

# Activate

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News, views and support for RCN activists



## Harness the anger

### Summer of Protest follows Congress outrage at the Government's stance on pay

Nursing staff across the UK will protest all summer long to pressure the Government to end the NHS pay cap. After the results of the RCN's recent pay poll were revealed at Congress, delegates passed an emergency resolution calling for a summer of planned protest activity, followed by an industrial action ballot, if the next UK Government fails to end the policy of pay restraint.

The RCN believes the 1% cap on nursing pay is putting patient care at risk and has called on the Government to explain what it's going to do about it to stop a staffing crisis.

"Patients need safe and effective care," said Michael Brown, Chair of RCN Council. "The pay cap devalues nurses and nursing and is an obstacle to recruitment and retention of staff. This has a hugely detrimental impact on patient care."

Hundreds of members have already signed up to be pay champions and will encourage others to get involved.

Michael added: "We need members ready to express their anger about their level of pay and the financial hardship they're facing. This is the first time ever RCN members across the UK have shown they want to take action in such numbers. Let's not waste this energy"

**Read more on page 3.**

## Reps recruited

Members of the RCN UK representatives committees helped recruit more than 60 new reps at this year's Congress. A further 31 people expressed an interest in becoming a rep.

Lesley Pallett, Vice Chair of the RCN UK Safety Representatives Committee, said: "It was really heartening to be able to recruit so many people to join the rep community at Congress this year. We look forward to supporting them and working with them as they undertake their new roles."

## Balloting rules

Last month Congress called for a ballot for industrial action if the Government fails to end pay restraint. Activists can help by asking members to make sure their contact details are correct, as ballots must be carried out by post. Members can receive all the relevant news by adding their correct email address too. Visit [www.rcn.org.uk/myrcn](http://www.rcn.org.uk/myrcn), telephone 0345 7726 100 or email: [membership@rcn.org.uk](mailto:membership@rcn.org.uk)

## Emergency guide

In light of recent terrorist incidents, the RCN has issued guidance for members on what to do if they are involved in an unexpected incident or emergency outside their usual place of work, where people may require care. The RCN advises that if members find themselves in an unclear situation they should follow official Government guidance. Find out more at [www.rcn.org.uk](http://www.rcn.org.uk)

## Help shape the RCN's future

Nominations are now open for election to two new committees that will lead the RCN's trade union and professional work.

As a member of the RCN Trade Union Committee, you'll work to ensure the RCN develops as a modern progressive trade union that makes a positive difference to the working lives of nursing professionals. Successful candidates will have a passion for activism and experience in employment relations, negotiating and campaigning. Nominations close on 24 July.

The role of the RCN Professional Nursing Committee will be to develop the College's professional work and ensure the RCN continues to be the recognised voice of nursing locally, nationally and globally. Nominations close on 29 August.

Visit [www.rcn.org.uk/elections](http://www.rcn.org.uk/elections) to download the *RCN Trade Union Committee* and *RCN Professional Nursing Committee* brochures. You can also read the role descriptors and find out how to submit your nominations.



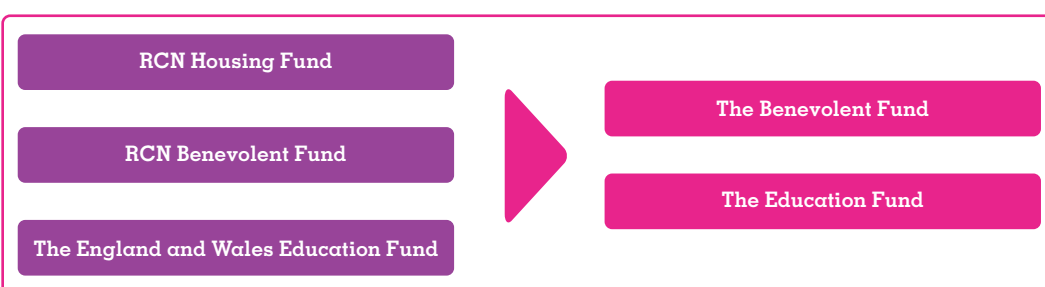
### Meet the new Agenda Committee

Four new members of the Agenda Committee were elected at Congress this year.

Maureen Dolan, Samantha Spence, Greg Usrey and Stuart Young will join the Chair and Vice Chair of Congress, RCN Chair of Council and RCN Chief Executive & General Secretary to develop the agenda for Congress.

## Foundation consults on funding structure

### Proposed changes



The RCN Foundation is consulting members on its plans to amalgamate three of its main funds into two, it was announced at this year's RCN annual general meeting.

The Charity Commission has approved a scheme to replace the existing structure with two new funds: the Benevolent Fund and the Education Fund.

Robert Sowney, Chair of the RCN Foundation, said the change was being proposed to make it easier for the Foundation to support the growing number

of members of the profession who need a helping hand at some point in their careers. It would also address the changing education and training needs of members of the nursing community.

"The original purposes of all the gifts received by the RCN Foundation and the former RCN Charitable Trust would continue to be honoured and recognised, for example, by having named awards," he added.

Email your comments or questions to [rcnfoundation@rcn.org.uk](mailto:rcnfoundation@rcn.org.uk) by Monday 31 July.

## Activists central to summer pay campaign



The RCN is calling on all activists to get involved in the Summer of Protest.

A recent RCN pay poll showed 91% of members would take industrial action short of a strike, with 78% willing to strike.

Josie Irwin, RCN Head of Employment Relations, said: "All activists can support our campaign, whether via social media or participating in protests.

"Please make sure you're fully informed about how much money nursing staff have lost through the pay cap so we can keep the public and politicians aware of the financial reality members are facing. Use the materials we've produced, which you'll be sent by post, to help spread the word."

The RCN has also asked activists to use their specialist knowledge:

### Learning representatives

- Signpost members, other reps and pay champions to the pay campaign website – [www.rcn.org.uk/scrapthecap](http://www.rcn.org.uk/scrapthecap)
- Keep employers, other reps and pay champions informed of the evidence that supports the campaign.

*"All activists can support our campaign"*



### Safety representatives

- Provide local information about staff rostering, working hours, paid overtime, unpaid hours, use of bank and agency staff, sickness absence, staff health and wellbeing, and violence against staff.

### Stewards

- Advise and support members on the campaign messages and trade union legislation on industrial action.
- Engage with RCN pay champions.
- Keep employers informed of the evidence that supports the campaign.

The RCN's new pay champions, including all reps, will help co-ordinate campaign activity in their area and workplace demonstrations while supporting members to take part.



All reps can also contribute to the campaign by:

- Encouraging members to become pay champions: [www.rcn.org.uk/pay-champion](http://www.rcn.org.uk/pay-champion)
- Making sure members receive pay campaign information by asking them to check their details are up to date: [www.rcn.org.uk/myrcn](http://www.rcn.org.uk/myrcn)
- Urging members to find out what's happening in their area: [www.rcn.org.uk/your-local-office](http://www.rcn.org.uk/your-local-office)

As well as encouraging others, activists can take action themselves by:

- Sharing their personal experience of pay restraint: [www.rcn.org.uk/nursingcounts/scrap-the-cap/share-your-story](http://www.rcn.org.uk/nursingcounts/scrap-the-cap/share-your-story)
- Filling out the RCN employment survey: [bit.ly/2rTZeIC](http://bit.ly/2rTZeIC)

### Dates for your diary

- 27 June and 27 July: Payday protests. Talk to your regional RCN office for more information about what's planned in your area.
- 1-5 July: Health Campaigns Together week of action to celebrate and defend the NHS.

## Stand up and be counted



### The new Government must listen to us, says RCN General Secretary Janet Davies

In this general election, we saw the number of people voting increase dramatically. People are determined to make a stand for what they believe in – particularly young people. Some who had lost interest in politics and stopped voting found themselves wanting to engage this time.

Whoever leads the next Government needs to know nursing staff are ready to do the same.

Health and care services must be a greater priority for this Government than they were for the last. They must be funded to a higher level and we must see action on election promises, especially around mental health and the right to remain for health and care workers from the EU. Otherwise, in the time it takes to negotiate Britain's exit from the EU, the NHS will fall further into disrepair.

This month we start our summer-long protest, calling on the UK Government to scrap the 1% pay cap for NHS staff.

We need each and every member to get involved so we can speak together to gain public support and ensure politicians hear our message. Activists will be at the heart of our campaigning and will help other members understand why our messages are so important.

The Government has one last chance to scrap the cap or they must face the fact that this summer is just the start.

*“Activists will be at the heart of our campaigning”*

## ASK AN ADVISER



### Annual leave – know your rights



#### Can employers restrict annual leave?

The short answer is yes. However, both the employer and employee should be reasonable.

Annual leave has to be agreed with your employer. They can refuse requests provided they give the correct amount of notice, but a blanket ban on leave during the school holidays or in December may push the limits of reasonableness.

The needs of the service must be considered alongside the employee's right to take annual leave. Staff may also have flexible working or health needs that should be considered.

Always check local policies on annual leave, whether any restrictions are short-term and the approach taken in previous years.

Never book a holiday without first getting your leave authorised. It's never too early to let your employer know if you're planning a long holiday abroad. Talk to your employer and follow it up with an email noting what was agreed.

**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



### Another way to make a difference

The joys and perils of being a rep will be familiar to many. You can be elated from completing a hearing; rejoicing that the member still has their job and is grateful for your support. Conversely you may hear desperate member stories of personal loss or illness that have affected families, work performance, income and lifestyle. Reps make a difference in their workplace every day.

As a steward and safety rep I have a passion for improving the health and wellbeing of the staff who work in my organisation. Over the last 10 years I have gently cajoled my employer to take this aspect of work more seriously. I put on staff health and wellbeing events, I make health-related issues an agenda item at meetings, and I'm constantly pushing for a staff physiotherapist to be employed from savings made from our reduced musculoskeletal staff sickness absence.

We now have a fresh fruit and veg stall five days a week at one of our sites and I'm hopeful we can get another at the other end of our patch soon. We have a hospital choir, over-40 health checks, low cost Zumba classes and access to apps such as 'Sleepio' for insomnia and 'Head Space' for staff mindfulness.

Building up strong and positive relationships with occupational health, human resources and other unions is another way of making a difference. As my favourite Vulcan friend would probably say to all reps: "We need to live long and prosper!"

**Mike Smith, RCN UK Stewards Committee**

## LEGAL UPDATE



### Working at night



In *Focus Care Agency Limited v Roberts & Others*, the Employment Appeal Tribunal dealt with the question of whether employees who sleep at their workplace are working for the full night shift, or are only entitled to the national minimum wage when they're awake and carrying out duties.

Three appeals were heard together. In the first appeal the claimant was a support worker who was required to sleep at the service user's home throughout the night, but was not required to perform any specific duties.

The claimant argued that whether awake or asleep she was entitled to the minimum wage and the tribunal agreed.

The claimants in the second appeal were employed at a caravan park and had to live on the premises and be on call during the night to deal with residents' queries.

The employment tribunal found the claimants were only entitled to the minimum wage when working during the night because they were at home. The tribunal upheld their appeal.

#### Legal requirement

In the final appeal, the claimant worked at a regulated supported living service and his employer was required to have two carers on duty during the night. One carer remained awake and provided care while the other slept.

The sleep-in carer was only paid a flat rate for those shifts. The employment tribunal found the claimant was legally required to be on the premises during those sleep-in shifts and therefore entitled to be paid the minimum wage. The tribunal agreed.

Deciding if a sleep-in employee is engaged in "time work" will depend on the circumstances of each case.

This issue is far from clear cut and the tribunal emphasised an evaluation is required in each case.

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

## Remarkable reps

The hard work and dedication of RCN activists were recognised at the opening ceremony at RCN Congress

### Learning rep



#### Nicky Parry (London)

RCN learning representative of the year

Nicky's 'can do' attitude has helped her identify that bank staff need support, so she provides special sessions for them. She also lobbied her employer to provide a staff resource room, which opened in November.

Jeremy Davies (Wales) was commended.

### Student information officer



#### Ellie Jolley (Scotland)

RCN student information officer of the year

Ellie was chosen to represent the views and experience of Scotland's nursing students at the Student Bursary Support Advisory Group. By ensuring the voice of Scotland's nursing students was heard, she made a huge contribution that will have an impact on their financial support. She takes her responsibility extremely seriously, making sure students' concerns are heard directly by decision-makers.

Daniel Gooding (London) was commended.

### Steward



#### Alistair Grant (Scotland)

RCN steward of the year

Alistair actively supports better conditions for staff to help them be their best. Although he's not afraid to question and challenge when necessary, he looks for a positive outcome in every meeting. He's also there to support his fellow reps, acting as a role model, mentor and leader.

**"It's a good way to promote being a steward. We're needed more than ever in these challenging times"**

*Alistair Grant*

Ceri Dolan (Wales) was commended.



### 2017 firsts

- The winner and the runner up in the safety rep of the year category are both HCAs
- The inaugural student information officer of the year award was presented

Find out more about RCN awards at [www.rcn.org.uk/get-involved/rcn-awards](http://www.rcn.org.uk/get-involved/rcn-awards)

### Safety rep



#### Richard Gardner (Eastern)

RCN safety representative of the year

Richard is approachable, hardworking and goes out of his way to help others. He is vocal in his support for health and wellbeing, showing a healthy workplace is also a safe and secure workplace.

Stephanie Watson (Northern) was commended.

### Outstanding service



Awards of Merit were presented to long-standing members Jason Warriner and Zeba Arif to honour their outstanding voluntary service to the RCN and how they have gone above and beyond to support members.

Current Chair of the RCN's Public Health Forum, Jason has held many positions within the College and is extremely knowledgeable about the RCN's work and

ethos, especially how it benefits individuals, the profession and patient care. Jason is always willing to share his knowledge and act as a mentor to colleagues.

Zeba is a powerful and enthusiastic advocate for nurses and nursing. Having spent 23 years representing members until she retired in 2011, she now advocates for the role of retired members, recognising the valuable support they can continue to give. In 2011 she was elected President of the All Pakistan Nurses Association UK and she visits Pakistan regularly on lecture tours.

**"I cried when I opened the letter. I couldn't believe it"**

*Zeba Arif*

## When household budgets are stretched



**Whether due to ill health, injury at work, or suspension, an unexpected drop in income can be stressful. Emma Wilkinson explains how the RCN can help**

Activists may be the first point of contact for members faced with a reduction in or loss of income. But members may also bottle up their feelings about how they will manage financially.

“Either way, it’s important to know how the RCN can help so you can tell members about our service or just drop what we do into everyday conversation,” says RCN Welfare Adviser Ian King.

“A member may be facing a reduction in their household income, for example their sick pay is reducing to half-pay or their statutory sick pay (SSP) is coming to an end. We can help with advice about debt and maximising income,” he adds.

Members can contact RCN Direct, who will make them an appointment with the RCN’s Lamplight Support Service. They will advise them of ways to

*“It’s important you know how the RCN can help”*

get the most from their income, including entitlement to benefits and ways to reduce expenditure.

If a member needs assistance to deal with debt or understanding or challenging a benefit decision, they will be referred to the RCN’s welfare service.

### Helping Barbara

Barbara\* was recovering from an operation to remove a brain tumour when her mother contacted the service on her behalf.

Although Barbara was doing well medically, she was very concerned she wouldn’t be able to pay her mortgage while on SSP. The thought of losing her home was hindering her recovery.

The welfare adviser got permission to act on Barbara’s behalf and made an application for universal credit for Barbara and her son. This topped up her income while she was in hospital so she could help her parents pay for her son’s support.

The adviser contacted Barbara’s mortgage company and got permission to make interest only-payments for the next 12 months. An application was also made to the RCN Benevolent Fund and the award helped Barbara pay the interest on her mortgage for six months.

The adviser also wrote to Barbara’s creditors asking for a suspension on payments and interest until her prognosis was clearer.

\*The member’s name has been changed.

### What happens when sick pay is reduced?

- Statutory sick pay (SSP), paid in the same way as wages, is usually available for up to 28 weeks.
- Payment of SSP starts after four days’ absence and is paid as a component part of any full contractual sick pay, and on top of half-pay.
- After SSP or contractual pay has ended, the SSP1 form issued by the employer will enable an employee to claim employment and support allowance if eligible.

# NOTICEBOARD

## Harnessing the older voice

The benefits of the RCN's affiliation with the National Pensioners Convention (NPC) were highlighted at a fringe event at Congress last month.

NPC General Secretary Jan Shortt warned that within five years, the NHS will be replaced with a US-style insurance system if people aren't prepared to stand up and fight for it.

Pledging her organisation's support for the RCN's forthcoming Summer of Protest, she said: "Whenever you need us on protests we will be there. We are there for you as you are there for us."

The NPC is the largest campaigning organisation in the UK for older people, with more than 1.5 million members. The membership-led organisation campaigns on anything that affects the dignity and daily lives of older people.

At the event, members also discussed their concerns about the position of retired members in the RCN, with Professor Dame June Clarke issuing a rallying call for better recognition for older people in the College. This work is now being taken forward by the Chair of RCN Council, Michael Brown.

If you're aged 55 or over and in receipt of a pension, you can join the RCN's NPC Network at [www.rcn.org.uk/myrcn](http://www.rcn.org.uk/myrcn)

Find out more about the NPC at [npcuk.org](http://npcuk.org)

## Tools of the Trade



A campaign by Public Health England (PHE) aims to make all NHS sites smoke-free. They argue a tobacco-free NHS would improve outcomes for patients and the public and reduce sickness absence for health care staff. Find out more at [tiny.cc/smokefreehhs](http://tiny.cc/smokefreehhs)

A Work Foundation report investigates the risk of future governments curtailing employment rights as a way to attract higher foreign direct investment and enhance competitiveness. Read more at [www.theworkfoundation.com](http://www.theworkfoundation.com)

A new guide from LRD Publications will help reps keep up to date with the latest state benefit reforms. Read *State Benefits and Tax Credits 2017* at [tiny.cc/safestaffing](http://tiny.cc/safestaffing)

A new RCN library subject guide on safe staffing, with links to many resources on policy and evidence, is available at [tiny.cc/rcnsafestaffing](http://tiny.cc/rcnsafestaffing)

**If you have any queries about this information, please email RCN Library and Archive Services at [rcn.library@rcn.org.uk](mailto:rcn.library@rcn.org.uk)**

## How to raise your branch profile in a year

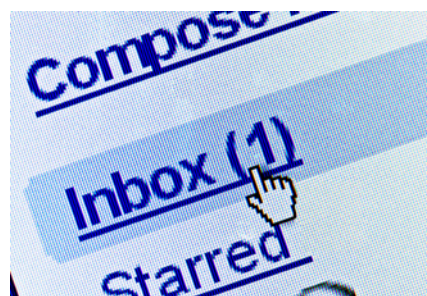
Delegates at a Congress fringe event heard how the profile of the West Kent and Medway branch had been raised in the last couple of years. Activists came up with ways to address apathy and encourage members to get more involved.



### Top 10 tips

1. Organise free conferences on issues that matter to local members.
2. Use the skills and contacts you have in your branch membership to get locally relevant content.
3. Get a speaker at meetings.
4. Advertise events on your branch website, emphasising that attendance can be used for NMC revalidation.
5. Get out to connect with members and non-members. Explain why you're interested in promoting the RCN and what the College has done for you.
6. Involve retired members. They may have more time to spend on recruitment and attending meetings.
7. Make good use of the RCN Member Communication Centre or speak to your local RCN communications manager.
8. Use social media to promote your branch.
9. Remember some staff will be on different shifts and sites and plan your visits accordingly.
10. Use Nurses' Day to engage with potential and existing members. Remember to send a card to local care homes, letting them know the RCN hasn't forgotten them.

## Your pay and working conditions: what do you think?



Check your inbox to see if you've been sent the RCN's biennial employment survey. "As we step up our Summer of Protest we want to hear from as many members as possible about their pay and working conditions, wherever they work," said Rachael McIlroy, RCN Senior Research Lead. The survey is emailed to a sample of members but all members are encouraged to take part. Visit [bit.ly/2rTZelC](http://bit.ly/2rTZelC)