NHS Education for Scotland   NES/22/64

AGENDA FOR THE ONE HUNDRED AND SEVENTIETH BOARD MEETING

Date: Thursday 29 September 2022

Time: 10:15 – 11:25

Venue: Hybrid meeting: MS Teams / Room 5 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 Sixty-Ninth Board Meeting**   NES/22/65
      18 Aug 2022 for approval

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

6.   **10:21 Actions from previous Board Meetings**   NES/22/66
      For review

7.   **Chair and Chief Executive reports**

      a. **10:25** Chair's Report   NES/22/67

      b. **10:30** Chief Executive's Report   NES/22/68

8.   **Strategic Items**

      a. **11:00** Salary Sacrifice Electric Vehicle Scheme   NES/22/69
          For Approval (J. Boyle)

9.   **Annual Items**

      a. **11:15** Feedback, Comments, Concerns & Complaints Annual   NES/22/70
          Report (including Participation Standard & Annual Stakeholder
          report)
          For Approval (C. Bichan)

10.   **Governance Items**

      a. **11:20** Significant issues to report from Standing Committees:

          -   **11:20** Education and Quality Committee held on 15
              September 2022
              (D. Hutchens, verbal update)

11. **Items for Homologation or Noting**

    a.   **11:23**   NES Standing Committee Minutes
        i.   Education and Quality Committee, 12 May 2022   NES/22/71
    For Homologation

12.   **11:25 Any Other Business**

13.   **11:25 Date and Time of Next Meetings**

- **Private Board:** 29 September 2022 11.40 - 12.15

- **Board Development**: 27 October 2022 at 10:15

- **Public Board**: 24 November 2022 at 10.15

NHS Education for Scotland (NES)
e-mail: Chair & Chief Executive's Office - ceo.nes@nes.scot.nhs.uk

NHS Education for Scotland

DRAFT MINUTES OF THE ONE HUNDRED AND SIXTY-NINTH BOARD MEETING HELD ON 18 AUGUST 2022

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
	Linda Dunion (LD), Non-Executive Director
	Lynnette Grieve (LG), Non-Executive Director / Employee Director
	Annie Gunner Logan (AGL), Non-Executive Director
	Douglas Hutchens (DH), Non-Executive Director (Vice Chair)
	Vicki Nairn (VN), Non-Executive Director
	Karen Reid (KR), Chief Executive & Accountable Officer
	Sandra Walker (SW), Non-Executive Director
	Emma Watson (EW), Executive Director of Medicine
	Karen Wilson (KW), Executive Director of Nursing / Deputy Chief Executive (Clinical)
In attendance:	Christina Bichan (CB), Director of Planning & Performance (item 10c / to observe)
	Nick Hay (NH), Public Affairs Manager
	Kevin Kelman (KK), Director of NHS Scotland Academy
	Heather Kilfara (HK), Senior Finance Manager (to observe)
	Alexander Murray (AM), NES Health & Safety Advisor (to observe)
	Gordon Paterson (GP), Director of Social Care
	Judy Thomson, Director of Training for Psychology Services
	John MacEachen (JMacE), Head of Corporate Communications
	Janice Sinclair (JS), Deputy Director of Finance (for item 10a)
	Della Thomas (DT), Board Secretary & Principal Lead – Corporate Governance
	Anne Watson (AW), Postgraduate Pharmacy Dean / Director of Pharmacy
	Alison Shiell (AS), Manager, Planning & Corporate Governance (Minute Taker)

1. Chair's Introductory Remarks

1.1. The Chair welcomed everyone to the meeting. He extended a particular welcome to Christina Bichan, who recently joined NES as Director of Planning of Performance. He also welcomed Alexander Murray, NES Health & Safety Advisor, who was observing the meeting as part of his induction and Heather Kilfara, Senior Finance Manager, who had also attended to observe.

2. Apologies for absence

2.1. Apologies for absence were received from Tracey Ashworth-Davies, Colin Brown, Anne Currie, Jean Ford, Gillian Mawdsley and Christopher Wroath.

3.   Declarations of interest

3.1.   The Chair notified the Board that he joined the Promise Scotland Board on 8 August 2022 as a representative of the NHS Scotland Board Chairs Group. The Board Registers of Interest has been updated to reflect this additional position.

4.   Minutes of the One Hundred and Sixty-Eighth Board Meeting   (NES/22/51)

4.1.   The minutes of the Board meeting held on 26 May 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/22/52)

6.1.   The Board received the rolling Board action list for review and agreement. The Board noted that the majority of action points are now complete. Updates have been provided for the two items still to be completed.

6.2.   The following points were discussed:

   a. 26 May Board meeting, Minute 8.2f: John MacEachen confirmed that the development of the stakeholder map remains in progress alongside the development of NES's new strategy and a fuller update will be provided at the next Public Board meeting on 29 September 2022.
   b. 26 May Board meeting, Minute 8.14: Della Thomas provided a verbal update on the corporate governance developments action. The Board received an update email on 15 August 2022 advising that the timeline for NES's new strategy is now longer than originally planned as Scottish Government have recently advised all Boards that their future strategies should be developed in line with the Care and Wellbeing Portfolio. As a result of this updated guidance, the Board will now not receive the draft strategy and strategic risk/risk appetite and strategic Key Performance Indicators (KPIs) at the Board Development session on 25 August 2022 and will instead focus on the Care and Wellbeing Portfolio. The development of NES's strategic risk and strategic KPIs continues to progress and work is now underway in relation to the development of an integrated Board Assurance Framework and Board Assurance Map. The Board will receive a revised corporate governance developments timeline either via correspondence or a Board paper submitted to the September Public Board meeting.   **Action: DT**

6.3   The Board noted the actions updates and agreed that the two incomplete actions should remain on the rolling Board action list. The action list was agreed.

7.   Chair & Chief Executive Updates

a.   Chair's Report   (NES/22/53)

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

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

a. The Board noted that the Chair, Karen Reid and Emma Watson met with colleagues from the University of the Highlands and Islands (UHI) to discuss potential opportunities for NES/UHI collaboration. The Chair reminded the Board of Vicki Nairn's standing declaration of interest as a member of the UHI Executive Team and confirmed that discussion focused on UHI as a key partner of the National Centre for Remote and Rural Health and Social Care and future opportunities in relation to national treatment centres and ophthalmology.

b. The Board discussed potential implications for NES that could arise from the monthly Systems Pressures meetings with the Cabinet Secretary for Health and Social Care and NHS Scotland (NHSS) Board Chairs and Chief Executives, particularly in relation to winter pressures. The Chair advised that health and social care services continue to be under significant pressure. Karen Reid highlighted that NES submitted a thought paper to Scottish Government outlining potential solutions to support the health and social workforce and this has been acknowledged by Caroline Lamb (Director-General Health and Social Care / Chief Executive, NHSS).

c. The Board also discussed winter pressures in the context of strategic risks for NES. Karen Reid highlighted the potential impact on education and training, particularly in relation to clinical supervision of trainees and workforce participation in training delivered by the NHS Scotland Academy. Emma Watson, David Felix and Kevin Kelman all provided evidence from Medicine, Dental and the NHSS Academy where the impact of the ongoing COVID-19 pandemic and upcoming winter pressures are creating a challenging balance in relation to frontline pressures and educational delivery.

d. The Board acknowledged the current challenges associated with the public sector financial environment and the potential impact on health and social care services. Karen Wilson noted the importance of supporting the development of existing staff via the NHSS Academy and increased international recruitment via the Centre for Workforce Supply.

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

b. <u>Chief Executive's Report</u>   (NES/22/54)

7.4. Karen Reid introduced this report and began by highlighting the 2020-21 Annual Review response letter from Kevin Stewart (Minister of Mental Wellbeing and Social Care) which contains very positive feedback in relation to the work delivered by NES during 2020-21. Karen Reid took the opportunity to thank staff for their work during this period.

7.6 Karen Reid congratulated David Felix on his recent award of Honorary Professor status from the University of Glasgow's School of Medicine, Dentistry and Nursing and Rowan Parks who has been appointed President of The Royal College of Surgeons of Edinburgh (RCSEd) with effect from November 2022. Professor Parks will take a three-year sabbatical from NES whilst he undertakes the RCSEd presidency role.

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

a. The Business Plan for the National Centre for Remote and Rural Health and Social Care is progressing and will be submitted to Scottish Government by the 31 August 2022 deadline.

b. The NHSS Board Chairs and Chief Executives submitted a collective response to the National Care Service consultation. NES will continue to be involved in NCS stakeholder engagement going forward.

c. As per the National Whistleblowing Standards, NHSS Boards now receive quarterly updates in relation to any whistleblowing cases. NES received one anonymous concern in Quarter 4 of the 2021-22 year and this has been dealt with in accordance with the National Whistleblowing Standards.

d. Karen Reid commended the significant work undertaken by NMAHP staff in relation to the 2021-22 NMAHP Annual Performance Review, which reviews all commissioned pre-registration nursing and midwifery programmes within Scotland on an annual basis and provides assurance to Scottish Government. The Education and Quality Committee (EQC) considered the detailed Annual Review report at their May 2022 meeting.

7.6. During discussion, the following points were raised:

a. The Board welcomed the information provided in the Chief Executive's report, particularly in relation to examples of cross-directorate working.

b. The Chair of the EQC welcomed the progress update in relation to NES becoming a Credit Rating Body under the Scottish Credit and Qualifications Framework (SCQF) and confirmed that EQC members were fully supportive of how this work is being taken forward.

c. In response to a query from the Board, John MacEachen will signpost media articles relating to Armed Forces leavers joining NHSS to the Board Chair and Chief Executive for their information. The Board noted that NES has recently appointed a Head of Programme to support the integration of military veterans and service leavers into health and social care. **Action: JMacE**

d. The Board welcomed the progress update in relation to the National Centre for Remote and Rural Health and Social Care. Karen Reid advised that NES is continuing to liaise with Scottish Government to confirm the Centre's funding arrangements.

e. In response to a query from the Board, Emma Watson confirmed that the 4-nations are working together to ensure that the changes to Inter Deanery transfer criteria are applied consistently and all related documentation is updated as appropriate.

f. The Board discussed NES's support to the social care workforce. Gordon Paterson advised that he has been engaging with key stakeholders and Scottish Government in relation to opportunities to support the social care workforce going forward, including via the National Centre for Remote and Rural Health and Social Care and the Senior Systems Leadership Programme. As a result of this discussion, the Board agreed it would be helpful to have sight of the workforce solutions thought paper that was submitted to Scottish Government in June 2022. **Action: Chair & CE Office**

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

8. Strategic Items

a. <u>Stakeholder Survey Results</u> (NES/22/55)

8.1 John MacEachen and Nick Hay presented a detailed analysis of the NES stakeholder survey to the Board for review and discussion. This paper was a follow-up to the overview presentation given at the Public Board meeting on 26 May 2022.

8.2   As part of his introductory comments, John MacEachen highlighted the high level of positive feedback and engagement from survey respondents. Nick Hay noted that the detailed Hall Aiken analysis sets out how NHSS Territorial Boards and Public Sector organisations have responded differently to how NES is perceived and how the organisation should provide support going forward. The survey recommendations emphasise a need for NES to increase its level of education and training delivery and collaboration whilst also specifically focusing on more in depth engagement with the social care sector.

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

a. The Board welcomed the positive findings set out in the survey and congratulated the Executive Team in relation to improved awareness and perceptions of NES. The Board agreed that the online Turas platform had played a significant role in increasing NES's profile and visibility across the whole of health and social care.
b. The Board discussed the need to incorporate the survey recommendations within NES's new strategic plan in a proportionate way. Karen Reid explained how the addition of an Education and Learning strategy and will complement the overall strategic plan by ensuring a cohesive and collective approach to NES's educational provision and help identify any gaps.
c. The Board discussed the survey results in relation to NES's digital delivery. The findings indicate that some respondents are not aware that NES delivers digital services despite Turas being rated very highly as a digital product. Karen Reid highlighted the need to brand Turas more effectively and ensure stakeholders are fully aware of Turas's positive impact on patient/citizen care in Scotland.
d. The Board noted the importance of engaging with NES staff as key stakeholders, particularly in relation to the development of the new strategy. Karen Reid advised that she has been attending NES directorate team meetings to discuss NES's strategic future and will also be delivering a presentation at the all-staff conference on 6 September 2022. Staff will be encouraged to share any ideas they have that could improve how NES delivers it services.
e. In response to a query, Emma Watson noted the importance of NES engaging with local communities. As part of the establishment of the National Centre for Remote & Rural Health and Social Care, NES is engaging with citizens to discuss issues affecting remote and rural communities and how the Centre could bring about positive change. Kevin Kelman and Karen Reid have met with Professor Louise Hayward as Chair of the Independent Review of Qualifications and Assessment to consider how NES could support the development of educational pathways in schools and improve the attractiveness of health and social care careers.
f. The Board discussed the importance of proactive and external media activity going forward in relation to NES's future role in health and social care. Karen Reid confirmed that this work will be taken forward by the Corporate Communications team alongside the development of NES's new strategy.
g. The Board recognised the strategic risk in relation to stakeholder expectations, particularly in relation to the challenging health and social care financial environment. The survey clearly indicates that NES is seen as a high-performing organisation so there is a need to balance this alongside taking on new and additional opportunities. Karen Reid highlighted the need for NES to develop solutions that are 'Once for NES' rather than 'once for directorates'.
h. The Board discussed the categorisation of stakeholders within Appendixes 1 and 2 of the paper. It was noted that Groups 3-5 in Appendix 2 should be categorised as public service organisations rather than public sector. The Board also discussed the stakeholder prioritisation process that was highlighted at the 26 May 2022 Public Board meeting and the importance of engaging with all stakeholders going forward to increase awareness and visibility of NES's role in Scotland.
i. The Board discussed the survey findings in relation to social care and the need to increase engagement in this area. Gordon Paterson has met with a number of key

stakeholders and is considering how NES products can be tailored to support the social care workforce and align to Scottish Government priorities. He is also considering the establishment of a Social Care stakeholder reference group to support this work.

8.3   The Chair thanked Board Members for their discussion of the stakeholder survey results and highlighted the need to develop a stakeholder map to support this key area of work. The Chair thanked John MacEachen and Nick Hay and moved onto the next agenda item.

9.   Annual Items

a.   <u>Caldicott Guardian Annual Report 2021/22</u>   (NES/22/56)

9.1   In his role as the NES Caldicott Guardian, David Felix presented the 2021-22 Caldicott Guardian Annual Report to the Board for review and approval.

9.2   David Felix advised that the report aims to provide the Board with assurance that NES is compliant with the Caldicott Principles. The 2021-22 annual report was approved by the Digital and Information Committee at their meeting on 6 June 2022. It was agreed the report should be submitted to this Public Board meeting for final approval.

9.3   There were no questions regarding the content of the report. The Board approved the 2021-22 Caldicott Guardian Annual Report and the Chair thanked David Felix and Tracey Gill (NES Information Governance & Security Lead / Data Protection Officer) for their work.

10.   Performance Items

a.   <u>2022/23 Quarter 1 Financial Report</u>   (NES/22/57)

10.1   Jim Boyle presented the 2022-23 Quarter 1 financial report to the Board for review and approval.

10.2   As part of his introductory comments, Jim Boyle highlighted the current uncertainty around funding at a national level which, in turn, is creating financial planning uncertainty for NES, both in terms of NES baseline activity and additional Scottish Government (SG) commissions. The financial projections set out in this report may change significantly based on future SG funding confirmations. Jim Boyle also highlighted the significant strategic risks associated with the current financial uncertainty.

10.3   The Chair thanked Jim Boyle for his report and update. The following points were highlighted during discussion:

    a. The Board acknowledged the very challenging financial environment and the need for NES to deliver within budget during 2022-23.
    b. The Board noted the importance of forward planning in relation to future Medical Training Grade places and identifying any future funding gaps as early as possible.
    c. Jim Boyle confirmed that Finance Managers are working closely with directorates in relation to 2022-23 budgets and NES deliverables to ensure the financial position remains as accurate as possible.

10.4   The Chair thanked Jim Boyle and his team for their work and the Board approved the 2022-23 Quarter 1 financial report.

b.   2022/23 Quarter 1 Risk Register Report   (NES/22/58)

10.5   Jim Boyle presented the 2022/23 Quarter 1 NES Risk Register and associated COVID-19 Risk Annex to the Board for review and approval. As part of his introductory comments, Jim Boyle advised that a Board session on Strategic Risk and Risk Appetite is likely to be organised for September 2022. Jim Boyle highlighted the importance of all future risk management improvement work linking directly to the ongoing development of NES's new strategy.

10.6   The paper was taken as read and the following point was raised in discussion:

   a.   The Board discussed the risk register in relation to the results of the stakeholder survey and whether the NES Risk Register should be updated to reflect the impact of future stakeholder engagement. This will be considered as the stakeholder survey recommendations are taken forward.

10.7   The Chair thanked Jim Boyle and his team for their work and the Board approved the 2022-23 Quarter 1 Risk Register.

c.   2022/23 Quarter 1 Performance Report   (NES/22/59)

10.8   The Chair welcomed Christina Bichan to the meeting for this item. Christina Bichan presented the Quarter 1 2022-23 performance report to the Board for review and approval. The paper reported performance against the NES 22/23 Detailed Operational Plan.

10.9   As part of her introductory comments, Christina Bichan highlighted that a new, blue performance rating has been introduced for the 2022-23 year. Performance targets allocated with a blue rating will indicate that they are fully complete, which aligns with the approach used by Scottish Government for annual delivery planning. Christina Bichan also noted that the presentation of the report has been improved as part of the programme of work to establish strategic key performance indicators (KPIs) in NES. Red and amber performance targets are now categorised by strategic theme to aid an outcome focused approach to delivery.

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

   a.   Christina Bichan advised the Board that the link to the Corporate Insights Turas dashboard on page 3 of the performance report is unfortunately not currently working. An updated link will be circulated to Board members after the meeting.
                                                                                Action: CB
   b.   A KPI 'Balanced Scorecard' approach is in currently in development. It is hoped this will be available to share with the Board in early Autumn. Further information will be provided in the corporate governance developments timeline referenced within minute 6.2b.
   c.   The Board discussed the report's overall format and whether it would be helpful to give a short presentation alongside the submission of future performance reports so that any significant performance issues could be clearly highlighted to Board Members. The Board also asked that further consideration is given to how Red and Amber targets are categorised to ensure that differences between these categories can be clearly identified. Christina Bichan will consider both these points in relation to the preparation of the Quarter 2022-23 performance report.   **Action: CB**
   d.   The Board discussed an Amber priority target update (TAR0005276) which highlighted a need to confirm future NES space and property arrangements in the context of hybrid working and the future delivery of NES services. In response to a query, Karen Reid advised that the NES Extended Executive Team have recently been reviewing the results of an all-staff survey that included questions about NES's

hybrid working model. The results demonstrate that whilst staff clearly value the flexibility that hybrid working allows, there is need to encourage opportunities for social connection to ensure staff do not become isolated. The survey results will feed into the consideration of NES's future space requirements alongside a wider National Boards' estates review which is due for completion in January 2023.

10.11 After discussion, the Chair thanked Christina Bichan and her team for their work and the Board approved the Quarter 1 2022-23 performance report.

11.   Governance Items

a.   Significant issues to report from Standing Committees

Digital & Information Committee held 6 June 2022

11.1 David Garbutt gave a brief overview of the key issues discussed at the most recent meeting of the Digital and Information Committee:

   a. The Committee received and approved the 2021-22 Caldicott Guardian Annual Report that was reviewed under item 9a of this Board agenda. The Committee also approved the 2021-22 Annual Information Governance and Security Report.
   b. The Committee received and noted the NES Technology Service (NTS) Strategic Delivery Plan which had also been considered by the NES Board at the 26 May Public Board meeting. The report provided the Committee with the necessary assurance in relation to NTS deliverables as part of Scottish Government's Digital Health and Care Strategy.

Audit & Risk Committee held 16 June 2022

11.2 In light of Jean Ford's apologies, Jim Boyle gave a brief overview of the key issues discussed at the most recent meeting of the Audit and Risk Committee:

   a. The Committee received and approved the 2021-22 Annual Reports of the Governance Committees of the NES Board and NHS Scotland Academy Joint Strategic Programme Board.
   b. The Committee received and approved the 2021-22 NES Board Annual Accounts and received assurance via the 2021-22 External Audit and Internal Audit Reports.

Staff Governance Committee held 11 August 2022

11.3 Linda Dunion gave a brief overview of the key issues discussed at the most recent meeting of the Staff Governance Committee:

   a. The Committee received a progress update on management actions from an internal audit report on workforce planning.
   b. The Committee received and noted an update on the completion of 2021-22 staff appraisals and essential learning. The Committee also received the 2021-22 Health and Safety Annual Report.
   c. The Committee were advised that the 2021-22 Annual Staff Governance monitoring return would be received at the November 2022 meeting as per an updated schedule received from Scottish Government.

12. Items for Noting or Homologation

a. NES Standing Committee Minutes

i. Digital & Information Committee 11 April 2022   (NES/22/60)

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

ii. Audit & Risk Committee 28 April 2022   (NES/22/61)

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

iii. Staff Governance Committee 05 May 2022   (NES/22/62)

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

12.4 The Chair then asked the Board to homologate the following changes in relation to Board and Committee membership:

  a. As per an email issued to the Board on 2 August 2022, it is with significant regret that the Board was informed that Linda Dunion has submitted her resignation from the NES Board with effect from 31 October 2022. Anne Currie has agreed to take on the role of Chair of the Staff Governance Committee and will also become a member of the Remuneration Committee. This decision was homologated by the Board.
  b. Gillian Mawdsley has agreed to take on the Climate Emergency and Sustainability Non-Executive Director Champion role for NES. This decision was homologated by the Board.

b. NES Annual Review Response Letter from Minister   (NES/22/63)

12.4 The Board received and noted a formal response to NES's delayed 2020-21 Annual Review from the Mental Wellbeing and Social Care, Kevin Stewart. The letter was previously issued to the Board via correspondence on 21 June 2022 and was submitted to this Board meeting for the public record.

12.5 The Chair highlighted the positive feedback within the letter, including the recognition of NES's significant contribution during the COVID-19 pandemic and the value of the organisation's role going forward. On behalf the Board, the Chair thanked NES staff for their dedication and contribution.

13. Any Other Business

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

14. Date and Time of Next Meeting

14.1 The next Public Board meeting will take place on 29 September 2022 at 10.15 a.m.

14.2 The Chair thanked everyone for their attendance and closed the meeting at 12.05pm.

NES
September 2022
AS/DG
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 18 August 2022					
6.2b	Rolling Board Action List	Provide Board Members with a revised corporate governance developments timeline either via correspondence or a Board paper submitted to the September Public Board meeting	Della Thomas	September 2022	**In Progress** A revised timeline will be shared with Board Members via correspondence before the 29 September Public Board meeting.
7.6c	Chief Executive's Report	Find articles relating to Armed Forces leavers and share with Chair & Chief Executive	John MacEachen	September 2022	**Action Closed** It has unfortunately not been possible to source the articles referenced at the August Board meeting.
7.6f		Share workforce solutions thought paper that was submitted to Scottish Government in June 2022 with Board Members	CE Office	August 2022	**Complete** Paper issued via email on 19 August 2022
	Quarter 1 2022/23 Performance Report	Share updated Corporate Insights link with Board Members	Christina Bichan	September 2022	**In Progress** Further work is underway to ensure Board Members are given access to relevant performance information. Enhancement of the Quarter 2 report will build on the information previously provided through Corporate Insights

Minute	Title	Action	Responsibility	Date required	Status and date of completion
		In advance of preparing the Quarter 2 2022/23 performance report consider: - the report's overall presentation / format and the potential use of slides at future Board meetings to highlight significant data / key issues. - how to draw out differences between Red / Amber target categorisations and highlight this change within the next report	Christina Bichan	November 2022	**In Progress** The Quarter 2 2022-23 Performance Report will be submitted to the 24 November 2022 Public Board meeting.
Actions agreed at Board meeting on 26 May 2022					
8.2f	Stakeholder Map	Take forward Board comments on the proposed stakeholder map as appropriate and work with the NES Executive Team to understand how NES directorates are engaging with stakeholders, whether there are any particular gaps and develop a proposal for future engagement activity as required	John MacEachen	September 2022	**In Progress** The NES Executive Team have been asked to consider the stakeholder survey result recommendations and report back by the end of October on potential implications, including what action will be taken within directorates as a result of the stakeholder feedback. This data will provide increased information on current stakeholder engagement and identify any gaps in provision. **(update for 18 August Board)** This action remains in progress. An update will be provided at the Public Board meeting on 29 September 2022.

Minute	Title	Action	Responsibility	Date required	Status and date of completion
8.14	Corporate Governance Strategic Developments – Update	Discuss arrangements for tracking ongoing corporate governance developments and provide an update to the Board.	Della Thomas / Karen Reid	September 2022	**Action Closed** This action has been superseded by the action agreed at the Board meeting on 18 August 2022 and the planned circulation of an updated corporate governance timeline. **In Progress (update for 18 August Board)** Verbal update to be provided at 18 August Public Board meeting.

CHAIR'S REPORT

David Garbutt, Chair of NES Board

29 September 2022

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

August 2022

1. I attended the inaugural Scottish Pharmacy Clinical Leadership Fellows (SPCLF) alumni event.

2. I visited the Centre for Health Science in Inverness to welcome the delegation from Augusta University and met with NES staff as part of the event. I also attended a presentation delivered by the NES Remote and Rural team.

3. I met with colleagues to discuss the National Leadership Development Programme (NLDP).

4. I attended the monthly Systems Pressures meeting with the Cabinet Secretary for Health and Social Care, Board Chairs and Chief Executives.

5. I attended a NES Educational Leadership Group event on 'Generation Z and Metaskills'.

6. I met with Duncan MacKinnon, who has recently joined NES as Head of the Military Veteran and Service Leader Programme, as part of his induction.

7. I met with colleagues from the Public Appointments Team in Scottish Government to discuss a future Non-Executive Director appointment round.

8. I attended the Scottish Government / NES sponsorship meeting.

September 2022

1. I attended a meeting regarding Board Sustainability

2. I served as panel member for the appointment of two new Chairs for NHS Fife and NHS Grampian.

3. I attended a Scottish Police Memorial event as Patron of the Scottish Police Memorial Trust.

4. I held an introductory meeting with Pat Armstrong, who has recently joined NES as Head of Programme for Leadership.

5. I attended the National Board Chair's meeting.

6. I attended two days of NHS Scotland Board Chairs Group meetings to discuss future policy issues within health and social care.

Item for the Board's homologation

Gillian Mawdsley has agreed to take on the Climate Emergency and Sustainability Non-Executive Director Champion role for NES. As a result of this new role Gillian needs to step down as a member of the Education and Quality and join the Audit and Risk Committee.

The Board are asked to note and homologate this change to standing committee membership.

NHS Education for Scotland

CHIEF EXECUTIVE'S REPORT

Karen Reid, Chief Executive

1. **INTRODUCTION**

1.1. The September Board agenda is primarily focused on governance items. The Board will receive the 2021-22 Feedback, Comments, Concerns and Complaints Annual Report for approval. Board Members will also receive a paper that provides an overview of an electric vehicle salary sacrifice scheme that is being proposed for NES.

1.2. While it is only six weeks since the last Public Board meeting, the updates within this Chief Executive's Report continue to demonstrate a high level of activity across all NES directorates. NES's first ever hybrid staff conference was also held on 6 September 2022 at the Perth Concert Hall, with staff able to join both in person and online via Microsoft Teams. The overall theme of the conference was 'Remote-friendly NES' and the programme included sessions on wellbeing, hybrid working and Technology Enhanced Learning. I gave a presentation on NES's strategic future and for the first time since the COVID-19 pandemic, the NES STARS awards were able to be held as a live ceremony. It was a really positive day and I very much enjoyed having the opportunity to meet and engage with staff.

2. **ANNOUNCEMENTS**

2.1 **Professor Emma Watson, Director of Medicine**
I am delighted to announce that the University of Aberdeen has granted Emma Watson Honorary Professor status in the Institute of Education in Healthcare and Medical Sciences, within the School of Medicine, Medical Sciences and Nutrition with effect from 25 August 2022. This award reflects Emma's knowledge experience and professional standing within the medical and education community, both nationally and internationally.

2.2 **Associate Director, Human Resources/HR (Workforce Directorate)**
I am pleased to announce that Patricia Matheson joined NES on 19 September 2022 as Associate Director for HR. Patricia is a Fellow of the Chartered Institute of Personnel & Development; with her most recent role being interim HR Director at the University of Dundee which involved developing a new People & Talent Strategy and leading the people aspects of organisational change. Prior to this, Patricia held HR Director roles at Standard Life Aberdeen, Tesco Bank and Clydesdale Bank leading multi-disciplined HR and Organisational Change teams with a focus on enabling business change and delivering several HR Transformation projects.

3. **STRATEGIC UPDATES**

3.1. As per updates in the May and August Chief Executive's Reports, NHS Scotland has not been placed on emergency footing since 30 April 2022, however the system remains under significant pressure in advance of the winter period. Board Chairs and Chief Executives continue to meet monthly with the Cabinet Secretary for Health and Social Care to discuss systems pressures and winter planning groups are now being set up to consider service priorities in relation to the NHS recovery plan.

3.2. **2022-23 Programme for Government (PfG)**
Scottish Government's 'A stronger and more resilient Scotland: the Programme for Government 2022 to 2023' was published on 6 September 2022. This year's programme focuses on the Scottish Government's response to the cost-of-living crisis. Whilst NES is not mentioned specifically within the 2022-23 PfG, there are a number of areas referenced where NES could potentially make a contribution including health and social care, children, young people and Scotland's National Mission on Child Poverty. The PfG is attached as Appendix 1 for further information.

3.3. **National Centre of Excellence in Remote and Rural Health and Social Care**
In April 2022 Scottish Government (SG) asked NES to establish and host the National Centre for Remote and Rural Health and Social Care (the Centre). NES has worked with Scottish Government officials, advisers, and key stakeholders and submitted the business plan for the Centre at the end of August 2022. The business plan sets out the key development phases for the Centre aligned with resources and timescales. It also described the leadership, functions, and governance of the Centre, and the approach to delivering the agreed outcomes over the next five years and beyond with a view to the Centre being operational by March 2023. The Business Plan will be submitted to the NES Board for homologation once SG feedback and approval is confirmed.

3.4   NES have begun to host a series of workshop sessions to ensure that we meet with and hear from the widest possible range of stakeholders to help inform the development of the Centre. These sessions have been very well received so far with high numbers of participants registering to attend. Some sessions have been tailored to meet specific group an organisational request for information and discussion and others are general information and discussion sessions.

3.5   We are also sharing a short online survey giving people who cannot attend any of the workshop sessions the opportunity to contribute the planning of the Centre over the next six months. A new TURAS Information Hub for the Centre is being developed where everyone can readily access up to date information online and contribute to the development of the Centre using the survey tool. We have brought together practical working groups with the skills and knowledge to support this planning and preparatory work from across NES Directorates, the Scottish Government and the Scottish Rural Medicine Committee. The next steps will be for NES to work with all our partners to build effective mechanisms for the Centre which will provide partners, communities and stakeholders with an ongoing means of contributing to the work and outputs from the Centre. The work is being coordinated by NES under the leadership of NES Director of Medicine, Professor Emma Watson, with assistance from Associate Director, Dr Pam Nicoll and NES Director of Social Care, Gordon Paterson.

3.6 **The Remote & Rural Festival of Learning**
Due to the death of Her Majesty Queen Elizabeth II and the subsequent period of National Mourning, the Remote and Rural Festival of Learning due to take place on 19 - 30 September 2022, has been cancelled. We are working with partners to reschedule and reformat to a series of masterclasses and workshops that will be delivered remotely on a weekly or twice monthly basis over the autumn and winter we will notify colleagues once new dates have been confirmed.

3.7 **A National Care Service (NCS) for Scotland**
We continue to work with Scottish Government, the Convention of Scottish Local Authorities (COSLA), and partners to consider how NES can contribute to the NCS's planned aims and outcomes

3.8 **NHS Scotland Academy**

a. **Widening Access & Sustainable Delivery Programme**
   i. **NHS Scotland Youth Academy**
   Face-to-face development sessions with in all six Huddles took place during August and September to identify national, regional and local actions.
   ii. Skills Development Scotland (SDS) has now begun the commissioning process to develop the school-based apprenticeship for delivery in summer 2023. A workshop was held in July with SDS colleagues and Huddle members to begin to develop the specification for the pilot award which will be used to guide the successful contractor, once they are confirmed.

b. **Armed Forces Service Leavers & Veterans**
   Meetings continue on a regular basis with a number of key stakeholders, including Scottish Ambulance Service, NHS 24, NHS Greater Glasgow & Clyde, NHS Golden Jubilee, NHS Highland, NHS Orkney, NHS Shetland and Erskine Care. A face-to-face development session was held 30 August, hosted by Erskine Care, to discuss future plans.

c. **National Endoscopy Training Programme (NETP)**
   i. **Upskilling endoscopy trainers to deliver Training the Trainer courses for both lower and upper GI endoscopy**
   An external team of internationally renowned endoscopy trainers was commissioned by the NETP Board to upskill current trainers in various aspects of diagnostic and therapeutic colonoscopy. The final session took place in September 2022 resulting in 30 clinicians upskilled to deliver high quality colonoscopy training. Plans to develop and run a similar upskilling course for upper GI endoscopy are now well advanced. The NETP is now being approached to run upskilling sessions for current colonoscopists in different Health Boards. The first of these sessions to be delivered by the NETP will be in NHS Grampian in October 2022.
   ii. **Delivering immersion training to help trainees achieve the 200 procedures required for JAG (the UK body which oversees quality endoscopy training) accreditation**
   Four ST7-8 trainees from across Scotland have already undertaken intensive immersion training in colonoscopy at the GJNUH as part of the NETP. These trainees were identified by the Training Programme Directors

as being at risk of not completing training due to a lack of procedure numbers. 19 further trainees (including three consultants who require upskilling after a period of leave) from all professional groups are being booked in for immersion training between now and the end of March 2023.

d. **National Workforce Programmes**
   i. **Nursing and Midwifery Council (NMC) Objective Structured Clinical Examination (OSCE) Preparation (Digital learning resources)**
      OSCE preparation resources have been developed in collaboration with NHS Boards and are available on our digital platform. These resources will provide nurse educators with the knowledge, skills and tools required to support and deliver OSCE education and preparation. A proposal has been submitted to Scottish Government to develop phase 2 of the NMC OSCE workstream, with a focus on midwifery and mental health nursing.
   ii. **National Ultrasound Training Programme**
      The first cohort of learners have been recruited to start on this programme, which is being delivered in partnership with Glasgow Caledonian University.
   iii. **Bronchoscopy Training Programme**
      A proposal to develop a new training programme for Bronchoscopy within NHS Scotland Academy has been approved, subject to funding.

4 DIRECTORATE UPDATES

4.1 Dental (including Healthcare Science and Optometry)

a. **NES SQA Approved Centre Update:**
   The Scottish Qualifications Authority (SQA) have granted approval for the Psychology Directorate to deliver the Customised Award in Enhanced Psychology Practice - Children & Young People within the NES SQA Approved Centre.

b. This new accredited programme was developed by the NES Psychology Directorate and will be certificated, and quality assured by SQA as a Customised Award. This award has been credit rated by SQA at SCQF Level 11 on the Scottish Credit and Qualifications Framework (SCQF) with 60 credit points.

c. The qualification will introduce learners to the concepts of diversity, inclusion and multi-culturalism and equip them with the necessary knowledge, attitudes and competencies to operate in an inclusive value driven service. Learners will also learn to manage caseloads, operate safely and to high standards and use supervision to aid their clinical decision-making.

d. **SQA Quality Assurance Outcomes**
   Since April the NES SQA Centre has undertaken several virtual External Verification (EV) visits. This quality assurance process is conducted by Qualification Verifiers appointed by SQA. A total of 11 SQA qualifications across Dental (9), Optometry (1) and Psychology (1) were reviewed against SQA Quality Criteria.

e. The outcomes of this process confirmed '*high confidence in the maintenance of SQA standards across all quality criterion*' in all programmes reviewed. In addition, 12 different areas of 'Good Practice' were identified.

f. **NMAHP and Dental Cross Directorate Dental Radiography Project**
    A national scoping exercise was recently undertaken to identify confidence levels of General Radiographers in District General Hospitals regarding their knowledge, preparation, and delivery of dental radiography. Current training and service provision was also explored. This identified a learning need for support and training resources to be developed to contribute towards the production of high quality intra-oral and extra-oral dental radiographs.

g. NMAHP have secured fixed term funding for two subject matter experts (SME) to work collaboratively with a Specialty Dentist in Oral and Maxillofacial Surgery and colleagues in the AHP team and the Dental directorate towards developing a national dental radiography training package. Once complete these resources will be available on Turas and will aim to support both General Radiographers and members of the dental team.

h. This project is well underway, and several short videos have been filmed by the Dental directorate's digital team. The videos demonstrate safe working and practical techniques in the preparation for and production of a wide range of intra oral dental radiographs using digital systems within a clinical dental setting.

i. **Healthcare Science**
    Since the last Chief Executive's Report, service bids for 2023 intake clinical scientist training posts are being collated. The closing date for bids is the end September 2022. So far, we have received 38 requests for these postgraduate supernumerary posts.

j. Board members may be aware of the clinical incident at NHS Lothian audiology service and the national review underway led by Professor Jacqueline Taylor. Dr Robert Farley, NES Healthcare Science Associate Director, is the national review's education and training subgroup chair. The full review is scheduled to report by February 2023 and there may be implications for wider education and training in the healthcare science sector, including audiology. In parallel, Scottish Government is conducting a review of the healthcare science workforce training pathways, but on a longer timeframe.

k. Since the last CEO update, there has been progress in the reorganisation of the Scotland's diagnostics advisory structures feeding into Scottish Government. Four executive advisory Boards have been established: laboratories; clinical physiology; medical physics and clinical engineering; and imaging. NSS provides to secretariat for these Boards. NES Healthcare Science and NES Medicine are both represented on these Boards. The Boards are expected to play a significant role in workforce projections and needs. Early conversations, particularly in regard to laboratory diagnostics, have highlighted the potential for closer working in training arrangements for some healthcare science and some medical specialty areas.

4.2   NES Technology Service (NTS)

a. **NTS Organisational Change**
Associate Director recruitment was expected to commence in August but will now begin September. Work has commenced on phase 2b of the organisational change which involves sub-steering groups representing each of the proposed business units designing the career pathways for each discipline in their business unit. The sub-steering groups then used these career pathways to design the structures required within each business unit in NTS to provide sustainable capacity and capability to deliver against NES and Scottish Government strategic outcomes.

b. **Platform**
National Digital Platform (NDP): planned Quarter 2 deliverables have been impacted by the Adastra Contingency work (see section 4.2e). NTS are currently working with the teams to review and define new timelines for the NDP Q2 deliverables. A meeting took place with Scottish Government on 1 September to discuss the progress of NDP and a wider NDP launch. It was agreed NTS will undertake the following activities to launch NDP on a wider scale:

- NHS Scotland Digital Leads – 2 November 2022
- DigiFest satellite session in the lead up to the in-person event
- DigiFest 30 November 2022 - exhibitor stand & discussion panel

c. A meeting is being convened with National Services Scotland (NSS) to discuss NDP delivery collaboration. This is to begin to formalise collaboration activity that has been led by NTS with various NSS departments e.g. Seer for data analytics and the National Integration platform. There are many opportunities for close working to mutual and national benefit that will be explored.

d. **Education and Training**
NES Education & Training Technology – NTS colleagues have been meeting with Leon Zlotos (Turas Programme Lead) around the Training & Education Strategy, the technology needs coming out of that and how we progress this whilst also delivering for NLDP and Digitally Enabled Workforce. It has been agreed the next steps are:

1. NTS - drafting our understanding of the requirements to support NES core business now and in the future (including in relation to the NHS Scotland Academy, National Leadership Development and the Digitally Enabled Workforce) by the end of September 2022.
2. Requirements reviewed and then ratified by the NES Executive Team.
3. In parallel, Christopher Wroath (Director of NTS) is engaging Gartner to review our existing architecture and technology as well as what is available in the marketplace against these requirements to arrive at a set of recommendations in terms of what we should continue to build, maintain and support and what we buy. Depending on the outcome of Gartner work we can then engage procurement if that is the agreed course of action.

e. **Health**

Adastra Contingency - On August 4 2022, Advanced, the manufacturer of Adastra, was subject to a ransomware attack which interrupted service resulting in NHS Scotland's Out of Hours (OOH) service being unable to transmit patient records received via NHS24 to the OOH service in territorial boards as per normal process. NTS were asked if support could be provided to ensure more robust contingency process. Workstreams were quickly stood up as follows:

1. **Workstream 1: NHS24 Call Outcome Service** – NTS are working with NHS24, NHS Lanarkshire and NHS Lothian to simplify the sharing of call summary data captured by NHS24.
2. **Workstream 2: Turas Care Summary** – A cloud enabled patient summary that will surface health and care data held in disparate systems to people who provide care for the people of Scotland. This work will start by displaying Emergency Care Summary (ECS) data set via the NDP Care Summary Service (see below). NTS colleagues are currently working with a group in NHS Ayrshire & Arran who have representatives from a care home, GP surgery, Community Pharmacist to understand who this summary data will be beneficial.
3. **Workstream 3: NDP Care Summary service** – An application programming interface (API) that other systems can consume in order to surface summary data currently held in disparate systems. This service will over time surface data held on NDP.

f. **Scottish Vaccination Improvement Programme** – NTS are supporting the 2022 Autumn/Winter vaccination programme and are involved in the discovery process for the Scottish Vaccination Improvement Programme (SVIP) which is the formal programme of work transferring the leadership of delivery of the vaccination programme to NSS. NTS are also fully engaged with the Child Health replacement programme to ensure the development takes a National Digital Platform footing and does not design a solution in isolation just for Child Health purposes.

g. **Digital Prescribing & Dispensing Programme** – NTS are now fully engaged in scoping the technical delivery of this programme. This involved identifying which NDP components can be used to support the delivery as well as scoping which components of a paperless prescribing system NTS could build and operate. The current focus of this work is around Workforce Identity & Access Management and Data Integration.

h. **Social Care**

Discussions with Scottish Government are continuing in relation to the around future of the Turas Care Management tool**.**

4.3 Medicine

a. **Round 3 Medical Recruitment – February start dates**
Interviews are now underway for February 2023 start dates. Posts will include an additional five posts in Core Psychiatry which were confirmed by Scottish Government on 14 September 2022. This round will include a pilot of multi-station interviews which are due to be rolled out more widely for 2023 recruitment.

b. **Remote and Rural Credential**
The Remote and Rural credential has now been signed off by Scottish Government. Further detail on General Medical Council draft plans for deliverability, sign-off and other operational matters is awaited.

c. **Menopause and Menstrual Health learning package for General Practice**
In response to this ask from women and in line with the Women's Health Plan, NES have been asked to develop menopause and menstrual health training for healthcare professionals working across the multi-disciplinary team in primary care general practice, including Practice Nurses and GPs. We are working closely with Scottish Government to scope the approach and development of these learning and development resources.

d. **New General Practice Nurses (GPN) Education Pathway (GPNEP)**
The GPN Team undertook a "Root and Branch Review" to identify how we could maximise education provision in response to workforce and population need. Over 50 percent of nurses employed in general practice are over the age of fifty, with a recent educational needs analysis highlighting many planning to retire over the coming five years.

e. As a team we identified our model of engaging with our learning partners was no longer fit for purpose and we required to re-think this model and how our Education Supervisors and Advisors could work differently to enable additional learners to undertake the programme at no additional financial cost to NES. The Nursing & Midwifery Council (NMC) introduced the role of "Practice Assessor" which provided an ideal opportunity for NES and NMC to engage and work in partnership, enabling Practice Assessors to play a greater role in the nurses work based learning component. The work undertaken by the GPN team has led to the creation of the new GPNEP.

f. Queen Margaret's University (QMU) have now officially accredited the GPNEP. The vision is that NES, in partnership with QMU, will deliver, and quality assure, two intakes of 40 learners annually. This will provide nurses in general practice with a programme of analytical and self-directed, practice-based learning to demonstrate their ability to deliver the refocused general practice nursing role based on practice level 5 of the Chief Nursing Officer Directorate's (CNOD) Transforming Roles Paper 5 (Transforming education and career development in nursing) Career Development Framework and CNOD's Transforming NMAHP Roles Paper 6 (Developing the general practice nursing role in integrated community nursing teams).

g. The new Education Pathway aims to increase the capacity and accessibility of the programme to GPNs across Scotland and to equip GPNs with the knowledge and skills to develop caring, compassionate professional relationships that meet the needs of people across their life course, identifying the wider social determinants and influences of health and applying specific problem-solving skills in the context of general practice nursing. The proposed changes are underpinned by constructive alignment, offering a tailored, incremental learning pathway. The new pathway will continue to deliver the fundamental components of the programme, including public health, long-term condition optimisation, leadership, quality improvement and addressing health inequalities. It will continue to support the GPN learners to deliver the right care to the right person at the right time as part of an integrated nursing team.

h. **Scottish Training Survey (STS) Dashboard**
We have introduced a report for longitudinal trends to our STS dashboard. The report displays parameters for filtering the data, a visualisation and a table of mean scores. The longitudinal visualisations show how the mean scores for each STS indicator change over time. These visualisations are broken down by Health Board, level of training and specialty quality management group (sQMG) grouping of specialties. The visualisations are not broken down by specialty or location of training because there is too much variation from survey to survey.

4.4 Nursing, Midwifery & Allied Health Professions (NMAHP)

a. **Professional Diploma in Family Nursing**
The Family Nurse Partnership (FNP) Education Team recognised the opportunity to explore academic credit for the FNP education programme having received feedback from colleagues on their interest for this development and being supported and encouraged by NES Nursing, Midwifery and Allied Health Professions (NMAHP) Directorate.

b. In December 2021 the FNP Core Education Programme was credit rated by the SQA at SCQF level 11, with 60 credits awarded on successful completion. This is represented through three units, each with 20 credits at SCQF level 11. The final stage of Qualification Approval completed in February 2022, where an SQA external verifier provided the outcome decision. There are now 19 Family Nurses (100% of the cohort) who have chosen to undertake the Professional Diploma in Family Nursing which commenced in August 2022 – reflecting the high level of interest. We look forward to reporting on this exciting development for Family Nurse Education in Scotland as it progresses.

c. **Evaluation of NES as a Practice Learning Experience (PLE)**
The NMAHP directorate led a pilot on behalf of the organisation to host two student nurses for a five-week practice learning experience. Students worked with teams from the pre-registration and practice education programme, the post-registration programme and the women, children, young people and families programme. At the end of the pilot, the student presented their learning experiences and participated in an evaluation. The evaluation was overwhelmingly positive with one student stating "... this was their favourite placement to date". Plans are now underway to offer another practice learning

experience and perhaps to increase the student numbers. Offering this type of opportunity also helps with NES staff development as more and more are prepared to be practice supervisors.

d. **NES Annual Report Healthcare Built Environment Knowledge and Skills Framework**
As part of the collaborative partnership between NES and NHS Scotland Assure and to support education and development for the specialist Healthcare Built Environment workforce, NHS Education for Scotland has developed a Knowledge and Skills Framework in partnership with key stakeholders which was published on NES TURAS Learn on 1st September 2022. The framework is hosted on [Healthcare Built Environment (HBE) learning zone](#) and includes an accompanying [User Guide](#) which aims to explain the principles underpinning the framework design, and how it can be used by individual workers and teams, employers and education providers.

e. The overarching aim of the framework is to support the educational development of NHS staff and external partners in acquiring the knowledge and skills to prevent and control the potential risks of harm posed by healthcare facilities. The Framework also has the potential for wider utilisation by organisations that work in partnership with the NHS, for example, building contractors and suppliers, to support collaborative working practice. The framework is structured around four levels Informed, Skilled, Enhanced and Expert. Rather than being hierarchical, the levels are concerned with individual roles and responsibilities, which vary significantly across organisations and sectors.

f. The intention of the framework is not to be prescriptive but to provide support and guidance. More specifically, to provide an educational framework that:

- Supports staff, and external NHS partners, develop knowledge and skills to make risk-aware decisions
- Encourages the sharing of knowledge on the assessment and management of risk, encourages positive approaches to managing risk
- Supports the development of communicative, collaborative safety driven culture

g. Feedback, to date, has been very positive with enquiries received from various staff groups including Infection Prevention and Control Teams, Estates and Facilities and external contractors. The next step is to continue to work in partnership with key stakeholders to align and augment career pathways and educational resources to each of the four levels within the framework. The framework has been widely shared, both internally and externally, as well as being promoted on social media platforms.

h. **Health and Care Support Worker (HCSW) Development Programme Commission Update**
Introduction In October 2021, the Chief Nursing Officer commissioned NES to undertake work to support the expansion and development of the Band 2-4 workforce at pace in response to current systems pressures within health and social care and the emergence of new service models.

i. **Aims** - The expected outcomes of the commission are to:

1. produce a development and education framework that supports staff in Band 2 – 4 (practice Levels 2-4) NMAHP support roles to achieve optimum impact
2. identify Level 2 – 4 education programmes and career frameworks already in place locally that could be adapted for national use
3. identify/fill gaps within extant policy guidance, education, and training to allow staff to work at the highest level of their grade.

j. The findings and recommendations will provide a foundation for policy work currently being undertaken across CNOD and the Workforce Directorate and determine actions to be taken by NES and the Boards to support the HCSW workforce in the future.

k. **Phase one - completed 10.12.2021**
Phase one concentrated on nursing HCSW Levels 3&4 with focus on community and acute settings. The final report is available at https://www.nes.scot.nhs.uk/media/3g2icf2n/commission-hcsw-final-report.pdf and details the following:

1. The results from a scoping exercise that identified wide variation in role, education provision and development for NMAHP HCSWs across Scotland
2. Examples from Boards that have developed educational programmes with the potential to be scaled up for use across Scotland
3. The draft Career and Education Development Framework for Nursing HCSW Levels 3&4 with focus on community and acute settings
4. Recommendations that stipulate immediate and medium-term actions and future policy considerations

l. The report was circulated to all Boards in February accompanied by a joint letter from the CNO and the Executive Nurse Director at NES. This encouraged Boards to use the development and education framework to ensure that staff are given development opportunities to work to their maximum extent and to progress across the development framework.

m. The Commission Steering Group is chaired by Anne Marie Cavanagh, Executive Nurse Director, NHS Golden Jubilee and Karen Wilson, and has oversight of the implementation of the report recommendations and taking forward of phase 2 of the work which is focusing on NMAHP Levels 2-4.

n. **Phase two** – **commenced March 2022**
Phase 2 work commenced in March and progress to date includes:

1. A draft Development and Education Framework for Levels 2 – 4 NMAHP Healthcare Support Workers co – produced by stakeholders was circulated widely for consultation until 29.07.22. An amended final draft was approved by the Steering group on 17.08.22 and will be available shortly.

2. Identification of education gaps and exploration of developing a NES generic learning resource for level 4 practitioners is underway.
3. Exploration of the experience of the Associate Practice Educator role – implementation and impact to share best practice with other Boards
4. Guidance has been developed for supporting Boards' use of a service needs analysis tool that is based on one currently being used in several Boards.

o. Moving forward into Phase three, the intention is to extend this work further to include Healthcare Science. In doing so this will ensure ongoing alignment with other developing education policy activities such as the AHP Education Review and current education policy activity in Healthcare Science.

4.5 Planning and Performance

a. **Whistleblowing**
Three levels of training are now available within 'TURAS Learn': for all staff; for line managers; and for senior managers (previously two levels of training were available). At the end of quarter one 2022-23 (30 June 2022), 207 (72%) line managers completed the NES-mandated line manager level whistleblowing training. In the previous reporting period (quarter four, 2021-2022), 140 line managers had completed it. This positive increase is noted; however, further improvement is necessary to bring performance in line with our set targets. The work is being led by the Organisational Development Leadership and Learning team. As of 30 June 2022, 409 (37%) staff had completed the staff-level training (with 332 staff members having completed the training in the previous quarter). (These figures exclude NES-employed Doctors and Dentists in Training).

b. Looking ahead, preparation is underway for the first NHS Scotland 'Speak-Up week'. As promoted by the Independent National Whistleblowing Officer (INWO), this will give all staff further opportunities to learn more about the National Whistleblowing Standards and the arrangements for raising a concern. The Non Executive whistleblowing champion and the confidential contacts will participate in the week. The approach is based on the 'speak up month' previously delivered by The National Guardian's Office in England.

c. **Staff Conference**
On Tuesday 6 September, we held our first hybrid Staff Conference, which ran simultaneously online and in person at Perth Concert Hall. Just under 400 staff attended in total (196 in person and 202 online), with this being the first staff conference since the pandemic. Formal evaluations are still being conducted, but informally, the event was well received.

d. **NES Credit-Rating Strategy**
NES is making a strategic commitment to becoming a credit-rating body, therefore enhancing the utility of our education programmes in several key respects. A business case for the recruitment of a Credit-Rating and Quality Assurance Lead and a Business Support Officer has been approved and recruitment is progressing. The Credit-Rating and Quality Assurance Lead will play a pivotal role in preparing NES's application for credit-rating powers with

the Scottish Credit and Qualifications Framework (SCQF) Partnership and implementing credit-rating arrangements. NES requires a strategic plan to guide the development and implementation of credit-rating powers and to fulfil the requirements of the Credit-Rating Body application to the SCQF Partnership, demonstrating NES's commitment to this area of activity. A three phase credit-rating strategy has been drafted which will take NES to the award of Credit-Rating Body status, implementation and consolidation of credit-rating powers, and consideration of third-party credit-rating powers. The document has been considered by both the Extended Executive Team and the Education and Quality Committee at their most recent meetings.

4.6 Psychology

a. **Expansion of the Psychology Workforce**
In response to further increases in public need for Psychological Therapies, and in the growth of psychological support for the wellbeing of NHS staff, NES Psychology Directorate have supported a substantial increase in training places on the NES commissioned post graduate training programmes in applied psychology. Additional funding has been provided by the Scottish Government (SG) for this purpose.

b. This development has been the culmination of a sustained programme of growth since 2016 which has contributed to a 35% increase in the Psychology workforce in that time, helping to address the increasing pressure on services. Work is continuing between NES and SG colleagues to build on these increases in order to meet future workforce requirements.

c. Across the range of NES commissioned Programmes, Trainees are jointly matriculated with Education Providers and are employed by Health Boards in NHS Scotland. Trainees deliver psychological therapies and interventions under supervision from the outset of training, provide a significant contribution to service delivery in a range of settings.

d. Jointly accredited by HCPC and BPS, the three-year Doctorate in Clinical Psychology Programmes equip trainees with high level clinical, leadership and research skills, enabling them to develop, supervise and deliver evidence based psychological approaches to those in greatest need across the lifespan and in the range of settings we see in the modern NHS in Scotland. From a cohort of 57 in 2016, intake numbers for these programmes have increased by 46% as we welcome a cohort of 83 in October 2022.

e. NES also commission two MSc programmes of one year duration designed to meet the skills mix required across services. Graduating as Clinical Associates in Applied Psychology, the role has become a vital part of the skill mix across Scotland, while the one year duration of the Programmes ensures graduates enter the workforce quickly and can respond to pressing service demands.

f. The MSc Applied Psychology for Children and Young People develops the skills and knowledge required to deliver psychological assessment and interventions with children, young people, and their families. Intake numbers have increased

by 117% from an intake of 18 in February 2017 to an anticipated intake of 39 due to start in February 2023.

g. Similarly, the MSc Psychological Therapies in Primary Care was developed to provide trainees with clinical and professional skills to deliver evidence based cognitive behavioural therapy for adults in primary care. Intake numbers have increased by 67% from an intake of 30 in February 2017 to an anticipated intake of 50 due to start in February 2023.

h. The growth in applied psychology training numbers is a welcome development and reflects the commitment of SG and the NHS to the mental health and wellbeing of the Scottish public. As we recognise the potential psychological contribution to all aspects of NHS service delivery, and indeed community functioning, NES will continue to identify and meet future workforce demands, through our extensive stakeholder collaboration, and our role in commissioning and delivery of education and training and workforce modelling.

i. **Trauma Informed Justice: Knowledge and Skills Framework for Working with Victims and Witnesses**
Background: The National Trauma Training Programme in the Psychology Directorate of NES will shortly publish "Trauma Informed Justice: A Knowledge and Skills Framework for Working with Victims and Witnesses". This was commissioned by the Victims Taskforce (VTF) chaired by the Cabinet Secretary for Justice and the Lord Advocate, in response to multiple reports highlighting the range of ways in which victims and witnesses experience the criminal justice system as exacerbating the impact of prior experiences of trauma, and the impact this has on ability to give evidence effectively, and on recovery.

j. The framework has the ambition of ensuring that across all staff and organisations who work with witnesses, there is a shared language and understanding around the aims of a trauma informed justice system for victims and witnesses, and of identifying what staff in different roles need to know and are able to do to bring that about. This will allow training to be developed consistently across organisations adapted to the need of individual staff groups, depending on role in relation to their contact with witnesses affected by trauma.

k. The Knowledge and Skills Framework was initially drafted using evidence gathered from leaders of 15 Justice Organisations, from 12 victims and witnesses, and from a wide range of evidence and literature reviews. Following consultation to all justice organisations represented on the Victims Taskforce, there is an anticipated launch date of October 2022.

l. NES has also recently responded to the Scottish Government consultation on the implementation of the recommendations of the Lord Justice Clerk's review of the management of sexual offence cases. Of particular relevance to the above framework is Recommendation 2, for the delivery of specialist trauma-informed training to all personnel involved in prosecution of sexual offences, including High Court Judges and Sheriffs, members of the Faculty of Advocates, solicitor advocates, prosecutors, SCTS administrative and support staff. Recommendation 6 of the report also includes, "the adoption of trauma-

informed practices and procedure within the Children's Hearing system. Trauma-informed training… should be required of Sheriffs who conduct referral proceedings, SCRA and SCTS staff, and practitioners appearing in these proceedings specifically solicitors, solicitor advocates and counsel".

m. **Opportunities / Implications**
The framework offers the opportunity to identify and support the differing sets of knowledge and skills that of each of these widely varying roles will need in order to meet the aims of trauma informed justice. It offers NES the opportunity to become centrally involved in the development and delivery of training resources and implementation support to a wide range of justice professionals, in order to support the Scottish Government's stated ambition to "progress the ambition and priorities set out in the Vision for Justice in Scotland of delivering person centred and trauma informed practices, including taking greater action to improve the experience of women and children and to hear victims' voices" p31 Programme for Government 2022-2023.

4.7 Social Care

a. Gordon Paterson, Director of Social Care, continues to explore with key stakeholders potential educational and development opportunities for the social care workforce which NES could lead on or support. For example, further discussions are planned on developing wellbeing support to Care Homes, aligned to a leadership development offer to Managers in that sector. More broadly we are looking at how TURAS Learn and the educational resources it contains can be made more accessible to social care colleagues.

b. The new Associate Director post in the Social Care Directorate attracted a high level of interest, from a strong field of candidates. Following a robust recruitment process, a preferred candidate has been selected and pre-employment checks are underway to confirm their appointment. The General Manager post in the Social Care Directorate has also now been advertised. In addition to which, all NES Directorates are reviewing the extent to which they support the social care workforce, to consider whether some staff might transfer internally into the new Directorate. Some programmes in NMAHP have been identified as more appropriately located in the Social Care Directorate and discussions are underway with the staff involved on a possible transfer.

c. With colleagues in NMAHP, Gordon Paterson is exploring the potential for NES to support the development of new roles that span health and social care. Prompted by discussions with colleagues in NHS Ayrshire and Arran, we have identified that this is being considered in different areas across the country and are thus considering NES being a catalyst for bringing colleagues together to join a 'Community of Practice', to share learning from local systems and to identify opportunities and actions to achieve this ambition.

d. Both Social Care and NMAHP directorates are also engaging with the NHS Academy and colleagues from NHS Grampian to develop a programme that supports school leavers and those in their final year to experience and consider careers in health and social care, based on the academy model that has been established in Nashville.

e. Gordon Paterson continues to support the design and development of the new National Centre for Remote and Rural Health and Social Care, bringing his experience, expertise, and connections to ensure the work of the Centre takes account of the needs of the social care and Social Work workforce in remote and rural Scotland.

4.8 Workforce

a. **Hybrid Working**
NES moved formally into 'Hybrid Working' on 1 March 2022 following the decision taken by the Executive Team in 2021. Line managers are responsible for ensuring working arrangements are in the best interests of the organisation, and teams, whilst taking into account individual preferences. A staff survey conducted in June received 557 responses which included doctors in training. The results were representative of more than 50% of NES non-training grade staff. Key highlights were:

1. hybrid working is having a positive impact on staff experience of work. The majority of staff feel it is beneficial, but most improvement is found by staff with a disability, staff in the youngest age-group, and teams that work across numerous office locations.
2. the role of technology has been crucial in allowing staff to choose where they work best, and in enabling communication, collaboration, information and experience sharing, and co-creating documents to achieve business objectives.
3. most staff report positive well-being which is translating well to the workplace, although some are finding it difficult to switch off from work and some feel less close to people.
4. staff appreciate being given the autonomy to decide where they work. They do not feel this autonomy is adversely affecting their, or their team's, ability to problem-solve, be productive, collaborate, maintain effective communications, or support one another. Some activities however, that rely on staff engagement, creativity and relationship-building, might be better undertaken face-to-face in a NES office.
5. nearly a quarter of staff have returned to an office base on an ad hoc basis or for part of a working week, particularly those who have missed face-to-face interaction with colleagues. However, with so few staff in an office at any one time the benefits of face-to-face social connection are not being realised.
6. staff appear to need a specific purpose to come into an office. Line managers and teams might want to bear this in mind when considering how to address feelings of social isolation.

7. whilst the cost of living is a concern, most staff feel, at this point, that increases in food, fuel and energy have been offset by savings on commuting and other sundries associated with office-working. About a quarter of staff report being directly affected by rises in the cost of living because their salaries are not keeping up with inflation. Indications are that this is likely to have the greatest impact on those on lower incomes.
8. about a fifth of staff (21%) across all directorates report feeling 'burned out'. For some, the pressure of work appears considerable, and this may be having a consequential effect on functioning and performance.
9. staff rate NES very positively as an organisation, but an area which emerges as requiring focus and attention is support for career and personal development goals.
10. the adoption of remote friendly / hybrid working arrangements has enabled NES to recruit from a wider pool of applicants. Several new starters commented that without this way of working they would not have applied for their post.
11. an issue emerged around the potential for staff who NES require to work in an office location, e.g. facilities / reception staff, to be asked to perform tasks by others who are working from home. This includes photocopying and distribution of materials. This has a negative impact on the ability of staff to perform their contracted duties.

b. The following actions are being taken forward as a result of the survey:

1. Line managers and executive directors / leaders must take action to recognise and prevent burn out of staff through ensuring appropriate time off, checking individual and team well-being, and promoting social connection at work. Viva Insights, as part of our M365 package will be rolled out to offer insights to individuals about their working patterns and wellbeing, as well as anonymised team-based indicators for managers and leaders.
2. Ensuring a consistent message to teams and managers that they are empowered and responsible for managing work activities that require attendance at a NES office. Each team will have different pressures and drivers for office / home working and the creation of meaningful, productive office-based activity will support staff who wish to work in the office on a flexible basis.
3. The responses indicate that the main reasons for staff coming to an office are for social interaction, engagement, and exchange of ideas. As part of our facilities recovery & renewal planning we will consider ways in which current office premises might be reorganised to promote opportunities for these activities.
4. As we return to face-to-face training, where that is best practice, we should focus on creating spaces in NES offices to avoid the need for external venue hire.
5. One area where staff responses indicated room for improvement was the support for achievement of career and personal development goals. Work has already begun on development of an internal career development approach and our organisation should continue to develop support for staff in achieving their goals.

c. **iMatter**

The 2022 iMatter survey closed in June. The response rate was 88% (2021: 92%) and the Employee Engagement Index (EEI) score was 85 (2021: 84). The result is pleasing given the challenges of workload in several areas of NES and is cautiously indicative of hybrid working, albeit at a very early stage of implementation. Action planning is now complete for the majority of teams.

d. **Recruitment**

Recruitment activity continues to be high being 14% up on this this time last year. This positively reflects growth opportunities for NES and the confidence of our stakeholder. However, the non-recurrent status of funding, leading to c, 23% of NES staff being on temporary employment arrangements continues to impact the volume of recruitment activity and HR administration i.e. NES costs. Transition of NES recruitment activity into the East Region Recruitment Service, hosted by NHS Lothian took place in mid-July 2022. There are transition issues, as to be expected, and NES is working alongside NHS Lothian to monitor and resolve.

e. **Lead employer arrangements for Doctors and Dentists in Training**

Lead Employer arrangements were extended to Vocational Dental Practitioners (VDPs) in August 2022. Operating under the Lead Employer arrangements, NES will be both an Employing Board and a Placement Board, meaning that NES assumes employer responsibilities, and carries out the HR operational management of VDP employment. This brings the overall employment responsibility of NES regarding Doctors and Dentists in training (DDiTs) to 1879.

f. **Trainee Services**

In Q1 2022/23, the HR Trainee Services team saw a significant, UK-wide increase in the number of international Doctors in Training (DiTs) successfully appointed during 2022 recruitment, who require a visa in order to be eligible to work in the UK and for whom there are additional PVG clearance criteria. The increase was across Specialty / Core and Foundation training programmes for the August 2022 intake, and delayed starts were agreed with Boards for those with visa requirements requiring longer processing time. The impact of a higher volume was compounded by increased Home Office processing times for visa applications, the normal service standard of 3 weeks increased to 6 weeks, along with a suspension of 'fast-track' priority services (priority being given to Ukraine refugee visa applications). The number of trainees requiring sponsorship for the summer intake was 448 (previously the average total requiring sponsorship was 200 across the whole year). Of this number, there were 81 trainees with a delayed start date (35 Foundation trainees (1 of which VDP) and 56 Core / Specialty trainees). NES worked at pace in an attempt to process the increased volume of applications and maintained close collaboration with the Deanery and Health Boards in order to assess and minimise potential impact to service, including the identification of priority application trainees where a delayed start would have a more significant impact on the service. Collaboration also took place with Disclosure Scotland regarding PVG clearance for domestic and international trainees. Assuming similar levels of international trainees in future years, NES is reviewing what can be done in collaboration with partners to streamline processing.

g. **NES Workforce Planning**
The Draft Strategic Workforce Plan 2022-2025 was updated following feedback from the May Staff Governance Committee and submitted for approval to the June 2022 Board meeting. The draft plan is currently with Scottish Government for feedback. The plan will be published on the NES website in October 2022, further to this feedback. Training materials are being developed to grow workforce planning capability across the organisation, the materials will mostly be bitesize video clips with the objective of building a workforce planning mindset when planning delivery of services and teams.

h. **NES Learning & Development**
There has been continued progress towards improvement of our NES wide learning & development support with new content developed and delivered to staff including our second successful Learning at Work Week in May 2022, a celebration of learning across NES. Integral to the NES 3yr Workforce Plan are needs related to the training and development of the NES workforce. This will be a key area of work for colleagues within all NES directorates. ODLL is co-ordinating funding of staff development via the Workforce Development Fund. A review of statutory and mandatory learning, as at end June, showed overall uptake to be at 71% compared to 66% as at 31 March 2022 and 59% as at 31 December 2021. Further steps are being taken to increase uptake to the 95% target.

i. **Equality, Diversity & Inclusion**
Staff networks continue to meet and be supported by the NES Network Co-Ordinator. Pride Month was celebrated in June with two events and the Pride march promoted to all staff, inviting them to join the NES and NHS Lothian Staff LGBT+ equality network. Blogs were contributed to on the NHS Careers Website to mark Pride Month. The LGBT+ Leader's event was held on 23rd June with the powerful stories told by the speakers to be shared more widely. Other events held through the staff networks included a disability reasonable adjustments session, an event on inclusive language and a Young Carer's event as part of Carer's Week. A community of interest is being established on equality, diversity and human rights to provide a mechanism for continuous learning, sharing of practice across the organisation and to identify further learning needs. A new more streamlined approach to equality impact assessment, working with colleagues in NMAHP Directorate will be piloted.

j. In collaboration with the Equality and Human Rights Commission (EHRC) a pre-learning module for Board members was produced on equality and the public sector equality duty. This was launched by the Chief Executive of NHS Scotland at a session with non-Executive Board members in July. The module has been promoted to all staff in NES as it provides an excellent overview of our duties as a public body.

k. An equality impact assessment is currently being incorporated into the development of NES's refreshed corporate strategy to identify where NES can make the most difference to improving equality and addressing inequalities. This will include NES's role as an employer. As part of this work, the Equality Outcomes will be reviewed to ensure they are aligned with the strategy as part

of our statutory requirements to meet the Public Sector Equality Duty and Fairer Scotland Duty. Committee members will be able to contribute at the Board Development Session in August. Further information on progress with our equality outcomes and activities in relation to the Committee's business is scheduled for the November Staff Governance Committee.

l. **Once for Scotland Policies**
The national Once for Scotland Policies programme was paused in response to Covid conditions. A draft prioritised list of policies for the next phase of work has been circulated by the Scottish Workforce and Staff Governance Committee (SWAG) for comment. Important to NES, on the list as high priority, is the Flexible Work Location Policy, sometimes referred to as 'homeworking'. Discussions at a UK and Scotland level continue regarding implications of new ways of working on employment terms and conditions, travel expenses etc. Further information is awaited, and a date not yet communicated.

m. **Widening Access / Employability / Careers**
Positive partnership working with the Youth Academy continues on widening access for young people through youth apprenticeships, supporting the national health and social care apprenticeship pilot and support for the Young Persons' Guarantee. Two new temporary Heads of Programme have been employed to lead work within the area of widening access and employability. The Widening Access role will progress the development of a national Widening Access strategy, aligning current resources and engagement to create leverage and impact. This post will be supported by a new Principal Lead who will support the development of the Youth Academy across Scotland, with a focus on new school level qualifications and local collaborative huddles. A second Head of Programme will focus on Service Leavers and Veterans, building on the emerging work in this area, and with a focus on leadership development.

NES is also facilitating collaboration between the Academy and the Workforce Planning community to support the above work. By providing additional communication and supporting agenda development, we are ensuring that both groups share challenges and insights, identify priority action and work together to initiate activities to overcome eight barriers. This has been especially important in the area of data management and has seen improved communication and connectivity as a result.

n. **Widening Access / Employability / Careers**
Q1 22/23 was busy for the NHS Scotland Careers content and marketing team delivering and supporting the following 14 campaigns: National Nursing Recruitment Campaign; NHS Scotland Pre-registration Trainee Pharmacy Technician Recruitment campaign; Stress Awareness Month; Graduate Career Advantage Scotland (GCAS) Recruitment campaign; International Day of the Midwife; West Region Operating Department Practitioner Training Programme Recruitment campaign and ODP Day; Here for Life and International Nurses' Day; Volunteers' Week; Pride Month; World Orthoptic Day; National Healthcare Estates and Facilities Day; International Women in Engineering Day; Armed Forces Day.

o. A cross-directorate team delivered the first virtual learning week for the NHS Support Workforce Redesign of 'The Support Workforce Hub' on the Turas platform is underway. This includes focus on career pathways, including education, Recognition of Prior Learning and career stories etc. Additional activity is underway to ensure that the learning needs of the Support Workforce are well understood involving members of relevant expert groups e.g. Estates and Facilities and Business & Administration. Linkage with those involved in managing widening access is underway to increase employment opportunities of this type and to enable further employment opportunities and development for the existing Support Workforce.

p. **National Leadership Development Programme (NLDP)**
NES is the strategic delivery partner for Scottish Government in co-designing and delivering a national leadership development programme. Working with multiple stakeholders to scope leadership development offers with broad appeal to the Health and Care sector has been a key activity for the past six months. Work continues to shape the overall programme, it's vision and evaluation framework. Recruitment to the delivery team was completed in May 2022 and seven new employees from across the health and social care sector will be joining the organisation from end of August 2022 onwards. The new Developing Senior Systems Leaders Programme delivered in partnership between NES and Hult Ashridge is being launched in September 2022 and 24 senior systems leaders from across Social Work, Social Care and Health have been selected to participate. The programme seeks to prepare and develop the next generation of senior leaders who can provide effective individual and collective leadership in their teams, organisations, and the system. A ministerial launch of the new programme is scheduled for 3 October 2022 and a new brand for the programme will be released ahead of the launch. The programme will offer a range of online and in person products and services to develop leadership skills, capabilities and behaviours at all levels. It will also offer opportunities for leaders to hear from other leaders through connection events and masterclasses.

q. **Building Digital Skills and Leadership Programme**
The Building Digital Skills and Leadership Programme is continuing to progress at pace and delivering the priorities agreed within the initial commission. Work is now underway to confirm future priorities in line with the refreshed national Digital Health and Care Strategy and delivery plan. The team has been commissioned to develop a National Transformational Digital Leaders Master's Level Programme with a cohort of up to 60 current and aspiring senior Digital Leaders across the health and care sector. User research has been conducted by Capgemini to underpin work on the proposed central library of digital learning resources to be available across the health and care sector. The report has been shared with NES colleagues given its applicability to the development of Turas systems supporting education, training and workforce development more broadly.

r. **Centre for Workforce Supply**
The focus of the Centre for Workforce Supply (CWS) in Q1 22/23 has been to further develop its strategy with Scottish Government colleagues, further to publication of the Scottish Government National Workforce Strategy. In addition, the CWS has continued to support Boards on the international recruitment of nurses: sharing best practice in relation to pastoral support, developing mechanisms for reporting employment outcomes for internationally recruited staff, influencing access to OSCE centres, developing options for accommodation and sharing intelligence on experience of internal recruitment agencies. Scottish Government has established a Task and Finish Group to develop a target for international recruitment of nurses, midwives and AHPs as part of winter planning. The Cabinet Secretary recently held a roundtable on international recruitment and further support mechanisms are being taken forward by CWS. These include medical international recruitment strategies.

s. **Whistleblowing**
During Q4 21/22, an unnamed whistleblowing case was received and a decision made to deal with the case in accordance with the National Whistleblowing Standards (as far as practical, although there was no requirement to do so). The case continued into Q1 22/23 with the final report and action plan being shared with the whistle-blower. As per the requirements of the National Whistleblowing Standards, NES has two new confidential contacts: Karen Wilson (Deputy Chief Executive (Clinical) and Director of NMAHP) and Graham Paxton (Head of Programme). Christina Bichan was appointed as Director of Planning and Performance and joined NES on 04 July 2022. She will be responsible for ensuring that NES meets its responsibilities with regard to the National Whistleblowing Standards. As of 30 June 2022, 207 line managers (72%) had completed NES mandated line manager level whistleblowing training.

CALENDAR

This section of the report provides an overview of the meetings I have attended since 11 August 2022. Rather than list every date individually, where possible meetings have been grouped and additional context provided.

NES [Extended] Executive Team (EET)

The EET meet twice monthly – the first meeting of each month is an EET Business Meeting where the EET discuss any priority issues and consider monthly financial, performance, workforce and risk reports. The second meeting is an opportunity to share information and discuss a particular strategic theme that has been suggested by a directorate. Since the last Board meeting the EET has held a workshop session with colleagues from the Scottish Credit and Qualifications Framework (SCQF) to learn more about potential credit-rating opportunities for NES.

NHS National Board Chief Executives

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). From May 2022 these meetings are being held in a hybrid format.

NHS Scotland Board Chairs and Chief Executives also meet monthly a System Pressures and Recovery Meeting with the Cabinet Secretary for Health and Social Care.

4 Nations (NES, Health Education England, Health Education & Improvement Wales and Northern Ireland Medical & Dental Training Agency)

The Chief Executives of the 4 Nation statutory Education and Training organisations meet fortnightly to discuss and co-ordinate our ongoing response to COVID-19, with a focus on our shared responsibilities for education and training in the UK.

Meetings between 11 August – 21 September 2022

NES meetings

I continue to enjoy meeting with a range of NES staff and have now attended a number of directorate team/all-staff meetings to update staff on NES's future plans and the development of our new strategy. I also chaired the interview panel for the Deputy Medical Director post; a formal announcement regarding this post will be made shortly.

In August I was invited to join the first meeting of the Scottish Pharmacy Clinical Leadership Fellows (SPCLF) alumni. Speakers included Alison Strath (Chief Pharmaceutical Officer, Scottish Government) and Maree Todd (MSP / Minister for Public Health, Women's Health and Sport).

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, Public Health Scotland, Healthcare Improvement Scotland, National Services Scotland (NSS) and NHS24.

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 Wood Foundation, the Eden Project, Police Scotland, Aberdeenshire Council, the Care Inspectorate, Children's Hospices Across Scotland (CHAS), Social Work Scotland and the British Medical Association. I also attended a meeting of the Scottish Medical Schools Board whose members include Higher Education Institutions and colleagues from Scottish Government.

I also continue to engage with external consultancy organisations to discuss potential performance improvement opportunities within NES and recently met with colleagues from the Insights learning and development group.

Scottish Government

I have met with a number of SG colleagues since the last Board meeting including Gillian Russell (Director of Health Workforce), Donna Bell (Director for Social Care and National Care Service Development), Catherine McMeeken (Deputy Director, Director of Leadership, Culture and Wellbeing) and Paula Speirs (Deputy Chief Operating Officer, NHS Scotland). Emma Watson and I also met with Rhoda Grant (MSP / Shadow Cabinet Secretary for Rural Economy and Tourism of Scotland) in Inverness to discuss recruitment and retention in the Highlands and Islands.

In terms of wider SG meetings, I and members of the Executive Team have met with a number of SG colleagues to discuss current and emerging work areas including the National Leadership Development Programme (NLDP) and discussions relating to Fair Work, Place and Wellbeing and the establishment of a Workforce Specialist Service which aims to offer a 'Once for Scotland' confidential assessment and treatment for mental illness including addiction for regulated health and social care practitioners working in Scotland.

I have also attended meetings involving SG and other key stakeholders to discuss how NES can support Project ECHO (Extension of Community Health Outcomes), which was established in Highland in 2016 in partnership with NHS Highland, Highland Council and the voluntary sector. Project ECHO was initially developed in New Mexico as an online methodology to support community healthcare professionals to treat individuals infected with Hepatitis C, and is now a rapidly expanding global network. Project ECHO aims to democratise learning through mentoring and building communities of practice aided by multi-site video-conferencing.

A Stronger & More Resilient Scotland

The Programme for Government 2022-23

Scottish Government
Riaghaltas na h-Alba

Contents

First Minister's Foreword

Rt Hon Nicola Sturgeon MSP
First Minister of Scotland

This Programme for Government is published against a backdrop of the most severe economic upheaval in a generation, already impacting people, businesses, public services and the third sector across Scotland.

It is hard to overstate the gravity of the situation we face. This cost crisis puts livelihoods — and lives — at risk.

The figures are stark. At the end of last summer inflation was 2%. This week it stands at 10.1%, the highest UK rate since 1982, and is expected to be the highest in the G7 group of leading economies for the next two years.

The Bank of England is now forecasting that the UK will enter recession later this year. Interest rates have been pushed to their highest level since 2009.

The energy price cap — which places a limit on what households pay for each unit of their electricity and gas — was set at a level equivalent to an annual energy bill of £1,277 for an average home before April 2022. At that point, it rose to £1,971. In October, it will rise to £3,549, with some forecasts suggesting a further rise to over £5,300 in January.

These cost increases will impact everyone — for a household reliant on Universal Credit or in poverty these higher energy costs could exceed a quarter of their income.

By October, even with previously announced UK Government mitigations, we estimate that around 1 million Scottish households (40% of all households) will be in fuel poverty. Around 920,000 (37% of households) will be in extreme fuel poverty.

This cost crisis is only likely to grow in scope and scale through the coming winter. It demands leadership and action from government.

As a responsible government, in order to support people over the winter, we are determined to act to mitigate the impact of the crisis to the maximum extent possible within our limited powers and resources. We will do all we can, as we seek to weather the coming storm together, to work for and secure a better, sustainable future for people and their families: tomorrow, next month and in years to come.

While there is no doubt Russia's illegal invasion of Ukraine has had a global economic impact, particularly on commodity prices, the economic situation has been exacerbated in the UK by Brexit and by the refusal of the UK Government to address rising prices with the same force as other developed nations.

The most significant powers and resources to tackle this crisis rest squarely with the UK Government which is currently refusing to exercise the reserved powers it holds over the economy, the energy market, borrowing and economic stimulus that could tackle inflation, ease the cost crisis and reform the energy market for the longer term.

As we prepared this Programme for Government, neither the outgoing nor the incoming Prime Minister had set out an adequate response; and this is not for want of pressing by the Scottish Government and many others. We have outlined actions which the UK Government could take now – indeed, should have already taken – to begin to address the crisis. These include an immediate cancellation of the October price cap rise for domestic consumers, action on energy costs for business, more cash help for the most vulnerable, and extra funding for public services.

It is also right that, in a situation where lives and livelihoods are at stake, government has the resolve and confidence to act differently where that is needed.

For that reason, the nature and immediate focus of this Programme for Government is different. As well as facing uncertainty created by the inaction of others, we face difficult choices ourselves, both as a nation and as a government.

The Scottish Government must deliver a balanced budget. Our funds are finite. We have to make choices about where we direct our spend to deliver the best outcomes for people.

In the current financial context, where the power of our spending is being eroded by inflation of over 10% and we are spending an increasing percentage of our budget on energy costs for essential public services like hospitals and prisons, these choices become even more stark.

The impact of inflation means that the Scottish Government budget for this year is already worth £1.7 billion less than it was in December. And the UK Government's existing spending plans, coupled with Bank of England inflation forecasts, mean that the Scottish Government's funding will fall by 4.5% in real terms next year. If inflation rises significantly higher, the resources available to us will erode even further.

Taken together with proposals for a UK Government emergency budget in the autumn, this means the Scottish Government faces a significant degree of uncertainty and volatility affecting our Budget in 2022-23 and the funding available to deliver the Programme for Government in the financial year 2023-24 and beyond.

We have already chosen to allocate almost £3 billion of investment this year to support people throughout Scotland, with over £800 million for businesses.

We are also supporting pay offers which put money into people's pockets, for example with an investment of more than £250 million on a recurring basis into local government pay. This means those paid £20,000 or less get a rise of £2,000, others £1,925 or 5%, and the increase for the best paid is capped in order to boost the lower paid.

While it is right that we do everything possible to maximise pay increases at a time of soaring inflation, it comes at a cost. All governments must make hard choices, but without the full set of fiscal levers that other governments have at their disposal, including borrowing powers, our choices are additionally constrained. Resources we commit now come from our finite already allocated, budgets. In addition, these budgets may be impacted, adversely, as a result of decisions taken by the UK Government over the autumn. Right now, to help those who need it most, this means we have to choose just as much what not to do as what to do. Choosing what to do in response to this crisis means choosing what we must reduce, delay or stop in other programmes.

We have already set out our plan for an Emergency Budget Review, the results of which will be published within two weeks of any UK budget. This Programme for Government is necessarily therefore subject to the outcome of our Emergency Budget Review and our Budget for 2023-24.

Last year we published a Programme for Government which, alongside the Bute House Agreement, set out our plans for the whole parliamentary term. Although we cannot guarantee our plans will be unaffected by the uncertainty and rising costs that we face, they remain in place and our ambition to deliver them is undiminished: the more so since we are clear that much of the answer to the current cost crisis and the poverty it will cause lies in our journey to net zero, investment in a strong economy, and in building a fairer society.

Our journey to net zero is not just part of the solution to this crisis: it is also critical to minimising the impending climate crisis, the impact of which will be even more significant than what we expect to see in coming months.

The extreme weather this year across the world – most recently in Pakistan – demonstrates that the climate and nature emergency is becoming more urgent. Our response to the cost crisis must also deliver for the climate.

This Programme for Government builds on ambitious, long-term commitments made in the Bute House Agreement and restates our commitment to the importance of delivering on our ambitions for the climate. These commitments range from our consultation on legislation to transform how we heat our buildings to continuing our record investment in active travel.

While we are determined to take the actions we can, we also set out clearly in this Programme for Government those things where, at the moment, we are forced to rely on the UK Government to act for us. So far, its actions have fallen well short of what we need.

That is why this Programme for Government also makes clear our commitment to giving people a choice about their constitutional future, and why we believe the best choice is an independent Scotland.

Were we to have the full powers of an independent government, those powers could be exercised to mitigate further the impact of the crisis; and, crucially, to act to build a Scotland more resilient to the challenges we face now and in the future: not just the cost crisis, but the climate emergency, and building a greener, fairer future.

We will continue to plan for a referendum next year and make the case for independence – for a future in which Scotland is not left waiting for action from a UK Government we did not vote for, but can instead chart our own future based on policies and values that command support here. Independence would give our own democratically elected Scottish Parliament and Government the powers to act in the face of crisis and build a better future.

Indeed, this Programme for Government also sets out our ambition to create a better future beyond the cost crisis. We remain determined to deliver not just an immediate response to the cost crisis, but action to support our individual and collective resilience to future shocks, and to create a progressive future for Scotland. That is why this Programme for Government highlights a number of key areas where we have embarked on a programme of reforms that will improve lives for people and communities across Scotland.

As an example, in the coming months we will set out the future of Scotland's energy system: how we will meet future demand, realise the economic opportunities of moving to a net zero energy system, and secure a just transition, while continuing to engage with the UK Government, regulators and energy companies on improvements that can be made now.

We will prepare an updated Climate Change Plan, keeping Scotland on track to meet our target of net zero by 2045.

We will deliver the first stages of our National Strategy for Economic Transformation, which will lay the foundations to transform our economy and help to protect it from the effects of any recession.

Our legislative agenda will bring significant reform to health and social care, with the creation in law of a new National Care Service for Scotland – the most significant development in health and social care since the creation of the National Health Service. We will also legislate to improve safety and champion the voice of patients through a Bill to create a Patient Safety Commissioner.

We will progress major reforms in the justice system through consultation on Baroness Helena Kennedy's recommendations for offences related to misogynistic conduct, continued reform of bail and remand, and a Criminal Justice Reform Bill that will propose the end of the not proven verdict in Scots Law and provide anonymity for complainers in sexual offence cases. Through our Police Complaints and Misconduct Handling Bill we will improve the way in which complaints about the police are dealt with, bringing greater openness and transparency. We will also introduce a bill on Legal Services Regulation Reform, improving transparency and accountability in the sector. Our Children's Care and Justice Bill will improve the experience for children who have to engage with the justice and care systems and will help Scotland *Keep The Promise*.

Other legislation will help to reform our education system, improve public health, protect our environment, and make our economy more sustainable. The Scottish Government will also support Gillian Mackay MSP with the development and drafting of her proposed Member's Bill to protect safe access for women to healthcare facilities that provide abortion services, subject to the detail of a forthcoming Supreme Court judgement. And we will consider what further actions we need to take to embed women's rights to safe access to healthcare in the future.

While there are hard choices to be made in the short and medium term, this Programme for Government sets out our determination to mitigate the impact of the crisis where we can, to be clear what we ask and expect of others, and to continue to work for a stronger and more resilient Scotland, facing the future with confidence and optimism.

Introduction

In September 2021 the Scottish Government published a Programme for Government which, alongside the Bute House Agreement, sets out our plans for the full parliamentary term. Although we cannot guarantee that increased uncertainty and rising costs will not impact our plans, our ambition and our intentions are unchanged and have been built on through key publications like *Best Start, Bright Futures*, our updated *Climate Change Plan* and the *National Strategy for Economic Transformation.*

This Programme for Government is not an exhaustive list of the actions the Scottish Government will take this year; it focuses on those immediate priorities which we believe should be driven forward with urgency in the face of current challenges.

This Programme for Government sets out the Scottish Government's response to **the cost crisis**, including a commitment to share with Parliament the conclusions of our Emergency Budget Review no later than two weeks after any UK emergency budget. The Programme for Government is necessarily subject to the outcome of the Emergency Budget Review and our Budget for 2023-24.

Later sections set out actions to secure a **stronger and more resilient Scotland**, for **children and young people and Scotland's national mission on child poverty**, and through **excellent public services**.

Further sections describe action on **transforming our economy, tackling the climate emergency, restoring our environment,** and **supporting our communities**. Finally, we set out our vision of **Scotland in the world**.

The Programme for Government also sets out our approach to **outcomes and equalities** and the Scottish Government's proposed **legislative programme** for 2022-23, including emergency legislation on housing and debt as part of our response to the cost crisis.

The Programme for Government 2022-23

The Cost Crisis

The cost crisis that now confronts us encompasses the sharp increases in the cost of living, in the cost of doing business and in the costs for other organisations including in the third and public sector. We are all facing the challenges of dealing with rates of inflation not seen in the last forty years.

The Scottish Government's immediate and overriding priority in this Programme for Government is to ensure households, businesses and other organisations, as well as the public services that support them, are protected from the worst impacts of the cost crisis.

We have already put in place a range of measures that will help to mitigate the cost crisis. But we recognise that, with the limited powers and resources available to us, we cannot mitigate anything close to the full impacts of this crisis. The powers and resources needed to fully mitigate the crisis have been reserved by the Westminster Parliament, so it is imperative that the UK Government now acts decisively to tackle the crisis. We are clear in what we are calling on the UK Government to do, including immediately increasing the Scottish Budget to match the rate of inflation. For our part, we will continue to do everything within our power to support Scotland through this crisis.

In addition to the measures that are already in place in Scotland, we are introducing further measures to help us though the difficult autumn and winter that lie ahead. At the same time we are continuing to take action that will help Scotland in the longer term, so that we emerge more resilient from this crisis and on a path toward achieving our ambitions

for the economy and society, including our net zero ambition and our national mission to tackle child poverty. These actions are set out below.

By the end of March 2023, we will have allocated almost £3 billion in measures that will help to mitigate the impact of the cost crisis on households. This package spans a range of support for energy bills, childcare, health and travel, as well as social security payments that are either not available anywhere else in the UK or are more generous. It includes:

- £294.4 million for family payments, including Bridging Payments, Best Start Grants, Best Start Foods and the Scottish Child Payment. The Scottish Child Payment alone has delivered an extra £20 a week to around 104,000 children under the age of 6. In November, this will be further increased to £25 per week and extended to an estimated 304,000 children under the age of 16.
- £64 million of continued investment to extend universal provision of free school meals during term time – already available to those in Primary 1 to 3 – to children in Primary 4 and Primary 5 and alternative holiday meals provision for eligible children.

- £300 million for concessionary travel, making bus travel free for over 2 million people in Scotland, including all children and young people under 22, disabled people and everyone over 60.
- £437 million to reduce household bills through Council Tax Reduction and Water Charge Reduction.
- Uprating 8 social security payments delivered by Social Security Scotland by 6%, compared to the 3.1% used for UK Government uprating.
- Helping those in need this winter through our £214 Child Winter Heating Assistance which supports families of severely disabled children and young people with their energy costs.
- Providing over £68.1 million this year to mitigate the UK Government "bedroom tax", and an additional £14.9 million to begin mitigating against the damaging impact of other UK Government welfare cuts including the benefit cap and changes to the Local Housing Allowance rates.
- Investing a total of £161 million across Warmer Homes Scotland, Area Based Schemes, and Home Energy Scotland, cutting energy bills and climate emissions.

In addition, as businesses come under pressure, we have in place an existing package of financial reliefs worth over £800 million. This includes:
- The UK's most generous Small Business Bonus Scheme which takes over 111,000 properties out of rates altogether (as at 1 June 2021).
- And the lowest poundage in the UK for the fourth year in a row.

While the Scottish Government will do everything within its powers to tackle this crisis, under the current devolution settlement it is the UK Government that has the key powers that can significantly mitigate this cost crisis for households, businesses and broader society.

We are calling on the UK Government to cancel the October energy price cap rise and to increase and deliver an expanded support package which should:
- Be most targeted to low-income households and those most negatively affected by cost increases (for example larger households, unpaid carers and disabled people). This may involve targeted payments through the benefits system.
- Uprate all Social Security benefits to support low income households through the winter.
- Provide a £25 uplift to Universal Credit and extend this to legacy benefits.
- Broaden the Energy Profits Levy and remove the investment allowance. This would raise additional revenue to fund action on the cost crisis.

We are also working with Scottish businesses to press the UK Government for measures including:
- Protection from energy price rises for SMEs.
- A VAT reduction on business energy bills.
- An expansion of shortage occupation lists to enable improvements in filling vacancies from overseas.
- Support in handling business debt including the extension of the Coronavirus Business Interruption Loan Scheme and other loans.

Maximising financial assistance to those in need

Financial help is one of the most significant measures we can take to support households who are in difficulty or on low incomes.

By the end of 2022, our 5 family payments will be worth up to more than £10,000 by the time a family's first child reaches 6, and £9,700 for subsequent children.

Increasing the amount of the Scottish Child Payment – the most ambitious child poverty reduction measure in the UK – whilst also expanding it to thousands more families, is an important action that can mitigate the cost crisis.

This Programme for Government confirms that from 14 November this year the Scottish Child Payment will increase to £25 per week per eligible child. From that date, applications will also open for over 280,000 children aged between 6 and 15. This means that over 400,000 children in total will potentially be eligible for the increased payment. This will provide £1,300 of additional funding per eligible child per year, in addition to any financial support provided by the UK Government or other support provided by the Scottish Government. This means that over 100,000 children in low income households will have benefitted from a 150% increase in the Scottish Child Payment in just eight months.

Given the large number of children who will be newly eligible we are expecting significant volumes of applications. Extending the Scottish Child Payment from under-6s to under-16s is reliant on final checks on data that we need from the UK Government. People applying for the first time may therefore need to wait before receiving their initial payment, but can be reassured this will be backdated to the date we receive their application.

We are also awarding Best Start Grant, Early Learning Payment and School Age Payment automatically to eligible families in receipt of Scottish Child Payment, without the need to apply, increasing take-up and maximising financial assistance for families.

Through mitigating the benefit cap we will give further support for housing costs to up to 4,000 families with around 13,100 children. On average, the benefit cap takes away almost £2,500 per household per year. In Scotland, 97% of all households affected by the benefit cap are families with children, and 68% are lone-parent families. This financial support will help around 91,000 households sustain their tenancies, support not provided on this scale anywhere else in the UK.

We will also:
- Subject to agreement with CoSLA, begin to roll out the provision of universal free school meals to Primary 6 and Primary 7 pupils, and take further action to reduce the cost of the school day for families, including reducing the cost of school uniforms through new guidance.
- Use our Emergency Budget Review to double our Fuel Insecurity Fund to £20 million in 2022-23, to help households at risk of self disconnection or self-rationing of energy use as the energy price cap rises from October.
- Widen eligibility for the Tenant Grant Fund to support those struggling with increasing costs.
- Introduce our new Winter Heating Payment which guarantees a £50 annual payment to around 400,000 low income households.
- Continue to support more households with energy efficiency measures during this cost crisis, having widened the eligibility criteria of the Warmer Homes Scotland fuel poverty programme, increased funding for households through local authority led Area Based Schemes and expanded the Home Energy Scotland Advice Service.

- Invest in a no-interest loan scheme pilot to help people in Scotland access affordable credit. The scheme will enable people on lower incomes who cannot afford to repay interest, even from community lenders, to access short-term credit to meet unexpected costs.
- Prioritise urgent action this winter to strengthen cash-first support, and publish a plan, grounded in human rights, that sets out the actions we will take towards ending the need for food banks as a primary response to hardship reflecting the changing context as a result of the cost crisis.
- Use our Emergency Budget Review to provide local authorities with additional Discretionary Housing Payment funding to mitigate the UK Government benefit cap as fully as possible within devolved powers, and give local authorities more flexibility to take account of energy bills in their prioritisation of households for Discretionary Housing Payments.

Help for tenants

While a large number of regulatory powers are reserved, there are actions we can take to reduce the hardship people will face and to create breathing space for those in difficulty, particularly those living in rented accommodation.

We have already taken action to further protect tenants through the Coronavirus (Recovery and Reform) Act, including making all mandatory eviction grounds discretionary, and we are currently developing a package of measures that help tenants facing increased rent costs and support people to stay in their homes.

There will be a new tenants' rights campaign showcasing existing rights and ensuring tenants are aware, for example, of their ability to challenge rent rises. We know that the current situation is causing anxiety for many households – and that many people may be missing out on support that is available to them. To help people understand the significant range of support that they may be able to access, we are preparing to launch a Scottish Government "cost of living" website to help people find out what support may be available depending on their own personal circumstances, for example for families with children.

We recognise the huge pressures the cost crisis is placing on households, and the particular issues that will be faced by many people who rent their home. Given the UK Government has not as yet provided sufficient support in response to the cost crisis, we are looking at all action we can take within devolved powers to support people in Scotland. As part of this we intend to introduce emergency legislation to protect tenants by freezing rents and imposing a moratorium on evictions until at least 31 March 2023. We also intend to act to prevent immediate rent increases.

We will also provide financial protection. From November, the minimum at which arrestments can be made on people's bank accounts will be raised to £1000, providing financial breathing space for many households in difficulty. We will also encourage local authorities to use their existing flexibilities to take a compassionate and proportionate response to arrears, taking account of the current pressures on household finances.

We will also introduce regulations that will help protect those who are paying debts through the Debt Arrangement Scheme, ahead of further legislation on bankruptcy and diligence.

Working with partners on an all Scotland approach

Over the summer we have begun work with a range of organisations and businesses either representing those in difficulty or able to offer support. This has included meetings with fuel poverty and poverty advisory groups, energy companies, financial services firms and business organisations.

The First Minister chaired an energy summit on 23 August between energy companies, the Scottish Government and third sector partners. As a result we are:

- Providing £1.2 million of additional resource to advice organisations to support them to help households in difficulty and to help households and businesses access advice and support on energy efficiency.
- Launching a Scotland-wide public information campaign to highlight help and support available to individuals as well as energy efficiency measures for households to minimise cost.
- Continuing to support money and debt services with around £12.5 million provided in 2022-23 to support debt advice, the Money Talk Team income maximisation service, Welfare Advice, and Welfare Advice and Health Partnerships.

A Stronger & More Resilient Scotland

We have focussed on the action we will take, to the best of our ability with the powers we have, to mitigate the impacts of the cost crisis and support people and businesses throughout Scotland.

Even as we go through this crisis, we must work to build a better future. Our vision for Scotland is as an independent country, fully taking its place in the world. We continue to work to deliver a choice for the people of Scotland on our constitutional future – equipping an independent Scotland with all of the powers we need to respond more fully to future crises.

Building on last year's Programme for Government and the Bute House Agreement, we have embarked on major reforms to help Scotland recover strength and resilience. In the year ahead we will continue to drive those reforms forward, delivering radical changes to improve the lives of people across the country. These reforms address a number of key challenges in our society.

On **energy**, a key component of the current cost crisis, our forthcoming Energy Strategy will set out ambitious plans to generate more power from our own renewable resources.

Our ScotWind programme sets out to provide seabed rights for potential development of almost 28GW of offshore wind energy and the forthcoming onshore Wind Policy Statement and Vision for Onshore Wind in Scotland sets out how we can develop up to 12 GW of onshore wind.

Scotland has the potential to become a global green energy powerhouse, for Europe and beyond. Scotland's vast potential for renewable energy generation opens up opportunities for exporting electricity and green hydrogen, and attracting energy intensive industries.

Our Energy Strategy will also show how we can fulfil our net zero obligations in the energy sector and feed into our first Just Transition plan. This includes detailed analysis of the future pathway for oil and gas in Scotland.

The increase in renewable energy development and the transition to a net zero economy is just one significant economic opportunity we will work to capture for Scotland's benefit in the year ahead.

The **climate crisis** is not a far off, future problem. It is happening here, and now, and the impacts continue to increase in severity and frequency. The Met Office has warned of the major threat to our coastal communities posed by sea levels that are increasing by 3-5 mm a year – much faster than previously anticipated and more than double the rate in the early part of last century. We have also just witnessed some of the hottest summer days in Scotland's history.

In 2019 Scotland was one of the first countries in the world to declare a climate emergency. We are committed to using the powers and resources available to us to cut emissions, build climate resilience and restore Scotland's natural environment. The Bute House Agreement set out a bold, long-term programme of work to achieve this.

We have already made significant progress, including extending free bus travel to young people and establishing the nature restoration fund. We will continue to deliver this work, but we know we need to continue to step up delivery and integrate these priorities across the work of government. This will be driven forward through the new climate plan and biodiversity strategy, supported by our legislative programme which includes the introduction of the Circular Economy and Wildlife Management (Grouse) Bills in 2022-23.

The UK Government, however, currently holds many of the fiscal and regulatory powers which are vital to Scotland becoming a net zero nation and economy. We should not have to rely on decisions taken by the UK Government in our response to the climate crisis. We will set out how independence can better enable us to achieve net zero emissions as part of the Building a New Scotland series later this year.

In the meantime, we will continue to deliver the changes which will underpin a greener, fairer Scotland, from doubling the electric car charging network, to consulting on legislation to transform how we heat our homes.

In March 2022, we published Scotland's 10-year **National Strategy for Economic Transformation**, which sets out our vision for the transition to a fairer, greener wellbeing economy. The Strategy identifies the priority areas of action which will help build a more productive, internationally competitive economy, growing prosperity for all of Scotland's people and places. Building on that, this Programme for Government sets out the actions we will take on entrepreneurship, new market opportunities, productivity, skills, and a fairer and more equal society.

This work will include boosting entrepreneurship by opening six tech scalers across the country within the next 12 months, to provide ground-breaking support for tech founders to scale up their businesses and create new jobs across the country.

The pandemic illustrated to everyone the importance of high quality and affordable **social care**, something which will also be important as the cost crisis develops. We are determined that the people of Scotland enjoy a high quality of life with community health and social care services available when they need them. The focus must be on prevention and early intervention to avoid people reaching crisis point.

The National Care Service is one of the most significant pieces of public service reform to be proposed by the Scottish Government. It is being designed together with people who have lived experience of accessing and delivering social care support services, and a human rights based approach is being embedded throughout its development and delivery. As the National Care Service Bill progresses through Parliament, it will pave the way for more integrated and person centred care, ending the postcode lottery of care that exists across Scotland under the current system.

This Programme for Government also continues our commitment to address **drug deaths** in Scotland. The Drug Deaths Taskforce (DDTF) reported in July providing an ambitious blueprint for change. Many of the DDTF's recommendations are already being acted on, backed by our annual £50 million National Mission, including expanding the naloxone programme and implementing Medication Assisted Treatment (MAT) standards. This work includes £100 million to expand access to residential rehabilitation placements by 300% by 2026.

Addressing this public health emergency goes beyond improving treatment options, so we will also publish a cross-government action plan on tacking the broader inequalities experienced by people who use drugs. We will also publish an Anti-Stigma Plan that sets out the role we can all play in ending the exclusion that people who use drugs in Scotland experience on a daily basis.

We also know that Safer Drug Consumption Facilities have been shown to prevent fatal overdoses and encourage people to access longer-term help. An initial proposal, within the existing legal framework, has been shared with the Crown Office and Procurator Fiscal Service for consideration. In the event of a positive outcome to work carried out by partners, we will quickly establish a Safer Drug Consumption Facility in Glasgow.

One of the most significant packages of reform we will make over the coming year is to our **justice system**, transforming our services and putting the needs of victims and survivors firmly at its centre. In February the Scottish Government published *The Vision for Justice in Scotland: A Just, Safe, Resilient Scotland*, with a focus on creating safer communities and shifting societal attitudes and circumstances which perpetuate crime and harm. This bold new vision will drive our approach to the justice system through the rest of this parliament.

The Criminal Justice Reform Bill which will be introduced this year will take forward a number of changes to our system. These will include ending the use of the not proven verdict and granting automatic anonymity to complainers in sexual offences cases. We will build on this by developing proposals to help challenge misogynistic behaviour and change attitudes, based on Baroness Helena Kennedy's recommendations for new criminal offences relating to misogynistic conduct.

Children also deserve extra care and protection in our justice system. The Children's Care and Justice Bill will help us *Keep The Promise* by ensuring that children who come into contact with care and justice services are treated with trauma-informed and age-appropriate support and will put an end to placing under 18s in Young Offenders' Institutions.

Scotland's commitment to delivering world class **education** and supporting our **young people** is evident through our consistently higher levels of spend per pupil than any other part of the UK. We are investing in more teacher posts than there have been at any time since 2008. Teacher numbers increased from 53,400 in 2020 to 54,285 last year. Building on the almost 900 new teachers recruited last year, we will continue our plans to recruit an additional 3,500 teachers this parliamentary term.

Our schools are in the best condition they have been since records began. Our £2 billion Learning Estate Investment Programme is delivering digitally enabled, low-carbon schools and campuses. Construction will start on 17 schools between now and August 2023, and we expect 4 schools to open to pupils this year.

However, we recognise that there is more to do and the lessons learned from educating young people during the pandemic present an opportunity to make changes.

We commissioned Professor Louise Hayward to conduct an independent review of Qualifications and Assessments which will be submitted to the Scottish Government in March 2023 and will pave the way for future reform to the qualification and assessment system in Scotland. That will build on the creation of new national bodies designed to meet the needs of learners, teachers and the economy. Our Education Reform Bill, to be introduced in this parliamentary year, will establish a new independent inspectorate and a new qualification body. High-level operating models for these, as well as for a new national agency for Scottish Education, will be developed by the end of 2022. A national discussion on education will be an unprecedented opportunity for pupils and students to shape the future based on their experiences. It will begin in September 2022 and report in Spring 2023, and as part of the National Strategy For Economic Transformation we will commission an independent review of the skills landscape.

We will further support families by investing £20 million this year in the design of an all-year-round school-age childcare system, and build the evidence base required to inform a high quality learning and childcare offer for 1 and 2 year olds.

Delivering reforms across our economy and our public sector is only one part of building **a fairer and greener** Scotland. The way we use our land, and who owns it, will take on increasing significance as we tackle the nature and climate crises. That is why we have already committed to a package of measures aimed at addressing long standing issues with the highly concentrated pattern of land ownership in rural areas of Scotland.

The public consultation on our Land Reform Bill will close on 25 September and we will introduce the measures proposed, building on that consultation, by the end of 2023. The Bill will include measures that aim to diversify land ownership and, in line with our broader just transition work, will empower communities to benefit from the opportunities that nature restoration and the journey to net zero emissions presents.

Our proposals include obliging owners of large scale landholdings to comply with the Land Rights and Responsibilities Statement and associated protocols, and to produce Management Plans setting out how they will use and manage their land. We propose the introduction of a Public Interest Test on transfers of large-scale landholdings. Our aim is that the Bill will help bring about a greater degree of accountability and address concerns that the benefits of investment in land and natural capital should be fairly shared.

To support communities to unlock these benefits we will double the Scottish Land Fund (from £10 million each year to £20 million) by 2026. In the year ahead, we will work with stakeholder organisations and communities to build the pipeline of projects to take advantage of the fund as it increases.

Children, Young People and Scotland's National Mission on Child Poverty

Our existing actions to tackle child poverty will support us to mitigate the impact of the cost crisis and, we believe, emerge from the crisis with the resilience and confidence to look to a better future, both for us and for the next generation.

In the next 12 months we intend to take forward key actions from *Best Start, Bright Futures*. In addition to the expansion of the Scottish Child Payment, we will:

- Continue to deliver immediate financial support to as many low income families with school age children as possible through Bridging Payments, including a further two Bridging Payments which will support around 145,000 eligible children and be worth as a minimum £130 in both October and December.
- Widen eligibility for Best Start Foods by legislating to remove all income thresholds from Best Start Foods in 2023-24, supporting an additional 20,000 parents, and move to a cash payment instead of a payment card.
- Award Best Start Grant, Early Learning Payment and School Age Payment automatically to eligible families in receipt of Scottish Child Payment, without the need to apply.

- Develop a new Parental Transition Fund of up to £15 million each year to help tackle financial insecurity for families when parents and carers enter the labour market.
- Work to develop a £200 per year payment, paid for up to 10 years, for all eligible 16 to 25 year olds with care experience to provide additional financial security as they transition towards more independent living.
- Continue preparatory work to ensure every school-aged learner has access to a digital device by the end of this parliament.
- Continue to make a significant investment — expected to be £349 million in 2022-23 — in student support including tuition fees, bursaries for the poorest students and care experienced students, while progressing our work to increase student support in line with the Real Living Wage.
- This year we will also provide over £68.1 million to mitigate the UK Government "bedroom tax", and an additional £14.9 million to begin mitigating against the damaging impact of other UK Government welfare cuts including the benefit cap and changes to the Local Housing Allowance rates.
- Invest £20 million to design and test options for all-year-round school-age childcare systems that meet the needs of children and families.
- Build the evidence base required to inform the development of a high quality offer of early learning and childcare for 1 and 2 year olds.
- Set out the next steps in ensuring access to "Bairns' Hoose" services for all children referred for support.
- Bring forward a Children's Care and Justice Bill to ensure that children who come into contact with the care and justice systems are treated with trauma-informed and age-appropriate support. This includes putting an end to placing under-18s in Young Offenders' Institutions.
- Amend the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill to address the judgement of the Supreme Court and bring it back to the Scottish Parliament for Reconsideration Stage.

To support the next generation, we will:

- Accelerate progress to substantially eliminate the poverty related attainment gap, through implementing a refreshed approach to the Scottish Attainment Challenge and an investment of up to £200 million.
- Begin a national discussion on education, creating an unprecedented opportunity for pupils and students to shape the future based on their experiences. This will begin in September 2022, and report in Spring 2023.
- Provide multi year funding to all local authorities to renew all public play-parks across Scotland.
- Appoint a new Widening Access Commissioner and take further steps to shape the future of post school education, research and development.
- Deliver *The Promise Implementation Plan*, including investment of £50 million of Whole Family Wellbeing Funding this year to ensure care experienced people feel that national and local government, and services they interact with (including schools, health boards, and the third sector), are listening and putting their voice into action.
- Introduce an Education Reform Bill to establish world-class national bodies, focused on the needs of pupils, including work to ensure that our qualifications and assessment approach meets the needs of learners and provides support for those with additional support needs.

- Pave the way for future reform to the qualification and assessment system in Scotland to ensure our approach meet the needs of learners and society in the 21st century, through Professor Hayward's independent review on Qualifications and Assessments in March 2023.
- Explore the development of an accredited qualification and registration programme for Additional Support Needs assistants with final proposals to be brought forward by autumn 2023.
- Start construction on 17 new schools and progress our commitment towards recruitment of students into Initial Teacher Education programmes, recruiting an additional 3,500 teachers, building on the increase of almost 900 new teachers last year.
- Consider the increased costs for schools of heating and food as part of the Emergency Budget Review and the impact those higher costs will have on wider commitments.
- Take forward the objectives set out in the National Strategy for Economic Transformation for a skills and education system that meets the demands of an ever-changing economy and society. To ensure the skills system meets these ambitions, we will commission an independent review of the skills landscape.

Excellent Public Services: Recovering Strongly from the Pandemic

At times of emergency, we rely on our public services, and they often come under increased pressure, particularly during the course of the pandemic. We also recognise that people working in the public and third sectors face the same cost of living challenges as others, while public services face increased costs for food, fuel and supplies, just like private businesses and third sector bodies.

Unlike the UK Government, we do not have the ability to borrow to fund increases in expenditure at times of crisis. Our public services have to operate within a fixed budget. As part of our Emergency Budget Review we will look at how best to apply finite resources to support the vital work of public services through this crisis while many organisations, including our National Health Service, continue to face the challenges of COVID as they work to recover from the pandemic.

In all of the work we undertake in our public services we will take a person centred approach to delivery and reform.

We will:
- Eradicate waits of over 18 months in most specialities by the end of this year for outpatients and September next year for inpatients/day cases; and waits of more than 1 year in most specialities by March 2023 for outpatients and September 2024 for inpatients/day cases.
- Invest £3 million this year through the long COVID Support Fund to assist those living with long-term effects of infection.
- Open the next 4 National Treatment Centres within the next year – in NHS Fife, NHS Forth Valley, NHS Highland and NHS Golden Jubilee.
- Invest a further £10 million to support cancer waiting times improvements.

- Expand the number of Rapid Cancer Diagnostic Centres (formerly known as Early Cancer Diagnostic Centres).
- Invest £50 million to help our NHS improve Accident & Emergency waiting times.
- Publish a new Mental Health and Wellbeing Strategy in the year ahead and a new long-term suicide prevention strategy and delivery plan with CoSLA and develop a new dementia strategy.
- Expand the mental health workforce, aiming to increase the capacity of the service so it can take on an additional 10,000 cases.
- Invest a further £15 million in Children and Young People's Community Mental Health and Wellbeing, and an additional £15 million in the Communities Mental Health and Wellbeing Fund for adults.
- Introduce a Public Health (Restriction of Promotions) Bill to restrict such promotions, to make it easier for people to spend less and make healthier food choices.
- Continue work to reduce the public health emergency of drug deaths through our National Mission, increase the number of statutory funded residential rehabilitation placements by 300% by 2026, implement the Medication Assisted Treatment Standards, and publish a cross-government Action Plan.
- Support progress of the National Care Service Bill through Parliament, paving the way for more integrated and person-centred care, ending the postcode lottery of care that exists across Scotland under the current system.

- Deliver a £10.50 minimum wage for all adult social care staff in commissioned services, through funding of £200 million to local authorities.
- Consult on proposals to restrict alcohol advertising and promotion later this year and, subject to the outcomes of the consultation, introduce legislation within the lifetime of this parliament.
- Legislate for a Patient Safety Commissioner who will champion the voice of the patient within the patient safety system.
- Appoint a Women's Health Champion to help drive forward all the actions in our Women's Health Plan, including on better diagnosis and treatment of endometriosis, and better access to information and support for menopause.
- Continue to work in partnership with NHS Scotland to deliver improvement in delivery of, and access to, NHS gender identity services.
- Support the development of national legislation, as quickly as practicable, subject to a forthcoming Supreme Court opinion, to safeguard access for women to healthcare facilities that provide abortion services, without fear, harassment or intimidation.

- Introduce legislation to abolish the not proven verdict as part of a package of reforms to the criminal justice system.
- Consult on legislative provisions to modernise justice processes including greater use of digital processes.
- Consult on specific draft laws to tackle misogynistic criminal behaviours, improving the experience and transparency of the justice system for women and victims of misogyny, with a view to introducing a Misogyny and Criminal Justice Bill later in this Parliament.
- Introduce a Bill on Police Complaints and Misconduct Handling to provide greater transparency, improve safety and empower citizens.
- Introduce legislation to provide a modern legal services regulatory framework for Scotland, promoting competition and innovation in an efficient and independent legal sector, while placing consumer interests at its heart.
- Set out the next steps in ensuring access to "Bairns' Hoose" services for all children referred for support.

Transforming Our Economy

In order to emerge strongly from this economic crisis, we will focus on delivering our National Strategy for Economic Transformation, and work with the business community to identify the most effective support we can offer them.

We will also use our commitment to transition to a net zero economy to ensure that we make progress on key strategic projects and infrastructure investments that will help Scotland's economy to emerge strongly from any recession.

We remain committed to the vision for Scotland to be a leading Fair Work nation by 2025. Payment of the Real Living Wage – while we recognise this is a cost for businesses – is all the more important now as a way of supporting those in low pay jobs through the cost crisis and is an important enabler for sustaining productive, committed and engaged workforces during these difficult times. On the broader Fair Work agenda we stand by the commitments set out in the National Strategy for Economic Transformation.

We will:

- Implement the National Strategy for Economic Transformation focusing on measures that will most support the economy through any recession.
- Fund the Scottish National Investment Bank to continue to develop its portfolio across all three of its missions: net zero emissions, place and innovation.
- Boost entrepreneurship by opening six tech scalers across the country to provide ground breaking support for tech founders to scale up their businesses and to create new jobs across the country.
- Respond swiftly to the whole system review being undertaken by Ana Stewart, leading entrepreneur and investor, on identifying the barriers facing women in business.
- Progress two Greenports which will support businesses in creating new and green jobs, and which will promote regeneration, trade, investment and manufacturing innovation.
- Work with the business community to identify further measures that can assist in addressing the increased costs and economic disruption that they face.
- Intensify the work to realise the trade, export and inward investment opportunities that are critical for Scotland's economic success.
- Continue the £34 million Scottish Industrial Energy Transformation Fund where we co-invest with manufacturing industries to decarbonise industrial processes.
- Use our trade and investment plans to set the direction on new market opportunities, attracting the high quality investment and technologies needed and supporting the export potential in key sectors identified in the National Strategy for Economic Transformation.
- Establish an investor panel, led by the First Minister, to convene investors to discuss how they are investing in the infrastructure that Scotland needs to ensure a just transition to net zero emissions.
- Undertake a review of how best to significantly increase the number of social enterprises, employee-owned businesses and cooperatives in Scotland.

- Launch a consultation on Community Wealth Building legislation.
- Undertake research and advice to improve workplace productivity and wellbeing, including on the delivery of a four-day working week pilot and ensure that digital and technological innovation is used as a key driver for improved productivity and work standards/conditions.
- Publish a refreshed Fair Work Action Plan and introduce Fair Work conditionality for Scottish Government grants, subject to devolved competence.
- Support enhancements to Scotland's digital infrastructure – by incentivising commercial deployment, targeting our own investment through for example the Reaching 100% (R100) broadband roll out and urging the UK Government to extend gigabit and mobile networks to some of our most rural communities, given telecommunications is an entirely reserved matter.

Tackling the Climate Emergency

Addressing the cost crisis is not, and should not be viewed as, separate from addressing the ongoing climate and nature crises.

We have capitalised on our significant offshore renewables resource by launching the world's largest floating offshore wind leasing round through ScotWind, putting Scotland at the forefront of the global development of offshore wind. This builds on our status as a world leader in the development and deployment of wave and tidal energy technologies, putting our nation at the cutting edge of offshore renewables. ScotWind represents a massive step forward in our net zero transformation.

As the development of renewable energy will help to reduce energy price fluctuations and costs, so better use of our natural resources through a wider package of ambitious measures can also reduce costs and help households and businesses to save money.
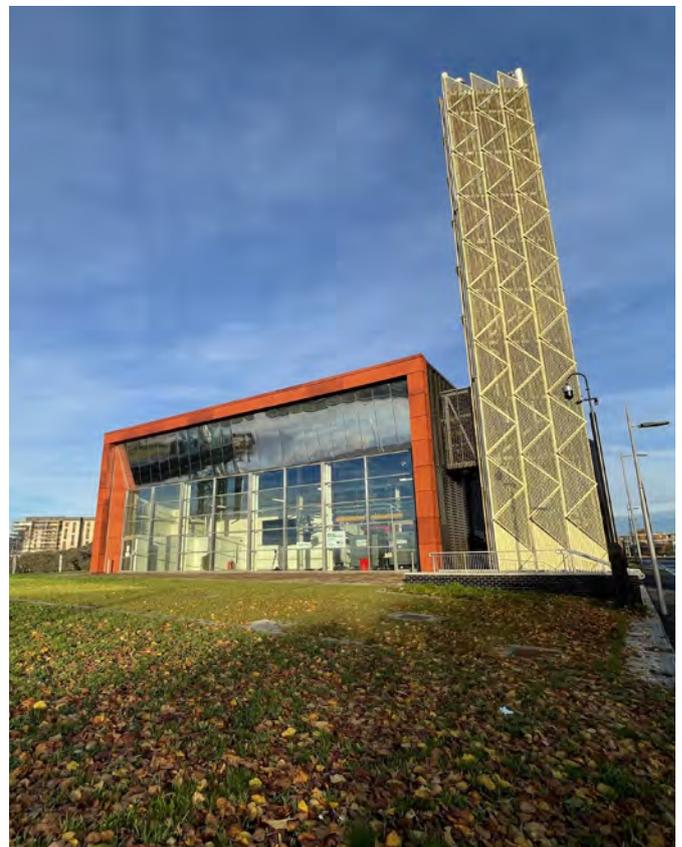
Over the next year we will take key actions in transport, in the economy and in how we use our land and protect our natural environment to help reduce costs and meet our climate change and nature targets. Improving our natural environment also supports people's wellbeing, creating spaces and activities that can be enjoyed at low or no cost and enhance our mental health.

To support the rapid decarbonisation of our energy system, homes and buildings, and a just transition to net zero, we will:

■ Publish an Energy Strategy and our first Just Transition Plan, providing a roadmap for the energy sector's journey towards achieving our emissions reduction targets and securing a net zero energy system for Scotland.

■ Develop a new hydrogen industry in Scotland with the publication of the final Hydrogen Action Plan and a Scottish Hydrogen Investment Proposition, setting out Scotland's position on the manufacture, production and export of hydrogen, and a compelling case for investment. The Action Plan is supported by a £100 million capital funding programme, designed to accelerate and maximise production.

■ Facilitate the development of an offshore wind supply chain to make good on commitments averaging approximately £1.4 billion of investment per project, as part of the potential development of almost 28 GW of offshore wind energy through ScotWind.

■ Publish the final Onshore Wind Policy Statement and a Vision for Onshore Wind in Scotland enabling up to 12 GW of onshore wind to be developed.

■ Continue to support the development of the wave and tidal sector, which represents a major economic and climate opportunity for Scotland.

■ Launch a virtual Public Energy Agency to drive forward increased investment in energy efficiency and zero emission heating.

■ Replace the cashback element of the Home Energy Scotland funding offer with a standalone grant.

■ Launch a £25 million Clyde Mission Heat Decarbonisation Fund later this year, supporting zero emission heat projects and communal heating systems along the length of the Clyde.

■ Develop a Just Transition Plan for the Grangemouth Industrial Cluster.

■ Support over 20 projects through our Just Transition Fund for the North East and Moray with a total value of over £50 million over 4 years, with £20 million allocated this year.

■ Improve the content and extend the scope of our Green Jobs Workforce Academy and develop a refreshed Climate Emergency Skills Action Plan by the end of 2023.

■ Publish a consultation on the Heat and Buildings Bill.

To deliver our vision of an affordable, zero carbon and modern transport system, we will:

■ Freeze ScotRail fares until March 2023, and complete a Fair Fares Review – delivering options for a sustainable and integrated approach to all public transport fares.

■ Consult on a new Islands Connectivity Plan this year, progress the small vessel development programme and continue to improve the resilience of the ferry fleet by sourcing additional vessels. We will publish the independent review of ferry governance arrangements, and set out how we can provide stronger accountability, transparency, and good outcomes for our island communities.

■ Test a new mobility and scrappage scheme to help low income households to replace a polluting vehicle with the means to travel sustainably.

■ Deliver record investment in active travel, including multi year funding, with a focus on new infrastructure and storage, access to bikes through schemes such as the Scotland Cycle Repair Scheme 2 and free bikes for school-age children who are unable to afford one.

- Work with the private sector to deliver £60 million of public and private investment to double the size of the public charging network to at least 6,000 electric vehicle charging points over the next 4 years.
- Work with third sector partners and local authorities to consider how best to provide free bus travel to asylum seekers and refugees including displaced people from Ukraine.
- Further promote free bus travel for those under 22 to improve uptake following the introduction of the scheme in January 2022. This scheme supports children and young people to travel for free, lifting the cost burden on households.
- Continue the Network Support Grant to support bus services by keeping fares at more affordable levels and networks more extensive.
- Roll out our national strategy for expanding 20 mph zones, with more roads and areas reducing their speed limits to 20 mph – making our streets feel safer and encouraging active travel.
- Introduce regulations to enable bus franchising and Bus Improvement Partnerships, giving local authorities more options to improve bus services.
- Work with women's groups to identify and publish recommendations on women and girls' personal safety on public transport to support future access and usage of public transport.

To accelerate our transition to a circular economy and modernise Scotland's waste and recycling services, we will:
- Launch our Deposit Return Scheme on 16 August 2023, introducing a refundable 20p deposit on billions of single-use containers, the first of its kind in the UK.
- Bring forward a Circular Economy Bill, enabling us to advance a zero waste and circular economy by increasing reuse and recycling rates, and improving waste and recycling services.
- Publish a National Litter and Flytipping strategy that includes strengthened enforcement measures and a clamp down on unlicensed operators.

Restoring Our Environment

The Scottish Government is committed to reversing biodiversity decline and restoring Scotland's natural environment. This year sees the UN Biodiversity Conference (COP 15), when the world will come together to commit to reversing biodiversity loss. We are determined that Scotland be at the forefront of this effort, using our powers to secure investment in nature restoration, support farmers and land managers to protect and enhance biodiversity, and to ensure our most important places on land and sea are protected for current and future generations.

We will:
- Develop our Land Reform Bill, which will include measures to diversify land ownership and empower communities to benefit from the opportunities presented by nature restoration and the journey to net zero emissions.
- Launch a consultation to seek views on the evaluation framework which will be used to identify where Scotland's next new national park or parks will be located.
- Launch our Biodiversity Strategy and continue supporting people and projects across Scotland to restore and enhance our natural environment through the £13 million Nature Restoration Fund, completing the establishment of the peatland restoration programme, and take action to stimulate responsible private investment in the restoration of nature and enhancement of Scotland's natural capital.
- Enhance the Forestry Grant Scheme to deliver better community engagement, improved biodiversity and increased value for money, including improved support for tree planting around rivers and streams.
- Develop a framework to deliver our commitment to protect 30% of land and sea for nature by 2030, including the development of Nature Networks.

- Consult on a new flooding strategy for Scotland, including how we can build community flood resilience and engage a broader range of delivery partners to deliver more diverse flood management actions faster.
- Work with the Scottish Environment Protection Agency (SEPA), abstractors and others to ensure the right strategic approach to water scarcity is in place to build on the lessons from our experiences this summer.
- Develop Scotland's next statutory Climate change adaptation programme for publication in 2024. Over the remainder of 2022 and through 2023 we will work with local authorities, public bodies, communities, the private sector and other stakeholders to develop enhanced approaches to building Scotland's resilience to climate change.
- Implement new licensing arrangements to encourage those fishing Scottish seafish to increase the volume of valuable species processed in Scotland, increasing the economic benefit from those fishing the Scottish seafish quota.
- Take steps to introduce Highly Protected Marine Areas covering at least 10% of our waters by 2026, and consult on fisheries management measures for both offshore and inshore Marine Protected Areas and on Priority Marine Features.
- Start the process of developing a new National Marine Plan, to address the global climate and nature crises by carefully managing increasing competition for space and resources in the marine environment.

- Develop a Vision for Sustainable Aquaculture with enhanced emphasis on environment and community benefit, and continue to progress the regulatory review of aquaculture and measures to tackle environmental impacts associated with aquaculture, including SEPA's implementation of a new sea lice risk assessment framework. and support for local authorities to guide development to the right places through spatial planning.

To support the development of a thriving farming sector, we will:
- Explore capping and/or tapering base-level payments to release additional funding to meet the goals of our agricultural vision, including the urgent actions required to reach net zero emissions.
- Align behind our *Vision for Agriculture*, including consulting on a future Agriculture Bill, rolling out the National Test programme and moving towards shifting 50% of direct payments to climate action and funding for on-farm nature restoration and enhancement by 2025.
- Create new crofting opportunities through delivery of the National Development Plan for Crofting and continue working with stakeholders to look at legislative reform options to support the future of crofting and all of the benefits it brings to rural and remote rural mainland and island communities.
- Invest in advice and skills for farmers and crofters to support a just transition and act on the recommendations provided by the independent Commission on land-based learning.
- Update *Catering for Change*, which will set out principles in relation to sustainable procurement of food and catering services in the public sector, to align public procurement behind sustainable, low carbon farming and food.
- Establish a dedicated Food Security Unit within the Scottish Government with a view to monitoring ongoing supply chain vulnerabilities and linking with future food security work.

Supporting Our Communities

While this Programme for Government sets out actions we are already taking to help people through the cost crisis immediately facing us, we will also continue to deliver action that will boost the resilience of people and communities for the longer term, supporting people to live in better, more energy efficient homes and to be valued and active participants in our communities.

We will work to reduce marginalisation and discrimination of people in our society who often find they experience even greater hardship during times of difficulty. Our work to promote equality and human rights supports our ambition for supporting strong communities that are inclusive, empowered, resilient and safe, where human rights are respected.

To support our communities, we will:

- Deliver the first year of the Adult Disability Payment, our replacement for the Department for Work and Pensions' Personal Independence Payment, following national introduction on 29th August.
- Continue to deliver affordable high quality homes, the majority for social rent, as we start delivery of our ambitious target of 110,000 such homes by 2032.
- Introduce a new Housing Bill before the end of this parliamentary year that will see further reform of the rental sector in Scotland and begin to deliver a New Deal for Tenants. Careful consideration will need to be given to the impact of addressing the cost crisis, which we will do by introducing emergency legislation planned to protect tenants by freezing rents and imposing a moratorium on evictions until at least 31 March 2023. The exact timings of a new Housing Bill will be kept under close review as we deliver our emergency response to support tenants through the winter months.
- Support more households with energy efficiency measures during this cost crisis having widened the eligibility criteria for the £55 million Warmer Homes Scotland fuel poverty programme to include more groups within the 60 to 75 years age range, further increasing the reach of this programme.

- Publish our Remote, Rural and Island Housing Action Plan to support the provision of homes in these areas, including consideration of funding arrangements for community housing trusts to ensure they can support the delivery of our enhanced rural home building plan.
- Provide a New Deal for Tenants with an ambitious series of reforms of the renting sector, including legislation to introduce robust rent controls for the long term, building on immediate actions during the cost crisis.
- Continue development of our world-leading Human Rights Bill and consult on our proposals for the Bill.
- Publish a new Hate Crime Strategy for Scotland.
- Develop a Bill to end conversion practices, covering both sexual orientation and gender identity.
- Increase the transparency and accountability of Scotland's vital charity sector through our Charities (Regulation) Bill.
- Deliver our commitment to invest £60 million to renew play-parks in Scotland.
- Continue to invest up to £75 million in place based initiatives, which supports our most fragile communities and accelerate our ambitions for place and to help people live well locally.
- Agree a New Deal between the Scottish Government and local government, including a fiscal framework, which will support:
  - Working together to achieve better outcomes for people and communities especially on national priorities including addressing poverty, inequality, and supporting the economy.
  - Balancing greater flexibility over financial arrangements with improved accountability.
  - Providing certainty over inputs, outcomes and assurance, alongside scope to innovate and improve services.
  - Recognising the critical role played by local authorities in tackling the climate emergency, for example through delivering our heat and buildings, waste, active travel and nature restoration goals.

Scotland in the World

While many of the challenges Scotland faces are shared by countries across Europe and the wider world, they are exacerbated for Scotland within the UK by the limitations devolution places on the powers, responsibilities, and finances of the Scottish Government, the impacts of leaving the European Union, and the inaction of the UK Government in the face of the cost crisis.

These experiences underline why we believe Scotland should have the opportunity to choose to become an independent country. If the UK Supreme Court determines that a referendum is within the legislative competence of the Scottish Parliament, we will introduce a Referendum Bill to enable a referendum on 19 October next year.

Now and in the future, being an open international country is central to Scotland's success. That means fulfilling our international obligations as well as securing the benefits that come from trade, tourism and cultural engagement.

Following the illegal Russian invasion of Ukraine, Scotland has stepped up to show our commitment to supporting people in difficulty, building on our previous support for refugees from countries such as Syria and Afghanistan.

Since the conflict began, and up to 30 August 2022, almost 17,000 people with a Scottish sponsor have arrived here, which is 18% of all UK arrivals. Over 12,000 of these arrivals are through our successful "super sponsor" scheme.

The next year will also see us continue to support cultural activities, including many that are free to access, and our cultural community as it recovers from and adapts to the challenges of COVID and EU exit.

We will:

- Offer a warm Scottish welcome to displaced Ukrainians fleeing conflict, almost 17,000 of whom have already come to Scotland.
- Provide funding of £300,000 over the next two financial years to The HALO Trust, a Scottish-based charity specialising in removing landmines and other dangerous explosive devices, helping build capability to continue this work including a focus on employment of women.
- Launch a Talent Attraction and Migration Service in 2023 to support people moving to Scotland and Scottish based employers.
- Deliver on our clear mandate to offer the people of Scotland the choice of independence, by working to establish a process for a legal, constitutional and democratic referendum.
- Continue to publish our Building a New Scotland papers to give the people of Scotland the information they need to make an informed choice about whether to become independent.
- Increase Scotland's International Development Fund to £15 million and provide £36 million to support climate justice over this parliamentary term.
- Support a new Vaccine Equity Dashboard, owned by our partners in the Global South, empowering a community-led monitoring approach to expand access to safe and effective vaccines.
- Continue to support our national museums and galleries to ensure they remain free to access, of particular importance during the current crisis.
- Publish a response to the report of our working group on Institutionalising Participatory and Deliberative Democracy, setting out how we can involve people and communities, government, and children and young people in democratic decision making.

- Refresh our Culture Strategy Action Plan.
- Bring forward a Scottish Languages Bill in this parliamentary term, and explore the creation of a Gàidhealtachd; a designated area in Scotland with a high proportion of Gaelic speakers to receive additional support to sustain use of the language.
- Host the UCI Cycling World Championships, the first time road, track and mountain bike races have been held under one event, and consider a bid for the EURO 2028 championships.

Outcomes and Equalities

Scotland's people are at the heart of everything we do. We are proud of our diverse and inclusive society. Our work aims to create and strengthen a Scotland which respects, protects, and fulfils the human rights of everyone who lives here, and where everyone can live free from discrimination and reach their full potential.

Scotland's National Performance Framework (NPF) is our vision for the nation we want to be, supported by National Outcomes for Scotland's wellbeing, in the context of global challenges and uncertainty.

The NPF also gives Scottish expression to the United Nations Sustainable Development Goals.

This year, in line with the requirements of the legislation embedding the NPF at the heart of the work of government, we will begin a review of the National Outcomes, building on the findings of the recent Citizen Assemblies and the consultations carried out to advance COVID recovery.

We will also explore how to ensure the interests of future generations are taken into account in decisions made today. This may include placing duties on public bodies and local government to take account of the impact of their decisions on wellbeing and sustainable development, and the creation of a Future Generations' Commissioner.

Our commitment to being the best place to grow up continues to drive forward our national mission to end child poverty, alongside actions to make sure young people have the skills necessary to lead fulfilling lives. Progress on these outcomes will only be fully achieved by *Keeping The Promise* for care experienced people.

In the coming year we will develop engaging and relevant guidance and materials to teach young people about consent and healthy relationships. This will support the prevention of sexual harassment and gender-based violence. We have recently opened a consultation on the national statutory guidance on Relationships, Sexual Health and Parenthood. We will also deliver a national framework for responding positively to gender-based violence in schools, activity which will contribute to our overarching ambitions that girls and young women should have a gender-competent experience of school, underpinned by the work of the Gender Equality Taskforce and Equally Safe in Schools.

Creating excellent public services requires us to look to our National Outcomes to ensure that we rebuild stronger, more resilient justice and health and care systems that are centred on people.

Our National Outcome of a strong, dynamic and inclusive economy, essential to supporting jobs, incomes and quality of life for all of our people, must also be environmentally sustainable. This Programme for Government takes forward our transition to becoming a net zero economy.

We are taking action to further Scotland's position as a global leader in human rights and equality. Our work to promote equality and human rights supports our ambition for strong communities that are inclusive, empowered, resilient and safe, and where human rights are respected. We will continue to take action to mainstream equality and human rights and take forward specific action to address discrimination, including racism, to tackle violence against women and girls and end conversion practices. We will continue to develop the world leading Human Rights Bill through extensive consultation and participation activity.

Promoting Scotland in the world as an open and connected nation that makes a positive contribution internationally supports our ambition to have a globally competitive, entrepreneurial, inclusive and sustainable economy. Our commitment to democratic principles, and to people participating in the decisions that affect them, underpins all that we do.

The Legislative Programme 2022-23

The Scottish Government's new legislative programme will support delivery of our core strategic priorities.

We have made good progress delivering legislative commitments announced in the 2021-22 Programme for Government. Sixteen Bills were introduced to the Scottish Parliament with 11 having now concluded their parliamentary passage, including Bills to respond to and help recover from the COVID-19 pandemic, as well as Bills concerning fireworks, miners' strike pardons and non-domestic rates.

The remaining 5 Bills currently in Parliament are at Stage 1 of their parliamentary scrutiny. Legislation was introduced to reform how remand is used and how release mechanisms work for certain prisoners in a Bail and Release from Custody Bill. A Gender Recognition Reform Bill was introduced to reform the Gender Recognition Act 2004 to provide a more streamlined process for transgender men and women applying for legal gender recognition. The Hunting with Dogs Bill will strengthen the law relating to the use of dogs to hunt foxes and other wild mammals, implementing the majority of the recommendations of the independent report on the Protection of Wild Mammals (Scotland) Act 2002, and introducing further measures such as prohibiting trail hunting. A Moveable Transactions Bill has also been introduced to make various types of commercial transactions more efficient, less expensive, and less complicated than at present, leading to easier access to finance for businesses in Scotland, supporting our competitiveness, and aiding our economic recovery. The National Care Service Bill establishes the legal case for a National Care Service.

The Scottish Government intends to introduce a further 18 Bills over the course of the parliamentary year, as set out below. Additionally, following the UK Supreme Court's judgement on the European Charter of Local Self-Government (Incorporation) (Scotland) Bill ("the European Charter Bill") and the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill ("the UNCRC Bill"), the Scottish Government will amend the UNCRC Bill and bring it back to the Scottish Parliament for Reconsideration Stage.

The Scottish Government will also support the European Charter Bill, and will work closely with Mark Ruskell MSP, as the designated member in charge of that Bill, to support him in bringing it back for Reconsideration Stage. Subject to the detail of a forthcoming Supreme Court judgment, the Scottish Government will also support Gillian Mackay MSP with the development and drafting of her proposed Member's Bill to protect safe access for women to healthcare facilities that provide abortion services.

Bills for introduction 2022-23

- Annual Budget (No.2)
- Bankruptcy and Diligence
- Charities (Regulation)
- Children's Care and Justice
- Circular Economy
- Criminal Justice Reform
- Education Reform
- Housing (2 bills)
- Independence Referendum
- Legal Services Regulation Reform
- Local Visitor Levy
- Patient Safety Commissioner
- Police Complaints and Misconduct Handling
- Public Health (Restriction of Promotions)
- Scottish Aggregates Levy
- Trusts and Succession
- Wildlife Management (Grouse)

Bills in the Parliament

- Bail and Release from Custody (Scotland) Bill (introduced 8 June 2022)
- Gender Recognition Reform (Scotland) Bill (introduced 2 March 2022)
- Hunting with Dogs (Scotland) Bill (introduced 24 February 2022)
- Moveable Transactions (Scotland) Bill (introduced 25 May 2022)
- National Care Service (Scotland) Bill (introduced 20 June 2022)

Bills passed this Session

- Budget (Scotland) Bill
- Carer's Allowance Supplement (Scotland) Bill
- Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill
- Coronavirus (Extension and Expiry) (Scotland) Bill
- Coronavirus (Recovery and Reform) (Scotland) Bill
- Fireworks and Pyrotechnic Articles (Scotland) Bill
- Good Food Nation (Scotland) Bill
- Miners' Strike (Pardons) (Scotland) Bill
- Non-Domestic Rates (Coronavirus) (Scotland) Bill
- Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill
- Transvaginal Mesh Removal (Cost Reimbursement) (Scotland) Bill

SUMMARY OF BILLS FOR INTRODUCTION

Annual Budget (No.2)
The annual Budget Bill provides parliamentary approval for the Scottish Government's spending plans, allocates resources to strategic objectives and supports progress towards the vision of a more successful country.

Bankruptcy and Diligence
The Bill will bring forward stakeholder-led recommendations to introduce improvements to current insolvency solutions and debt recovery processes. Its aim is to help and improve the lives of people who are struggling with debt, which may be exacerbated by mental health issues. More efficient recovery processes will assist businesses and local authorities to collect debts from those who can pay.

Charities (Regulation)
The Bill aims to strengthen and update the current legislative framework provided by the Charities and Trustee Investment (Scotland) Act 2005. The Bill will increase transparency and accountability and maintain public trust and confidence in Scotland's vital charity sector.

Children's Care and Justice
The Bill aims to improve experiences and outcomes for children in Scotland who interact with the children's hearing and criminal justice systems, as well as care settings and those who are placed across borders in exceptional circumstances. It will help Scotland *Keep The Promise*.

Circular Economy
The Bill will enable us to advance a zero waste and circular economy, increasing reuse and recycling rates and improving waste and recycling services.

Criminal Justice Reform
The Bill will progress the ambition and priorities set out in the Vision for Justice in Scotland of delivering person centred and trauma informed practices, including taking greater action to improve the experience of women and children and to hear victims' voices. The Bill will abolish the not proven verdict in criminal trials in Scotland and take forward any accompanying reforms. It will also deliver legislative reforms building on the recommendations of Lady Dorrian's Review on Improving the Management of Sexual Offence Cases, including, amongst a range of proposals, protection of the anonymity of complainers of sexual crimes under Scots law.

Education Reform
The Bill will provide for the establishment of a new public body responsible for qualifications in Scotland and the creation of an independent education inspectorate.

Housing
We intend to introduce a Bill to protect tenants by freezing rents and imposing a moratorium on evictions until at least 31 March 2023.

We also intend to introduce a new Housing Bill by the end of this parliamentary year which will begin to deliver our New Deal for Tenants and some other aspects of Housing to 2040. The timing of this Bill will need to be carefully considered on an ongoing basis in light of our emergency response to the cost crisis and identify effective means to secure affordable rents for the longer term.

Independence Referendum
If the UK Supreme Court determines that a referendum is within the legislative competence of the Scottish Parliament, the Bill will provide for a referendum to be held on the topic of Scottish independence.

Legal Services Regulation Reform
The Bill will provide for a modern regulatory framework designed to promote competition and innovation while also improving the transparency and accountability of legal services regulation and the legal complaints system in Scotland.

Local Visitor Levy
The Bill will create a discretionary power for local authorities to apply a levy on overnight visitor stays in accommodation, applying in all or part of their area, to help fund relevant local activities and services.

Patient Safety Commissioner
The Bill will establish a Patient Safety Commissioner (PSC) for Scotland. The PSC will focus on championing the voice of the patient within the patient safety system, developing a system wide view of the healthcare system in Scotland, and using that to identify wider safety issues and promote better coordination across the patient safety landscape in Scotland in responding to concerns about safety issues.

Police Complaints and Misconduct Handling
A Bill to improve transparency and further strengthen public confidence in policing. The Bill will align with the recommendations made by Dame Elish Angiolini in her *Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing*. The recommendations seek to improve the policing systems and structures which underpin the way in which complaints about the police are received, managed, and investigated.

Public Health (Restriction of Promotions)
As a first legislative step in this session to meeting wider public health commitments, the Bill will include provisions for restricting food and drink promotions to protect public health.

Scottish Aggregates Levy
The Bill will deliver on powers devolved in the Scotland Act 2016 by setting out the key arrangements for a devolved tax on the commercial exploitation of aggregates in Scotland, including to provide for its administration by Revenue Scotland.

Trusts and Succession
The Bill will implement Scottish Law Commission recommendations intended to ensure that the Scots law of trusts is clear, coherent, and able to respond appropriately to modern conditions and commercial requirements and will address a longstanding Scottish Government commitment regarding the order of intestate succession.

Wildlife Management (Grouse)
The Bill will implement the recommendations of the "Werritty Review" and introduce licensing for grouse moor management to ensure that the management of driven grouse moors and related activities is undertaken in an environmentally sustainable manner. The Bill will also include provisions to ban glue traps.

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Board Paper

1 Title of Report

Ultra Low Emission Vehicles (ULEVs) Salary Sacrifice Draft Scheme

2 Author(s) of Paper

Jim Boyle, Executive Director of Finance

3 Situation/Purpose of paper

3.1   This report brings an outline proposal for consideration by the Board of an Ultra Low Emission Vehicles Salary Sacrifice Scheme for employees of NES. The report asks that Board considers a number of issues on the application of the proposed scheme, and approves the scheme in principal, and grants delegated authority to officers to progress a scheme to conclusion and subsequent implementation.

3.2   Although a considerable amount of due diligence work has been done in putting this proposal together, further work will still be required prior to any implementation, in particular, obtaining HMRC approval that the final form of the scheme meets with their criteria. The final scheme will be subject to additional advice to be taken on VAT implications for NES as an employer, in particular the ability to recover VAT input tax.

4 Background

4.1   Many employers now offer a range of salary sacrifice schemes to their employees to enable a range of goods and services to be acquired in an economically advantageous and tax-efficient manner. This includes childcare vouchers, cycles and cycle equipment, computers, vehicles, as well as other goods and services. Within NES we currently operate a salary sacrifice scheme for cycles and cycle equipment.

4.2   The basic principle of a salary sacrifice arrangement is an agreement to reduce an employee's entitlement to cash pay, usually in return for a non-cash benefit. An employer can set up a salary sacrifice arrangement by changing the terms of the employee's employment contract, and of course, the employee needs to agree to this change.

4.3   A salary sacrifice arrangement must not reduce an employee's cash earnings below the National Minimum Wage (NMW) rates. Employers must put procedures in place to cap salary sacrifice deduction and ensure NMW rates are maintained.

4.4   The forms of salary sacrifice scheme are many and varied, and will have different implications for employees, including pension implications, depending on the form of the scheme and the policy stance taken by the particular pension scheme. For the purposes of this report, pension implications will be related to the NHS Scotland pension scheme, administered by the Scottish Public Pensions Agency (SPPA).

5 Assessment/Key Issues

5.1   As an employer, NES is competing for labour supply across many sectors and territories. The ability to recruit and retain employees will be heavily influenced by the employee benefits package that we can offer, with salary clearly being the major component of that offer. The competitiveness of the NES salary structure will vary between segments of the employment market and where labour supply is restricted or scarce, it is likely that employers in other sectors may be able to offer higher and more attractive salaries. Within NHS in Scotland, Boards also have to ensure that the salaries they offer are broadly comparable with other Boards across the country, and of course, the whole pay bill needs to be affordable within the boundaries of the tight funding envelope for NHS Scotland as a whole.

5.2   To be as competitive as possible, employers are increasingly offering employment packages that include non-salary items such as salary sacrifice for purchase of goods and services allowing employees to effectively supplement the economic value of their pay. This allows employees to take advantage of tax breaks offered by the UK and Scottish governments under such schemes. Employers are also able to take advantage of financial arrangements offered by schemes to decrease the financial burden on their operations.

5.3   **Environmental Considerations**
        In support of the general move away from carbon production, the Scottish Government has set a challenging target of achieving a 20% reduction in car kilometres travelled by 2030. The strategy to achieve that target involves major behavioural change that will reduce the need to travel overall:

- Making use of sustainable online options can save time and money.
- Choosing local destinations can help revitalise local communities.
- Switching to walk, wheel, cycle or public transport has health benefits.
- Combining trips or sharing a journey with others can improve wellbeing.

5.4   While encouraging modal shift is the key strategy thrust, it is inevitable that there will still be extensive use of private car transport up to and well beyond the 2030 target date. If there is an acceptance that this mode of transport will continue into the medium and long-term future, then there needs to be a focus on a shift away from carbon emission producing petrol and diesel vehicles as quickly as possible.

5.5   The electric vehicle market has shown huge growth in recent years. Electric passenger car sales increased by 186% in 2020 and electric vehicles enjoyed a record year in 2021 against an overall vehicle sales market that was 28.7% below pre-Covid-19 levels. Overall, 1.65 million new cars were registered in 2021 (1% up on 2020) due to the ongoing impact of the pandemic and the global semiconductor chip shortage.

5.6　Despite this, more battery electric vehicles (BEV) were sold than over the previous five years combined (2016-2020), with 190,727 registrations (11.6% of all new car sales), while plug-in hybrid electric vehicle (PHEVs) made up 7% or 114,554 cars.

5.7　For clarity of definition, low emission vehicles (compared to traditional petrol and diesel engine vehicles), fall into the following categories:

Battery electric vehicles (BEVs) - vehicles powered only by electricity, also known as a 'pure' or 100% electric car. The vehicle is charged by an external power source, i.e. at a charge point. These vehicles do not produce any tailpipe emissions. Most battery-electric cars have a real-world range of 100-300 miles on a single charge.

Plug-in hybrid electric vehicles (PHEVs) - vehicles that have a battery, electric drive motor and an internal combustion engine (ICE). They can be driven using the ICE, the electric drive motor, or both, and can be recharged from an external power source. Typical PHEVs will have a pure-electric range of up to 50 miles. Once the electric battery is depleted, journeys can continue in hybrid mode, meaning that there is no range limitation. PHEVs are only efficient if they are charged regularly, otherwise they can be more expensive to run than a conventional petrol or diesel vehicle.

Hybrid electric vehicles (HEVs) - Hybrid vehicles can only be driven a few miles on pure electricity. A hybrid car has no plug, instead, it recovers energy under braking and uses it to recharge its battery on the move.

5.8　In approving the principles of a ULEV Salary Sacrifice scheme, the Board will be required to determine which types of vehicle would fall within the scheme definition. Given the definitions listed above, and the electrically-powered ranges that the three broad categories of vehicle offer, there are benefits to all three categories of vehicle and all offer improvements over traditionally powered petrol and diesel cars. Based on solely electrically powered range, pure electric vehicles offer a clear advantage, and these represent the vast majority of ULEVs sold today, but the other categories of ULEVs – PHEVs and HEVs do still offer some advantage over petrol and diesel vehicles. A recent study published in May 2022, by Transport & Environment, one of Europe's leading clean transport campaign groups, has shown the following results for the CO2 emission for various categories of vehicle, when taking account of the costs of manufacture and powering the vehicles:

Type of vehicle	CO2 emissions per Km driven	Saving over petrol
Battery Electric Vehicle (BEV)	75g	166g (69%)
Plug-in Hybrid Electric Vehicle (PHEV)	178g	63g (26%)
Hybrid Electric Vehicle (HEV)	190g	51g (21%)
Diesel Vehicle	231g	10g (4%)
Petrol Vehicle	241g	-

5.9   This data demonstrates that PHEVs and HEVs do offer benefits when compared to petrol and diesel vehicles, although not as significant as Battery Electric Vehicles. The following is recommended for inclusion the proposed scheme for NES:

Vehicle Category	Recommendation
Battery electric vehicles (BEVs)	Include
Plug-in hybrid vehicles (PHEVs)	Include
Hybrid electric vehicles (HEVs)	Include

5.10   **Salary Sacrifice Scheme Implementation**
Officers of NES have been carrying out work to establish how a scheme for LEVs could be implemented quickly and with minimum administrative resources being required, and also with sufficient benefit for both the employee and the employer to justify implementation. Initial discussion has also taken place with National Boards in Scotland, to gauge interest in such a scheme being made available more widely to those Boards. Initial interest has been positive, and NES has agreed to lead on this work and make the results available to the other National Boards.

5.11   The identification and implementation of a scheme for NES would have to be subject to appropriate public procurement legislation, although that does not mean that NES would necessarily be required to develop a new scheme specification for tender, but the Board would be able to participate in an appropriate framework scheme that has already been the subject of a competitive tendering process.

5.12   Officers have concluded that this would be the optimum route for NES, for the following reasons:

- A quick route to market
- Ease and speed of implementation
- Minimisation of setup and implementation resources
- Pre-existing portal through which staff can receive no obligation quotes
- Each individual lease competitively tendered against several suppliers
- No requirement for a minimum guaranteed number of leases
- Benefit of the buying power of a larger and wider scheme

5.13   Accordingly, effort has focused on ascertain which schemes that have been tendered and implemented elsewhere in the UK, and which would be available for NES to participate in. That search has identified two salary sacrifice schemes for vehicles that would be suitable for NES:

1. CPC Drive (NHS North of England Commercial Procurement Collaborative)
2. NHS Fleet Solutions (managed by Northumbria Healthcare NHS Foundation Trust)

5.14   Both of these schemes offer broadly similar features to each other, and both are available for the participation of NES or any other NHS Board or Trust, and both have been subject to competitive tender. The NHS Fleet Solutions scheme has just over 200 employer participants, while CPC Drive has 107 employer participants at the time of writing this report. CPC Drive has 3 employer participants in Scotland, with a further 2 in the process of joining the scheme.

5.15   The basic features of both schemes are as follows:

Employee
- No credit checks or deposits
- Monthly payments sacrificed directly from salary
- Mileage banding chosen by the employee
- Access to all major car brands
- User-friendly and instant online quotation system
- Dedicated customer service team
- HMRC approved (NES implementation still requires approval)
- Monthly salary sacrifice will include the cost of:
    o Fully comprehensive insurance
    o Road tax
    o Breakdown cover
    o Routine servicing
    o Windscreen cover
    o Tyre cover

Employer
- No guaranteed minimum ordering levels
- Provision of a tendered salary sacrifice scheme, managed by the supplier
- Employer pays monthly, reducing impact on cash flow
- Multi source competitive tendering ensures employees get the best live pricing
- HMRC-compliant consolidated invoicing
- Secure and easy to use online portal, with personalised log-on
- Employees receive no obligation quotes
- Provides employees with a clear breakdown of costs, explaining BIK
- Simple ordering approval process, with minimal administration for the employer

5.16   Subject to Board approval of the draft proposal, officers would move to detailed discussions with the two potential scheme providers and through this process of discussions and appraisal, would choose a final scheme to recommend to the Board.

5.17   **Financial Considerations**
The implementation of a salary sacrifice scheme will have financial implications for both the employer and employees. This will consist of benefits in employer national insurance contributions, and for many employers there can be savings on employer national insurance contributions. This depends on the pension schemes that employers contribute to. In relation to the NHS Scotland pension scheme, see paragraph 0 for further discussion on the implications for employers and employees.

5.18 There are Income Tax and National Insurance tax advantages when employee salary is reduced in exchange for the provision of a ULEV as a benefit in kind. Both the employer and employee benefit from the NI savings and the employee benefits from Income Tax advantages.

5.19 Due to their wider environmental benefits, ULEVs are eligible for tax benefits if purchased through a salary sacrifice agreement made between an employer and employee, where the employee's cash remuneration is reduced in exchange for an equivalent benefit in kind. Due to the reduction in pay that the employee agrees to, this results in a reduced income tax liability for the employee and reduced national insurance liability for both parties.

5.20 However, employees will have to net off any increased tax liability through Benefit In Kind Tax (BIK). Firstly, the tax rate of a 'benefit in kind' of a company car is determined with reference to the vehicle's CO_2 emissions as measured by grams per kilometre (g/km). For the 2019/20 tax year, low emission cars (classed as up to 50g/km) were taxed at 16% of the list price, or 20% for diesel cars. From April 2020 the tax charge for electric-only cars fell to 0% but for 2021/22 it was increased to 1% and then further increased to 2% for 2022/23. There have also been reductions for electric hybrids, depending on their electric-only range. For example, a vehicle costing £36,000 with CO_2 levels of 32 g/km and an electric only range of between 30 and 39 miles will have a benefit rate of 12% in 2021/22 and be classified as having a taxable benefit of £4,320.

5.21 Appendix 1 sets out the rates of Benefit in Kind taxation applicable in the tax year 2022/23.

5.22 **Pension Implications**
The pension implications for both the employer and the employee will depend on the participating pension scheme, and its policy on salary sacrifice benefit deductions. The Scottish Government has a long-held position on the application of salary sacrifice in the pension schemes it has responsibility for. Scottish Public Pensions Agency, which administers the NHS Scotland pension scheme, applies the policy that pension contributions are calculated using the employee's pensionable pay prior to the reduction caused by the salary sacrifice. That means that there is no reduction in pensionable pay as a result of salary sacrifice, and therefore no reduction in pensionable benefits. This differs from the approach taken by the NHS Pension Scheme in England and Wales, which reduces pensionable pay as a result of salary sacrifice. However, for salary sacrifice for Electric Vehicles in the NHS Scotland Scheme, HM Treasury approval has not currently been obtained, although a proposal is currently being prepared for possible recommendation to Scottish Ministers. Should that recommendation be accepted, then application would be made to HMT for approval to treat EV salary sacrifice in line with other salary sacrifice schemes operating in Scotland.

5.23 Until such times as Scottish Ministers accept a recommendation for an EV salary sacrifice scheme to be treated in a similar manner to other salary sacrifice schemes associated with the NHS Pension Scheme, and for HMT approval to be granted, then pensionable pay would be reduced by the value of the salary deductions of the sacrifice, and pension benefits accrual would be reduced accordingly during the period of the contract. On termination of the contract, pension benefits accrual would revert to pre-contract levels. Employees considering a salary sacrifice for

ULEVs would need to be made fully aware of the pension benefits reduction implications they would face in order that they can make informed financial decisions.

5.24 **Overall Financial Impact for Employees**
The salary deductions arising from the scheme must not take the employee's salary below national living wage or national minimum wage (for adults under 23 years of age) and the financial assessment should also include any other salary sacrifice schemes such as childcare vouchers or Cyclescheme which the employee may also be participating in. This assessment is the employer's responsibility, and will not include any tax or pensions implications.

5.25 Salary sacrifice schemes, by reducing an employee's gross salary, may also have a potential impact on an employee's Maternity Pay, State Pension, Working Tax Credit, Child Tax Credit and Statutory Sick Payas well as have an impact for those employees near the minimum wage or close to retirement. At the end of the salary sacrifice period, the employee returns to being paid their full salary with normal Income Tax, and National Insurance deductions being made. Employees are therefore advised to seriously consider the effect that a reduction in pay may have and should be aware of the financial commitment that they are undertaking over the agreement period. Should the scheme be adopted, any communications from NES as the employer should make the financial implications as clear as possible for employees, but NES should refrain from providing financial advice.

5.26 **Financial Implications for NES**
Employers that implement salary sacrifice schemes can benefit from reduced employer National Insurance and pension contributions as a result of the reduced salary levels paid and the reduction in pensionable pay. However, employers have to consider the overall financial package and take account of the ability to recover input VAT on the master hire agreement entered into. The taxation rules around salary sacrifice are fairly complex and subject to change and they depend on the model of the scheme that an employer elects to implement. Schemes need to be HMRC "approved" and once we ascertain the scheme model, including tax and other implications, we should present our scheme, and treatment of VAT and tax, to HMRC and seek their approval prior to implementation. Initial tax advice has been sought, and further advice will be obtained to ensure that NES applies the correct tax treatment and is not left with any residual tax burden.

5.27 One of the main considerations will be the treatment of input VAT. It will be payable on purchase of a vehicle and the question is whether NES can recover some or all of that VAT. If NES cannot recover all of the VAT input tax, that will impact the salary sacrifice repayment as the cost will need to be met by the employee. Any scheme will need to result in no additional cost to NES.

Eligibility Criteria

5.28 In implementing a salary sacrifice scheme for electric vehicles, NES may wish to consider restricting eligibility to the scheme for certain categories of employee:

1. Employees who are below a particular age - electric powered vehicles generally perform at a higher level than most conventional petrol and diesel vehicles, particularly in respect of vehicle acceleration. Insurance claim experience would also confirm that vehicle accidents are most common in the under-25 age group. Both of these aspects combined would suggest that it could be appropriate for NES to consider restricting a ULEV scheme to those over the age of 25, or even to particular vehicle categories. The Executive Team was of the view that in the interests of equality across our employee base, that younger employees should not be treated differently from other employees and that the scheme should be fully open to them.

2. Open the scheme to employees who have a permanent contract or a contract which at least covers the length of the lease period. The Executive Team agreed that the term of the lease period should not exceed the length of an employee's contract of employment.

3. As stated above, the scheme should not apply where the salary deductions take the employee's salary below national living wage or national minimum wage.

4. The scheme should not be available to employees have any existing debt arrestments, and this would need to be confirmed by NES Finance at the time of application.

5. Where an employee is within an initial employment probationary period, NES may wish to excluded from the scheme until the probationary period has elapsed. Probationary periods are generally not applied within NES, but where they are, the Executive Team agreed that this restriction should apply.

6. This scheme could be extended to cover all NES employees, including core NES staff, but also doctors and dentists in training who are employed by NES. The Executive Team have proposed that the scheme should be open initially to core NES staff, but that consultation should take place with representative groups of doctors and dentists in training for subsequent rollout to those groups, taking account of issues such as length of placements and training contracts, in order that obligations and liabilities for both employees and NES are fully explored and understood.

5.29 **Other Considerations**

Resignation, Redundancy, Retirement and TUPE - in the event that the employee resigns, is put at risk of redundancy, retires, or is transferred to another employer after the exclusion period of 3 months from date of delivery of their car, they can simply hand back the car and their commitment will have finished.

5.30 **Long Term Sickness, Maternity, Paternity, Shared Parental or Adoption Leave Protection** - most employers feel that they need to provide the benefit during maternity, paternity, adoption, and shared parental leave. While the employee's pay is at the normal level, salary sacrifice reductions can continue, but once the employees pay reaches statutory level the employer will be unable to make any further reductions. The employer will continue to receive monthly invoices for the vehicle, and these will need to be paid in accordance with the agreed payment terms. Some schemes can offer protection to employers for such circumstances, although there may be a premium to be paid for this cover. This will be further explored with the potential providers.

5.31 **Dismissal, Loss of Licence (driving convictions), Reduction in working hours and Career breaks** - these circumstances are within the employee's control, therefore, the employee would be liable to pay an early termination charge. Should the employer be unable to recover the charge from the employee, the supplier can protect the employer for the charge as long as the employee has initially been pursued for the cost. Under the terms and conditions of most schemes, the employee agrees to meet all costs associated with the scheme and where relevant net salary deductions can be made. If an employee decides to trigger an action that changes their circumstances, then they may be liable to pay an early termination charge to return the vehicle early.

5.32 **Scheme Administration**
The uptake of any scheme is unclear at the moment, and any administrative burden on administering a scheme are not known with any degree of certainty. Any applications to join the scheme will require input from HR, Finance and Procurement colleagues to set up the scheme, including preparation of contract of employment variation documents, and developing procedures for checking minimum wage triggers, etc. The scheme will also require ongoing resource input to carry out checks and make contract of employment adjustments for applications that come in. It is anticipated that this input will be met from existing staff resources, but the number of applications received will be monitored to assess if this can continue to be met from existing resources if the number of applications rise to a significant level beyond which this will be possible. At that point consideration would be given to funding any additional resource that might be required for scheme administration, potentially from utilising any employer cost savings from the operation of the scheme.

5.33 **Next Steps**
- Complete taxation due diligence with specialist third party tax advice
- Engage with CPC Drive and NHS Fleet Solutions to discuss the detail of their schemes prior to making a final choice of supplier
- Register as an approved employer with scheme provider
- Carry out employee consultation on a proposed scheme
- Prepare full scheme documentation and publicity materials, including Q&A information for prospective applicants.

5.34 It is expected that this activity can be concluded within the next 3-4 months.

6 Recommendations

The Board is asked to:

1.   Note and discuss the contents of this report.

2.   Approve that a salary sacrifice scheme for ULEVs, such as that set out in this report would be desirable as a recruitment and retention offering for existing and prospective employees, and also for NES to make a contribution to Scotland's Net Zero Carbon Reduction Target.

3.   To agree the recommendation on vehicle type to be included within the scheme, as set out at paragraph 5.8.

4.   To agree the employee eligibility criteria set out in 0.

5.   Note that further due diligence will be carried out to bring the proposal to a conclusion should the Board provide approval.

6.   Authorise officers to take the next steps in moving from a draft proposal to a final implementation proposal.

Author to complete

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 risks and mitigation measures been identified?

☒ Yes

☐ No

e) Have Equality and Diversity and health inequality issues been considered?

☒ Yes

☐ No

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

☒ Yes

☐ No

JB

September 2022

NES

Employee Benefit in Kind Tax Rates for ULEVs 2022/23

Cars registered from 6 April 2020:		
CO2 (g/km)	Electric range (miles)	2022-23 (%)
0	N/A	2%
1-50	>130	2%
1-50	70-129	5%
1-50	40-69	8%
1-50	30-39	12%
1-50	<30	14%
51-54		15%
55-59		16%
60-64		17%
65-69		18%
70-74		19%
75-79		20%
80-84		21%
85-89		22%
90-94		23%
95-99		24%
100-104		25%
105-109		26%
110-114		27%
115-119		28%
120-124		29%
125-129		30%
130-134		31%
135-139		32%
140-144		33%
145-149		34%
150-154		35%
155-159		36%
160+		37%

Board Paper

1. Title of Paper

Feedback, Comments, Concerns and Complaints annual report 2021-22

2. Author(s) of Paper

Rob Coward, Principal Educator (Planning & Performance)

3. Situation/Purpose of paper

3.1 Feedback, comments, concerns and complaints are considered by the Scottish Government as an important performance indicator, and a mechanism for driving continuous improvement. This is reflected in the requirement for all NHS Boards to publish an annual Feedback, Comments, Concerns and Complaints (FCCC) report as specified by the 2017 Patient Rights (Feedback, Comments, Concerns and Complaints (Scotland)) Directions and national complaints guidance. This states that relevant NHS bodies should prepare an annual report a summarising action taken as a result of feedback, comments and concerns received. NHS Boards are also required to provide an annual return to NHS National Services Scotland (NSS) confirming complaints figures which are included the NHS Complaints Statistics publication.

3.2 The draft report was considered by the Education & Quality Committee and approved for publication subject to minor amendments. The Committee is asked to consider the report prior to submission to the NES Board, publication on the NES website and sending to the Scottish Public Services ombudsman and Scottish Government. The report is due to by published by 30 September 2022. The Board is asked to note the final report prior to publication.

4. Background

The report provides a summary of the feedback and complaints reported via our directorates, or directly received by our Planning and Corporate Governance team. It also outlines how we have used complaints and feedback to evaluate and improve our programmes and services and is based on information supplied by each directorate. This report will be available on our website by the end of September 2022 and will also be submitted to the Scottish Government and the Scottish Public Services Ombudsman (SPSONHS).

5. Assessment/Key Issues

5.1 Complaints received

NES continues to receive a limited number of complaints requiring investigation using the agreed corporate complaints handling process. There were 13 such complaints received during the year (up from eight in 2020-21), plus one expression of concern which was investigated by the Complaints Team. Of these complaints, only two were fully upheld with a further three partially upheld. Four complaints were not upheld and another four were found to be not applicable to NES. The complaints deemed not applicable to NES were referred to other bodies. None of the complaints received were whistleblowing cases.

5.2 Feedback and comment

The draft report includes information on the different ways in which we encourage feedback and comment from our service users and partners in our work. This is designed to provide assurance that our education and training is informed by a range of important perspectives including those of end service users, trainees and other learners and service partners. Case studies have been used to illustrate the different approaches to engagement and feedback collection methods used by our directorates.

The draft report emphasises that partnership working with stakeholders and service users is a key feature of all our developments and that the collection and use of learner feedback is a vital aspect of educational governance arrangements for all directorates and programme teams.

As required by the Patients Rights Directions, the report includes commentary on methods used to engage with equalities groups (Part 1, section 2). The report details several of the ways in which equality and inclusion is considered in the context of our education and training activities. Further work is in progress to refresh our approach to inclusive education and learning. This is expected to renew our focus on the access and experiences of learners from different equalities groups, and the collection and analysis of feedback from these individuals.

5.3 Positive feedback

As for the 2020-2021 report, the 2021-2022 report includes a selection of positive comments received from learners and other individuals. While NES receives a significant amount of positive comment and feedback, we have no systematic arrangements for collating this information at a directorate or corporate level.

6. Recommendations

The Board is asked to note the annual FCCC report before it is published on the NES website and submitted to the Scottish Government and SPSO.

Author to complete

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 risks and mitigation measures been identified?**

☐ Yes

☒ No

e) **Have Equality and Diversity and health inequality issues been considered?**

☒ Yes

☐ No

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

☐ Yes

☒ No

Rob Coward
September 2022
NES

NHS Education for Scotland

Feedback, Comments, Concerns and Complaints
Annual Report 2021-2022

September 2022

We are a national special NHS Board responsible for supporting health and social care services in Scotland by providing education, training and workforce development. NES also supports health and care providers through the development and maintenance of digital infrastructure.   The summary table below precedes the full Feedback, Comments, Concerns and Complaints report and provides brief details of the complaints and expressions of concern we received between 1 April 2021 and 31 March 2022.

Table 1: Summary of complaints received and outcome 2021-22

Subject of complaint	Outcome of Complaint	Lessons learned
1. Racial bias in recruitment process	Not upheld	- HR team to review pre-interview information shared with candidates - Medicine & HR to review the ethnic disparities in medical educator recruitment. - HR to review the post-interview feedback given to unsuccessful candidates
2. Inadequate allocation of medical training posts	Partially upheld	Improvements made to the national recruitment process
3. Misspelt name on vaccination record	Not applicable	Record corrected
4. Staffing at GP practice (member of public)	Not upheld	None
5. Inaccurate content in NES resource	Not applicable	Content removed from website
6. Incomplete vaccination record	Not applicable	Action taken and information corrected
7. Unfair process for assessment of 'Satisfactory Completion'	Partially upheld	- Dental to review assessment guidance issued; improvements to Dental Assessment Unit processes - NES Dental to consider establishing a formal appeals process for negative outcomes
8. Specialty trainee recruitment	Not applicable	Complainant signposted to appropriate national appeals process and given full background information
9. Access to NES Dementia Care training	Upheld	Improved communication and transparency about eligibility for training

10. Shetland missing from promotional map of Scotland	Upheld	Apology given and liaison with Corporate Communication team to ensure correct graphic used in future
11. Pharmacy application	Not upheld	Clarification given
12. Quality of Independent Prescribing course	Partially upheld	Apology and explanation given. Improvements made to the accessibility of materials.
13. Dental technology training	Not upheld	Information and explanation given.
CONCERN: Concern: inadequate training & bullying culture in Opthalmology training	Not applicable	Action taken over training. Signposted to local health board for bullying concerns.

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2. Complaint process experience (Indicator 2)

3. Staff awareness and training (Indicator 3)

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Further information

Introduction

Welcome to our annual report on feedback, comments, concerns and complaints for 2021-2022. The report is a requirement of the 2017 Patient Rights (Feedback, Comments, Concerns and Complaints (Scotland)) Directions which specifies that relevant NHS bodies should prepare an annual report at the end of each year summarising action taken as a result of feedback, comments and concerns received in that year.

The first part of the report provides summaries of our progress in collecting and using feedback from our service users. The summaries include case study materials to illustrate our diverse approaches to feedback collection and the difference this information has made to our work. Part 2 includes a summary of the complaints and concerns expressed by our service users during the year and the outcomes from these complaints. It also provides brief information regarding our progress in handling and learning from complaints in accordance with the nine indicators set out in the Scottish Government's guidance to health boards.

We have also included brief details about some of the positive feedback and comments received from our service users – including trainees and other health service staff.

Part 1. Feedback, Comments and Concerns

1. Methods for gathering and using feedback

All our services are planned, developed and reviewed in partnership with stakeholders, including health care professionals in training and other health and care staff who rely on NES educational support to provide excellent patient care. Our approach to collecting feedback focuses on the 'user experience' of our diverse training programmes and products, ensuring they are accessible and fit for purpose. We are aware that feedback on learner/service user satisfaction provides a key metric for the engagement of learners, which provides valuable predictive insight into the impact of our educational programmes and resources. Learner feedback is also essential in enabling us to improve the accessibility and quality of our training. The case studies featured in this report provide some examples of how feedback has been used to identify opportunities for improvement. The collection and use of learner feedback is a key focus for our quality management activities, which are monitored at senior levels within the organisation.

Feedback from health care professionals in training forms an essential component of our approach to quality management at NES. This feedback is invaluable in enabling us to evaluate educational quality, identify opportunities to improve learner experiences, and provide stakeholders with vital assurance that Scotland's significant investment in training for healthcare is effective. We organise regular feedback activities, such as the annual Scottish Training Survey in postgraduate medical education, or support UK surveys including the General Medical Council's annual Training Survey and the General Dental Council's annual surveys of Dental Foundation/Vocational Training and Dental Specialty Training. As described in section 5 below, the data collected through these trainee surveys is analysed closely and forms an important part of a rich dataset used to improve education quality.

In addition to our Educational Governance processes, a *Contact Us* page on our website provides an online form for feedback (positive or negative) about any aspect of our work. Further information, including examples of these processes and how we use feedback is provided below.

Case study 1: Psychology education and training
NES's Psychology team has a long track record of commissioning, supporting and delivering education and training for aspiring psychologists, psychology practitioners and other staff groups. This work requires the involvement of trainees, other learners, health and care staff and various organisations in the ongoing review and improvement of education programmes. The Psychology team involves these groups and collects their feedback using various methods, which have evolved over several years. During the reporting period Psychology colleagues used the following processes:
- The development of a single Training Acceptability Rating Scale (TARS) tool to collect feedback from learners attending training has promoted the efficient and consistent collection of feedback via an online Microsoft Form.
- Some workstreams have monitored the impact of their training and education using the Implementation Improvement Tracker Tool that is based on Implementation Science and has two functions:
1) Enabling staff to track the implementation of Psychological Therapies and Interventions in their area.
2) Provide feedback to NES on the impact of the training.

- NES supported trainers, supervisors and practitioners within the NHS Boards assist with gathering data to monitor impact. External infrastructure in the Boards such as Local tutors, Psychological Therapies Training co-ordinators (PTTCs) and others gather feedback from Boards regarding local training needs
- Pre and post measures of knowledge are used to identify that intended outcome measures have been achieved. As far as possible direct assessment of competence is included within the training and education provided by the Directorate.
- Applied programmes use a variety of methods to seek feedback from trainees including online tools and face-to-face meetings with whole year groups and trainee reps.

1.1 Our approaches to gathering and using feedback, including how we publicise opportunities for providing comments

Our service users play an important part in reviewing and improving education initiatives by providing informed feedback. In this respect learners and trainees are uniquely placed to provide expert insight into their experience. The development, commissioning and quality management of education and training is informed by stakeholder participation in consultation exercises, focus groups, reference groups, steering groups, programme boards, and the valuable feedback we elicit from learners, Health Boards and others. The importance we attach to this aspect of our work is reflected in our efforts to publicise and encourage feedback from learners and others involved in our work.

Across our extensive portfolio of education activities there are numerous examples of service users or learners participating in the ongoing review and enhancement of our programmes. This includes the following:

- Recruitment of doctors in training to assist in our Quality Management of training programmes
- Scottish Training Survey – an opportunity for doctors in training to reflect on their training experience at the end of each posting.
- Notification of concern process for doctors in training - Managed by the Deanery, this is process by which doctors in training, trainers or other staff can report concerns outwith the usual survey processes.
- Quality Management pre-visit questionnaires for trainers and doctors in training - Coordinated by the Postgraduate Medical Deanery within the six weeks before a quality management visit is conducted.
- Dental Care Professionals (DCP) – Collection of feedback data from participants and employers following induction, study days and at the end of the programme.
- Pharmacy – The use of focus groups to gather user insights on new e-learning modules and 'exit questionnaires' for learners completing education programmes. In addition to these feedback sources, the Pharmacy team embeds feedback tools on each e-learning resource to gather user views on completion.

Case study 1: The Trauma Informed Workforce

The Trauma Informed Workforce: Victims and Witnesses project enabled invaluable feedback about the Knowledge and Skills required by the justice workface from those people directly affected by these staff members. Their experiences were often distressing and the project needed to be carried out in partnership and with a high degree of sensitivity.

Case study 2: Continuing Professional Development for Healthcare Scientists

The NES Healthcare Scientists team organises and deliver a range of learning activities to support the continuous development of the diverse healthcare scientist groups working in Scotland. To ensure this development support meets the needs of staff and services the Healthcare Science team collects feedback and surveys the healthcare science community.

The most recent survey sent to healthcare scientists collected information regarding the preferred format of future NES events and asked about preferences for the themes and topics of future sessions. In terms of our evaluation forms, the team asks learners to rate both e-learning modules and interactive workshops, and to provide more detailed comments regarding what did/didn't work well.

1.2 How we publicise opportunities for providing comments

Given the importance of feedback for our work, we use several different methods to encourage comment from trainees and other learners. These range from targeted communications for training grades in Medicine, to the provision of an open comments mailbox for Health Care Science trainees and the use of social media to invite feedback from Pharmacists. In eliciting feedback, we observe the key principles of preserving the anonymity of individuals submitting comments and being prompt to act on specific suggestions. Where possible we provide named contacts for communications, but also offer generic contact email addresses.

Case study: Pharmacy Technicians (GP Learning Pathway and Foundation Training Framework)

The NES Pharmacy Technicians team collects a range of information from learners relating to a wide range of educational matters using questionnaires issued at the end of each session and module and at the conclusion of the programme. Feedback methods were communicated verbally at the end of each module/session to be completed online – all sessions currently taking place via MS Teams. Reassurance is given if there are any concerns relating to feedback forms to inform a Programme Officer and additional support is provided. All feedback is anonymous, and all users are aware of the Pharmacy Technician team generic email box to contact us, if not comfortable during the call to highlight concerns.

Learners are reassured that all feedback is read, considered, and acted upon, if appropriate.

2. Engaging with equalities groups

We actively collect feedback on equality, diversity and inclusion, at directorate level through a variety of mechanisms, including engagement with stakeholder groups, educational delivery and participation in project steering groups.

The findings are reviewed by our Equality & Human Rights Governance Group (EHRGG) (the successor to the Public Involvement, Equality & Diversity Network), which comprises representatives from each of our directorates, as part of an annual review of performance. Findings are used to identify priorities for action, including our operational planning targets and longer-term equality targets and mainstreaming priorities.

The case studies throughout this report illustrate how we engage with diverse stakeholders when developing our educational programmes and resources. The extent and impact of the diversity of this engagement is a focus of Equality & Human Rights Governance Group meetings and reviews, which seek to share intelligence and learning from programme and directorate-level feedback and engagement.

Our complaints log enables us to code complaints and concerns thematically as being relevant to equality and diversity at both directorate and corporate level. Complaints and concerns are reviewed annually by the EHRGG within the context of our equalities review, providing another source of data which can be triangulated to inform policy and strategy development and to measure our progress delivering our equality outcomes and equality mainstreaming priorities.

Directorates review feedback on accessibility and inclusion as part of their educational governance processes. Accessibility and inclusion are part of educational governance review for workstreams and at whole directorate level; this supports learning and improvement. For this reason, we aiming to develop new feedback tools that disaggregate the feedback from different groups to help us understand their experience of NES programmes and any specific barriers to inclusion. This is part of our commitment to inclusive learning as highlighted in NES's Inclusive Education and Learning Policy[1].

3. Supporting service users in providing feedback

Given the high value that we place on our service-user feedback, we encourage comment in a variety of ways (as described at 1.2 above). While there are no formal mechanisms for supporting the provision of feedback, we offer a wide range of access points for comment. These include generic mailboxes to provide named or anonymous feedback, online questionnaires or named contacts within each of our programme teams. We advertise the opportunity to provide comments on our products and services in our learning resources and websites, including the 'Contact Us' webpage on the NES corporate website. For all our trainee surveys, regular reminders are circulated to emphasise the importance of providing feedback. This is reflected in the high response rates from trainees.

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[1] Currently under review.

Case study: Pharmacy Additional Costs of Teaching

The Pharmacy Additional Costs of Teaching (ACT) team collects feedback data from colleagues at the Scottish Schools of Pharmacy and undergraduate pharmacy students undertaking experiential learning.

We collect feedback using the online Questback survey software and created QR codes to allow easier access on mobile devices rather than a link. We worked closely with colleagues at the Schools of Pharmacy to create communications to students and include as part of their end of placement task list. We communicated updates regularly to the Schools of Pharmacy ensuring that they had timely access to real-time data and response rates, which in turn facilitated regular reminders to students about the importance of their feedback. Production of a standardised 'student/facilitator chase' contributed to the 60% increase in response rates compared to 2020-21.

Case study 2 – Pharmacy Foundation Training Year (FTY)

After each block of the FTY curriculum delivery all learners provide feedback on their learning events. At the end of their 52 week training programme we request each trainee pharmacist to provide feedback on their experience of their training site, the support from their workplace colleagues and supervisor and on various aspects of the NES FTY programme. This includes the support provided by NES Pharmacy, Turas, and the learning events delivered within our curriculum. We also invite trainee pharmacist and designated supervisors within the FTY programme to contact us throughout the year with any feedback, comments, questions or concerns.

We encourage feedback regularly at the trainee pharmacists' learning events held throughout their training programme and regularly highlight the requirement to feedback via Questback as a standard part of participation in the programme. For the final questionnaire (Questback) we encourage participation via e-mail initially then by personal contact from our team. We include information on using Questback in our guidance and we introduce this at their induction webinars. It is discussed regularly at each learning event and we inform trainees that all feedback will be considered on an annual basis when we are developing the programme for future cohorts. We include information that the anonymised data will be used to feed into our quality management processes for training site approval.

4. Systems for collecting and using feedback, comments and concerns

NES employs a range of systems and processes for collecting and using feedback and comment from our service users as described in the case studies below. Following the move to technology enhanced modes of delivery during the Covid-19 pandemic, these systems often relate to the collection of feedback using online tools including Questback questionnaires and Microsoft Forms. These tools enable us to easily share examples and good practice between directorates and programme teams.

Case study – Optometry Continuing Professional Development
Our Optometry team currently seek feedback request following each CPD event, using an online questionnaire. We have reviewed our feedback questionnaires with the support of the

corporate Planning and Corporate Governance team to ensure they provide us with useful insight into the impact of our work. The questionnaires elicit an overall 'satisfaction' rating but also uses engagement measures such as willingness to recommend, as well as markers for confidence to apply learning, and indeed how much learning was new. Finally, we always ask for what other things the audience would like to see covered in our CPD delivery. With some projects we attempt to get information on previous development in the topic, and to gauge what 'next steps could look like.

5. Using feedback alongside other information to identify opportunities for improvement.

Feedback from trainees and other learners is one of many elements that contribute to quality improvement at NES. On occasions this feedback is a trigger for further investigation, as with the data from our trainee surveys. In other contexts, feedback is used as part of wider evaluations encompassing use of analytic data, peer review, site visits (now in virtual formats) etc. In our Dental and Medical directorates, feedback forms an important component Quality Management Framework and the annual process of reviewing all sources of data for Training Programmes as part of the monitoring process and to support decision making on any required Quality Management activities such as a Training Programme enquiry, training location visit etc.

Case study 1 – Dental Care Professions programme
The Dental Care Professional (DCP) workstream has responsibility for the delivery of pre- and post-registration educational opportunities for DCPs. In addition, the workstream provides training programmes for Dental Administrators/Receptionists and Dental Practice Managers to work towards achieving a formal qualification in their occupational field.

Learner feedback is collected from participants to ensure our educational support is valued, and subject to continuous improvement. Feedback from participants and employers, and reflection from workstream team is reviewed by local and national teams including a DCP Quality Management Group, and areas for improvement identified and actioned. We use feedback from QA visits – SQA External Verification, SDS Annual Quality Reports, GDC Programme Inspections and share such reports with DCP Quality Management Group for review and action, and across workstream.

Case study 2 – Clinical Psychology training
Psychology Clinical Practice teams are employed by NES and affiliated to University Programme partners. Their primary function is to support, manage and quality assure the practice placement element of Clinical psychology Training. Key tasks include the accreditation, monitoring and evaluation of practice placements and educators; identification of new placement opportunities; planning and supporting the clinical competence development of trainees; evaluating trainee progress both directly through examination of course work, placement documentation and reflective reports and indirectly through placement educator report; management of placement difficulties including supporting the development of supervision skills in placement educators. A number of these activities

involve improving the quality of placements and placement supervision on an ongoing basis. These include gathering and collating trainee evaluations and providing feedback to supervisors and their line managers about the quality of supervision and the placement environment and overseeing programmes of remediation where necessary.

Part 2. Complaints Performance Indicators

1. Learning from complaints (Indicator 1)

As in previous years, NES received a limited number of complaints or expressions of concern, but each one was used as an opportunity to learn and improve. Information about each complaint or expression of concern is held centrally by our Planning and Corporate Resources Team. Summaries of complaints received, timescales for investigation and outcomes are presented in Tables 1 and 2.

Table 1 above sets out the specific learning points and improvements made in response to complaints handled by the corporate Complaints Team in the Planning & Corporate Resources department. The table contains brief information about the responses to complaints, which range from reviews of process, to staff training and enhancements of communications practice. Enhancements were made or reviews conducted following complaints, including several where the complaint was not upheld, only partially upheld or where NES had no locus of responsibility. The outcomes of each complaint were reported to senior managers in the directorates subject to complaints with the expectation that recommendations would be taken forward.

A total of 13 complaints were handled by the corporate Complaints Team, with one further expressions of concern considered. These concerns were fully investigated and led to an apology or corrective action where NES was found to be at fault. Investigations of concerns do not lead to a final judgement.

2. Complaint process experience (Indicator 2)

Individuals and organisations dissatisfied with NES services or staff can communicate with us through a variety of routes. These include the Feedback, Comments, Concerns and Complaints mailbox on the NES corporate website, directly to the NES Chief Executive or Director of Planning by email or through local directorate staff, such as educational supervisors or quality management staff. The Medical Directorate also reviews expressions of concerns from medical trainees through its Notification of Concerns process. In addition to these processes, NES reviews the Care Opinion website, which is used by service users to comment and complain about health and care services. Although education and training was mentioned in some of these posts, there were no specific references to NES warranting investigation and response.

NES has a clear two-stage process for receiving and investigating complaints as set out in our Complaints Procedure, which may be accessed on the website. This explains our standards for investigating complaints, including the timescales for investigation and the support available to complainants. A report is produced for each complaint investigated by the corporate Complaints Team, which is presented using an agreed template. The report

summarises the complaint and sets out the evidence reviewed. It concludes with the final judgement which is supported by the investigating team's reasoning for its conclusions. Complainants are encouraged to provide feedback on their experience of the NES complaints investigation process, although no one took advantage of this opportunity during the year.

The request for feedback from complaint investigations invites complainants to comment on issues such as the time taken to conduct the investigation, the thoroughness of the investigation process, support provided by the Complaints Team and the clarity of the final report. None of the complainants in the reporting year took advantage of the opportunity to feedback comments and views about the complaint investigation process.

3. Staff awareness and training (Indicator 3)

Staff involved in complaints handling are trained in the principles and practice of effective complaints handling (including learning from complaints). Several NES staff have completed NES's own Complaints Handling online learning, which was developed to support the health and social care sectors in Scotland. All four members of our corporate Complaints Handling team (plus the Director of Planning and Corporate Resources who had executive responsibility for complaints during the year) hold the Level 5 Professional Award in Complaints Handling and Investigations awarded by Pearson.

Members of the corporate Complaints Team maintain their development and awareness of current practice in this aspect of their work through attendance at occasional events and reading reports from the Scottish Public Services Ombudsman and other authoritative sources of guidance.

4. Outcomes from complaints investigations (Indicators 4, 5, 6, 7, 8 and 9)

The outcomes from each of the complaint investigations conducted in 2021-2022 are summarised in Tables 2 to 5 below. This indicates that thirteen complaints were received during the year, plus a further expression of concern, which were investigated. None of the complaints received were whistleblowing cases.

Of the thirteen complaints received, two were upheld, three were partially upheld and four were not upheld. A further four complaints were reviewed but it was found that these did not relate to NES's activities. These complaints were referred to the organisations responsible.

Most complaint handling was conducted in accordance with the NHSS National Standards, including the timescales for acknowledging complaints, investigating complaints and reporting back to complainants with the complaint investigation outcomes. In one case an extension to the timescale for responding to a complaint was required in order to complete the investigation. The extension was required to schedule meetings with complainants and other individuals involved in the case. Complainants are kept informed about the progress of the investigation and any extensions required.

Tables 3 to 5 refer to Stage One and Stage Two complaints. Stage One complaints are those that are resolved locally. Stage Two complaints are referred (or 'escalated') to the corporate Complaints Team.

Table 2. Feedback, Comments, Concerns and Complaints Register - Year to 31 March 2022

Source (1)	Summary (2)	File Ref (3)	Is complaint suitable for frontline resolution?	Receipt Date	Acknowledged (A) and Response (R) Dates	Outcome (4)	Was complainant satisfied with frontline resolution?	Lessons Learned/Improvements (5)
Job applicant	Racial bias in recruitment process	20210430 Medical Recruitment	No – this was an escalation	30/04/21	30/04/21 30/06/22	Not upheld	No	- HR team to review pre-interview information shared. - Medicine & HR to review the ethnic disparities in medical educator recruitment. - HR to review the post-interview feedback given.
Specialty Doctor in Training	Inadequate allocation of medical training posts	20210618 Medical Training Post	Yes	18/06/21	18/06/21 22/06/21	Partially upheld	Unknown	Improvements made to the national recruitment process.
Member of public	Misspelt name	20210630 vaccination record correction	Yes	30/06/21	01/07/21 09/07/21	Not applicable	Unknown	Action taken – spelling corrected.

Source (1)	Summary (2)	File Ref (3)	Is complaint suitable for frontline resolution?	Receipt Date	Acknowledged (A) and Response (R) Dates	Outcome (4)	Was complainant satisfied with frontline resolution?	Lessons Learned/Improvements (5)
Member of public	Staffing at GP practice in Aberdeenshire	Multiple Dates GP Practice Aberdeen-shire	Yes	26/01/22	26/01/22 03/02/22	Not upheld	No	None
As above	As above	As above	No – escalated to Stage 2	Escalated 23/02/22	23/02/22 02/03/22	Not upheld	No	None
NHS Health Professional	Inaccurate content in NES resource	IPC Webinar Concern	Yes	04/07/21	06/07/21 28/07/21 and 10/08/21	Not applicable	Yes	Action taken – content removed from website
Doctor in Training	Concern: inadequate training & bullying culture	20210704 Ophthal-mology Training Concern	Yes	12/07/21	12/07/21 12/07/21	Not applicable	Not applicable	Concern: action taken over training. Signposted to local health board for bullying concerns.
Member of public	Incomplete vaccination record	20210730 vaccination record concern	Yes	30/07/21	30/07/21 02/08/21	Not applicable	Yes	Action taken and information corrected.
Dentist in training	Unfair Satisfactory Completion process	2021 December Dental NRP	No	21/12/21	21/12/21 31/01/22	Partially upheld	Not applicable	Dental to review assessment guidance issued; improvements to DAU processes; dental to consider establishing a

Source (1)	Summary (2)	File Ref (3)	Is complaint suitable for frontline resolution?	Receipt Date	Acknowledged (A) and Response (R) Dates	Outcome (4)	Was complainant satisfied with frontline resolution?	Lessons Learned/Improvements (5)
								formal appeals process for NRP outcomes.
Doctor in training	Specialty trainee recruitment	20210521 specialty trainee recruitment	Yes	20/05/21	20/05/21 02/06/21	Not applicable	Unknown	Signposted to appropriate national appeals process and given full background information.
Healthcare staff	Access to NES Training	20210603Access to Dementia training	No	03/06/21	03/06/21 08/06/21	Fully upheld	Unknown	Improved communication and transparency about eligibility for training.
Healthcare staff	Shetland missing from promotional map	20211021 Scotland map	Yes	22/10/21	22/10/21 28/10/21	Fully upheld	Unknown	Apology given and liaison with Corporate Communication team to ensure correct graphic used in future.
Healthcare staff	Pharmacy application	20211121 Pharmacy application	Yes	19/11/21	22/11/21 23/11/21	Not upheld	Unknown	Clarification given.
Healthcare staff	Independent prescribing course	20211209 Pharmacy Training	Yes	09/12/21	10/12/21 20/12/21	Partially upheld	No	Apology and explanation given. Improvements made to the accessibility of materials.
Healthcare staff	Dental technology training	20221403 Dental HCS	Yes	14/03/22	14/03/22 17/03/22	Not upheld	Yes	Explanation and information given.

Source (1)	Summary (2)	File Ref (3)	Is complaint suitable for frontline resolution?	Receipt Date	Acknowledged (A) and Response (R) Dates	Outcome (4)	Was complainant satisfied with frontline resolution?	Lessons Learned/Improvements (5)
		Technology training						

NHS National Services Scotland (NSS) Guidance Notes:

(1) Source: Indicate the status of the person e.g. "FYI Trainee", "External Contractors", "Educational Institution", "and Professional Organisation". For the purposes of logging, returns should be anonymous with the proviso that further information may be sought as necessary.

(2) Summary: Provide a brief outline covering the core substance of the feedback indicating whether it is a comment, a concern or a complaint.

(3) File Reference: Use your local identifier such that each case can be found as necessary.

(4) Outcome: Indicate current status if the issue has not been resolved, or indicate, in the case of complaints, whether it has been upheld, partially upheld or rejected and the grounds for that outcome.

(5) Improvements: Outline learning opportunities or improvements identified as a result of issue raised, either locally or corporately.

Table 3: Total number of complaints closed by NES during the period[2]

Number of complaints closed by the NHS Board	Number	As a % of all NHS Board complaints closed (not contractors)
Stage One	10	71.4
Stage two – non escalated	3	21.4
Stage two - escalated	1	7.1
Total complaints closed by NHS Board	14	100

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[2] Does not include expressions of concern.

Table 4. Stage One complaints by outcome

	Number	As a % of all complaints closed by NHS Board at stage one
Number of complaints upheld at stage one	1	10.0
Number of complaints not upheld at stage one	7[3]	70.0
Number of complaints partially upheld at stage one	2	20.0
Total stage one complaints outcomes	10	100

Table 5. Stage Two complaints by outcome (non-escalated)

Non-escalated complaints	Number	As a % of all complaints closed by NHS Boards at stage two
Number of non-escalated complaints upheld at stage two	2	100
Number of non-escalated complaints not upheld at stage two	-	-
Number of non-escalated complaints partially upheld at stage two	-	-
Total stage two, non-escalated complaints outcomes	2	100

Table 6. Stage Two complaints by outcome (escalated)

Escalated complaints	Number	As a % of all escalated complaints closed by NHS Boards at stage two
Number of escalated complaints upheld at stage two	0	-
Number of escalated complaints not upheld at stage two	2	100
Number of escalated complaints partially upheld at stage two	0	-
Total stage two escalated complaints outcomes	2	100

5. Accountability and Governance

This draft annual FCCC report is submitted to our Executive Team for comment and to the Education and Quality Committee for comment and approval. Recommendations arising

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[3] Includes four complaints unrelated to NES responsibilities, which were referred to other organisations.

from complaints are followed up by our corporate Complaints Team. The annual report is published on our website each year and sent to the Scottish Government and the Scottish Public Services Ombudsman (SPSO).

During the 1 April 2021 – 31 March 2022 period, the Education & Quality Committee (EQC) met regularly to monitor and quality assure our educational services and to record recommendations made as a result of feedback. A formal minute of EQC meetings was reported to the Board as a routine and regular agenda item.

Part 3. Positive feedback and compliments praise

While NES has no corporate or local systems specifically designed to elicit and report positive feedback and compliments from our service users. Despite this, we regularly receive endorsements of our work from a range of individuals and organisations. These are usually received through our processes for collecting feedback from learners and others, or through other quality management activities. On occasions we have received unprompted commendations as described in the examples below.

Case study 1: Clinical Psychology training

The following quote is from an Expert by Experience who support the Clinical Psychology training programmes as users of psychology services was involved in co-producing and co-delivering the Psychosocial Interventions in Psychosis modules and training events

'*I was delighted as a person with lived experience to be part of this process. The actual inclusion within the team on the basis of quality of parity and esteem was very refreshing to note. It was also a revelation to have our concerns and thoughts listened to when we had a debrief and to be included in the development subject matter of what was to be taught.*'

Case study 2: Optometry mandatory training

Optometrists and ophthalmic medical practitioners working under General Opthalmic Services in Scotland are required to undertake annual mandatory training. The following comments are from participants in this mandatory training:

'*Effective optometry practice videos of situations where things can go wrong, it helped me understand watching it rather than reading it*'.

'*Very timely educational material considering current pressures on secondary care and increased management of more complex cases in practice*'.

'*Excellent mandatory exercise. I think this has probably been the most worthwhile of the mandatory training yet*'.

Case study 3: NES Glaucoma Award Training (NESGAT)

NES offers a Scottish Government funded programme of accredited education and training in glaucoma management. The first group of Optometrists completing the programme completed their learning in April 2021. Participants have commended the programme as follows:

'I wasn't familiar with this method of learning, (I'm used to learning information for exams) however I feel I learned a lot more this way, submitting evidence and reflecting on real life patient examples This gave me far greater understanding and long term knowledge'.

'The hospital placements were super and a great learning experience. I really liked all the written learning material and videos within each module - the content was spot on and very engaging'.

'The online format made it much easier to attend (time and travel benefits). The programme was well planned and all the essential reading material and lectures being available on Moodle was great. Once the hospital placement started, everything started to click into place and stimulated further questions and study. The loan of a different type of goniolens was very helpful and being allowed to keep it was a nice treat. As I was behind the curve due to not having started my placement, I was contacted by a second tutor, this helped get me on track'.

Case study 4: Healthcare Sciences – Continuing Professional Development

Positive reactions of learners to Healthcare Science CPD courses were based around the fact that they find our e-learning modules accessible. They also liked the ability to work through them at their own pace. Likewise our interactive workshops (hosted on Microsoft Teams) seem to provide a format which is adaptive and inclusive, offering everyone the chance to participate in discussion regardless of any barriers in terms of technology or personality (e.g. anxiety). Some illustrative, anonymised quotes from evaluation forms for our Train-the-Trainer learning programme are as follows:

'The relaxed inclusive session reinforced my belief that every trainee learns differently and training and support must be tailored to the individual.'

'The variety of inputs; typing as well as speaking during questions ensured everyone with different style was given an opportunity to contribute.'

'I liked the interaction of everyone. It was a very open forum that we could discuss our experiences.'

Case study 5: Dental Care Professionals Training Programmes

NES offers a range of education programmes for Dental Care Professionals including the following staff groups:

- Pre-Registration Dental Nurse Training

- Orthodontic Therapy

- Dental Practice Management

- Medical & Dental Receptionists

Feedback on these programmes is routinely collected from learners and employers. The DCP also reviews the feedback from External Verifiers who are responsible for independent quality assurance of the SQA accredited programmes. Some of the positive feedback received from learners and employers is as follows:

Pre-Registration Dental Nurse Training - Learners' feedback (end of programme evaluation)

'I really enjoyed the course and it helped me to underpin the knowledge I needed to carry out my duties as I was training. All information was clear and tutors were always ready to help and answer questions'.

'The online lessons were set up well, you had a chance to chat to your tutors and classmates before the lesson started and afterwards too. You could unmute your microphone or type in the chat box and there was also a pen tool where you could tick yourself in for the morning. The information in the lessons was all relevant to the course and jam packed with information'.

'The course was very well delivered informative interesting and I would definitely recommend to other trainees. This was a truly brilliant and informative course. With the current situation they handled the online course brilliant and was very detailed with it'.

'New learning curve for everyone. This online course is very much one where you will get out what you put in. I really felt like I had a phenomenal experience and would recommend it to anyone wanting to pursue a career in dental nursing'.

Pre-Registration Dental Nurse Training - Employers' feedback from online evaluation:

My trainee required significant extra support and the APRs definitely gave a framework for positive action

I would think a blended model is appropriate moving forward. In the case of my trainee it removed a lot of the stress of travel and intimidation of big groups. This allowed her to contribute to discussions more.

Both of my trainees were unsure of how the programme would work at the start but quickly settled into it and found the sessions to be well run and presented, they felt they took away sufficient knowledge.

Orthodontic Therapy – Learners' Feedback - end of programme evaluation:

The staff involved in lectures and training sessions were excellent and really helped me develop my knowledge.

I have thoroughly enjoyed this course from start to finish. I felt the online study days were more productive than the in-house study days and also worked extremely well. I had full support from my tutor throughout and she was always there when needed. I have enjoyed the course & have felt very supported by my course leader

Practice Managers - Learners' Feedback - end of programme evaluation:

This programme will benefit a lot Practice Managers who are just starting their journey with this job role and I will recommend this course to other dental professionals when they will look for something more on dental field.

Feedback helped me identify the areas in which i could improve which is important to allow me to continue to develop within my role.

Further information

For further information about NHS Education for Scotland's processes and performance in collecting feedback and handling complaints please contact:

Rob Coward, NHS Education for Scotland, Westport 102, Edinburgh EH3 9DN

Tel: 07794218816, rob.coward@nhs.scot

To make a specific complaint or comment about any of our products and services please contact our corporate Complaints Team at: complaints@nhs.scot or use our Complaints Mailbox.

APPROVED

NHS Education for Scotland

EDUCATION & QUALITY COMMITTEE

Approved minutes of the seventh meeting of the Educational & Quality Committee (EQC) (which is the forty-sixth meeting of the Educational and Research Governance Committee) held on Thursday 12 May 2022 via Microsoft Teams

Present:	Douglas Hutchens, Chair, Non-Executive Director
	Sandra Walker, Non-Executive Director
	Annie Gunner Logan, Non-Executive Director
	Gillian Mawdsley, Non-Executive Director and Whistleblowing Champion
	Vicki Nairn, Non-Executive Director (left the meeting at 11.57 at the end of the 2021/22 NMAHP Enhanced Directorate Review Report item)
In attendance:	David Garbutt, Chair of NES Board
	Karen Wilson, Director of Nursing Midwifery & Allied Health Professionals (NMAHP) and EQC Executive Lead
	Kevin Kelman, Director of NHS Scotland Academy
	Rowan Parks, Deputy Director of Medicine
	Della Thomas, Board Secretary/Principal Lead Corporate Governance
	Rob Coward, Principal Educator/Executive Secretary
	Adam Hill, Postgraduate Dean (For Item 6)
	Caroline Taylor, Senior Specialist Lead (For Item 9)
	Janice Gibson, Associate Director, ODLL (For Item 10)
	Tuija Tengvall, Senior Specialist Lead (Observing)
	Chris Duffy, Senior Admin Officer/Committee Secretary

1. Welcome and introductions

1.1 The Committee Chair welcomed everyone to the meeting. The Committee Chair advised the Committee that a discussion on Enhanced Monitoring would be held after the action log to allow Adam Hill to respond to any questions before leaving for another meeting.

2. Apologies for absence

2.1 Apologies were received from Karen Reid, Chief Executive and Emma Watson, Director of Medicine.

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 3rd March 2022

5.1   The Committee Chair informed the Committee of a further clarification point in relation to paragraph 7.7, Alastair McLellan wrote to the Committee Chair to confirm that the last occasion which NES removed a trainee from a training environment was in October 2020 (this reflected absence of the requisite level of clinical supervision). This was not an enhanced monitoring case. It related to an environment that was known to be fragile because of a lack of adequate supervision.

5.2   The Committee approved the minutes.

6. Action Status Report and other matters arising

6.1   Janice Gibson provided verbal updates to two Organisational Development Leadership and Learning (ODLL) actions that were in progress. Firstly, in relation to talent management, Janice Gibson confirmed that ODLL are reviewing the routes for talent management and the levels of interest in order to identify the needs expressed. They will then, through the National Leadership Development Programme (NLDP), focus on talent management offers that make the best use of the connections and the interest expressed by the individual and the organisation. Particular attention will be paid to those who have expressed an interest but have not been followed up in a supportive way using a coaching approach to re-engage the individual in the process.

6.2   The Board Chair expressed some concern in relation to the effectiveness of the talent management process used as part of the Project Lift programme as there was feedback that it wasn't effective as the approach wasn't owned across the system. Janice Gibson responded to advise that if NES is commissioned to further progress Talent Management, then we will ensure this is owned across the system and recommended that work on this is discussed further under the ODLL update on the agenda.

6.3   The second update was in relation to Succession Planning. This is being progressed by the Scottish Government Health Team with a role in Leadership Development and, as owners of this project, it is their responsibility to share the draft leadership success profile with the small working group they have convened as well as sharing this more widely. Janice Gibson has made the Scottish Government Health Team aware of the need to include more information about the project with the wider CEO group. She reported that it is her understanding that this has been done through sharing briefing notes and working with the small working group to take advice on how they take the work to a wider audience of CEOs. Janice Gibson reported that the direction and approach for delivery is being discussed with Mr Yousef, Cabinet Secretary for Health and Social Care early next week so it will be clearer by then whether this is work that NES will progress to delivery or it will remain with Scottish Government. The Board Chair highlighted that ideally the leadership success profile should have come before work started on designing the leadership products. Janice Gibson responded, to highlight that the design is building on a NHS Board and national level approach to succession planning, and it is believed

the leadership profile will converge. Once released, Janice Gibson will include an update in the quarterly ODLL report. **Action: Janice Gibson**

6.4 Committee members requested that the actions to provide a paper on the new Enhanced Monitoring Process (scheduled for 15 September 2022) and the updated NES inclusive learning policy (scheduled for 8 December 2022) remain on the action log as 'in progress' until the papers have been received.

Action: Chris Duffy

6.5 The Committee approved the action report.

6.6 **Enhanced Monitoring Discussion**
Adam Hill provided an update on the latest Enhanced Monitoring case at University Hospital Monklands, an action plan review meeting has taken place to try and de-escalate problems as quickly as possible. The action plan includes smart objectives to promote more active engagement and to provide advice to actively resolve the issues. 'It is hoped that early engagement with clinical and senior management teams across all affected sites will lead to them moving from Enhanced Monitoring more rapidly. The action plan is aiming to make major changes. Discussions underway amongst Boards show that Boards are taking these concerns very seriously and are acting to resolve.

6.7 The Board Chair updated the Committee on discussions involving the Cabinet Secretary and Board Chairs, to raise issues if there was more NES could do to speak to their Boards and their staff to drive real quality improvement changes. Adam Hill agreed that enhancing board educational governance would be very welcome.

6.8 Adam Hill provided the Committee with an update on the situation at Perth Royal Infirmary which was raised under emerging issues at the last Committee meeting. Since the last meeting, changes have been urgently made to reinstate consultants and the Accident and Emergency Department is now almost fully staffed, through using experienced locums. He advised the Committee that there is no requirement for this site to be put on Enhanced Monitoring.

6.9 Adam Hill was thanked for his update and contributions to the discussion and then he left the meeting.

7. Education & Quality Executive Lead Report
7.1 The Committee Chair thanked Karen Wilson for producing a fulsome report and invited Karen Wilson to raise any particular key points in the report. Karen Wilson highlighted 5.10.2 in the report, delivering change for adults with learning disabilities, adding that it is really pleasing to now have this team in place and actively working in this area.

7.2 Committee members agreed that this work is good to see and enquired why the Director of Social Care is not involved here as it seems to be an important area for him to be involved in. Karen Wilson confirmed that

currently the Director of Social Care, Gordon Paterson, is being made aware of programmes rather than taking ownership of them at this point in time. Karen Wilson agreed to discuss this piece of work with Gordon Paterson to ensure he is actively involved as appropriate.

Action: Karen Wilson

7.3   Committee members referred to section 5.4 in the report and the approval by the General Medical Council (GMC) of the Remote and Rural Health credential. This is an outstanding achievement for NES and Committee members passed on their thanks to Alan Denison and Pauline Wilson and acknowledged their support for this work going forward.

7.4   Committee members asked if the new 9-week placement for those completing the paramedic degree course will still meet the requirement of 60 weeks learning. Karen Wilson commented that it is an interesting position with the degree being much more outcome focussed rather than specific attention to the number of hours completed. It was also noted that the paramedic performance report will come to the Committee as part of the Annual NMAHP performance report.

7.5   Committee members requested more robust information in future updates to ensure that TURAS Learn is effectively quality managed. For example, under implementation of changes the committee asked that evidence of implementation is included.   **Action: Annette Thain/Gayle Baxter**

7.6   Committee members referred to item 5.2.1 in the report (National whistleblowing guidance for Allied Health Professional (AHP) students in Scotland), noting that it was good to see what the involvement of NES in this work. Karen Wilson and Della Thomas agreed to discuss how this aspect of governance is reported to this Committee and also captured in the Annual Whistleblowing report to the Staff Governance Committee and the Board.

Action: Della Thomas/Karen Wilson

7.7   Committee members passed on their thanks and congratulations to Rowan Parks, Karen Wilson and all the staff involved for their work on the Education Conference. There was a remarkable number of issues successfully covered throughout the event and it was received remarkably well by the Community. Furthermore, NES learning at work week is running 16th – 20th May and the Committee again passed on their thanks for those organising these events to allow access to all for learning.

7.8   The Committee confirmed that they were content with assurance the report provided across all the areas included.

8.   NHS Scotland Academy Update

8.1   Kevin Kelman was invited to introduce this item, which brings the NHS Scotland Academy (NHSSA) programme dashboard to the Committee. Committee members were invited to ask any questions and to provide any feedback on the dashboard.

8.2   Committee members requested that a column on 'Evaluation' is added to the dashboard and also requested information on the aspects of the dashboard that were blank, and asked that if there is a reason why certain aspects were not populated this could this be explained.
Action: Kevin Kelman

8.3   The Committee went on to enquire if there is a strategy for evaluation of all of the programmes on the dashboard. Karen Wilson confirmed this was the case, all plans are in place for all NHSSA programmes to be evaluated. She added that there are fantastic opportunities to conduct in-depth evaluation as appropriate and that measuring impact was also high on the team's agenda. Kevin Kelman added that stakeholder involvement and learner satisfaction will be key parts of evaluation.

8.4   Committee members asked if there is anything currently in development that should be brought to the Committees attention. Karen Wilson confirmed that the National Treatment Centre Anaesthetic Assistants Programme went through a successful educational governance review last week and will now move to delivery phase once the faculty has been setup.

8.5   The Committee confirmed they were content with the assurance the NHSSA dashboard provided with some suggestions for improvement raised.

9.   NES as a Credit Rating Body
9.1   Caroline Taylor joined the meeting. Rob Coward introduced this item informing the Committee of the preparatory work that has been undertaken to examine the merits of NES applying for credit rating body status. The Extended Executive Team (EET) have held a workshop on this subject and the work is now ready to move on and a business case prepared. The Committee were invited to provide comments, questions and to confirm they are content for this to be progressed to a business case.

9.2   The Committee welcomed this development and commented that it made sense for NES to have credit rating powers and build career pathways across health and social care. The committee highlighted the importance of the NES brand to be associated with high quality, high value qualifications from the outset.

9.3   The Committee asked if there is the potential to apply for third-party credit rating powers as it was recognised that this might be a great opportunity in the context of the National Care Service.

9.4   The Committee discussed a potential risk of other organisations viewing NES as a competitor. Karen Wilson responded to state that it is important to understand that NES would be supporting credit accumulation and stimulate more provision.

9.5   The Committee noted the progress made so far and approved the proposal to move forward to a business case. The Committee confirmed it will be part

of the Quality Assurance model, will be sighted on future work and will provide an overview function.

9.6 It was agreed that an update on this area of work could be included in the Chief Executive's Report to the Board so that all Board members can be made aware of this key strategic development.

Action: Rob Coward/Della Thomas

9.7 The Committee agreed that this proposal is the right direction of travel and endorsed the proposal. The Chair thanked Rob Coward and Caroline Taylor for their work and Caroline Taylor left the meeting.

10. Organisational Development Leadership and Learning (ODLL) Update

10.1 Janice Gibson introduced this report which is the first written ODLL report the Committee has received. The Committee were invited to provide observations, feedback, and questions.

10.2 The Committee thanked Janice Gibson for a very helpful paper. Going forward the Committee requested more quantitative data for example how many participants were affected and completion rates. Janice Gibson agreed to include in the next report to the Committee.

Action: Janice Gibson

10.3 Committee members asked, in relation to 5.3 (Leadership at all levels), if there are plans for how NES will support aspiring leaders to select the most appropriate programme for them. Janice Gibson replied to state that the app and website are being updated to signpost people in an improved way. The team are very mindful of the health and care workforce, some programmes are very much focussed on health services, however some are more integrated across health and social care. Janice Gibson offered to provide more detail in the next report to the Committee

Action: Janice Gibson

10.4 Committee members asked about the parity of esteem between the health and social care workforces and how this will manifest. Janice Gibson confirmed the team are working really hard with stakeholders. Gordon Paterson (Director of Social Care) is also involved to ensure the right connections are being made and to ensure the language being used is fairer and equal. The team are really open to listening to ideas and experienced voices in this area.

10.5 The Committee enquired about Project Lift, noting that the programme has received some negative feedback as it failed to meet the outcomes expected by Board Chairs and CEOs. The Committee noted that the allocation of 20 places is insufficient. Janice Gibson confirmed that the team have been raising the need for extra places and associated funding.

10.6 The Committee asked if there will be a governance element to the new Senior System Leadership Programme and Janice Gibson gave assurance that there is a governance module/element.

10.7 Further to the improvements discussed being progressed, Committee members noted the report and confirmed they were content with the assurance the report provided.

11. Education and Quality Committee Annual Report 2021/22

11.1 Della Thomas introduced this item, highlighting that this is the 2021/22 Annual report of the work of the Education and Quality Committee, as part of the overall Annual Reporting process. Members were asked if they were content to approve the report.

11.2 Rowan Parks referred to the table on Page 9, item 7, 1st bullet point in the 3rd column. He noted that the narrative appears to be in the wrong place. Della Thomas will correct this.   **Action: Della Thomas**

11.3 The Committee asked that membership and meetings table in section 3 be updated to make it clear when a member wasn't available to attend a Committee meeting for example, they hadn't yet been appointed to NES.
                                                                Action: Della Thomas

11.4 With these amendments the Committee approved the Annual Report.

12. 2021/22 NMAHP Enhanced Directorate Review

12.1 Karen Wilson introduced this report which is for the Committee to consider and to comment on any issues arising. The Committee were, in particular, invited to offer views on the recommendations and were asked if this report provides the right assurances the Committee are looking for.

12.2 The Committee thanked Karen Wilson and her team for achieving such a positive outcome and commented that the report was particularly good at evidencing how the work was making a difference. It was suggested that adding completion dates would bring clarity and the recommendation summary could be enhanced by adding a named induvial or postholder. With these changes it was suggested that this would be a useful report to bring to the attention of other Board members, in correspondence.
                                                        Action: Rob Coward/Chris Duffy

12.3 The Committee noted that the report referred to "re-establishing links" with other organisations and asked if some links have been lost. Karen Wilson and Rob Coward confirmed that there had a been a lot of work during COVID to maintain relationships and links with other organisations, however the review panel had noted some of the channels of communication had been discontinued as efforts to strengthen relationships elsewhere had moved on.

12.4 The Committee noted the recommendation stating it is important to continue to breakdown the silos and promote multi-disciplinary learning within NES. The Committee asked if the intention is to include actions in the action status report for this particular recommendation. Karen Wilson confirmed, enhancing cross-directorate working is a key priority for the whole of NES and is included in the executives' new 2022/23 objectives. Karen Wilson

confirmed that she will include any updates in relation to progressing the education and quality agendas using a NES cross directorate working approach to her EQC Lead Executive report as appropriate.

12.5 The Committee thanked Maria Pollard and Rob Coward for their contributions to this review and noted the paper. Vicki Nairn gave her apologies for the remainder of the meeting and left the meeting.

13.   Equality and Diversity End of Year Performance Report 2021/22

13.1 Katy Hetherington was welcomed to the meeting to speak to the Equality and Diversity end of year performance report. Committee members were invited to provide feedback on the report and to approve the end of year update on equality and diversity outcomes that are scrutinised by the EQC.

13.2 The Committee suggested that an area for improvement for the report next year would be to include evidence against our outcomes in terms of the difference that has been made as the report reads as an activity report rather than an outcomes progress/impact report. Katy Hetherington agreed to make this change to the format of all reports for the 2022/23 period and will put in place processes to enable this change now.

Action: Katy Hetherington

13.3 The Committee approved the report and noted developments for next year. The Committee thanked Katy Hetherington and her team for stepping in after a gap in that department and stated how encouraging it is to see more resilience appearing in that area.

14.   EQC Risk Report and identification of any new risks emerging from this meeting

14.1 Rob Coward introduced the risk report to the Committee and invited any questions or identification of new risks.

14.2 The Committee raised a potential new risk relating to item 9; NES as a credit rating body, as there was a reference to existing NES provision that is not quality controlled. Karen Wilson and Rob Coward will explore this risk to determine if it is significant enough to on the register

Action: Rob Coward/ Karen Wilson

14.3 The Committee asked if risk 13 relating to the NHS Scotland Academy could be reviewed in more detail.   **Action: Rob Coward**

14.4 The Committee approved the risk report.

15.   Consultations Log and Parliamentary business update
15.1 The consultations log was noted.

16.   Scottish Government and NES Educational policies
16.1 There were no policies to note.

17.   Review of Effectiveness meeting

17.1   The Committee confirmed they are getting the required assurance from the papers and discussions at this Committee meeting and that the meeting had been effective.

18.   Any other business

18.1   The Committee recognised the International Day of Nursing.

19.   Date and time of next meeting

19.1   The next meeting of the Education and Quality Committee will be held on Thursday 15 September 2022, 10:15 a.m.

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September 2022
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