

# Activate

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News, views and support for RCN activists

## Let's do the deal

- A pay rise for all
- Quicker progression
- Unchanged unsocial hours payments
- Untouched annual leave

## Nursing pay

**The RCN is urging members to accept a new NHS pay deal for England, which will see all nursing staff get a rise of at least 6.5% and up to 29% over three years**

The deal, negotiated jointly by the RCN and other NHS trade unions, comes with changes to the NHS pay structure, which reduce the number of pay points in each band and remove the current overlap between bands. Starting salaries will increase and staff will be able to progress to the top of their band quicker.

Though all staff will receive a pay rise of at least 6.5% over three years, about half will receive much more, up to 29%. It's because some pay points in the middle of bands will be removed and staff on these will automatically move up to the point above as changes come in.

The pay increase each member gets will be different. Payments for working unsocial hours have been protected and staff will

not have to sacrifice any annual leave as was previously reported in the press.

Lors Allford, Chair of the Trade Union Committee, which will decide whether the RCN accepts the deal after consulting with members, said: "This is the best pay deal in eight years from a Government that is still committed to austerity. Failure to accept it will put us back at square one, and at risk of returning to the 1% pay rises we've fought so hard to overturn.

"This is our chance to lock in a pay deal for three years, that not only guarantees our members will get more money, but simplifies the pay structure so that they get recognised for their increasing skill and experience quicker. It provides certainty at a time of great political and economic uncertainty and I urge our members to accept it."

[www.rcn.org.uk/nursing-pay](http://www.rcn.org.uk/nursing-pay)

## How can I spread the word?

The RCN is producing leaflets and posters to explain the deal. These will be sent to regional and country offices, with copies sent directly to reps. You can use these to spark conversations with members and inform them of what's going on. Workplace meetings will also be set up. These will be led by RCN staff but activists will be vital in getting members along, spreading the word and encouraging them to vote yes. Details of these will be posted at [www.rcn.org.uk/nursing-pay](http://www.rcn.org.uk/nursing-pay) in the coming weeks.

## Why should we vote yes?

This is the best pay deal in eight years from a Government that is still committed to austerity. The RCN considers it to be the most that can be negotiated. The deal delivers better starting salaries, a modernised pay system, faster progress to the top of pay grades, promotion that means promotion, and a pay increase for everyone. The RCN is urging its members to accept the deal.



## How can members have a say?



NHS trade unions will be consulting their members about the NHS pay deal soon. The RCN is no different. The next few weeks will be an opportunity to share information and get members up to speed on the deal.

Then on 23 April it'll go to a vote. Each member working in the NHS in England will be asked to respond yes or no to a single question in an online survey. They'll need their membership number to take part. The survey will close on 5 June after which time the results will be considered.

Members working for the NHS in Scotland, Wales and Northern Ireland will be asked if they support the deal. Though it won't apply to them, if it's accepted, the RCN will be pushing for it to be adopted where they live so we want to know what they think.

## What if we vote no?

If the NHS unions reject the offer, it is likely that pay recommendations would be made by the NHS Pay Review Body (PRB) and as the £4.2 billion of extra funding agreed by the Treasury would no longer be available, the offer could revert to the 1% of previous years.



## What about other countries?

The deal is for staff working in NHS England only. However, it provides funding for Scotland, Wales and Northern Ireland to replicate the pay framework if employers, governments and trade unions agree to it.

The RCN is committed to maintaining UK-wide pay, terms and conditions and will be pushing for a similar deal for members in each country.



## How will a decision be made?

Ultimately, the decision to accept or reject the deal will rest with the RCN Trade Union Committee, made up of elected members from each region and country. They'll consider the outcome of the online survey and determine next steps.

## Find out more

Visit [www.rcn.org.uk/nursing-pay](http://www.rcn.org.uk/nursing-pay)

or go to [www.nhspay.org](http://www.nhspay.org)



# What's the deal?

## A pay rise for everyone

Every member working for the NHS in England will get a pay rise of at least 6.5% over three years. That's the minimum. Some members will get much more, up to 29%, as changes to the pay structure come in.

## Quicker progression to the top of pay bands

The pay structure is being simplified as part of the deal. The number of points in each band is being reduced, so you'll be on the highest rate for your band sooner and get more money faster. Overlaps between pay bands are being removed so when you're promoted you'll be properly rewarded for it.

## Improved recruitment potential

The deal comes with higher starting salaries for each band, which will help attract new staff to nursing roles. For the first time in NHS England, the lowest paid rates will be above the living wage.

## Unchanged unsocial hours payments

We know unsocial hours payments are an essential part of members' pay package. The RCN successfully protected them in this deal.

## Untouched annual leave

You may have heard that staff would have to sacrifice a day of annual leave as part of this deal. This is not the case. The RCN defended members' entitlement to annual leave and it will stay the same.



Nursing pay

# What will it mean in real terms?

The deal will result in different pay rises for different people, dependent on what band and spine point they're on. The best way to find out what each member will get is to use the NHS joint union pay calculator at [www.nhspay.org](http://www.nhspay.org)

The examples given below provide an overview of how starting salaries will increase and the pay structure simplified to benefit nursing staff.

## Nursing pay



### Band 3 care worker

- Under current deal: Starting salary is £16,968. Six years to top of band, to be paid £19,852.
- Under new deal: Starting salary is £17,787. Two years to top of band, to be paid £21,142.



## Nursing pay



### Newly qualified nurse

- Under current deal: Starting salary is £22,128. Seven years to top of band, to be paid £28,746.
- Under new deal: Starting salary is £23,023. Four years to top of band, to be paid £30,615.



## Nursing pay



### Senior staff nurse, starting Band 8a role

- Under current deal: Starting salary is £40,428. Five years to top of band, to be paid £48,514.
- Under new deal: Starting salary is £42,414. Five years to top of band, to be paid £51,668.



## Your hard work has paid off



*“The deal is better than any other public sector workers have been offered”*

**The pay deal has come about due to the campaigning efforts of members, says Lors Allford, Chair of the RCN Trade Union Committee**

I know how hard we've fought for better pay. We've held protests, walked the wards, talked to the public, visited MPs and shared our experiences in the media. We've got our voices heard and it's down to us that the cap has been lifted on nursing pay.

The deal on the table now is better than any other public sector workers have been offered, and that's testament to your hard work and campaigning. The Government has listened and agreed to a deal that's significantly better than we've seen in the last eight years.

It means as much as 29% and at least 6.5% over the next three years, as well as pay certainty at a time of great political and economic uncertainty. It also means a simpler pay structure, so that staff reach the top of their pay band faster, and promotion that really means promotion, which helps staff retention.

It's thanks to the partnership work of NHS trade unions, alongside the tireless campaigning of RCN members that the Government has agreed to find the money to pay for this deal.

We believe it's the best offer we can get and we urge you to accept it. The alternative risks returning to the 1% pay rises we fought so hard to overturn.

## ASK AN ADVISER



### Cancelling shifts



**Should you be paid if your employer cancels your shifts?**

In law there's no general obligation for an employer to provide work as long as they pay the wages agreed and outlined in an employee's contract.

So unless a contract states otherwise, an employer must pay the employee for the hours agreed in their contract. Staff shouldn't be told to pay back time at a later date. If an employer cancels work and refuses to pay, it could be a breach of contract.

Bank or agency workers should have clear policies on cancellation of work. There may be a breach of contract if an agency has agreed work and then withdraws the offer. If a shift is cancelled at short notice, a compromise could be agreed with the employer reimbursing any travelling expenses and providing some pay for the inconvenience caused.

Visit [www.rcn.org.uk/get-help/rcn-advice/cancellation-of-work](http://www.rcn.org.uk/get-help/rcn-advice/cancellation-of-work). More employment advice is available 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



### Encouraging a break culture

A senior charge nurse in our emergency department (ED) came up with the idea of staff having individual water bottles with their names on. It would stop us having cups all over the place and, crucially, it would allow people to stay properly hydrated throughout their shift.

Two years on, the bottles have been very successful and other areas of the hospital are investing in them.

We encourage staff to sit for a few minutes while they take a drink, so that if they're not getting their normal break they are at least hydrating.

The infection risk is minimal. Everyone takes responsibility for their own bottle and keeps it clean.

All my areas have dedicated staff rooms where people can step off the ward and sit down. It's easy to say you don't need a staff room because you can go to the restaurant. But for some the restaurant is five floors down and several hundred yards away. It takes eight or nine minutes to get to and eight or nine to get back.

You can't predict the workload in the ED, but I encourage everybody to take their break. And I make sure they don't work during it because the temptation is to think, "I'll just write my report while I'm having a sandwich". But I say no, you must step back.

**Geoffrey Walker, Matron at Poole Hospital Foundation NHS Trust and Chair of the RCN Dorset branch**

## LEGAL UPDATE



### Public sector pensions appeal

Last year we reported on a case that brought the Government's 2015 reforms to public sector pensions into the spotlight. At the time all serving judges were compulsorily transferred into a pension scheme which provided 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.

An Employment Tribunal found that the transitional provisions treated 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.

The tribunal also found the Government failed to show their treatment of the claimants was a proportionate means of achieving a legitimate aim. And in January the Employment Appeal Tribunal (EAT) dismissed the Government's appeal even though it concluded the tribunal had made an error in concluding they hadn't established a legitimate aim.

The EAT also agreed the Government had failed to justify the discriminatory effect of the transitional provisions. The Government's approach exacerbated rather than mitigated the impact of the changes.

This decision may have implications for the NHS Pension Scheme so we'll continue to monitor any further appeals and issue guidance if appropriate. However, the transfer to the new judicial pension scheme resulted in significant additional tax liabilities for judges, which puts them in a unique position within the context of the public sector pension reforms.

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



## GDPR: are you ready?



**The EU General Data Protection Regulation (GDPR), which comes into force on 25 May, is the most important change in data privacy protection for 20 years**

It will reshape the way organisations approach data handling, and give individuals more rights over information held about them, particularly around access to it and control over how their information is used.

The Data Protection Bill, currently going through parliament, will seek to ensure that post-Brexit the UK is able to guarantee adequate data protection so that the free flow of data between Britain and the EU can continue.

As well as having profound implications for health care providers, the GDPR will affect organisations like the RCN, which process thousands of interactions and transactions every day, generating vast amounts of information. Under the GDPR, breaches could result in fines of 4% of annual turnover, up to £17 million.

The RCN is now working with reps and others to co-design an online training package that will equip you with the knowledge and skills you need to ensure you are GDPR-compliant. The training is vital: members trust the RCN to

manage their personal data safely and to use it only in ways they have agreed to.

Details of the training package will be sent to you but in the meantime here's what you should do to prepare.

### **1. Review the personal data you hold**

You should only keep information and personal data – electronic and on paper – for as long as you need it and for the reason it was shared with you.

### **2. Dispose of information you don't need**

Use a cross-cutting shredder for paper documents and if you don't have one take the material to an RCN office. Delete contact details and electronic files.

### **3. Consider how you store your information**

Are you certain all the paper and electronic data and confidential information you hold is secure? Is paperwork locked away and are your electronic devices – phone, tablet, laptop – password-protected?

### **4. Look out for your invitation to undertake the online training**

The training will give you a comprehensive understanding of the GDPR and should take no more than an hour. Getting it done as soon as possible will help you feel confident in your activity as an RCN activist and will prepare you for any questions members have about how the RCN uses their data. **After the GDPR comes into force on 25 May, new casework will only be allocated to stewards who have completed the online training.**

*“Breaches could result in fines of 4% of annual turnover, up to £17 million”*

### **Further reading**

The Information Commissioner's Office (ICO) has produced a comprehensive guide to the GDPR, available at <https://tinyurl.com/y9jpbxmh>

Alongside the guide, the ICO offers details of “12 steps to take now” and a checklist to help prepare for the GDPR.

Read guidance on the GDPR and the NHS on the NHS Digital website: <https://tinyurl.com/y75oj7oh>

## Rest, rehydrate and refuel

**Nurses and health care assistants know better than most the importance of adequate fluids and nutrition. They also know the consequences of going without. But some employers, it seems, do not**

At RCN Congress in May delegates will discuss the banning of water bottles in practice settings. This might be less of a problem if staff were guaranteed breaks that allowed sufficient rest and refuelling. But according to Alison Upton of the RCN Safety Representatives Committee, that is often not the case.

Alison, who will introduce the Congress discussion, says: “In this current climate of low staffing numbers, either due to vacant posts or sickness absence, members are working long hours, often cutting their breaks short or missing them completely.”

She adds: “I’ve witnessed, both as a staff member and as a hospital visitor, staff going without breaks, rushing round looking fatigued.”

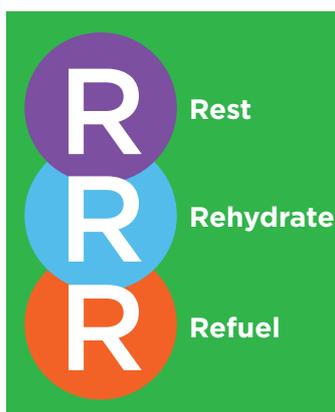
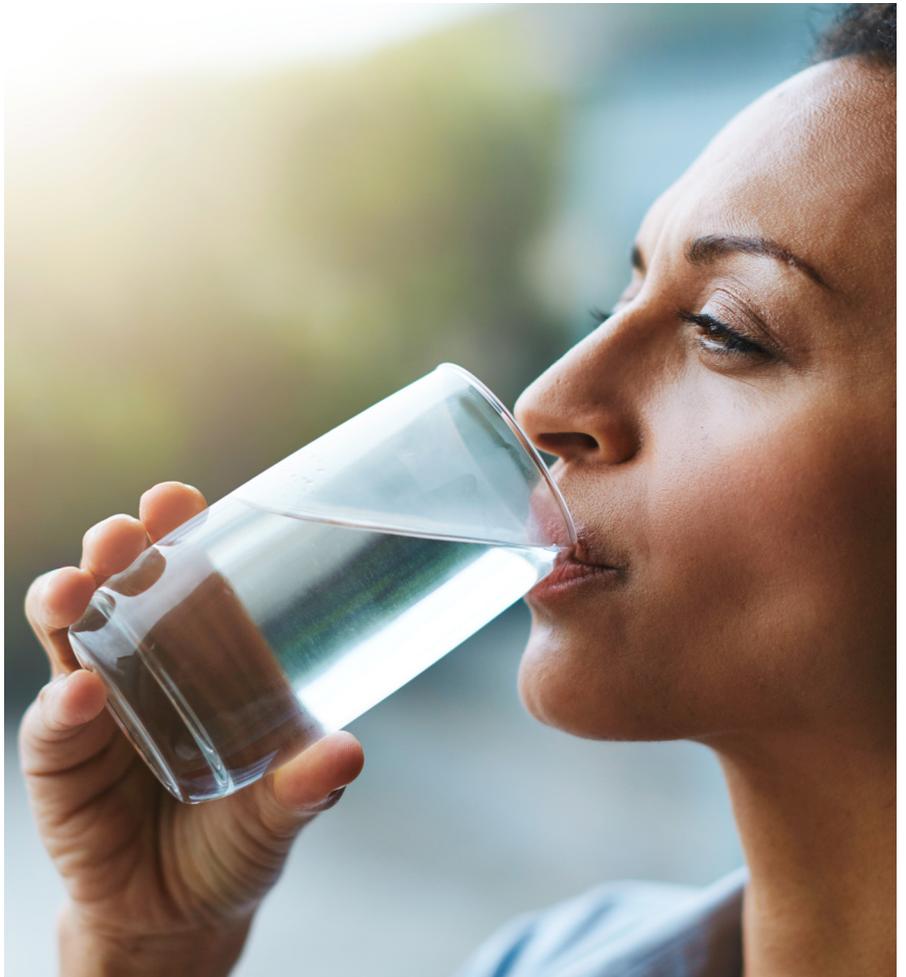
### Essentials for safety

The Congress agenda item will feed into an RCN campaign designed to make sure nursing staff take the breaks they need to provide quality patient care. The “3Rs” initiative, launched recently, highlights the need to “rest, rehydrate, refuel” and encourages members to think about the consequences of not looking after themselves during shifts.

Those consequences can be serious. Respiratory nurse Gillian Pick crashed her car returning home from a 12-hour shift. Media reports said she had been unable to take a break during the shift and was suffering from low blood sugar.

Denise McLaughlin, who chairs the Safety Reps Committee, believes managers are generally sympathetic to the need for proper breaks. “But increasing numbers of members are saying they’re not allowed to have drinks in patient areas and on the nurses’ station. I think unless there’s a real risk of acute infection in a particular area I can’t see there’s a problem of staff having access to water bottles.”

And she points out that under UK law workers are entitled to an uninterrupted 20-minute break if they work more than six hours.



*“Missed breaks have become the norm and this is not sustainable”*

“I would hope reps are asking questions of managers at their key committees – what are the statistics in their organisation regarding staff breaks? – and promoting this new RCN 3Rs resource as the tool to use.”

RCN National Officer Kim Sunley says: “It’s great to see the Safety Reps Committee recognising the important issues affecting our members.

“Employers and managers need to recognise that in order to create safe and healthy working environments, nurses should be able to have regular breaks and healthy food during a shift, be that in the community or on a ward. Missed breaks have become the norm and this is not sustainable.”

To find out more about the 3Rs campaign, download guidance and access workplace posters, visit [www.rcn.org.uk/rest-rehydrate-refuel](http://www.rcn.org.uk/rest-rehydrate-refuel)

# NOTICEBOARD

## Congress countdown



**Activists will once again take centre stage at RCN Congress in Belfast**

This year's debates are set to excite and inspire as members discuss and agree a way forward for the RCN on important workplace and nursing issues.

Hot topics include recruitment and retention of registered nurses, submitted by the RCN UK Stewards Committee, and staff uptake of the flu vaccine, being led by the RCN UK Safety Reps Committee.

There's also a varied fringe programme to look forward to, with something to interest members from all backgrounds.

"Coming to Congress enlivens the spirit. It's where we can feel at one, united by our passion and desire to get things done. If you've never been then I'd urge you to try it out," says Stuart McKenzie, Chair of RCN Congress.

Congress 2018 takes place between 12 and 16 May in Belfast. Take a look at the agenda and fringe programme, and book your free place at [www.rcn.org.uk/congress](http://www.rcn.org.uk/congress)

## Tools of the trade



A new Labour Research Department booklet provides guidance on how to help members deal with sexual harassment, including making and handling complaints, and ensuring that procedures are fair. Read *Tackling Sexual Harassment at Work - A Guide for Union Reps* at <http://tiny.cc/sexualharrasment>

The Government has responded to the Taylor review of modern working practices, with

flexible workers set to gain new rights. Visit <http://tiny.cc/reviewresponse>

Health Education England has launched a series of films to support overseas nurses in their transition and integration into UK practice. Visit <http://tiny.cc/overseas>

The TUC has practical advice for reps when dealing with workplace issues. Visit [www.tuc.org.uk/union-reps](http://www.tuc.org.uk/union-reps)

## Nursing Standard is changing

**From 28 March *Nursing Standard* is getting bigger and will be published monthly**

The changes have been made following feedback from readers who said that reading a weekly issue was proving challenging to fit in with their busy lifestyles.

The new look *Nursing Standard* will focus more on news analysis to help readers gain a deeper understanding of the latest issues and how they will impact on them. The journal has also been re-structured around the core themes

## Nursing Standard

of nursing to ensure it is more focused and relevant than ever.

At the same time, most of the other specialist journals published by RCNi will go bi-monthly.

For those with a subscription, the online packages will be enhanced to give readers quicker access to more relevant information. This will include personalised websites and e-newsletters; a *Nursing Standard* app; and more film and audio content.

## It's time to celebrate nursing

**This Nurses' Day, the RCN will showcase members' work to encourage the public to learn more about nursing and celebrate the modern, highly-skilled profession it's become**

We'll focus on the varied roles and vast skills nursing staff use while delivering outstanding patient care wherever they work.

Activists will lead workplace celebrations as members take the opportunity to thank colleagues and team members for the support they provide each other. Use **#ThisNurse** on your Facebook and Twitter accounts to promote

all the amazing things that nursing staff do.

We want to collect as many **#ThisNurse** stories ahead of the day so use our online form to recognise your colleagues' work and order your Nurses' Day pack to make sure you have everything you need ready for 12 May. Visit [www.rcn.org.uk/nurses-day](http://www.rcn.org.uk/nurses-day)

