

GREATER GLASGOW NHS BOARD

STAFF GOVERNANCE COMMITTEE

**Minutes of a meeting of the Staff Governance Committee
held in Conference Room 1, Dalian House,
350 St Vincent Street, Glasgow,
at 2.00 p.m. on Tuesday 16 December 2003**

PRESENT

Professor Sir John Arbuthnott (Joint Chair)
Mr W Goudie (Joint Chair)

Mr J Cameron	Mrs J McCready (from Minute 24b)
Mr R Cleland (to Minute 24)	Mrs H Ostrycharz
Mr T Davison (from Minute 24b)	Mr I Reid
Mrs S Kuenssberg CBE	Mr D Sime
Mr S MacLennan	Mrs E Smith

IN ATTENDANCE

Mr J C Hamilton	Head of Board Administration
Ms J Thompson	Human Resources Manager

ACTION BY

22. APOLOGIES

Apologies for absence were intimated on behalf of Ms S Forsyth, Ms K Murphy and Mr A O Robertson CBE.

23. MINUTES OF PREVIOUS MEETING

The Minutes of the Staff Governance Committee [GGNHSB SGC(M)03/3] held on 16 September 2003 were approved as a correct record.

24. MATTERS ARISING

a) Request for Legal Advice

Mr Cameron referred to the reference within page 2, paragraph 1 of Minute 17(a) to advice being sought as to whether PIN Guideline policies were a legal requirement. Ms Thompson reported that she had raised the issue with the Central Legal Office, and that the initial response had been that these were not a contractual entitlement. However, confirmation of this advice was currently being sought.

**Human Resources
Manager,
GGNHSB**

b) Parental Leave Policy

A paper [03/09] was submitted asking the Committee to note the decision of the Corporate Management Team regarding a consistent method of applying the Parental Leave policy on a pan-Glasgow basis.

Mr MacLennan tabled a motion recommending that the Staff Governance Committee reject the decision.

Mr Hamilton reminded the Committee of its decision to remit the implementation of the policy to the Chief Executives of NHS Greater Glasgow. This matter had been discussed by the Corporate Management Team and was now being reported back to the Staff Governance Committee. The Committee's request had therefore been met.

Mr Goudie suggested that the decision should have been referred back to the Staff Governance Committee before being implemented, particularly since this decision involved a change to a PIN Guideline.

Mr Cameron advised that the PIN Guideline had been implemented, but that given the financial position, the Corporate Management Team had taken the view that it would be inappropriate to allow paid leave. This was consistent with other decisions affecting new developments. Given the commitment to review the position when the system was back in financial balance, this seemed reasonable.

Mr MacLennan stated that the decision had not been taken in partnership, and would not have been agreed had this been the case. He also expressed concern regarding this means of addressing a financial crisis.

Sir John invited Committee members to give their individual views, and the following points were made:

- In the light of the current financial position, and in the context of other developments, the organisation could not commit to offering paid leave. The issue would however be revisited when finances were in balance.
- There was already a generous suite of family friendly policies. The statutory position only provided for unpaid leave, and in that context NHS Greater Glasgow would still be acting as a good employer.
- Partnership working applied equally in good and bad times: this decision must be taken in the wider context, not just of staff governance but clinical and financial governance, and it must be accepted that there were certain developments which the organisation simply could not afford.
- To implement the parental policy in any way other than offering unpaid leave would not be supportive of the organisation's corporate governance responsibilities.

- The remit of this Committee was to ensure that policies were applied consistently in the system as a whole. The Committee had asked the Chief Executives to do this, and they had complied, so the Committee's responsibility had been discharged. It was not the role of this Committee to negotiate with the trades unions, and the process had therefore been followed appropriately.
- The NHS Board had failed in its diligence in not implementing the policy timeously.
- The timing was unfortunate, but in September 2003 the parental policy had been in different stages of implementation in different Trusts, and therefore not consistent. Since then the extent of the financial crisis had become more evident, and the NHS Board could not commit to resources which were not available. Leave should therefore be unpaid for the present, but with a commitment to consider paid leave when the finances were in balance.
- Although it was not the remit of the Committee to implement PIN Guidelines, it had a responsibility to assure the NHS Board that arrangements complied with the Staff Governance Standard. The purpose of the PIN Guidelines was to support best practice, and since January 2002 the Scottish Executive Health Department had required that the Guidelines be implemented in such a way that any variation would be to the benefit of staff. The staff side took the view that the model policy was a minimum standard which the majority of NHS employers had implemented, and that NHS Greater Glasgow was not complying with the Staff Governance Standard
- The view regarding the financial position was not contrived, and the Chief Executives had an enormous responsibility to deliver on many initiatives from the Scottish Executive. Although the point regarding best practice was valid, the reality of the situation must be recognised.
- It was accepted that the Chief Executives had complied with the Committee's request, but this had been carried out in a manner which was unacceptable to the staff side. It would have been better if a report had been submitted back to the Staff Governance Committee. Although the Employee Director was a member of the Corporate Management Team (but not present when the decision had been taken), this decision, in the absence of a negotiating mechanism, had bypassed partnership organisations in Greater Glasgow.

The Committee went on to consider its response to the Chief Executives' decision, and Mrs McCready proposed that they refer the matter back to the Area Partnership Forum.

Mr Davison suggested that it would not be appropriate for the Area Partnership Forum to decide on the implementation of the Parental Leave policy. Any decision would have to be made in the context of the financial crisis and this issue could not be considered in isolation. He also suggested that part of the difficulty lay in the lack of a negotiating forum within the single system, and it was agreed that a mechanism would need to be established.

Mr Cameron proposed that the Committee note the decision, and whilst disappointed that the PIN Guideline had not been fully implemented, welcomed the commitment to full implementation in due course. It was agreed that the Area Partnership Forum, whilst not a formal decision making body, should have a role in monitoring the achievement of this objective and make its views known.

Following discussion, this approach was agreed, and Sir John suggested that the Committee should also note that the single system required a negotiating forum.

DECIDED:

1. That the decision of the Corporate Management Team with regard to implementation of the Parental Leave Policy be noted. Whilst disappointed that the PIN Guideline had not been fully met, the Committee welcomed the commitment to full implementation in due course.
2. That steps be taken to establish a single system negotiating forum in recognition of the establishment of single system working from 1 April 2004.

25. 2003 STAFF SURVEY

A paper [03/10] was submitted and a presentation provided by the Director of Human Resources, Yorkhill NHS Trust, which summarised the outcome of the 2003 Staff Survey.

It was agreed that the areas of greatest concern were the apparent lack of commitment to training and development, particularly the lack of Personal Development Plans, and staff concerns regarding violence and aggression.

Mr Hamilton explained that the Staff Governance Committee's role was to receive a report from the Area Partnership Forum. Each Local Partnership Forum would prepare its own action plan, and the Area Partnership Forum was charged with compiling a pan-Glasgow action plan which would be submitted to the Staff Governance Committee.

DECIDED:

1. That the outcome of the 2003 Staff Survey be noted.
2. That each Local Partnership Forum be asked to compile an action list based on their results and submit to the Area Partnership Forum in February 2004 and a note on progress to the next meeting of the Staff Governance Committee.
3. That each Local Partnership Forum provide a report to the Area Partnership Forum highlighting the progress achieved from the 2002 Staff Survey.

26. REPORT FROM AREA PARTNERSHIP FORUM

A paper [03/11] was submitted by the Employee Director reporting on the business of the Area Partnership Forum.

There followed a discussion regarding Pay Modernisation, in particular Agenda for Change, and concern was expressed regarding the size of the task and the limited resources available locally and nationally. Mr Reid advised that national discussions on this issue were ongoing.

It was agreed that the Committee would note the position, and request that it be kept informed of progress, particularly with regard to capacity.

DECIDED:

That the report be noted, and that the Committee should be kept informed of progress, and the outcome of national and local discussions.

**Chief Executive,
Primary Care
Trust**

27. CONSULTATION PAPER: AMENDING THE NHS REFORM (SCOTLAND) BILL TO INCLUDE STAFF GOVERNANCE

There was submitted a report [03/12] which included a consultation paper from the Scottish Executive on amending the NHS Reform (Scotland) Bill to include legislative provision for staff governance.

Mr Reid suggested that the Staff Governance Committee should endorse and support this approach. Comments to be included in a response from NHS Greater Glasgow should be forwarded to the Human Resources Manager, Greater Glasgow NHS Board, before 4 February 2004.

**Human
Resources
Manager,
GGNHSB**

DECIDED:

1. That the proposals contained in the consultation be endorsed in principle.
2. That members submit comments on the consultation to the Human Resources Manager at the NHS Board prior to 4 February 2004 for incorporation into the Board's response.

Members

28. DATE OF NEXT MEETING

The Human Resources Manager, Greater Glasgow NHS Board, would arrange for members to be canvassed for dates for quarterly meetings in 2004.

**Human
Resources
Manager,
GGNHSB**

The meeting ended at 4.10 p.m.