Statutory and mandatory training policy

Date approved: 15 October 2021

This policy was adopted by NHS Cornwall and Isles of Scilly Integrated Care Board (ICB) on 1 July 2022.

We are working to change the branding on our policies and to make sure they are accessible.

We intend to complete this work by 1 April 2023. While this work is underway, all references to NHS Kernow, the CCG and related structures should be taken to relate to the ICB.

This policy may not be suitable for users of assistive technology. If you use assistive technology (such as a screen reader) and need a version of this document in a more accessible format, please email ciosicb.corporategovernance@nhs.net. Please tell us what format you need. It will help us if you say what assistive technology you use.

Document control sheet

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Can this policy be released under FOI? Yes

Version control

Version number	Revision date	Revision by	Nature of revisions
V1.0	27 September 2021	Jo Tomlinson	Change to accessible format
V2.0	15 October 2021	People Board	Ratified by the people board
V2.1	October 2021	Jo Tomlinson	Final accessibility checks completed

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Introduction

NHS Kernow Clinical Commissioning Group (NHS Kernow) recognises it has responsibility to ensure that all colleagues are adequately and trained and able to do their jobs well and to the required standard.

This policy outlines the key points on statutory and mandatory training and sets out the responsibilities of all parties. It provides clear guidance and advice to colleagues and line managers to ensure that everyone is supported in their learning and development to achieve their personal objectives and those of the organisation.

Purpose

To provide NHS Kernow staff with guidance on the subject of statutory and mandatory training and to ensure everyone understands their own responsibility for undertaking and remaining up to date with their required training.

Adherence to this policy will ensure that the organisation can demonstrate to the governing body that all colleagues are compliant with statutory and mandatory training requirements.

Definitions

People and organisational governance committee

This committee oversees many of the non-clinical and non-financial statutory duties such as:

- patient and public engagement
- health and safety
- business continuity
- emergency planning resilience
- workforce equality and diversity
- information governance

It also has oversight of people and organisational development (POD) activities.

UK Core Skills Training Framework

The UK Core Skills Training Framework (CSTF) allows employers to recognise statutory and mandatory training to a standard, trust that information and reduce duplication of training. Launched in 2013, the UK CSTF is maintained and updated by Skills for Health and includes nationally agreed learning outcomes and training delivery standards.

Responsibilities

Colleagues

- Follow the guidance contained within this policy.
- Monitor own compliance with required mandatory and statutory training.
- Prioritise completion of training to ensure it does not become overdue.
- Liaise with line manager to agree time to complete training if required.
- Raise any questions with line manager when unsure.
- Advise manager if unable to attend a pre-booked training event.
- Apply what has been learnt correctly in job role.

Line managers

- Identify any specific mandatory training requirements for colleagues.
- Ensure all colleagues are aware of the mandatory training requirements.
- Make sure colleagues complete their training within required timescales.
- Support colleague to complete their training on time and within working hours.
- Ensure colleagues attend required mandatory and statutory training events.
- Act, where needed, to ensure colleagues reach the required compliance level.
- Review compliance levels on at least a monthly basis.
- Authorise any expenses for travel outside of usual home to work mileage.

Before considering any periods of study leave or external development for colleagues, other than statutory training, line managers should make sure that colleagues have completed all their statutory and mandatory training. Appraisals or one to one meetings are a good time to discuss with colleagues and document any essential training requirements.

People and organisational development

- Support the delivery and compliance of statutory and mandatory training.
- Manage the provision and coordination of workshop sessions.
- Liaise with subject matter experts regarding appropriate content in ESR.
- Arrange classroom training sessions where appropriate.
- Update statutory and mandatory ESR records.
- Produce reports for line managers, people and organisational governance committee and statutory bodies.

Procedure

The UK CSTF sets out 10 statutory and mandatory training topics for all staff working in health and social care settings.

1. Equality, diversity and human rights.
2. Health, safety and welfare.
3. NHS conflict resolution.
4. Fire safety.
5. Infection prevention and control.
6. Moving and handling.
7. Safeguarding adults and children
8. Preventing radicalisation.
9. Resuscitation.
10. Information governance and data security.

Mandatory training is therefore a requirement that all colleagues within NHS Kernow must complete. The training ensures that colleagues can undertake their duties safely and efficiently. It minimises risk and ensures that external standards are met.

Mandatory training requirements are not the same for each colleague. They may relate to a specific team or professional group and will be proportionate to roles and responsibilities.

Mandatory training is assigned to individual ESR profiles to ensure colleague complete the modules that are appropriate for them.

It is very important that all colleagues are adequately trained so that NHS Kernow can fulfil its statutory obligations to provide the best service possible to all stakeholders and make sure that the wellbeing of colleagues is protected.

In cases where there is continued evidence of non-compliance to statutory and mandatory training, the organisation may choose to manage the issue as a disciplinary matter.

Process

New colleagues

When colleagues are inducted at NHS Kernow, they are required to complete their statutory and mandatory training using ESR, within one month of commencing in role.

Colleagues in new role

The requirement to complete the appropriate statutory and mandatory training also applies if colleagues move into a different role for whatever reason.

Colleagues joining from other parts of the NHS

Colleagues can evidence previous completion of statutory and mandatory training, by providing a copy of their ESR record or an email from their previous POD department. A record will be made to update their new learning record and there will be no requirement to complete it again unless any of their competencies are out of date.

Statutory and mandatory training requirements must be met before any decisions relating to funding for any other development opportunities, including but not limited to externally verified courses or qualifications, are considered.

Accessing training

All colleagues can access mandatory and statutory training via their ESR account. Mandatory training guidance is available with instructions on how to complete training in ESR. Please see appendix 1 for an up-to-date list of the statutory and mandatory training requirements that apply to all colleagues.

There may be some selected face to face workshops where attendance is mandatory, but to reduce cost and increase compliance, all colleagues are expected to complete their statutory and mandatory training on ESR as a preference to attending a workshop. Workshops will be phased out where there is a solution available on ESR.

Implementation plans and monitoring effectiveness

POD monitor compliance and effectiveness of this policy through submission of regular reports to the people and organisational governance committee. POD ensure any subsequent recommendations are undertaken and incorporated into this policy if appropriate.

Update and review

This policy will be formally reviewed 3 years after it is approved.

Policies referred to in this document

- Safeguarding children training policy.

Appendix 1

Fire training

471 local fire training
000 fire safety level 1
000 fire safety level 1 e-assessment
2-yearly

Information governance

NHS mandatory information governance or NHS mandatory data security awareness level 1
000 data security awareness level 1
000 data security awareness level 1 e-assessment
Annually

Equality and diversity

NHS mandatory equality, diversity and human rights
000 equality, diversity and human rights level 1
000 equality, diversity and human rights level 1 e-assessment
3-yearly

Health and safety

NHS mandatory health and safety
000 health, safety and welfare level 1
000 health, safety and welfare level 1 e-assessment
3-yearly

Infection control

NHS mandatory infection control level 1
000 infection prevention and control level 1
000 infection prevention and control level 1 e-assessment
3-yearly

Safeguarding adults**

NHS mandatory safeguarding adults level 1
000 safeguarding adults level 1
000 safeguarding adults level 1 e-assessment
000 safeguarding adults level 2 (Additional level for some staff)
3-yearly

Safeguarding children**

NHS mandatory safeguarding children level 1
000 safeguarding children and young people level 1
000 safeguarding children level 2, 3, 4 and 5 (additional level for some staff)
3-yearly

Moving and handling

NHS mandatory moving and handling
000 moving and handling level 1
000 moving and handling level 1 e-assessment
3-yearly

Conflicts of interest**

NHS mandatory managing conflict of interest
000 managing conflict of interest training for CCGs module 1 (all senior staff and decision makers, band 8c and above)
000 managing conflict of interest training for CCGs modules 2 and 3 (additional level for some staff)
Annually
** Some staff are also required to undertake conflicts of interest training, further safeguarding adults and/or safeguarding children training. Please contact the safeguarding team for further information, or refer to appendix A and B of the safeguarding children training policy.

From July 2017 the IG training requirements have changed and the newly available e-learning (000 data security awareness level 1) will replace the previous IG e-learning modules. Your existing IG competence will be valid until it expires, from which point you will need to complete the new data security awareness course)

NHS
Kernow
Clinical Commissioning Group

Appendix 2 - Equality impact assessment

An equality impact assessment is used to establish how a policy or similar document may impact on individuals, communities, or equality groups to identify and minimise or remove any disproportionate impact. A full impact assessment should be undertaken for policies, strategies, procedures, or projects which are anticipated to have an impact on members of the public. Read guidance on how to complete this document.

Name of policy or service to be assessed: Statutory and mandatory training policy
Department or section: POD
Date of assessment: 28 September 2021
Person(s) responsible for the assessment: Jo Tomlinson, people and organisational development
Is this a new or existing policy? Existing

Aims, objectives and purpose of the policy

Describe the aims, objectives, and purpose of the policy.
To provide staff with guidance on the subject of statutory and mandatory training and to ensure everyone understands their own responsibility for undertaking and remaining up to date with their required training.

The head of POD is responsible for this policy, checking it is applied consistently, and for managing the process of implementation and evaluation of this policy.

Who is intended to benefit from this policy, and in what way?
All colleagues of NHS Kernow.

What outcomes are wanted from this policy?
Clear and consistent process and a good understand of statutory and mandatory training.

What factors or forces could contribute or detract from the outcomes?

Failure to consistently apply the principles of the policy.

Who are the main stakeholders in relation to the policy?
Colleagues, trade union representatives and management.

Who implements the policy, and who is responsible for the policy?
Managers implement with POD support. POD is responsible for the policy.

Differential impacts

Does this have a positive or negative impact on people who have a black, Asian and minority ethnic (BAME) background? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

Does this have a positive or negative impact on people who identify as male, female or intersex? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

What is the positive or negative differential impact on people from the perspective of disability? How will any negative impact be mitigated?
There may be some impairments that make it difficult for people to undertake online training though ESR. This can be mitigated by considering reasonable adjustments that allow the individual to successfully complete the online training. Examples might be adapting screen equipment for people with visual impairments or allowing the training to be undertaking with another person or buddy to assist with any accessibility issues.

Does this have a positive or negative impact on people who identify as heterosexual, lesbian, gay, bisexual, pansexual or asexual? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

What is the positive or negative differential impact on people from the perspective of age? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

What is the positive or negative differential impact on people from the perspective of religion or belief? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

What is the positive or negative differential impact on people from the perspective of marriage and civil partnership? This is particularly relevant for employment policies. How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

Does this have a positive or negative impact on people who identify as trans or transgender, non-binary, or gender fluid? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

Does this have a positive or negative impact on people who are pregnant, breast feeding mothers, or those on maternity leave? How will any negative impact be mitigated?
There will be no negative impacts on this group providing the policy is applied consistently.

Are they any other identified groups? How will any negative impact be mitigated?
Consideration should be given to any individual needs or issues prior to setting them mandatory training. People who are carers, who have limited social networks, live in unstable accommodation or who experience domestic violence may be less able to undertake e-learning in their own homes and may need access to IT within an office space. Managers should be mindful that not all people may be willing to discuss their domestic situations and therefore be able to provide the opportunity to undertake mandatory training in an office environment and be flexible when agreeing timescales for completion.

Human rights values

How have the core human rights values of fairness, respect, equality, dignity, and autonomy been considered in the formulation of this policy, service, or strategy?
This policy is designed to ensure that training is accessible for all colleagues.

Which of the human rights articles does this document impact?

☐ To life
☐ Not to be tortured or treated in an inhuman or degrading way
☐ To liberty and security
☐ To a fair trial
☐ To respect for home and family life, and correspondence
☐ To freedom of thought, conscience, and religion
☐ To freedom of expression
☐ To freedom of assembly and association
☐ To marry and found a family
☒ Not to be discriminated against in relation to the enjoyment of any of the rights contained in the European Convention
☐ To peaceful enjoyment of possessions

What existing evidence (either presumed or otherwise) do you have for this?
This policy complies with the Equality Act 2010.

How will you ensure that those responsible for implementing the policy are aware of the human rights implications and equipped to deal with them?
Ensuring that managers are aware of the policy and that POD is consulted where appropriate.

Public Sector Value Act 2020

NHS Kernow is committed and obliged to fulfil the requirements of the Public Sector Social Value Act 2012. This Act requires the organisations to consider how services commissioned or procured might improve the economic, social, and environmental wellbeing of an area.

Please describe how this will support and contribute to the local system, wider system, and community.
This policy ensures that all colleagues meet agreed requirements for learning outcomes, training standards and frequency of refresher training for all NHS organisations in England. The policy aligned to the CSTF principles which serves to ensure learned skills can transfers efficiently, safely, and accurately between employer organisations.

Describe how the policy contributes towards eliminating discrimination, harassment, and victimisation.

This policy provides a framework for fairly and consistently ensuring al colleague undertake statutory and mandatory training.

Describe how the policy contributes towards advancing equality of opportunity.
This policy provides a framework for fairly and consistently ensuring al colleague undertake statutory and mandatory training.

Describe how the policy contributes towards promoting good relations between people with protected characteristics.
This policy provides a framework for fairly and consistently ensuring al colleague undertake statutory and mandatory training.

If the differential impacts identified are positive, explain how this policy is legitimate positive action and will improve outcomes, services and or the working environment for that group of people.
Not applicable.

Explain what amendments have been made to the policy or mitigating actions have been taken, and when they were made.
The policy has been changed to ensure it meets accessibility requirements.

If the negative impacts identified have been unable to be mitigated through amendment to the policy or other mitigating actions, explain what your next steps are using the following equality impact assessment action plan.
Not applicable

Signed (completing officer): Jo Tomlinson

Date: 1 October 2021

Signed (head of department or section): Emma Goudge

Date: 1 October 2021

Please ensure that a signed copy of this form is sent to both the corporate governance team with the policy and the equality and diversity lead.