Background

1. At its meeting on 12 June 2009, the Strategic Leadership Team (SLT) discussed the Equalities Compliance Report. SLT noted that compliance with equalities was not formally listed within the remit of OMG. It requested that the remit be amended accordingly to ensure equality issues remained a high priority at an operational level. OMG was subsequently asked to consider whether other compliance issues might also be incorporated into the remit. A number of issues were raised in response to this suggestion and so it was agreed that the issue be discussed by the group.

2. The purpose of this paper is to collate the views already expressed by members of the group in order to provide a starting point for discussion on how best to record OMG’s responsibilities for compliance with statutory and regulatory obligations.

Mary Ann Masson, x85304

Discussion

3. The SLT remit states that it will:
   
   - ensure systems are in place and are operating effectively to ensure compliance with health and safety and other statutory and regulatory duties;
   
   - promote good practice in equalities, environmental management and other corporate policies;

4. It was suggested that OMG may wish to replicate these within its own remit or to introduce some different objectives which were more focussed on operational aspects of compliance. If OMG agrees that a change to its remit is necessary, it will need to discuss whether to restrict this to equalities issues or whether to consider making reference to other compliance issues. As the latter covers responsibilities such as corporate manslaughter and corporate homicide, OMG would need to have a fully informed discussion before coming to an agreement.

5. OMG is also asked to consider whether responsibilities for compliance issues might be built into individual delegations or job descriptions. Again, it would be important for there to be a clear understanding of
what this entailed and how OMG members would be kept informed of changes to their obligations.

6. OMG is also invited to discuss whether any change to its remit (Annex A) is necessary. It currently states that OMG is tasked:

- To deliver the organisational strategy;
- To develop operational strategies required effectively to deliver organisational goals;
- To promote collaborative working across the business to deliver organisational goals;
- To carry out all responsibilities in a manner that is open, transparent and demonstrates alignment with the Parliament’s values

7. The responsibilities for equalities, health and safety and environmental management are set out in more detail in the ‘value’ and ‘organisational health’ sections of the strategic plan. OMG may wish to consider whether attempting to specify these detailed objectives elsewhere (either in the OMG remit or in individual delegations or job descriptions) will duplicate the content of the strategic plan or create conflicting priorities.

8. To help inform discussion, the Health and Safety Manager has provided a briefing note (Annex B) regarding the role of OMG in ensuring compliance with health and safety. The Equalities Manager will attend for this item to feed in her views.

**Resource Implications**

9. If delegations are to be amended, this will require staff time both in the Clerk/Chief Executive’s Office and the Office of the Solicitor.

**Timing**

10. There are no specific timing restraints but it is in the best interests of the organisation to agree the correct recording of compliance responsibilities.

**Dependencies**

11. As discussed above, thought will have to be given to supporting OMG in meeting their obligations, particularly in ensuring they are kept up to date with any statutory or regulatory changes.
Equalities Implications

12. The purpose of addressing this issue is to ensure that, under the new management structures, equality issues remain a high priority at an operational level.

Publication Scheme

13. This paper can be published.

Next Steps

- If OMG agree to changes to its remit, these will be made and the document circulated for sign-off. Any agreed changes to personal delegations will be implemented following liaison with the Solicitor to the Scottish Parliament.

Decision

14. OMG is asked to decide whether it wishes to:

- change its remit to reflect equalities issues;
- change its remit to reflect compliance in other areas such as health and safety and environmental management; and/or
- build compliance responsibilities into individual delegations or job roles.

Clerk/Chief Executive’s Office
August 2009
REMIT OF THE OPERATIONAL MANAGEMENT GROUP

Membership

- Clerk/Chief Executive (Chair)
- All Group Heads

In attendance:

- Office Heads to attend as appropriate
- AC/CEs as appropriate
- Member of the Clerk/Chief Executive’s Office (Secretary)

Remit

- To deal with cross-cutting operational issues;
- To deliver the organisational strategy;
- To develop operational strategies required effectively to deliver organisational goals;
- To promote collaborative working across the business to deliver organisational goals;
- To hold regular operational reviews to demonstrate operational performance and progress;
- To provide a forum to agree prioritisation and resourcing for projects. This includes responsibility for taking a view on projects which require cross-organisational support or resources. OMG will oversee the delivery of the operational portfolio of programmes and projects, including reviewing business cases, securing budget, ensuring that resources are focused appropriately, reviewing the status of ongoing projects, addressing issues encountered in projects and managing operational risks;
- To monitor the operational effectiveness of the organisation and to advise the Chief Executive and Strategic Leadership Team on operational matters and operational effectiveness;
- Within the overall strategy set by SLT, to co-ordinate the SPCB’s annual budget bid and SPS staffing bid for submission to the Strategic Leadership Team, as part of a revised budget planning process;
• To undertake workforce planning to deliver organisational objectives that contribute to the strategic outcomes defined by SLT;

• To act as change agents for organisational change required to deliver the organisation’s strategy;

• To work together to ensure that resource from across the organisation is utilised effectively and efficiently to deliver the operational portfolio i.e. activities are well planned and managed to avoid bottlenecks and maximise utilisation and throughput;

• To carry out all responsibilities in a manner that is open, transparent and demonstrates alignment with the Parliament’s values.
Briefing Note

The Role of the Operational Management Group in ensuring Health and Safety Compliance

Group Heads and Heads of Office are responsible for implementing operational aspects of the H&S management system in their respective areas, thereby ensuring compliance with legal requirements. The duties are discharged by offices on an individual basis with support from the H&S section where appropriate or requested. Co-operation between individual offices in these matters does happen from time to time, with sharing of resources and knowledge, however this is not universal and more could be done to support co-operation.

OMG meetings could be used to discuss H&S management as a cross cutting operational matter and thereby promote cooperation, continuous improvement and consistency of approach across the organisation.

Possible ways of facilitating such discussion are as follows:

1. Introduce a standing quarterly H&S item on the OMG agenda. This could be programmed to coincide with H&S committee meetings, allowing the H&S committee chair to update OMG on any current issues requiring action or consideration.
2. OMG could review and discuss Group annual H&S reports and forward plans before issuing them to SLT, with a view to achieving consistency of implementation, avoiding silos and promoting examples of good practice.
3. The routine OMG update paper produced monthly by the H&S adviser is currently treated as supplementary information and has not generally been discussed in OMG or SMT meetings to date. Discussion and consideration of key issues could be encouraged if a table of action points was included in the paper, highlighting such issues.

OMG should also continue to consider operational H&S matters on an ad-hoc basis, for example changes to the H&S management system or annual assessments of first aid needs.

Jake Fenton
H&S Adviser
July 2009