

UNISON News

May 2016

News from the largest union in Pennine Acute Trust

Bursary or Bust – Protect our NHS

The Student Bursary is a keystone of the NHS. It enables people from all walks of life to commit to the training to become one of the 500,000+ nurses, midwives, and allied health professionals required to keep our NHS running. That is why when George Osborne announced the end of NHS Bursaries from 2017 it was not just an attack on those who may one day wish to train to become a registered NHS professional. It was an attack on our NHS.

From August 2017 health students will be faced with graduation debts of over £51k. They will work for the NHS for half the year in unpaid placements, and most will start employment on a salary of £28k pa or less. Inevitably fewer people will be attracted to a career in nursing, midwifery and allied health professional roles. As a result our NHS will become even more dependent on expensive agency staff and overseas recruitment to keep our NHS hospital and community services running.



What can we do?

Take action to defend the bursary and protect our NHS

If you are not already a member, join UNISON, a campaigning union at www.joinunison.org

Get the word out – tweet a selfie explaining why the NHS bursary must not be scrapped. Download your #bursaryorbust selfie speech bubble from www.unisonnw.org/bursaryorbust.

Ask your MP to support Parliamentary Early Day Motion

1081 calling on the government to drop its plans to scrap the bursary. So far 152 MP's have signed up. Check if yours is one of them at <http://www.parliament.uk/edm/2015-16/1081>. If they haven't signed then you can ask them to via the UNISON website at www.unison.org.uk/our-campaigns/

save-the-nhs-bursary/ or find their contact details at www.parliament.uk/mps-lords-and-offices/mps/ and make an appointment to speak to them at a constituency surgery.

Lobby your MP at Parliament.

UNISON will be taking a delegation to the NUS lobby of Parliament on 25th May 2016. To register your interest in joining the delegation please contact k.lucas@unison.co.uk

Join UNISON's collective submission to the Government consultation on implementing the cuts.

You can submit an individual response but remember we are always stronger when we act together. Comments to k.lucas@unison.co.uk by the end of May 2016.

Become a UNISON Bursary or Bust campaign contact.

Email a.twigg@unison.co.uk

Privatisation and outsourcing a growing threat in the public sector

Tory-led government's over the past 6 years have enacted legislation and actively encouraged public services – and staff – to be increasingly transferred out of the public sector to private companies or other organisations.

UNISON believes public services should be publicly provided and remain out of the hands of profit-making organisations. The union works hard to ensure that we follow our members when they are transferred out of the public sector so they can retain all the benefits of UNISON membership even after privatisation. But workers' rights, pay, terms and conditions are generally better in the public sector, so the union fights hard to defend our members from privatisation. If your employer charges ahead with privatising your department or work area: What can you do?

What are your rights? What must your employer do?

What is it?

When services are outsourced, or otherwise transferred, the TUPE Regulations can apply. TUPE is "Transfer of Undertakings (Protection of Employment) Regulations 2006" as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014". The Regulations preserve your existing rights, including continuity of service. All aspects

of an employee's contract and associated rights are transferred except for any criminal liability and rights concerning occupational pension schemes.

Trade Union and employee rights

The Regulations place a duty on both the current employer (the transferor) and new employer (the transferee) to inform and consult representatives of their employees who may be affected by the transfer and any measures taken in connection with the transfer.

During these consultations the employer must consider and respond to any representations made by the representatives. If the employer rejects these representations they must state the reasons.

Long enough before a relevant transfer to enable the employer to inform and consult with the employees' representatives, the employer must inform the representatives:

- that the transfer is going to take place, approximately when, and why;
- the legal, economic and social implications of the transfer for the affected employees;
- whether the new employer envisages taking any action (reorganisation for example) in connection with the transfer which will affect the employees, and if so, what

action is envisaged;

- where the previous employer is required to give the information, they must disclose whether the prospective new employer envisages carrying out any action which will affect the employees, and if so, what. The new employer must give the previous employer the necessary information to meet this requirement;

If the employer uses any agency workers, it must give information as to the number of agency workers working temporarily for and under its supervision and direction, the parts of the undertaking in which those agency workers are the working and the type of work they are carrying out.

If action is envisaged which will affect the employees, the employer must consult the representatives of the employees affected about that action. The consultation must be undertaken with a view to seeking agreement of the employee representatives to the intended measures.

Remedies where there is no proper consultation

Where the transferor fails to comply with this duty to inform and consult, the union (if it is recognised) may make a complaint to the Employment Tribunal. If the Tribunal upholds the complaint it can award

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compensation of up to 90 days pay per affected employee. The transferee can be ordered to pay compensation, if it failed to give the transfer information about measures it intended to take.

What is ETO?

Contracts of employment cannot be varied if the sole or principal reason for the variation is the transfer. An employer can only vary the contract if the variation is either not connected to the transfer, or that it is connected to the transfer and is for an “economic, technical or organisational (ETO) reason entailing changes in the workforce”

If the reason for the change is either of these, and you agree those variations, then that is allowable. If however you do not agree the variations, the employer would need to dismiss you and simultaneously re-engage you on the revised contractual terms. That then would give rise to a potential unfair dismissal claim, subject to the reason for making those variations.

What about harmonisation of terms and conditions?

Harmonisation of terms and conditions is not considered an ETO reason. The general rule is that contracts cannot be varied if the sole or principle



reason for the change or dismissal is the transfer. Changes to terms would be void and any dismissals automatically unfair.

If you were dismissed and re-engaged, a claim for unfair dismissal would need to be made within 3 months less 1 day of the date of that dismissal. Where changes to a contract amount to a material detriment or a fundamental breach of contract, an employee can bring a claim for unfair dismissal. Such a claim may be for either a material detriment dismissal or a constructive dismissal. Again, the deadline is 3 months less 1 day of the date of that dismissal.

What should you do?

If you hear of any plans to outsource or transfer your work area out of the public sector, please contact your Branch and Regional Organiser. The sooner UNISON knows about it, the sooner we can intervene to campaign against the privatisation and protect your rights.



We're all busy in the health service, but we still like to squeeze a little time out of our hectic schedules to speak to our colleagues and find out a little about how the world of Pennine Acute looks from their perspective. In the first of our 60 Second Interviews, Karen Morley Williams, Assistant UNISON Branch Secretary, finds a minute to talk to Naheed Nazir.

Hi Naheed, please tell me how long have you worked for the Trust and what is your position?

“I've worked for the Trust for three years now, and I'm the Head of Equality & Diversity”

Can you tell me, what does the Trust currently have in place to support existing and future Trans, Non-Binary and LGBT staff?

“The Trust currently has an LGBT staff network, which offers support to staff, such as experience sharing. Any issue brought to light can then be dealt with appropriately. I've suggested that Non Executive board members sponsor this, which has been approved. Volunteers have come forward which will help raise the profile of our LGBT staff network, with the Trust Board giving it a better voice when required.”

The Women & Equalities Select Committee recently recommended that gender should be based on self-declaration, rather than medical assessment. It also suggested that non-binary should be an option on forms requiring gender information. Has the Trust responded to these recommendations?

“A draft Gender Reassignment Policy has already been written. Existing Trans staff and the LGBT Foundation of Manchester have been consulted on this and I am looking forward to presenting it to the CNJCC as soon as it is fully ready. The Trusts Equality Monitoring Forms is also to be reviewed in light of recommendations from the Women & Equalities Select Committee.

Thanks for taking time speak to us Naheed.

Government Cuts to In-Work Benefits



George Osborne backed down on his controversial tax credit cuts last year, but he's still making cuts to Universal Credit that will have a similarly devastating effect on low paid health workers' incomes.

In-work benefits are an important lifeline for NHS workers

Wages are not what they used to be. For years now, the living standards of working people have been falling or static due to inadequate pay increases. Public sector workers, including NHS staff, have been particularly hard hit by years of pay caps and freezes.

With wages not being adequate to support living standards, in-work benefits have come to play an increasingly important role in supporting household budgets. Research by the New Policy Institute, based on data from 2010-12, indicates that a fifth of working tax credits are paid to workers in the public sector and that a similar proportion goes to workers in the health and social work sector. What the Government does to in-work benefits is of importance to many thousands of workers in the NHS.

Osborne did a u-turn on cuts to tax credits...

Having announced swingeing cuts to the tax credits system last July, Chancellor George Osborne changed his mind under intense

public pressure and dropped his plans. Or at least, he seemed to. But Osborne's cuts have not gone away- he intends to implement them by more sneaky methods.

But Universal Credit is gradually replacing tax credits...

Tax credits are to be left alone, but there will be cuts to Universal Credit (UC). UC covers 64,000 people in work at present, and it is being gradually rolled-out to replace tax credits across the country. Many of the existing UC recipients are in the North West, and Halton and Lancaster are due for an early roll-out in July 2016. That means that new applicants for in-work support, or existing tax credit recipients whose circumstances change, will soon be on UC.

And Universal Credit is being cut.

This matters because Osborne has gone ahead with changes to the thresholds in the UC calculation that caused such an outcry when he tried to cut tax credits. The new UC work allowance rates introduced in April 2016 mean that single parents could lose up to £2,600 per year, a two parent family with children could lose £1,000 per year and couples without children could lose £800 annually. We are heading for a two-tier system on in-work benefits, where people on UC will be worse off than people claiming tax credits.

What can we do?

- 1. Get your claim in.** If you are entitled to tax credits, get your claim in now - before UC reaches your area. Disabled people, couples with children and lone parents are all at risk of losing out. There's a tool on the UNISON website which helps you calculate if you're entitled to tax credits.
- 2. Contact your MP.** Seek their commitment to oppose an unfair two-tier system.
- 3. Tell your story.** The willingness of individuals to speak up about how the tax credit changes would affect them helped to defeat Osborne's tax credit cuts. If people will again speak up about how UC cuts affect them it can help build public opposition and pressure for another u-turn. If you're interested in telling your story contact: NWMedia@unison.co.uk; 0161 661 6720.

G4S Drop in hour Monday 23rd May 2016

9.30am to 10.30am Fairfield Broadoak Suite,

11.30am to 12.30pm Rochdale Infirmary Café,

1.30pm to 2.30pm Royal Oldham Hospital, Café Royal

3.30pm to 4.30pm Gallery Restaurant at North Manchester General Hospital.

An opportunity for members to have a cuppa and an informal chat with UNISON Officers and Stewards.

Not a member?

We will be more than happy to sign you up on the day.



Revalidation – are you ready?

All nurses, midwives and health visitors need to know about revalidation – the new way in which the Nursing and Midwifery Council (NMC) require you to renew your professional registration.

The difference between paying NMC fees and revalidation.

Every nurse and midwife currently pays an annual fee of £120 to the NMC to remain on the register.

However, once every three years you have to demonstrate that you are capable of safe and effective practice – which is where revalidation comes in. You have to comply with both processes.

Key dates

The new system came into effect from April 2016.

The best way to find out when your registration is due is to register

with the new NMC online system:

nmc.org.uk/registration/nmc-online/

This will also enable you to check and update your information.

UNISON is encouraging all our nursing and midwifery members to register on the new system. You then also have the option to pay your registration fees online too.

What you need to do for your revalidation:

1. Completed 450 hours of practice over previous 3 years
2. 35 hours of Continuous Professional Development (CPD)
3. 5 pieces of reflection and its relationship to the NMC code of Conduct
4. Reflective Discussion with a registrant

5. 5 pieces of practice related feedback

6. All of this has to be confirmed by another person who knows you and your role

What you can do now

Please make sure that revalidation is discussed at your team meetings and see if you can agree how you could support each other with practice reflection.

Make sure you that you use revalidation to support your requests for access to training and professional development during your appraisal.

Local support from UNISON

Your local UNISON branch will support and represent you if you experience difficulties going through the revalidation process, either with confirmation or NMC.

New “National Living Wage” – the facts, the spin, and the con

For quite some time now UK employers have been encouraged to pay their workers at levels at or above the Living Wage, as set by the Living Wage Foundation. This is calculated to reflect the basic cost of living. It is not compulsory, although many employers recognise their social responsibility and have signed up to the Living Wage, much to the benefit of their staff. Enter George Osborne, and his new “National Living Wage”. You would be forgiven to think that the government had succumbed to the rationale of the Living Wage Foundation, but alas you’d be wrong. In reality the existing National Minimum Wage has been tinkered with, seeing no

increase at all for workers aged 24 and under, and a 50 pence per hour increase for those over 25.

The rebranding to the National Living Wage is misleading and disingenuous spin.

“National Living Wage” as of 1st April 2016

Over 25 years of age	£7.20 per hour	50p increase
Aged 21 - 24	£6.70 per hour	no increase
Aged 18 - 20	£5.30 per hour	no increase
Under 18	£3.87 per hour	no increase
Apprentices	£3.30 per hour	no increase

The “Living Wage” as calculated by the Living Wage Foundation is £8.25 for all workers aged 18 and over. A higher rate applies for those who work in London.

At the moment the Living Wage is not compulsory, though many Local Authorities and some FTSE 100 companies have adopted it. UNISON remains committed to supporting the higher Living Wage, but we will ensure that

all who are due the new “National Living Wage” receive it. We cannot deny that for many of our members a 50 pence per hour increase is a welcome improvement.

However it’s simply not enough. We want to see wages above the real Living Wage, and we want it to apply to all adult workers.

Support the Junior Doctors – Their fight may become ours

Last year, at The Government's request, the NHS pay review body were asked to look at Agenda for Change Unsocial Hours. When we told you this 7000 members in the North West signed up to our campaign to tell the government that these were not up for negotiation. In July 2015 the Pay Review Body reported back their findings. In their report they recognised the strength of feeling and the damage to morale that changes would cause. However, although they found there was no major case for reform of the system, they did also say that there were aspects that should be looked at. These included evening work, occasions when less than half of your shift falls unsocially, and most relevantly to the junior doctors dispute: Saturday working.

Fast forward a year, and the government have spent almost all of that time in a bitter dispute with junior doctors about payments for their unsocial hours. **They have not returned to talk about Agenda for Change unsocial hours or the pay review body recommendations.**

Jeremy Hunt may have told Parliament that large swathes of the NHS had a Monday-Friday culture, but we know that isn't true. Many NHS staff work around the clock to ensure that care is available to the public when they need it.

And the payments they receive for those unsocial hours are important because working nights, weekends, and on bank holidays all have a cost to staff. Night shifts can take a toll on the health of health workers - there is evidence that shift work is associated with higher risks of cancer, heart disease and diabetes. And working unsocial

hours has a cost in terms of our lives away from work. We can miss out on doing things that we'd like to do. Not all time is equal - it is only right that time worked during unsocial hours is paid at a higher rate – a rate that compensates staff adequately for the extra strain it puts on them.

Years of pay freezes and caps mean that unsocial hours payments have become a source of income that NHS staff rely on. They are not a top-up or an extra – they have become essential to members' ability to earn an adequate income.

The Junior Doctors have been forced to fight tooth and nail to defend their unsocial hours. The government said from the start that they would impose it if the changes weren't agreed. We can be sure that if the Government can extend 'normal working time' for one group of NHS staff, they will try to do the same to everybody else – so the junior doctors' fight is most definitely our fight. We don't know if or when the Government will return to the Pay Review Body recommendations of July 2015, but we want them to know that if they do they will face a fight every bit as bitter as the one they picked with the junior doctors. We need to keep the pressure on.

Things you can do

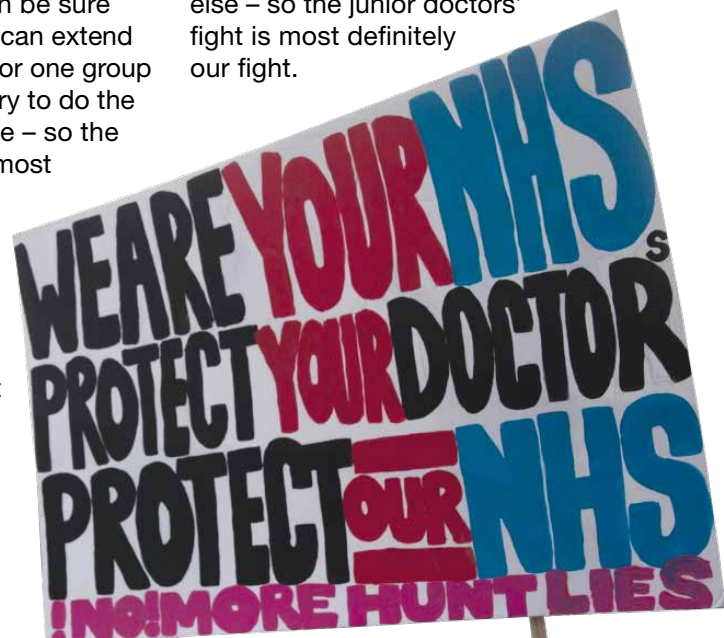
Join UNISON. We will continue to campaign to defend unsocial hours enhancements and our NHS. The more members we have the stronger our voice. If you are not yet a member

then join today, and encourage colleagues to do the same.

Sign up to the Campaign. If you've not already done so, sign up to the campaign at www.unisonnw/unsocialhours.

Get active in your workplace. There are loads of opportunities for you to support your colleagues, build a stronger union, and defend our NHS. For more information contact your UNISON branch or visit www.unisonnw.org/getinvolved

Support the Junior Doctors. We can be sure that if the Government can extend 'normal working time' for one group of NHS staff, they will try to do the same to everybody else – so the junior doctors' fight is most definitely our fight.



Meet the Branch: Oliver Mears – Young Member

In the first of a series of ‘Meet the Branch’ short snap-interviews, Jean O’Donnell, Branch Secretary speaks to Oliver Mears, UNISON Steward and Young Member.

Jean: *Lovely to speak to you Ollie, please tell me about yourself and your role here at Pennine?*

Ollie: Yes, I’m Ollie, 24 years of age. I work at North Manchester General Hospital in the Operating Theatres (Phase 1). My job is that of Senior Support Worker.

Jean: *So what was it that inspired you to become a UNISON Steward?*

Ollie: It was quite a natural progression for me really. I have a strong family history and tradition within the trade union movement,

so have grown up surrounded by the various issues of the day. I try to keep up-to-date with important contemporary issues, such as the EU debate and upcoming referendum. For me the first step is to become a workplace rep.

Jean: *What would you consider to be your main aims, particularly as a young steward?*

Ollie: I would really like to see more people of my age group taking an interest in workplace issues and not just joining, but becoming active in UNISON. This is really important for the future, which always seems so uncertain in the health service. I’ve just become a parent, and this has strengthened the importance of being active and involved in the



future. Not just for my future, but for my sons too.

Photo: *Bernard Murphy, our Branch Educational Officer, and Ollie discuss training options*

Single Hospital Services – The future of health delivery in Manchester

On Wednesday 27th April, Sir Jonathon Michael presented his initial report to the Manchester Health & Wellbeing Board. He has been tasked with the job of leading a review of health services in Manchester, following the devolution of healthcare financial control to local Government, which came into effect at the beginning of April.

Sir Jonathon began his presentation by identifying the three current health providers. UNISON ears were pricked when after listing South and Central Manchester Foundation Trusts, North Manchester General Hospital was third on his list. Where was Pennine Acute Health NHS Trust and why was North Manchester General Hospital singled out in this way?

In fact no mention was made of Pennine Acute Health Trust at all, until the Chair of the Board, Sir Richard Lees, made by his own admission “a controversial” statement. Sir Richard, who is the Labour Councillor for the Crumpsall ward which includes North Manchester General, said of the Pennine Acute “...the previous management at Pennine prioritised their own institutional preservation over the needs of the locality”.

His comments follow the swift exit of our previous Chief Executive, Gillian Fairfield, who was replaced by Sir David Dalton of Salford NHS Foundation Trust. Sir David is the interim Chief Executive who will oversee the implementation of Sir Jonathon Michael’s proposals, should they be agreed.

The next meeting in June will look at organisational change issues and organisational governance options. It is envisaged that final recommendations will be ready by the end of the summer. The implementation stage will see the beginning of public consultations on any proposals.

UNISON will continue to keep a close eye on this issue. We know that the board have to deliver healthcare in Manchester on a reduced budget. We also know from attending the meeting on Wednesday that savings are being identified through “back office” functions, with shared staffing, shared IT, shared diagnostics as well as identifying “duplication” & “triplication” of services.

Join UNISON – essential cover if you work in public services

Please complete and return to:- Trade Union Office, North Manchester General Hospital, Delaunays Road, Manchester, M8 5RB

1 Tell us about you

Title	First name
Surname/family name	Date of birth / /
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Phone number (please indicate if home, work or mobile)	National insurance number (from your payslip)
Please give your ethnic origin: (tick one box)	
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<input type="checkbox"/> Chinese	<input type="checkbox"/> Asian UK
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<input type="checkbox"/> White other	<input type="checkbox"/>

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Workplace name and address
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Payroll number (from your payslip)

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£14,001–£17,000	£9.70
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Please tick one box only.

- Our Affiliated Political Fund takes UNISON members' views directly into the Labour Party, working to promote UNISON policies.
- The General Political Fund is used to pay for branch, regional and national campaigns but is independent of any political party.

5 Choose how you wish to pay Please tick ONE box only

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To: The Manager
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Address

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Name(s) of Account holder(s)

Bank/building society account number

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Please pay UNISON Direct Debits from the account detailed in this instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this instruction may remain with UNISON and, if so, details will be passed electronically to my bank/building society.

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