

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Y Bil Partneriaeth Gymdeithasol a Chaffael Cyhoeddus \(Cymru\)](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Social Partnership and Public Procurement \(Wales\) Bill](#)

SPPP 18

Ymateb gan: Coleg Nyrsio Brenhinol Cymru | Response from: Royal College of Nursing Wales



Royal College of Nursing (RCN) Wales written evidence to the Equality and Social Justice Committee (Stage 1) scrutiny on the general principles of the Social Partnership and Public Procurement (Wales) Bill

The Royal College of Nursing Wales (RCN) Wales welcomes the opportunity to provide written evidence on the general principles of the Social Partnership and Public Procurement (Wales) Bill. RCN Wales would welcome the opportunity to provide oral evidence.

RCN Wales strongly believes the Social Partnership and Public Procurement (Wales) Bill should detail how Welsh Ministers will work in partnership with non-Trade Union Congress (TUC) affiliated unions, such as RCN Wales and BMA Cymru. Social partnership should welcome all Unions and arrangements of how this will occur must be on the face of the Bill.

Recommendations:

1. The pool of potential nominees for the position of worker representatives to the Social Partnership Council (SPC) should be widened and the reasons for this are set out later in this document. In summary, 1(5)(2) should be changed to ‘Before appointing worker representatives, the First Minister must seek nominations from the TUC and individuals who the First Minister considers represent staff working for each category of employer referred to in section 3’.
2. Civil servants should be employed for the purpose of providing administrative support to the SPC.
3. The SPC should be able to request information from Welsh Minister. The procedures for this should be added as 7(6)(d) ‘the procedure for requesting information to the SPC and the procedures Welsh Minister’s must follow in providing this information’.
4. Details relating to how the membership of SPC subgroups is established must be clarified. There must be a formal mechanism for non-TUC affiliated members to engage and collaborate in social partnership with Welsh Ministers. RCN Wales recommends changing 8(3)(b) to read ‘other members of the SPC, non SPC members including individuals with expertise in the subgroup’s area and non-TUC affiliated worker representatives’.

5. Subgroups of the SPC should be able to request information from Welsh Minister. The procedures for this should be added as 9(4)(d) ‘the procedure for requesting information to a subgroup of the SPC and the procedures Welsh Minister’s must follow in providing this information’

Social Partnership Council (SPC)

Membership

RCN Wales welcomes the proposals to establish the SPC. However RCN Wales believes the nomination process for worker representatives is limited.

Under the current proposals worker representatives would be nominated to the SPC by the TUC. The current proposals within the Bill could lead to non-TUC affiliated unions being left out of social partnership in Wales and reduce their ability to cooperate and collaborate.

The RCN is the world’s largest trade union for nursing, representing over 500,000 nurses, midwives, health visitors, healthcare support workers and nursing students, including over 26,000 members in Wales. RCN Wales is the largest trade union for nursing in Wales and is the only trade union that exclusively represent the nursing workforce.

RCN Wales is not TUC affiliated and therefore under the current proposals would potentially be unable to represent the nursing workforce on the SPC. This is the same for BMA Cymru – the largest trade union for doctors in Wales.

There must be a formal mechanism in place to allow for non-TUC affiliated trade unions including, RCN Wales and BMA Cymru, to engage with, and be nominated to the SPC .

Recommendation One: 1(5)(2) should be changed to ‘Before appointing worker representatives, the First Minister must seek nominations from the TUC and individuals who the First Minister considers represent staff working for each category of employer referred to in section 3’.

Administrative Support

The current proposals detail that ‘the Welsh Ministers must make administrative support available to the SPC’ 1(7)(7).

RCN Wales agrees that the SPC needs administrative support and would urge the Bill to go further in detailing the level of support the SPC would be granted.

Recommendation Two: RCN Wales recommends that civil servants should be employed for the purpose of providing administrative support to the SPC. These civil servants would work directly with Welsh Ministers and members of the SPC to support the business of the Council.

SPC’s procedures

Under section 7(6) the Bill explores the SPC procedures. RCN Wales recommends that an additional procedure is listed to allow for the SPC to request information from Welsh Ministers and how this would be achieved.

There needs to be transparency between Welsh Ministers and members of the SPC. By allowing the SPC to request information this would improve transparency and allow for members to provide accurate advice and guidance in relation to their business. There needs to be an understanding of how this is done and a timeframe for how long Welsh Ministers have to provide this information.

Recommendation Three: RCN Wales believes the SPC should be able to request information from Welsh Minister. The procedures for this should be added under 7(6)(d) ‘the procedure for requesting information to the SPC and the procedures Welsh Minister’s must follow in providing this information’

Subgroups

RCN Wales welcomes the ability for subgroups to include ‘other members of the SPC and other individuals’ 8(3)(b). This may allow for non-TUC affiliated trade unions to be included if the subgroup is discussing a topic where that trade union’s expertise would be beneficial to the group.

However RCN Wales would urge the Welsh Government to outline what is meant by ‘*other individuals*’ as it is currently very ambiguous. If the ambition is to allow individuals with expertise to be included in subgroups this should be clearly stated. If the ambition is to engage with non-TUC affiliated trade unions this should also be made clear.

In addition the procedures for establishing a subgroup and its membership must be clearly detailed. There is no mention of how the membership of a subgroup would be established and who would be responsible for making this decision. RCN Wales would recommend that the Bill outline this to avoid confusion.

Recommendation Four: Details relating to how the membership of SPC subgroups is established must be clarified. There must be a formal mechanism for non-TUC affiliated members to engage and collaborate in social partnership with Welsh Ministers. RCN Wales recommends changing 8(3)(b) to read ‘other members of the SPC, non SPC members including individuals with expertise in the subgroup’s area and non-TUC affiliated worker representatives’

Similar to recommendation three, RCN Wales strongly believes subgroups of the SPC should be able to request information from Welsh Ministers. To allow for effective social partnership there must be a mechanism in place to commit Welsh Ministers to supplying information to subgroups of the SPC.

Recommendation Five: Subgroups of the SPC should be able to request information from Welsh Minister. The procedures for this should be added as 9(4)(d) ‘the procedure for requesting information to a subgroup of the SPC and the procedures Welsh Minister’s must follow in providing this information’

About the Royal College of Nursing (RCN)

The Royal College of Nursing is the world's largest professional organisation and trade union for nursing, representing over 465,000 nurses, midwives, health visitors, healthcare support workers and nursing students, including over 26,000 members in Wales. RCN members work in both the independent sector and the NHS. Around two-thirds of our members are based in the community. The RCN is a UK-wide organisation, with National Boards in Wales, Scotland and Northern Ireland.

The RCN represents nurses and nursing, promotes excellence in nursing practice and shapes health and social care policy.