

# FAIR PAY FOR NURSING



# Next steps on your NHS pay in Scotland



# The journey to an indicative ballot

For 2021-22 the Scottish government decided to negotiate NHS pay directly with health unions. After inconclusive negotiations, in March 2021 the Scottish government **made a pay offer** to staff on Agenda for Change contracts.

In a consultation, **RCN members voted overwhelmingly to reject the offer**. RCN Scotland called for further discussions with the Scottish government. However, Scottish government **implemented the single-year NHS pay offer for 2021-22 without further discussion** about RCN members' rejection of the offer.

In June, to acknowledge the members' strength of feeling, the RCN **lodged a trade dispute** with Scottish government and NHS Scotland employers over pay.

Over the summer the **Cabinet Secretary for Health and Social Care has failed to engage meaningfully with members' concerns** over the NHS staffing crisis and the need for fair pay to support safe staffing.

Members now have been given the opportunity to tell us what you are prepared to do next through an **indicative ballot**. Industrial action is always the last resort taken to protect the profession and its patients. **This ballot will allow you, our members, to determine if industrial action needs to be taken.**

# What is an indicative ballot?

An indicative ballot asks members whether they personally would be willing, in principle, to take any form of industrial action. This ballot does not provide grounds to take industrial action. It is a way to understand how many members may be willing to take a form of industrial action.

If enough members say they are willing to participate in some form of industrial action a statutory ballot may be the next step. A statutory ballot is a legal requirement before industrial action can take place. There are strict thresholds that need to be met. By law, a 50% turnout is required in the ballot and a simple majority must vote in favour. A second threshold applies if the majority of members are engaged in an 'important public service'. If members are, 40% of all eligible members – meaning eight in 10 of those who voted – must vote in favour.

**Industrial action is always a last resort but the current staffing challenges are causing unacceptable risks to patients and staff. The Scottish government has many opportunities to do the right thing by nursing.**

# What is industrial action?

Industrial action can take two forms: action short of a strike and strike action. Industrial action is a powerful weapon as staff are the NHS's most valuable asset and nursing staff are the largest workforce within NHS Scotland.

## Get in the know about industrial action

Find out more:  
[rcn.org.uk/IAHandbook](https://rcn.org.uk/IAHandbook)



# What is action short of a strike ?

Generally, it means working strictly to the terms of your contract of employment and is often referred to as “working to rule”. This can include taking all of your contractual breaks and/or starting/finishing your shifts strictly on time and/or refusing to undertake paid or unpaid overtime.

By working to rule, you are withdrawing the goodwill that the Scottish government and the NHS boards often rely on. Therefore, action short of a strike can result in disruption if carried out by a significant number of the workforce. This may place pressure on the Scottish government and NHS employers to reconsider their position on our dispute.

# What is strike action?

Strike action involves a complete withdrawal of labour from the workplace. This could be for half a day, a day or even longer depending on the dispute. Strike action will almost certainly result in a disruption to NHS Scotland services and place greater pressure on the Scottish government and NHS employers to reconsider their position on our dispute.

# Protecting patients

If the RCN was to carry out industrial action it would follow the **life preserving care model**, to protect patients and also comply with the law. This means life preserving services such as emergency care will be provided to the same level as on Christmas Day.

**Derogations** are another way to protect the safety of patients. Derogations ensure employers can maintain **safe staffing levels** by making a member or service exempt from taking part.



**YOU  
ARE THE  
VOICE OF  
NURSING**

# Use your vote to decide the way forward on pay

You decide the way forward.

Your professional trade union will always put the interests of you, your profession and your patients first.

## Update your details

Your details must be up to date so that you can take part in the ballot. Look out for an email from Civica Election Services ([RCN@cesvotes.com](mailto:RCN@cesvotes.com)) and use the unique link to vote. The RCN can only act on what you say you want.

Update your details today to ensure the ballot reaches you.

Find out more  
[www.rcn.org.uk/  
FairPay-Scotland](http://www.rcn.org.uk/FairPay-Scotland)

You decide the way  
forward on pay.



It is important all of your details are up to date and for the indicative ballot it is especially important you update your:

- name
- email address
- workplace
- employer.

Update your details:  
[rcn.org.uk/MyRCN](http://rcn.org.uk/MyRCN)



[rcn.org.uk/FairPay-Scotland](https://rcn.org.uk/FairPay-Scotland)

Find out more about the  
**#FairPayForNursing** campaign

