

SCOTLAND DEANERY POLICY AND PROCEDURE

Lay Representatives in the Scotland Deanery

Version number & policy reference	V002
Approved by	MDET
Date approved	February 2015
Date published	December 2019
Equality Impact Assessment	No new assessment as updating existing Policies and Procedures.

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1 Policy Statement

This policy sets out the Scotland Deanery's position regarding Lay Representatives. This policy version and its subsidiary Lay Representative guidance document supersede all previous information and guidance.

The Scotland Deanery is committed to Equality and Diversity within the organisation and this policy is in line with the Equality Act 2010. The Scotland Deanery will ensure that the application of any part of this policy does not discriminate, either directly or indirectly, against anyone on the grounds of race, disability, sex, gender reassignment, sexual orientation, religion or belief, age, pregnancy or maternity, marriage or civil partnership.

2 Scope

This policy and related procedures apply to all Lay Representatives within the Scotland Deanery and outlines the corporate approach which must be utilised and referenced by those involved in lay representation. This policy includes the internal procedure for recruitment, management and training of Lay Representatives within the Scotland Deanery.

3 National Context

This policy complies with the General Medical Council's (GMC's) Excellence by design: standards for postgraduate curricula (General Medical Council, 2017), The Gold Guide (Conference of Postgraduate Medical Deans of the United Kingdom, 2018), The Foundation Programme Reference Guide (UKFPO 2016) which highlight the importance for external scrutiny of decision making as a result of the important public role the Scotland Deanery undertakes and the implications of its decisions for individuals.

4 Scotland Deanery Principles

The Scotland Deanery is committed to providing excellence in leadership and training for doctors and as part of its commitment to this vision, provides a service that is driven by quality. This commitment will be directly supported by the standardisation and a corporate approach to Lay Representation, across Scotland.

Involvement of Lay Representatives in the work of the Scotland Deanery is to ensure transparency, robust decision making, inclusiveness and accountability. The Lay Representative will provide scrutiny and assurance to the work of the Scotland Deanery.

5 Procedures

5a) Recruitment of Lay Representatives

Eligibility

It is expected that candidates will live within the location of the geographical area served by NHS Scotland, NHS Education Scotland and the Scotland Deanery.

Any person wishing to apply for a Lay Representative role in the Scotland Deanery will do so through a formal recruitment process and in open competition as described in this document.

For the avoidance of doubt, Lay Representatives are not employees of NES.

The appointment of Lay Representatives is the responsibility of Deanery's Quality Workstream who in conjunction with Human Resources will lead on the formal appointment process, in accordance with the procedure set out below. Lay Representatives will report to the Scotland Deanery Quality Improvement Managers as required.

Application process

Lay Representatives will be selected against the skills and attributes required to fulfil the Roles and Responsibilities of the Appointment, as described in the Appointment Outline and supplementary Roles and Responsibilities documents. Adverts for the post of Lay Representative will be placed on the Scotland Deanery website and the Scottish NHS SHOW website. Other media advertisement may be undertaken if required including national press.

5b) Training and Development

Lay Representatives shall be appropriately trained. The Quality Workstream will lead on all training requirements; facilitating seminars, workshops and e-learning as appropriate, with the explicit aim of consistent standards and approaches across the Scotland Deanery.

Training and development will be provided at inductions and subsequently to ensure the Lay Representative has the required knowledge, skills and support to undertake their role.

Scotland Deanery Lay Representatives will be paid for the attendance at any face to face training and development and completion of any e-learning modules.

5c) Equality and Diversity

The Scotland Deanery is committed to providing equality of opportunity, not only in its education and training but also in the services for which it is responsible.

As such, this policy has been screened, and if necessary an Equality Impact Assessment has been carried out on this document, to identify any potential discriminatory impact. If relevant, recommendations from the assessment have been incorporated into the document and have been considered by the approving committee.

Lay Representatives must perform their duties in a manner which supports and promotes the Scotland Deanery's commitment to equality and diversity.

Lay Representatives are expected to complete equality and diversity training once every 3 years (this will be provided by the Scotland Deanery either as an e-learning module or as a presentation delivered by the Scotland Deanery's Equality & Diversity Adviser).

5d) Contractual arrangements

The appointment as Lay Representative does not create an employment relationship between NES/Scotland Deanery and the Lay Representative.

5e) Potential impact on benefits

Appointment may affect your entitlement to benefits. This will depend on individual circumstances and the type of benefit received. Advice should be sought from the department that pays the benefit.

5f) Rehabilitation of offenders classification

The 'exemption' status of posts within NES/Scotland Deanery may change in the future and all successful candidates should be aware that they may be asked to obtain a further Disclosure from the Criminal Records Bureau at a later date, should a post's status change, or if they are transferred or promoted into a post that is exempt.

5g) Period of appointment

The initial appointment is for 3 years, with a view to extending for a further 3 years subject to the needs of the organisation and review. Lay Representative will not normally continue in the role for more than 6 years.

5h) Commitment

These appointments provide no guarantee of work. The time commitment required will vary. Availability will be mutually agreed with the Lay Representative before each event.

The role requires the Lay Representative to demonstrate a degree of flexibility and a willingness to make themselves available for Scotland Deanery events. Therefore if a Lay Representative is unavailable on three consecutive occasions for events at which their attendance has been requested the Scotland Deanery may depending on any mitigating circumstances cancel their appointment if thought appropriate.

Lay Representatives may be required to attend events across various locations in the Scotland Deanery region. Most events will be scheduled on weekdays; however, on some occasions there may be early starts/late finishes outside normal office hours and during a weekend. Lay Representatives are expected to accommodate these conditions as far as possible, giving advance notice to the Scotland Deanery where circumstances will not allow early starts/late finishes and weekend.

5i) Reimbursement

Reimbursement will be £23 per hour paid in 15 minute increments.

Travel will be reimbursed in accordance with NES financial policies. NES recognises the potential inconvenience to lay representatives when events are cancelled at short notice, therefore, the lay representatives will be paid the agreed fee for any cancellations made within 24 hours of the date the event was due to take place. 48 hours notice should be given to NES if lay representatives are no longer able to attend an event they were scheduled to take part in; under these circumstances no fee will be paid.

In the infrequent event that the expected duration of an event changes resulting in the lay representative being required for less time than originally expected, lay representatives will be paid in line with the new time allocation provided that 24 hours notice is given to the lay representative.

Lay representatives may claim for:

- The duration of the event (e.g. meeting, QM visit, ARCP), the rate is £23 per hour. Where the duration is a fraction of an hour this should be rounded to the nearest quarter of an hour and a pro rata rate will be paid (i.e. 15 minutes = £5.75). For example a meeting lasting 2 hours and 15 minutes results in a claim for £51.75.
- If an event finishes early the Lay Representative can claim for the time the event was booked for. For example if a meeting was booked from 10.00 until 13.00 but finished at 12.30 then 3 hours can be claimed.
- Lay representatives will be paid the agreed fee for any cancellations made within 24 hours of the date the event was due to take place.
- Preparation- or post -event reading for an event. It is recognised that many events will involve reading preparatory documentation. Quality Management visits also involve reading the draft visit report following the visit. Time spent on preparatory- or post- event reading can be claimed up to a maximum of 25% of the total duration of the event (e.g. a 2 hour meeting can incur a maximum combined claim (for both pre- and post- reading of 30 minutes).
- Travelling expenses will be reimbursed in line with NES standard policy for public transport and car usage. NES policy is that public transport will be the normal

mode of transport. Journeys by car need to be pre-authorised by the regional Quality Improvement Manager and will be reimbursed at the NHSScotland rate of 40p per mile. Where public transport is available, but a lay member has discussed use of car with the Quality Improvement Manager as a matter of personal preference which has been approved by the Quality Improvement Manager, car mileage will be reimbursed at 24p per mile.

- If a Lay Representative has to leave home before 6:30am, or arrive home after 8pm, to attend an event consideration may be given to allowing them an overnight stay at a hotel close to the venue on the night before or after the event. This requires to be authorised in advance by the regional Quality Improvement Manager.
- Lay representatives are responsible for ensuring that hotel reservations are made at the earliest possible opportunity via the appropriate staff in the local NES office, and utilising all relevant NHS National Contracts.

Claims will not be paid for:

- Travelling time. It is normally not possible to claim for the time spent travelling and this should not be included in the claim form.
- Subsistence. Claims for subsistence will not normally be met by NES; should a meeting take place during lunch hours, catering will usually be provided.

Payment.

Payment cut off dates are the 7th of every month which allows you to be paid on the last Thursday of that calendar month. If you submit your claims 10 working days prior to the cut off date this should ensure a payment will be made by the end of the month.

Should you have any questions prior to submitting your expenses claim form, please contact your local Quality Improvement Manager.

Lay Representatives will be required to complete and send to the Scotland Deanery the completed forms relevant to the event and a completed expense form, in order to be paid. Fees and expenses should be submitted for payment within 6 weeks after the event.

Lay Representatives should follow NES policy by utilising public transport wherever possible. The use of a car may sometimes be the only option (time of travel etc) but should be pre-authorized by the Scotland Deanery. If the Lay Representative requires overnight accommodation due to an early/late start/finish, will be booked by the Scottish Deanery.

Attendance and travel to conferences will only be reimbursed if supported by the Scotland Deanery.

The Scotland Deanery will not reimburse costs incurred by spouses or partners who accompany a travelling Lay Representative.

5j) Notice period

Lay Representatives are expected to give the Scotland Deanery at least one month's notice in writing if they wish to terminate their appointment.

The Scotland Deanery will give at least one month's notice if it wishes to terminate the appointment of a Lay Representative. During this time the Scotland Deanery reserve the right to cancel a Lay Representative's previously requested attendance at any arranged events.

5k) Health and safety

Lay Representatives are expected to take reasonable care for their own health and safety and that of any other person who may be affected by their actions or omissions.

Lay Representatives must ensure that statutory regulations, codes of practice and local policies and departmental health and safety rules are adhered to.

5l) Conflict of interest

All Lay Representatives will be asked to declare any potential conflict of interest at the outset of any proceedings.

5m) Annual Review

Lay Representatives roles will be reviewed annually and relevant feedback provided. This may include feedback from panel members, chairman of Committees, the Training Management Team, Quality Team and any other Deanery Representatives with which Lay Representatives have worked with whilst in the role of Lay Representative.

If concerns are raised regarding Lay Representatives performance an extraordinary review must be performed with or without Lay Representatives in attendance. Notes and actions of the review will be recorded. A copy will be kept on file by the Scotland Deanery and a copy sent to the Lay Representative for their information.

5n) Confidentiality

In the course of their duties Lay Representative will access confidential and sensitive information; the constant exercise of discretion and tact and the maintenance of confidentiality are therefore crucial.

In particular, attention should be paid to the need to protect personal data in accordance with the principles of the Data Protection Act. All such information derived directly or indirectly during the course of Lay Representative's work should be treated confidentially and should not be disclosed to any unauthorised person.

Lay representatives will provide a contact email and phone number to the Quality Improvement Manager which will be shared with interested parties working alongside the Deanery so that lay representatives can receive the necessary information they require to carry out the tasks required of a lay representative.

6 Monitoring and compliance

The effectiveness of the policy will be reviewed on a regular basis by the Quality Workstream through its Quality Operational Group.