Statutory and Mandatory Training Policy

2020 – 2023

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Approved by:	Audit and Governance Committee
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Document author:	Head of Corporate Assurance

CONTROL RECORD				
Reference Number GOV-009	**Version** 1.0	**Status** Final	**Author** Head of Corporate Assurance	
			Sponsor Associate Director of Governance	
			Team Corporate Assurance Team	
Title	Statutory and Mandatory Training Policy			
Amendments	Updated to reflect Nottingham and Nottinghamshire single CCG status and to provide further clarification in relation to training requirements for those staff employed by the CCG and those which are 'appointed' via a contract for services.			
Purpose	To outline the CCG's requirements regarding statutory and mandatory training, ensuring that all individuals are aware of their responsibilities.			
Superseded Documents	Mandatory Training and Induction Policy (Nottinghamshire County) Statutory and Mandatory Training Policy (Nottingham City)			
Audience	All NHS Nottingham and Nottinghamshire CCG employed and 'appointed' staff			
Consulted with	Head of Human Resources			
Equality Impact Assessment	Completed September 2020 (see Section 12)			
Approving Body	Audit and Governance Committee		**Date approved**	September 2020
Date of Issue	October 2020			
Review Date	August 2023			
This is a controlled document and whilst this policy may be printed, the electronic version available on the CCG's document management system is the only true copy. As a controlled document, this document should not be saved onto local or network drives.				

Nottingham and Nottinghamshire CCG's policies can be made available on request in a range of languages, large print, Braille, audio, electronic and other accessible formats from the Engagement and Communications Team at ncccg.team.communications@nhs.net

Contents

1.   Introduction

1.1   This policy applies to NHS Nottingham and Nottinghamshire Clinical Commissioning Group, hereafter referred to as 'the CCG'.

1.2   The CCG has a responsibility for ensuring that there is a robust, consistent and effective programme of statutory and mandatory training available for all employees to enable them to undertake their roles safely, effectively and in compliance with legislation.

2.   Purpose

2.1   The purpose of the policy is to outline the CCG's requirements regarding statutory and mandatory training, ensuring that all individuals are aware of their responsibilities.

2.2   Clinical staff, employed by the CCG, should also refer to their respective professional codes for their continuing professional development (CPD) requirements to maintain any clinical registrations.

3.   Scope

3.1   The CCG requires this policy to be followed by:

- All employees of the CCG (including all individuals working within the CCG in a temporary capacity, including agency staff, seconded staff, students and trainees, and any self-employed consultants or other individuals working for the CCG under contract for services).

- Individuals appointed to the Governing Body and its committees.

- Any other individual directly involved with the business or decision-making of the CCG.

These are collectively referred to as 'individuals' hereafter.

4.   Definitions

Term	Definition
Statutory Training	Statutory training is that which the CCG is legally required to provide as defined in law, or where a statutory body has instructed organisations to provide training on the basis of legislation.

Term	Definition
Mandatory Training	Mandatory training is determined by the CCG for the safe and efficient running of the organisation. It is concerned with minimising risk, providing assurance against policies and ensuring the CCG meets external standards and best practice. The CCG has determine its' mandatory training requirements in line with the UK Core Skills Training Framework[1].

5.   Roles and Responsibilities

Role	Responsibilities
Governing Body	The Governing Body is responsible for ensuring all employees are appropriately trained to enable them to undertake their duties and protect their wellbeing.
Audit and Governance Committee	The Audit and Governance Committee has oversight of the CCG's compliance with statutory and mandatory training requirements.
Senior Leadership Team	The Senior Leadership Team is responsible for ensuring all staff within their respective directorates/teams have completed their required statutory and mandatory training.
Associate Director of Governance	The Associate Director of Governance is responsible for ensuring the requirements of this policy are adhered to, with support from the Corporate Assurance Team.
Head of Corporate Assurance	The Head of Corporate Assurance is responsible for: • Day-to-day management of matters and queries relating to the application of this policy; • Ensuring that appropriate administrative processes are in place; • Monitoring and reporting compliance with mandatory and statutory training; and • Ensuring all employees have access to e-learning.
Line Managers	Line managers are responsible for ensuring their staff are compliant with all statutory and mandatory training, including providing employees with the necessary time, and support, to complete training. Lines managers are also responsible for ensuring any new members complete statutory and mandatory training within the required induction period.

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[1] UK Core Skills Training Framework: Statutory/Mandatory Subject Guide (Version 1.6)

Role	Responsibilities
Employees	All employees are responsible for complying with this policy and maintaining compliance with all CCG mandatory and statutory training requirements.
	Employees must seek advice if unsure how it applies to them.

6.   Statutory and Mandatory Training Requirements

6.1   The statutory and mandatory training outlined in **Appendix A** relates to the basic level 1 awareness for all CCG employees and has been developed in line with the UK Core Skills Training Framework (summarised in Table 1 below).

Detailed statutory and mandatory training requirements for certain staff groups (such as those individuals 'appointed' to the Governing Body and/or hold a Contract for Services with the CCG) is also outlined in **Appendix A.**

Table 1

Topic	Frequency
Fire Safety	Annually
Data Security Awareness	
Managing Conflicts of Interest (Level 1)[2]	
Equality, Diversity and Human Rights	3 yearly
Health, Safety and Welfare	
Moving and Handling	
PREVENT (Prevent Radicalisation)	
Safeguarding Adults (Level 1)[2]	
Safeguarding Children (Level 1)[2]	
Infection Control and Prevention	

6.2   Pay progression for new, and newly promoted staff (on or after 1 April 2019), is reliant upon completion of statutory and mandatory training. Staff must demonstrate training is complete, and up-to-date, in order to receive their increment. Staff employed prior to 1 April 2019 will automatically receive their pay step increase, however, it is important that their mandatory training is
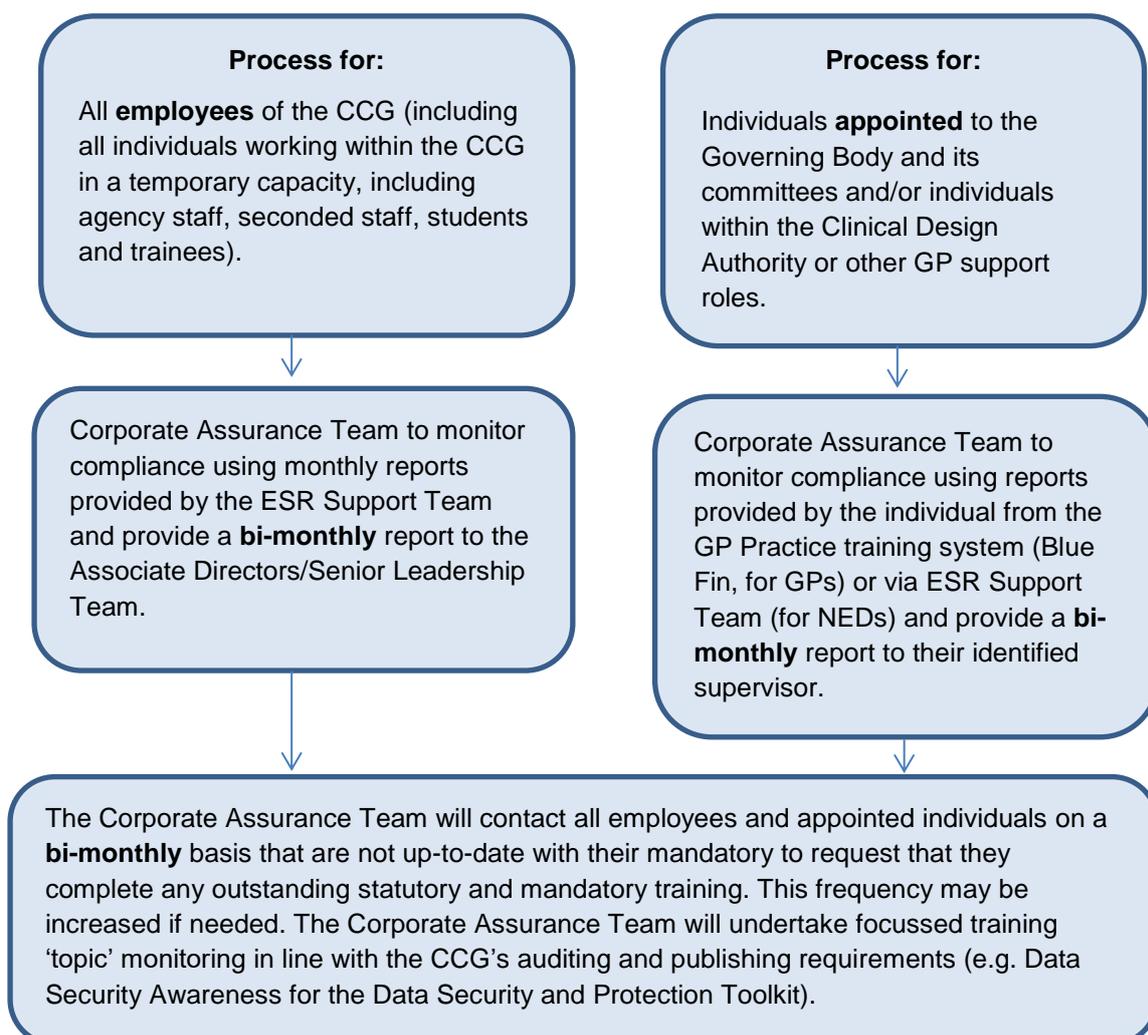
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[2] Please refer to relevant subject specific policies which outline role related training requirements for Level 2 and/or Level 3 topics (e.g. the CCG's Conflicts of Interest and Safeguarding Policies).

complete and reviewed during their annual appraisal. *See the CCG's Staff Appraisal Policy for further details.*

6.3 New members of staff will be expected to be compliant in the statutory and mandatory training requirements within one month of their start date with the CCG.

6.4 Statutory and mandatory training can be accessed using the Electronic Employees Record (ESR) via https://my.esr.nhs.uk/ or the national NHS e-learning system via https://www.e-lfh.org.uk/. Certificates achieved via the NHS e-learning system must be sent to the Corporate Assurance Team notts.corporateassurance@nhs.net

7. Monitoring and Reporting of Statutory and Mandatory Training

7.1 The flowchart below outlines the processes followed by the CCG for monitoring, and reporting of, the completion of statutory and mandatory training requirements. A distinction has been made between the processes followed for employees of the CCG and those in 'appointed' roles.

Process for:

All **employees** of the CCG (including all individuals working within the CCG in a temporary capacity, including agency staff, seconded staff, students and trainees).

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Corporate Assurance Team to monitor compliance using monthly reports provided by the ESR Support Team and provide a **bi-monthly** report to the Associate Directors/Senior Leadership Team.

Process for:

Individuals **appointed** to the Governing Body and its committees and/or individuals within the Clinical Design Authority or other GP support roles.

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Corporate Assurance Team to monitor compliance using reports provided by the individual from the GP Practice training system (Blue Fin, for GPs) or via ESR Support Team (for NEDs) and provide a **bi-monthly** report to their identified supervisor.

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The Corporate Assurance Team will contact all employees and appointed individuals on a **bi-monthly** basis that are not up-to-date with their mandatory to request that they complete any outstanding statutory and mandatory training. This frequency may be increased if needed. The Corporate Assurance Team will undertake focussed training 'topic' monitoring in line with the CCG's auditing and publishing requirements (e.g. Data Security Awareness for the Data Security and Protection Toolkit).

The Corporate Assurance Team will provide a comprehensive report on the CCG's compliance on mandatory and statutory to the Audit and Governance Committee **twice a year**.

The Audit and Governance Committee will escalate concerns regarding mandatory training compliance to the Governing Body, as required, as part of the Committee's routine highlight reports.

8. Communication, Monitoring and Review

8.1 The policy will be published and maintained in line with the CCG's Policy Management Framework.

8.2 The policy will be highlighted to new staff as part of the local induction process and made available to all staff through the CCG's internal communication procedures (and Internet/Intranet sites).

8.3 The CCG's Audit and Governance Committee will review the effectiveness of this policy, and its implementation, via bi-annual mandatory training compliance reports.

9. Equality and Diversity Statement

9.1 NHS Nottingham and Nottinghamshire CCG pays due regard to the requirements of the Public Sector Equality Duty (PSED) of the Equality Act 2010 in policy development and implementation, both as a commissioner and as an employer.

9.2 As a commissioning organisation, we are committed to ensuring our activities do not unlawfully discriminate on the grounds of any of the protected characteristics defined by the Equality Act, which are age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.3 We are committed to ensuring that our commissioning activities also consider the disadvantages that some people in our diverse population experience when accessing health services. Such disadvantaged groups include people experiencing economic and social deprivation, carers, refugees and asylum seekers, people who are homeless, workers in stigmatised occupations, people who are geographically isolated, gypsies, roma and travellers.

9.4 As an employer, we are committed to promoting equality of opportunity in recruitment, training and career progression and to valuing and increasing diversity within our workforce.

9.5   To help ensure that these commitments are embedded in our day-to-day working practices, an Equality Impact Assessment has been completed for, and is attached to, this policy.

10.   Interaction with Other Policies

10.1   This policy should be read in conjunction with the following CCG policies and procedures:

- Nottingham and Nottinghamshire CCG Induction Procedure;

- Staff Appraisal Policy;

- Learning Education and Development Policy;

- Capability Policy;

- Agency Workers Policy;

- Health and Safety Policy;

- Fire Safety Policy;

- Conflicts of Interest Policy;

- Confidentiality and Data Protection Policy;

- Freedom of Information (FOI) and Environmental Information Regulations (EIR) Policy;

- Equality Diversity and Inclusion Policy; and

- Safeguarding Children and Adults Managing Allegations Policy.

11.   Legal References and Guidance

11.1   The following guidance was used in the development of this policy:

- https://www.e-lfh.org.uk/

- http://www.skillsforhealth.org.uk

- Health and Safety Executive (2013), Management of Health and Safety at Work

- NHS CFA Security Management Standards for CCGs (https://cfa.nhs.uk)

12. Equality Impact Assessment for this Policy

Date of assessment:	September 2020			
For the policy, and its implementation, please answer the questions against each of the protected characteristic and inclusion health groups:	Has the risk of any potential adverse impact on people in this protected characteristic group been identified, such as barriers to access or inequality of opportunity?	If yes, are there any mechanisms already in place to mitigate the adverse impacts identified?	Are there any remaining adverse impacts that need to be addressed? If so, please state any mitigating actions planned.	Are there any positive impacts identified for people within this protected characteristic group? If yes, please briefly describe.
Age[3]	No	N/A	N/A	Yes – this policy mandates Equality, Diversity and Human Rights training for all employees and appointees within the CCG, which promotes awareness of equality legislation covering all protected characteristics.
Disability[4]	Yes	Mechanisms are in place via the Communications and Engagement Team to provide this policy in a range of languages, large print, Braille, audio, electronic and other accessible formats. Alternative mechanisms to delivery mandatory training are available if online/web-based is not suitable.	N/A	As above
Gender reassignment[5]	No	N/A	N/A	As above

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[3] A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

[4] A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Date of assessment:	September 2020			
For the policy, and its implementation, please answer the questions against each of the protected characteristic and inclusion health groups:	Has the risk of any potential adverse impact on people in this protected characteristic group been identified, such as barriers to access or inequality of opportunity?	If yes, are there any mechanisms already in place to mitigate the adverse impacts identified?	Are there any remaining adverse impacts that need to be addressed? If so, please state any mitigating actions planned.	Are there any positive impacts identified for people within this protected characteristic group? If yes, please briefly describe.
Marriage and civil partnership[6]	No	N/A	N/A	As above
Pregnancy and maternity[7]	No	N/A	N/A	As above
Race[8]	No	N/A	N/A	As above
Religion or belief[9]	No	N/A	N/A	As above
Sex[10]	No	N/A	N/A	As above
Sexual orientation[11]	No	N/A	N/A	As above
Carers[12]	No	N/A	N/A	As above

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[5] The process of transitioning from one gender to another.

[6] Marriage is a union between a man and a woman or between a same-sex couple.
Same-sex couples can also have their relationships legally recognised as 'civil partnerships'.

[7] Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

[8] Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

[9] Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

[10] A man or a woman.

[11] Whether a person's sexual attraction is towards their own sex, the opposite sex, to both sexes or none. https://www.equalityhumanrights.com/en/equality-act/protected-characteristics

[12] Individuals within the CCG which may have carer responsibilities.

Appendix A: CCG's Statutory and Mandatory Training Requirements

Topic	Level	Mandatory for	Frequency
Fire Safety	Level 1	All employees only	Annually
Data Security Awareness	Level 1	All employees and all 'appointed' roles	
Managing Conflicts of Interest	Module 1	All employees and all 'appointed' roles	
Managing Conflicts of Interest	*Module 2*	*See the CCG's Conflicts of Interest Policy for further detail.*	
Managing Conflicts of Interest	*Module 3*	*See the CCG's Conflicts of Interest Policy for further detail.*	
Equality, Diversity and Human Rights	Level 1	All employees and all 'appointed' roles	3 yearly
Health, Safety and Welfare	Level 1	All employees only	
Moving and Handling	Level 1	All employees only	
PREVENT (Prevent Radicalisation)		All employees and all 'appointed' roles	
Safeguarding Adults	Level 1	All employees and all 'appointed' roles	
Safeguarding Adults	*Level 2*	*See the CCG's Safeguarding Policies for further detail.*	
Safeguarding Adults	*Level 3*	*See the CCG's Safeguarding Policies for further detail.*	
Safeguarding Children	Level 1	All employees and all 'appointed' roles	
Safeguarding Children	*Level 2*	*See the CCG's Safeguarding Policies for further detail.*	
Safeguarding Children	*Level 3*	*See the CCG's Safeguarding Policies for further detail.*	
Infection Prevention and Control	Level 1	All employees and all 'appointed' roles	

*Bold reflects training that is mandated for employees/ appointees, as defined above.

**Italics reflects training that is role-specific.