

# SCOTLAND DEANERY POLICY AND PROCEDURE

## Lay Representatives in the Scotland Deanery

**The content of this document may be disclosed in response to a request for access under the Freedom of Information Act.**

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## **1 Policy Statement**

This policy sets out the Scotland Deanery's position in regard to 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 its related applies 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 GMC Standards for curricula and assessment systems (*General Medical Council, 2010*), The Gold Guide (*Department of Health, 2014*) 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.

#### **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 the Scotland Deanery's equality and diversity training (e-learning module) once every three years.

#### **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 continue in the role for more than six 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 cancel their appointment.

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 **£20 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.

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 six weeks after the event.

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, 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 may 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.

## **6 Monitoring and compliance**

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