

## Statutory and Mandatory Training Policy

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| Consultation Groups         | Service Delivery Board, Health and Safety Committee, Directorate Management Team |
| Approved by (Sponsor Group) | Associate Directorate for People Development, Director of People and Culture     |
| Ratified by:                | Joint Staff Committee  |
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| Services                  | Applicable |
|---------------------------|------------|
| Trustwide                 | X          |
| Mental Health and LD      |            |
| Community Health Services |            |

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## INTRODUCTION

East London Foundation NHS Trust (ELFT) is dedicated to building and maintaining a safe working environment, ensuring that all staff have the right skills, knowledge and ability to undertake their roles to the required standard and to minimise risk to themselves, service users, carers, visitors and colleagues.

ELFT provides a range of learning opportunities, taking into consideration legal requirements, healthcare standards and local priorities. To deliver this, the Trust adopts the Core Skills Training Framework (CSTF) produced by Skills for Health. CSTF is created to ensure that all staff are equipped to national standards to undertake their roles safely and competently and to receive training in a quality and consistent manner.

Providing Core Skills training provides synergy with other NHS organisations, improves the standard of care and service delivery and aligns with Care Quality Commission (CQC) training requirements.

We believe that it is of shared benefit to the Trust and its staff to work in collaboration with Staff Side. This policy has been developed and agreed by management and Staff Side in order to ensure that staff are treated consistently and fairly.

## PURPOSE

This policy is designed to inform and guide all staff regarding mandatory and statutory training across the Trust. It also aims to

- Outline and inform the methods for reporting, monitoring and managing compliance
- Outline the training requirements for staff
- Describe the responsibilities of managers, staff Learning and Development (L&D) Team, Subject Matter Experts (SME)

Other learning and development activity even when identified through appraisal and recorded in a Personal Development Plan will fall outside of the remit of this policy and will be captured in the Learning and Development policy.

## SCOPE

The policy relates to all staff employed by ELFT (with the exception of honorary, independent contractors on personal service contracts, and agency staff).

Temporary staff employed via agencies and contractors must have had their statutory and mandatory training requirements met by their primary employer and evidence provided to the relevant recruiting manager.

It is the responsibility of Higher Education Institutes (HEIs) to ensure that pre-registration students are adequately prepared for practice in the clinical environment; this includes ensuring they have completed the relevant statutory and mandatory training.

In addition, as a Trust we have a responsibility to ensure Volunteers and Students have the opportunity to undertake where appropriate, statutory and mandatory training and any alternative arrangements are made through the necessary leads.

All staff working on the Bank will have access to statutory and mandatory training. It is the individuals' responsibility to access the relevant training required for their role. It is the responsibility of all individuals/staff to access the relevant training required for their role

## DEFINITIONS

**The Trust:** East London Foundation NHS Trust (ELFT)

**Statutory Training:** Training that employers are legally required to provide as defined in law or where a statutory body has instructed organisations to provide training on the basis of legislation e.g. Fire Safety, Health & Safety and Moving & Handling.

**Mandatory Training:** Training determined by the Trust, which is concerned with minimising risk, providing assurance against policies and ensuring the Trust meets external standards and best practice guidance e.g. Safeguarding Children.

**Competencies:** are a required level / standard of skill / ability that can be achieved through taught and skill based training.

**Core Skills Training Framework:** The "Framework produced by Skills for Health, summarises for many (not all) of the Competencies, the key legislative and policy references.

**Electronic Staff Record:**

The NHS Electronic Staff Record (ESR) provides an integrated HR and payroll system to NHS organisations. ESR can help you understand data about your workforce, and what it means - not just in terms of numbers of staff, but their skills and competencies too. ESR enables employers to assure themselves, and regulatory bodies, such as the Care Quality Commission (CQC), that they have the right numbers of staff, with the right skills in the right place to deliver safe care. Monitoring and recording staff training plans and achievements can help employers to assess the organisation's compliance in terms of mandatory and statutory training.

**Oracle Learning Management:**

Oracle Learning Management is designed to support all education models by providing a single unified learning delivery system to the existing workforce. The Oracle Learning Management (OLM) component of ESR enables control over all the activities associated with the learning and development. This includes the administration of available learning e.g. classroom based and e-Learning courses, and the recording and monitoring of learning achieved, or in progress for individuals.

**Refresher training:** is regular update to Statutory and Mandatory Training for existing staff intended to keep members of staff up to date in the relevant subject.

**Subject Matter Expert (SME):** is an individual who will have expertise or authority in a particular area or topic.

**Training Needs Analysis (TNA):** is essential to the Trust's aim of coordinating the various important development activities, as well as creating a coherent approach to statutory and mandatory training for all staff. The TNA details a breakdown of the statutory and mandatory

training required by individual, outlines the subject, level and frequency. The TNA is reviewed with input from Subject Matter Experts (SME's), Learning and Development and directorate managers.

## **ROLES AND RESPONSIBILITIES**

### **1.1 Associate Director for People Development**

- The Associate Director for People is responsible for ensuring that this policy is given enough resources to be implemented effectively and that managers comply with the requirements of the policy

### **1.2 Learning and Development Department (L&D)**

The L&D team are responsible for:

- provision of classroom training sessions
- liaising with SMEs around contents of training and that training reflects best practice
- Managing the demand for increased sessions within statutory and mandatory training. This may include a challenge to SMEs regarding delivery of particular sessions in styles that maximise learning
- ensuring registers of staff who attend statutory and mandatory training are received and updated on OLM within 48 hours of the session
- Supporting staff who may have queries about their statutory and mandatory training.
- Producing regular reporting of statutory and mandatory training compliance supporting the use of ESR Business Intelligence; as well as maintaining the competency requirements that align to the Core Skills training Framework.

### **1.3 Subject Matter Experts (SMEs)**

SMEs are responsible for:

- ensuring their training subject areas are up to date and reflects the needs of learners
- responding and taking actions where necessary to evaluation feedback
- working collaboratively with L&D to ensure full capacity of training
- communicate and agree changes to subjects as a result of legislations etc with L&D
- working effectively with L&D on solutions and or initiatives to increase compliance in subject area

### **1.4 Managers:**

Line managers are for:

- ensuring their staff are aware of their statutory and mandatory training requirements
- ensuring their staff are given time within working hours to complete statutory and mandatory training
- ensuring and assessing staff employed on temporary contracts i.e. agency have the appropriate statutory and mandatory training prior to starting work
- ensuring that attendance at statutory and mandatory training is prioritised
- reviewing compliance reports / levels and taking action when staff are not up to date with their training
- ensuring that statutory and mandatory training requirements are discussed at annual appraisal and monthly supervision

### **1.5 All staff**

Staff are responsible for:

- ensuring they are compliant with all relevant statutory and mandatory training
- discussing and agreeing with their line manager dates to complete / attend training

- notifying their line manager and L&D immediately in the event of being unable to attend training
- Providing at least 48 hours' notice if unable to attend any training event. Non-attendance with failure to cancel will result, in a fine of £50 per incident to the department. Non-attendance due to illness or an emergency may be exempt depending on the circumstances.
- ensuring housekeeping rules for courses which include turning off mobile phones, arriving and returning from breaks on time, fully engaging and participating with the learning are followed

## DELIVERY METHOD

Statutory and Mandatory training is delivered through a blended learning approach, such as:

- Classroom sessions (These sessions are delivered by SMEs or external trainers / providers).
- E-Learning (Using the OLM platform from ESR)

The number of training completions required is role dependant.

1.6 Staff can book onto a classroom or complete e-Learning training through OLM. L&D have produced user-friendly guides to help staff navigate around OLM; the guides can be found on the desktop of staff PC titled 'Learning Resources'.

1.7 Staff are also able to access OLM remotely, however the username and password must be set up on an ELFT site (*see learning resources material*)

## REPORTING

Accurate recording of statutory and mandatory training is crucial as it provides the evidence of compliance required by internal and external bodies such as CCGs, CQC etc. All statutory and mandatory completion is recorded onto OLM

Statutory and Mandatory training reports will be produced regularly to provide an accurate and timely picture of current Trust compliance.

Data is captured and processed from ESR and the e-Learning platform OLM and sent to directorate managers and service leads via email. Managers are then responsible for informing staff of their statutory and mandatory record and ensuring all training is up to date. Reports are Red-Amber-Green (RAG) rated as follows:

- Green - 80-100% of all elements of TNA are compliant.
- Amber - 70-79% of all elements of TNA are compliant.
- Red - below 70% of all elements of TNA are compliant.

The below groups are excluded from overall compliance figures:

- Honorary
- Students
- Volunteers
- Locum
- Bank

- External secondments
- Maternity/parental leave
- New Starters (for the a period of one month)
- Staff on long term sick

Compliance is reported by subject, directorate and target audience from OLM. The report shows the percentage of relevant staff who are compliant with training in each statutory and mandatory topic.

This data can be broken down to a divisional, departmental or individual level to encourage local reporting and performance monitoring.

## ATTENDANCE

Staff attending classroom training must sign the attendance register for their attendance to be recorded accurately by L&D following receipt of the attendance sheet.

When staff do not attend (DNA) a statutory and mandatory training, L&D will send a DNA letter to the individual's email as well as the manager.

The letter will outline the course the staff failed to attend, date etc. The letter will also outline the responsibility of the staff to re-book as soon as is practically possible.

Staff who do not give 48hrs notice of non-attendance are subject to a £50 charge made payable via local directorate budget.

## TRANSFER OF UNDERTAKING, PROTECTION OF EMPLOYMENT (TUPE)

In the event of mobilisation of contracts where staff are transferred into ELFT from another organisation, the Learning and Development Team will work with the organisation to ensure compliance in line with ELFT Training Needs Analysis.

Staff transferring into ELFT will be given three months exemption from the compliance reporting. This exemption will enable staff to understand any new training requirements, as well as access to ELFT portal and system.

In the event, that the organisation is expecting a Care Quality Commission (CQC), or other regulatory inspection within the three months exemption period; the organisation will work in line with their existing policy.

## UPDATING THE TRAINING NEEDS ANALYSIS

The TNA is reviewed on an annual basis; however we understand that changes to subject can occur which are outside of SME control. Therefore, all new mandatory training, or changes will need to follow the process in Appendix 1, Mandatory Training Review Flowchart (*can be found on the intranet*). This process will ensure a coordinated and streamline approach.

**Mandatory Training Review Changes & Deletion Request Form    APPENDIX 1**

Please complete this form if you would like to add, delete or change item(s) on the Trust's Training Needs Analysis.

NB: Additions and deletions will only be made after approval by the Service Delivery Board (SDB)

***Part A: Additions to the TNA***

| Topic / Name of training | Why is addition to the TNA required? E.g. statutory, Policy etc. | Which staff groups is this training applicable to? | Mode of delivery e.g. classroom, e-learning, other | Refresher period | Any additional information |
|--------------------------|--|--|--|------------------|----------------------------|
|                          |  |  |  |                  |                            |
|                          |  |  |  |                  |                            |
|                          |  |  |  |                  |                            |

***Part B: Deletion / Change to the TNA***

| Topic / Name of training | Why is the training being removed OR What change/s is required? Frequency, mode of delivery etc.? | Which staff groups was the training applicable to? | Mode of delivery e.g. classroom, e-learning, other | Refresher period | Any additional information |
|--------------------------|---|--|--|------------------|----------------------------|
|                          |   |  |  |                  |                            |
|                          |   |  |  |                  |                            |
|                          |   |  |  |                  |                            |

Chair: Marie Gabriel

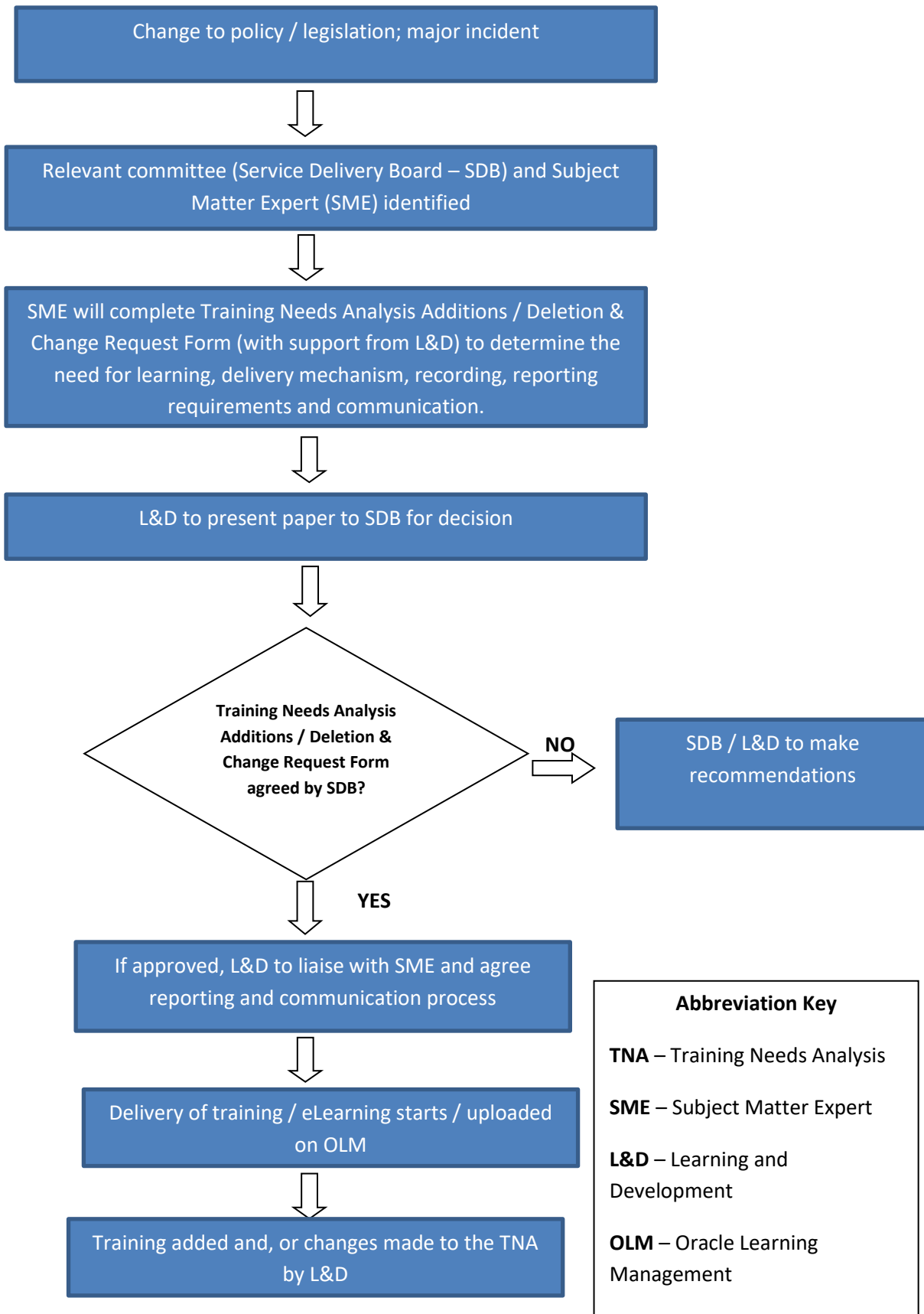
Chief Executive: Dr Navina Evans

*We care*

*We respect*

*We are inclusive*





| Abbreviation Key |                              |
|------------------|------------------------------|
| <b>TNA</b>       | – Training Needs Analysis    |
| <b>SME</b>       | – Subject Matter Expert      |
| <b>L&amp;D</b>   | – Learning and Development   |
| <b>OLM</b>       | – Oracle Learning Management |

## Reporting channels

Distribution list (includes names of managers, service directors, performance leads and executives)

Service Delivery Board SDB (monthly)

Directorate Performance Meetings (monthly)

Directorate Management Team Meetings  
(monthly)

Health and Safety committee (bi-monthly)