Mandatory and Statutory Training Resource

1. Background

The RCN conducts a biannual surveys of its members on employment issues. The survey allows the RCN to understand the motivation and morale of its members and to gain a greater understanding of the working environment of nursing staff. The survey regularly asks members about access to mandatory training.

In the 2007 survey we asked respondents to provide details on any mandatory training they had received in the previous 12 months (running up to the survey). The survey provides results for 6 key mandatory training issues: Cardio-Pulmonary Resuscitation (CPR); Fire Safety; Moving and Handling; Health and Safety; Infection Control; and Equipment Training. We were also able to compare the findings across employer groups and by NHS specialty.

The results of the survey indicate that 80% of respondents have received CPR, while around 78% state they have received fire safety training. Slightly fewer respondents (70%) say that they have received moving and handling training. Rather worryingly, however, only 62% of respondents have received health and safety training and even fewer have received infection control training (only 60%). Those accessing equipment training is well below 50% with only 45% of respondents claiming to have received any equipment training in the previous 12 months.

The survey also indicates that there are significant variations across employer and specialty group in relation to nurses receiving training. Respondents working in Independent Sector hospitals are much more likely to report receiving mandatory training than their counterparts in NHS settings. Within the NHS itself there are disparities between specialty groups, those nurses working in paediatric and adult critical care are much more likely to have received mandatory training than any other group.

Critically the findings suggest that the NHS is lagging behind the Independent Sector in ensuring staff are undergoing mandatory training and that, even within the NHS, there are variations within and across specialties. Subsequently, we do not have an accurate
assessment of what is happening locally based on this national data. The RCN membership report provides representatives with a national benchmark of activity and points to areas where there may be potential gaps, but further analysis will need to be undertaken at employer level.

This resource focuses on mandatory training, which is essentially training to support safe and healthy working environment as opposed to CPD, which focuses on individual development linked to career development.

2. Definitions

**Statutory Training**
Statutory training is that which an organisation is legally required to provide as defined by law or where a statutory body has instructed organisations to provide training on the basis of legislation.

**Mandatory Training**
Mandatory training is that determined essential by an organisation for the safe and efficient running in order to reduce organisational risks and comply with policies, government guidelines.

Essential or compulsory are also terms used to describe mandatory training. Some organisation use mandatory training as a ‘catch all’ to cover mandatory and statutory.

3. What Should Employers Be Doing?

There are many frameworks under which employers should be delivering mandatory training. Frameworks will vary depending on the risks encountered in the working environment, the needs of the workforce, insurers’ standards, and the governance and legal frameworks in place and country specific requirements. However, an overarching requirement in all countries is health and safety legislation.
4. Benefits of Mandatory and Statutory Training

In addition to compliance with a number of legal requirements the benefits of mandatory training are listed below:

The Health and Safety Executive (HSE) describe mandatory training as an essential principle leading to good health and safety performance and a key means of influencing safety behaviour and a key element of a positive health and safety culture.

The delivery of appropriate mandatory training can also assist with:

- Meeting quality standards and performance ratings
- Financial savings e.g. discount on insurance schemes such as the NHS Litigation Authority scheme
- Reducing injuries and subsequent claims
- Improving staff morale
- The provision of safe and effective care
- Improving the patient experience (a recent study by the Healthcare Commission showed a positive correlation between training on hand hygiene and health and safety, and a positive patient experience)
Case Studies

**Fire training for staff on permanent night shift**

The delivery of mandatory training to staff on permanent night shifts was identified as a problem in one trust. It was identified as a high risk on the risk register and the trust now runs regular fire training sessions during the night shift so that those on permanent night shifts can attend. The trust ensures adequate backfill during the night shift.

**e-Learning Support Sessions**

For staff that are not confident in the use of computers but would like the opportunity to try e-Learning, facilitated e-Learning sessions are arranged by one organisation. These can either be on a 1:1 or small group basis where the e-Learning Co-ordinator is on-hand to offer support.
Appendix – Representatives Checklist

What is Your Employer Currently Doing?

To check that your employer is doing what is required you can ask the following questions:

- Has a training needs analysis been carried out identifying which groups of staff need training and how often?
- Is there a jointly agreed organisational policy on training and or learning and development?
- Are managers aware of their responsibilities to release staff for training?
- Are employees aware of their responsibilities to attend training?
- Is there a training prospectus or information (for example on the intranet) on what training is available to whom and how to access it?
- Does the organisation’s risk register and risk assessments identify what training is needed by whom and how often?
- Are all members of staff able to access the training they need? (e.g. those who work permanent night shifts or home based staff).
- Are training facilities suitable and accessible for all?
- Where health and safety training is required, RCN safety representatives should be consulted on the design and delivering of the training.
- Where mandatory training is being delivered electronically, ensure that staff are given time within working hours to complete modules and that staff know how to use IT equipment.
- Have Key Performance Indicators (KPIs) or similar targets been set to meet the organisational training needs?

Are They Achieving It?

Having policies and a training needs analysis carried out is one thing but how do you check whether your employer is meeting the objectives of the policy and everyone is receiving the mandatory training identified?
To ensure your employer is delivering appropriate and timely mandatory training you can ask the following questions:

- Have KPIs or targets for training been met?
- Is the uptake of training monitored and areas/departments with poor uptake of training investigated? (Risk management reports should highlight uptake of training).
- Get involved in any external or internal checks/assurance procedures to see whether your organisation is delivering training as required e.g. Internal Audit reports, NHS Litigation Authority checks, Health and Safety Executive inspections and the Standards for Better Health assessment procedure.
- If your organisation takes part in an annual staff survey which asks questions of what training they have received (e.g. healthcare commission annual staff survey in England), check the results of your organisation to see how it compares with others.
- If you are a safety representative carrying out a safety inspection ask to see local training records of health and safety training as part of the inspection.
- Ensure that access to training is examined as part of any investigation or root cause analysis following an incident.
- Carry out your own survey of members to see whether training has been delivered in line with the organisational policy and training needs analysis.
- Are training audits carried out at frequent intervals?
- Are there clear arrangements for back filling staff on training?

How Can RCN Representatives Improve the Situation?

If you have concerns that your employer is not delivering suitable mandatory training you can use a number of routes to raise those concerns examples include:

- Where the results of staff surveys or other reports indicate poor compliance with mandatory training request that a jointly agreed action plan with timeframes is developed to address the issue.
- Raise concerns formally at health and safety committee and or risk management committee and partnership forums such as Joint staff side consultative committee.
• Discuss concerns with risk management, health and safety manager, organisational development manager or other appropriate lead.

• Put your concerns in writing to all or any of the above.

• Discuss next steps with your RCN Officer.