NHS Education for Scotland   NES/23/16

AGENDA FOR THE ONE HUNDRED AND SEVENTY THIRD BOARD MEETING

Date: Thursday 23 March 2023

Time: **10:15 – 11:30**

Venue: Hybrid meeting: MS Teams / Room 1 Westport, Edinburgh.

1.   **10:15 Chair's introductory remarks**

2.   **10:16 Apologies for absence**

3.   **10:17 Declarations of interest**

4.   **10:18 Minutes of the One Hundred and Seventy Second Board Meeting** 16 February 2023 for approval   NES/23/17

5.   **10:20 Matters arising from the Minutes and notification of Any Other Business**

6.   **10:21 Actions from previous Board Meetings**   NES/23/18
      For review

7.   **Chair and Chief Executive reports**

      a. **10:25** Chair's Report   NES/23/19

      b. **10:35** Chief Executive's Report   NES/23/20

8.   **Strategic Items**

      a. **10:55** Draft Strategic Risks and Risk Appetite   NES/23/21
          For Approval (J. Boyle)

      b. **11:05** Draft Strategy Consultation: Update on Progress   Verbal Item
          For Update (C. Bichan)

9. **Performance Items**

    a. **11.10** Public Sector Duties: Two-year progress report (April 2021 - April 2023)
        For Approval (K. Hetherington)   NES/23/22

10. **Governance Items**

    a. Significant issues to report from Standing Committees:

        i.   **11:15** Education and Quality Committee held on 22 March 2023
             (D. Hutchens, verbal update)

        ii. **11:18** Technology and Information Committee held on 15 March 2023
             (D. Garbutt, verbal update)

    b. **11:21** 2023/24 Draft Board Schedule of Business
        For Review and Approval (D. Thomas)   NES/23/23

11. **Items for Homologation or Noting**

    a. **11:25** NES Standing Committee Minutes:

        i.   Digital and Information Committee, 31 October 2022   NES/23/24
        ii. Education and Quality Committee, 8 December 2022   NES/23/25
             (To follow)
        For Homologation

    b. i.Matter Report   NES/23/26
        For Noting (T. Ashworth-Davies)

12. **11.25 Any Other Business**

13. **11:30 Date and Time of Next Meetings**

    - **Private Formal Board:** 23 March 2023 at 11:40
    - **Board Development:** 20 April 2023 at 10:15
    - **Public Board:** 25 May 2023 at 10:15

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Draft for Board approval

NHS Education for Scotland

DRAFT MINUTES OF THE ONE HUNDRED AND SEVENTY-SECOND BOARD MEETING HELD ON 16 FEBRUARY 2023

As a result of NES moving into a hybrid approach to work from March 2022, this meeting was held via Microsoft Teams and as an in-person meeting opportunity at the NES Westport office in Edinburgh.

Present:	David Garbutt (DG) (Chair)
	Jim Boyle (JB), Executive Director of Finance
	Anne Currie (AC), Non-Executive Director / Equality, Diversity and Human Rights Champion
	Jean Ford (JF), Non-Executive Director
	Lynnette Grieve (LG), Non-Executive Director / Employee Director
	Douglas Hutchens (DH), Non-Executive Director (Vice Chair)
	Gillian Mawdsley (GM), Non-Executive Director / Whistleblowing Champion and Climate Emergency and Sustainability Champion
	Karen Reid (KR), Chief Executive and Accountable Officer
	Emma Watson (EW), Executive Medical Director
In attendance:	Tracey Ashworth-Davies (TAD), Director of Workforce / Deputy Chief Executive (Corporate)
	Christina Bichan (CBi), Director of Planning & Performance
	Francesca Capaldi (FC), Scottish Clinical Leadership Fellow (to observe)
	David Felix (DF), Postgraduate Dental Dean / Director of Dentistry
	Angella Fulton (AF), Associate Director, Social Care (to observe)
	Nick Hay (NH), Public Affairs Manager (to observe)
	Alice Harpur (AH), Scottish Clinical Leadership Fellow (to observe)
	Claire Neary (CN), Policy & Briefings Manager (to observe)
	Gordon Paterson (GP), Director of Social Care
	Margaret Reid (MR), Principal Lead, Finance (joined the meeting at 10.30am for item 8 only)
	Theresa Savage (TS), General Manager, Social Care (to observe)
	Janice Sinclair (JS), Deputy Director of Finance (joined the meeting at 10.30am for item 8a only)
	Della Thomas (DT), Board Secretary / Principal Lead, Corporate Governance
	Lizzie Turner (LT), Head of Finance Business Partnering (joined the meeting at 10.30am for item 8a only)
	Alison Shiell (AS), Manager, Chair & Chief Executive's Office (Minute Taker)

1. Chair's Introductory Remarks

1.1. The Chair welcomed everyone and highlighted that this meeting marked the sixth consecutive time the Board has met in a hybrid format. The Chair extended particular welcomes to Angella Fulton (Associate Director, Social Care) and Theresa Savage (General Manager, Social Care) who were observing the meeting as part of their induction into NES. He also welcomed two Scottish Clinical Leadership Fellows; Francesca Capaldi and Alice Harpur, who attended as observers as part of their leadership training experience.

2. Apologies for absence

2.1. Apologies for absence were received from the following Board members: Jean Ford and Karen Wilson.

2.2. Apologies were also received from the following regular Board meeting attendees: Colin Brown, Kevin Kelman, John MacEachen, Judy Thomson, Anne Watson and Christopher Wroath.

3. Declarations of interest

3.1. There were no declarations of interest in relation to any of the items of business on the agenda for this Board meeting.

4. Minutes of the One Hundred and Seventy-First Board Meeting (NES/23/02)

4.1. The minutes of the Board meeting held on 24 November 2022 were approved.

5. Matters arising from the minutes and notification of Any Other Business

5.1. There were no matters arising in relation to the minutes of the last Board meeting. There were also no notifications of any other business requiring consideration by the Board.

6. Actions from previous Board Meetings (NES/23/03)

6.1. The Board received the rolling Board action list for review and agreement. The Board noted that five out the six actions are now complete. An update was provided in relation to the one action that remains in progress.

6.2. The following point was discussed:

    a. 24 November 2022, Minute 8.6b: In response to a query from the Board, Karen Reid advised that she had met with Karen Wilson and Tracey Ashworth-Davies to agree proposed wording for a collective 2023-24 sustainability objective for the NES Executive Team (ET). The ET 2023-24 objectives will be submitted to the Remuneration Committee for approval in June 2023. Further discussions will take place during 2023-24 in relation to how sustainability and the climate change emergency can be embedded within NES education and training with a view to all NES staff having a sustainability-focused objective for 2024-25. Therefore, this action is complete.

6.3 The Board noted the update in relation to the COVID-19 Risk Annex mapping process action and that further information, in relation to strategic risk development, will be shared at the Board Development Session on 20 February 2023. The action list was agreed.

7. Chair & Chief Executive Updates

a. Chair's Report (NES/23/04)

7.1. The Chair presented a paper outlining his recent meetings and activity since the November 2022 Board in his roles as Chair of the NES Board and a member of the NHSS Board Chairs Group (BCG).

7.2 As part of his introductory comments, the Chair highlighted that Scottish Government approval has been received in relation to Douglas Hutchens' (Non-Executive Director and Vice Chair) extension of term for six months (1 March – 31 August 2023). On behalf of the Board, the Chair thanked Douglas Hutchens for his significant and ongoing contribution to the Board and noted that this extension will provide additional support for incoming Non-Executive Directors.

7.3 The Chair invited questions from the Board, and the following points were discussed:

   a. The Board noted that the Chair, Karen Reid and Colin Brown met with senior colleagues from the universities of Strathclyde and Dundee in December 2022 and January 2023 respectively to discuss opportunities for future collaboration and co-operation. In response to a query from the Board, Karen Reid advised that NES aims to engage with all universities in Scotland to discuss the opportunity for targeted strategic partnerships, particularly in the context of the delivery of NES's new strategy.
   b. The Board asked for further information regarding the open event that was held for potential applicants to NES Non-Executive Director roles as part of the overall recruitment process. The Chair advised that the event was well attended with positive feedback received both during and after the event. Both Douglas Hutchens and Anne Currie were also in attendance and they highlighted the benefit of being able to share their experiences and ensure potential applicants understand NES's growing role in supporting the health and social care workforce.

7.4 The Chair thanked Board members for their discussion and moved onto the next item on the agenda.

b.   Chief Executive's Report   (NES/23/05)

7.5 Karen Reid introduced this report and began by highlighting a number of staffing announcements:

   a. Anne Watson (Postgraduate Pharmacy Dean / Director of Pharmacy) will retire from NES at the end of June 2023. Karen Reid noted that Anne Watson's leadership has been instrumental in taking forward the education and training of the Pharmacy workforce in Scotland and her contribution both within NES and the Pharmacy profession cannot be underestimated. NES will ensure that Anne's contribution is fully celebrated before she leaves the organisation later this year.
   b. Lindsay Donaldson joined NES on 9 January 2023 as Deputy Medical Director.
   c. Claire Sweeney has recently joined NES from Public Health Scotland (PHS) to support the NES-led NHSS Board Development work. Prior to PHS, Claire Sweeney was an Assistant Director at Audit Scotland.
   d. David McColl (Deputy Director, NES Technology Service) will shortly join the Scottish Government (SG) Health and Care Directorate as a Deputy Director on a two-year secondment. Karen Reid thanked David McColl for his significant contribution to NES and wished him well in his new role.

7.6. Karen Reid then highlighted the following items within the report for the Board's information:

   a. Karen Reid highlighted item 10c on the Board meeting agenda which asks the Board to note and homologate a proposal to extend and expand the role of the NHS Scotland Academy (NHSSA) Director and transfer employer arrangements to NES. The proposal has been agreed in conjunction with NHS Golden Jubilee as NES's NHSSA partner and approved by the NES Education and Quality Committee. Karen

Reid congratulated Kevin Kelman on his new, expanded role as Director of the NHSSA, Learning and Innovation.

b. Karen Reid, Emma Watson and Pam Nicoll (Associate Director, Remote and Rural) recently met with SG colleagues to discuss the business plan for the National Centre for Remote and Rural Health and Social Care (the Centre). Board members noted that timelines for the establishment of the Centre have been revised in response to the challenging fiscal environment. NES is awaiting feedback from SG in response to the revised business plan.

c. As a result of an action agreed at the September 2022 Public Board meeting, the February Chief Executive's (CE) report included an update on the Climate Change Emergency and Sustainability. This will be a standing item in CE reports going forward. Karen Reid highlighted that NES submitted its Public Bodies Climate Change Duties report to SG at the end of November 2022. SG have responded with a small number of requests for additional information regarding carbon emissions from employee car travel and electricity consumption at NES premises. These will be taken forward by NES's Executive Director of Finance in his role as Climate Change Emergency and Sustainability Executive Lead. Karen Reid advised the Board that NES will continue to focus on its contribution to SG's net zero commitment via consideration of the organisation's estate and embedding sustainability into future education and training delivery.

d. Karen Reid highlighted the establishment of a Project Management Office (PMO) within the Workforce directorate which will manage the delivery of a Corporate Improvement Programme using a programme and project management approach.

7.7 Karen Reid commended the exceptional work that is being delivered across all areas of NES and the NHSSA. During discussion, the following points were raised:

a. The Board welcomed the high level of engagement with health and social care stakeholders highlighted throughout the CE report. In response to a query from the Board, Karen Reid confirmed that stakeholders were getting in touch with NES directly to ask to contribute to new pieces of work including a recent request from SG to develop education and training to support SG's new suicide prevention strategy, with a particular focus on education for the social care workforce. Karen Reid also highlighted that Gordon Paterson and Christina Bichan are due to commence a series of individual engagement meetings with external stakeholders to discuss NES's new strategic plan.

b. The Board welcomed the Climate Change Emergency and Sustainability update. Jim Boyle advised that SG had contacted all 22 NHSS Boards regarding their Public Bodies Climate Change Duties reports and noted that all Boards are in the early stages of developing sustainability initiatives to support the response to the global climate change emergency.

c. In response to a query from the Board, Karen Wilson advised that recruitment to posts supporting the development of education and training for SG's NHS Gender Identity Services: Strategic Action Framework is currently in progress. Karen Wilson emphasised NES's role in providing high quality education and training to support clinical and care practitioners in this area.

d. The Board discussed the importance of NES staff completing their required essential learning. Tracey Ashworth-Davies advised that a corporate communication will shortly be issued encouraging staff to complete their essential learning by the end of March 2023.

e. The Board welcomed the COVID-19 UK and Scottish Public Inquiries update and noted that NES has received a notice to submit evidence to the Scottish COVID-19 Public Inquiry. The Board discussed the additional impact on individual staff workload in relation to the co-ordination and collation of inquiry evidence and asked whether steps were being taken to mitigate this. Karen Reid advised that NES has taken steps internally to enable additional corporate support to the NES inquiry response. Discussions have also taken place at NHSS Board Chief Executives

meetings in relation to the COVID-19 public inquiries and potential future resource implications. The Board discussed the National Care Service (NCS) in the context of recent media reports regarding its viability. The Board asked whether there were any risks for NES in relation to its developing role supporting the education and training of the social care workforce. Karen Reid advised that NES is committed to supporting the social care workforce with or without the establishment of the NCS. Colleagues in NES continue to work with strategic partners and stakeholders including the Scottish Social Services Council (SSSC) to identify how best to take this work forward. Karen Reid also informed the Board that NES's sponsor team at SG have confirmed that NES does not need to amend its establishment order to deliver education and training to the social care workforce. Gordon Paterson thanked the Board for their discussion and advised that he is liaising regularly with SG to seek further commissions and opportunities to support the social care workforce whilst clarity on the NCS is awaited. Tracey Ashworth-Davies confirmed that NES is supporting the social care workforce in a number of ways including via the National Leadership Development Programme (NLDP) and the extension of the Centre for Workforce Supply to support international social care recruitment.

f. In response to a query from the Board, Karen Reid confirmed that the NES Technology Service's (NTS) partnership with the Care Inspectorate to provide reporting on occupancy in Adult and Older Peoples Care Homes is related to SG's safer staffing legislation (The Health and Care (Staffing)(Scotland) Act 2019) and will be completed by the end of February 2023.

g. In response to a query from the Board, Karen Reid advised that the Surgical First Assistants programme within the NHSSA has been established to develop improved education pathways for all operating theatre support staff.

7.8. The Chair thanked Karen Reid for her report and the Board moved onto the next agenda item.

8. Performance Items

a. 2022/23 Quarter 3 Financial Report   (NES/23/06)

8.1 Jim Boyle presented the 2022-23 Quarter 3 financial report to the Board for review and approval.

8.2 As part of his introductory comments, Jim Boyle advised the Board that based on the financial planning assumption that NES will receive all its outstanding funding allocations a full year forecast position of £4.8m underspend is currently projected. Jim Boyle highlighted several elements that affect NES's year-end position including the UK Government's decision not to progress a 1.25% National Insurance increase which accounts for £1.1m of NES's projected £4.8m underspend and £1.2m relating to a potential return of funding to SG relating to planned revenue expenditure which is now to be met from an agreed capital allocation.

8.3 Jim Boyle highlighted the ongoing challenging financial environment and funding pressures affecting all NHSS Boards. In relation to NES specifically, allocations for additional commissions that have been undertaken on behalf of SG have been delayed, however it is hoped that outstanding allocations will be received via the March 2023 SG allocations letter. Jim Boyle noted the potential for NES's 2022-23 underspend to be used to fund future investment including the planned refresh of Turas Learn. NES Finance colleagues continue to liaise with SG regarding NES's year-end position and it is hoped that a discussion focusing on NES's underspend will take place shortly.

8.4   The paper was taken as read and the following points were raised in discussion:

      a. In response to a query from the Board, Jim Boyle provided assurance in relation to the cancellations of planned cataract simulator purchases and a repurposing of office accommodation. Both cancellations related to long lead-in times covering the tender process, order completion and delivery. SG have been aware of the situation and there are currently no financial risks for NES to manage.

      b. The Board noted the update in relation to Medical Training Grade (MTG) salaries which highlights a full year forecast overspend of £108k and asked how this can be mitigated in future years. Emma Watson noted the challenges associated with the management of MTG salaries and reported that extensive discussions continue with SG colleagues to identify potential solutions going forward.

      c. The Board raised concerns in relation to the outstanding £13.6m of funding from SG that forms part of the overall NES budget and discussed whether this position should be escalated. Karen Reid acknowledged the Board's concerns and welcomed the Board's support in relation to NES's financial position. The Board agreed that Karen Reid should formally write to Caroline Lamb (Chief Executive of NHS Scotland and Director-General Health and Social Care) to highlight the risks for NES as a result of delays in receiving previously agreed funding allocations.

Action: KR / JB

8.5   After discussion the Board approved the 2022-23 Quarter 3 financial report and the Chair thanked Jim Boyle and his team for their work.

b.   2022/23 Quarter 3 Risk Register Report   (NES/23/07)

8.6   Jim Boyle presented the 2022/23 Quarter 3 NES Risk Register to the Board for review and approval. As part of his introductory comments, Jim Boyle highlighted that the Executive Team recently held a dedicated risk session to review and further develop the draft strategic risks in advance of the Board Development session on 20 February. The Board will receive the new strategic risk and risk appetite for formal approval at the March 2023 Public Board meeting.

8.7   There were no questions regarding the content of the report. The Board approved the 2022/23 Quarter 3 Risk Register and the Chair thanked Jim Boyle and his team for their work.

c.   2022/23 Quarter 3 Delivery Performance Report   (NES/23/08)

8.8   Christina Bichan presented the Quarter 3 2022-23 Delivery Performance Report to the Board for review and approval. The paper reported performance against the NES 2022/23 Operational Plan. Christina Bichan gave a short PowerPoint presentation to outline the overall position and steps in relation to future performance monitoring and reporting.

8.9   As part of her introductory comments, Christina Bichan highlighted that 87% of NES's 549 performance targets remain on track. This is small reduction since the Quarter 2 performance report was submitted to the Board in November 2022. 13 out of the 27 red (delayed) targets are subject to ongoing mitigating action. The majority of red targets are linked to delayed allocation, reduction or withdrawal of funding.

8.10   Following an action agreed at the November 2022 Board meeting, Christina Bichan advised the Board that the 2022/23 Quarter 3 performance report has been prepared to align more closely with 2022/23 Quarter Risk Register report (item 8b). In relation to the 27 red targets, paragraph 6.6 of the cover paper sets out the relevant links to the corporate risk register. Christina Bichan highlighted that the majority of red targets are linked to corporate risks 20 and 21 which focus on delivery of the NES strategy and management of financial outturn.

8.11 The paper was taken as read and the following points were raised in discussion:

    a. The Board noted that the timeline for the development of strategic Key Performance Indicators (KPIs) for NES remains on track and the progress in developing draft metrics will be discussed at the 20 February 2023 Board Development session.
    b. The Board discussed the red targets and the impact of funding delays on NES's delivery targets. Christina Bichan and Karen Reid advised that the majority of delays relate to delays in receiving planned funding and decisions to postpone any programmes of work are taken at a management level.
    c. The Board welcomed the inclusion of risk alignment in the delivery performance report and agreed that it provided additional assurance.

8.12 After discussion, the Chair thanked Christina Bichan and her team for their work and the Board approved the 2022-23 Quarter 3 performance report.

9. Governance Items

a. Significant issues to report from Standing Committees

h. <u>Education and Quality Committee held on 8 December 2022</u>

9.1 Douglas Hutchens gave a brief overview of the key issues discussed at the most recent meeting of the Education and Quality Committee (EQC):

    a. The Committee received an update on NHSSA governance and approved the proposal to extend the role of the NHSSA director as previously minuted at paragraph 7.5a.
    b. The Committee received a useful update presentation in advance of receiving a full Nursing and Midwifery pre-registration performance management report.
    c. The Committee received a verbal progress update on the development of the Medicine Annual Deanery Quality report.
    d. The Committee received a number of reports from the Medical and Dental directorates for information, including a Medical and Dental recruitment update and a progress modelling report.

ii. <u>Audit and Risk Committee held on 19 January 2023</u>

9.2 In light of Jean Ford's apologies, Anne Currie gave a brief overview of the key issues discussed at the most recent meeting of the Audit and Risk Committee (ARC):

    a. The Committee were notified that Audit Scotland have been appointed as NES's external auditor and KPMB reappointed as internal auditor following appropriate procurement processes.
    b. The Committee received an internal report on Core Financial Controls, specifically relating to General Ledger. The Committee were pleased to note this report rated NES's processes as providing 'Significant Assurance' and that actions highlighted within the report are already being taken forward.
    c. The Committee received an update on the 2023/24 draft Financial Plan. The Committee discussed the level of non-recurring funding and the uncertainty this causes in relation to delivery.
    d. The Committee approved the annual Corporate Governance Package prior to submission to this Board meeting and also approved the 2023/24 ARC schedule of business.
    e. The Committee received an update on progress to establish and appropriate Climate Emergency and Sustainability framework and associated reporting.
    f. The Committee considered a proposal to introduce an annual self-assessment report for Standing Committees similar to that already required for ARC and

concluded that it was not necessary to implement this with the other Standing Committees at this stage. It was agreed that existing Committee annual reports already provide satisfactory assurance. The ARC agree that each Standing Committee should assesses Committee effectiveness in an on-going way at the end of each meeting using a standard question format. The ARC noted that a Board self-assessment framework is currently being piloted by the NHS Blueprint for Good Governance group and any further required changes will be made to existing processes as appropriate.

iii   Staff Governance Committee held on 2 February 2023

9.3   Anne Currie gave a brief overview of the key issues discussed at the most recent meeting of the Staff Governance Committee (SGC):

a. The Committee welcomed the Lead Executive's report which contained a high level of information including reference to the strengthening of NES's corporate change programme, the introduction of a network for all line managers in NES and updates on Lead Employer and Widening Access programmes of work.
b. The Committee approved its 2023-24 schedule of business.
c. The Committee received a progress update on actions from the Workforce Planning internal audit report and discussed how these actions are being taken forward.
d. The Committee received the revised NES Partnership Agreement and the revised Partnership Forum (PF) Terms of Reference (ToRs) for assurance. The Committee noted the establishment of a Joint Consultative Forum (JCF) as an informal sub-group of the PF and that a set of ToRs are currently being developed. The JCF will provide an opportunity for NES to engage with recognised Staff Side Representatives in advance of planned organisational change. In order to be provided with satisfactory assurance of the full picture, the Committee asked to see how the Partnership Agreement, Partnership Forum ToRs and the JCF ToRs align.
e. The Committee approved the 2022/23 Quarter 3 Whistleblowing report. The Committee approved the SGC aspect of the Public Sector Duties two-year progress report (April 2021 – April 2023) which will be submitted to the March 2023 Board meeting for overall approval. The Committee welcomed NES being identified as an example of good practice in relation to the Gender Pay Gap.
f. The Committee received an update report on completion of essential learning and welcomed the action being taken to improve completion rates within NES.

9.4   During discussion, the following point was raised:

a. In relation to the establishment of the JCF, Karen Reid advised the Board that the first JCF meeting was held on 8 February 2023. The meeting gave Staff Side Representatives an opportunity to hear from NES senior management informally regarding future organisational changes including the development of NES's new strategic plan, the corporate improvement programme and the extension of the role of NHSSA director. Karen Reid confirmed that the JCF is not a decision-making forum and provides an opportunity for engagement and informal discussion. Karen Reid confirmed that the first JCF was a positive one and a follow-up meeting will be arranged for March 2023. Karen Reid also thanked Patricia Matheson (Associate Director, Workforce) for her help and support in the establishment of the JCF.

g.   Corporate Governance Package (Board Standing Orders, Standing Financial   (NES/23/09)
     Instructions, Board Scheme of Delegation, Code of Conduct and Committee
     Terms of Reference)

9.5   Della Thomas presented the Corporate Governance Package to the Board for review and
      approval. As part of her introductory comments, Della Thomas highlighted that the
      Corporate Governance Package is reviewed on an annual basis before publication on the
      NES corporate website. In terms of governance sequencing, the package was considered
      and approved by the Audit and Risk Committee on 19 January 2023 in advance of it being
      submitted to this Board meeting. Della Thomas thanked colleagues in Finance and Board
      Services for their assistance in preparing the full report.

9.6   The report was taken as read and the following points were raised in discussion:

        a. The Board welcomed the content, format and accessibility of the Corporate
           Governance Package.
        b. In response to a query from the Chair of the SGC, Della Thomas will review the
           SGC ToRs to ensure the role of the SGC in terms of partnership working assurance
           is adequately reflected.   **Action: DT**

9.7   After discussion and subject to the review of the query from the Chair of the Staff
      Governance Committee, the Board approved the Corporate Governance Package for
      publication on the NES website. The Chair thanked Della Thomas, Jim Boyle and their
      teams for their work.

h.   Governance of the Education and Quality work of the NHS Scotland   (NES/23/10)
     Academy

9.8   In light of Karen Wilson and Kevin Kelman's apologies, Della Thomas presented an
      update paper on the governance of the education and quality work of the NHSS Academy
      (NHSSA) to the Board for their approval. As part of her introductory comments, Della
      Thomas highlighted that the NES and NHS Golden Jubilee Chairs and Chief Executives
      met to discuss the governance of the NHSSA and concluded that it is appropriate and
      proportionate for the NHSSA Joint Strategic Programme Board (JSPB) to be dissolved
      now that relationships have matured and the work of the NHSSA is effectively managed
      operationally through the NHSSA Executive Programme Group, and is well governed
      through the delegated remits of the NES EQC and the NHSGJ Strategic Portfolio
      Governance Committee. Della Thomas reported that this has been progressed through
      the appropriate governance processes within both Boards.

9.9   There were no questions regarding the content of the report. The Chair highlighted that
      operational NHSSA delivery will continue to be managed via the joint NHSSA Executive
      Programme Group and any matters of overall strategic governance will reported directly to
      each Board as appropriate. The Board approved the governance of the education and
      quality work of the NHSSA paper. The Chair thanked Karen Wilson and Della Thomas for
      their work.

10.   Items for Homologation or Noting

a.   NES Standing Committee Minutes

i.   Education and Quality Committee 15 September 2022   (NES/23/11)

10.1 The minutes of this meeting were homologated by the Board.

ii.   Audit and Risk Committee 16 October 2022   (NES/23/12)

10.2 The minutes of this meeting were homologated by the Board.

iii.   Staff Governance Committee 3 November 2022   (NES/23/13)

10.3 The minutes of this meeting were homologated by the Board.

b.   Redress of Historical Child Abuse in Care Settings Annual Report   (NES/23/14)

10.4 The Board noted the NES Redress of Historical Child Abuse in Care Settings Annual Report. The Chair noted that NES is a national Board and does not have any direct responsibility for the delivery of care.

c.   Extending the role of the NHS Scotland Academy Director   (NES/23/15)

10.5 The Board noted and homologated an approval decision made by the Education and Quality Committee on 8 December 2022 to extend and expand the role of the NHS Scotland Academy Director and for the post holder to be employed by NES.

11. Any Other Business

11.1 There was no other business requiring consideration at this meeting.

12. Date and Time of Next Meeting

12.1 The next Public Board meeting will take place on 23 March 2023 at 10.15am.

12.2 The Chair thanked everyone for their attendance and closed the meeting at 11.13am.

NES
February 2023
AS/DT/DG/KR
v.02

Actions arising from Board meetings: Rolling list

Minute	Title	Action	Responsibility	Date required	Status and date of completion
Actions agreed at Board meeting on 16 February 2023					
8.3c	2022/23 Quarter 3 Financial Report	Following the Board's discussion of the 2022-23 Quarter 3 financial report, write to Scottish Government to highlight the risks for NES as a result of delays in receiving previously agreed funding allocations.	Karen Reid / Jim Boyle	March 2023	**Action paused** Jim Boyle and Karen Reid spoke on 24 February 2023 and proposed a pause on the sending of this letter as Jim Boyle had spoken to Scottish Government and received strong assurances that NES would receive all its 2022/23 individual allocations. The decision to pause was agreed with the Board Chair. The outstanding £13.6m figure relates to the 2022/23 NHSS pay award and all NHS Scotland Boards are awaiting this.
9.6b	Corporate Governance Package	Review the Staff Governance Committee (SGC) Terms of Reference (ToRs) to ensure the role of the SGC in terms of partnership working assurance is adequately reflected.	Della Thomas	March 2023	**Complete** The SGC ToRs have been reviewed with the Chair of the SGC and the paragraph already included: "Consider any recommendations from the Partnership Forum and receive assurance that the Partnership

Minute	Title	Action	Responsibility	Date required	Status and date of completion
					Forum discharges its duties" has been agreed as adequate. The approved SGC ToRs have been published on the Board website along with the other elements of the corporate governance package.
Actions agreed at Board meeting on 24 November 2022					
9.6a	2022/23 Quarter 2 Risk Register Report	Take forward COVID-19 Risk Annex mapping process to ensure that Board receives assurance that these risks have been mitigated / become business as usual. Circulate outcomes of mapping process to the Board for their information once mapping process complete	Jim Boyle	February 2023	**Complete** This action has been completed and is being reported initially to the Audit and Risk Committee in April 2023. **In Progress (update for 16 February 2023 Board)** The Executive Team are actively reviewing the COVID-19 Risk Annex and further information will be shared at the Board Development session on 20 February 2023.

CHAIR'S REPORT

David Garbutt, Chair of NES Board

23 March 2023

Since the last Board meeting I have attended the following meetings and events in addition to internal NES meetings, Board and Standing Committees.

February 2023

1. I attended a National Board Chair's Group meeting to discuss Aspiring Chairs programme, and forthcoming joint meeting with NHS Scotland (NHSS) Board Chief Executives.

2. I attended a meeting of the Aspiring Chairs Advisory Panel where we discussed the applications for the programme and the role of Boards in mentoring the candidates from other Boards.

3. I met with Ruth Glassborow (Director of Improvement, Healthcare Improvement Scotland) to discuss her role on The Promise Scotland Oversight Board and its relationship with the Promise Scotland Main Board. Discussions also centred on the funding model and outcomes for care experienced children.

4. I then attended a Board meeting of The Promise Scotland where we reviewed the delivery plan and approved the budget for the forthcoming year.

5. I attended a meeting of the Interview Panel for the Board Non-Executive appointments to shortlist candidates for interview. A total of 80 information packs had been downloaded from the the Appointments Team website and 42 completed applications were received. One application had to be declined as it was delivered well after the closing time without any mitigating circumstances. Following the shortlisting stage 14 candidates were invited for interview.

6. I joined a planning meeting to develop presentation topics and detailed question sets for each of the four non-executive posts mentioned above.

7. I attended the NHSS Board Chairs Group (BCG) meeting where we held a discussion with Scottish Government (SG) colleagues about the importance of Annual Delivery Plans and Medium Term Plans to be focussed on recovery. Boards were asked to make full use of the Discovery system for access to data and to set improvement trajectories. SG colleagues informed the Group that new Planning Guidance for Territorial Boards would be circulated that day whilst similar planning guidance for territorial Boards would follow in two to three weeks.

March 2023

1. I provided a welcome and introductory speech for the AHP workforce event 'Now and in the Future', held in hybrid session at NHS Golden Jubilee (Clydebank) and online. This was a very comprehensive programme which was well received by participants. The effectiveness of the NES Practice Educators was very clear.

2. I attended the monthly National Board Chairs Group where there was a discussion about the future direction of services and the financial picture.

3. I was invited to join the interview panel for the CEO post in the Scottish Ambulance Service and observed the stakeholder panel engagement

4. I met the Chair of the new SG Strategy Board on Improving Wellbeing and Cultures. I have been nominated to join this Board as a representative of the BCG. The full title includes Leadership and Talent Management and it is not yet clear how sub groups are being formed to take forward the work on each of the elements included in the title.

5. I attended an interview for the Leading to Change Gateway Review. This is a stage in the project management system for large scale projects and the interview team meet with a number of stakeholders to determine the progress on each project.

6. I spent four days interviewing candidates for the NES Non-Executive Director positions with the other panel members.

7. I attended the Cabinet Secretary for Health and Social Care's Systems Pressure meeting to discuss service recovery.

8. I delivered a lecture on Systems Leadership and Governance to the Scottish Clinical Leadership Fellows (SCLF).

David Garbutt
Chair

**NHS
Education
for
Scotland**

CHIEF EXECUTIVE'S REPORT

Professor Karen Reid, Chief Executive

March 2023

1. INTRODUCTION

1.1. The agenda for our March Board meeting includes a paper setting out a revised schedule of strategic risks and a new Risk Appetite Matrix. This paper has been prepared following Board discussions on previous iterations of the NES Risk Register and a recent Board development session. The risk revised schedule of strategic risks has been reviewed by the NES Audit & Risk Committee by correspondence before being presented to the Board. The Board will also receive a verbal progress update on the consultation process that has been developed for our draft 2023-26 Strategic Plan.

1.2. There is a relatively short period of time between the February and March Board meetings. The Board will receive two governance and performance items for assurance and approval at the March Board: a statutory two-year progress report on the Public Sector Equality Duty and the 2023-24 draft Board schedule of business. Our Equality Duty progress report includes how we are mainstreaming equality through our work and progress with our Equality Outcomes. We also have a specific duty to publish our annual employment equality and diversity monitoring report and our gender pay gap. A recent Audit Scotland web report[1] on public sector gender pay gap reporting cited NES as an example of good practice and highlighted the steps we have taken to reduce our gender pay gap since 2017.

2. ANNOUNCEMENTS

2.1 Postgraduate Dean Retirements
We will be sad to see three of our current Postgraduate Deans retire from the NES Medical directorate over the next few months. Professor Alastair McLellan (Postgraduate Dean, West Region) will retire in May, Professor Amjad Khan (Postgraduate GP Dean) will retire in June and Professor Clare McKenzie (Postgraduate Dean, East Region) will retire in July. We wish all three of our Postgraduate Deans a long and healthy retirement and recognise the significant and important contribution that they have all brought to postgraduate medical education.

2.2 Robert Farley (Associate Director, Healthcare Science)
I am pleased to announce that Dr Rob Farley has been made a Fellow of the Academy of Healthcare Science for contributions to the development and support of scientist training in Scotland. The fellowship was conferred at a reception at the House of Lords at the end of February 2023. The Academy for Healthcare Science is the overarching body covering around 50 healthcare Science professional bodies and specialties and it is a key partner of NES in recognising our training pathways for the workforce. Rob continues to work with the Academy on its Regulation Board, which runs Professional Standards Authority accredited registers for the workforce not covered by Health and Care Profession Council's register.

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[1] Public Sector Gender Pay Gap reporting, Audit Scotland - 7 February 2023

3.   STRATEGIC UPDATES

3.1. The health and social care system continues to remain under significant pressure, both in the context of frontline service delivery and the challenging fiscal environment. NHS Scotland (NHSS) Board Chairs and Chief Executives continue to meet monthly with the Cabinet Secretary for Health and Social Care to discuss systems pressures. Board Chief Executives (BCEs) meet frequently with Scottish Government (SG) to discuss future planning and service priorities in relation to the NHS recovery plan. NHSS BCEs and SG colleagues recently held a joint strategic session which focused on opportunities for improved performance and transformation. A follow up meeting of Board Chairs and Chief Executives with SG is scheduled for 27 March 2023.

3.2. National Centre of Excellence in Remote and Rural Health and Social Care

a.   NES, Scottish Government (SG) officials, advisers, and key partners are progressing plans for the establishment of the National Centre for Remote and Rural Health and Social Care (the Centre). NES and SG Primary Care and Workforce colleagues have worked together to establish a revised plan to develop the Centre in a phased approach over the next three years in response to ongoing budget pressures for the Scottish Government. The revised plan was submitted by NES in last month for consideration by the Cabinet Secretary for Health and Social Care.

b.   The Centre will support the delivery of improved care for remote, rural and island communities across Scotland and reduce remote, rural and island health and wellbeing inequalities through focused work to improve the sustainability, capacity, and capability of the remote, rural and island primary care and community-based workforce and service delivery.

c.   The revised plan includes programmes of work to address priority areas for specific remote, rural and island workforce groups within phase one and then to expand the reach across further workforce groups within the subsequent development phases in accordance with SG funding.

d.   The development of the Centre is both an ambitious and large-scale undertaking and will require adequate resources and capacity to deliver for Scotland. NES and partner agencies across Scotland already have a significant amount of remote and rural healthcare expertise and resource that the Centre will coordinate to better effect and maximise the return on existing investment, staffing and economies of scale. SG funding has been requested by NES to support the establishment of the Centre.

e.   NES have developed a full plan for stakeholder engagement to support the establishment and development of the Centre. This plan has been placed on hold until additional funding is confirmed by the Scottish Government.

3.3 **Sponsorship**
Regular engagement between NES and the SG Sponsor team continued during February / March 2023. The major focus of these discussions on a fortnightly basis has been on commissioning and funding as well as medium term priorities. Additionally, the Sponsor team has also provided feedback on NES's draft Strategy.

3.4 **COVID-19 Public Inquiry**

a. Since the February 2023 Board meeting, NES has submitted two separate evidence submissions to the Scottish COVID-19 Public Inquiry. NES has not received any further requests for evidence from either the Scottish or UK inquiries at the time of writing.

b. A Memorandum of Understanding (MoU) between the Scottish and UK COVID-19 Public Inquiries was published on 21 February 2023. The MoU sets out how the Scottish and UK inquiries will work together and includes commitments to providing clear information to the public about how each Inquiry will carry out its investigations in Scotland, minimise duplication through information sharing and maximise value for money.

3.5 **Climate Change Emergency and Sustainability**
NHS Scotland Boards have recently received a letter from the Cabinet Secretary for Health and Social Care thanking them for the efforts to date in advancing the work of climate emergency and sustainability. However, the Cabinet Secretary was also very clear that the NHS in Scotland needs to pick up the pace with this work and will expect Boards to include proposed action in the forthcoming delivery plans to be submitted to the Scottish Government in June 2023. This forms a particular section in the plan, which all Boards will be expected to complete. The NES Sustainability Group will consider actions to include within that section of the plan.

3.6 **NHS Scotland Academy (NHSSA)**

a. **National Workforce Programmes**

i. **National Clinical Skills for Pharmacists Programme**
We usually deliver four training days per month for Independent Prescribers to practice their clinical skills at the Golden Jubilee Conference Hotel, always with good attendance and positive learner feedback. As of 8 March 2023 we have provided 1,115 learner places.

ii. **National Ultrasound Training Programme (NUTP)**
Work has begun to incorporate NUTP within the new NHS Golden Jubilee National Hospital Radiology Department. We expect this to complete in May 2023. The programme will welcome its ninth learner on 17 April 2023, offering training in ENT (Ear, Nose and Throat) Ultrasound for the first time. To date 1,409 patients have been scanned as part of the training lists. Patients have been allocated from several boards, with priority being given to those with the longest waiting times.

b. **National Treatment Centres' Programme**

i. **Foundations of Perioperative Practice**
Cohort six runs from Monday 10 April to Friday 17 November 2023 and cohort 7 from Monday 24 July 2023 to Monday 26 February 2024. Scottish Government communicate with Health Boards and are responsible to allocating places to each Board. 12 spaces are available for each cohort. There have been 44 learners enrolled to date

ii. **Anaesthetic Assistants**
Cohort three of the Anaesthetic Assistant programme began on Wednesday 1 March2023 with nine learners. As at March 2023, 19 learners have successfully undertaken this programme.

iii. **Surgical First Assistants**
Online learning material will be live and available from Friday 17 March 2023 for the Surgical First Assistant training programme. The first scheduled workshop will take place on Tuesday 21 March 2023 and will be held at Royal College of Physicians and Surgeons Glasgow. There are currently five learners registered for this course, and the possibility of a further three joining if SCQF (Scottish Credit and Qualifications Framework) accreditation is obtained in time.

iv. **Assistant Practitioner Peri-operative Practice**
The NHSSA Executive Programme Group will consider a Business case for the Assistant Practitioner Peri-operative Practice on Wednesday 22 March 2023. If approved, it is likely the programme will run for the first time from summer 2023.

c. **National Endoscopy Training Programme (NETP)**

i. We are delighted that NHS Golden Jubilee (NHS GJ) has achieved JAG (Joint Advisory Group on GI Endoscopy) accreditation. The NHS GJ Chief Executive recently recognised this work at a staff awards event where the team were presented with an award for their hard work.

ii. The NETP programme continues to deliver upskilling courses, TCT (Training the Colonoscopy Trainers) courses, ENTS (Endoscopic Non-Technical Skills) courses and immersion training. 12 spaces are available for each course and immersion training numbers vary on availability of trainers. The second cohort of Assistant Practitioners (Endoscopy) is currently being recruited to start on 25 April 2023 and twelve places are available (enabling career progression from level/band 2 or 3 to career level 4).

d. **Nursing & Midwifery Council (NMC) OSCE Preparation (Digital learning programme)**
Video and digital resources for Mental Health and Midwifery have been created and are now being reviewed with a publication date of the end of March 2023. Design of an additional resource on Cultural Humility has begun.

e. **Preparing for work in health and social care in Scotland (Digital learning programme)**
Modules are under annual programme review process for completion by 31 March 2023; recommended updates will be implemented following learner and stakeholder feedback including: additional content on delirium, dysphagia, community health and social care settings; additional end of module quizzes and amending module order. Recommendations will be made for further developments in 2023-24. The NHSSA continues joint strategic work with the NES Social Care directorate and is beginning to explore with the Scottish Social Services Council (SSSC) regarding an aligned approach to resource development in this area. As at 8 March 2023, learner numbers recorded to date are noted as 3,249.

4. DIRECTORATE UPDATES

4.1. Dental (including Healthcare Science and Optometry)

a. **Dental Care Professionals (DCP) - using live stream technology to conduct workplace observation assessments**
In collaboration the Dental Care Professional and Clinical Effectiveness Workstreams evaluated the effectiveness and users' experience of using live stream technology to conduct workplace observation assessments of trainee dental nurses. Information on the usability, accessibility, and general satisfaction of this technological technique were collected.

b. The study provides evidence that workplace observation assessments can be performed in the future by using live stream. However, additional investigation and comparison will aid in determining the most effective way of using this approach and providing feedback to promote learning among dental trainees. The paper can be accessed here: Using live stream technology to conduct workplace observation assessment of trainee dental nurses: an evaluation of effectiveness and user experience (nature.com)

c. **Skills Development Scotland (SDS) National Training Programmes 2022-23: Summary of Findings**
The DCP workstream has provided annual programmes for trainees undertaking the Modern Apprenticeship in Dental Nursing (SCQF Level 7) and managed the SDS contract for NES since 2019. From 2022 the DCP workstream has supported the Pharmacy Directorate in the facilitation of the first two cohorts undertaking the Technical Apprenticeship in Pharmacy Services (SCQF Level 8).

d. A part of the SDS quality assurance process, the SDS Skills Investment Advisor (SIA) monitors and measures training providers (NES) across three domains and ten quality indicators. Evidence is gathered from staff within NES, apprentices, and their employers/workplace representatives. Findings are 'RAG rated' and presented in a National Training Programme: Summary of Findings report. The 22-23 report rated seven areas 'green', (*an indication that the consensus is that this is working well for the organisation*) and three areas amber (*an indication that the consensus is that although this is an area for improvement it is done quite well and meets required standards*).

e. The SIA reported that it was evident that the staff are all highly motivated, work well together to ensure they deliver a quality level of service. It was recognised that leaders take ownership for the continuous improvement of quality and performance of work-based learning provision and there was strong evidence within dental of evaluation demonstrating commitment to improve provision. All apprentices valued the progress reviews enabling each party to reflect on the skills and learning completed and setting new goals.

f. Dental apprentices and employers provided positive feedback. Apprentices felt prepared for their programme's assessments and both parties felt well informed regarding their role and responsibilities and had a clear timeline for progression throughout the programme.

g. Pharmacy subcontract work-based assessors within the boards to support apprentice progression. Data gathered from the monitoring activities identified an ongoing improvement and confidence in processes with apprentices reporting that they felt more informed of the programme requirements within cohort 2.

h. In response to the report, further opportunities for collaboration will be established between NES Dental and Pharmacy to share learning experiences and best practice in supporting apprentices towards continuous improvement against the SDS quality framework.

i. **Healthcare Science**

    i. Following concerns from service and the professions about clinical scientist training numbers in prospect for 2023, we have published a statement on the new Healthcare Science training website: https://www.hcstraining.nhs.scot/news/. The service is aware of the statement. The NES Chief Executive will meet with Diagnostics in Scotland Strategic Group (DiSSG) to discuss further. The shortage of training posts has been raised with the Chief Healthcare Science Officer.

ii. We are bringing forward our annual call to service for 2024 expressions of interest for training posts from Autumn to April 2023. The call will include service and workforce planners in NHS Scotland Boards. Evidence of demand for 2024 will be shared with Scottish Government (SG). SG is already aware that the 2023 call yielded requests for 43 training posts versus the 4 which are fully affordable this year: https://www.hcstraining.nhs.scot/funding-opportunities/future-opportunities/

iii. Healthcare Science Week is a UK-wide campaign that ran during 13-19 March 2023. The NES Healthcare Science core team, in partnership with My World of Work Live, have developed a game as part of a national experiential learning programme by Skills Development Scotland. Pupils from Primary 5 to Secondary 3 can play this new game which tasks where players compete to get as many medical samples as possible to the laboratory to be analysed and give a diagnosis for their patients. Players must race against the clock, whilst navigating obstacles, staffing shortages and inconclusive test results to try to reach the top of the leader board.

j. **Optometry**

i. **Optometry Undergraduate Reform**
In response to the recent reforms to the initial education and training of optometrists by the General Optical Council, the Scottish Government has taken the decision to fund the NHS to deliver and facilitate a new Foundation Training Year for optometry in Scotland. This will be developed in partnership between NES and the two Schools of Optometry in Scotland and will align with similar training in other health professions across the country. NES, in receipt of funding confirmation for 2023/24 around the project, are now in process of recruitment to the workstream. This adds significantly to the optometry team in NES, who now have both undergraduate and postgraduate remit for first time.

ii. **NES Glaucoma Award Training (NESGAT)**
NES's unique qualification for community optometrists, NESGAT, has gained continued support from Scottish Government, with a cohort of 30 optometrists commencing training around June 2023. Scotland sees the rollout commencing of a Community Glaucoma Service in 2023, supporting discharge of appropriate patients from secondary to primary care for their long-term condition management. NESGAT is the indicated qualification to join the service, and NES has the remit to support optometrists within the service.

4.2 NES Technology Service (NTS)

a. **NTS Organisational Change**
Workshops are currently being held around the scope and approach to phase 2b of the NTS organisational change programme**.**

b. **National Digital Platform (NDP)**

   i. **EMPI (Enterprise Master Patient Index)** – Work is in progress to point the EMPI service to use the National Shared Services (NSS) NextGate EMPI as the primary source of demographics. Issues with GP Practice data in NSS NextGate is delaying full switchover, therefore we are unable to decommission the NES instance of NextGate EMPI until this is resolved.

   ii. **NDP Routing Service** – The team have spent time since start of 2023 re-platforming the service from Azure to Amazon Web Services (AWS). This will be complete by the end of March 2023. The impact of this work is powerful as it will remove the reliance on one or two individuals and put the service on a platform footing. In parallel, the team have been working collaboratively with NSS to design the service wrapper to ensure smoother onboarding, maintenance and offboarding of users to the service.

   iii. **COVID-19 & Vaccination support -** NTS continue to develop the National Clinical Data Store (NCDS) which is the single point of truth for all vaccination data. The team are working closely with Clevermed (a patient data management solutions software company that focuses on maternity and perinatal services), to support sending vaccinations to Badgernet (an perinatal electronic medical records system).

   iv. **Digital Prescribing & Dispensing –** NTS continue to collaborate with NSS on the architecture and design of the new solution. A Senior Technical Product Manager role is being recruited by NTS to further support this programme.

c. **Education, Training and Workforce**

   i. **Turas Learn** – NSS were onboarded to Turas Learn on 21 February 2023. Work is ongoing with stakeholders to review and update reporting based on the new data model. Further work is required to facilitate the move of data from the Portal system.

   ii. **Turas Portfolio –** The University of Dundee pilot went live on 9 January 2023 and student nurses have completed their first placement using the new ePad portfolio. Discovery work is underway to support upcoming placements. Portfolio for Orthodontic Therapy is now live and work has commenced on Remote and Rural.

iii. **Turas ACT (Additional Cost of Teaching) Monies –** Discovery work is nearing completion and initial set up development in progress.

iv. **Turas Training Programme Management –** Product improvements identified and funded by Pharmacy are nearing completion.

v. **Student Nurse Indexing –** the team are working with users to sign off the first phase of User Acceptance Testing (UAT). Data migration investigation has begun and will move forward once UAT of the current functionality is complete. The recording of International Nurses Discovery work is nearing completion in order to allow potential timelines to be communicated to Health Boards.

vi. **Turas People –** a list of development requirements has been received. A funding paper needs to be prepared in relation to the ongoing funding for this application.

vii. **Turas Appraisal –** an analysis of helpdesk tickets is currently being undertaken to identify problem areas which may require further development work.

viii. **Turas Platform –** ongoing development work is being undertaken in relation to Microsoft Office 365 'single sign on' implementation.

d. **Health & Social Care**

i. **Digital Front Door –** Scottish Government (SG) has commissioned NES to be the lead delivery partner for the Digital Front Door programme in Scotland. NTS have submitted a revised response to the commission following feedback on the initial proposal. Further discussions will be had with SG to agree the scope, roadmap and funding.

ii. **Real Time Staffing** - now live in Adult In Patients, Critical Care and Mental Health. The Real Time Staffing tool is vital in supporting the implementation of the Health and Social Care Safe Staffing (Scotland) Act 2019 and is a key workstream for SG's Digital Health and Care directorate.

iii. **OpenEyes –** NTS are working with NHS Greater Glasgow and Clyde (NHS GGC) on rolling out three pathways (Glaucoma, Medical Retina and General Ophthalmology). Five sites are now live, two sites are on track for the end of March 2023 and the remaining two sites are scheduled for early April. NTS are working with Optometry colleagues on the possibility of a national training package being created and hosted on Turas Learn.

iv. **SCI Diabetes (Scottish Care Information – Diabetes Collaboration) –** The activation of Inpatient and ward-based blood glucose meter linkage is now live in NHS Borders. This provides real-time visibility in SCI-Diabetes of Hospital Inpatients with diabetes with associated Blood Glucometer data. The activation of Scottish Ambulance Service linkage for NHS Lanarkshire, which provides SCI-Diabetes visibility of Ambulance call outs for diabetic events, is also now live.

v. **SCI Diabetes Weight Management Tool** – this tool is now fully live across five NHS Boards: NHS Ayrshire and Arran, NHS Borders, NHS Highland, NHS Tayside and NHS Western Isles.

vi. **Turas Care Management (TCM)** - As requested by SG, small guidance text changes have recently been made to improve the quality of data returned relating to bed availability. A policy decision from SG is awaited regarding the future direction of TCM and as a result no further work is planned on the project until further funding is confirmed. Work to improve data linkages will be required to enable the future expansion of this application.

4.3 Medicine

a. **Industrial Action**
Junior doctors in England will undertake industrial action from Monday 13 March 2023 (from 07:00 hours) until Thursday the 16 March 2023 (ending at 06:59). Whilst junior doctors in Scotland are not part of the industrial action at this time there is an impact on national recruitment due to the strike action. The MDRS (Medical and Dental Recruitment and Selection) team have mitigated any negative impact to trainees around recruitment during this time however the impact may be significant to service in June and July as notification of post holders is likely to be delayed.

b. At present junior doctors who are members of the British Medical Association (BMA) in Scotland are undertaking a ballot at the end of March 2023 around industrial action and a further update will be provided next month.

c. **Associate Postgraduate Deans (APGDs) and Training Programme Directors (TPDs) Induction**
Within the Medical directorate there are a large number of consultants who work with NES delivering sessional activity to ensure our training programmes are delivered to a high standard. The APGDs / TPDs undertake an enormous amount of work on behalf of NES. One challenge we have is ensuring awareness of the NES strategy for all our trainers. In collaboration with the NES Organisational Development, Leadership and Learning team and HR we are developing an induction programme that includes both role induction and also corporate and directorate induction. With the introduction of the new NES strategy this is an opportunity to ensure all those representing NES have an awareness of the corporate and directorate strategies.

4.4 Pharmacy

a. **Student Pharmacist Experiential Learning Increase in Scotland**
The new General Pharmaceutical Council (GPhC) Initial Education and Training Standards (2021), mean that the pharmacists who join the register from 2026 as prescribers. In preparation for this, NES have been working with the Schools of Pharmacy in Scotland and stakeholders to increase appropriate experiential learning (EL) in line with ACT funding throughout the undergraduate MPharm degree in order to consolidate this within the NES Foundation Year Training programme.

b. The service had expressed concerns in meeting these requirements as this continues to be a challenging time for the pharmacy workforce. However, following extensive engagement with stakeholders (including a national stakeholder event) through NES, there has been an agreement to increase the experiential learning for 2023-24 as planned.

c. **Submission for GPhC Accreditation for Pharmacy foundation training year**
By 2025-26, all Foundation Training Year (FTY) programmes for pharmacists run by the Statutory Education Bodies (SEB), must be approved by the General Pharmaceutical Council (GPhC) as meeting the new required Initial Education and Training standards (2021). Approval is through a formal evidence-based accreditation process. As part of this NES Pharmacy will submit step 2 of the accreditation process in March 2023.

d. Only successful completion of the NES `approved` FTY programme along with passing the registration assessment will allow new trainee pharmacists in Scotland to register as a pharmacist and annotate as an independent prescriber from 2026.

e. **The Post registration Foundation Programme**
In 2022, the GPhC changed their requirement of being 2 years qualified in order to undertake Independent Prescribing training. The Royal Pharmaceutical Society (RPS) launched a new Post-registration Foundation Pharmacist Curriculum for newly qualified pharmacists (their MPharm degree under the old GPhC IET standards 2011 without prescribing) in order to support these early career pharmacists to train as prescribers.

f. A new NES Post-registration Foundation programme commenced in early 2022, using the RPS curriculum which incorporates prescribing and clinical skills training, is an interim programme until the new prescribing pharmacists come out of the FTY programme from 2026. To date, NES have 283 newly qualified pharmacists making excellent progress on the programme with the first completers, across all sectors, expected from 2023.

g. **NES Pharmacy Workforce report 2022**
The NES Pharmacy Workforce report 2022 was recently published on Turas Data Intelligence. This report represents an annual update to the pharmacy workforce data which was captured through the two annual surveys of the Managed Service and Community Pharmacy. Both surveys were conducted in September 2022. The report examines trends in the education, training and labour markets for pharmacy workforce in Scotland and is being taken forward through discussions with the Directors of Pharmacy and Scottish Government.

4.5 Nursing, Midwifery & Allied Health Professions (NMAHP)

a. **The Strategic Paediatric Educationalists and Nurses in Scotland (SPENS)**
The Strategic Paediatric Educationalists and Nurses in Scotland (SPENS), with the support of NMAHP, are hosting their first face to face conference for clinicians working with children and young people. 90 participants have registered for the event with an extensive waiting list. The theme of partnership runs throughout the sessions on the day, exploring topics including safety, child protection, lived experience, CPD (Continuing Professional Development), AHP roles and advanced practice. Workshops exploring the GIRFEC (Getting it Right for Every Child) refresh, and the involvement of Third Sector organisations will also be facilitated. Speakers include Scottish government leads, clinicians, and educators. The SPENS groups is one of the key forums to support Children and Young People (CYP) professionals, linking educationalists with clinicians.

b. **Values Based Reflective Practice (VBRP©) event**
We are planning an event on 23 March 2023 to celebrate 12 years of VBRP and to explore future directions. NES has supported the continued growth and development of VBRP and training of facilitators. VBRP is increasingly recognised as an important approach to support reflective practice and staff wellbeing, it is helping to reconnect people to the reason they joined health and care services. The event will share examples of where VBRP has grown and evolved to be used in different situations including to support staff during the height of the pandemic and following adverse events.

c. **Mental Health Improvement and Suicide Prevention (MHI & SP) - Phase two of the Advanced Technology/Technology Enabled Learning**
Following a successful bid to the NES Advanced Technology/Technology Enabled Learning Programme the MHI and SP team are working with an external supplier to develop an immersive technology resource. This will create a flexible, safe-to-fail educational environment and develop learning within suicide prevention and assessment for staff working within the health, social care and wider public health workforce.

d. This is an exciting development for the team and our learning community. It is hoped that this approach will not only increase confidence and skills within the learner but also develop or further enhance their digital confidence. We anticipate the development phase will conclude by the end of March 2023. Thereafter we will progress to testing within the workforce.

4.6 Planning and Performance

a. **NES Strategy Development**
Consultation has now commenced on the draft NES Strategy. An all-staff webinar was held on 6 March 2023 with 177 attendees and the feedback from this session was used to shape the final consultative draft. Stakeholder engagement sessions have taken placed with COSLA (Convention of Scottish Local Authorities), Social Work Scotland, Institute for Research and Innovation in Social Services (IRISS), Coalition of Care and Support Providers in Scotland (CCPS), Scottish Care, the Alliance, Health and Social Care Scotland, Care Inspectorate and Scottish Social Services Council (SSSC) with involvement from Non-Executive Board members in a number of the meetings. Further engagement sessions are planned and the offer to meet to hear views on the draft Strategy and how NES can best meet need, has been extended to all Territorial Board Chief Executives. The consultation will run until 1 May 2023 and the final draft will be presented to the Board for approval on 25 May 2023.

b. **Planning for 2023/24**
In line with Scottish Government requirements and the planning approach for 2023-24, development of a Medium Term Plan (MTP) covering the period 23-26 as well as an Annual Delivery Plan (ADP) for 23-24 is progressing. Formal ADP planning guidance was received from Scottish Government on 14 March 2023. These plans will operationalise delivery of the Board's strategy (once approved) and articulate how NES will contribute to meeting the goals set out in the NHS Scotland Plan and support progress in delivering the key ambitions in the NHS Recovery Plan. The draft ADP is due for submission to Scottish Government by 8 June 2023 and the draft MTP by 7 July 2023 and consideration of both by the Board has been timetabled into the schedule of business. Delivery progress against the final plans will be reviewed and reported on a quarterly basis.

4.7 Psychology

a. **Essential Perinatal and Infant Mental Health E-Learning Modules**
In 2019, the Scottish Government launched a programme of work to increase the provision of perinatal mental health services to women in Scotland. To support this work NES has developed a [Perinatal and Infant Mental Health Curricular Framework](#), is working with HEIs to increase training places for psychological therapists and is providing Perinatal and Infant Mental Health Training for the multi-disciplinary workforce.

b. NES have collaborated with colleagues in perinatal and infant mental health (PIMH) services to produce a suite of seven e-learning modules covering "essential" knowledge for staff working in PIMH services, available at https://learn.nes.nhs.scot/10382/perinatal-and-infant-mental-health. To date, over 13,000 modules have been completed.

Completed modules Quarter 2 2020/21 until January 30 2023

Name of module	N = completed modules
1. Introduction	**3174**
2. Keeping Baby in Mind	**1971**
3. Stigma	**2146**
4. Risk	**1510**
5. Assessment	**2199**
6. Interventions	**1347**
7. Pharmacological Interventions	**1182**
Total from all 7	**13,529**

c. Learners who have undertaken these modules have rated them very positively. Rating the modules out of 5, the average score across all learners and modules is 4.6 out of 5. Similarly, positive responses have also been reflected in the feedback about the modules that has been received from learners, examples of which are captured in the following table.

Module	Feedback
Introduction	*Good insight into perinatal issues and how to refer and support. Excellent videos to watch, easy to understand.*
Keeping Baby in Mind	*Very informative module and helpful when thinking about how to support not only mothers but fathers too.*
Stigma	*Thought provoking statistics and discussion from women from diverse ethnic backgrounds highlighting the ongoing issues with systemic racism in healthcare*
Risk	*Really helpful to learn more about specific risks and when to refer to specialist perinatal services. As ever, found the videos really helpful.*
Assessment	*Very good information to update my skills.* *Interesting.*
Interventions	*Great resources within this module for sharing with mums and dads. This module helped to recognise the importance of interventions and how they can work together as a family unit to help mothers that are struggling with their mental health.*
Pharmacological Interventions	*Very interesting course, feel more informed in regards to prenatal and post natal information in regards to medication, will continue to refer back to this.*

4.8 Social Care

a. The Social Care Directorate are working with NMAHP to provide educational resources and support to the 'Discharge Without Delay' workstream. This has resulted in colleagues from the Scottish Centre for Simulation working in NHS Grampian to support improvements in multi-disciplinary team working and discharge planning. We hope to offer this approach to other areas across the country.

b. The Social Care Directorate continues to work with the Scottish Social Services Council (SSSC) and the Scottish Government Workforce Development Group for Adult Social Care on career pathways for social care. This programme of work includes representation from social care providers and continues to develop the National Induction Framework. Feedback from users of this framework is expected at the end of March and responses will inform future iterations within the context of a new continuous professional learning (CPL) model for all registrants, which SSSC are designing.

c. The Scottish Government are considering a number of proposals that the Social Care Directorate have developed to advance particular pieces of work aligned to priorities. Further proposals are being developed to seek commissions to support our joint work (outlined above) with the SSSC and to advance 'Discharge Without Delay' educational resources.

d. With colleagues from the NHSS Academy, the Social Care Directorate are participating in Scottish Government Skills for Health and Care Group, which is aligned to the Anchors Delivery Group and is initially focussing on apprenticeships across health and social care.

e. Supported by colleagues from Planning and Performance and the Policy team, the Social Care Director and Associate Director have delivered stakeholder engagement sessions on NES draft Strategic Plan 2023-26. Stakeholders have welcomed the strategic direction outlined in the draft Strategic Plan and are grateful for us taking the time to engage directly with them. The Alliance and Health and Social Care Scotland have invited us to speak to their members directly.

4.9 Workforce

a. **Hybrid Working**
A Ways of Working and Property Project has been approved by the Executive Team as part of the Corporate Improvement Programme Board, with the Project Initiation Document now agreed and the project team being mobilised. Scope includes resources and mechanisms to support line managers in furthering the effectiveness of hybrid working arrangements; further support to staff wellbeing and the space, tools and technology to support staff working whether at home or in office locations.

b. A Line Manager network has been launched providing opportunities for line managers to communicate, learn, share challenges and problem-solve with support from teams such as HR; Organisation Development, Leadership and Learning (ODLL); Finance; Planning and Continuous Improvement. An open invitation to staff to join a Hybrid Working session and ask questions of panel members including the Director of Workforce, Employee Director, Associate Medical Director, Head of HR and Principal Lead, ODLL attracted 246 attendees. Feedback from staff attending was largely supportive of current arrangements with ideas shared on how to improve further. These will act as useful feedback to the project described above.

c. **Equality, Diversity & Inclusion**
    As part of the Public Sector Equality Duty, NES are required to publish a progress report every two years on: Equality Outcomes; mainstreaming equality into the work of NES; gender pay gap and employee diversity monitoring. This report has been approved by the appropriate Board Committees prior to being provided for Board approval. Audit Scotland has requested that NES be used as a case study on our gender pay gap which stood at 5.4% as at 31 March 2022 vs the public sector average of 12.5%.

d. As a national NHS Board, we are listed as a public body required to report every three years on what we are doing to progress children's rights under the [Children and Young People (Scotland) Act 2014](). We incorporated this report into our Public Sector Equality Duty twp-year progress report, which will be published at end of April following approval from the Board. We recognise our vital contribution through workforce education and training to promote and protect children's rights. We have identified actions to progress our work on children's rights for the following three-year period. This includes working with Third Sector partners and colleagues to involve children and young people appropriately in our work.

e. **Resourcing**
    During Quarter 3 2022-23, new vacancies slowed down, settling to equivalent 2021 levels. It is anticipated there will be further slowing of new vacancies as we enter the 2023-24 financial year until there is further certainty on funding. Ongoing Scottish Government temporary funding arrangements continue to lead to a high number of fixed term contract recruits and temporary agency workers.

f. As of 31st December 2022, the percentage of staff in fixed term/agency contracts was 24.8% (an increase from 21.2% at the end of Quarter 2). The volumes of agency workers remain high (63) with NES Technology Services having the greatest reliance.

g. **Lead Employer**
    The Lead Employer programme continues to work towards ensuring systems, processes and communications are in place to support the operation of the Lead Employer arrangements across NHS Scotland, with all Doctors and Dentists in Training now employed under these arrangements. A review of processes and tools to support the large-scale recruitment of trainees for August 2023. Analysis of recruitment data will refine estimates, including forecast sponsorship costs and resource requirements and highlight risks associated with timescales for trainees achieving the necessary employment clearances.

h. **Widening Access/ Employability/Careers**
The NES Widening Access Team continues to support the delivery of a wide range of programmes and activities aimed at widening access to jobs, careers and training for groups who are currently under-represented in the NHS Workforce. Working in partnership with Scottish Government (SG), Health Boards and the NHSS Academy, the current focus is on young people, including those with experience of care, and UK Armed Forces veterans and service leavers with the strategic intention to potentially broaden the range of programmes in future to include other groups, for example people who have convictions, people impaired by disabilities and long-term illness and refugees and asylum seekers. This work aligns with and complements NES equality and diversity commitments.

i. NES Widening Access programmes and activities will support and align with national policy and direction emerging from the SG Health Workforce Directorate, notably the workforce elements of the national Place and Wellbeing Programme and the Anchor Institutions model. A national group has also been established by SG steer and coordinate the development of Apprenticeships and other pathways into employment. There is significant activity underway across NES and this will be an opportunity to scope and present the work nationally and as part of the NES Widening Access Framework.

j. **NES Internal Learning & Development**
The education, training and development of the NES workforce is critical to delivering organisational objectives. This is a key element of the three-year NES Workforce Plan. A workforce development budget for 2023/24 is proposed as part of the annual budget with plans for staff development being owned by directorates and supported by ODLL. Focus continues to be applied to increase the uptake of essential learning across NES including the role of the line manager in achieving team completion, organisation-wide communication, regular reporting on completion and a plan to address data quality issues. The content of modules is being refreshed where appropriate, as is accessibility, to reduce any perceived barriers to completion. In 2023/24, a personal objective relating to essential learning completion will be included in those for NES core staff.

k. **Leadership Development**
Leading to Change, the programme of work supporting development of leaders across health, social care and social work sectors, for which NES is the strategic delivery partner, continues to provide a range of opportunities to leaders including those in NES. This programme will evolve over the next five years and include support to succession planning, initially in the health sector, at senior executive level.

l. **Building Digital Skills and Leadership Programme**
NES is the strategic delivery partner for SG in delivering a portfolio of specific initiatives intended to support the development of digital skills and leadership within the health and social care sector. These are elements within SG's 'Care in the Digital Age' delivery plan. 'Leading Digital Transformation in Health & Care for Scotland', a flexible certificate, diploma or full MSc. programme, has recently been designed and launched in conjunction with Edinburgh University, resulting in 50 participants being taken forward including NES staff.

m. **Centre for Workforce Supply (CWS)**
CWS continues to provide a set of Once for Scotland services to NHSS Boards intended to support Boards' international recruitment of clinical staff including, for example, nurses, AHPs and radiographers. It is at the early stages of supporting a collaboration of Scottish Government, COSLA, NES Social Care Directorate, adult social care providers and others, including the SSSC, to pilot an approach testing the benefit of similar type services with respect to the international recruitment of adult social care staff. Scottish Government funding has been secured to set up a new CWS social care team in NES to take this work forward. CWS is working with the NES Medical Directorate and NHSS Boards on mapping options to support international medical recruitment.

n. **NES Corporate Improvement Programme**
The NES Executive Team has approved one project on Ways of Working and Property into delivery within the Corporate Improvement Programme (CIP) since the last Chief Executive's report. Three more detailed projects are being worked up at present. These project areas are expected to be presented for consideration and approval in March and April. They are:

- Accrediting Body Status
- Continuing Professional Development
- Online Learning Experience Technology

CALENDAR

This section of the report provides an overview of the meetings I have attended since 10 February 2023. Rather than list every date individually, where possible meetings have been grouped and additional context provided.

NES Executive Team (ET) and Strategic Implementation Group (SIG)
The NES Executive Team (direct reports to the Chief Executive) meets formally on a twice-monthly basis to focus on and consider strategic matters, collective strategic decision-making, strategic scrutiny and cross-organisational leadership.

The Strategic Implementation Group (SIG) meets for a business meeting once a month. SIG meetings are chaired by Karen Wilson (Executive Director of Nursing / Deputy Chief Executive (Clinical)) and Tracey Ashworth-Davies (Director of Workforce / Deputy Chief Executive (Corporate)).

NHS National Board Chief Executives (BCEs)
BCEs of the national Boards and Public Health Scotland meet fortnightly via Microsoft Teams.

NHS BCEs + Scottish Government
NHS Board CEs meet monthly for Private, Strategy and Business meetings. All Accountable Officers also meet monthly with Caroline Lamb (Director-General of Health and Social Care and Chief Executive of NHS Scotland). These meetings are held in a hybrid format.

NHS Scotland Board Chairs and Chief Executives meet monthly a System Pressures and Recovery Meeting with the Cabinet Secretary for Health and Social Care. For the winter 2022/23 period, Board CEs meet fortnightly to discuss systems pressures and winter planning priorities.

Meetings between 10 February – 15 March 2023

NES meetings
I continue to enjoy meeting with a range of NES staff either to discuss key NES programmes and initiatives or as part of their induction. In recent weeks I have met with colleagues to discuss the ongoing development of the NES strategic plan and also led the all-staff strategy webinar held on 6 March 2023 alongside Karen Wilson (Director of NMAHP / Deputy Chief Executive - Clinical), Tracey Ashworth-Davies (Director of Workforce / Deputy Chief Executive – Corporate) and Christina Bichan (Director of Planning and Performance). I have also met colleagues from the Digitally Enabled Workforce team to receive a progress update on this key area of work and I met with Pharmacy colleagues to discuss an upcoming meeting with Scottish Government regarding the future Pharmacy workforce.

NHS Scotland
I have met with a wide range of colleagues across NHS Scotland since the last Board meeting including Chief Executives and other senior colleagues at NHS Golden Jubilee, Greater Glasgow & Clyde, Dumfries and Galloway, NHS Grampian, National Shared Services (NSS), Healthcare Improvement Scotland, Lanarkshire and Public Health Scotland.

External Stakeholders
I continue to meet with a wide range of key stakeholders across health and social care. Since the last Board meeting I have met with Chief Executives and senior representatives from the Digital Health and Care and Innovation Centre, (DHI), Mental Welfare Commission, Care Inspectorate, COSLA (Convention of Scottish Local Authorities), General Medical Council (GMC), Audit Scotland, University of Dundee, University of St Andrews, Life Sciences Scotland Industry Leadership Group and Azets.

Scottish Government (SG)

I have met with a number of SG colleagues since the last Board meeting including Stephen Lea-Ross (Deputy Director, Health Workforce), Catherine McMeeken (Deputy Director, Director of Leadership, Culture and Wellbeing), John Burns (NHS Scotland Chief Operating Officer), Donna Bell (Director of Social Care and National Care Service), Tim McDonnell (Director of Primary Care) and Karen Duffy (Delivery Director, Preventative and Proactive Care).

In terms of wider SG meetings I have attended meetings of the Independent Review of Qualifications & Assessment in Scotland Collaborative Community Group and the National Care Service sub-group. I have also attended meetings to discuss remote and rural health and social care and the Dementia Strategy.

Board Paper

1.   Title of Paper

Draft Strategic Risks and Risk Appetite

2.   Author(s) of Paper

Jim Boyle, Executive Director of Finance

3.   Lead Director(s)

Jim Boyle, Executive Director of Finance

4.   Situation/Purpose of paper

4.1   To present the Board with the revised schedule of Strategic Risks (SR1-SR14) and the Risk Appetite Matrix in Appendix 1, following detailed discussion at the Board development session on Monday 20 February 2023 and review by the Audit and Risk Committee by correspondence.

5.   Background and Route to Meeting

5.1   This report is being presented to the Board for approval at this meeting and follows detailed discussion at the Board development session on 20 February 2023. At that session, detailed discussion took place and on Strategic Risks and Risk Appetite Matrix, and comments were incorporated into a revised document that was circulated to the members of the Audit and Risk Committee by correspondence, for their review and comments.

6.   Assessment/Key Issues

6.1   The Board's existing Strategic Risks and Risk Appetite Matrix have been reviewed by the Executive Team, with a view to reducing duplication of risks in the light of changing internal and external circumstances, and also in the light of the new draft Strategic Plan. The revisions were considered and discussed in detail at the Board development session on 20 February 2023, and a number of very helpful comments and suggestions were provided by members of the Board and the Executive Team. Based on that discussion and on the

comments provided, the Strategic Risks and Risk Appetite Matrix have been redrafted and presented as Appendix 1 to this report.

6.2 A well as making amendments to the individual risks, in order to help focus each risk on cause, effect and wider impact, the risks have been reframed to follow the principle of:

"If we do/do not do X, then Y will/will not happen, resulting in Z"

6.3 The Risk Appetite Matrix, also contained in Appendix 1, has had one change made to the existing Risk Appetite Matrix, following the discussion at the Board development session. That change moves the proposed appetite for Strategic / Policy risks at the pilot / test of change stage from **Open** to **Hungry**.

6.4 Following review by the members of the Audit and Risk Committee, one member of the Committee felt that the Cautious ratings for Finance and Accountability / Governance are at odds with other areas as to enable us to be hungry in other areas we would need to be taking some risk in Finance and Accountability / Governance, as otherwise NES would not be able to be hungry. The suggestion is therefore that **Minimalist** should apply to these areas for Concept & Pilot / Test of Change. Both stages are currently graded as **Cautious** for Finance risks and **Cautious** at concept stage for Accountability/Governance risks.

7. Recommendations

The Board is asked to:

1. Consider whether the change to risk appetite suggested by a member of the Audit and Risk Committee for Concept & Pilot / Test of Change stages should be changed to **Minimalist** for Finance risks and Accountability / Governance risks.

2. Consider the proposed revised set of fourteen Strategic Risks (SR1-SR14) and Risk Appetite Matrix as set out in Appendix 1, subject to the suggested changes in the risk appetite in Recommendation 1.

Author to complete **checklist.**

Author to include any narrative by exception in Section 6 of the cover paper.

a) Have Educational implications been considered?
☒Yes
☐No

b) Is there a budget allocated for this work?
☒Yes
☐No

c) Alignment with NES Strategy 2019-2024
☒1. A high-quality learning and employment environment
☒2. National infrastructure to improve attraction, recruitment, training and retention
☒3. Education and training for a skilled, adaptable and compassionate workforce
☒4. A national digital platform, analysis, intelligence and modelling
☒5. A high performing organisation (NES)

d) Have key strategic risks and mitigation measures been identified?
☒Yes
☐No

e) Have Equality, Diversity, Human Rights and health inequality issues been considered as per **Fairer Scotland Duty: Guidance for Public Bodies** and **Corporate Parenting** as per the **Children and Young People (Scotland) Act 2014**?
☐Yes
☒No

f) Have you considered Emergency Climate Change and Sustainability implications as per DL (2021) 38?
☐Yes
☒No

g) Have you considered a staff and external stakeholder engagement plan?
☐Yes
☒No

Jim Boyle
13 March 2023
NES

APPENDIX 1

Proposed Revised Strategic Risks & Risk Appetite Matrix

**Following discussion at Board development session on
20 February 2023 and further Executive Team review**

Note: risks have been framed using the principle of:

"If we do/do not do X, then Y will/will not happen, resulting in Z"

Strategic Plan Misalignment

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR1	If the NES Strategic Plan does not align with the needs and expectations of stakeholders, this could lead to a failure of the NHS and social care workforce's ability to respond to the existing and changing health and social care needs of Scotland's population. This could result in high levels of dissatisfaction with the role of NES and loss of credibility as the statutory education, training, workforce development, data and technology provider in health and social care in Scotland. It could also mean that the health and social care workforce do not have the necessary skills and knowledge to meet the needs of the population.

Also we seek to deliver such an ambitious strategic agenda and broader organisational remit, that the delivery of critical business is destabilised. | **Strategic / Policy**

Reputational / Credibility | R1 | Pressures on the system result in education and training being considered as less important than service delivery priorities, including as a result of the Covid impact. |
| | | | R12 | NES is not able to demonstrate the impact from the interventions that it has developed and delivered: Scottish Government guidance has required necessary reprioritisation of organisational activities in response to Covid |
| | | | R13 | NES does not deliver leading to a loss of reputation and confidence from stakeholders. Uncertainty in health and social care as a result of Covid may lead to difficulties responding to service demands and needs. Future implications of the National Care Service. |

Workforce Capacity and Capability

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR2	If NES continues to experience a disproportionate amount of non-recurrent funding, without conversion to recurrent funding, we will have to rely on a high number of short-term and fixed-term contracts of employment in NES. This will result in continued workforce instability and could also result in failure to adequately deliver the NES Strategic Plan and respond to the commission requirements of Scottish Government. This situation seriously compromises our ability to maintain a workforce that has the right capacity and capability.	**Operational / Service Delivery**	R16	The UK is no longer a member of the EU: potential negative impact on recruitment, and reciprocal recognition of qualifications.
			R3	Policy development UK-wide and within Scotland may have negative impact on NES's capacity to support attraction, recruitment and retention of the workforce; potential future workforce supply; and training progression.
			R4	Challenges that Boards and other organisations have in meeting demand for staffing result in a negative perception of NES's involvement in the attraction, recruitment and retention of the workforce
			R7	Turnover in key roles leads to loss of expertise/corporate knowledge resulting in negative impact on performance.

Board/Executive Team/Senior Management Succession Planning

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR3	If NES fails to recruit and retain sufficiently experienced and knowledgeable people to the Board, Executive Team and senior management establishment due to insufficient recruitment and succession planning, this would impact the continuity of effective leadership, management and governance of NES. This would result in a deterioration of NES performance and credibility at all levels and would increase the risk of serious failures in governance.	**Operational / Service Delivery**		**No map to existing risk - new Strategic Risk**

Employee Engagement

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR4	If NES does not adequately engage with its employees there could be a breakdown in understanding of the roles that employees play and the contributions that are expected of them in the delivery of the Strategic Plan and the individual Directorate Operational Plans. That could result in a significant deterioration in NES' ability to deliver on those plans.	**Operational / Service Delivery**	R8	Organisational or other changes lead to dissatisfaction and disengagement of staff

Corporate Support Infrastructure

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR5	If NES does not put in place a corporate support establishment of which has the right number of people, suitably skilled, as well as having the right systems and other resources to drive improvements in transformation and best value, then the Board might not adequately deliver the aims of its own Strategic Plan or the external commissions agreed with the Scottish Government.	**Operational / Service Delivery** Reputational / Credibility	R20	Inability to fully support the delivery of the NES Strategy due to lack of capacity in corporate support infrastructure

Internal and External Threats – Business Continuity

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR6	If NES does not put in place and maintain adequate Business Continuity arrangements to deal with the risk of adverse events and threats, both internal and external threats, e.g. national or global pandemics, power supply outages, and other events, then there may be an inability to deliver normal levels of service, or even an inability to deliver services at all in extreme circumstances.	**Accountability / Governance** Operational / Service Delivery	**R9**	Major adverse incident impacting on business continuity

Internal and External Threats – Cyber Security

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR7	If NES does not put in place measures to adequately protect itself against breaches of cyber security, this could lead to unauthorised access to NES digital systems and data. This could significantly affect our ability to continue normal business operations and would risk reputational damage and the imposition of punitive financial fines by regulatory authorities.	**Accountability / Governance** Operational / Service Delivery	R19	Breach of cyber security resulting in unauthorised access to NES digital systems and data
			R9	Major adverse incident impacting on business continuity

Information Governance Breach

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR8	If NES does not put sufficient employee training and other operational controls in place to minimise the risk of breaches of Information Governance, there could be instances of significant loss of data. This could result in serious reputational damage and the imposition of punitive financial fines by regulatory authorities.	**Accountability / Governance** Reputational/Credibility	R15	NES has a breach of Information Governance requirements resulting in loss of data and/or negative publicity

Financial/Funding Pressures

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR9	If NES does not put sufficient measures in place to address ongoing cost and funding pressures as well as a high level of non-recurrent funding from SG, then the Board will experience financial constraints and will risk the inability to set sustainable financial plans and to take remedial actions necessary to remain in financial balance. This could then result in failure to meet the aspirations set out in the Strategic Plan as well as having an increased risk of not being able to control the finances of NES.	**Financial**	R2	Scottish Government budgetary decision results in an uplift for NES that is less than cost pressures which in turn could mean NES Board are unable to balance expenditure against expected funding and is unable to deliver its strategic outcomes.
			R6	In the face of new and existing demands, NES is unable to allocate resources to support priority activities in an agile and responsive manner
			R10	The complexity of the NES budget results in unplanned year-end underspend, giving the impression that NES is overfunded or not delivering its planned objectives.
			R11	NES is unable to deliver in year savings required to balance budget and therefore has year-end overspend which is in breach of its statutory financial targets
			R21	Delays in confirming allocations or reduction to allocations from SG lead to a failure to deliver against the Strategic plan, and impact on ability to manage the financial outturn at the end of the year.

Political Uncertainty

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR10	If NES is not able to adequately anticipate and mitigate the impacts of policy, legislative, economic and societal change, we may be unable to attract, educate and train sufficient workforce supply, across the health and social care workforce, and in particular trainees and employees in specialist professional disciplines. This could result in a compromise in our ability to deliver on our Strategic Plan or significant parts of it, or to deliver Directorate Operational Plans.	**Strategic / Policy**		**No map to existing risk - new Strategic Risk**

Quality of Learning Outcomes and Inability to Meet Changing Needs of Learners

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR11	If NES delivers poor learning outcomes or a poor quality learning experience to our stakeholders, or if we are inflexible in evolving the methods of delivery of training and education then this could lead to the Health and Social Care workforce not having the necessary knowledge and skills to deliver good quality care. This could result in NES becoming disconnected from the needs of the wider workforce and failing to meet the needs of staff, trainees, learners and stakeholders, leading to serious reputational damage and reassessment of the Board's role in delivering education and training.	**Operational / Delivery** Reputational / Credibility	R5	Changes in the landscape of health and social care and pressures in the system result in a risk that NES is unable to manage constructive relationships with key partners

Investment in TURAS and Other Learning Platforms

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR12	If NES do not sufficiently invest in the TURAS learning platform as well as other learning platforms provided by NES, this would lead to the Board being unable to meet the learning needs and expectations of all stakeholders. This could result in NES becoming disconnected from the needs of the wider workforce and failing to meet the needs of staff, trainees, learners and stakeholders, leading to serious reputational damage and reassessment of the Board's role in delivering education and training.	**Operational / Delivery**		**No map to existing risk - new Strategic Risk**

Capacity and Skills of NES Technology Service

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR13	If NES does not recruit and retain sufficient number of appropriately skilled and experienced staff within the NES Technology Service, this might lead to an inability to meet the delivery requirements of the Digital Health and Care Strategy and regulatory and professional needs. This could result in significant risk to NES's position as a key delivery partner of the Scottish Government in the area of IT and digital development and service provision.	**Technology** Operational / Delivery		**No map to existing risk - new Strategic Risk**

Board Governance Failure

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
SR14	If NES does not put sufficient arrangements in place in relation to Board governance, systems, processes and scrutiny of them, then this could lead to corporate non-compliance and failure to comply with statutory, legislative and climate emergency/sustainability requirements. This could result in a loss of credibility by the Board, the Scottish Government as well as a range of audit and scrutiny bodies, which could pose a threat to the general credibility and future of NES.	**Accountability / Governance**	**R14**	Failures in Board processes lead to corporate governance non-compliance and loss of credibility with Scottish Government e.g. failure to comply with statutory and/or other requirements, failures in financial/audit/staff governance/educational quality procedures

Ref.	New Strategic Risk Description	Category (bold indicates principal category)	Ref.	Existing Strategic Risk Description
	Now part of SR14		**R17**	The National Digital Platform is not delivered in line with the updated Digital Health and Care Strategy.
	Now part of SR6		**R18**	Impact to NES operations, staff and stakeholders as result of Coronavirus pandemic.

NES Board Risk Appetite
March 2023

Classification	Description	Residual Score Range: Likelihood x Impact
Averse	Avoidance of risk and uncertainty is a key organisational objective	1 - 3 (Low Priority)
Minimalist	Preference for safe options where the inherent risk has low impact and there is a potential for limited reward	4 - 8 (Housekeeping Priority)
Cautious	Preference for safe options where the inherent risk has relatively low likelihood and there is limited potential for reward	4 - 9 (Contingency Priority)
Open	Willing to consider all options and choose the one that that is most likely to result in success, despite a relatively high level of risk	10 - 12 (Primary 2 Priority)
Hungry	Eager to be innovative and to chose options offering the highest potential rewars or transformation, despite a high level of residual risk	15 - 25 (Primary 1 Priority)

NES Board Risk Appetite
March 2023

Type of Risk	Concept	Pilot / Test of Change	Business as Usual (Net Risk)
Strategic / Policy Risks	**Hungry**	**Hungry** (previously open)	**Open**
Operational / Service Delivery Risks	**Hungry**	**Hungry**	**Open**
Finance Risks	**Cautious**	**Cautious**	**Averse**
Reputational / Credibility Risks	**Open**	**Cautious**	**Cautious**
Accountability / Governance Risks	**Cautious**	**Minimalist**	**Averse**
Technology Risks (new category added by Executive Team)	**Hungry**	**Hungry**	**Open**

NHS Education for Scotland NES/23/22
Item 9a
23 March 2023

Board Paper

1.   Title

Public Sector Equality Duty: Progress report (April 2021- 2023) and
Employment Equality and Diversity Monitoring (March 2021-April 2022)

2.   Author

Katy Hetherington, Principal Lead – Equality, Diversity and Human Rights

3.   Lead Director(s)

Joint Executive Leads for Equality:
Tracey Ashworth, Director of Workforce / Deputy Chief Executive (Corporate)
Karen Wilson, Director of Nursing and Deputy Chief Executive (Clinical)

4.   Situation/Purpose of paper

4.1   We have a specific duty as part of the Public Sector Equality Duty in Scotland
to report on progress with our Equality Outcomes and how we are
mainstreaming equality through our work every two years. We also have a
specific duty to publish our annual employment equality and diversity
monitoring report and our gender pay gap every 2 years.

4.2   We have a statutory requirement under the Children and Young People's
(Scotland) Act 2014 to report every 3 years on how are progressing children's
rights. This can be a standalone report or integrated into another publication.
This report is due in Spring 2023. We have therefore included this in our
progress report on our Public Sector Equality Duty.

4.3   The Board is asked to approve the 2 year progress report on the Public Sector
Equality Duty (Annex A). This includes our annual workforce equality and
diversity report (Annex B) and our 3 year report on children's rights. The report
will be published on our website in April 2023 to meet statutory reporting
requirements.

5.   Background and Route to Meeting

5.1   Every 2 years we are required to report on progress with our equality outcomes, how we are mainstreaming equality into our functions, our employee equality monitoring report and our gender pay gap. This is due in April 2023.

5.2   NES's Equality and Diversity Employment Monitoring Report was approved by the Staff Governance Committee at its meeting on 2 February 2023. This included our gender pay gap.

5.3   The 2 year progress report has been approved by the Staff Governance, Education and Quality and Technology and Information Committees.

5.4   Given statutory requirements to publish progress with meeting the Public Sector Equality Duty by April 2023, this report will replace the usual end of year report to the Board.

6.   Assessment/Key Issues

6.1   The broad purpose of the Public Sector Equality Duty is to integrate equality and good relations into the day to day business of public bodies. The Scottish Specific Duties set out the ways that public bodies are expected to do so. These include:

- setting and reporting on Equality Outcomes
- reporting on mainstreaming the duty
- gathering and using employee equality monitoring
- assessing and reviewing policies and practice
- equal pay and gender pay gap monitoring
- considering equality in award criteria in procurement.

6.2   Annex A provides our 2 year report on our Equality Outcomes and how we are mainstreaming equality into our work. This covers 8 Equality Outcomes identified in particular areas of our work and 2 Equality Outcomes designed to help us mainstream equality across our functions. This was published in April 2021. The 2 year review period provides an opportunity to take stock and next steps for 2023 are set out at the end of this report.

6.3   We propose to review our Equality Outcomes to ensure alignment with NES's Strategy 2023-26. This will provide an opportunity to ensure we are focusing on the areas that will make the most difference and that the outcomes are SMART. The Equality and Human Rights Steering Group will support the performance management of all our equality actions. This will contribute to bi-annual reports to the Board, following appropriate scrutiny by the relevant Committees.

6.4 The Employment Equality and Diversity Monitoring report is attached in Annex B. It covers the employment journey relating to employees who are directly employed by or on secondment to NES for the financial year 1 April 2021 to 31st March 2022. We also look at data on candidates who apply for posts in NES.

6.5 The composition of NES's workforce is largely female, of White ethnicity and aged between 35-64. 3.1% have disclosed a disability and just under 4% have disclosed their sexual orientation to be lesbian, gay or bisexual. We have differential outcomes for applicants from Black, Asian and Minority Ethnic backgrounds. The likelihood of progression from application to appointment is almost double for White applicants compared to Black, Asian and minority ethnic backgrounds.

6.6 NES's overall gender pay gap is 5.4% and is narrowing each year. Our gender pay gap is below the Scottish public sector average of 12.5%. NES was recently highlighted in Audit Scotland's Public Sector Gender Pay Gap Reporting publication as an example of good practice in reducing the gender pay gap.

6.7 We have identified actions based on our workforce equality monitoring, a requirement in the Scottish Specific Duties. Actions cover improving the collection of data, rolling out training to staff involved in recruitment and selection and further work to understand equity in access to training. Our staff equality networks will be involved in shaping this work.

6.8 We have incorporated our statutory requirement to report every 3 years on how we are progressing children's rights into our 2-year Public Sector Equality Duty Report.

6.9 The role of senior leaders in driving cultural and attitudinal change is well recognised in making progress in equality and creating inclusive and diverse workplace cultures. Leaders play a significant role in progressing equality due to their power and influence on an organisation's culture and values. Specific actions that senior leaders can take to support NES in its equality work, including specifically on anti-racism, is being progressed with the Executive Team in April 2023.

7. Recommendations

7.1 The Board is invited to note and approve for publication the Public Sector Equality Duty – Progress Report for the period covering April 2021-March 2022 and Employment Equality and Diversity Monitoring report covering April 2021-March 2022.

7.2 The Board is asked to note the activities taken to progress children's rights as part of our requirements under the Children and Young People (Scotland) Act 2014.

Author to complete **checklist.**

    a) Have Educational implications been considered?

☒Yes

☐No

    b) Is there a budget allocated for this work?

☒Yes

☐No

    c) Alignment with [NES Strategy 2019-2024](#)

☒1. A high-quality learning and employment environment

☐2. National infrastructure to improve attraction, recruitment, training and retention

☒3. Education and training for a skilled, adaptable and compassionate workforce

☒4. A national digital platform, analysis, intelligence and modelling

☒5. A high performing organisation (NES)

    d) Have key strategic risks and mitigation measures been identified?

☒Yes

☐No

    e) Have Equality, Diversity, Human Rights and health inequality issues been considered as per **[Fairer Scotland Duty: Guidance for Public Bodies](#)** and **Corporate Parenting** as per the **[Children and Young People (Scotland) Act 2014](#)**?

☒Yes

☐No

    f) Have you considered Emergency Climate Change and Sustainability implications as per [DL (2021) 38](#)?

☒Yes

☐No

    g) Have you considered a staff and external stakeholder engagement plan?

☒Yes

☐No

Katy Hetherington
16 March 2023
NES

![NHS Education for Scotland]

Public Sector Equality Duty

April 2021 – April 2023

Published April 2023

The Public Sector Equality Duty: Progress Report (April 2021-2023)

Contents

Accessibility

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Introduction

We published our Equality Outcomes and Mainstreaming Report in April 2021. This set out our Equality Outcomes for April 2021-2025. This report provides progress since 2021 with our equality outcomes and how we are mainstreaming the Public Sector Equality Duty into our day-to-day work. We have also incorporated our legislative requirement to report every 3 years on how we are progressing children's rights. This is a requirement under Part 1 of the Children and Young People (Scotland) Act 2014.

This report contains the following:

- Progress with our Equality Outcomes since April 2021
- How we are integrating the Equality Duty into our day to day work
- How we are progressing children's rights as set out in the United Nations Convention on the Rights of the Child (UNCRC)
- Our Employee Equality and Diversity Monitoring Report which includes our Gender Pay Gap (Annex B or weblink if we publish as separate to this report)

About NHS Education for Scotland (NES)
We are the statutory education, training and workforce planning and technology provider in health and social care. We are a national NHS Board.

Addressing all forms of inequality and progressing equality is central to our work in NES. This is important in how we carry out our functions both as an employer and in our role in education, training, workforce planning and as a provider of technology in health and social care. We want to mainstream equality into our work as well as identify areas where we can make the most difference in tackling inequality through our areas of influence.

You can find out more about our work at NHS Education for Scotland.

Mainstreaming the Public Sector Equality Duty

'Mainstreaming equality' according to the [EHRC Guidance](#) means "integrating equality into the day-to-day working of an authority."

To support NES in mainstreaming equality, diversity and inclusion across all our work the following has progressed since 2021:

- A new Equality, Diversity and Human Rights team with additional capacity to support our national education and training role in this area was established in 2022.

- A Staff Equality Network co-ordinator was employed in June 2021 for a fixed period to establish a sustainable staff equality network structure in NES.

- We have established a new Equality and Human Rights Steering Group to refresh the operational performance management for our equality work. The group is co-chaired by our Deputy Chief Executives who are Executive Leads for equality, diversity and human rights.

- A Non-Executive champion for Equality was identified by our Chair in February 2022. This role is to provide visible leadership to our staff on equality and support the Board in carrying out its scrutiny role. Our Non-Executive Champion has attended all our staff equality network meetings and events during the year, encouraging Board members to do the same.

- We launched a new Community of Interest on Equality and Human Rights as a place to share learning and practice for staff in September 2022. The launch event attracted over 90 staff. The community is intended to provide a menu of options to support a continuous professional development approach to learning about equality, diversity, inclusion and human rights issues.

- A new hub with refreshed information and guidance for staff on equality, diversity and human rights in NES is now available. The hub features recordings of events and learning sessions; guidance on a wide range of issues such as EQIA and digital accessibility; signposting to learning resources, policies and support; and up-to-date information on getting involved in our staff networks.

Steps we have taken over the last 2 years to mainstream equality into our work include the following:

- We have supported our Educators in shifting to deliver training and education virtually during the pandemic through our Technology Enhanced Learning Team, building in consideration of accessibility and inclusion.
- Equality is part of our digital product design approach in NES Technology Directorate.
- We have reviewed and updated our Inclusive Education and Learning Policy and are developing supporting guidance for staff. The policy aims to deliver an inclusive approach to our education and learning, both for our learners but also through our curricular and learning resources.
- We have held events in relation to the following themes: events during Black History Month on how to embed anti-racism and inclusion into our work; a session to share the learning from a LGBTQ+ Health Needs Assessment in Scotland; a panel discussion with the Royal College of Nursing on neurodiversity; a celebration of International Women's day; Seminars on disability workplace adjustments; and multiple events celebrating Pride month. We have invited other NHS Boards to events which are of interest to audiences beyond NES.
- The Equality, Diversity and Human Rights Team has undertaken a learning needs assessment with NHS Boards to inform plans to develop high quality and timely education and training resources on our Equality and Diversity Zone on the Turas Learn platform.
- We collaborated with the Equality and Human Rights Commission in 2021-22 to develop and launch a new e-learning resource on understanding the Public Sector Equality Duty, which is aimed at NHS Board members.
- Our Organisational Development and Learning Team supported work with Scottish Government to develop a new equality and diversity monitoring form on the national recruitment portal Jobtrain. This work took an evidence-based approach drawing on expertise from 3rd sector organisations, Equality and Diversity leads, the current census, and academic research.
- We held a session with our Executive Team in May 2022 to raise awareness about the updated Fairer Scotland Duty Guidance and to discuss the approach to an Equality Impact Assessment for NES's new strategy for 2023-2026. The Equality Impact Assessment findings and recommendations will be published alongside the strategy in 2023.

We set 2 specific outcomes to mainstream equality into our work. They are:

1. Improving our Equality Impact Assessment (EQIA) performance, ensuring a systematic approach to using EQIA to inform the development of new workstreams;
2. Building capacity – both technical and educational -- to deliver accessible digital learning.

Improve our Equality Impact Assessment (EQIA) performance, ensuring a systematic approach to using EQIA to inform the development of new workstreams

Guidance on how to carry out equality impact assessment is available to staff on our intranet and training is available on our Turas Learn platform. The Equality and Human Rights Team have refreshed our approach to EQIA and have piloted a revised set of questions to streamline the EQIA process.

Our community of interest is helping to share learning and practice across the organisation on equality and human rights, including EQIA.

We have delivered training sessions to staff in 2022 and now have monthly EQIA drop-in sessions for staff to share approaches and ask for help in undertaking EQIAs.

Several EQIAs across the organisation have also been identified and are being progressed. Once EQIAs are signed off they are published on our website.

As part of the operational planning guidance we highlighted that consideration should be given to contributing to our Equality Outcomes and whether an EQIA should be incorporated. Our new guidance for writing papers for our Executive Team, Committees and the Board incorporates a checklist which includes consideration of equality, including the Fairer Scotland Duty.

Build capacity – both technical and educational – to deliver accessible digital learning

The Technology Enhanced Learning Team continues to support NES educators through an active community of practice and a suite of resources. Developments include:

- A pre-learning questionnaire to identify in advance whether a learner has additional learning needs or requires support to access training
- Detailed, practical, easy to use guides on how to create PowerPoint and text documents that are accessible for users and meet legal accessibility requirements
- Publication of the Quality Guidelines for Digital Learning resources on the Guidance for Education Turas Learn site

We have updated our Inclusive Education and Learning policy and are now developing guidance to support staff apply this in practice.

NES is also playing an important role in supporting the digital capability of the wider health and social care workforce through the Digitally Enabled Workforce programme of work.

Mainstreaming Equality into our procurement

Public authorities in Scotland have a specific duty relating to their procurement function. This duty has two key elements:

- Public authorities must have due regard in procurement activities to whether the award criteria should include considerations to better enable it to meet the Equality Duty.
- Public authorities must have due regard in procurement activities to whether contracts or agreements should include stipulations which would better enable it to meet the equality duty.

NES recognise that our activities influence the society in which we work, and our procurement strategy is committed to achieving environmental, social and economic aims that tackle these effects.

NES is committed to ensuring a high standard of ethical and sustainable trade practices across its commissioning and procurement activities. The NES Ethical Procurement Policy sets out our expectations with regard to our standards. NES requires all direct suppliers and contractors to observe the provisions of the policy and requires that suppliers and contractors, in turn obtain similar compliance with its provisions from their suppliers and contractors.

In addition, the Suppliers Sustainability Code of Conduct is available on our website to support our work to progress equality.

In relation to our education and training role, all our invitations to tender documentation and contracts include the suite of NES standards to support inclusive education. This is set out in our Inclusive Education and Learning Policy.

NES Technology Service has established digital development guidelines, with equality and diversity requirements embedded, and aligned to all relevant legislation including the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.

The Knowledge Services Team established the eBooks procurement framework for publishers to support purchasing of eBooks in a variety of fonts, text sizes and viewing formats which support better access and accessibility to suit user needs.

An annual report is provided to our Finance and Performance Management Committee on how we are meeting the public sector equality duty in relation to our procurement activities.

Progress with our Equality Outcomes

We identified 8 Equality Outcomes in April 2021. Progress towards the outcomes is summarised below:

Outcome 1: Our support for youth employment with a particular focus on engagement and supporting transitions from school, college and university for those further from the labour market or more likely to experience barriers to full employment: young people who are care-experienced, disabled, or from Black and minority ethnic or socio-economically disadvantaged communities.

Progress:
We recognise that measuring this outcome is a challenge. Over the last 2 years we have continued to support activities aimed at widening access to NHS careers and training for groups that are under-represented in the NHS workforce. We secured Scottish Government funding to support a covid recovery internship programme which saw up to 27 graduates take up placements across 17 health boards. To be eligible, graduates had to be underemployed – i.e. not already in a graduate level role – and have graduated 2019-21 when their educational experience would have been negatively impacted by the pandemic.

A refreshed and updated NES Widening Access Framework is under development and will be taken to the NES Executive Team in May 2023. The framework will drive greater conversation and collaboration across NES Directorates to maximise our ability to champion equity and inclusivity in our work with the current and future workforce. Equality impact assessment is built into the strategy.

[NHS Scotland Academy](), a partnership between NES and NHS Golden Jubilee, was established in 2021 and is developing a Youth Academy. This includes work through regional 'huddle' groups to improve progression pathways for young people from school/college into the workforce. Other projects underway with the regional huddle groups include: using simulation resources in local NHS sites to attract young talent into NHS Careers; developing regional skills ecosystems which align regional provision with workforce priorities.

As part of our Corporate Parenting actions 2021-2022, we delivered a national workshop on employability in collaboration with 'Who Cares? Scotland'. 'Who Cares? Scotland' also contributed to the NES Employability and Apprenticeship Action Group. We also held a session for staff 'From Care to Work: Education & Employment' in 2021.

Outcome 2: The number of refugee health professionals re-entering their profession is increased through better access to training, language support, professional mentoring and work experience.

Progress:
We have continued to support refugee doctors complete English language requirements and the Professional and Linguistic Assessment Board (PLAB) in order to practice in Scotland. This is through funding to the Bridges Project. The refugee

doctor programme is also now piloting an enhanced induction programme and this is being reviewed in conjunction with the Scottish Government and the Centre for Workforce Supply. Further discussion is required with Scottish Government around the overall vision for the refugee doctor scheme and how this should be delivered.

We recognise the need to undertake further work in this area to measure progress towards this outcome. This will be part of our review of our Equality Outcomes to align with our new organisational strategy for 2023-2026.

Outcome 3: Attainment gaps for medical trainees from Black and Minority Ethnic backgrounds and International Medical Graduates are reduced.

Progress:
The Advancing Equity in Medical Education Steering Group was established in 2020 to advise the Scotland Deanery (part of the NES Medical Directorate) on actions towards reducing the attainment gap. This is a complex issue recognised across the UK. The group's first annual report is due for publication in March 2023. Actions undertaken over the last 2 years include:

- Associate Post-Graduate Deans for International Medical Graduates (IMGs) and for Equality, Diversity and Inclusion have been appointed in NES to support our work in this area.
- A trainee equality, diversity and inclusion dashboard has been created. This will aim to build a better understanding of the demographic profile of trainee doctors in Scotland (including ethnicity and place of primary medical qualification), and support prioritisation and evaluation of work to address differential attainment.
- International Graduates Support increased: GP and Psychiatry STEP (Scottish Trainee Enhanced Programme) is being extended to Medicine and explored for other specialties, and Softer Landing- Safer Care is being rolled out across Scotland in collaboration with Directors of Medical Education.
- An inclusivity poster was developed and shared with Directors of Medical Education for sharing in NHS Board service areas. This was designed to promote values of inclusion in the workplace and the actions that can be taken. A copy is included at Annex A.
- Equality, diversity and inclusion content increased in courses for our trainers.
- A simulation resource (Fairness in Feedback) for supervisors has been developed and is being piloted in March 2023. This resource aims to support effective and fair feedback, recognising the range of issues which may impact on trainees' performance in NHS Scotland.

Outcome 4: We will continue to enhance the inclusivity of education and training programmes for disabled learners in NHS Scotland through:

a. Expanding the availability of technology enhanced learning which reflects best practice in accessibility and increases flexibility in learning opportunities.

Progress:

A Technology Enhanced Learning Team was established in NES in response to the Covid-19 pandemic in 2020 and the need to adjust our way of delivering education and learning remotely. NES educators are supported through a community of practice and a suite of resources. Developments include:

- A pre-learning questionnaire to identify in advance whether a learner has additional learning needs or requires support to access training.
- Detailed, practical, easy to use guides on how to create PowerPoint and text documents that are accessible for users and meet legal accessibility requirements.
- Publication of the Quality Guidelines for Digital Learning resources on the Guidance for Education Turas Learn site.

We have reviewed our Inclusive Education and Learning policy. An EQIA was carried out, and we are now developing guidance to support staff in its implementation. We are also considering how to evaluate the policy.

   b. Establishing arrangements for reasonable adjustments passports for trainees under the Lead Employer programme.

We recognised the requirement to provide dedicated support to our disabled staff, to our doctors and dentists in training (DDiT), to line managers and educators. We appointed a Senior Specialist Lead – Disability who took up post in April 2022. We have developed a draft reasonable adjustment passport to share with the National Group for Lead Employers (for DDiT) and are discussing with Scottish Government who may take responsibility for this as part of the NHS Scotland 'Once for Scotland' policy approach.

   c. Providing holistic careers advice and person-centred support for disabled trainees through the Performance Support Unit (now the Training, Wellbeing and Development Service).

One to one support and case management are undertaken by the Disability Specialist Lead. Individual Learning Plans are being implemented where necessary for our Doctors and Dentists in Training.

Bespoke person-centred resources have been designed including for a small cohort of trainees to enable them to progress with processes such as Annual Review of Competence Progression (ARCP).

Outcome 5: The diverse development needs of our workforce and changes in the way work is being done will be our focus as we support development of digital capability and accessible and inclusive technology enhanced learning. We will invest in core skills development for our educators and designers which will include:

- Accessibility
- Cultural competence and anti-racist education
- Unconscious bias in education
- Social learning and facilitating for inclusive learning

Progress:

Developing digital capability in NES

See update on Outcome 4 on the support provided by the Technology Enabled Learning Team in NES. NES staff also participate alongside a wide range of colleagues across health and care in programmes to deliver the workforce priorities of the Scottish Government's Digital Health and Care Strategy (see progress by our Digitally Enabled Workforce Team below).

Equality and Diversity Education and Learning

We manage the Equality and Diversity Zone on the Turas Learn platform. Health and social care staff can access a range of resources here. Our Specialist Lead - Education joined the Equality, Diversity and Human Rights Team in June 2022 to provide additional capacity in NES. A Learning Needs Assessment with NHS Boards has been completed to inform priorities to provide high quality and timely learning and education materials for health and social care staff. A priority for the team in 2023 is refreshing an e-learning module on equality and human rights as a basic introductory resource for all staff. We recognise the contribution of our partners bringing expertise to this area, particularly in the voluntary sector, and we will continue to work collaboratively with partners to meet the learning needs in health and social care.

Cultural humility

NHS Academy is working with the NES Equality, Diversity and Human Rights team to develop resources to support the workforce on cultural humility. Examples of resources from across the UK have been identified and the working group has developed learning outcomes and materials to develop this resource. The focus will be on reflective practice around the values and behaviours which can be practiced in the workplace to support inclusion and equality. This is due for completion by October 2023.

Developing digital capability across the health and social care sector

The Digitally Enabled Workforce Team in NES was commissioned by Scottish Government to support the development of digital skills within the health and social care sector via targeted projects. Research was commissioned to understand what the Scottish health and care workforce need and want from improved access to digital skills learning resources. The research has been shared widely across NES, with Scottish Government and across the health and social care sector.
Further information about the full range of the programme's work is available at Digital Health and Care Leadership Programme.

Outcome 6: Our approach to digital design considers the role of digital in:

- How we design with the diverse needs of our audiences in mind when developing our products;
- How we consider the role of digital in supporting the care pathways we are supporting or for which we are delivering learning;
- How the delivery of highly accessible digital solutions is best supported by and influences the "non-digital" ways of interacting with a product or service; and

- How we measure whether our digital products and technology enabled learning are connecting with audiences in ways that address rather than widen inequalities.

Progress:
NES Technology Service plays a key role in digital and technology work through enterprise facilitation and delivery of infrastructure, systems, services, and access. Our success, however, is dependent on applying technology to support people's needs in a service.

We have developed key measures to set out how progress will be made towards this outcome (see Annex B). Equality, equity, inclusivity, and accessibility are core to good design and is considered throughout all phases of digital design. When designing any digital product or service, a framework on 'key dimensions to enhance' (quality approach) and 'barriers to access' (EQIA) is undertaken. Digital design standards underpinning our work are outlined in the Scottish Approach to Service Design, the Digital Scotland Service Standard, and good practice in engaging with people to design services, education, and training.

Areas to demonstrate this approach since 2021 include:
- **Systems.** A Foundational EQIA framework developed to inform the development of the Health and Care products. This allows the product specific teams to concentrate on specific user equality, accessibility, and experience considerations of a product.
- **EQIA.** An EQIA of our Digital Eyecare Ophthalmic Electronic Patient Record completed in 2022.
- **Systems.** The Turas Style guide as a foundation to meet equality principles for accessibility and experience. As well as informing learning and education courses and modules, it is currently under design to support emerging priorities of the National Digital Platform.
- **Infrastructure (people).** The Technology Enhanced Learning and Knowledge Services teams continue to support our staff and develop resources and communities of practice to meet the diverse needs of our learners.
- **Capability.** The formal launch of the National Digital Platform at Digifest 2022. The platform has the potential to meet public and patient needs directly and indirectly through improvement of work conditions, tools, and system capabilities. The Service Catalog section outlines how to access and develop applications and services using a secure approach and a style guide with accessibility considerations.
- **Enhancing professional capacity and digital inclusion.** Real Time Staffing, an online platform for users in critical care, maternity and mental health, helped to address barriers of digital literacy in the previous workbook-based format.
- **Enhancing professional capacity and digital literacy and skills.** A new Study Leave App, part of the Training Programme Management (TPM) and Training portfolio, systematically designed to ensure the application can be used across a variety of devices (including mobile-friendly) and suitable for multiple users, admin, trainees, and leave approvers.

Outcome 7: The attraction and selection processes for our leadership and management programmes support a leadership and management cohort that is inclusive and representative. The provision of our leadership and management programmes supports the building of an inclusive workplace culture.

Progress:
The new Leading to Change programme was launched by Scottish Government in October 2022. NES is a key delivery partner and is working closely with government including in the delivery of the actions in the Equalities Sub-group action plan. There are six actions and NES is responsible for 4 of these actions including the now launched Diversity Coffee Connect Programme and an equality, diversity and inclusion blog series. NES is also funded to deliver an allyship programme and a diversity at all levels programme as part of the Equalities Action Plan. This is being progressed in 2023 following recruitment of additional staff to support its delivery.

The recruitment process for the Management Training Scheme (MTS) is currently being reviewed to identify any potential barriers for people with protected characteristics. The recommendations will guide the improvements in the Scheme's recruitment.

Outcome 8: NES is an inclusive employer, with:

a. Effective employee voice, including staff networks with effective influence on policy.

Progress:
In June 2021, NES appointed a Staff Equality Network Co-ordinator for a fixed term to establish staff equality networks. NES now has the following staff networks which meet regularly in a supportive environment, facilitated by our Equality Network Co-ordinator
- Parents and Carers Staff Network
- Underrepresented Ethnic Minority Staff Network
- LGBTQ+ Staff Network
- Disability, Long-term conditions, Neurodiversity & Mental Health Staff Network

The Chairs and Vice Chairs of all the networks meet quarterly to discuss and decide ways forward on common network areas. Network meetings provide the opportunity for peer support as well as progressing network action plans. Our Non-Executive Board Champion attends the joint chairs meeting and staff network meetings at least once a year. Other Board Non-Executive and Executive Team members are also welcome to attend staff network meetings.

The networks have supported work in the organisation including:
- The Carer Positive Benchmarking review.
- Focus group discussions to inform the staff survey on hybrid working.
- Updating NES education resource Equal Partners in Care (EPiC) with Network members sharing their lived experience videos.
- Review of accessibility information for NES sites with our Health and Safety Officer.

- Membership on the Short Working Life Group to review the Inclusive Education and Learning Policy.
- Consultation events on the development of NES's new strategy for 2023-26.

There have also been a range of events including:
- Disability Workplace Adjustments Event.
- Promotion of Pride History month including participation in the Edinburgh Pride parade, conversations with NHS LGBT+ Leaders event and 'meet the author' Kaite Welsh event.
- A live podcast from a member of staff on Living and Working with IBD (Inflammatory Bowel Disease).
- Underrepresented Ethnic Minority Staff Network monthly tea/coffee/cake drop-ins.
- Parent/Carer Connections weekly drop-ins.
- Education sessions at network meetings e.g., Inclusive language, what is racism, challenging prejudices, and stereotypes.
- An event on neurodiversity led by the Royal College of Nursing.

Our Under-represented Ethnic Minority Staff Network Chair and Vice-Chairs are members of the Scottish Government Ethnic Minority Forum. This brings all the NHS Race Equality Network Chairs together. We are also members of the Edinburgh Employers Network which has a focus on Carers.

b. Improved recruitment outcomes for young candidates, minority ethnic candidates and disabled candidates.

Our monitoring has shown that external advertising of posts has not led to increased diversity in the workforce. Our Equality and Diversity Employee Monitoring Report (March 2021-April 2022) includes an analysis of our recruitment outcomes for different groups. We have an action in our recent employment monitoring report to roll-out and evaluate training for all staff involved in recruitment.

A refresh of the existing Modern Apprentice (MA) employment offering within NES is underway. An updated and more integrated MA programme for NES is being developed, linking in directly with workforce planning and each Directorate's 2023-24 Operational Plan.

Our Job Packs and Adverts have been refreshed and successfully piloted across all NES Technology vacancies and will be rolled out across NES in a phased approach in the coming months. An analysis of impact will be measured after six months.

c. An adaptable and flexible workforce with positive support for staff wellbeing.

A review is underway to improve the provision of services for neurodivergent trainees, led by our Specialist Disability Advisor and the Training Development and Wellbeing Service. This will include assessment processes, reasonable adjustments, case management, ongoing support and trainer awareness. We also continue to run the Guaranteed Interview Scheme for Dental and Pharmacy trainees as part of our recruitment campaigns and accommodate reasonable adjustments during trainee recruitment campaigns and trainee employment. We are planning to develop a self-

assessment tool to support dental vocational trainers in assessing the accessibility of their premises as a place of work, improving the ability to identify training practices which suit the needs of trainee applicants with disabilities.

We included equality monitoring in our recent staff survey to understand if our hybrid working model was affecting staff differently across the protected characteristics. In relation to staff with protected characteristics, most improvement was found by staff with a disability, and staff in the youngest age group. A 'New Ways of Working' Steering Group has been established to support effective hybrid working in NES and equality considerations will be part of the group's remit.

Over the past 2 years there have been a variety of activities to support staff wellbeing. This has included:
- Sessions on topics such as the Step Count Challenge, Nutrition and Hydration, Mental Health and Wellbeing, Epilepsy and Inflammatory Bowel Disease.
- Spotlight sessions on issues such as Women's health, Men's Health and Financial Wellbeing.
- Workshops on Introduction to Mindfulness and Guided Journaling and now weekly mindfulness practice sessions which staff can access on a drop-in basis.
- Events and information on menopause, resulting in the production of the NES Menopause Guide for Managers and the setting up of Menopause Meet-ups support group to enable sharing of lived experiences in a safe space.
- There is also Coaching for Wellbeing available to all NES staff and comprehensive resources on the Wellbeing Hub.

How we are progressing children's rights

As a special NHS Board, we are listed as a public body required to report on what we are doing to progress children's rights under the Children and Young People (Scotland) Act 2014. This section will provide information on how we have progressed children's rights, through the United Nations Convention on the Rights of the Child (UNCRC), in our work since 2020. A child-friendly poster version of the UNCRC is available: child-friendly poster version of the UNCRC.

Children and young people have the same human rights as adults, and these are the same rights that protect everyone. Children and young people also have additional rights that recognise childhood is a special, protected time in which children must be allowed to grow, learn, play, develop and flourish with dignity. The UNCRC is an international treaty that brings all rights together. At NES, we recognise our vital contribution through workforce education and training to promote and protect children's rights. We have included our progress aligned to the UNCRC clusters (those most applicable to our work at NES), recommended in the Guidance on Part 1 published in 2016 by Scottish Government.

General measures of implementation

We are committed to ensuring our NES workforce and the wider health and care workforce understand the UNCRC and how to take a children's rights approach (Article 4: protection of rights – making rights real). We proactively raise awareness on children's rights through educational activities and have worked with Education Scotland to promote interprofessional learning on children's rights in school communities.

- Children's rights are integral to our NES Women, Children, Young People and Families Group. Established in 2019, the group paused during the pandemic and refreshed in 2022 with representation across NES Directorates as a collaborative workstream. Part of the work is considering future legislation and organisational responsibilities in response to the UNCRC (Incorporation) (Scotland) Bill (Article 4).

- Children's rights awareness sessions were provided for NES staff at the Educational Leadership Group in 2021 and during Care Experienced Week in 2022. Participants were asked how we could best support their understanding of children's rights, which for them was awareness raising and receiving help to explore safe and effective ways to engage with children and young people (Article 42: everyone must know about children's rights).

- We designed and delivered a webinar on children's rights for School Nurses in 2023 and Getting it Right for Every Child in 2022. Participants shared the benefits of learning with and from each other to progress children's rights (Article 42).

- A pilot was initiated in 2022 between NES and Education Scotland to provide interprofessional learning sessions on children's rights in two school communities. The animation to promote one pilot area shows alignment to local strategies and improvement work (Article 4): Promotional animation on interprofessional learning sessions.

General principles of the UNCRC

We are committed to meaningful engagement with children and young people (Article 12: respect for children's views) and can evidence this through our work. We also recognise our own improvement journey to increase these partnerships with children and young people across the range of work at NES; as part of our corporate activities; and integral to our children's rights reports.

- To ensure adults working with or alongside children and young people can support their mental health, we worked in partnership with Children in Scotland and Scottish Government and held consultation meetings with children and young people. This supported the development of 'How to be a good adult' and the creation of a job description (Article 12). One Good Adult Implementation guidance is in pilot stage with full guidance anticipated during 2023.

- As part of this work, we published a Children and Young People's mental health and wellbeing [knowledge and skills framework](#) for the Scottish workforce. We can demonstrate consideration of children's rights in our refreshed Equality Impact Assessment (EQIA) guidance and templates to mainstream children's rights into our work (Article 2: non-discrimination).

- In 2022 our Board Chair David Garbutt was appointed as a non-executive Director of [The Promise Scotland](#) and has a crucial role in progressing the plans and commitments of the Promise in response to the Independent Care Review. This role has firm foundations in ensuring the voices of those with care experience are heard and will further enhance our understanding and activities at NES in driving the changes required to #KeepThePromise

Violence against children

Children in Scotland have the right to be cared for and protected from harm and grow up in a safe environment where their rights and needs are respected. We all have a duty to protect children and our communities from all forms of violence (Article 19). Through the National Trauma Training Programme we continue providing resources to promote trauma-informed practice and support organisations to develop their workforce and understand the impact of trauma in people's lives (Article 39: recovery and reintegration).

- We are committed to ensuring the health and care workforce have access to relevant education, reflective of national guidance, so that everyone recognises their responsibilities in relation to the protection of children. In 2022, we published on child protection which integrate children's rights and trauma-informed practice (see: the [Public protection learning site](#)). The informed and skilled level modules have already been completed by over 2300 learners (Article 19).

- To continue supporting trauma-informed care, we published two resources (see: [trauma-informed care resources](#) to help individuals and teams reflect on their work through a trauma lens and to create a plan for trauma-informed care (Article 39).

- Our trauma-informed resource ['sowing the seeds'](#) was supported by the Scottish Youth Parliament to inform its development. In addition, 'developing your [trauma-skilled practice](#) for those working with children and young people' received valuable input from Who Cares? Scotland (Article 12).

Family environment and alternative care

We understand the support parents and carers may require caring for their children (Article 18: responsibility of parents) and we have a range of curricula which provides evidence-based education to promote early intervention and positive parenting. At NES, our Executive Team are aware of their duties and fulfil their responsibilities as corporate parents (Article 18).

- For 10-years, the [Psychology of Parenting Project (PoPP)](#) has provided evidence-based parenting interventions to build strong parent-child relationships and empower families to promote resilience in their children. As

a baseline measure, the strengths and difficulties questionnaires evidence a reduction in behaviour problems in children whose parents/carers have attended the groups (Article 18).

- We have received feedback from over 2,000 families which helps inform continuous improvement. Parents/carers shared comments such as "*I feel more confident in my approach & that I'm not alone as many parents face similar things*." and "*I feel the course has been life changing in all aspects of my family relationships*."

- Family nurse partnership (FNP) is an intensive home visiting programme for young first-time parents. The three goals of FNP are to improve pregnancy and birth outcomes through improved prenatal health behaviours; to improve child health and development through positive, responsive caregiving; and to improve the economic self-sufficiency of the family. Family Nurses complete their education with NES where the goals are integrated alongside underpinning theories (Article 18). We captured our FNP story and how we help give families the best start in the NES Year in Review 2021/22.

- Our FNP team periodically undertake accompanied home visits to maintain their clinical currency and connection with clients. Feedback from clients happens in a variety of ways, such as bringing the clients/partners voice into the 'classroom' during breastfeeding education and involving fathers in FNP (Article 12). In Scotland, over a fifth (22%) of FNP clients are care experienced or on the child protection register (Article 5) and family nurse education recognises the client's life course in their transition to parenthood.

- We provide Childsmile training for dental health support workers and dental nurses to reduce oral health inequalities and promote positive health and wellbeing outcomes for children. Our person-centred approach to education promotes partnerships with families to support their understanding to improve their child's oral health and respond in their best interests (Article 18; Article 3).

- We can evidence our commitment to young carers in raising awareness about what it means to be a young carer and ways in which our health and social care workforce can support young carers (Article 18). Collaboration with a range of stakeholders, for example, Carers Trust Scotland (who host the Scottish Young Carer Services Alliance) has informed this work and our educational activities incorporate the voices of young carers, (see: Caring for Unpaid Carers resources) for example our recorded webinar and our 2022 focus on making young carers feel visible, valued and supported (Making Young Carers feel visible, valued and supported) (Article 12).

Basic health and welfare

We ensure the wider workforce in Scotland have access to evidence-based education and learning opportunities/resources to meet the health and wellbeing needs of children and young people (Article 24), including children with disabilities (Article 23).

- We are committed to supporting children and young people's mental health and wellbeing by providing Let's Introduce Anxiety Management (LIAM) education, which aims to equip practitioners to deliver psychologically informed practices and interventions to children and young people who have elevated levels of distress (Article 24). We captured the views and experiences of practitioners providing the training and through them, feedback from children and young people – including as part of our NES Year in Review 2021-22. (Please see: LIAM videos and LIAM online during Covid-19).

- In response to the Covid-19 pandemic we produced a range of educational resources to ensure practitioners could continue connecting and supporting children, young people and their families (Working with young people and families). This included promoting positive transitions in their return to school and ways to discuss worries they might experience (Article 24).

- In partnership with our colleagues at 'Promoting A More Inclusive Society (PAMIS)' and a range of stakeholders we launched the Postural Care Strategy and a suite of resources as part of Your Posture Matters in 2021. At the heart of this work were children, young people, families and carers who have helped the health and care workforce in Scotland understand the importance of protecting people's posture, for example, children and adults with profound and multiple disabilities.

Next steps to secure better or further effect of children's rights

These next steps explain what we plan to do over the next 3-years. We have written these as simply as possible to help everyone understand them. Including children and young people in future reports will make this even better for our next report. We are currently developing our corporate strategy for 2023-26 where we will make our commitment clear on 'The Promise'. We want children to be loved, safe, respected and realise their full potential and are dedicated in our contribution to Scotland's goal in being the best place in the world for children to grow up.

- We will decide on what information we need to gather, to make it easy for everyone to see the changes and improvements we have made. This will help our understanding of anything that might stop us being able to realise children's rights.
  - Responsible: Equality, Diversity and Human Rights – Workforce Directorate.
  - By: March 2024
- We will collect information about what we do now to put a plan together and to make sure we are being rights-based. We will include children and young people in these plans to help us do things better.
  - Responsible: NES Women, Children, Young People and Families Group.
  - By: March 2024
- We will ask for help from colleagues who work in the 3rd sector and others about ways to include children and young people more in our work at NES, so that we can do this well.
  - Responsible: NES Women, Children, Young People and Families Group.

- By: March 2024
- We will make sure information about [children's rights and wellbeing impact assessment](#) is available for the NES workforce and to offer help to understand what this means.
  - Responsible: Equality, Diversity and Human Rights – Workforce Directorate.
  - By: March 2024
- We will listen to children and young people to hear new ideas about ways we can learn, and help others learn, about children's rights. As part of this we will think about the skills, knowledge, understanding and values that everyone working with children, young people and families should have (for example, ['The Common Core').](#)
  - Responsible: NES Women, Children, Young People and Families Group.
  - By: March 2025
- We will make sure we have people who work at NES who know about and understand children's rights to help with our plans.
  - Responsible: NES Executive Leadership Team
  - By: March 2025
- We will develop a goal and vision so that everyone knows our commitment to children's rights and what we are going to do.
  - Responsible: NES Executive Leadership Team
  - By: March 2024

Next Steps

Our Equality Outcomes should reflect the areas where we can make the most difference to inequalities through our sphere of influence. We want our Equality Outcomes to be specific and measurable, informed by evidence and the involvement of people who share protected characteristics. This includes how we will involve children and young people meaningfully, taking a rights-based approach in our work, and listening and responding to their views. It is important we consider the next steps for NES, specific to children's rights, which are detailed in Section 3. The development of a new strategy for NES and this 2-year report provides a timely opportunity for us to review our Equality Outcomes to ensure they reflect the full range of our functions. This work is planned for 2023.

In the meantime, we will continue to progress work on our Equality Outcomes and report twice a year to our Committees and the Board.

Actions we are taking in 2023 include:

- Review and align our Equality Outcomes with our new strategy for 2023-2026.
- Progress the NES Strategy EQIA recommendations.
- Explore the development of a meaningful involvement strategy for NES, which reflects the diversity of our learners and in the population, those under-represented in society and who experience inequalities.
- Continue to support staff learning and development through our Community of Interest on equality, diversity and human rights, including on children's rights.

- Continue to embed equality, diversity, inclusion and human rights in NES's education and training materials, sharing practice across our community of educators.
- Developing resources in collaboration with a range of partners for the [Equality and Diversity Zone](#) on Turas Learn to support the wider health and social care sector.
- Develop supporting guidance to our educators to implement our Inclusive Education and Learning Policy.
- Progress the recommendations from our Equality and Diversity Employment Monitoring Report and in our Equal Pay Statement.
- Continue to build and support our Staff Equality Network infrastructure.
- Agree specific actions as part of an anti-racist approach in NES, including increasing understanding in staff about anti-racism.

Equality and Diversity Employment Monitoring Report April 2021- March 2022

Our report for the period April 2021-March 2022 is published on our website at:

This will be published on our website once approved by the Board in March.

Annex B: Measures to support Equality Outcome 8

Equality outcome	Key Measures	Intermediate Measures
Our approach to digital design considers the role of digital in:		
1. Designing with the diverse needs of our audiences in mind when developing our products;	1. All projects can evidence their inclusive design approach. System users are involved in design processes	1. Design processes are documented
2. Designing with the diverse needs of our audiences in mind when supporting care pathways or delivering learning;	2. When supporting care pathways / specific learning outcomes, all projects can show how their inclusive design approach supports better outcomes	2. Design processes to promote equality and inclusivity are documented
3. How the delivery of highly accessible digital solutions is best supported by and influences the "non-digital" ways of interacting with a product or service;	3. When delivering digital solutions, all projects can show how their non-digital users can access the same levels of service	3. EQIAs completed for projects
4. How we measure whether our digital products and technology enabled learning are connecting with audiences in ways that address rather than widen inequalities	4. When delivering digital solutions, all projects can measure their impact on inequalities, as set out in equality impact assessments	4. Alignment to established design system processes 5. Alignment to Scottish Government standards such as: a. the Digital Service Standard; and b. Scottish Approach to Service Design

Equality Monitoring Report 2021/22

NHS Education for Scotland – 2023

CONTENTS

1. INTRODUCTION

Gathering and analysing equality and diversity information on the workforce is important to inform our work to progress equality, tackle discrimination and harassment and address prejudice in the workplace. We have a specific duty as part of the Public Sector Equality Duty in Scotland to gather information on the composition of our workforce and information on the recruitment, retention, and development of our employees by each of the protected characteristics.

Good employee information helps us to meet the Public Sector Equality Duty by for example, identifying key issues for us as an employer to progress equality of opportunity and identify any actions to avoid discrimination and harassment. Analysis of our workforce data informs areas for improvement and allows us to monitor our progress. Knowing your workforce through data is one of 4 areas of focus identified in the [Scottish Government's Anti-Racist Employment Strategy](#), published in December 2022.

This report sets out the actions we are taking as a result of our employee equality and diversity monitoring. We collect and analyse data on the protected characteristics of age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sex, and sexual orientation.

The report relates to employees who are directly employed by or on secondment to NES for the financial year 01 April 2021 to 31 March 2022.The report will set out by relevant protected characteristic:

- Workforce composition
- Staff retention
- Staff development
- Recruitment and selection
- Our Gender pay gap

We are required to publish our gender pay gap every two years as part of our Public Sector Equality Duty. This report includes our gender pay gap as of March 2022 and includes historic data to demonstrate the trend. Our Equal Pay Statement is published on our website at [Equal Pay Statement April 2021](#).

The data in this report relates to employees who are directly employed by or on secondment to NES[1]. It summarises key findings from our workforce equalities data as of 31 March 2022 and, unless otherwise noted, refers to the financial year 01 April 2021 to 31 March 2022.

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[1] For Data Protection reasons we are not allowed to report on any categories if there are under five staff present in that category

Data on Doctors and Dentists in Training (DDiT) analysed in this report is limited to the trainees employed by NES. NES is one of four lead employers for trainee doctors in Scotland.

2.   WORKFORCE COMPOSITION

As well as our core[2] staff NES is the lead employer for Doctors in Training in General Practice, Public Health, and Occupational Health speciality training. In 2021 NHS Education for Scotland (NES) also became the lead employer for Dental Core (DCT), Specialty Training (STRs) and in August 2022 Vocational Dental Practice (VDP) trainees. As of March 2022, we employed 1075 core staff and 1708 DDiT. The DDiT work in placement settings across NHS Scotland and are recruited through national recruitment processes. Unless otherwise noted, this report will report data on DDiT separately from our core staff.

2.1   Sex

As of 31 March 2022, 69% of the total NES employed workforce were women. 62% of our core staff and 74% of DDiT are women. NES collects data on gender identity, which would enable an individual to identify themselves as trans. We do not have sufficient numbers to allow reporting of these figures.

Figure 1: Sex by grade (all staff)

Figure 2: Working pattern by grade and gender for Males (all staff)

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[2] We refer to all staff employed by NES who are not employed as Doctors or Dentists in Training and working in NHS Boards as part of their training as core staff. This includes a variety of roles across our organisation.

Figure 3: Working pattern by grade and gender for Females (all staff)

- For core staff, 38% (398) of the workforce work part-time, and a higher proportion of women (41%, 319 members of staff) work part-time compared to men (27%, 79 members of staff).
- Part-time workers are represented across most grades.
- The highest ratios are in band 8A to 8C and those on Medical and Dental terms and conditions.
- Full-time work is more common at Bands 4-6, and at band 8D and 9.
- The Executive Cohort of staff are all full-time.
- Part-time appointments are more common than full-time appointments in the Dental and Psychology Directorates. These include sessional staff who work part-time for NES in an educational capacity but often have clinical roles in NHS Scotland.
- Sex is almost an even split in the Medical Directorate.
- At less than 20% the Workforce, Finance and NES Technology Directorates have the fewest part-time workers.
- 62% of DDiT are female.

Additionally, we employ Consultant and Educator grade staff on part-time arrangements. For example, over 55% of the Consultant grade cohort, who are medical and dental educators, are part-time employees of NES, regardless of gender and will work for other parts of the NHS. Within Medical and Dental Terms and Conditions, staff can be on NHS Consultant and General Practice (GP) and General Dental Practice (GDP) or Educator contracts of employment. In NES this includes Associate Advisors.

2.2 Ethnic Origin

Our core staff are primarily white (88%), with 4.5%% of staff identifying as being from a Black, Asian, Other ethnic backgrounds, or mixed ethnic background. Of the 88% who identified as White, 67% are White Scottish, and 14% are Other British.

The ethnic origin of 7% of NES core staff is unknown; this is where individuals have not disclosed this information (1.8%) or data is unavailable (5.2%). The data is not collected for certain types of workers, such as those on secondment agreements or agency contracts.

- 46% of ethnic minority staff are represented in bands 5 to 7
- 23% of ethnic minority staff are represented in bands 1 to 4.
- Ethnic minorities are under-represented in bands 7-8C and band 9
- 100% of the Executive cohort are White
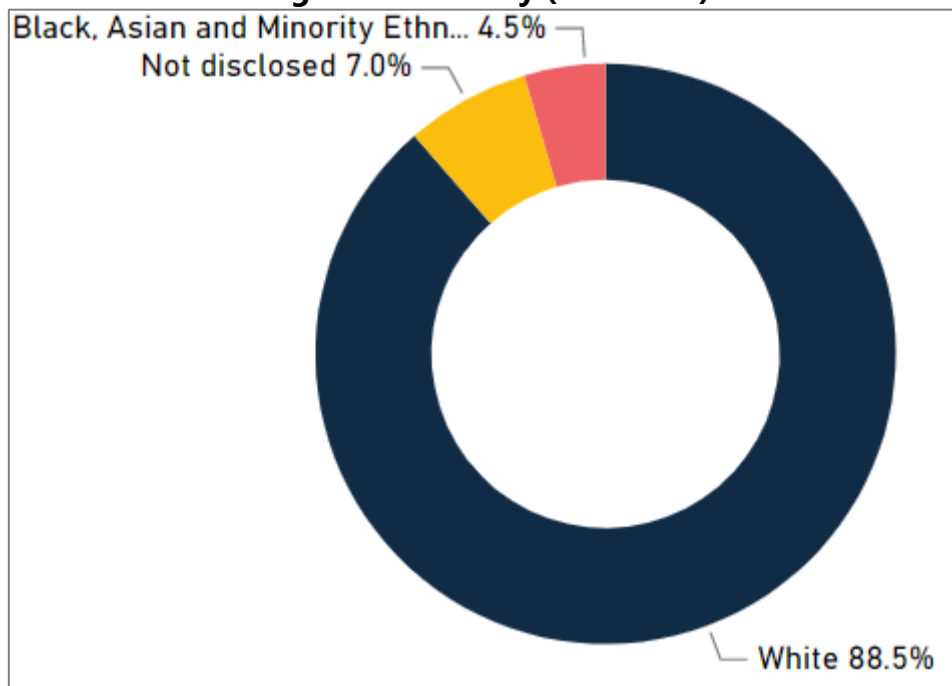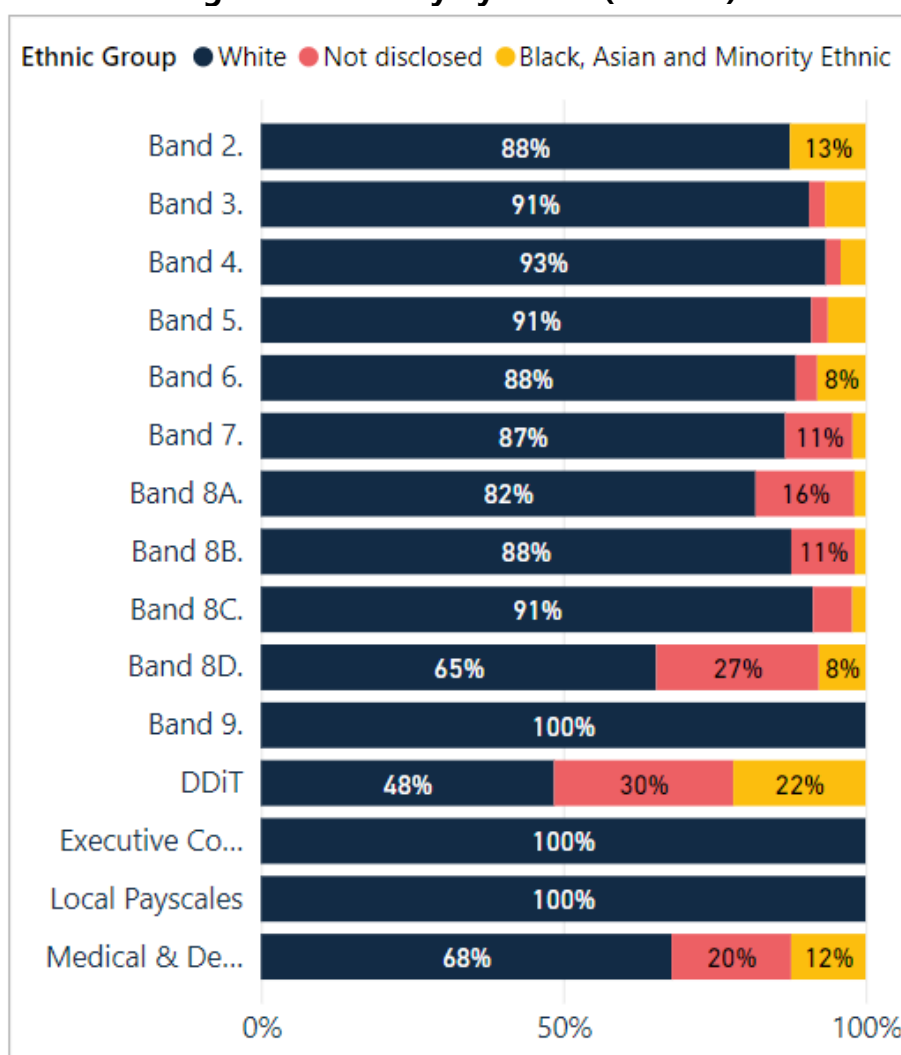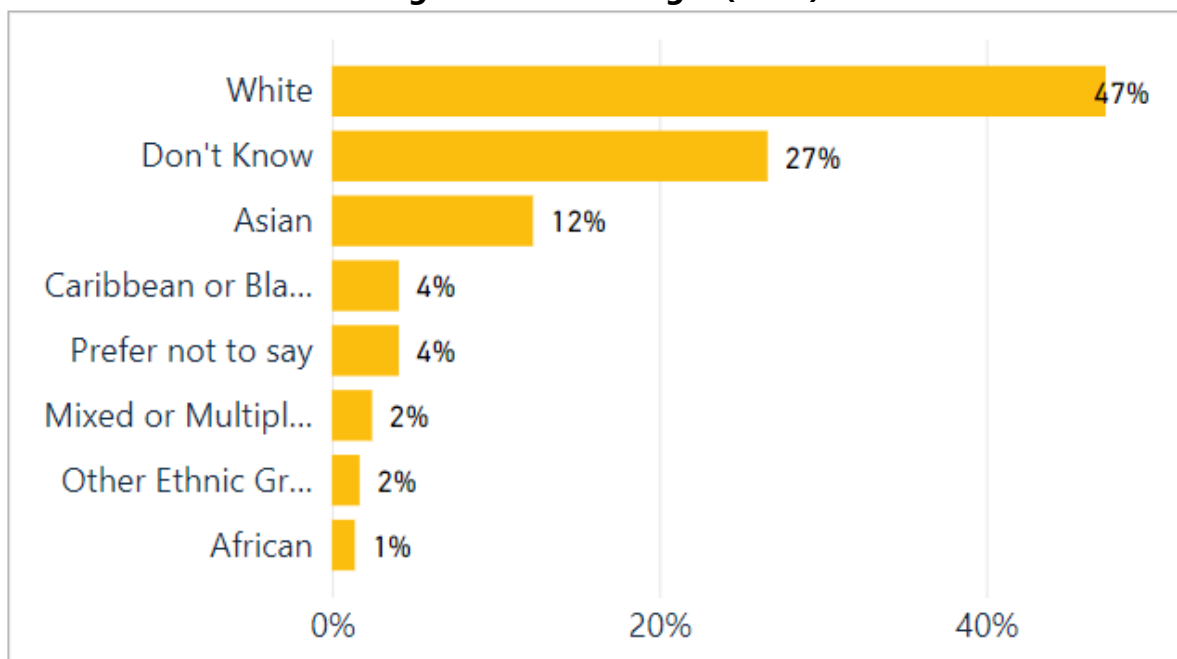
Figure 4: Ethnicity (core staff)

Black, Asian and Minority Ethn... 4.5%
Not disclosed 7.0%

White 88.5%

Figure 5: Ethnicity by Grade (all staff)

Ethnic Group ● White ● Not disclosed ● Black, Asian and Minority Ethnic

Grade	White	Not disclosed	Black, Asian and Minority Ethnic
Band 2.	88%		13%
Band 3.	91%		
Band 4.	93%		
Band 5.	91%		
Band 6.	88%		8%
Band 7.	87%	11%	
Band 8A.	82%	16%	
Band 8B.	88%	11%	
Band 8C.	91%		
Band 8D.	65%	27%	8%
Band 9.	100%		
DDiT	48%	30%	22%
Executive Co...	100%		
Local Payscales	100%		
Medical & De...	68%	20%	12%

0%   50%   100%

22% of DDiT have disclosed to be from Black and Minority Ethnic, mixed or other ethnic backgrounds. 31% have not provided data on ethnicity and this is a pattern that is seen across the protected characteristics in this cohort of staff.

A lack of equality and diversity data for DDiT (and the wider workforce) is an issue for other Health Boards and parts of the system. For example, the Scotland Deanery in NES, which works with Health Boards and GPs to provide training for all DDiT has undertaken a campaign to encourage all trainees to provide up to date equality and diversity information through the Turas platform. This led to an increase in completion of data and will be repeated in 2023.

Figure 6: Ethnic origin (DDiT)

To put our workforce ethnicity data in context we set out below the most recent census data for the Scottish population and the wider NHS Scotland ethnicity profile.

According to the most recent census[3]:
- Scotland's population was 96.0% white, 2.7% of Scotland's population identified as Asian, Asian Scottish or Asian British.
- African Caribbean or Black groups comprised just over 1% of Scotland's population.
- Under 1% of Scotland's population identified as having a Mixed, Multiple or Other ethnicity.

NHS Scotland ethnic diversity is:
- 70% identified as White
- 2.5% identified as Asian, Asian Scottish or Asian British

- 0.74% identified as African, Caribbean or Black
- 0.86% identified as having Mixed, Multiple or Other ethnicity

However, these figures vary across job roles and Health Board areas with varying levels of completion rates across NHS Boards.

2.3   Disability

Figure 7a shows that just over 3% of core staff identified themselves as disabled, 88% as not disabled and 8.5% preferred not to answer or where data was unavailable. Figure 7b shows the percentage of disabled staff in each age cohort. This shows that disability increases with age.

Figure 7: Disability (core staff)

Figure 8: Disability by Age Group (core staff)

1.41% of DDiT identify themselves as disabled. The actual figure is likely to be higher given that 40.9% of DDiT have not provided information about disability status. This is higher than non-disclosure about ethnicity.

Our new specialist lead for Disability has a specific role to support our staff, including DDiT where we are the Lead Employer, with reasonable adjustments in the workplace. As identified above, work is required to encourage DDiT to complete equality and diversity monitoring to improve data and importantly the actions that we can take to progress equality for disabled people in the workplace.

2.4   Age
- 79 % of core staff are aged between 35 and 64
- The highest % of core staff are aged 45-54 at 30.5%
- The lowest % of core staff are aged 16-24 at 1.9%

NES has a high number of posts requiring specialist skills or knowledge across various professional fields which may be a factor in low numbers under age 35.

Figure 9a: Age (core staff)

Figure 9b: Age (DDiT)

2.5   Religion or Belief

Figure 10 sets out our employee data on religion and belief. NES's core staff reflects a range of religious affiliations, although 'No religion' is the second most common identification at 45%, as compared with 36.7% in the 2011 census. Within the Christianity grouping, 20.4%% of core staff identified as Church of Scotland and 11.7% as Roman Catholic. Data has not been disclosed by 45% of the DDiT cohort.

Where data is available Christianity (26%) is the largest grouping followed by No Religion (14%) and Muslim (8%).

Figure 10: Religion (core staff)

2.6   Sexual orientation

- 3.9% of core staff identify as Lesbian, Gay or Bisexual
- 3.7% of Doctors in Training identify as Lesbian, Gay or Bisexual.
- The non-disclosure (Preferred not to answer or Not known) rate for core staff is 10.6% and for DDiT is 34%

Although this is data for England and Wales, the recently published Sexual orientation, England and Wales - Office for National Statistics (ons.gov.uk) reported 3.2% of respondents who completed this in the Census identified as LGB or other. Analysis for the Scottish Census has not been undertaken yet.

3.   RETENTION

We monitor employment policy related casework, disaggregated by protected characteristics, and the profile of staff who leave the organisation during the year, in case of any patterns emerging. We also carry out a thematic analysis of exit interviews.

Employment related casework is classified as formal management of a range of employee relations activities, including attendance management, disciplinary, grievance, bullying and harassment, capability and dismissal. We collect and analyse data on a range of activities.

20 formal employee relations casework events were recorded for core NES staff. 50% were related to conduct/disciplinary, 25% to grievance and 20% to capability. The

number of formal cases is too small to permit disaggregated reporting by protected characteristics.

Our approach is to support early and informal resolution of issues where possible. We record informal employee relations support, which may involve advice to staff or managers around specific issues or policies. Informal support is not recorded against individuals and thus is not analysed by protected characteristics. This data does not include DDiT.

Between 01 April 2021 and 31 March 2022, 136 employees left NES (79 of whom completed the exit questionnaire). Of the leavers, 59.6% (N=81) were on permanent contracts, and 40.4% (N=55) were on fixed-term contracts. We collect and analyse data on NES core staff who leave the organisation. In the exit questionnaire, leavers are asked a range of questions concerning their experience working for NES. This includes the reasons for leaving (see Figure 11). As part of exit interviews, we also ask how fairly the respondents felt they were treated, how respected they were, what the attitude to diversity was like in NES and their satisfaction with the organisation when leaving.

- 76.2% of respondents did not feel that they had been disadvantaged on account of age, gender, sexual orientation, ethnic origin, religion, etc.
- Further work is required to understand those who did not respond positively to this question as part of the exit interview.

The attitudes of people leaving NES remain largely positive towards the organisation. 68.75% of the staff said they were either very satisfied (43.75%) or fairly satisfied (25%) towards the end of their employment with NES. 21.5% said they were fairly or very dissatisfied. Of those who said they were fairly or very dissatisfied:
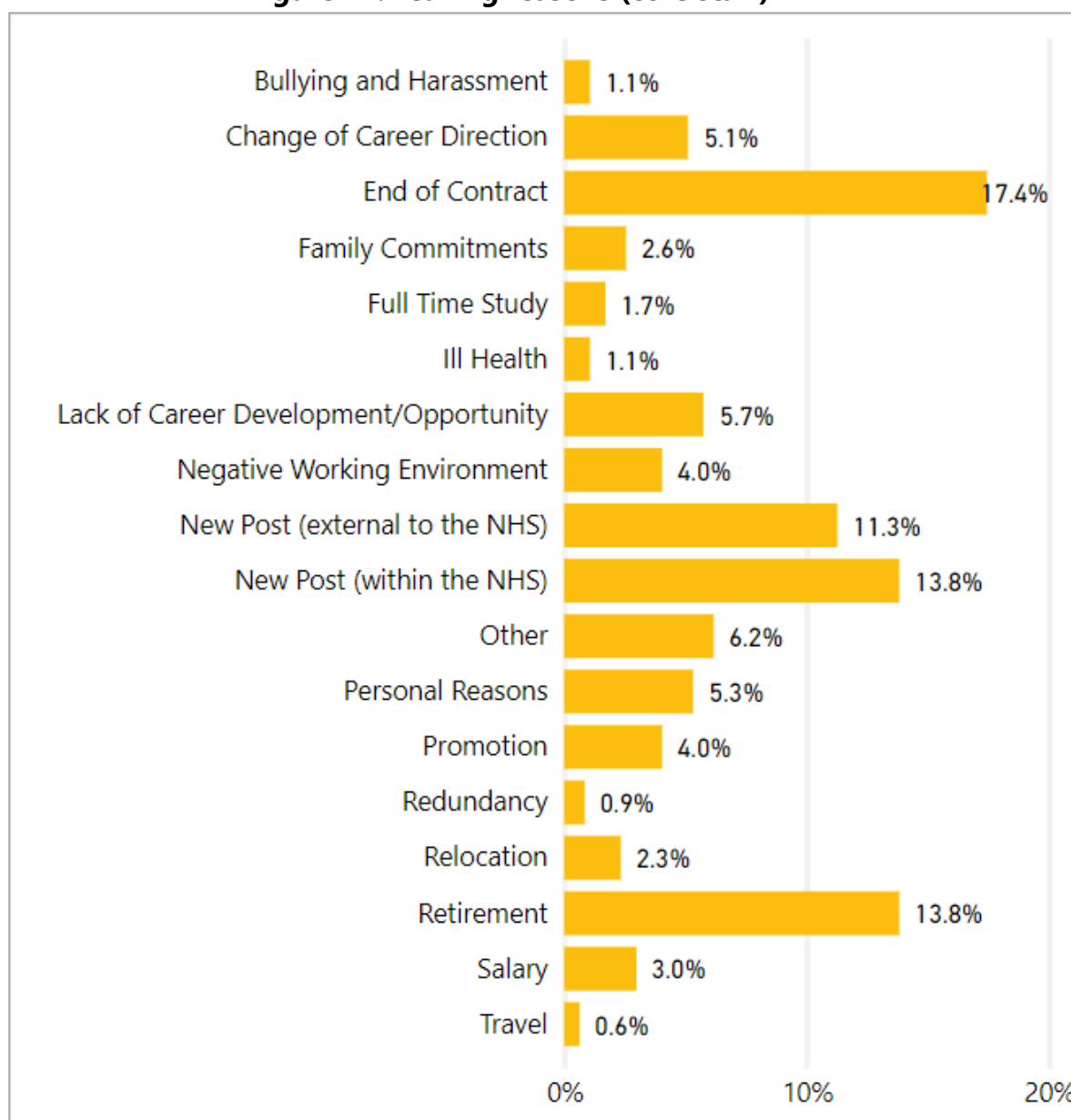
- 59% (N=10) were female and 41%(N=7) were female
- 11.7% (N= under 5) were disabled
- 12% (N= under 5) were from a minority ethnic background
- 12% (N=under 5) were aged between 30-34 and 29% (N=under 5) were aged 60 or over
- 35% were Band 8B's (N=6)
- 34%(N=27) were on fixed term contracts and 66%(N=52) were on permanent contracts.

Of core staff 28% are males but 66% of those dissatisfied with the organisation when leaving were male. Of the NES core staff 3.1% are disabled but 11.7% were dissatisfied. Of the NES core staff 4.5% were from a minority ethnic background but 12% were dissatisfied, this suggests disproportionality. Of those who said they were very or fairly satisfied:

- 24% were male and 24% were female
- 2% were disabled
- 4% were from a minority ethnic background

- 26% were aged between 55-64 and 24% were aged 35-44
- 19% were from Medical and Dental grades.

Figure 11: Leaving reasons (core staff)

Appendix 1 provides a breakdown of the leavers diversity profile. Those leaving the organisation represent just under 10% of the core workforce.

- Males as a proportion of the workforce are more likely to leave the organisation than females (33% compared to 31% of the total workforce).
- There is a higher proportion of disabled employees leaving the organisation than non-disabled (4.6% compared to 3% of the total workforce advising of a disability)
- There is a higher proportion of staff in age groups 16-24, 25-34 leaving the organisation. This may reflect the stage in career in these age brackets.
- There is a higher proportion of staff in age bracket 55-64 and over 65

- 5% of leavers are from a minority ethnic background, slightly higher than the 4.5% of staff from a minority ethnic background in the workforce.
- 5% of LGBT staff left the organisation, which is a higher proportion than in the workforce (3%).
- There is slightly higher proportion of staff who have advised they are Christian leaving the organisation at 35% that who have advised they are Christian in the organisation (31.5%). There is a higher proportion of staff with no religion leaving the organisation at 50% than in the composition of the workforce (26.4%).

As we seek to increase the diversity of our workforce and progress equality for under-represented population groups, analysis of the proportion of staff who leave the organisation by protected characteristic to investigate possible reasons for this is important.

4.   STAFF DEVELOPMENT

This section relates to our core staff only. Education for DDiT is governed through their foundation, core or higher specialty training programmes and follows the curricula written by the Medical Royal Colleges and the Faculty of Dental Surgery and is approved and published by the General Medical Council and General Dental Council.

We analyse access to development for core staff by reviewing data on promotions, secondment or internal attachment, 'acting up' or temporary promotion and data on Training. Although our systems enable us to disaggregate all of the data by protected characteristics, some datasets (promotions, secondment/internal attachment, acting up) are quite small and permit only limited analysis.

4.1   Promotions

A promotion within NES is defined as a staff member moving to a higher grade/band on a permanent contract. This report also includes temporary arrangements which provide a development opportunity for staff. By looking at promotions by protected characteristic we can identify if any groups are not experiencing equity in opportunity for career progression. This section does not include DDiT.

From April 2021 to March 2022, there were 98 promotions. Promotions were distributed across the organisation, with at least one in each directorate. A breakdown of promotion by protected characteristics is illustrated in Appendix 2.

- Almost 70% of promoted staff were women. This reflects the proportion of women in the organisation (69%)
- Men progressed more quickly than women overall (30 men with average 6.43 years' service vs. 68 women with average 8.27 years service)
- Staff aged between 25-54 accounted for 92% of promotions. Employees in 16-24 and 55-64 account for 8% of the promotions

- 6% were from a minority ethnic background. This is higher than the proportion of staff in the workforce who have advised they are from a minority ethnic background (4.5%)
- Just over half identified as 'no religion'
- 5% of the employees promoted identified as being disabled. This is higher than the proportion of staff declaring a disability in the workforce (3%).
- 5% of employees promoted identified as LGBT, which is higher than the proportion of LGBT staff in the workforce (3.9%).

4.2   Training

We provide a range of staff development opportunities including work-based learning, e-Learning, attendance at conferences, staff panels and specialist learning events alongside a range of development courses and mandatory (essential) learning via our digital learning platform, Turas Learn. All courses housed on this system provide attendance/completion data. We also provide a range of self-directed learning as well as webinars and other digital learning offered directly to staff members via Microsoft Teams. These sessions are currently not logged against the individual learning record in Turas and we do not monitor rate of participation by protected characteristics.

5.   RECRUITMENT AND SELECTION

The outcomes for recruitment and selection of core staff are analysed in this section. DDiT are recruited through a national recruitment process for appointment to training posts across NHS Scotland (excludes Locum Appointments for Training). The standards and criteria for this process are set at UK level. Outcomes from this process are analysed separately at a national level and data for 2021/22 is currently being analysed and will be published at https://medical.hee.nhs.uk/medical-training-recruitment/medical-specialty-training

Appendix 3 summarises the overall number of applications and number of individuals shortlisted, interviewed and appointed to our core staff and applications by protected characteristic during the period 2021/22

5.1   Attraction

We have revised and refined our approach to advertising posts, adopting a model which offered clearer and more precise information about the post and the skills and knowledge required in the person specification. A new style advert and job pack has been successfully piloted in 2022 and will now be rolled out across NES vacancies by end of March 2023.

Our vacancies will continue to be considered for internal advert in the first instance (i.e. to existing NES workers, including agency and secondments) before consideration is given to advertise externally. All vacancies pass through a robust corporate establishment control approval process prior to advertising, with data monitored at each stage of the recruitment cycle.

Data for 2021/22 indicates that 20% of applications were made by candidates from Black, Asian and Minority ethnic candidates. The diversity of applicants for posts varies across the organisation, with the greatest diversity of applicants for posts in the Digital, Finance and the NHS Scotland Management Training Scheme (which we administer). We have also seen an increase in ethnic diversity of applicants for consultant and medical educator posts and progression to appointment to these posts.

Applicant ethnic diversity was lower for posts in the fields of Nursing, Midwifery and Allied Health Professions. It was slightly below average in the Workforce directorate and low in the Planning & Corporate Resources, although there were a small number of applicants in comparison to other directorates.

We received 1360 (from a total of 7106) applications from applicants from Black, Asian and minority ethnic backgrounds. Applicants from Black, Asian and minority ethnic backgrounds have the most significant differential likelihood relative to those of white ethnicity of progressing from interview to appointment (18% vs. 26.6%) or from application to appointment (2.8% vs 5.6%). The likelihood of progression from application to appointment is almost double for White applicants compared to Black, Asian and minority ethnic backgrounds.

9% of applicants (N=640) for all posts identified themselves as disabled. In contrast, 91 (N=6466) of applicants identified as not disabled.

7% percent of applicants identified as LGBQT+ and 0.69% identified as 'other', which compares favourably with Stonewall Scotland's estimate of LGB people in the working age population. There is no significant difference between appointment rates of people who identify as LGB and those who identify as heterosexual.

Our applications represent a range of religious backgrounds and those identifying with no religion are most prevalent. We attract a similar percentage of applications from those identifying as Roman Catholic or Church of Scotland (12.31% and 10.23%, respectively, of the overall total number of applications). There is no significant difference in appointment rates between those identifying as Roman Catholic or Church of Scotland. The number of individual applications in most of the minority religions is too small for statistical analysis. 5.67% of applicants chose 'Prefer not to say'.

69.12% of our appointments in 2021-22 were women. Women formed most appointments across the organisations and at most grades, except that men were more likely to be appointed to consultant/educator posts. Appendix 2 illustrates the age distribution of applications for core NES posts. 44% of applicants do not complete information on age. Differences in appointment rate by age group are not significant after 'factoring out' our Management Training Scheme appointments, which attracted many applications for a small number of posts. These applications

tend to be concentrated in the younger age bands. Management Training Schemes applications account for 63% of the 16-24 age band applications.

6. GENDER PAY GAP

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012[4] specify that public authorities must report the gender pay gap in the form of 'information on the percentage difference among its employees between men's average hourly pay (excluding overtime) and women's average hourly pay (excluding overtime)'. The specific formula used for this calculation is the formula for the average pay gap set out in the guidance published by Close the Gap[5]. The specific formula is (A − B)/A X 100, where A = average hourly rate of pay of men and B = average hourly rate of pay of women.

Using this method of analysis, as of 31 March 2022 NES's overall gender pay gap is 5.40%. The average hourly pay for women is £21.94 and for men is £23.17. Our current gender pay gap is below the Scottish public sector average of 12.5%[6].

TABLE 1: GENDER PAY GAP

This table provides a summary of the hourly pay rate and the gender pay gap for each contract group. The figures reported in this table show a comparison between women's and men's average hourly pay within the specific contract group.

Pay scale	As of March 2017	As of March 2018	As of March 2019	As of March 2020	As of March 2021	As of March 2022
Agenda for Change	4.26%	1.25%	6.58%	9.62%	8.43%	6.02% (893)
Executive Managers Cohort	0.00%	-30.07%	-3.29%	-1.39%	-2.19%	-6.99% (7)
GP/GDP Eds, CRUMP and Consultants	1.70%	13.52%	8.12%	0.72%	5.67%	1.85% (121)
DDiT	-1.30%	-2.00%	-1.54%	4.73%	-1.26%	-1.30% (1727)
Grand Total	**18.99%**	**27.56%**	**13.32%**	**7.28%**	**7.29%**	**5.40%**

Hourly Rate is calculated as ('Contracted Hours' x 52.179) / (Annual Salary * WTE)
Senior Manager rate is based on grade step point, rather than personal salary value.

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[4] The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (legislation.gov.uk)
[5] https://www.closethegap.org.uk/content/resources/Gender-pay-gap-statistics-paper-2022.pdf
[6] CTGBriefing24 (closethegap.org.uk)

In presenting the gender pay gap information, the nature of the calculations (based on average pay figures) means that the data is very susceptible to being skewed by large numbers of outlying pay levels. This is very relevant for the profile of the NES workforce. Over the course of the last two years NES has employed at large number of DDiT, which has contributed to reducing the gender pay gap.
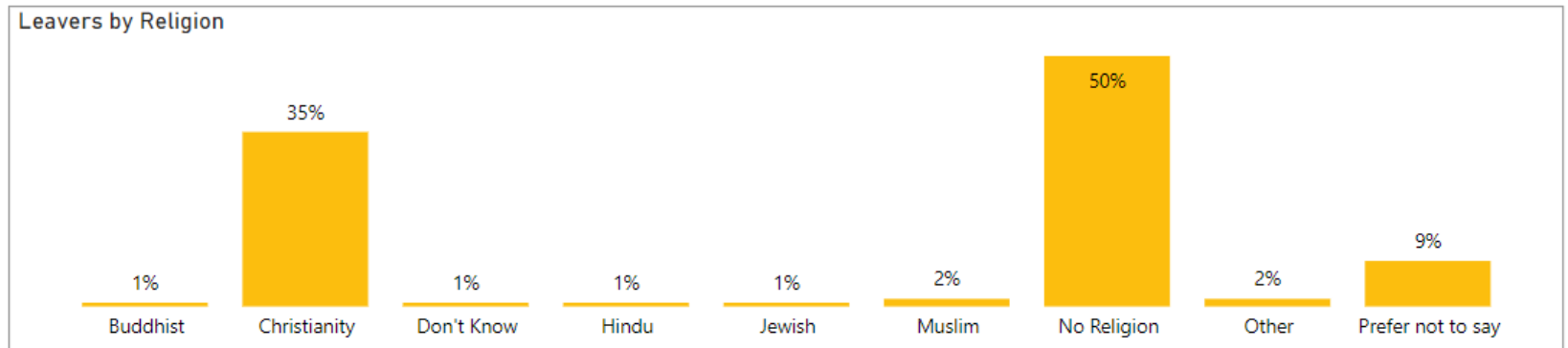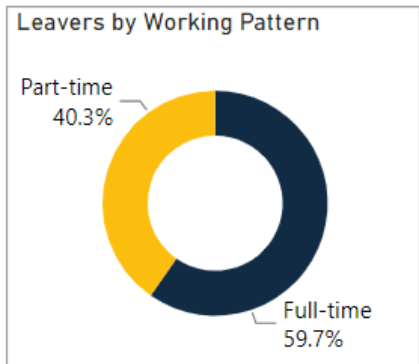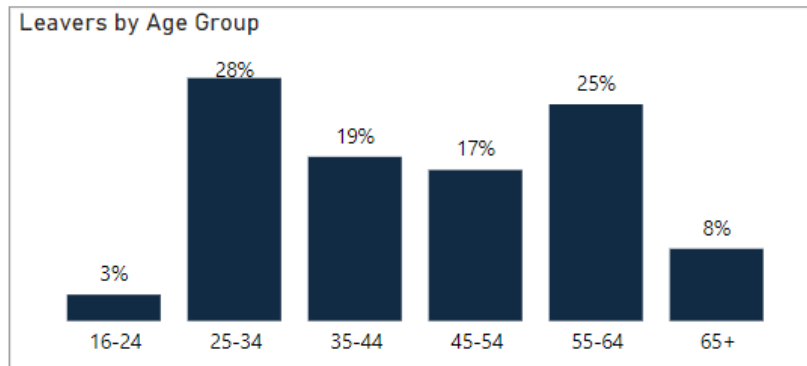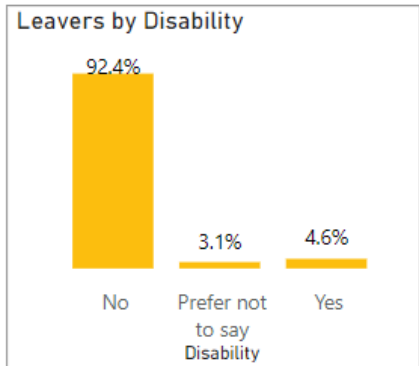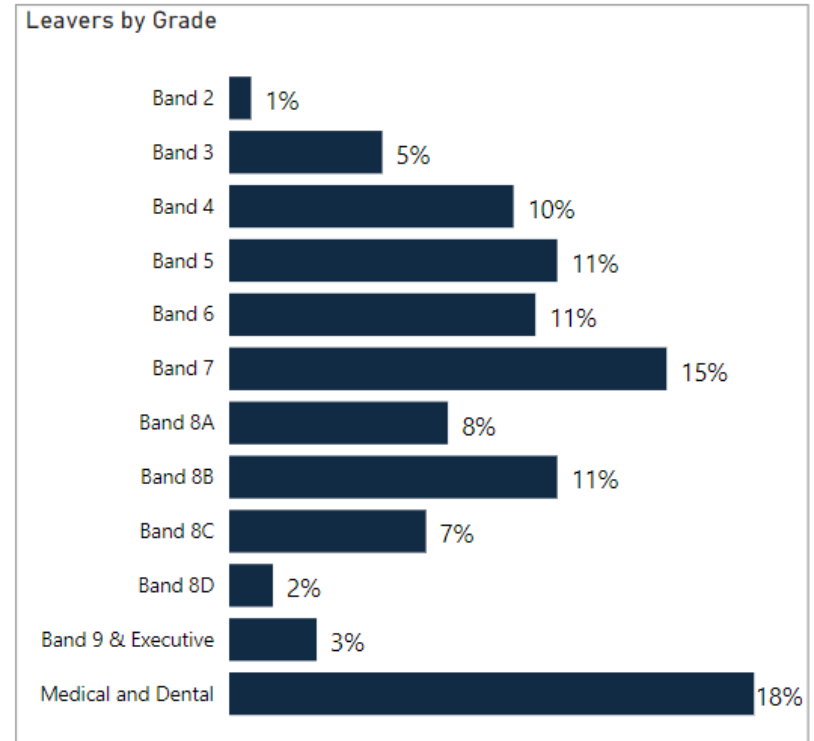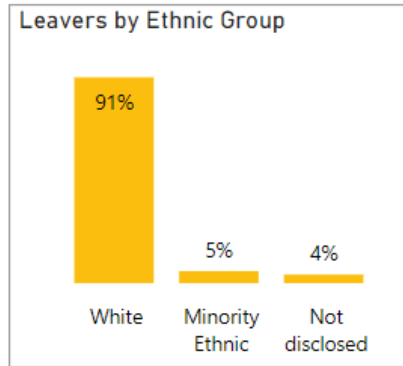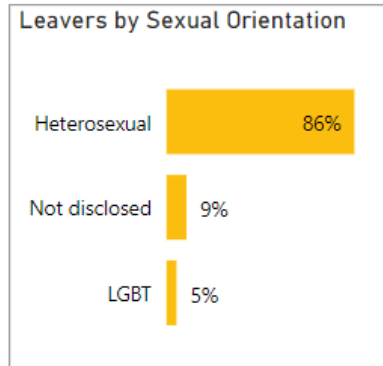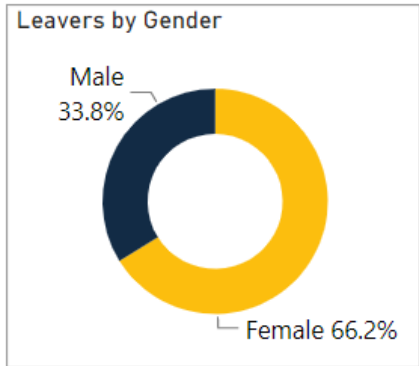
7. RECOMMENDATIONS

The analysis of our annual workforce data from 01 April 2021 to 31 March 2022 has informed the following recommended actions:

- Deliver a campaign to improve our annual workforce equality and diversity data following approval of a revised Equality and Diversity Form for all applicants through Jobtrain. This data will follow through if appointed for new recruits, but we recognise that data may change for staff in post e.g., disabilities may develop over time in the organisation.
- Deliver a specific campaign to encourage DDiT to update equality and diversity monitoring on Turas to improve our data collection and analysis for this cohort of staff. This will be undertaken following approval of the revised national Equality and Diversity Monitoring set of questions for NHS Scotland. It is dependent upon changes being made on Turas to reflect the new set of questions.
- Roll out and evaluate the impact of newly developed eLearning modules for staff involved in recruitment and selection. This incorporates guidance on bias, values-based recruitment, and our role to create an inclusive and diverse workforce.
- Analyse NES staff TURAS data by equality characteristic to improve our understanding of equity in opportunities for training and development in NES.
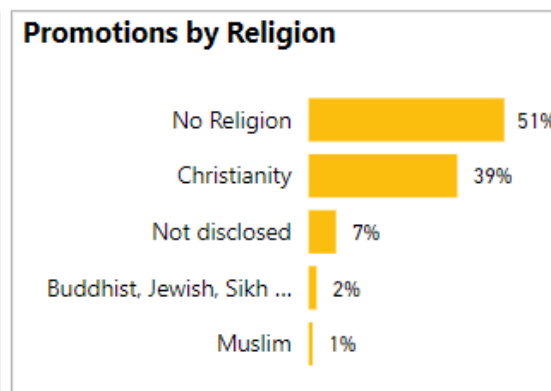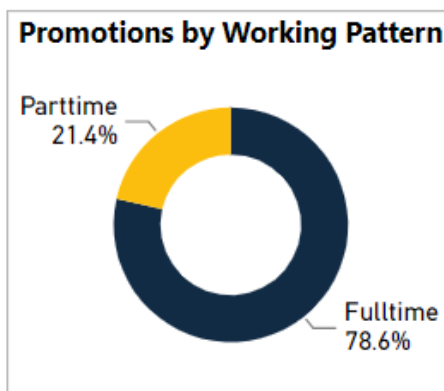
Employee monitoring is part of wider work at NES to progress equality, tackle discrimination and create an inclusive workplace for our staff. We have specific Equality Outcomes published in April 2021 to improve recruitment outcomes for younger candidates, minority ethnic candidates and disabled candidates. We will continue to provide progress reports through our Staff Governance Committee and to our Board on our Equality Outcomes.

Other actions we are taking to promote an inclusive, diverse and equitable workplace is reported in our Equality Outcomes and Mainstreaming Report, published in April 2023.

APPENDIX 1: Leavers profile (core staff)

Leavers by Gender

Male 33.8%
Female 66.2%

Leavers by Sexual Orientation
- Heterosexual: 86%
- Not disclosed: 9%
- LGBT: 5%

Leavers by Ethnic Group
- White: 91%
- Minority Ethnic: 5%
- Not disclosed: 4%

Leavers by Grade
- Band 2: 1%
- Band 3: 5%
- Band 4: 10%
- Band 5: 11%
- Band 6: 11%
- Band 7: 15%
- Band 8A: 8%
- Band 8B: 11%
- Band 8C: 7%
- Band 8D: 2%
- Band 9 & Executive: 3%
- Medical and Dental: 18%

Leavers by Disability
- No: 92.4%
- Prefer not to say: 3.1%
- Yes: 4.6%

Leavers by Age Group
- 16-24: 3%
- 25-34: 28%
- 35-44: 19%
- 45-54: 17%
- 55-64: 25%
- 65+: 8%

Leavers by Working Pattern
Part-time 40.3%
Full-time 59.7%

Leavers by Religion
- Buddhist: 1%
- Christianity: 35%
- Don't Know: 1%
- Hindu: 1%
- Jewish: 1%
- Muslim: 2%
- No Religion: 50%
- Other: 2%
- Prefer not to say: 9%

APPENDIX 2: Promotions profile (core staff)

Promotions by Gender

Male 30.6%
Female 69.4%

Promotions by Age

- 16-24: 1%
- 25-34: 31%
- 35-44: 33%
- 45-54: 28%
- 55-64: 8%

Heterosexual 90%
Gay/Lesbian & Bisexual 5%
Prefer not to say 5%

Promotions by Disability

Yes 5.1%
No 93.9%

White 94%
Black, Asian and Mino... 5%
Not disclosed 1%

Promotions by Grade Name

- Band 3: 1%
- Band 4: 8%
- Band 5: 18%
- Band 6: 15%
- Band 7: 18%
- Band 8A: 20%
- Band 8B: 14%
- Band 8C: 4%
- Band 8D: 1%

Promotions by Working Pattern

Parttime 21.4%
Fulltime 78.6%

Promotions by Religion

- No Religion: 51%
- Christianity: 39%
- Not disclosed: 7%
- Buddhist, Jewish, Sikh ...: 2%
- Muslim: 1%

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APPENDIX 3: Recruitment - Candidate profile (core staff)

This resource may be made available, in alternative formats and community languages. Please contact us on **0131 656 3200** or email **altformats@nes.scot.nhs.uk** to discuss how we can best meet your requirements.

NHS Education for Scotland

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Public Sector Equality Duty

April 2021 – April 2023

Published April 2023

The Public Sector Equality Duty: Progress Report (April 2021-2023)

Contents

Accessibility

This document may be made available, in full or summary form, in alternative formats and community languages. Please contact us on 0131 656 3200 or email altformats@nes.scot.nhs.uk to discuss how we can best meet your requirements.

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Introduction

We published our Equality Outcomes and Mainstreaming Report in April 2021. This set out our Equality Outcomes for April 2021-2025. This report provides progress since 2021 with our equality outcomes and how we are mainstreaming the Public Sector Equality Duty into our day-to-day work. We have also incorporated our legislative requirement to report every 3 years on how we are progressing children's rights. This is a requirement under Part 1 of the Children and Young People (Scotland) Act 2014.

This report contains the following:

- Progress with our Equality Outcomes since April 2021
- How we are integrating the Equality Duty into our day to day work
- How we are progressing children's rights as set out in the United Nations Convention on the Rights of the Child (UNCRC)
- Our Employee Equality and Diversity Monitoring Report which includes our Gender Pay Gap (Annex B or weblink if we publish as separate to this report)

About NHS Education for Scotland (NES)
We are the statutory education, training and workforce planning and technology provider in health and social care. We are a national NHS Board.

Addressing all forms of inequality and progressing equality is central to our work in NES. This is important in how we carry out our functions both as an employer and in our role in education, training, workforce planning and as a provider of technology in health and social care. We want to mainstream equality into our work as well as identify areas where we can make the most difference in tackling inequality through our areas of influence.

You can find out more about our work at NHS Education for Scotland.

Mainstreaming the Public Sector Equality Duty

'Mainstreaming equality' according to the [EHRC Guidance](#) means "integrating equality into the day-to-day working of an authority."

To support NES in mainstreaming equality, diversity and inclusion across all our work the following has progressed since 2021:

- A new Equality, Diversity and Human Rights team with additional capacity to support our national education and training role in this area was established in 2022.

- A Staff Equality Network co-ordinator was employed in June 2021 for a fixed period to establish a sustainable staff equality network structure in NES.

- We have established a new Equality and Human Rights Steering Group to refresh the operational performance management for our equality work. The group is co-chaired by our Deputy Chief Executives who are Executive Leads for equality, diversity and human rights.

- A Non-Executive champion for Equality was identified by our Chair in February 2022. This role is to provide visible leadership to our staff on equality and support the Board in carrying out its scrutiny role. Our Non-Executive Champion has attended all our staff equality network meetings and events during the year, encouraging Board members to do the same.

- We launched a new Community of Interest on Equality and Human Rights as a place to share learning and practice for staff in September 2022. The launch event attracted over 90 staff. The community is intended to provide a menu of options to support a continuous professional development approach to learning about equality, diversity, inclusion and human rights issues.

- A new hub with refreshed information and guidance for staff on equality, diversity and human rights in NES is now available. The hub features recordings of events and learning sessions; guidance on a wide range of issues such as EQIA and digital accessibility; signposting to learning resources, policies and support; and up-to-date information on getting involved in our staff networks.

Steps we have taken over the last 2 years to mainstream equality into our work include the following:

- We have supported our Educators in shifting to deliver training and education virtually during the pandemic through our Technology Enhanced Learning Team, building in consideration of accessibility and inclusion.
- Equality is part of our digital product design approach in NES Technology Directorate.
- We have reviewed and updated our Inclusive Education and Learning Policy and are developing supporting guidance for staff. The policy aims to deliver an inclusive approach to our education and learning, both for our learners but also through our curricular and learning resources.
- We have held events in relation to the following themes: events during Black History Month on how to embed anti-racism and inclusion into our work; a session to share the learning from a LGBTQ+ Health Needs Assessment in Scotland; a panel discussion with the Royal College of Nursing on neurodiversity; a celebration of International Women's day; Seminars on disability workplace adjustments; and multiple events celebrating Pride month. We have invited other NHS Boards to events which are of interest to audiences beyond NES.
- The Equality, Diversity and Human Rights Team has undertaken a learning needs assessment with NHS Boards to inform plans to develop high quality and timely education and training resources on our Equality and Diversity Zone on the Turas Learn platform.
- We collaborated with the Equality and Human Rights Commission in 2021-22 to develop and launch a new e-learning resource on understanding the Public Sector Equality Duty, which is aimed at NHS Board members.
- Our Organisational Development and Learning Team supported work with Scottish Government to develop a new equality and diversity monitoring form on the national recruitment portal Jobtrain. This work took an evidence-based approach drawing on expertise from 3rd sector organisations, Equality and Diversity leads, the current census, and academic research.
- We held a session with our Executive Team in May 2022 to raise awareness about the updated Fairer Scotland Duty Guidance and to discuss the approach to an Equality Impact Assessment for NES's new strategy for 2023-2026. The Equality Impact Assessment findings and recommendations will be published alongside the strategy in 2023.

We set 2 specific outcomes to mainstream equality into our work. They are:

1. Improving our Equality Impact Assessment (EQIA) performance, ensuring a systematic approach to using EQIA to inform the development of new workstreams;
2. Building capacity – both technical and educational -- to deliver accessible digital learning.

Improve our Equality Impact Assessment (EQIA) performance, ensuring a systematic approach to using EQIA to inform the development of new workstreams

Guidance on how to carry out equality impact assessment is available to staff on our intranet and training is available on our Turas Learn platform. The Equality and Human Rights Team have refreshed our approach to EQIA and have piloted a revised set of questions to streamline the EQIA process.

Our community of interest is helping to share learning and practice across the organisation on equality and human rights, including EQIA.

We have delivered training sessions to staff in 2022 and now have monthly EQIA drop-in sessions for staff to share approaches and ask for help in undertaking EQIAs.

Several EQIAs across the organisation have also been identified and are being progressed. Once EQIAs are signed off they are published on our website.

As part of the operational planning guidance we highlighted that consideration should be given to contributing to our Equality Outcomes and whether an EQIA should be incorporated. Our new guidance for writing papers for our Executive Team, Committees and the Board incorporates a checklist which includes consideration of equality, including the Fairer Scotland Duty.

Build capacity – both technical and educational – to deliver accessible digital learning

The Technology Enhanced Learning Team continues to support NES educators through an active community of practice and a suite of resources. Developments include:

- A pre-learning questionnaire to identify in advance whether a learner has additional learning needs or requires support to access training
- Detailed, practical, easy to use guides on how to create PowerPoint and text documents that are accessible for users and meet legal accessibility requirements
- Publication of the Quality Guidelines for Digital Learning resources on the Guidance for Education Turas Learn site

We have updated our Inclusive Education and Learning policy and are now developing guidance to support staff apply this in practice.

NES is also playing an important role in supporting the digital capability of the wider health and social care workforce through the Digitally Enabled Workforce programme of work.

Mainstreaming Equality into our procurement

Public authorities in Scotland have a specific duty relating to their procurement function. This duty has two key elements:

- Public authorities must have due regard in procurement activities to whether the award criteria should include considerations to better enable it to meet the Equality Duty.
- Public authorities must have due regard in procurement activities to whether contracts or agreements should include stipulations which would better enable it to meet the equality duty.

NES recognise that our activities influence the society in which we work, and our procurement strategy is committed to achieving environmental, social and economic aims that tackle these effects.

NES is committed to ensuring a high standard of ethical and sustainable trade practices across its commissioning and procurement activities. The NES Ethical Procurement Policy sets out our expectations with regard to our standards. NES requires all direct suppliers and contractors to observe the provisions of the policy and requires that suppliers and contractors, in turn obtain similar compliance with its provisions from their suppliers and contractors.

In addition, the Suppliers Sustainability Code of Conduct is available on our website to support our work to progress equality.

In relation to our education and training role, all our invitations to tender documentation and contracts include the suite of NES standards to support inclusive education. This is set out in our Inclusive Education and Learning Policy.

NES Technology Service has established digital development guidelines, with equality and diversity requirements embedded, and aligned to all relevant legislation including the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.

The Knowledge Services Team established the eBooks procurement framework for publishers to support purchasing of eBooks in a variety of fonts, text sizes and viewing formats which support better access and accessibility to suit user needs.

An annual report is provided to our Finance and Performance Management Committee on how we are meeting the public sector equality duty in relation to our procurement activities.

Progress with our Equality Outcomes

We identified 8 Equality Outcomes in April 2021. Progress towards the outcomes is summarised below:

Outcome 1: Our support for youth employment with a particular focus on engagement and supporting transitions from school, college and university for those further from the labour market or more likely to experience barriers to full employment: young people who are care-experienced, disabled, or from Black and minority ethnic or socio-economically disadvantaged communities.

Progress:
We recognise that measuring this outcome is a challenge. Over the last 2 years we have continued to support activities aimed at widening access to NHS careers and training for groups that are under-represented in the NHS workforce. We secured Scottish Government funding to support a covid recovery internship programme which saw up to 27 graduates take up placements across 17 health boards. To be eligible, graduates had to be underemployed – i.e. not already in a graduate level role – and have graduated 2019-21 when their educational experience would have been negatively impacted by the pandemic.

A refreshed and updated NES Widening Access Framework is under development and will be taken to the NES Executive Team in May 2023. The framework will drive greater conversation and collaboration across NES Directorates to maximise our ability to champion equity and inclusivity in our work with the current and future workforce. Equality impact assessment is built into the strategy.

NHS Scotland Academy, a partnership between NES and NHS Golden Jubilee, was established in 2021 and is developing a Youth Academy. This includes work through regional 'huddle' groups to improve progression pathways for young people from school/college into the workforce. Other projects underway with the regional huddle groups include: using simulation resources in local NHS sites to attract young talent into NHS Careers; developing regional skills ecosystems which align regional provision with workforce priorities.

As part of our Corporate Parenting actions 2021-2022, we delivered a national workshop on employability in collaboration with 'Who Cares? Scotland'. 'Who Cares? Scotland' also contributed to the NES Employability and Apprenticeship Action Group. We also held a session for staff 'From Care to Work: Education & Employment' in 2021.

Outcome 2: The number of refugee health professionals re-entering their profession is increased through better access to training, language support, professional mentoring and work experience.

Progress:
We have continued to support refugee doctors complete English language requirements and the Professional and Linguistic Assessment Board (PLAB) in order to practice in Scotland. This is through funding to the Bridges Project. The refugee

doctor programme is also now piloting an enhanced induction programme and this is being reviewed in conjunction with the Scottish Government and the Centre for Workforce Supply. Further discussion is required with Scottish Government around the overall vision for the refugee doctor scheme and how this should be delivered.

We recognise the need to undertake further work in this area to measure progress towards this outcome. This will be part of our review of our Equality Outcomes to align with our new organisational strategy for 2023-2026.

Outcome 3: Attainment gaps for medical trainees from Black and Minority Ethnic backgrounds and International Medical Graduates are reduced.

Progress:
The Advancing Equity in Medical Education Steering Group was established in 2020 to advise the Scotland Deanery (part of the NES Medical Directorate) on actions towards reducing the attainment gap. This is a complex issue recognised across the UK. The group's first annual report is due for publication in March 2023. Actions undertaken over the last 2 years include:

- Associate Post-Graduate Deans for International Medical Graduates (IMGs) and for Equality, Diversity and Inclusion have been appointed in NES to support our work in this area.
- A trainee equality, diversity and inclusion dashboard has been created. This will aim to build a better understanding of the demographic profile of trainee doctors in Scotland (including ethnicity and place of primary medical qualification), and support prioritisation and evaluation of work to address differential attainment.
- International Graduates Support increased: GP and Psychiatry STEP (Scottish Trainee Enhanced Programme) is being extended to Medicine and explored for other specialties, and Softer Landing- Safer Care is being rolled out across Scotland in collaboration with Directors of Medical Education.
- An inclusivity poster was developed and shared with Directors of Medical Education for sharing in NHS Board service areas. This was designed to promote values of inclusion in the workplace and the actions that can be taken. A copy is included at Annex A.
- Equality, diversity and inclusion content increased in courses for our trainers.
- A simulation resource (Fairness in Feedback) for supervisors has been developed and is being piloted in March 2023. This resource aims to support effective and fair feedback, recognising the range of issues which may impact on trainees' performance in NHS Scotland.

Outcome 4: We will continue to enhance the inclusivity of education and training programmes for disabled learners in NHS Scotland through:

a. Expanding the availability of technology enhanced learning which reflects best practice in accessibility and increases flexibility in learning opportunities.

Progress:
A Technology Enhanced Learning Team was established in NES in response to the Covid-19 pandemic in 2020 and the need to adjust our way of delivering education and learning remotely. NES educators are supported through a community of practice and a suite of resources. Developments include:

- A pre-learning questionnaire to identify in advance whether a learner has additional learning needs or requires support to access training.
- Detailed, practical, easy to use guides on how to create PowerPoint and text documents that are accessible for users and meet legal accessibility requirements.
- Publication of the Quality Guidelines for Digital Learning resources on the Guidance for Education Turas Learn site.

We have reviewed our Inclusive Education and Learning policy. An EQIA was carried out, and we are now developing guidance to support staff in its implementation. We are also considering how to evaluate the policy.

b. Establishing arrangements for reasonable adjustments passports for trainees under the Lead Employer programme.

We recognised the requirement to provide dedicated support to our disabled staff, to our doctors and dentists in training (DDiT), to line managers and educators. We appointed a Senior Specialist Lead – Disability who took up post in April 2022. We have developed a draft reasonable adjustment passport to share with the National Group for Lead Employers (for DDiT) and are discussing with Scottish Government who may take responsibility for this as part of the NHS Scotland 'Once for Scotland' policy approach.

c. Providing holistic careers advice and person-centred support for disabled trainees through the Performance Support Unit (now the Training, Wellbeing and Development Service).

One to one support and case management are undertaken by the Disability Specialist Lead. Individual Learning Plans are being implemented where necessary for our Doctors and Dentists in Training.

Bespoke person-centred resources have been designed including for a small cohort of trainees to enable them to progress with processes such as Annual Review of Competence Progression (ARCP).

Outcome 5: The diverse development needs of our workforce and changes in the way work is being done will be our focus as we support development of digital capability and accessible and inclusive technology enhanced learning. We will invest in core skills development for our educators and designers which will include:

- Accessibility
- Cultural competence and anti-racist education
- Unconscious bias in education
- Social learning and facilitating for inclusive learning

Progress:

Developing digital capability in NES

See update on Outcome 4 on the support provided by the Technology Enabled Learning Team in NES. NES staff also participate alongside a wide range of colleagues across health and care in programmes to deliver the workforce priorities of the Scottish Government's Digital Health and Care Strategy (see progress by our Digitally Enabled Workforce Team below).

Equality and Diversity Education and Learning

We manage the Equality and Diversity Zone on the Turas Learn platform. Health and social care staff can access a range of resources here. Our Specialist Lead - Education joined the Equality, Diversity and Human Rights Team in June 2022 to provide additional capacity in NES. A Learning Needs Assessment with NHS Boards has been completed to inform priorities to provide high quality and timely learning and education materials for health and social care staff. A priority for the team in 2023 is refreshing an e-learning module on equality and human rights as a basic introductory resource for all staff. We recognise the contribution of our partners bringing expertise to this area, particularly in the voluntary sector, and we will continue to work collaboratively with partners to meet the learning needs in health and social care.

Cultural humility

NHS Academy is working with the NES Equality, Diversity and Human Rights team to develop resources to support the workforce on cultural humility. Examples of resources from across the UK have been identified and the working group has developed learning outcomes and materials to develop this resource. The focus will be on reflective practice around the values and behaviours which can be practiced in the workplace to support inclusion and equality. This is due for completion by October 2023.

Developing digital capability across the health and social care sector

The Digitally Enabled Workforce Team in NES was commissioned by Scottish Government to support the development of digital skills within the health and social care sector via targeted projects. Research was commissioned to understand what the Scottish health and care workforce need and want from improved access to digital skills learning resources. The research has been shared widely across NES, with Scottish Government and across the health and social care sector. Further information about the full range of the programme's work is available at Digital Health and Care Leadership Programme.

Outcome 6: Our approach to digital design considers the role of digital in:

- How we design with the diverse needs of our audiences in mind when developing our products;
- How we consider the role of digital in supporting the care pathways we are supporting or for which we are delivering learning;
- How the delivery of highly accessible digital solutions is best supported by and influences the "non-digital" ways of interacting with a product or service; and

- How we measure whether our digital products and technology enabled learning are connecting with audiences in ways that address rather than widen inequalities.

Progress:
NES Technology Service plays a key role in digital and technology work through enterprise facilitation and delivery of infrastructure, systems, services, and access. Our success, however, is dependent on applying technology to support people's needs in a service.

We have developed key measures to set out how progress will be made towards this outcome (see Annex B). Equality, equity, inclusivity, and accessibility are core to good design and is considered throughout all phases of digital design. When designing any digital product or service, a framework on 'key dimensions to enhance' (quality approach) and 'barriers to access' (EQIA) is undertaken. Digital design standards underpinning our work are outlined in the Scottish Approach to Service Design, the Digital Scotland Service Standard, and good practice in engaging with people to design services, education, and training.

Areas to demonstrate this approach since 2021 include:
- **Systems.** A Foundational EQIA framework developed to inform the development of the Health and Care products. This allows the product specific teams to concentrate on specific user equality, accessibility, and experience considerations of a product.
- **EQIA.** An EQIA of our Digital Eyecare Ophthalmic Electronic Patient Record completed in 2022.
- **Systems.** The Turas Style guide as a foundation to meet equality principles for accessibility and experience. As well as informing learning and education courses and modules, it is currently under design to support emerging priorities of the National Digital Platform.
- **Infrastructure (people).** The Technology Enhanced Learning and Knowledge Services teams continue to support our staff and develop resources and communities of practice to meet the diverse needs of our learners.
- **Capability.** The formal launch of the National Digital Platform at Digifest 2022. The platform has the potential to meet public and patient needs directly and indirectly through improvement of work conditions, tools, and system capabilities. The Service Catalog section outlines how to access and develop applications and services using a secure approach and a style guide with accessibility considerations.
- **Enhancing professional capacity and digital inclusion.** Real Time Staffing, an online platform for users in critical care, maternity and mental health, helped to address barriers of digital literacy in the previous workbook-based format.
- **Enhancing professional capacity and digital literacy and skills.** A new Study Leave App, part of the Training Programme Management (TPM) and Training portfolio, systematically designed to ensure the application can be used across a variety of devices (including mobile-friendly) and suitable for multiple users, admin, trainees, and leave approvers.

Outcome 7: The attraction and selection processes for our leadership and management programmes support a leadership and management cohort that is inclusive and representative. The provision of our leadership and management programmes supports the building of an inclusive workplace culture.

Progress:
The new Leading to Change programme was launched by Scottish Government in October 2022. NES is a key delivery partner and is working closely with government including in the delivery of the actions in the Equalities Sub-group action plan. There are six actions and NES is responsible for 4 of these actions including the now launched Diversity Coffee Connect Programme and an equality, diversity and inclusion blog series. NES is also funded to deliver an allyship programme and a diversity at all levels programme as part of the Equalities Action Plan. This is being progressed in 2023 following recruitment of additional staff to support its delivery.

The recruitment process for the Management Training Scheme (MTS) is currently being reviewed to identify any potential barriers for people with protected characteristics. The recommendations will guide the improvements in the Scheme's recruitment.

Outcome 8: NES is an inclusive employer, with:

a. Effective employee voice, including staff networks with effective influence on policy.

Progress:
In June 2021, NES appointed a Staff Equality Network Co-ordinator for a fixed term to establish staff equality networks. NES now has the following staff networks which meet regularly in a supportive environment, facilitated by our Equality Network Co-ordinator
- Parents and Carers Staff Network
- Underrepresented Ethnic Minority Staff Network
- LGBTQ+ Staff Network
- Disability, Long-term conditions, Neurodiversity & Mental Health Staff Network

The Chairs and Vice Chairs of all the networks meet quarterly to discuss and decide ways forward on common network areas. Network meetings provide the opportunity for peer support as well as progressing network action plans. Our Non-Executive Board Champion attends the joint chairs meeting and staff network meetings at least once a year. Other Board Non-Executive and Executive Team members are also welcome to attend staff network meetings.

The networks have supported work in the organisation including:
- The Carer Positive Benchmarking review.
- Focus group discussions to inform the staff survey on hybrid working.
- Updating NES education resource Equal Partners in Care (EPiC) with Network members sharing their lived experience videos.
- Review of accessibility information for NES sites with our Health and Safety Officer.

- Membership on the Short Working Life Group to review the Inclusive Education and Learning Policy.
- Consultation events on the development of NES's new strategy for 2023-26.

There have also been a range of events including:
- Disability Workplace Adjustments Event.
- Promotion of Pride History month including participation in the Edinburgh Pride parade, conversations with NHS LGBT+ Leaders event and 'meet the author' Kaite Welsh event.
- A live podcast from a member of staff on Living and Working with IBD (Inflammatory Bowel Disease).
- Underrepresented Ethnic Minority Staff Network monthly tea/coffee/cake drop-ins.
- Parent/Carer Connections weekly drop-ins.
- Education sessions at network meetings e.g., Inclusive language, what is racism, challenging prejudices, and stereotypes.
- An event on neurodiversity led by the Royal College of Nursing.

Our Under-represented Ethnic Minority Staff Network Chair and Vice-Chairs are members of the Scottish Government Ethnic Minority Forum. This brings all the NHS Race Equality Network Chairs together. We are also members of the Edinburgh Employers Network which has a focus on Carers.

b. Improved recruitment outcomes for young candidates, minority ethnic candidates and disabled candidates.

Our monitoring has shown that external advertising of posts has not led to increased diversity in the workforce. Our Equality and Diversity Employee Monitoring Report (March 2021-April 2022) includes an analysis of our recruitment outcomes for different groups. We have an action in our recent employment monitoring report to roll-out and evaluate training for all staff involved in recruitment.

A refresh of the existing Modern Apprentice (MA) employment offering within NES is underway. An updated and more integrated MA programme for NES is being developed, linking in directly with workforce planning and each Directorate's 2023-24 Operational Plan.

Our Job Packs and Adverts have been refreshed and successfully piloted across all NES Technology vacancies and will be rolled out across NES in a phased approach in the coming months. An analysis of impact will be measured after six months.

c. An adaptable and flexible workforce with positive support for staff wellbeing.

A review is underway to improve the provision of services for neurodivergent trainees, led by our Specialist Disability Advisor and the Training Development and Wellbeing Service. This will include assessment processes, reasonable adjustments, case management, ongoing support and trainer awareness. We also continue to run the Guaranteed Interview Scheme for Dental and Pharmacy trainees as part of our recruitment campaigns and accommodate reasonable adjustments during trainee recruitment campaigns and trainee employment. We are planning to develop a self-

assessment tool to support dental vocational trainers in assessing the accessibility of their premises as a place of work, improving the ability to identify training practices which suit the needs of trainee applicants with disabilities.

We included equality monitoring in our recent staff survey to understand if our hybrid working model was affecting staff differently across the protected characteristics. In relation to staff with protected characteristics, most improvement was found by staff with a disability, and staff in the youngest age group. A 'New Ways of Working' Steering Group has been established to support effective hybrid working in NES and equality considerations will be part of the group's remit.

Over the past 2 years there have been a variety of activities to support staff wellbeing. This has included:

- Sessions on topics such as the Step Count Challenge, Nutrition and Hydration, Mental Health and Wellbeing, Epilepsy and Inflammatory Bowel Disease.
- Spotlight sessions on issues such as Women's health, Men's Health and Financial Wellbeing.
- Workshops on Introduction to Mindfulness and Guided Journaling and now weekly mindfulness practice sessions which staff can access on a drop-in basis.
- Events and information on menopause, resulting in the production of the NES Menopause Guide for Managers and the setting up of Menopause Meet-ups support group to enable sharing of lived experiences in a safe space.
- There is also Coaching for Wellbeing available to all NES staff and comprehensive resources on the Wellbeing Hub.

How we are progressing children's rights

As a special NHS Board, we are listed as a public body required to report on what we are doing to progress children's rights under the Children and Young People (Scotland) Act 2014. This section will provide information on how we have progressed children's rights, through the United Nations Convention on the Rights of the Child (UNCRC), in our work since 2020. A child-friendly poster version of the UNCRC is available: child-friendly poster version of the UNCRC.

Children and young people have the same human rights as adults, and these are the same rights that protect everyone. Children and young people also have additional rights that recognise childhood is a special, protected time in which children must be allowed to grow, learn, play, develop and flourish with dignity. The UNCRC is an international treaty that brings all rights together. At NES, we recognise our vital contribution through workforce education and training to promote and protect children's rights. We have included our progress aligned to the UNCRC clusters (those most applicable to our work at NES), recommended in the Guidance on Part 1 published in 2016 by Scottish Government.

General measures of implementation

We are committed to ensuring our NES workforce and the wider health and care workforce understand the UNCRC and how to take a children's rights approach (Article 4: protection of rights – making rights real). We proactively raise awareness on children's rights through educational activities and have worked with Education Scotland to promote interprofessional learning on children's rights in school communities.

- Children's rights are integral to our NES Women, Children, Young People and Families Group. Established in 2019, the group paused during the pandemic and refreshed in 2022 with representation across NES Directorates as a collaborative workstream. Part of the work is considering future legislation and organisational responsibilities in response to the UNCRC (Incorporation) (Scotland) Bill (Article 4).

- Children's rights awareness sessions were provided for NES staff at the Educational Leadership Group in 2021 and during Care Experienced Week in 2022. Participants were asked how we could best support their understanding of children's rights, which for them was awareness raising and receiving help to explore safe and effective ways to engage with children and young people (Article 42: everyone must know about children's rights).

- We designed and delivered a webinar on children's rights for School Nurses in 2023 and Getting it Right for Every Child in 2022. Participants shared the benefits of learning with and from each other to progress children's rights (Article 42).

- A pilot was initiated in 2022 between NES and Education Scotland to provide interprofessional learning sessions on children's rights in two school communities. The animation to promote one pilot area shows alignment to local strategies and improvement work (Article 4): Promotional animation on interprofessional learning sessions.

General principles of the UNCRC

We are committed to meaningful engagement with children and young people (Article 12: respect for children's views) and can evidence this through our work. We also recognise our own improvement journey to increase these partnerships with children and young people across the range of work at NES; as part of our corporate activities; and integral to our children's rights reports.

- To ensure adults working with or alongside children and young people can support their mental health, we worked in partnership with Children in Scotland and Scottish Government and held consultation meetings with children and young people. This supported the development of 'How to be a good adult' and the creation of a job description (Article 12). One Good Adult Implementation guidance is in pilot stage with full guidance anticipated during 2023.

- As part of this work, we published a Children and Young People's mental health and wellbeing [knowledge and skills framework](#) for the Scottish workforce. We can demonstrate consideration of children's rights in our refreshed Equality Impact Assessment (EQIA) guidance and templates to mainstream children's rights into our work (Article 2: non-discrimination).

- In 2022 our Board Chair David Garbutt was appointed as a non-executive Director of [The Promise Scotland](#) and has a crucial role in progressing the plans and commitments of the Promise in response to the Independent Care Review. This role has firm foundations in ensuring the voices of those with care experience are heard and will further enhance our understanding and activities at NES in driving the changes required to #KeepThePromise

Violence against children

Children in Scotland have the right to be cared for and protected from harm and grow up in a safe environment where their rights and needs are respected. We all have a duty to protect children and our communities from all forms of violence (Article 19). Through the National Trauma Training Programme we continue providing resources to promote trauma-informed practice and support organisations to develop their workforce and understand the impact of trauma in people's lives (Article 39: recovery and reintegration).

- We are committed to ensuring the health and care workforce have access to relevant education, reflective of national guidance, so that everyone recognises their responsibilities in relation to the protection of children. In 2022, we published on child protection which integrate children's rights and trauma-informed practice (see: the [Public protection learning site](#)). The informed and skilled level modules have already been completed by over 2300 learners (Article 19).

- To continue supporting trauma-informed care, we published two resources (see: [trauma-informed care resources](#) to help individuals and teams reflect on their work through a trauma lens and to create a plan for trauma-informed care (Article 39).

- Our trauma-informed resource ['sowing the seeds'](#) was supported by the Scottish Youth Parliament to inform its development. In addition, 'developing your [trauma-skilled practice](#) for those working with children and young people' received valuable input from Who Cares? Scotland (Article 12).

Family environment and alternative care

We understand the support parents and carers may require caring for their children (Article 18: responsibility of parents) and we have a range of curricula which provides evidence-based education to promote early intervention and positive parenting. At NES, our Executive Team are aware of their duties and fulfil their responsibilities as corporate parents (Article 18).

- For 10-years, the [Psychology of Parenting Project (PoPP)](#) has provided evidence-based parenting interventions to build strong parent-child relationships and empower families to promote resilience in their children. As

a baseline measure, the strengths and difficulties questionnaires evidence a reduction in behaviour problems in children whose parents/carers have attended the groups (Article 18).

- We have received feedback from over 2,000 families which helps inform continuous improvement. Parents/carers shared comments such as "*I feel more confident in my approach & that I'm not alone as many parents face similar things*." and "*I feel the course has been life changing in all aspects of my family relationships*."

- Family nurse partnership (FNP) is an intensive home visiting programme for young first-time parents. The three goals of FNP are to improve pregnancy and birth outcomes through improved prenatal health behaviours; to improve child health and development through positive, responsive caregiving; and to improve the economic self-sufficiency of the family. Family Nurses complete their education with NES where the goals are integrated alongside underpinning theories (Article 18). We captured our FNP story and how we help give families the best start in the NES Year in Review 2021/22.

- Our FNP team periodically undertake accompanied home visits to maintain their clinical currency and connection with clients. Feedback from clients happens in a variety of ways, such as bringing the clients/partners voice into the 'classroom' during breastfeeding education and involving fathers in FNP (Article 12). In Scotland, over a fifth (22%) of FNP clients are care experienced or on the child protection register (Article 5) and family nurse education recognises the client's life course in their transition to parenthood.

- We provide Childsmile training for dental health support workers and dental nurses to reduce oral health inequalities and promote positive health and wellbeing outcomes for children. Our person-centred approach to education promotes partnerships with families to support their understanding to improve their child's oral health and respond in their best interests (Article 18; Article 3).

- We can evidence our commitment to young carers in raising awareness about what it means to be a young carer and ways in which our health and social care workforce can support young carers (Article 18). Collaboration with a range of stakeholders, for example, Carers Trust Scotland (who host the Scottish Young Carer Services Alliance) has informed this work and our educational activities incorporate the voices of young carers, (see: Caring for Unpaid Carers resources) for example our recorded webinar and our 2022 focus on making young carers feel visible, valued and supported (Making Young Carers feel visible, valued and supported) (Article 12).

Basic health and welfare

We ensure the wider workforce in Scotland have access to evidence-based education and learning opportunities/resources to meet the health and wellbeing needs of children and young people (Article 24), including children with disabilities (Article 23).

- We are committed to supporting children and young people's mental health and wellbeing by providing Let's Introduce Anxiety Management (LIAM) education, which aims to equip practitioners to deliver psychologically informed practices and interventions to children and young people who have elevated levels of distress (Article 24). We captured the views and experiences of practitioners providing the training and through them, feedback from children and young people – including as part of our NES Year in Review 2021-22. (Please see: LIAM videos and LIAM online during Covid-19).

- In response to the Covid-19 pandemic we produced a range of educational resources to ensure practitioners could continue connecting and supporting children, young people and their families (Working with young people and families). This included promoting positive transitions in their return to school and ways to discuss worries they might experience (Article 24).

- In partnership with our colleagues at 'Promoting A More Inclusive Society (PAMIS)' and a range of stakeholders we launched the Postural Care Strategy and a suite of resources as part of Your Posture Matters in 2021. At the heart of this work were children, young people, families and carers who have helped the health and care workforce in Scotland understand the importance of protecting people's posture, for example, children and adults with profound and multiple disabilities.

Next steps to secure better or further effect of children's rights

These next steps explain what we plan to do over the next 3-years. We have written these as simply as possible to help everyone understand them. Including children and young people in future reports will make this even better for our next report. We are currently developing our corporate strategy for 2023-26 where we will make our commitment clear on 'The Promise'. We want children to be loved, safe, respected and realise their full potential and are dedicated in our contribution to Scotland's goal in being the best place in the world for children to grow up.

- We will decide on what information we need to gather, to make it easy for everyone to see the changes and improvements we have made. This will help our understanding of anything that might stop us being able to realise children's rights.
  - o Responsible: Equality, Diversity and Human Rights – Workforce Directorate.
  - o By: March 2024
- We will collect information about what we do now to put a plan together and to make sure we are being rights-based. We will include children and young people in these plans to help us do things better.
  - o Responsible: NES Women, Children, Young People and Families Group.
  - o By: March 2024
- We will ask for help from colleagues who work in the 3rd sector and others about ways to include children and young people more in our work at NES, so that we can do this well.
  - o Responsible: NES Women, Children, Young People and Families Group.

- o By: March 2024
- We will make sure information about [children's rights and wellbeing impact assessment](#) is available for the NES workforce and to offer help to understand what this means.
    - o Responsible: Equality, Diversity and Human Rights – Workforce Directorate.
    - o By: March 2024
- We will listen to children and young people to hear new ideas about ways we can learn, and help others learn, about children's rights. As part of this we will think about the skills, knowledge, understanding and values that everyone working with children, young people and families should have (for example, ['The Common Core').](#)
    - o Responsible: NES Women, Children, Young People and Families Group.
    - o By: March 2025
- We will make sure we have people who work at NES who know about and understand children's rights to help with our plans.
    - o Responsible: NES Executive Leadership Team
    - o By: March 2025
- We will develop a goal and vision so that everyone knows our commitment to children's rights and what we are going to do.
    - o Responsible: NES Executive Leadership Team
    - o By: March 2024

Next Steps

Our Equality Outcomes should reflect the areas where we can make the most difference to inequalities through our sphere of influence. We want our Equality Outcomes to be specific and measurable, informed by evidence and the involvement of people who share protected characteristics. This includes how we will involve children and young people meaningfully, taking a rights-based approach in our work, and listening and responding to their views. It is important we consider the next steps for NES, specific to children's rights, which are detailed in Section 3. The development of a new strategy for NES and this 2-year report provides a timely opportunity for us to review our Equality Outcomes to ensure they reflect the full range of our functions. This work is planned for 2023.

In the meantime, we will continue to progress work on our Equality Outcomes and report twice a year to our Committees and the Board.

Actions we are taking in 2023 include:

- Review and align our Equality Outcomes with our new strategy for 2023-2026.
- Progress the NES Strategy EQIA recommendations.
- Explore the development of a meaningful involvement strategy for NES, which reflects the diversity of our learners and in the population, those under-represented in society and who experience inequalities.
- Continue to support staff learning and development through our Community of Interest on equality, diversity and human rights, including on children's rights.

- Continue to embed equality, diversity, inclusion and human rights in NES's education and training materials, sharing practice across our community of educators.
- Developing resources in collaboration with a range of partners for the [Equality and Diversity Zone](#) on Turas Learn to support the wider health and social care sector.
- Develop supporting guidance to our educators to implement our Inclusive Education and Learning Policy.
- Progress the recommendations from our Equality and Diversity Employment Monitoring Report and in our Equal Pay Statement.
- Continue to build and support our Staff Equality Network infrastructure.
- Agree specific actions as part of an anti-racist approach in NES, including increasing understanding in staff about anti-racism.

Equality and Diversity Employment Monitoring Report April 2021- March 2022

Our report for the period April 2021-March 2022 is published on our website at:

This will be published on our website once approved by the Board in March.

Annex B: Measures to support Equality Outcome 8

Equality outcome	Key Measures	Intermediate Measures
Our approach to digital design considers the role of digital in:		
1. Designing with the diverse needs of our audiences in mind when developing our products;	1. All projects can evidence their inclusive design approach. System users are involved in design processes	1. Design processes are documented
2. Designing with the diverse needs of our audiences in mind when supporting care pathways or delivering learning;	2. When supporting care pathways / specific learning outcomes, all projects can show how their inclusive design approach supports better outcomes	2. Design processes to promote equality and inclusivity are documented
3. How the delivery of highly accessible digital solutions is best supported by and influences the "non-digital" ways of interacting with a product or service;	3. When delivering digital solutions, all projects can show how their non-digital users can access the same levels of service	3. EQIAs completed for projects
4. How we measure whether our digital products and technology enabled learning are connecting with audiences in ways that address rather than widen inequalities	4. When delivering digital solutions, all projects can measure their impact on inequalities, as set out in equality impact assessments	4. Alignment to established design system processes 5. Alignment to Scottish Government standards such as: a. the Digital Service Standard; and b. Scottish Approach to Service Design

Equality Monitoring Report 2021/22

NHS Education for Scotland – 2023

CONTENTS

1. INTRODUCTION

Gathering and analysing equality and diversity information on the workforce is important to inform our work to progress equality, tackle discrimination and harassment and address prejudice in the workplace. We have a specific duty as part of the Public Sector Equality Duty in Scotland to gather information on the composition of our workforce and information on the recruitment, retention, and development of our employees by each of the protected characteristics.

Good employee information helps us to meet the Public Sector Equality Duty by for example, identifying key issues for us as an employer to progress equality of opportunity and identify any actions to avoid discrimination and harassment. Analysis of our workforce data informs areas for improvement and allows us to monitor our progress. Knowing your workforce through data is one of 4 areas of focus identified in the [Scottish Government's Anti-Racist Employment Strategy](), published in December 2022.

This report sets out the actions we are taking as a result of our employee equality and diversity monitoring. We collect and analyse data on the protected characteristics of age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sex, and sexual orientation.

The report relates to employees who are directly employed by or on secondment to NES for the financial year 01 April 2021 to 31 March 2022.The report will set out by relevant protected characteristic:

- Workforce composition
- Staff retention
- Staff development
- Recruitment and selection
- Our Gender pay gap

We are required to publish our gender pay gap every two years as part of our Public Sector Equality Duty. This report includes our gender pay gap as of March 2022 and includes historic data to demonstrate the trend. Our Equal Pay Statement is published on our website at [Equal Pay Statement April 2021]().

The data in this report relates to employees who are directly employed by or on secondment to NES[1]. It summarises key findings from our workforce equalities data as of 31 March 2022 and, unless otherwise noted, refers to the financial year 01 April 2021 to 31 March 2022.

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[1] For Data Protection reasons we are not allowed to report on any categories if there are under five staff present in that category

Data on Doctors and Dentists in Training (DDiT) analysed in this report is limited to the trainees employed by NES. NES is one of four lead employers for trainee doctors in Scotland.

2. WORKFORCE COMPOSITION

As well as our core[2] staff NES is the lead employer for Doctors in Training in General Practice, Public Health, and Occupational Health speciality training. In 2021 NHS Education for Scotland (NES) also became the lead employer for Dental Core (DCT), Specialty Training (STRs) and in August 2022 Vocational Dental Practice (VDP) trainees. As of March 2022, we employed 1075 core staff and 1708 DDiT. The DDiT work in placement settings across NHS Scotland and are recruited through national recruitment processes. Unless otherwise noted, this report will report data on DDiT separately from our core staff.

2.1 Sex

As of 31 March 2022, 69% of the total NES employed workforce were women. 62% of our core staff and 74% of DDiT are women. NES collects data on gender identity, which would enable an individual to identify themselves as trans. We do not have sufficient numbers to allow reporting of these figures.

Figure 1: Sex by grade (all staff)

Figure 2: Working pattern by grade and gender for Males (all staff)

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[2] We refer to all staff employed by NES who are not employed as Doctors or Dentists in Training and working in NHS Boards as part of their training as core staff. This includes a variety of roles across our organisation.

Working Pattern ● Fulltime ● Parttime

Band	Fulltime	Parttime
Band 3.	81%	19%
Band 4.	100%	
Band 5.	100%	
Band 6.	97%	
Band 7.	84%	16%
Band 8A.	71%	29%
Band 8B.	71%	29%
Band 8C.	91%	9%
Band 8D.	83%	17%
Band 9.	100%	
DDiT	89%	11%
Executive Cohort	100%	
Medical & Dental	41%	59%

Figure 3: Working pattern by grade and gender for Females (all staff)

Working Pattern ● Fulltime ● Parttime

Band	Fulltime	Parttime
Band 2.	63%	38%
Band 3.	54%	46%
Band 4.	75%	25%
Band 5.	66%	34%
Band 6.	75%	25%
Band 7.	60%	40%
Band 8A.	46%	54%
Band 8B.	50%	50%
Band 8C.	58%	42%
Band 8D.	85%	15%
Band 9.	100%	
DDiT	62%	38%
Executive Cohort	100%	
Medical & Dental	45%	55%

- For core staff, 38% (398) of the workforce work part-time, and a higher proportion of women (41%, 319 members of staff) work part-time compared to men (27%, 79 members of staff).
- Part-time workers are represented across most grades.
- The highest ratios are in band 8A to 8C and those on Medical and Dental terms and conditions.
- Full-time work is more common at Bands 4-6, and at band 8D and 9.
- The Executive Cohort of staff are all full-time.
- Part-time appointments are more common than full-time appointments in the Dental and Psychology Directorates. These include sessional staff who work part-time for NES in an educational capacity but often have clinical roles in NHS Scotland.
- Sex is almost an even split in the Medical Directorate.
- At less than 20% the Workforce, Finance and NES Technology Directorates have the fewest part-time workers.
- 62% of DDiT are female.

Additionally, we employ Consultant and Educator grade staff on part-time arrangements. For example, over 55% of the Consultant grade cohort, who are medical and dental educators, are part-time employees of NES, regardless of gender and will work for other parts of the NHS. Within Medical and Dental Terms and Conditions, staff can be on NHS Consultant and General Practice (GP) and General Dental Practice (GDP) or Educator contracts of employment. In NES this includes Associate Advisors.

2.2 Ethnic Origin

Our core staff are primarily white (88%), with 4.5%% of staff identifying as being from a Black, Asian, Other ethnic backgrounds, or mixed ethnic background. Of the 88% who identified as White, 67% are White Scottish, and 14% are Other British.

The ethnic origin of 7% of NES core staff is unknown; this is where individuals have not disclosed this information (1.8%) or data is unavailable (5.2%). The data is not collected for certain types of workers, such as those on secondment agreements or agency contracts.

- 46% of ethnic minority staff are represented in bands 5 to 7
- 23% of ethnic minority staff are represented in bands 1 to 4.
- Ethnic minorities are under-represented in bands 7-8C and band 9
- 100% of the Executive cohort are White

Figure 4: Ethnicity (core staff)

Black, Asian and Minority Ethn... 4.5%
Not disclosed 7.0%

White 88.5%

Figure 5: Ethnicity by Grade (all staff)

Ethnic Group ● White ● Not disclosed ● Black, Asian and Minority Ethnic

Band	White	Not disclosed	Black, Asian and Minority Ethnic
Band 2.	88%		13%
Band 3.	91%		
Band 4.	93%		
Band 5.	91%		
Band 6.	88%		8%
Band 7.	87%	11%	
Band 8A.	82%	16%	
Band 8B.	88%	11%	
Band 8C.	91%		
Band 8D.	65%	27%	8%
Band 9.	100%		
DDiT	48%	30%	22%
Executive Co...	100%		
Local Payscales	100%		
Medical & De...	68%	20%	12%

0%   50%   100%

22% of DDiT have disclosed to be from Black and Minority Ethnic, mixed or other ethnic backgrounds. 31% have not provided data on ethnicity and this is a pattern that is seen across the protected characteristics in this cohort of staff.

A lack of equality and diversity data for DDiT (and the wider workforce) is an issue for other Health Boards and parts of the system. For example, the Scotland Deanery in NES, which works with Health Boards and GPs to provide training for all DDiT has undertaken a campaign to encourage all trainees to provide up to date equality and diversity information through the Turas platform. This led to an increase in completion of data and will be repeated in 2023.

Figure 6: Ethnic origin (DDiT)

To put our workforce ethnicity data in context we set out below the most recent census data for the Scottish population and the wider NHS Scotland ethnicity profile.

According to the most recent census[3]:
- Scotland's population was 96.0% white, 2.7% of Scotland's population identified as Asian, Asian Scottish or Asian British.
- African Caribbean or Black groups comprised just over 1% of Scotland's population.
- Under 1% of Scotland's population identified as having a Mixed, Multiple or Other ethnicity.

NHS Scotland ethnic diversity is:
- 70% identified as White
- 2.5% identified as Asian, Asian Scottish or Asian British

- 0.74% identified as African, Caribbean or Black
- 0.86% identified as having Mixed, Multiple or Other ethnicity

However, these figures vary across job roles and Health Board areas with varying levels of completion rates across NHS Boards.

2.3 Disability

Figure 7a shows that just over 3% of core staff identified themselves as disabled, 88% as not disabled and 8.5% preferred not to answer or where data was unavailable. Figure 7b shows the percentage of disabled staff in each age cohort. This shows that disability increases with age.

Figure 7: Disability (core staff)

Figure 8: Disability by Age Group (core staff)

1.41% of DDiT identify themselves as disabled. The actual figure is likely to be higher given that 40.9% of DDiT have not provided information about disability status. This is higher than non-disclosure about ethnicity.

Our new specialist lead for Disability has a specific role to support our staff, including DDiT where we are the Lead Employer, with reasonable adjustments in the workplace. As identified above, work is required to encourage DDiT to complete equality and diversity monitoring to improve data and importantly the actions that we can take to progress equality for disabled people in the workplace.

2.4   Age
- 79 % of core staff are aged between 35 and 64
- The highest % of core staff are aged 45-54 at 30.5%
- The lowest % of core staff are aged 16-24 at 1.9%

NES has a high number of posts requiring specialist skills or knowledge across various professional fields which may be a factor in low numbers under age 35.

Figure 9a: Age (core staff)

Figure 9b: Age (DDiT)

2.5 Religion or Belief

Figure 10 sets out our employee data on religion and belief. NES's core staff reflects a range of religious affiliations, although 'No religion' is the second most common identification at 45%, as compared with 36.7% in the 2011 census. Within the Christianity grouping, 20.4%% of core staff identified as Church of Scotland and 11.7% as Roman Catholic. Data has not been disclosed by 45% of the DDiT cohort.

Where data is available Christianity (26%) is the largest grouping followed by No Religion (14%) and Muslim (8%).

Figure 10: Religion (core staff)

2.6   Sexual orientation
- 3.9% of core staff identify as Lesbian, Gay or Bisexual
- 3.7% of Doctors in Training identify as Lesbian, Gay or Bisexual.
- The non-disclosure (Preferred not to answer or Not known) rate for core staff is 10.6% and for DDiT is 34%

Although this is data for England and Wales, the recently published [Sexual orientation, England and Wales - Office for National Statistics (ons.gov.uk)](ons.gov.uk) reported 3.2% of respondents who completed this in the Census identified as LGB or other. Analysis for the Scottish Census has not been undertaken yet.

3.   RETENTION
We monitor employment policy related casework, disaggregated by protected characteristics, and the profile of staff who leave the organisation during the year, in case of any patterns emerging. We also carry out a thematic analysis of exit interviews.

Employment related casework is classified as formal management of a range of employee relations activities, including attendance management, disciplinary, grievance, bullying and harassment, capability and dismissal. We collect and analyse data on a range of activities.

20 formal employee relations casework events were recorded for core NES staff. 50% were related to conduct/disciplinary, 25% to grievance and 20% to capability. The

number of formal cases is too small to permit disaggregated reporting by protected characteristics.

Our approach is to support early and informal resolution of issues where possible. We record informal employee relations support, which may involve advice to staff or managers around specific issues or policies. Informal support is not recorded against individuals and thus is not analysed by protected characteristics. This data does not include DDiT.

Between 01 April 2021 and 31 March 2022, 136 employees left NES (79 of whom completed the exit questionnaire). Of the leavers, 59.6% (N=81) were on permanent contracts, and 40.4% (N=55) were on fixed-term contracts. We collect and analyse data on NES core staff who leave the organisation. In the exit questionnaire, leavers are asked a range of questions concerning their experience working for NES. This includes the reasons for leaving (see Figure 11). As part of exit interviews, we also ask how fairly the respondents felt they were treated, how respected they were, what the attitude to diversity was like in NES and their satisfaction with the organisation when leaving.

- 76.2% of respondents did not feel that they had been disadvantaged on account of age, gender, sexual orientation, ethnic origin, religion, etc.
- Further work is required to understand those who did not respond positively to this question as part of the exit interview.

The attitudes of people leaving NES remain largely positive towards the organisation. 68.75% of the staff said they were either very satisfied (43.75%) or fairly satisfied (25%) towards the end of their employment with NES. 21.5% said they were fairly or very dissatisfied. Of those who said they were fairly or very dissatisfied:

- 59% (N=10) were female and 41%(N=7) were female
- 11.7% (N= under 5) were disabled
- 12% (N= under 5) were from a minority ethnic background
- 12% (N=under 5) were aged between 30-34 and 29% (N=under 5) were aged 60 or over
- 35% were Band 8B's (N=6)
- 34%(N=27) were on fixed term contracts and 66%(N=52) were on permanent contracts.

Of core staff 28% are males but 66% of those dissatisfied with the organisation when leaving were male. Of the NES core staff 3.1% are disabled but 11.7% were dissatisfied. Of the NES core staff 4.5% were from a minority ethnic background but 12% were dissatisfied, this suggests disproportionality. Of those who said they were very or fairly satisfied:

- 24% were male and 24% were female
- 2% were disabled
- 4% were from a minority ethnic background

- 26% were aged between 55-64 and 24% were aged 35-44
- 19% were from Medical and Dental grades.

Figure 11: Leaving reasons (core staff)

Leaving reason	Percentage
Bullying and Harassment	1.1%
Change of Career Direction	5.1%
End of Contract	17.4%
Family Commitments	2.6%
Full Time Study	1.7%
Ill Health	1.1%
Lack of Career Development/Opportunity	5.7%
Negative Working Environment	4.0%
New Post (external to the NHS)	11.3%
New Post (within the NHS)	13.8%
Other	6.2%
Personal Reasons	5.3%
Promotion	4.0%
Redundancy	0.9%
Relocation	2.3%
Retirement	13.8%
Salary	3.0%
Travel	0.6%

Appendix 1 provides a breakdown of the leavers diversity profile. Those leaving the organisation represent just under 10% of the core workforce.

- Males as a proportion of the workforce are more likely to leave the organisation than females (33% compared to 31% of the total workforce).
- There is a higher proportion of disabled employees leaving the organisation than non-disabled (4.6% compared to 3% of the total workforce advising of a disability)
- There is a higher proportion of staff in age groups 16-24, 25-34 leaving the organisation. This may reflect the stage in career in these age brackets.
- There is a higher proportion of staff in age bracket 55-64 and over 65

- 5% of leavers are from a minority ethnic background, slightly higher than the 4.5% of staff from a minority ethnic background in the workforce.
- 5% of LGBT staff left the organisation, which is a higher proportion than in the workforce (3%).
- There is slightly higher proportion of staff who have advised they are Christian leaving the organisation at 35% that who have advised they are Christian in the organisation (31.5%). There is a higher proportion of staff with no religion leaving the organisation at 50% than in the composition of the workforce (26.4%).

As we seek to increase the diversity of our workforce and progress equality for under-represented population groups, analysis of the proportion of staff who leave the organisation by protected characteristic to investigate possible reasons for this is important.

4. STAFF DEVELOPMENT

This section relates to our core staff only. Education for DDiT is governed through their foundation, core or higher specialty training programmes and follows the curricula written by the Medical Royal Colleges and the Faculty of Dental Surgery and is approved and published by the General Medical Council and General Dental Council.

We analyse access to development for core staff by reviewing data on promotions, secondment or internal attachment, 'acting up' or temporary promotion and data on Training. Although our systems enable us to disaggregate all of the data by protected characteristics, some datasets (promotions, secondment/internal attachment, acting up) are quite small and permit only limited analysis.

4.1 Promotions

A promotion within NES is defined as a staff member moving to a higher grade/band on a permanent contract. This report also includes temporary arrangements which provide a development opportunity for staff. By looking at promotions by protected characteristic we can identify if any groups are not experiencing equity in opportunity for career progression. This section does not include DDiT.

From April 2021 to March 2022, there were 98 promotions. Promotions were distributed across the organisation, with at least one in each directorate. A breakdown of promotion by protected characteristics is illustrated in Appendix 2.

- Almost 70% of promoted staff were women. This reflects the proportion of women in the organisation (69%)
- Men progressed more quickly than women overall (30 men with average 6.43 years' service vs. 68 women with average 8.27 years service)
- Staff aged between 25-54 accounted for 92% of promotions. Employees in 16-24 and 55-64 account for 8% of the promotions

- 6% were from a minority ethnic background. This is higher than the proportion of staff in the workforce who have advised they are from a minority ethnic background (4.5%)
- Just over half identified as 'no religion'
- 5% of the employees promoted identified as being disabled. This is higher than the proportion of staff declaring a disability in the workforce (3%).
- 5% of employees promoted identified as LGBT, which is higher than the proportion of LGBT staff in the workforce (3.9%).

4.2   Training

We provide a range of staff development opportunities including work-based learning, e-Learning, attendance at conferences, staff panels and specialist learning events alongside a range of development courses and mandatory (essential) learning via our digital learning platform, Turas Learn. All courses housed on this system provide attendance/completion data. We also provide a range of self-directed learning as well as webinars and other digital learning offered directly to staff members via Microsoft Teams. These sessions are currently not logged against the individual learning record in Turas and we do not monitor rate of participation by protected characteristics.

5.   RECRUITMENT AND SELECTION

The outcomes for recruitment and selection of core staff are analysed in this section. DDiT are recruited through a national recruitment process for appointment to training posts across NHS Scotland (excludes Locum Appointments for Training). The standards and criteria for this process are set at UK level. Outcomes from this process are analysed separately at a national level and data for 2021/22 is currently being analysed and will be published at https://medical.hee.nhs.uk/medical-training-recruitment/medical-specialty-training

Appendix 3 summarises the overall number of applications and number of individuals shortlisted, interviewed and appointed to our core staff and applications by protected characteristic during the period 2021/22

5.1   Attraction

We have revised and refined our approach to advertising posts, adopting a model which offered clearer and more precise information about the post and the skills and knowledge required in the person specification. A new style advert and job pack has been successfully piloted in 2022 and will now be rolled out across NES vacancies by end of March 2023.

Our vacancies will continue to be considered for internal advert in the first instance (i.e. to existing NES workers, including agency and secondments) before consideration is given to advertise externally. All vacancies pass through a robust corporate establishment control approval process prior to advertising, with data monitored at each stage of the recruitment cycle.

Data for 2021/22 indicates that 20% of applications were made by candidates from Black, Asian and Minority ethnic candidates. The diversity of applicants for posts varies across the organisation, with the greatest diversity of applicants for posts in the Digital, Finance and the NHS Scotland Management Training Scheme (which we administer). We have also seen an increase in ethnic diversity of applicants for consultant and medical educator posts and progression to appointment to these posts.

Applicant ethnic diversity was lower for posts in the fields of Nursing, Midwifery and Allied Health Professions. It was slightly below average in the Workforce directorate and low in the Planning & Corporate Resources, although there were a small number of applicants in comparison to other directorates.

We received 1360 (from a total of 7106) applications from applicants from Black, Asian and minority ethnic backgrounds. Applicants from Black, Asian and minority ethnic backgrounds have the most significant differential likelihood relative to those of white ethnicity of progressing from interview to appointment (18% vs. 26.6%) or from application to appointment (2.8% vs 5.6%). The likelihood of progression from application to appointment is almost double for White applicants compared to Black, Asian and minority ethnic backgrounds.

9% of applicants (N=640) for all posts identified themselves as disabled. In contrast, 91 (N=6466) of applicants identified as not disabled.

7% percent of applicants identified as LGBQT+ and 0.69% identified as 'other', which compares favourably with Stonewall Scotland's estimate of LGB people in the working age population. There is no significant difference between appointment rates of people who identify as LGB and those who identify as heterosexual.

Our applications represent a range of religious backgrounds and those identifying with no religion are most prevalent. We attract a similar percentage of applications from those identifying as Roman Catholic or Church of Scotland (12.31% and 10.23%, respectively, of the overall total number of applications). There is no significant difference in appointment rates between those identifying as Roman Catholic or Church of Scotland. The number of individual applications in most of the minority religions is too small for statistical analysis. 5.67% of applicants chose 'Prefer not to say'.

69.12% of our appointments in 2021-22 were women. Women formed most appointments across the organisations and at most grades, except that men were more likely to be appointed to consultant/educator posts. Appendix 2 illustrates the age distribution of applications for core NES posts. 44% of applicants do not complete information on age. Differences in appointment rate by age group are not significant after 'factoring out' our Management Training Scheme appointments, which attracted many applications for a small number of posts. These applications

tend to be concentrated in the younger age bands. Management Training Schemes applications account for 63% of the 16-24 age band applications.

6. GENDER PAY GAP

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012[4] specify that public authorities must report the gender pay gap in the form of 'information on the percentage difference among its employees between men's average hourly pay (excluding overtime) and women's average hourly pay (excluding overtime)'. The specific formula used for this calculation is the formula for the average pay gap set out in the guidance published by Close the Gap5. The specific formula is (A – B)/A X 100, where A = average hourly rate of pay of men and B = average hourly rate of pay of women.

Using this method of analysis, as of 31 March 2022 NES's overall gender pay gap is 5.40%. The average hourly pay for women is £21.94 and for men is £23.17. Our current gender pay gap is below the Scottish public sector average of 12.5%6.

TABLE 1: GENDER PAY GAP

This table provides a summary of the hourly pay rate and the gender pay gap for each contract group. The figures reported in this table show a comparison between women's and men's average hourly pay within the specific contract group.						
Pay scale	**As of March 2017**	**As of March 2018**	**As of March 2019**	**As of March 2020**	**As of March 2021**	**As of March 2022**
Agenda for Change	4.26%	1.25%	6.58%	9.62%	8.43%	6.02% (893)
Executive Managers Cohort	0.00%	-30.07%	-3.29%	-1.39%	-2.19%	-6.99% (7)
GP/GDP Eds, CRUMP and Consultants	1.70%	13.52%	8.12%	0.72%	5.67%	1.85% (121)
DDiT	-1.30%	-2.00%	-1.54%	4.73%	-1.26%	-1.30% (1727)
Grand Total	**18.99%**	**27.56%**	**13.32%**	**7.28%**	**7.29%**	**5.40%**
Hourly Rate is calculated as ('Contracted Hours' x 52.179) / (Annual Salary * WTE) Senior Manager rate is based on grade step point, rather than personal salary value.						

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[4] The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (legislation.gov.uk)
[5] https://www.closethegap.org.uk/content/resources/Gender-pay-gap-statistics-paper-2022.pdf
[6] CTGBriefing24 (closethegap.org.uk)

In presenting the gender pay gap information, the nature of the calculations (based on average pay figures) means that the data is very susceptible to being skewed by large numbers of outlying pay levels. This is very relevant for the profile of the NES workforce. Over the course of the last two years NES has employed at large number of DDiT, which has contributed to reducing the gender pay gap.

7. RECOMMENDATIONS

The analysis of our annual workforce data from 01 April 2021 to 31 March 2022 has informed the following recommended actions:

- Deliver a campaign to improve our annual workforce equality and diversity data following approval of a revised Equality and Diversity Form for all applicants through Jobtrain. This data will follow through if appointed for new recruits, but we recognise that data may change for staff in post e.g., disabilities may develop over time in the organisation.
- Deliver a specific campaign to encourage DDiT to update equality and diversity monitoring on Turas to improve our data collection and analysis for this cohort of staff. This will be undertaken following approval of the revised national Equality and Diversity Monitoring set of questions for NHS Scotland. It is dependent upon changes being made on Turas to reflect the new set of questions.
- Roll out and evaluate the impact of newly developed eLearning modules for staff involved in recruitment and selection. This incorporates guidance on bias, values-based recruitment, and our role to create an inclusive and diverse workforce.
- Analyse NES staff TURAS data by equality characteristic to improve our understanding of equity in opportunities for training and development in NES.

Employee monitoring is part of wider work at NES to progress equality, tackle discrimination and create an inclusive workplace for our staff. We have specific Equality Outcomes published in April 2021 to improve recruitment outcomes for younger candidates, minority ethnic candidates and disabled candidates. We will continue to provide progress reports through our Staff Governance Committee and to our Board on our Equality Outcomes.

Other actions we are taking to promote an inclusive, diverse and equitable workplace is reported in our Equality Outcomes and Mainstreaming Report, published in April 2023.

APPENDIX 1: Leavers profile (core staff)

Leavers by Gender
- Male 33.8%
- Female 66.2%

Leavers by Sexual Orientation
- Heterosexual 86%
- Not disclosed 9%
- LGBT 5%

Leavers by Ethnic Group
- White 91%
- Minority Ethnic 5%
- Not disclosed 4%

Leavers by Grade
- Band 2: 1%
- Band 3: 5%
- Band 4: 10%
- Band 5: 11%
- Band 6: 11%
- Band 7: 15%
- Band 8A: 8%
- Band 8B: 11%
- Band 8C: 7%
- Band 8D: 2%
- Band 9 & Executive: 3%
- Medical and Dental: 18%

Leavers by Disability
- No 92.4%
- Prefer not to say 3.1%
- Yes 4.6%

Leavers by Age Group
- 16-24: 3%
- 25-34: 28%
- 35-44: 19%
- 45-54: 17%
- 55-64: 25%
- 65+: 8%

Leavers by Working Pattern
- Part-time 40.3%
- Full-time 59.7%

Leavers by Religion
- Buddhist: 1%
- Christianity: 35%
- Don't Know: 1%
- Hindu: 1%
- Jewish: 1%
- Muslim: 2%
- No Religion: 50%
- Other: 2%
- Prefer not to say: 9%

APPENDIX 2: Promotions profile (core staff)

Promotions by Gender

Male 30.6%

Female 69.4%

Promotions by Age

Age	%
16-24	1%
25-34	31%
35-44	33%
45-54	28%
55-64	8%

	%
Heterosexual	90%
Gay/Lesbian & Bisexual	5%
Prefer not to say	5%

Promotions by Disability

Yes 5.1%

No 93.9%

	%
White	94%
Black, Asian and Mino...	5%
Not disclosed	1%

Promotions by Grade Name

Band	%
Band 3	1%
Band 4	8%
Band 5	18%
Band 6	15%
Band 7	18%
Band 8A	20%
Band 8B	14%
Band 8C	4%
Band 8D	1%

Promotions by Working Pattern

Parttime 21.4%

Fulltime 78.6%

Promotions by Religion

	%
No Religion	51%
Christianity	39%
Not disclosed	7%
Buddhist, Jewish, Sikh ...	2%
Muslim	1%

APPENDIX 3: Recruitment - Candidate profile (core staff)

This resource may be made available, in alternative formats and community languages. Please contact us on **0131 656 3200** or email **altformats@nes.scot.nhs.uk** to discuss how we can best meet your requirements.

NHS Education for Scotland

Westport 102

West Port

Edinburgh

EH3 9DN

Board Paper

1.   Title of Paper
Draft 2023/24 Board Schedule of Business

2.   Author(s) of Paper
Della Thomas, Board Secretary, Corporate Governance Principal Lead

3.   Lead Director(s)
Christina Bichan, Director of Planning and Performance

4.   Situation/Purpose of paper

   4.1 This paper brings the 2023/24 draft Schedule of Business (SoB) for Board
        review and approval.

5.   Background and Route to Meeting

   5.1 Further to the review and approval of the Board Standing Orders, at the 16
        February 2023 meeting and the approval of the 2023/24 Board meeting dates
        at the 24 November 2022 Board meeting, the draft 2023/23 SoB has been
        prepared.

   5.2 The Board SoB is used as the basis to ensure all the items that require Board
        governance and scrutiny are scheduled and sequenced effectively. The
        Board Standing Committees Schedules of Business have been developed to
        enable review of papers by Committees prior to Board as appropriate.

6.   Assessment/Key Issues
(Include narrative relating to a-g checklist by exception)

   6.1 As changes to sequencing or new papers or processes have been added or
        amended, the 2022/23 Board SoB has been updated as a rolling record. This
        SoB has been used to prepare the 2023/24 draft SoB.

   6.2 Some new or revised items have been included in the SoB these are detailed
        below. The below detail also includes any notes on sequencing from Private
        through to Public Board as appropriate:

a. Draft 2024/25 NES Budget/Financial Plan has been sequenced through Private Board previously. We are checking if this remains a requirement with Scottish Government (SG).

b. NHS Boards Collaborative Property and Asset Management Strategic Outline Business Case (PAMS) is scheduled through May Public Board. We are confirming if there are any commercial in confidence aspects to this report and if this report may need to be scheduled through May Private Board.

c. Draft Communication and Engagement Strategy has been added as three yearly item to May 2023 Board and an Annual Report on progress added to September Board.

d. The draft Annual Operational Plan will be reviewed by May Private Board prior to submission to SG. The feedback letter from SG and the Annual Operational Plan: is then sequenced for final approval to August Public Board.

e. Draft 2023-26 Medium Term Plan is scheduled through June 2023 Private Board and will be sequenced through Public Board for final approval, once the dates for submission to, and feedback from, SG are confirmed.

f. Quarterly Performance Reports (to note, from Q1, August Board meeting this will include the KPI matrix report).

g. Quarterly Annual Operational Delivery – SG Return Report (from Q1 August Board).

h. Board and Committee Assurance Frameworks have been scheduled to August Board, dependent on the availability of final versions, further to the in-process consultancy work currently being progressed.

i. Three Yearly review of the Risk Management Strategy has been added to March 2024 Board, along with approval of Annual Strategic Risk and Risk Appetite, following review at Audit and Risk Committee.

j. Board Development meetings have been scheduled to be held on five occasions during 2023/24. A rolling record of suggested Board Development topics is maintained. This is reviewed by the Chair and CEO periodically. Board Development programmes are then prepared accordingly, taking a flexible approach, as the business year progresses, and as other priority topics may emerge or be proposed by the Board.

7. Recommendations

7.1 The Board is invited to review and approve the 2023/24 Board SoB

Author to complete **checklist.**
Author to include any narrative by exception in Section 6 of the cover paper.

a) Have Educational implications been considered?
☒ Yes
☐ No

b) Is there a budget allocated for this work?
☒ Yes
☐ No

c) Alignment with NES Strategy 2019-2024
☒ 1. A high-quality learning and employment environment
☒ 2. National infrastructure to improve attraction, recruitment, training and retention
☒ 3. Education and training for a skilled, adaptable and compassionate workforce
☒ 4. A national digital platform, analysis, intelligence and modelling
☒ 5. A high performing organisation (NES)

d) Have key strategic risks and mitigation measures been identified?
☒ Yes
☐ No

e) Have Equality, Diversity, Human Rights and health inequality issues been considered as per **Fairer Scotland Duty: Guidance for Public Bodies** and **Corporate Parenting** as per the **Children and Young People (Scotland) Act 2014**?
☒ Yes
☐ No

f) Have you considered Emergency Climate Change and Sustainability implications as per DL (2021) 38?
☒ Yes
☐ No

g) Have you considered a staff and external stakeholder engagement plan?
☒ Yes
☐ No

Author name: Della Thomas
Date: March 2023
NES

NES Public Board Draft Schedule of Business 2023/24

Item	Recurrence	Owner	Board 25/05/23	Board 10/08/23	Board 28/09/23	23/11/2023	Board 08/02/24	Board 28/03/24
Chair's introductory remarks	Standing item	Board Chair	X	X	X	X	X	X
Apologies for absence	Standing item	Board Chair	X	X	X	X	X	X
Declarations of interest	Standing item	Board Chair	X	X	X	X	X	X
Minutes of previous Board Meeting	Standing item	Board Chair	X	X	X	X	X	X
Matters arising from the minutes and notification of any other business	Standing item	Board Chair	X	X	X	X	X	X
Actions from previous Board Meetings	Standing item	Board Chair	X	X	X	X	X	X
Chair's report	Standing item	Board Chair	X	X	X	X	X	X
Chief Executive's report	Standing item	CEO	X	X	X	X	X	X
Strategic Items								
Draft Strategy	Every three years	Direcotor of Planning & Performance	X					
Draft Strategic Key Performance Indicators	Every three years	Director of Planning & Performance	X					
Draft Communication and Engagement Strategy	Every three years	Head of Communications	X					
Risk Management Strategy (following ARC)	Every three years	Exec Director of Finance						X
Draft Strategic Risks and Risk Appetite (following ARC)	Annual Item	Exec Director of Finance						X
Significant issues to report from recent Standing Committees	Standing item	All Committee Chairs	X	X	X	X	X	X
Approved Standing Committee Minutes for homologation	Standing item	Board Services	X	X	X	X	X	X
Corporate Governance Package - Board Standing Orders, Standing Financial Instructions, Board Scheme of Delegation, Code of Conduct & Committee Terms of Reference	Annual Item	Board Secretary / Director of Finance					X	
Board and Committee meeting dates - 2024-25	Annual Item	CEO / Board Secretary					X	
2024-25 draft Board schedule of business	Annual Item	CEO / Board Secretary						X
Board and Committee Assurance Frameworks	Annual Item	Director of Finance / Director of Planning & Performance / Board Secretary		X				
Appointment of new Vice Chair	Individual item	Board Chair		X				
Vice Chair Biennial review of appointment	Every 2 years	Board Chair						
Corporate Governance Blueprint Self-Assessment Action Plan	Currently suspended	Board Secretary / DoF	S	S	S	S	S	S
Annual Items								
Whistleblowing Executive Lead Annual Whistleblowing Report 2022/23 (following 4/5 SGC)	Annual Item	Director of Planning & Performance	X					
Non-Executive Director Whistleblowing Champion Report 2022/23 (following 4/5 SGC)	Annual Item	Non-executive whistleblowing champion	X					
Caldicott Guardian: Annual Report 2022-23 (following 29/8 TIC)	Annual Item	Postgraduate Dental Dean as CG.			X			
Feedback, Comments, Concerns and Complaints Annual Report (including Participation Standard & Annual Stakeholder report) for approval (following 14/9 EQC)	Annual Item	Director of Planning & Performance			X			
Communication and Engagement Annual Update Report	Annual Item	Head of Communications			X			
Annual Review Self-Assessment Document (if required by SG)	Annual Item	Director of Planning & Performance	S	S	S	S	S	S
2023-24 Equality Outcomes Mid Year Report	Annual Item	E&D Principal Lead					X	
2022-23 Equality Outcomes and Mainstreaming Annual Report	Annual Item	E&D Principal Lead	S					
Public Sector Duties: Two year progress report (April 2023-Aprl 2025)	Every two years	E&D Principal Lead						X
i.Matter Report (Following PF and SGC)	Annual Item	Director of Workforce					X	
Annual Report on the NHSS Global Climate Emmergency & Sustainable Development Policy (following ARC)	Annual Item	Exec Director of Finance					X	
Counter Fraud Policy and Strategy (following ARC)	Annual Item	Exec Director of Finance					X	
NHS Boards Collaborative Property and Asset Management Strategic Outline Business Case (PAMS)	Individual item	Executive Director Finance	X					
Feedback letter from SG and Annual Operational Plan: for final approval	Annual Item	Director of Planning & Performance				X		
Draft three year workforce plan	Every three years	Director of Workforce						
Performance Items								
Quarterly Financial Report	Quarterly	Executive Director of Finance		X		X	X	
Quartlery Risk Register Report	Quarterly	Executive Director of Finance	X		X	X	X	
Quarterly Performance Report (from Q1, August this will include the KPI matrix report)	Quarterly	Director of Planning & Performance	X	X		X	X	
Quarterly Annual Operational Delivery - SG Return Report (from Q1 August Board)	Quarterly	Director of Planning & Performance		X		X	X	

KEY

Item Scheduled	X
Item not Scheduled	
Item Suspended	S

NES Formal Private Meetings Draft Schedule of Business 2023-24

Item	Recurrence	Owner	25/05/2023	29/06/2023	08/02/2024	28/03/2024	Notes
Chair's introductory remarks	Standing Item	Board Chair	Scheduled	Scheduled	Scheduled	Scheduled	
Apologies for absence	Standing Item	Board Chair	Scheduled	Scheduled	Scheduled	Scheduled	
Declarations of interest	Standing Item	Board Chair	Scheduled	Scheduled	Scheduled	Scheduled	
Minutes of previous Private Board Meeting	Standing Item	Board Chair	Scheduled	Scheduled	Scheduled	Scheduled	
Actions from previous Private Board Meeting	Standing Item	Board Chair	Scheduled	Scheduled	Scheduled	Scheduled	
NES Annual Report & Accounts 22/23	Annual Item	Exec Director of Finance		Scheduled			
Annual Report of the Board	Annual Item	Board Secretary and Principal Lead Corproate Governance		Scheduled			
Q4 Financial Report	Annual Item	Exec Direcor of Finance	Scheduled				
Property Transactions (if required)	Individual Item	Exec Director of Finance					
Draft 2023/24 Annual Operational Plan	Annual Item	Director Planning & Performance	Scheduled				
Draft 2023-26 Medium Term Plan	Three Yearly	Director Planning & Performance		Scheduled			
Draft 2024/25 NES Budget/Financial Plan	Annual Item	Exec Director of Finance			Scheduled	Scheduled	

KEY

Item Scheduled	(orange)
Item not Scheduled	(white)
Item Suspended	(grey)

NES Informal Board Development Sessions 23/24

Item	Recurrence	Session Lead	20/04/2023	29/06/2023	24/08/2023	26/10/2023	25/01/2024	Notes
Values Based Health and Care	Individual Item	SG & Realistic Medicine Lead	▓					Confirmed
Best Value	Individual Item	Audit Scotland / DoF	▓					Confirmed
Board and Committee Assurance Frameworks	Individual Item	Azets / DoF / Dir Planning		▓				Proposal
Equality, Diverstiy and Inclusions and Human Rights	Individual Item	Principal Lead E&D & HR		▓				Proposal
National Care Service TBC	Individual Item							Proposal
Cyber Security / Business Continuity TBC	Individual Item							Proposal

KEY

Item Scheduled	▓
Item not Scheduled	
Item Suspended	▓

DIGITAL AND INFORMATION COMMITTEE   **NES/DI/22/33**

Minutes of the Seventh NES Digital and Information Committee held on Monday 31 October 2022 10:15 – 12:45 via Microsoft Teams.

Present:	David Garbutt, Non-Executive Director and Chair of the DIC
	Douglas Hutchens, Non-Executive Director
	Jean Ford, Non-Executive Director
	Angus McCann, Non-Executive Director, NHS Lothian
In attendance:	Jenn Allison, Senior Officer, Board / CEO Office
	Paula Baird, Principal Lead, Workforce (item 10)
	Christina Bichan, Director of Planning and Performance
	Jim Boyle, Executive Director of Finance
	David Felix, Director of Dental
	Heather Kilfara, Senior Finance Manager
	Katy Hetherington, Equality and Diversity (E&D), Workforce (item 13)
	Della Thomas, Board Secretary, Corporate Governance Principal Lead
	Christopher Wroath, Director of NES Technology Service

1. **Welcome and introductions**

1.1 The Chair welcomed everyone to the meeting, particularly Christina Bichan, who has recently started with NES as Director of Planning and Performance and was in attendance to observe the Committee as part of her induction to NES.

1.2 Paula Baird was welcomed for item 10 and Katy Hetherington was welcomed to the meeting for item 13.

1.3 The Chair informed the Committee that Vicki Nairn stepped down from the NES Board on 31 October 2022after accepting the position of Principal and Vice Chancellor at the University of Highlands and Islands. Vicki's last NES meeting was the Board Development session on 27 October. The Committee thanked Vicki for her contribution to the NES Digital and Information Committee (DIC).

2. **Apologies for absence**

2.1 The Committee noted that apologies were received from Karen Reid, Tracey Ashworth-Davies and Marisa Wedderspoon.

3. **Declarations of interest**

3.1 The Committee confirmed there were no declarations of interest in relation to the business on the agenda of the meeting.

4. Notification of Any other Business

4.1 There was no other business raised for discussion.

5. Minutes of the meeting 06 June 2022 (NES/DI/22/22)

5.1 The minutes were approved as a correct record, following minor typographical corrections.

6. Committee Rolling Action Log (NES/DI/22/23)

6.1 The Committee noted that 3 of the 4 actions have been marked as complete.

6.2 The Chair of the DIC highlighted to the Committee that he did not have any further update regarding the Scottish Government (SG) work to develop a National Information Governance Agreement and requested that the Director of NES Technology takes forward this action. **Action: CW**

6.3 The Committee noted the completed actions and the update regarding the action in progress.

7. Executive Lead Officer's Report (NES/DI/22/25)

7.1 The Chair invited Christopher Wroath to make any additional comments in relation to his report.

7.2 Christopher Wroath introduced the paper to provide the Committee with an overview of progress on delivery since the last meeting in June 2022. This included an update on the status of commissions from Scottish Government (SG), the change management programme and the current financial position.

7.3 Christopher Wroath highlighted to the Committee that there may be a significant funding challenge which could impact the ability to cover costs for a number of fixed term employees.

7.4 The Committee noted that there is also an increasing dependency on other Health Boards to ensure completion of projects and a challenge that Boards de-prioritise workload that is not considered by them as their business as usual.

7.5 Jim Boyle added that there continues to be a high level of dependance on non-recurrent funding in NES Technology Service (NTS). The Committee raised concerns regarding the uncertainty of continued funding of the non-recurrent work, given the scale and importance of the work being Commissioned by SG. It was agreed that Christopher Wroath and Jim Boyle would reiterate these concerns with SG colleagues. **Action: CW/JB**

7.6 Christopher Wroath informed the Committee that across the 6 Operational domains, there are 45 deliverables, of which 41 are currently reported as green, 4 as amber and 0 as red.

7.7 Discussion took place regarding these ratings and the Committee questioned the amount of deliverables reported as green and commented that given the current concerns regarding the financing of the NTS work, should more not be rated as amber? The Committee asked if there was work that was either paused or not started, then would this be better reflected as an amber rating? The Committee commented on section 19 of the report, referring to the allocation of budget from SG and asked if this could be reworded to reflect the current situation.

7.8 Christopher Wroath explained that the ratings in the report are based on the present progress of the work, from an operational project owner perspective, which is on track for completion. He commented that a strategic overview of the work is required to be reflected in the report along with the associated strategic risks. He agreed to review the ratings, revise wording and send out an updated report. **Action: CW**

7.9 The Committee noted the ongoing organisational change within NTS and a query was raised regarding the 5 new Associate Director posts. Christopher Wroath explained that these are specialist roles to lead various communities of practice and ensure that a quality, professional and sustainable level is service is provided across NES. He added that these posts will also support the strategic, corporate overview he requires to take across NES and when reporting to this Committee.

7.10 The Committee questioned the 15% vacancy rate and asked if the budget projects account for these. Heather Kilfara confirmed that this is included in the budget projections.

7.11 The Committee congratulated Christopher Wroath and NTS colleagues who had progressed the Eyecare work. Christopher Wroath highlighted that the success of this work would not have been possible without the clinical pathways work Greater Glasgow and Clyde (GGC) contributed. He noted that this project has been an excellent example of cross-Board collaborative work.

7.12 The Committee asked for further information regarding the impact of a cyber security incident reported in relating to the AdAstra system. Christopher Wroath assured the Committee that this did not directly impact NES and explained that this is a third party provider service utilised by other Boards, namely NHS24. NES helped to support the development of a solution to allow the summary data to be accessed as a result of the incident.

7.13 The Committee asked for further update regarding the progress of the National Digital Platform (NDP). Christopher Wroath informed the Committee that work on progressing the platform has matured since the focus shifted to building the platform architecture, before the products. He added that NES, as well as GGC, have successfully built applications on the platform, such as the service catalogue which will be formally launched at the Scottish Conference, DigiFest22, in November 2022. The Committee requested that a copy of this presentation is forwarded to the Committee for information. **Action: CW**

7.14 The Committee noted that the next big piece of NDP work to complete is in relation to identity management. NTS colleagues will be working closely in collaboration with National Service Scotland (NSS) on this.

7.15 A query was raised regarding work in relation to the National Care Service (NCS) and Christopher Wroath informed the Committee that discussions are ongoing with SG and the Care Inspectorate to discuss and agree data requirements.

7.16 The Committee raised a concern that delays continue for NTS in accessing data from the National electronic Employee Support System (eESS) despite the data sharing agreement in place. Christopher Wroath informed the Committee that he has a meeting scheduled with colleagues at NSS to discuss this and will raise the Committee's concerns. **Action: CW**

7.17 The Chair thanked Christopher Wroath and his team for their work.

8. **Cyber Security** (NES/DI/22/26)

8.1 The Chair invited Christopher Wroath to provide the Committee with a general update on Cyber Security, including the Cloud Disaster Recovery Internal Audit results.

8.2 Christopher Wroath informed the Committee that the Cloud Disaster Recover Internal Audit report was submitted to the NES Audit and Risk Committee on 06 October 2022 and advised that the management actions are on track for completion.

8.3 The Committee noted the Internal Audit report and requested that future Internal Audit papers are submitted to the Committee with updated cover papers, relevant to the DIC. Further discussion took place regarding the wider requirements of Committees receiving Internal Audit reports from the Audit and Risk Committee and suggested that some thought should be given to this. The Committee agreed that a progress update on the actions should be submitted to the next meeting. **Action: CW**

8.4 Discussion took place regarding the recommendation to define Cloud Disaster Recovery roles and responsibilities. Christopher Wroath advised the Committee that, although roles and responsibilities are not formally documented, the actions required of NES to liaise with third party suppliers to ensure that cloud recovery plans are mobilised, are clear, understood and acted upon by the NES Operations team via the incident management processes already in place.

8.5 Christopher Wroath informed the Committee that the Corporate Business Continuity Plan will be updated and tested by the Executive Team in early 2023 and the Committee noted that this includes Cloud Recovery. Christopher added that a report of this exercise will come back to the DIC once it has taken place. **Action: CW**

8.6 The Committee noted the update on work relating to Cyber Security in NES and noted that Cyber Security will now be a standing item on the DIC agenda.

9.   Horizon Scanning   (NES/DI/22/27)

9.1 The Chair invited Christopher Wroath to present the report to provide the Committee with an annual update regarding potentially important emerging technologies and innovations that may impact the wider health and care landscape.

9.2 Christopher Wroath informed the Committee that on horizon scanning the technology landscape, few if any truly new technologies or approaches have emerged. The Committee noted that a focus is developing on accelerating a sustainable implementation of current technologies into the Health and Care arena, which includes in some cases, transformational change within the system.

9.3 The Committee noted the future focus for the Health and Care Service in Scotland and explained that it would also be helpful for the Committee to gain an understanding of what other health systems, further afield, including the rest of the United Kingdom (UK), Europe and other parts of the World, are doing with technology at a business level. Christopher Wroath will provide a further update at the next meeting.   **Action: CW**

10.   Digital Skills and Leadership   (NES/DI/22/28)

10.1 The Chair welcomed Paula Baird to the meeting and invited her to provide an update on progress of the Digital Skills and Leadership Programme.

10.2 Paula Baird highlighted that a central library of digital skills resources has been launched and the second phase of this work is to map learners' journeys. Work has commenced to develop the Leading Digital Transformation in Health and Care (MSc). This is aimed at senior and aspiring digital leads across the sector and a tender has been produced for an Executive and Senior Manager master class to develop digital skills in relation to the redesign of services.

10.3 The committee raised a query regarding the publicity in relation to the Leading Digital Transformation in Health and Care MSc. Paula Baird confirmed that there is a draft communication and this will be released in the next week. The Committee noted that the participation rates for this course has recently doubled. Paula Baird informed the Committee that part of the Programme is to help them to identify Digital programmes and/or projects.

10.4 The Committee thanked Paula Baird for the update and noted that SG have confirmed funding to make the Digital Skills and Leadership team permanent posts in NES.

11.   NTS Risks   (NES/DI/22/29)

11.1 The Chair invited Christopher Wroath to make any additional remarks in relation to the Strategic and Directorate Risk Register reports.

11.2 Christopher Wroath introduced the NTS Strategic and NTS Operational Risk Registers.

11.3 The Committee noted that Quarter 2 updates have been added to the Strategic risk register since it was reviewed by the Committee in June 2022 and that the NTS Information Security Risk Register had been added as an appendix for information, as per the action raised at the June 2022 DIC meeting.

11.4 Discussion took place regarding the level of detail that is relevant to the Committee. The Committee commented that there may be a disconnect between the NTS Strategic risk register and the NES Corporate risk register. Christopher Wroath agreed to meet with Jean Ford to discuss in more detail. **Action: CW**

11.5 Jim Boyle advised the Committee that as part of the development of risk all Committees should use the same reporting format and this should be at a strategic level. The Committee noted that at the last meeting there had been a request that the Directorate risks continued to be included in the risk report for information The Committee agreed that it would be helpful to bring DIC risk reporting in line with other Committees and to reduce the amount of Operational content that is submitted and asked that Jim Boyle progressed this as part of the overall development of the risk approach in NES. Christopher Wroath thanked the Committee for their comments and informed them this will be reviewed prior to the meeting in February 2023. **Action: CW/JB**

12.   Annual Inherent Primary 1 Risks report   (NES/DI/22/30)

12.1 The Chair invited Christopher Wroath to introduce the report.

12.2 Christopher Wroath introduced the annual report which is presented to each Committee highlighting the relevant Inherent Primary 1 risks to the corresponding Committee.

12.3 The Committee noted the Inherent Primary 1 Risks relevant to the Committee.

13.   2022-23 Mid-Year Equality & Diversity Outcomes Report   (NES/DI/22/31)

13.1 The Chair welcomed Katy Hetherington to the meeting to present the mid-year report, on NES's progress with delivering its statutory equality duties, specifically in relation to the Committee's business.

13.2 Katy Hetherington highlighted that Outcome 6 of the Equality Duties is relevant to the DIC. This covers NES' approach to Digital design. The Committee noted that NTS has developed two frameworks to ensure that equality, diversity and inclusion are considered across a range of digital products and support functions, such as the National Digital Platform and Technology Enhanced Learning (TEL).

13.3 Katy Hetherington reported that a full mid-year report, collating all Committee reports will be submitted to the 24 November Board meeting. She added that Equality Outcomes for NES will be reviewed in line with the new NES Strategy to ensure they are in alignment.

13.4 The Committee noted progress and approved the report for submission to Board as part of the full mid-year E&D Outcomes report. The Committee noted the legislative requirements to publish a report on progress with the Scottish Specific Duties of the Public Sector Equality Duty by April 2023.

14. Annual Review of DIC ToRs (NES/DI/22/32)

14.1 The Chair invited Della Thomas to present the updated Digital and Information Committee (DIC) Terms of Reference (ToRs) for annual review and approval.

14.2 Della Thomas highlighted the changes in the ToRs, including the strengthening of Cyber Security within the ToRs and the addition of Cyber Security as a standing item on the agenda. She drew attention to the proposal to change the name of the Committee to the Technology and Information Committee as this is a more accurate and up to date way to describe the work of this Committee and aligns with the new name of the National Technology Service Directorate.

14.3 Della Thomas went on to highlight that the review of the ToRs also presents an opportunity to review the membership of the Committee. Angus McCann is a co-opted member and as per the Board Standing Orders this membership is reviewed annually. It is proposed that if Angus McCann agrees to serve for another year and the Committee approves this, then this will be taken to the 24 November Board for overall approval.

14.4 The Chair commented that Angus McCann brings an important and valuable mix of skills and knowledge to the Committee. He informed the Committee that he is working with the public appointments unit at SG to fill non-executive director vacancies on the Board. Skills and expertise in terms of digital and technology will be sought a part of this process.

14.5 The Committee invited Angus McCann, non-executive Director of NHS Lothian, to continue as a co-opted member of the Committee and he accepted, subject to overall Board approval.

14.6 The Committee queried if there should be anything specific in the ToRs in relation to "on premises servers services" and Christopher Wroath confirmed that the only on premises services in NES are in relation to the internal network and the Scottish Wide Area Network (SWAN). A student indexing service for Nurses is due to be migrated from 'on premises' services to the Cloud at the end of the Year. The Committee agreed therefore that amendments in relation to this would not be required in the ToRs. A typographical error was noted in paragraph 9.5 and this will be corrected.

14.7 The Committee requested that paragraph 9.8 was updated to note that the Committee would deal with such matters from other Standing Committees as well as the Board.

14.8 With the afore mentioned changes, the Committee approved the changes to the DIC ToRs including changing the name of the Committee to Technology and Information Committee (TIC).

15. Identification of any new risks emerging from this meeting

15.1 No new risks were identified as a result of discussions during the meeting.

16. Any Other Business

13.1 There was no other business discussed.

17. Review of Effectiveness of Meeting

17.1 The Committee were satisfied with the effectiveness of the meeting, however an improvement suggestion was made in relation to the papers, that it would be beneficial to have less detail in some of the reports, such as risk, and to ensure that if papers are being submitted from other Committees, the cover paper should be tailored for the DIC.

18. Internal Audit Report IT Business Process and Support Model

18.1 The Chair invited Christopher Wroath to present the Internal Audit report on IT Business Process and Support Model which was submitted to the 06 October 2022 Audit and Risk Committee (ARC).

18.2 Christopher Wroath informed the Committee that this audit was requested by management and has been helpful in order to highlight areas for improvement.

18.3 The Committee noted that the overall assessment of the arrangements is one of 'Significant assurance with minor improvements required' (green-amber). The report raised two low rated findings in relation to a review of the information asset management register and the records retention schedule and one medium rated finding in relation to updating the records management plan.

18.4 The Committee requested that in future Internal Audit reports relevant to the Committee should be submitted for discussion, rather than for noting, and asked that an update on progress of outstanding Internal Audit actions is submitted to a future Committee. **Action: CW**

18.5 The Committee were content with the report and the assurances provided.

19. Date and time of next meeting

19.1 The next meeting of the Digital and Information Committee will be held on Monday 27 February 2023 via Microsoft Teams.

NES,
November 2022
JA/DT

NHS Education for Scotland

EDUCATION & QUALITY COMMITTEE

Approved minutes of the ninth meeting of the Educational & Quality Committee (EQC) (which is the forty-eighth meeting of the Educational and Research Governance Committee) held on Thursday 08 December 2022 via Microsoft Teams

Present: Douglas Hutchens, Chair, Non-Executive Director
                      Sandra Walker, Non-Executive Director
                      David Garbutt, Board Chair (Non-Executive Director member for this meeting)

In Attendance: Karen Wilson, Executive Director of Nursing, Deputy Chief Executive (Clinical) and EQC Executive Lead
                      Emma Watson, Executive Medical Director
                      Kevin Kelman, Director of NHS Scotland Academy
                      Gordon Paterson, Director of Social Care
                      Rob Coward, Principal Educator/Executive Secretary
                      Alastair McLellan, Postgraduate Dean (For Items 7, 9 and 13)
                      Janice Gibson, Associate Director, ODLL (For Item 7)
                      Penny Crowe, General Manager (Dental) (For Items 10 and 11)
                      Amjad Khan, GP Director (For item 12)
                      Della Thomas, Board Secretary and Principal Lead for Corporate Governance
                      Chris Duffy, Senior Admin Officer/Committee Secretary

1.   **Welcome and introductions**
1.1   The Committee Chair welcomed everyone to the meeting. As Gillian Mawdsley, has now left Education and Quality Committee and we have apologies from Annie Gunner Logan, section 9.4 of the Board Standing Orders allows for us to adopt a temporary member for this meeting and David Garbutt has kindly agreed to take on a membership role to enable this meeting to go ahead and be quorate. Gillian Mawdsley was thanked for her valuable contributions to the Education and Quality Committee.

1.2   The Committee Chair also noted that this will be Sandra Walker's last meeting and thanked Sandra very much on behalf of the Committee. Sandra Walker has made a huge contribution to the Committee and has supported the Committee by stepping in as Vice Chair on occasion.

1.3   The Committee Chair informed the Committee that two reports have been deferred until the next meeting. These are the Annual report on externally regulated programmes and the SAS (Specialist and Associate Specialist) Development paper.

2.   Apologies for absence

2.1   Apologies were received from Annie Gunner-Logan, Non-Executive Director, Karen Reid, Chief Executive and David Felix, Postgraduate Dental Dean.

3.   Notification of any other business

3.1   There were no notifications of any other business.

4.   Declarations of interest

4.1   There were no declarations of interest in relation to the items of business on the agenda.

5.   Minutes of the meeting held on 12th May 2022

5.1   The Committee accepted the minutes as an accurate record of the meeting and the minutes were approved.

6.   Action Status Report and other matters arising

6.1   The action status report was presented, and it contained 5 completed actions with 4 actions in progress. The Committee were content with the completed actions and the timescales of the in-progress actions.

6.2   The Committee asked for additional clarification in relation to the TURAS Learn action. It was confirmed that the Committee would like to see more evidence of quality control measures in place, there are an extensive range of materials owned by third parties and NES need to be ensuring these are up to date and properly managed. It was noted that item 19 on the agenda today (Quality Guidelines for Digital Learning Resources) is helpful in relation to this action. Karen Wilson confirmed that work is ongoing, aiming to have an identified person in every organisation that puts material on TURAS, to make them more accountable.

6.3   The Committee approved the action report.

7.   Education & Quality Executive Lead Report

7.1   Karen Wilson asked the Committee to take the report as read and handed over to Alastair McLellan for an Enhanced Monitoring update before questions were asked on other areas of the report.

7.2   Alastair McLellan highlighted the meeting with the cabinet secretary, as detailed within the report. He reported that there was a mutual understanding that Enhanced Monitoring was positive in terms of supporting improvement. The Committee had previously asked for an update on the Lorn & Islands situation. He advised that a visit to both medicine and surgery has showed that the medical training environment is much safer, and the quality of training is substantially better. The situation does still remain fragile because of the consultant establishment. The Surgical area receives foundation trainees and the learning opportunities have improved. Alistair McLellan remarked that overall, there is little likelihood this will move to Enhanced Monitoring.

7.3　He went on to report that Mental Health Tayside and Inverclyde Royal Hospital are close to being de-escalated due to improvements carried out by both Boards. This will bring the number of Enhanced Monitoring cases down to 8, he remarked that this is a reflection of the support for improvement.

7.4　The Committee were pleased to hear about the sites being de-escalated but still had some concerns around credibility and reputational damage when sites remain on Enhanced Monitoring for a long time. Emma Watson agreed and added that is why the focus is very much on support and improvement. She remarked that it is incumbent on NES to work for improvements to the service, structural changes, workforce change and progress recruitment challenges. Alastair McLellan added that it isn't necessarily one problem., One site has received 8 visits and new problems have emerged, for example new safety, different issues in a complex and stressed system, underpinned by consultant establishment.

7.5　The Committee moved on to other areas of the Lead Executive report and Karen Wilson highlighted to Committee the update on Clinical Scientist training with only 4 training places being offered this year rather than the normal number of 18 to 20. She highlighted the risk of reputational damage to NES. The Committee agreed that Clinical Scientist training is a hugely important area, and this is a critical area for the future service in Scotland. This will be reported to the next full Board meeting.

Action: Karen Wilson

7.6　The Committee noted the excellent progress to the Technology Enhanced Learning (TEL) governance group. It has the potential to impact greatly on training and development of the wider workforce.

7.7　The Committee commented that it was good to see that the Social Security Project had been commissioned and asked why this was allocated as a fixed term resource. Gordon Paterson reported that there is much of relevance to social care workforce within TURAS learn and is seeking funding to progress this.

7.8　The Committee discussed the Organisational Development Leadership and Learning update and asked if there was a reason why there was low uptake on the Leading to Change community events. Janice Gibson replied, the visibility and profile is growing and evolving after the ministerial launch.

7.9　The Committee asked for assurance that Leading to Change is being thoroughly evaluated and that the events are bringing additional value. Janice Gibson confirmed that external evaluation and research is being procured to get an impartial and objective review. Members will see from the evaluation framework that impact is being measured using various evaluation methods.

7.10　The Committee agreed that it would be helpful to see the Leadership Success Profile. It was noted that this is already on the action list and Janice Gibson will circulate as soon as it is available.

7.11 The Committee asked how all the leadership opportunities are communicated and how do we ensure individuals are on the most appropriate course for their needs? Janice Gibson confirmed there was a comms and marketing plan targeting specific areas of the workforce using digital marketing campaigns and approaching senior leaders to promote the programmes.

7.12 Della Thomas reported that as per the new arrangements for the governance of the climate emergency and sustainability agenda, approved by the Board at their meeting in November 2002, a new heading will be added to the Lead Executive Report for climate change and sustainability as appropriate.

7.13 The Committee noted the Lead Executive Report and confirmed that it provided satisfactory assurance and thanked all who contributed to it.

8. Nursing & Midwifery pre-registration performance management report
8.1 Karen Wilson provided a PowerPoint update of the pre-registration performance management report. The full report will be circulated to members once it is available. **Action: Karen Wilson**

8.2 The Committee thanked Karen Wilson for the excellent and interesting update and asked if there is a reason why learning disabilities has a lower retention rate and lower applications. Karen Wilson reported that a root and branch review of these programmes was underway. She highlighted that the number of roles in the NHS were low, compared with the third sector and social care.

8.3 The Committee noted the update.

9. Medicine Annual Deanery Quality Report
9.1 Alastair McLellan explained to the Committee that the final report has not yet been signed off and, therefore, published and so today the Committee will receive a verbal update of key areas to note. The full report will come to the March 2023 Committee meeting.

9.2 Alastair McLellan reported that a large amount of content in the report will reflect the Quality Management activity over the previous 12 months. There have been 41 visits, and these include 1 Enhanced Monitoring visit and a number of triggered visits. It is important to note that NES hasn't added to the Enhanced Monitoring caseload over the last 12 months.

9.3 General Practitioner (GP) quality management is handled differently as it has different General Medical Council (GMC) requirements. He highlighted that there have been 141 GP visits, plus a number of approvals. The report will also pick out some other Quality Management activities such as the links to Sharing Intelligence in Health and Care Group and the Taskforce for Improvement in Quality of Medical Education. These groups also have

representation of Directors of Medical Education, Medical Directors, and Medical Schools.

9.4   The report will reflect that the activity over the last year has not quite been business as usual and will show some of the transition to the new emphasis on adding support to improvement. That won't be fully reflected in this report but will be a big feature of next year's report.

Alastair McLellan advised the Committee that there are no significant concerns to highlight to the Committee.

Alastair McLellan was thanked for the verbal update and the Committee were invited to ask questions.

9.5   The Committee asked if the delay in the publication of this report will affect onward sequencing. It was confirmed that this report does not need to go through the Board and will be sequenced for the March 2023 Education and Quality Committee.

9.6   A specific question was asked about the current situation in Dr Gray's Hospital. Emma Watson confirmed that Dr Gray's has a set of challenges to deal with and one of these is that currently that there is no active surgery at present. The new Surgery Specialty Training Board Chair, who takes up post in January 2023, has been working with the Board to identify other opportunities to allow trainees to get technical experience.

9.7   The Committee noted the verbal update and the Committee Chair remarked that the Committee will look forward to receiving the written report at the March meeting.

10.   Medical and Dental recruitment update
10.1   Emma Watson introduced this report. The Chair opened this to the Committee for questions. Penny Crowe joined the meeting to answer any questions relating to Dental recruitment.

10.2   The Committee asked if students in Scotland are not able to get places for forthcoming applications to universities, then could this be a problem in the future? Emma Watson outlined that there are fewer Scottish graduates expected than foundation places. The expectation is that all UK graduates will receive a foundation post. She reported that there are fewer Scottish applicants to Scottish medical schools. We are noticing, a 20% reduction and, as such, Medical schools are pursuing a change to the Scots domiciled quota as there is a need to grow Scottish applicants.

10.3   The Committee noted issues in relation to dental in Highland and asked if there is anything NES can do to help resolve these issues. Penny Crowe highlighted that this year recruitment and retention initiatives have been offered and it is hoped this will start to help these issues.

10.4   The Committee noted the medical and dental recruitment update.

11. Medical and Dental progress modelling

11.1 The report was taken as read and the Committee did not have any questions.

11.2 The Committee noted the medical and dental progress modelling update.

12. Medical Revalidation report

12.1 Amjad Khan joined the meeting and introduced this report. He highlighted the success of the online courses; the refresher courses the review of supporting information and the short life working group that was looking into modernising the Scottish Online Appraisal Resource (SOAR).

12.2 The Committee noted the reference to the Pearson report and the GMC published handbook and asked if this was a requirement. Amjad Khan confirmed that all NHS boards follow good practice guidelines from the GMC.

12.3 Karen Wilson asked, how likely is it that SOAR will be able to be supported and updated? Amjad Khan confirmed that we have procured support to review what can be improved. He advised that meetings have been held with stakeholders including the British Medical Associate (BMA) to discuss the improvements.

12.4 The Committee thanked Amjad Khan and his colleagues for a clear and helpful report. The Committee noted the report.

13. Sharing Intelligence for Health and Care Group (SIHCG)

13.1 Alastair McLellan provided the Committee with a verbal update on the work of the SIHCG and he outlined the reasons why an Annual Report is not available for this meeting.

13.2 Alastair McLellan reported that since the beginning of 2022 the SIHCG has been undergoing a process of reflection in terms of its purpose and methodology. As part of this process a meeting has been held with Chief Executives' of the partner organisations to agree a collective leadership direction. This will provide clarity on where this group is placed in terms of overall accountability and clarify on what the group can bring to community-based health care. Alastair McLellan highlighted that for these reasons, the work on the Annual report had been paused.

The Committee commented that it seemed a long time for reflection, especially for a well-established Group. The Committee recognised that, as there are seven partners working together, this can create complexities, but asked if the agreement around the leadership direction could be brought to a conclusion soon.

Alastair McLellan remarked that it has been a challenging time for the group and the clarification of the governance structure and reporting line of sight for the Group would assist with the way forward.

The Committee noted this update and asked for a further update be provided at a future meeting.

Action: Alastair McLellan

14. Governance of the education and quality work of the NHS Scotland Academy (NHSSA)

14.1 Della Thomas introduced this report. She invited the Committee to note the aim to streamline the governance structure of the NHSSA by dissolving the NHSSA Joint Strategic Programme Board (JSPB). The Committee were asked to approve the continued governance of the education and quality work of the NHSSA by the Education and Quality Committee and for the Education and Quality Committee to provide assurance to the NES Board as opposed to the JSPB.

14.2 Della Thomas reported that the NHS Golden Jubilee Strategic Portfolio Governance Committee will continue with the other aspects of governance delegated as per the NHSSA JPSB ToRs. A formal paper to seek final approval to dissolve the NHSSA JSPB will be brought to the 16 February 2023 NES Board meeting.

14.3 The Committee approved the paper.

15. Extending the role of the NHSSA Director

15.1 This item was considered by Committee Members supported by the Executive Directors. Karen Wilson made some brief introductory remarks and outlined that NHS Golden Jubilee were in agreement with this extension of role and change in employment to NES. The Committee were asked to approve this proposal for onward overall approval by the NES Board in February 2023.

15.2 The Committee approved the proposal.

16. Review of Education and Quality Committee Terms of Reference

16.1 Della Thomas introduced this item and highlighted that the Committee reviews its Terms of Reference on an annual basis, subject to approval these will be progressed through the Audit and Risk Committee as part of the corporate governance package and onwards to February 2023 Public Board. She outlined changes for the Committee to note included the dissolving of the NHSSA JSPB and an additional paragraph at 9.14 to reflect any delegated role this Committee may have from the Board or Audit and Risk Committee in relation to for example internal audit delegations

16.2 The Committee approved the revised Terms of Reference.

17. Identification of any new risks emerging from this meeting

17.1 Rob Coward will explore if the reputational risks linked to the clinical scientist training raised under item 7 need to be highlighted as an operational risk.

Action: Rob Coward

18.   Consultations Log and Parliamentary business update

18.1   The consultations log was noted.

19.   Scottish Government and NES Educational policies

19.1   The Quality Guidelines for Digital Learning Resources were noted.

20.   Review of Effectiveness meeting

20.1   The Committee confirmed that they were getting the required assurance from the papers and through the discussions at this Committee meeting and that the meeting had been effective. The Committee commented that the agenda with indicative timings was useful. Item discussion time should be taken into consideration when setting agendas.

21.   Any other business

21.1   Emma Watson drew the Committee's attention to the Scottish Foundation School and its performance in terms of satisfaction. She reported that Scotland came 15th out of 16 schools. The Scottish Foundation School have been asked to draw up a report to detail improvements. A paper will come forward to the Committee in March.   **Action: Emma Watson**

21.2   Sandra Walker was again thanked for her excellent contributions to the Education and Quality Committee and wished well in her retirement.

22.   Date and time of next meeting

22.1   The next meeting of the Education and Quality Committee will be held on Thursday 2 March 2022, 10:15 a.m.

CD/DT/DH/KW
March 2023
V.03

NHS Education for Scotland   **NES/23/26**
Item 11b
23rd March 2023

Board Paper

1.   Title of Paper

NES iMatter Results - Update on the 2022 iMatter Health and Social Care Staff Experience Report

2.   Author(s) of Paper

Nick Frew, NES iMatter Op Lead
Graham Paxton, Head of Programme, ODLL

3.   Lead Director(s)

Tracey Ashworth-Davies, Director of Workforce (Deputy Chief Executive, Corporate)

4.   Situation/Purpose of paper

To provide an update and reassurance to the NES Board on the results from the 2022 iMatter Staff experience continuous improvement tool roll out and to highlight key areas of interest.

5.   Background and Route to Meeting

iMatter is the staff experience continuous improvement tool designed with staff in NHS Scotland to help individuals, teams and Health Boards understand and improve staff experience. The tool was first implemented in NES in 2015.

6.   Assessment/Key Issues

NES results for 2022

Our 2022 Employee Engagement Index (EEI) score, which measures staff engagement, was our highest ever, at 85 (vs. 84 in 2021), and the highest across NHS Scotland. Our response rate was 88% (vs. 92% in 2021), which was the second highest (after HIS) across NHS Scotland.

Areas of Strength

The survey is made up of 28 questions, which respondents score on a scale (1-6). Each question corresponds to a Staff Employee Engagement component.

21 out of the 28 components (see Appendix 1, scores highlighted in <mark style="background-color:green">green</mark>) have improved, with NES showing strengths, in particular, in the following:

- 'Visible and consistent leadership' (first component)
- 'Confidence and trust in management' (third component)
- 'Valued as an individual' (fourth component)

The continued improvement in scores across components, from an existing high baseline, is highly positive. There is no directly available attributable data which would allow further analysis of the shift but based on changes made within NES and staff feedback on them, the following are expected to be contributing factors:

- NES has adopted a remote-friendly, hybrid working approach to our ways of working. This approach is having a positive impact on staff experience. 'The majority of staff feel it is beneficial, with most improvement found by disabled colleagues, those in the youngest age group, and teams that work across numerous office locations.' This information is taken directly from the NES Staff Survey, June 2022. It should also be noted that NES scored highest across NHS Scotland in the iMatter component 'I would recommend my organisation as a good place to work' with a score of 88 (see Appendix 1, component 9).
- All NES offices are now open and available for all staff to use. This is in order to maximise the flexibility that staff have to work in a hybrid way which is best suited to both the needs of the work they do and their own personal circumstances.
- NES has continued to provide practical and psychological support for staff to encourage positive wellbeing approaches to the ways in which individuals and teams work. We continue to provide a high level of support and flexibility around home working.
- NES has set up a range of staff networks (the NES Disability, Long-term Conditions, Mental Health and Neurodiversity Network; the NES LGBTQ+ Network; the NES Parents and Carers Network; the NES Under-represented Ethnic Minority Network) to ensure that specific concerns are understood, with learning shared both between members and with NES, so that our decisions are informed.

Areas of development

These are the areas that either stayed the same since last year (highlighted in <mark style="background-color:yellow">yellow</mark>) or decreased (highlighted in <mark style="background-color:red">red</mark>).

Those that stayed the same are:
- 'Assessing risk and monitoring work stress and workload'

- 'Consistent application of employment policies and procedures'
- 'Additional question: I would recommend my team as a good one to be a part of'
- 'Listened to and acted upon'

Those that decreased are:
- 'Confidence and trust in management' (down 1 point).
- 'Visible and consistent leadership' (down 1 point).
- 'Partnership working' (down 1 point).

Action plan completion rate

After teams received their iMatter report, an 8-week window action planning opened. At the end of this window, 164 out of 202 action plans had been uploaded to the iMatter portal, which equates to 81% (in 2022 it was 165 out of 199 teams, which equates to 83%). It should be noted that the iMatter system accepts action plans after the deadline. In 2022, an additional 11 plans were submitted resulting in an unofficial total of 175 out of 202 (86%).

Directorates and teams are accountable for taking the actions defined within their action plans forward. An improvement action will be to support teams to complete action plans within the time scale.

7. Recommendations

The NES Board is invited to note the results of the iMatter survey and the follow up activity on action planning.

Appendix 1
NES iMatter scores: <mark>green</mark> = improvement, <mark>yellow</mark> = no change, <mark>red</mark> = decrease

No.	iMatter question	Staff Employee Engagement Component	2017	2018	2019	2021	2022
1	My direct line manager is sufficiently approachable	Visible and consistent leadership	90	91	91	94	95
2	I feel my direct line manager cares about my health and well-being	Assessing risk and monitoring work stress and workload	89	90	91	94	94
3	I have confidence and trust in my direct line manager	Confidence and trust in management	87	88	89	93	94
4	I am treated with dignity and respect as an individual	Valued as an individual	88	89	89	92	93
5	I am treated fairly and consistently	Consistent application of employment policies and procedures	86	87	88	91	91
6	I would recommend my team as a good one to be a part of	Additional Question	85	86	87	91	91
7	My team works well together	Effective team working	84	85	86	89	90
8	I would be happy for a friend or relative to access services within my organisation	Additional Question	83	84	85	88	89
9	I would recommend my organisation as a good place to work	Additional Question	81	83	84	87	88
10	I am clear about my duties and responsibilities	Role Clarity	85	86	87	86	87
11	I am confident my ideas and suggestions are listened to	Listened to and acted upon	82	81	84	86	86
12	I feel involved in decisions relating to my team	Empowered to influence	81	82	82	86	87
13	I am confident performance is managed well within my team	Performance management	80	81	82	86	87
14	I understand how my role contributes to the goals of my organisation	Sense of vision, purpose and values	83	83	84	85	86
15	I feel appreciated for the work I do	Recognition and reward	80	81	82	85	86
16	I feel my organisation cares about my health and wellbeing	Heath and well being support	77	79	81	85	86
17	I have sufficient support to do my job well	Access to time and resources	81	82	82	84	86
18	I get enough helpful feedback on how well I do my work	Performance development and review	80	81	81	84	85
19	My work gives me a sense of achievement	Job satisfaction	82	83	84	84	86
20	I get the information I need to do my job well	Clear, appropriate and timeously communication	81	82	82	83	84
21	I am confident my ideas and suggestion are acted upon	Listened to and acted upon	77	77	79	81	82
22	I feel involved in decisions relating to my job	Empowered to influence	77	77	79	81	82
23	I am given the time and resources to support my learning growth	Learning & growth	78	77	80	80	82
24	I get the help and support I need from other teams and services within the organisation to do my job	Appropriate behaviours and supportive relationships	75	75	76	80	81
25	I have confidence and trust in Board members who are responsible for my organisation	Confidence and trust in management	73	73	73	76	75
26	I am confident performance is managed well within my organisation	Performance management	67	68	69	73	75
27	I feel that board members who are responsible for my organisation are sufficiently visible	Visible and consistent leadership	69	68	70	72	71
28	I feel sufficiently involved in decisions relating to my organisation	Partnership working	61	62	63	69	68

Author to complete **checklist.**
<mark>**Author to include any narrative by exception** in Section 6 of the cover paper.</mark>

a) **Have Educational implications been considered?**
☒Yes
☐No

b) **Is there a budget allocated for this work?**
☒Yes
☐No

c) **Alignment with NES Strategy 2019-2024**
☐ 1. A high-quality learning and employment environment
☐ 2. National infrastructure to improve attraction, recruitment, training and retention
☐ 3. Education and training for a skilled, adaptable and compassionate workforce
☐ 4. A national digital platform, analysis, intelligence and modelling
☒ 5. A high performing organisation (NES)

d) **Have key strategic risks and mitigation measures been identified?**
☒ Yes
☐ No

e) **Have Equality, Diversity, Human Rights and health inequality issues been considered** as per **Fairer Scotland Duty: Guidance for Public Bodies** and **Corporate Parenting** as per the **Children and Young People (Scotland) Act 2014**?
☒ Yes
☐ No

f) **Have you considered Emergency Climate Change and Sustainability implications as per DL (2021) 38?**
☒Yes
☐No

g) **Have you considered a staff and external stakeholder engagement plan?**
☒ Yes
☐ No

Author name: Nick Frew & Graham Paxton
Date: March 2023
NES