

RCN WALES DEROGATION PROCESS 6 AND 7 JUNE 2023 INFORMATION FOR RCN WALES MEMBERS

All eligible members of the Royal College of Nursing in Wales will take 12 hours of strike action on 06 and 07 June 2023 from the start of the normal day shift (e.g., 07.00am to 07.00pm) due to the continued dispute between the RCN in Wales, NHS Wales Employers and Welsh Government.

Derogation

All eligible RCN members will be expected to take part in strike action. Information about where your nearest picket line is taking place can be found on the RCN Wales web pages.

Derogations from the RCN are an agreement with your employer to enable members to work to “*preserve life*” without breaking the strike. However, members may choose not to work, even if derogation has been approved by the RCN.

All NHS Wales employers have been informed of the derogation process that RCN Wales has put in place for 6 and 7 June 2023 and a new derogation form has been designed to support this process.

The derogation process will operate on a three-tier principle.

Tier 1: Derogated

The services the RCN will **fully** derogate members delivering direct patient care are:

- Critical Care Units e.g., ITU/HDU,
- Dialysis & Chemotherapy services,
- P1 Cancer Treatment,
- Neonatal and Paediatric ICU

- Standalone Paediatric ED units.

These specific derogations **do not** need to be confirmed by the RCN Wales Central Strike Committee.

Tier 2: Night Duty staffing levels.

a) In-patient areas

The derogation level for staffing in-patient areas starts at **night duty** staffing levels. If no night shift operates in a clinical area, no derogation will be required.

b) Emergency Departments

The position for Emergency Departments, 'front-door' urgent care assessment and admission units (including joint paediatric and adult emergency departments, mental health and learning disability emergency/crisis response) starts at **night duty** staffing levels.

c) Community Services

Community Services are derogated to **night duty**, and this will enable NHS community teams to provide palliative care and clinically urgent interventions (for example, insulin).

Tier 3 – Non-24-hour services

a) Services delivered on a daytime basis only.

In order to maintain patient safety, we expect that elective and routine procedures, treatments and activities (utilising RCN members) will not take place on 6 and 7 June 2023.

This includes out-patient departments and walk-in services.

Derogations will **not** be provided for these services.

b) P2 Cancer Services

P2 cancer services will be reviewed for specific highly urgent interventions on a patient-by-patient basis and should be applied for via the derogation process set out below.

Urgent or exceptional derogations

These may be submitted to the RCN to consider and your employers have been informed that such requests will only be considered in exceptional circumstances. Sufficient evidence to support these requests will be required for the RCN to make an appropriate decision.

Urgent derogation requests must be signed off by the Executive Nurse Director before submission to RCN Wales.

Member updates

The RCN will review all derogation requests that are submitted and where derogations are approved, this information will be posted for you to check on the RCN Wales web pages. These pages will be updated up to and including the days of action, so keep checking if you have any doubts.

RCN staff and RCN representatives will be on site to speak to members to monitor the appropriate use of derogations by your employer.

RCN members can also report concerns via the RCN web site and RCN Wales will address these concerns with your employers Executive Team where appropriate.

RCN members who wish to submit a personal derogation form for the RCN to consider can do so via the RCN website.

The RCN Advice Line T: 0345 772 6100 will be open to answer any immediate member concerns that you have not been able to resolve locally with your employer.

A copy of the derogation form that your employer is being asked to complete is also visible on our website and you may request to see this information from your employer.