Statutory & Mandatory Training Policy

Policy Statement

All staff working within Public Health Wales (including volunteers, temporary staff and those on honorary contracts) are required to demonstrate essential knowledge and skills set out either in law or those which have been mandated either by Welsh Government, the NHS in Wales or by Public Health Wales itself, as referenced in Appendix B.

Employees have a duty of care to themselves and each other, and part of exercising that duty is understanding how to set, maintain and operate in a safe working environment. Without this knowledge, we may be posing a risk to our own wellbeing or that of a colleague/service user, and/or mishandling information.

Completion of statutory and mandatory training at the intervals set down is not optional and failure to do so may lead to disciplinary sanctions. Further information can be found on page 10 of this policy and in the All Wales Disciplinary Policy.

Policy Commitment

This policy covers the training the organisation must provide, and staff must attend, in order for Public Health Wales to meet and comply with its statutory and mandatory learning requirements.

Supporting Procedures and Written Control Documents

Other related documents are:

- Identify interdependencies with other policy/control documents.
- Health and Safety (and related) Policies
- My Contribution Policy
- Disciplinary Policy
• Supporting Learning and Development Policy
• Welsh Language Standards
• Pay Progression Policy

Scope

This policy sets out training that is a requirement for all staff working within Public Health Wales, including reference where appropriate to staff in temporary roles.

There may be additional, locally required/highly recommended training that applies to staff in particular roles and/or environments that are not noted in the Policy. However, it is intended that the same principles apply in that training deemed relevant for/a requirement of a given role is not optional and should be planned and monitored and, if necessary, failure or refusal to act will be managed in the same way.

A table of statutory/mandatory training is noted in appendix A of this policy. This appendix will be updated to reflect changes in legal/organisational requirements when they occur.

Equality and Health Impact Assessment

An Equality Health Impact Assessment has been completed

Approved by Business Executive Team

Approval Date 21 July 2020

Review Date 21 July 2022

Date of Publication: July 2020

Group with authority to approve supporting procedures Senior Leadership Team

Accountable Executive Director/Director Phil Bushby, Director of People and Organisational Development
Summary of reviews/amendments

<table>
<thead>
<tr>
<th>Version number</th>
<th>Date of Review</th>
<th>Date of Approval</th>
<th>Date published</th>
<th>Summary of Amendments</th>
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<tbody>
<tr>
<td>1.1</td>
<td>August 2019</td>
<td>21/7/20</td>
<td>July 2020</td>
<td>1.1: extended performance management descriptors to include job planning</td>
</tr>
<tr>
<td>1.1</td>
<td>August 2019</td>
<td>21/7/20</td>
<td>July 2020</td>
<td>1.3: extended group to include Directors of Public Health</td>
</tr>
<tr>
<td>1.1</td>
<td>August 2019</td>
<td>21/7/20</td>
<td>July 2020</td>
<td>6.1: updated to reflect Welsh Language Standards imposed from November 2019</td>
</tr>
<tr>
<td>1.1</td>
<td>August 2019</td>
<td>21/7/20</td>
<td>July 2020</td>
<td>Appendix B: Updated legislative framework to reflect Welsh Language Standards (No. 7) Regulations 2018</td>
</tr>
<tr>
<td>1.2</td>
<td>September 2019</td>
<td>21/7/20</td>
<td>July 2020</td>
<td>Added in sections 7.1 and 8 following feedback in the August policy workshop</td>
</tr>
<tr>
<td>1.3</td>
<td>July 2020</td>
<td>21/7/20</td>
<td>July 2020</td>
<td>Added in the requirement for all staff to complete Cyber Security Training following Executive Team agreement</td>
</tr>
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1. Responsibilities

1.1 Individuals
Each employee, temporary worker, volunteer/placement, non-executive director and honorary contract holder, including those in bodies hosted by Public Health Wales, are responsible for ensuring they complete or attend all training applicable to them. They are each responsible for demonstrating completion by signing in at classroom training sessions, successfully completing e-learning where required and for working with their managers during their My Contribution/appraisal/job planning reviews to plan time in advance to do so.

Individuals are also responsible for working with their line managers to identify what training is required, and to raise any additional training they believe they should undertake.

1.2 Line Managers
All line managers are responsible for achieving and maintaining their own compliance with training requirements and have additional responsibilities for staff who report directly to them as below:

- Assessing learning requirements and ensuring the correct level of training is completed at the correct refresher periods
- Being aware of the learning requirements for the team and planning sufficient time in advance to achieve and maintain full compliance
- Ensure training requirements are discussed and recorded during the My Contribution/appraisal/job planning process with each team member
- Allocate time for staff to attend training and/or complete e-learning
- Ensure team members have access to e-learning and/or alternative routes to learning for temporary staff
- Respond to requests for information where required
- Assessing and addressing needs where staff have particular access requirements e.g. sensory loss, Welsh Language

Line managers may also be held accountable for non-compliance of their staff if it is established they have prevented an individual/individuals from accessing learning.

Line managers will be responsible for monitoring compliance via ESR Business Intelligence (BI) and providing information to the organisation where required.
1.3 Chief Executive, the Executive Team, Directors of Public Health and Directors of Hosted Organisations

The Chief Executive is responsible for ensuring that all Public Health Wales staff have the opportunity to complete statutory and mandatory training.

Executive Directors, members of the Executive Team, Directors Public Health leading local public health teams and Directors of Hosted Organisations are responsible for ensuring their own compliance with statutory and mandatory training requirements and acting as role models for the organisation. Equally, the Executive Team and local Directors are responsible for high-level monitoring within their directorates and organisations respectively and ensuring their management teams are pro-actively monitoring and managing compliance.

They will be responsible for managing issues of non-compliance in their respective workforces.

1.4 Director of People and Organisational Development

In addition to their responsibilities as employee, line manager and member of the Executive Team, the Director of People and Organisational Development is responsible for advising the Executive Team and Public Health Wales Board of matters relating to statutory and mandatory training compliance including risk and liability. They are responsible for ensuring budget requirements are met and advising (usually via People Business Partners) where investigations into non-compliance may lead to disciplinary action.

1.5 Organisational Development team

The Organisational Development and Learning team are responsible for ensuring up to date and accurate information regarding statutory and mandatory training is available to all staff. Additionally they are responsible for:
• Scheduling classroom training sessions at appropriate intervals and at locations across Wales (staff should be prepared to travel within a reasonable distance where required)
• Taking/maintaining training bookings via ESR
• Commissioning training from external partners where required
• Working with national groups to share information and reduce costs where appropriate and relevant
• Reporting compliance information, where available, to the Executive Team, Board Committees, Welsh Government and any other internal or external group as required
• Communicating changes to core statutory/mandatory learning requirements
• Assessing and addressing needs where staff have particular access requirements e.g. sensory loss
• Establishing and addressing the need for training through the medium of Welsh
• Arranging appropriate access to ESR for colleagues not employed by Public Health Wales e.g. temporary workers

1.6 Subject Matter Experts/Leads

Where subject matter leads/experts have been identified within the organisation, they are responsible for providing accurate, timely and appropriate guidance, advice and support. This will include:

• Facilitating/delivering training as agreed with the Organisational Development and Learning team
• Providing the professional advice and expert guidance on the levels of training appropriate to roles within Public Health Wales
• Participating/leading national groups in the design of training packages and ensuring relevance to our employee groups
• Providing a communication and technical link between their area of expertise and the Organisational Development and Learning team
• Ad-hoc support to external parties engaged in the delivery of training, including content approval/sign off and quality assurance
• Assessing and addressing the need for training through the medium of Welsh
• updating the legislative/regulatory framework in Appendix B
2. Other staff groups

Colleagues joining Public Health Wales temporarily, such as work placements, colleagues on honorary contracts, interns and short-term agency staff, may have completed some basic, generic training prior to starting their contract within Public Health Wales. The recruiting manager should assess what has been completed, when and, if required, include the completion of statutory and/or mandatory training in their work plan. Priority should be given to safety-related courses and Information Governance & IT Security. Only training completed within an organisation who has aligned its programme to the UK Core Skills Training Framework can be accepted.

Depending on the individual’s role and responsibilities and the duration of their contract, completion of other topics should be prioritised and managed appropriately – advice can be obtained from the Organisational Development team and/or subject matter experts.

Access to ESR for colleagues who are not employed by Public Health Wales should be requested following the guidance on the intranet.

3. Recording and Reporting

Employees completing approved courses via e-learning will have their records updated in real time. Attendance at classroom sessions will be noted electronically by the Organisational Development and Learning team upon receipt of signed registers of attendance.

Compliance is achieved through full attendance at a participative, tutor-led approved training session or successful completion of approved e-learning. If a course is left incomplete and/or there is no record of attendance, compliance cannot be noted.

The Executive Team is provided with a breakdown of directorate-based compliance records quarterly and a summary of organisational compliance information every month.
3.1 Electronic Staff Record/Oracle Learning Management

Compliance monitoring, recording and reporting is completed through ESR and OLM. Managers can view learning data and records relating to staff within their teams and export relevant reports.


3.2 Transfer of training records

Where an employee is joining us from another NHS organisation, their training record should transfer with them. Subject to the line manager’s assessment of their current training needs against what has previously been completed, Public Health Wales can assume compliance from the date training was successfully completed in their previous organisation and they will not be required to complete it again until the end of the refresher period. Please note, Fire Safety Awareness and Information Governance/IT Security training will always need to be completed upon starting.

Colleagues joining us from an organisation who are not aligned to the UK Core Skills Training Framework will need to complete all courses.

4. Training Needs Analysis

Where a required subject has more than one set of learning outcomes depending on role and responsibilities, it is the responsibility of the employee’s line manager to assess which level of training should be completed, using the guidance available.

If there is doubt as to which level is applicable, further support can be sought from the subject matter expert and/or Organisational Development and Learning team.

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1 This only applies where the organisation has declared alignment to the UK Core Skills Training Framework and the subject matter in question.
5. Planning and Monitoring

Public Health Wales allows sufficient time to complete/attend required statutory and mandatory training. Upon joining the organisation, training should be completed within the first four-six weeks and refreshed at the intervals set out in Appendix A.

5.1 My Contribution

My Contribution forms include space for staff to record which statutory and mandatory training sessions should be completed that operational period, and to support the line manager in planning time out of the workplace.

6. Training Delivery

The NHS in Wales is committed to ensuring it adopts and maintains a consistent approach to statutory and mandatory training. Through the NHS Wales Shared Service Partnership (NWSSP), a suite of e-learning programmes have been designed, developed and approved to meet the learning outcomes as set out in the Skills for Health UK Core Skills Training Framework. Where available, these are the preferred method of delivery.

The default methods of delivery are noted against each subject in Appendix A.

6.1 Welsh Language

Public Health Wales is required to provide opportunities for training in Welsh where that training is offered in English, applicable to subjects under the umbrella term ‘health and safety’. The Organisational Development team are responsible for assessing the demand for training in the Welsh Language and making any subsequent arrangements. If you
are a Welsh speaker and would like training to be provided in Welsh, please advise the Organisational Development team.

7. Non-Compliance

Completion of statutory and mandatory training is not optional. Public Health Wales is committed to providing its workforce with the means by which to complete learning and, with tools, such as the My Contribution process, to support planning. Before accessing further development opportunities, individuals must be fully compliant with core statutory and mandatory training and may have applications for development returned until completed.

Failure to complete/attend training and/or refusal to do so will be reported to the employing Executive Team member via the People Business Partners. It will be investigated and may lead to action under the Public Health Wales Disciplinary Policy. The organisation may take action to ensure the safety of employees, visitors, service users and their information until competence can be evidenced.

7.1 Appeals

Appeals against any action taken under the Disciplinary Policy will be handled in line with the appeals process detailed therein.

We encourage any colleague who is experiencing difficulty accessing statutory or mandatory training to contact their manager in the first instance, or speak to the Organisational Development and Learning team.

8. Changes to Required Statutory/Mandatory Training

Where a change to required statutory and/or mandatory training is made, i.e. a change to refresher period or a new subject is introduced, colleagues will be informed at the earliest opportunity by the Organisational Development and Learning team. This will always include
a news item on the intranet and subsequent link in the staff newsletter, and should be extended to a manager’s briefing via email.

Whilst the monitoring and/or reporting of updated compliance requirements will be almost immediate, there will be a period of no more than three months for staff to complete the learning unless communicated otherwise.

Any colleagues wishing to introduce a new mandate for all staff should at first discuss the requirement with the Organisational Development and Learning team. The Public Health Wales Executive Team, unless driven by the introduction of or amendment to legislation or policy, will make the final decision on mandate.
**Appendix A – Subjects**
The table below sets out statutory and mandatory training subjects applicable to all staff, volunteers/placements and honorary contract holders. This is subject to change in line with national or local requirements.

Staff are advised to discuss additional local training requirements with their line manager.

<table>
<thead>
<tr>
<th>Subject</th>
<th>Staff Group</th>
<th>Frequency</th>
<th>Delivery Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Safety</td>
<td>All</td>
<td>2 years</td>
<td>Classroom</td>
</tr>
<tr>
<td>Health and Safety Awareness</td>
<td>All</td>
<td>3 years</td>
<td>E-learning</td>
</tr>
<tr>
<td>Manual Handling Awareness</td>
<td>All</td>
<td>2 years</td>
<td>E-learning</td>
</tr>
<tr>
<td>Manual Handling – Inanimate Loads</td>
<td>Based on risk assessment</td>
<td>2 years</td>
<td>Classroom</td>
</tr>
<tr>
<td>Manual Handling – Safer People Handling</td>
<td>Based on risk assessment</td>
<td>2 years</td>
<td>Classroom</td>
</tr>
<tr>
<td>Violence Against Women, Domestic Abuse and</td>
<td>All</td>
<td>3 years</td>
<td>E-learning</td>
</tr>
<tr>
<td>Sexual Violence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Violence and Aggression Awareness</td>
<td>All</td>
<td>Once only</td>
<td>E-learning</td>
</tr>
<tr>
<td>Violence and Aggression – Theory of Personal</td>
<td>Based on risk assessment</td>
<td>2 years</td>
<td>E-learning</td>
</tr>
<tr>
<td>Safety and De-escalation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Violence and Aggression – Breakaway</td>
<td>Based on risk assessment</td>
<td>2 years</td>
<td>Classroom</td>
</tr>
<tr>
<td>Information Governance and IT Security</td>
<td>All</td>
<td>2 years</td>
<td>E-learning</td>
</tr>
<tr>
<td>Equality, Diversity and Human Rights</td>
<td>All</td>
<td>3 years</td>
<td>E-learning</td>
</tr>
<tr>
<td>Safeguarding Children</td>
<td>Level One – all</td>
<td>3 years</td>
<td>E-learning</td>
</tr>
<tr>
<td></td>
<td>Level Two – role</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dependant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safeguarding Adults</td>
<td>Level One – all</td>
<td>3 years</td>
<td>E-learning</td>
</tr>
<tr>
<td></td>
<td>Level Two – role</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dependant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safeguarding Enhanced</td>
<td>Role dependant</td>
<td>1 year</td>
<td>Classroom</td>
</tr>
</tbody>
</table>
| Infection Prevention and Control            | Level One – all         | One - 3 years    | Information leaflet/E-
|                                             | Level Two – role        | Two – 1 year       | learning and Classroom|
|                                             | dependant               |                  |                       |
| Resuscitation                               | All                     | 3 years          | E-Learning            |
| Basic Life Support (CPR) Adults/Paediatric/  | Role-dependant          | 1 year           | Classroom             |
| Newborn                                      |                         |                  |                       |
| WRAP – Working to Raise Awareness of Prevent| See level two above     | Once only        | Classroom             |
| Improving Quality Together (Bronze)         | All                     | Once only        | E-learning            |
| Welsh Language Awareness                     | All                     | Once only        | E-learning            |
| Dementia Awareness                           | All                     | Once only        | E-learning            |
| Counter Fraud Awareness                      | All                     | Once only        | E-learning            |
| Putting Things Right                         | All                     | Once only        | E-learning            |
| Cyber Awareness                              | All                     | 2 years          | E-learning            |
## Appendix B: Legislative and Regulatory Framework

<table>
<thead>
<tr>
<th>Subject</th>
<th>Legislation or Policy</th>
</tr>
</thead>
</table>
| **Safeguarding Children**    | Children Act 1989 and 2004  
Working Together 2006  
Laming Report 2003  
Intercollegiate Document 2014  
The Social Services and Wellbeing (Wales) Act 2014 |
| **Violence and Aggression**  | Conflict Resolution Training - Implementing the National Syllabus 2004 (NHSLA st3)  
A Professional Approach to Managing Security in the NHS 2003  
Welsh Violence and Aggression Passport Scheme |
| **Health and Safety**         | Health and Safety at Work Act (1974)  
Management of Health and Safety at Work Regulations (1999)  
COSHH Regulations 2004 |
| **Equality, Diversity & Human Rights** | Equality Act 2010 |
| **Fire Safety**              | Fire Precautions Act (1971) amended (1999)  
Management of Health and Safety at Work Regulations (1999)  
Health and Safety at Work Act 1974  
Regulatory Reform (Fire Safety) Order 2005  
| **Infection Prevention and Control** | Clinical Negligence Scheme for Trusts  
Standards for Health Services in Wales.  
MRSA Reduction (Key local and national target) (NHSLA st2 & 4)  
National Infection Control Training.  
Health and Care Standards in Wales, 2015.  
Health and Safety at Work Act 1974  
COSHH  
NHS Wales Delivery Framework 2015/16 and Future Plans |
| **Information Governance**   | Caldicott Principles into Practice  
Data Protection Act 1998  
Health and Social Care Act 2008  
Confidentiality: Code of Practice for Health and Social Care in Wales  
Access to Health Records Act 1990  
Freedom of Information Act 2000  
Human Rights Act 1998  
Wales Accord for the Sharing of Personal Information (WASPI)  
Section 251 of the National Health Service Act 2006 |
| **Manual Handling**          | Health and Safety at Work Act (1974) (NHSLA st2)  
Management of Health and Safety at Work Regulations (1999)  
Welsh Manual Handling Passport Scheme |
| **Risk Management**          | Risk Management in the NHS  
Management of Health and Safety at Work Regulations (1999)  
Health and Safety at Work Act (1974) |
| **Violence Against Women**   | Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015  
Serious Crimes Act 2015 |
| **Safeguarding Adults**      | Patient Safety (NHSLA st3)  
The Social Services and Wellbeing (Wales) Act 2014 |
| **WRAP**                     | Counter-Terrorism and Security Act 2015 |
| **Welsh Language**           | Welsh Language (Wales) Measure 2011  
Welsh Language Standards (No. 7) Regulations 2018  
More Than Just Words |