

# Activate

Vol 11 No 8 April 2017

News, views and support for RCN activists

## Nursing pay

Your pay campaign poster is enclosed with this issue

Another year.  
Another real-terms  
pay cut.  
What should the  
RCN do next?

### Time to strike?

#### Reps to lead the way and encourage members to make their views known in new pay poll

The RCN is calling on every member who works for the NHS to respond to a pay poll asking about the personal impact pay restraint is having on them and what the College should do next.

Michael Brown, Chair of RCN Council, said: "We believe the 1% pay cap is a political decision. The UK Government can and should value its nursing staff. RCN members are taking second jobs and using food banks. They're exhausted, morale is low and it's affecting the care they're able to provide.

"Nursing pay has fallen by 14% in real terms since 2010 and I've no doubt that members are facing extreme circumstances right now. This is the time to tell us if you are ready to consider taking industrial action."

The RCN also believes the pay cap is putting patient care at risk. More nursing staff than ever before are leaving the profession, piling the pressure on an already overstretched workforce, who are unable to deliver the care they would like.

Michael added: "It's absolutely essential we get a clear mandate from members. Please put up our posters and share the poll with as many members as possible and stress how important it is for them to make their views known."

A poster has been included in this issue to help you spread the word about this important pay poll. The results will be announced at Congress next month.

You can also download campaign materials and read the detail about the pay announcements in the four UK countries at [www.rcn.org.uk/nursingcounts](http://www.rcn.org.uk/nursingcounts)

## Case management

The RCN is holding support sessions at Congress to help stewards who use the RCN case management system.

It's a chance to talk about the system and the IT equipment you've been given. Stewards are encouraged to drop in to share any issues or feedback.

Go to room 9 in the upper galleria at the ACC on Monday 15 May (12.30pm to 3.30pm) or Tuesday 16 May (10.30am to 11.30am and 2.30pm to 3.30pm).

### Recent disruption

At the end of last month stewards may have experienced some problems using the stewards' portal. Moving the portal to a new server caused a number of unforeseen complex technical problems which took longer to fix than was expected. Normal service has now been resumed, but the RCN apologises for any inconvenience caused.

## We must support our European colleagues

More than 33,000 nursing staff from countries in the European Economic Area (EEA) face uncertainty after their right to remain in the UK was not recognised in the Government's Brexit negotiations.

The RCN is collaborating across the health and social care sector as part of the Cavendish Coalition to push for the right to remain for EEA nationals.

Janet Davies, RCN Chief Executive & General Secretary, said: "The Government must make sure the UK is still a country EEA nursing staff want to work in. It's short-sighted and counterproductive to keep these dedicated staff guessing about their future."

NHS hospitals and community services increasingly rely on international recruitment due to a shortage of British nurses.

However, the number of nurses from the European Union (EU) coming to work in the UK has dropped to a quarter of its previous level since the vote for Brexit. In 2016, 2,700 EU nurses already working in the UK left the NMC register.

The RCN says there's a risk of many more nursing staff deciding to leave at a time when there are already 24,000 nursing vacancies.

"The Government should not be willing to gamble with patient and staff wellbeing," added Janet.

### How can reps help?

- Tell EEA nursing colleagues they are appreciated and welcome.
- Encourage members to share their story at <http://tiny.cc/sharestory>
- Read the RCN advice guide at <http://tiny.cc/brexithelp>
- Take a look at the new online resource, including the Brexit briefing for members, at [www.rcn.org.uk/eu-nurses](http://www.rcn.org.uk/eu-nurses)



### EEA or EU?

The EU is an economic and political union of 28 countries. The EEA includes all EU countries, but also Iceland, Liechtenstein and Norway. It allows them to be part of the EU's single market.

## Your chance to ask questions



Don't forget to come along to this year's RCN annual general meeting (AGM).

It's a chance to find out about the organisation's achievements and performance in 2016 and to hold Council to account by asking questions.

Find out more at [www.rcn.org.uk/agm](http://www.rcn.org.uk/agm)

**This year's annual general meeting (AGM) will be held on Tuesday 16 May 2017 at the ACC Liverpool, King's Dock, Liverpool, L3 4FP at 2.30pm.**

*Janet Davies FRCN, Chief Executive & General Secretary*

## U-turn on agency ban

NHS Improvement has listened to RCN members and paused a ban on NHS nurses taking extra agency shifts within the organisation, after a campaign by the RCN and its members.

The rule, which originally stated that trusts should ensure that staff engaged through an agency are not substantively employed elsewhere, was dropped a day before it was due to come into force. The RCN had said the rule was unfair, punitive and damaging to high-quality patient care, and backed the u-turn. The College had been seeking legal advice on the change.

The RCN says that for many NHS nurses, the only way to ensure a decent level of income is to undertake additional work through an agency. The change could have forced NHS nursing staff into the private sector or see their annual earnings drop by an average of £1,150. The RCN has been invited to participate in the drafting of new rules around the use of staffing agencies.

## College questions workplace security plans

The RCN has raised serious concerns about the closure of NHS Protect, which had a strategic overview on violence and fraud in England.

A new special health authority, the NHS Counter Fraud Authority (NHSCFA), won't take on all the work of NHS Protect, but will focus on tackling fraud across the NHS in England. Safety reps should continue to discuss any concerns about violence with their local security management specialists.

"At a time when violence against staff is at an all-time high, there are key questions that have yet to be answered," said Kim Sunley, RCN Senior Employment Relations Adviser.

"Who will collate and analyse data on assaults? How will national alerts on dangerous individuals get circulated and who will ensure standards on security, such as safety of lone workers and conflict resolution training, are being implemented?"

The RCN has written to health secretary Jeremy Hunt and has raised the issue with the NHS Staff Council and the social partnership forum.

Advice is available on what to do if members have been a victim of, or witnessed violence in the workplace, at [www.rcn.org.uk/advice](http://www.rcn.org.uk/advice)



### What's the difference?

The new authority will not have a remit for security management, including violence against staff. NHS Protect led on work to identify and tackle crime across health services, including violence and fraud in England and fraud in Wales.

## A chance to influence the Congress agenda

Nominations are open for four positions on the Congress Agenda Committee.

Members are invited to a hustings event at Congress on Monday 15 May before voting takes place the following day. The results will be announced on 17 May and the successful candidates will take up their posts immediately after Congress.

A nomination form and role descriptor is available at [www.rcn.org.uk/elections](http://www.rcn.org.uk/elections) and from the governance stand during Congress. The deadline for receipt of nomination forms is 2pm on Monday 15 May.

There are more election opportunities coming up. Look out for nominations for elections opening on 13 May for members of two new



committees that will report directly to RCN Council. The committees were approved at the 2016 AGM and will lead separately on professional nursing and union issues.

For more information email [elections@rcn.org.uk](mailto:elections@rcn.org.uk)



#nurseheroes



[www.rcn.org.uk/nursesday](http://www.rcn.org.uk/nursesday)

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## Strength in numbers



### It's time to speak out, says RCN General Secretary Janet Davies

So it's 1% again. I wasn't that surprised but I was disgusted. Continued pay restraint is having a terrible impact on dedicated nursing staff and I believe this 1% response is becoming the Government's default position. The pay cap is fuelling a recruitment and retention crisis, and when compounded by issues such as downbanding, substitution of roles and student funding changes, it's a perfect storm for nursing.

All this is happening at a time when nursing is facing yet another enormous challenge. Brexit. Theresa May still hasn't yet given EU nationals working in the NHS the clear signal that they are wanted and welcome to stay. Her failure to guarantee their right to remain is leaving soaring numbers heading for the door. The Government is turning off the supply of qualified nurses from Europe at the very moment the health service is in a staffing crisis like never before.

We now need to show our strength. Please do everything you can to make sure we get a huge response to our pay poll. Make sure members share their views with us; we're a member-led organisation and the response we get will directly shape our next steps. Remember it's not just the College waiting to see how you respond, politicians and the public will be seeing what we want to do next too. We have a big membership and this is a chance to assert our power and stand up for nursing and for patients.

[www.rcn.org.uk/nursingcounts](http://www.rcn.org.uk/nursingcounts)

*"We need to show our strength"*

## ASK AN ADVISER



### Sharing your NMC pin



#### Do I have to disclose my NMC pin?

In the majority of cases, the answer is "yes".

It's standard practice to disclose your Nursing and Midwifery Council (NMC) pin to an employer, prospective employer or to any person, body or organisation with whom you have an arrangement to provide services as a nurse or midwife.

In addition to this, the NMC expects that registrants should co-operate with all investigations and audits. Section 23 of the NMC code of conduct states that registrants should: 'give your NMC pin when any reasonable request for it is made.'

A member of the public can search the NMC online register without your pin but it's best practice to follow the code of conduct and disclose your pin (when asked) to anyone in your care or using your services.

More information on a large range of topics is available online at [www.rcn.org.uk/get-help](http://www.rcn.org.uk/get-help)

**For more information, speak in confidence to an RCN Direct adviser any time between 8.30am and 8.30pm, 365 days per year.**

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

## View from the frontline



### We must be proactive

I don't think sustainability and transformation plans (STPs) are a good idea. That's not to say the principles behind STPs are wrong. Who can argue with better integration of health and social care? But this is impossible to do without adequate staff numbers and an appropriate budget. Investment is needed to make this work.

This is a huge change. I can't help but interpret it as a subtle method of privatisation. It doesn't appear to resemble the European system. This looks like the American system using new models of care to me. In the future I fear fewer community-based nurses will be employed under NHS terms and conditions.

This is happening so fast and nursing staff hardly have time to do their own jobs so they can't be blamed for not being aware enough of what's going on. It's complicated and confusing – everyone is struggling to understand what's happening. When I went to observe a local clinical commissioning group meeting, the agenda was more than 400 pages long. Who has the time to read that? So how will you know if you're asking the right questions?

I think the RCN and the other unions have to be proactive and lead the way. If we work together we could be a tremendous force on the ground. We should be researching and questioning everything and thinking about ways to tactically delay implementation to make time for genuine consultation and challenges.

Gay Lee is a steward and active in her branch. Visit [www.rcn.org.uk/stps](http://www.rcn.org.uk/stps)

## LEGAL UPDATE



### Public service pensions



Two recent employment tribunal cases have brought the Government's 2015 reforms to public service pensions into the spotlight.

At the time all serving judges were compulsorily transferred into a pension scheme which provides much less favourable retirement benefits.

However, older judges were allowed to remain

members of the former scheme, either until retirement with full protection of their retirement benefits, or until the end of a tapered period, dependent on their age.

A recent employment tribunal found the transitional provisions treated and continue to treat the claimants less favourably than their comparators because of age, sex and race. The Government argued they were trying to provide protection to a small group with a small number of years remaining until their pension age.

However, the tribunal also found the Government failed to show their treatment of the claimants was a proportionate means of achieving a legitimate aim.

### Firefighters ruling

Earlier this year another employment tribunal handed down its judgment relating to the firefighters' challenge to the changes made and transitional provisions relating to their pension scheme. That challenge was unsuccessful.

We expect these cases to be appealed and we will continue to monitor this situation and will take a view whether this case law is relevant to the changes made to the NHS Pension Scheme on 1 April 2015 and its transitional provisions.

If members are due to retire or have their employment terminated in less than three months please advise them to contact RCN Direct immediately on 0345 772 6100 for further advice.

**Joanne Galbraith-Marten**  
RCN Head of Legal (Employment)

## Team spirit

**The RCN Greater Glasgow Branch is leading the way in building a vibrant and visible community of RCN reps. Lynne Pearce finds out more**

“When people ask what I do, I say I nurse nurses,” says Garry Campbell, who is an RCN steward, safety rep and Chair of the RCN’s Greater Glasgow Branch.

Over the last few years Garry and his colleagues have worked hard to reinvigorate the RCN locally, with clear success. The number of reps in the branch has grown from barely a handful a decade ago, to more than 20 today, while RCN membership is growing strongly. It’s hard to believe this was once a jaded branch with few reps.

Providing as much support as each new rep needs has been crucial to attracting and retaining them, Garry believes.

“It’s a wonderful role, but we have to make certain we look after our new recruits, otherwise enthusiastic reps risk burn-out because they take on too much,” he says.

Every week he joins lead reps and officers in a meeting, where they plan, share information and advise each other, reinforcing their team approach and helping to overcome any feelings of isolation. “You can’t know everything, so you rely on the support from each other,” says steward Ruth Stephen.

Fellow steward Greg Usrey agrees. “As RCN reps, we’re supporting people through some of the most difficult times and that can be emotionally challenging,” he says. “The fact that we work as a team, and are able to help and support each other, helps our own mental health and well-being.”

### Trusted

The number of potential cases resolved before they reach formal proceedings has doubled, with RCN reps trusted by managers and staff to broker amicable agreements.

“We don’t shout and jump up and down,” explains RCN steward, Paul Devlin. “We’re there to ensure things are fair for everyone concerned. As a result, we’re respected more.”



Having a highly skilled and experienced group of reps also pays dividends for both members and the health board, with disciplinary cases dealt with much more speedily, reducing stress for the individual and keeping costs down for the organisation.

The ability of reps to take on highly complex cases, working at the same level as an RCN officer, is highly prized by Greater Glasgow RCN Officer, Gill Robertson. “We wouldn’t be able to manage without our reps. They’re fantastic,” she says. “We genuinely feel we’re all part of the same team, supporting each other to make a difference.”

### Top tips

- **Develop a supportive network of reps who can rely on each other for help and advice.** “Here we’re like a family,” says RCN steward Ann MacCrimmon.
- **Make the RCN as visible as possible – wear badged tops and visit wards to find out what’s really affecting staff on the ground.**
- **Meet regularly with reps and officers to plan, share information and support each other.**

**Destination Liverpool**

As we celebrate 50 years of Congress, activists will once again be at the centre of the 2017 debates

**Exciting discussions**



By shaping the agenda members have already made sure Congress 2017 will be relevant and exciting. Among the many interesting debates on the agenda, the RCN Neuroscience

Forum has submitted a resolution asking RCN Council to insist that the Government urgently reviews its management of benefits.

The RCN UK Learning Representatives Committee is leading a debate on the risks of employers failing to support mandatory training and the RCN UK Safety Representatives Committee will reflect the recent Parliamentary debate on violence against health care workers by leading a discussion on the lack of legislation in this area. The full agenda is available at [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

**Lecture, play or cabaret?**



The events programme has something for everyone. This year's Mary Seacole lecture celebrates the activism and resilience demonstrated by the nursing community in erecting a historic statue of Mary Seacole

and winning a key victory in recognising and celebrating the diversity of nursing.

Perhaps you'd like to try something a little bit different this year? *Regulating Rita* is a play about a nurse who gets into difficulty and ends up in front of a regulatory panel.

Or you could try a night of chaotic cabaret, exploring nursing as an art, science, practice and public concern. There's storytelling, stand-up comedy, music, interactive games and songs at *Nursing Show-off*.

Tickets for *Nursing Show-off* and *Regulating Rita* cost £5 and are available from [www.rcn.org.uk/shop](http://www.rcn.org.uk/shop). Take a look at the full events programme at [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

**Inspiring speakers**



Jonny and Neil

Three years ago Jonny Benjamin launched his social media campaign, *Find Mike*, to search for the stranger who talked him out of taking his own life. He wanted to raise awareness of suicide and mental illness and within two weeks he found the stranger he was looking for, Neil Laybourn. Come along at noon on the Tuesday to hear them both speak.

Campaigner Dr Jane McAlevey addresses delegates at midday on the final day of Congress. She'll talk about her experiences of campaigning with nurses and other groups. She says: "There's no workers I have spent more time with, and helped build more power, than nurses."

**New ideas**



It's not too late to submit a new idea as an emergency agenda item. If you keep an eye out for political announcements or new policy affecting nursing or health care

in the run-up to Congress, and stay up to date with what's in the news, you might be presenting the next important debate. Suggestions for emergency agenda items must be submitted at [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress) by Wednesday 17 May.

This year's RCN Congress takes place in Liverpool between 13 and 17 May. Book your place at [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

# NOTICEBOARD

## Patient and staff safety



Human factors in patient and staff safety will be addressed by Martin Bromiley OBE at this year's John Goodlad Memorial Lecture.

In 2005, Martin's wife died during a routine hospital procedure. He started to research the culture in health care around safety and recognised the NHS was a long way behind most other high risk industries.

He also founded the Clinical Human Factors Group ([www.chfg.org](http://www.chfg.org)), a charitable trust which aims to promote best practice.

Denise McLaughlin, Chair of the RCN UK Safety Representatives Committee said: "This lecture provides an opportunity for you find out more about human factors and their impact on patient and staff safety."

The lecture takes place on 15 May at 1pm at RCN Congress in Liverpool.

**John Goodlad worked for the RCN as a labour relations officer from 1977 until his death in November 1991. This annual lecture was established as a tribute to him.**

## Tools of the trade



A new Labour Research Department Online publication addresses the significant barriers faced at work by black, Asian and minority ethnic people. Written from a union perspective, *Promoting Race Equality at Work - a Union Rep's Guide*, sets out legal developments and explains how to negotiate agreements to reduce inequality and promote diversity. It also contains practical examples of how unions are combatting racial harassment, bullying and abuse. Visit <http://tiny.cc/raceequality>

The Royal College of Physicians says NHS frontline staff are at risk of burnout. *Against the Odds: Experiences From the NHS Front Line* explains the demands and difficulties for

health care staff in the NHS. Visit <http://tiny.cc/rcpburnout>

A new quality standard has been released by the National Institute for Health and Care Excellence (NICE) to help employers improve employee mental and physical health and wellbeing. Find out a more at [www.nice.org.uk/guidance/QSI47](http://www.nice.org.uk/guidance/QSI47)

The NHS Confederation has published an infographic showing key statistics on the EU workforce and health research funding. Visit <http://tiny.cc/confedbrexit>. Listen to a podcast on the important issues from the NHS European Office at <http://tiny.cc/brexitepisodel>

## Picturing workplaces challenges

Take a look at images from the recent RCN UK Joint Representatives' Conference by an illustrator who captured the discussion at [www.rcn.org.uk/ reps-hub](http://www.rcn.org.uk/ reps-hub)



## Fair care for trans patients



The RCN has updated a publication to help members respond to the needs of patients and clients who identify as trans. By working in partnership with a range of organisations, including those who represent the needs of trans people, nursing staff can help eliminate the discrimination and prejudice that trans people frequently face.

Initially created in response to an RCN Congress resolution, the guidance has been updated following further research from other organisations.

Available exclusively on the RCN website, download *Fair Care for Trans Patients*, and a range of other publications, from [www.rcn.org.uk/publications](http://www.rcn.org.uk/publications)