

# Activate

**News, views and support for RCN activists**



 **CONGRESS**   
DEBATES • LEARNING • EXHIBITION **2017**

## Agenda ideas wanted

Planning is well underway for RCN Congress next year and submitting entities have until 11 January to put forward topics for discussion

Congress 2017 will be held in Liverpool and activists are asked to spread the word among members that this is their opportunity to shape the debate. Submissions must be made via one of a number of College entities, including branches and forums as well as the stewards, learning reps and safety reps committees.

Stuart McKenzie, Chair of RCN Congress, said: "All activists can play an important part in ensuring Congress is a stimulating, engaging and interesting event that truly helps shape RCN policy and wider nursing and health care issues.

"Because they have first-hand experience of the issues facing the membership, reps and our forum steering committee members are particularly well placed to suggest agenda topics themselves and to encourage their members to contribute."

He added: "As ever, it's important the Congress agenda reflects the diversity of our members in terms of their background, where they live and work, and their nursing specialism. So my message to activists is, please do all you can to get colleagues from all corners of our profession to submit their ideas through the appropriate channels."

The RCN website has many helpful suggestions about what makes a good agenda item at Congress. Visit [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

# NEWS

## Pensions dispute

The RCN and other unions remain in dispute with East and North Hertfordshire NHS Trust over its plans to offer bands 5 and 6 nurses a 12% pay increase to opt out of the NHS pension scheme.

The RCN has written to all members employed by the trust to inform them of the continuing dispute and the reasons for this stance.

Any further collective representation and engagement will occur through Acas until at least the next trust board meeting due to take place at the end of November.

"We're actively working to protect members and resolve the dispute," said John Wilkinson, RCN Senior Officer.

For more information, visit [www.rcn.org.uk/nursingcounts/nhs-pensions-offer](http://www.rcn.org.uk/nursingcounts/nhs-pensions-offer)

## "We need to be ready"



RCN Chief Executive & General Secretary Janet Davies warned of serious challenges ahead in a passionate keynote speech at the RCN UK Joint Representatives' conference last month.

The general secretary insisted that nursing staff will "need to be ready to make noise... to show people we are serious." She suggested this may include taking to the streets if little progress is made on pay negotiations.

Janet noted a number of recent successes, which included pension negotiations, the RCN's growing membership, and successful lobbying of

politicians at party conferences. But she remained focused on the challenges ahead, reiterating the RCN's core priorities around safe staffing levels, NHS finances, health visitors and pay, and vowed to keep grappling with all of them.

Janet also emphasised important work that reps do in shaping and growing the RCN. "I can keep the College's finances in order and influence politicians but the real work comes from face-to-face contact with nursing staff," she said.

The general secretary also highlighted a number of successful events during a busy centenary year, including a royal garden party, the RCN fellows' celebration in London and an open day in Wales. Joking about the amount of cake consumed this year, Janet said it was important to celebrate the College's many achievements.

A lively question and answer session followed the speech, covering important issues for activists, including pension plans, Brexit and the risk of regional isolation.

## Staffing crisis looming, says RCN

The RCN's labour market review has highlighted an unprecedented number of risk factors which affect the future supply of safe staffing levels.

These include the ageing workforce, rising demand, uncoordinated workforce planning, changes to student nurse funding, real terms cuts to nurse pay and the impact of Brexit on international recruitment.

Amid a recruitment crisis which has seen trusts spend millions on overseas and agency recruitment, the research shows that half of nurses are aged 45 or over and within ten years of being eligible for early retirement, meaning the health service will be more reliant on finding new staff than ever.

The inflow of nurses from overseas increased sharply in the last year to 11,261 – the highest it has been since 2004-5 and representing 40% of the total new entrants to the NMC register. The majority of those nurses are from the European Economic Area, a supply which could be put at risk when the UK leaves the EU. On top of this, around 10% of the total nursing pay bill is spent on agency nursing.

The RCN is calling on the Government to scrap the 1% pay cap for NHS staff in order to alleviate the retention crisis, warning that unless nurses' pay reflects the increase in cost of living, trusts will struggle to attract enough staff to provide safe patient care.

Janet Davies, RCN Chief Executive & General Secretary, said: "Many of these risks could have been avoided, and now immediate action is required. Patient safety will be at risk without immediate action to secure the future supply of nurses."

"This crisis requires a co-ordinated, long-term strategy to train more nurses and an above inflation increase in pay to help our current staff make ends meet," she added.

Ten years ago a third of the nursing workforce was aged 45 or over. That has risen to half of today's nurses, with a third due to retire in the next ten years.

## Sign the petition for fair pay



RCN member and prospective steward Danielle Tiplady has launched an online petition demanding an above inflation pay rise for nurses and other Agenda for Change staff. "Nursing staff deserve a pay award that reflects our knowledge, skill and dedication," she said.

The petition has gathered more than 22,000 signatures and a government response will now follow. Sign the petition today: [petition.parliament.uk/petitions/168127](http://petition.parliament.uk/petitions/168127)

### Union evidence

As reported in the September issue of *Activate*, the RCN and 12 other unions last month submitted evidence to the NHS Pay Review Body (PRB) for the 2017 pay round.

With NHS pay falling well behind the cost of living, the College argued that the 1% public sector pay cap is not sustainable. The RCN called for a return to UK-wide pay scales, so staff in England, Wales and Northern Ireland receive the same basic rates as those in Scotland and a cost of living increase on top.

The submission also called on the Government not to fund the minimum wage for low-paid staff by taking money from the rest of the NHS workforce through top-slicing the pay award. The evidence also highlighted the critical impact of nursing shortages on workload.

The PRB will now take oral evidence from the Government, employers and the staff side and will submit its report in February. The Government is expected to make an announcement on pay the following month.

## Make a difference to nursing practice

Activists can encourage members to get involved with an exciting new RCN project, *Celebrating Nursing Practice*, that will give them the chance to contribute to the improvement of nursing practice in our centenary year.

Members are being encouraged to tell the RCN about their great ideas that, if developed, could make a huge difference to nursing practice. All ideas selected for the project will be developed with the help of an expert mentor and funding from the RCN Foundation.

"We want nurses, support workers and students to share their ideas with us so that we can give them the attention and development they deserve," said Steph Aiken, RCN Deputy Director of Nursing.



Order an information pack which contains further information, a promotional poster and flyers, so you can encourage your colleagues to take part. Visit [www.rcn.org.uk/cnp](http://www.rcn.org.uk/cnp)

## Diversity feedback

The RCN is seeking feedback on what should be included in its equality and inclusion strategy. Diversity, human rights, equality and the wider inclusion agenda are RCN priorities and it's anticipated that these areas of work will continue to grow in importance for nursing and employment issues. "We want to tackle inequality in the workplace for all nursing staff and are keen to learn more about the things that you think are important for us to focus on," said Wendy Irwin, RCN diversity lead. Email [diversity.team@rcn.org.uk](mailto:diversity.team@rcn.org.uk) by 25 November.

## Reps' hub

The RCN's reps' hub provides one-stop access to a range of publications, links and other resources to support your representation work. Visit [www.rcn.org.uk/rep](http://www.rcn.org.uk/rep) to access the reps' hub and latest briefings and publications for reps. The website also hosts information on becoming a rep, including video clips of reps talking about their roles, and an online expression of interest form for members wanting to find out more. If you have ideas for further development of the hub, or feedback on the current content, email [jenny.lillywhite@rcn.org.uk](mailto:jenny.lillywhite@rcn.org.uk)

## Electronic records

Common standards for record keeping are being introduced across the NHS and social care, and you can help to shape them so they work for you and for patients. Join our stakeholder advisory group. Visit [tiny.cc/carerecords](http://tiny.cc/carerecords)

# VIEWS

## 21st century campaigning



**Let's transform the way we campaign for change, says Lara Carmona, the RCN's new Associate Director of Policy, International and Parliamentary**

The union function of the RCN is crucial to making change in policy and practice and I want to inspire activists to take a fresh look at the way we approach how we make change, with and for our members. Activists know, probably more than most, that campaigning is hard. It can be demoralising and can challenge the resilience of the toughest individual. That's why we stick together.

We need to bring our A game to the table. We do this by defining our most important issues, gathering solid evidence and being prepared to answer the difficult questions. We must be ready to work outside our comfort zone and, as we are building relationships and working with our allies, we must also remember to seek out those who actively disagree with us, because we can learn so much from them too. In some cases, perhaps we need to widen our horizons to ensure we get the best results by gathering support from new places. I pledge to support you. I commit to learning about the changes you and our membership need, and to work with colleagues across the UK.

Activists are change makers. Tell me what it is that you most want to see in terms of how we can work better together. What do you need from your peers and what do you need from the RCN? Together we are a force to be reckoned with.

*"We must be ready to work outside our comfort zone"*

## ASK AN ADVISER



### Overpayment of wages



#### How should an overpayment of wages be managed?

An overpayment of wages can generally be recovered by an employer whether or not the individual still works for them. A current employer could recover the overpayment in full from their employee's wages, unless their employment contract or policy says this isn't allowed. A former employer could bring a civil claim for recovery of the overpayment as a debt. However, the RCN would expect employers to be reasonable and agree to stage the deductions over a period of time.

If a member has been overpaid, they should clarify with the employer, in writing, the exact amount owed, and then discuss how they can repay the amount in affordable instalments. If the employer has an overpayments policy which allows for repayment in instalments, refer to it.

Members should only pay the amount of overpayment they actually received. The employer will need to recover tax and national insurance. Encourage members to contact RCN Direct if they're in an overpayment dispute with their employer, or need help drawing up a realistic financial statement.

**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

# LEGAL UPDATE



## Health, safety and reasonable adjustments



A recent survey of safety reps, published by the TUC, found that nearly half of UK workplaces have never had a health and safety inspection. The five most frequently mentioned hazards at work were stress, bullying and harassment, overwork, back strains and long hours, with stress especially prevalent,

and rising, in central government, education and health services. Even where risk assessments are carried out, one in five respondents thought they were inadequate. The TUC believes this is unlikely to improve.

By 2019/20 government funding of the Health and Safety Executive will have been cut by nearly half, and the Government has already restricted the ability of workers to claim compensation for employer negligence if they are injured or made ill at work. Alongside health and safety legislation, employers must make a reasonable adjustment where a provision, criterion or practice puts a disabled person at a substantial disadvantage in comparison to a person who isn't disabled.

### Lifting

In *Lowmoore Nursing Home Ltd v Smith* (2016), the Employment Appeal Tribunal said the employer should have made a reasonable adjustment and moved their employee, Ms Smith, to a different unit so she did not have to lift, avoiding an exacerbation of her health problems.

The tribunal had accepted Ms Smith's evidence that lifting equipment was often in use and not always available, and that working on her unit involved "concentrated physical exertion" for carers for eight hours of the shift.

Her manager had carried out a general risk assessment, but despite medical evidence about Ms Smith's condition, had failed to meet with Ms Smith and consider how her work environment had an impact on her.

**Chris Cox**  
RCN Director of Membership Relations



### Sharing the struggle

Walking the West Highland Way to celebrate the RCN's centenary was a huge personal challenge for me. I wanted to raise awareness of the RCN and raise funds for the RCN Foundation but could never have imagined how amazingly difficult or rewarding an experience it would be.

The 96 miles from Milngavie to Fort William covered a diverse trail in just five days, passing Rannoch Moor, the Glen Coe Mountains, the Devil's Staircase and Ben Nevis. The 22 mile Loch Lomond section proved particularly wet and exhausting as we scrambled into camp in darkness 16 hours after taking down our tents that morning. But the harder the challenge became the greater was the determination and camaraderie. The team of 18 supported one another through the physical, mental, and emotional ups and downs of the journey. Despite pain, dehydration, nausea, vomiting, blood, sweat, and tears everyone crossed the finish line having given 100%.

For me this challenge proved to be about sharing the struggle. It was about valuing the effort of every individual in the team and moving forward to achieve our shared goal. I set out with strangers but forged friendships to last a lifetime. I returned with a new sense of self belief and better equipped to help make that difference as we start the next 100 years together.

To donate, search for Tracey Young at [www.justgiving.co.uk](http://www.justgiving.co.uk).

Tracey Young, RCN learning representative

# FEATURE

## Confident to act

**An RCN resource can help build confidence in reps as they seek to improve workplace conditions**

It's a daunting prospect to sit in front of an executive and question their work. You may start to doubt yourself – they hold such senior positions – but does that mean they are more intelligent and in a better position to make these decisions? No. Even so, it's helpful to have written back-up to give you the reassurance to know you are doing the right thing – and in the long-run, to know your work will have a positive impact on your colleagues and patients.

A year on from the launch of the RCN's *Ask. Listen. Act* booklet, the successful resource is being made available to reps across the UK. Initially designed to support reps in England, the booklet provides useful reminders about the sources of information reps can access in their workplace and the questions they can ask.

It was developed to help reps improve local conditions by asking the right questions in the workplace. Designed by reps and officers to help reps question and influence on behalf of members, it introduces a questioning framework and provides reminders of the key points to consider.

Jane Carroll, a former RCN rep, and now an RCN senior officer, says the pocket-sized guide is invaluable.

"I was involved in its development when I sat on the RCN UK Stewards Committee and would recommend it as an essential and practical resource for reps," she says. "Reps often pick up issues in their workplace before they become major problems and this booklet helps them work with other union colleagues and employers to address issues promptly and positively."

### Confidence boost

Jane uses the booklet regularly and believes that new reps especially will find it helpful because it will give them the confidence they need to ask challenging questions, however senior the person is. "Just this week I received the agenda for a local partnership forum meeting and because I knew I would be working with relatively inexperienced



*Building confidence helps develop skills as a rep and a clinician*

***"I would recommend the booklet as an essential and practical resource"***

reps, together we worked our way through the agenda using the guide to help us think about the wider picture. They now know it is appropriate to ask questions which they may have otherwise shied away from."

This booklet will not only give you the confidence to ask the right questions, it will also help you develop your skills as a rep and a clinician, Jane believes.

"It can be used in your preparation for meetings – either in your workplace or with your RCN officer – or during meetings to help you to quickly check that you have covered the main points you want to address," she says.

"Used alongside the *Healthy Workplaces* toolkit, it will give reps the confidence and the strength to ensure the RCN cannot be ignored."

Download *Ask. Listen. Act* and read more about questioning and influencing on the RCN reps' hub. Visit [tiny.cc/questioning](http://tiny.cc/questioning)

## Tackling the decline



Alex Davis explores how the RCN is working to better value and celebrate the work of its accredited representatives

As reported in *Activate* last month, the number of RCN reps is declining and the College is determined to address this important issue. To tackle this concerning trend, the RCN is making a renewed commitment to its reps to stem the decline, build-up the number of reps and celebrate their work and achievements.

Significant progress has already been made. Reps have been given first-class learning and development, alongside a sophisticated case-management system, which has been particularly well received.

According to Chris Cox, RCN Director of Member Relations, the next step is to ask reps directly what more the RCN can do to recruit new reps, and retain, support and value existing ones.

"If we're going to grow our rep numbers and attract more members to this critical RCN role, we need to hear from as many of you as

*"We need to hear from as many of you as possible"*

possible with your innovative ideas and practice examples. This will help us to develop the *Valuing Reps* strategy."

### Working with reps

Chris is working with the chairs of the RCN UK Learning Reps, Safety Reps and Stewards Committees to shape this work. In addition, delegates at the UK Joint Representatives' conference in September were asked to discuss how the RCN could better celebrate and value the work they do.

Delegates were asked to discuss 11 key questions. Topics included the relations between communities of reps and RCN staff, the lessons the RCN could learn from other unions and organisations, and how communications could be improved.

Reps had a lively discussion about how there could be better recruitment, support and retention, development, impact, celebration and communication. Many delegates felt stronger connections need to be made around the relationship a rep has with their region or country which is something the RCN can assist with through practical support and resources.

### What's next?

The feedback from the conference is being used to develop a plan which will be more widely discussed over the next couple of months and steered by the RCN UK reps' committees.

If you would like to contribute your ideas to the *Valuing Reps* work, email [jenny.lillywhite@rcn.org.uk](mailto:jenny.lillywhite@rcn.org.uk)

### Rep skills

The RCN aims to grow vibrant and visible teams of learning reps, safety reps and stewards who are empowered, knowledgeable and skilled to:

- influence the improvement of workplace conditions
- promote the development of a healthy workplace

# NOTICEBOARD

## Your next president?

You have only a few more weeks to vote and encourage other members to vote for the next RCN president. Long-standing activists Cecilia Anim and Mike Travis are standing for election and the successful candidate will represent the RCN and the nursing profession across the worldwide health community. Voting closes on 16 November. Lost or misplaced your ballot paper? Email [elections@rcn.org.uk](mailto:elections@rcn.org.uk) with your name, membership number and/or postcode before 9 November and you will be sent another.

## Tools of the Trade



The Labour Research Department has produced a booklet explaining the law against pregnancy discrimination and how it is applied. It also sets out pay guidelines and offers advice on collective action in the workplace to improve conditions for pregnant workers and returning mothers.

Go to [tinyurl.com/h8ab5hn](http://tinyurl.com/h8ab5hn) to download the booklet.

The British Medical Association has issued updated guidance on addressing alcohol and drug use in the workplace, including advice on supporting or recruiting employees with histories of substance misuse. Download the report at [tinyurl.com/hwfq4p4](http://tinyurl.com/hwfq4p4).

Updated guidance on manual handling has been produced by the Health and Safety Executive.

It aims to help employers comply with the Manual Handling Operations Regulations 1992 by explaining how to assess, avoid and reduce the risk of injury from manual handling. Download the guidance from [tinyurl.com/hzmpa6p](http://tinyurl.com/hzmpa6p).

Public Health England has produced a framework to help employers develop appropriate policies on the use of electronic cigarette substitutes, or e-cigarettes, in the workplace. Visit [tinyurl.com/zc3czkw](http://tinyurl.com/zc3czkw).

## Election winners announced

Congratulations to those elected in this year's UK Representative Committee elections. Candidates stood for country and regional positions on the RCN Stewards Committee, Safety Representatives Committee and Learning Representatives Committee.

Nominations for seats on the Northern Ireland Safety Representatives Committee and the Scotland Learning Representatives Committee will be re-opened because no candidates stood.

There are more upcoming elections in which eligible members are encouraged to vote. These include elections for a student member of the RCN Council, seats on the RCN UK Health Practitioner Committee and seats on the RCN Students Committee. Visit [www.rcn.org.uk/elections](http://www.rcn.org.uk/elections) for more information.

### RCN Stewards Committee members elected

Name	Region/country
Anne Penny	Yorkshire & the Humber
Maggy Heaton	North West
Graham Revie	Scotland
Kevin Bell	Northern Ireland
Ann Thomas	Wales
Lisa Crooks	South West
Nasreen Rafiq	West Midlands

### RCN Learning Representatives Committee members elected

Name	Region/country
Karen Harrington	Yorkshire & the Humber
Jean Rogers	North West
Francis Lavery	Northern Ireland
Sandra Robinson-Clark	Wales
Paul Brown	Eastern
Katy Welsh	South West

### RCN Safety Representatives Committee members elected

Name	Region/country
Debbie Hammill	Yorkshire & the Humber
Catherine Leach	North West
Carolyn Venters	Scotland
William Nichols	Wales
Lesley Pallett	South West