

NHS Deal on Flexible Working

An agreement on new flexible working rights aimed at giving NHS staff a better work-life balance has been agreed by health unions and NHS employers. We will be looking to encourage our employers to take a similar approach.

The deal will make it easier for workers to request flexible working arrangements including a right to do so from the first day.

To tackle concerns about poor work-life balance, health unions and NHS employers have agreed several new flexible measures to encourage staff to continue their careers in the NHS.

New contractual terms will allow staff to:

- Request flexible working from the start of their employment
- Make an unlimited number of applications for flexible working, instead of just one a year
- Submit applications without having to justify requests or provide specific reasons
- Access a process where managers must refer on requests that cannot be accommodated initially to ensure all possible solutions are explored.

NHS employers will also work with unions to develop a broader range of flexible working arrangements.

We hope other employers outside the NHS will start to take a similar approach. This is a useful example of what can be achieved.

Dates for your diary.....

We now know that the government is lifting most Covid restrictions from today, but it is still too soon to confirm whether branch meetings will be taking place at the branch office or not. At some point in the next few months we hope that we will be able to move to hybrid meetings, with some people attending in person and others able to join online from home.

July

29th 6pm Branch Committee

August

3rd 10am Negotiations Committee

September

7th 10am Negotiations Committee

15th 10am or Free training: difficult conversations

1pm Regional training, see flyer enclosed.

15th 6pm Free training: Women's Lives Workshop

Regional training, over 10 weeks, see flyer.

20th 1pm Free training: Dyslexia Understood

Regional training, see flyer enclosed

21st 10.30am Free training: Your Skills, Your Future

Regional training, see flyer enclosed

23rd 6pm Branch Committee

October

5th 10am Negotiations Committee

12th to 13th National Retired Member's Conference

Virtual conference

21st 6pm Branch Committee



North Yorkshire Branch

Branch Activist Newsletter

News and updates for branch officers, activists and workplace reps ♦ Vol.1 Issue 2 ♦ 19 July 2021

Opening up?

Today (19 July) is the day that the government's roadmap in England reaches the final stage of opening up, with most legal restrictions lifted. However, in the face of significant Covid case numbers the rhetoric has changed to include notes of caution. However, it is still the case that the government is taking the view that the spread of the virus is now an individual responsibility and not a government responsibility.

We know that many of our members will be worried about what this will mean for them at work. All the latest information and resources can be found on the branch website:

www.northyorks-unison.org.uk/covid19

UNISON is very concerned about some of the relaxations, especially around the use of masks and social distancing at work. We welcome that the government has confirmed that, although the instruction to work from home if you can has been lifted, the advice to employers is to not rush to get everyone back in a workplace. We believe that employers should still allow, and encourage, staff to wear masks and maintain sensible social distancing precautions.



We know that you will be supporting and reassuring our members where you work. We hope that most employers will be sensible, but please remember that no changes to the way your workplace operates should be made without consultation with staff and UNISON reps. Those of you who are Health & Safety Representatives have a legal right to be consulted on any changes, and to be involved in any updates to the risk assessments. If changes in your workplace are brought in without consultation, please contact the branch office for support.

Remember the golden rule; changes to working arrangements and working practices should only be made following a review of the Covid risk assessment. Union reps must be involved in the risk assessment process, and the risk assessment must be available for staff to see.

Contact the branch office

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The branch office is currently closed to visitors due to Covid restrictions, but branch admin staff are continuing to work as normal 9am to 4.30pm on Mondays to Fridays.

Follow the branch on social media

We provide and share regular updates, news and interesting articles via the branch social media accounts; If you don't already, why not follow us?

@NYUnison

Northyorkshireunison

You can also engage with us and share your ideas and views, but please remember never share anything on social media that can identify where you work and never make comments that could bring you or your employer into disrepute. Keep social media and work separate.

The big issue...

Parliament has approved regulations that will make Covid vaccination compulsory for people who work in care homes.

There has never been compulsory vaccination in the UK, at least since the controversy around smallpox vaccination in 1853. That was the last time a UK government tried to make vaccination compulsory. Laws introduced in 1898 and 1907 established legal recognition that choices around vaccination should be personal choices.

Regulations passed by parliament last week change this, and for the first time in 150 years the right to choose whether to be vaccinated will effectively be removed for anyone who works in a care home.

The Health and Social Care Act 2008 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2021 have amended the Health & Social Care Act 2008 Act, to require that anyone who is required to enter a care home for the purposes of their employment will be required to have all relevant Covid vaccinations. There will be a duty on care home providers to check the vaccination status of all workers entering a care home setting. This will include workers who are not involved in providing direct care, such as tradespeople, cleaners, kitchen staff and admin staff. The legal requirement will come into effect 16 weeks after the regulations were passed by parliament, so we think around the end of October. The regulations are required to be reviewed annually.

UNISON has always been very clear:

- We support the vaccination programme
- We have encouraged and supported our members to get vaccinated
- We have worked with members who are unsure or hesitant about getting vaccinated

But, it is wrong to force people to receive a medical intervention and to face being sacked if they do not.

Care providers, medical professionals and trade unions think this is wrong. A recent article in the British Medical Journal noted that: "Vaccination is not a panacea for safety. Safety, according to current regulatory law, is achieved through adequate staffing levels, training, equipment, cleanliness, personal protective equipment, risk assessment, and consultation with staff and residents." We agree wholeheartedly with this. Vaccination rates amongst most care workers are already very high; as much as 96% in some areas. When vaccinations reach this level other interventions become more important such as adequate staffing and hygiene.

We know that there may be some of our members who work in care home settings, or who are required to enter care homes to do their job, who are unable or unwilling to have the vaccination. Unfortunately these new regulations have legal force, and they will be required to comply with the law (there are exemptions for medical reasons). We are asking employers to engage with the relevant staff and offer support to help them access independent advice about being vaccinated. If they are still not willing to be vaccinated they should be offered suitable alternative employment. However, the law will ultimately allow for them to be sacked for refusing to be vaccinated. That said, existing laws on discrimination and health & safety will still apply so it is important that we are made aware of any members who are facing dismissal under these new regulations.

We also know that some employers are looking at expanding the scope of compulsory vaccination to other roles and settings. We will oppose this as we continue to believe that persuasion and support is better than compulsion.

Green Book update for term-time only workers

Local government workers, and many who work for Academy trusts, are covered by the NJC 'Green Book'. As part of the 2020 pay agreement, the minimum annual leave entitlement was increased by one day, to 32 days of total annual leave (22 days of annual leave, 2 extra-statutory days and 8 public holidays).

Section 4.12 of the Green Book, covering term-time only employees, has been updated to reflect this increase in leave entitlement, and the example calculations have been amended accordingly. Where workers were already receiving more than 32 days annual leave, they will not see an increase. The increase was only to the **minimum** leave entitlement.

There is also a minor amendment to reflect the Court of Appeal decision in the case of Brazel vs The Harpur Trust.

We believe that all of our school and academy employers are already complying with the new guidance and the minimum holiday entitlement, but if you think your employer is not please let us know.

Working from home research

Working from home during the pandemic has caused increased levels of loneliness and mental distress, according to new research into how workers have been affected by the crisis.

The study by the National Centre for Social Research (NatCen) found that the biggest increases in mental distress and loneliness during the pandemic were felt by the most isolated group; those working from home and living alone. Analysts examined data from interviews carried out with 8,675 people before the pandemic and in May, July and November 2020. They found that people able to work from home have been protected from financial difficulties that can drive poor mental health. However, when financial circumstances, loneliness and demographic characteristics were controlled for in the research, people working from home recorded bigger increases in mental distress.

"More of us than ever now work from home and use technology to replace many aspects of work previously done in person, but this cannot fully replicate the working environment for everyone," said Isabel Taylor, research director at NatCen. "As the government considers current working guidance, individuals, employers and government departments should be aware of the impact working from home is likely having on people's mental health." *Article taken from TUC Risks: Health & Safety News, E-bulletin, number 1004.*

Local Government Pay

Previously we reported that the unions had written to the employers on 25 June outlining that we were rejecting the offer of 1.5% and to ask the employers to lobby the government to fully fund an increased pay offer. With inflation running at above 2%, anything less than that would be a real-terms pay cut for our members.

We understand that the employers are meeting again on 27 July to consider their response, and our national committee will meet on 28 July to consider any revised offer.

In the meantime, UNISON continues to campaign on the issue of local government pay. We will keep you updated and you can also find out the latest news via the UNISON national website:

www.unison.org.uk/our-campaigns/fair-pay-now-council-school-workers

Supporting a member? Let us know..

If you are supporting a member where you work, please make sure you let the branch office know.

The admin team can check that the member is fully paid up, but we also need to know so we can keep records of who we are helping. We can also assign a Service Conditions Officer to help and guide you too.