

Northumberland, Tyne and Wear NHS Foundation Trust

Board of Directors

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| Meeting Date: 28 February 2018 |
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| Title and Author of Paper: Workforce Quarterly Update – Lynne Shaw, Deputy Director of Workforce and OD |
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| Executive Lead: Lisa Crichton-Jones |
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| Paper for Debate, Decision or Information: Information |
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| Key Points to Note: | |
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| WORKFORCE STRATEGIC AIMS: | ✓ |
| We will develop a representative workforce which delivers excellence in patient care, is recovery focussed and champions the patient at the centre of everything we do. | ✓ |
| We will embed our values, improve levels of staff engagement, create positive staff experiences and improve involvement in local decision-making. | ✓ |
| We will lead and support staff to deliver high quality, safe care for all | ✓ |
| We will help staff to keep healthy, maximising wellbeing and prioritising absence management | ✓ |
| We will educate and equip staff with the necessary knowledge and skills to do their job | ✓ |
| We will be a progressive employer of choice with appropriate pay and reward strategies | ✓ |

The Workforce Directorate quarterly report outlines some of the key work and developments across the Trust. The report supports the six key aims of the Workforce Strategy which was ratified by the Trust Board in summer 2015 and refreshed in March 2017.

This paper includes updates on:

1. Cultural Ambassador Programme
2. Good practice in creating positive staff experience and compassionate workplaces
3. Collective Leadership Programmes
4. Clinical Business Unit Development
5. OD Associates Network
6. Medical Recruitment Events
7. International Recruitment Update
8. EU Citizens working in the NHS
9. Medical Recruitment Continuous Improvement Event
10. North East Better Health at Work Award – Maintaining Excellence
11. Dry January 2018
12. Apprenticeship Recognition
13. Gender Pay Gap Reporting

In Other News:

- National Workforce Strategy Consultation
- NMC Consultation – Proposed Fees for the new Nursing Associate Role
- Settlement Agreements
- Employment Allowance
- The General Data Protection Regulation (GDPR)
- Grandparental Leave
- Parental Bereavement Bill

Risks Highlighted: N/A

Does this affect any Board Assurance Framework/Corporate Risks?
Please state Yes or No No

Equal Opportunities, Legal and Other Implications: Various aspects of Employment Law

Outcome Required: Information Only

Link to Policies and Strategies: Workforce Strategy

Workforce Quarterly Report

12 February 2018

Strategic Aim 1

1. Cultural Ambassador Programme

The Trust is taking part in a project to reduce the risk of discrimination against Black, Asian and Minority Ethnic (BAME) staff facing disciplinary action. The Cultural Ambassador programme devised by the Royal College of Nursing (RCN) in the West Midlands and delivered in partnership with Birmingham and Solihull Mental Health NHS Foundation Trust was a finalist in the awards run by the Healthcare People Management Association. It has been successful and is being rolled out across the country and we are pleased that the Trust has been asked to take part in the work.

The aim of the cultural ambassador is to help ensure fairness in how BAME staff and students are treated amid concerns that they are disproportionately subject to disciplinary action. The programme involves a three-day training course for volunteers to increase their knowledge, skills and understanding of relevant legislation and topics. Volunteers will be mentored throughout their involvement with the project and once trained will act as advocates for BAME members of staff involved in the disciplinary and grievance processes.

A meeting took place in January between volunteers for the programme, their managers and the RCN at which discussions took place about how the programme would work within the Trust. Since then provisional dates in late May have been set for the training.

Discussions are currently underway internally in terms of how the success of this programme will be monitored and reported.

Strategic Aim 2

2. Good Practice in creating positive staff experience and compassionate workplaces

In late 2017 we responded to an NHS England request for case studies regarding creating positive staff experience and compassionate workplaces. For our submission we focused upon the impact of Speak Easy work since its introduction. In January we discovered that our 1000 word submission has been selected for publication in the final guide. The guide will be launched during an event at Skipton House on Friday 23 March 2018.

We have had very early discussions with Trust Innovations as to how we may assist other organisations with such a model should any enquiries arise.

3. Collective Leadership Programmes

A comprehensive collective leadership development programme has been running for the past five months for the newly formed Clinical Business Units (CBUs). In addition to themed sessions on subjects such as resilience, gaining and losing autonomy etc, each CBU has been working on their development plans, that include for example, approaches to staff engagement. Each CBU has also been given access to engage in more specialised 'clinics' with management consultant Ken Tooze.

A three session collective leadership programme for corporate staff is also in progress. Mirroring the broad aims of the operational programme, the intention is to bring both the operational and collective programmes together for a day event, where (amongst other things) we will explore some of the key themes affecting both groups of staff.

4. Clinical Business Unit (CBU) Development

A number of masterclasses have been arranged for the new Clinical Business Units. These sessions will commence in March and will cover a wide range of topic areas including:

Workforce -

- Investigations and Hearings
- Sickness management and reasonable adjustments
- Whistleblowing / Raising Concerns
- Performance Management
- Maintaining High Professional Standards

Other -

- Commissioning, Quality and Performance
- Developing Services for the 2020s – Quality Cycles and Making a Case for Change
- Engagement Skills
- Financial and Business Management
- Maintaining your own resilience
- Power and Influence

5. Organisational Development (OD) Associates Network

The OD Associates network continues to build and grow. Following its launch event in July 2017, a number of actions have been undertaken, including the development of a member interest/skill database, the creation of a shared cloud drive to store resources and tools and the facilitation of a 'Think Tank' event that explored, at the request of two Executive Directors, two complex problems. An Associates development event was attended by 60 people in January 2018, and members either delivered or participated in four workshops including two events organised by our Communications Team.

The network will continue to meet on a regular basis to support the implementation of the OD strategy, with their work overseen by CDTW.

Strategic Aim 3

6. Medical Recruitment Events

An Old Age Psychiatry Trainee Conference took place on 25 and 26 January 2018 at the Copthorne Hotel. The Trust sponsored the event and took the opportunity to showcase the Trust at a medical recruitment stand. The event was mainly aimed at Higher Trainees in Old Age Psychiatry from around the UK but also included a few Specialty Doctors and Consultants with 65 delegates attending over the 2 days. The Medical Recruitment Team (Jackie Snaith and Mark Richardson-Quinn) were in attendance along with Jonathan Richardson, Group Medical Director (South Locality) and Ewa Downie, Associate Medical Director (South Locality) also assisting on the stand. Discussions were held with most in attendance, with 28 delegates leaving their details for more information to be forwarded to them about opportunities working in the Trust.

The pre-dinner drinks reception was found to be very helpful. Positive feedback was received from the delegates and conference organisers about the recruitment stand and support provided by the team.

Medical managers will follow through on the contacts made over the coming weeks.

7. International Recruitment Update

Three Consultants and one Speciality doctor have recently started the Trust following the visit to India in March 2017 with a further four (3 Consultants and 1 Speciality doctor) due to join the Trust in February or March 2018.

Feedback from the international doctors in respect of their pastoral care has been excellent and the introduction of the relocation support post has been seen as a positive development for international and out of area recruits.

8. EU Citizens working in the NHS

The European Council met during December 2017 to continue negotiations between the UK and the EU regarding the future relationship. It has been agreed that EU citizens living lawfully in the UK prior to the UK's exit from the EU will be able to stay. The deal will respect the rights that individuals are exercising and the benefits they currently have. The agreement will not only enable families who have built their lives in the EU and UK to stay together, it also gives certainty about healthcare, pensions and other benefits. It includes reciprocal rules to protect existing decisions to recognise professional qualifications, for example for doctors and architects.

A new, transparent, smooth and streamlined process to enable them to apply for settled status will start during the second half of 2018 and remain open for at least two years after the UK leaves the EU.

This will have a positive impact on the Trust which employs staff from 26 of the EU countries.

9. Medical Recruitment Continuous Improvement Event

A five day continuous improvement event took place week commencing 11 December 2017. Jointly sponsored by Gary O'Hare, Rajesh Nadkarni and Lisa Crichton-Jones this event reviewed how current recruitment processes were carried out in order to streamline and improve the overall experience for candidates and managers. Over 15 medical managers and workforce staff were involved. The Group streamlined the full recruitment process for medics and reduced the admin burden for medical managers. A further workshop is currently being arranged to review specific elements of the process which were "parked" during the week. 30, 60 and 90 day reviews have been set up to evaluate the changes made.

Strategic Aim 4

10. North East Better Health at Work Award – Maintaining Excellence

The Better Health at Work award recognises the efforts that employers in the North East and Cumbria make in addressing health issues and promoting healthy lifestyles in the workplace.

There are four levels of the award each with prescriptive requirements: Bronze, Silver, Gold and Continuing Excellence. The Trust has held the Continuing Excellence standard since 2009 and this year it was decided to introduce an extra accreditation - Maintaining Excellence for those organisations that have held Continuing Excellence for some time. The purpose of this is to remove the in-depth assessment process which is both written and face to face, to one which requires the organisation to complete an assessment form update in the knowledge that they may be selected to also submit a portfolio of evidence.

To achieve Continuing / Maintaining Excellence organisations are required to:

- Provide evidence of a Wellbeing strategy and progress against it
- Conduct a health and wellbeing survey every two years
- Support a minimum of five health related campaigns
- Have trained Workplace Health Advocates
- Raise health awareness - covering identified topic e.g. sexual health, alcohol and oral health
- Produce a case study of the organisation's achievements
- Have various policies and a social values approach.

We have recently been informed that our 2017 submission has been successful and we have achieved Maintaining Excellence level of the Award. The ceremony will take place in March 2018.



North East
Better Health
at Work Award
Maintaining Excellence

11. Dry January 2018

Dry January was the first major campaign of 2018 and was promoted across the seven main Trust sites.

On display were health promotion props including wine, spirit, cocktail and beer drinking glasses, which showed units of alcohol and sugar content in alcohol. Visitors to the stand were encouraged to try on the Beer Goggles (which simulate vision and mobility whilst under the influence of alcohol). 'Mocktail' recipes were handed out along with information about the impact alcohol can have on physical and mental health.

A range of information in the form of leaflets from Alcohol Concern, Drink Ware, Northumberland Tyne and Wear NHS Foundation Trust and Dry January were made available for staff and patients to take away. The purpose of the campaign was to promote safe levels of alcohol consumption, the risks associated with drinking, the benefits of not drinking and to encourage a month without alcohol.

116 people attended the stalls across the sites, the information was well received and 49 of these provided e-mail addresses and agreed to feedback regarding any lifestyle changes made following the event.

Strategic Aim 5

12. Apprenticeship Recognition

The Trust has recently been named as one of England's Top 100 Apprenticeship Employers as advised by the Government's Apprenticeship Service, in conjunction with the Education and Skills Funding Agency. The list is compiled annually and features businesses that entered the National Apprenticeship Awards 2017 and were selected as having displayed the highest standards of excellence in employing apprentices. These awards acknowledge excellence in organisations that grow their own apprentice talent and apprentices who make a significant contribution to the workplace.

Members of the Vocational Training team attended the 14th National Apprenticeship Awards at London's Grosvenor House Hotel on 18 January 2018 and were officially recognised as an award-winning apprenticeship employer. Employers of all sizes and from a range of sectors, three apprentices and an apprentice champion were all recognised for their commitment to apprenticeships.

In gaining a place on this list we will gain further recognition for the promotion of apprenticeship opportunities within our Trust.

Strategic Aim 6

13. Gender Pay Gap Reporting

The first gender pay gap reports are due to be published in April 2018 for the payroll period including the snapshot date of 31 March 2017. Information on any bonuses paid also needs to be published at the same time for the 12 month period.

All companies which employ 250 or more are required to publish this information. There is no obligation for companies to explain the gender pay gap, nor any duty to address it if a company is complying with the Equality Act however, as we saw when the BBC published the salaries of its top earners, there can be huge fallout and potential reputational damage where a large gap is shown with no explanation. Furthermore, the best candidates may not be attracted to working for companies with a big gender pay gap if they feel that their gender will adversely impact their career prospects.

National system changes to the Electronic Staff Record (ESR) have now been completed and work is now underway to produce the necessary reports. This analysis will be considered first through CDT ahead of formal publication.

In other news:

NHS and Social Care Workforce Strategy Consultation

A system-wide workforce strategy for the NHS and social care was launched in Mid December for consultation: *Facing the Facts, Shaping the Future, A Health and Care Workforce Strategy for England to 2027*.

The content has been led and coordinated by Health Education England, but is published as a product of the whole national system including NHS England, NHS Improvement and Public Health England.

The draft strategy looks at the major workforce plans for the Five Year Forward View priorities: cancer; mental health; maternity; primary and community care; and urgent and emergency care.

It also contains recommendations for new programmes including the impact of technological advances, examining how training can be improved to make sure that the workforce is being prepared for the future.

A number of discussions have taken place within the Trust including Trust Board, Corporate Decisions Team, CDT Workforce and with the workforce team and will be collated before submission prior to the deadline date of 23 March 2018. In addition we have contributed to feedback via NHS Employers, NE Social Partnership Forum and will be attending the main regional consultation event, led by HEE on 9 March 2018.

NMC Consultation – Proposed Fees for the new Nursing Associate Role

The Nursing and Midwifery Council (NMC) is seeking views on the proposed fees for the new nursing associate role that will be introduced in England. It was agreed by the NMC, following a request from the secretary of state, to regulate nursing associates. This consultation sets out how the registration fees that the NMC will charge nursing associates in order to regulate them, links to the processes that the NMC will use to register nursing associates. If the NMC's legislation is changed on time, a new nursing associate part of their register will be planned to be opened in January 2019.

A Trustwide response has been collated and submitted.

Settlement agreements

Changes to the taxation of termination payments are expected to take place from April 2018. Employer National Insurance Contributions (NICs) will apply for all settlements above £30,000 whereas previously they were only subject to tax. All Payments in Lieu of Notice (PILON) will be taxable under the settlement agreement, even if there is no specific PILON clause in the contract. Previously, tax only applied if there was a PILON clause – now it's whether or not there is such a clause.

Employment allowance

From April 2018, employers will not be able to claim the Employment Allowance for one year if they have hired an illegal worker, been penalised by the Home Office or exhausted all appeal rights against that penalty. From an employment law stance, this reinforces the importance of always protecting your organisation by ensuring that you do right to work checks at the start of each employment. On the very first day of employment the first thing an employer should do is to introduce themselves and then take a copy of their passport, visa or other document that gives them the right to work. If an employee has a visa with an expiry date, a clear diary note should be made to seek an update when the visa is coming to an end. It is no longer good enough to say that you didn't realise a visa had expired.

Work is currently underway to review current internal processes.

The General Data Protection Regulation (GDPR)

GDPR will take effect from 25 May 2018. It was introduced by the EU in order to strengthen data protection for all individuals within the EU, as well as addressing the export of personal data outside the EU. GDPR will be applicable in the UK despite Brexit. The main change for organisations to be aware of when the GDPR takes effect is that the liability that will come from breaching the regulations is huge; you can be fined up to 4% of your global turnover or €20 million, whichever is higher.

Employees will have more control over their personal data. Access to data will be quicker and will also be free, instead of the current £10.00 charge. However, an organisation can make a reasonable charge if the request is manifestly unfounded or excessive e.g. repetitive requests with a view to causing disruption.

The workforce implications of GDPR are currently being scoped.

Grandparental leave

It is anticipated that grandparents will be able to use the Shared Parental Leave system in order to help with childcare. No final details have been published but the proposed legislation could mean that a grandparent could use any untaken Maternity Leave/Shared Parental Leave that has not been used by the parents. They could also be entitled to any Maternity Pay/Shared Parental Pay that has not been used by the parents of the child. This is still at the proposal stage so we need to keep an eye on it to see if the Government decides to pursue the proposed policy or not. At this stage, few people have used Shared Parental Leave since it was introduced so it is unclear whether or not grandparents would actually use it, should it happen. Flexible working requests are likely to be a more popular choice.

Parental Bereavement Bill

The Parental Bereavement Bill is currently progressing through Parliament. It is currently at Committee Stage which is the most detailed part of the process, and will then need a 3rd reading in the House of Commons before going to the Lords. This Bill will entitle employees who lose a child under the age of 18 to take two weeks' leave which will be paid at the statutory rate, if they have 26 weeks' service. Currently, employed parents only have a day-one right to take a reasonable amount of unpaid time off in order to deal with an emergency involving a dependent, including death of a dependent. The Government confirmed its backing for the Parental Bereavement (Leave and Pay) Bill in October 2017 but it is unlikely to take effect in 2018, more likely 2019 or even 2020. Once it has passed all the parliamentary stages it will then require regulations to be made to define who gets the leave beyond just the mother and father in order to become law.

The Trust is currently considering introducing this into current policies prior to it becoming legislation to support staff who may find themselves in this situation.

Lynne Shaw
Deputy Director of Workforce