RCN to ballot members

RCN Council has voted to ballot members on industrial action in response to the Government's decisions to stage this year's pay award and ignore the recommendation of the independent pay review body.

At its meeting on Wednesday 16 May, Council members agreed to:

- test the mood of members for industrial action in line with Rule 12 with an indicative ballot of members in the NHS
- arrange a special delegate conference involving representatives from each national and regional board immediately after the indicative ballot result
- establish a project group to pursue 'complementary' strategies and activities to influence pay both locally and nationally.

The ballot will take place over the summer and papers will be sent to around 300,000 members who work in the NHS. Described as an indicative ballot, it will ask members if they want a second ballot on industrial action and what type of action is acceptable. Under RCN rules, members cannot take any type of industrial action that is harmful to patient care.

Indicative ballot: what you can do now

1. Start telling members about the indicative ballot and explain why a high rate of response is needed.
2. Ask members to visit www.rcn.org.uk/myrcn to update their contact details. The RCN must have correct information about members and their place of work before holding a ballot.
3. Keep lobbying your local MP about pay. Ask members to write to Patricia Hewitt, the Secretary of State for Health, and Gordon Brown, currently the Chancellor of the Exchequer, and get them to sign Early Day Motion 1028 "Pay Awards for Nurses and Other Public Sector Workers" in the House of Commons. Over 11,200 members have written to MPs about this year’s pay award and this EDM has been signed by 135 MPs so far.

An indicative ballot is an unprecedented step for the RCN and will put further pressure on Government to abide by the pay review body's recommendation and pay the 2.5 per cent in full with effect from 1 April, as Josie Irwin, the RCN's Head of Employment Relations, explains:

“The act of staging this year's award and ignoring the recommendation of the independent pay review body is an important point of principle for the RCN and its members. By starting down the road of industrial action, we are sending a strong message to politicians for future pay rounds as well as this one that nurses will not be walked over.

“Our priority at this stage is raising awareness and we need every one of our activists to spread the word to members in the NHS about the indicative ballot they will be participating in. A good rate of response in this first ballot is vital if we want to increase the pressure on Whitehall and get the Government to abide by the recommendations of the review body.”

While strikes will not be sanctioned by RCN Council, other types of action are being considered. They include a refusal to work unpaid overtime, an insistence that breaks are taken according to working time regulations, a refusal to attend non patient-related meetings, a refusal to attend any meeting organised outside working hours and a refusal to complete data returns linked to Department of Health targets.

Also in this month’s issue:

- Call for Council nominations
- Update on the Congress Voting Review
- Preparing for the smoking ban in England
What is the RCN’s position on privatisation?

During last month’s Congress, delegates debated the privatisation of the NHS and voted for Council to take the matter forward. To clarify its position on privatisation, the RCN has produced a statement which has been agreed by Council. It states that, whilst the RCN is not ideologically opposed to the provision of healthcare by the private, independent and voluntary sectors, ‘it is opposed to the whole scale privatisation of the NHS’. The RCN remains committed to a publicly-funded service which is free at the point of delivery and based on clinical need, not on ability to pay.

For the full statement go to www.rcn.org.uk/policy

Resolving disputes in the workplace

The Department of Trade and Industry has launched a formal consultation on resolving workplace disputes entitled ‘Success at Work’. This review covers England, Wales and Scotland. A separate review will also take place in Northern Ireland.

The consultation looks at the current disputes resolution procedures which we, and many others, do not believe are working well. If you would like to contribute to the RCN response then email gerry.o’dwyer@rcn.org.uk by 20 June, or you can contribute directly to the DTI.

Details of the consultation are available from www.dti.gov.uk/consultations

Urgent update on NHS redundancy arrangements

New arrangements, effective from October 1 2006, mean that if NHS staff over 50 are made redundant before 30 June 2007 they will be in no worse a position than if they had been made redundant on 30 September 2006. This ‘protection’ ensures that they continue to have their NHS service enhanced for retirement purposes. If staff over 50 are made redundant after June 30, their entitlement to enhanced service reduces.

The RCN is against compulsory redundancies and we continue to fight to keep members in work. However we are aware that some organisations have still not resolved their service re-organisations and that final decisions have yet to be made about redundancies and the date of redundancies.

Whilst we want to keep people in work, we do not want undue delays in redundancy decisions where there is clearly no suitable alternative employment available. In this case we want to ensure that staff who are to be made redundant get the best possible redundancy benefits.

For the full story, go to www.rcn.org.uk/activist

Amendments to AFC terms and conditions

There are new amendments to the Agenda for Change terms and conditions, so make sure you add them to your handbook:

• Section 15: the new maternity leave and pay – arrangements that take account of the changes to legislation from 1 April

• Section 16: Redundancy pay – new arrangements in place from 1 October 2006 including ‘transitional arrangements’ for those in NHS employment on 30 September 2006

• Section 30: Equal opportunities

• Section 33: Caring for children and adults

• Section 34: Flexible working arrangements

• Section 35: Balancing work and personal life

For details go to www.nhsemployers.org

2 Vol 2 | No.1 May 2007 www.rcn.org.uk/activists
RCN Council elections: call for nominations

Take up the chance to play a major role in influencing the future of nursing and the RCN itself! 13 seats on RCN Council are up for grabs as current terms of office come to an end. As a Council member you would be able to take on a more active and influential role in the governance of the RCN and, apart from the fact that you will be able to directly influence major nursing policy decisions, it is also a prime opportunity for you to develop new skills and broaden your experience.

Council members are the elected membership representatives in their country or region, and they also act as charity trustees. Council is responsible for the overall governance of the RCN and ensures it meets its statutory purposes. It sets the strategic direction of the organisation and has ultimate responsibility for its long term financial sustainability.

Elections are due to take place later this year to fill the 13 soon to be vacant seats. Seats up for election are East Midlands, Eastern, London, North West, Northern, Northern Ireland, Scotland, South East, South West, Wales, West Midlands, Yorkshire & the Humber, plus there is one seat for a student member of Council.

All branch secretaries and forum chairs have been sent a copy of the nomination pack, which includes forms, criteria for election, supporting documentation and a role description. Further copies are available to download from the Council section of the RCN website or from Richard Bernhard, UK Returning Officer on telephone 020 7647 3527 or email richard.bernhard@rcn.org.uk

For more information on what being a Council member involves, contact Jane Clarke on 020 7647 3599 or email jane.clarke@rcn.org.uk

Equality and Diversity Staff Council Sub Group update

A key priority of the sub group is to audit the implementation of Agenda for Change with respect to its impact on equality dimensions.

Over the last nine months the group has conducted a feasibility exercise to identify the extent to which trusts can supply the retrospective data required. Despite the valiant efforts of staff side during the development of AfC to ensure a monitoring system through CAJE (computer assisted job evaluation), few trusts kept accurate records on this system.

As a consequence the technical difficulty of obtaining compatible data directly from trusts makes it an unrealistic approach. However, the group are working with the NHS Information Centre to get a ‘before and after’ picture in relation to gender and ethnicity by using data already collected by the NHS Earnings survey and the ESR. This will cover about 400,000 staff and the group anticipates having a draft report by the autumn.

Timetable for the RCN Council 2007 elections:

<table>
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<tr>
<th>Event</th>
<th>Date</th>
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<tr>
<td>Nomination packs sent out</td>
<td>Week commencing 28 May</td>
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<tr>
<td>Closing date for nominations</td>
<td>27 June (4.30pm)</td>
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<tr>
<td>Despatch of voting papers</td>
<td>1 August</td>
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<tr>
<td>Closing date of ballot</td>
<td>19 September (noon)</td>
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<td>Declaration of results</td>
<td>By 21 September</td>
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<tr>
<td>Take up office</td>
<td>After the AGM on 17 October</td>
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</table>
Tony Blair tackled on health

Last month, the King’s Fund hosted a health debate with Prime Minister Tony Blair to assess the last ten years and the challenges for the next ten years. The audience was drawn from key figures in health care, commentators, health organisations and journalists.

President Maura Buchanan represented the RCN, and Dr Peter Carter was invited as part of a panel of leading health influencers. The panellists acknowledged the strides made in terms of investment, reduced waiting lists and waiting times, and improvements in care in areas such as cardiac care. Yet there were also a number of criticisms levied at the government on which the panel tackled the Prime Minister.

Peter Carter commended the government’s increased investment in health, but said he had never known such wastage and highlighted PCT reorganisation as a fundamental error which sucked up resources. Mr Blair acknowledged that in hindsight this was misguided.

Despite increased numbers and resources, workforce anger and disaffection are still prevalent, the panel pointed out. Interestingly the Prime Minister downplayed the current troubles saying that we should wait for reforms to bed down.

Dr Carter argued that the increasing marketisation of the NHS is counterproductive and ‘simply will not work’, and partnership and cooperation are the way forward. The Prime Minister maintained that, when competition was introduced into the NHS, this led to a rapid decrease in waiting times and waiting lists.

It was suggested that an independent NHS is an opportunity to ensure professionals would be freed up to make clinical decisions, but Mr Blair stated he was against this and remained unconvinced that decisions on reform would be made by an independent board.

The RCN will continue to influence at the top level and keep nursing high on the political agenda.

Extraordinary General Meeting – 16 April 2007

Following a request from 1,200 members, the RCN held an Extraordinary General Meeting on 16 April, during Congress.

The meeting was called by members to discuss a number of issues of concern to them. These included the RCN’s financial position, the steps being taken to address the RCN staff pension scheme deficit, and the decision by Council to review 20 Cavendish Square as the RCN’s headquarters building.

During the meeting, Jane Denton, representing the members who had called the meeting, said she had appreciated the opportunity to work collaboratively with the RCN over the EGM and was pleased that some issues had already been addressed – in particular, the fact that the sale of 20 Cavendish Square had been taken off the agenda.

Opportunities for members to feed into Council discussions and decisions via the national and regional Board structure were highlighted but it was acknowledged that more attention needs to be paid to the way the RCN communicates and shares information with its members.

The meeting closed with an acknowledgement that this had been an excellent opportunity for members to discuss the issues and there was commitment made to work together to solve these important issues. For a fuller report on the EGM and to watch a webcast of the event please go to the ‘How we are governed’ section of the RCN website.
Delegates demand action at Congress 2007

RCN members made themselves heard loud and clear at last month's Congress as they voted overwhelmingly to reject the staged pay award. In a groundbreaking move, another emergency resolution was then passed calling for Council to investigate what form of industrial action would be appropriate in relation to the pay offer. Council pledged its commitment on the issue (see front page for latest story).

In his first Congress address, General Secretary Dr Peter Carter gave a rousing speech in which he pledged to “commit myself to fighting for you and winning with you”. He promised to force the government to stand up and take notice of policy recommendations and also to make the RCN a stronger organisation for its members. His pledge and the spirit of his delivery resulted in a standing ovation.

Over 4,300 delegates came to Harrogate for the week-long event which received a vast amount of media coverage. Debates focused on a wide range of issues, including fair care for people with dementia, increasing administrative support for nurses, and support for a pan-European workforce. Delegates also heard from economist Noreena Hertz on her campaign to get all Premiership footballers to pledge a day's wages to nurses, and from BBC reporter Frank Gardner on his road to recovery after being shot in Afghanistan.

If you were unable to make it to this year's Congress, you can read reports of all the debates and some of the key events, as well as watch webcasts of the debating sessions, at www.rcn.org.uk/congress

Update on the Congress Voting Review

Chair of the Congress Review Voting Group, Jason Warriner, gave a presentation during Congress on the latest developments in the review.

The aim of the review is to make voting at Congress more transparent, representative, balanced and equitable, and work is closely linked to the wider Professional Development Framework (PDF) project.

In November, a number of voting options were put out for consultation and members were asked for their comments on them. Activists were sent a postal survey to capture feedback from forums, branches and individuals, we conducted a telephone survey of a representative sample of over 1,000 members and we posted an online questionnaire on the website.

The proposed voting models were: one member, one vote; one vote per thousand members for each branch and practice sector; and devolving votes to Boards.

From the findings, early indications showed preference for a 'one member, one vote' system. However, what also became clear is that many members do not know how Congress currently works and who can attend, vote and speak. Explaining this will form an important part of the next phase of consultation.

From now until October 2007, work will include targeted focus groups to consult further and to refine the voting models and consider further proposals. In April 2008 the review group will report back to Congress and ask delegates to vote on their preferred system. The new voting structure will be implemented in April 2009.

The review is still in the consultation process, so there is still plenty of time for all members to feed in their thoughts and views on Congress voting systems.

If you have any comments, please email jane.clarke@rcn.org.uk
Kicking the habit

Chris Cox, RCN Legal Adviser, prepares for the smoking ban in England

From 1 July 2007, all work premises in England must be smoke free if they are enclosed or substantially enclosed (defined as any building with a ceiling unless more than 50 per cent of the ‘wall’ area is open to the outside). In practical terms, any enclosed shelter set aside by the employer for smokers is likely to be caught by the ban.

The ban also extends to company cars, if there is a possibility the car might be used by more than one person (unless it is a convertible and the occupant only smokes with the roof down!). However, the ban does not extend to bedrooms in residential accommodation, so it will not prevent residents in care homes, for example, smoking in their bedrooms despite the fact that staff may be required to carry out their duties in those rooms. There are also strict rules on the display of non-smoking information. Penalties for breaching the regulations are fairly tough, and may be applied to both employers and employees who disregard the new rules.

ACAS has published excellent guidance on the new law (see www.acas.org.uk). For example, it emphasises that there is no right to smoke at work, as was established by the courts back in the 1980s; addiction to nicotine is not a disability under the Disability Discrimination Act 1995; and there is unlikely to be any remedy for the smoker under the Human Rights legislation as any relevant ‘freedoms’ guaranteed by the legislation are invariably all ‘qualified’, necessitating a balancing exercise, such as looking at the effect on others of exercising such a freedom.

Clearly employers need to review any relevant policies, and it may be appropriate to seek occupational health advice on support for those likely to be most affected.

Meeting the information needs of activists

Following a series of focus groups last year, a recent RCN report has found that awareness of information services amongst activists is patchy and further work is needed to enhance awareness of resources and services.

Activists access information through a variety of methods but concerns were raised around accessing online services, the availability of PCs locally, and lack of computer skills. Participants indicated they would like to be kept up to date on relevant information by ‘alerts’, in easy to read formats such as summaries and short guides. In addition, training was requested at all levels from basic computer skills to specific guidance to assist their activist role.

The full report can be accessed from the news area at www.rcn.org.uk/activist and you can feed back your thoughts through the activist gateway in the Discussion Zone. For those who do not have access to a computer, use your local RCN networks and meetings to have your say.

Diversity champions – extraordinary people, extraordinary roles

The RCN diversity champions programme was officially launched last month during Congress. The programme gives RCN activists access to an electronic toolkit on valuing diversity and implementing equal opportunities at work.

Training on how to use the toolkit, plus information on how to become a diversity champion, will be provided at the Joint Activists Conference on 30 June.

For more information about the programme go to www2.rcn.org.uk/diversity
Reminder for work permit holders

If you or any of your colleagues are overseas nurses who require a work permit, please read the following carefully to avoid refusal of your application:

1. Your prospective employer must apply for a work permit on your behalf. You cannot apply on your own nor can you use an existing work permit to work with a new employer.

2. Your prospective employer is required to give you a copy of the application outcome letter as soon as this has been received. Make sure you are given this and read its content carefully. If you are unsure what to do next seek advice immediately.

3. The letter will instruct you to apply for leave to remain ‘within six months...certainly before your current visa expires’. You must comply with this instruction on behalf of yourself and any ‘dependants’ with you in the UK as failure to do so will result in the refusal of your application(s) and/or directions to leave the UK.

For further information see www.workingintheuk.gov.uk or www.ind.homeoffice.gov.uk, or contact the RCN Immigration Advice Service on 0845 456 6766 or email immigration.advice@rcn.org.uk

International update...

Council members visit Brussels

In March, eight RCN Council members met with European policymakers in Brussels to discuss RCN support for an EU-wide ban on smoking in public places and improved legislation on preventing needlestick injuries.

For more detail about the visit, email jenny-lee.spencer@rcn.org.uk

Mobilisation Day – 2 June

The RCN has been working with the Health Action Group, a collaboration of charities including Save the Children, Oxfam and UNICEF, to plan a series of events in central London on 2 June. As well as being a fun day, the aim is to send some key messages on the Millennium Development Goals to the next meeting of the G8 meeting in Germany on 6-8 June, which is due to focus on strengthening health systems in Africa.

For more information on the event, visit www.yourvoiceagainstopoverty.org.uk

Global health partnerships

Health is Global is a consultation document from the Department of Health and aims to look for ways to ensure a joined-up approach to global health issues across different government departments. Following feedback from members, the RCN will be submitting a response. Full details on Health is Global can be accessed at www.dh.gov.uk

Update on membership categories

The new RCN membership application form is now available and can be used for all categories of RCN membership. Potential members only need to complete three sections; their personal details, the category they wish to join and their payment details, plus there is the option to donate to the RCN Benevolent Fund. Old forms which do not have a red cover should be recycled as they now contain incorrect prices and in some cases membership categories which no longer exist.

The category ‘Health care support worker (HCSW) in training’ is no longer accepting new members – this is the £10 a year option. Existing members will remain in this category until their training is complete. Any HSCW or HCSW undertaking training who has not been an RCN member before should be recruited into the ‘HCA/HCSW introductory rate’ category which costs £70.20 a year or £5.87 a month after tax.
Nurses’ Day balloons – an apology

At the beginning of April, you were sent a Nurses’ Day activity pack filled with promotional items including two Nurses’ Day balloons. The RCN has received a small number of complaints expressing concern that the balloons posed a risk to people with latex allergies.

We would like to apologise for any distress or anxiety these items have caused and recognise in hindsight that the balloons should have been appropriately packaged or excluded from the activity pack altogether.

We would like to reassure you that measures are being taken to prevent this from happening again and we would like to thank everyone who got in touch for bringing this important issue to our attention.

Successful bid to support RCN Learning Reps

As part of the RCN’s Future Activist Programme, we have been successful in obtaining £244,000 from Union Learn. The funds are to develop, implement and evaluate the developmental pathway so that it meets the needs of learning representatives both now and in the future.

To start this exciting piece of work we plan to hold an initial stakeholder event in June. Look out for your invitation!

Promoting user involvement in research

Involvement from service users (members of the public, patients and carers) is increasingly gaining international recognition as being central to health care research, policy and practice. The RCN has produced new guidance which highlights the benefits and the value of involving service users in nursing research. It provides answers to some of the practical questions about involvement, plus signposts readers to further publications and resources.

User involvement in research by nurses is available to download from www.rcn.org.uk/publications or hard copies can be ordered from RCN Direct (quote publication code 003 140).

Dates for your diary

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<tr>
<th>Date</th>
<th>Event</th>
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<tr>
<td>15 June</td>
<td>Work overseas: your skills can make a difference</td>
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<td></td>
<td>RCN HQ, London</td>
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<tr>
<td></td>
<td>For further information, email <a href="mailto:uk.events@london.msf.org">uk.events@london.msf.org</a></td>
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<tr>
<td>25-29 June</td>
<td>Fostering a culture of effectiveness through practice development</td>
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<tr>
<td></td>
<td>Oxford (residential school)</td>
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<td></td>
<td>Book now at <a href="http://www.rcn.org.uk/practicedevelopment">www.rcn.org.uk/practicedevelopment</a></td>
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<tr>
<td></td>
<td>or email <a href="mailto:tricia.berhardt@rcn.org.uk">tricia.berhardt@rcn.org.uk</a></td>
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<tr>
<td>29-30 June</td>
<td>RCN UK Joint Representatives’ Conference</td>
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<td>Paramount Hinckley Island Hotel, Leicestershire</td>
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<td></td>
<td>More information available soon at <a href="http://www.rcn.org.uk/activists">www.rcn.org.uk/activists</a></td>
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For further information on training courses, events and venues, please contact your local RCN office.