

NHS Highland



Meeting: NHS Highland Board
Meeting date: 28 November 2023
Title: Statutory & Mandatory Training Improvement Plan
Responsible Executive: Gareth Adkins, Director of People & Culture
Report Author: Gaye Boyd, Deputy Director of People

1 Purpose

This is presented to the Board for:

- Discussion

This report relates to a:

- NHS Board Strategy

This report will align to the following NHSScotland quality ambition(s):

Safe, Effective and Person Centred

This report relates to the following Strategic Outcome(s)

Start Well		Thrive Well		Stay Well		Anchor Well	
Grow Well	X	Listen Well	X	Nurture Well	X	Plan Well	X
Care Well		Live Well		Respond Well		Treat Well	
Journey Well		Age Well		End Well		Value Well	
Perform well		Progress well					

2 Report summary

2.1 Situation

Compliance with Statutory and Mandatory training has remained a concern and a challenge for a significant period of time. Work is being progressed to improve the overall position and review the Statutory and mandatory training across NHS Highland. There are risks associated with this and are captured within our Risk Register.

2.2 Background

Improvement in compliance with training is required both in the face to face activity but also for elearning modules. This training is a key element of the Board's responsibilities both in relation to external legislative requirements and internal support for our staff in order to provide safe and effective patient care. An action plan following an external audit was presented to the Staff Governance Committee in May 2022 and has been incorporated in this more detailed plan to progress.

2.3 Assessment

A short life oversight group and project team have been established with the first meeting scheduled for 12th October 2023. The focus of the planned actions is to address the barriers to compliance as rapidly as possible and revert back to management of compliance through organisational performance management and governance structures including regular reporting to staff governance.

A project charter has been developed as well as a project plan – appendices 1 and 2 which provide the detail of how the actions will be progressed and the anticipated outcomes. The main aim of the project is to oversee and monitor progress of the agreed audit actions from 2022 and set realistic timescales for completion of actions to lead to overall improvements in compliance with Statutory and Mandatory training.

The actions include:-

- Implementation of a programme to ensure all managers review direct reports compliance with statutory and mandatory training
- A review of face to face training including delivery methods, duration and content
- Consider barriers to face to face delivery and consider appropriate venues for training events
- Review induction and onboarding arrangements including options for scheduling employment start dates with corporate induction weeks
- Develop process for approving training as mandatory
- Review training passport arrangements
- Review and evaluate risks associated with low levels of training compliance

2.4 Proposed level of Assurance

This report proposes the following level of assurance:

Substantial
Limited

Moderate
None

X

Comment on the level of assurance

At this stage the level of assurance is moderate but as we progress through the actions this level should increase

3 Impact Analysis

3.1 Quality/ Patient Care

A robust improvement plan taken forward by a Oversight group will reduce the risks to quality and patient care identified by poor compliance with statman training.

3.2 Workforce

Supporting and developing staff will enhance their overall experience of working for the Board and will have a positive impact on culture and ensuring the Board is a values based organisation.

3.3 Financial

Improved compliance reduces the financial risk of lack of legislator compliance.

3.4 Risk Assessment/Management

The recommendations are aimed at responding to the identified risk and managing a reduction of this risk.

3.5 Data Protection

Statman compliance will improve overall data protection understanding and compliance.

3.6 Equality and Diversity, including health inequalities

None

3.7 Other impacts

None.

3.8 Communication, involvement, engagement and consultation

An oversight group has been established and will consider the communications supporting the progress of the actions

3.9 Route to the Meeting

This has been discussed at EDG, APF and Staff Governance Committee

4 Recommendation

- The Board is asked to accept **Moderate Assurance** – To give confidence of plan to achieve compliance with legislation, policy and Board objectives.

4.1 List of appendices

Appendix 1 – Project Charter

Appendix 2 – Project Plan

Appendix 3 – Statutory and Mandatory Training Overview

Appendix 4 – Action Plan

Appendix 5 – Risk Assessment

Statutory and Mandatory Improvements - Project Charter

Description

Review the Statutory and mandatory training across NHS Highland and improve compliance activity

SRO: Gareth Adkins
Project Lead: Author:
Gaye Boyd Governance
Group: Staff Governance

Problem Statement/Challenge	Link to Corporate & Strategic Objectives																
<p>Compliance with training remains low across the organisation with low attendance rates at face to face training, low completion rates for elearning modules and a lack of suitable training venues in-house and considerable cost of external venues</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Gov policy/Directorate</td> <td style="width: 10%;"></td> <td style="width: 33%;">Legal Requirement</td> <td style="width: 10%; text-align: center;">X</td> </tr> <tr> <td>Board Strategy</td> <td style="text-align: center;">X</td> <td>ADP</td> <td></td> </tr> <tr> <td>Corporate Objective</td> <td></td> <td>Local Policy</td> <td></td> </tr> <tr> <td>Operational Issue</td> <td style="text-align: center;">X</td> <td>Other</td> <td></td> </tr> </table>	Gov policy/Directorate		Legal Requirement	X	Board Strategy	X	ADP		Corporate Objective		Local Policy		Operational Issue	X	Other	
	Gov policy/Directorate		Legal Requirement	X													
	Board Strategy	X	ADP														
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	Operational Issue	X	Other														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Person Centred</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 33%;">Safe</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 14%;">Effective</td> <td style="width: 10%; text-align: center;">x</td> </tr> </table>	Person Centred	x	Safe	x	Effective	x											
Person Centred	x	Safe	x	Effective	x												
Aims & Objectives	Deliverables																
<ul style="list-style-type: none"> The main aim of the project is to oversee and monitor progress of the agreed audit actions from 2022 and set realistic timescales for completion of actions to lead to overall improvements in compliance with Statutory and Mandatory training. Key objectives: Establish regular reporting to committees and other meetings indicating level of assurance Implementation of a programme to ensure all managers review direct reports compliance with statutory and mandatory training Review face to face training including delivery methods, duration and content Consider barriers to face to face delivery and consider appropriate venues for training events Review induction and onboarding arrangements including options for scheduling employment start dates with corporate induction weeks Develop process for approving training as mandatory Review training passport arrangements Review and evaluate risks associated with low levels of training compliance 	<ul style="list-style-type: none"> - Agreed data set at Board, committees and performance meetings - Agreed data reporting for managers - Corporate improvement plan including 6 month trajectories for improvement - Communications plan to support improvement plan - Agreed and approved process for aligning start dates with corporate induction including statutory mandatory training - Training passport procedures to ensure prior learning is recognised - Risk evaluation including corporate risk profiles where appropriate 																
Expected Outputs & Benefits	Scope																
<ul style="list-style-type: none"> Streamlined process for starting employment and induction including statutory and mandatory training Increase in compliance activity for existing workforce Reduction in corporate risk associated with lack of compliance Improved access to required face to face training 	<ul style="list-style-type: none"> All Statutory and Mandatory training both face to face and e-learning modules All job families 																

Statutory and Mandatory Training Improvement Project Plan

1 Introduction

The purpose of this paper is to provide further detail on how the following objectives set out in the project charter will be progressed:

- Establish regular reporting to committees and other meetings indicating level of assurance
- Implementation of a programme to ensure all managers review direct reports compliance with statutory and mandatory training
- Review face to face training including delivery methods, duration and content
- Consider barriers to face to face delivery and consider appropriate venues for training events
- Review induction and onboarding arrangements including options for scheduling employment start dates with corporate induction weeks
- Develop process for approving training as mandatory
- Review training passport arrangements
- Review and evaluate risks associated with low levels of training compliance

Further analysis of the risks associated with low compliance are also included in this paper

2 Background

Table 1 in Appendix 1 details the e-learning training requirements for staff whilst table 2 outlines the face to face training requirements.

The purpose of statutory and mandatory training is to:

- Provide the knowledge and skills for staff to:
 - be aware of their responsibilities in relation to each topic area
 - understand what is expected of them in their role on a day to day basis including any procedures they should be routinely following
 - enable them to do their job effectively
- Ensure the organisation is compliant with statutory legislation
- Ensure the organisation can demonstrate a risk based and proportionate approach to mandatory training that aligns with corporate risks

It is important to note that **only fire safety training is a legal requirement** and therefore statutory requirement for all staff.

Our remaining training modules for all staff are mandated in line with our corporate responsibility to manage risks and to demonstrate we meet the obligations of the following:

- General Data Protection Regulations
- Health and Safety Regulations
- Cyber-security best practice guidelines
- Network and Information Systems Regulations
- Child protection best practice
- Equality Act 2010

Further role specific training is included in our mandatory training to manage risk and meet the obligations above including:

- Inanimate load manual handling training
- People handling training
- Management of violence and aggression practical techniques (breakaway and restraint)

Our staff governance standards includes well informed and appropriately trained which supports our overall approach that all staff should complete the required statutory and mandatory training (including role specific)

However, it is also important for governance assurance purposes to understand the risks associated with:

- low levels of compliance of each of the topics that all staff are required to complete
- low levels of compliance for role specific training

This is covered in more detail in the section on risk management.

3 Corporate Improvement Plan and Compliance Reporting

Line managers have a responsibility to ensure that their staff are able to complete the required statutory and mandatory training and for monitoring and managing compliance across their area of responsibility.

Compliance over the last 12 months is illustrated in figure 1 below with further detail in table 1:

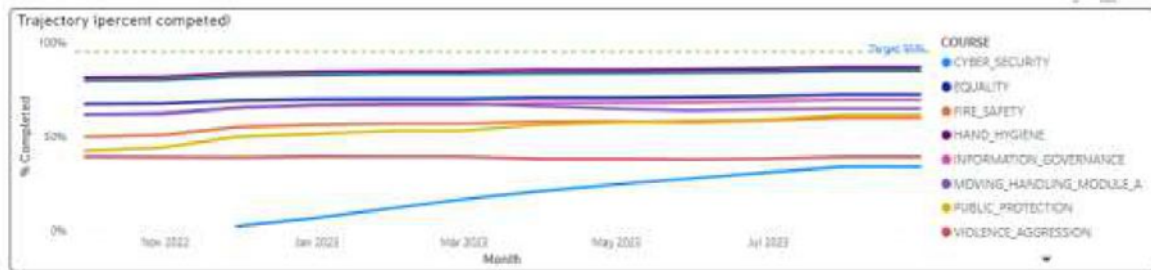


Figure 1 – Statutory and Mandatory Training Compliance Progress

Topic	Completion August 2023
Hand Hygiene	87%
Why Infection and Prevention Control Matters	85%
Equality and Human Rights	72%
Information Governance: Safe Information Handling	70%
Moving and Handling (module A)	65%
Public Protection: Everyone’s Responsibility	62%
Fire Safety	60%
Violence and Aggression (non-clinical)	40%
Cyber-security: Staying safe online	34%

Table 1 – Completion Rates 2023

The target for all modules is 95% and the RAG status in table 1 reflects the amount of improvement required to provide assurance to the board that we are meeting our own standards of how train staff and what we expect staff them to know and put into practice.

It is proposed that a 6 month improvement plan is implemented with the targets for all services to meet in each month set out in table 2 along with the criteria for RAG rating service and manager

compliance for each module based on their individual service and employee which will be supplied to them regularly (twice a month).

Table 2 – Improvement Trajectories and RAG rating Criteria

Month	Target completion rate (x) for all modules	Status		
		Red (Target -10%)	Amber (Target – 5%)	Green (on Target)
1	X ≥50%	X ≤40%	40%≤ X ≤45%	X ≥50%
2	X ≥60%	X ≤50%	50%≤ X ≤55%	X ≥60%
3	X ≥70%	X ≤60%	60%≤ X ≤65%	X ≥70%
4	X ≥80%	X ≤70%	70%≤ X ≤75%	X ≥80%
5	X ≥90%	X ≤80%	80%≤ X ≤85%	X ≥90%
6	X ≥95%	X ≤85%	85%≤ X ≤95%	X ≥95%

A report will be developed for distribution every two weeks that:

- Is disseminated to all 1st level line managers (team managers) and their managers (2nd level)
- Provides a RAG status summary all modules for each named 1st level line manager and includes the roles of each line manager in the report for visibility and transparency
- Is structured so each named 2nd level line manager can assess the compliance across their management team
- Is structured so that higher level managers can assess compliance across their services and management team

An example of the line level detail expected is shown below for month 1 and a target of 50% is shown below. The intention of the report will be to aid managers in tracking and improving compliance for their team and for greater visibility at an organisational level of progress against the overall improvement plan

Line Manager	Role	Hand Hygiene	Why Infection and Prevention Control Matters	Equality and Human Rights	Information Governance: Safe Information Handling	Moving and Handling (module A)	Public Protection: Everyone's Responsibility	Fire Safety	Violence and Aggression (non-clinical)	Cyber-security: Staying safe online
John Smith	Senior Charge Nurse	74%	82%	45%	60%	55%	70%	60%	N/A	20%
Robert Burns	AHP lead	45%	43%	70%	55%	23%	45%	20%	N/A	51%

The actions required to progress our corporate improvement plan and compliance reporting are:

- Develop RAG rated compliance report and dissemination process for line managers to receive 2 weekly updates on training compliance and status against corporate improvement plan
- Develop Improvement Plan Brief
- Communicate and cascade Improvement Plan Brief through management structure
- Establish regular reporting through executive, senior and middle management teams

4 Face to Face Training Review

Manual handling and management of violence and aggression training approaches both include face to face training but are managed in different ways.

4.1 Manual Handling Overview

It is not proposed to substantially change the format and delivery method of this course but this project will review if there are any barriers to accessing face to face training. The current risk based approach delivers face to face training in a targeted way as follows:

- All staff must complete e-learning module (A) which ensures all staff are aware of the basic principles of safe moving and handling in the workplace
- Moving and Handle Keyworkers undertake competency assessment of new employees and
 - recognise prior learning through Scottish Manual Handling Passport Scheme where relevant
 - assess level of training required and allocate to appropriate course outlined below
- Staff regularly involved in moving objects (not people), e.g. porters, stores people, undertake 2 hr training module (module b)
- Staff regularly involved in moving objects and regularly assisting a person in, from and to a seated position undertake $\frac{1}{2}$ day training module (module b and c)
- Staff regularly involved in moving objects and regularly assisting a person in, from and to a seated position as well as handling in bed or using hoists undertake a full day course

4.2 Manual Handling recommendations

The key points in relation to the current approach are:

- The current e-learning module requirement for all staff and further role specific face to face is a proportionate and risk based approach that makes best use of resources whilst adhering to the principles of health and safety in terms of lowering risk to **As Low as Reasonably Practicable (ALARP)**.
- The corporate improvement plan outlined above will address the compliance risk for manual handling training for module A that applies to all staff.
- There may be barriers to face to face training which this project will review.

This project will develop proposals that to address any barriers identified which may include:

- Expanding the number of Moving and Handle Keyworkers available across the organisation
- Reviewing feasibility and appetite of service managers for delivering module b and c through local training arrangements and training Moving and Handle Keyworkers
- Reviewing feasibility and appetite of service managers for delivering modules b-f through local training arrangements and training Moving and Handle Keyworkers

- Developing training plan for training Moving and Handle Keyworkers at key locations including facilities available for local training delivery
- Identifying and securing additional training facilities at key larger sites across the organisation and region if required

4.3 Management of Violence and Aggression Overview

This project will review the current approach which is segmented as follows:

- Module a - All non-clinical staff complete an online e-learning module (1260 eligible staff)
- Module b - All staff who have regular contact with the public and patients complete 1 day face to face training (12,037 eligible staff)
- Module c - Further 1/2 day face to face training is required for staff working in higher risk areas as identified by risk assessments such as learning disability services and areas caring for people with dementia
- Module d - A 4 day face to face training module is required for staff in high risk areas such as mental health services

Compliance is low across all modules and there are significant challenges with delivering the face to face courses across the organisation including capacity for courses and availability of suitable training venues.

4.4 Management of Violence and Aggression Recommendations

The key points in relation to the current approach are:

- Over 12,000 staff are required to complete a face to face training course covering theory and breakaway techniques
- Low compliance for module b is due to barriers of capacity and access to training facilities
- Many staff are not being provided with the basic training that could be provided through use of the existing e-learning module for non-clinical staff
- The module d is longer than other board's courses which are typically 2 or 3 days which is having an impact on service areas requiring this level of training and their ability to release staff for 4 days

It is proposed to change the delivery approach for this training to a risk based and proportionate one that can make best use of resources whilst adhering to the principles of health and safety in terms of lowering risk to **As Low as Reasonably Practicable (ALARP)**.

The key recommendations are:

- mandatory training requirements are changed so all staff are required to complete an e-learning module instead of face to face training.
- Face to face training continues for staff in higher risk areas as identified through risk profiling and training needs analysis
- Module d is review in determine if a shorter course can be delivered

In addition this project will review opportunities to address barriers to delivering including:

- Local training facilities for highest risk areas and potential for local trainers
- Access to training facilities at key sites where higher risk services are situated

5 Corporate induction and onboarding

It has been proposed that scheduled employment start dates are introduced with all new employees starting in one of two weeks each month, e.g. all new employees start in either the first or fourth week of the month. This proposal will be developed in partnership with staffside and will include consultation with senior managers.

The benefits of this approach include:

- better scheduling and alignment of employment start dates with corporate mandatory training and welcome sessions
- better scheduling and alignment of employment start dates with local induction including:
 - assessment by moving and handling key worker
 - local health and safety orientation including fire safety and evacuation arrangements
- new starts to be supported in groups where appropriate to complete local induction
- managers able to schedule new starts as supernumerary in first week to ensure corporate and local induction is completed and all mandatory e-learning training undertaken

This will require the following actions:

- Agreement through area partnership forum to establishing scheduled start dates
- Development of refreshed corporate and local induction procedure and checklist so all necessary actions are scheduled and managed in line with scheduled start dates including
 - Staff have access to IT and digital systems including Turas
 - Payroll is informed of new starts and they are registered on pay systems
 - Staff are booked onto corporate induction sessions
 - Scheduled time to complete of statutory and mandatory training
 - Local induction plan is booked

6 Risk Assessment

It is important to note that training is only one control element for the risks associated with each of the subjects included in statutory and mandatory training. Table 3 in appendix 3 summarises the risks related to e-learning modules and provides a risk rating based on current compliance levels and planned improvement to the targets of 95% and the impact of the risk materialising.

Table 4 provides a risk definition to the risks associated with our face to face training. Further work is required to quantify and score these risks based on assessment of the compliance for the higher risk areas in the organisation including:

- Areas providing care for individuals with dementia, delirium, people who have consumed alcohol or non-prescription drugs as well as people who may be affected by treatment being administered e.g. anaesthetics and pain relief
- Areas providing care for people with health conditions that increase the risk of them becoming violent or aggressive such as learning disabilities as well as severe and enduring mental health conditions

7 Appendix 3 – Statutory and Mandatory Training Overview

E-learning modules

Training Topic	Refresher period (years)	Category	Duration (minutes)
Fire Safety	3	Statutory	45
Information Governance: Safe Information Handling	3	Mandatory	45
Public Protection: Everyone’s Responsibility	3	Mandatory	60
Cyber-security: Staying safe online	3	Mandatory	30
Hand Hygiene	3	Mandatory	30
Why infection prevention and control matters	n/a	Mandatory	30
Equality and Human Rights	3	Mandatory	20
Moving and Handling (module A)	2	Mandatory	45
Violence and Aggression (non-clinical)	3	Mandatory	45
Total			5 hrs 50 mins

Face to face training

Training Topic	Refresher period (years)	Category	Duration
Moving and Handling: Inanimate load module	2	Role specific	2 hrs
Moving and Handling: minimal people handling	2	Role specific	0.5 day
Moving and Handling: people handling	2	Role specific	1 day
Violence and Aggression: theory and breakaway	2	All patient and public facing staff	1 day
Violence and Aggression: enhanced theory and physical interventions	2	Higher risk areas in general acute	0.5 day
Violence and Aggression: enhanced theory and physical interventions	1	Mental Health Services	4

8 Appendix 4 – Action Plan

Action	Action Owner	Lead	Timescale
Develop RAG rated compliance report and dissemination process for line managers to receive 2 weekly updates on training compliance and status against corporate improvement plan	Deputy Director of People	Workforce systems manager	End of October 2023
Develop refreshed governance approach	Director of P&C	Deputy Director of People	End of October 2023
Develop Improvement Plan Brief	Director of P&C	Head of Communications	End of October 2023
Communicate and cascade Improvement Plan Brief through management structure	Director of P&C	Chief Officers/Corporate Directors	End of October 2023
Establish regular reports for sharing with executive, senior and middle management teams	Deputy Director of People	Workforce systems manager	End of October 2023
Develop proposals for expanding the capacity and availability of manual handling training through key workers	Head of OH&S	MH Manager	End of December 2023
Agree change to e-learning approach from mandatory face to face training requirement for all staff for management of violence and aggression basic training	Director of P&C	Head of OH&S	End of November 2023
Review training facilities and develop proposals for increasing access to face to face training	Director of Estates & facilities	Head of OH&S/ E,L&OD Manager	End of November 2023
Agreement through area partnership forum to establishing scheduled start dates	Deputy Director of People	Recruitment Manager	End of January 2023
Development of refreshed corporate and local induction procedure and checklist including: <ul style="list-style-type: none"> ○ Staff are booked onto corporate induction sessions ○ Scheduled time to complete of statutory and mandatory training 	Head of Talent	Recruitment manager/Payroll Manager	End of January 2023

○ Local induction plan is booked			
○ Payroll is informed of new starts and they are registered on pay systems			
Establish process to ensure new staff have access to IT and digital systems including Turas	Head of Talent	Head of eHealth	End of January 2023
Develop agreed process for approving request for training to become mandatory training	Director of P&C	Nurse and Medical	End of January 2023
Organisation level risk assessment of compliance rates for areas requiring face to face training	Director of P&C	Head of OH&S	End of November 2023
Review policy documents relating to Statutory and Mandatory training	Deputy Director of People	E,L &OD Manager	End of December 2023
Review use of Training passports across NHS Scotland	Director of P&C	Head of OH&S	End of December 2023

9 Appendix 5 – Risk Assessment

9.1 Table 3 - e-learning related risks

Risk Description	Training modules	Compliance (August 2023)	Risk Impact	Current likelihood	Target likelihood	Current risk	Target Risk
There is a risk of a breach of infection prevention procedures due to lack of staff awareness and understanding resulting in harm to service users from transmission of disease	Hand Hygiene Why Infection and Prevention Control Matters	87% 85%	Major (40)	Unlikely (2)	Rare(1)	Low (80)	Low (40)
There is a risk of breaching the equality and human rights legislation due to lack of staff awareness and understanding resulting in inappropriate treatment of employees and service users	Equality and Human Rights	72%	Moderate (30)	Unlikely (2)	Rare(1)	Low (60)	Low (30)
There is a risk of breaches of safe information handling procedures due to lack of staff awareness and understanding resulting in data losses, inappropriate sharing of information and fines by the information standards commissioner	Information Governance: Safe Information Handling	70%	Major (40)	Possible (3)	Rare(1)	Medium (120)	Low (40)
There is a risk of inappropriate basic moving and handling activities by staff due to lack of staff awareness and understanding resulting in injury to staff and service users	Moving and Handling (module A)	65%	Major (40)	Possible (3)	Rare(1)	Medium (120)	Low (40)
There is a risk of failing to identify child protection or vulnerable adult issues due to due to lack of staff awareness and understanding resulting missed opportunities to report issues and continued harm to individuals	Public Protection: Everyone's Responsibility	62%	Moderate (30)	Possible (3)	Rare(1)	Low (90)	Low (30)

Risk Description	Training modules	Compliance (August 2023)	Risk Impact	Current likelihood	Target likelihood	Current risk	Target Risk
There is a risk of failing to follow fire safety procedures due to lack of staff awareness and understanding resulting in delays to raising the alarm and starting relevant evacuation procedures which may increase risk of harm to staff from fire	Fire Safety	60%	Major (40)	Possible (3)	Rare(1)	Medium (120)	Low (40)
There is a risk of staff not using de-escalation and risk avoidance techniques due to lack of staff awareness and understanding resulting in staff experiencing violence and aggression in the work place	Violence and Aggression (non-clinical)	40%	Major (40)	Possible (3)	Rare(1)	Medium (120)	Low (40)
There is a risk of staff inadvertently facilitating cyber incidents and attacks due to lack of staff awareness and understanding resulting in increased risk of the organisation’s digital security systems being exposed to cyber incidents and attacks	Cyber-security: Staying safe online	34%	Moderate (30)	Possible (3)	Rare (1)	Low (90)	Low (30)

9.2 Table 4 Face to face training risks

Risk Description	Training modules	Compliance (August 2023)	Risk Impact	Current likelihood	Target likelihood	Current risk	Target Risk
There is a risk of inappropriate basic moving and handling activities by staff due to lack of staff awareness and understanding resulting in injury to staff and service users	Moving and Handling (modules b-f)	TBC	Major (40)	TBC	TBC	TBC	TBC
There is a risk of staff not using de-escalation, risk avoidance techniques as well as breakaway and physical interventions due to lack of staff awareness and understanding resulting in staff experiencing violence and aggression in the work place and being unable to manage higher risk incidents	Management of violence and aggression face to face training	TBC	Major (40)	TBC	TBC	TBC	TBC

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