



Royal College  
of Nursing

# The Stewards' Handbook



Royal College  
of Nursing

**RCNREP**

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# INTRODUCTION

Thank you for being a steward for the Royal College of Nursing (RCN). In your role you will make a difference to the working lives of RCN members, as well as increasing the influence of nursing staff in your workplace.

As a steward you will offer essential support and representation to RCN members. You'll receive enquiries relating to employment matters and, most of the time, you'll be signposting members to resources so they can resolve matters for themselves. Members may approach or be referred to you for more formal matters such as disciplinaries, grievances or other workplace employment procedures. Chapter 1 of this handbook will give you an overview of the process and actions you could undertake.

You'll also be working proactively and in partnership with other stakeholders to improve the working lives of RCN members. This will see you contributing to joint working and problem solving with employers. You will also be connecting and meeting with members to understand what matters to them and working with members and RCN staff to achieve change. Chapter 2 of the handbook will explore partnership working and organising on a local and national level.

The foundation of your activity will be the relationships you create and build in your workplace. From the outset, you will be working with your manager to agree time off to undertake your duties. You'll then be working with key managers on individual cases and be a part of working groups and committees that look to negotiate and influence for change. Workplaces often have several unions representing different professions. You might not always want the same things, but good relationships and a strong workplace network will support you. Chapter 3 will provide some guidance and tools.

You are part of a national network of active members working in a variety of hospital and community settings in the NHS, independent and voluntary sectors within health and social care. As a representative of the RCN you will be building that membership capacity and getting them active about what matters most. The RCN has a governance framework of committees, branches and boards that will steer and support you at a local and national level. Chapter 4 will guide you through the RCN and highlight the 'go-to' places for stewards.

The Steward's Handbook is available in three formats.

- This online version contains direct links to resources.
- A hard copy of this publication is available on request. It has all the content of this resource, but with high-level links.
- A Stewards' Pocketbook is available in hard copy. This is a condensed version to be used alongside this full handbook. It contains key headlines, summaries and checklists for when you need a quick reminder.

# 1. SUPPORTING AND REPRESENTING RCN MEMBERS



## 1. Overview

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As an RCN steward you will be supporting members on an individual and collective basis.

Members may either approach or be referred to you when they need a bit of advice and signposting, or if they need support through something more challenging.

We know that, particularly when starting out, it can feel quite daunting. So in this chapter, we've gathered all the essential elements of support and representation and broken them down into more manageable chunks that you can tap into when you need them.

Along with this handbook, there are two crucial things that will help you:



**The Case Management System (CMS) and protocols** help you to feel confident that you're providing the level of support expected by members and keeping your communication and records confidential and auditable. Log on to the Case Management Area on the Reps Hub and you will find more information, including a manual to guide you through the CMS. Use your MyRCN login details.

The CMS will help you keep all communication, activity and documents related to an enquiry or a case in one place. It's linked to our membership database and is full of useful tools and templates which takes a lot of the leg-work out of your communication and helps you keep organised and up to date. It can even be connected to your Outlook account.

When you've completed the Learning and Development Pathway, you will be provided with an RCN email address, access to the CMS, and training and guidance to help get you started.



**Regular supervision meetings** provide a space for you to tap into the knowledge and expertise of an experienced RCN officer. You'll be meeting with them on a regular basis and together you can review your cases, discuss any challenges, build your own knowledge and confidence, share intelligence from your workplace, and access continuing learning and development ideas.

As we work through this chapter, we'll highlight some key touchpoints where we recommend you check in with your officer.

## 2. Enquiries

As you raise your profile as an RCN steward, you'll find that members will approach you directly in person or by email with questions or queries. You might find that a member is referred to you via the regional office if their question is about policy or resources specific to your workplace.

Members making these kinds of enquiries will usually just need signposting or to be given some one-off advice and will often be able to resolve any issues for themselves.

You'll be really familiar with the RCN website, but members might not be so. With a bit of encouragement, it's a great opportunity to get them engaged and exploring the RCN advice and resources.



**When you record enquiries on the CMS** both you and the wider RCN can: keep track of activity; demonstrate the value of your role; review what is happening; pick up on themes; and help identify potential risks or concerns at a local and national level.

There are occasions when an enquiry cannot be resolved with informal advice and becomes more complicated or escalates into a more formal process.

## 3. Representing members through formal processes

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Representing members through formal processes is also known as 'casework'. Mostly, you will be supporting individuals, however there may be more than one person involved in a case.

The most common types of representation are listed below.

- Investigatory meetings and **hearings related to disciplinary, conduct or capability**. This is likely to involve one member.
- **Grievance hearings** where the member, or members, have either raised the matter or is subject to the grievance (including **bullying and harassment**).
- **Sickness absence and return to work** meetings including reasonable adjustments.
- **Flexible working requests** where the member or members feel the request has not been fairly considered.
- **Job evaluation** where a role or roles are being re-evaluated and the member(s) want to challenge the outcome and/or question the process followed.

### 3.1. Underpinning actions

There are some common actions that underpin all these varied, formal processes.

#### **Follow the case management protocol and use the CMS**

You must follow the case management protocol to ensure high quality and consistent support and representation.

- All cases begin with the member being sent a contract letter along with the **On the Case** leaflet which sets out their rights as a member and your rights as an RCN representative. This is to ensure that everyone is clear about what they can expect and what will not be accepted by the RCN and its representatives.
- The CMS gives you all the tools, publications and templates you need to manage a case and follow the protocol, including the case opening letter.
- All formal casework must be recorded using the CMS. You'll need to open up a case record and record all communication and activities and upload all related documentation.
- Each case must be formally closed according to the protocol and on the CMS.

#### **Check RCN membership**

We're unable to provide advice or support on any matter that took place before someone was a member of the RCN. The incident must have occurred during a period of fully paid membership of the RCN. Unfortunately, some people join a union when it looks like a long-running issue is becoming serious. To manage a member's expectations, check the date that they joined, and alert them to any possible challenges if you think the issue may date back to a time when they were not in membership.

## Know and understand the terms and conditions of employment

A member's contract of employment will determine many of their core terms and conditions. In the NHS, core contractual entitlements and responsibilities are also set out in the [NHS Terms and Conditions of Service \(Agenda for Change\) Handbook](#) and in local policies.

In the independent health and social care sector this can be varied and complex, so contact your supervising officer and/or the national officer who links with independent employers. You can also explore our online pages covering [pay, and terms and conditions in the independent sector](#).

In addition to contractual entitlements, members also have statutory rights. There's a considerable amount of legislation covering equality and employment rights. Employment law can be complex, so it's important to discuss legal rights with your supervising RCN officer.

## Identify, understand and work with local policies

You'll need to ensure you are familiar with the local policies relating to the case. These can usually be found within your organisation's HR policies.

The NHS in [Scotland](#) and [Wales](#) have suites of core policies that cover all workplaces.

For independent health and social care employers, this might be found within the staff handbook.

If there's no policy, then refer to the [Acas Code of Practice on disciplinary and grievance procedures](#). Acas stands for the advisory, conciliation and arbitration service, but is commonly referred to as Acas.

Also, if there's a debate as to what is good practice, the Acas codes may be used as evidence and taken into consideration by employment tribunals.

## Consider possible discrimination

Discrimination is when someone is treated less favourably on the grounds of a legally protected characteristic. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sex, sexual orientation and religion or belief (which includes political belief in Northern Ireland).

Discrimination can take many direct and indirect forms. It can lie beneath the surface of many cases and become apparent when you're reviewing the information, discussing the case with the member, or during meetings or hearings.

If you become aware of any potential discrimination dimensions in a case you should discuss this with your supervising officer who will support you and provide further advice and guidance. Our website has more [information about discrimination](#) and provide further advice and guidance. This might include exploring whether a subject access request would be helpful in cases where you suspect inequality with the outcomes of similar hearings.



### Know your legal timelines

Keeping to legal timelines, as well as employer timelines, is essential.

The biggest risk to the RCN is if representatives or staff fail to submit required information, claims, or appeals within prescribed time limits.



There are strict legal time limits for things such as:

- dismissal cases
- employment tribunals
- cases relating to discrimination.

The RCN needs to review all aspects of a case before deciding the most appropriate support. If you feel that a case may be subject to this, it's important that you contact your supervising officer without delay.

### Signpost to additional counselling support

Facing employment issues can be a very stressful time for our members. If they need additional support, you can refer them to their employer's counselling service, if they have one, or to the [RCN Counselling Service](#).

### Members in crisis

As a steward you're not expected to be a counsellor, but you are sometimes supporting a member who may be in crisis.

- If the member is at immediate risk, emergency services must be contacted, without the person's consent if necessary, although it should be explained that confidentiality will have to be broken in order to safeguard them.
- If the member is not at immediate risk but has suicidal feelings, then gain consent to refer them to the RCN Counselling Service and advise the member to make an emergency appointment with their GP. Also provide them with the Samaritans freephone number – 116 123.

Such interactions with members may be distressing for you and the RCN Counselling Service is there for you too, along with support from your supervising officer. Don't forget to take care of yourself.

### Signpost to support with statement writing

A member might ask you for help writing or checking a statement they're required to write as part of workplace procedures such as:

- being called as a witness
- for a Coroner's Court/fatal incident
- if they're involved in a formal case such as a disciplinary or grievance.

You don't need to take this on yourself as the RCN provides some excellent [advice and support for writing statements](#).



This advice includes:

- guidance on writing a statement
- a template to help structure a statement
- a statement checking service (provided they were a member at the time of the incident).

For **statements for police proceedings**, it's important that the member contacts the RCN advice team as a duty solicitor might need to be appointed. Our website has more information about [police interviews, cautions and convictions](#).

“I approach each member case with an open mind and I have a strong sense of fairness. I take the time to listen, ask questions, and then listen again. When I first did my RCN training, the tutor said, ‘The devil is in the detail,’ and I’ve never forgotten that. One of my members said, ‘Not only did Linda believe in me, she believed me.’ It’s important to remember that you can support the person, even if you don’t support the situation.”

Linda Rumbles, Steward, Scotland

### 3.2. Supporting/representing members at formal meetings and hearings

Supporting and representing members at meetings and hearings is a big part of your role as an RCN steward. They can be intimidating and a source of worry for members. They can also be quite daunting for you, whether you're new to the role or experienced.

Each of the type of case outlined earlier will have specific processes. However the following advice applies universally and can act as a good refresher when taking on a new case.

#### Preparing for meetings

- Make sure you identify, read and understand the relevant terms and conditions of employment and any local policies, including those relating to the content of the meeting and the policy related to the process you're following (disciplinary, grievance, and so on).
- The member should receive adequate notice of any meeting with details of what's to be discussed, however, that's not always the case. If you need more time, see if you can reschedule it or negotiate an extension for preparation. The policy relating to the formal process is key here.
- Gather all the facts and documents. Remember it's the member's responsibility to supply you with all the information that they have received.
- Meet with the member before the meeting to go through what they can expect and what you, as a rep, are able to do to support them and manage any unrealistic expectations they might have.

### During meetings

- The member should, wherever possible, speak for themselves. The person leading the meeting will talk directly to the member and ask them questions.
- Your role is to listen, keep track and to intervene to highlight or challenge something important, or to manage the process elements of the meeting.
- You could request to adjourn the meeting if:
  - new papers/information are presented at the meeting, especially if they need further thought and consideration
  - you feel the member should be given more time to consider a response to a question/suggestion or to agree an approach
  - the member becomes upset, overwhelmed or confused
  - you have concerns about due process or conduct during the meeting.
- Listen out for any signs or indicators that your member may be being discriminated against.
- At the end of the meeting you should ensure everyone is clear. You can sum up or clarify what has been agreed or suggested and next steps, if the person leading the meeting hasn't.
- Request any agreements or next steps are communicated in writing if formal minutes haven't been taken.

### After meetings

- Meet with the member to debrief, de-compress and check out their understanding of what happened. These can be incredibly stressful and sometimes traumatic events and members may not have taken everything in. Arrange a follow-up meeting if you feel they need some time away to process things.
- Review the minutes of the meeting. Discuss them with the member and compare them to the notes you have taken. The minutes should be an accurate recording of what was said at the meeting. You cannot change or clarify what was said at the meeting, but you can challenge it if you think there is a difference of account. Then make sure that it's reflected clearly on the employer's copy and ensure that copies are taken before they are submitted.
- Ensure that you and the member receive written confirmation of any agreements or actions not outlined in formal minutes.
- Agree any follow-up actions in terms of your support and representation and if/when you will next meet. Record all relevant information on the CMS.

## 4. The key formal processes and their specific requirements

### 4.1. Disciplinary/conduct hearings

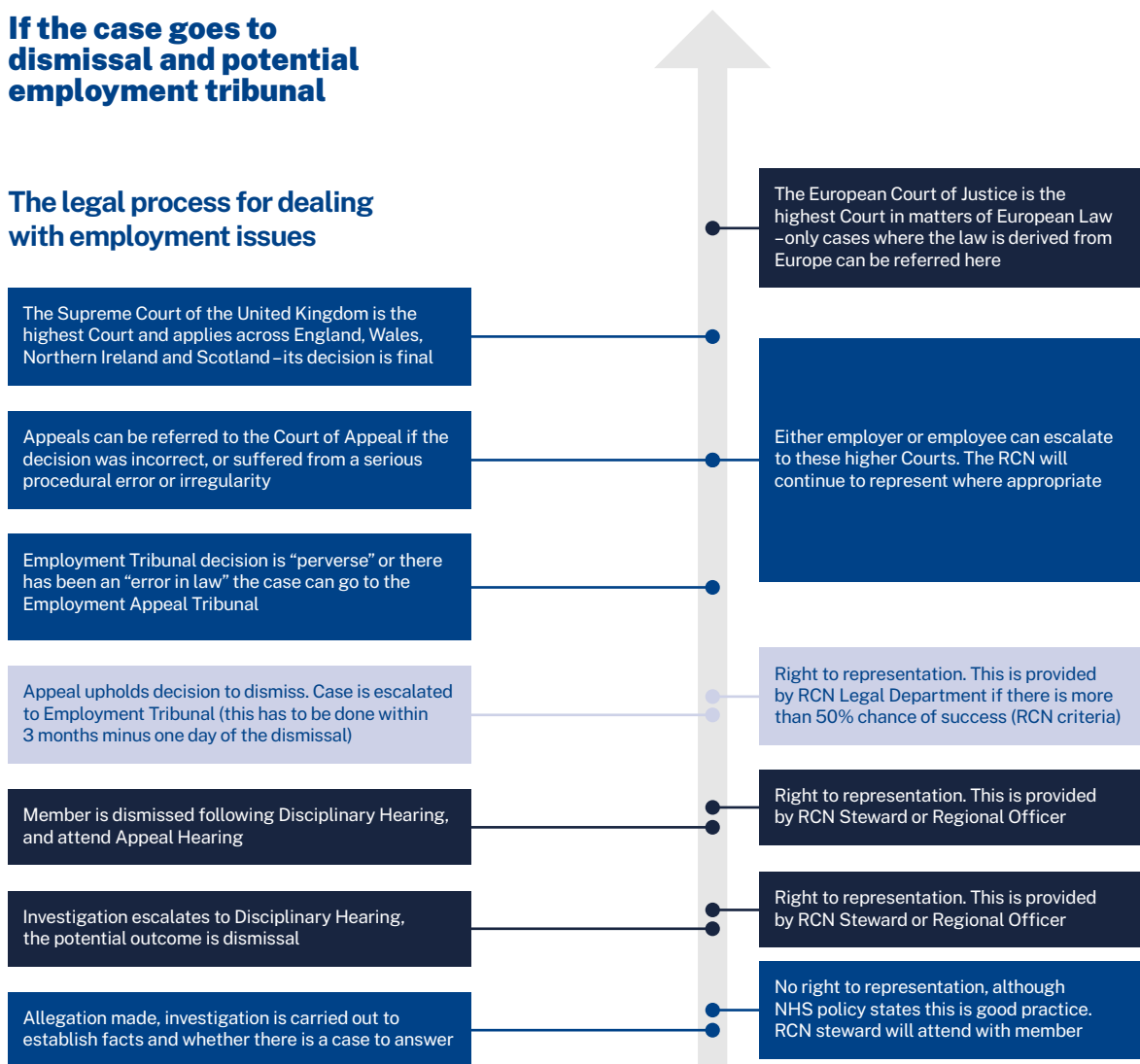
We use the term ‘hearing’ for disciplinary and conduct proceedings. You should follow the general actions and advice for representation and meetings (sections 3.1 and 3.2) but there will be a formal process for each specific type of case which will be outlined in local policy.

RCN stewards supporting a member working for an independent sector employer may wish to discuss the matter with their supervising officer as procedures may be markedly different when compared to procedures in the NHS.

While each employer’s process will differ, the following provides an overview of what you can expect.

#### If the case goes to dismissal and potential employment tribunal

#### The legal process for dealing with employment issues



## Investigatory stage and meeting

Before a disciplinary hearing takes place, the member will be involved in an investigatory stage and a meeting may be called.

**It's good practice for the member to receive adequate notice of the meeting with details of what's to be discussed or investigated, however there is no obligation.**

- Local policy should state if notice and details should be given.
- It's not unusual for a member to be unaware of why a meeting has been requested or know the details.

**A member can request support and representation at an investigatory meeting but there is no obligation.**

- Local policy should state if representation is permitted.
- Some employers –especially in the independent sector –don't always permit representation at these meetings.
- It's not uncommon for a member to have attended an investigatory meeting alone.
- If you can't be with the member at the meeting, you can still help them to prepare and share this advice.

**The purpose is to gather facts and should be unbiased and non-judgemental.**

- The summary or conclusion of an investigatory meeting will determine whether a disciplinary hearing is required but should not determine or suggest an outcome of that hearing.
- An investigation may be part of a disciplinary process but can't lead to a disciplinary sanction. The outcome can only be determined through a disciplinary hearing which can only be called by whoever commissioned the investigation.
- If you believe that the investigatory meeting is leading into a disciplinary hearing, the meeting should be stopped to enable the correct process to be followed, as per the employer's disciplinary/conduct policy.
- The investigation may conclude there is no case to answer, or no grounds to continue an investigation. If this is the case, the member has a right to access the investigation report.

Our website has further [advice on investigations](#).

## Suspension

A member might be suspended from duty pending an investigation.

This should not be an automatic approach and only be considered if there is:

- a serious allegation of misconduct
- a risk to themselves, other staff, patients/clients
- a risk to conducting a fair investigation.

Suspension is a neutral act and therefore must be on full pay and temporary redeployment should be considered. Pay should include an average of any enhancements due over a set period of time, for example three months.

If a member is suspended, they should be notified in writing of the reasons for the suspension and any restrictions and obligation. There should be information on when and by whom the suspension will be reviewed.

As a union representative, you may be called to a suspension meeting at short notice to ensure that the process is fair and transparent.

## Preparing for a disciplinary/conduct hearing

### Preparing a statement of case

You'll need to review the documentation with the member, and prepare a response to the findings, sometimes known as a 'statement of case'.

The statement should be clear and relevant and the member should agree it's an honest and accurate account.

You should consider mitigating factors/circumstances and assess their validity in supporting the member's position. These might include:

- levels of activity at the place of work
- level of patient acuity – was this higher than usual?
- taking breaks – were the member and their colleagues able to take breaks?
- staffing levels at the time of the incident
- skill mix – was the skill mix correct for the type of care needed?
- any significant personal issues and circumstances at the time of the incident
- the quality of induction or training provided
- whether appraisals had been undertaken
- the quality and visibility of leadership in the department.

Remember, any mitigation being put forward might need to include supporting evidence, such as incident reports, health records, or a staff rota.

### Witnesses

Check if any witnesses have been called, or if the member wishes to ask for witnesses to attend, to support their statement of case. The member should be notified that witnesses are being called to prepare. If called without members knowledge you can request the hearing is reconvened to facilitate preparation. Signpost witnesses to the RCN advice and guidance for statement writing (see section 3.1). Work with the member to consider and prepare the questions you will ask any witnesses.

### Length of service

Length of service can be an influencing factor. Less than two years' employment may affect an employee's rights and so can have a bearing on outcomes, especially if the member is within a probationary period.

The member may be within a probationary period which would be determined by a local probationary policy if one is in place. It's important you check the policy as it may detail a separate process for supporting disciplinary and capability issues. Probation should only apply to new employees and not to staff who have moved to a new role.

## Timelines and reasonable notice of the hearing

The member should receive reasonable notice of the hearing along with the documentation of the case against them. It should be in line with local policy timeframes and allow time for the member to prepare. If you need more time, ask to reschedule or for an extension.

Check if a statement of case needs to be submitted ahead of the hearing and if there's a deadline.

There are also legal timelines to consider in respect of employment tribunals. The RCN needs to review all aspects of a case before deciding the most appropriate support. Keeping to legal timelines, as well as employer timelines, from the outset, is essential.

“A claim to an employment tribunal must usually be made within 3 months less 1 day. This is known as the ‘limitation date’. For example, if an employee wants to claim for unfair dismissal, they have 3 months less 1 day from the date their employment ended to make the claim. If it’s a claim about redundancy pay or equal pay, the claim must be made within 6 months.”



## Panel membership

It's worth checking the panel membership to ensure fairness. Within smaller employers, the investigator might also be the decision maker on the panel and appeal, or might be a key witness. If you're concerned about the panel, you should challenge its fairness and the risk of bias.

It's important to contact your supervising officer before any hearing takes place if you believe:

- there is a discrimination element to the case
- you need support challenging the panel membership
- there is potential for the member to require future legal support such as a risk of dismissal which could lead to a tribunal claim – the member's expectations will need to be carefully managed as the provision of legal support is not automatic and is considered on a case-by-case basis
- you feel in need of any advice and support.

## Attending the hearing

**There will be a panel to hear the case and the typical procedure for a disciplinary hearing usually follows this outline:**

- The allegation and investigation findings are presented first.
- The member, or you as their rep, will have an opportunity to question the person presenting the case, as will the panel.
- Witnesses supporting the allegation and investigation findings are called.
- You, or the member, can question the witness, as will the panel.
- The member, or you as their rep, present your statement of case or response and call any witnesses.
- The person presenting the case, and the panel, can question witnesses.
- Both the person who presented the case and you, or the member, can sum up or make a closing statement.

**You can request an adjournment or to re-schedule if:**

- additional papers are presented on the day or during the hearing
- the member becomes distressed
- the member wishes to discuss some element of the evidence or investigation findings with you during the meeting.

## After the hearing

The panel will consider the case and may inform the member and you of an outcome. The outcome may be delayed, especially if, during the hearing it became evident that further information and clarity is needed that could not be established on the day but could influence the outcome.

Once the outcome is known, this should be followed up in writing. It should outline the outcome of the hearing, whether any disciplinary sanction has been given, and detail the right of appeal and the timeframe to submit an appeal (if relevant).

Ask for a copy of the disciplinary panel minutes and a copy of the letter outlining the action, if any has been taken against the member, to be sent to you as well.



Contact your supervising officer if:

- the member has been dismissed
- the member feels that they have been treated unfairly
- there's a likelihood that the member will be referred to the NMC (the member will also need to contact RCND to get a legal referral once the NMC has been in contact)
- the member wishes to appeal.

## Appeals

Be aware of timescales if a member wishes to appeal. For internal appeals, these will be laid down in your local policy. Your local supervising RCN officer must be involved in all circumstances relating to appeals in order to advise appropriately and ensure that all issues are covered if the matter does proceed further.

An appeal hearing should be heard by an independent panel not involved in the initial hearing and should set out the grounds for the appeal, which could include:

- the sanction or outcome of the hearing was too harsh for the nature of the allegation
- the correct agreed process as set out in the disciplinary/conduct policy has not been followed
- the evidence submitted had not been considered
- additional evidence has come about that would influence the initial outcome.

The statement of appeal needs to clearly define the grounds for appeal and any additional evidence submitted that was not part of the initial hearing.

Our website has further advice and [guidance on discipline](#).

“I’m always really keen to ensure that our members get the best possible representation. I’m very aware that we are representatives – not lawyers – and that we’re in a local employment disciplinary process and not a court of law. But I believe that we must do everything we can to make sure our members’ voices are heard and, where needed, untruths are exposed.”

**Jayne Greenop, Steward, North West**



## 4.2. Grievances

Grievances are normally brought by an individual or group of employees when they feel that they have been unfairly treated for example:

- pay issues
- annual leave calculation
- breaches of policy
- workload and working environment challenges.

A grievance might also be submitted if a member feels they're being bullied or harassed by a manager or colleagues.

Employers usually have a separate local policy that focuses on bullying and harassment. Although the process to raise such concerns might be similar to raising a grievance, additional information and guidance is usually found within these policies to support staff and so should be referred to when advising members.

### Preparing a grievance

Follow the general actions and advice detailed in section 3 with regards to case management, policy awareness and support for the member.

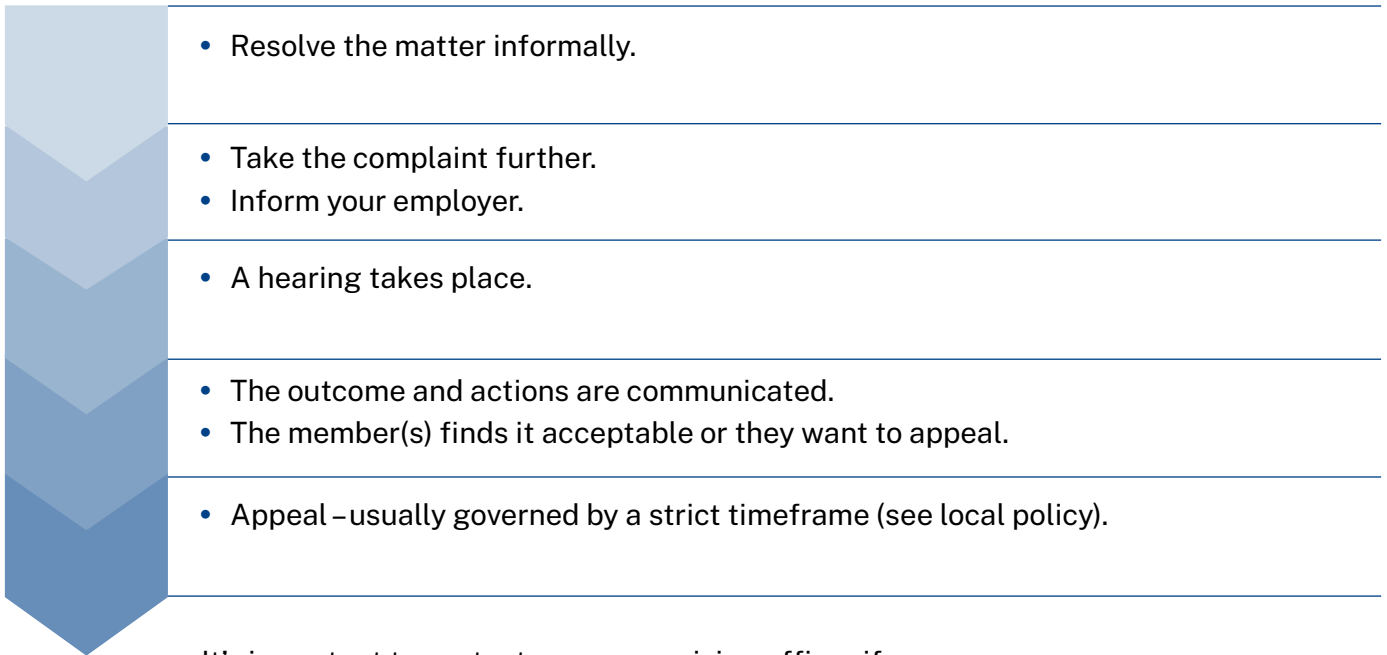
Meet with the member to discuss their grievance. It will take time to prepare and consider your approach and you'll need to work together to explore and capture:

- what the issue is
- whether this is a known issue that has been raised in the past
- a chronology of events, detailing what has happened and where
- if there's any relevant documentation or evidence
- if there's a discrimination element (don't forget time limits)
- if there are any witnesses who would provide statements if called upon
- what has been done to address the concerns, if any, to date
- what the member or members are hoping to achieve, and whether they foresee a solution or resolution
- if the matter is covered by any joint agreements, contracts, customs and practice, or legislation
- whether the issue can be resolved informally or if a formal approach is the only option.

**Informal approach** - Grievances can be resolved informally and this should be considered as a possible solution with members. However, before getting involved in any informal approach, you must discuss this with the member(s), look at potential benefits and agree what is to be said and what would be an acceptable outcome.

**Using a formal procedure** - To take the matter through the formal grievance procedure, the member or members will probably need to submit a statement requesting a formal approach. Check your local policy to ascertain the correct process for submitting a formal grievance. Some organisations have a form that needs to be completed.

## The grievance process



It's important to contact your supervising officer if:

- there's a discrimination element to the case
- the member wishes to appeal
- you feel in need of any advice and support.



Our website has further [advice and guidance about grievances](#).

### 4.3. Sickness absence

Increasingly, members are requesting support and representation at meetings to discuss sickness absence and ill health.

A sickness absence or ill health meeting may be regarding:

- several short periods of sickness
- returning from a period of sickness
- ongoing long-term sickness
- ill health that is perceived to be having an impact on performance.

#### Sickness/ill health policy

Familiarise yourself with your local sickness absence/supporting attendance/ill health policy. Many organisations tackle the increasing sickness absence in the workforce differently.

In the NHS, all policies should meet minimum standards. These differ depending on whether you work in [England and Northern Ireland](#), [Scotland](#) or [Wales](#).

## Sick pay entitlement

There are variations on whether a member is entitled to occupational sick pay, particularly with independent health and social care employers. Nevertheless, there is a statutory entitlement to Statutory Sick Pay, so check the employer's contractual/statutory entitlements.

For employees in the NHS, the occupational sick pay entitlements which form part of the terms and conditions of service are set out in Part 3 of the ***NHS Terms and Conditions of Service Handbook*** (Section 14: Sickness absence).

The Government provides guidance on ***Statutory Sick Pay*** eligibility and entitlement.

## Annual leave and sickness absence

An employee should be able to accrue their statutory annual leave if they were unable to take those holidays due to ill health.

Statutory leave is different to contractual leave.

Everyone is entitled to a certain amount of statutory leave, but a contract of employment should exceed this minimum amount.

## Ill-health retirement

If a member is considering ill-health retirement, please contact your local RCN office or supervising officer for further advice and guidance.

RCN stewards working in independent health and social care sectors should refer to the employer's local scheme or where the member has an individual pension policy, refer them to their pension provider.

Under the NHS Pension Scheme, benefits may be paid early to members and some former members who retire early because they are unable to carry out their duties due to permanent ill health. To ensure members continue to be paid while waiting on decisions about their retirement and pension, think about sickness absence entitlements and requesting an extension.

Advice on NHS ill health retirement in England and Wales is given by the ***NHS Business Services Authority***. There is also ***ill health retirement information*** on our website. For Scotland, refer to the ***Scottish Public Pensions Agency***. For Northern Ireland, refer to the ***HSC Pension Scheme***.

## NHS Injury Allowance (IA)

NHS staff who sustain a work-related injury or illness that is wholly or mainly attributable to the discharge of their NHS duties may be eligible for the NHS IA. Described in Part 2 of the ***NHS Terms and Conditions of Service Handbook*** (Section 22: Injury allowance), NHS IA provides an income top up for staff when their sick pay is reduced.

Some employers have a claim form for this allowance and a formal process for determining entitlement, however others do not. In any case it's imperative that the work-related nature of a member's absence is formally acknowledged by the employer, in writing or via occupational health, as this should trigger payment.

Members also should ensure that their GP confirms their absence is work related on their fit note. Accident books and incident reports should be completed as necessary. This can be done after the event, but it's always better to do so as soon as possible after an incident. There should be an 'accidents at work' policy which may be included in a wider 'managing attendance' policy.

You can find further information about [injury allowance](#) at our website or in Part 3 of the [NHS Terms and Conditions of Service Handbook](#) (Section 22: Injury allowance).

### Supporting/representing members at sickness meetings

Follow the general actions and advice detailed in section 3 with regards to case management, timeframes and support for the member.

In preparation for sickness meetings:

- clarify that the episodes of sickness correlate with the member's account and the employer's record
- consider whether an occupational health referral may be needed before a meeting is held, to aid discussions, with the most up-to-date information about the member and their health needs
- find out if medical records generated by an occupational health professional, GP or a specialist can support the member's position.

**Short-term sickness meetings** are to discuss frequent short periods of sickness and are becoming more common. In advance of any meeting explore with the member whether:

- a referral to an occupational health professional (or the occupation health provider for your organisation) will assist the member in seeking organisational support or possible reasonable adjustments, even though they may be temporary in nature
- there's an underlying medical problem or disability causing frequent short-term sickness
- there's disability which needs to be considered or has been ignored
- sick leave is being used to mask caring responsibilities at home.

When there's no underlying medical problem, it may be reasonable for the employer to set standards for improved attendance which need to be fair and achievable.

It's important to contact your supervising officer if:

- there is a disability which needs to be considered or if the member is caring for someone with a disability. Disability is a protected characteristic and if not considered by the employer it can be interpreted as direct or indirect discrimination
- you believe the employer has been unreasonable and the member unfairly treated.



## Long-term sickness

### During the absence

In the case of ongoing long-term sickness and ill health, consider signposting to information about the NHS IA and to [RCN Member Support Services](#) for counselling, benefits and money advice.

The employer should be in regular contact with the member, keeping them fully informed of any changes within the organisation.

In the case of long-term sickness, you may find that management wish to hold regular meetings. Before agreeing to any meetings check with the member:

- whether they feel both physically and psychologically well enough to attend. This is usually determined by occupational health and who can be called on if needed
- that any medical reports are up to date and relevant
- if there are any underlying health conditions or home circumstances the member has that are contributing to the extended sickness episode.

### Return to work meeting(s)

Follow the advice in section 3.2 for preparing and attending meetings. In the case of long-term sickness absence, the member should work with occupational health who will use their medical reports and discussions to agree a plan for returning to work.

Most employers offer a **phased return** for staff to return to their duties gradually by offering reduced hours, and/or lighter or different duties for an agreed period. This is usually on full pay, but how this is applied will be detailed within the sickness/absence policy.

**Reasonable adjustments** (temporary or permanent) can support a return to work. Access to Work [www.gov.uk/access-to-work](http://www.gov.uk/access-to-work) is a government scheme that can cover costs for some adjustments at work. Encourage your member to contact them and arrange an assessment. Any reasonable adjustments that are rejected need to be justified. Discuss further with your local RCN office or supervising officer as there might be indirect or direct discriminating practices to challenge. Consider Access to Work is a government scheme that can cover costs for some adjustments at work.

## Re-deployment or ill-health retirement

If the member doesn't feel able to return to their role, then you can support them to work with their employer to find suitable alternative employment/redeployment.

If the member doesn't feel able to continue to work then ill-health retirement might need to be considered. Contact your local RCN office or supervising officer to discuss further.

## Capability and performance

If the employer moves managing short or long-term ill-health into a capability and performance issue, read the [advice on our website](#).



It's important to contact your supervising officer if:

- you consider that the rejection of reasonable adjustments may be discriminatory
- you believe the employer has been unreasonable and the member unfairly treated
- there's risk of dismissal and the member would require legal support at a potential employment tribunal.

You can find further [advice on sickness](#) at our website.

#### 4.4. Job evaluation

Job evaluation (JE) is a systematic way of determining the value/worth of a job in relation to other jobs in an organisation. It seeks to make a systematic comparison between jobs to assess their relative worth for the purpose of establishing a rational pay.

A good job evaluation scheme should also be used to ensure that there is no gender discrimination by adapting the principle of equal pay for work of equal value. Female dominated jobs and professions can earn less than male dominated jobs and professions. A robust job evaluation scheme should ensure that this should not happen. An example of a good job evaluation scheme is the NHS Job Evaluation Scheme.

##### NHS Job Evaluation Scheme (JES)

Job evaluation is the system by which jobs in the NHS are compared with each other to decide at what band they should be paid. It underpins the NHS Terms and Conditions of Service pay structure and is overseen by the [NHS Staff Council](#). The scheme was designed and is maintained by employers and trade unions, including the RCN, in partnership.

The NHS JES is an integral part of the wider Terms and Conditions of Service package and as such RCN reps need to continue to be fully engaged in job evaluation in their workplace. It's an essential tool for:

- deciding the banding of new posts
- re-considering the banding of existing posts that have changed significantly
- applying the correct banding to posts affected by service redesign or organisational change.

Job evaluation processes and outcomes need to be jointly owned by management and staff side to be acceptable. This can only happen where there is active partnership working. However, we know that with the growing pressure on resources within organisations, job evaluation sometimes slips down the agenda and short cuts can be taken. This can have damaging and expensive consequences, including staff dissatisfaction, greater numbers of disputes and potentially costly equal pay cases.

If you're interested in becoming involved with job evaluation, you will need to access training. Training is usually provided nationally by NHS employers, and is delivered online. If there are a few people from different unions interested, the employer can commission a local session.

The RCN has produced an ***NHS job evaluation: Action checklist for RCN reps***. This checklist will help you assess your organisation's performance on job evaluation – to ensure that local processes and procedures are fit for practice. Ideally you will be able to work through the checklist in partnership with managers in your organisation and report your findings back to your partnership forum/joint consultative meeting.

### **NHS Job Evaluation Reviews**

The RCN guide ***NHS job evaluation reviews: What to do if you think your pay band is wrong*** provides information and advice on how to request a review of a job evaluation outcome (banding decision). If a postholder is dissatisfied with the outcome of their matching or evaluation, they have three months from the time they were notified of the outcome to request a review.

### **Further information**

Information about ***how the NHS JES should operate*** is available online. You might also refer to the ***NHS Job Evaluation Scheme: Agenda for Change: A guide for RCN officers and representatives***

Non-NHS employers will have different JE processes and should have local policies describing the model they are using. The RCN has a team of national officers who work closely with employers in the independent sector and you can contact them via your supervising officer.

## **4.5. Flexible working**

Good employers recognise the benefits of flexible working, which include recruiting and retaining the best staff, and reducing absenteeism and work-related stress.

From September 2021, NHS employers (in England and Wales) are required to comply with the guidance provided in the ***NHS Terms and Conditions of Service Handbook*** (Section 33: Balancing work and personal life).

NHS employees covered by Section 33 of the handbook:

- have the contractual right to request flexible working from day one of their employment
- can make an unlimited number of applications for flexible working per year, without having to justify requests or provide specific reasons.

Managers are required to give meaningful consideration to all applications and follow locally-agreed processes for monitoring the outcomes. Employers will be expected to promote flexibility options at the point of recruitment and through regular staff engagement via one-to-ones, appraisals and team discussions.

The Handbook states that local policy processes should include:

1. Initial exploratory stage with the line manager.
2. Escalation stage where any unresolved requests are referred on to explore options beyond the employee's immediate role/team.
3. Decision stage where a) agreed solutions are documented and processed or b) objectively justified reasons are provided for refusing a request together with details of the appeals process.
4. Appeals stage.

The provisions apply in England and Wales, with similar measures expected to follow in Northern Ireland. NHS Scotland has also introduced the right to flexible working from day one of employment. However, any further policy changes will be introduced in line with its ongoing '[Once for Scotland](#)' Workforce Policies Programme.

The NHS Staff Council has produced a wide range of [information and advice to enable NHS staff to make flexible working requests](#). This includes a [flexible working request flowchart](#) which details the steps line managers and staff in the NHS should take when making a request for a flexible working arrangement. A set of useful [frequently asked questions](#) is available. The NHS Staff Council has also collaborated with NHS England, NHS Improvement and Timewise to produce [two guides](#) to support line managers and staff to work flexibly.

Independent health and social care employers determine their own policies, but these must comply with the following minimum legislative requirements.

All employees now have the statutory right to ask for flexible working if they:

- are an employee (but not an agency worker or in the armed forces)
- have worked for the employer for 26 weeks continuously before applying
- have not made another application to work flexibly during the past 12 months.

Employers must deal with the requests in a 'reasonable manner'. The NHS Terms and Conditions of Service Handbook (Section 33) improves upon these provisions for NHS staff.

More detailed information on the statutory rights can be found in the [Acas Statutory Code of Practice on flexible working](#), and [guide](#). Acas makes recommendations on how employers conduct themselves.

It's important to look at your organisation's local policy on flexible working which should set out how to make flexible working requests.

### **Providing appropriate representation to RCN members who need support to gain access to flexible working.**

- Use the advice and actions in section 3.1 with regards to case management, policy and support for members.
- Use the advice in section 3.2 to support you when preparing and attending meetings.



### **Working with your employer and policy makers in your workplace on flexible working arrangements.**

- If relevant, check that policies have been reviewed and are in line with Section 33 of the NHS Terms and Conditions of Service Handbook.
- Raise awareness and initiate dialogue about flexible working with both management and employees.
- Encourage fair and transparent decision making by requesting that applications and outcomes from flexible working requests are monitored to ensure equity of access across the workforce and all groups protected under equality legislation.
- Ensure that this monitoring is scrutinised in partnership and becomes a regular agenda item in partnership forum meetings.
- Request a staff survey to see what flexible work options staff would prefer.
- Identify examples of best practice in similar organisations.
- Encourage members to be flexible in thinking about new ways work and shifts can be organised and challenge traditional ways of working.

The RCN publication *Working flexibly to support a healthy work-life balance* provides a comprehensive overview of a range of flexible working options, relevant legislation, information to support negotiations and discussions with employers, policy development and good practice case study examples.

#### **Further information**

***Working Flexibly to Support a Healthy Work-life Balance***

***Acas Code of Practice on flexible working requests***

***NHS Terms and Conditions of Service Handbook*** (Section 33: Balancing work and personal life and Section: 34: Employment breaks)

NHS Employers – ***flexible working*** and ***how to embed flexible working for nurses***

***NHS Scotland Workforce Policies***

## **5. Supporting members to raise concerns**

As an RCN steward you can help members to raise concerns about care in their workplace, encouraging them to act early and working together with employers to find pragmatic and workable solutions.

The next chapter will look at that proactive partnership working, but it's important to understand the individual support you will need to provide members who are raising a significant concern.

### Supporting a member to raise a concern

1. Signpost them to the online *Raising Concerns Toolkit* and the *Guidance for RCN Members*.
2. Meet the member to discuss their concern.
  - Ensure you meet in a comfortable and safe environment.
  - Encourage the member to take notes and pause often so you are both able to capture the important points.
  - Ask the member to outline the issue and any incidents or evidence.
  - Use the RCN *Nursing Workforce Standards* to identify and articulate where care is, or is in danger of, falling below standard.
3. The member should now be in a position to write a statement to their employer highlighting their concern.
4. Open up an enquiry or case on the CMS.
5. Let your supervising officer know what is happening and discuss the concern with any other RCN reps in your organisation and/or other trade union reps as appropriate, so you can coordinate further actions.

Many organisations in the NHS and independent sector have Freedom to Speak Up Guardians who support workers to speak up when they feel that they are unable to in other ways. Find out if your organisation has one as they can provide support and assure confidentiality for anyone raising a serious concern



### Supporting a member to escalate a concern

If you don't see a positive response from the employer, and feel the concern is not being acted upon, you will need to support the member to escalate it.

It's vital that you work with your supervising officer to plan your next steps which could be:

- taking further local actions
- formally handing the case to the RCN regional office to raise at a higher level within your organisation
- raising the case with a health care regulator who will investigate any concerns voiced by a member, rep or the RCN as an organisation. (This can be done anonymously).

As a nursing professional and an RCN rep, you may find you feel conflicted. You may wish to raise the concern yourself as an accountable practitioner, for example by alerting the regulator. The RCN supports all members to raise concerns so please make sure we are aware you have done so.

## 2. IMPROVING THE WORKING LIVES OF MEMBERS



This section looks in more detail at the opportunities to improve workplace conditions for members. Often, this will involve working in partnership with colleagues from other unions and your employer to highlight issues before they become major problems, and addressing them promptly and positively.

## 1. Policy reviews

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Most employers have a collection of policies that set out the agreed employment practice and procedures. A policy will tell you (an employee) what you can expect in relation to an aspect of your employment. It will also explain what your employer expects from you and the processes that both are expected to adhere to. So, in the case of annual leave, your policy might:

- detail the agreed entitlement including any increments due to years in service and how public holidays are accounted for
- outline what restrictions or parameters there might be for booking annual leave such as how much notice must be given or whether leave can be carried over
- set out the process for booking leave including authorisation, templates or electronic records.

An employer doesn't have to have a particular number or policies and there are no set rules about what content has to be covered. However, most employers group topics together to create over-arching policies. For example, a 'taking time off' policy might include not only annual leave but other forms of planned absence such as bereavement, jury service or study leave.

As discussed in Chapter 1, your policies are the foundation of all representation work. You should locate and develop an understanding of the your policies which will include:

- conduct and capability
- disciplinaries
- grievance
- equality, diversity and inclusion
- sickness absence
- flexible working
- whistleblowing
- leave entitlement.

All policies will be subject to a review with the date often stated on the cover sheet. Most employers will offer to review policies in partnership with staff and those reviews offer a clear route to influence for better workplace practice.

It's a good idea that, when a policy is up for review, you consider ways to speak to members to hear their experience of using the policy and whether they think it works well or not.

It's really important that stewards understand any changes before agreeing to them on behalf of members. As you become more experienced in policy review and more familiar with your policies this will become easier. But as a new steward, use this checklist to work through the policy.

## Critiquing a policy

### Step 1: Read through the policy

- Does the new policy replace an existing policy? Does it 'reinvent the wheel'?
- Who has written/designed the policy?
- Does the policy need to be read in conjunction with other policies?
- Are there any guidance notes to accompany the policy?

### Step 2: Review the content

- What are your general impressions of the policy?
- What is the evidence given for the policy and is it valid in your opinion? (such as absence levels)
- Is it non-discriminatory?
- Is the policy based on current employment legislation and/or good practice?
- Will the policy affect RCN members? How many will be affected?
- Will it mean changes in work practices?
- Will the affect be an improvement or deterioration in terms and conditions?
- Is the policy realistic and able to be delivered?

### Step 3: Review the presentation and accessibility of the policy

- Is it well presented, easily read and understood, and jargon free?
- How does the policy compare with any RCN model policy or RCN advice or information in RCN publications (for example, job share or workability booklets).

“We work very well here with managers, meeting monthly. They listen to what we say and will reword something if we have worries about how it might be interpreted. Of course we don't always get everything we want, but they will always consider our comments and sometimes just changing a word or two can make all the difference.”

**Yvonne Lewis, Steward, Yorkshire and Humber**

## 2. Working in partnership with other unions and colleagues

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As a steward, you will be seeking the arena where unions and your employer's management team meet so that you feed back the views of staff and make sure their voices are heard on a variety of issues.

### 2.1 Partnership working in the NHS: getting active on 'staff side'

Broadly speaking, staff side in the NHS is the interface between management and the various unions – and sometimes recognised professional bodies – within an organisation. It can simply be called staff side, or be given a local term such as Joint Consultative Negotiating Committee (JCNC) or Area Partnership Forum.

Overall, staff side's role is to ensure a collective approach to issues relating to employment terms and conditions and to also provide a place for management to seek and receive guidance from the various unions and organisations.

Alongside the RCN, organisations attending may include the British Medical Association, the Chartered Society of Physiotherapy, the GMB, the Royal College of Podiatry, UNISON and Unite. In practice, staff side operates differently in each organisation. To find out more about how your own staff side works, including who can attend, see your organisation's staff side terms of reference, constitution and/or recognition agreement. Contact your Staff Side Chair and inform them you are an accredited representative of the RCN and would like to join staff side meetings and activities.

In Scotland, the partnership arrangements are underpinned by the **Staff Governance Standard**.

### 2.2 Partnership working in the independent sector

The staff side model in the independent health and social care sectors can vary depending on the organisation. Some organisations, including public sector employers and larger private health care providers, will have similar arrangements to the NHS model. In addition, some larger private health care employers have similar structures to staff side, however the written detail and process may not be as clear or easy to find.

Smaller employers may not have a staff side group but may have local ways of working in place. Your supervising officer, and the RCN's national officers working with the independent sector will be able to offer advice and help you to navigate your way.

### 2.3 The role of the steward on staff side

As an RCN steward you will usually be involved in the consultation and negotiation of employee terms and conditions of employment including important organisational change and developments.

The steward is there to represent nurses and nursing. The number of RCN seats will normally be directly proportional to the number of RCN members in the organisation. This will vary depending on the size and nature of your organisation, so it's important you know how many members the RCN has where you work.

It's essential that you work in partnership with other RCN stewards, safety representatives and learning representatives to agree who will take the seat/s on the partnership forum and organise cover to ensure that, wherever possible, all the RCN seats are filled at all the meetings. You may find that you have to pick up and feed back around issues relating to health and safety, and learning in the workplace if those reps cannot be present and vice-versa, so close working relationships are vital.

The agenda should be jointly set by trade unions and the employer to ensure that all issues are addressed. Examples of issues on the joint agenda may be:

- any re-organisation that is being undertaken and how the trade unions may influence this
- working hours and pay rates
- whistleblowing issues
- the development of new employment policies or the amendment of existing policies (which can include health and safety and workplace learning).

The RCN publication *Working Together: Being active on staff side* offers guidance to reps on getting active as a staff side member and useful tips for attending staff side, or the equivalent, meetings. You might find the following checklist from that publication helpful.

Preparing for staff side	Preparing for staff side
Have you spoken to your officer about attending staff side?	
Are all reps from recognised unions entitled to attend staff side meetings?	
Who are the current staff side executive chair and secretary (and vice positions)?	
Do you know how to get in touch with them?	
Where does staff side post information about what it is doing?	
How often and where do staff side meet?	
Do you know where to find the facilities agreement for your workplace and how to apply for time out to attend staff side?	
Have you accessed information on your staff side works such as the terms of reference or constitution?	
Is there an opportunity to shadow someone else for your first staff side meeting?	
What information do you have that you could bring to staff side to support the discussion?	
How do you plan to communicate with members before and after meetings to gather their views?	

### 3. Working proactively to address system-wide issues

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As a steward, you're a voice for your local members, helping them to raise questions and concerns in a range of settings.

Whenever you are bringing issues into formal spaces, it's important that you have information to support you. That way, you're not just presenting your own opinions but are demonstrating that there is a wider issue affecting the people you represent.

#### 3.1 Ask. Listen. Act

Asking the right questions will help you to access information and data that will help to build a picture of what is happening in your workplace. From that you will be able to identify any emerging issues early and work in partnership to address them before they become problems.

Working proactively in this way is best done in collaboration with your officer and your union colleagues. When asking these big systemic questions, you'll need to consider the following:

- **How you ask.** It might be you who asks a question, or it might be better to influence someone else to ask it, for example, the staff side chair.
- **Where it is best to ask key questions** (or arrange for them to be asked), for example, JCNC/partnership forum (or equivalent), health and safety committee, or board meetings. Or it might be more appropriate to request one-to-ones with key people.
- **Who you need to involve in your workplace**, for example, the director of nursing/lead nurse, other RCN reps, other union reps.
- **What you'll do with the answer.** How will you share the intelligence or data you obtain with your union colleagues and your RCN regional/country office? How will you record any agreed joint actions?

These key resources might provide a starting point for you.

- The RCN *Healthy Workplace, Healthy You* suite of resources include a set of benchmarks for healthy workplaces.
- *Workforce Race Equality Standards (WRES)* and *Workforce Disability Equality Standards (WDES)* are specific measures that apply to NHS organisations in England. They should be reported by each organisation annually. Ask for your latest reports.
- The NHS England *A just culture guide* helps NHS managers ensure staff involved in a patient safety incident are treated fairly, and asks a series of questions that help clarify whether there truly is something specific about an individual or if the issue is a wider systemic one.



### 3.2 The RCN Nursing Workforce Standards

The most compelling argument for improving working conditions is how they link to patient care. While it's something that every steward intrinsically knows and feels, the RCN **Nursing Workforce Standards** provide an excellent way of presenting the link in a way that will also help people understand trade union activity in a professional context.

Working with the Standards will help you to consider your member's workplace through both a trade union and a professional lens, with the security of knowing that you are backed up by the RCN as your professional body and trade union.

You can use the Standards to frame your questions in such a way that you can move the conversation from 'who went wrong and how can we blame them' to 'what might be wrong and how we can fix it'.

The Standards are grouped into three key themes:

- responsibility and accountability
- clinical leadership
- health, safety and wellbeing.

Within each of these areas there are key standards (14 in total) which the RCN expects to see delivered, wherever you work.

There are things that may chime with you as a steward and you might instinctively know that there is one area in particular that needs attention right now. The Standards will help you to start that conversation. If nothing leaps forward, consider using the Standards as a whole to start some positive, proactive thinking with colleagues about where there is room for improvement.

There is a pocket booklet available for you to help you plan your questioning and influencing activity: **ASK. LISTEN. ACT. Using the Nursing Workforce Standards to Improve the Working Lives of Members**. The booklet can be downloaded from the RCN website and you should also receive a hard copy version when you join the UK Learning and Development Pathway, or from your RCN officer.

### 3.3 Taking action

**What is the issue?** Try and capture the issue and describe it in a short 'problem statement' that everyone would understand. Consider if it is happening to a few people or is more widespread and if anyone has raised the issue already.

**What is your ideal outcome?** Now link your member's statement to a clear desired outcome that will be effective in the long term.

**What needs to be done to achieve that outcome?** This depends on the issue and the energy and influence needed for the desired outcome. You might:

- take the issue to your local RCN branch
- work with other unions to raise it at staff side
- talk to the people you know can make the change quickly
- arrange a meeting for members to come together to discuss the issue and agree what they would like to do about it.

Having built great relationships with senior staff, you might get your outcome by simply going directly to them. This can feel like the quickest and best action but the downside of work that happens behind the scenes is that members don't see it or feel part of it. Try to include members wherever you can so that they can own the issue and any positive results.

**Who can help?** Every issue will require a different approach and different people to make it happen. The constant in all of that will be your RCN officer. Talk to them as soon as you see something on the horizon and work through these steps together.

# 3. CREATING AND BUILDING WORKPLACE RELATIONSHIPS



## 1. Facilities time and your relationship with your line manager

**Recognition** is when an employer formally recognises a union, such as the RCN. There will usually be a written recognition agreement.

As an accredited steward, if the RCN has recognition, you are legally entitled to **facilities time** which is paid time for trade union duties. This includes time off to undertake your Learning and Development Pathway for RCN representatives. You are also entitled to unpaid time off when taking part in trade union activities.

Facilities time will be outlined in your local **recognition/facilities agreement**, or equivalent in your organisation.

Some workplaces may not have trade union recognition. If you don't have a recognition agreement, or are having difficulties in securing facilities time, speak to your supervising officer at the earliest opportunity.

Negotiating time off with your manager is a key first step. Although you are legally entitled to it, some managers may not have any experience of trade union reps. You may need to help them to understand your role and how it benefits your organisation.

## 1.1 Five things managers should know about RCN stewards

RCN stewards:

- are legally entitled to time off to undertake their duties and managers can talk to HR about how to backfill
- combine their responsibilities with their health care role to bring a unique perspective and understanding of how changes impact on both staff and patients
- help members to sort out problems before they become complex or formal which saves time and reduces workloads for managers
- provide members with formal representation for employment processes and ensure they have the support they need at a time that can be incredibly stressful
- play a big part in facilitating the management of change by explaining the situation to members, supporting them through the process, and ensuring that it is carried out correctly.

The following publications may support your discussions.

- RCN Stewards Role Descriptor
- ***The value of trade union workplace representatives in health care***
- ***Making the case for facilities time and facilities agreements in the NHS***
- ***Acas Code of Practice on time off for trade union duties and activities***
- ***Acas Non-Union Representation in the Workplace***
- ***Time off for trade union duties and activities in Northern Ireland***
- ***NHS Terms and Conditions of Service Handbook (Section 25: Time off and facilities for trades union representatives)***
- ***Scotland - Staff Governance Standard***

## 2. Building a network to support your role as a steward

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Once you have agreed your facilities time, you will need to start to identify the key people who you will work with as a steward. These will include HR and managers, your fellow RCN reps and other union colleagues. There will also be groups and committees that you may wish to liaise with or ask to be more closely involved with.

Your network will be unique to your role and your organisation, but here are a few questions to get you started.



- Who is the:
  - chief officer /chief executive
  - director of HR/workforce and personal/executive assistant
  - medical director and personal/executive assistant
  - director of nursing and personal/executive assistant
- What is the name of the staff side partnership group and who is the chair and the secretary?
- Who are the other stewards, safety reps and learning reps in your organisation? (RCN and other unions)
- Who manages occupational health and employee wellbeing and who are your key contacts?

Before meeting any senior managers, check in with your supervising officer to learn more about their existing relationship with the RCN and how you might enhance it.

# 4. BEING A REPRESENTATIVE OF THE RCN



## 1. Raising your profile within the workplace

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RCN reps play a key role in building the RCN membership and union activism at a workplace level. Your links to local members will be vital so that you can: listen and understand common concerns; support members to organise local campaigns; and raise issues that might become RCN national campaigns.

Raising your profile, visibility and sharing common concerns is key.

- Walk around your workplace to make sure that members and non-members know your face and how to contact you for information and support.
- Start conversations with members and non-members based on previous conversations with other workers; listen and then engage members in activism.
- Understand and become familiar with the workforce. Map your workplace and start to identify where there are gaps in the RCN membership and where potential activists are based.
- Work with other RCN reps as a unit to carry out constant member and representative recruitment. To support this activity a range of resources are available to help you recruit new members and promote the RCN in your workplace.

If you visit the [Reps Hub](#) you will find a range of resources you can order. Use your MyRCN details to log in.

## 2. Being a constant recruiter

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The more people who join the RCN, the stronger and more powerful the voice of nursing becomes. A bigger pool of active and engaged members means a bigger voice, more credibility, and more clout.

Many of our members join the RCN after a conversation with their colleagues or friends. There's no hard sell, it's just members talking to colleagues about what matters to them and explaining how the RCN might be able to support them, based on the benefits they've personally experienced.

There's no step-by-step formula to recruiting members. You might want to request to attend staff inductions to talk to new recruits or create really engaging noticeboards and permanent recruitment displays. By far the most fun way to recruit members is to hold a social event. Ask members to bring along someone who isn't a member and get chatting to them.

In time, you'll find recruiting becomes second nature, but for now, here are 10 things to try and remember for when you next are chatting with colleagues.

1. We are the largest nursing union in the UK, probably the world.
2. We only recruit nursing staff as members – so nursing is our specialism.
3. Nursing support workers and health care assistants can join the RCN. The membership charge is much less than that of a registered nurse membership, but the service from the RCN is equal across all levels of membership.
4. We are viewed by health care employers, government, health bodies and charities as the experts on all that is nursing.
5. We have trained workplace stewards, safety reps, and learning reps who specialise in support and advice to nurses and health care assistants.

6. RCN Legal Services help members with nearly 2,000 NMC cases a year and, with their help, RCN members are less likely to be struck off and more likely to receive no sanction. RCN in-house lawyers cover all aspects of employment law and run cases in both the tribunals and the higher courts. Plus, members get free legal advice on non-work matters.
7. We have over 40 professional **forums** and networks. They enable members who work in similar fields to link together, sharing ideas and professional knowledge. They are also regarded as key stakeholders when it comes to shaping standards, education and practice. It's worthwhile finding out which forums may most appeal to your colleagues, and telling them about any workshops, study days or conferences that are coming up.
8. We have the largest body of learning and development resources and opportunities for all levels of nursing compared to any other union.
9. We have a brilliant **learning offer specifically for nursing support workers**. **First Steps** is a really popular free resource for both members and non-members and can be used as a recruitment tool to demonstrate how great our offer is.
10. We have the largest nursing library in Europe. It's free to all members and can be accessed electronically.

Our website has up-to-date information on **membership fees**, but key points are:

- new nurses and midwives pay half in their first year of registration
- trainee nursing associates and health care assistants also pay a lot less than registered nurse students
- members can **claim tax relief on fees**, as the RCN is also a professional body.

### 3. Supporting RCN campaigns

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As an organisation, working with our members, the RCN has been campaigning for more than a century. We've been protecting and securing better and safer working environments, improving terms and conditions, achieving better pay and ensuring access to learning. As the voice of nursing, we have also campaigned for improved service provision for all.

Campaigning is about finding your voice, raising awareness and trying to achieve change that makes things better, and tackling issues that really matter to members, wherever they are. It's also a vital function of trade unions.

Every RCN member has the potential to become an active campaigner. If something is important to you, invariably you're able to speak confidently about it. Members are experts in their own experience, so are perfectly equipped to give voice to issues affecting them and the people they care for.

Campaigning activity may be specific and local, focusing on an issue impacting a group of members and their colleagues, for example, car parking or rest areas. It may also be much more wide-ranging, such as national campaigns about rest and rehydration, or staffing for safe and effective care.



As a steward, you can discover what really concerns members, signposting them to evidence or national campaigns to help them make the best case. At times, you'll be advocating on their behalf but more importantly, you'll be helping them to find their own voice – and be heard.

For more information about RCN campaigns see:

- [Getting heard, making change – A campaigning resource for RCN representatives](#)
- [Reps campaigning poster](#)
- The [Campaign with us](#) section of our website
- The [Organising for change](#) section of our website.

## 4. Building relationships within the RCN

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As a steward, you will have a direct link into the governance structures of the RCN via your branch and the RCN UK Stewards Committee.

The RCN UK Stewards Committee:

- provides a voice for RCN accredited stewards and helps to shape the RCN's policies on workplace and employment rights
- reports through the Trade Union Committee to the RCN Council
- supports and shapes the learning and development you receive including the joint reps conferences which take place in the spring and autumn of every year.

Each England region and UK country is represented by a steward who has been elected by the membership of that region/country.

There is more information about the [Committee terms of reference](#) on our website.

A **branch** means all the members within a geographical area which has been recognised as an RCN branch. Branches help deliver the RCN's charter objectives and strategic plan through:

- recruiting, retaining, supporting and developing members
- encouraging members to become engaged, involved and active in the RCN
- enabling learning and development, leadership and support for professional and trade union activity
- providing communication and networking opportunities for RCN members locally
- providing a focus for local RCN visibility and local activity
- providing a local RCN structure and its associated accountability
- linking with the relevant board to ensure that the views of branch members are taken into account in all consultations and that decisions and actions of the board are communicated to members in the branch
- submitting proposed agenda items for RCN Congress and ensuring that the branch is represented at Congress
- supporting nominations for election to RCN Council, RCN President and Deputy President, the Agenda Committee and other entities as determined by the charter, standing orders and regulations.

Branches are responsible for the accreditation of RCN representatives.

There is more information about *how the RCN is governed* on our website.

## 5. Support for you as an RCN steward

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### 5.1 Managing members' expectations

Representing and negotiating on behalf of members is an essential element of the role of RCN workplace representatives. However, members may only become aware of your role when they are having difficulties in their workplace and may make a number of demands on your time or have unrealistic expectations of what you can achieve on their behalf.

- Ensure the member understands the purpose and scope of your role.
- Make sure members know that you are not an RCN employee but, with RCN support to develop skills, you do this role in addition to your substantive post.
- Encourage members to come to you as early as possible so issues can be 'nipped in the bud'.
- Decide what your boundaries are and when you will be available. For example, when will you switch your phone on/off? Communicate this clearly with members from the outset.
- Ensure that a suitable out of office message is on your emails directing members to RCN Direct when you are not around.
- Only promise what you can deliver. Be realistic about what can be achieved.
- Agree your preferred methods of communication such as text, email, telephone, etc.
- Keep communication lines open and members updated.
- Reassert boundaries when necessary.
- Remember, people like to know what they can expect where possible.
- Remember, people feel reassured when they know what they can expect from you. By being consistent and sticking to defined boundaries, members know where they stand and this will help you to form a good working alliance.

## 5.2 Managing unacceptable behaviour

We recognise that our members, in particular, can be experiencing high levels of stress and/or be very unwell when they contact our accredited representatives. We therefore aim to provide our accredited representatives with the necessary skills and guidance to support all of our members in their time of need.

That said, unacceptable behaviour towards our accredited representatives will not and should not be tolerated, either by them, their supervising officer/senior officer or the RCN's leadership. The RCN has produced ***Managing Unacceptable Behaviour: Guidelines for accredited representatives and relevant RCN staff***.

If you feel that a member's behaviour has become unacceptable and no longer falls within the ***RCN Respect Charter***, contact your supervising officer and consider completing the ***reporting unacceptable behaviour*** form on the RCN Reps Hub.



Regular supervision meetings provide a space for you to raise any worries or concerns with your RCN officer. Never feel that you can't ask for help or support.

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Royal College of Nursing: [rcn.org.uk](https://www.rcn.org.uk)



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