

Activate

Vol 13 No 11 July 2019

News, views and support for RCN activists



Safe staffing: keeping up the pressure

Members in England send Health Secretary clear message on patient safety

Members have delivered three supersized letters to Health Secretary Matt Hancock demanding action on the nurse staffing crisis in England. The letters, signed by thousands who attended RCN Congress in Liverpool, call on Mr Hancock to champion a law for safe staffing.

Legislation setting out who is responsible for ensuring there are enough nurses with the right skills to keep patients safe already exists in Wales and Scotland. Now members want to see a similar law in England.

Rebecca Stevens, one of those who delivered the letters to the Department of Health and Social Care, said: “Safe staffing saves lives. If we have the right number of staff, we can deliver the care people need. There’s a lack of nursing staff right now and it’s difficult to recruit and retain. We can’t go on like this.”

Patricia Marquis, RCN England Director, added: “When we asked delegates at Congress to make their feelings clear,

it wasn’t just for show. Nursing staff are starting to grow impatient because their peers in Scotland and Wales are working in conditions that are arguably safer than in England.”

Meanwhile, members in England still have time to email their MPs asking them to attend the RCN’s parliamentary drop-in for safe and effective care on 16 July. The event offers MPs a chance to meet nursing staff and students, and hear first-hand about the challenges our members face. Please spare a moment to ask your MP to attend by using our easy online tool at <https://rcn.eaction.org.uk/invite>

RCN Chief Executive & General Secretary Dame Donna Kinnair has also written to Tory leadership candidates Jeremy Hunt and Boris Johnson asking them to commit to substantial investment in, and support for, the nursing profession and patient care.

The RCN is campaigning for staffing levels for safe and effective care to be enshrined in law in all health care settings across all four countries of the UK. Read more at rcn.org.uk/safe-staffing

RCN Council elections – one week left



There's still time for members to put themselves forward for election to 13 seats on RCN Council

Nominations close at 4.30pm on 19 July and voting will be conducted by postal ballot from 2-30 September.

Elected candidates will take up their post on 1 January 2020 and will stay in the role for four years until 31 December 2023.

Those wishing to stand for election must have been an RCN member for three consecutive years immediately prior to the closing date for nominations.

Visit tinyurl.com/rcn-council-2019 to complete an online nomination form.

To request a nomination form in any other format, email elections@rcn.org.uk or call 0207 647 3644.

Interested in standing for RCN Council but want to find out more about the role? Read our new blog *Demystifying RCN Council* at tinyurl.com/demystifying-council

Update on public sector pensions appeal

We're continuing to monitor two legal cases concerning public sector pension schemes after the Government's application to appeal to the Supreme Court was refused

The legal cases began in 2015/2016 and considered whether members of the judges' and firefighters' pension schemes were discriminated against on the grounds of age.

Younger scheme members were eligible to less favourable benefits than older scheme members during a transition period after their pension schemes changed.

The Government accepted it had discriminated against the claimants but argued that this was a proportionate means of achieving a legitimate aim – to protect those closest to retirement.

In December 2018, the Court of Appeal decided that both the judges' and firefighters' age discrimination claims should succeed and on 27 June 2019 the Government's application to appeal this decision to the Supreme Court was refused.

RCN Head of Legal (Employment) Joanne Galbraith-Marten said: "These two cases may have implications in respect of the transitional provisions of the NHS Pension Scheme for members in the 1995/2008 scheme who were subject to tapering protection or no protection when the new scheme came into force on 1 April 2015. In conjunction with the other NHS trade unions, we're working collaboratively to understand the implications of these decisions on the NHS scheme and to ensure we are at the forefront of any consequent action. We will update members again in due course."

Read more at tinyurl.com/ps-pensions-update

No membership mandate to accept care home company pay offer



Earlier this year one of the UK's largest care home companies, Four Seasons Health Care (FSHC), negotiated its 2019/20 pay offer with the RCN, Unison and GMB.

The full and final offer included:

- the statutory minimum uplift for those on the national living wage plus one penny
- an increase for assistant practitioners to £10 per hour
- an increase of 1.5% for nurses
- an increase of 1% for everyone else.

Although there are severe funding issues in the social care sector, the RCN and other unions were disappointed by the final offer and didn't recommend it to their members.

The results of member ballots carried out by each union provided no mandate for them to collectively accept the offer.

RCN National Officer Clare Jacobs said: "Along with other unions, we're now seeking urgent talks with the employer to resolve our members' concerns. Members are anxious about the critical shortage and high turnover of nurses and care assistants across the business. They are seeking fundamental improvements to fair pay and working conditions which FSHC have failed to offer."

Website launched to help nurses plan their career



An online careers resource, jointly developed by the RCN and Health Education England, will help nursing staff plan their next career move

Are you a learning rep? If so, you might find this free tool useful when talking to members about their future career and development plans. The Nursing Careers Resource website allows registered nurses to identify new areas of practice that might suit their skills and aspirations. More information is being developed about career paths for clinical support workers too.

The resource highlights the wide scope of roles and opportunities available and presents options to encourage experienced nursing staff to pursue a fulfilling career.

The online resource showcases a wide range of different roles and career pathways within health care. Visitors can read case studies and access films and podcasts featuring a registered nurse working in each role. These are designed to help users understand how they might pursue this career change and identify what education or training might be needed.

RCN member Monica Jose, who was involved in piloting the resource, said: “One of the big career problems is getting stuck in a role that doesn’t satisfy you anymore. If you’re happy where you are that’s fine, but sometimes you need to have your eyes opened to what other opportunities are available.

“This resource is a decision-making tool that will help you plan your future steps. It’s very easy and straightforward to use and there’s no jargon.”

Find the resource at rcn.org.uk/nursing-careers-resource

Northern Ireland nursing pay ‘cannot continue like this’

Pay talks between unions and government officials in Northern Ireland were due to finish as *Activate* went to press, with a ballot on industrial action likely to move closer if negotiations failed.

As the talks continued last month, the Department of Health in Northern Ireland released figures showing an increase in nurse vacancies over the last year of more than 20%. There were 2,161 unfilled registered nurse posts in March, up from 1,784 in March 2018. The number of registered midwife and support worker vacancies also rose.

Pat Cullen, RCN Northern Ireland Director, said the pay talks were “more than likely to fail”. She said: “Nurses feel exploited and can take no more. They are working in a crisis situation day-on-day and it cannot continue like this.”

Nursing staff in Northern Ireland received a small pay increase in February but salaries continue to lag behind the rest of the UK.

Visit rcn.org.uk/northern-ireland-pay



Guernsey pay offer rejected

Equal pay, your say

Nursing in Guernsey

Members in Guernsey are considering next steps after rejecting a pay offer.

Nursing staff on the island are angry that concerns over their pay have been ignored for too long.

More than 60 members attended a recent live-streamed branch meeting, with 30 more participating online.

The branch is organising a leafleting and public awareness campaign, and a petition has been launched demanding equal pay with the rest of the island’s public sector.

Steve Mundy, who chairs the local RCN branch, said: “Members are very aggrieved, very angry. They feel downtrodden and undervalued, and enough is enough. Nurses are struggling to put food on the table and to pay mortgages.”

In an open letter to the Guernsey Press newspaper, RCN South East Regional Director Lindsay Meeks said Guernsey needs to work harder to recruit and retain nurses. “And one vehicle for this is pay.”

Fighting for our profession



RCN Chief Executive & General Secretary Dame Donna Kinnair says she's not willing to ease pressure on the Government

Our annual conference for RCN officers was a chance for us to reflect, prepare for the future, and listen to what members have been saying on the ground.

You will all know, probably too well, that a lot of what we're hearing is worrying and the number one concern is still safe staffing. With many members talking about leaving the profession due to workplace pressures, it's something we need to tackle urgently.

I refuse to let up on the pressure we're putting on the Government to deliver what's needed to enable nursing staff to deliver the safe and effective care they would like to, and which patients deserve. Occasions like our parliamentary drop-in event on 16 July are an opportunity for MPs to hear some of your experiences first-hand.

Of course, the issue of safe staffing is inextricably linked to pay. We need fair pay so more people stay in the profession. I believe our approach to pay needs to be underpinned by principles that apply across the board; for all four countries, and for the NHS and independent sector. That's why our Trade Union Committee will be leading on developing an RCN pay strategy alongside others so that those principles truly represent what members want to see now and in the future.

My job is to go out and fight for members. Nursing is a profession to be proud of – I am reminded of that every day when I meet members and see the work they do in the workplace and for the RCN.

Please know that I will be fighting passionately for members and for the profession I love and I know that you will be doing the same.

ASK AN ADVISER



Writing a statement



Members can use our new template

If a member's conduct or practice is being questioned, they may be asked to submit a statement. If they were an RCN member at the time of the incident, our statement-checking team can check the statement before it's submitted.

However, members don't need to call RCN Direct if they're not at risk. If they're simply a witness and they're certain their conduct or practice isn't being questioned, they can use our statement-writing guide.

Following feedback from active members and the wider membership, we've made a number of changes to this guide and we've created a new downloadable template.

If a member is asked for a statement, they should ask for the request in writing, clarify timescales – reasonable time is needed – and gather the relevant documents.

You can find the guidance and template at rcn.org.uk/get-help/rcn-advice/statements

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
0345 772 6100



Employer inquiries and criminal investigations

Does a criminal investigation mean an internal disciplinary process must be put on hold? No, said the Court of Appeal in *North West Anglia NHS Foundation Trust v Gregg* (2019).

Dr Gregg was employed as a consultant in anaesthetics. In 2013 and 2016 patients in his care died. Following an internal investigation and pending a disciplinary hearing, Dr Gregg was excluded from work and referred to the General Medical Council.

A police investigation also began and at a hearing in May 2017 before the Medical Practitioners Tribunal Service, Dr Gregg was suspended from practice for 18 months. In July that year, Dr Gregg objected to participating in the trust's internal disciplinary process while criminal proceedings were pending on the basis that doing so could prejudice the outcome of the police investigation. The trust refused to put the disciplinary process on hold and Dr Gregg sought an injunction and was successful.

The trust appealed and the Court of Appeal found that the granting of the injunction was wrong. It confirmed that an employer doesn't usually need to wait for the conclusion of criminal proceedings before commencing or continuing internal disciplinary proceedings, although such a decision is clearly open to the employer.

What's more, the court will usually only intervene if the employee can show that continuing with disciplinary proceedings will give rise to a real danger – and not merely a notional one – of a miscarriage of justice in the criminal proceedings if the court did not intervene.

This guidance is of importance to RCN members who may be subject to both criminal and disciplinary proceedings.

Joanne Galbraith-Marten
RCN Head of Legal
(Employment)



View from the frontline



Making a difference to patient care

Sitting on an RCN forum steering committee is a great opportunity to recognise gaps in practice or education across the UK and do something about it. We need committee members who work in diverse areas of clinical practice, education and research, and who have wide experience and interests.

I'm Chair of the RCN Pain and Palliative Care Forum. We're regularly asked to contribute to national projects and represent nursing across all areas of pain management and palliative care. For instance, I am a co-opted member of the Council of the British Pain Society. This year I've contributed to work led by NICE and the Royal Society of Medicine and I also call on other forum members to represent the RCN on external work.

Applying for a place on a steering committee offers you the chance to develop personally and professionally. You can change practice; influence care, delivery and commissioning; and you can raise the profile of the profession and your specialty. The RCN is an internationally renowned organisation and what better way to improve the care we deliver to patients than to get involved in leading an RCN forum.

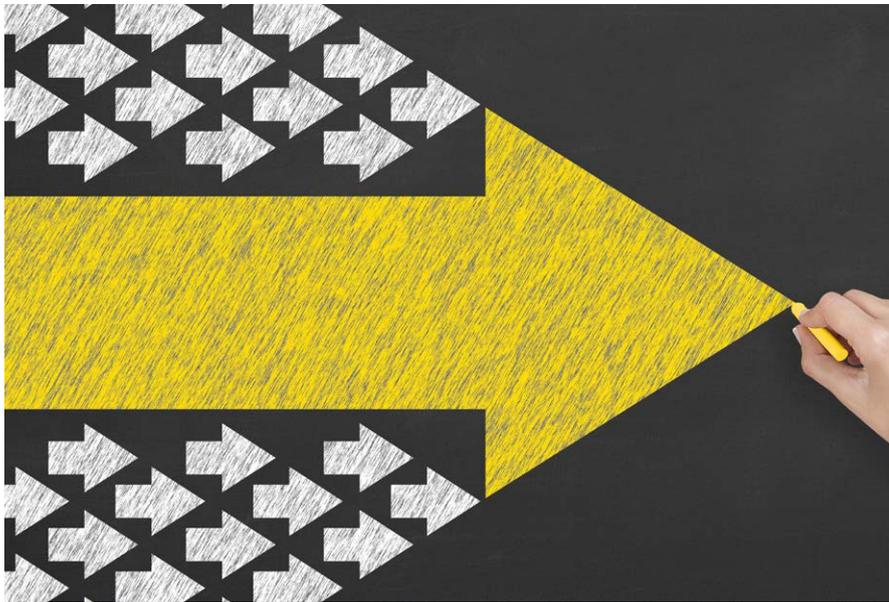
Felicia Cox FRCN, RCN Pain and Palliative Care Forum Chair

Applications for vacancies on 34 of the RCN's forum steering committees close on 26 July.

Visit tinyurl.com/forum-committee-apps

Read more from Felicia at tinyurl.com/fcox-blog

New supervision standards for learning reps and safety reps



New supervision standards are being introduced to make sure that all RCN reps are given the same level of high-quality support

The standards (see box right) mean that learning reps and safety reps will now be offered regular supervision meetings. “This may be a one-to-one or group meeting, but it will offer a chance for reps to talk about their roles, their achievements and the activities they will engage in over the next few months,” says Jonathan Bowker, RCN UK Programme Manager for the Member Journey.

The standards were drawn up because it became clear that while supervision has been available to RCN stewards for a long time, learning reps and safety reps were receiving different levels of support from their region or country offices. “We now have one set of standards so that you’ll be offered a supervision meeting at least quarterly,” Jonathan says.

Resources to support the new supervision sessions can be found on the RCN Reps Hub, including a template to record recent role-related activity and any actions or development needs.

Practical support

The standards are designed to be meaningful, practical and easily implemented, says Jonathan. “They’re intended to support reps

“Just knowing that the support is there makes a big difference”

READ MORE ONLINE
rcn.org.uk/activate

For more information, including videos, presentations and supervision templates, log in to the RCN Reps Hub and go to the Online Learning Zone

to be more active in support of members. And there’s flexibility built in, so you can make them work for your own circumstances.”

The standards evolved out of an improvement project run last year with reps and RCN staff in four sites across the UK – North Wales, London, North West and Lothian. Different approaches to support were tried. Some worked better than others, but only those that were successful were considered for wider implementation.

Janette Astles, who was part of the Lothian team, said: “The project was about making sure learning reps and safety reps get regular support but it was also about encouraging and promoting joint working between the different types of reps. It’s shown me how beneficial regular supervision and support is. Just knowing that the support is there makes a big difference. You feel more confident.”

New supervision standards for learning reps and safety reps

- The relationship between the rep and the supervising officer or RCN staff member must be established, nurtured and built on.
- All learning reps and safety reps will be offered support and supervision to strengthen the impact of their role. They will be expected to take up the offer.
- As a minimum, reps will receive support and supervision quarterly. It will be delivered creatively and flexibly.
- There will be a range of delivery options including one-to-one, face-to-face, by telephone, in groups, masterclasses or network meetings.
- Both the offer of support and its occurrence must be recorded on the CRM so it can be demonstrated that all reps are accessing the support they need.
- Supervision and support must be meaningful and worthwhile for both parties, with the discussion tailored to reps’ workplace needs.

Stand and deliver

Nominations are now open for seats on both the Professional Nursing Committee and the Trade Union Committee. We caught up with committee members Rachel Hollis and Karen Sanders to find out why it's something you should consider...

Rachel Hollis FRCN, Vice Chair, RCN Professional Nursing Committee (PNC)

Why did you want to join the committee?

I believe the RCN has a really important role to play as a professional body – we are the voice of nursing, and at a time when there's a lot of changes taking place in health care, that voice needs to be strong. I sometimes think the professional work of the College has less focus than its trade union function and I felt by joining the PNC, I would be able to help strengthen our professional arm.

What was your previous involvement with the RCN?

I'm a long-standing member of the RCN Children and Young People Specialist Care Forum and I've previously served two terms as its Chair. I'm also an RCN Fellow and sit on the RCN Fellow's Co-ordinating Committee. This works well because I can make sure the PNC is linking in with our fellows and

the College is using the experience and knowledge of its fellows effectively.

Who should apply?

We're looking for people who have a real sense of their professional identity. The great thing about this role is it gives you the chance to get involved in work that will take you to the heart of the RCN. You can be from any field and it doesn't matter how much experience you have. Having some knowledge of how the RCN works can be helpful but it's not essential and sitting on this committee will certainly improve that knowledge.



Karen Sanders, London member, RCN Trade Union Committee (TUC)

Why did you want to join the committee?

It was the governance element that appealed to me. I'm really interested in improving issues like pay and safe staffing for members so I decided I wanted to take more of a leadership role in tackling these. It's been really rewarding to meet other committee members from across the UK and gain a greater understanding of the issues in each of the four countries. I also wanted to be more involved in looking at how the College can develop our rep roles.

What was your previous involvement with the RCN?

I first became active with the RCN as a forum member and then I joined the London Board. I'm also a learning rep and I've previously been on the RCN UK Learning Reps Committee. While on that committee I became more involved and

interested in the trade union activity of the RCN.

Who should apply?

Anyone who feels passionate about trade union issues and has an interest in the governance structure of the RCN. Some prior knowledge of the RCN is helpful but it's not vital. We need people with a range of experience and from a range of roles because we need to understand how issues affect every area of health and social care. To be a committee member you need to be resilient. It's a big time commitment so it's important that you're dedicated and want to do the work.



The Professional Nursing Committee (PNC) and Trade Union Committee (TUC) were formed at the start of 2018 and report into RCN Council.

The PNC is the RCN's decision-making body for professional issues and provides leadership on the RCN's work in this area.

The TUC makes decisions on the RCN's trade union functions and activities and helps the College to develop as a modern progressive trade union.

Nominations for both committees close on 4 October.

To find out more visit tinyurl.com/rcn-current-elections

NOTICEBOARD

Champion diversity at a Pride event near you

This summer RCN members and staff are attending Pride events across the UK to celebrate lesbian, gay, bisexual, trans, questioning and intersex (LGBTQI) culture and pride

The RCN is proud of the diversity of the nursing community and champions equality, diversity, human rights and inclusion in the health and social care sector. Pride events are a great way for members and staff to come together to celebrate and promote this.

Stuart McLauchlan, Chair of RCN Lothian Branch and lead steward at Royal Edinburgh Hospital, helped organise members' attendance at Edinburgh Pride last month. He said: "As a wide and varied profession, it's so important that we celebrate our diversity and raise the profile of Pride events and initiatives that promote diversity. We want everyone to know that the RCN and nursing are inclusive."

In 2016, a member approached Stuart and the Lothian branch to ask for funding to attend Edinburgh Pride. Stuart said: "Since



Members at Edinburgh Pride

then it's gone from strength to strength, with the number of members attending increasing every year."

In July members are attending events taking place in Bristol, Hull, Inverness, Liverpool, Llandudno, Norwich, Nottingham, Sheffield and Southend. Further events are planned in August and September. To find out more, contact your regional office or visit rcn.org.uk/proud. Don't forget to share your photos on Twitter or Instagram and use #ProudRCN



Have you made an RCN Proud Pledge?

This year, we're asking RCN members to make a public commitment to challenging all forms of discrimination and inequality in nursing. This includes biphobia, homophobia and transphobia. You can share your #RCNProudPledge with us by tagging @RCN_inclusion

Have your say on membership categories

Members are being asked for their ideas on what the future membership of the RCN should look like.

You have until 31 July to share your views on the College's membership categories and subscription plans.

Visit rcn.org.uk/get-involved/consultations/con-rcn-0119

Tools of the trade



The Work Foundation has produced a review of employer-led action to improve staff health and wellbeing. It says the evidence can be used to inform decisions on new healthy workplace standards. See tinyurl.com/wf-workhealth

New principles of CPD for those working in health and social care have been developed by a group of professional bodies and unions including the RCN. The principles are designed to create a culture of continuous improvement, workforce development and better outcomes for service users. Visit tinyurl.com/interprof-wg-cpd

The Department of Health and Social Care has announced an increase in funding to support carers and build more carer-friendly communities. The voluntary sector, charities and commercial organisations can all make bids. Read more at tinyurl.com/unpaid-care

Arbitration service Acas has developed a framework to help managers focus on the key areas of leadership – personal style, workplace culture, communication skills and workplace issues. Take a look at the framework at tinyurl.com/acas-lead