

# Activate

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News, views and support for RCN activists



## Do not tolerate abuse

**The RCN has condemned any prejudice or racist abuse directed at nursing staff following last month's referendum on European Union (EU) membership**

The College said staff from inside and outside the EU make a huge contribution to health care in the UK and attacks should not be tolerated. RCN Chief Executive & General Secretary Janet Davies said: "It is distressing to think that some staff may be experiencing abuse. The referendum result means this is a time of uncertainty for many, but there should be zero tolerance of any abuse."

Activists are advised to stand alongside and support any member who is subject to abuse and encourage them to report it to the relevant authorities.

Meanwhile the RCN has stressed the importance of ensuring the nursing voice continues to be heard on a range of national

and international nursing issues. The RCN has also offered reassurance to members that nothing will change overnight and, as the political and legislative landscape becomes clearer, support will continue for members and their employment rights.

"Many nurses from EU countries will be understandably concerned by the implications of the vote, but they should be reassured that we do not expect any changes to be made for some time. Their UK colleagues should also be assured that their team members from the EU, who are a highly valued lifeline for the NHS, are not subject to any change in their status in the near future," Janet added.

Once there is greater clarity, the RCN will take forward work to consider the impact of leaving the EU for both nursing and the RCN, to ensure that the voice of nursing is heard in future negotiations.

## Recruiting reps

A booklet is now available to help members understand the activities they can expect to undertake as an RCN rep.

It's especially helpful for activists who are looking to recruit more members to the rep team, covering the learning and support available from the RCN and information on how being a rep can enhance their career.

Download *Becoming an Active Representative* from [www.rcn.org.uk](http://www.rcn.org.uk)

There's also a range of rep recruitment resources available at [www.rcn.org.uk/rep](http://www.rcn.org.uk/rep). Take a look at an overview of RCN rep roles and information on how to become a rep.

Or you can watch films of reps talking about their roles and get copies of the rep recruitment leaflet – *Proud to Make a Difference*.

## We will not give up on Agenda for Change



*Josie: It's important that we stand up for ourselves*

NHS staff side negotiators are willing to talk about positive changes to the pay structure but are not prepared to discuss changes that reduce the value of the Agenda for Change package or unsocial hours arrangements.

Head of Employment Relations and NHS Staff Side Secretary.

The RCN has successfully headed off attacks on Agenda for Change since the Treasury and Department of Health started looking at ways to reduce the public sector pay bill following the 2009 economic crash.

“While we are yet to see if there is an impact from Brexit on the review, one thing is sure, we will not give up our fight. If NHS pay had kept pace with inflation, members would be paid 15 per cent more than what they are now getting.

“Any further attempt to reduce the value of the nursing pay package would demonstrate that the contribution and commitment of nursing staff is not valued,” added Josie.

Read the NHS Employers Agenda for Change review update at <http://tiny.cc/afcupdate>

Agreement to review Agenda for Change came after the 2014/15 pay dispute in England. All four UK countries are involved in the current talks. “Nursing staff have played their role in managing austerity, but in the face of ongoing economic challenges it's important that we stand up for ourselves,” said Josie Irwin, RCN

## Council set to work with employers

Members passed a resolution at Congress last month asking Council to work with employers to uphold the Agenda for Change negotiated agreement. Geoff Earl, from Lothian branch,

told delegates that detrimental changes would have an impact on nurses and patients and should not be accepted. Read more at [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

## Expert nurses needed at Department of Health



Activists are encouraged to sign, and urge others to sign, a petition set up by RCN member Deborah Glover, calling on the Government to keep the nursing directorate in the Department of Health.

In an emergency debate at Congress last month, delegates criticised the decision to remove nursing expertise from the department, without consultation. The proposals are part of a bid to reduce its running costs by 30 per cent over the next five years.

RCN members passed the resolution and called on Council to campaign for a strong, permanent and expert nursing voice at the heart of the Department of Health. The RCN has since written to Health Secretary Jeremy Hunt seeking an urgent meeting to discuss these plans.

The College believes it is absolutely vital that talented, experienced and knowledgeable nursing professionals are involved in creating health policy, right at the heart of government.

“Unless nursing advice and leadership is put back at the heart of government and given the prominence and respect that it deserves, then the profession will be in the permanent position of trying to shape and alter policy from the outside, which is not only bad for nursing, but also for patients,” said RCN Chief Executive & General Secretary Janet Davies.

Sign the petition at <https://petition.parliament.uk/petitions/132672>

## 'Advocate for the RCN' honoured in Glasgow



Graham Revie, Chair of the RCN UK Stewards Committee, (pictured above, holding his certificate) was recognised for his exceptional contribution to the RCN at Congress last month. He was described as “an exceptional leader and skilled speaker,” as he was presented with the RCN’s prestigious Award of Merit. “Graham is a strong advocate for the RCN who uses his experience, knowledge and wit

to challenge where needed,” said Janet Davies, RCN Chief Executive & General Secretary.

Graham was one of a number of activists honoured at this year’s ceremony. The RCN Safety Representative of the Year is Carolyn Venters; the Learning Representative of the Year is Denise Wills, and Steward of the Year is Gina Newton.

## Resolutions carried at AGM

All three special resolutions were carried at last month’s annual general meeting (AGM) after members voted by show of hands.

As a result of the vote Council will be able to implement the recommendations of the

Council Review Group and enable more members to participate in the governance of the organisation. While Council will, in future, comprise 17 members, other members will have the opportunity to be directly elected to its two committees – the Membership and Representation Committee, and the Nursing Practice and Policy Committee. A transition plan will now be put in place.

Delegates also voted to amend the Standing Orders so that nominations for all Council seats can be signed by two individual members in the relevant constituency and for a new definition of RCN forums to be added to the Standing Orders. The next AGM will be held in Liverpool next May.



## Revalidation help

Representatives can help members who, because of exceptional circumstances, are struggling to meet revalidation requirements, by referring them to advice from the NMC’s alternative support arrangements guidance. These circumstances may cover members who have insufficient practice hours due to maternity or sick leave, or because of a protected characteristic under the Equality Act 2010. Visit <http://tiny.cc/NMChelp> for information on the support available and how to apply.

## Careers survey

RCN members are encouraged to submit their evidence to a review looking at why some people from black and minority ethnic backgrounds don’t progress in their careers in the same way as their white counterparts. “The RCN is providing a corporate response but this is a chance for individuals to respond,” said Wendy Irwin, RCN Diversity and Equalities Co-ordinator. Complete the online survey at <http://tiny.cc/careersfeedback>

## Contract rejected

Junior doctors and medical students in England have voted to reject the government’s proposed new contract. With a turnout of 68 per cent – around 37,000 junior doctors and medical students – 41.9 per cent voted in favour of the contract, while 58.1 per cent voted against. Following the results of the vote, Dr Johann Malawana has stood down from his position as BMA junior doctor committee chair.

## An extra special Congress



**Congress showed us we have power when we join together, says RCN Chief Executive & General Secretary Janet Davies**

Congress is always a great event but this year was extra special for me as it was my first as RCN Chief Executive & General Secretary, and it was held during our centenary year. I confess to having been a little nervous in the run up to the week. Now it's over, I know I had nothing to worry about.

Being at Congress energises me. Members are passionate about our profession and their passion shines out throughout the week. Activists did a wonderful job – you are hard-working and inspirational and I must thank you for the support you showed me, other members – especially first time speakers – and each other.

This year we debated some big topics – we don't shy away from the important issues facing nursing. One of our most significant debates was on the future of student nurse funding. The stage was a sea of pink T-shirts, as student members stood up in force to show their strength of feeling about plans to cut student funding. It highlighted the power we have when we join together to campaign for what we believe in.

Congress is a time for RCN members to meet old and new friends and become more involved in the work of the RCN. I hope many more people join us next year in Liverpool to shape the work of the College for the year ahead.

*“You are hard-working and inspirational”*

## ASK AN ADVISER



### NMC referrals



**What support is available to members who have been referred to the NMC?**

When a member has been referred to the NMC, they should contact RCN Direct so that we can put support in place.

We know that being referred to the NMC can be distressing and isolating. We also understand that it can lead to issues with relationships and finances, and concerns about maintaining registration.

We will refer the member to RCN Legal Services. Someone from the legal department, or a specialist agent appointed by the RCN, will be allocated to handle the member's case. They will prepare each step of the case, ask the member to provide comments, and give instructions. They will ensure that the investigation and hearing is carried out fairly and that the member's evidence is properly taken into account.

We will investigate whether the member needs support from the RCN counselling and careers services. Where a member's financial situation changes, we can also discuss the support available from the Lamplight Support Service. For more information visit <http://tiny.cc/NMCreferralhelp>

**Get help with workplace problems, and more, at [www.rcn.org.uk/advice](http://www.rcn.org.uk/advice)**

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

## View from the frontline



### Get your message across

I have so many wonderful memories of Congress over the years but my favourite has to be when, as a fledgling ukulele player, I first wrote and performed a song on the Congress platform in 2014.

It all started at the RCN's joint representatives' conference earlier that year. The new pay award was out and frankly it was nothing to write home about. As I sat listening to the details, words started to pop into my head that were the rumblings of a song. It got a rough airing at that conference and I thought that would be the last of it.

Jump forward to June at Congress in Liverpool. Health Secretary Jeremy Hunt was still not listening and things weren't getting any better. My trusty ukulele was with me, so when the pay question was raised, a couple of people prodded me. "Do that song you wrote, Andy," they said.

As the moment to get on stage got closer, I got more and more nervous. I'd never performed in front of a crowd so large, let alone one filled with friends, colleagues and people I respect so much. As I approached the podium my knees were knocking but I carried on. The tech worked, the song was sung, and the applause was overwhelming.

There are many ways to get your message across to reach more people. I hope my little contribution made a difference. I've been fortunate this year to work with my fellow activist, the very talented Ed Freshwater, and we are collaborating on future songs. Who knows, we may well release an album!

**Andy Bassett-Scott, RCN activist**

## LEGAL UPDATE



### Brexit implications



There will be a period of uncertainty, following the European Union (EU) referendum. With more than half of our legislation deriving from Europe, what does Brexit mean to you as a member of the health care profession?

The introduction of employment tribunal fees and the proposal to repeal the Human Rights Act has meant access to justice for workers has been steadily eroded. Brexit could result in further attacks on employment rights.

Currently, many of our employment rights are enshrined in EU law which prevents EU member states acting to override them. When and if the UK leaves the EU, any future government could repeal any legislation that has originated from Europe.

Commentators have identified the rights that may be affected. These include: all forms of protection from discrimination, collective consultation, maternity rights, working time, protection for agency workers and part-time workers, Transfer of Undertakings (TUPE) rights and certain EU health and safety principles. The RCN will lobby against any future attacks on employment rights.

### Freedom of movement

Members may also be concerned about their right to continue to work in Europe as UK citizens, or if they are an European Economic Area (EEA) national, their rights to work in the UK. However, until the Government serves notice that the UK wishes to leave, any attempt to restrict freedom of movement or labour will be unlawful.

For EEA nationals currently here, the Government cannot legally prevent them from working and remaining in the UK at this time. However, this issue will be at the heart of the negotiations going forward and this position may change in due course.

**Chris Cox**  
RCN Director of Membership Relations

## 'Know your worth'

### The Trade Union Act may have an impact on workplace facility time

Times are changing. As a result of the legislation, regulations may in future limit the amount and cost of union facility time you get.

The RCN is prepared and has commissioned research that will inform ministerial and legal judgments about paid time off for representatives. It also shows just how essential facility time is, not only to representatives, and by implication RCN members, but also to their employers. In workplaces with representatives, there is lower turnover of staff. These organisations are more stable, and they don't have to face the cost of constantly replacing staff who leave. If anyone ever questions your worth, remember reps are estimated to save a typical NHS hospital £1.2 million a year.

#### Formal agreement

Most representatives will be familiar with the *Trade Union and Labour Relations (Consolidation) Act 1992*. This requires employers in workplaces with recognised trade unions to provide representatives with reasonable paid time off to perform their union duties and engage in training associated with these duties (facility time).

The research shows that the majority of RCN reps say their employers give them reasonable time off to perform their duties. However, a sizable minority feel employers don't meet their statutory obligations. One in five of those with safety rep and learning rep roles have no formal agreement setting out the facility time hours paid for by their employer. The figure is 12 per cent for those with steward roles.

Rachael McIlroy, from the RCN's employment relations team, says this means many representatives end up using their own time. "More than half of RCN stewards and learning reps and a quarter of safety reps spend at least five unpaid hours per week on their representative role."

So while we wonder what impact the new legislation will have, it's important we look at our current circumstances and their



*"Reps are estimated to save a typical NHS hospital £1.2 million a year"*

implications. Less than half of RCN stewards have an agreement setting out the time off available to perform their union duties and on average they receive 14 hours a week. Safety reps are least likely to have an agreement. Just one in six have anything in writing.

"There's a clear link between the number of hours of facility time that reps have and their influence in a workplace. Now is the right time to stand up for your rights. Know your worth to your members and your organisation and insist you have sufficient time off to be able to fully undertake your duties," adds Rachael.

Read *The Value of Trade Union Workplace Representatives in Health Care* at [www.rcn.org.uk](http://www.rcn.org.uk)



75 per cent of all employees in public sector health care work somewhere with a union representative

#### Negative implications

"Reductions in facility time could have negative implications for employers and patient care," say Professors Nick Bacon from Cass Business School and Kim Hoque, University of Warwick, in RCN research.

## Standing up for ourselves



*Nurses work at the interface between organisations*

**Janine Dyson, RCN England lead for devolution and integration, explains why representatives need to be aware of changes that may follow on from the Five Year Forward View and the development of new models of care**

### **Why is it important that representatives get involved?**

Who knows what the future may bring? These changes are about integrating services but members may find that their employer changes too. There's potential for changes to terms and conditions and TUPE transfers.

### **So is the Five Year Forward View a bad thing?**

Not at all. Its overarching aim is to integrate services including health and social care. If this is done properly, it will be great for patients. But we have to be realistic – if we don't stand up for ourselves, no one else will.

### **How are these changes being funded?**

There's no massive increase in budgets but there's no evidence that the new ways of

working will be cheaper either – although there is an assumption they will be. Restricting wage bills may be the easy option if more money needs to be found. Reps will know, more than anyone, that members may be dismissed and re-employed on less favourable terms and conditions. Local authority terms and conditions may be the future for nursing staff.

### **Surely health budgets will be protected?**

In theory perhaps. NHS England is retaining some control, which is important and reassuring, but the Local Government Association is unhappy with this. There could be a power battle ahead. Local authority budgets can be spent creatively but they are suffering as a result of budget cuts too.

### **What's the RCN doing?**

In Manchester we're setting up a network of members to influence the key players and processes because we need to get involved right from the start. I hope to see the network being replicated elsewhere in the North West. The Greater Manchester Health and Social Care Partnership is actively looking for stories and views so let's share our expertise now. If we don't lead, it will be done to us.

### **Is this a UK-wide issue?**

Yes, although different solutions are emerging across the UK. Wherever you are, there's a strong argument to say nursing is a key and leading profession in terms of the relationship between different organisations. We frequently work at the interface between organisations – hospital and community services, care homes and hospitals, primary care and social care.

### **What can reps do to support members now?**

Communication is essential. Make sure nursing staff understand what's happening. All nursing staff, but especially senior nurses, need to stand up and advocate for our patients as nursing is best placed to do so.

### **Will reps be trained to help?**

Yes. In England, the regions are commissioning bespoke training this autumn for representatives.

Read more about the *Five Year Forward View* at [www.england.nhs.uk/ourwork/futurenhs](http://www.england.nhs.uk/ourwork/futurenhs)

# NOTICEBOARD

## Conference call

There was “loads of learning” and “great networking” at the last RCN joint representatives’ conference, according to first-time attendee Carly-Jane Wyman.

RCN steward Carly-Jane is keen to encourage all representatives to attend one of the forthcoming conferences, which the RCN runs specifically for representatives.

“I’d just finished my steward training so I went with no expectations,” she says, “I really enjoyed it. The speakers were excellent and I was introduced to a new and different world.”

Carly-Jane says the conference inspired her to drive things forward. “It made me feel like I was part of something and made me want to push the boundaries.”

RCN Head of Employment Relations Josie Irwin says there may be many reps who haven’t attended the conference before but would enjoy it and be inspired by coming along. “Carly-Jane was originally inspired by her attendance at Congress 2015, so with Congress 2016 having just closed, look out for details of our 2017 event.”

### Reps’ conferences

The RCN holds free joint representatives’ conferences twice a year. Bookings have closed for the next conference which takes place in Cardiff on 29 and 30 September. However, a reserve list is in place so contact your local office if you wish to express an interest in attending.

## Tools of the Trade



Recommendations on how employers can provide support to staff who are carers can be found in the Chartered Institute of Personnel and Development’s report, *Creating an Enabling Future for Carers in the Workplace*. Visit <http://tiny.cc/cipdcarers>

The Institute for Employment Studies report, *Presenteeism: A Review of Current Thinking*, looks at the issues related to presenteeism, and addresses how it can be measured, reported and managed. Visit <http://tiny.cc/presenteeism>

An inspection initiative has been carried out to identify common causes of non-compliance with legislation designed to protect staff from the risk of exposure to blood borne viruses. Read more in the summary document, *Prevention and Management of Sharps Injuries: Inspection of NHS Organisations*. Visit <http://tiny.cc/hsharps>

*Law at Work 2016* has been revised and updated. It examines the law from the perspective of unions and workers and provides up-to-date examples and illustrations of the law in action. Visit <http://tiny.cc/lawatwork>

## Forty years of RCN activism



Gordon Lees will reflect on more than 40 years of representing nursing staff as a steward and RCN Council member at a free event in London next month.

Gordon was already an RCN steward when the College became a trade union in 1976

and has more than 40 years’ experience as a nurse and manager of community mental health and substance misuse services. Before being elected to RCN Council, he was active in his local branch and on the RCN Northern Board. Gordon is currently Chair of the RCN Membership and Representation Committee.

*40 Years a Rep: A Personal History of the RCN* takes place at RCN headquarters on 17 August between 5.30 and 7pm. Book your tickets at <http://tiny.cc/40yearsarep>

## Ready to stand for election?

If Congress has left you fired up and ready to fight for what you believe in, why not consider putting yourself forward for election for a new role in the RCN?

Elections for many prestigious RCN roles will take place in coming months. This includes the elections for RCN President and Deputy President. Nominations are now open and the term of office is for two years from 1 January 2017 to 31 December 2018. To put yourself forward for one of these positions, send your completed nomination form to [elections@rcn.org.uk](mailto:elections@rcn.org.uk) by 4.30pm on Friday 5 August.

Nominations for the positions of Chair and Vice Chair of Congress have now closed but there are a



number of other important elections taking place. For more information and to download the role descriptors, visit [www.rcn.org.uk/elections](http://www.rcn.org.uk/elections)

Information on running a successful election campaign is available at <http://tiny.cc/runanelection>