**NHS Education for Scotland**

**Staff Governance Committee**

**Terms of Reference**

1. **Constitution/context**

1.1 The NHS Education for Scotland (NES) Board has established a Committee to be known as the *Staff Governance Committee;* hereafter referred to as the Committee, which will operate within the terms of the Board’s Standing Orders; Standing Financial Instructions and the Board Code of Conduct.

1.2 The Committee will fulfil its duties in line with relevant statutory and regulatory requirements.

1. **Role**

2.1 The role of this Committee is to support and maintain a culture within the health system where the delivery of the highest possible standard of staff management is understood to be the responsibility of everyone working within the system and is built upon partnership and collaboration. It will ensure that robust arrangements to implement the Staff Governance Standard are in place and monitored.

2.2 The Committee may also have a role in seeking assurance in relation to staff health, well-being and welfare, as a result of work commissioned directly by Scottish Government or any other aspect of NES business approved formally through the Annual Operating Plan.

1. **Membership**

3.1 Full membership of the Committee shall include the following:

* four non-executive Directors of the NHS Board, of which one must be the Employee Director with voting rights;
* two lay representatives, from the trade unions and professional organisations (acting in an ex officio capacity), nominated by the NHS Board Partnership Forum with non-voting rights.
1. **Quorum**

4.1 – 4.7 [**Quorum**](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx#quorum4)

1. **[Attendees](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx%22%20%5Cl%20%22attend5)**

5.1 – 5.2 **[Attendees](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx%22%20%5Cl%20%22attend5)**

5.3 The Director of Workforce will attend to provide Committee with advice, provision of information and guidance. With the prior approval of the Chair of the Committee, the Director of Workforce will be able to provide a deputy on an exceptional basis.

5.4 The NES Chief Executive may attend any meetings.

5.5 The Committee may require relevant officers/partnership representatives to attend at meetings, where specific advice and/or guidance is required on relevant topics.

5.6 The Committee may co-opt additional advisors as required.

1. **Private Member Meetings**

6.1 [Private Member Meetings](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx#Priv6)

1. **Frequency of Meetings**

7.1 The Committee shall normally meet four times per year.

7.2 The Chair of the Committee, may within reason, convene additional meetings if they deem this necessary, in consultation with the relevant executive lead.

1. **Authority**

8.1 [Authority](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx%22%20%5Cl%20%22Auth8)

8.2 The Committee may establish Sub-Committees to support its functions. This, as per the Staff Governance Standard, will include the Remuneration Committee.

1. **Responsibilities and Duties**

9.1 The Committee shall act for the Board to oversee the commissioning of structures and process which ensure that delivery against the Staff Governance Standard is being achieved. Specifically, the Committee will:

* + 1. monitor and evaluate strategies and implementation plans relating to people management;
		2. note once for Scotland staff governance related policies;
		3. approve any local staff related policy amendment, and consider any funding or resource submission in line with NES expenditure processes to achieve the Staff Governance Standard;
		4. take responsibility for the timely submission of all staff governance information required for national monitoring arrangements;
		5. provide staff governance information for the statement of internal control;
		6. provide assurance that systems and procedures are in place to manage the issues set out in MEL (1993) 114 (amended)
		7. receive assurance that the Remuneration Committee discharges its duties;
		8. consider any recommendations from the Partnership Forum.
	1. The Committee will also:
		1. review and advise on the Board’s whistleblowing policy, procedures and processes;
		2. receive assurance that health and safety and wellbeing meets legislative requirements and the implementation of the Safer Staffing Regulations;
		3. ensure appropriate governance in respect of risks associated with staff, determined by the Committee and by the Audit and Risk Committee. Review risk identification, assessment and mitigation, in line with the NES Board’s risk appetite, and agree appropriate escalation;
		4. monitor compliance of staff governance activities with statutory duties, NHSScotland policy and NES priorities in relation to equality and diversity and oversee the implementation of key aspects of Equality legislation in respect of staff e.g. Equal Pay, Equality and Diversity Training.
	2. The Committee will pro-actively promote the health and wellbeing of staff particularly as a consequence of the COVID-19 pandemic
1. **Reporting Arrangements**

10.1 - 10.5 **[Reporting Arrangements](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx%22%20%5Cl%20%22Report10)**

1. **Review**

11.1 [Review](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx%22%20%5Cl%20%22Review11)

11.2 The Committee will undertake an annual assessment of their performance, highlighting any steps for further improvement to the way they conduct business.

1. **Conduct of Business**

**[Conduct of Business](https://scottish.sharepoint.com/sites/9nes/pl/Shared%20Documents/Committees/Staff%20Governance/Governance/Terms%20of%20Reference/2020.21%20Approved%20ToR/Approved%20generic%20ToRs%20.docx%22%20%5Cl%20%22Conduct12)**

Della Thomas, Board Secretary

NES, November 2020