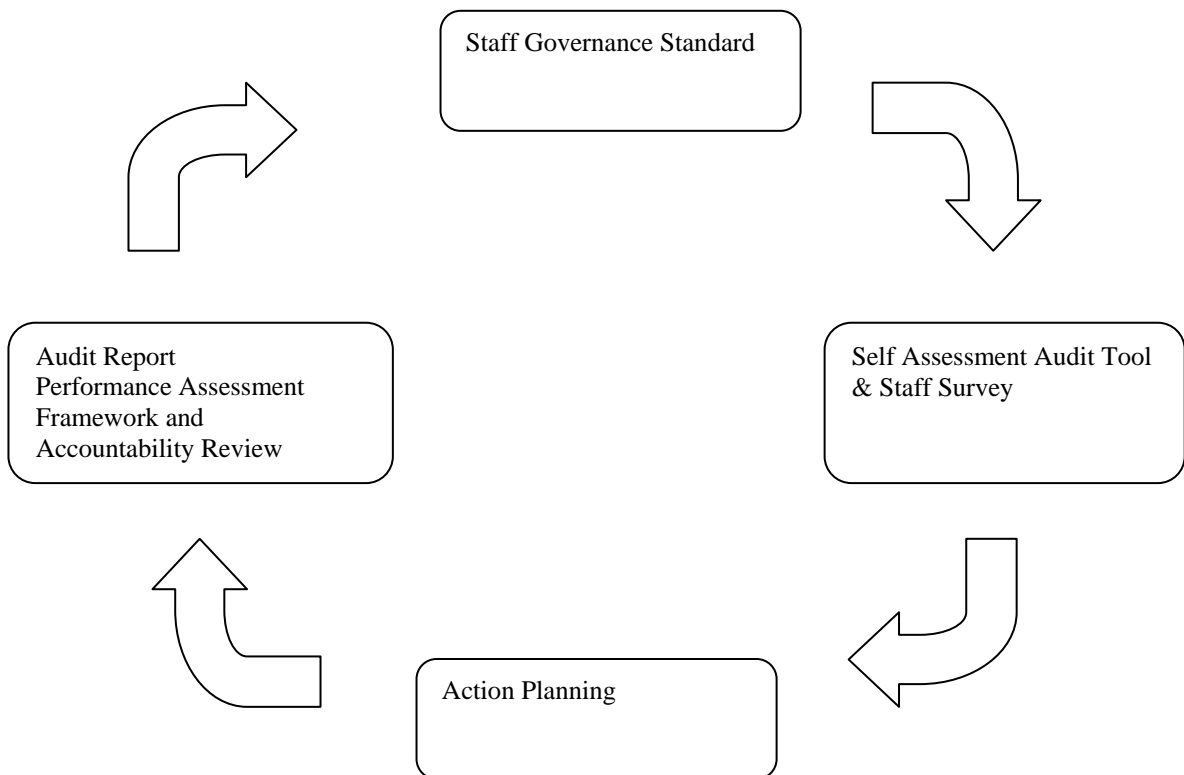
- the strategic framework surrounding staff governance;
- the definition of staff governance and the specific elements which make up the Staff Governance Standard;
- how the Standard fits with other arrangements for measuring performance across NHSScotland;
- the Self Assessment Audit Tool and examples of evidence which organisations are required to use to assess their progress in relation to the Standard; and
- roles and responsibilities of all who are involved.

Strategic Framework

The Staff Governance Standard requires NHSScotland at all levels to consider its progress in delivering the staff management agenda which was set out in *Towards a New Way of Working* and further defined in *Our National Health: A Plan for Action, A Plan for Change*. The proposed legislation requires NHSScotland employers to deliver the key strategic agenda of ensuring the fair and effective management of staff.

A number of strategic policies, initiatives and agreements are already in place, with more continuing to be developed in the areas of **occupational health and safety; workforce development and planning; partnership and employment practice** and **pay modernisation** (detailed in appendix 1) Implementation of these policies, initiatives and agreements will support NHSScotland employers to be able to meet the requirements of the Staff Governance Standard.

The process for implementing and monitoring staff governance is illustrated in the diagram below:



In short, staff governance is part of a process which can and should be viewed in the wider context in terms of responsibilities of the individual and the team within an organisation.

Definition of the Staff Governance Standard

Staff Governance is defined as

“a system of corporate accountability for the fair and effective management of all staff.”

The Staff Governance Standard sets out what each NHSScotland employer must achieve in order to improve continuously in relation to the fair and effective management of staff. Implicit in the Standard is that all legal obligations are met, and that all policies and agreements are implemented. In addition to this, the Standard specifies that staff are entitled to be:

- well informed;
- appropriately trained;
- involved in decisions which affect them;
- treated fairly and consistently; and
- provided with an improved and safe working environment.

Organisations that have fully implemented the Standard will have the following characteristics as a minimum.

1 Well informed

- All staff regularly receive information about their organisation.
- All staff have access to communication channels which offer the opportunity to give and receive feedback on organisational issues at all levels.
- All staff have access to communication systems. (Through time, this will include IT systems and staff will be provided with appropriate training to use them.

2 Appropriately trained

- National education learning and development strategies are fully implemented.
- All staff have equity of access to training, irrespective of working arrangements or profession.
- Resources, including time and funding, are allocated to meet local training and development needs.

3 Involved in decisions which affect them

- A framework for partnership working exists to enable staff involvement through their trade union/professional organisation representatives. (This will include Area and Local Partnership Fora, as appropriate, to reflect local structures).
- Redesign, service development and organisational change are planned in partnership.

- Comprehensive workforce planning is developed in partnership and integrated into redesign, service planning and organisational change and development in line with national workforce strategy.
- All staff have the opportunity to be involved in planning and development decisions that affect them.

4 Treated fairly and consistently

- Best practice HR policies are in place and communicated to staff. (These will include initiatives which promote the management of diversity.)
- PIN guidelines are met or exceeded.
- Staff can expect security of employment through organisational change and the modernisation.
- Pay and terms and conditions are applied fairly and equitably and in accordance with the new systems for modernising pay.

5 Provided with an improved and safe working environment

- National occupational health and safety strategies are implemented.
- Resources, including time and funding, are allocated equitably to meet the Health and Safety strategy, agreed and audited annually by the local Health and Safety Committee, NHS Boards Special Health Boards Common Services Agency Partnership Forum.
- NHS premises are fit for purpose, and the personal safety of patients and staff is paramount in service design and operation.

Evidence and Monitoring Arrangements

Measurement of organisational success against the elements of the Standard is carried out locally. Area and Local Partnership Fora are directly involved in assessing the performance of NHS Boards as employers through the staff survey and the use of the Self Assessment Audit Tool (SAAT²), which form part of the accountability arrangements.

Results including action plans are also submitted to the Scottish Executive Health Department through the Performance Assessment Framework. This Framework measures the three pillars of governance: financial, clinical and staff. Specifically, Field 6 of the Framework includes the five elements that make up the Staff Governance Standard, and ensures that NHSScotland organisations are accountable for how they behave as employers.

To measure their performance in relation to the Staff Governance Standard, NHSScotland employers will be required to conduct the national staff survey at pre-agreed intervals. The survey focuses on how staff are managed and feel they are managed. In addition, each year every NHS employer is required to use the Self Assessment Audit Tool (SAAT) to conduct a review of their progress against the Standard and this will be externally audited. The results from the survey and SAAT will then be used to identify areas of concern and to develop action plans that facilitate delivery against the Standard.

Each element of the Standard is assessed in relation to policy, targets and organisational effectiveness. The assessment does not rely on a single form of measurement and local health systems have the flexibility to agree and set their own priorities. Information is submitted within the Performance Assessment Framework in the form of the Staff Governance Committee report which should cover

- the key questions from the staff survey (when undertaken),
- the mandatory statistics contained in the SAAT,
- the organisation's action plan and
- a copy of the external auditor's report.

All information received will be used to inform the accountability review process allowing specific issues to be discussed with the Area Partnership Forum at the review.

The Staff Governance Standard will provide the monitoring and evaluation information to satisfy the requirements of NHS Quality Improvement Scotland's Health Care Governance Standards.

Organisational performance against this Standard is also reviewed by the National Staff Governance Working Group on behalf of the Scottish Partnership Forum and the Human Resources Forum.

² see Appendix 2

Roles and Responsibilities

1 Area and Local Partnership Arrangements

The Area Partnership Forum (APF) has a key role in ensuring that best practice is shared across the area via operating divisions, Community Health Partnerships and other contractors. It will identify where a system-wide approach would be appropriate, and will carry out policy development across the health system to support staff governance. The APF should also advocate, broker and monitor staff-side involvement in all aspects of service planning, strategy development and workforce planning.

The APF must ensure that local partnership arrangements are the vehicle through which the staff survey and self-assessment audit are carried out to assess organisational performance against the Standard and the impact of this on staff.

The Local/Divisional/Community Health Partnership Partnership Forum has a key role in the conduct of the survey and SAAT promoting the survey, administering questionnaires, working with managers and staff to produce action plans, and feeding back results to staff.

From the SAAT and staff survey results a Staff Governance Action Plan may be produced at local level as appropriate. These plans are to be submitted to the APF for consideration, which, together with nationally agreed initiatives and wider issues across the health system, should be used to produce a system-wide action plan which includes issues for inclusion in the Local Health Plan. In this way, the APF will contribute to the development of the Local Health Plan and workforce plan and assess the impact of decisions upon the staff governance agenda, feeding in solutions and proposals as necessary. All of this information is subject to approval of the Staff Governance Committee.

The specific responsibilities of the Area Partnership Forum are to:

- be involved in issues beyond Human Resources, and take a proactive approach in embedding partnership working at all levels to assist the process of devolved decision-making;
- be involved in the processing of the Staff Survey and SAAT and the production of associated action plans;
- put in place any interim measurement and monitoring arrangements required between the SAAT and future surveys;
- submit details of the survey, SAAT and associated action plan to the staff governance committee;
- be linked into regional planning arrangements for service and workforce development and delivery; and
- liaise with the Scottish Partnership Forum and Human Resources Forum, and provide reports on progress within its area. This flow of information is two-way, and the Scottish Partnership Forum and Human Resources Forum consult with Area Partnership Fora on any proposals for policy development they are considering and any

problems highlighted from statistical returns that require local attention or explanation.

2 Staff Governance Committee

The Staff Governance Committee is a standing committee of each NHS Board which, together with the Clinical Governance Committee and Audit Committee, forms the full governance framework for NHS Boards.

As a minimum, the Staff Governance Committee comprises the Chair of the NHS Board area, the Employee Director and a non-executive director and staff side representative from each operating division or equivalent. The staff side members must also be a members of the Area Partnership Forum.

The role of this committee is to support and maintain a culture within the health system where the delivery of the highest possible standard of staff management is understood to be the responsibility of everyone working within the system and is built upon partnership and collaboration.

The specific responsibilities of the Staff Governance Committee are to:

- commission the introduction of structures and processes which ensure that delivery against the Standard is being achieved;
- monitor and evaluate strategies and implementation plans relating to people management;
- support any policy amendment, funding or resource submission to achieve the Staff Governance Standard;
- take responsibility for the timely submission of all data required for the Performance Assessment Framework;
- monitor pay modernisation processes; and
- establish a Remuneration Sub-Committee and validate its work. The role of this Sub-Committee is to consider remuneration of the Executive Directors within the NHS Board. It should only consider the remuneration of staff employed under executive and senior manager pay arrangements. Membership of this Sub-Committee should comprise the NHS Board chair and the Chair/non-executive of each operating division or equivalent and one further Board non-executive Director. Organisations may decide locally whether this could appropriately be the Employee Director. All members of this Sub-Committee should be trained to carry out this role; and
- Provide a statement of internal control.

These arrangements also apply to Special Health Boards and the Common Services Agency .

3 NHS Board

NHS Boards have a statutory duty to Scottish Ministers put in place through the NHS Reform (Scotland) Bill, which states;

“12H A Duty in relation to the governance of staff

It shall be the duty of each Health Board and Special Health Board and of the Agency to put and keep in place arrangements for the purposes of:

- (a) improving the management of the officers employed by it;**
- (b) monitoring such management; and**
- (c) workforce planning”**

Accountability for local performance against this Standard therefore lies ultimately with the NHS Board. NHS Boards must receive reassurance around the detail of staff governance arrangements and monitoring processes, and be assured that the Staff Governance Committee’s aims and objectives are being met.

4 The Partnership Support Unit (PSU)

The PSU will provide support and assistance to any NHS Board that requires it. The will also carry out the performance management function for the staff governance field of the Performance Assessment Framework and produce information for the accountability review process.

The specific responsibilities of the PSU are to:

- support and assist NHS Boards on any aspect of staff governance implementation
- liaise effectively and efficiently with NHS Boards, the National Staff Governance Working Group and the Scottish Executive Health Department;
- receive and process data for the Performance Assessment Framework;
- produce reports to inform the accountability review process; and
- support any necessary interventions or monitoring.

Links between Area Partnership Fora and the SPF and HRF will be strengthened and supported by the PSU, to allow any difficulties or problems that may not be resolved at local level to be addressed. This will provide the SPF and HRF with much of the information needed to formulate policy and strategic direction to support the service in achieving national goals.

5 Scottish Partnership Forum (SPF)

The SPF plays an active role in the accountability review meeting with the APF.

The specific responsibilities of the SPF are to:

- provide representation at the accountability review meeting with the APF and the Chief Executive of NHSScotland;
- review the organisation's performance against the Staff Governance Standard; and
- participate in any future monitoring that may be required.

6 Human Resources Forum (HRF)

In conjunction with Audit Scotland, part of the role of the HRF is to develop appropriate audit arrangements. As a minimum, these arrangements will comprise an annual visit to all Boards to review the evidence contained in the self-assessment audit. From this visit, a report will be produced by Audit Scotland to be included in the Performance Assessment Framework and to inform the accountability review process.

The specific responsibility of the HRF is to:

Provide a representative to advise and support the external auditor through telephone contact and personal attendance at the audit visit.

7. Audit Scotland

The audit objectives are to validate the action plans of NHS Boards and to provide independent assurance that:

- the self assessment process is robust;
- the action plan is agreed and credible; and
- the action plan is being delivered (year-on-year).

The auditor will produce a report that sets out the findings from the staff governance audit and these will be included in the performance assessment framework and will inform the accountability review process. They will also be used to inform the Auditor General's NHSS Overview Report.

Appendix 1 Key Policy Documents

At the time of publication, the key policy documents which complement the implementation of the Staff Governance Standard include

- Working For Health
- Learning Together
- Towards a Safer Healthier Workplace
- Fair for All

This list is not exhaustive. It is expected that as other national strategies which complement the Staff Governance Standard are developed that they too will in turn be implemented.

Appendix 2: Self Assessment Audit Tool

The Self Assessment Audit Tool sets out the key measures that demonstrate progress towards meeting exemplar employer status.

Systems are required to:

- produce a response to the prompt and measure;
- provide mandatory statistics, some of which are key performance indicators for the PAF. Other mandatory statistics whilst not required for the PAF, are crucial information that organisations require, to deliver against elements of the staff governance agenda, for example workforce planning;
- produce a system-wide action plan that identifies system-wide solutions to key issues highlighted through the staff survey and SAAT process; and
- demonstrate progress against the action plan on an annual basis

A. Well informed

Indicator: A communication strategy exists which was developed in partnership and identifies actions for implementation, monitoring and evaluation.

Prompt & Measure	Organisational Response
<ul style="list-style-type: none">• Audit of staff is conducted to ascertain what information staff want to receive, in what format and how to feed back• Regular staff meetings take place with management• A system/process is in place to ensure shift workers/part time/night staff have equal access to information regardless of profession• A system is in place to make available access to electronic communication systems and appropriate training• Systems are in place which ensure that information to and from partnership fora is disseminated to all levels of the organisation	

Mandatory statistics

Quantitative

Identified staff survey questions

Qualitative

- Communications audit taken place
- Records of those involved in the design implementation and evaluation of the audit including confirmation of a partnership approach
- Minutes from APF and Staff Governance Committee regarding discussion of communications audit
- Evidence of feedback to staff
- Evidence of associated training
- Evidence of associated actions, review dates and mechanism for review

B. Appropriately Trained

Indicator: adequately resourced Local Learning plans are in place which implement national strategies e.g. Occupational Health and Safety, Leadership and Learning Together. Learning plans should reflect the organisation's needs/goals and personal development plan outcomes, promoting a culture of life-long learning.

Prompt & Measure	Organisational Response
<ul style="list-style-type: none">• All new staff have attended a corporate induction programme.• All staff have a current Personal Development Plan• Training activity records are maintained and monitored• Training resources/budget is allocated and monitored to meet Local Learning Plans.• Training needs analysis should be carried out annually to inform Local Learning Plans• System to ensure all workers have equal access to learning and development regardless of profession	

Mandatory statistics

Quantitative information

- Numbers of staff with a personal development plan

Identified Staff survey questions(appropriately trained)

Qualitative information

A system-wide approach to required learning and development interventions

- Organisational process is in place for allocating its training budget to statutory; mandatory; professional and developmental activities
- NHS Board sign-off of the local learning plan
- Organisational strategy which aims to ensure that all staff have equity of access to CPD, as defined in the local learning plan
- Mechanism is in place to evaluate the various staff groups level of uptake of learning and development intervention
- Mechanism is in place to evaluate the impact of learning and development interventions on the delivery of service

C. Involved in Decisions which affect Them

Indicator: Local partnership arrangements with staff side organisations are in place to ensure meaningful and timeous involvement in all service planning, redesign, policy and resourcing issues.

Prompts/Measures	Response
<p>Area Partnership Fora are involved in:</p> <ul style="list-style-type: none">• development and monitoring of the staff governance action plan• design & development of all aspects of the Local Health Plan• ensuring that best practice is shared across the area via operating divisions, Community Health Partnerships and other contractors• identifying system-wide approaches to policy development to support staff governance• development of Financial Plans• development and monitoring of the workforce plan• ensuring a facilities budget is in place & monitored by the Area Partnership Forum	

Mandatory statistics

Quantitative

- Staff in post; by head count, whole time equivalent, age, gender, numbers registered and unregistered
- Information Statistics Division vacancy returns

Identified Staff Survey Questions

Qualitative

Areas of major service change, for example “Pay Modernisation”

- Evidence of staff involvement in the change
- Minutes of meetings detailing membership and progress of Project group / working groups
- Partnership Forum Minutes identifying discussion
- Evidence of further communication / consultation regarding the change
- Evidence of awareness raising and training
- Evidence of consideration of wider workforce issues including service planning /service redesign.

D. Treated Fairly and Consistently

Indicator: Exemplary people management processes are in place which have been developed in partnership in order to ensure fair and consistent treatment of all staff.

Prompts/Measures	Response
<ul style="list-style-type: none">• PIN Guidelines are implemented locally through the development of appropriate policies and procedures• Joint training is provided in partnership to facilitate managers and staff side organisations to implement policies• Evidence of a partnership process for the monitoring of policies is in place• The Organisational Change Policy is implemented to ensure consistent and fair treatment of staff during organisational change• Area Partnership Forum ensures systems are in place to monitor pay modernisation and other collective agreements	

Mandatory statistics

Quantitative

- Bank and Agency use (expressed in hours as a percentage of total hours worked per staff group)
- Number of disciplinaries that:
 - result in an action; and
 - result in no action taken
- Number of disputes
- Number of grievances that
 - result in an action; and
 - result in no action taken
- Level of staff turnover
- Number of temporary contracts and reasons
- Monitoring required under *Fair for All*

Identified staff survey questions

Qualitative

- Evidence of staff involvement in the production of the policy including Partnership Forum and Staff Governance Committee minutes regarding PIN Guideline implementation and NHS Board sign-off
- Details of awareness raising

- Details of associated joint training
- Evidence of use of the policies
- Details of policy review

E. Providing with An Improved and Safe Working Environment

Indicator: A resourced Occupational Health & Safety Strategy exists which reflects *Towards a Safer and Healthier Workplace* and the needs of the organisation. This will have been developed in partnership and will identify actions for implementation together with monitoring and evaluation criteria.

Prompts/Measures	Organisational Response
<ul style="list-style-type: none"> • The Occupational Health & Safety action plan is being implemented and monitored in partnership • Occupational Health & Safety budget is allocated and monitored to meet the action plan • Systems are in place for organisational risk assessment • The <i>Managing Health At Work</i> PIN Guideline is being implemented • Systems are in place to record and monitor accidents/near misses, staff absences due to occupational accident, illness, moving & handling, violence & aggression, Healthcare Associated Infection & Needlestick • Implementation of the Working Time Regulations is monitored in partnership. 	

Mandatory statistics

Quantitative

- Occupational Health and Safety minimum data set

Identified staff survey questions

Qualitative

Organisational approach to the Health and Safety Strategy implementation covering

- Management of stress in the workplace
- Violence and aggression
- Moving and Handling
- Evidence of partnership involvement
- Evidence of Health and Safety action plans
- Minutes of Health and Safety Committee/Risk Management Board regarding the findings and subsequent action plans

Appendix 3: Membership of Staff Governance Working Group

[To be inserted to reflect new titles and employment]