

Devon STP Just & Learning Culture Update

Hannah Foster, Chief People Officer (RD&E and
NDHT) Devon STP Management Chair
Trudie Martin, Devon STP Staffside Chair

What is a Just & Learning Culture?

This is where the Trust and its employees put equal emphasis on accountability and learning. It is a culture that asks in the case of an adverse event/incident:

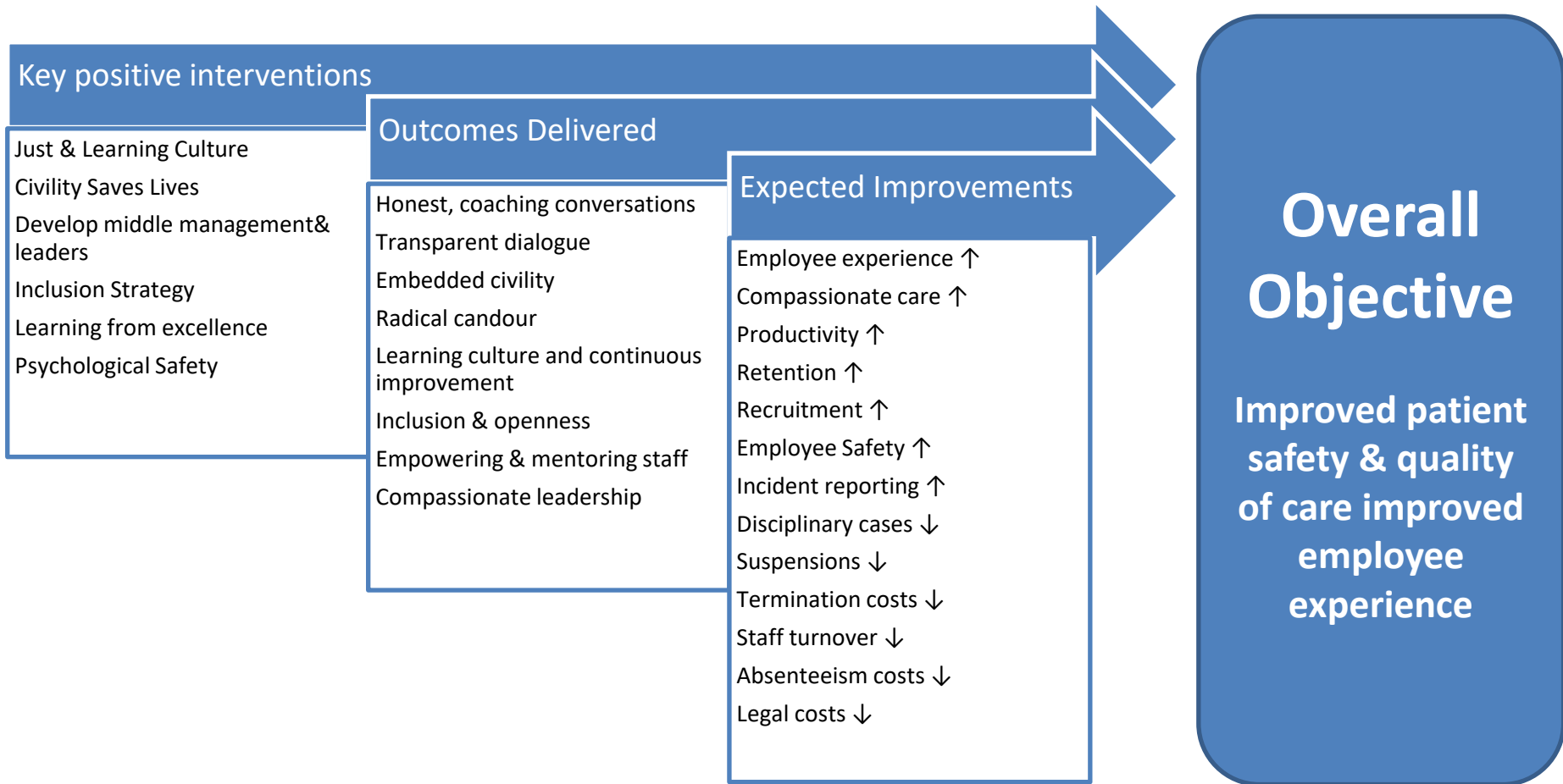
"what was responsible, who is hurt and what are their needs"

...not

"who is responsible, which rule was broken and how bad was the breach"

It is not finger-pointing and it is not blame-seeking. The focus is supporting staff compassionately where things don't go to plan, repairing the harm, rebuilding trust and learning from the event.

It's All About Culture



Background / Context

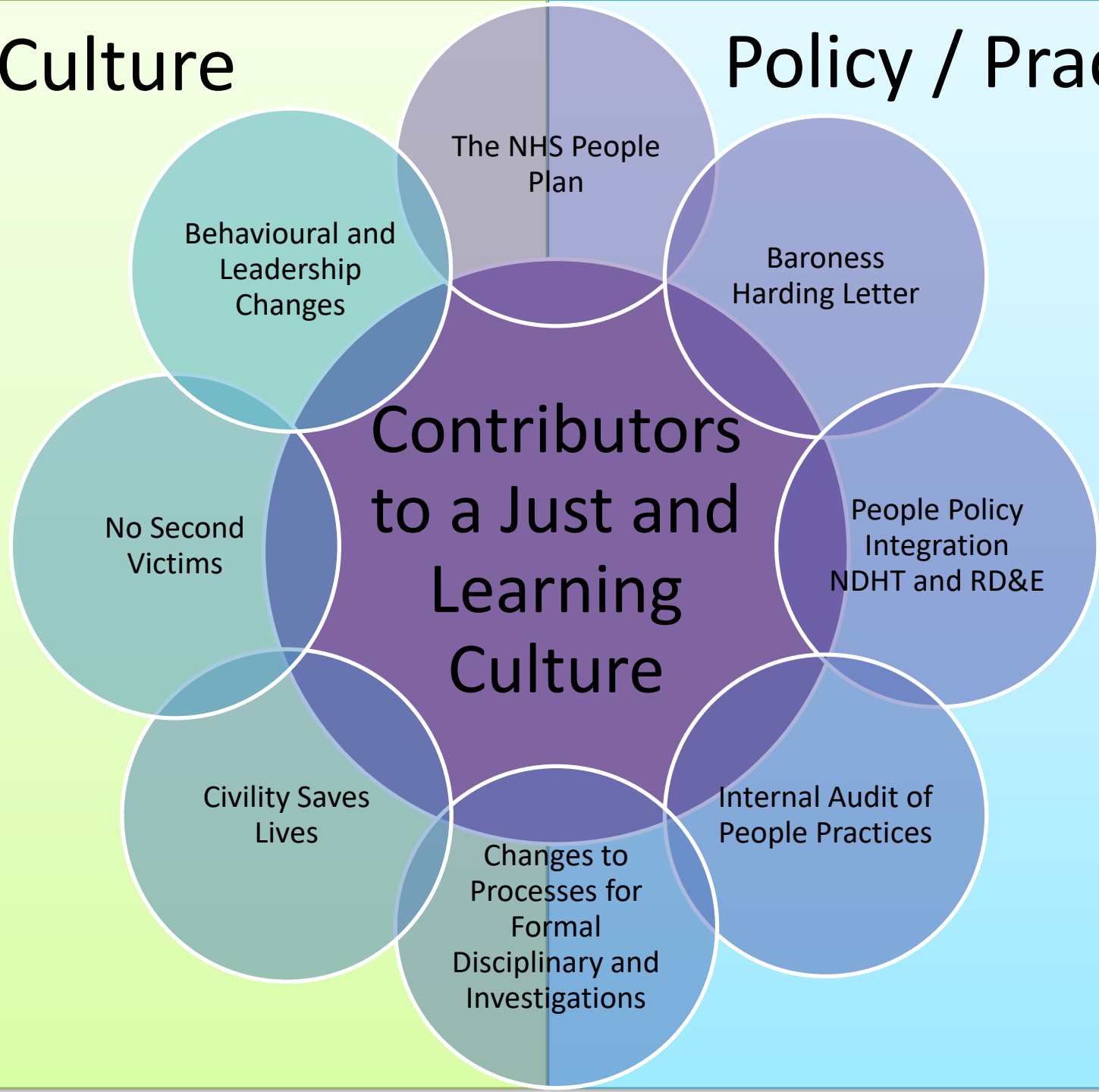
- In December 2020 the Health Service Journal published an article urging Trusts to reflect on their disciplinary procedures following the tragic death of a senior nurse who took their own life after being dismissed.
- This followed a letter that had been written from Baroness Harding to all NHS Trust and NHS Foundation Trust Chairs and Chief Executives, containing guidance relating to the management and oversight of local investigation and disciplinary procedures.
- Each organisation within the Devon STP has been looking at ways they can foster a Just and Learning Culture with much of this work starting prior to the above.
- The Best Place to Work (BP2W) sub-group has been exploring what each organisation is doing and how we share best practice.

Devon & JLC

- Devon STP PF have discussed JLC since late 2019 and agreed JLC as an important priority and vital in the culture improvement and inclusion elements of the Interim People plan
- JLC objectives in the Devon ICS People Plan
- Via BPTW completed an STP wide audit of work of local organisation work that has happened and that is planned to support a Just and Learning Culture
 - All orgs have raised JLC at senior management level
 - All NHS orgs have acted on the Dido Harding letter
- Completed an audit of staff networks across the STP

Culture

Policy / Practice



Examples of J&LC related activity from Devon STP Employers

UHP	“Learning from Excellence” Looking at learning from all work and understanding when things have gone well
T&SD	“Developing Awareness” People Hub Team undertook the Mersey Care e-learning package and had two JLC learning events. People Hub Service Manager and Staff side chair undertook formal 4-day training by Mersey Care: proposing a plan of action to the Chief People Officer in May and have run a short workshop with Staff Side reps to share learning
Livewell	“Inclusion Champions” Launching champions during EDHR week – role description and training provided
DPT	“RCPsych Enjoying Work Collaborative” (late 2021): Workforce team will take part in this to learn from other teams across the country, implement proven strategies and make sustained and measureable changes.

Where we on Staff Networks

Network	RD&E	UHP	TSD	DPT	LSW
BAME	√	√	√	√	Planned
Disability	√	√	√	√	Planned
LGBTQI+	√	√	√	√	Planned

	Additional Staff Networks			
UHP	Women's Staff Network	FaB (Faiths and Beliefs) Staff Network		
T&SD	Menopause Network	Under 30s Forum	Mental Health Forum	Equality Business Forum
DPT	Menopause Matters	Pregnancy and Parents Staff Network	Carers Network	
LSW (Planned)	Women's network	Carers network	MH employee support network	Neurodiversity network

Just & Learning Culture Update

A potential approach to the policy challenge?

Hannah Foster, Chief People Officer (RD&E and NDHT)

Trudie Martin, NDHT Staffside Chair, Devon STP
Staffside Chair

Where Are We Now

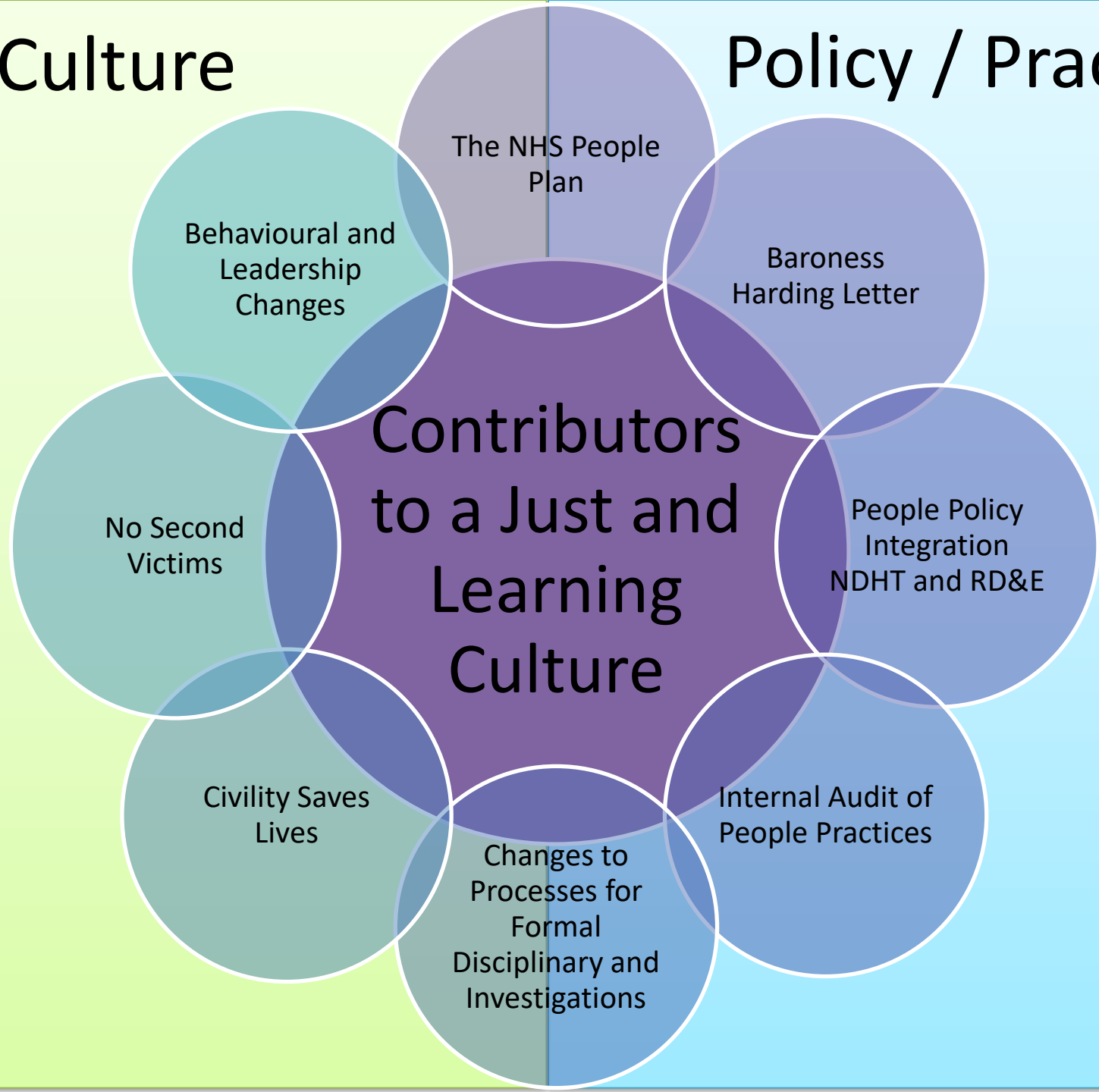
- Two workshops involving Staffside and HR from both Trusts took place to focus on Disciplinary and Grievance/Bullying & Harassment policies and how these could be revised to support a 'just & learning culture'.
- Internal audit completed a review all open disciplinary and bullying and harassment cases where a formal investigation had been initiated. The audit resulted in a largely positive outcome and satisfactory assurance, but with some actions identified to further improve.
- For all future potential disciplinary cases or other formal investigation, a set of questions will be used to consider all options.
 - One set for line managers to ask themselves in the first instance
 - Subsequent questions for consideration by a round table panel if the line manager still believes that formal action is necessary.
- While further work is ongoing, the teams are already starting to apply the revised approach with new cases to improve culture.

Where Are We Going?

- We know policy is a very hard problem to solve piecemeal in relation to JL&C and inclusion
- Our proposed integration gives us the opportunity to think differently
- HR and Staffside recognise whilst policy is not always the root of the issue, it is not helping us to embed the sort of organisation we want to be
- The cultural discussion at Board level has led to a common understanding that we need to take some brave steps if we want to change our culture
- Our GC had flagged that the volume, complexity and general policy burden was a concern in relation to integration
- This project is seen as a trailblazer to the sort of work we want to do more broadly in this area to improve employee and manager experience, inclusion and empowerment.

Culture

Policy / Practice



Current



Lots of Policy

- Too many policies
- Difficult to extract the information needed
- Complicated language / inaccessible
- Not user friendly
- Compliance orientated rather than people focused

Future

Small
Number of
Essential
Policies
Only

Clear Code
of Conduct

Accessible
& Digital

Staff and
Manager
Digital
Handbooks

Easy To
Understand
Information

Plain
English with
Minimal
Jargon

Agreed Policy Integration Next Steps

Agreement has been reached by the NDHT and RD&E Joint Governance Committee that:

- using a just and learning approach to review our policies and documentation is the right thing to do;
- all HR policies at the RD&E and NDHT will be reviewed to understand where guidance is required, not policy;
- the roadmap for delivery is signed off for use as part of integration;
- a staff 'handbook' and manager 'handbook' will be developed with required policies linked;
- a contractual code of conduct will be developed to ensure robust, clear and fair expectations for our staff;
- all relevant policy expiry dates / policy related actions will be extended to 1st May 2022;
- a deviation from the policy of policies will be allowed and the RD&E will move away from the disciplinary line currently included in all policies;
- the Trust specific staff side policy groups are combined into a joint group to be able to progress this work collaboratively.
- proactive discussion will take place with the legal advisors to explain the proposals and understand any views or perceived assurance risks.
- All work undertaken in partnership with Staffstaff

RD&E and NDHT Approach

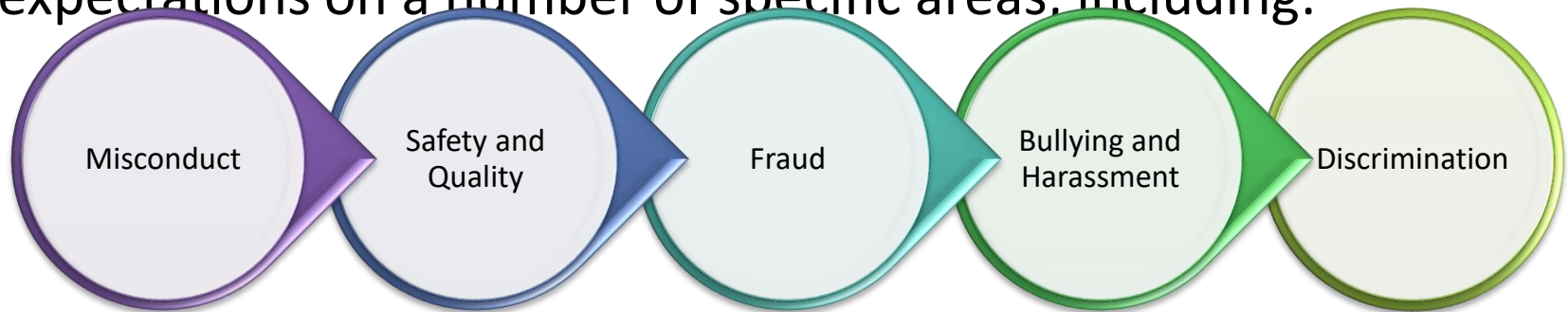
To approach things differently we are developing:

- A clear and contractual code of conduct
- One digitally accessible, searchable Employee and manager guidance tool with user orientated information, digital links to toolkits, forms etc
- We will have a significantly reduced and shortened group of policies that are linked to from the guidance
- A support package for line managers in new ways of working
- Digital delivery with tags and searchable content (so you will not need to know what something is called!)
- All written in language and tone accessible and straightforward to the employee and the manager

N.B. WE are not there yet!

Code of Conduct

- The code of conduct will be contractual and will set out the expected behaviours of our people. It will be written in plain english
- It will be updated on a periodic basis (annually or bi-annually) and it is anticipated that all employees will need to sign up to the code of conduct on an annual basis as part of their appraisal.
- Information covered by the Code of Conduct, will not need to be duplicated in policy.
- It will layout values and behaviours as well as set out expectations on a number of specific areas, including:



Policy

- We will have a significantly reduced and shortened group of policies that will be linked to the guidance. The guidance should cover the vast majority of what the employee or manager needs to know. Policy will be:
 - Only what is statutorily required or mandated to be a local policy
 - Will minimise repetition of nationally agreed information, professional standards, AFC t&Cs and information contained in the code of conduct. There will be links to these things in the guidance
 - Will only contain what is required and in a short user friendly way, using plain English and an easy to use digital format. Guidance or process will not sit in policy
 - Will be designed in a logical way to make information easy to find, e.g. a 'family friendly policy' should cover maternity, paternity, shared parental leave and adoption (no presumption on what a family is).

Risks, Challenges and Mitigation

Our Challenges and Risks	Mitigation
The Board & Executives need to commit, own and lead the development of our culture	The Board have committed to the plan of work; however we need to ensure this is driven from the top
To have clear metrics to measure our journey with hard and soft benefits	We have an idea of the metrics we can review. Developing these will need to be part of the programme.
Need to ensure we get the support from Regulators on this change in approach	Director of Governance will be progressing discussions with external stakeholders to gain assurance.
Capacity to deliver the policy, code of conduct and handbook work	Dedicated resource in place and a clear escalation route if timescales for delivery become challenged.
Embedding culture change throughout the Trusts will be difficult.	We need to ensure the right support is in place to ensure the resources are used to support cultural change
Risk that the project is medium term (11 months) - change needs to happen sooner	We have assurance that practice is already changing in collaboration with staffside to ensure changes are not delayed.

Just One Part of Our Cultural Journey...

- Whilst the steps identified will make a big difference, this is just one part of our journey to support a Just and Learning Culture.
- The content of policies will need to be revised, but there will also be support for managers and policy writers to look at tone, language and training to support embedding change for the range of new documentation to replace existing policies.
- Embedding culture change throughout the Trusts will be difficult. We will need to get buy in from our people on why we are doing things differently.
- The Just and Learning Culture work is intrinsically linked to the People Plan. The two will need to be worked on alongside one another to get the outputs and benefits.
- Culture change will happen gradually over time and we will need to ensure we have clear measures of success.

Supporting Our Managers & Representatives

- The main challenge will be on changing culture and supporting managers to feel confident in having difficult conversations and to take a more solution focused, restorative approach, rather than a policy/process driven one.
- This will require a change in mindset and an acknowledgement that not all the answers can be found in a policy.
- Whilst training will be in place to support line managers, there will be more emphasis on autonomy, empowerment and local interpretation.
- This could be a challenge for our staffside representatives and FTOs to approach with less formality and process that we are used to, and how this fits with legal claims.
- We need to ask ourselves what it is going to take to support this change in mindset and how we can drive this change on an organisational level.

Any Questions?