Title of report	People Management Policies
Public/confidential	Public
Action	For approval
Summary/purpose of report	1. For Council to consider revised versions of the Disciplinary and Capability policies, which originally came to Council in November 2020, and the Whistleblowing policy. 2. To update Council on the proposal to introduce an Agile Working policy.
Recommendations	The Council is asked to: 1. approve the Disciplinary, Capability and Whistleblowing policies 2. note progress made on an Agile Working policy.
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Link to Strategic Plan	The information in this report links to all three outcomes: Outcome 1: People who use services are protected by ensuring the regulated workforce is fit to practise. Outcome 2: The SSSC supports and enhances the development of the registered workforce to deliver high standards of practice and drive improvement. Outcome 3: Our workforce planning activities support employers, commissioners and policy makers to deliver a sustainable, integrated and innovative workforce.
Link to the Risk Register	Risk 5: We fail to provide value to our stakeholders and demonstrate our impact.

	Risk 6: We fail to develop and support SSSC staff appropriately to ensure we have a motivated and skilled workforce to achieve our strategic outcomes. Risk 9: The SSSC is unable to operate due to effects of global pandemic COVID-19.
Equality Impact Assessment (EIA)	EIAs were completed for each policy.
Documents attached	Appendix 1: Whistleblowing Policy and Consultation Log Appendix 2: Disciplinary Policy and Consultation Log Appendix 3: Capability Policy and Consultation Log
Background papers	Link to Council Report - Policy Review Library: Item 09 Report 44/2020

1. INTRODUCTION

1.1 A people management policy review timetable was agreed by Council in August 2020. Specific policies were also identified and agreed to be approved by Council.

1.2 People management policies which include any of the following are reserved for the Council:

- associated additional costs that are not contained within the current budget
- any proposed fundamental change to terms and conditions of employment
- where the Council has a clearly defined role to play.

1.3 Two policies were submitted for approval to Council in November 2020 – Disciplinary and Capability. However, there were a number of comments on style and content and Council Members were not in a position to approve them in the current format.

1.4 A short-life working group including Members was suggested and subsequently established consisting of two Council Members, the Interim Director of Finance and Resources and the Interim Head of HR. The remit was to:

- review HR policies to take account of feedback from Council Members as part of the consultation process
- provide assurance to other Council Members and speed up the approval process at Council meetings.

2. PROGRESS MADE BY SHORT-LIFE WORKING GROUP

2.1 The group has met twice since November and has agreed and actioned the following:

- established a revised template for people management policies to make sure that policies are consistent
- reviewed policies for Council approval that were included in the programme agreed at the Council meeting in August 2020 (see timetable at paragraph 2.6 below).

2.2 Approval of the policies is required by Council.

2.3 The template has been agreed by the working party to ensure there is consistency across the policies and we have pre-populated parts where we can. Key elements include:

- emphasis on training and refresher training for managers
- strengthening of HR's specific role
- a section for line manager responsibilities

- policy and procedure should be contained in the same document
- timescales should be consistent where possible and should be in calendar days.

2.4   The three policies have been fully considered by the group and all comments/suggestions actioned as appropriate. The amendments are noted within the consultation logs.

2.5   Key changes include:

2.5.1 Whistleblowing

- Comparison to the Scottish Public Services Ombudsman information re the whistleblowing standard which comes into force in the NHS from April 2021. All pertinent points were mapped over to ensure they were covered in our policy.
- Aligning the principles of our policy to those of the National Whistleblowing Standards for the NHS in Scotland.
- Reference to Counter Fraud Service (CFS) now having to be informed, involved and investigate as appropriate.

2.5.2 Capability

- Clarity around withholding an increment.

2.5.3 Disciplinary

- Reference to CFS now having to be informed, involved and investigated as appropriate.

2.6   A revised timetable for policies going to Council was also agreed by the group which is as follows:

Policies	Consult OMT	Consult PF	Consult EMT	Overview Group Meeting	Council meeting (set)
Grievance Code of Conduct Workforce Change	04/03/21	01/03/21	18/03/21	w/c 12/04/21	27/05/21
Retirement and Redundancy	02/06/21	23/06/21	20/07/21	w/c 26/07/21	26/08/21

2.7   In August 2020, we advised that we would review the Grievance policy by Sept 2020, Code of conduct by Dec 2020, Workforce change by March 2021, retirement & redundancy in 2021/22. Due to COVID-19 19 related work, capacity in the team and rework on the three policies presented today these policies have been delayed and the new timescales are illustrated above.

3.   AGILE WORKING

3.1   The group also discussed the plan for an Agile Working policy.

3.2   Staff have been working at home since March 2020 and will continue to do so for the foreseeable future. We know that remote working works for us – we have continued to provide a service to our customers whilst working remotely and continued to be productive across all areas of the organisation. We have developed modern working practices that help employees to do their jobs, allowing them to balance work and life demands. We know that work performance is better if employees have flexibility in their working arrangements.

3.3   We want to implement agile working within the SSSC and develop principles of how this will work in practice.

3.4   Most staff would like to have the ability to work more flexibly, from home or elsewhere, and use office space differently. They would like to have more flexible spaces to work in different ways supporting networking, innovation and increased meeting space which was lacking previously.

3.5   Recent recruitment campaigns have seen increased questions from applicants and candidates on the option of remote working. Feedback from recruiting managers is that agile working allows us to open our recruitment pool and we are no longer tied to Dundee or the surrounding area. More recently we have recruited from further afield and it means we can now attract a wider pool in areas where we previously experienced recruitment difficulties e.g. Fitness to Practise.

3.6   The lease for Compass House will end in 2023 and options are being appraised. We will make sure there is an office available for those who do wish to return to traditional office working.

3.7   Agile working is about flexibility and it is difficult to apply a rigid set of rules. It will apply to all employees at any level within the organisation. However, the extent of agile working will vary according to the job role and the main consideration is the impact on access to services by the public and employee welfare.

3.8   Agile Working Principles

3.8.1   **Our highest priority is to satisfy our customers and provide a public service.** There should be no adverse effect on the level and quality of service to the public/SSSC/employee or team.

3.8.2   **Our leadership style, values, workplace rituals and skills are explicitly supportive of agile for all aspects of the organisation.** We expect both managers and employees to identify opportunities where working in a different way can be successfully implemented and maintained, to improve organisational and individual performance so that services to the public can be enhanced and costs potentially reduced.

3.8.3 **We operate on the basis of maximum flexibility with minimum constraints.** It is essential that managers and employees alike enter into the spirit of agile working within the constraints of normal service provision. As each service offering is different a 'one size fits all' approach cannot be applied.

3.8.4 **Technology, policies and spaces are designed to enable people to have their best day at work every day wherever they are.** Employees should be able to separate their working and home lives, and they can agree boundaries with their managers and colleagues to suit them.

3.8.5 **We will focus on outcomes and performance.** This is no longer about physical visibility but making our activities visible to our colleagues. Managers and employee should discuss and agree the level of flexibility that is most suited to the job and meets the service need.

3.8.6 **We will trust our staff to deliver and in return our staff will overtly demonstrate they can be trusted.** Work performance can often improve with flexible working arrangements, though where performance issues develop as a result of agile working managers must address them with employees and adapt the arrangements accordingly.

3.8.7 **Embed a culture that encourages employees to use the new flexibility in the office to build new relationships.** To manage an agile team requires new understanding as well as new practices. It is essential for managers and employees to work in a harmonious partnership.

3.9 The Executive Management Team and the Partnership Forum have considered a paper outlining these principles. We have surveyed staff to get their thoughts, views and concerns and the Performance and Improvement department is currently undertaking an analysis of this. The next stage will be to hold staff focus groups to understand the results in more detail and the information gathered will inform the draft policy. This workstream is being sponsored by the Director of Regulation, Maree Allison, and is line with the work in the COVID-19 recovery plan and the Evolve programme. We will also, as part of the review of rewards including pay and grading, evaluate whether our overall package is fit for purpose for a remote workforce.

3.10 We will continue to update Council on progress made.

4. RESOURCE IMPLICATIONS

4.1 There are no direct resource implications because of this paper.

5. LEGAL IMPLICATIONS

5.1 The legislation associated with each policy is defined and all policies adhere to employment law legislation.

6. STAKEHOLDER ENGAGEMENT

6.1 Consultation has taken place with the Operational Management Team, Executive Management Team, Partnership Forum and Council.

7. IMPACT ON PEOPLE USING SOCIAL SERVICES AND CARERS

7.1 There is no direct impact on people using social services and carers. These policies however support us to ensure that we create an organisation in which staff can flourish through interesting and rewarding work. All our staff know the important role they play in protecting some of Scotland's most vulnerable people. Our staff are our greatest ambassadors for the organisation.

8. CONCLUSION

8.1 Good people management policies set out the organisation's commitment to its workforce in relation to all aspects of employment and define many key rules that govern the organisation.

8.2 Council is asked to endorse the progress made on development of an Agile Working policy.

8.3 Council is asked to review the policies outlined in this report and approve these for implementation by the organisation.