

<b>Meeting Title</b>	<b>Board of Directors</b>		
<b>Date</b>	<b>10 March 2022</b>	<b>Agenda item:</b>	<b>Bo.3.22.12</b>

## Report from the Chair of the People Academy

<b>Presented by</b>	Karen Walker, Non-Executive Director, Chair of the Academy		
<b>Author</b>	Katie Shepherd, Corporate Governance Manager		
<b>Lead Director</b>	Pat Campbell, Director of Human Resources		
<b>Purpose of the paper</b>	To provide a summary of the discussions and outcomes from the People Academy meeting held on 23 February 2022		
<b>Key control</b>	This report is relevant to Strategic Objective 3: To be in the top 20% of Employers in the NHS.		
<b>Action required</b>	To note		
<b>Previously discussed at/ informed by</b>	People Academy 23 February 2022		
<b>Previously approved at:</b>	<b>Committee/Group</b>	<b>Date</b>	
	N/A		

### Key Matters Discussed

#### 1. People Academy Dashboard

The Academy received the Academy dashboard. The highlights of the report were:

- Further work was required to align the glossary, indicators and RAG rating within the dashboard. It was hoped that this would be completed in time for the next Academy meeting.
- The Health and Wellbeing strand of the dashboard had been downgraded to 'red' due to the increase in sickness absence and the low uptake of the flu vaccination.
- The Trust had ranked the engagement strand of the dashboard as 'amber' due to the appraisal performance.
- It was noted that the Freedom to Speak Up indicator would be updated in time for the next meeting; and the harassment and bullying indicator would be updated in time for the Academy meeting in May 2022 as required as part of bi-annual reporting.
- The non-medical appraisal rate reduced from 77.67% in December 2021 to 74.72% in January 2022, due to the pause of appraisal whilst the Trust faced significant service pressures. Staff had since been asked to recommence appraisals as operational pressures had eased and this was being managed in the Executive and CBU meetings.
- Medical appraisal was paused in January 2022, however performance was on track. There were 109 appraisals outstanding for the 2021/22 year. It wasn't expected that these would all be completed due to time constraints; however it was advised that the GMC and NHSE/I would make allowances for that. Assurance was provided that of those doctors outstanding an appraisal in-year, would have received an appraisal during the 2020/21 financial year.
- A new metric relating to refresher mandatory training had been added to the dashboard. The Trust reported a compliance rate of 85% against a target of 85%. Prior to the COVID-19 pandemic the Trust consistently reported compliance between 85-90%. During the COVID-19 pandemic some training was suspended to enable education staff to support clinically.
- The use of bank and agency staff declined in-month due to high levels of COVID-19 related absence.

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- There had been a slight increase in staff turnover from 12.31% in December 2021 to 12.39% in January 2022. Retention of staff was a focus of the Executive-to-CBU meetings. It was advised that this was a similar picture across WYAAT. We would see if benchmarking data could be included within the dashboard for the next meeting.
- There were 295 colleagues on an apprenticeship programme in the Trust.
- There would be the introduction of a new metric for disability declaration rates, as an action within the Workforce Disability Equality Standard.
- The rolling 12-month sickness absence rate at 31 January 2022 was 6.66% with increases seen in all areas with the exception of Pharmacy. The sickness absence rate for January 2022 was 9.69%.
- As at 31 January 2022, 53.3% of frontline staff had been recorded as having received their flu vaccination. At the same time last year, the Trust had reported an uptake of 82%. Assurance was provided that the Trust continued a proactive approach to encouraging colleagues to receive the flu vaccination including that of drop-in clinics and communicating that colleagues inform the Trust if they had received it elsewhere so their records could be updated. A strategic decision was made to prioritise Covid vaccines. It was agreed that the matter would be escalated to the Board for information.
- Following the recent Government announcement that all COVID-19 related restrictions would cease, it was advised that the Trust awaited further information on what this would mean for the health and care sector. It was expected that face masks would still be required whilst a health and care setting.
- A discussion took place regarding the pause of mandatory training during the COVID-19 pandemic. It was advised that risk assessments had been undertaken prior to the pause of mandatory training; however the Trust had continued to accept evidence of learning elsewhere or practical competencies during this time. It was noted that although training had paused, training compliance remained reasonably good. The Trust had access to data, and was able to monitor what future compliance rates would be. The decision to step down mandatory training during the COVID-19 pandemic was agreed by the Executive Management Team and reported to Board. Mandatory training had since restarted and therefore it was expected that compliance rates would increase.
- It was agreed that a report on the step-by-step process for the step down of mandatory training during the COVID-19 pandemic would be submitted to a future Academy meeting for review.

The Academy noted the update.

## 2. High level risks relevant to the Academy

The Academy received the high level risks relevant to the Academy. These were:

- Risk ID 3489: A risk that staff will have a poor experience.
- Risk ID 3725: A risk to patient safety and service delivery due to the new legislation that requires staff deployed for the provision of CQC regulated activity must be vaccinated against COVID-19 as a condition of their deployment (VCOD). Although it had been confirmed that VCOD would be stepped down, Risk ID: 3725 would remain open until official confirmation was received.
- Risk ID 3711: A risk that children will deteriorate/come to harm due to a lack of staff capacity to manage increasing caseload.
- Risk ID 3404: There is a risk that optimal staffing levels within all areas of the maternity services not achieved due to vacancies, maternity leave, COVID-19 isolation rules and sickness levels.
- Risk ID 3630: The Executive Management Team accepted a new risk onto the high level risk register relating to staffing shortages in the Children's Community Team.

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- Risk ID 3741: A new risk relating to the impact of VCOD on Facilities Services. This risk would be closed down as it was addressed within the overarching risk: 3725.

Risks 3744, 3730 and 3732 would be rationalised given that they related to the same risk of staffing levels as a risk of harm to patients, staff and visitors due to the Trust's inability to maintain safe staffing levels.

Risks agreed by the Executive Management Team to be closed:

- Risk ID 3720 – Staffing pressures in Children's Services due to Omicron. The risk was closed as it was addressed via the wider staffing risks on the risk register (3744, 3730 and 3732).
- Risk ID 3204 – Safe nurse staffing – impact of patients. Risk replaced with Risk ID 3732.

### 3. Staffing Assurance Framework for Winter 2021 Preparedness/Workforce Board Assurance Framework

Following the receipt of the NHSE/I published guidance on nursing and midwifery safer staffing; the Trust had populated the framework and had been able to provide evidence in all areas, of preparedness, decision-making and the escalation process. It was noted that the framework contained a detailed risk assessment and quality impact assessment.

The Academy noted the information in the report.

### 4. Nursing Recruitment and Retention Plan

The report detailed the work that the Trust intended to undertake to recruit and retain the nursing workforce. The highlights of the report were:

- Funding had been approved for a two-year external advertising/marketing company. The external company, will take a proactive approach to following up with interested individuals as an encouragement technique.
- An additional investment in a further 50 nurses recruited internationally to support the areas of highest vacancy had been approved, however it was noted that there had been a change to the funding arrangements. Previously the cost to the Trust for each nurse was £3,000; this had been increased to a sum of £10,000.
- It was advised, following a request for information, that the Trust had recommenced work, started prior to the COVID-19 pandemic, to work more cohesively with the University of Bradford relating to recruitment and retention.
- The programme used for the induction of overseas nurses into Theatres had been exemplary therefore this would be used as the gold standard going forward.
- The Trust ensured that when recruiting internationally, that it did so ethically.
- The Trust had received funding for a 12-month People Promise Manager post, as one of thirty Trusts being classed as a People Promise exemplar site, which would see an improvement cycle approach to how the Trust puts interventions into place. Regular updates would be provided to the Academy.

The Academy noted the update.

### 5. Freedom to Speak Up (FTSU) Quarter 3 Report

The highlights of the report were:

- Audit Yorkshire completed an audit into speaking up arrangements within the Trust in September 2021. The report was received in December 2021. The Trust achieved a rating

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of 'significant assurance' from the audit.

- Benchmarking data indicated that whilst the Trust's data was consistent with the majority of other medium-sized Trusts, there were some examples of 'medium-sized Trusts' that had reported a lot more concerns than BTHFT. It was unknown if this was because colleagues didn't have any concerns, or if colleagues weren't aware of the process. Assurance was provided that the FTSU Guardian undertook promotional work to ensure that colleagues were aware of the process. The Trust had recruited an additional nine FTSU Associated Guardians.
- The FTSU app had been downloaded 17 times during Q3 2021/22.
- Data was shared on the ethnicity of those that had raised concerns. This did not indicate any major themes/trends.
- The Trust was required to submit quarterly reports on concerns raised to the National Guardian Office, who would identify any patterns/trends, which was followed with a review to ensure that the correct processes were in place to deal with the concerns. Assurance was provided that the Trust had robust processes in place to deal with any concerns raised, following the receipt of the Audit Yorkshire report, however took a proactive approach to identify where further learning and improvement could be undertaken.
- It was advised the FTSU Guardian was an asset to the Trust in her role, with the wealth of NHS experience she has and the people focused approach that she takes.

The Academy noted the report.

## 6. Guardian of Safe Working Hours – Quarterly Report

The highlights of the Q3 2021/22 report were:

- There had been a significant increase seen in the number of exception reports, from 25 exception reports submitted in Q2 2021/22 to 91 exception reports submitted in Q3 2021/22. Eighty-seven of which were related to hours/working patterns. Four were education related.
- In total, 75.5 additional hours worked were reported by Junior Doctors during Q3 2021/22, with the most reported hours coming from Orthopaedic core trainees.
- A total of 47 reports were from the Orthopaedic department, which related to the night team being kept until the end of the trauma meeting in the morning which results in trainees staying between 15-75 minutes late. Due to multiple exception reports and discussions with the team, the trainees were now sent home at 08:30am even if the trauma meeting was ongoing. It was noted that trainees did receive payment for the additional hours worked.
- There appeared to be an improvement in Junior Doctors taking their self-development time (SDT), with only 2 SDT related exceptions reports submitted during the quarter. It was known that further work was required in this area, and Junior Doctors had been encouraged to escalate any concerns.
- Palliative medicine remained the only non-compliant rota (due to weekend working pattern). The trainees in post are happy with their current position. This would be discussed each time a new trainee rotates into the position.

The Academy noted the update.

## 7. 2022/23 Planning Guidance

The highlights of the report were:

- The Trust would submit plans to deliver against the four quadrants of the People Plan: looking after our people, improving belonging, working differently and growing for the

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future.

- The Trust was in the process of devising the first draft the narrative plan and the numeric plan. The numerical plan would relate to staffing numbers. The first draft would be completed and submitted to Bradford Place week commencing 28 February 2022. The final submission was required at the end of April 2022.
- Area of focus for the following 12-months will include sickness absence rates, turnover of staff, what the current and planned establishment would be, and to highlight where there are key staffing issues and the introduction of new roles where required.

The Academy noted the update.

## 8. Policy for Supporting Medical Staff in Training

- The Academy was asked for approval for the updated policy: The Policy for supporting Medical Staff in Training (2022 version) which supersedes the Policy for Supporting Medical Staff in Training February 2018 v4.
- The purpose of this policy was to provide clarity to trainers, clinicians and managers of the roles and responsibilities of the organisation and individuals in supporting doctors in training. This was within an overall framework of quality assurance and quality control of education for all.
- Minor amendments have been made since the last revision, which relate to a new policy for development and management of organisation wide procedural documents.

The Academy approved The Policy for supporting Medical Staff in Training.

## 9. Belonging Diversity Steering Group/Gender Pay Gap Report

The Academy received the Trust's Statutory Gender Pay Gap Report that would be published by 30 March 2022 in line with legal and contractual obligations. Overall there was an improvement since the last report submitted during March 2020. As at 31 March 2021, the Trust reported an improved position:

- The mean average pay gap had decreased by 2.73% (from 26.36% in March 2020 to 23.63% in March 2021).
- The median average pay gap had decreased by 2.29% (from 9.16% in March 2020 to 6.87% in March 2021).
- The mean average bonus pay gap reduced by 2.67%. The median bonus pay gap had remained at 33.33%
- Women continued to make up a significant proportion of our workforce at 77.23%.
- There was a 1% increase of women in the Upper Quartile (higher paid staff) since March 2020.
- There was a 2% increase in women in Medical & Dental roles since March 2020.
- There was a 1% increase in men in Admin & Clerical and other roles since March 2020.

Further work would be undertaken to address issues in the following areas:

- Women continued to be under-represented at more senior levels and over-represented at middle management levels.
- Men continued to be significantly under-represented in Nursing & Midwifery roles, Admin & Clerical and other professions such as Allied Health Professionals. The Trust was working with the University of Bradford to identify ways to attract men into nursing roles.
- Men earned on average 34.55% more in bonuses than women (clinical excellence awards for medical & dental consultants).
- As part of the Gender Equality Reference Groups, work was underway to identify initiatives to promote gender equality.

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- As part of International Women's Day on 8 March 2022, a 'Women in Senior Leadership Panel' would be undertaken to provide colleagues with personal reflections on how they had navigated their careers.
- Steps would be taken to develop a culture of flexible working and work was underway with other organisations at Place level to join up on gender equality activities.

The Academy noted the update.

## **10. Looking after our People – Vaccination as a Condition of Employment (VCOD) Update**

The highlights of the VCOD update were:

- The consultation into the VCOD legislation closed on 16 February 2022. It was expected that there would be a parliamentary vote on the matter week commencing 28 February 2022.
- The Trust continued to encourage colleagues to receive the COVID-19 vaccination.
- Data indicated that 96% of colleagues had received their first COVID-19 vaccination.
- There had been an impact on the recruitment of a small number of new starters that had not yet received the COVID-19 vaccination.

The Academy noted the update.

## **11. Looking after our People – Sickness Absence Update**

The highlights of the update were:

- There would be a renewed focus on ensuring that return-to-work interviews were undertaken with all colleagues following a period of sickness absence, and that the formal sickness absence process was followed.
- COVID-19 related absence had reduced to 76 as at 22 February 2022.
- The Trust would review its Health and Wellbeing Policy with input from Staff Side.
- Colleagues that were on sickness absence leave due to COVID-19 were paid in full, regardless of how long the absence period was as per the national terms and conditions. These cases would be proactively managed.

The Academy noted the update.

## **Items of Positive Assurance, Learning and/or Improvement**

There had been an increase in the number of colleagues on an apprenticeship programme, to 295.

The Trust had received funding for a 12-month People Promise Manager post, as one of thirty Trusts being classed as a people Promise exemplar site, which would see an improvement cycle approach to how the Trust puts interventions into place to improve retention.

The Trust received a rating of 'significant assurance' from the internal audit into speaking up arrangements.

## **Matters escalated to the Board of Directors for consideration**

Matters agreed for escalation to the Board for discussion:

- The uptake of the flu vaccination by staff.
- High-level risks relating to staffing pressures.



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The Chair wished to express her sincere thanks on behalf of the Non-Executive Directors, to all colleagues working tirelessly through the operational pressures seen.

### New/emerging risks

New risks:

- Risk ID 3630: The Executive Management Team accepted a new risk onto the high level risk register relating to staffing shortages in the Children's Community Team.
- The new risk: Risk ID 3741: A new risk relating to the impact of VCOD on Facilities Services would be closed down as it was addressed within the overarching risk: 3725.
- New Risk ID 3725: there is a risk to patient safety and service delivery due to the new legislative requirement that staff deployed for the provision of CQC regulated activity must be vaccinated as a condition of their deployment. Staff must have a 1<sup>st</sup> Covid vaccine by 3/2/2022 and their 2nd vaccine by 31/3/2022. Staff who choose not to be vaccinated if there is no redeployment option will have to be dismissed leading to gaps in staffing, service provision.

Risks 3744, 3730 and 3732 would be rationalised given that they related to the same risk of staffing levels as a risk of harm to patients, staff and visitors due to the Trust's inability to maintain safe staffing levels.

Risks agreed by the Executive Management Team to be closed:

- Risk ID 3720 – Staffing pressures in Children's Services due to Omicron. The risk was closed as it was addressed via the wider staffing risks on the risk register (3744, 3730 and 3732).
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### Recommendation

The Board of Directors is requested to note the discussions, actions and outcomes from the People Academy held on 23 February 2022.