# **Independent Review of Governance for the Royal College of Nursing**

April 2020





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## **Executive Summary**

The Royal College of Nursing (RCN) is the world's largest professional body and trade union for nursing staff. It plays a dual role as a trade union representing its members and as a professional body, carrying out work on nursing standards, education and practice.

The RCN's twin role as a Royal College and a trade union is underpinned by a Royal Charter and Trade Union and Industrial Relations legislation. Delivering these roles requires a clear vision, mission and strategy, and delivery plans, which is enabled by an effective governance framework.

Based on the available information and assurances given by relevant leads, this review found that the RCN's approach to governance in terms of compliance with regulatory requirements, policies, audit, and risk was appropriate and sensible.

The RCN governance structure includes specialist forums, regional and national committees, and a national network of branches with volunteer elected representatives. The diverse and geographically spread organisation and membership groupings can present a complex and intricate governance terrain.

At the heart of the RCN are passionate, committed and experienced people, representatives, members and staff who have a wealth of skills, experience and expertise with potential to take the organisation forward. From a governance perspective, this needs to translate into core principles of good governance which ensures the membership voice is heard and its decision-making is open, transparent and accountable.

The RCN commissioned the Centre for Public Scrutiny (CfPS) to conduct an independent review of governance which involved conversations with a wide range of people and evidence gathering through surveys, desktop research and meeting observations. We have produced a series of findings and recommendations that we believe will help the RCN to continue to further improve and develop its governance.

The passion and commitment for nursing was a constant and overwhelming theme in all of our interactions. Also, as you would expect in a large membership organisation with competing demands and responding to significant pressures, there were opposing views. The legacy and impact of the Emergency General Meeting (EGM) are still present for some and, from a governance perspective, the transition period that followed meant governance structures, implemented in January 2018, are still embedding.

The environment in which the RCN is operating is challenging and the demands are increasingly critical. There is therefore a need to ensure that governance is aligned to strategic priorities which enable the organisation to move at pace, whilst making informed and considered decisions. The RCN also faces similar challenges to other bodies in finding new ways to involve members and enable all voices to be heard.

The conclusions and recommendations in this report are intended to reflect common ground and incorporates our expertise and experience from other organisations and sectors. It captures what is working well and highlights seven areas where the strengths of the RCN could be developed further

- 1. Shared vision and goals.
- 2. Culture and behaviours.
- 3. Being 'member-led' and member participation.
- 4. Governance as an enabler.
- 5. Maximising the existing structure.
- 6. Improving meeting management.
- 7. Developing people.

The report recommendations have been divided into main and technical recommendations, reflecting our belief that the most impact on the RCN's governance will come from having a shared vision and goals, a change in culture and behaviours and clarity of accountability. These are critical to supporting wider ownership of governance, empowerment of others and creating more trusted, open decision-making.

Jacqui McKinlay Chief Executive, Centre for Public Scrutiny

## **Recommendations summary**

#### Shared vision + goals:

**1.** Invest time in integrated strategic planning and understanding how the Council and wider governance structure will fit together to deliver it. This should form part of the RCN's future business planning cycle.

#### Critical to Success

#### Culture + behaviours:

- **2.** Implement a development programme which will create the space and time needed to build positive relationships between members and executive.
- **3.** Review and refresh the organisational commitment to the Respect charter to gain collective sign-up to uphold behavioural standards and clarity on sanctions.
- **4.** Explore how greater parity and shared understanding can be achieved across the organisation to ensure that all aspects of the organisation's roles are fully valued.

#### Being 'member-led' and member engagement:

- **5.** Council to lead work to gain a consensus view of what 'member-led' means, including member and officer expectations of each other, and translate this into practical guidance.
- **6.** Prioritise the delivery of member engagement and participation strategy with a focus to ensure a clear link to decision-making.

#### Governance as an enabler:

**7.** Council to empower accountable executive leads, chairs, vice chairs and committee members to run their committees and branches within the improved governance framework. Create working agreements for members and executives on each committee.

## Important to Success

#### Improving meeting management:

**8.** Introduce greater clarity on the purpose, role, delegated authority and linkages between the Council, TUC and PNC committee and other committees to enable more effective working and avoid duplication.

#### **Maximising the existing structure:**

**9.** Review and update committee and other forums Terms of Reference to ensure clarity of purpose, role responsibilities, clearer delegated authority, committee role responsibilities and linkages.

#### **Developing people:**

**10.** Promote and support increased governance representation and participation of women, Black, Asian and Minority Ethnic (BAME) and disabled members and relaunch a leadership and governance training and development package.

#### **Technical recommendations:**

A number of technical recommendations have been made throughout the report and captured in Appendix 1 which would support more effective working.

## **About this report**

The Centre for Public Scrutiny (CfPS) was commissioned by the RCN to undertake an independent review of its current governance arrangements and decision-making processes, as is governance good practice (every five years), in order to ensure the RCN delivers its Royal Charter and Trade Union objects as effectively as possible. The review was in response to a motion at Congress in June 2019.

CfPS is a national centre of expertise on governance and scrutiny. We are a charity that provides advice and support to councils, alongside our sector and organisation work with health, housing, the private and voluntary and community sector.

The terms of reference of the review were:

The RCN wishes to build a dialogue between Council, its Committees and Boards, its activists, wider membership and staff in which members inform and improve the transparency of governance, decision making and policy development going forward:

- a) consulting widely within the RCN as to what our members expect in relation to the principles of governance; what they mean in the College and how members and trade union representatives and forum members shape its work and inform decision making
- b) taking account of the views of RCN UK countries and regions; its boards, committees, forums, accredited representatives and members who live overseas
- c) taking account of the guidance from our regulators
- d) taking account of best practice and governance arrangements in similar bodies
- e) considering how the RCN's governance arrangements can help it to seize opportunities and manage risk in a rapidly changing environment, both now and in the future
- f) considering whether there is a form of governance that might engage members in larger numbers
- g) adopting the following principles to test the effectiveness of the current arrangements; review the existing processes and control environment to ensure they are effective and efficient in supporting good governance; identify any skills gaps and inform the outcomes of the evaluation and proposed changes:
  - acting with integrity
  - being accountable
  - having clarity of responsibility
  - responding fairly to different needs
  - strong effective leadership
  - focussing on what matters
  - improving transparency
  - being agile and responsive
  - forward thinking in a rapidly changing environment

- informed evidence based decision making
- engaging and connecting with members
- inviting members to take part
- listening to every voice
- involving before deciding
- communicating what we are doing
- h) having regard to Council's views and the member consultation, make recommendations to the Council of any changes it feels would strengthen and improve the current arrangements.

In this report, the term "governance" is used often. It refers to the way that the RCN makes decisions and who is involved in making those decisions. Good governance means doing the right things in the right way. For each organisation, its governance arrangements should be appropriate to its business, scale and culture and comply with the required legislation, regulations and code of practice. The structure should combine efficient decision-making with accountability and transparency. It is about far more than just systems, policies and compliance. It is about being transparent, accountable, involving people, acting with integrity and having the right support. This is what we call a "culture of good governance".

This report, therefore, looks at not only what is written down about how the RCN makes decisions but also how people behave in practice.

All inquiries about this report to: info@cfps.org.uk

## Overall approach and evidence gathering

Broadly speaking, our approach has been to focus on what the organisation wants to be different in the future, what a good future might look like and what positive things are happening already, both inside and outside of the RCN. Our evidence gathering looked at existing and former practice in order to come to a view about the journey that the RCN should take towards improvement.

The evidence we collected for this report included

- 38 interviews with Chairs, Vice Chairs, committee members, regional/national Directors and the Executive team.
- One online joint-rep discussion group.
- Observations of five committees and five regional/national board meetings.
- Two surveys, one for RCN members and one for RCN staff, which received 2,844 and 262 responses respectively.
- Desktop research including review of internal documents and minutes.
- Reviewing regulatory and standard governance requirements.
- Reflecting on good practice from similar organisations and CfPS experience and expertise.

A more detailed list of who we heard from and the results of the member and staff surveys can be found in the appendices at pages 27, 26 and 33. A summary of editing amends received following publication can be found in appendix 5 on page 39.

## **Analysis and findings**

## **Working Well**

The RCN is served by dedicated, experienced and passionate people, both members and staff, committed to supporting and representing the wider membership. Overwhelmingly the evidence showed that people were positive about the importance of the RCN in the lives of front-line nursing staff. From survey findings this is demonstrated by 64% of members stating that they participate in the RCN Council elections, and 50% of staff expressing that members consistently get their voices heard on issues important to them.

The meetings we observed were welcoming and, throughout the interviews, focus groups and via the surveys, people were open and honest in their responses, keen to share their experience with the positive intent of improving the culture and practice of governance.

The approach to governance in terms of compliance with regulatory requirements, policies, audit, and risk was appropriate and sensible - based on the available information and assurances given by relevant leads.

Overall, there was a clear sense that improvements have been made to governance structures and practice, particularly around the introduction of new committees and greater transparency of meetings. The majority of people also recognised there was still more to do.

The changes to Council and the introduction of Trade Union and Professional Nursing Committees were overall seen as improvements. They were reported as providing a clearer governance approach for trade union and professional nursing issues, although this is still embedding, and more definition and clarity around their roles and authority should be considered.

The new Chairs are working well and seen by most people as having a positive impact, individually and collectively. With many new council and committee members and members of the executive team, it was felt the right conditions were in place to take the steps required to further improve the organisation culture and ways of working.

The Northern Ireland strike action and successful ballot were seen as good examples of how the RCN can come together to take this unprecedented action. The member and officer team were able to work effectively to lead the negotiations: working across different committees, implementing new procedures and ultimately taking the decisions required to deliver a successful outcome. Appreciating this was not without its frustrations and challenges, it can be seen as a positive test of governance and we recommend that time is taken to review and evaluate the lessons learnt. The ongoing situation in relation to Guernsey would also benefit from a light-touch review to consider issues around clarity of accountability for decision-making.

In the latter stages of our evidence gathering, we also witnessed how members and staff are responding to COVID-19, further testimony to the hard work and commitment of RCN members and staff. The organisation has quickly adapted its governance to ensure the voice of members is heard through regular reports from the contact centre and online enquiries, frequent member updates, committee involvement and Council briefings.

## Areas for development

## **Shared vision and goals**

The passion for the overall purpose of the RCN was a consistent and overwhelming theme in all the evidence we gathered. Members and staff were keen to promote the value of the organisation and its potential to make a huge impact, as reflected in this quote:

"The RCN has the potential to be a great and influential organisation. I have, over the years, been proud to be an RCN member, but until governance issues work more professionally and transparently, it will be unable to reach this potential."

What was less evident was a shared understanding of what success looked like for the RCN and the short, medium and long-term actions and priorities required to achieve these goals. A small number felt that success was viewed differently by members and staff. We did not see evidence to support this view. However, the lack of a shared and visible plan and a shared understanding of accountabilities could be impairing this position.

There was evidence of time being allocated to induction and strategic planning, however this is limited and often overtaken by other events. The new Council Chair recognises the need for this work and plans are in place for strategic planning sessions, alongside improved training and development, and for a more joined up approach to agenda planning with the executive and other committee chairs.

A cohesive vision and delivery plan are also critical to informing how the governance framework operates in an integrated and co-ordinated way, ensuring linkages between the strategy, finance performance management, member-led initiatives, and the trade union and professional nursing elements. Without this, it is easier for the focus of Council and other committees to drift into operational matters and for other issues to be considered in multiple places without a clear idea of the decision-making route. There was evidence of where this was happening. For instance, some chairs felt disconnected from the strategic level structure and were uncertain how their decisions, issues or ideas could reach, inform and influence strategy. The inevitable conclusion for some committees is therefore an experience of not being involved or valued.

Overall, members elected to representative or other governance posts struggled to describe their individual governance responsibilities, the purpose of their committees and felt their induction was insufficient to clearly explain the overall strategy, their contribution and to support them in undertaking these roles confidently.

#### Main Recommendation:

 Invest time in integrated strategic planning and understanding how the Council and wider governance structure will fit together to deliver it. This should form part of the RCN's future business planning cycle.

#### **Culture and behaviours**

From the evidence gathered, it was widely recognised that whilst there have been positive shifts in the culture of the RCN and good signs for the future, significant action is needed to further improve.

Overwhelmingly members and staff reported that they want to create a working environment which is more open to listening, collaboration, focused on member priorities and welcomes challenge. As reflected in these comments via the survey results: 'I think the RCN has to have greater listening mechanisms", "I sometimes think the RCN doesn't see the whole picture and needs to have much more input with members".

The majority of people felt that this would enable the RCN to make a more significant contribution to the lives of nursing staff and improve policy and practice.

Some felt there were too many competing groups across the RCN, each with their own culture and views on what success looked like. We saw evidence of opposing views, challenges and points of tension, some of which are inevitable given the size and complexity of the RCN and range of interests and demands. Overall however the operating culture was often described as being a barrier to efficient decision-making.

Following the EGM, people also described a lack of organisational confidence in responding to challenges and becoming anxious and defensive and a concern that this could create an adverse approach to decision-making.

Some members and staff reported examples where they felt that some behaviour was not respectful, in that it was unreasonably negative or personal. We heard many comments from committee-based members who felt that all views were not equally listened to, they struggled to get their views heard and to raise issues for wider RCN consideration. Some also felt information was unnecessarily withheld. There were examples of issues escalating unnecessarily, usually outside of meetings, and resulting in significant time and resource to resolve them.

Both members and staff talked consistently about there being a lack of trust between different groups, whilst some felt there had been some improvements, others believed that the position had declined.

Examples which reflected these included members describing a lack of support and recognition for their priorities and to carry out their roles. Staff talked about a lack of recognition for their professional experience, contribution and commitment to the RCN's goals.

A frequent concern raised during our enquiries was a sense of inequality between Trades Union activity and the Royal College/Professional Nursing activities. There were several examples offered which suggested that parity of value and contribution was not satisfactorily balanced. This was expressed in terms of resource allocation, organisational time, attention and focus, and essential facilities such as IT or administration and meeting management support.

While this might in some part be seen as perception, there is an underlying feeling which is reflected in comments such as 'poor relation', 'often forgotten or overlooked' and 'TU activities always dominate'. There is more that could be explored to try to rebalance this and reassure

members that a parity of esteem is something that the organisation strives to maintain and is reflected in its strategic and operational aims.

A good governance framework will usually help manage and mitigate these challenges through transparent, streamlined, integrated and robust decision-making. Currently there are some aspects of the governance framework, covered in the report, which are not working effectively and therefore contributing to the problem.

Tackling cultural issues can feel like a hard to define task, different groupings and associated cultures will always exist and are essential to give large and complex organisations the freedom and flexibility to adapt to different contexts. There does however need to be a shared vision and consistent set of guiding principles and ways of working. To achieve the cultural change required to support this requires a strategic approach based on specialised skills and evidence-based practice to make measurable changes in the way that different parts of the organisation work together and shares trust and vision. Without a strategic approach there is a risk that any good initiatives fail to deliver the impact across the whole organisation. Structural or process changes alone will not lead to an improved governance environment at the RCN.

Experience shows that the culture at the RCN will not fix itself without a strong and visible leadership and organisational (member and executive) commitment to improve, including signing up to and communicating how the recommendations of this report will be actioned and progress monitored (see more on implementation in the conclusion section).

All of the findings and recommendations in this report will contribute to improving the culture. There are however some specific recommendations in this section which describe how the organisational response could be approached.

#### **Main Recommendations:**

- 2. Implement a development programme which will create the space and time needed to build positive relationships between members and executive.
- 3. Review and refresh the organisational commitment to the Respect charter to gain collective sign-up to uphold behavioural standards and clarity on sanctions.
- 4. Explore how greater parity and shared understanding can be achieved across the organisation to ensure that all aspects of the organisation's roles are fully valued.

## Being 'member-led' and member participation

As a large membership body, people are the RCN's greatest asset and the organisation works hard to put members at the heart of decision-making and to represent their views. This is a key component of good governance, and an ongoing challenge for many organisations.

In the member and staff survey when asked 'would you describe the RCN as a well governed organisation, in terms of different aspects of governance', 69% of staff and 46% of members were in agreement with the top score being given to the statement that 'the RCN works hard to connect with its members and keep them informed'. However, many comments from the member survey called for better use of social media, more regular newsletters and a website that was easier to navigate.

The staff survey highlighted that better communication was required, both internally and externally, about how decisions are made and how conclusions were arrived at.

With the same question, both staff and members' opinions were lowest in thinking that the RCN fully represents the views of its members. Only 31% of members and 32% of staff agreed. In the survey members often spoke about apathy in relation to the RCN, stemming from a lack of transparency and open communication as well as underrepresentation of the regions. One of the most common issues revolved around encouraging wider representation.

The staff survey pointed out that a small proportion of members routinely engage and that many members were unaware of how exactly they can be supported and represented.

The challenge of encouraging a wider range of people to take up governance positions was frequently discussed during the evidence gathering, including the limitations and impact of the current approach to elections.

In the developing people section later in this report, we have also highlighted the need for encouraging wider representation of the RCN membership in key governance roles, particularly BAME, women and people with disabilities. From our observations, there was a lack of diversity and participation from these groups at meetings.

Previous reviews have led to steps to try to attract a wider range of people to take on roles by tackling issues such as the time commitment required of council members. There is an ideal position to be achieved which recognises and values the contribution of longer-serving elected members who dedicate their time to the RCN and attracting and retaining new members with different perspectives. Improving the culture, ways of working and reviewing the election process will help support achieving this position.

From the evidence gathered there were two specific themes raised: being 'member led' and member participation, which are explored further below.

#### Being 'member-led'

Being 'member-led' and its importance to achieving RCN's purpose was referenced frequently during the evidence gathering. When probed further however there was a lack of a consistent

organisational understanding (across both staff and members, and between different members) of what it really means to be 'member-led'.

From the survey only 33% of members knew that they make all the decisions that set the strategy and direction at the RCN. From the staff survey, the table below outlines the responses selected when staff were asked "what do you understand by the term 'member-led'?".

Members elect Council members who set the strategy and direction of the organisation.	84%
Members elect members of all country and regional boards and key governance and representative committees.	74%
Resolutions passed by members at Congress and the Annual General Meeting (AGM) inform the organisation's work and decision-making.	87%
The RCN Executive Team and staff implement the strategy set by members.	78%
All key decisions are taken by the elected RCN Council, or are delegated to Country or Regional Boards and the Trade Union and Professional Nursing Committees.	63%
RCN members work alongside staff to shape and inform the delivery of the work of the RCN.	69%
Unsure.	4%

During the evidence gathering, the following themes were raised

- Overall agreement and a commitment to the principle of being member-led and a clear focus on enabling and supporting this approach to decision-making.
- The practicalities of being member-led were seen as difficult to understand and navigate.
   A survey respondent said 'Consequently, there's a trial and error approach that can lead to member dissatisfaction and inconsistencies in the handling of different work depending on the understanding of individual staff members.'
- 'Member-led' was often articulated negatively in terms of power and control. Some feeling the principle was not upheld as staff input was given more weight than members and that members should have more visibility externally. Some members felt removed from important decisions or unsupported in their governance roles.
- The lack of clarity and consensus of understanding of what is meant by 'member-led'
  and the associated decision-making parameters impacted on how the executive function
  was carried out. There is regular challenge over which decisions members should be
  involved with, many within the realms of the executive's operational running of the
  organisation.
- The voluntary nature of being involved in RCN governance was, by some, felt not to be fully understood and some described inadequate support, with a lack of expenses, more flexibility needed to function effectively and unrealistic committee agendas and time expectations.
- Some felt that there is a range of tensions that get played out in behaviours and practice

   nursing specialisms, registered nurses and other health care professionals, NHS
   structures/social care and private settings, hierarchy, students and non-students. These are undealt with and therefore result in negative dynamics in the governance processes.

 Managing the sustainability, legacy and changeover of members who take time-limited governance roles in the RCN needed more attention.

#### Member participation

Ensuring members' voices are heard through effective representation and participation are clear priorities for the RCN. Significant time and resource are spent on election processes and activities aimed at ensuring there are opportunities for members to have their say through formal consultation and branch and other engagement activity.

For council and some committee members, there was also the challenge of balancing their strategic leadership role alongside being member representatives. Often these will align but sometimes not. The importance of being clear on the strategic accountability of key governance roles and understanding the purpose of each committee is essential to creating a culture of good governance.

Questions were also raised about the role of representative committees and whether members could have a governance and a representative committee role at the same time. For clarity of accountability and to avoid unnecessary conflicts of interest (i.e. avoiding perceptions of marking your own homework), these roles should continue to operate separately. A technical recommendation on supporting members in understanding and managing potential conflicts of interest has been included in the developing people section of the report.

In some meetings, we observed personal views or those reflecting a 'vocal minority', preventing wider input and engagement. Therefore, we suggest that more work is needed to balance this behaviour with a more diverse range of voices and a stronger evidence base to reflect the wider membership.

There was evidence of members and staff working hard to get into workplaces, hear views, use this insight to inform the committee discussion and decision-making. It did not however feel commonplace, and, in some meetings, a lack of documented evidence setting out the wider membership views meant that individual perspectives dominated.

For some the logistical challenge of covering lots of workplaces was cited as an obstacle to gathering views. In this context, there is also the challenge of representing people in the independent sector and work is currently underway to inform a new RCN strategy for this area and an appreciation that the approach to member engagement will need to be different and lessons learnt and applied to other member groups.

Currently formal consultation, mainly run through the existing governance structures, appear to be the primary way for members to get their views heard. Whilst there will always be a need for formal consultation, there is a lot happening and there were examples where the consultation purpose and the cascade approach lacked clarity, as a result some meetings were unsure what was being asked for or appeared to be suffering from consultation overload. There is a risk of missed opportunities for effective contributions and insight.

There were examples of good member participation including the member engagement during the Northern Ireland dispute. Seventy-six consultation sessions took place at thirty-nine sites with

significant member engagement. The value and impact of face-to-face communication was seen as key to encouraging members to act. There were other examples given of local branches using Facebook and other online forums to engage with members. These felt like they were individual or circumstance driven rather than part of a wider innovative member engagement strategy promoted by the RCN.

There is an RCN member engagement strategy currently in development and, as referenced earlier the RCN is not alone in the struggle to find ways to achieve this goal (see table on page 16 for suggested principles and examples from other organisations). This strategy work is taking account of the need for a matrix approach to engagement and reflecting the insight gained from member research and also looking into different organising approaches worldwide.

From a governance perspective, the new member engagement strategy should aim to reinforce or create a 'golden thread' of member voices into decision-making. Enabling council and other forums to achieve the goal of being able to easily evidence how member insight informs decision-making.

#### **Main Recommendations:**

- 5. Council to lead work to gain a consensus view of what 'member-led' means, including member and officer expectations of each other, and translate this into practical guidance.
- 6. Prioritise the delivery of member engagement and participation strategy with a focus to ensure a clear link to decision-making.

#### **Technical recommendation:**

Review the current approach to member elections to assess the impact on effective decision-making in terms of diversity, inclusion and turnover.

Review, and apply lessons from the decision-making of significant governance events (e.g. NI, Guernsey) and establish a 'lessons learnt' protocol to embed in future practice.

#### **Engaging the Membership: Lessons from other organisations**

Effective engagement promotes an active two-way conversation between those tasked with the role of governing the organisation and the wider membership. Ten key principles underpin this approach:

- 1. Two-way continuous feedback loops based on listening and appreciation.
- 2. Strong relationships between members and officers at all levels to build trust and confidence.
- 3. A culture of valuing and learning from the membership.
- 4. Evidence of the impact of members' contributions, ideas and proposals and regular reviews of the engagement process.
- 5. Co-production of plans and programmes.

- Offering multiple ways for members to get involved that meets their needs and local contexts.
- 7. Research/evaluation that prioritises the experiences of members across a range of settings.
- 8. Processes to ensure members feel safe to challenge, question and scrutinise
- Consider power dynamics and ensure that decision-making and control is appropriately delegated.
- Mainstreaming member engagement at the core of integrated policies and governance

   not as an add-on

There are many practical ways to improve member engagement and some examples from other organisations are listed below for consideration. Not all will be appropriate for the RCN who will want to work with members to identify the best options.

- Introducing a 'You Said, We Did' type report of how members' contributions have influenced decisions, including impact statements and stories of success.
- Developing ways to present complex organisational information to the membership that supports their contributions – e.g. infographics, one-page summaries, jargon busters, photo stories and short video guides to key issues.
- 3. Live streaming regular 'Ask us anything' session for members to question and ask senior leaders about key issues.
- Promoting diversity and equality approaches considering issues of accessibility, positive images, and personal stories. Identify and remove barriers that members may face.
- Formalising a specific section of each governance paper to capture membership perspectives.

- 6. Identifying a champion on each committee to take a particular interest in the processes of member engagement and how effectively they are implemented.
- Regular frontline focus groups and discussion groups to build consensus - in person or video conferencing. Surveys can be useful but use them sparingly to avoid fatigue.
- 8. Developing a structured programme of peer to peer support and mentoring across the membership that could address issues of evaluation and shared problem solving.
- Partnering and buddying schemes to encourage those in governance and senior leadership roles to connect with frontline members (or groups of members) and with people in similar roles in other sectors/ organisations.
- 10. Ensuring every piece of communication includes a 'call to action' and a clear way for members to respond and get involved.

#### Governance as an enabler

Good governance principles need to be understood, owned, practiced and upheld by all decision-makers and those working to support them.

Currently, there is a lack of understanding of how the RCN makes decisions, from our survey only 6% of members and 37% of staff said that they had a strong understanding of the RCN's governance operations. When asked if they knew that members make all the decisions that set the strategy and direction at the RCN the majority of member responses were unsure, however 86% of staff were aware of this.

From our survey, 48% of members said they had no knowledge at all of the governance operations of the RCN, and the hard to understand governance arrangements were a common complaint from respondents "the very complexity of the organisational chart says a lot".

There was evidence to show how this is sometimes resulting in excessive time being spent getting decisions made with delays due to inconclusive outcomes, a lack of clarity on where decisions should be made or perceived gaps in information to make the decision. One survey respondent highlighted "I have no idea what the outcomes expected to be achieved from each board are". All of which could impact on outcomes and leads to poor member and staff morale.

Understandably, with significant trade union-based activity and in response to past events, the approach to governance requires a strong 'rule book' element and without this there would be increased time lost to resolving issues. An impact of this has however been to create a centralised, process-based approach to managing decision-making and ensuring consistency.

The evidence gathered showed governance was overall viewed in terms of processes to be followed. There was also a potential corporate risk with a centralised approach overseeing so many aspects of governance procedure, in terms of capacity, resilience and sustainability.

Whilst people understood the need for clear procedures and processes, generally governance at the RCN was viewed as a barrier rather than an enabler. One respondent said: "governance is characterised as 'saying no to members' ideas and proposals", others described the approach as risk averse.

A lack of delegated ownership for different aspects of governance, requires the governance team to be involved in every aspect of governance which is both impractical and unsustainable in an organisation of the size and complexity of the RCN.

Delegating ownership of governance accountability and empowering others would liberate the governance team to redefine their role outside of the detail of procedures and focus on strategic priorities. More freedom should be given to the accountable executive leads, chairs and vice chairs (and committee members themselves) to uphold governance standards within a clearer governance framework. Sometimes this will lead to mistakes however the benefits will outweigh the risks, and this is key to building collective responsibility for governance and improved trust.

The decision-making process was described as slow and there are opportunities to streamline how decisions are navigated through the governance structures (see the structure and governance recommendations below). Improving this will enable a clearer focus on the issues that matter to members and for the RCN to get a greater balance between proactive and reactive issues.

Governance and having the ability to impact on decisions at the RCN was often described in terms of structures and the importance of having a 'seat at the table'.

Whilst there is a rationale to this, it will never be possible for every group to be represented and maintain effective decision-making. In considering how best to assure people that their views are taken seriously, boards and committees will need to evidence how insight has informed decision-making and introduce better communication and feedback loops (there are recommendations relating to these points). This will also provide the opportunity to tell the positive story of what governance does to help the RCN succeed.

#### **Main Recommendation**

7. Council to empower accountable executive leads, chairs, vice chairs and committee members to run their committees and branches within the improved governance framework. Create working agreements for members and executives on each committee.

#### **Technical Recommendation:**

Review the process for raising and resolution of procedural governance queries which provides more organisational resilience.

## Maximising the existing structure

The governance review which introduced changes including a new approach to Council, the introduction of the Trade Union Committee and Professional Nursing Committee and representative committees were implemented in January 2018.

The EGM outcome and subsequent transition period have impacted on the time available for these new ways of working to embed. There was however a general consensus that overall the structure is right. It has introduced more transparency, a clearer focus on the different aspects of RCN responsibilities and the recently appointed Chairs are working well collectively and individually to improve ways of working. Most people recognise that more time is needed before any significant changes are made. We are therefore not recommending structural changes at this time.

Most people agreed that time would be better spent gaining a shared understanding of how these structures align with the RCN's strategic direction, gaining clarity on the purpose and delegated authority of each committee/forum, introduce improved co-ordination and be clear how they fit into an integrated governance approach.

Some people described how single issues or decisions can be considered at multiple forums, returning several times, with limited value added. This is both time consuming for those involved and can be frustrating.

Reflecting the concerns raised by those who felt the structure is not right, we are recommending that an assessment is made again in 18 months and a decision made regarding structural change.

There are some specific recommendations which should be considered in relation to:

- The frequency of meetings it is currently challenging for the Council and other committees to carry out their role at the frequency set out in the terms of reference. In reality, meetings are taking place more regularly (outside of the COVID-19 response). Whilst the recommendations request that more time is committed to resolving important issues and strategic planning, there is a risk that recommending a more formal change to the meeting frequency will prevent Council and the committees operating at a strategic level and focusing their time on member priorities. It is therefore recommended that no formal change is made to the frequency and this is reviewed again in 18 months.
- Attendance at meetings changes were introduced in January 2018 which limited the attendance at committees to elected members. We are recommending that no further changes should be introduced to enable the existing committees and membership to become more established. However, further clarity should be given that invitations to participate can be issued, with the agreement of the chair and vice chair, on an ex-officio basis for specific items to provide input. These participants would not have voting rights.

#### **Committees**

Outside of Council, the TUC and PNC, there are many committed members and officers engaged and involved in committees, branches and other forums. Essential activity to enable the voice of members to be represented and heard in RCN decision-making.

There is however confusion outside of these forums and a view that there are too many committees with a high chance of duplication and things falling through the gaps. At this stage, it is recommended that resources are spent making these committees work well as part of an integrated governance approach with improved practice rather than restructure. A restructure and focus of resource away from improving the culture and practice would not be beneficial at this time.

#### Country and branch board

Overall, the country and branch governance is working well, the wider recommendations on clarity of delegated authority, reviewing how decisions are/have been made (Northern Ireland and Guernsey) and improved accountability for applying governance standards will improve how they work.

There was some reference to the lack of a national board for England (unlike Scotland, Wales and NI) and how this confuses the governance structure. The benefits, if introduced, included consistency with the other nations and enabling better engagement between the regions. There was not however an overwhelming call or evidence for this, and we would therefore suggest that if required, if it is considered as part of a future review when there is more capacity to consider how to avoid adding an additional layer of governance.

There were also conversations about regional autonomy vs consistency across four nations and how comparative analysis of differential performance across nations e.g. rate of recruitment, student ambassadors etc. informed decision-making. This is an area that needs exploring once broader clarity on the role and purpose of governance at the RCN is concluded.

#### **Scrutiny**

The introduction of a separate scrutiny committee and recognising those committees that have a scrutiny function remains the right approach and there are some aspects that have worked well. More work is now needed to support the committee in identifying where it can add value from a member perspective and support them in developing effective scrutiny and questioning skills.

#### Task and finish groups

The task and finish groups received the most negative feedback during the evidence gathering from both members and staff. Their purpose was seen as confusing, there were too many, making it difficult to track, co-ordinate and support. Some also felt that there were unrealistic expectations of how committee members are able to get involved. Some described them as "a vehicle for kicking challenging issues into the long grass."

It was agreed that they could add value if they were used more sparingly and there was more clarity and transparency about their task and approach. We observed two types of groups:

- Operational task and finish the majority of task and finish groups reviewed were operational opportunities for members to be part of co-production work. This is positive but has little bearing on governance. The role of governance here should be performance oversight if relevant to strategic goals and decision-making if required and within the parameters of member-decision making.
- Strategic task and finish deep dives into complex areas or strategic approaches to wicked problems. These required a governance process for set-up, oversight to ensure robust quality and clarity of accountability in the decision-making process if required.

The Council and committees were also used as a recruiting ground for task and finish groups. There could be an opportunity here to challenge the organisation to demonstrate that a diverse range of members from across the RCN are given opportunities to co-produce.

#### **Main Recommendations:**

8. Introduce greater clarity on the purpose, role, delegated authority and linkages between the Council, TUC and PNC committee and other committees to enable more effective working and avoid duplication.

#### **Technical recommendations:**

- Council to consider if a governance structure review is needed in 18 months, including the creation of an England Board.
- No formal change is made to the frequency of these meetings and this is reviewed again in 18 months.
- No further changes should be made to the membership of committees. However further clarity should be given that invitations to participate can be issued, with the

- agreement of the chair and vice chair, on an ex-officio basis for specific items to provide input. These participants would not have voting rights.
- Provide specific support to the scrutiny committee and other committees with scrutiny responsibilities with a view to clarifying their roles and improve their scrutiny and questioning skills.
- Review the purpose and approach to task and finish groups with a view to streamlining, introducing greater transparency and aligning directly to RCN priorities and revising the membership.

## Improving meeting management

As the vast majority of governance is conducted through meetings, there are specific recommendations aimed at improving the quality of decision-making that takes place in Council, committees, branches and other forums:

#### **Main Recommendations**

9. Review and update committee and other forums' Terms of Reference to ensure clarity of purpose, role responsibilities, clearer delegated authority, committee role responsibilities and linkages.

#### **Technical Recommendations**

- Review and update the existing group organisational governance structure chart with a view to raising understanding of how the different committees and boards fit together.
- Consider bringing together a learning network for branch and other committee support/secretaries to share good practice and lessons and support the implementation of these recommendations.
- Work planning:
  - Introduce a more consistent approach to agreeing committee work plans, prioritisation, agendas and impact reviews with the chair (and vice chair where appropriate).
  - Bring together and publish committee work plans to avoid duplication and provide an opportunity to test against alignment with strategic RCN priorities.
  - Review and promote the process for members to suggest and gain approval for items to be considered at different forums, including a simple online mechanism.
  - Agendas:
    - ensure a consistent approach to committee chair, vice-chair and accountable lead pre-meets to discuss key issues, agendas and prepare for the meeting.

- ii. consider restructuring and re-ordering agendas to reflect items for decision, items for assurance, items for consultation and then everything else. Present all agendas with a clear purpose and listed actions with tracking of suggestions and decisions.
- iii. consider putting in place a standard part of reports and papers which asks for a summary of how evidence from different members' sources, how this has been triangulated and reviewed, and articulate how this has informed their decisions.
- Clarify what each committee needs and expects in terms of assurance information e.g. key performance indicators, milestones, critical success factors, reporting (format, frequency, expectation reporting) and learning.
- Support member pre-meetings if required and affordable— the aim of these should be to provide members with an opportunity for mutual support, review the agenda, raise issues for the meeting or questioning strategies, not for predecision or discussion without officer/expert input.
- Make financial governance part of the integrated approach, promote financial literacy across the organisation and a collective sense of value for money assessment.
- Put in place an effective feedback loop and communication of what goes on at council, committees and other forums to the wider members.

## **Developing people**

Changing the culture and behaviours and governance environment will depend ultimately on the commitment of the RCN leadership and others in influential positions to lead and model the change required.

It will be important to recognise that support will be required to enable this to happen, either in the form of independent facilitation, coaching, mentoring, peer support, training or other forms of development.

From the evidence gathered, we know that support for this kind of training and development has been made available before, often with limited take up. Ideally this risk will be mitigated through the individual and organisational commitment to changing the culture and behaviours (set out in earlier recommendations). However, work should also be undertaken to understand and remove barriers that may exist, and design individual support to match individual's circumstances. Alongside consideration of what the RCN sees as 'mandatory' training and support required to achieve the desired change and to demonstrate leadership commitment.

Creating a culture of openness and trust is also an important foundation to achieving greater diversity and representation in committee roles, reflecting the RCN's diverse membership and enabling decisions to reflect a wide range of experience. As referenced earlier, from our observations there is a lack of representation and participation of women, BAME and people with disabilities in governance functions.

It is recommended that consideration is given to promoting and supporting increased representation of women, BAME and disabled nursing staff to take on governance roles and

identifying the support required to give maximum confidence to carry out these roles. The technical recommendations in the member section above also includes reviewing the current approach to member elections to assess the impact on effective decision-making in terms of diversity, inclusion and turnover.

From the member survey, diversity issues have emerged "the RCN should reflect the workforce. There should be more diversity, ethnicity and working class within the hierarchy." It was also mentioned that there is a "lack of ethnic minority in leadership".

When asked 'If you have aspired to get involved in RCN governance at some point, is there anything that stopped you getting involved?' one member stated that "it is not black and ethnic minority friendly".

These concerns surrounding diversity were also echoed in the staff survey. "There is a lack of diversity in the members that are elected into roles within the RCN. They often are the same engaged few who have clear motivations for getting involved - we rarely see anyone new bringing fresh ideas and participating at this important level." Another comment explained that "it is a struggle to engage "ordinary" members and there are a vocal minority who are not necessarily representative but whose opinions are listened to above others."

More widely, we heard a consistent message from members operating in a wide range of governance roles that they would benefit from an improved approach to induction to understand the purpose of their committees and their role, responsibilities and commitment. Others referenced the lack of training and support as an obstacle to more people getting involved or dropping out early.

Specific training recommendations are aimed at providing the support and training required in areas such as governance induction, chairing skills, conflict of interest, etc. and conflict resolution.

#### Recommendations

10. Promote and support increased governance representation and participation of women, BAME and disabled members and relaunch a leadership and governance training and development package.

#### **Technical recommendations**

Refresh and relaunch a governance training and development package including:

- a. An evaluation of the training needed for those in governance roles chairing skills, coaching and mentoring, conflict resolution, effective challenge and scrutiny skills, etc.
- b. Review and develop governance induction training for new members. Ensure a refresh for existing members.
- c. Support people more to play governance roles more effectively induction, commitments, training and support, peer support, key relationships, feedback and evaluation.
- d. Review and clarify conflicts of interest policies and training for members.

e. Ensure at least one group training session for Chairs annually to maintain standards, share information and knowledge and a focus on strategic priorities.

## Conclusion

As referenced earlier in the report, change will only happen with strong and visible leadership and an organisational (Council, member and executive) commitment to improve. If fully adopted, implementing the recommendations is not a quick task. It will require a significant time and resource commitment, and a realistic approach which reflects other deliver pressures. To create capacity and fill gaps in specific areas of expertise, the RCN may want to consider further independent support, particularly to work through challenging issues.

If the recommendations are accepted by Council, we would recommend that action is taken to provide the greatest opportunity to succeed, in our experience these include

- Being clear on who and which governance body is accountable for the development and delivery of an action plan to deliver the recommendations, including measurable targets and performance monitoring.
- Consider creating a task force charged with delivery of the recommendations, independent chairing could help here and agreeing a scrutiny governance role.
- Agreeing and promoting the involvement route for members.
- Ensuring clear communication channels and feedback to members.
- Regular reviews of progress and reassessing of the approach.

The recommendations, if accepted and implemented, we believe would create an operational governance framework model which would help provide

- Greater clarity: everybody understands how and why their respective roles and responsibilities contribute to the aims and objectives of the RCN.
- Greater responsiveness: all formal governance mechanisms and individual expertise are used flexibly to support decision making and to respond when risks change.
- Greater trust: everybody can trust that the framework is robust, transparent and reflects the values of the organisation, leading to a clearer focus on member priorities.
- Greater empowerment: the clarity of responsibility, speed of reaction and a robust riskbased framework promotes a level of trust which empowers everybody to perform their own role with confidence and assurance, speeding up decision making.

## **Appendices**

## Appendix 1

#### **Technical recommendations**

- 1. Review the current approach to member elections to assess the impact on effective decision-making in terms of diversity, inclusion and turnover.
- 2. Review, and apply lessons from the decision-making of significant governance events (e.g. NI, Guernsey) and establish a 'lessons learnt' protocol to embed in future practice.
- 3. Review the process for raising and resolution of procedural governance queries which provides more organisational resilience.
- 4. Consider if a governance structure review is needed in 18 months, including the creation of an England Board.
- 5. No formal change is made to the frequency of meetings and this is reviewed again in 18 months.
- 6. No further changes should be made to the membership of committees. However further clarity should be given that invitations to participate can be issued, with the agreement of the chair and vice chair, on an ex-officio basis for specific items to provide input. These participants would not have voting rights.
- 7. Provide specific support to the scrutiny committee and other committees with scrutiny responsibilities with a view to clarifying their roles and improve their scrutiny and questioning skills.
- 8. Review the purpose and approach to task and finish groups with a view to streamlining, introducing greater transparency and aligning directly to RCN priorities and revising the membership.
- 9. Review and update the existing group organisational governance structure chart with a view to raising understanding of how the different committees and boards fit together.
- 10. Consider bringing together a learning network for branch and other committee support/secretaries to share good practice and lessons and support the implementation of these recommendations.

#### 11. Work planning:

- a. Introduce a more consistent approach to agreeing committee work plans, prioritisation, agendas and impact reviews with the chair (and vice chair where appropriate).
- b. Bring together and publish committee work plans to avoid duplication and provide an opportunity to test against alignment with strategic RCN priorities.

c. Review and promote the process for members to suggest and gain approval for items to be considered at different forums, including a simple online mechanism.

#### 12. Agendas:

- a. ensure a consistent approach to committee chair, vice-chair and accountable lead pre-meets to discuss key issues, agendas and prepare for the meeting.
- ensure a consistent approach to committee chair and vice chair pre-meets with the accountable lead to prepare for the meeting and agree the agenda and any key issues.
- c. consider restructuring and re-ordering agendas to reflect items for decision, items for assurance, items for consultation and then everything else. Present all agendas with a clear purpose and listed actions with tracking of suggestions and decisions.
- d. consider putting in place a standard part of reports and papers which asks for a summary of how evidence from different members' sources, how this has been triangulated and reviewed, and articulate how this has informed their decisions.
- 13. Clarify what each committee needs and expects in terms of assurance information e.g. key performance indicators, milestones, critical success factors, reporting (format, frequency, expectation reporting) and learning.
- 14. Support member pre-meetings if required and affordable— the aim of these should be to provide members with an opportunity for mutual support, review the agenda, raise issues for the meeting or questioning strategies, not for pre-decision or discussion without officer/expert input.
- 15. Make financial governance part of the integrated approach, promote financial literacy across the organisation and a collective sense of value for money assessment.
- 16. Put in place an effective feedback loop and communication of what goes on at council, committees and other forums to the wider members.
- 17. Refresh and relaunch a governance training and development package including:
  - a. An evaluation of the training needed for those in governance roles chairing skills, coaching and mentoring, conflict resolution, effective challenge and scrutiny skills, etc.
  - b. Review and develop governance induction training for new members. Ensure a refresh for existing members.
  - c. Support people more to play governance roles more effectively induction, commitments, training and support, peer support, key relationships, feedback and evaluation.
  - d. Review and clarify conflicts of interest policies and training for members.
  - e. Ensure at least one group training session for Chairs annually to maintain standards, share information and knowledge and a focus on strategic priorities.

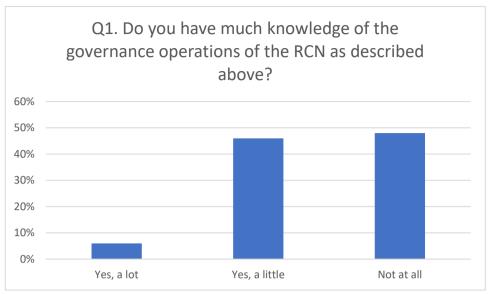
## Appendix 2 - Who we heard from:

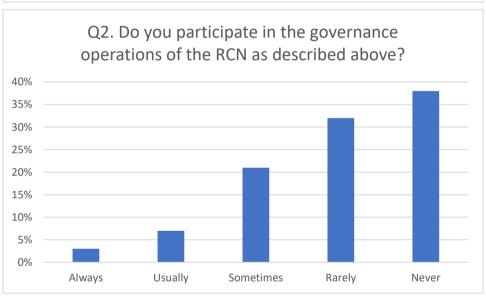
We want to give our sincere gratitude to all the people and organisations who have contributed to this work. We have been overwhelmed with the energy and commitment of people who have taken part, from giving their time to be interviewed to helping promote the value of the nursing profession and the RCN's role in representing and supporting it.

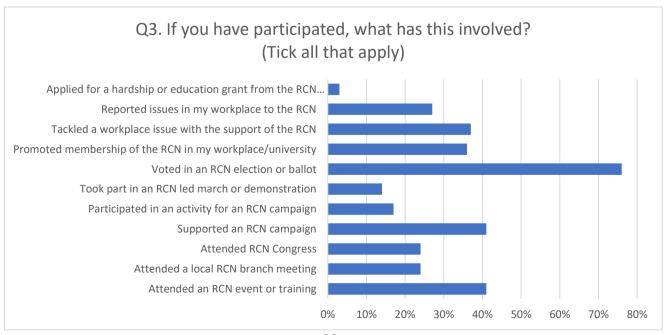
#### Interviewed

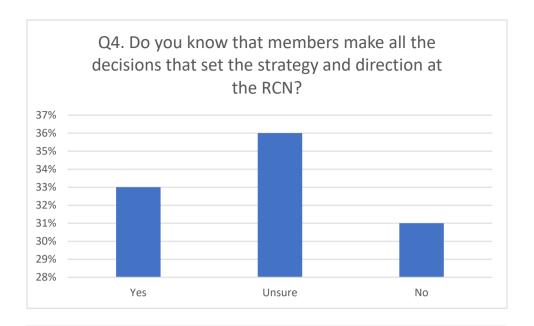
- Mike Adams, Director England
- Lors Alford, previous Board Chair of TU Committee and previous Vice Chair of Council
- Sally Bassett, Chair of Forum Chairs Committee
- Tim Brookes, Chair of RCNi
- Paul Brown, Chair of the Learning Representatives Committee
- Tracey Budding, Vice Chair of TU Committee, past Member of Council
- Lindsay Cardwell, Chair of Nursing Support Workers' Committee
- Professor Dame June Clark FRCN, Welsh Board Member added
- Jane Clarke, Group Secretary
- Pat Cullen, Director Northern Ireland
- Dave Dawes, Board Chair of Finance & Investment Committee
- Fiona Devlin, Northern Ireland Board Chair
- Geoff Earl, Chair of Governance Support Committee
- England, Regional Directors x 4
- Teresa Fyffe, Director Scotland
- Tim Golbourn, Director of Finance and Business Enablement
- Maggy Heaton, Chair of the Stewards Committee
- Rachel Hollis, Chair of the Professional Nursing Committee
- Donna Kinnair, Chief Executive and General Secretary
- Denise Llewellyn, Welsh Board Chair and Chair of Overview & Scrutiny Committee for Safe & Effective Staffing
- Simon Lowe, Independent Chair of Audit Committee
- Steve Mason, Interim Director HR
- Susan Masters, Director of Nursing, Policy & Practice
- Denise McLaughlin, Chair of the Safety Representative Committee
- Ann Marie Rafferty, President
- Graham Revie, Chair of Trade Union Committee & Proposer of the Congress Resolution asking for the Independent Review
- Jess Sainsbury, Chair of the Students' Committee
- Dee Sissons, RCN Council Chair
- · Caryn Skinner, Consultant
- Mike Travis, RCN Steward, RCN Safety Rep and Member of the Trade Union Committee
- Ali Upton, Member of the Safety Representative Committee
- Nicole Valentinuzzi, Director of Communications
- BJ Waltho, Chair RCN Congress
- Sue Warner, previous RCN Council Chair
- Anne Wells, East and North Herts Branch
- Helen Whyley, Director of RCN Wales

## Appendix 3 - Member Survey Results



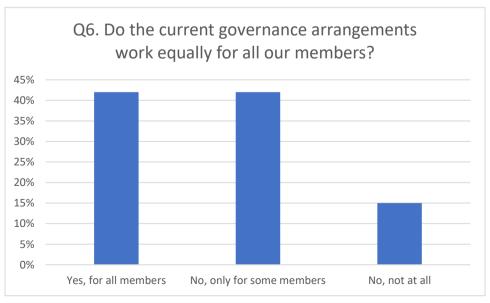


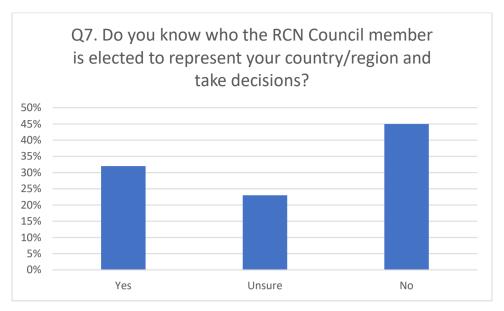




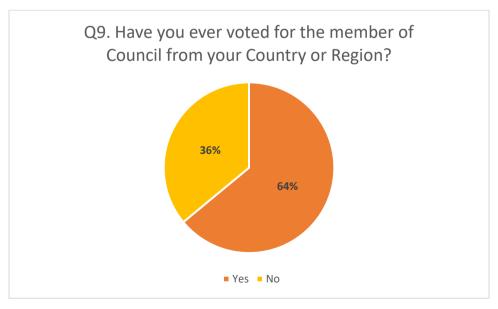
Q5. If you would like to engage with and inform decision making in the RCN, either nationally or locally, are there ways that the RCN could make that easier for you to do?

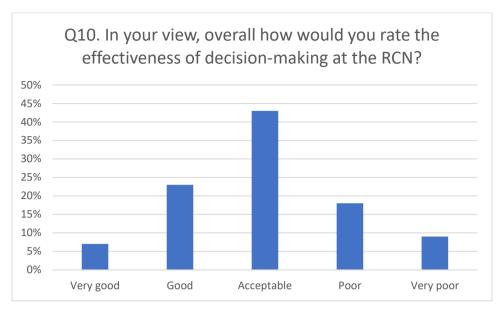
accessible active area attend better branch communication contact council decisions easier electronic email engage events face feel forums help hospital information involved issues local making media meetings membership nationally needs nurses online open people post regional regular representatives reps retired social staff support surveys trust via visible voting workplace years

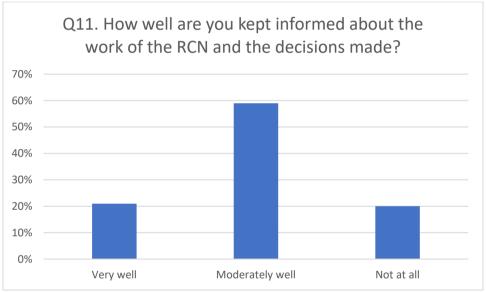


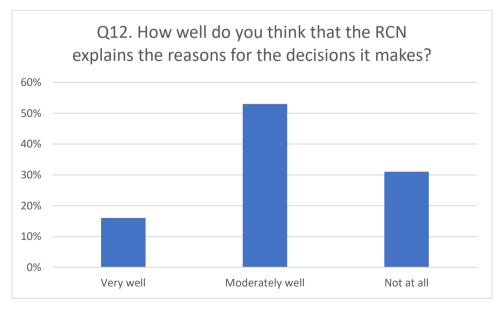


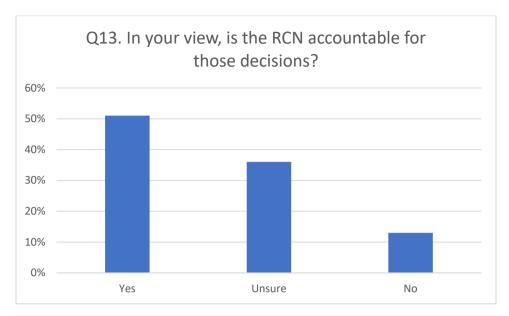


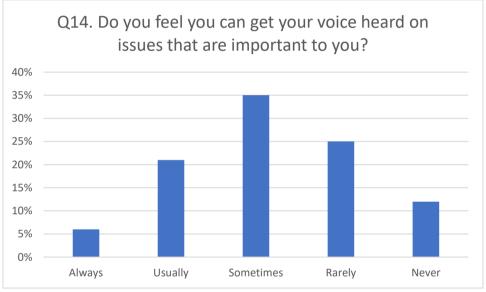


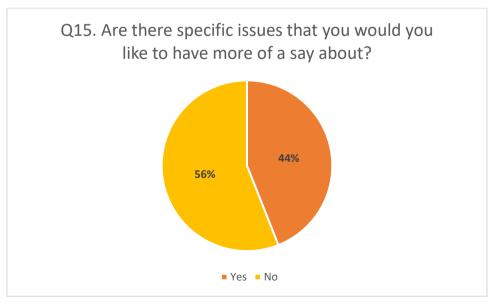






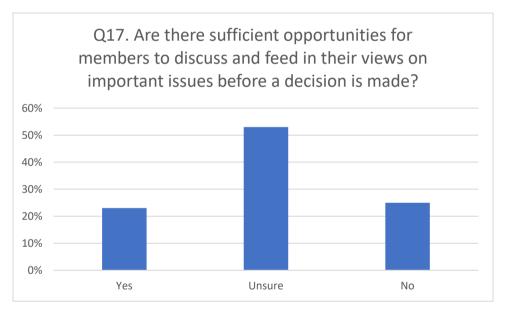


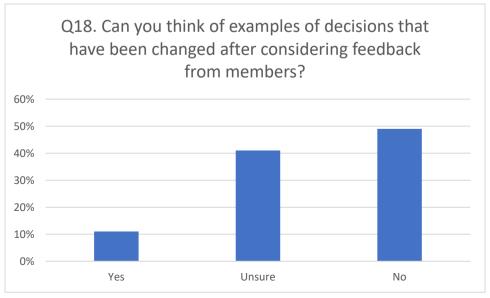


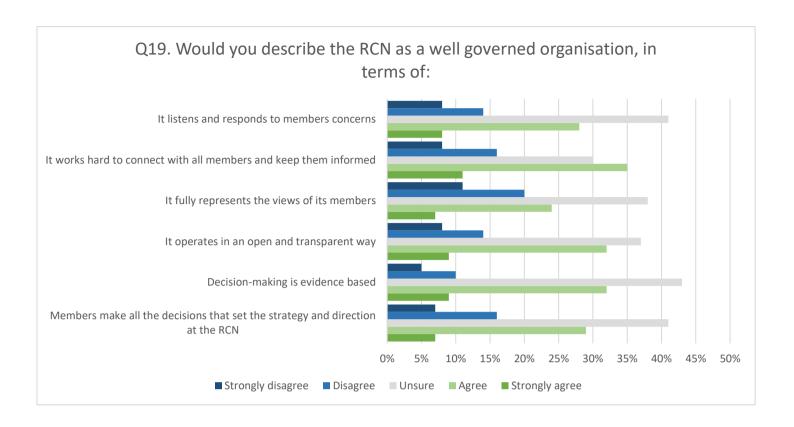


Q16. If you have aspired to get involved in RCN governance at some point, is there anything that stopped you getting involved?

commitments constraints contact difficult elected employer enough family feel full governance home idea information interest involved issues job lacklifelocal manager meetings nurses organisation people personal poor pressures regional rep represent response retired role senior staff Support training travel union workload years







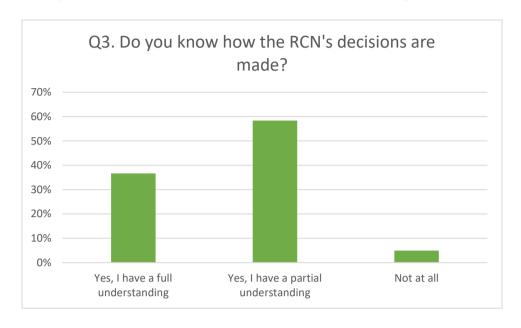
Q20. Is there anything else you would like to tell us about the governance and decision making that may have been missed in this survey?

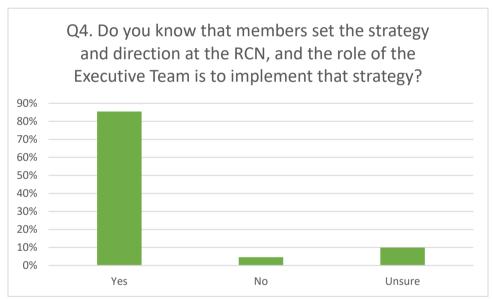
accountable active answer better branch care change college committee communication congress Council decisions elected email engagement governance help improve information involved issues level local making meetings membership needs nhs nurses opinion organisation pay people position professional question represent reps role staff support survey thank trade transparent trust union views years

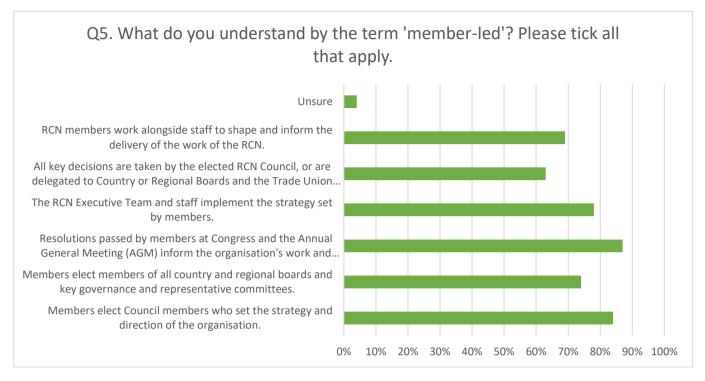
## Appendix 4

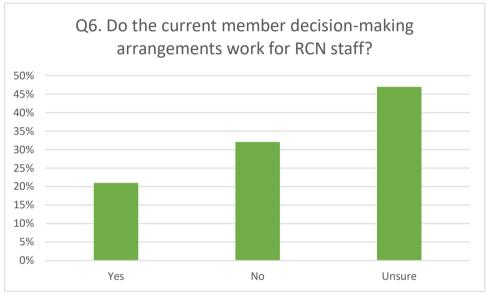
## **Staff Survey Results**

(response breakdown Q1 and Q2 removed to protect identities)

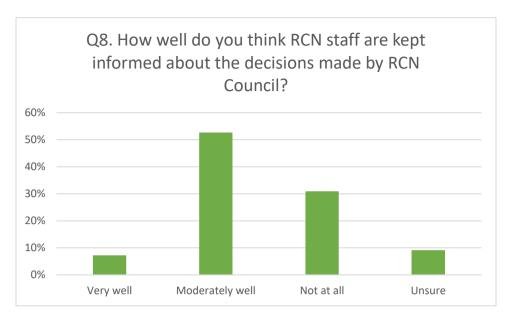


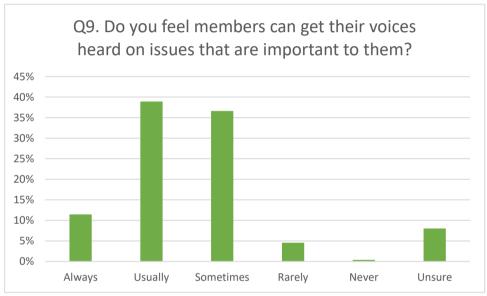


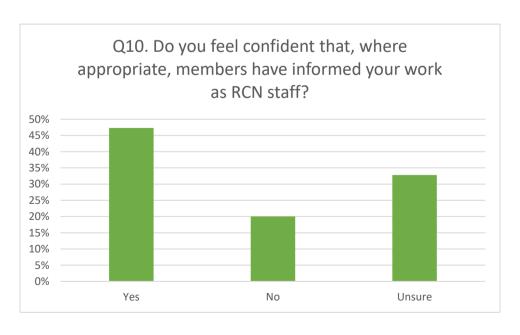


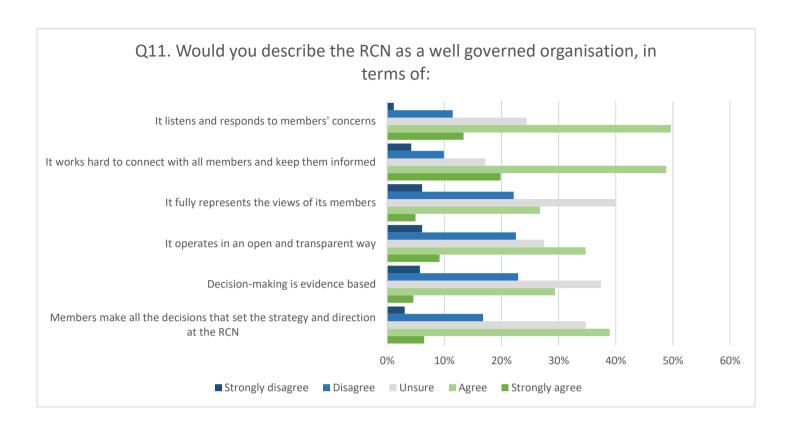




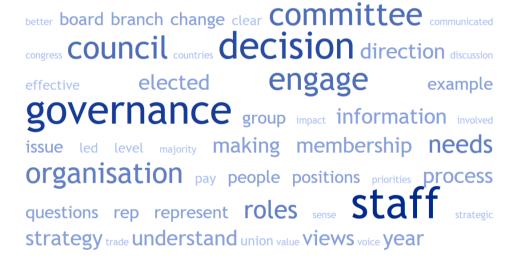








Q12. Is there anything else you would like to tell us about the governance and decision making that may have been missed in this survey?



## Log of editing amends post report submission:

- Front cover April 2020 date added
- Page 3 para 2 full stop added to create two sentences. Correction made with the potential to take the organisation forward, not forwarded
- Page 5 PCN is replaced with PNC and gap added between recommendations 5 and 6
- Page 6 and 7 format of principles list changed for ease of reading
- Page 7 number of people interviewed updated to 38 and reference to editing amends added
- Page 9 members elected into representative, corrected to elected to representative
- Page 18 Professional Standards Committee replaced with Professional Nursing Committee
- Page 19 Wales added to list included in brackets (Scotland, Wales and NI)
- Page 20 PCN replaced with PNC
- Page 27 correction of Denise Llewellyn's title to include Welsh Board Chair
- Page 27 Helen Whyley, Director of RCN Wales added
- Page 27 Alison Dinning Chair of the RCNi Board added
- Page 27 Professor Dame June Clark FRCN, Welsh Board Member added