Belfast Health and Social Care Trust

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TRUST BOARD
SUBMISSION TEMPLATE

MEETING	**Trust Board**	**Ref No. 5.2**
DIRECTOR	**Director of HR & OD**	**Date: 01 Dec 22**
• Industrial Action		
Purpose	To provide an update on Industrial Action The paper summarises details of planned Industrial Action which will impact the Trust commencing from 5 December 2022.	
Corporate Objective	• Safety, Quality, Experience • Service Delivery • Resources	
Key areas for consideration	• **Issues /risks** RCN has indicated its intention to take strike action on 15 and 20 December 2022 for a period of 12 hours on each day from 8am – 8pm. Unison and Nipsa have both provided the Trust with 7 days notice of their intention to take 'action short of strike' commencing from 5 December. They also plan to take strike action w/c 12 December, details of the planned strikes are expected to be received 7 days beforehand. It is likely that other trade unions will follow suit, GMB members have voted for strike action and Unite is in the process of balloting members. • **Challenges** Maintaining service delivery Maintaining minimum safe staffing levels Identifying services that will need to be stood down	

	Actions • Issue the Industrial Action Business Continuity Plan • Establish an IA Planning Group • Review derogations previously agreed in the 2019 strike • Consider impact on service delivery to identify services that must continue and those that may need to be stood down • **Internal/External engagement** Trust wide engagement with the Senior Leadership Group Engagement with DoH and SPPG colleagues Local and regional trade union engagement • **Human rights / Equality**
Recommendations	• For noting

Industrial Action Update

November 2022

As you will be aware a number of the Agenda for Change Trade Unions have taken the decision to ballot members in relation to pay. The table below sets out the ballot dates for each Trade Union.

Union	Ballot Start Date	Ballot End Date
GMB	28/08/2022	21/10/2022
RCN	16/10/2022	02/11/2022
UNISON	27/10/2022	18/11/2022
NIPSA	27/10/2022	18/11/2022
UNITE	28/11/2022	21/12/2022

Current Trade Union Position

The following is a summary of the information received to date which will be kept under review as new information is received.

RCN

RCN have balloted regarding strike action only and have confirmed national strike action will take place on 15th and 20th December from 8am to 8pm.

RCN did not ballot on action less than strike and intend to issue an electronic template regarding derogations. The RCN position states exemptions provided to a member or service from taking part in industrial action must follow the care model which exempts:

- emergency intervention for the preservation of life or the prevention of permanent disability
- care required for therapeutic services without which life would be jeopardised or permanent disability would occur
- urgent diagnostic procedures and assessment required to obtain information on potentially life-threatening conditions or conditions that could potentially lead to permanent disability.

UNISON

Unison have balloted for both action short of strike and strike action. BHSCT expect to receive notification details on Monday 28 November 2022 regarding Unison's planned industrial action.

Unison's position on exemptions state that branches should be prepared to grant exemptions where there would otherwise be a direct danger to life and limb of any person such as in the emergency services. There are a range of services where

branches may wish to consider allowing life-and-limb cover like residential homes for children and the elderly, emergency duty social work and emergency meals-on-wheels.

Examples of the action to be taken include:

- Refusing to have breaks interrupted
- Working strictly to health and safety protocols
- Withdrawal from all union/management/Department of health engagement except regional meetings on dispute resolution
- Strict adherence to start times

NIPSA

Nipsa have balloted on both action short of strike and strike action. Letter received from the Nipsa Regional Officer on 25/11/22 advises that the industrial action will be continuous commencing on Monday 05/12/22 and sets out the details of action short of strike by staff group. Examples of the action to be taken by all staff groups include:

- Refusing to have breaks interrupted
- Taking all contractual breaks
- Not working unpaid/excess hours
- Not carrying out duties of other staff due to shortages including housekeeping, cleaning, portering or environmental teams etc;
- Working strictly to health and safety protocols
- Refusing to cover the work of other workers taking industrial action
- Selective overtime and additional hours ban
- Withdrawal from all union/management/department of health engagement except regional meetings on dispute resolution.

GMB

GMB have balloted on both action short of strike and strike action. No dates of action have been confirmed so far.

Unite

Unite have confirmed they will ballot members from 28 November to 21 December 2022. The early date they can therefore commence industrial action will be 7 days after the last day of the ballot, i.e. 28 December 2022.

Next Steps

- The Industrial Action Business Continuity Plan has been issued to the Senior Leadership group to assist service areas to develop contingency plans.
- An initial Partnership meeting has taken place w/c 21/11/22 with Trade Union colleagues to discuss principles of engagement and to consider effective operational arrangements throughout the period of industrial action.

- An Operational Planning Group will be stood up week commencing 28 November 2022 with appropriate membership from all services areas.
- Industrial Action to be added as a standing item at the daily CV Safety Huddle for the duration of the Industrial Action.
- Derogation meetings to commence with trade union colleagues in advance of all planned strike action.
- Staff communications are currently being updated and will be issued as soon as possible including guidance for managers and staff FAQs.