

Report to members of the meetings of RCN Council held between 27 July 2018 and 17 October 2018.

1. This report is a summary of the meetings, including those held by teleconference, of RCN Council held over the summer and early autumn of 2018.
2. Additional meetings were held by Council during this period to discuss the NHS pay deals in the four countries as well as the issues arising from the implementation of the pay deal in England, the EGM called by members, and subsequent events.

27 July 2018

3. It was at this teleconference that we heard more detail about members' anger and disappointment about the way the implementation of the NHS pay award in England had been communicated by the RCN.
4. Earlier in the week Janet Davies, Chief Executive & General Secretary, had issued an apology to members after the complexity of the deal had been revealed and it was apparent that not all members would be receiving the 3% in July.
5. We discussed the issues raised by the pay deal's link to the restructuring of the Agenda for Change which meant that some members would not receive the full uplift until their incremental date in 2019.
6. In addition we examined an audit of our member communications.
7. We also received notice that RCN members had requested an EGM proposing a vote of no confidence in the leadership of the RCN.
8. At the meeting we received updates on the pay negotiations in Scotland and Wales. We noted that the Scottish government would be fully funding a 3% uplift for all public sector workers earning up to £36, 500. At that stage it looked likely that Wales would mirror the Scottish deal.
9. We concluded the meeting with the decision to commission an independent report into the governance, processes and communications with members in respect of the pay negotiations and agreed to set up a meeting with the EGM requisitioners. We also asked that Reps were fully supported to answer queries and concerns from members.

1 August 2018

10. We met on 1 August by teleconference to discuss the pay negotiation in Wales. The meeting was also attended by Loris Allford, Chair of the Trade Union Committee, and followed a meeting of that committee earlier in the day. The RCN Wales Board had also met that day.
11. We noted that the Welsh Cabinet Secretary for Health and Social Services had endorsed the implementation in Wales of the Agenda For Change three year pay and contract reform deal accepted by the NHS trade union in England.
12. In addition the Welsh Government had also committed to providing the additional funding required, in addition to Barnett consequential flow, to fully fund the deal in Wales.
13. We noted there would be some key difference in the Welsh agreement including the continuation of unsocial enhancement payments to sickness pay contingent on delivery of a 0.1% reduction in sickness absence, and a separate pay progression policy in Wales.
14. Given the situation in England a letter had been sent to the Cabinet Secretary to ask him to confirm that the 3% would be implemented in the first year backdated to April 2018. A response had yet to be received.
15. Consequently, we supported both the Trade Union Committee's and the Wales Board's view that we were unable to go ahead with a member consultation on the deal until the response had been received.
16. In respect of the England deal we discussed the potential funding shortfall in England and asked for clarity urgently to be sought from the NHS Trade Unions as this was of major concern.
17. It was confirmed that the Audit Compliance and Assurer Services Team at Electoral Reform Services Limited had been commissioned to undertake the independent review, and that ERS had been given clear direction that this was to be a full, open and transparent review without interference from anyone at the RCN.
18. Finally we were informed that the EGM requisition had been confirmed with more than 1000 names verified as RCN members. Discussions had been held with the proposer about the process for convening the meeting and the agenda.

3, 6 and 20 August 2018

19. Private meetings of Council were held on 3, 6 and 20 August to discuss the immediate repercussions of the implementation of the NHS pay deal in England.

20. At the first of those meetings Council agreed that the Chair of Council would discuss the concerns that they had with the Chief Executive & General Secretary.
21. On 6th August we agreed that Dame Donna Kinnair would be asked to provide cover during the period Janet Davies was on leave of absence
22. Following the decision that Janet Davies would be standing down, Council confirmed on 20th August that Dame Donna Kinnair would be appointed formally into the acting role until the end of 2018 in the first instance.

16 August 2018

23. We met on 16 August, in person and by teleconference, to discuss the Scottish pay deal and the subsequent consultation with members. This followed an earlier meeting of the Trade Union Committee.
24. Nine per cent of members in Scotland had responded to the consultation with 77% voting to accept the proposed pay deal. We felt the turn-out was disappointing and discussed the potential reasons for that.
25. We received assurance that lessons had been learned, however, from the England pay deal and that every effort had been made to ensure the communications to members in Scotland were clear and consistent.
26. We heard that the Trade Union Committee had, on the basis of the consultation result, agreed to approve the final framework agreement for Scotland and we endorsed that decision.
27. We were also updated on pay negotiations in Wales and heard that the response from the Cabinet Secretary was still outstanding.
28. Consequently we endorsed the Trade Union Committee's decision to consult with members in Wales on the basis of a framework which mirrored England's year one position, ie that those not at the top of their bands would receive a 1.5% increase in April 2018 with the further 1.5% on their increment date. There would be no recommendation by Council but members would be provided with all the information in order for them to make an informed choice.
29. It was confirmed that the arrangements for the EGM would be notified to the membership very shortly.
30. Finally, Donna Kinnair, Director of Nursing Practice and Policy, explained that the RCN was being asked to sign-up, alongside the medical college, to a national Emergency Pressures Panel (NEPP) letter on seasonal flu vaccines.

31. This set out a position that all front line health workers should be vaccinated in the interests of patient safety, and that those opting out should be required to provide a recorded explanation to the employer.
32. We supported the reservations of the Trade Union Committee and agreed with them that we should be campaigning to encourage uptake of the vaccination by members within the context of informed personal choice.
33. Consequently, we agreed that we would not sign up to the letter.

4 September 2018

34. The purpose of our meeting on 4 September was to review the documentation being sent to members for the EGM which would be held on the 28th September.
35. We had also received the preliminary draft of the independent report which had been commissioned into the RCN's governance and processes of the 2018 NHS pay deal in England.
36. We discussed the wording of the text that would be on the online voting platform and email, and our statement which would be published alongside the requisitioners' statement.
37. We reviewed the process for proxy voting and asked that communications be very clear about how proxy voting worked.
38. Finally we discussed the interim report from ERS and were informed that the three questions asked in the brief would be addressed in the second part of the report which was expected before the EGM.
39. We agreed that the [interim report](#) should be published on the RCN website on the 6 September at the same time that proxy voting went live, with all the information and statements from both sides.

6 September 2018

40. We met on 6 September to agree the formal notice of the EGM which would take place in Birmingham on 28 September 2018.
41. We agreed the wording of the proxy voting form and the content of the web pages as well as the Council statement – all of which had been updated in light of our discussions two days previously.
42. An update on the EGM arrangements was given and we discussed the logistics for speaking and queuing during the meeting to ensure that the challenges presented by the venue could be overcome and everyone had an equal opportunity to be heard.

43. We discussed the use of branch funds for members to attend the EGM and agreed to uphold the current position that funding to attend the EGM was not an approved expense therefore not appropriate at this time. We agreed to look at this again the next time that the Branch funding guidance was reviewed.
44. On a different note we then agreed the brief for the Task and Finish Group which had been set up to review membership categories, considered a paper which outlined proposed business priorities for 2019, and reviewed the RCN Group risk register which had been updated.

17 September 2018

45. This teleconference took place to consider the results of the online member consultation on the proposed three year NHS pay deal in Wales. It took place after the Trade Union Committee and the Welsh Board had both met earlier in the day.
46. 8.7% of members in Wales had responded with 66% of member voting to accept the deal. We echoed the Welsh Board's disappointment on the low turn-out despite the engagement plan which we were shown at the meeting.
47. We were reminded that the Wales agreement would mirror the England framework with regards to structural reform but with a number of key differences.
48. Both the Trade Union Committee and the Welsh Board had voted to accept the three year NHS pay and structural reform framework agreement for Wales and we endorsed their decision.

27 September 2018

49. We met on the 27 September in Birmingham, the day prior to the EGM.
50. We were updated on all the logistical arrangements for the EGM and ran through the various arrangements.
51. The [second part of the independent review](#) commissioned from ERS had been received the previous evening and we agreed that it should be published on the RCN website immediately to ensure members had time to read it in advance.
52. We also discussed and agreed [our response to the findings](#) and this was published on the website immediately following the meeting.

3 October 2018

53. Our meeting on the 3 October was called following the EGM on 28 September and the vote of no confidence.
54. At this meeting 12 members of Council confirmed that they would be standing down at the end of the year and that elections would be called to fill casual vacancies for one year to ensure that the normal cycle of elections would be maintained.
55. For the remaining three months it would be business as usual.
56. We also pledged that every one of the recommendations in the ERS report would be taken forward via an action plan that would be developed immediately.

17 October 2018

57. We met in Newcastle in advance of the Joint Reps conference which was taking place the following day. This was the first full formal, standard business Council meeting since 18 July.
58. Janice Waters was welcomed as the newly elected Eastern region member of Council.
59. We received an update on the implementation of the NHS pay deals and, in particular, discussed the implications of the closure of Band 1.
60. We were updated on the ongoing pay situation in Northern Ireland.
61. The meeting focussed next on the action plan which had been developed since our previous meeting in response to the ERS report recommendations.
62. Member engagement was discussed and we kick-started the development of a new member engagement strategy.
63. We discussed the forthcoming elections for the casual vacancies on Council and were also updated on interim changes to the staffing structure in advance of the appointment of the new Chief Executive & General Secretary.
64. The new RCN group strategy was reviewed and we had a discussion about the RCN and RCNi's e-learning provision and its potential for generating income.
65. We received a report from the Executive team and discussed the risk register, the August corporate dashboard and the latest management accounts. There were a number of updates to the risk register

66. We also noted an update of the work of our task and finish groups which are working on a number of areas including the review of the disciplinary policy, the expenses policy, the property strategy, Congress, and branch review. It was agreed that the branch review needs to be broadened for a full member engagement survey and it was agreed that this would be rescheduled for January 2019.

67. Finally we received group and committee reports noting that:

The RCN Foundation – will be advertising for a new Chair to replace Robert Sowney who has worked so hard over the last 8 years and raised the profile of the charity significantly. Council noted the excellent work he has done throughout his time as Chair.

RCNi – had developed a new decision-making tool.

The International Committee – had been focussing on follow-up from Congress work, and planning for a joint conference with the Kings Fund on the UK's global contribution to nursing.

The Student Committee – had been working on a project to promote nursing as a career in schools and preparing for its first Student Information Officer Conference in November

The Health Practitioners Committee – had been discussing a potential name change for its category of members and reviewing the membership criteria. The committee had also started work on the framework that would assist being able to push forward the regulation recognition aims.

The Agenda Committee – had held its first meeting with the new Chair and Vice Chair of Congress, BJ Waltho and Michael Brown and had begun planning for Congress in Liverpool 2019.

Remuneration Committee – had discussed and drawn up a timetable for the appointment of the new Chief Executive & General Secretary. It had also reviewed and agreed the process to be followed for the appointment.

Maria Trewern, Chair of RCN Council, 30 November 2018