

- To: • ICB:
- chief executives
 - chief operating officers
 - chairs
 - chief people officers / HR directors
- Trust:
- chief executives
 - chief operating officers
 - chief people officers / HR directors
 - chief nurses/directors of nursing
 - medical directors

NHS England
Wellington House
133-155 Waterloo Road
London
SE1 8UG

25 January 2023

- cc. • Regional:
- directors
 - chief nurses/directors of nursing
 - medical directors
 - heads of EPRR
 - chief allied health professionals

Dear colleagues,

Industrial action by members of the Chartered Society of Physiotherapists (CSP)

Thank you for everything you and colleagues from across health and social care continue to do to manage services through a challenging set of circumstances this winter, and to ensure that disruption arising from industrial action is kept to a minimum.

Your efforts are helping to ensure that both patients and staff are supported and kept as safe as possible through a difficult period.

On 26 January, members of the CSP union will take industrial action at [30 NHS Acute, Community and Mental Health Trusts](#).

On 9 February, a further day of industrial action will follow at [32 different NHS Trusts](#).

The CSP have notified NHS England (NHSE) of the nationally agreed derogations which are available online: [Safe staffing levels | The Chartered Society of Physiotherapy \(csp.org.uk\)](#) and we understand that derogation discussions with trade unions are ongoing at a local level, with the impact on services likely to vary trust by trust.

On 2 November 2022, NHSE issued a [letter](#) indicating that local preparation for industrial action should begin. Alongside the letter a self-assessment document was shared for ICBs and Trusts to use to help guide planning and development of mitigations for key service areas. This may be useful in planning for CSP action.

Following input from national clinical teams, we are now asking:

All Trusts where CSP members are taking action should:

Ensure through derogations or other mitigations that essential services can continue to be provided in the following areas:

- respiratory / cardiothoracic physiotherapy
- a critical care / ITU physiotherapy service (acute Trusts only)
- a ward-based physiotherapy service (e.g. to surgical wards)
- life sustaining therapies (e.g., home ventilation service, secure unit mental health services) for those patients who require these services

In addition, Trusts are asked to develop mitigations to ensure safe and timely services in the following areas:

- child protection, child safeguarding and adult safeguarding function
- child and young people's physiotherapy services
- on call physiotherapy services (acute Trusts)
- urgent community response (community Trusts only)

Trusts and ICBs are also asked to ensure that senior AHPs and Physiotherapists are actively involved in planning, and your command and control arrangements.

All Trusts are asked to work with the local CSP branch to ensure that arrangements (e.g. contact numbers) are in place to enable contact with staff and return to work, in discussion with CSP locally, should a major incident be declared.

We recognise that the NHS and partners are already working hard to discharge patients when they are medically fit to leave inpatient settings. This is even more important in the context of an upcoming series of industrial action which have the potential to impact inpatient capacity and restrict the NHS' ability to discharge patients in a timely fashion.

Physiotherapy is vital for patient discharge from both acute and community settings, so to the extent possible, mitigations should be put in place and prioritised to minimise the impact of loss of these key staff.

Trusts and ICBs should engage with social care (both providers and local authorities) to advise how they could be affected and what contingency measures are in place to mitigate. System partners should be kept informed as well.

Planning for both the 26 January and the 9 February should also consider industrial action taking place elsewhere in your region, especially where a neighbouring Trust also has CSP action taking place.

Maintaining regular and open engagement with local trade union branches remains key.

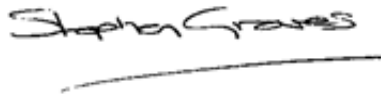
Pre-action readiness and assurance

EPRR leads or SROs for IA at Trusts affected by CSP industrial action have been asked to complete a pre-action assurance return. The simple Excel template asks questions

around Trusts' confidence in their ability to provide critical services and on the progress of local derogation discussions.

Information on your Trust and system will be used to guide support from regional teams and highlight areas where escalation may be required. Trusts are asked to complete the templates and to submit returns to their Regional Operations Centre.

Yours sincerely,

A handwritten signature in black ink that reads "Stephen Groves". The signature is written in a cursive style and is positioned above a solid horizontal line.

Stephen Groves

Director of Emergency Preparedness, Resilience and Response
NHS England