



The NHS Constitution – Your Rights

The current coalition Government's plans for health represent the biggest threat to the National Health Service since its creation in 1948. Health sector workers are now facing the worst attacks ever on their professionalism, security and terms and conditions of employment.

As employees in one of the most respected organisations in the world, you are faced with unprecedented cuts to the services you provide. You are facing the prospect of redundancy, re-organisation and changes to your working practices.

This Government's plans to abolish PCT's will expose all services to privatisation and marketeers focused on profit. Unite believes this is a fundamental shift in the core principles and values of the NHS – a change from a comprehensive publicly owned and accountable direct provider of services.

NHS organisations and their Managers are required to make savings of £20bn over the next few years and we know that some are making these cuts by attacking your job, your pay and your terms and conditions of employment. Your terms and conditions of employment are incorporated into Agenda for Change – and can only be changed by decisions reached in the NHS Staff Council.

The **NHS CONSTITUTION** confirms your legal rights and makes pledges and commitments to you. These must be adhered to by your employers and you must not be harassed or misled into making changes to your patterns of work or your contractual rights. These rights and pledges must be respected and not abused in the blind panic to make damaging cuts and in the cynical rush to dismantle the National Health Service.

What the NHS Constitution says about your rights

Staff have extensive legal rights, embodied in general employment and discrimination law. In addition, individual contracts of employment contain terms and conditions giving staff further rights. The rights are there to help ensure that staff:

- have a good working environment with flexible working opportunities, consistent with the needs of patients and with the way that people live their lives;
- have a fair pay and contract framework;
- can be involved and represented in the workplace;
- have healthy and safe working conditions and an environment free from harassment, bullying or violence;
- are treated fairly, equally and free from discrimination;
- can raise an internal grievance and if necessary seek redress, where it is felt that a right has not been upheld.

The NHS Constitution Pledges to Staff

In addition to the legal rights, there are a number of pledges, which the NHS is committed to achieve. Pledges go above and beyond your legal rights. This means that they are not legally binding but represent a commitment by the NHS to provide high-quality working environments for staff.

The NHS commits:

- to provide all staff with clear roles and responsibilities and rewarding jobs for teams and individuals that make a difference to patients, their families and carers and communities;
- to provide all staff with personal development, access to appropriate training for their jobs and line management support to succeed;
- to provide support and opportunities for staff to maintain their health, well-being and safety;
- to engage staff in decisions that affect them and the services they provide, individually, through representative organisations and through local partnership working arrangements. All staff will be empowered to put forward ways to deliver better and safer services for patients and their families.

This White Paper has no mandate from the electorate and Unite believes it is an unconstitutional attack on the NHS. The opening statement in the White Paper from the Secretary of State, Andrew Lansley, says, **"No decision about me – without me"**. We must ensure that this statement is adhered to and we urge you to use the rights and pledges enshrined within the NHS constitution to protect your terms and conditions of employment.

Agenda for Change

NHS Constitution

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