

# **The Royal College of Nursing of the United Kingdom**

## **95th Ordinary General Meeting**

### **Draft Minutes**

The 95<sup>th</sup> Ordinary General Meeting of the Royal College of Nursing of the United Kingdom was held on Monday 10<sup>th</sup> July 2023 at 14.00. The meeting was held at The Bridgewater Hall in Manchester.

The meeting was chaired Sheilabye Sobrany, President of the Royal College of Nursing.

#### **1. AGENDA ITEM 1 - WELCOME AND INTRODUCTIONS**

- 1.1 The President welcomed everyone to the 95<sup>th</sup> Ordinary General Meeting of the Royal College of Nursing.
- 1.2 She introduced the Vice Chair of Council, Paul Vaughan, General Secretary and Chief Executive, Pat Cullen, Honorary Treasurer, Carol Webley-Brown, Group Director of Finance, Gush Uppal, Chief Operating Officer, Davinder Viridi, and Stephanie Wilson, Director of Governance.
- 1.3 In the front rows of the hall and online were fellow Council members, members of the Professional Nursing Committee and Trade Union Committee and members of the RCN Executive Team. Also present were the RCN's independent scrutineers, Civica.
- 1.4 The President reminded members that the AGM provided an opportunity to reflect on the financial year January – December 2022 and also to look at the RCN's recent activity as well as its priorities for the months ahead.
- 1.5 The President acknowledged that it had been a challenging year for all as the RCN began its industrial action campaign in earnest both in the NHS and the independent sector. Whilst the situation was different across the four countries of the UK, the RCN would continue to fight for its members for safe staffing and to receive the fair pay, terms and conditions they thoroughly deserved.

- 1.6 The President recognised all those members who had continued to represent others whenever they could during this time, in both the trade union and professional function. She emphasised how vital their work was in making a difference.
- 1.7 The President then reminded members of the RCN Respect Charter, the RCN Code of Conduct and the NMC Code. She stressed the importance of remembering the values they represent, and to treat everyone with respect and courtesy throughout the meeting.
- 1.8 The President officially declared that the meeting was quorate and took members through the way in which the meeting would be conducted.
- 1.9 For all questions received, everyone involved would try their best to provide answers at the meeting. If this was not possible, written answers would be provided online after the meeting.

## **2. AGENDA ITEM 2 - MINUTES OF THE ANNUAL GENERAL MEETING HELD ON 5 JUNE 2022**

- 2.1 Members were asked to raise points of accuracy and matters arising on the minutes of the meeting held in Glasgow on Sunday 5<sup>th</sup> June 2022.
- 2.2 There were no questions in the hall or online on the draft minutes so the President took the minutes as agreed. The minutes would now be published on the RCN website.

## **3. AGENDA ITEM 3 - 2022 ANNUAL REPORT OF COUNCIL**

- 3.1 The Vice Chair of Council, Paul Vaughan, presented the report of Council as included in the Annual Report.
- 3.2 The Vice Chair began by sharing some reflections on what had been a momentous period in the history of the College, not only with the taking of industrial action but with the very substantial changes inside the College itself. He acknowledged that there was an urgent need to stabilise the College and for that stability to last long into the future.
- 3.3 The Vice Chair spoke of Council's commitment to hold the Executive to account for the delivery of the RCN's new five year strategy, ensuring joint delivery on transformation of the professional union and the sound finances of the College that allowed for continued support of members and future growth too. He recognised that members put their Trust in the leadership of the College and that it was important to lead with honesty and transparency.

- 3.4. The Vice Chair highlighted that since the last AGM, the RCN had made demonstrable progress on a path of change and the case for even greater transformation was very clearly demonstrated.
- 3.5. Bruce Carr KC had attended the 2022 AGM and the EGM held in November 2022 to update on his review of the RCN's organisational culture. His report directly led to the departure of the majority of the elected leaders of the College and, taken alongside the KPMG report, his report made clear recommendations with which Council was changing the RCN.
- 3.6. A full project management structure and new partnership board had been established, chaired by the RCN President, Sheilabye Sobrany, to have oversight of the work as it progressed. It was clear that it was only through members and expert staff working closely in partnership through the joint board that the progress required would be made and at the pace it was needed.
- 3.7. The Vice Chair then outlined some of the progress made so far. He recognised that the aim of both the KPMG and Carr reviews was to identify and address cultural and organisational issues holding the RCN back from being the truly representative and trusted organisation members and staff deserved.
- 3.8. Both reports included recommendations that the RCN review its four previously completed reviews including those by the Centre for Public Scrutiny in 2020, Simon Cheetham KC also in 2020, and the Electoral Reform Services in 2018.
- 3.9. Following publication of the Carr review, a detailed analysis of the 86 recommendations arising from all of those reports was carried out to understand more fully the scope of each recommendation, and where commonalities lay. This process of inquiry had resulted in a final list of 38 unique recommendations.
- 3.10. Those 38 recommendations, aligned with the transformational priorities set out by the outgoing President at November's EGM, had been allocated to four operational workstreams - governance; culture, training and development; equality, diversity and inclusion; and Congress. A detailed action plan had been developed for each of the recommendations identifying the root problem, solution, deliverables, timeframe, success criteria, interdependencies, assumptions, risks and complexity.
- 3.11. In order to fully address the 38 recommendations, 239 separate deliverables had been identified so far. The Vice Chair emphasised how thorough the analysis and planning had been in reviewing these recommendations and felt it important that members understood the scale of the project. This was a significant programme of transformation which would take some time to complete.

- 3.12. The Vice Chair then went on to highlight some of the biggest, or earliest, pieces of work where progress had been made. This included:
- Developing, agreeing and publishing a five-year Group strategy with the implementation phase well underway. This came after very significant member and staff engagement and was intentionally ambitious;
  - A new induction and skills audit process was in place for RCN Council;
  - A new equality, diversity and inclusion strategy was soon to be launched – this would show how the RCN will deliver on the commitment made for the College to be anti-racist and take a lead role in the right for equality in all forms;
  - New terms of reference for the Trade Union and Professional Nursing Committees had been agreed;
  - A resolution to reaffirm the strength of the dual role of the RCN as both trade union and professional body was passed overwhelmingly by members at Congress 2023 in Brighton;
  - A reviewed and strengthened Elections Policy was approved by Council in January and was available on the RCN website;
  - The RCN had a new policy register with many policies having already been reviewed and updated.
- 3.13. There had also been a full review of the support available to attendees at Congress to allow a more inclusive, supportive and safe experience. The significant safeguards put in place for Congress 2022, and continued in 2023, were positively acknowledged by Bruce Carr in the foreword to his report. His separate investigations following publication of the report continued and were expected to complete by the end of the year.
- 3.14. It was noted that Resolution 3, which members would be asked to vote on later in the meeting, also directly related to recommendations made by both KPMG and Bruce Carr.
- 3.15. During the year, RCN Council and the Executive Team had worked hard to ensure the organisation continued to invest in existing and new ways to support members. The RCN's membership levels surpassed half a million for the first time and continued to grow steeply. There were significant plans now in place to retain those individuals in membership and ensure many more saw the benefits of joining the RCN.
- 3.16. Members continued to look to the RCN for employment advice seven days a week. During the year, the RCN received over 56,000 phone calls. The legal team dealt with over 4,000 referrals and recovered over £4m in compensation for members. Staff and reps supported more than 7,200 members in employment matters and, as well as giving advice, the College supported members' wellbeing, including with counselling sessions.

- 3.17. The Vice Chair also spoke about the support provided to the RCN's reps throughout the year. Two UK Joint Reps Conferences took place in 2022 and the October conference in Manchester was the largest ever Joint Reps Conference which saw 225 reps come together from across the UK. To all reps, the Vice Chair said thank you. He acknowledged that the RCN would not be where it was today without them.
- 3.18. The RCN's forums also continued to make a vital contribution to the professional work of the RCN in 2022. Forums organised online conferences, events and lectures to support members' learning and forum members continued to influence nursing policy and practice standards.
- 3.19. To all of the RCN's forum activists, the Vice Chair extended a big thank you for their contribution to the work of the RCN.
- 3.20. In April 2022, the RCN announced its priorities for the year ahead. The first of these was the organising model. It was reported that great strides had been made in setting this up after RCN Council approved the UK Organising Strategy, following extensive engagement, in February 2022.
- 3.21. Next was the Fair Pay for Nursing campaign and, for the first time in the RCN's 106-year history, members across all four countries voted in the strongest terms to progress industrial action. The UK Pay Programme was at the forefront of driving this action forward and the year began by expanding the focus of the Programme beyond balloting on NHS pay.
- 3.22. This allowed the RCN to improve pay, terms and conditions for all members working in both the NHS and independent health and social care sectors, across all four countries and Crown dependencies, at all stages of their career journeys. It was acknowledged that the fight for fair pay was not over and calls would continue for fairness, equality and improvements for members.
- 3.23. Moving on to the Staffing for Safe and Effective Care campaign, the decision was taken to align pay with safe staffing during 2022, across all RCN branding, messaging and communications. This move set the tone and galvanised the clear link between investment in nursing, and safe patient care. This positioning work left members, the public and the media in no doubt that safe staffing remained at the heart of the RCN's fight for fair pay.
- 3.24. In December 2022, RCN Learn was launched, an online repository hosted on the RCN website offering access to learning and education resources to support CPD. It was quality assured and designed to support the entire nursing, health and social care workforce.

- 3.25. At Congress 2022, plans for the RCN Institute were also announced. Work was ongoing to establish the framework for the Institute and its five constituent academies.
- 3.26. In 2022, the RCN also implemented and delivered its Independent Health and Social Care Strategy. A plan was approved by Council to create 12 new independent health and social care lead nurse posts in Northern Ireland, Scotland, Wales and in each of the nine England regions.
- 3.27. All of the above information and much more was available in the 2022 Review of the Year report.
- 3.28. The Vice Chair concluded by thanking members for their time. Members were invited to ask questions after the presentation on the financial statements.

#### **4. AGENDA ITEM 4 – THE 2022 FINANCIAL STATEMENTS**

- 4.1 The Honorary Treasurer, Carol Webley-Brown, presented the 2022 financial statements as set out in the Annual Report.
- 4.2 The Honorary Treasurer began by introducing herself as a proud nurse, activist, RCN Council member and Chair of the RCN Finance and Investment Committee.
- 4.3 She agreed that it had been a historic year for the College and for the nursing profession. After the height of the COVID-19 pandemic, the RCN had moved straight into strike action with members taking to the picket lines in England and Wales for the first time in the RCN's history. Industrial action also took place in Northern Ireland.
- 4.4 Action was taken in order to directly address decades of underfunding and below inflation pay increases for nursing. It was taken to highlight the dereliction of duty by Governments across the UK to support the health and care services needed by the population.
- 4.5 The Honorary Treasurer noted that the impact of industrial action had a significant bearing on the RCN's financial results. She took members through the accounts which showed that as membership exceeded 500,000 for the first time in history, revenues were also at a record high at £97m. There was, however, a corresponding increase in costs, reflecting an increase in activity as the world returned to normal following the pandemic. This included the RCN's first in-person Congress since 2019 together with the costs associated with industrial action.

- 4.6 It was reported that the RCN's investment portfolio saw a significant drop in value during the year. This stabilised towards the end of 2022 and was now showing signs of recovery but was being closely monitored. Overall, both the RCN's investment and cash reserves were strong and generating income.
- 4.7 The RCN's investments provided capital growth in the long term, allowing it to deliver the five-year strategy. This would transform the way the RCN operated, ensuring it was fit for the future and continued to position members' interests at the heart of every decision.
- 4.8 The Honorary Treasurer reassured members that the RCN's finances were in safe hands and thanked the finance team for all their hard work and commitment in ensuring the RCN was in a strong position financially, with special thanks to Gush Uppal, Group Director of Finance.
- 4.9 The Honorary Treasurer was clear that Council regarded financial rigour as one of the fundamental cornerstones of the College and that prudence was applied at all times in the way the College's finances were handed. RCN Council never failed to remember that the vast majority of money spent came from the pockets of hardworking members. While the RCN's processes were thorough, considered and transparent, members were invited at any time to request information related to the annual accounts and the RCN's financial position.
- 4.10 The Honorary Treasurer then went through the annual accounts which showed that member income had increased by £2m in 2022 to £82.3m. Total membership increased by 39,000, or 8%. It was noted that the bulk of that increase (28,000) came in the final quarter of the year following the decision to ballot on industrial action.
- 4.11 Other income rose by £1m, reflecting the lifting of all restrictions on face-to-face events. The RCN also received £165,000 in public donations to its strike fund in December 2022.
- 4.12 As well as an increased revenue, overall expenditure increased by £13.2m resulting in a Group operating deficit of £1m. It was noted that there were a number of contributing factors behind the increased costs including £5.6m relating to industrial action, a £6.3m increase in staff costs reflecting the 4.4% increase in headcount together with the annual pay award, and the significant increase in travel and accommodation reflecting the return to face-to-face events including the first in-person Congress since 2019.
- 4.13 It was highlighted that in 2022, like so many other organisations, the RCN had seen a significant drop in the value of its investments due to global financial headwinds. This meant the RCN reported a total comprehensive loss for the Group of £18.3m leaving the RCN net reserves of £137m and

Group reserves of £179m including £36m of charitable funds not available for general use.

- 4.14 The 2022 performances of the other entities in the RCN Group were outlined. RCNi produced a profit of £1.3m which was slightly lower than the previous year while net reserves increased to £5.5m which was a £200,000 increase on last year.
- 4.15 The RCN Foundation reported a negative net movement of funds of £6.3m which incorporated net losses on investments of £5.4m and net expenditure of just under £1m.
- 4.16 In 2022 RCN Law reported a total profit of £786,000 of which RCN Holdco's share was £511,000, broadly in line with last year.
- 4.17 It was noted that the COVID-19 Healthcare Support Appeal (CHSA) had been established as a time-limited charity to support all health and care staff who were adversely affected by the COVID-19 pandemic. This was a subsidiary of the RCN Foundation and made grants to organisations supporting health and care staff focusing on hardship, psychological support and resilience and recovery.
- 4.18 In total the CHSA directly supported nearly 11,000 individuals but was now in the process of being wound up as the appeal itself had ended. It was reported that this was expected to conclude by Q3 of the current year.
- 4.19 The Honorary Treasurer then spoke about the performance of the RCN's investment over the last 5 years. This had been impressive even allowing for the sharp drop in 2022 due to external factors and had outperformed inflation and surpassed returns from the RCN's peer group. Looking forward, there had been a slight recovery in 2023 with longer-term investments consistently producing the best returns.
- 4.20 It was noted that investment performance was mirrored in the RCN's reserves which showed year-on-year improvement up to 2021 before the dip in 2022, but overall the RCN's investments and cash reserves remained healthy.
- 4.21 In summary, the Honorary Treasurer confirmed that the RCN remained in a robust financial position. It had a strong balance sheet which generated income and capital growth enabling investment in the College's future and the ability to deliver on its five-year strategy, including ambitious plans for the RCN Institute.
- 4.22 The President thanked the Honorary Treasurer and Chair of Council for their annual updates. She next invited member questions.
- 4.23 Kenneth Buckler asked what was being done for Branch Chairs.



- 4.24 The Director of Legal and Member Relations, Joanne Galbraith-Marten, was invited to outline plans for the activist academy within the RCN Institute. That academy would look to ensure better support to the RCN's reps and improve and strengthen how RCN branches operate to build more member power at a local level. This would benefit the College in ensuring it was well prepared to support any future industrial action.
- 4.25 Celia Manson asked for more information on the five academies within the RCN Institute.
- 4.26 The RCN's Chief Nurse, Nicola Ranger, outlined the five academies that would constitute the RCN Institute - for activism, nursing workforce, nursing practice, nursing leadership and international nursing. Each would have its own scope and remit.
- 4.27 Betty Kershaw asked about the RCN's policy on ethical investment and how often it was reviewed.
- 4.28 Gush Uppal, Group Director of Finance, confirmed that the RCN did have a formal ethical investment policy and engaged in positive screening to ensure it did not invest in any companies involved in the production or distribution of oil or coal. The RCN also avoided any companies involved in gambling, alcohol or tobacco. That policy was kept under formal review.
- 4.29 The President added that as Chair of the Governance Support Committee, she was able to confirm that ethical recruitment was something that was discussed there and taken very seriously, particularly in light of the Carr and KPMG reviews.
- 4.30 Adriana Vasilache questioned why pay did not rise for agency nurses and suggested that it had actually decreased. She asked why agency nurses were not better supported.
- 4.31 Denise Kelly, Chair of the Trade Union Committee, responded that the Fair Pay for Nursing campaign had to date focussed on NHS Agenda for Change terms and conditions but work was also taking place with the independent health and social care sector. The Trade Union Committee believed that all members deserved fair pay, regardless of where they worked, and that included agency workers. This formed part of the work programme for the Trade Union Committee and was part of the RCN's five-year plan for pay, terms and conditions. Denise provided reassurance that work would continue to fight for fair pay for *all* nursing staff.

- 4.32 Natalie Brooks expressed frustration at the lack of communication from Council to the RCN's Boards and other groups who were expected to carry out work with the wider membership. She queried what Council was going to do to improve communications and make Boards and other groups feel that their voice was being heard.
- 4.33 The President stated that RCN Council worked very closely with the communications team and took any issues affecting RCN members very seriously.
- 4.34 The Vice Chair of Council, Paul Vaughan, confirmed that Council members were ex-officio members of their country/ regional Board and regularly took issues back to their Boards. Once a year, Board members were also invited to attend a Council meeting and would be attending the next meeting in July 2023. It was recognised that there was already a lot of information that went out to Boards.
- 4.35 The Director for RCN England, Patricia Marquis, added that one of the recommendations arising from the KPMG review related to the slight disconnect at times between Council and Boards. KPMG had recommended exploring the creation of a group bringing together England regional Board Chairs, in particular, as and when required. This work was ongoing. It was noted that the recommendation also related to improving formal reporting mechanisms between Boards and Council to encourage stronger two-way communication.
- 4.36 Emma Bird noted that there were currently more than 35,000 student members. She asked how the RCN could guarantee that those members were transitioning to full nurse membership once they graduated despite the current climate making it difficult for them to afford full membership.
- 4.37 The Director of Policy, Communications and Marketing, Phil Ball, acknowledged the positive membership growth in recent months. Unfortunately, because the number of people applying to study nursing at university was falling, so too had the size of the RCN's student membership. Retention remained high, however, and the RCN had in place a very staged process for people to move from student membership through to Newly Qualified Nurse (NQN) at a discounted rate for the first year, and then onto full nurse membership. The College was closely monitoring how members progressed through the different membership categories.
- 4.38 Phil Ball advised that some very targeted pilots would be taking place this year to improve the benefits of student membership and see whether that increased the number who moved into the NQN category and beyond. It was felt important to better showcase the benefits of membership as a student and then across the RCN's full professional and trade union offer so that students stayed for the entirety of their career.

- 4.39 Anthony Asakpa asked why student members did not have a say in strike action.
- 4.40 The Director of Legal and Member Relations explained that RCN student members who were employed in other roles in the NHS at the time had been able to vote in the last statutory ballot and many did. Unfortunately, those who were just students were ineligible to vote as they were required to be an employee. It was highlighted that a concerted effort was made to ensure all those who were eligible to vote were made aware of the ballot and received ballot papers.
- 4.41 Jan Christian asked for clarification on why the RCN had such a large amount of reserves and how the RCN detailed how it invested, how it discussed, and how it used those reserves. She questioned whether there was any potential for investment in better communications given that there had been a lot of comments on the need to improve communications across the College. She had been particularly impressed with ThruText and would be keen to retain this resource.
- 4.42 The Group Director of Finance confirmed that the RCN did have a healthy balance sheet which included reserves. The RCN had a formal reserves policy, approved by RCN Council, that required a minimum reserves level of £90m. This money had been used in recent months to fund industrial action and was also used to cover any other potential liabilities that could arise. The importance of the RCN having those reserves was emphasised.
- 4.43 The Director of Policy, Communications and Marketing stated that he often made the case for greater investment in communications and a lot had been put into this already particularly around the Fair Pay for Nursing campaign. Learning was now being taken from the investment to date to ascertain what communication methods worked best and what members had responded well to.
- 4.44 The Director for RCN England felt that this question was more around improving engagement than communications. She stated that ThruText had enabled the College to engage much easier with members in a way that it had not been able to do before. As explained above, the College was now evaluating communications to date with a view to assessing what worked, what did not work, and what members liked. Member feedback was essential to shape what the RCN did in the future.
- 4.45 Jane - Elizabeth Tooke stated that herself and John Hill had been approached by student members who believed that they were not allowed to attend the AGM.

- 4.46 The Director of Governance, Stephanie Wilson, confirmed that all RCN members were entitled to attend the AGM, including students.
- 4.47 The Director of Policy, Communications and Marketing stated that this was not a concern that had been raised before. If there had been a particular problem this time, he was happy to ensure future communications made it clearer that students, and members across all membership categories and countries/ regions, were welcome at the AGM.
- 4.48 Natalie Brooks requested an update on progress of the membership category review started in 2019. She also raised concern that apprentices had no role and could not be student ambassadors or reps.
- 4.49 The Director of Policy, Communications and Marketing, recognised the importance of ensuring the RCN's membership categories were fit for purpose and accurately reflected the work lives and workplaces of members. He noted that there were a number of different roles across the four countries of the UK and across the NHS and the independent sector. He reported that the work started before the pandemic to review membership categories continued with a number of changes having been implemented in 2022 to improve member retention. This included introducing two new membership offers for retired members and members on a career break (including maternity leave). For a reduced fee those members could remain in membership and continue to access all of the RCN's services. Those changes had seen members switching categories rather than leaving the RCN altogether.
- 4.50 While changes to the governance structure of the review were ongoing, work continued, in particular, to look at the different routes that England had into nursing compared to the other countries. The Nursing Associate and Trainee Nursing Associate roles had proved problematic within the RCN's current membership structure so work would shortly commence to look at how they could be properly represented within the RCN's governance and decision making structures.
- 4.51 The Director of Policy, Communications and Marketing acknowledged that the UK Government had also spoken about investing more in apprenticeships in the coming years so there was a need to be clear on their membership category also. In summary, he confirmed that work to review the RCN's membership categories continued to ensure they were fit for purpose.
- 4.52 Shelley Pearce asked when discussion would take place on the fact that member's details were entered fraudulently into a petition calling for an EGM, undermining member's efforts to call for a vote of no confidence.

- 4.53 Davinder Viridi, Chief Operating Officer, explained that the first phase of the independent investigation to confirm that no member information had been compromised had completed with the findings now available on the RCN website. As a consequence of those findings, the investigation had now moved into a secondary phase to look at the further interviews that needed to be undertaken with key people who may have had access to data relating to the 2020 EGM petition. The findings of the second phase would also be published as soon as they were available, along with any recommendations and confirmation of next steps.
- 4.54 Jan Christian had been asked to ask on behalf of her branch why it was felt necessary for there to be a vote around membership fees when the RCN had such large reserves. While members of the branch had received assurance from their member of Council that there was to be no increase in fees, it felt like there was a suggestion that there might be.
- 4.55 The Group Director of Finance responded that the best way to keep the RCN's finances stable was to keep membership growing which the College had been able to do in a significant way. The RCN was also generating other sources of income. Given the impact of the cost of living crisis on members, the RCN was keen to ensure they saw value for money and the RCN was committed to refraining from increasing membership fees for as long as possible.
- 4.56 The Director of Governance explained that the vote to authorise Council to determine members' subscription rates was being taken at this year's AGM as the previous dispensation was expiring at the end of the year. The RCN's Standing Orders required any changes to member subscription rates to be agreed at an AGM which made it very difficult for an organisation as large as the RCN to manage its long term finances. It was approximately 17 years ago that Council first asked for a five-year dispensation which enabled it to work to a longer term financial strategy giving the organisation more certainty and flexibility.
- 4.57 It was confirmed that there were no plans to increase membership fees at the current time.
- 4.58 With finances being in such an excellent position, Vicky Brotherton queried when branch funds would be reviewed given the constant increase in costs of everything branches needed to buy to promote the RCN.
- 4.59 The Director of Legal and Member Relations confirmed that this would be looked at as part of the review of branches in 2024. She explained that the RCN was well aware of the issues with regards to branch funding and was committed to tackling it.

- 4.60 Emma Bird asked what the next steps were and how the RCN was supporting international student nurses with regards to the January 2024 student visa.
- 4.61 The RCN Chief Nurse, Professor Nicola Ranger, stated that she was unsure of the answer to this question and agreed to provide a written response after the meeting.
- 4.62 Adriana Vasilache asked why RCN members did not have free access to RCNi, which she felt would be an excellent member perk.
- 4.63 The Chair of the RCNi Board, Susan Sinclair, responded that the RCNi had always been a separate business to the RCN with a different cost base. However, the RCNi Board had been looking at how it could offer more to the RCN membership but was mindful that this would need to be done in a financially sustainable way for both the RCN and RCNi in terms of covering associated costs.
- 4.64 Jennifer Green queried if it would be possible for RCN student members to have access to RCNi for free.
- 4.65 The Chair of the RCNi Board responded that RCN student members received a subsidised subscription rate for RCNi. However, it would be difficult to offer free membership to RCN student members without causing cost to the RCN (as RCNi alone would not be able to cover this).
- 4.66 Carrie Cobb enquired what the RCN was doing for social enterprise nurses regarding pay increases.
- 4.67 The Director for RCN England recognised the difficulty in social enterprise companies not necessarily being covered by the Agenda for Change handbook and informed that the RCN was lobbying the UK Government on this matter. The RCN sought for the funding to be transferred through the commissioning process to the social enterprise services, including the local authorities.
- 4.68 Ian Graham noted that branches had recently been able to roll over up to 20% of previous year underspends and asked if this would continue.
- 4.69 The Director for RCN England responded that the RCN was reviewing branch underspends to ensure these were sustainably managed in the future and that it should not be the case that branches routinely had underspends each year.
- 4.70 Emma Bird praised her regional RCN Eastern Board for its significant work in supporting international nurses and asked about the RCN's work to support international nurses more generally.

4.71 The Chief Nurse noted that a recent NMC survey showed that 1 in 6 nurses in the UK were internationally educated and recognised that the RCN could do more to support those nurses. Therefore, the RCN had been formally engaging with its diaspora groups to understand what more support it could offer.

4.72 The President thanked all those members who had asked questions.

*(The meeting adjourned at 15.15 and resumed at 15.25)*

## **5. AGENDA ITEM 5 – TO CONSIDER AND VOTE ON THREE RESOLUTIONS**

5.1 The President resumed the meeting and informed that the Chief Nurse, Nicola Ranger, had joined the top table. She next invited the Vice Chair of Council, Paul Vaughan, to introduce item 5.

5.2 The Vice Chair of Council began his speech by noting that it was important for all to focus on the future of the RCN when considering the resolutions members would be voting on today.

5.3 The trio of resolutions for members to vote on were directly linked to transforming governance, culture and finance at the RCN. They were aligned to the five-year strategy and would support its successful delivery.

5.4 They would also provide stability, allow for growth and underpin the changes needed as highlighted in the external reports by KPMG and Bruce Carr KC into the governance and culture at the RCN respectively.

5.5 Resolution 1 asked for an extension to Council members' terms of office. This was an ordinary resolution that required a simple majority.

5.6 This resolution related to the Council members whose terms of office were due to expire on 31 December 2023. Many had only been in post for a few months, having filled vacancies after the vote of no confidence at last year's Extraordinary General Meeting and subsequent resignations.

5.7 Extending Council members' terms would result in greater stability and continuity to enable elected representatives to carry out the work needed to drive change within the College. He invited members to vote to approve an extension of terms until 31 December 2024.

5.8 Resolution 2 related to member subscriptions. This was another ordinary resolution, again requiring a simple majority.

5.9 This resolution sought members to approve a further five-year dispensation for Council to set membership subscriptions, until 31 December 2028. The RCN Standing Orders stated that subscription rates could only be set by members at a General Meeting. However, this

restricted the College's ability to maintain financial stability and commit to a long-term financial strategy.

- 5.10 This dispensation had been in place for the past 17 years, following a series of similar resolutions at general meetings. During that time, Council had only increased member subscriptions once – by just 1% in 2014.
- 5.11 Council was not seeking an increase at the present time, and it would continue to do everything it could to deliver effectively and efficiently for members in these challenging times. It was important however, that Council was able to plan the RCN's finances in order to provide financial stability and sustainability.
- 5.12 Resolution 3 sought to increase the threshold required to call an Extraordinary General Meeting, or EGM. This was a special resolution and required a two-thirds majority.
- 5.13 The Chair continued noting that transparency, democracy and acting in the best interests of the membership were key factors related to this third resolution.
- 5.14 Both KPMG and Carr recommended that the RCN review the threshold at which an EGM could be called. This was because the ease with which members could currently call an EGM, according to Bruce Carr KC, *'creates fear, paralysis and substandard decision making.'* He went on to say that the current arrangements gave *"...a small number of members a disproportionate ability to affect the organisation. It is very damaging and should be changed so that when an EGM is called, it is done on the basis of a properly representative community within the College."*
- 5.15 By learning from other similar organisations, the RCN would ensure the process was balanced, representative and that the whole College positively benefitted from member democracy.
- 5.16 There were three parts to this resolution and members were reminded to vote on each part.
- 5.17 Section 3.1 proposed a threshold of 5% of the membership which was in line with other organisations and trade unions as well as the Companies Act. As a backstop position, members were also being asked to vote for a lower threshold of 2.5% should the 5% not be passed – members were reminded to complete both sections 3.1 and 3.2.
- 5.18 Section 3.3 was about enabling Council to set out a clear path by which members could submit resolutions on to the agendas of General Meetings which had already been called; that process currently did not exist.



- 5.19 The Chair recognised how important it was for all members to have a voice in the organisation. If those resolutions were passed, Council had agreed to put in place a direct route to submit items and speak to them directly at Council meetings.
- 5.20 He noted that members would be aware of the petition submitted earlier in the year which contained fraudulent signatures. The new measures the RCN sought to put in place included changes to the way in which EGM petitions were submitted and authenticated in order to maintain data security and ensure confidence in the process.
- 5.21 The Chair closed by noting that annexes A and B to the agenda contained the exact wording of the proposed Standing Order changes and that these would be regularly reviewed, if approved, to ensure they remained fit for purpose.
- 5.22 The President thanked the Vice Chair of Council for his introduction to the three proposed resolutions and next invited member questions.
- 5.23 Graham Revie enquired about proxy voting at the AGM and if this was in line with the Standing Orders.
- 5.24 The Director of Governance informed that the Standing Orders state at 17.2 '*votes may be given personally or, in the event of a poll, either personally or by proxy*'. As a vote had been called by Council, votes could be made either personally or by proxy, in accordance with the Standing Orders.
- 5.25 Sue McBean asked how many members were in attendance and how many had been funded to attend. She also asked if the quorum of 150 had been met.
- 5.26 The Director of Governance responded that there were 47 members in attendance at The Bridgewater Hall. Further, members of Council, the Trade Union Committee and Professional Nursing Committee had been fully funded to attend. Branches were able to provide funding on a case by case basis. Finally, following a rule change in 2010, quorum was counted based on those in attendance and by proxy. There were also 442 members in attendance online, which counted towards quoracy.
- 5.27 Jane - Elizabeth Tooke enquired about the proposal to increase the threshold for calling an EGM, noting the historical difficulties with voting turnouts at General Meetings.
- 5.28 The Vice Chair of Council responded that Bruce Carr KC had recommended that the RCN increase the threshold to be in line with similar organisations, which is what the 5% represented. He added that this would be in line with best practice and would help prevent EGMs potentially being used to destabilise the work of the RCN.

- 5.29 Vicky Brotherton asked for clarity on the resolution to extend the terms of office for Council members and whether this applied to any other RCN elected members.
- 5.30 The Director of Governance clarified that the resolution only sought for members to extend the terms of office for Council members whose terms were due to expire at the end of 2023.
- 5.31 The Chair of Council added that the resolution to extend Council members terms of office would provide stability to the RCN after a difficult period. Further, it would allow Council members to continue implementing the recommendations of the governance and culture reviews.
- 5.32 The President noted that she also chaired the Governance Support Committee which was responsible for reviewing terms of office of other governance bodies, including forums.
- 5.33 A written question had been submitted by Anthony McGeown but the President asked for this be reworded and resubmitted as she was unclear what was being asked.
- 5.34 Zeba Arif felt it was important that members be given the option to vote on their Council members and that members should not be elected unopposed.
- 5.35 The Vice Chair of Council responded that under the current system it was possible for members to be elected unopposed. However, as per the KPMG recommendation, the RCN would be reviewing its governance arrangements which could include the elections process.
- 5.36 For clarity, the Vice Chair reiterated that the resolution was only asking for the existing Council members whose terms of office were due to expire at the end of 2023 to be extended until 2024.
- 5.37 Zeba Arif reiterated the importance of members voting for their Council member.
- 5.38 The President understood the point but added that significant progress had been made on implementing the Carr/ KPMG recommendations and holding new Council member elections might disrupt the progress made to date. Ultimately, it was up to members to decide whether to agree to the one year extension for those Council members whose terms of office were due to expire at the end of 2023.
- 5.39 Vicky Brotherton asked if suspended Council members would also have their terms of office extended if Resolution 1 was passed.

- 5.40 The Chief Operating Officer responded that it would not be appropriate to discuss any suspended members but that the resolution as outlined was relevant to the current structure and any Council members whose term of office was due to expire at the end of 2023.
- 5.41 Natalie Brooks asked why having a one year extension would be better than having an election at the end of 2023 where those relevant Council member positions would be elected for a four year term starting in 2024.
- 5.42 The President noted the responses provided earlier to Zeba Arif and that it was up to the members to decide whether to approve Resolution 1.
- 5.43 Angela Siddiqui stated that she felt the resolutions were tone deaf and that the membership was more engaged than ever.
- 5.44 Samantha Spence asked that, given the representative element of RCN Congress offered one voting place per 1,000 members of a forum or branch to vote for resolutions, why was that threshold substantially less than what was proposed for members to call an EGM or add an item onto the AGM agenda.
- 5.45 The Director of Governance noted that these were constitutionally two very different matters and that was why the thresholds worked differently. Congress was the representative body of members to discuss matters and seek to influence the work of Council. A resolution passed at a General Meeting usually related to changing fundamental rules and structures of the organisation.
- 5.46 The General Secretary and Chief Executive, Pat Cullen, reiterated that there was to be a review of RCN governance processes (as per the recommendation of KPMG) which Council had agreed to implement.
- 5.47 Following the vote on today's resolutions, should they not be passed, Betty Kershaw asked when the RCN would open the election for new members of RCN Council.
- 5.48 The Director of Governance stated that there were no resolutions on the agenda which would require members of RCN Council to stand down. Should the resolution to extend the terms of current Council members not be passed, it was explained that their terms of office would conclude, as planned, in December 2023. A provisional timetable for Council elections to run had already been agreed for new members to take up post in January 2024. It was anticipated that nominations would open at the end of July.
- 5.49 Betty Kershaw raised concern that the RCN appeared to be spending a lot of money on unnecessary elections.

- 5.50 The Vice Chair of Council explained in more detail the purpose of the resolution to extend Council member's terms of office. He stated that the newer members of Council were still getting to grips with the work that they needed to do and extending their terms would ensure continuity and stability for the organisation through until the end of 2024. This would also give the current Council enough time to implement the recommendations arising from the Carr and KPMG reviews. Should the resolution today not be passed, those newer members of Council would be required to re-stand for election with the likely result that some would be re-elected while some would need to stand down as planned on 31 December. The purpose of the resolution was simply to ensure stability for the organisation. It was explained that while it would save money not having to run the Council elections this year, that was not the primary purpose of the resolution.
- 5.51 Samuel Obieze raised concern that branches had not clearly communicated the resolutions to be voted on at the meeting. He agreed, however, that the RCN needed stability to grow, get work done, and build a solid foundation upon which big decisions could then be made. He supported the resolutions and encouraged members to vote.
- 5.52 The President thanked Samuel for his comments. She confirmed that work going forward included improving engagement with members. She believed that by supporting the resolutions and ensuring stability members would get better value for money and a better connection with the College.
- 5.53 Given the huge amount of work that was required to implement the recommendations arising from the Carr and KPMG reviews, Stuart McKenzie questioned whether it would be more beneficial to carry out Council elections sooner rather than later in order to have a Council with full terms of office who could plan for the longer term.
- 5.54 Given the de-stabilisation that had taken place both within the College and externally within the NHS (and in the private sector) around the pay negotiations, Stuart McKenzie suggested that delaying the Council elections was simply putting off the problem. He questioned whether a cost benefit analysis had been undertaken to underpin the rationale for the resolution.
- 5.55 The Vice Chair of Council responded. He explained that there was no right or wrong answer but that Council had presented the resolution based on what they thought was the right thing to do for reasons that had already been outlined. He explained that Council had felt that given things may change going forward with the reviews, it was better to extend the terms of office of current Council members to enable them to complete that work over the coming 12 months following which processes could then be set up to take forward any remaining work from January 2025 onwards.

- 5.56 The Vice Chair of Council was pleased that this issue was being debated and looked forward to hearing everyone's views. He encouraged all members to vote in order that the voice of the membership could be heard.
- 5.57 Geoff Earl stated that Resolution 3 called for either a 5% or 2.5% threshold, which would be 25,000 or 12,500 members respectively, to call an EGM. Given that the RCN itself, with its advantage of being able to contact all members, rarely ever reached this figure for an AGM, and only managed to get 1.5% of members to vote on re-joining the ICN, it was suggested that there was a danger that if either resolution was passed, it would make it virtually impossible for members to ever call an EGM and hold the organisation to account.
- 5.58 The President confirmed that there were two options open to members and that they could vote to increase the threshold to call an EGM to 2.5% if they felt that 5% was too high. The RCN had also compared its current approach to EGMs to that of other organisations and it was clear that the number of members who had signed the petitions for recent EGMs only represented a very small proportion of the RCN's full membership. This resolution, therefore, was an attempt to improve representation.
- 5.59 The Vice Chair of Council added that Bruce Carr was very clear in his review that this threshold needed to be increased, as were KPMG. RCN Council was bound to act on Bruce Carr's recommendation and to bring the RCN in line with what other similar organisations did.
- 5.60 Anthony McGeown asked whether the Council members affected by Resolution 1 had agreed to continue in post should the resolution be passed. The Vice Chair of Council confirmed that they had.
- 5.61 Shelley Pearce suggested that there was a need to improve engagement. If the quorum was less than the amount of members required to even call a meeting, she queried whether it was the EGM itself that was de-stabilising or whether the lack of confidence in those called to step down was the issue.
- 5.62 The President explained that currently the number of signatures required for an EGM was 1,000. This was not representative of the RCN's membership which continued to grow and now sat at over 500,000. The second part of the resolution was aimed at ensuring member engagement was at the heart of the RCN's decision making by enabling Council to make Regulations to establish how requisitions calling for an EGM were to be submitted and authenticated, to ensure their validity.
- 5.63 The Chief Nurse added that the reason Companies House and others set thresholds for calling an EGM was to ensure that membership organisations remained genuinely democratic, not being subject to a small number with often a clear and minority focus. The RCN had a large

membership and it was very important to ensure the call for an EGM was genuinely democratic and reflective of the size of membership.

- 5.64 Nicola Ranger highlighted that there were other ways, besides calling an EGM, which the Carr review had made clear was extremely destabilising for any organisation, that members could raise concerns. Members were welcome to contact RCN Council members directly where there were genuine concerns about the way the organisation was being run.
- 5.65 The President also highlighted that a resolution calling for all members of the RCN to be given equal democratic rights within the organisation was debated and passed at Congress 2023. Work was now underway to take this forward.
- 5.66 In relation to calling an EGM, Zeba Arif asked for clarification on whether the member calling the EGM would be responsible for obtaining the required number of signatures. The President confirmed that yes, this was the case.
- 5.67 Zeba then asked how the RCN would validate the data provided on the petition once it had been submitted given that members had no access to the RCN's membership database.
- 5.68 The President confirmed that RCN Council was encouraging more members to approach them directly where they had concerns rather than petitioning for an EGM.
- 5.69 In relation to the process for ensuring the security of an EGM petition, the Director of Governance responded that the amendment that would go into the Standing Orders would provide for Council to determine the method by which petitions were submitted and authenticated in order to protect members from submitting fraudulent signatures.
- 5.70 It was proposed that future petitions be set up and managed centrally by the RCN, linked to the member database to ensure the authenticity of signatures. Any member would be able to share the link to the petition, via email or social media for example, and anyone who signed it would receive a verification email. Members would be required to log in via the RCN website to sign the petition, thus ensuring they were a genuine member. The new system would work very much like a parliamentary petition.
- 5.71 Helen Williams asked how many RCN EGMs had taken place.
- 5.72 The Director of Governance confirmed that there had been four EGMs since 2003.

- 5.73 Denise Chaffer highlighted that the RCN had seen greater engagement than it had ever seen before over the last year in relation to industrial action. While some members of the current Council had been elected unopposed, she emphasised that any member could stand for election and recognised a need to provide greater support to members to enable them to stand. Denise encouraged members to vote for the resolution to give current Council members a year to work on engagement and encourage more members to stand so that less people were elected unopposed in the future. It was suggested that this should be a priority for the organisation.
- 5.74 Secondly, Denise recognised that while the issues debated at recent EGMs were very important, it was also important to promote the other avenues available to members to raise concerns. Members needed to be part of an open organisation where they felt that they could hold Council to account. Denise requested some more information from the Vice Chair of Council on what that might look like. She also suggested that it would be helpful if the organisation could move more rapidly to more open and transparent Council meetings so that the wider membership could view as much of those meetings as possible. It was felt that this would assist Council in building trust and increasing engagement, something that Council needed to focus on over the year ahead.
- 5.75 Leanne Patrick commented that membership had grown exponentially since the EGM threshold was set at 1,000 members which was currently only 0.2% of the membership. She suggested that if the College could not engage 2.5% or 5% of members then it was not representative or ethical. She asked how Council intended to improve representative engagement.
- 5.76 The President confirmed that much work was already going on to improve engagement in response to the Carr and KPMG reviews. The RCN Institute would also be key to this.
- 5.77 The Chief Nurse recognised that it was important for the College to be there for members all the way through their career, from being a student to a Newly Qualified Nurse and beyond. With the RCN Institute, it was hoped that members would relate to the five academies and see their relevance to their day to day working lives. There was an acknowledgement, however, that more needed to be done for students.
- 5.78 The Chief Nurse emphasised the importance of all members getting involved in the work of the RCN and she hoped that in the future less posts would be elected unopposed as members would feel more engaged. It was important that RCN Council was seen to be discussing the issues of most importance to members as identified through the five academies. The RCN Institute would play a huge role in making members feel more engaged in the work of the College.

5.79 The Vice Chair of Council stated that there were a number of ongoing projects, including the organising model and the review of branches, that taken together would greatly improve member engagement. It was important not to see each project in isolation. The Vice Chair of Council stated that when he was RCN Director for the West Midlands region a few years ago, one of his key values was about engaging members. That had always been a passion of his and he remained committed as the now Vice Chair of Council to changing and improving the way the RCN engaged. He recognised that the nursing profession was 90% female but the make up of Council was less than 90% female and questioned why that was and how that could be changed. There was a recognised need to encourage and enable more women to stand for Council and other roles across the College. He noted that the EDI strategy was also aimed at enabling better representation across the College and tied in with other ongoing workstreams.

5.80 The Director of RCN England spoke about the organising model. She recognised that members engaged in the things that mattered most to them and the organising model was intended to give the power back to members to enable them to engage better at a local level and as a collective membership also. The RCN was seeking to enable members to engage where they wanted to and not make them feel bad for not engaging in the areas where they had less interest.

5.81 The President thanked all those who had asked questions. She stated that members would now have approximately 15 minutes to vote on the resolutions. She reminded members that the wording of the resolutions was available in the agenda of the meeting.

*(The meeting adjourned at 16.22 and resumed at 16.35)*

## **6. AGENDA ITEM 6 - MATTERS OF A PROFESSIONAL CHARACTER**

6.1 The President resumed the meeting and confirmed that all the poll cards in the room had been collected and would be counted by the independent scrutineers, Civica.

6.2 The results would be revealed at the end of the meeting once all the votes had been counted and added to the votes cast online.

6.3 The President was pleased to welcome Denise Kelly, Chair of the Trade Union Committee, and Tim Grace, member of the Professional Nursing Committee, to the top table for item 6. Rachel Hollis, Chair of the Professional Nursing Committee, had sent her apologies.

6.4 The President next invited members to ask questions on any matters of a professional character.



- 6.5 Rachel Burn noted that not all GP practices paid their nurses in line with Agenda for Change and asked what pressure the RCN was applying to address this.
- 6.6 The Chair of the Trade Union Committee responded that the RCN strongly advocated for all its members across all settings to have pay, terms and conditions that were as good as those offered in the Agenda for Change workbook.
- 6.7 She added that work was being done with the GP Nurses Forum to specifically address the inconsistency across GP practices and that there was lobbying of employers and the UK Government on this matter. Meetings were held with relevant stakeholders, including those at NHS England, the Northern Ireland Department of Health, Scotland officials and the BMA of all countries.
- 6.8 Ian Norris asked why the RCN did not seek to influence the NHS Staff Council to enforce the correct payment of NHS staff who worked additional or overtime hours over their contractual hours in accordance with their contractual agreements as contained in the Agenda for Change workbook.
- 6.9 The Chair of the Trade Union Committee again reiterated that all members deserved fair pay, terms and conditions and would continue to lobby employers, including at the NHS Staff Council.
- 6.10 The Director of RCN Scotland, Colin Poolman, recognised that there were some terms and conditions not being enforced, such as in relation to overtime entitlement. Where the RCN was made aware of such cases, it would put pressure on employers to make sure that the terms of the Agenda for Change workbook were enforced. It was also important that the RCN empowered members to maximise their earnings and to make them aware of what they were entitled to under the Agenda for Change workbook.
- 6.11 Victoria Hoban asked how the RCN planned on implementing a nationwide structure for disabled student nurses. She felt that discrimination against disabled student nurses was systemic and that members needed more support from the RCN in terms of direct action. She noted that she had raised her concerns locally with RCN and the NMC.
- 6.12 The Director of Legal and Member Relations responded that disability discrimination was one of the number one referrals to the RCN legal services. The RCN enforced the rights of members, including student nurses, when such referrals were made and noted that there was protection against disability discrimination in law. Further, she added that the RCN was piloting and promoting disability passports and she would arrange for contact to be made with Victoria Hoban directly to discuss the specifics of the points she had raised.

- 6.13 Robert Crawford asked what the RCN's view was on proposing statutory legislation regarding keeping nurses posts open and viable for older nurses.
- 6.14 The Director of Legal and Member Relations considered it would be difficult to set parameters for age specific roles as that could breach age discrimination laws but noted that there was an ability to make specific roles if there was a genuine occupational requirement to do so. She added that the following resolution had been passed at Congress 2023 and was being taken forward by the member relations department: *'That this meeting of RCN Congress calls on RCN Council to lobby employers to ensure the welfare and occupational safety of older health care workers'*.
- 6.15 Samuel Obieze noted that some international nurses had been coerced, misled or deceived into signing particularly disadvantageous contracts and asked how the RCN was addressing this.
- 6.16 The President recognised that this practice occurred and addressing this was a significant focus of the International Committee. The Committee worked with diaspora groups to understand such issues and was working with RCN staff and the NMC to look at what could be done to prevent such practices.
- 6.17 The Chief Nurse added that the International Council of Nurses (ICN) would be a key partner in protecting the rights of all international nurses in ensuring that they were not coerced, misled or deceived into signing any contracts. She added that the ICN did not want nurses to sign any contracts until they were in the country they sought to work. Further, the ICN sought that international nurses received advice before signing any contracts. This would be a key workstream of the International Committee and an update would be provided in due course.
- 6.18 Samuel Obieze next asked what the RCN did for those nurses who had unknowingly signed draconian contracts which contained significant financial penalties.
- 6.19 The Director of Legal and Member Relations noted that the RCN had previously had significant success in challenging such contracts on behalf of members. Where necessary, the RCN had successfully sued employers over penalty clauses. It was important that those nurses were members of the RCN so that they could be supported by the legal team. Additionally, the RCN was campaigning for ethical recruitment across standard NHS contracts. The independent sector would be harder to regulate but the RCN would continue to act for its members where employers used unjust penalty clauses.
- 6.20 The Chief Nurse added that more would be done to advertise the RCN to international nurses before they travelled to the UK.

- 6.21 Samuel Obieze suggested that the RCN should explore offering time limited subsidised membership to international nurses.
- 6.22 The President felt that a key issue was that international nurses experience of trade unions might be different to those in the UK. Therefore, it would also be key to explore how the RCN could successfully advertise itself to prospective international nurse members.
- 6.23 Adrian Jones asked if the RCN had received any evidence of universities not marking nursing student dissertations because of industrial action in that sector. The President responded that she was not aware of the RCN having received any such evidence but that this may be held by the University and College Union. She noted that affected nursing students should challenge their universities if dissertations remained unmarked.
- 6.24 Paul Grimer stated that the RCN setting up a peer support group for those suffering from long term illness and disability caused by COVID-19 was commendable but asked if that support could be extended to those nurses who were injured by the COVID-19 vaccine.
- 6.25 Jane - Elizabeth Tooke reflected on the Forums and Networks Review Report. She asked what was being done to improve the working relationship between forums and networks with branches.
- 6.26 The President noted that the report was published in 2022 but that there were lots of plans to unite the College moving forward.
- 6.27 On the Forums and Networks Review, Tim Grace, member of the Professional Nursing Committee, added that there was an action plan in place with timelines that had been shared with the forums.
- 6.28 The Chair of the Trade Union Committee added that her Committee was working more with the PNC and that greater collaboration across the branches, forums and networks would be key to ensuring all members were fully represented.
- 6.29 Jane - Elizabeth Tooke noted that she had previously asked about the involvement of branches and felt that cross collaboration between branches, networks and forums was not effective at present.
- 6.30 The President accepted that more work was required but assured that she had met with the Chair of the Professional Nursing Committee and all were aware of the need to increase collaboration across branches, forums and networks.
- 6.31 The Chief Nurse recognised the concerns raised and added that the Forum Chairs also felt that more support could be provided to them, in line with the infrastructure and support provided to reps. She therefore welcomed

the Chairs of the Trade Union Committee and Professional Nursing Committee's commitment to continue working closely together moving forward and felt that greater collaboration should also take place at branch level.

- 6.32 Carmel O'Boyle queried why discussion was again taking place on branch engagement when this had already been debated as a resolution at Congress 2018 and a programme of work agreed to better engage members at a branch level. She asked what had happened to that work.
- 6.33 The Director of Legal and Member Relations explained that this work continued and would be picked up under the activist academy in the RCN Institute. Following on from the Director for RCN England's comments earlier in the meeting on the organising model, it was recognised that many members had wanted to get involved in the pay campaign but did not necessarily want to get involved in other issues that the College was campaigning on so there was a need to decide what activism looked like in the RCN. With the activist academy and a reinvigorated branch structure, it was believed that it would be a new dawn for activism in the RCN next year.
- 6.34 Elizabeth Holt asked if future AGM resolutions could be worded in more accessible language. The current wording, she suggested, was off-putting for many and did not encourage them to vote. She asked if the language used in the future could be simplified.
- 6.35 The President agreed that this would be taken into consideration for future AGMs.
- 6.36 Geoffrey Walker stated that the RCN had taken the Government to Court regarding the strike action, lost and had to pay the costs. He asked RCN Council to explain why such action was taken, risking members who may have gone on strike illegally, and what the cost of the failed action was.
- 6.37 The General Secretary and Chief Executive responded. She stated that that was a very dark day for the Government to take nurses to Court. The night before, she had emailed all members the very lengthy and comprehensive evidence that was produced and completed by the very best employment lawyers that the UK had. It showed that the Government was wrong to do what it did. The legal advice received by the RCN was to participate in written evidence rather than go to Court and members had stood outside and protested with the full strength of their voice. The General Secretary and Chief Executive had joined them, as did the RCN's KC. It was noted that countless members of the public had approached them that day to show their support. It was clear that rather than be in the courtroom and help the Government enforce their draconian law it was better for RCN members to have their voice outside that Court.

- 6.38 David Vickers highlighted the resolution that was passed at Congress 2023 calling on RCN Council to lobby for a Commissioner for Older People in England and Scotland, as there was in Wales and Northern Ireland. David asked what progress had been made to date in relation to this resolution and whether the College would be engaging with the Retired Members Network.
- 6.39 The President confirmed that each of the resolutions passed at Congress 2023 had been allocated a Council member lead. Given that Congress only took place in May, members would need to give the College some time to progress those workstreams before reporting back. Further discussion on next steps would take place with the relevant proposers.
- 6.40 Leanne Patrick asked whether there was a process for de-selecting Council members rather than calling EGMs or waiting for elections.
- 6.41 The Director of Governance explained that the Schedule 1 of the rules appended to the end of the Royal Charter set out the reasons why the office of a Council member could be vacated. There wasn't a de-selection process as such but there were grounds for Council members' seats being vacated during their term of office. While the rules were now slightly archaic, what was set out in Schedule 1 was the only grounds by which Council members could be asked to step down.
- 6.42 Geoffrey Walker asked what the total cost of the Carr report was.
- 6.43 The Group Director of Finance answered that it had cost £132,000.
- 6.44 Melita Sandiford asked how the working hours of nurses could be reviewed given that longer working days were now interfering with work/life balance.
- 6.45 The Chief Nurse explained that there were mixed views on this. Some members preferred shorter days while others preferred longer days as childcare costs were less when working three long days a week. She talked about the situation in Wales where there had been talk of paying members for a 37.5 hour week while only expecting them to work 36 hours. The advantages of this included members working long days only having to work 4 days every fourth week. It was recognised that more dialogue was needed with members on next steps and that employers needed to work more closely with their staff on what they wanted in relation to shift patterns that were more family and member friendly. It was noted that there was likely to be some learning for the RCN around how the police and also the airline industry managed shift patterns as there were some similarities there.

- 6.46 The Chair of the Trade Union Committee concurred with the Chief Nurses' comments above. She agreed that there were mixed views on this and that the RCN needed to consult members and employers and agree how to take this forward.
- 6.47 The Chief Nurse added that the RCN also needed to be stronger with employers on ensuring members knew their shift patterns at least six weeks in advance. It was not good enough that many employers gave much less notice. Members had a right to a life outside work and should be able to make plans in their personal life.
- 6.48 Zeba Arif noted her disappointment at the recent statutory industrial ballot failing to reach the required legal threshold. She suggested that the RCN ask its members whether Members of Parliament should get their annual pay increase.
- 6.49 The President recognised the ballot results had been clear but did not meet the required threshold. She also recognised the disparity in pay between nurses and Members of Parliament. She was concerned that nurses did not feel valued and thus it was important for the RCN to continue its Fair Pay for Nursing campaign.
- 6.50 The General Secretary and Chief Executive thanked Zeba Arif for her suggestion. She considered that the threshold requirements were overly restrictive. Efforts to reach the threshold had been seriously hampered by the legislative requirement that it be a postal ballot only. She highlighted the disparity in being able to electronically vote in political contests, such as the Conservative Party leadership election in 2022, but not in trade union statutory ballots. The RCN was currently looking at lessons learnt over the previous year's industrial action campaign.
- 6.51 Graham Revie asked about recent increases in staff headcount.
- 6.52 The Group Director of Finance noted that headcount had increased by 4% which was reflective of the investments the RCN had made.
- 6.53 The President thanked all those who had asked questions and informed the meeting that any unanswered questions would be included in the Q&A document or a direct response provided.

## **7. CONCLUDING REMARKS**

- 7.1 Before closing the meeting, the President announced the results of the resolutions voted on at item 5. The results were as follows:

**RESOLUTION 1 – (Ordinary resolution – required a simple majority)**

*Extension of Council terms of office*

In relation to any Council member whose term of office is due to expire on 31 December 2023, to extend that term of office until 31 December 2024.

For: 11,001 (82.46%)

Against: 2,340 (17.54%)

Abstain: 535

The vote was PASSED.

**RESOLUTION 2 - (Ordinary resolution – required a simple majority)**

*Subscription rates*

Pursuant to Standing Order 6.1, to authorise the Council to determine Members' subscription rates for the years starting on 1 January 2024 and ending on 31 December 2028.

For: 9,844 (74.83%)

Against: 3,312 (25.17%)

Abstain: 718

The vote was PASSED.

**RESOLUTION 3.1 – (Special resolution – required a 2/3 majority)**

*General Meetings*

To amend the Standing Orders as per Annex A.

*Annex A*

*To amend the Standing Orders to increase the threshold for calling an Extraordinary General Meeting (EGM) to 5%*

*To amend the Standing Orders to enable Council to make Regulations to establish how requisitions calling for an Extraordinary General Meeting (EGM) are to be submitted and authenticated, to ensure their validity.*

For: 10,639 (82.16%)

Against: 2,310 (17.84%)

Abstain: 924

The vote was PASSED.

**RESOLUTION 3.2 – (Special resolution – required a 2/3 majority)**

*General Meetings*

If resolution 3.1 is not passed, to amend the Standing Orders as per Annex A to this agenda provided that the figure of '1%' shall be substituted for '5%' in revised Standing Order 13.3.

For: 10,650 (82.01%)

Against: 2,336 (17.99%)

Abstain: 885

The vote was PASSED.

**RESOLUTION 3.3 – (Special resolution – required a 2/3 majority)**

*General Meetings*

To amend the Standing Orders as per Annex B to this agenda.

*Annex B*

*To amend the Standing Orders to enable Council to make Regulations setting out the method by which Members may propose resolutions at General Meetings called by the Council.*

For: 10,859 (85.48%)

Against: 1,845 (14.52%)

Abstain: 1,166

The vote was PASSED.

- 7.2 The President closed the meeting and thanked all members for their participation.