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Bwrdd Iechyd Prifysgol  
Cwm Taf Morgannwg  
University Health Board

**People & Culture Committee**  
**Held on 10 August 2022 at 10:00 am**  
**as a Virtual Meeting via MS Teams**

**Present:**

- Dilys Jouvenat - Independent Member (Chair)
- Lynda Thomas - Independent Member
- Mel Jehu - Independent Member
- Nicola Milligan - Independent Member

**In attendance**

- Hywel Daniel - Executive Director for People
- Greg Padmore-Dix - Executive Director of Nursing & Midwifery
- Helen Watkins - Deputy Director for People
- Michelle Hurley-Tyers - Assistant Director of OD & Wellbeing
- Clare Wright - Strategic Lead for Wellbeing
- Cally Hamblyn - Assistant Director of Governance & Risk
- Rhiannon Ellis - Equalities, Diversity & Inclusion Practitioner (in Part for Agenda Item 4.1)
- Raja Biswas - Consultant Physician (in part for Agenda Item 4.1)
- Ben Screen - Welsh Language Services Manager (in part for Agenda Item 3.1.1)
- Kathrine Davies - Corporate Governance Manager (Secretariat)

**08.22.1 PRELIMINARY MATTERS**

**08.22.2 Welcome & Introductions**

The Chair welcomed everyone to the meeting including Ben Screen, Welsh Language Services Manager, Rhiannon Ellis, Equalities, Diversity & Inclusion Practitioner and Raja Biswas, Consultant Physician.

**08.22.3 Apologies for Absence**

Apologies for absence were received from Georgina Galletly, Director of Governance, Wendy Penrhyn-Jones, Head of Corporate Governance & Board Business, Karen Wright, Assistant Director of Policy, Governance & Compliance and Sharon Nash, Head of Organisational Development.

**08.22.4       Declarations of Interest**

No declarations of interest were received.

**08.22.5       CONSENT AGENDA**

The Chair explained that to ensure a focus on business critical activity and discussions CTMUHB was continuing to use the consent agenda process. This enabled questions on any of the items under the Consent Agenda to be invited in advance of the meeting which were then put to the relevant officer lead.

The Chair asked if anyone wished to comment further on the consent agenda items or move any of the items to the main agenda for discussion. There were no such requests.

**ITEMS FOR APPROVAL**

**08.22.6       Minutes of the People & Culture Committee held 11 May 2022**

A question had been raised in advance of the meeting which was as follows:

**Question:** In relation to the Freedom to Speak Up Guardian, is there any update and has it been considered by the Executive Team.

**Response:** There is currently an National piece of work being undertaken on Freedom to Speak with input from colleagues from the Royal College of Nursing (RCN) and the British Medical Association (BMA) and the report and their recommendations were due to be received within the next two weeks. There is a paper ready to be received by the Executive Team that contains a number of options, however, they were waiting for the National report to be released first. Following this an investment bid would be put into the Intergrated Medium Term Plan (IMTP) for 2023-24.

Resolution: The minutes were **RECEIVED** and **CONFIRMED** as an accurate record.

**Annual Leave Policy**

Resolution: The Policy was **APPROVED**.

## **Re-deployment Policy**

Resolution: The Policy was **APPROVED**.

## **Maternity, Paternity, Adoption and Surrogacy Policy**

A question had been received in advance of the meeting with regard to the Policy which was as follows:

### **Question:**

In section 22 on Surrogacy 22.2 (pages 11/12) it refers to having to adopt through a recognised agency to get the adoption leave if having a child via a surrogacy arrangement, how would staff who may have an arrangement with a family member and thus don't need to go through a formal adoption agency be covered by the policy?

### **Response:**

There does appear to be an omission, should one or both of the child's intended parents be genetically related. In which case they would be required to apply for a parental order (as opposed to an adoption order) within 6 months of the child's birth, to be entitled to receive surrogacy rights, leave and pay.

The revised section will read:

*"Will an employee for whom a surrogate parent gives birth to a child be entitled to paid maternity leave?"*

*No, the employee will not be entitled to receive either maternity leave or statutory maternity pay, as these benefits are available only to employees who give birth to a child. The intended parent(s) may however, be entitled to apply for other types of family leave.*

*If the child is **not** genetically related to the intended parent(s) and they are approved via an adoption agency, they may be entitled to adoption leave and pay, should they meet the qualifying adoption criteria.*

*If the child **is** genetically related to one or both of the intended parents, they must apply for a parental order, to become the legal parent of the child within 6 months of the child's birth, to be entitled to receive surrogacy rights, leave and pay. They must also meet the qualifying adoption criteria.*

Resolution: The Policy was **APPROVED** subject to the above amendments.

### **Recruitment & Retention of Disabled Staff Policy**

Resolution: The Policy was **APPROVED**.

### **Appeals Procedure when not Detailed in the Relevant HR Policy or Procedure**

Resolution: The Policy was **APPROVED**.

### **Pension Contributions Alternative Payment Policy**

A questions was raised in advance of the meeting with regards to the Policy which was as follows:

#### **Question:**

The Policy mentions approved at the Workforce Policy Review Group, is this correct as in April 2022 it was only mentioned under Any Other Business with a consultation to be sent for two weeks but no record to my knowledge of approval?

It also mentions approved by the Local Partnership Forum (LPF) however, in the June meeting of the LPF the Executive Director for People was made aware that Trade Union members present had not had discussions regarding the policy prior to it coming to LPF. This was raised in an email by the Chair of Trade Union Partners to the Executive Director for People on the 14 June 2022 who acknowledged the need for a discussion. This discussion has not taken place to date. Can we approve at People & Culture Committee as it does not appear to have gone through a full process as stated on the cover papers which says it had been approved by Workforce Policy Review group and LPF?

#### **Response:**

The concerns raised are quite correct in that there was an agreement to take this away for further discussion. The Policy has been to the Local Medical Council who are using the policy for medical staff and has been signed off by the Executive Leadership Group for use for senior medical staff. However, there is further to do in relation to Agenda for Change lower band staff and this will be undertaken with further discussions held with our Local Partnership Forum Trade Union colleagues.

Resolution: The Policy was **APPROVED** for use for Senior Medical Staff and would be further reviewed for lower band

Agenda for Change Staff via the Local Partnership Forum with trade union colleagues.

### **Committee Annual Report 2021-22 & Self Effectiveness Survey Outcome**

The Chair advised that due to limited responses received with the Self Effectiveness Survey it would be deferred to the next meeting and prompted members to undertake the survey by the 24th August.

Resolution: The Annual Report for 2021-22 was **APPROVED**.

Action: To defer the Committee Self Effectiveness Survey to the next meeting with the survey to be completed by Members by the 24th August 2022.

**08.22.7**

### **ITEMS FOR NOTING**

#### **Final Internal Audit Report – Overtime and Additional Hours**

Resolution: The Report was **NOTED**.

**08.22.8**

### **MAIN AGENDA**

#### **Action Log:**

The following updates were received on the Action Log.

- 05.22.16 – “Workforce Metrics Report - To review the conditional and unconditional letters and the barriers causing delays in shortlisting.” H. Daniel advised that NHS Wales Shared Services Partnership were implementing a change with regards to the letters from September 2022 which would be one letter of appointment if the person meets all the conditions rather than the previous unconditional and conditional letter and this would be a transformative step from a Managers point of view in eliminating the time gap between these stages.

- M. Jehu referred to the Action Log and provided an example as the CAMHS Action and the Action on the staff Staff Survey that mentioned thank you card – both had been closed and he queried whether there should be more indepth information contained on the Action Log so that Members were aware of what had been actually done to close down the Action. C. Hamblyn advised that for assurance puposes all the information that the team hold is kept so that it could be checked back and responded to if needed. She advised that if any Member felt that further assurance was required prior to any action being closed then they can ask that it remain open until sufficient infomration had been received. The Action Log could also be included on the main agenda if Members so wished. The action update in relation to CAMHS would be checked by the team outside of the meeting and shared with Members. H. Daniel, in response to the action on the Survey advised that for assurance purposes, the outcome of the Survey had generated a whole programme of work and the Committee would receive regular updates in relation to Employee Wellbeing and Experience.

Resolution: The Action Log and updates were **NOTED**.

Action: Circulate information relating to the CAMHS Action.

## **GOVERNANCE**

### **08.22.9**

#### **Welsh Language Standards Annual Report 2021-22**

Ben Screen presented the report which provided the Committee with an update on the work undertaken by the Welsh Language Team in relation to the Welsh Language Standards for the period 2021-22.

L. Thomas commented that it was pleasing to see all the good work being undertaken and queried what were the biggest challenges in offering flexibility in Welsh. B. Screen advised that the main challenge was ensuring there was a process in place for staff. He advised that the aim was to establish a group, however, the organisation should acknowledge the positive progress to date. L. Thomas offered her support as the Welsh Language Champion.

M. Jehu queried if there was a Welsh Language version of the report. B. Screen confirmed there was and would share this with the Committee.

H. Daniel thanked B. Screen for the work undertaken by the team and advised that he had provided some excellent leadership. Members of the Committee would hear a lot more about the further plans for Welsh language in relation to Welsh language culture and creating more of a Welsh language atmosphere within the organisation.

D. Jouvenat commented on the complaints performance noting that only a small number had been received.

Resolution: The Committee **APPROVED** the Welsh Language Standards Annual Report for 2021-22.

Action: Welsh version of the report to be shared with Members.

**08.22.10**

### **Organisational Risk Register**

C. Hamblyn presented the report, which provided the latest iteration of the Risk Register containing matters with a score of 15 or above which had been assigned to the Committee for scrutiny.

N. Milligan drew attention to risk 1133 and suggested that the mitigating action should be reviewed as the risk has remained stagnant for a significant period of time. N Milligan also referred to risks 4106 and 4157 and requested more information in relation to retention. C. Hamblyn advised that she would raise the mitigating action on risk 1133 with the risk owner outside of the meeting. With regard to the risks 4106 and 4157 in relation to retention G. Dix, advised that this had been raised at the last Professional Forum meeting and that Becky Gammon had agreed to work with the Employee Experience Team to take this activity forward. He advised that a Task and Finish group had been established and extended an invite to N. Milligan to join if she so wished. N. Milligan confirmed that she would be happy to do so.

H. Daniel, in responding to the query on Risk 1133 advised that it was a challenging issue, however, the work on medical workforce expenditure was receiving positive outcomes and the patchwork data was in place from the internal Locum APP which provided information agency expenditure.

N. Milligan thanked H. Daniel for the update and advised that this would be the type of information that she would expect to see in the mitigation section of risk 1133

Resolution: The Committee reviewed the Risk Register and **NOTED** the report.

Action: To further review the mitigating action for Datix Risk ID 1133 and revert back to the Committee with an update outside the meeting.

**08.22.11**

## **INSPIRING PEOPLE**

### **Equality, Diversity & Inclusion – Black, Asian & Minority Ethnic (BAME) Story**

M. Hurley-Tyers, R. Ellis and R. Biswas presented the story, following which detailed discussion took place as outlined below;

N. Milligan advised that she had received reflections from Trade Union members where they had experienced inappropriate use of language and descriptors and also felt that they were being treated differently. She advised that on the survey 84.4% of SAS doctors advised that no actions had been taken when they had raised discrimination and queried how they were going to build trust and confidence and supporting staff when they come forward and what policies were they using. R. Biswas advised that there was apprehension of whether you would be affected when raising discrimination and it causes staff to lose confidence in the structure if they did not get a response. He advised that the Executive Team were fully on Board and did reassure staff about this. He went on to add that staff need to be involved in every stage of the process and communication was key even if there was nothing to report. R. Biswas advised that the Network was trying to make the electronic Discrimination Reporting System (DRS) more accessible for staff and find out where the hotspot areas were in different departments. It was hoped that the DRS report would be completed within six months and this would be shared with the Committee.

R. Ellis recognised that cultural change does not happen overnight, the data was concerning, however, the work the Network were undertaking with the DRS was a positive way forward. In terms of the wider equity, diversity and inclusion and in response to the All Wales anti-racism the Health Board

was looking to launch an anti racism charter with senior leadership ownership and visibility, which would explore the use of the language used around race and discrimination. It was noted that the outcomes from this activity would be brought to the Committee.

R. Ellis also advised that they were launching a reverse mentoring programme in October 2022 which was allowing open dialogue and this was a feature of the long term plan in this area.

L. Thomas commented that this had been a fascinating conversation and felt reassured about the work being undertaken and the strong leadership at the networks. She informed Members of the work that had been undertaken at Macmillan and advised that there was software available where you could add to the bottom of an email on how to pronounce individuals names which could also support the Welsh language activity.

M. Jehu thanked R. Biswas and the network, recognising the fantastic activity being taken forward and advised that the network was really important for staff particularly as the Health Board was the biggest employer of ethnic communities in the area. He added that it was important to ensure that senior leaders actively lead by example with this activity. He offered his support and recommended the Health Board consider how it could support membership at the network through backfilling roles. R. Ellis thanked M. Jehu and advised that they would appreciate the link and support recognising his wealth of experience in this area.

R. Ellis advised that they were looking to establish an Allyship Network and Framework which would help to drive the inclusion agenda forward and would bring this back to the Committee once it had been launched. M. Hurley-Tyers suggested that the team revert back to a future Committee meeting with an update on the inclusion agenda activity.

H. Daniel noted that they were right at the beginning of the journey and that it was important to be realistic in terms of pace. He advised that there were some very immediate actions that were happening right now such as the data that N. Milligan mentioned and there was a meeting being held to discuss this and take forward some actions. He advised that there was an absolute commitment from all Executive colleagues, and that

they would explore the work undertaken at Macmillan to share learning and would also work with the Independent Members to utilise their expertise at Board level. He thanked R. Biswas, R. Ellis and the team working on the Network who commit their time to do this and offered to have a conversation outside of the Committee in relation to how the Health Board could support the Network members in terms of the time and resource that was required to dedicate to this activity.

D. Jouvenat congratulated the Network on their work to date.

R. Biswas advised that they would be organising an event with the local community in September as there were a number of overseas nurses experiencing issues within the local community and it would provide a good opportunity to support integration. He advised that once this had been arranged he would extend an invitation to Members of the Committee.

Resolution: The Committee **NOTED** the story.

Action: Discussions to be held outside of the Committee in relation to how the Health Board could support the network members in terms of the time and resource that was required to dedicate to this activity.

Action: R. Biswas to share the Network Report on DRS reporting once completed with the Committee.

## **08.22.12**

### **People Directorate Operating Model**

H. Watkins gave a presentation to the Committee on the Draft People Deliverables and new Operating Model.

H. Daniel thanked H. Watkins for the work undertaken on this and advised that the 10 priorities that went into the Integrated Medium Term Plan had been reframed to make them clearer and more action focussed. The next step would now be to develop some metrics alongside those priorities.

N. Milligan advised that it was pleasing to see that people were at the heart of the 10 priorities but recognised that there was still quite a way to go to ensure anti racism. She referred to Pathways to Employment and queried why lower band jobs were being advertised internally when they should be going out into the communities. She also mentioned the Coaching and Mentoring for Staff Programme and queried whether staff were

receiving training on coaching. H. Watkins advised that they were trying to bring in new talent through, for example, the Kickstart Programme and they need to think about the right way moving forward on what they want them to achieve. She confirmed that there was support for coaches such as an introduction to coaching and the support to obtain a qualification. N. Milligan, in response, advised that if they were asking managers to sign up to coaching they needed to be mindful that they were also being asked to sign up to the Leadership Programme and therefore an assessment as to capacity to complete both was required.

L. Thomas referred to the emerging people priorities and queried why anti-racism was there. She also suggested whether they should consider adding the word 'Culture' to the Director for People's title and queried whether benchmarking had been undertaken prior to the coaching and whether they knew what the current capabilities were. In response, H. Daniel advised that they would need to reflect on the anti racism element of the priorities, it had been added due to the Welsh Government anti racism plan to align with that. With regard to adding 'Culture' to the Director title, his worry was that culture would only then be seen as just the Directorates role when it was everyone's responsibility. He advised that he would however, give some thought to the comments made.

N. Milligan referred to the Workforce function roles and queried why managers were linking in with Workforce when they should be dealing with managing sickness themselves and not reliant on the Workforce Function. H. Daniel agreed with the comments and advised that if you had good return to work figures it managed down short term sickness. The new Operating Model would hopefully change that and provide an opportunity to recast and reset workforce data.

Resolution: The Committee **NOTED** the presentation.

### **08.22.13 Employee Relations Update**

H. Watkins presented the report providing a formal update in respect of ongoing Employment Relation cases and trends within the Health Board for the period April – June 2022.

L. Thomas referred to the work on culture and queried whether this was having an impact on the volume of cases received. H. Watkins advised that the Health Board needed to re-visit its

approach with regards to employee relation cases, considering the harm to the person and what processes are put into place as the just culture approach developed. She noted that a reduction in the cases going through formal processes would hopefully be seen in future

H. Daniel advised that when you considered the previous history on this when the organisation was the former Cwm Taf UHB they had eight thousand staff with the average ER case figures being around 75. Bridgend had four thousand staff and their figures were around 100. The work done to date had got the current status to around 55 ER cases which was an improvement. He advised that the new Policy on Healthier Working Relationships might help to resolve issues that arise between staff at work without them having to go through a formal process.

G. Dix advised that it was important for the Committee to note that the Nursing and Midwifery Council (NMC) ongoing investigations were currently at 20 and were being led by Debbie Bennion, Deputy Nurse Director. He advised that a paper had been received last week which was mostly around conduct rather than competence. However, the one thing that had been raised by staff going through the process is the time the NMC takes to go through the cases with some going back as far as 2019.

Resolution: The Committee **NOTED** the report.

#### **08.22.14 Employee Experience & Wellbeing**

M. Hurley Tyers and C. Wright provided a presentation to the Committee.

N. Milligan commented on the fantastic amount of work that the team undertook and congratulated them. She referred to the return to work questionnaire being received by the Strategic Management Group and advised that it would have been 12 months from when the work commenced and queried when this would be rolled out. C. Wright advised that they were waiting for the all-Wales questionnaire to be published to consider if the Health Board adopt it or develop their own bespoke version. It had been discussed last week with a plan to have a meeting to make a decision on the forms and the mechanism which was fairly imminent.

D. Jouvenat thanked C. Wright and the team for the work and advised that it was pleasing to see the occupational health and healthy eating work and suggested that it could be a good briefing session at one of the Board Development sessions.

Resolution: The Committee **NOTED** the presentation.

### **08.22.15      Listening, Learning & Improvement Culture**

M. Hurley-Tyers presented the report which provided an update on the Restorative & Just Culture Training Programme.

H. Daniel advised the Committee that this was a large and complex programme of work and added that Mersey Care Trust was a huge organisation in comparison to CTM, however, the Health Board were committed to undertaking that same approach.

N. Milligan referred to page 5 of the report and the meeting that was held in July 2022 with the Workforce & OD Professionals and she advised that she hoped that at the August meeting there would be a wider invitation extended. M. Hurley-Tyers advised that the plan was to invite everyone and hold a mini movement with people coming forward as advocates with a wider collaborative piece of work undertaken.

D. Jouvenat commended this work and offered her support and suggested that the Board could have the training to enable them to understand it as well.

Resolution: The Committee **NOTED** the report.

### **08.22.16      Values and Behaviours**

M. Hurley-Tyers presented the report which provided an update on the plans to integrate the work around values and behaviours into business as usual activities. The Plan also highlighted what had been achieved to date, key remaining activities which will continue to be led by the Organisational Development Team centrally.

The Committee noted that the team had been shortlisted for a National Award on the 'Let's Talk Culture' work.

D. Jouvenat queried whether there was a training programme for mentors. M. Hurley-Tyers advised that there was a coaching and mentoring programme within CTM, with links with

the University if staff wanted to undertake a higher level and there was also the roll out of the reverse mentoring work.

M. Jehu referred to page 4 of the report and the April 2022 Values Listening sessions and queried what the attendance percentages were. M. Hurley-Tyers advised that she did not have the percentages to hand, however, it was quite a low figure around 30, however, she confirmed she would pick this up offline and feedback outside of the meeting.

N. Milligan advised that she had Chaired two of the panels with colleagues from nursing and confirmed that the attendance had been poor with less than a 100 and queried how realistic was the statement considering the workforce and service challenges being faced. M. Hurley-Tyers advised that this activity had commended, however, it was recognised this was something that would be considered in terms of how they continue to evolve this work.

Resolution: The Committee **NOTED** the report and the proposals and actions outlined in paragraphs 3.1 – 3.10.

Action: To share the attendance percentages of the April Values Listening Sessions outside of the meeting.

#### **08.22.17 Workforce Metrics Report**

H. Daniel presented the report which provided the Committee with the key workforce metrics for the period March to April 2022, with historic trends shown as appropriate.

M. Jehu commended the style and format of the report which provided good focus and candour. He added that when this was revisited in 12 months' time it would be helpful to receive some outcomes.

Resolution: The Committee **NOTED** the report.

#### **OTHER MATTERS**

#### **08.22.18 Committee Highlight Report to Board**

The Chair suggested that the highlight report be developed by the Governance Team and approved by herself and H. Daniel as the Executive lead for the Committee.

**08.22.19 Committee Forward Work Plan 2021-22**

Members were asked that if they had any suggestions to be added to the forward work plan to relay to the Governance Team within the next 10 days, so that they could be logged and put forward for discussion at the next agenda planning session.

It was agreed that the Outcome of the Committee Effectiveness Survey would be added to the Forward Plan for the November 2022 meeting.

**08.22.20 Any Other Urgent Business**

No further items of business was identified.

**08.22.21 How did we do today?**

A discussion was held to evaluate the meeting. The Committee noted that the meeting had overrun but it had been really important to have a longer discussion on the BAME Network.

**08.22.22 DATE AND TIME OF NEXT MEETING**

The next meeting would be held on the 9 November 2022.

Unconfirmed