

Dear Colleague

GUIDANCE ON THE ROLE AND SUPPORT FOR EMPLOYEE DIRECTORS

1. This letter provides guidance on the role of Employee Directors, and the support which Boards should provide to enable them to fulfil their role. In particular, it covers:

- The role of the Employee Director
- Key Tasks of an Employee Director
- Support for the Employee Director
- Personal Development for Employee Directors

2. This guidance has been developed in partnership, and signed off by the Scottish Workforce and Staff Governance Committee (SWAG).

Background

3. The Healthcare Quality Strategy for Scotland recognises that staff need to have the confidence and be empowered to make the changes needed to provide the highest quality, compassionate and clinically effective healthcare and to feel that they do, and continue to enjoy doing, what they came into the NHS to do. This requires strong leadership, good staff governance and effective partnership working. Involving and empowering staff in decisions relating to their work has been demonstrated to deliver a better quality of outcome which will ultimately result in the delivery of high quality, safe, effective and person-centred healthcare services.

4. The challenging economic environment, coupled with changing demography and technological advances, requires NHS Scotland and individual Boards to make some difficult decisions about the design and delivery of services and the workforce required to deliver them. This is recognised within the 20:20 vision for healthcare, As the Quality Strategy recognises, we need to balance the drive for quality, productivity and efficiency with the support and development for **all** staff to feel engaged, valued and empowered in leading and driving quality in their communities, services, wards and departments. While such circumstances will inevitably put a strain on employee relations, strong and effective staff governance mechanisms, together with partnership arrangements, will ensure that these relationships are maintained

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Addresses

For action

Chief Executives
Directors of Human
Resources
Employee Directors

For information

Members of SWAG
Chairs of Health Boards

Enquiries to:

Edwina Cameron,
Staff Governance
Associate
Staff Governance and
Employee Experience
Division
St Andrew's House
Regent Road
Edinburgh EH1 3DG

Tel: 0131-244 5663
Point of contact

Edwina.cameron@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

and used positively to make the right decisions to benefit patient care.

5. Area Partnership Forums (APFs) are an established and important part of NHS Boards in Scotland, reflecting the development of integrated organisational arrangements at local level as well as further strengthening partnership arrangements first set out in MEL (1999) 59. An important part of this was the introduction of the Employee Director role back in 2001 under the then NHS Scotland policy document “Rebuilding Our National Health Service”, paragraphs 2.59 to 2.65 refer. The role of members of NHS Boards and is set out in the Annex to the policy document.

6. This framework has been produced to assist in setting out the role of the Employee Director although the exact nature of the role will vary depending on the nature of the organisation and the background and experience of the individual. Key to the effective performance of the role will be the development of effective working relationships particularly with the Chair and fellow Directors of the NHS Board, and with staff side colleagues.

7. The Employee Director is the elected chair of the staff side organisations. In addition to being a representative of their own union/professional body they are also an appointed non-executive director of their board.

The Role of the Employee Director

8. The role of the Employee Director includes the following:

- Member of their Health Board as a Non-Executive Director
- Fulfil the role of a Non-Executive Director in line with guidance and instruction issued by the Scottish Government Public Appointments Committee.
- Chair/Participate fully in the Staff Governance Committee. Involved in agenda setting and internal scrutiny of compliance with the Staff Governance Standard.
- Support local staff side representatives, regardless of affiliation, as required.
- The Employee Director will provide advice on workforce issues directly to the Health Board and the Executive Management. The Employee Director is directly accountable to the Chairman of the Board, and as the elected chair of the staff side. Employee Director’s views will normally have been formulated taking into account the views of staff side following discussions with the Area Partnership membership and other staff side colleagues.
- Chair of the Joint Staff Side.

Key Tasks of an Employee Director

9. In taking forward their role, the Employee Director will undertake the following tasks:

- Influence Board policies, ensuring that staff interests are properly reflected in policy development.
- Encourage the ethos of Partnership Working within the NHS Board through portraying positive behaviours collaboratively to achieve the Board’s objectives and represent the views of their NHS Board area in influencing debate and discussion.

- Assist in ensuring that staff communication with the Board is effective.
- Act as a focal point for staff from across the local NHS system who wish to contribute to the business of the NHS Board.
- Explain the work of the NHS Board to staff and promote opportunities for staff to be involved in decision-making locally.
- Reflect the views of local partnership forums on the performance of employers within the local NHS system in discharging their Staff Governance responsibilities to the Health Board.
- Attend and participate fully in Board meetings where strategic decisions regarding their NHS Board are discussed, debated and agreed. This includes financial, clinical and staff governance of the organisation.
- Assist in ensuring that the partnership arrangements (Area Staff Side/Area Partnership Forum etc) are effective.
- The Employee Director may Chair/Co-Chair the Staff Governance Committee depending on local arrangements.
- It is expected that the Employee Director should under normal circumstances be a member of the Board's Remuneration Sub-Committee.
- Co-Chair the Area Partnership Forum with the Chief Executive Officer as the principle strategic structure where managers and staff side representatives discuss and debate proposed strategic changes required within the organisation. The Employee Director should also ensure that regional and national issues which impact on the Board are also included on the Agenda.
- Participate in, and influence, local HR Policy Development ensuring that they correspond with current employment law and practice and that they, as a minimum, meet or exceed the best practice outlined within the National NHS Scotland Partnership Information Network (PIN) Policy, ensuring effective consultation over any policy.

Support for the Employee Director

10. The Employee Director, as Chair of the Area Partnership Forum and in their role as a Board member, will require protected time to enable them to carry out their role, have access to secretarial support and suitable mechanisms to enable them to communicate effectively with staff throughout their organisation. Under normal circumstances the role will be full time in recognition of the extended nature of the work.

11. The Employee Director should continue to be remunerated as if they were in their previous substantive post. Local secondment policies may provide structure on which to support some of the practical arrangements such as reporting and authorising leave.

12. As a Board member, the Employee Director will receive the appropriate additional remuneration. This remuneration is only payable while in the role and is not protected when the role ceases.

Action

13. NHS Boards are asked to ensure that this guidance is widely circulated and promoted, and that Employee Directors receive the support, training and development required to enable them to fulfil their role.

Further Information

14. This Chief Executive Letter (CEL) can be obtained on line at www.sehd.scot.nhs.uk.

Yours sincerely



Jane Hamilton

Head of Staff Governance and Employee Experience Division