

# Activate

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## News, views and support for RCN activists



### Pay campaign picks up pace

**Representatives are being urged to get members involved in campaigning following the announcement of a paltry one per cent pay increase for nursing staff**

NHS workers across the UK will receive a one per cent pay increase from 1 April after recommendations made by the Pay Review Body (PRB) were accepted in full last week. The uplift will apply to all points on the Agenda for Change pay scale.

Though it is encouraging that the views of the PRB have been listened to, the RCN said the award does little to address the fact that nursing pay has dropped 14 per cent, in real terms, since 2010.

Janet Davies, RCN Chief Executive & General Secretary, said: "Nurses have been telling us that they are struggling to make ends meet and are asking themselves if they can afford to continue nursing. Our warnings have repeatedly fallen on deaf ears.

"The earnings of the people who are looking after us and keeping our health service going have fallen way behind everyone else. Worse, they have fallen way behind inflation."

The RCN's *Nursing Counts* pay campaign is picking up pace in light of the developments. It aims to get members motivated to make their voices heard.

Representatives are being urged to use a range of new RCN materials to start conversations with members in the workplace.

The leaflets, postcards and posters are designed to arm people with the facts about nursing pay and empower the RCN's 430,000 strong membership to get involved in campaigning.

The materials emphasise the link between attacks on nursing pay and conditions, and the ability of an exhausted and demoralised workforce to continue to offer high quality patient care.

Janet added: "The RCN will continue to fight for nurses and health care assistants to receive fair pay. A pay award that doesn't reflect the value of nursing is bad for patients too."

The new materials are available to order and download from [www.rcn.org.uk/nursingcounts](http://www.rcn.org.uk/nursingcounts)

## Student bursary latest

The RCN is keen to harness the views of a broad range of members as it prepares to respond to a consultation on proposed changes to student nurse funding in England.

It was announced last year that trainee nurses would have to pay tuition fees and use loans to cover their living costs from 2017.

The Government has said it won't be consulting on the principle of scrapping student bursaries, but on how alternative financial arrangements will work.

The RCN is emphatic that the new system must not deter prospective nurses from entering the profession at a time when staff shortages are making headline news.

Details of the consultation process are expected this month and the RCN will be collating members' views before formally feeding them back in to the Government's consultation.

## 'Nursing associate' consultation response



The RCN has formally responded to Health Education England's (HEE) consultation on plans to create a new nursing support role. It is intended that the role would bridge the gap between unregulated health care assistants and registered nurses, and provide a route into nursing through work-based education.

The current workforce crisis means that health and social care providers across the UK are struggling to recruit registered nurses to fill vacant posts.

The RCN has for many years been supportive of health care support workers (HCSWs) being enabled to develop and progress within an education and career framework that would offer the choice of a route into registered nursing.

This would help grow the nurse workforce, or enable support staff to progress into more senior HCSW roles to supplement, but not substitute, the role of the registered nurse.

The College supports the principle of a recognised senior support worker role, such as that outlined, but notes that similar roles already exist within the current workforce and that these should be explored as part of the solution. However, there are also concerns about skill mix in nursing environments and fears over role confusion for patients and colleagues.

The response has been shaped by a national survey of RCN members which produced four key themes. Members felt the new role could provide a work-based route towards being a registered nurse. However, more than 60 per cent of respondents said they thought registered nurses did not have the capacity to support or mentor those taking up the new role.

Members said this perceived gap in the workforce had only been created due to there being insufficient numbers of registered nurses. As ever, the RCN would call for further investment to reduce the strain on nursing staff.

## Investigation finds 23,000 nursing vacancies

Patients are being let down by long-term staffing problems, the RCN has stressed, after new data revealed more than 23,000 nursing vacancies in the NHS last December.

A BBC investigation found nearly 70 per cent of trusts are actively recruiting from abroad due to staff shortages, with 23,443 nursing vacancies in England, Wales and Northern Ireland.

RCN Chief Executive Janet Davies said: "Nursing posts are often the first target when savings need to be made, leading the NHS to find itself dangerously short and having to spend more on agency staff and recruitment of nurses from other countries.

"Time and again, failing to train enough staff is the Achilles' heel of the NHS. The consequences are felt by nurses working under relentless pressure and sadly, also felt by patients who face delays and unmet needs."

## RCN continues fight against Trade Union Bill

The controversial Trade Union Bill will move to the report stage later this month with the RCN still lobbying to change the provisions which would limit facility time for union representatives.

The College supported an amendment, tabled by Lord Beecham and Lord Harris, for facility time restrictions to be lifted for activists in the NHS and local government.

The debate in the House of Lords saw vocal support for the amendment with nurse peers Audrey Emerton and Hector Mackenzie speaking on behalf of nursing. Baroness Hayter, leading for the opposition on facility time, referred to the RCN's briefing and ensured the College's argument about patient safety is on the parliamentary record.

The report stage is scheduled to start on 16 March when further amendments to the bill will be considered and voted on.

## Be part of the debate at RCN Congress 2016

You can now book to attend RCN Congress 2016 and find out what is to be debated at the biggest and most influential event in the nursing calendar.

Topics up for discussion this year include a call for RCN Council to lobby governments of the UK to invest in the provision of mental health care services for children and young people, discussion of the Government's plans for scrapping student bursaries and lobbying UK governments to ensure safe staffing levels.

Alongside activity in the main hall there will be a host of seminars and workshops from the RCN's branches and specialist forums, with a focus on specific clinical and legal issues members may face.

It will also be Janet Davies' first Congress as RCN Chief Executive & General Secretary, and will see her addressing members on this scale for the first time.

Congress runs from Saturday 18 to Wednesday 22 June at the SECC in Glasgow. As part of the celebrations delegates will be asked to reflect upon the College's key achievements throughout the last century and what its aims should be for the next 100 years.

## RCN welcomes moves to improve staff health

The RCN has said improving staff health will lead to a better level of patient care, as the NHS confirmed it will offer cash incentives to hospitals supporting a healthy workforce.

Health services can claim a share of a £600 million pot if they limit the availability of junk food and provide physiotherapy and mental health support. This comes as health chiefs aim to reduce the annual £2.4 billion NHS sickness bill.

Janet Davies, RCN Chief Executive & General Secretary, said: "Too often in the past, the NHS has failed to take care of its staff in the same excellent way it takes care of patients.

"This new focus and financial investment is positive because it recognises that improving staff health can deliver better care for patients.



Chair of Congress Stuart McKenzie said: "Congress is our flagship event and always inspires great debate.

"The agenda looks sure to be a rousing one. There are many major issues such as the junior doctors' dispute which have shaped this year's agenda.

"Congress this year is set to be a good one. Make sure you're there."

To book your place at this year's Congress and see the agenda in full go to [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

"This initiative must be accompanied by improved access to flexible working and a concerted effort to reduce the stress experienced when staff cannot properly care for patients because of insufficient staffing levels."

The head of the NHS in England, Simon Stevens, said the health service should "practise what it preaches" by tackling obesity and improving the wellbeing of its 1.3 million staff.

RCN representatives can play an important role in questioning practices in the workplace and influencing managers to provide opportunities to improve staff health.

To find out more about the RCN's *Healthy Workplace* campaign and download the toolkit go to [www.rcn.org.uk/publications](http://www.rcn.org.uk/publications)

## Joint reps' conference

The bi-annual RCN Joint Representatives Conference took place in Liverpool earlier this month.

RCN safety reps, learning reps and stewards from across the UK came together to celebrate trade unionism in nursing and shape the future of activism in the RCN.

One of the RCN's longest-serving reps Gordon Lees shared his experiences at the conference. Turn to p7 to hear his take on his 40 years as an activist.

## International centenary conference

Booking is open for the RCN's International Centenary Conference, at the QE2 in London, from 22 to 23 November 2016.

The conference aims to address the big issues in nursing around the world as the RCN celebrates its centenary year. Speakers from global organisations such as the World Health Organisation (WHO) and the United Nations (UN) will be attending. Go to [www.rcn.org.uk/events](http://www.rcn.org.uk/events)

## Promoting sustainability

The first ever member sustainability event hosted by the RCN aims to bring together those interested in incorporating sustainability into their nursing practice and health care services.

The event will be held at RCN HQ, in London, on 13 April.

For further information contact Mark Platt at 020 7647 3471 or [mark.platt@rcn.org.uk](mailto:mark.platt@rcn.org.uk)

## Defending industrial action



**Does the right to strike put public safety at risk? When RCN Chief Executive Janet Davies took part in an Oxford Union debate on that question last month, she argued strongly against the idea**

Many assume a strike by health professionals is bad for patients, but I firmly believe the opposite is true. The RCN has never reached the point of striking, but having that option is crucial for our members.

The junior doctors have taken action without withdrawing emergency care, demonstrating how powerful the collective voice of a trade union can be without risking patient safety.

Nursing staff must have the means to act in defence of fair pay and conditions. Being able to withdraw labour is a fundamental right.

The impact if it was removed would be felt by patients; the experience of health care staff has a direct impact on those they care for.

Nursing pay has fallen 14 per cent behind the cost of living since 2010. Members are getting increasingly disillusioned and are voting with their feet.

That's the real risk to patient care; that people feel so undervalued they decide they've had enough, resulting in even worse nursing shortages.

It's better to lose nursing staff for a day than for a lifetime. The biggest risk to patients is apathy.

*"It's better to lose nursing staff for a day than for a lifetime"*

## ASK AN ADVISER



**If I resign during maternity leave will I have to repay my maternity pay?**

If you receive contractual maternity pay you will be entitled to receive it up until the end of your notice period.

Check your employment contract or maternity policy to see whether you must repay any contractual maternity pay if you do not return to work.

If you work in the NHS, the Agenda for Change handbook states that to claim NHS contractual maternity pay you must intend to return to work with the same or another NHS employer for a minimum period of three months after your maternity leave.

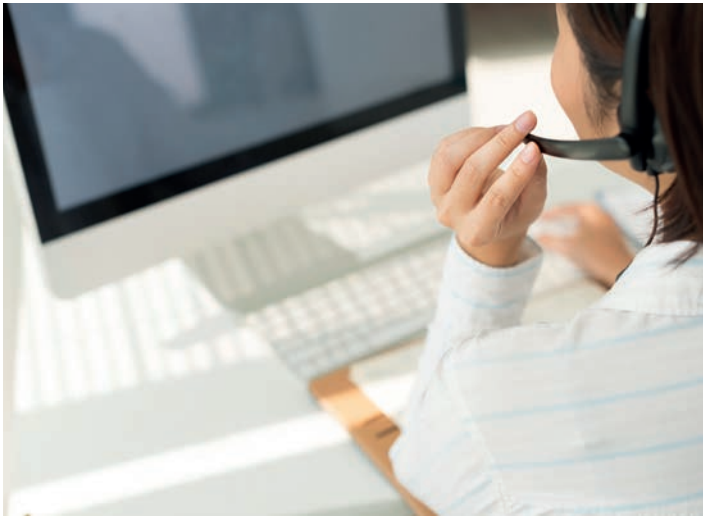
You can only be asked to repay any contractual maternity pay over and above the amount of statutory maternity pay (SMP) or maternity allowance you were entitled to. Your employer cannot ask you to pay back any SMP and you do not have to pay back any maternity allowance to the Job Centre Plus.

Find out more about your maternity rights at: [www.rcn.org.uk/get-help/rcn-advice/maternity-leave-and-pay](http://www.rcn.org.uk/get-help/rcn-advice/maternity-leave-and-pay)

**You can also speak in confidence to an RCN Direct adviser any time between 8.30am and 8.30pm, 365 days per year.**

**RCN DIRECT**  
[www.rcn.org.uk/direct](http://www.rcn.org.uk/direct)  
**0345 772 6100**

## View from the frontline



### Challenging times

I've worked as a nurse adviser at NHS 111, and previously for NHS Direct, for the best part of 13 years. I've been a steward for three of those.

People often say to me "what's it like being a representative in a call centre?" but that's the first mistake they make. We need to see it as a health service.

It's a difficult time at the moment. We've got a real problem with understaffing of clinical advisers and this has created a high level of work-related sickness absence. We're busy too. I cover two sites in Devon and Dorset which each take around 10,000 calls a month. We also have a situation where there are as many as five different employment contracts for staff. It's not ideal.

There have been many meetings with management to discuss the issues members are bringing to my attention. It's hard work but I try to put as much time aside as possible to listen to members' concerns. Then it's about trying to relay these to management in a way that will resonate with them and bring about positive action.

Many issues are yet to be resolved. We desperately need more advisers on the frontline in order to tackle work-related stress. But for now, I'm going to carry on raising concerns. We all become activists to help members and I'm confident we can make a difference.

**Christine Lamplough, RCN steward,  
South West region**

## LEGAL UPDATE



### Disability discrimination



The Employment Appeals Tribunal (EAT) has made an important judgment on disability discrimination and, in particular, the duty to make reasonable adjustments in attendance management cases.

In *Griffiths v Secretary of State for Work and Pensions (2015)*, Ms Griffiths had been absent from work for disability related reasons for a period that triggered a second warning under her employer's attendance management policy.

The policy permitted her employer to adjust the point at which warnings would be triggered in the case of disabled employees, but they decided not to in her case. Ms Griffiths claimed a breach of the duty to make reasonable adjustments. She argued the warning should be retracted and the trigger point for future warnings adjusted to alleviate the stress caused by the threat of sanctions. The employment tribunal decided there was no duty to make adjustments.

#### Employment appeal

The EAT said the tribunal had been entitled to find the proposed adjustments weren't reasonable and there was a duty for employers to consider any possible reasonable adjustments.

It said the requirement to maintain a certain level of attendance at work was harder for disabled employees, whose disability increased the likelihood of absence from work on ill-health grounds, in comparison with those absent for non-disability related sickness reasons.

The court held that section 15 of the Equality Act was potentially relevant. This makes any discrimination "arising from" disability unlawful, unless it can be objectively justified.

The attendance policy was therefore open to challenge in this respect. It is good the court has confirmed that the reasonable adjustments duty applies in these cases.

**Chris Cox  
RCN Director of Membership Relations**

## Setting the agenda

**How do you turn more than 100 subjects, ranging from the legalisation of drugs to awareness of domestic abuse, into four days of inspiring discussion? That was the challenge facing Agenda Committee members as they put their heads together to shape the debating timetable for this year's RCN Congress**

For new committee members Anthony McGeown, Maureen Dolan and Cat Forsyth, it was an eye opener – two days of heated but good natured discussion about items submitted by boards, branches and forums, with passionate arguments about which should stay or go. The end result was an agenda they all hope will make for the best ever Congress.

Maureen was impressed to see the rigorous selection process. “I was happy to see how thoroughly each item was worked on,” she reflects. “I loved the whole process.”

Each motion was scrutinised carefully, with committee members assessing whether it would make for a good discussion, and whether it was a competent item. One item on transgender patients, for example, would have generated lively debate, but was rejected because it called on the RCN to do work already underway.

As the list was whittled down, discussions became more passionate.

“I was really sorry to lose an item about immunising children against meningitis” says Maureen. “It’s very topical, but when we started debating it, we all had the same view, and if there isn’t going to be a good debate at Congress, it doesn’t make a good resolution.”

Cat felt most strongly about a motion on mental health care for children and was delighted to see it make the final list. “I know from my work with young people how important it is,” she says.

Anthony argued hard for a debate about teaching CPR to children; in the end it too was chosen for the agenda.

“I believe in the importance of teaching the next generation to save lives,” he says. “Minutes really do count. But we need to look at both



*“If there isn’t going to be a good debate at Congress, it doesn’t make a good resolution”*

sides of the argument; I’m pleased we’re going to be able to debate it.”

For Cat, it was a fascinating but exhausting process. “I had no idea how much discussion went into each item,” she says. “We gave each submission a really robust challenge.”

So what promises to be the most controversial item? Possibly a discussion on abortion.

“Every time that motion’s mentioned, I prickle,” says Maureen. “I have my own views, but it’s important to do what’s right for that woman in that situation.”

Anthony, Maureen and Cat are all Congress regulars. But having shaped the agenda so carefully, they are all looking forward to this year in Glasgow more than ever before.

### Emergency items

Although the deadline for regular agenda items has now passed you can still put forward items for consideration any time until the end of Congress.

Anthony says: “I would encourage every member to think about

submitting emergency items.

It needs to be on an issue that has come to light since the January submission deadline. These items often become the central talking point of Congress.”

For more information go to [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

## Fighting for members



**Gordon Lees, one of the RCN's longest serving representatives, talks about his 40 years as a steward and his continuing pride in representing members as the RCN turns 100**

Gordon has always been one for bucking the trend. He was one of the first male nurses to train in his area and became an RCN activist after seeing the unfair treatment of colleagues.

"I got into activism shortly after qualifying as a general nurse in 1975," he says. "During my training I saw staff being bullied. Doctors were very much seen as the icons of the NHS and were often involved in the management of hospitals. They were viewed as more senior than nurses rather than being equals. This was something I had to stand up against."

Gordon became an RCN steward in 1976 and helped to set up the Hartlepool branch, recruiting more than 30 new members immediately. But it could all have been very different if he'd followed the union path of some of his colleagues at the time.

He recalls how a fellow ward sister was a member of the Boilermakers' Union because her husband, a coalminer, had encouraged her to join.

*"I wouldn't say being a rep is any easier after 40 years, but experience gives you more confidence"*

### Centenary special

The RCN is looking to produce a centenary special issue of *Activate* later this year. If you have any stories, memories or insights into your time with the RCN, get in touch and you could be featured in this one-off special. Email [activate@rcn.org.uk](mailto:activate@rcn.org.uk)

So what attracted him to the RCN and what has kept him working as a steward for 40 years, in spite of an increasing workload and the ever-changing landscape of the NHS?

"I believe in what the RCN stands for and its values. These guide my practice both as a nurse and as a rep," he says. "But I'm also a strong advocate for partnership working and recognise there are significant gains to be made from working closely with managers, other trade unions and professional organisations.

### Fairness and equality

"I'm passionate about fairness and recognising people's strengths and limitations. I believe that when in difficulty, everyone deserves a chance to explain and learn from their mistakes. No one is perfect."

How has being a representative changed with different governments coming to power, each with their own agenda?

"People say the current Tory government is one of the worst for the NHS, or that Margaret Thatcher was destructive in the 70s and 80s, but you can also look at Tony Blair's Labour government. They brought in private finance initiatives and made the moves towards the NHS we're seeing today."

### Celebrating the RCN

Gordon says that while the RCN has grown and evolved over the years, the role of representatives remains fairly similar with standing up for members at its heart.

He says: "I wouldn't say that being a rep is any easier now than it was 40 years ago, but experience does give you more confidence. The nature of support the RCN provides its members has changed but I'm still proud to be a rep.

"I think the centenary is a great opportunity, not only to celebrate the work of the RCN, but to sell the nursing profession, and to recognise just how far we have come in terms of standards of care and patient choice."

# NOTICEBOARD

## ULF funding comes to an end

The RCN's association with the Union Learning Fund (ULF) in England is coming to an end after 17 years.

The College began applying for funding from the ULF in 1999 for small, local projects but from 2007 this stepped up to more substantial larger scale ones.

Since then, the RCN has received more than £1.4million in grants to fund schemes promoting learning in the workplace. Five projects, ranging from one to three years, saw a team work to raise the profile of union learning, both from within the RCN and externally with employers and others.

Landmark projects have included the development of a learning and development pathway for representatives. The ULF funding meant staff resources were able to focus entirely on this work to aid the development of representatives.

The RCN learning and development team also developed and signed 29 learning agreements across the NHS and independent sector which committed to increase development of staff.

The working longer project set out to develop understanding of the needs of an ageing workforce, working in partnership with employers to support staff to prepare for working later in life. This has seen the implementation of midlife development reviews to help members recognise their skills and experience and allow them to use this to develop a career path.

## Tools of the Trade



This month's *Tools of the Trade* includes a report from The Work Foundation on the economic implications of six long-term conditions (psoriasis, diabetic macular oedema, asthma, schizophrenia, heart failure and multiple sclerosis) and their impact on employment. Go to <http://tinyurl.com/jjv8fst>

The Health and Safety Executive (HSE) has developed an intervention toolbox for common health problems in the workplace. Read the full report at: <http://tinyurl.com/j2x8r9k>

A new TUC report *The Union Effect: How Unions Make a Difference on Health*

*and Safety* shows how the network of 100,000 trade union health and safety reps help reduce injuries and ill-health at work. They save the economy an estimated £181 million and 286,000 days are lost due to workplace injuries and illness. For further details and to access the report see: <http://tinyurl.com/jx3stsa>

Daily "stepping up" meetings have provided a forum for staff at Basildon and Thurrock University Hospitals NHS Trust to identify issues and concerns in the organisation. To view the NHS Employer's infogram see: <http://tinyurl.com/hgsodvk>

## Nurses' Day - a reason to celebrate

Reps can now order specially designed materials and resources to help celebrate Nurses' Day.

Nurses' Day takes place on 12 May each year, the anniversary of Florence Nightingale's birth. It's an opportunity for RCN members, and the wider public, to celebrate the remarkable difference that nursing staff make around the world every day.

It's a chance to show why you are proud of your profession. It's also a time for patients to thank you for your dedication and care.

To discover how you can celebrate with the RCN, and to order your free Nurses' Day

materials including bunting, posters and paper cups, please visit [www.rcn.org.uk/nursesday](http://www.rcn.org.uk/nursesday)



## Committee vacancies

Activists looking to get more involved in the running of the RCN are being encouraged to apply for vacancies on the UK committees.

There are currently two vacancies on the learning representatives committee for reps from Scotland and the South West. The Scotland vacancy will be an appointment for the most suitable applicant and is short term until 31 December 2016. An election will be held for the

South West vacancy which is a two-year term until 31 December 2018.

The stewards committee also has a vacancy for a rep in Wales. Once again, the best applicant will be appointed to the role, which runs until 31 December 2016.

Find more details about the vacancies at [www.rcn.org.uk/appointments](http://www.rcn.org.uk/appointments)