



Staff Governance Standard

3rd Edition

for NHSScotland employees

Staff Governance Standard

3rd Edition

for NHSScotland employees

Further copies of this document are available, on request, in audio and large print formats and in community languages, please contact: 0131 244 3258

یہ کی مزید کاپیاں آڈیو کمپیسیٹ پر اور بڑے حروف کی چھپائی میں اور کثیرتوں کی
سہ طلب کیے جانے پر دستیاب ہیں، برائے مہربانی اس پتہ پر رابطہ کریں: 0131 244 3258

এই ডকুমেন্ট-এর (মহিনা) অভিলিভা কপি, অডিও এবং বড়ো ছাপার অক্ষর আকারে এবং
সম্প্রদায়িক ভাষায় অনূদিতের মাধ্যমে পাওয়া যাবে, অনুগ্রহ করে যোগাযোগ করুন: 0131 244 3258

**Gheibhear lethbhreacan a bharrachd ann an cruth
ris an èistear, ann an clò mòr agus ann an cànan
coimhearsnachd. Cuir fios gu:** 0131 244 3258

इस दस्तावेज़/कागज़ात की और प्रतियाँ, माँग जाने पर, ऑडियो
टैप पर और बड़े अक्षरों में तथा कम्युनिटी भाषाओं में मिल
सकती हैं, कृपया संपर्क करें: 0131 244 3258

ਇਸ ਦਸਤਾਵੇਜ਼/ਕਾਗਜ਼ਾਤ ਦੀਆਂ ਹੋਰ ਕਾਪੀਆਂ, ਮੰਗੇ ਜਾਣ 'ਤੇ,
ਔਡੀਓ ਟੇਪ ਉੱਪਰ ਅਤੇ ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਕੰਮਿਊਨਿਟੀ
ਭਾਸ਼ਾਵਾਂ ਦੇ ਵਿਚ ਮਿਲ ਸਕਦੀਆਂ ਹਨ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ: 0131 244 3258

此文件有更多備份，如果需要，語音版本和大字體版
本及少數種族語言版本也可提供，請聯絡: 0131 244 3258

يمكن أن تطلب النسخ الأخرى من هذا المستند كالتسجيل الصوتي والخط المكبر
ونسخ بلغات أخرى، يرجى الإتصال على: 0131 244 3258

Aby otrzymać niniejszy dokument w innej wersji językowej, na kasecie
lub w wersji z powiększonym drukiem, prosimy o kontakt: 0131 244 3258

© Crown copyright 2007

ISBN: 978-0-7559-5234-2

Scottish Executive
St Andrew's House
Edinburgh
EH1 3DG

Produced for the Scottish Executive by RR Donnelley B48478 05/07

Published by the Scottish Executive, May, 2007

Further copies are available from
Blackwell's Bookshop
53 South Bridge
Edinburgh
EH1 1YS

The text pages of this document are printed on recycled paper and are 100% recyclable

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 NHS National Services Scotland (NSS – formerly the Common Services Agency) must operate.

NHSScotland's commitment to staff governance has been reinforced by the legislative underpinning within the NHS Reform (Scotland) Act 2004, which ensures parity with the other two governance pillars. The Staff Governance Standard is the key policy document to support the legislation which aims to improve how NHSScotland's diverse workforce is treated at work.

Work to achieve the set standard is ongoing, and NHS employers must demonstrate that they are striving to both achieve and maintain exemplary employer status. 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 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 organisations, NHS employers and the Scottish Executive Health Department (SEHD) to modernising employment practices based on the concept of partnership working.

This third edition was developed to take into account the revised national partnership structures. It aims to build on the progress made in previous editions 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 who are well informed and appropriately trained to influence and deliver services to the best of their ability in modern healthcare settings.



KEVIN WOODS

Joint Chair, Scottish Partnership Forum



ANNE THOMSON

Joint Chair, Scottish Partnership Forum



JAMES BARBOUR

Joint Chair, Scottish Partnership Forum

Contents

	Page
1. Introduction	1
2. Strategic Framework	3
3. Definition of the Staff Governance Standard	4
4. Evidence and Monitoring Arrangements	7
5. Roles and Responsibilities	8
Appendix 1: Key Policy Documents	12
Appendix 2: Membership of the Review Group	13

1. Introduction

The principal 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 commitment to working in partnership has become vital with the launch of *Delivering for Health*. *Delivering for Health* describes the actions required to implement the recommendations of the National Framework for Service Change, and builds on previous challenges set out in *The Scottish Health Plan, Our National Health: A Plan for Action, A Plan for Change* and *Partnership for Care*, the White Paper on health. All three documents have raised the status of good people management in NHSScotland, placing it alongside clinical and financial governance to complete the governance framework within which NHS Boards, Special Health Boards and NSS must operate. New legislation on staff governance reinforces 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 NHSScotland, including NHS staff working within Community Health Partnerships (CHPs). NHS Boards will be expected to support CHPs in developing employment practice frameworks for non-NHS employed staff working within CHPs (such as staff working in general practice) which 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.

The Standard also applies to staff employed in those services covered by the Joint Future agenda. NHS Boards will be expected to work with Local Authority employers to ensure that employment practice frameworks are in place for NHS staff working within the Local Authority, or in joint services, and that these meet staff governance requirements.

In respect of Public Private Partnerships, NHS Boards have access to detailed guidance and standard documentation that enables them to ensure that the short-listed bidders are equipped to fulfil the service and contractual requirements set out in the standard project agreement. This includes the Staff Governance Standard set out in the NHS Reform (Scotland) Act 2004.

Staff Governance is key to the effective and efficient delivery of services. Greater staff involvement in decisions that affect their work allows for better quality of decision-making. Research indicates that a culture of openness and involvement, with staff having a real say, has a direct impact on an employer's ability to recruit and retain staff. We also recognise that a workforce that understands the local population in its demographic make-up is

better able to develop responsive, inclusive services, and is directly related to delivery of high quality care and patient satisfaction.

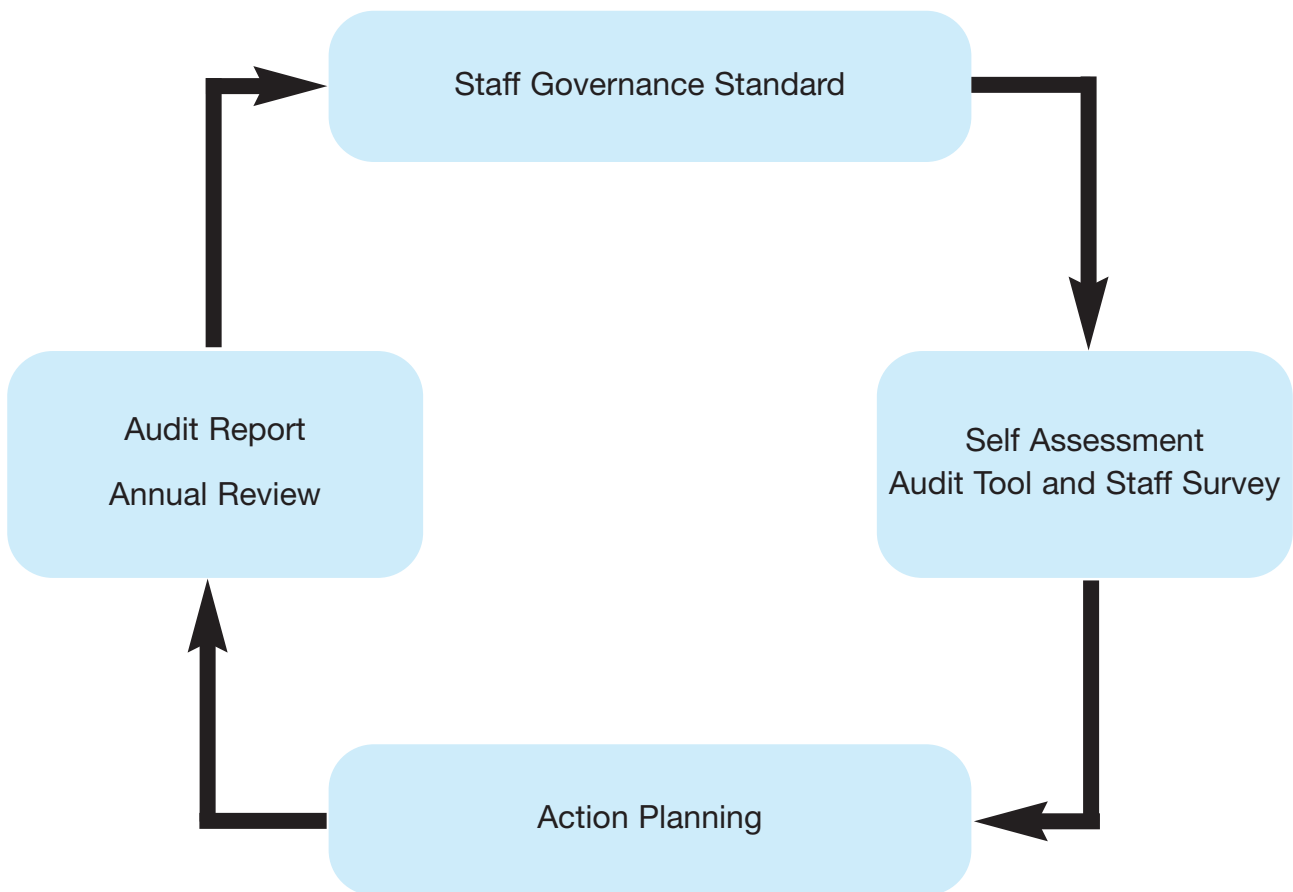
This document sets out:

- 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; and
- roles and responsibilities of all who are involved.

2. Strategic Framework

The NHS Reform (Scotland) Act 2004 requires NHSScotland employers to deliver the key strategic agenda of ensuring the fair and effective management of staff. A number of strategic workforce policies, initiatives and agreements are in place, including those on best employment practice and policy, workforce development and planning and benefits realisation. Implementation of these policies, initiatives and agreements will support NHSScotland employers to be able to meet the requirements of the Staff Governance Standard and ensure the modernisation of the workforce through pay, partnership and employment practice.

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



3. 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, including NHS employers complying with current employment legislation, and that all policies and agreements are implemented. The Standard requires that all NHS Boards must demonstrate that staff are:

- 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:

A Well informed

- All staff regularly receive accessible 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. This will include IT systems, and staff will be provided with appropriate training (and adaptation if appropriate) to use them.

B Appropriately trained

- The Knowledge and Skills Framework has been fully implemented.
- National education, learning and development strategies are fully implemented.
- Those staff not covered by *Agenda for Change* have rigorous development plans.
- All staff have equity of access to training, irrespective of working arrangements or profession.
- Resources, including time and funding, are appropriately allocated to meet local training and development needs.
- All staff have access to appropriate induction that covers, as a minimum, partnership; staff governance; health and safety; and equality legislation.

C Involved in decisions which affect them

- Partnership working is embedded and mainstreamed within each NHS Board.
- Each NHS Board has in place Partnership Forums as appropriate to reflect local structures. These should include a Partnership Forum at Board level and local structures and mechanisms. Each CHP must have a Staff Partnership Forum in accordance with local structures.
- Service development and organisational changes are planned and implemented in partnership.
- A comprehensive workforce plan is developed in partnership and integrated into service planning and organisational change and development in line with national workforce framework.
- Employers must engage with staff to ensure that they are involved in all decisions that affect them.

D Treated fairly and consistently

- Best practice HR policies are in place and communicated to staff.
- PIN Policy and Practice publications are met or exceeded.
- Staff have security of employment and no detriment through the organisational change policy.
- Pay and terms and conditions for all NHS Staff are applied fairly and equitably.

E Provided with an improved and safe working environment

- Appropriate occupational health and safety arrangements are in place as a means of improving the health and wellbeing of staff and minimising sickness absence.
- Resources, including time and funding, are allocated appropriately to meet the health and safety strategy, agreed and audited annually by the Health and Safety Committee of NHS Boards, Special Health Boards and NSS.
- NHS workplaces should ensure that the personal health and safety of patients and staff is paramount.
- The personal health and safety of patients and staff should be paramount in the design and operation of services.
- National and local occupational health and safety strategies are implemented.

4. Evidence and Monitoring Arrangements

Each element of the Standard is assessed in relation to policy, targets and organisational effectiveness, with measurement of organisational success against the elements of the Standard being carried out locally. 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. Partnership Forums are directly involved in assessing the performance of NHS Boards as employers through the use of the Self Assessment Audit Tool (SAAT), and through the conduct of the national staff survey at regular intervals.

The SAAT sets out the key measures that demonstrate progress towards meeting exemplary employer status. Systems are required to:

- produce a response to the indicators in each of the sections;
- provide robust information to the Workforce Information Repository for each of the mandatory workforce statistics (all of which are crucial information that organisations need to be able to deliver against the staff governance agenda, for example, to carry out workforce planning);
- produce an action plan that identifies solutions to the key issues highlighted through the staff survey and SAAT process; and
- demonstrate consistent progress against the action plan.

The staff survey focuses on how staff are managed and feel they are managed. The results are then used to identify areas of concern and to develop actions that facilitate delivery against the Standard. This should include specific actions that recognise the diverse make-up of NHSScotland's workforce.

Results from the staff survey and SAAT, together with the associated Staff Governance action plan and progress reports, must be submitted to SEHD's Workforce Directorate by 31 March annually to ensure that progress against staff governance implementation can be monitored and used to inform the annual review process. This allows specific issues to be discussed with the Partnership Forum at the annual review.

The Staff Governance Standard will provide the monitoring and evaluation information to satisfy the requirements of NHS Quality Improvement Scotland's Clinical Governance & Risk Management Standards. Organisational performance against this Standard will also be reviewed by the Scottish Workforce and Staff Governance Committee (SWAG) on behalf of the Scottish Partnership Forum (SPF).

5. Roles and Responsibilities

5.1 Local Partnership Arrangements

The NHS Board Partnership Forum has a key role in ensuring that best practice is shared across local structures, including CHPs and other contractors. It will be a system-wide approach and will carry out policy development across the health system to support staff governance. The Forum should also advocate, broker and monitor staff-side involvement in all aspects of service planning, strategy development and workforce planning. The Forum 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 Forum will have a key role in the conduct of the survey and self-assessment, promoting the survey, working with managers and staff to produce action plans and feeding back results to staff.

The Partnership Forum should ensure that all available data from the self-assessment and staff survey results should be used to create a Staff Governance Action Plan. The Staff Governance Action Plan should underpin the Local Delivery Plan, Pay Modernisation Plan and Workforce Plan. In this way, the Forum will contribute to the development of the Local Delivery Plan and Workforce Plan and assess the impact of decisions upon the staff governance agenda, feeding in solutions and proposals as necessary. This will allow the Forum to participate in the wider strategic organisational objectives of the NHS Board and the three key areas of Board accountability (i.e. clinical, financial and staff governance).

The specific responsibilities of the Forum are to:

- 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 self-assessment and the production of associated action plans;
- put in place any interim measurement and monitoring arrangements required between the self-assessment and future surveys;
- submit recommendations and details of the staff survey, self-assessment and associated action plans to the Staff Governance Committee;
- be linked into regional planning arrangements for service and workforce development and delivery; and
- link with the SPF (through SWAG) and provide reports on progress within its area. This flow of information is two-way, and the SPF and SWAG will consult with NHS Board Partnership Forums on any proposals for policy development they are considering, and any problems highlighted from statistical returns that require local attention or explanation.

The Staff Governance Action Plan will be submitted to the Staff Governance Committee who will be responsible for ensuring that performance management of the action plan is being carried out.

5.2 Staff Governance Committee

The Staff Governance Committee (SGC) 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, full membership of local SGC should include the following:

- four non-executive Directors of the NHS Board, of which one must be the Employee Director; and
- two lay representatives, or more depending on the needs of the local area, from the trade unions and professional organisations (acting in an *ex officio* capacity), nominated by the NHS Board 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. It will ensure that this is achieved by ensuring robust arrangements around the implementation of the Staff Governance Standard.

The specific responsibilities of the SGC 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;
- propose and support any policy amendment, funding or resource submission to achieve the Staff Governance Standard;
- take responsibility for the timely submission of all staff governance information required for national monitoring arrangements;
- monitor benefits realisation processes; and
- provide staff governance information for the statement of internal control.

Each NHSScotland Board, through its Standing Orders, is required to establish a Remuneration Committee, whose main function is to ensure the application and implementation of fair and equitable pay systems on behalf of the Board, as determined by Ministers and the SEHD, and described in MEL (1993) 114 and subsequent amendments. The Remuneration Committee will also, through the Staff Governance Committee, be required to provide assurance that systems and procedures are in place to manage the issues set out in MEL (1993) 114 (amended), so that overarching staff governance responsibilities can be discharged. The Staff Governance Committee will not be given the detail of confidential employment issues that are considered by the Remuneration Committee: these can only be considered by non-executive Directors of the Board.

Membership of the Remuneration Committee must include, as a minimum, three non-executive Directors of the NHS Board, one of whom may be the Employee Director¹. Appropriate training and development will be provided to ensure that members of this Sub-Committee have the skills and knowledge to carry out this role.

5.3 NHS Board

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

“121 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 SGC’s aims and objectives are being met. Each NHS Board must ensure that external audit of staff governance has parity with financial and clinical audit.

¹ More information on the role of Employee Directors is included in *Rebuilding our National Health Service* (May 2001, <http://www.scotland.gov.uk/library3/health/ronh-00.asp>)

5.4 SEHD – Workforce Directorate Support

The Staff Governance Unit, part of SEHD’s Workforce Directorate, will provide support and assistance to any NHS Board that requires it, particularly on issues concerning staff governance, partnership and employment practice.

The Directorate will also carry out national monitoring of staff governance implementation and produce information for the annual review process.

There will be robust links between the NHS Board Partnership Forums, the SPF, SWAG and the Workforce Directorate, in order to support and enhance the practical implementation of the Staff Governance Standard. These links will be maintained through the membership to inform decisions around the development of workforce policy to support NHSScotland in achieving national goals.

5.5 Scottish Partnership Forum (SPF)

The SPF and SWAG play an active role in the Annual Review meeting with the NHS Board Partnership Forum.

The specific responsibilities of the SPF are to:

- provide representation at the NHS Board’s Annual Review meeting as agreed;
- take an overview of national performance against the Staff Governance Standard by participating in national monitoring; and
- provide recommendations on the future development of the Staff Governance Standard.

5.6 The Scottish Workforce and Staff Governance Committee (SWAG)

The role of SWAG is to inform and take an overview of audit and monitoring arrangements concerning compliance with the Staff Governance Standard, and to ensure that compliance with the standard promotes equality. In its role as guardian of the Staff Governance Standard, SWAG will maintain close links with local SGCs and NHS Board Partnership Forums. SWAG will meet at venues throughout Scotland, to engage more effectively with local partnership structures.

5.7 Monitoring and Review

Boards will adopt the nationally agreed monitoring arrangements for the collection and collation of information relating to the five key elements of Staff Governance.

Appendix 1: Key Policy Documents

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

- *Delivering for Health*
- *Partnership: Delivering the Future*
- *Working for Health*
- *Learning Together*
- *Towards a Safer, Healthier Workplace*
- *Fair for All*
- *Our National Health: A Plan for Action, A Plan for Change*
- *Partnership for Care*
- *NHS MEL (1999) 59*

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

Appendix 2:

Membership of the Review Group

The review of the Staff Governance Standard was carried out by a short-life working group of the Scottish Workforce and Staff Governance Committee. This included:

Ian Reid (Chair)	Director of HR NHS Greater Glasgow and Clyde
John Callaghan	Employee Director, NHS Ayrshire and Arran
John Gallacher	UNISON
Michael Fuller	AMICUS
Jacqui Jones	SEHD, Workforce Directorate (until April 2006)
Diane Murray	SEHD, Workforce Directorate
Ryan Gunn	SEHD, Workforce Directorate
Claire Brennan	SEHD, Workforce Directorate



Partnership Forum

Performance Through People



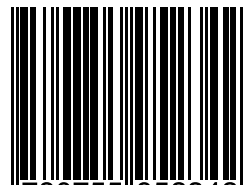
SCOTTISH EXECUTIVE

Further copies are available from
Blackwell's Bookshop, 53 South Bridge, Edinburgh EH1 1YS
Telephone orders and enquiries 0131 622 8283 or 0131 622 8258

© Crown copyright, 2007

RR Donnelley B48478 05/07

ISBN 978-0-7559-5234-2



9 780755 952342