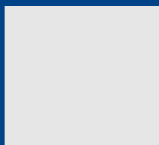


Royal College  
of Nursing

# Healthcare Professionals'



This pocketbook is designed to be used alongside the Stewards' Handbook.

It provides stewards with key headlines, actions and checklists along with links to where you can find more information.

As an RCN steward you'll make a difference to the working lives of RCN members as well as increasing the influence of nursing staff in your workplace.

You will be:

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## Actions for IR representatives

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Follow the Case Management protocol and use the Case Management System (CMS)

– Use these guides, tools and resources to manage cases and provide high quality, consistent support and representation.

Meet with your supervising officer

– Use these meetings to review your cases, discuss challenges and build up your knowledge and confidence.

Check RCN membership on the CMS – We're unable to provide representation on any matter that took place before someone was a member of the RCN.

Check terms and conditions of employment – Identify the key contractual entitlements and statutory rights that relate to the case. Pay particular attention to length of service.

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Know and work with your employer's policies relating to the case – These could be local and found via HR or a staff handbook, or in the case of Scotland and Wales, be national policies.

Know and keep to time limits –

There is a great risk to the RCN if it is if representatives or staff fail to submit required information, claims, or appeals within prescribed time limits.

Consider possible discrimination

– Discrimination can be direct and indirect and lie beneath the surface of many cases. Potential discrimination dimensions should be discussed with your supervising officer.

Signpost to counselling support –

This could be a stressful or distressing time for the member. If so, refer them to their employer's counselling service, if they have one, or to the RCN Counselling Service.

Signpost to support with statement writing – The RCN has great guidance, templates and a statement checking service for members.



## Documentation

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### On opening the case

Seek out the relevant workplace policy and clarify the process and documentation required. Request from the member all related and supporting documents including:

- a letter or email of invitation to the meeting/hearing with an outline of purpose and timeframes
- a written chronology of events
- previous correspondence related to the matter (conversations of concern, informal meetings, denied requests etc)
- letters or minutes and informal and formal processes connected to this case (conversations of concern, previous 'stages' of sickness review, denial of requests for adjustments etc).

### While preparing for a case

There may be documents and records you wish to request or create to support the case, such as:

- witness statements
- professional development reviews/appraisals
- occupational health reports
- pay slips
- sickness absence 0009-BDC ()TjEMC 7

# If the s e g o e s t o c i s m i s s i n p o t e n t i a l e m p l o y m e n t t r i b u n a l

The legal process for dealing with employment issues

The Supreme Court of the United Kingdom is the highest Court and applies across England, Wales, Northern Ireland and Scotland - its decision is final

Appeals can be referred to the Court of Appeal if the decision was incorrect, or suffered from a serious procedural error or irregularity

Employment Tribunal decision is 'perverse' or there has been an 'error in law' the case can go to the Employment Appeal Tribunal

Appeal upholds decision to dismiss. Case is escalated to Employment Tribunal (this has to be done within 3 months minus one day of the dismissal)

Member is dismissed following Disciplinary Hearing, and attend Appeal Hearing

Investigation escalates to Disciplinary Hearing, the potential outcome is dismissal

Allegation made, investigation is carried out to establish facts and whether there is a case to answer

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The European Court of Justice is the highest Court in matters of European Law - only cases where the law is derived from Europe can be referred here

Either employer or employee can escalate to these higher Courts. The RCN will continue to represent where appropriate

Right to representation. This is provided by RCN Legal Department if there is more than 50% chance of success (RCN criteria)






Right to representation. This is provided by RCN Steward or Regional Officer

Right to representation. This is provided by RCN Steward or Regional Officer

No right to representation, although NHS policy states this is good practice. RCN steward will attend with member

## Supporting members to raise concerns

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1. Signpost them to the  and the   

2. Meet the member to discuss their concern.
  - Ensure you meet in a comfortable and safe environment and encourage the member to take notes.
  - Ask the member to outline the issue and any incidents or evidence and use the   
 to identify and articulate where care is, or is in danger of, falling below standard.
3. The member should then write a statement to their employer highlighting their concern or contact their Freedom To Speak Up Guardian if they want to submit the complaint anonymously
4. Open an enquiry or case on the CMS.

5. Discuss with your supervising officer and any other RCN reps and/or other trade union reps so you can coordinate further actions.

### Escalating a concern

If you don't see a positive response from the employer and you need to support the member to escalate it, work with your supervising officer to plan your next steps which could be:

- taking further local actions
- formally handing the case to the RCN regional office to raise at a higher level within your organisation
- raising the case with a health care regulator to investigate. (This can be done anonymously).

As a nursing professional and an



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Your policies are the foundation of all representation work and you should locate and understand the policies in your workplace. Including those relating to:

- disciplinarys and conduct
- grievance
- equality, diversity and inclusion
- sickness absence
- flexible working
- whistleblowing
- leave entitlement.

All policies will be subject to a review and have a review date. Most employers will offer to review policies in partnership with staff.

Try and speak to members to hear their experience of using the policy and whether they think it works well or not.

It's really important that stewards understand any changes before agreeing to them on behalf of members.

## Critiquing policy

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### Step 1: Read through the policy

- Does the new policy replace an existing policy? Does it 'reinvent the wheel'?
- Who has written/designed the policy?
- Does the policy need to be read in conjunction with other policies?
- Are there any guidance notes to accompany the policy?

### Step 2: Review the content

- What are your general impressions of the policy?
- What is the evidence given for the policy and is it valid

- Will it mean changes in work practices?
- Will the affect be an improvement or deterioration in terms and conditions?
- Is the policy realistic and able to be delivered?

### Step 3: Review the presentation and accessibility of the policy

- Is it well presented, easily read and understood, and jargon free?
- How does the policy compare with any RCN model policy or RCN advice or information in RCN publications(for example, job share or workability booklets).

## Staff side working in partnership with other unions in all regions

The interface between management and all recognised unions ensures a collective approach to issues relating to employment terms and conditions.

In the NHS it can be called 'staff side' or be given a local term such as Joint Consultative Negotiating Committee (JCNC) or Area Partnership Forum.

In the independent sector the staff side model can vary with some organisations having similar arrangements to the NHS. However the written detail and process may not be as clear or easy to find. Smaller employers may not have a staff side group but may have local ways of working in place.

The number of RCN seats will normally be directly proportional to the number of RCN members in the organisation, so it is essential all reps work together to agree who

will take the seat/s on the partnership forum and organise cover to ensure that wherever possible all the RCN seats are filled at all meetings.

As an RCN steward you will usually be involved in the consultation and negotiation of employee terms and conditions of employment including important organisational change. However you may have to pick up and feed back on health and safety, and workplace learning issues on behalf of other RCN reps.

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### Preparing for staff side

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## Writing proactively to address system-wide issues

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Ask. Listen. Act.

- Whenever you are bringing issues into formal spaces it's important that you have information to support you.
- Asking questions will help you to access information and data that will help to build a picture

## HealthcareRCN Nursing Standards for Professionals

The most compelling argument for improving working conditions is how they link to patient care.

The  provide an excellent way of presenting the link in a way that will also help people understand trade union activity in a professional context.

Use the Standards to frame your questions in a way you can move the conversation from 'who went wrong and how can we blame them' to 'what might be wrong and how we can fix it'.

The Standards are grouped into three key themes:

- responsibility and accountability
- clinical leadership
- health, safety and wellbeing.

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## 3.B BUILDING WORKPLACE RELATIONSHIPS



### Facilitating a strong relationship with our line manager

Recognition is when an employer formally recognises a union, such as the RCN. There will usually be a written recognition agreement.

As an accredited steward, if the



Negotiating time off with your manager is a key first step. Although you are legally entitled to it, some managers may not have any experience of trade union reps and so you may need to help them to understand your role and how it benefits your organisation.

## Five things managers should know about RCN stewards

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RCN stewards:

- are legally entitled to time off to undertake their duties and managers can talk to HR about how to backfill
- combine their responsibilities with their health care role to bring a unique perspective and understanding of how changes impact on both staff and patients
- help members to sort out problems before they become complex or formal, which saves time and reduces workloads for managers
- provide members with formal representation for employment processes and ensure they have the support they need at a time that can be incredibly stressful
- play a big part in facilitating the management of change by explaining the situation to members, supporting them through the process, and ensuring that it is carried out correctly.

## Building a network to support our role as stewards

Your network will be unique to your role and your organisation, but will include HR and managers, your fellow RCN reps and other union colleagues. There will also be groups and committees that you may wish to liaise with or ask to be more closely involved with.

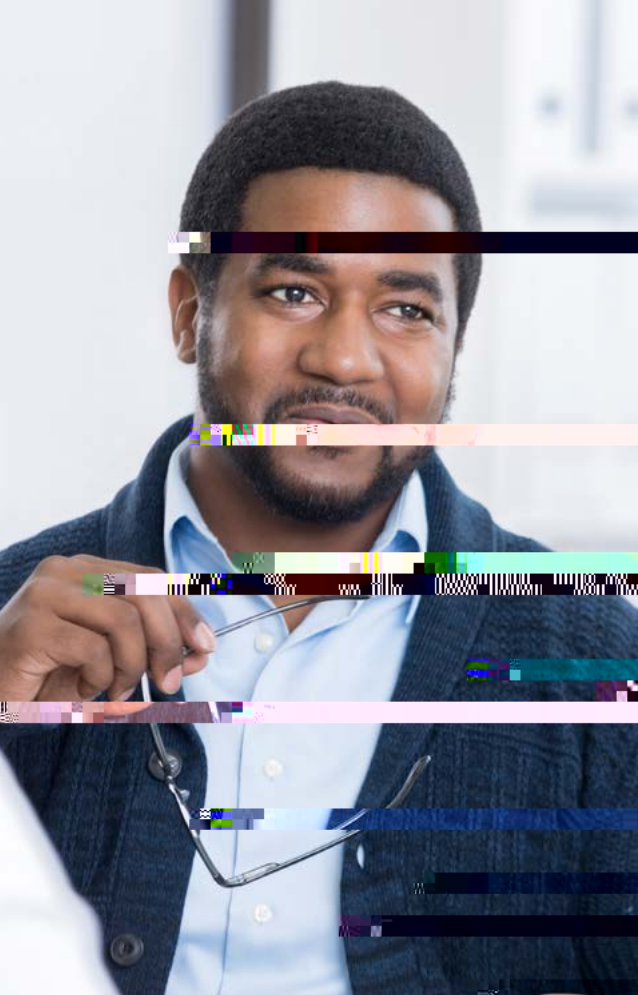
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### a Who is who?

- Chief Officer/Chief Executive
- Director of HR/Workforce
  - PA to Director of HR
- Medical Director
  - PA to Medical Director
- Director of Nursing and Quality
  - PA to Director of Nursing
- Name of staff side partnership group
  - Chair
  - Secretary
- An Occupational Health/Employee Wellbeing Professional
- Stewards (RCN and other unions)
- Safety Reps (RCN and other unions)
- Learning Reps (RCN and other unions)

Before meeting any senior managers, check in with your supervising officer to learn more about their existing relationship with the RCN and how you might enhance it.

## 4. BEING AN RCN SEWARD



### Raising your profile

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RCN reps play a key role in building RCN membership and union activism at a workplace level.

- Walk around your workplace to make sure that members and non-members know your face and how to contact you for information and support.
- Start conversations with members and non-members based on previous conversations with other workers; listen and then engage members in activism.
- Understand and become familiar with the workforce. Map your workplace and start to identify where there are gaps in the RCN membership and where potential activists are based.
- Be a constant recruiter of members and encourage members to take on more active roles.

There are helpful resources you can order. Check the Reps Hub for a full list.

## 10 reasons to join the RCN

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1. We are the largest nursing union in the UK, probably the world.
2. We only recruit nursing staff – so nursing is our specialism.
3. Nursing support workers and health care assistants can join the RCN at a lower rate, but the service is equal across all levels of membership.
4. We are viewed by employers, government and health bodies as the experts on all that is nursing.
5. We have trained stewards, health and safety reps, and learning reps to support you in the workplace.
6. RCN Legal Services cover all aspects of employment law as well as offering legal advice on non-work matters.
7. We have over 40 professional forums and networks linking members who work in similar fields, sharing ideas and professional knowledge.

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8. We have the largest body of learning and development resources and opportunities for all levels of nursing compared to any other union.
9. We have a suite of learning resources specifically for nursing support workers which is free to all members.
10. We have the largest nursing library in Europe. It's free to all members and can be accessed electronically.

For up-to-date information on membership fees it's best to check the membership page on our website. Note that new nurses and midwives pay half in their first year of registration, and trainee nursing associates and health care assistants also pay a lot less than registered nurse students.

## Supporting RCN Campaigns

The RCN has been campaigning for more than a century, protecting and securing better and safer working environments, improving terms and conditions, achieving better pay and ensuring access to learning.

Campaigning is about finding your voice, raising awareness and trying to achieve change that makes things better.

Every RCN member has the potential to become an active campaigner whether it be as part of a national campaign or something specific and local that is impacting them and colleagues.

As a steward, you can help members find their voice and be heard.

For more information about RCN

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- supporting current and future union leaders through nominations for election to senior roles and committee membership.

Both the RCN UK Stewards Committee and your branch are eligible to submit proposed agenda items for [RCN Congress](#).

For more information about how the RCN is governed visit the governance section of our website.

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## Support for you as an RCN steward

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### Managing member expectations

Members will seek support when they are having difficulties and are feeling anxious and uncertain.

This may mean they make substantial demands on your time or have unrealistic expectations of what you can achieve on their behalf.

- Encourage members to come to you as early as possible so issues can be 'nipped in the bud'.
- Ensure the member understands the purpose and scope of your role.
- Only promise what you can deliver. Be realistic about what can be achieved. People feel reassured when they know what they can expect from you.
- Make sure members know that you're not an RCN employee but, with RCN support to develop skills, you do this role in addition to your substantive post.

- Decide what your boundaries are and when you will be available. For example, when will you switch your phone on/off? Communicate this clearly with members from the outset.
- Agree your preferred methods of communication such as text, email, telephone, etc.
- Keep communication li1

## Notes

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