

Activate

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News, views and support for RCN activists



RCN welcomes Scotland safe staffing law

Members celebrate as Scotland safe staffing law passes final hurdle. Now the focus moves to implementation

Staffing for safe and effective care in Scotland's NHS and care homes has become law following a final debate in the Scottish Parliament. The Health and Care (Staffing) (Scotland) Act is the first legislation of this kind in the UK to apply to both health and social care services.

Scotland's First Minister Nicola Sturgeon made the commitment to put safe staffing on a statutory footing from the stage of RCN Congress in 2016. Since then members have been campaigning tirelessly to influence and shape the legislation.

More than 5,000 people signed up to support the RCN's [#askformore](#) campaign which highlighted the changes that needed to be made in order for the bill to make a real difference.

We called for the legislation to do more than put existing workload and workforce planning tools on a statutory

footing. These calls have been answered with most of our asks incorporated in the final law.

RCN Scotland Board Chair Tom Wilson said the new legislation is a tribute to members' influencing power: "First and foremost it represents what a powerful force for good RCN members can be. That's because many of the provisions in the final act are there as a result of our lobbying and influencing, canvassing and cajoling."

More work will be required to make sure the law achieves its aims. RCN Scotland Director Theresa Fyffe said: "We've been clear from the outset that legislation alone will not solve the nursing staff challenges that face Scotland's NHS and care home sector. What's needed is a change in our wider safety culture and a fully-funded, long-term workforce planning process."

The RCN is campaigning for staffing for safe and effective care to be enshrined in law across all four countries of the UK. Turn to page 2 for an update on the campaign in England or visit rcn.org.uk/safe-staffing for more information on our campaigning across the UK.

An update on the campaign for safe staffing in England



Ten thousand members and supporters took action in support of the campaign for safe and effective staffing levels in March and April

They wrote in to a consultation seeking views on legislative changes needed to deliver the aims of the NHS Long Term Plan. The consultation was an opportunity to highlight that the current staffing crisis in England will deepen unless key leaders are made accountable for making sure there are enough nursing staff.

Our response to the consultation, run by NHS England and NHS Improvement, called for:

- a law that makes it clear who's accountable for ensuring there's an adequate supply of registered nurses and nursing support staff to meet the needs of our population

- the Secretary of State for Health and Social Care to be accountable to the UK Parliament for making sure that there are enough health care staff to provide safe and high quality care
- clear duties for national and local organisations.

Last month, as part of the consultation, RCN Chief Executive & General Secretary Dame Donna Kinnair gave oral evidence to the Health and Social Care Select Committee.

She said: "There can be no delivery of the Long Term Plan without investment in the workforce. We cannot go on with the same number of nurses, just moving them around, and feel we can deliver a safe, quality NHS. This is why we need a commitment to accountability for the workforce."

We'll be continuing our campaigning while we wait for a response from the consultation, due this summer.

The safe staffing campaign in England is being led by members in each of our nine English regions. Each region recently held local events bringing together members, reps and RCN staff to develop the campaign. Future activity is now being planned and there will be lots of opportunities to get involved over the coming year.

A number of safe staffing fringe events are being held at RCN Congress. Visit rcn.org.uk/congress to find out more. To read more about the campaign, visit rcn.org.uk/safe-staffing

Be the change

Are you keen to represent your nursing colleagues and have your say on how nursing policy is implemented?

If the answer's yes, then why not consider putting yourself forward to sit on an RCN committee? A number of seats open for nomination at RCN Congress this month.

Being on an RCN committee means you can directly influence change and have an impact on nursing practice in your specialty, region and even nationally.

Nominations opening from 19 May include those for RCN Council, which is the highest level of RCN governance and steers the direction of the College; the RCN Trade Union and Professional Nursing Committees, which influence issues like nursing pay and conditions

and lead on professional issues, respectively; and RCN Forum Steering Committees, which influence different nursing specialties and lead on guidance in those specialties.

Also during Congress week, nominations for the RCN Congress Agenda Committee close on 21 May. A hustings event and voting for this committee will then take place during Congress.



Want to find out more?

Visit the governance stand at Congress to find out more about how you can get involved in all of the committees and RCN Council or visit rcn.org.uk/elections

Visit rcn.org.uk/activate to read our online feature with RCN Congress Agenda Committee member Maureen Dolan. She tells us what it takes to be part of the committee and why the experience has been so rewarding.

AGM resolutions

Members attending this year's RCN Annual General Meeting (AGM) in Liverpool will be asked to vote on two resolutions

The RCN's Standing Orders state that the term of office for RCN Council members should be four years with half of the Council's members retiring every two years.

Members will be asked to vote on a technical change to these Standing Orders to enable RCN Council to put transitional arrangements in place when a change to the make-up of Council has been approved by the membership.

Following the implementation of the Council review, 13 seats are available in the 2019 Council elections. The transitional arrangement will mean seven of those seats are for four-year terms of office and six seats are for two-year terms of office.

Members will also be asked to agree to change the name of the RCN Health Practitioners Committee to the Nursing Support Workers Committee and to change the name of the health practitioner membership category to the nursing support worker category. The committee believes the new name reflects the members it represents more accurately.

A separate consultation on the future membership structure of the RCN will be launched at RCN Congress and this name change does not pre-empt that consultation.

The AGM is taking place at 9am on Monday 20 May at the ACC in Liverpool. Members not attending the AGM were able to vote by proxy until 16 May 2019. For more information visit rcn.org.uk/agm



No role for RCN reps on employer appeal panels



Trade Union Committee decides reps should not take part in some hearings

The RCN Trade Union Committee has agreed that RCN reps should not be part of formal employer appeal panels, such as disciplinary and grievance hearings.

At a meeting in March, the committee, which makes decisions on behalf of Council for the RCN's trade union function, agreed that reps' presence

on such employer panels would be a conflict of interest and inconsistent with their role.

The committee made the decision after seeking legal advice, which suggested being part of the decision an employer makes connects the rep with the outcome. A rep will always be outnumbered on an appeal panel, so the committee thinks it is for the employer to reach a decision and take the consequences for it.

Reps who are currently members of employer appeal panels should discuss this with their RCN supervisor and make a plan for their withdrawal. Other trade unions may choose to continue to take part in panel hearings.

The Trade Union Committee's decision does not apply to Agenda for Change or grading panels, where there are equal numbers of staff and employer panel members.

Nursing pay in Northern Ireland

Nursing pay

The Northern Ireland Board has been given the go-ahead by RCN Council to ballot members on industrial action, including strike action, if it is decided that's the best option following a series of public meetings. These meetings are being held to raise awareness of the current staffing and nursing pay crises and to seek support for the action the RCN believes is necessary to resolve them.

Nursing pay in Northern Ireland continues to fall behind England, Scotland and Wales with more than 2,500 unfilled nursing posts across the system. Visit rcn.org.uk/northernireland

Cash for career development

Nursing staff can apply for a grant of up to £5,000 from the RCN Foundation Professional Bursary Scheme. The grants cover career development and CPD activities in the following areas: occupational health nursing in Scotland, primary care nursing, long term/chronic conditions and history of nursing.

The scheme is open to nurses, midwives and health care support workers. The application deadline is 31 May. Visit tinyurl.com/foundation-dev-grants

We will be heard



RCN Chief Executive & General Secretary Dame Donna Kinnair says Congress provides the perfect platform to get nursing issues voiced on a national scale

Congress is just around the corner. In a matter of days, we'll come together to discuss the most pressing issues for the profession and jointly set the RCN's direction for the year ahead.

It's an exciting time for me. It'll be my first chance to spend time with you, our most valued members, since being appointed permanently to this role. I've done a lot of listening over the past eight months. Congress is my opportunity to listen more and, crucially, share my vision.

I know you want us to be more vocal. To speak more forcefully to ministers on improving and protecting our vital profession. Trust me, I'm ready to do battle. The time has passed to sit back and allow things to be done to us, and not with us, as nursing staff. We deserve to be respected. We are experts in what is best for patient care.

So as we join forces at the UK's largest nursing conference in Liverpool, I want us to speak out loud and clear. We need more nurses. We simply need more nurses. We can't carry on shuffling staff around in the hope that we'll be able to deliver safe and effective care.

The eyes of the media will be upon us, journalists poised to tell our story. So let's all speak with one voice, and unite in what we want to achieve. I look forward to seeing many of you there and realising our potential power when we come together.

"We deserve to be respected. We are experts in what is best for patient care"

ASK AN ADVISER



Holidays and sick leave



Is it reasonable for an employee to go on holiday while off sick?

A number of considerations will help determine whether it's reasonable for an employee to be allowed to go on holiday while on sick leave without any repercussions. These include:

- the reason for the sickness
- whether a GP has recommended such a trip for recuperation
- whether the holiday had been pre-booked and paid for.

Both sides need to be reasonable and each situation needs to be looked at in context. Disciplinary action and/or a deduction in sick pay could be the result of failing to reach an agreement with the employer about, and proceeding to go on, holiday while on sick leave.

Discussion with management at an early stage will help avoid disputes later on.

Further information about sickness and other topics is available at rcn.org.uk/get-help

For more information, 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
0345 772 6100



View from the frontline



Simon Browes

Something for everyone

I've been going to Congress for many years now. I've always found it to have a strong professional agenda alongside the debates and fringe events focused on the RCN's trade union function. With nursing and the RCN, I don't think you can ever separate the two sides completely. The evidence that underpins our practice dictates the way nursing staff are employed and deployed.

As Chair of the Professional Nursing Committee, I'm looking forward to presenting the committee's work, and bringing to life everything that goes on behind the scenes. Members will have the chance to ask us questions and challenge us, which is welcome.

The RCN is a membership organisation so participation in every facet is vital. Congress is a great chance for people to find out more about the opportunities to get involved in both sides of its work. Members should think about their own skills and interests because there's a role for everyone.

The Professional Nursing Committee is hosting a fringe event at Congress on Tuesday 21 May (8-8.45am) to allow members to discuss how the RCN can be effective as both a professional body and trade union. I believe it is right that the governance between the two is clear but no member practices solely in one domain or the other. Please come along and share your thoughts.

Simon Browes, Chair of the RCN Professional Nursing Committee

Entitlement to rest breaks

In *Grange v Abellio London Ltd*, Mr Grange was employed by Abellio as a bus driver from September 2009.

In November 2014 Mr Grange brought a claim alleging breach of his entitlement to rest breaks, in line with regulation 12 of the Working Time Regulations (WTR) 1998. The entitlement is to an uninterrupted rest break away from a workstation of not less than 20 minutes if a worker's daily working time is more than six hours.

Mr Grange's claim was unsuccessful on the basis there was no deliberate refusal by Abellio and he appealed.

The Employment Appeal Tribunal found that the employer's refusal did not have to amount to an active response to a positive request. The refusal could be the denial of the entitlement through the arrangement of the working day.

Regulation 30 of the WTR states that compensation in relation to this type of claim is decided by what the tribunal considers to be just and equitable.

Abellio argued that Mr Grange was not entitled to any compensation as he received his full salary throughout. But as the entitlement to a statutory rest break is an important principle of health and safety, and as Mr Grange had an underlying health condition, the tribunal concluded compensation of £750 was appropriate.

This case confirms that employers have a positive duty to ensure workers can take rest breaks regardless of whether they have been formally requested or not, and a failure to do so may result in the award of compensation.

Read more about working hours and breaks at tinyurl.com/rcn-breaks

Joanne Galbraith-Marten
RCN Head of Legal
(Employment)



How can we support staff dealing with trauma?

READ MORE
ONLINE
[rcn.org.uk/
activate](http://rcn.org.uk/activate)



Dany Cotton is transforming the London Fire Brigade's approach to mental health in the workplace. At RCN Congress, she'll be speaking about how she sees psychological support for staff as a health and safety issue and how we can apply what she's learned to nursing

Since Dany took on the role of London Fire Commissioner in January 2017, there's been a marked change in attitudes towards mental health within the London Fire Brigade.

Events such as the Grenfell Tower fire, and the terrorist attacks in Westminster and London Bridge, have brought discussions about the impact of traumatic events on those responding to the fore. But it's Dany's openness about mental health and her personal experiences that have been what she describes as a "catalyst for change" in making sure firefighters are getting the support they need.

"We've got to be open and honest about mental health and I think it's so important that as a leader you role model those behaviours," says Dany.

With recent media coverage highlighting that more than 300 nursing staff have taken their

"We've got to be open and honest about mental health"

If you're involved in work to improve psychological support in your workplace, please let RCN National Officer Kim Sunley know at kim.sunley@rcn.org.uk

Getting support

RCN members can access our free and confidential counselling service by contacting RCN Direct on 0345 772 6100.

own lives in the past seven years, mental health support is now more than ever something the nursing profession needs to address too.

Flexible support

Dany thinks that in order to be successful, psychological support must be timely and flexible. She was there on the night of the Grenfell Tower fire and says one of the things she recognised early on was the huge impact on the firefighters who were attending. "As firefighters left the scene, they each saw a member of our counselling team," says Dany. "Since then, we've introduced a number of different options for people to access follow-up support. It's not one size fits all."

Dany draws a lot of parallels between the work of nursing staff and firefighters. "Nursing staff are under tremendous pressure," says Dany. "They're in a similar situation to firefighters in that they're quite often seeing people when they've suffered trauma, illness or injury."

It's OK to ask for help

So what should someone do if they feel like they need some support? Dany says it's hard but the first step is to recognise it's OK to ask for help and we need to make it easier for people to do that: "A lot of people aren't prepared to talk about how they're feeling and that's the culture I'm trying to change. I want people to feel they can talk about their feelings and flag that they need some support."

And when it comes to speaking up, the onus is not just on the individual, says Dany: "We all need to widen our horizons in what we're looking for when we think about health and safety.

"Traditionally people have thought about health and safety as very one dimensional so making sure there aren't any obvious physical risks. But they don't always think about the mental health and safety of the people around them. The more we do that and the more we normalise that conversation, the easier it will become."

You can hear Dany speak at the John Goodlad Annual Memorial Lecture at RCN Congress on Tuesday 21 May (1.15pm to 2pm). The event is hosted by the RCN UK Safety Reps Committee and open to all members.

Top tips for influencing your MP

Student member of RCN Council Amy Fancourt shares her advice on meeting and influencing your MP and other elected representatives

Speaking to an elected representative, like an MP, is one of the best ways to get your voice heard by those in government across the four countries of the UK. Elected representatives have a responsibility to listen to their constituents' views and you can contact them directly about issues you feel are important.

With all the recent media attention on MPs, now is a really good moment to talk to yours. Living in England, I often contact my local MP but the following tips can also help members trying to build relationships with any elected representative across the UK.

Make initial contact

You can contact your MP by email or letter and request a meeting. Make sure you include your own address and postcode because MPs are only required to respond to people who live within their constituency. Explain how the issue you want to talk about affects you and the local community, and how you'd like your MP to support you. Your local RCN office can signpost you to templates if you need help.

Don't be afraid to follow up

If you don't receive a reply, don't be afraid to follow it up with a phone call. You might also be able to contact your MP on social media.

Remember politicians are people too

Try to remember that elected representatives are human and some of the experiences



“The most powerful thing is your story”

Want to find out more?

Amy is chairing a fringe event on political influencing at RCN Congress. *Getting Your Voice Heard: Nursing and Political Influencing in the Staffing for Safe and Effective Care Campaign* will take place on Wednesday 22 May from 1.15pm to 2pm. Visit rcn.org.uk/congress/whats-on/

they've had might be similar to your own. They may even have health care workers in their family or friendship groups.

Be prepared and use your own experiences

When you meet your MP, be as prepared as possible. Consider what you want to share and do some research on them too. Remember, you're the expert on your own experiences. The most powerful thing is your story so be yourself and use your own words.

Let your RCN office know

If you arrange a meeting with your MP, let your local RCN office know. Make sure you send a thank you email or letter to your MP afterwards reminding them about what action they agreed to take.

What else can I do?

If you don't feel able to meet with your MP, that's OK. There are other ways to get involved in campaigning.

I firmly believe that nursing is a political issue because as nursing staff our livelihood and the care we provide to our patients is vastly affected by the decisions made by government. So, be politically aware; read the health news and speak to your peers. Whether you're trying to set up a meeting with your MP or taking part in a wider campaign action, the key to influencing is to be persistent.

Don't forget...

The RCN isn't affiliated to any political party so we need to work with those who champion our causes, and talk constructively to those who don't agree with us.

READ MORE
ONLINE
[rcn.org.uk/
activate](https://rcn.org.uk/activate)



NOTICEBOARD

Anti-bullying resource



As a member of the anti-bullying alliance led by the Royal College of Surgeons of Edinburgh, the RCN has helped to produce a new resource on how to tackle bullying, undermining and harassment in the NHS.

The document, which is designed for staff working in the NHS in England, gives an overview of some of the many initiatives in place across health care professions and organisations to tackle bullying behaviours and it signposts to other useful resources. In his foreword to the document, Health Secretary Matt Hancock says that bullying “has no place in the NHS or social care”.

RCN National Officer Kim Sunley said: “It’s important to work in partnership at both a local and national level to address bullying and undermining behaviours. RCN reps can play a key role in influencing and improving the culture within their organisations and teams.”

You can download the document, which includes information about the RCN’s Healthy Workplace initiative, at tinyurl.com/anti-bullying-resource

Update your details and Go Green

You can use MyRCN to tell us how you want to be contacted

Activists are being asked to use and promote the RCN’s online preference centre to make sure member contact details are up to date and accurate. The preference centre also gives you the option to “Go Green” by opting out of your print copy of *RCN Bulletin* and choosing how you’d like to be communicated with more generally by the RCN.

Most members recycle their copy of *RCN Bulletin* after they’ve read it but you can choose to go that extra mile to reduce paper waste by cancelling your print copy subscription of the magazine. You’ll receive the magazine by email instead and you can access unmissable content online at any time by visiting rcn.org.uk/bulletin



Update your contact preferences and “Go Green” at rcn.org.uk/myrcn and please encourage members to do the same.

Are you an RCN rep working in the NHS?

RCN reps are being asked to take part in an anonymous survey as part of an independent research project exploring the work, career and trade union experiences of nursing staff and midwives working in the NHS.

The project aims to create an evidence base to help the RCN and other trade unions develop their equality and diversity work, improve their understanding of members’ greatest concerns

and better understand how they can support and serve members’ needs.

We’ll use the findings to inform discussions about how unions and employers can tackle the critical issues facing nursing staff. To take the survey visit tinyurl.com/rcn-rcm-survey For more information, you can contact the researchers at g.kirton@qmul.ac.uk or cecile.guillaume@roehampton.ac.uk

Tools of the trade



New legislation means health and social care staff with qualifications from the EU and Switzerland will continue to have their training and experience accepted by regulatory bodies, including the NMC. Details at tinyurl.com/quals-euexit and for further advice see tinyurl.com/workingUK-guidance

Results from a CIPD survey on health and wellbeing at work highlight causes for concern, including an increase in stress-related absence and a lack of support for managers. Visit tinyurl.com/CIPDsurvey-wellbeing

NHS Employers has produced an infographic based on data collected at *Nursing Times* careers roadshows. It looks at what attracts staff to new roles and the factors influencing their choice to remain in their current post. Visit tinyurl.com/NTsurvey-data

A toolkit from Business in the Community and Public Health England aims to help employers and employees tackle the problem of poor sleep, estimated to cost the UK economy £30 billion a year. Download the toolkit at tinyurl.com/BiC-sleeptoolkit