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CONGRESS 2011
General Council Report

CONGRESS 2011

GENERAL COUNCIL REPORT

THE 143RD ANNUAL TRADES UNION CONGRESS

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The TUC's mission is to be a high-profile organisation which campaigns successfully for trade union aims and values, assists trade unions to increase membership and effectiveness, cuts out wasteful rivalry and promotes trade union solidarity.



Congress President Michael Leahy OBE
Photo: Andy Aitchison

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Brendan Barber General Secretary

¹ Until October

² From February

³ From April

⁴ Until December

Frances O'Grady Deputy General Secretary

Kay Carberry CBE Assistant General Secretary

Introduction by the General Secretary

The All Together Campaign, launched at last year's Congress, has dominated the TUC's work throughout this Congress year.

The statement *The Economy, Public Spending and Public Services*, adopted at the Manchester Congress last September, forecast that public anger would grow as the impact of the Government's policies of deep and urgent cuts became increasingly clear. And so it proved. Despite some policy u-turns in response to public pressure – for instance on funding school sports and the proposed sell-off of the Forestry Commission – the Government stuck rigidly to the main thrust of its policy of cutting the deficit within four years with cuts in public spending being its instrument of choice.

The full impact of the policy became clearer with the publication of the Comprehensive Spending Review in October and the turnout for our rally and lobby of parliament on the eve of the review showed clearly that public anger was mounting.

During the winter, attention turned to student finances and the decision to raise student fees to as much as £9,000 a year, despite a Lib Dem election pledge to oppose any increase. In addition to the events organised by students themselves, with union support, we organised our own youth march in January in Manchester – fulfilling a commitment made at Congress.

But the main focus of our attention and that of unions was on the March 26 national demonstration in London. With half a million people taking part, this was one of the largest events that the TUC has organised in our 143 year history. The demonstration showed clearly the extent to which the Government had angered and outraged people, not just by the scale of the cuts, but by the fact that the burden was being heaped on those least able to bear it.

The full story of the year's campaign is set out in Chapter 1, which concludes with the General Council statement, adopted at the July meeting,

which looks to the next steps in what we always knew was going to be a long campaign.

The March 26 event was branded *The March for the Alternative* and the question most frequently asked by commentators was – 'what is the alternative?' And so, as well as focussing on the organisational aspects of the campaign we have also devoted considerable energy to setting out our alternative to the cuts-based deficit reduction strategy.

There are signs that we are getting our message across. We have seen a decline in the number of people who believe that the measures now being put in place are the necessary consequence of the bank bailout that the previous government undertook and that the only way to tackle the deficit is to follow the path being taken by the current government. But we still have some way to go before our messages get across in the way that the Conservatives did theirs with the image of a country that had 'maxed out on its credit card'.

The truth is of course that, in similar terms, we did not ratchet up a credit card loan, but rather, as a nation, we took out a mortgage to deal with the banking crisis. And just as house buyers do not cut out the essentials of life in order to pay off their mortgage over the first four years of a long term mortgage, so, as a nation, we should adopt a similar approach, not ignoring the deficit, but looking to pay it off over time in an orderly manner that does not leave us lacking the essentials of a civilised life in the meantime.

But, beyond the narrow debate on finances, the need now is not just for a different analogy but for a whole new way of thinking. As the Touchstone pamphlet *Britain's Livelihood Crisis* demonstrated wages as a share of gross national product have fallen over a period of 30 years and the trend needs to be reversed. We need to make the case that, despite what right wing economic commentators try to tell us, we are not going to achieve national prosperity by making the people poorer. We need to demonstrate where

banking fits in to the picture and to offer a path that will allow us to grow the economy out of the debt. We need an industrial strategy and an approach to regulation that is more sophisticated than just seeing rules as a burden on business. We need to make the case for equality, showing that better, fairer and more productive societies are ones where the gap between top and bottom is narrower. This is important work that will continue through the next Congress year.

The third strand of the TUC's work over the past year, alongside campaigning and policy development, has been to engage with government. This is something that the TUC has always done. It is a core part of our job. For my part the most difficult and most complex discussions over the past year have been on the issue of public service pensions.

A number of factors have made this one of the most difficult issues of the Congress year. The Government's determination to make savings at the expense of their own employees – many of them amongst the country's lowest earners – was one important factor; and the attempts by large sections of the media, falsely, to portray public service workers as pampered with 'gold-

plated' pensions was a second. The decision by four unions to take coordinated industrial action at the end of June sent a clear signal about the strength of feeling and a warning that wider action would take place in the autumn if a resolution to the problem could not be found.

We have engaged with government on other issues too. The Executive Committee has met both the Prime Minister and Deputy Prime Minister. I meet BIS Secretary Vince Cable on a regular basis and across government there remains a commitment to engage with the trade union movement as part of civic society. The extent to which the engagement is serious or just token on their part, is still open to question. The most constructive engagement resulted in the recognition by government of trade unions' valuable work in workplace learning and the continuation of funding for union learning at last year's level. Whilst loss of other funding has necessitated a re-organisation in unionlearn and the loss of a number of posts, the outcome was far better than we feared. Personally Vince Cable also remains committed to greater regulation of the banking sector, but we know that there are many other areas in which deregulation is the name of the Government's game. Lord Young's



At the start of the March for the Alternative, one of the largest events ever organised by the TUC.
Photo: Jess Hurd/reportdigital.co.uk

review of health and safety was one example and the initial consultation on the regulation of the communications sector another. But when we look at the success stories of recent times a different lesson emerges. The construction of the Olympic Park in East London has come in on time, under budget and with an exemplary safety record. This was achieved through progressive procurement policies, a commitment to union engagement and strict adherence to the highest standards on health and safety – effective regulation in the public sector, a modern success story.

One area where some sections of the Conservative Party are looking for additional regulation is around the law on strikes. We see regular signs of ideas being floated about ways to make it even more difficult to conduct a strike ballot. Such voices are currently in a minority, but as we found in the Eighties, ideas that start as the absurd fantasies of right wing extremists sometimes end up as pieces of legislation and so this, along with pressures on union facility time, will be something on which we will need to maintain vigilance over the coming year.

Alongside all the pressures which the various strands of government policy place on working people, unions themselves are facing pressures of their own. Jobs losses and rising unemployment invariably put pressures on union membership. To date the effects have been limited and in some areas a rise in activism has boosted membership and so, as part of our campaign work, we have emphasised the link between campaigning and recruitment. Our work on organising and also on employment rights is set out in Chapter 2 of the Report.

The impact of the cuts on some of the most vulnerable sections of society has formed an important part of our campaign work. Our work on the various equality strands and unions' use of equality legislation to fight the cuts is reported in Chapter 3. This year also sees the publication of our biennial equality audit, which draws together information from unions on their work in achieving our constitutional commitment to equal rights. These audits, initiated following the work of the Stephen Lawrence Task Force ten years ago, have played an important role in spreading best practice and seeing that unions work towards equality and that equality works for unions. I would urge delegates to Congress to read and learn from the audit.

Our work on the economy, labour markets and the range of sectoral work, including that on public services and on pensions is reported in Chapter 4, the longest chapter in the Report.

As always, our international work has formed an important part of the TUC's work over the past year. We have worked closely with our colleagues across Europe as the debt crisis has grown – and it was perhaps apposite that the ETUC Congress was held in Athens as Greek workers took to the streets to protest about the way in which they were being made to pay the price for the failures of the finance system. We have also worked closely with trade unions in the Middle East during what has become known as the Arab Spring.

Our work on learning and skills is reported in less detail this year, as we have sought to avoid duplication with unionlearn's annual report that was published earlier this summer, but I would urge colleagues, who have not done so already to read the unionlearn report which sheds new light on an increasingly important and successful part of the work of the TUC and unions.

Our work on health and safety, described in Chapter 7, has continued with the usual mixture of campaign initiatives, pressure on the authorities and information for our workplace representatives. The regional dimension, set out in Chapter 8 has been particularly important this year as much of our campaigning work has taken place at local and regional level.

This year's Congress will be the first to be held at Congress House, under the new rules adopted last year. It will last three days, instead of four, and delegation sizes have been reduced. The General Council will be reviewing the new arrangements early in the new Congress year, but one thing is clear. Despite the changes we intend to ensure that Congress retains its place as a high profile event that is both our principal policy making body and the means by which unions hold the General Council to account. It is also essential that our constitutional commitment to equality is seen to be carried through in all our work.

Congress will also be asked to approve a rule change that will reduce the threshold for automatic representation on the General Council to ensure all unions with 30,000 members or more have a seat on the General Council, with seven elected seats retained for the smaller affiliates. The change arose from a motion to last year's Congress and seeks to make the General

Council more inclusive, without changing the whole nature of the body.

Among the colleagues to whom we pay tribute in the Obituary section are three people who devoted almost the whole of their working lives to the TUC. Roy Jackson worked at Congress House from 1956 until he retired in 1992. He was assistant general secretary from 1984 until his retirement and, for me personally, Roy was both a good friend and a great source of knowledge and inspiration during the early years of my career at the TUC. Denis Delay, started his working life as a London docker and ended it as one of the most influential trade union figures in the steel industry. He was the secretary to the TUC Steel Committee throughout the years that the industry was in public ownership and he worked for the TUC from 1960 until 1990. Both Roy and Denis had been long retired when they died. Keith Faulkner was still very much a part of the TUC until his sudden death last December. As senior events organiser he would have played a major role in the March for the Alternative and in this year's Congress. His death came as a great shock to those of us who, like me, had worked with him throughout a TUC career that went back to 1978. We continue to miss him and will do so especially around Congress.

At this Congress we say farewell to a number of colleagues. Allan Garley has served on the General Council since 2005 and brought his experience of trade unionism in the regions to our work. Julia Neal joined us in 2007 and has contributed greatly to our work over the past four years. Alan Ritchie has been a member since 2005 and was always a forceful advocate for his

members and the construction industry. John Walsh has represented young members since 2005 and leaves us on reaching the age limit for that section.

A number of colleagues have also left the General Council during the past year. Dougie Rooney, was last year's President of Congress and was held in high regard by his colleagues. Derek Simpson and Tony Woodley both left us at the end of 2010 having completed the massive task of bringing together two of Britain's largest unions to create – in Unite – a major force in the trade union world. Mark Fysh left the General Council on medical advice after representing disabled trade unionists on the General Council for almost ten years. Jeremy Dear left us earlier this summer to embark on a new career after completing two terms as general secretary of the NUJ – and doing much to bring the worlds of journalism and trade unionism closer together. I am sure my General Council colleagues would wish to join me in wishing all of our former colleagues all the best for the future.



BRENDAN BARBER

July 2011

CHAPTER 1

The All Together Campaign

1.1 | Introduction

The top priority for the General Council during the past year has been the campaign against the Government's economic policies and in particular its attempt to try and close the deficit in four years, primarily through cuts in spending.

The campaign was guided by the General Council statement that was adopted at the 2010 Congress. This chapter provides an overview of the implementation of the policies set out in that statement throughout the year. Many of the initiatives outlined here are reported in more detail in subsequent chapters as is the campaigning work taken forward by the Wales TUC and the TUC's regional councils.

Campaign launch

The All Together Campaign was formally launched on the steps of Manchester Central on the Monday of the 2010 Congress. General Council members led delegates in a widely used photo-opportunity that unveiled the campaign name and 'hands' logo. The clear message on spending cuts put forward by the General Council statement adopted by Congress earlier that day and in the debate on the statement and associated motion ensured that the 2010 Congress was the most reported Congress for many years and images of the launch have been used in the media ever since.

Taking the message to the coalition party conferences

The North West region of the TUC, with the support of education unions and the TUC nationally organised a demonstration to greet delegates to the Liberal Democrat Assembly held in Liverpool the week after the 2010 Congress. Several thousand demonstrators and a range of speakers drawn from unions and representatives of service users sent a strong message to delegates

reminding them that they had opposed deep and immediate spending cuts in their election campaign but were now instrumental in their implementation. The demonstration also drew attention to the Government's damaging plans to fragment education.

Two TUC sponsored fringe meetings were also held at the Lib Dem conference and both were well-attended. At one the General Secretary debated the cuts with Oliver Letwin and Danny Alexander and at the other a range of trade unionists and service users raised their concerns about the direction of government policy with the Liberal Democrat LGA leader and Liverpool Councillor Richard Kemp. The TUC stand in the conference exhibition provided the opportunity for many conversations with Liberal Democrats, and revealed considerable concern about the direction of coalition policies. A number of affiliates also held fringe events, many of them directly engaging with campaign themes.

At the Conservative Party Conference another well-supported fringe event took place repeating the Barber, Letwin and Alexander line-up and other union sponsored meetings were also held. While there was less support for our viewpoint among Conservatives than at the Lib Dem Conference, the General Council has attempted to continue to engage with both coalition parties and with ministers at every opportunity during the Congress year.

Also in September, a TUC delegation participated in an ETUC demonstration against austerity, which was held in Brussels.

1.2 | The Spending Review

The next high profile element of the campaign was a week of action coinciding with the new Chancellor's first spending review in which he was due to set out the speed and scale of the spending cuts in detail.



Reading the palms – the campaign launch at the Manchester Congress.

Photo: Rod Leon

The major national event organised by the TUC took the form of a rally and lobby of Parliament held on October 19 – the eve of the spending review. The rally was held in Westminster Central Hall and brought together a wide range of speakers. Representatives of service users including charities, patients, school students and young people joined with a broad range of front-line public service workers and union leaders. Equity representative and well-known actor Benedict Cumberbatch helped secure strong media interest in the event and the event attracted many more people than could be accommodated in the hall.

Alongside the rally, a targeted lobby of MPs was held giving priority to making contact with coalition MPs with small majorities and those who had been elected on a manifesto opposing deep early cuts.

To coincide with the rally and lobby the TUC published a report highlighting the ability of the finance sector to pay more tax.

A detailed analysis of the spending review's implications showed that the poor would be hit 15 times harder than the rich. The publication of this report received extensive media coverage. The analysis made further use of the economic model developed before the 2010 Congress showing how

different income groups would be affected by the Chancellor's plans. To accompany the research the TUC held a well attended seminar to discuss the distributional impacts of the spending review and launched a 'cuts calculator' to allow households to consider their likely losses as a result of public service reductions.

A number of local activities were organised around the country as part of the week of action, including rallies, demonstrations and lobbies of MPs' surgeries. The General Council also gave support to a major STUC demonstration in Edinburgh on October 23.

1.3 | Engaging in policy debate

Throughout the year the TUC focused on documenting the detrimental impacts of the Government's policy decisions on the speed and strength of the economic recovery and on the livelihoods of households across the country. TUC analysis considered issues including the growing gap between wages and inflation, persistently high youth unemployment and the weakness of many regional labour markets. The

TUC also launched a Tax Credit cuts calculator, which allowed working families to see how they would lose from tax credit reductions over future years. In June 2011 the TUC published *Britain's Livelihood Crisis*, an analysis which demonstrated wages have been falling sharply as a share of the national wealth since the mid-70s, while a rich minority have been taking an ever larger slice of the UK's dwindling earnings. The pamphlet argued that the Government's approach to deficit reduction was simply exacerbating the crisis and failing to consider how fairer and more sustainable growth could be secured in the future.

1.4 | Sectoral activity

Attention shifted to a range of activity designed to highlight the impact of spending cuts on particular sectors and groups in the months after the spending review, with the General Council giving support to a range of events organised by the TUC itself or affiliates and allies.

These included a TUC conference on the future of education in November, a lobby of Parliament organised by the FBU in November and a report on the impact of spending cuts on women in December

The highest profile events were a series of higher and further education related events. A march and rally organised by the NUS and UCU on November 10 attracted many more than expected and was followed by a series of unofficial student events that were controversially policed.

Around 3,500 people – mainly students and trade unionists – attended the 'A Future That Works' rally held in Manchester on 29 January. The organisation of the event was praised by Greater Manchester Police. The event was addressed by a range of speakers from unions, the NUS, the British Youth Council and local MP Tony Lloyd. A similar number of protestors supported the 'Unite for Education, Fight Every Cut' march which took place in London on the same day and which was supported by a number of unions.

The TUC and the National Association for Community and Voluntary Action (NAVCA) jointly hosted an event titled A Future for Civil Society on 8 February which brought together trade unions with voluntary and community organisations, charities and NGOs. Over 100 organisations were represented at the meeting, including national charities, NGOs and trade unions as well as local community and voluntary organisations.



The Central Hall rally on October 19 filled the place to the rafters.
Photo: Jess Hurd/reportdigital.co.uk

In May the TUC supported the alliance of disability organisations that organised the “Hardest Hit” demonstration – the largest ever protest by disabled people.

The TUC continues to facilitate unions coming together in various sectors to co-ordinate their activity in addition to the regular meetings of the Public Sector Liaison Group. This has included a series of meetings with relevant ministers.

Of particular importance during the year has been the work of health unions (including non-affiliates the Royal College of Midwives, Royal College of Nursing and the British Medical Association) in resisting the marketisation and privatisation proposals in the Government’s NHS Bill. Unions engaged with ministers and the Future Forum set up by the Government to review the Bill. On July 5 a wide range of activities took place to mark the 63rd birthday of the NHS:

- The TUC General Secretary, Deputy General Secretary and health union general secretaries delivered a giant birthday card, signed by members of the General Council, to the Department of Health.
- The TUC arranged an ‘All Together for the NHS’ birthday party in Westminster, where MPs and peers (including the shadow front bench health team, and crossbench, Labour and Lib Dem peers) met health workers to hear their concerns about the reforms.
- More than 50 birthday parties and events took place around the country and were shared on the False Economy site, including a demonstration and rally organised by Unite in London.
- Birthday cards supporting the NHS and setting out our concerns about the Bill have been sent to key members of the House of Lords. An e-card facility was also developed to allow people to ‘adopt a peer’ to receive a birthday message.

A range of different issues have attracted media and campaigner focus throughout the year, and the TUC has intervened where possible in these campaigns either directly, through supportive media interventions or more indirectly through the False Economy website. Examples include library closures, forestry privatisation, the future of school sports and free books for children.

1.5 | Digital campaigning

While the TUC’s websites have given high visibility to the campaign throughout the year, including a specially developed site for the March for the Alternative, there have been two specific initiatives aimed at broadening and deepening the wider campaign against the cuts. These implemented the commitments made in the General Council statement agreed at the 2010 Congress.

In January, the first Netroots UK conference was sponsored by the TUC and held in Congress House. Netroots is a long established USA initiative that brings together progressive campaigners, lobby groups and online activists and bloggers. Together with a range of similar UK groups and individuals, the TUC hosted a day-long conference, which combined a series of how-to workshops, campaign presentations and plenary sessions, with a particular emphasis on the cuts campaign.

In February the False Economy website was formally launched with a news story drawn from Freedom of Information requests showing that 50,000 NHS jobs were under threat, although the website had been live since December. This story achieved good prominence even in outlets normally unsympathetic to union-inspired stories.

False Economy is mainly funded by the TUC and unions, but has become a highly successful hub and resource for anyone concerned about the cuts. It has won wide support for a number of reasons. Unlike some other attempts to bring cuts campaigns together it does not have a political line or organise its own events, but is open to all. The site puts a great deal of effort into social media campaigning through Facebook, Twitter and other channels. It has a clean crisp design with authoritative and well-written content.

It enables any campaign group to list contact details or campaign initiatives, selectively giving prominence to those most likely to be effective and involve many people, such as the March for the Alternative and NHS birthday celebrations. The site uses sophisticated mapping tools that can link campaigns to top-level postcode areas. The same tools are used to present information about the cuts and testimony about their effect either supplied by site users or added from False Economy’s own research. In addition it has a strong section dealing with the arguments against the coalition’s deficit reduction strategy, including two videos; and a regular blog with carefully

chosen material designed to provide arguments and information for activists, including regular economic commentary, material on the NHS and topical articles such as a defence of public sector pension affordability in the run up to the June 30th protests and strikes. A jointly-badged TUC/False Economy campaign leaflet *Cuts are not the cure* was produced in large numbers in the run-up to the March for the Alternative.

In August, the TUC helped launch a major analysis conducted by False Economy of cuts in local authority funding of charities and voluntary groups. This was based on Freedom of Information requests to all English local councils. The report gained substantial media attention and gave many charities a platform from which to explain the impact of the cuts on their ability to deliver help to the vulnerable and the hypocrisy of the ‘big society’ agenda.

1.6 | The March for the Alternative

The major event in the General Council’s year was the March for the Alternative held on March 26th, meeting the commitment in the 2010 Congress statement for a mass mobilisation in March. This attracted 500,000 people – a number agreed by government, police and the TUC – to make a peaceful protest in London against the spending cuts and for an alternative based on fair tax and growth. While the core of the march was made up of union organised delegations, the march attracted a broad range of people concerned about the impact of the cuts on their community.

This was the most ambitious event organised by the TUC for many years and required us to work closely with a range of public agencies and commercial suppliers. The sad and sudden death of the TUC’s senior events organiser Keith Faulkner just before Christmas 2010 presented its own challenges, given his long experience of managing such events.

The success of the march depended on a number of elements.

Close co-operation with affiliated unions

There were regular meetings of union campaign officers and discussion at the Executive, General Council and Public Sector Liaison Group. Fixing

the date before Christmas gave unions and other campaign groups plenty of time to mobilise for the event and book transport.

This close co-operation was key to helping deal with some of the inevitable difficulties inherent in such a large-scale event. One example was organising the transport. The huge attendance, the wide area of road closures and the reduction in central London coach parking spaces in recent years meant that only very limited coach drop-off and pick-up could take place near to the route. This required the TUC to work with unions to co-ordinate the parking arranged in Battersea, Wembley and the ExCel exhibition centre in East London.

Unions were the main source of voluntary stewards for the march, and two training sessions for senior stewards were organised in London, together with briefing sessions and written material for route stewards in other parts of the country.

Good communications

A particular emphasis was put on ensuring good communication not just with affiliates but to everyone involved in preparations for the march or interested in attending. Regular email bulletins for union organisers were produced, a dedicated website was used to provide up-to-date information, the False Economy website provided crucial travel resources linked to its mapping facility and both Facebook and Twitter were used in the run up to the event. On the day extensive use was made of Twitter and, through a dedicated phone app, this made it possible to provide information to marchers, whilst the event was taking place.

This extensive communications infrastructure proved useful in helping mobilise people and reassure them that it would be a well-organised and family friendly event. It also allowed us to counter false rumours and urban myths about the event such as reports that we were banning placards or forcing all coaches to park in Wembley. On the day we were able to provide information about transport, form-up and to counter rumours that parts of the march had been kettled – a device previously used to contain demonstrations in a limited area.



A sign of the times – March 26 in Hyde Park.
Photo: Andy Aitchison

A good working relationship with the Metropolitan Police

Early agreement on the route was secured. The TUC worked hard to ensure a co-operative relationship with the police as it was agreed that this would help maximise turn-out given concerns about disorder following some student protests during the winter. This led to a constructive input into our planning process from the Metropolitan Police, including participation in senior steward training, a TUC presence in the police control room, a clear understanding of the different roles of the police and stewards and a good working relationship between police bronze commanders for sections of the route and TUC deputy chief stewards with similar responsibilities.

The Metropolitan Police and TUC invited Liberty to observe all our planning meetings, to provide legal observers on the march and in the police control centre, and to publish a report after the event. This was extremely positive about the TUC's planning and our engagement with the Metropolitan Police.

Engagement with other agencies and suppliers

The TUC needed to work closely with a range of other public agencies. Of particular importance

was the Royal Parks Agency given that the rally took place in Hyde Park and that this required a great deal of infrastructure to be erected. Westminster Council, Transport for London, the London Ambulance Service, St John Ambulance and the London Fire Brigade were all involved in regular meetings. They also participated in a contingency planning exercise along with the TUC, Royal Parks and Metropolitan Police before the event. On the day an Event Liaison Team worked together from Hyde Park and involved all these agencies plus representatives of our key suppliers.

An event of this scale required extensive logistical support from a range of commercial suppliers. These included the team who put in place the considerable infrastructure in Hyde Park, the professional stewards who worked in Hyde Park and in the assembly area and many others.

An accessible event

Great efforts were made to allow participation by those with disabilities or limited mobility. Three special assembly points were organised – one at the main assembly point, one in St James St for those who were not able to march the whole route and a static demonstration at the entrance to Hyde Park for those not able to march. Each

was specially stewarded and special arrangements were made with the police and other authorities to allow vehicle access.

A lively march and rally

Unions and the TUC worked together to ensure that the march and rally were colourful and varied. The TUC provided flags for many marchers and booked a band to lead the front section of the march. Many affiliates also imaginatively branded their contingents and arranged for music.

In Hyde Park the stage presented a varied mix of speakers, music and video presentations. Speakers came from a range of unions, including international representatives, and representatives of voluntary and campaign groups. The rally was also addressed by Ed Miliband the Leader of the Labour Party. A number of videos were specially commissioned for the event reporting on the effects of cuts on various sectors and from various parts of the country making sure that many front-line workers and service users could have a say. The Musicians' Union sponsored three varied acts during the course of the rally.

During the course of the event a number of acts of vandalism and civil disobedience occurred organised by groups who sought to take advantage of the large numbers of people on the streets. Whilst these actions attracted considerable media coverage, especially on television, the police and almost all commentators recognised that this had nothing to do with the TUC and should not distract from the central message of the march – namely the scale of opposition to the government cuts policies and their impact on those least able to bear the cost.

Independent of the TUC a group from Goldsmiths College and the Museum of London, organised the Save Our Placards project and arranged to collect placards and other materials from the event to put on display at the museum and to ensure that there is a permanent record of a major event in the city's history. A display of placards is to take place at the new Turner Gallery in Margate in the autumn and an event is being planned next year to mark the first anniversary of the march.

1.7 | Continuing the campaign

The Executive and General Council have regularly discussed campaign strategy during the year, culminating in extended discussions on the future direction of the campaign at the both the June and July meetings. The results of those discussions are set out in the following General Council statement agreed at the July meeting.

General Council statement

Future campaign strategy

In 2008 the world economy suffered its most severe crash since the 1930s. The trigger was the near collapse of the world financial system – only rescued by massive government intervention. But the underlying cause was the failure of the economic model, practised particularly in the USA and the UK, since the 1980s. Finance took priority over wealth creation. Inequality grew as middle and low earners failed to share in economic growth. Trade unions came under attack as part of an irrational belief in deregulation and free markets.

The inevitable ensuing recession has done great damage. Unemployment has risen and inequality deepened further. Public finances have seen substantial deficits as tax takes have collapsed and spending on unemployment has grown. Countries such as Greece, Ireland and Portugal have suffered sovereign debt crises and had policies forced on them that provide no hope of long term relief.

In the UK, even though the pre-crash debt was relatively modest and the deficit easily financed, the coalition government has adopted the mistaken and cruel policy of trying to eliminate the structural deficit within four years.

These policies are hitting both private and public sectors.

Spending cuts have reduced consumer and business confidence. Early signs of recovery have been replaced by stagnation. The threat of a double dip recession remains. Unemployment, particularly among young people, remains persistent. The government has failed to develop a strategy for economic growth.

Vital public services are being cut across the country, hitting some of the most vulnerable members of our society. Public sector staff have been singled out for attack. Many have lost, or will lose, their jobs. Pay has been frozen for two years. An arbitrary increase in pension contributions of three per cent of pay is threatened, along with cuts to accrued pension rights through linking pensions indexation to the lower CPI inflation measure – a move that is now hitting many private sector occupational pensioners as well. Traditionally disadvantaged groups are bearing an unfair share of the sacrifices demanded by the Government, and it is important the battle for equality remains central to our work.

The Government has also used deficit reduction as a cover for introducing policies of privatisation and marketisation, many of which – just like the scale and pace of cuts - were not put to voters before the election.

Those who gained from the unsustainable boom years have not been asked to make a proper contribution to deficit reduction through a fairer tax system. Tax avoidance by both companies and the super-rich deprives the Treasury of billions. Ministers continue to reject a “Robin Hood” financial transactions tax that could deliver billions from the sector that did most to cause the crash.

The top priority for TUC and union campaigning – as set out in the General Council statement agreed at the 2010 Congress – has been opposing the deeply damaging economic policies of the Government.

Thousands of people have taken part in campaign activity of various kinds: some intensely local, some together with others in their sector; and some purely on-line. Most impressively was 26 March when the TUC mobilised 500,000 for the March for the Alternative. This showed what unions can achieve when we work together, have common messages and give ourselves enough time to properly organise. No other part of civil society could have achieved this.

These campaigns have had successes. The Government has been forced into a series of U-turns, which if not a total victory for campaigners, have mitigated some of the worst features of government policy. Divisions on some issues have opened up within the coalition. At least some backbenchers have publically opposed important government policies.

Public opinion has shifted sharply since the election. Big majorities reject government claims that “we are all in this together” and that cuts can be achieved painlessly by sparing so-called front-line services. A majority agree that the cuts are damaging the economy, that they are too fast and too deep.

But the central direction of government policy is unchanged despite the evidence that the deep rapid cuts are depressing the economy, rather than securing growth. Many voters – even if reluctantly – still accept the need for cuts.

The strategy, analysis and policies set out in the General Council statement agreed at the 2010 Congress remain valid. We need to build broad alliances with service users and other campaigns and ensure we put effective pressure on MPs and ministers. Unions will continue to take industrial action when appropriate, and the TUC remains ready to co-ordinate union activity. We still need to engage and negotiate with government and coalition parties.

A priority must be to make the case for, and further develop, the thorough-going economic alternative set out in TUC policy statements. We must explain the root causes of the crisis and in particular the growing inequality that has led to stagnating living standards for low and middle earners, the failure to invest in economic growth and to get the unemployed into work.

In the months ahead we should step up our campaign for this fundamental change of economic direction, further shifts in public opinion and for all the political parties to adopt this approach.

The diversity of the anti-cuts campaign is undoubtedly a strength. There are many ways for people to get involved and many tactics deployed - from grass-roots activity on tax avoidance to establishment figures speaking out or lobbying ministers. Even if we wanted to, it would be impossible to draw all these elements into a single top down campaign, let alone one controlled by the TUC. Yet as 26 March showed our movement can provide leadership and opportunities for mobilisation that reach well beyond our ranks.

Our campaign priorities over the next two years will be based on the following elements:

Building grass-roots campaigning

Pressure on MPs at the local level has proved effective in securing government U-turns on issues such as the sell-off of forests and the partial if inadequate retreat on NHS reforms. Yet the involvement of unions and the TUC in local campaigns is variable and there are constituencies -including some marginal seats where MPs inevitably take more notice of constituency opinion – where campaigns have yet to reach their potential.

Over the year ahead the TUC will closely monitor local campaigning, encourage trades councils in their work with local unions and community groups, dedicate new staffing resources at the regional level to the development of local capacity and increase support and training for local activists.

Sectoral campaigning

Campaigns that bring together the staff of a sector with service users and others concerned with its future will continue to be of prime importance in the campaign. Some sectors have already developed such campaigns. Where appropriate unions should work together as, for example, the arts and entertainment unions are doing to develop joint working. In other sectors the TUC will need to play a stronger role as we have been doing with the voluntary sector.

Developing digital campaigning

The False Economy website, which has been supported by the TUC and many unions, has played an important role in the campaign against the cuts by spreading the arguments for the alternative, mobilising for March 26th, gathering information about the cuts and proving a central resource for local and sectoral groups. Digital campaigns have played crucial roles on forestry privatisation and the future of the NHS. Online activity is an important way of involving young people and non-trade unionists, as the TUC's role in organising the Netroots UK event showed. But we have yet to realise its full potential. Our aim should be to develop a movement-wide capability to deliver on-line campaign actions that successfully target MPs and ministers.

Stepping up the arguments for the alternative

The deficit is a symptom of more deep-seated economic problems caused by the dominant economic approach since the 1980s, yet the government often manages to present the deficit as the only economic issue facing the country.

We therefore need both to develop detailed economic policies that can win expert support and popular arguments that can defeat the misleading messages used by the coalition. We stand for the interests of both public and private sector workers, all of whom are being asked to make an unfair contribution to deficit reduction, after being largely excluded from the benefits of economic growth in past decades as we showed in *Britain's Livelihood Crisis*.

It is particularly important that this aspect of the campaign embraces the private sector so that attempts to portray us simply as defenders of public sector jobs fail. This will require us making a convincing case for economic growth and investment, including investment in the transition to a low-carbon economy and using public procurement to preserve our manufacturing base.

Union organising and action

Growing economic insecurity and the central role of unions in opposing the Government's economic policies give us important opportunities to boost our organisation and recruit new members. This must be an important strand of all our work.

Where unions decide that industrial action is the appropriate response to government cuts and their effect, the TUC stands ready to help co-ordinate such action.

Maintaining flexibility

Within this clear strategic direction, we will need to maintain flexibility, seize opportunities and use our ability to mobilise and bring people together in imaginative and effective ways.

Both unions and local groups will welcome national "campaign moments" that are thought through and well-prepared. While we do not have the resources or appetite for sustained advertising campaigns, opportunities for limited but effective tactical advertising or campaign initiatives may present themselves.

The General Council and Executive will ensure that the campaign maintains a flexibility and ability to respond to new circumstances, and the Executive will meet in an extended session shortly after the 2011 Congress to consider the campaign in more detail.

Resources

The strategy outlined in this statement if it is to be taken forward by the TUC on behalf of the movement will require unions to commit to working together in the same spirit as in the run up to the March for the Alternative. But it will also require resources at the centre. While the TUC will free up its own resources by ruthlessly prioritising this campaign it will only reach its full potential with additional support from unions.

The General Council has it in mind that, in addition to any normal adjustment to the annual affiliation fee in line with the established formula in the TUC's rules, an additional 10p per member per year could be included in the affiliation fee for each of the next two years, together with resources from the Development Fund. This additional element in the affiliation fee will be formally considered following the assessment of a detailed campaign plan at a special Executive Committee away-day in early October. If this is confirmed by the General Council this will establish a campaign fund of £1 million a year which will be managed by the Executive Committee to deliver the most vital campaign for our movement in a generation.

Adopted 27 July 2011

CHAPTER 2

Organising and rights at work

2.1 | Introduction

The past year has witnessed a change in the employment rights landscape in UK. The coalition Government has outlined its plans to weaken UK employment law, with changes to rights on unfair dismissal, redundancy and TUPE. Proposals for the introduction of fees for employment tribunals would also limit access to justice for low paid workers and permit rogue employers to get away with flouting basic rights at work. There have also been calls from employers' organisations, some Conservative backbenchers and in parts of the media for the introduction of further restrictions on the right to strike.

At the same time, unions have made progress in establishing in law that trade union rights are human rights, which must be respected in UK law and practice. Employers, unions and vulnerable workers are also preparing for the implementation of the right to equal treatment for agency workers.

2.2 | Organising and representation

In June, the Executive Committee discussed the latest worrying trends in trade union membership. The annual Labour Force Survey published by the Department for Business Innovation and Skills and National Statistics in April 2011 recorded a small decline in union density amongst employees, which now stands at 26.6 per cent. Density in the public sector remained stable at just over 56 per cent but in the private sector density fell below 15 per cent to 14.2 per cent.

Collective bargaining coverage fell by almost two per cent to 30.8 per cent. Collective bargaining coverage in the public sector was 64.5 per cent, a fall of almost four per cent. Collective bargaining

coverage in the public sector has now fallen by ten per cent since 2000. In the private sector, less than one fifth of employees were covered by collective bargaining agreements.

Whilst union membership in the public sector has increased by almost 350,000 since 1995, density declined by five per cent over the same period. This suggests that during a period of significant employment growth in the sector the capacity of unions to keep pace with this and maintain and increase density in the sector was limited. The government cuts programme and a likely increase in the use of outsourcing and privatisation will place additional pressures on public sector membership and density moving forward.

An additional pressure on public sector trade union organisation has been the focus on facility time and other paid time off for union reps. Since the latter part of 2010 there has been a steady stream of parliamentary questions relating to the cost of the provision of facility time and other time off for trade union representatives. Whilst this has yet to result in any legislative or other proposals from the coalition Government, there is clearly an ongoing attempt to create a narrative that portrays paid time off for union representatives as an inappropriate use of public finances. This flies in the face of evidence showing the value of facility time to employers and the economy (see Chapter 6).

The continued difficulties facing union recruitment in the private sector have resulted in union density dropping to less than 15 per cent in significant parts of the sector such as construction, accommodation and food service (hospitality), wholesale and retail, information and communication. In manufacturing, a sector traditionally regarded as a union stronghold, fewer than one in five workers are now union members.

The factors that have inhibited a breakthrough in the private sector include a combination of internal obstacles, namely those that unions can directly control and influence, such as the level of

investment made in organising and recruitment, and external ones, such as the legislative framework within which unions work, and the broader trends in the labour market factors.

In the face of these challenges the Executive Committee agreed to make a focus on organising and recruitment an integral part of our broader All Together Campaign.

TUC Organising Academy

The Organising Academy enjoyed a successful second year working in partnership with Ruskin College. More than 300 union officers and organisers attended the course programme and the TUC and Ruskin College have agreed in principle to extend the partnership for an additional 12 months from September 2011.

Trainee Organiser Programme

Since 1998 more than 400 specialist organisers have graduated from the TUC Organising Academy Trainee Organiser programme. As part of the 2010/11 programme trainee organisers were placed with NUT, EIS and NASUWT. The programme was also combined with the training for existing union officers.

Diploma in Organising and advanced organising programmes

The Academy's Diploma in Organising course offers training in organising and campaigning skills to existing union officers and staff. This year's programme was supported by TSSA, Prospect, UNISON and GMB. The advanced programme is for graduates of the Academy Diploma and Trainee Organiser programme and includes modules on Strategic Campaigning, Negotiations in Campaigns and Developing Activists. This year the programme was supported by ATL, NASUWT, NUT and Prospect.

Bespoke support for individual unions

Design and delivery of organising training that meets the specific requirements of individual unions continues to account for the majority of the support that the academy provides to unions. During 2010/11 the academy carried out bespoke work for CWU, Community, Prospect, NASUWT,

PCS, UCU, UNISON and the International Transport Workers' Federation.

Leading Change

The eighth intake into Leading Change, the TUC's training and development programme for senior union officers began in July 2011. There were 16 senior officials on the 2010/11 representing ATL, CWU, GMB, Napo, NUT, POA, Prospect, TSSA, UCU and Unite. The programme is supported by Birkbeck College, LSE and the Harvard Labor and Worklife Programme.

Lay Leadership Development programme

The Lay Leadership Development Programme is a new course that provides senior lay union representatives with a challenging and innovative package of training, discussion and support covering union growth strategies, effective organising and campaigning, governance and global organising. The first intake into the TUC's Lay Leadership Development Programme began in January 2011 with 15 participants representing Accord, BECTU, CSP, FBU, NUJ and Unite.

European and international

The TUC has continued to support the work of the ETUC and ETUI Recruitment Network. Training in Brussels and Tallinn was designed and delivered by the TUC for union reps and officials organising in companies in the security and meat processing sectors.

Publications and support for reps, activists and organisers

Throughout the latter part of 2010, working with the TUC's Equality and Employment Rights and Economics and Social Affairs Departments, the organising and recruitment team held briefings on 'Using the Law to Build Stronger Unions' in each TUC region.

A series of materials was produced to help reps and organisers use the All Together Campaign to build membership and activity. These were supported by 'All Together for Stronger Unions' briefings held in TUC regions.

In August 2011 a pocket guide to organising and campaigning was published. This was aimed at union reps, activists and organisers. It was also launched on the 'unionreps' website, which is an action resources centre that provides practical guidance on workplace organising.

Collective Bargaining and Employment Relations project

Since October 2010 the TUC has hosted, with the support of the Economic and Social Research Council's Placement Fellowship Scheme and the Faculty of Economics, University of Cambridge, a Unions, Collective Bargaining and Employment Relations research project. The aim of the project is to demonstrate the benefits of collective bargaining, in terms of social, economic and employment relations outcomes and to identify ways that unions can extend collective bargaining coverage.

A main focus of the project has been to undertake a study of cases in meat processing, building construction and facilities management where unions have both attempted and been successful in securing bargaining agreements across a sector. The study has examined the extent to which such strategies can be replicated across different sectors and assessed their impact on employment relations, working conditions, and business performance.

As part of the project a roundtable on the future of collective representation was held in March 2011. The event brought together union officials, academics and representatives from organisations such as Acas to discuss the challenges and opportunities for unions and collective employment relations in the current economic and political climate.

The project has also enabled the TUC to contribute to the wider debate on collective bargaining and employment relations via papers and articles submitted to Unions 21, the International Labour Process Conference, the Manchester Business School and Left Foot Forward.

Further papers are planned before the publication of the final project report in October 2011.

2.3 | Young people

No single group in society has felt the impact of the economic downturn, the recession and now the coalition Government's cuts programme more than young people. The most obvious effect of this has been the increase in youth unemployment, which has risen to record levels. At the start of the recession, the unemployment rate for 18 – 24 year olds was 11.9 per cent – much higher than for the population generally which was 5.2 per cent. But since then it has risen further – by December 2010 it stood at 17.6 per cent, compared with 7.9 per cent for the population generally. Even now, one in five 16-24 year olds is unemployed and graduate unemployment is at a 17 year high.

This situation has been exacerbated by the coalition Government whose policies, as well as consigning many young people to long term unemployment, have restricted access to further and higher education and plunged many into debt.

When the Future Jobs Fund, a progressive attempt to provide a structured route out of unemployment, was abolished shortly after the 2010 general election, the TUC complained that this decision had been taken without any evidence based justification. When an evaluation of the FJF, based on interviews with people who actually took part in the programme, was published in May 2011, it found that the quality of jobs on the FJF was often high, that Job Centre Plus managed it well and that the programme had been a huge help in getting jobs for participants. Participation in the work programmes that the coalition Government has introduced to replace the FJF, the Young Person's Guarantee and other welfare to work schemes, is predicted to be lower than those that they have replaced.

The abolition of the Education Maintenance Allowance was another blow to young people and one with a particular impact on those from low-income families. Helping young people from low-income families to stay on in school is about as progressive as it is possible to be. Yet the Government decided the right thing to do was to restrict educational opportunities for tens of thousands of young people who needed them the most. As well as the moral case for the EMA there was a practical one as well: it worked. The Institute of Fiscal Studies found that the EMA significantly increased participation rates in post-16 education.



The Manchester rally – young people against the cuts – organised in partnership with the UCU and NUS.
Photo: Paul Herrmann/reportdigital.co.uk

The increase in university tuition fees in December 2011 resulted in protests in London and across country. The impact of this decision, which has seen a significant number of universities raise their fees to the £9,000 per year maximum, will be felt over the long term and puts at risk the significant progress made over the last 30 years in increasing the levels of participation in higher education. Research published by the NUS at the time of the increase showed that 70 per cent of current students would have avoided going to university if tuition fees had been set at £7,000 – with the poorest students most likely to be put off. Even those who do decide to make the leap will be saddled with an incredible level of debt even before their working lives have started.

To help highlight these issues, and in line with motion 52 carried at the 2010 Congress, in January 2011 the TUC held 'A Future That Works – A national rally for young people and against the cuts'. This was held in partnership with the UCU and the NUS and took place in Manchester. Its purpose was to highlight the impact of the Government's cuts programme on young people.

Young Members Conference

The 2011 Young Members Conference which took place at Congress House on April 2nd and 3rd was attended by 73 delegates representing 21 TUC affiliates. Eleven motions were submitted for discussion covering the impact of the Government's cuts programme on young people, the National Minimum Wage, tuition fees and education services.

Following a consultation with unions the motions-based element of the conference was combined with workshops and discussions on subjects related to organising and representing young workers; these included organising vulnerable workers, the use of social media in mobilising a new generation of activists and building community alliances.

Young Members Forum

The TUC Young Members Forum has continued to meet over the period 2010/11 but the number of those attending meetings has been disappointing. To address this, a meeting was held in June 2011 with union officers responsible for young members to look at ways to improve attendance.

Unions into Schools project

The new TUC Unions into Schools materials were launched in April 2011 with fringe meetings at the conferences of ATL, NUT and NASUWT. A further launch event was held at the UNISON conference in June. The on-line materials developed in partnership with these unions plus Unite are aimed at pupils at Key Stage 4 and bring together a significant amount of historical and contemporary information that make learning about unions an exciting and interactive experience. The materials can be found at www.unionsintoschools.org.uk.

Interns

Access to and the provision of quality internships has been the subject of significant attention and media coverage over the past year and details of the TUC policy work in relation to this are referred to in Chapter 4. This work has been supplemented by practical work with unions and intern advocacy groups such as Interns Aware and Graduate Fog that seek to improve awareness amongst interns of their employment rights. In April 2011 the TUC, in partnership with the NUS, hosted a roundtable event attended by unions and other organisations with an interest in interns to discuss the areas for future partnership work. This was followed up by TUC support for the interns' Bill of Rights which was launched in June 2011. Future work will include discussions with unions on models of union representation and support for interns and the development of an intern's phone app.

2.4 | Fairness at Work: TUC campaign for workplace justice and trade union freedoms

Throughout 2010/11, the General Council has campaigned for greater workplace justice and trade union freedom in line with Composite 1, and Resolutions 6, 7 and 8 adopted at Congress 2010. This year's fairness at work campaign has focused on four main themes:

- Resisting government proposals to weaken employment rights.
- Establishing that union rights are human rights.

- Supporting unions to resist the effect of public spending cuts on jobs and terms and conditions.
- Pressing for a fair deal for agency workers and vulnerable workers in the workplace.

Government's Employment Law Review

In their *Programme for Government* published in May 2010, the coalition Government stated they planned to conduct a review of employment and workplace laws 'to ensure they maximise flexibility for both parties while protecting fairness and providing the competitive environment required for enterprise to thrive.' In the subsequent months, the Government unveiled a series of proposals, many of which focused on making it easier for employers to sack staff and to limit access to justice for working people.

The Government argued that their reforms would act as a driver for growth by giving employers confidence to recruit staff. However in meetings with Vince Cable, Secretary of State for Business, Innovation and Skills, and Ed Davey, Minister for Employment Relations, the General Council argued that economic evidence did not support the Government's proposition. Research by the OECD demonstrated that while the relationship between employment protection legislation and labour market performance was complex there was no negative correlation between levels of employment protection legislation (such as dismissal protection) and employment levels. There was also evidence that other EU countries such as Germany and the Scandinavian countries enjoyed both greater employment protection levels than the UK and better labour market performance.

Operational needs, the economic climate, the ability to access finance and levels of demand and of consumer confidence were more likely to influence recruitment decisions rather than employment protection legislation and any unspecified risk of potential employment tribunal applications. The Government's proposals were likely to increase job insecurity and lead to increased income inequality and poorer working conditions especially for low paid workers.

The following sections outline the Government's proposals in greater detail.

Employer's Charter

On 27 January 2011, the Government published a Charter for Employers, which set out the 'rights that employers have in the workplace'. The Charter actively condoned such practices as:

- Asking an employee to take a pay cut.
- Contacting an employee while on maternity leave and asking her when she plans to return.
- Withholding pay from an employee while on strike.
- Stopping providing work to an agency worker (provided they are not employed by the employer).

The General Council expressed concern that the Charter was a licence for bad practice by employers.

Resolving workplace disputes – a review of the employment tribunal system

On the same day as the Government published the Employer's Charter it also launched a consultation on resolving workplace disputes, which set out proposals for reforming the Acas pre-claim conciliation service and employment tribunal procedures.

Whilst the consultation document promoted the role of mediation and conciliation in resolving disputes, the primary aim of the review was to reduce employment tribunals' caseload by making it more difficult and costly for individuals to make employment tribunal claims. The consultation paper reflected views frequently expressed by the CBI and British Chambers of Commerce (BCC) that there was a need to reduce the number of weak and vexatious claims which were 'clogging up' the employment tribunal system. However the consultation document failed to include any substantive evidence demonstrating the case for change.

In April 2011, the General Council submitted a detailed response to the consultation drawing on evidence from the Survey of Employment Tribunal Applications (SETA) 2003 and 2008, from the Labour Force Survey, from ETS annual reports and a number of other research sources to demonstrate the disproportionate impact of the proposed changes on vulnerable low paid workers and those from groups already vulnerable to labour market discrimination.

While the General Council supported the principle of extending Acas pre-claim conciliation (PCC) services, they expressed serious concern that the PCC proposals could damage the impartiality of Acas by requiring conciliators to advise on the merits of a claim and on complex jurisdictional issues including employment status. Acas shared this concern in their submission to the consultation.

The proposed changes to employment tribunal procedures were also heavily weighted in favour of employers. It was likely that increases in the caps for deposit orders and costs awards would be used by employers to deter individuals from enforcing their rights. Extended powers for tribunal chairs to strike out applications, without the need for a hearing or the opportunity for parties to make representations, also threatened natural justice. The General Council also firmly opposed proposals for a reduced role for lay members in unfair dismissal cases, as did Acas.

The General Council argued that, rather than restricting access to justice, steps should be taken to improve the efficiency of the tribunal process, for example by extending the role for case management discussions (CMDs). They also called on the Government to review the handling of multiple equal pay cases, for example, by giving the CAC the power to determine such cases.

The General Council supported proposals for the imposition of automatic penalties for employers who breach an individual's employment rights. However they argued that penalties should apply to all successful employment tribunal claims and should be paid directly to claimants rather than to the Treasury.

By July 2011 the Government had not published its response to this consultation.

Fees for employment tribunal users

In January 2011, the Government announced that it planned to introduce fees for employment tribunal users and would publish a consultation in spring 2011 on how to implement a fees system in tribunals. This consultation has not been launched and it is anticipated that it will take place in autumn 2011.

During the consultation on the *Resolving Workplace Disputes* document the General Council argued that fees would price working people out of access to justice; seriously deter

individuals from enforcing their rights; and impact disproportionately on low paid and disadvantaged groups, including women, black and minority ethnic communities and disabled workers. The General Council will prepare a full response to the forthcoming consultation firmly opposing the introduction of fees.

Weakening unfair dismissal protection

In the *Resolving Workplace Disputes* consultation, the Government also announced that it planned to extend the qualifying period for unfair dismissal cases from 12 months to two years.

The General Council firmly opposed this proposal on the grounds that it would increase job insecurity, encourage unfair treatment in the workplace and was likely to be discriminatory against younger workers, black workers and those from ethnic minority communities and against female part-time workers who tended to have shorter employment tenure.

They also argued there was no evidence to substantiate the claim that extending the qualifying period would encourage employers to recruit more staff and result in higher employment levels. During the 1980s and 1990s the UK experienced high levels of unemployment even though there was a two-year qualifying period for unfair dismissal cases; whilst the reduction in the qualifying period to 12 months in 1999 was followed by a period of job creation.

The General Council also argued against proposals for linking annual increases for compensation or statutory redundancy pay (SRP limits) to CPI rather RPI which would reduce the value of these benefits in real terms over time.

The Government has still to publish its response to the consultation. The General Council will continue to campaign against the weakening of unfair dismissal rights.

Collective redundancy and TUPE rights

On 11 May 2011, the Government announced the latest stage of its employment law review. This would focus on reducing the consultation on collective redundancies and simplifying TUPE rules. It is expected that the Government will launch a consultation on these rights later in 2011 or during 2012.

To date, the Government has not outlined its proposals in full, although it has indicated that the review will look at:

- The 90 day consultation period where employers are considering making 100 or more employees redundant.
- Simplifying TUPE rules to remove bureaucracy and 'gold-plating' from the regulations.

During the past year, the CBI called for the length of redundancy consultation periods to be reduced and for the removal of the service provision changes from the TUPE Regulations. The service provision changes guarantee that TUPE protections apply whenever groups of employees working in the public sector or other services are outsourced or brought back in house.

In response, the General Council reminded the Government that the scope for weakening these rights was very limited as they are based on EU law. The General Council also expressed serious concerns about the possible implications for vulnerable employees if the Government was to press ahead with these plans. Reducing the length of redundancy consultation would seriously limit the ability of union reps to develop and convince employers about ways of avoiding redundancies. As a result individuals would unnecessarily lose their jobs and organisations would unnecessarily lay off skilled staff. Employees who were made redundant would lose income, making it more difficult for their families to pay their rent or mortgages and other household bills while they looked for new employment. Changes to TUPE rules could also reduce protection for the jobs, pay and conditions of often low paid employees facing privatisation and outsourcing.

The General Council will run a high profile campaign against any weakening of redundancy and TUPE rights. EU law will be used to defend existing rights for employees and trade unions. The campaign will also highlight how existing UK law and practice falls short of EU law and of the practices adopted in other EU member states. The TUC will publish briefings demonstrating how it is easier, quicker and cheaper to sack workers in the UK than in other parts of the EU. The General Council will argue that adopting an EU social partnership model would yield not only better protection for those affected by restructuring within public and private sector sectors, but would also have significant benefits for businesses by helping to build higher trust and more productive workplaces.

EU Review of Collective Redundancies, Acquired Rights and Information and Consultation Directives

The European Commission also commenced a better regulation review of the Collective Redundancies, Acquired Rights and Information and Consultation Directives in 2011. Each of the directives is being subjected to a “fitness check”. The ETUC has been invited to participate in a working party on the directives. The TUC is briefing the ETUC on those areas where UK law fails to comply with EU law, including UK rules on the timing of consultation; the limited sanctions on employers who fail to inform and consult and the ability of employers to vary pay and conditions after a transfer on economic, technical and organisational reasons entailing changes in the workforce.

It is expected that the UK Government will seek to use the EU review in order to press for the deregulation of EU standards. The TUC, working with the ETUC, will seek to resist such changes.

Right to take industrial action

During 2010/11, the issue of industrial action has increasingly featured on the legal, political and media agenda. While the level of industrial action has increased over the past year, due mainly to the Government’s spending cuts and the restructuring of public services; it remains far lower than that experienced in the 1970s and 1980s.

In accordance with Composite 1 adopted at Congress 2010, the General Council and affiliates have made some progress in 2010/11 in enshrining the principle that the right to strike is a fundamental human right in UK law.

In the UK courts

The first half of the year, UK employers increasingly used the courts in response to industrial action, rather than meeting unions around the bargaining table. In a series of cases, employers succeeded in winning injunctions in the High Court by relying on minor technical errors by unions to prevent industrial action from taking place.

The High Court was often willing to impose injunctions even though unions had won large

majorities in favour of the proposed action and had the unions not made the minor technical errors it would have made no difference to the outcome of the ballot. Such legal action therefore limited the ability of unions to act on the democratic wishes of their members. Acas and a number of commentators also raised concern that the ever tightening restrictions on industrial action would lead to an increase in wildcat strikes. It was therefore highly significant that during the course of the year the Court of Appeal issued two decisions which have limited the ability of employers to bring successful legal challenges based on minor technical errors. These cases represent major victories for the UK trade union movement.

The first Court of Appeal decision arose from the BA cabin crew dispute where BA had won an injunction on the grounds that Unite had failed to take the necessary steps to inform its members of 11 spoiled ballot papers. The union had posted information on the internet and on staff notice boards about the numbers of votes cast, the number of votes for and against industrial action and the number of spoiled ballot papers. However a press release, an email and a text message to members had not contained information about the number of spoiled ballot papers. The Court of Appeal held by a majority that the High Court had erred in granting the injunction, finding that the judge had underestimated the importance of the availability and use of websites as the route by which the union provided information to its members.

The second Court of Appeal judgment arose from two disputes involving ASLEF and the RMT. In overturning two High Court injunctions, the Court of Appeal held that in order for an error in a ballot to be ‘accidental’ and therefore protected by the statutory defence; it was not necessary for the error to be both unintentional and unavoidable; a lack of intention would suffice. The law does not impose an implied duty on a union to seek out further information about their members or to improve the standard of their record-keeping in order to improve the accuracy of the notice. Rather they were only required to provide information within the union’s possession at the time of giving notice. The Court also ruled that unions were not required to use the same job categories or titles in ballot or industrial action notices as used by the employer.

Most significantly, for the first time, the Court of Appeal recognised that Article 11 of the European Court of Human Rights had

implications for UK industrial action law. The Court ruled that the Convention had implications for the way in which industrial action law is interpreted. Notably, it rejected the argument that the legislation must be interpreted narrowly against the interests of unions and in the interests of employers, simply because unions relied on immunities in order to take industrial action. Rather the law must be interpreted in a manner which is practical and workable. This judgement suggests that human rights and in particular Article 11 of the European Convention could play an increasingly significant role in the future of UK industrial action law.

UK policy debates

Industrial action has also featured in UK parliamentary and policy debates during the last year.

In June 2010, John McDonnell was once again drawn top in the private members' bill ballot. He decided to table a bill on industrial action. The Lawful Industrial Action (Minor Errors) Bill, which sought to protect unions from legal challenges by employers for minor breaches of industrial action notice rules. The General Council supported the Bill and the General Secretary wrote to Labour MPs encouraging them to attend the second reading debate on 22 October, and to vote for the Bill. In the event, fewer than 100 MPs (87 MPs) voted for the Bill and so it failed to proceed to a second reading vote. The Bill has been rescheduled for debate on 14 October 2011, but has no prospect of becoming law.

During the course of the year, a number of Conservative politicians, including Boris Johnson, the Mayor of London, have called for industrial action laws to be further restricted. The Policy Exchange, a right wing think tank, and the CBI have also called for an overhaul of industrial action laws. In April 2011, Dominic Raab, a Conservative backbench MP, tabled a ten-minute-rule bill which stated that when a union which wants to go on strike in the transport sector or essential services, it should first have the support of a majority of those eligible to vote in a secret ballot. At the present time, the law requires trade unions to have the support of a majority of those voting, this being the standard method for determining support in most ballots, including electoral ballots. Other proposals for restrictions have included that unions must guarantee a minimum level of service during a strike, especially in essential services and that the current

restriction on using agency workers to cover for striking workers should be repealed.

To date, the Government has indicated that it does not intend to introduce legislation further restricting the right to strike, although they may reconsider the issue should the level of industrial action significantly increase. The General Council remains highly vigilant on this issue and is preparing to mount a major campaign to resist any further restrictions on unions' right to take industrial action.

Debates in the European Union

During the year, the General Council has continued to work with the ETUC to lobby for legal changes restoring the right for unions to bargain collectively and to organise industrial action within EU law. As reported over the past two years, the ECJ decisions in the *Viking*, *Laval*, *Ruffert* and *Luxembourg* cases, have placed major restrictions on the ability of unions to organise industrial action in cross border disputes and to bargain collectively to improve the working conditions of migrant workers, in particular posted workers. The cases also restricted the ability of national governments to use employment legislation and procurement policy to achieve improved working conditions for posted workers and to guarantee that foreign-service providers are not able to undercut domestic operators on pay and conditions.

During the course of the year the ETUC and TUC have continued to press for the adoption of a 'social progress clause', amending the EU treaties with a view to protecting the right to strike and to bargain collectively and for a revision of the Posting of Workers Directive.

The ETUC and TUC raised these issues during the EU Commission's consultation on the Single Market Act. Hannah Reed, the TUC's Senior Employment Rights Officer, attended a roundtable discussion with Ed Davey MP and Commissioner Barnier held in December 2010 and the General Council made a written submission to the Commission in March 2011, pressing the case for a social progress clause and a revision of the Posting of Workers Directive.

At a conference held in Brussels in June 2011, Commissioner Andor announced that the Commission planned to introduce measures aimed at addressing some of the unions' concern. In particular the Commission indicated that it would introduce a Monti II Regulation

which would address the relationship between economic freedoms and the rights to strike and to bargain collectively. The Commission also planned to introduce measures to improve the implementation and enforcement of the Posting of Workers Directive.

The TUC will work closely with the ETUC in the next 12 months to ensure that these legislative measures provide genuine and effective protection for the right to strike and for posted workers in the UK and in the EU.

The ILO

In line with Composite 1 adopted at Congress 2010, the TUC has continued to raise complaints with the ILO about the failure of UK labour law to comply with international standards. In December 2010, the TUC submitted a comprehensive report to the ILO Committee of Experts highlighting concerns that due to restrictions on the right to strike, to bargain collectively and on wider trade union rights, UK law failed to comply with ILO Conventions 87 and 98. Issues raised in the complaint included:

- The complexity of UK ballot and notice requirements.
- The impact of the ECJ judgements on the ability of unions to take industrial action.
- The complete ban on solidarity action, which in particular limits the ability of unions to organise industrial action following restructuring and contracting out of organisations.
- The lack of effective protection from dismissal for striking workers.
- The lack of recognition rights for workers employed in small firms.
- The inadequacy of UK blacklisting regulations.
- Restrictions on the ability of unions to determine their own membership, including limits on the ability to exclude or expel those who support racist organisations.

In their observations, the Committee of Experts asked the UK Government to provide more information on many of these areas. The Committee also continued to express serious concern about the implications of the ECJ cases on the ability of unions to organise industrial action; and concern about the complete ban on solidarity action; and the inadequacy of protection for striking workers.

The Committee reiterated its call that the Government review the Trade Union and Labour Relations (Consolidation) Act 1992 to ensure that the legislation respects the right of unions to take industrial action.

The European Court of Human Rights

In recent years, the European Court of Human Rights has recognised that trade unions and their members are protected by the right to freedom of association which is set out in Article 11.

In 2008, in the landmark *Demir and Baykara* cases, the European Court of Human Rights ruled for the first time that restrictions on the right to collective bargaining could violate Article 11 of the European Convention on Human Rights. In the *Enerji* case in 2009, the European Court of Human Rights ruled that a ban on the right to strike for civil servants in Turkey represented a breach of Article 11.

In 2010 the RMT filed a complaint with the European Court of Human Rights following decisions in the *EDF v RMT* case. The General Council and the ETUC firmly support the RMT application. The complaint argues that the complex notice rules and the absolute prohibition on solidarity action in the UK are incompatible with Article 11 of the European Convention on Human Rights. There is no timetable yet for when this case will be heard in Strasbourg. The outcome could have very significant implications for the UK trade union movement. It is also expected that other unions may decide to file applications to the European Court of Human Rights in the coming months.

During 2010/11 the Executive Committee discussed support for unions making complaints to the European Court of Human Rights. It was agreed that a legal fund should not be established, nevertheless the TUC would circulate information about potential cases to affiliates who would be invited to make contributions to the union concerned. Decisions about such contributions would be a matter for each union to determine.

2.5 | Blacklisting

In line with Resolution 7 adopted at Congress 2010, the TUC has continued to monitor and campaign on the issue of blacklisting.

The opportunities for legislation to strengthen the 2010 blacklisting regulations have been limited. Nevertheless, the TUC has continued to raise concerns about the inadequacy of blacklisting laws with the ILO. In its complaint to the ILO Committee of Experts the TUC argued that UK laws currently fail to meet the requirements of ILO Convention 98 on the grounds that:

- There was no distinct right not to be blacklisted.
- It was unlawful for individuals to compile, maintain or use a blacklist containing information about an individual's trade union membership or activities. However the legal definition of trade union activities was not sufficiently broad and therefore individuals were not protected from being blacklisted for raising health and safety complaints or for taking part in unofficial industrial action.

Responding to the TUC complaint, the Committee of Experts has called on the Government to provide further information on how the blacklisting regulations work in practice.

2.6 | Building stronger unions – making the law work for you

During 2010/11, the TUC has sought to support trade unions in resisting the impact of the Government's spending cuts and the restructuring of public services on members' terms and conditions of employment.

Industrial action

The TUC has arranged meetings with a network of union legal officers and industrial officers to discuss the implications of case law on the ability of unions to organise industrial action. Subjects covered have included the impact of the Court of Appeal's decisions in the BA dispute and the ASLEF and RMT cases on the ability of employers to mount successful legal challenges.

Redundancy

The General Council has raised growing concerns about the misuse of section 188 collective redundancy notices by public sector employers. Increasingly, local government and fire service

employers have issued notices to their entire workforce threatening them with redundancy if they refuse to agree to pay cuts and reduced terms and conditions. In Southampton and other local authorities such practices have led to trade disputes and industrial action. The TUC has worked with affiliates to explore potential legal challenges to such practices. The TUC plans to draw the EU Commission's attention to such abusive practices during the better regulation review of the EU Collective Redundancies Directive.

In the summer of 2010 the TUC commissioned the Labour Research Department (LRD) to conduct a survey of trade union officials and reps to assess the extent to which unions have successfully negotiated agreements with employers to avoid job losses and changes to working conditions during the recession.

The survey aimed to explore the impact of the recession on jobs and working conditions and to consider the value unions bring to the redundancy consultation process. The information provided by unions in response to the survey has illustrated the key role of union reps in supporting both workers and businesses through difficult economic times. The TUC report of the redundancy survey findings will shortly be published, with plans already underway for a follow-up survey which will seek to capture the effect of coalition spending cuts on jobs and working conditions in public sector workplaces.

TUPE: the effect of outsourcing on jobs, conditions and union recognition

In September 2010 the TUC organised a seminar for officers of TUC-affiliated unions to consider the TUPE Regulations and the effect of outsourcing on jobs, working conditions and union recognition.

Richard Arthur, head of trade union law at Thompsons Solicitors, opened the programme with suggestions for unions and members on how to make effective use of TUPE by harnessing weaknesses in the regulations.

National officers from Unite, CWU, NASUWT and UNISON followed on with presentations on TUPE from a sectoral perspective, examining the effect of TUPE on outsourcing and the increasing use by employers of casual labour.

The TUC has also worked with affiliates to monitor the extent to which employers rely on changes made to the TUPE Regulations in 2006, permitting employers to justify cuts to terms and conditions after a transfer for economic, technical or organisational reasons entailing changes in the workforce.

The General Council has consistently argued that the changes made in 2006 do not comply with the requirements of the EU Acquired Rights Directive. The TUC plans to raise concerns about the UK regulations and employer practices during the EU Commission better regulation review discussed above.

Delivering equal treatment for agency workers

Throughout 2010/2011, the TUC has continued to campaign for the effective implementation of the EU Temporary Agency Worker Directive (TAWD) in the UK.

The Agency Worker Regulations 2010 (AWR) completed their parliamentary stages before the general election 2010. Following the election in May 2010 the Conservative and Liberal Democrat coalition Government announced a review of all planned regulations, including the Agency Worker Regulations. Some employers' organisations, including the Recruitment and Employment Confederation (REC), called for the regulations to be revised and effectively weakened. Others, including the EEF, encouraged the Government not to reopen debate on the regulations including the 12 week qualifying period. Ultimately, the Government decided not to revise the Regulations. As the Regulations are based on the 2008 agreement between the Government, CBI and TUC, any substantive revision would have required agreement from the TUC. The Regulations will therefore come into force on 1 October 2011. They provide for equal treatment for agency workers on pay, holidays and working time rules after 12 weeks in the same job. Agency workers will also gain improved pregnancy rights and, from the first day in an assignment, will have equal access to collective facilities and the right to be informed of vacancies in a hirer's workplace.

BIS consultation – guidance on Agency Worker Regulations

During the past year, the Department for Business, Innovation and Skills (BIS) decided

to consult on draft guidance for agencies and hirers on their obligations under the Agency Worker Regulations. BIS organised a series of consultation workshops with stakeholders including the TUC and affiliated unions. The workshops ran from November 2010 until March 2011.

In February 2011 the TUC organised a meeting at which union representatives had the opportunity to put views and questions about the guidance to BIS officials. In March 2011, the TUC submitted a written response on the draft agency/hirer guidance following detailed consultations with affiliates. The submission highlighted the TUC's outstanding concerns. During April 2011 the TUC also responded to a public consultation on revised draft guidance.

In June, BIS prepared draft guidance for workers on new equal treatment rights. The TUC was given ten days to submit written comments and these were submitted following consultation with affiliates. To date the final version of the worker guidance has not been published.

The TUC responses on the guidance expressed concern that both the agency/hirer and the worker guidance failed to promote full compliance with new equal treatment rights. The TUC argued that it was essential that the guidance should clearly advise agencies and hirers against any misuse or manipulation of employment status or the qualifying period in order to avoid equal treatment. This approach was in line with the Government's obligations under Article 5(5) of the EU Temporary Agency Worker Directive. Although minor improvements were made to the guidance during the consultation, overall the TUC took the view that the guidance did not properly meet its purpose. Of particular concern was the on-going advice from BIS that it was lawful to provide agency workers with rolled up holiday pay for pay entitlements above the statutory minimum. The TUC took the view that this advice was not consistent with the Directive and was likely to encourage unlawful practices by employers.

Bargaining and advice guides and regional briefings

The TUC has also worked closely with affiliates to ensure that equal treatment rights become a reality in workplaces across the UK. In October 2010, the TUC organised a series of regional briefings on new equal treatment rights. Nearly 300 workplace reps and officers attended the

events, which focused on how the new equal treatment rights would apply in practice; how unions could use the rights to organise and bargain on behalf of agency workers; and how unions can use the enforcement agencies to ensure agency workers get basic rights in the workplace.

The TUC is finalising a bargaining guide focusing on the key issues of pay parity, equal treatment on holidays and access to permanent employment for agency workers. The guidance will highlight how unions might use new information rights for union reps to negotiate for a fairer deal at work for agency workers, including increased access to permanent employment.

The TUC is also producing advice and guidance for agency workers on their equal treatment rights.

Working on the Edge Group

The Working on the Edge group met twice during the year to discuss the BIS draft guidance on the draft Agency Worker Regulations and the timetable. The meetings have made a valued contribution to the TUC's submissions on the BIS guidance.

The Working on the Edge Group will continue to meet and to look at issues of concern to vulnerable workers and precarious forms of work. The principle focus will include how the Agency Worker Regulations are being implemented in practice; employers' tactics for avoidance of equal treatment rights, including the use of the so-called 'Swedish derogation' from equal pay rights.

The Group will also continue to work on issues relating to bogus self-employment and employment status.

EHRC Inquiry into the Meat and Poultry Processing Sectors

In October 2008, the Equality and Human Rights Commission (EHRC) launched an inquiry into recruitment and employment in the meat and poultry processing sector in England and Wales, following representations by Unite. In March 2010 the Commission published its findings and recommendations. The report highlighted extensive victimisation and discrimination within the sectors, including the mistreatment of pregnant workers and migrant agency workers. The report noted that discrimination

on pay and the insecure employment status of agency workers were major contributors to their vulnerability and victimisation.

The EHRC recommended that a representative industry task force should be established to produce standardised recruitment and employment practices for the meat processing industry.

This task force would include trade associations and other representative bodies, supermarkets, regulatory bodies, the TUC and relevant trade unions. The task force was asked to consider consistent standards on the principal issues including: pay parity; when overtime rates are applicable; the period of service after which a company should positively consider making a worker permanent; and the development of a standard audit methodology based on an investigatory approach for auditing under the ETI base code.

Hannah Reed, TUC Senior Employment Rights Officer, has represented the TUC on the task force, which has met on more than six occasions during the year. In July 2011 the work of the task force was drawing to a close.

It is expected that the EHRC will conduct a follow up review during the next 12 months to assess whether there has been any improvement in the sector since the initial inquiry.

Gangmasters' Licensing Authority

In 2010/11 the Gangmasters' Licensing Authority (GLA) has continued to enforce licensing standards in the agriculture, food processing and shell-fish sectors. The TUC continues to be represented on the GLA Board by Hannah Reed, TUC Senior Employment Rights Officer.

During 2010/11, the GLA has faced funding cuts, including the loss of funding from the Department for Communities and Local Government's Immigration Impact Fund. This has led to voluntary redundancies. Despite reduced capacity the GLA has continued to concentrate on maintaining licensing standards; taking enforcement action against gangmasters who operate without a licence; the posting of workers to the UK via gangmasters; and on human trafficking issues.

Issues discussed at the GLA Board have included the possibility of the GLA being awarded Macrory style powers to improve enforcement,

the potential implications of the Davey Review for the GLA and the enforcement landscape and whether GLA has the power to determine issues relating to employment status. On the last point, it was confirmed that the GLA has powers to determine status.

Recruitment to the post of Chair of the GLA also took place during the spring. In June 2011, Defra named Margaret McKinlay, former Acting Chief Executive at the Immigration Advisory Service, as the preferred candidate to take over as Chair from Paul Whitehouse. The General Council expressed their gratitude for the outstanding service which Paul Whitehouse had provided since the Authority was established.

It is expected that the GLA will carry out a review of the licensing standards during 2011/12. The TUC had submitted initial comments on the review in May 2011, following consultation with affiliates. It argued that it was essential for the standards to be updated to take account of new equal treatment rights.

The case for the extension of licensing arrangements to other parts of the agency sector, in particular in the construction sector, has remained a key issue for the TUC during the past 12 months.

Davey review of enforcement

In December 2010, Ed Davey MP, Minister for Employment Relations, announced that the Government would carry out a new review of workplace enforcement and compliance arrangements for basic workplace rights. The terms of reference for the review were released in February 2011 and the review is due to be completed by the end of the year. The review has largely taken place internally within government involving relevant departments and enforcement agencies, including the HMRC, NMW Enforcement Team, the HSE working time team, the Employment Agency Standards Inspectorate (EAS) and the Gangmasters Licensing Authority (GLA). Key stakeholders, including the TUC, were also consulted.

The General Council has argued that it was essential that the review was not a cost-cutting exercise. Rather it should focus on improving the effectiveness of the enforcement arrangements. They argued that the Government should build on previous measures aimed at improving the co-ordination and joint working between the enforcement agencies. In particular, the

Government should complete the unfinished work on creating information sharing gateways between relevant enforcement agencies.

The General Council was not however minded to support proposals for the creation of a single enforcement agency. In the current economic climate, the creation of a single enforcement agency was likely to result in fewer resources for frontline enforcement and cuts in staffing levels. It could also lead to a reduction in enforcement powers for the statutory agencies and a loss of specialism within enforcement teams. It could also divert attention and resources away from frontline enforcement for several years.

2.7 | Employment tribunals

In 2010/11 there was a slight reduction in the number of employment tribunal claims being filed. During the 12 month period April 2010 to March 2011 the ETS received 218,000 claims (8 per cent down from the previous year). The number of cases is still 44 per cent higher than the figure for 2008/2009.

During the course of the year the TUC has continued to play an active role in the oversight of the employment tribunals system. Sarah Veale, Head of Equality and Employment Rights, represented the TUC on the Employment Tribunals System Steering Board for part of the year until it was abolished, while Hannah Reed, the TUC Senior Employment Rights Officer, sat on the Employment Tribunal National User Group.

As reported above, during the course of the year, the Government commenced a review of the employment tribunals system. They also conducted a consultation on merger of the courts and tribunal service.

Unification of the Courts and Tribunal Service

Prior to the 2010 general election, the Ministry of Justice (MoJ) announced that the proposed merger of the courts and tribunal services was being considered. The incoming Government continued to pursue this planned merger. The TUC attended a MoJ roundtable discussion on the courts and tribunals integration programme in September 2010 and outlined concerns and sought assurances about the role

of the employment tribunal system in a unified structure.

In November 2010 the Government issued a consultation paper *A Platform for the Future – A consultation on a unified Courts and Tribunals Service*. The consultation ran from November 2010 until February 2011 and, following consultation with affiliates, the TUC submitted a full response in which it outlined concerns about the place of the employment tribunals system in the new structure. The TUC response sought assurances that the unique nature of the employment tribunals would continue to be recognised in the new structure with employment tribunals remaining accessible to all and hearings held in appropriate settings by suitably qualified judges and lay members.

While the consultation paper outlined the benefits the Government believed unification would deliver in terms of accessibility, quality and providing a more appropriate environment for service users, the impact assessment accompanying the consultation made clear that the likely efficiency savings were a key driver behind the reforms. The TUC response outlined concerns that the proposed unification of the courts and tribunals service presented risks to the users of these services, the magnitude of which was uncertain and sought assurances about the position of employment tribunals in particular.

The Government published its response in April 2011 and in its conclusions stated that the new agency would work closely with the judiciary to guard against any erosion of the distinctive character of tribunals within a larger agency. It stated that it was “an absolute priority for HM Courts and Tribunals Service to ensure tribunals retain their distinct nature”. And that the unified agency was committed to ensure that tribunals remain investigative in nature, contain judges and tribunal members who are specialists in the areas being adjudicated upon and use settings appropriate to the nature of the dispute and the parties involved.

The unified Courts and Tribunals Service (HMCTS) came into effect in April 2011 and the TUC together with affiliates (through the Union Legal Officers Network for example) and through representation on groups such as the Employment Tribunal National Users Group will continue to monitor the impact of the unified service to ensure that any adverse impact on employment tribunal users is detected.

2.8 | Statutory recognition

The TUC has continued to provide advice and guidance to unions when they apply for statutory recognition. In 2010/11, the number of claims for statutory recognition made to the CAC fell to 28, down from 42 in the previous year.

The majority of applications came from the manufacturing, transport and communication sectors, which together accounted for 68 per cent of the CAC’s workload. The proportion of applications involving employers with fewer than 200 workers fell slightly to 46 per cent from 54 per cent. However the average size of a bargaining unit was 87 workers, which was higher than the previous year.

Despite the marked fall in applications, the fall in the number of applications which could not be accepted by the CAC was welcome. There also appeared to be a greater willingness amongst employers to agree to recognition at an early stage. There were two applications for derecognition during the year. The one application dealt with by the CAC was unsuccessful due to lack of evidence that the workforce did not support recognition.

The TUC has organised training courses on recognition laws for unions. These included a course on preparing for recognition, and a briefing for Organising Academy trainees. Issues considered included raising awareness of the statutory recognition scheme and the importance of strategic planning before sending an application to the CAC. The course also covered the unfair practices rules introduced in 2004 and drew on the experience of unions that had sought to use these provisions to challenge employers’ actions. To date, no union has brought a successful complaint under these provisions.

2.9 | Data protection and civil liberties

On 6 July 2010 the Ministry of Justice called for evidence of how the current data protection law (the Data Protection Act and Directive) was operating in practice, seeking suggestions for improvement. The Government confirmed that it intended to use the evidence gathered during the 2011 EU negotiations on the scope of a proposed new EU data protection legislative framework.

In September 2010 the TUC brought together union legal officers to consider data protection and civil liberties issues in the workplace. The session covered privacy and surveillance at work; using data protection laws to represent members; and other civil liberties issues affecting work. Keynote speaker, Michael Ford, a barrister at Old Square Chambers, set the issues within a legal context by explaining how data protection, privacy and civil liberties actions have been dealt with by courts and tribunals in recent decades. Senior Employment Rights Officer, Hannah Reed, presented practical suggestions for how unions might use the DPA to represent members and improve working conditions and Jeremy Dear, NUJ General Secretary, provided an overview of civil liberties issues affecting journalists. The discussion that followed identified a number of recommendations for improvements to three key areas of the current data protection legislative framework, all of which informed the TUC's response to the MoJ call for evidence, which was submitted in October 2010.

Consultation on the draft data sharing code of practice

On 8 October 2010 the Information Commissioner's Office launched a consultation on a draft code of practice on the sharing of personal data. The TUC's response submitted in December 2010, reflected unions' concerns, in particular, that information about workers, which may not be accurate, was routinely passed between organisations without the worker's knowledge or consent.

The TUC called for the draft code to require an organisation to which personal information is initially provided to notify workers of what information about them it proposes to share with others. In addition, that they confirm with whom it may be shared, the purpose for which it may be shared and make clear the possible consequences for workers when information about them is shared, e.g. loss of rights or benefit entitlements. The TUC also called for the code to construe narrowly the circumstances in which organisations need not be required to comply with the notification requirements set out in the legislation.

In other respects the draft code represented a model of good practice for public, private and third sector organisations sharing individuals' personal information. It covered routine data sharing, e.g. where a school passes information

about a child to a social services department, as well as one off instances where a decision is made to release personal data to a third party. It also included helpful guidance on the factors an organisation must take into account when coming to a decision about whether to share personal information and the point at which individuals should be notified that information about them is being shared.

Whistleblowing

In line with Motion 8, carried at the 2010 Congress, the General Council has continued to monitor legal and policy developments regarding Public Interest Disclosure. This year has seen the worrying revelations in a Panorama investigation about the abuse of vulnerable adults with learning disabilities in a residential care home run by the private sector. The failure of the Care Quality Commission to investigate warnings by a whistleblower is of particular concern and the TUC will work with affiliates to determine if there are specific proposals on whistleblowing that should be put to the Government during the Health Committee inquiry in the Commons due to take place in autumn 2011. This will focus on the Dilnot inquiry recommendations and also the specific cases of abuse highlighted in the Panorama programme.

The TUC has also met with academic researchers to discuss possible joint working to look at the delivery of whistleblowing advice and information by affiliated unions to their members and develop best practice guidance.

2.10 | Protection of Freedoms Bill

The Protection of Freedoms Bill was introduced in Parliament on 11 February 2011 and by July just entered the Report stage in the House of Commons. The Bill introduced a wide range of measures designed to restore freedoms and civil liberties through the abolition of identity cards and unnecessary laws. There are seven parts to the Bill which, following Royal Assent, will give effect to reforms covering the collection and retention of biometric information and police stop and search powers; the right to trial by jury; restrictions on the exercise of surveillance powers; police counter terrorism powers; and reforms to the vetting and barring scheme and criminal records information management regime.

The TUC welcomed the changes proposed by the Bill on the framework for vetting and barring and the use of CRB checks. It believes that public protection is most effective when it is proportionate to risk and has long argued in favour of a system that is fair, proportionate to risk and easily usable by individuals, the service provider and employers. The TUC also welcomed the review of independent safeguarding and Sunita Mason's work on criminal record checks in England and Wales. A briefing for unions summarising the main provisions of the Bill was produced together with a briefing paper for MPs.

2.11 | Advisory Conciliation and Arbitration Service

Throughout the year the General Council has maintained a close working relationship with Acas. The trade union movement has been represented on the Acas Council by John Hannett, General Secretary of USDAW, Derek Simpson, Joint General Secretary of Unite (until December), Mary Bousted, General Secretary of the ATL, and Sarah Veale, Head of the Equality and Employment Rights Department at the TUC. Ed Sweeney, former Deputy General Secretary of Unite, is the Chair of Acas. The TUC has been involved in several joint initiatives with Acas during the year, both nationally and regionally and has also worked with them on various publications. Along with other public bodies Acas is having to manage on a reduced income in terms of government support, though the TUC and employers' organisations have been urging the Government not to make any further reductions in funding for Acas.

2.12 | Better regulation

The previous Government set up a new body, the Regulatory Policy Committee (RPC), to promote better regulation and to scrutinise proposed new regulation to ensure that it was supported by effective impact assessments, covering both the benefits and the costs. Sarah Veale, Head of the Equality and Employment Rights Department, was appointed to serve on the RPC whose first report was published in July 2010 and the second in January 2011.

The TUC has continued to maintain contacts with the Better Regulation Executive (BRE) which

works with all government departments and agencies to ensure that proposed new regulation is necessary and workable and that existing legislation is still fit for purpose. It also reviews the impact of regulation in particular areas, for example, where excessive administrative requirements appear to hamper delivery of public services.

The Government has established a Cabinet Committee called the Reducing Regulation Committee which has the power to block proposed new regulation and will also be examining existing regulation – the “one in one out” scheme that was included in the Coalition Agreement. In the spring the Government set up the Red Tape Challenge Website, which encourages the public to submit proposals to remove or reduce regulation. The TUC has expressed concern about this exercise, saying that it is a gimmick and not a proper way to develop policy and should not be allowed to undermine full consultation with interested parties and proper legislative processes before repealing or reducing regulation.

In July, the Government published a consultation document on further ways of reducing regulation. The General Council will submit a response to the consultation in the autumn.

The General Council will also continue to monitor the activities of the better regulation machinery closely to ensure that vital employment protection regulation is safeguarded.

CHAPTER 3

Equal rights

3.1 | Introduction

Promotion of equality and diversity and challenging discrimination at work are key priorities for the General Council. The four equality committees have worked on a number of issues during the year, including equal pay, organising black workers in trade unions, briefing unions on the implementation of the Equality Act (in particular the public sector equality duties), faith and homophobia and the development of the Equality and Human Rights Commission. The committees have also considered the impact of the cuts on women, BME workers, LGBT workers and disabled workers.

This chapter reports the work of the four equality committees and other important equality matters covered by the General Council.

3.2 | Equality Act 2010

The TUC was pleased to see most of the Equality Act 2010 brought into force by the coalition Government from October 2010 and April 2011. We have campaigned for many years for a clearer and more consistent legal framework for equality rights and worked closely with the previous government, affiliates and equality NGOs like the Equality and Diversity Forum and the Equality and Human Rights Commission.

The TUC's policy and campaign work on the Act continued throughout 2010/11 as the Government considered its position in relation to certain parts of the Act. For example, early on, it announced it would not commence the socio-economic duty in s.1 of the Act. This placed a duty on public bodies to consider the need to take socio-economic disadvantage into account when making strategic decisions. Then, as part of its Plan for Growth which accompanied the Budget 2011, it announced that it would not commence the dual discrimination provision that would have allowed individuals to bring discrimination claims

where they had been treated less favourably because of a combination of two protected characteristics and it announced it would consult on whether to retain the third party harassment provision which makes employers liable for repeated harassment of their employees by customers, clients and service users where the employer knew about the harassment but failed to take steps to prevent it.

Sarah Veale, Head of the TUC Equality and Employment Rights Department, represented the TUC on the Government Equalities Office's Senior Stakeholder Group. Diana Holland, Unite, and Liane Venner, UNISON, were also members of the group. The group was established by the previous government when a single Act was being created and members of the group successfully called for it to continue as the coalition Government continued to propose changes or suggest related developments.

There were two consultations on the Government's approach to the specific duties regulations in 2010/11. The specific duties were meant to support the new public sector equality duty in s.149 of the Act. The TUC produced detailed responses to these consultations and participated in stakeholder meetings with the GEO on this issue (see Public Sector Equality Duty below).

From September 2010 to March 2011, the TUC held briefings on the Equality Act in each of the English regions and in Wales. Sally Brett, Senior Equality Policy Officer, provided an overview of the main employment provisions of the Act then organised group-work sessions in which union officers and workplace representatives discussed how some of the new provisions would apply to different workplace scenarios. In addition, a representative from the Equality and Human Rights Commission's regional offices or EHRC Wales attended each seminar to provide information on the statutory codes of practice and what other help and support the EHRC could provide to union officers and workplace representatives when they were representing

individuals or negotiating with employers to adopt policies that comply with the Act. These seminars were attended by more than 800 union officers and representatives.

The TUC will be publishing an updated *Guide to Equality Law* in autumn 2011 to provide practical guidance on the Act for workplace representatives and union officers, as well as covering family-friendly rights. The TUC also updated guidance on specific issues like its *Disability and Work* guide to cover the new protection for disabled people that the Act contained.

Finally, the TUC continued to work closely with the EHRC on the statutory codes and non-statutory guidance it was producing to support the Act. The TUC was part of the EHRC's Expert Reference Group and gave feedback on drafts of the statutory employment and equal pay codes and the non-statutory guidance on employment that were published in 2010. It also provided feedback on a draft of the EHRC's non-statutory guidance on the public sector equality duty.

Public sector equality duty

The General Council welcomed the new public sector equality duty which replaced the race, disability and gender equality duties from 5 April 2011 (s.149 EA 2010). This requires public bodies to pay due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. Voluntary and private sector organisations that carry out public functions are also bound by the duty when carrying out those functions. The duty applies to eight protected characteristics: age, disability, gender, gender reassignment, maternity and pregnancy, race, religion or belief and sexual orientation.

The Government proposed very weak specific duties to support the new duty in s.149. It proposed just two specific duties: a duty to publish information related to the protected characteristics of an organisation's service users and workforce (where there are more than 150 employees) and a duty to set one or more equality objectives to help fulfil the s.149 duty, which has to be reviewed at least every four years. It said this new approach to the specific duties would help remove "wasteful bureaucracy".

The General Council argued strongly against the proposed specific duties when they were first consulted on at the end of 2010 as it believed

they did not fulfil the purpose of providing guidance to public bodies about what they needed to do to fulfil the duty in s.149 of the Act and so would lead to more non-compliance and place public bodies at greater legal risk. In response to this consultation, GEO improved the draft regulations, taking on board some of the criticisms made and strengthening the connection between the specific duties and the legal requirements of s.149.

However, these improvements were reversed when it published a policy review paper, announcing a "re-think" in March 2011. The draft regulations included in the policy review paper set out even weaker specific duties than those first proposed. GEO said it had felt there was more opportunity to strip out bureaucracy. The TUC submitted another detailed response to the policy review paper and attended stakeholder meetings at GEO arguing strongly against the weaker specific duties but in June 2011 the regulations were laid before parliament without any substantive changes.

In the absence of strong and detailed specific duties, the TUC recognised that it was important for union officers and workplace representatives to understand what the s.149 duty to pay due regard to equality means in practice. In June 2011, the TUC held a seminar with John Halford, a partner from Bindman's solicitors, who litigated the first race equality duty and disability equality duty cases and had run a number of successful public duties cases since. He provided an overview of the key principles of "due regard", drawing on successful case law examples such as the challenges to cuts in social care, welfare advice services and funding for voluntary organisations.

He produced a paper that was circulated to public sector unions and equality officers. The paper made clear that in order to show due regard, organisations must consider the impact on equality before a decision is made, that decision-makers need to be aware of and understand the requirements of the duty, that sufficient information needs to be gathered by the public authority to properly consider the impact on equality, and that if a negative impact is identified then actions to mitigate that impact must be considered, and that organisations should document this information and consideration otherwise it would be difficult for a court to conclude that they had shown due regard. The feedback from the seminar was very positive and

following on from it the TUC is to publish a public duty toolkit for distribution in summer 2011.

The General Council also made a submission to the EHRC's assessment of the Treasury's compliance with the race, disability and gender equality duties when it carried out the Spending Review 2010. The submission highlighted the lack of adequate data and the failure to properly consider key equality impacts in the Treasury's Equality Impact Assessment. The EHRC was due to publish its conclusions in summer 2011.

3.3 | Equal pay

The General Council has continued to support unions that were negotiating equal pay and monitored developments in the mass litigation that some unions were taking to win compensation for women members in the public sector for past discrimination. Employment tribunal statistics show the number of new cases seems to have peaked as fewer claims were lodged in 2009/10. However, the litigation is set to continue for some years as the cases were taking so long to progress through the tribunal and court system.

The Coalition Agreement included a commitment "to promote equal pay" and in 2010/11 the TUC responded to two government initiatives put forward under this commitment. First, it participated in a GEO stakeholder group to agree a broad set of gender equality measures that large private sector businesses should be encouraged to voluntarily report on. Sarah Veale, Head of the TUC Equality and Employment Rights Department, participated in the group along with Gail Cartmail from Unite and representatives from Acas, EHRC and employer bodies like CBI, BCC, EEF and CIPD. This followed on from an exercise that was carried out under the previous government which was overseen by the EHRC in 2009 to develop voluntary gender pay gap reporting in line with the power that was introduced in s.78 of the Equality Act 2010 permitting the Secretary of State to introduce regulations to require gender pay gap reporting by large private sector employers at a future date.

Secondly, as part of the 'Modern Workplaces' consultation (see 'Parents and carers' paragraph below), the Government proposed that tribunals should be required to order an equal pay audit where there was a finding of sex discrimination in pay against an employer. The TUC organised

a meeting with affiliates and GEO to discuss this proposal and responded to the consultation. In its response, the TUC highlighted: how few cases this would apply to in practice (GEO estimated 26 per year but it could be as low as three per year); and the fact that only six per cent of equal pay cases come from the private sector and one of the key reasons for this was that, despite a significantly higher gender pay gap in the private sector, there was a lack of transparency around pay which made it difficult for an individual woman to know when she was being paid less than a man doing equal work, therefore, it was not after a case had been successfully litigated that equal pay audits were most needed, but before.

Nevertheless, the TUC welcomed the fact that the Government recognised in the consultation, as the statutory code of practice on equal pay did, that equal pay audits, which the TUC had long campaigned for, were the "most effective way" of ensuring a pay system free of sex bias.

3.4 | Equality and Human Rights Commission

The Equality and Human Rights Commission has been fully operational for over three years. Trevor Phillips is Chair and Baroness Prosser Deputy Chair, having both been re-appointed in 2009. Kay Carberry, TUC Assistant General Secretary, also continued as a Commissioner, having been re-appointed in 2009.

The TUC continued to develop its links with the EHRC. It worked closely with the Commission on the development of the statutory codes and guidance for the Equality Act 2010 and had Commission involvement in its regional seminars on the Act. It has participated in various EHRC stakeholder groups, made a submission to the EHRC's investigation into the Treasury's compliance with the equality duties and was involved in the follow-up work to the EHRC's inquiry into the meat and poultry processing industry.

In March 2011, the Government published proposals for reform of the EHRC, which included limiting its statutory duties as set out in the Equality Act 2006, removing its helpline function and grants programme and making the EHRC more accountable to the Secretary of State. The General Council responded to the consultation. It argued against all of the

proposals on the basis that they would make the Commission less effective, less able to assist individuals and threatened its independence, possibly with the result that it would lose its current 'A' status accreditation from the UN as a national human rights institution. The TUC response also opposed the substantial cuts in the EHRC's budget that were planned to happen by 2014/15 and over which PCS and Unite members of staff at the Commission were taking industrial action.

3.5 | Parents and carers

The General Council continued to work with affiliates and organisations like Working Families and Maternity Action to improve the development and implementation of family-friendly rights. The TUC joined the Alliance against Pregnancy Discrimination, which was formed by NGOs and lawyers working on family-friendly rights, in response to the rise in pregnancy and maternity discrimination cases since the start of the recession. It sought to raise awareness of this issue and the problems pregnant women and new mothers face in enforcing their rights.

At EU level, a revised Parental Leave Directive was adopted in 2010 following successful social partner negotiations in 2009 which led to an agreement to increase the parental leave entitlement from three to four months. The Directive had to be implemented in Member States by 8 March 2012. In 2011, Sally Brett, Senior Equality Policy Officer, who had been part of the ETUC negotiating team, attended a seminar in Brussels for trade unions to look at progress in different Member States on implementing the Directive.

When the draft revised Pregnant Workers Directive was being debated in the European Parliament the TUC sent letters to UK MEPs calling on them to support the extension of paid maternity leave and other proposed improvements. The vote in the EP was in favour of the revised Directive but the UK Government opposed it and blocked further progress in 2011.

From April 2011 the Additional Paternity Leave scheme, which was adopted under the previous government and on which the TUC had responded to numerous consultations, became effective. It allowed a mother to transfer unused maternity leave and pay to her partner from 20

weeks after birth provided she returned to work. The TUC provided briefings to affiliates on the new system and in 2011 was developing an online training module for workplace representatives to explain the APL scheme.

In September 2010, the TUC was invited to participate in a roundtable at No.10 to discuss family-friendly policy shortly after the launch of the Prime Ministerial Task Force on Childhood and Families. The Coalition Agreement included commitments to create a universal right to request and to encourage more shared parenting from the earliest stages. The TUC stated its longstanding support for a universal right to request flexible working and its support for more flexible parental leave rights at the roundtable and in follow up meetings with BIS. However, it was also stated that the TUC did not want to see the period of leave designated as maternity leave reduced below 26 weeks.

In May 2011, the Government launched its Modern Workplaces consultation, which proposed creating a universal right to request flexible working and a system of flexible parental leave. It suggested that in moving to a universal right the statutory procedure for considering a request could be moved out of regulations and placed in a statutory code of practice, with employers being placed under a duty to "reasonably" consider a request in line with the code.

The General Council responded to the consultation, welcoming the proposed extension of the right to request but stating that they could not support a code without further detail of what it would contain and assurances that none of the minimum procedural requirements for handling a request would be lost. The consultation proposals around parental leave were wide-ranging, but in summary, it suggested reconfiguring the 52 weeks' leave so that maternity leave was reduced to 18 weeks and the rest became parental leave, with a month reserved for the mother, a month reserved for the father, and the rest to be taken by either parent. It was also proposed that employees should be able to take leave flexibly provided their employer agreed to it. This would mean, for example, a parent could take some leave at the time of the birth and some later in the year or they could take some leave as a couple of days a week to enable a phased return to work. In the consultation response the General Council broadly welcomed the additional flexibility and choice that these proposals would give families but restated its belief that the period of maternity leave should be 26 weeks.

In July 2011, the TUC hosted a debate with the British Chambers of Commerce around the Modern Workplaces proposals and if it was right for the Government to introduce new regulation. The debate was chaired by Louisa Peacock, Jobs Editor of the *Daily Telegraph*. Brendan Barber and David Frost, BCC's Director General, were the main speakers. It was well attended by unions, business groups and organisations working to support parents and families.

3.6 | Removal of the default retirement age

In April 2011 the default retirement age of 65 and the statutory procedure for retirement that was set out in the Age Regulations 2006 were repealed. The TUC had supported the removal of the DRA, which had permitted employers to dismiss workers upon reaching 65 without challenge. However, in its submissions to the review of the DRA under the previous government and in response to the present government's consultation, the TUC emphasised the need for individual choice around retirement and the need to protect and improve pension provision to ensure people were given a genuine choice and right to retire when they wished to do so.

The TUC participated in the BIS/DWP DRA stakeholder group along with employer bodies, Acas, EHRC and age NGOs. This group advised on what guidance was needed to support employers and workers following the removal of the DRA and through the transition period. As part of this group the TUC provided feedback on draft Acas guidance on managing without a retirement age. In addition, the TUC and CIPD worked together to update the *Managing Age* guide which they had jointly produced in 2006 when the age regulations were first introduced. The new guide included information on good practice around managing without a fixed retirement age.

3.7 | Equality Audit 2011

The TUC Equality Audits began in 2003, following a rule change adopted at Congress 2001, which was recommended by the TUC's Stephen Lawrence Task Group and made it a requirement of affiliation to the TUC for a union to have a clear commitment to promote equality

for all and to eliminate all forms of harassment, prejudice and unfair discrimination, both within its own structures and through all its activities, including its own employment practices. The audits have been carried out on a biennial basis and alternate between focusing on unions' internal structures, campaigning and organising and unions' collective bargaining activity in the workplace.

The 2011 Audit focused on the unions' internal structures and activities. It had a high response rate with 87 per cent of affiliates responding. As the non-respondents were mainly small unions, in terms of membership the Audit covers 97 per cent of all TUC-affiliated members. The Audit revealed progress in some areas compared with 2007, when the last such Audit was carried out. The report included examples of how some unions have successfully used targeted recruitment and campaigning activities to boost membership among certain groups, used positive action measures such as reserved seats to tackle under-representation and provided equality and diversity awareness training to members, lay representatives and officers.

The Audit report, forms a supplementary report to the General Council Report and will be presented to Congress in the usual way. However, in order for the Audit to coincide with the larger Congress, the General Council agreed that the next Audit would take place a year early, in 2012.

3.8 | Women's equality

Chaired by Pat Stuart, Unite, the Women's Committee has continued its work on issues crucial to women workers and trade unionists, as identified at Congress and at the Women's Conference. The Committee also decided for the first time to elect a deputy chair, Barbara White of the Musicians' Union. The reason for this was to ensure that committee members other than General Council members could chair the Committee, whilst retaining the link with the General Council by providing that one or the other of the Chair and Deputy Chair must be a member of the General Council.

The Women's Committee has focussed its work on the disproportionate effect of the Government's spending cuts on women and families as well as ongoing work on equal pay and women's poverty, violence against women, abortion rights and women's health.

Throughout the year, the Committee also sought to build joint work with the other equality committees around black, LGBT and disabled women. The Women's Committee has also continued to emphasise international solidarity and women's rights around the world and has in the past year signed a twinning agreement with the women's committee of the ZCTU in Zimbabwe.

Women's Conference

The 2011 TUC Women's Conference was held in Eastbourne and chaired by Lesley Mercer. The 276 delegates from 31 affiliated unions carried resolutions on issues including the gender impact of the cuts, equality duties, solidarity with women in Colombia, Iran and Haiti, increasing participation of young women in trade unions, maternity rights, ending violence against women, abortion rights, cancer screening and employment rights.

The theme of the conference was "Women against the Cuts". For International Women's Day a booklet was produced called *Bearing the brunt, leading the response: women and the global economic crisis*.

The resolution chosen by delegates to Congress 2011 was a composite resolution with the title "No cutting back on women's equality: women united against the cuts".

The conference was addressed by TUC General Secretary, Brendan Barber; TUC President, Michael Leahy; Yvette Cooper MP, Shadow Minister for Women and Equalities; Pemba Lama, Deputy General Secretary of Gefont, one of the largest national centres in Nepal; and Helen Kelly, President of the New Zealand Council of Trade Unions.

Feedback from delegates about the Conference was extremely positive, with many praising its supportive atmosphere and inspiring debates.

Women and the cuts

The effects of the Government's spending cuts and welfare reform programme have been a priority area of work for the TUC Women's Committee. After the Budget in June 2010, research carried out by the House of Commons Library showed that women would pay for roughly 72 per cent of the net cost of the changes

in taxes, benefits and tax credits proposed by the Government.

The Comprehensive Spending Review in October 2010 ushered in further cuts and welfare reforms which shifted yet more of the burden of deficit reduction onto women and families.

As well as highlighting the disproportionate effect of public sector job cuts on women, the TUC has also voiced concerns about the impact of service cuts on women. These include cuts in sexual and reproductive health services, cuts in spending on rape crisis centres, reductions in spending on local transport and libraries. Overall, research shows that women stand to lose more than men do as a result of the swingeing cuts forced on local authorities.

At the TUC's All Together Campaign rally in Westminster in October 2010 there was a diverse range of speakers including many who emphasised the impact of the cuts policy on women, including Holly Dustin of End Violence Against Women who spoke about the impact of cuts on women's refuges and rape crisis services.

In November 2010, the TUC produced a briefing paper aimed at union officers and reps, highlighting the ways in which the Government's cuts programme will have a disproportionate and devastating effect on women and families. The *Gender Impact of the Cuts* briefing explored the ways in which women in both the public and private sectors will be hit by the public sector cuts, as workers, as benefits claimants and as service users. This paper was followed by a shorter A4 leaflet aimed at union reps. Both of these briefings are available on the TUC website.

In February 2011, the TUC and National Association of Voluntary and Community Action (NAVCA) organised an event for unions and the voluntary sector to explore the common ground between unions and those NGOs and charities fighting against cuts to jobs and services. The event was well attended by women's organisations, including End Violence Against Women, Women's Aid, the Women's Resource Centre, the Fawcett Society and Maternity Action.

Women trade unionists had a strong, visible presence at the March for the Alternative on 26th March 2011 – both in terms of women marching and also in terms of women speakers. Women's organisations from the voluntary sector were well represented in the front section of the march with representatives from Eaves, End Violence Against

Women, Abortion Rights, the Women's Budget Group, Maternity Action, Fawcett Society, and Women's Aid joining general secretaries and leading figures from other organisations in the lead party.

Women and the economy

The TUC has continued to highlight the position of women in the economy (also reported in Chapter 4). Together with the management committee of the Women's Budget Group, the TUC hosted a live screening of the 2011 Budget at Congress House followed by an analysis of the gender impact of the Budget.

In March 2011 the TUC produced a report on women's unemployment which found that unemployment, particularly among young women, had in some regions more than doubled.

The TUC has also continued to highlight the steady increase in the women's claimant count which is largely driven by public sector job cuts, the downturn in the retail sector and lone parent obligations which are leading to increasing numbers of single mothers being moved from Income Support to Job Seeker's Allowance.

The TUC has built on existing relationships with Gingerbread and the Single Parents Action Network (SPAN) – both organisations representing single parents – with a view to carrying out joint work on the effects of welfare reform and public sector cuts on single parents.

Women and the state pension age

In November 2010 the Government announced its intention to bring forward the increase in the state pension age (SPA) to 66 in 2018-2020 (rather than 2024-2026 as laid out in the Pensions Act 2007). This proposal is contained in the Pensions Bill published at the beginning of 2011 (see also Chapter 4).

The TUC has lobbied against the increase in SPA during the passage of the Bill, setting out concerns about the impact of the change including the gender impact. As a result of the proposed changes many women born in 1954 will have to wait for an additional two years to reach SPA.

The TUC met with Rachel Reeves MP, the shadow pensions minister, who is leading the campaign against bringing forward the increase

in the state pension age. The TUC has also done media work around this issue and liaised with Age UK who are also campaigning against this proposal.

ETUC Women's Committee

This year the TUC has been represented on the ETUC Women's Committee by Gloria Mills, UNISON, Sue Ferns, Prospect, and Scarlet Harris, TUC.

The primary focus of the Committee was the effect of austerity measures on women's employment across Europe as well as the revised Pregnant Workers Directive, gender mainstreaming and domestic workers.

The ETUC's 8th March survey – an annual survey into representation of women in unions across Europe – this year focused on the impact of the economic crisis on women's employment. The findings chimed with the experience of UK unions. Over 90 per cent of respondents found that economic crisis had had a particular impact on women workers. Sixty six per cent of respondents reported that their government had made budgetary cuts which would disproportionately affect sectors with a high concentration of women employees. More than two thirds of respondents reported that women were increasingly being employed in "precarious work" (for example, part time, fixed-term contracts and atypical contracts) as a result of the economic downturn.

ITUC Women's Committee

The TUC is represented on the ITUC Women's Committee by Unite Assistant General Secretary, Diana Holland, who is also the committee chair. The theme for the ITUC's Women's Committee for the year was the ILO campaign for rights for domestic workers. Pemba Lama of the Nepalese Gefont union centre which organises domestic workers, spoke at the TUC Women's Conference 2011. The ITUC also developed its Decisions for Life project, which aims to empower young women workers and to improve the participation of young women in trade unions.

Over the course of the past year, the ITUC Decisions for Life project has generated examples of best practice in terms of engaging and empowering young women in trade unions. The TUC Women's Committee is considering how some of the examples emerging from the project

could be used to inform the Committee's ongoing work in this area.

The ITUC Women's Committee has also been engaged in a project supporting women in the Congo.

Violence against women

The General Council has continued to work closely with the End Violence Against Women (EVAW) coalition to campaign against violence against girls and women and to influence policy makers on this issue.

The TUC is represented on the board of End Violence Against Women and is also represented on the End Violence Against Women Prevention Network and the Expert Advisory Group. The EVAW's survey into sexual violence and harassment in schools was promoted by the TUC to relevant unions. The TUC also wrote to the Home Secretary urging the Government to commit to ending violence against women and girls.

EVAW spoke about the threat of cuts to women's refuges, rape crisis centres and domestic violence services at the TUC's All Together rally in October and the TUC has coordinated meetings with a range of campaign organisations and service providers in the violence against women sector to map how funding cuts are affecting services for women and girls.

Gender and occupational safety and health

In February 2011, the TUC held a gender and occupational safety and health seminar for health and safety reps and officers as well as equality reps and equality and women's officers. The focus of the conference was the menopause and working women.

Professor Amanda Griffiths of Nottingham University presented her new research into how the menopause affects women at work. Helen Smith of the HSE also gave a presentation on the HSE's work on equality and gender.

The seminar was well attended and there was a good deal of interest in the topics discussed, in particular the effects of the menopause on women in manual trades or industries where a combination of uniforms, high temperatures and

inflexible shift patterns may conspire to cause great physical discomfort to a women going through the menopause.

Workshops were held on the reasons why there are so few women health and safety reps, leading to action plans for health and safety reps to take the issue up at branch level, national level and in the workplace.

Women and science, engineering, and technology

In December 2010 it was announced that the UKRC (the UK Resource Centre for Women), which was the lead organisation for the provision of advice, services and policy consultation regarding the under-representation of women in science, engineering, technology and the built environment, was to lose its funding from BIS.

The TUC wrote to the Government expressing concern and subsequently some of the funding was reinstated. The TUC will continue to work with the UKRC on projects which still have funding. In particular, there will be TUC representation on the steering group of a UKRC project to encourage more young women into STEM apprenticeships.

Women's National Commission

In September the General Secretary wrote to the Minister for Women and Equalities, Theresa May, objecting to the decision to close the Women's National Commission. The TUC pointed to the invaluable work done by the WNC over many years, particularly with regard to violence against women and girls. Unfortunately, the Government pressed ahead and the WNC was closed in December 2010.

In June 2011 the Government Equalities Office held a consultation titled Strengthening Women's Voices, which sought to establish new ways of communicating with women in the absence of the Women's National Commission. The TUC took this opportunity to call for the reinstatement of the Women's National Commission or a similar body. Discussions are continuing with the Women's Resource Centre with regard to a new "gender architecture" which is being considered by the Government Equalities Office. This would seek to replicate many of the functions of the Women's National Commission.

Abortion rights

Abortion rights have been under attack over the past year and the Women's Committee has continued to work closely with the Abortion Rights organisation to campaign for access to safe, legal abortions on the basis that this is fundamental to women's reproductive rights and to their employment and education prospects, incomes and opportunities.

In the field of reproductive and sexual health there is great concern and uncertainty around the future of contraception and abortion services – both in terms of funding and service delivery – once responsibility for public health is transferred to local authorities. As primary care trusts and strategic health authorities prepare for their own abolition, while at the same time having to identify possible areas to cut back, professionals working in the health service report a dangerous paralysis in the commissioning of vital sexual health services.

Both the Independent Advisory Group on Sexual Health and that on teenage pregnancy were abolished in the Government's "quango cull". These groups guided strategies that have made genuine improvements to reproductive healthcare in this country. The teenage pregnancy rate is at its lowest for 20 years, with some areas seeing a 45 per cent fall in the number of teenagers becoming pregnant. Access to abortion has been significantly improved, with the NHS now paying for 94 per cent of abortions in England and Wales (up from 75 per cent in 1997).

In March 2011, Frank Field MP and Nadine Dorries MP tabled an amendment to the Health and Social Care Bill that aimed to introduce mandatory counselling for women seeking abortions – a move which not only disregarded counselling arrangements currently in place, but which would create further delays and obstacles for women seeking abortion care. The Department of Health has since stated that it is considering implementing the proposals contained in the amendment via regulatory change rather than legislation, thus circumventing the need for a parliamentary vote or debate. The TUC wrote to the Under-Secretary of State for Health on the matter.

In May 2011 Conservative MP Nadine Dorries tabled a ten-minute-rule bill calling for the introduction of abstinence-based sex education for girls. In the same month the Government announced that the British Pregnancy Advisory Service would not be invited to sit on the

Government's Sexual Health Advisory Forum but anti-abortion group LIFE would be invited to sit on it instead.

The TUC also played an active role in a pro-choice demonstration in London on 9th July 2011.

3.9 | Race equality

The Race Relations Committee (RRC), chaired by Gloria Mills, UNISON, has continued to work on a range of race equality issues, prioritising its efforts to improve the organisation and recruitment of black workers. The General Council has continued to prioritise work with Hope Not Hate and Unite Against Fascism on challenging the far right and has continued to seek to influence the Government on ways to close the ethnic minority employment gap and to assist affiliates to develop best practice on tackling racism in the workplace.

Black Workers' Conference

The eighteenth TUC Black Workers' Conference was held at Congress House in April 2011 and was attended by 207 delegates from 27 affiliated unions. Michael Nicholas, FBU, chaired the Conference. The TUC President Michael Leahy addressed the conference, as did the General Secretary Brendan Barber. Other speakers were Trevor Philips, Chair, EHRC; Professor Gus John; Sarah King, EPSU; and Kanja Sesay, NUS Black Students' Officer.

The conference featured a panel debate on the effect of cuts on black communities. Delegates also took part in a number of workshops on the implication of different aspects of the cuts for education, the voluntary sector, organising black workers and the Equality Act 2010.

Campaigning against racism and fascism

Although the electoral ambitions of the BNP have had a set back the TUC has become increasingly concerned about the activities of the English Defence League (EDL). The EDL, which acts as a street army for the far right, is made up of BNP activists, football hooligans and others from extreme right wing organisations. It has

targeted Muslim communities under the guise of 'demonstrating and confronting extremism'.

The EDL held a number of demonstrations and marches, including events in Nuneaton (November 2010), Peterborough (December 2010), Luton (February 2011) and Cambridge (July 2011).

These events have provoked counter-demonstrations from anti-fascist activists and groups. Concerns have emerged over the way that the police have dealt with the marches and demonstrations. Counter-demonstrators have been put at risk of injury as a result of questionable policing tactics that treat them as equivalent to the EDL and many counter-demonstrators have been arrested. Initially police only allowed the EDL to have standing demonstrations. However, they were granted permission by the Metropolitan Police to march in London and subsequently other police forces have followed suit.

The TUC raised the issue of the EDL with Alan Campbell, the former Under-Secretary of State for Crime Reduction, and urged the last government to take a tougher line on EDL demonstrations and called for a more co-ordinated police response to their activities. However, despite concerns about EDL activities, the Government adopted the position that they were unable to ban static demonstrations as it would contravene the Human Rights Act. The TUC is aware of the difficulties faced by the police over unreasonably restricting or banning static demonstrations, although it is possible under sections 12 and 13 of the Public Order Act 1986 for the police to ban marches and static demonstrations with the support of the Home Secretary.

The EDL's approach has also caused problems for anti-fascist organisations and activists, as the calling of random demonstrations and marches by the organisation has placed anti-fascist organisations in a position where they are responding to EDL initiatives. The TUC has advised its regional secretaries to work with anti-fascist organisations that are organising responses to EDL demonstrations, but to try to avoid organising counter-demonstrations in a way that would result in violent confrontations.

This year the EDL strategy changed from organising demonstrations in large cities to a more provocative programme of targeting areas with large black and minority ethnic communities, specifically Tower Hamlets (June

2010), Bradford (August 2010) and Luton (February 2011). This strategy appears to be designed to create a situation that would provoke serious public disorder, which was something that concerned trade unions and anti-fascist groups.

The TUC wrote to the Home Secretary, on 29 July 2010, saying that in our view the conduct of the EDL during these demonstrations and marches that focus on the Muslim community, has been designed to encourage racial hatred and create public disorder. This has been underlined by reports from trade unionists who have been present on counter-demonstrations of the shouting of racist abuse and threats of violence directed towards members of the Asian community who happen to be in the vicinity. The letter also raised concerns that despite the reports of racist behaviour and abuse by EDL supporters, much of the policing had been focussed on community and anti-racist campaigners. The TUC asked the Home Secretary to intervene to ensure that the police develop a more co-ordinated approach in dealing with EDL events.

The previous government had taken the view neither the police nor the government had any powers to ban static protests. This is a view that the TUC does not share. In its response the Home Secretary, whilst noting the TUC's concerns, took the same position as the previous government.

In an effort to organise an initiative that was not a response to EDL activities, the UAF approached the TUC earlier in the year to ask if we would join them, Love Music Hate Racism (LMHR) and the Muslim Council of Britain (MCB) in organising a national anti-fascist demonstration in the autumn, as a way of making a unified public statement against racism and Islamophobia. The demonstration was being organised in response to a strong indication from Muslim organisations that they wanted to have a demonstration in London in the autumn against Islamophobia. The UAF had understandably taken the view that a mainly Muslim demonstration may well attract hostility from the press and have the potential to become a focus for an EDL counter protest. A date was proposed for the demonstration in October.

Whilst the General Council supported the need to be doing more to respond to the BNP and EDL, it recognised that many affiliates would be focussed on the campaigns against the cuts in public services and this was the area on which the TUC would need to focus its resources. As



The Unite Against Fascism demonstration, supported by unions in London 6 November.
Photo: Jess Hurd/reportdigital.co.uk

a consequence the UAF accepted that the TUC were not in a position to jointly organise a demonstration.

The TUC did however promote the UAF demonstration on 6th November 2010 and assisted in stewarding the event. Kay Carberry, TUC Assistant General Secretary, spoke at the demonstration along with several trade union general secretaries.

The EDL has continued to call demonstrations which have been focussed on opposition to proposals to build mosques. They have also changed their tactics and are relying on social media such as Twitter to call events with much less notice. More worryingly they have recently started to attack anti-racist and anti-fascist events.

In July, the TUC sent messages of condolence to our Norwegian counterparts following the massacre of more than 70 people, many of them in their teens, by a rightwing fanatic who had been in touch with British far right groups. The General Council believes that this terrible event

reinforces the need for us all to remain vigilant in the face of the threat from the far right.

Government policy on race equality

Before the election the Conservative Party published an equality manifesto and the Liberal Democrats published a specific policy document on race equality. Neither document made many commitments on dealing with race discrimination in employment, although the Liberal Democrats stated that employers would not be able to include questions intended to reveal the gender, age or race of an applicant and that every company that employed more than 100 people would have its pay arrangements examined in an equal pay audit.

As a prelude to the Queen's Speech the new Conservative/Liberal Democrat coalition published *Programme for Government*. This document detailed the new government's policies on race equality, immigration and asylum and civil liberties.

Programme for Government only specifically referred to black workers in one paragraph and this was in the equalities section. The programme stated:

“We will promote improved community relations and opportunities for black Asian and Minority Ethnic (BAME) communities, including by providing internships for under-represented minorities in every Whitehall department and funding targeted national enterprise mentoring schemes for BAME people who want to start a business.”

Whilst the announcement of providing targeted internship opportunities for young black workers was in line with calls that the Race Relations Committee had made to the previous government, there was concern that:

- The proposal was targeted at the civil service, where the Government had just announced major cuts.
- There was no indication that any of these internships would be paid and would not be covering the work of those that had been made redundant.
- There was no indication that these internships could lead to permanent employment.

The second part of the policy focused on funding targeted at national enterprise mentoring schemes. Such schemes already exist with government attempting to provide a national coordination service through Business Link on the Department for Business Innovation and Skills website. There were no proposals to tackle the systemic problem of access to capital by black business, nor any distinction between promoting businesses that provide real jobs and those that resulted in people living on or just above a subsistence income.

The programme stated very little about immigration other than to reiterate the Government's intention to place an annual limit on non EU migrant workers admitted into the UK to live and work. Subsequent changes to the points-based systems to allow only those with graduate level qualifications to enter the UK from outside the EU have resulted in the number of shortage occupations listed by the Migration Advisory Group being reduced by approximately 70.

The programme also mentioned introducing more measures to minimise the abuse of the immigration system and identified students as a potential source of abuse. The current penalties have already resulted in the introduction of internal borders in the workplace and education system. Additional regulations would be likely to make the situation more oppressive for a wider range of migrants.

Black workers and the labour market

Until the 2010 general election the TUC continued to lobby the Government through the Ethnic Minority Employment Taskforce (EMETF) for more proactive actions to tackle the employment gap between black and white workers. Unfortunately the coalition Government abolished the Ethnic Minority Employment Taskforce and replaced it with a new inter-ministerial group on equalities (IMGE) that will be looking at the whole equality agenda and is chaired by the Home Secretary.

The Ethnic Minority Advisory Group (EMAG), which is sponsored by the Department of Work and Pensions, has been reconstituted and continues to meet. Wilf Sullivan, TUC Race Equality Officer, and Collette Cork-Hurst, Unite National Officer for Equalities and a member of the TUC Race Relations Committee, are members of the reconstituted advisory group and are

active on working groups looking at women and employment and skills/education.

As a result of trade union input, the working group on women and employment is looking at making recommendations to the EMAG that raise awareness about the gender pay gap suffered by black and minority ethnic women. The skills/education group is undertaking work on apprenticeships with a view to making recommendations to the Government about ensuring that the 100,000 new apprenticeships announced by the Government are accessible to young black workers.

Black workers and apprenticeships

The TUC, through its participation in the Ethnic Minority Advisory Group (EMAG), has highlighted the need for government action to increase the employment prospects for young black workers through improving access to decent apprenticeships and making sure that they do not miss out in the expansion of the apprenticeship scheme.

In February 2011 the Skills Minister, John Hayes, announced that the Government would "increase the budget for apprenticeships to over £1,400m in 2011-12, helping to create a new generation of skilled workers to drive economic growth". This increase is an extension to current government apprenticeship schemes that are coordinated by the National Apprenticeship Service (NAS) and the money is aimed at creating 100,000 extra apprenticeships by 2014.

The TUC has had a long standing concern about the difficulties young black workers face gaining access to both employment and decent quality government training schemes. In highlighting the need for urgent action to ensure that black workers do not disproportionately continue to miss out on the benefits that apprenticeships can offer, the General Council is working to highlight four main issues, which are:

- The need for comprehensive monitoring systems to enable the National Apprenticeship Service and the Government to assess how their strategy on increasing diversity in apprenticeships is working.
- The need to ensure that black workers gain access to good quality apprenticeships and that mechanisms are put in place to ensure that discrimination by employers is tackled so that they are able to obtain workplace placements.

- The need to ensure that young black women are able to access the full range of apprenticeships and that they do not suffer labour market segmentation in relation to access to training on the basis of their gender.
- The need to focus on outcomes as well as apprenticeship starts to ensure that black apprentices graduate to full time jobs or higher learning.

The TUC, through unionlearn, has recently made contact with Versa Professional Services, one of the companies that won a diversity pilot contract to increase the number of black apprenticeship starts in the Oxford, Banbury, Reading, Slough and Lambeth areas. As a result of these discussions, an agreement was reached with Versa to hold an event aimed at unions and employers to highlight the need to increase black participation in apprenticeships and to identify some of the barriers that need to be tackled in order that young black workers get a fair deal. The event, which will be a half day conference at Congress House on 6 September, is called 'Apprenticeships for All', and organised as a joint event between the TUC, Versa, unionlearn and SERTUC. It is aimed at union activists and negotiators, learning reps, equality reps, black activists and employers.

Tackling racism in the workplace

Tackling discrimination in recruitment, supporting black workers' career progression, fighting institutional racism and highlighting the continuing problems of under-representation of black workers at a senior level have continued to be major priorities for the Race Relations Committee. The TUC believes that problems of race discrimination in the workplace around issues such as recruitment and promotion can only be tackled through a collective approach.

An updated negotiators guide on *Tackling Racism in the Workplace* was launched at the TUC Black Workers' Conference in April 2010 and has been promoted at a number of trade union events in order to promote good practice around collective bargaining on equality matters with affiliates.

The TUC, through the UK Race and Europe Network, has been encouraging the European Network against Racism (ENAR) to undertake work on racism in the workplace. This has resulted in the creation of an ad hoc experts' group on promoting equality in employment. The group's role is to bring together businesses

committed to corporate social responsibility and diversity, trade unions, member states and anti-racist civil society groups, to work together and engage in finding solutions to improve the participation of ethnic minorities in the labour market.

The TUC was a contributor at an initial seminar on promoting race equality in employment in November 2010, contributed to a recent seminar held at IBM and was also involved in a major conference, the first of its kind on race equality and employment, held in Europe during June 2011. This brought together unions, employers, academics and NGOs to promote good practice in the workplace.

Migrant and vulnerable workers

Supporting and developing campaigns on migrant and vulnerable worker issues is an ongoing TUC priority. Issues relating to undocumented working have become more focused for non EU migrants since the implementation of the points-based system.

A negotiators' guide on *Document Checks and Workplace Raids*, produced in association with the GMB, UNISON and Unite, is being promoted with the Migrant Rights Networks.

Addressing issues faced by low-paid vulnerable workers continues to be a priority for the TUC following the publication of the report produced by the TUC Commission on Vulnerable Employment. Many of these workers are from black and minority ethnic communities. In September 2010 the TUC along with RESPECT network (a European network of organisations supporting domestic workers) hosted a meeting for domestic worker activists, the majority of whom are from black communities. The meeting was held to discuss how campaigning in Europe could be co-ordinated to put pressure on governments and employers to endorse the proposed new ILO Convention on Domestic Workers, a draft of which was adopted at the 2011 International Labour Conference.

The TUC is also supporting SERTUC and the Migrants' Rights Network on a vulnerable workers project in London. This aims to establish and support a London trade union cleaning activists' forum, where cleaning activists can work together on priority issues. Many of the cleaners involved and many of those in low paid work in London are migrants from outside Europe. As well as facing problems of exploitation and

immigration issues, migrant workers are often subjected to racism in the workplace. The forum currently meets monthly and is discussing campaigning and organising priorities.

Let Them Work Campaign

The TUC has continued to work with the Refugee Council, trades unions and other organisations to develop a campaign for the entitlement of asylum seekers to work

The campaign objective is for the Government to remove the bar denying asylum seekers the ability to work legally. Recent changes in provision for ESOL have presented an opportunity to argue that the Government should adopt a provision that after six months asylum seekers should have access to ESOL if their case has not been decided. Asylum seekers would then have permission to work if their case has not been decided after six months.

An appraisal of the strategy by the co-ordinating committee came to the conclusion that not much progress could be made with MPs or the Government in the run up to the general election, as there was a risk that pushing the issue with ministers or other parties may have a negative consequence, given the general anti-immigrant atmosphere that pervaded media reporting about issues of asylum and immigration.

Post-election the co-ordinating committee has been assessing the best way to put pressure onto the Government and to brief the large number of new MPs. The campaign decided, as part of a strategy of involving more MPs, to produce a declaration that MPs were being asked to sign, in order to work towards building a critical mass of support in the House of Commons. The TUC and the Refugee Council have produced a new campaign leaflet that incorporates the declaration, which supporters of the campaign can use to approach their MPs.

3.10 | Disability

Disability Conference

The tenth TUC Disability Conference took place on 25-26 May 2011 at Congress House. The sessions were chaired by Pauline McCardle, David Bryson, Sean McGovern and Sasha

Callaghan. Speakers were Kay Carberry, TUC Assistant General Secretary, Sean McGovern, Unite, Chair of the TUC Disability Committee, Anne Begg MP, Stephen Brookes, convenor of the Disability Hate Crime Network, with Sasha Callaghan (UCU) on hate crime, and John McArdle, Black Triangle anti-defamation campaign in defence of disabled peoples' rights. The conference elected the Disability Committee and debated motions covering issues such as cuts in the public sector, benefit changes, access to the arts, the Equality Act 2010, supported employment, bullying at work, mental health, discrimination in education and Disability History Month. There were 207 delegates from 27 unions.

The impact of the cuts on disabled people

The dominant issue confronted by the TUC and addressed by the Disability Committee during the year was the impact of the Government's austerity measures and benefit reforms on the lives of disabled people, both in and out of work. It had very quickly become apparent that millions of disabled people were suffering adverse consequences across almost every aspect of their lives.

Whereas it had come as a surprise that disabled people had not suffered disproportionately in the area of employment during the recession from 2008, in contrast to all previous recessions, the TUC had at the time pointed out that one likely reason was that disabled people were more likely to be working in the public sector, which had grown during this time. The massive job losses across the sector resulting from the Government's policies after May 2010, however, threatened to reverse this trend.

At the same time that larger numbers of disabled workers were faced with redundancy, sweeping changes to the benefit system, also with the intention of reducing its cost, have entailed benefit reductions for large numbers of disabled people not in work, while changes to Disability Living Allowance also have negative impacts (see also Chapter 4).

Changes to other areas of the welfare budget, such as the cap on housing benefit payment, also have a disproportionate impact on disabled people. The welfare reform agenda also generated a campaign in the tabloid press to "expose" those defined as "scroungers". One consequence has



The Hardest Hit demonstration supported by the TUC.
Photo: Stefano Cagnoni/reportdigital.co.uk

been an increase in the hostility faced by many disabled people and an increase in recorded hate crime (see below).

The TUC prepared a briefing for unions entitled *Disabled people fighting the cuts*. This was launched at the 2011 Disability Conference. In it the effects of the cuts were summarised and advice offered to affiliates on ensuring that the interests of this section of the community were properly represented in campaigning activities.

Disabled people fighting the cuts

Acting with the advice of members of the Disability Committee, the TUC made great efforts to ensure that the March for the Alternative on 26 March was the most accessible protest ever organised by the TUC. Many thousands of disabled people joined the demonstration, and the Chair of the Disability Committee, Sean McGovern, was among the platform speakers at the rally.

The TUC also publicised and supported the Hardest Hit protest in Westminster held on 11 May, where several thousand disabled people participated in the largest such demonstration for many years. Actions have been organised locally at the various offices of Atos healthcare, the company contracted to carry out the much-criticised Work Capability Assessments. Further local actions are planned to take place in late autumn 2011, and the General Council will support and publicise these events.

The TUC advice booklet, *Disabled people fighting the cuts*, contained advice to unions and trades union councils on how to engage with and support disabled people's involvement in campaigning, and also recommended making contact with organisations set up by disabled people to organise resistance, such as Disabled People against the Cuts, and their related group Black Triangle, a speaker from which delivered a powerful address to the 2011 Disability Conference.

Employment for disabled people and legal changes

The importance of providing a lead for unions on a disability equality agenda for the workplace was highlighted in motion 13 at Congress 2010. It had long been recognised that achieving positive change in the law was necessary but far from sufficient to remove discrimination in employment.

The Equality Act 2010, which came into effect in October of that year, merged the former Disability Discrimination Act with the other anti-discrimination laws, while continuing to recognise the difference between disability and other equality legislation, that more favourable treatment for disabled people was a requirement of the law when needed to achieve equality of outcome. The Equality Act included several important new measures, including a clause to reinstate the prohibition on disability-related discrimination that had been lost with the 2008 judgement in the *Malcolm* case, a ban on pre-employment questions on disability or health (except in narrowly defined circumstances) and the inclusion of discrimination by association. The area where disabled people had most cause for concern was in the approach adopted by the Government to the public sector equality duty, with the abandonment of the specific tasks to impact assess, monitor and involve disabled people that had formed part of the "specific duties" previously part of the law. It

remains to be seen how far the new legislation's requirement to pay "due regard" to disability issues will persuade public sector organisations to retain the good practice they had previously established in this area.

In order both to explain the current state of the law, but also to promote examples of good practice, the TUC produced a new edition of its trade union guidance, *Disability and Work*, early in 2011. The new guidance gives greater attention than before to issues such as non-discriminatory practice in redundancy situations, as well as more focus on mental health, and, for the first time, a section on dealing with issues for neuro-diverse members.

Training for trade union officers and representatives in disability workplace issues has also been reviewed and stepped up, with the introduction of a new on-line course for workplace representatives (see Chapter 6).

Supported employment

Supported employment faces a difficult future in the current political and economic climate. The Government commissioned a review that was carried out by Liz Sayce, director of disability charity RADAR, and despite the evidence provided by the relevant unions and the TUC, its report gave a green light for further factory closures. The continuing hostility of much of the disability movement to supported employment was reflected in their responses to the report. The TUC view has always been that this response fails both to recognise the nature of the real work carried out in (for example) Remploy factories and the reality that those made redundant by factory closures will probably not succeed in securing alternative employment.

Disability hate crime

The issue of crimes committed against disabled people for no other reason than their disability has continued to feature in the national media, with further reports of horrendous cases of murder widely reported. The TUC has supported work being done by the recently established National Disability Hate Crime Network to improve the understanding of relevant public bodies of the reality of this phenomenon, to collect evidence and promote awareness of good practice required to deal with it. The link was also drawn in correspondence with the Home Secretary about the evidence of the effect of

inflammatory press reporting in encouraging physical violence. The Government denied that this was the intention.

The impact of public sector spending cuts on police forces has led to fears that work only just beginning to recognise the separate existence of disability hate crime and the measures needed to record it and to deal with it will be put in jeopardy through reductions in expenditure.

Disability history

The team of volunteers from a number of unions assembled to bring about the creation of an archive to record the history of disabled trade unionists will carry out a number of interviews of disabled trade unionists during 2011 with the support of the TUC.

The General Council also lent its backing to the proposal made late in 2010 to create a "Disability History Month" modelled on the successful Black and LGBT history months that have been operating over many years. Initiated by NUT member and disability activist Richard Rieser, the first DHM took place between 22 November and 22 December 2010. The TUC organised a seminar to reflect on what had been achieved and what remained to be done by trade unions on disability equality. It was chaired by Richard Cook (Unite) and Mandy Hudson (NUT) and addressed by Richard Rieser, Phyllis Opoku-Gyimah (PCS) and Alex Morefield (Unite).

Paralympic sports

The TUC established good relations with the head of Paralympics GB, Phil Lane, and he attended the Disability Committee to discuss how the London 2012 Paralympic Games would promote inclusion and equality for disabled people.

Assisted suicide

In following up a resolution of the Disability Conference in 2010, the TUC commissioned a barrister, Catherine Casserley, to write a legal opinion on the current law on assisted suicide, both in the UK and abroad. She then obtained statements of the cases for and against on this highly controversial issue. These have been published and circulated for information to unions.

3.11 | Lesbian, Gay, Bisexual and Transgender rights

Lesbian, Gay, Bisexual and Transgender (LGBT) Conference

The fourteenth TUC LGBT Conference took place at Congress House on 30 June/1 July 2011. The sessions were chaired by Maria Exall, Nick Day, Richard Angell and Dettie Gould. The conference was addressed by Frances O’Grady, TUC Deputy General Secretary; Maria Exall, Communication Workers Union, Chair of the LGBT Committee; Yvette Cooper MP, shadow Minister for Women and Equalities; Eileen Barnard-Harris, Cutting Edge Consortium; Marcus Morgan, Bisexual Index; and Phyllis Opoku-Gyimah, UK Black Pride. Deborah Gold (GALOP) and Suzanne Yong-Lee (UNISON) introduced an informal session on “the cuts and the LGBT communities”. The conference elected the LGBT Committee and debated motions covering such issues as the impact of government cuts, the threat posed by the EDL, the media, access to art and culture, tackling the invisibility of bisexual trade unionists, LGBT asylum seekers, international LGBT rights with particular reference to Uganda, and issues in education. There were 208 delegates from 27 unions.

Cuts and the LGBT communities

The main priority of the TUC LGBT Committee during the year was the combined challenge of raising awareness among members of the LGBT communities of the impact of public sector spending cuts and reminding trade unions to include LGBT issues and local groups in their campaigning. It was recognised that the (very small) LGBT voluntary sector was particularly vulnerable to reductions in local authority budgets, while at the same time providing services that were vital for many LGBT people who felt unable to approach mainstream services in anticipation of prejudiced responses, or for fear of being “outed” in communities where prejudice remained rife, while cuts in the health service posed a particular threat to trans people wishing to undergo gender reassignment.

These challenges were addressed through articles, media work and speeches, reinforced by the production of TUC anti-cuts leaflets for distribution at Pride events during the summer of 2011. In addition, support was offered to a grass

roots LGBT campaign group set up initially in London and Brighton, Queers against the Cuts (QUAC), and launched in time for London Pride (2 July). Before that, many trade union LGBT groups had brought banners to make a visual impact as they marched with their unions on the March for the Alternative.

Legislation

The Equality Act 2010 for the first time gave LGB and T rights equal standing with the other equality “strands” and consolidated the many advances made during the previous dozen years. The amendment, introduced late in the parliamentary process, to allow civil partnership ceremonies to take place on consenting religious premises has been enacted by the new Government. The General Council responded to the prior consultation supporting the step and also urged the removal of the remaining inequalities between civil partnership and marriage. These were the 1988 limit on backdating of pension survivor benefits and the requirement on someone undergoing gender reassignment to divorce an existing spouse before obtaining a Gender Recognition Certificate.

A growing number of nations, and states in the USA, have begun to recognise same sex marriage and the attendant publicity has generated discussion of the issue in the UK, leading to a growing level of public support for such a change. The TUC LGBT Committee discussed its approach and agreed to back all steps towards equality.

The introduction for the first time in the Equality Act of a public sector equality duty for LGB people (trans people having previously been partially covered by the gender equality duty) was welcomed, particularly because of its potential to tackle the continuing problem of homophobic bullying in the education system.

Another welcome step by the Government was the long-awaited move to change criminal law to allow someone who was convicted in the past of an offence under old (1956 and 1967) sexual offences legislation that had been repealed to apply to have their name removed from criminal records. The TUC participated in consideration of the practical steps involved.

Religion and trans/homophobia

The courts have continued to demonstrate a robust approach to interpreting anti-discrimination law. Those asserting the right to discriminate on grounds of sexual orientation because of their own religious prejudices have not been successful, with the outcome of the much-publicised bed and breakfast case (*Hall and Preddy v. H&M Bull*) being particularly welcomed as confirmation of the reach of the law governing the provision of goods and services.

The TUC LGBT Committee has continued to support the positive campaign to challenge faith-based prejudice, in the shape of the Cutting Edge Consortium, the alliance of faith and secular groups that organised two previous faith, homophobia, transphobia and human rights conferences. The consortium constituted itself as a formal organisation in 2011, with trade union members on its board and TUC LGBT Committee Chair Maria Exall as its first chair. There will be a third conference in April 2012.

LGBT equality at work

The Equality Act made it necessary to revise the guidance issued to unions on LGBT issues in the workplace, while the further spread of good practice similarly called for a new edition of the advice first published in 2006. A new text was written and approved by the TUC LGBT Committee, and the 2011 edition of *LGBT equality at work* was published to mark IDAHO (international day against homophobia, biphobia and transphobia) in May 2011.

The guidance included more positive support for monitoring sexual orientation, reflecting the experience of many workplaces, while simultaneously following advice from organisations of trans people not to recommend monitoring on grounds of gender identity.

The need to explain the right approach to monitoring was demonstrated by the results of the first Office for National Statistics survey of sexual orientation carried out through the General Household Survey in 2010. This survey was carried out as an alternative to including a question on sexual orientation in the national census, which the TUC had campaigned for unsuccessfully, alongside the EHRC and Stonewall. In contrast to the superficial coverage of much of the media, the TUC analysed the figures and concluded that the apparently massive discrepancies in the numbers of LGB

people according to age group, occupation and geographical location could only be explained by factors including the continued prevalence of deep-rooted prejudice in many communities and areas.

Inclusion of trans and bisexual trade unionists

LGBT equality at work also stressed the importance of recognising that the four constituent parts of the LGBT umbrella have separate as well as common interests. The text contains separate sections (where appropriate) on trans issues, and for the first time gives specific attention to issues facing bisexual members, following on from the findings of the survey of bisexual trade unionists carried out in 2010. These findings also led the 2011 conference to devote separate space to discussing these questions.

Education

Following the 2010 election, the TUC met the new schools minister, but while the commitment of the Government to continuing the work of its predecessor to eliminate homo-, bi- and transphobic bullying and harassment from schools and colleges was welcome, the practical methods proposed were felt by the TUC to be inadequate to the task. The overall changes to education and the encouragement offered to faith groups to run schools is cause for concern that prejudice will stand in the way of eliminating the problem, despite the introduction of the public sector equality duty.

Prides and the English Defence League

The TUC continued to support Pride events, including organising a trade union consortium to sponsor Pride London, and used the occasions to promote the anti-cuts message and the benefits of trade union membership to LGBT communities. A large trade union section was prominent on the Pride London parade and Brendan Barber spoke on the platform. Regional TUC LGBT networks continued to organise around the many other Pride events taking place.

In east London, EDL activists tried to arrange a 'Pride' event in response to the appearance of homophobic stickers for which a Muslim youth was later convicted. The TUC played

a leading role in getting this event cancelled, instead promoting an inclusive Pride later in the year. The event demonstrated the importance of challenging the EDL's islamophobic agenda and its opportunistic attempt to recruit among LGBT people.

International work and asylum issues

The LGBT stakeholder group, established by the Foreign and Commonwealth Office, has been maintained and the TUC and UNISON have continued to participate. The UK Government demonstrated its ongoing backing for LGBT rights abroad with its strong stance against the efforts to introduce new repressive legislation in Uganda and its support for the first United Nations human rights resolution incorporating LGBT rights.

Unfortunately, despite government statements confirming that LGBT asylum seekers would no longer be returned to countries of origin where they face persecution, evidence suggests that

the practice continues. The General Council continues to lobby on this issue.

In Europe, the TUC has continued to work with the ETUC to promote understanding and acceptance of LGBT rights as a trade union issue, participating in an ETUI training event for European unions hosted by the CGT in Paris, and in a conference organised by the CGIL in Rome for EuroPride.

Prejudice in sport

A representative of the London Organising Committee of the Olympic and Paralympic Games (LOCOG) attended the TUC LGBT Committee and confirmed that London 2012 would be the first Olympic Games ever explicitly to welcome LGBT participation.

The TUC alliance challenging prejudice in football continued and helped organise a media event at Congress House, attended by Brendan Barber, to promote “football against homophobia” day on 19 February. The Government Equalities Office has worked with the TUC alliance and as a result of a proposal made by an alliance member, prepared a charter that has been signed by six national sports governing bodies including the Football Association.



There was a big trade union presence once again at London's Pride festival this year.

Photo: Stefano Cagnoni/reportdigital.co.uk

CHAPTER 4

Economic and industrial affairs

4.1 | Introduction

This chapter reports on a wide range of work undertaken on behalf of the General Council on economic and industrial matters. It begins with a review of the state of the economy, including significant decisions and policy measures taken by the Government over the year. It also looks at the state of the labour market over the same period; considers industrial policy; corporate governance; pensions and welfare; working time; housing policy and climate change, energy policy and the environment. It concludes with reports on industrial work by sector, covering transport, the public services (including health and education), before reporting on our work on criminal justice, the Royal Mail and on the media and entertainment sector. It concludes with a report on our engagement with the bodies responsible for the London 2012 Olympic and Paralympic Games. In all of this work the General Council has been guided by the resolutions and composite resolutions carried at the 2010 Congress.

4.2 | The economy

The TUC remains extremely concerned about the state of the UK economy. GDP remains around 3.5 per cent lower than it was at the start of the recession in the second quarter of 2008, with the recovery progressing at a far slower pace than was the case following the recessions of the 1980s or 1990s. Business and consumer confidence are weak (leading to low, and by the most recent data, falling business investment). Access to credit is constrained, exports have failed to recover as strongly as forecast and wage rises are running at less than half the inflation rate. The Government's own Office for Budget Responsibility has downgraded its growth forecasts several times. But despite these significant warning signs the Government is pressing ahead with its plan to impose the most significant public spending cuts since the Second World War, which look set to further reduce demand and confidence as well

as disproportionately affecting those who are already the worst off.

In response, the TUC has continued to make the case for a fairer approach to deficit reduction, supporting the rebalancing of the public finances over the medium to longer term but arguing for a primary focus upon restoring economic growth. Over the year we have continued to highlight the negative consequences that the Government's economic approach is having on the UK economy and for workers in both the public and private sectors.

In light of the ongoing uncertainty in the economy the TUC office has continued to produce its series of economic reports for the Executive Committee. TUC staff also continue to comment on a range of economic policy issues on the Touchstone blog, on other progressive blogs and via Twitter. Throughout the year the TUC also produced several *Economic Reports*, considering issues such as the UK's budget deficit and historical changes in public spending.

Comprehensive Spending Review 2010

The Comprehensive Spending Review (CSR) was presented to the House of Commons on 20th October 2010.

The day before the CSR, in an address to a mass lobby of Parliament Brendan Barber told the audience that the Government was about to announce unprecedented cuts in public spending, which would bite deep into our social fabric. The TUC has consistently maintained that the Government has acted not out of economic necessity but political choice.

The CSR itself contained £7bn of cuts to social security budgets, which were in addition to £11bn of welfare cuts that were announced in June 2010. Specific cuts to social security included limiting eligibility to contribution-based Employment and Support Allowance to

one year, cutting child benefit for families where one household member pays income tax at the higher rate, removing the mobility component of Disability Living Allowance for people living in residential care and a 10 per cent cut in council tax benefits (which are only paid to the lowest income households).

On skills policy, the CSR included a commitment to fund an additional 75,000 places for people aged 19-25 at an extra cost of £250m by the end of the spending review period. Those aged over 25 saw the ending of the so-called 'Level 2 Entitlement', which in recent years has supported large numbers of employees to achieve the vocational equivalent of five GCSEs.

The Spending Review also required all individuals aged 24 and over to pay fees for any Level 3 courses (i.e. A level equivalent, including apprenticeships) from 2013-14. It introduced higher education style student loans to try to deal with the disincentives that would arise from asking adults to pay these fees upfront. It was also announced that the Education Maintenance Allowance, which provided means-tested financial support for 16-19 year olds, would be replaced with "more targeted support", resulting in a cut of half a billion pounds.

On industry policy, the Government announced £200m by 2014-15 for a network of Technology and Innovation Centres (TICs). Science received a budget freeze in cash terms, which amounted to a cut of 8-9 per cent in real terms over the Parliament. The TUC welcomed the £200m for low-carbon technologies – with £60m for a competition to support the upgrading of the UK's ports infrastructure.

Reacting to the CSR, the TUC said the Chancellor had announced "eye-watering cuts" that would have a desperate impact on communities, business and hard-pressed families. Cuts had been loaded onto social security payments. The poorest had become the victims of a political jape. We also argued that the Spending Review was likely to fail on its own terms as the cuts would depress the economy by causing a million job losses and undermine business and consumer confidence.

Two days after the CSR, an analysis published by the TUC showed that the poorest ten per cent of households would be hit 15 times harder than the richest ten per cent as a result of the service cuts that would flow from the CSR measures. Lone parents would be hardest hit. Single pensioners would be next.

Budget 2011

In March, the TUC published its *Budget Submission*, which set out our economic alternative to the spending cuts. We argued that government action up to then – early spending cuts, scrapping vital job support and tax rises hitting those on low and middle incomes the hardest – had already weakened the recovery. We maintained that sticking to this course would further undermine our chance of sustainable growth.

We argued that the spending cuts announced in the Comprehensive Spending Review 2010 should be replaced with a plan to boost jobs through well-funded employment schemes and a plan to encourage growth through a Green Investment Bank and an ambitious industrial strategy. We also argued that a crackdown on tax avoidance by multinational companies and the super-rich could provide the public funds needed for a green bank to operate.

On 23rd March, the Chancellor presented his second Budget to the House of Commons. This was billed as a Budget for growth.

Central to the Budget was a reduction in corporation tax by two per cent from April 2011. A £50,000 charge for non-doms who have lived in the UK for 12 years was introduced. The Chancellor also announced the closure of tax avoidance loopholes, raising £1bn.

The Budget re-stated the Government's intention to freeze the pay of public sector workers for two years, apart from those in the armed forces, prison service, NHS, teachers and civil service who earn less than £21,000. They would all receive a pay rise of £250. However, in local government even the lowest paid would not see any pay rise. The Budget did however commit to raising the personal allowance from £7,475 to £8,105 in April 2012, something that had been a key Liberal Democrat policy.

The Chancellor introduced 21 new enterprise zones, including ones in Manchester, Birmingham and London, and new funding to double the number of university technical colleges from 12 to at least 24. He stated that the number of places on a new work experience scheme was set to increase to 100,000 over two years, rather than the 20,000 previously announced. He also announced funding for 40,000 new apprenticeships for young unemployed people.

The Chancellor announced that a Green Investment Bank would start operating in 2012, with access to £3bn of funds and that the UK would be the first country in the world to introduce a carbon price floor for the power sector. A new fair fuel stabiliser was introduced, funded by increasing the supplementary charge on North Sea oil and gas production from 20 per cent to 32 per cent. Fuel duty was cut by 1p a litre.

The TUC called this a “no-change Budget”. We argued that while the Chancellor had been forced to reveal the evidence that his policies were not working, he had not had the courage to change them. Our response stated that while there were some welcome measures on funding for apprenticeships and relief on fuel duty, most of the Budget took us back to the 1980s, with deregulation gimmicks, hand-outs to big business and a deterioration of working conditions.

The TUC argued that the Budget had forgotten women. The only mention of equality was related to the scrapping of dual discrimination regulations. By the Government’s own calculations, changes to the personal tax allowance would benefit more men than women – and they failed to take account of the fact that many working women are in low-paid jobs and part-time employment and do not earn enough to pay tax in the first place.

The TUC was also concerned that the Budget had so little to say about employment and unemployment. There were just three employment programmes: the extensions of the New Enterprise Allowance, which would help unemployed people into self-employment, this was announced in January 2011 and would cost a total of £25m by 2013-14; an expansion of the Work Experience scheme for unemployed young people aged 18-21 from 20,000 to 100,000 places, which would cost £20m a year in 2011 and 2012; and 50,000 extra apprenticeship places, costing £210m by 2013-14.

We said that £275m over four years was a small amount of money. The Work Experience scheme was not high quality. Of the 50,000 new apprenticeship places, 40,000 were targeted at young unemployed people, through progression from a work experience programme. This programme was compulsory and, on past experience, would provide a route for the most disadvantaged and those likely to face extra barriers to employment. We emphasised that employers would therefore be unlikely to take them on as apprentices.

The TUC welcomed plans to create a Green Investment Bank (GIB), a proper public bank with borrowing powers, created in the face of fierce opposition from within the Treasury. The TUC further welcomed the increase in the initial capital of the GIB from £1bn to £3bn over the three years from 2011 to 2014. But the initial capitalisation was nothing like as high as was needed to finance green energy investment; and the Treasury had won a devastating concession to delay the bank’s borrowing powers ‘until national debt is falling as a per cent of GDP’. We argued that none of the leading European public investment banks place their borrowing on the public balance sheet.

The Chancellor’s decision to establish a minimum floor price for carbon “to drive investment in the low-carbon power sector” was in line with Congress policy “to support a stable floor price for carbon,” and reflected concerns that the current market price of carbon has been too low to drive investment in low carbon technologies. The TUC therefore welcomed the introduction of a CO₂ price floor as a means to help re-energise funding and planning for new nuclear and renewables investments. However we also continue to work closely with affiliates and the Energy Intensive Industries User Group of the EEF on the energy costs and low carbon technology challenges faced by the energy intensive industries.

Tax

Following Congress 2010 the TUC has continued to campaign for a fairer tax system. In December we released figures showing that the Government’s VAT and corporation tax changes would mean that banks were set to pay a lower tax rate than consumers, basic rate taxpayers and small businesses and in February 2011 we criticised the Government’s limited levy on bank bonuses and called for pay and bonuses above £250,000 (ten times the level of average pay in the UK) to be considered company profit and liable for corporation tax.

In October, together with the ICTU, we published *Pot of Gold or Fool’s Gold?*, which made the economic case against reducing corporation tax in Northern Ireland and in May 2011 we also published *Corporation Tax and Competitiveness*, which argued that the corporation tax cuts set out in the Spending Review would not lead to significant levels of job creation. The report further considered the impact of the Government’s proposed changes on regulations for controlled foreign companies showing that

they would lead to the erosion of the UK's tax base, thus further reducing corporation tax revenues.

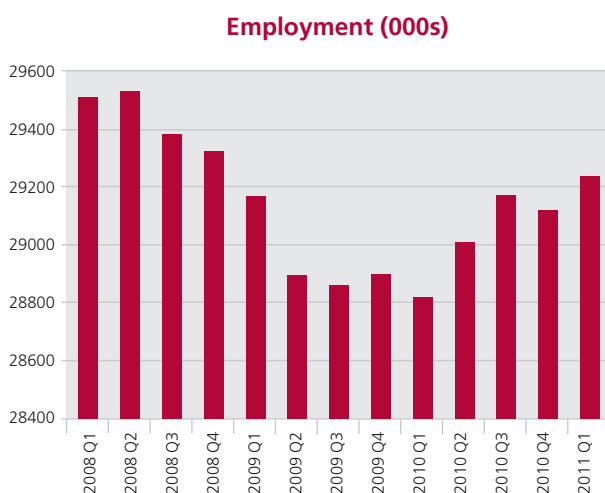
Over the year the TUC submitted evidence on tax to a number of consultations. In written evidence to the Treasury Select Committee we set out a number of key principles we felt should underpin the tax system; presented evidence on the low effective tax rates of large companies in the UK; and set out our view that measures to tackle the tax gap are vital to raise the funds needed to promote the growth the UK economy now needs. We also submitted evidence to a European Union consultation on VAT, arguing against moves to introduce a compulsory or uniform rate of VAT across member states and against the charging of VAT on public services.

In December the Government announced plans to consult on a general anti-avoidance principle to tackle tax avoidance, which the TUC welcomed.

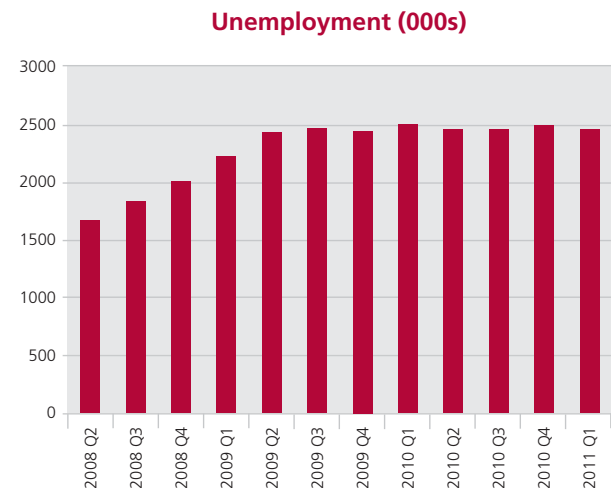
4.3 | Labour market

Employment and unemployment

The UK economy emerged from recession in the fourth quarter of 2009; by the first quarter of 2011, employment had risen by 337,000. This was still 296,000 lower than in the second quarter of 2008, when the recession began:



Whilst employment rose between Q4 2009 and Q1 2011, unemployment actually rose, by 6,000, and was 781,000 higher than in Q2 2008:



In the first quarter of 2011, youth unemployment stood at 935,000: 20,000 higher than at the start of the recovery and 222,000 (31.1 per cent) higher than at the start of the recession.

In the second quarter of 2008, there were 651,000 job vacancies; by the fourth quarter of 2009, this had fallen 30 per cent, to 456,000. By the first quarter of 2011, this figure had risen again, by 5.7 per cent, to 482,000. Since the start of the recovery, the number of unemployed people per vacancy has never fallen below five.

The General Council has been concerned that unemployment is falling very slowly, that investment in support for unemployed people should be increased and that the decision to abolish the last Government's Future Jobs Fund for young people was a serious mistake. These points have been emphasised in the General Secretary's meetings with Chris Grayling, the Minister for Employment, and in a number of TUC publications.

- An analysis published in August 2010 showed that long-term youth unemployment was rising in two thirds of local authorities.
- Another analysis, published in March, showed that job vacancies were much less common in poorer areas – as a result, there were twice as many unemployed people per job vacancy in Labour constituencies than in Conservative ones.
- A third review of the statistics, published in May, showed that some parts of the country were particularly blighted. In Merthyr Tydfil, West Dunbartonshire, East Ayrshire and inner London more than 25 unemployed people were chasing each vacancy.

These points have also been emphasised in the TUC's *Labour Market Reports*. These monthly analyses have also pointed repeatedly to the different experiences of men and women in the past year. Overall, the numbers in employment have recovered better than the unemployment figures, but this has benefited men far more than women:

Labour market changes from Feb–Apr 2010 to Feb–Apr 2011

	Employment	Unemployment
Men	+ 313,000	- 103,000
Women	+ 64,000	+ 46,000

Labour Market Reports have returned to this issue with increasing urgency over the year and *Women in the Labour Market*, an analysis published in March for the TUC Women's Conference warned that the Government's cuts risked making the situation much worse. The General Council has also been concerned to counter arguments that strong economic growth can only be achieved at the cost of accepting broader social inequality.

In July, the TUC published *Fairness and Prosperity*, a Touchstone Extra publication, written by Howard Reed, which marshalled international evidence to show that it is perfectly possible to combine economic success with greater equality. The report was launched at a web-based seminar, chaired by Kate Green MP, which was addressed by Prof Richard Wilkinson, one of the authors of *The Spirit Level*.

The TUC has also been keen to promote the interests of low paid and disadvantaged workers at a time when a slack labour market weakens their bargaining position. In 2009, the ETUC and European employers' organisations negotiated a social partner agreement on inclusive labour markets, promoting best practice. In December, the TUC, CBI, local government employers and the Department for Business, Innovation and Skills began work on implementing this agreement at UK level. Two meetings have been held with a view to organising a round-table event in 2012 and publishing a web-based guide to good practice in 2012 or 2013.

Pay

During the past year, pay rises have constantly lagged inflation. Average weekly earnings (regular pay) rose just 2.0 per cent in the year to April – a period when the Consumer Price Index rose 4.5 per cent and the Retail Price Index rose 5.2 per cent. The General Council has been keen to support unions in negotiating higher wage increases, and in February held the annual joint conference on Pay Bargaining organised with Incomes Data Services.

This year's conference, sub-titled Pay Bargaining in an Age of Austerity, was chaired by Gail Cartmail, Assistant General Secretary of Unite, and the speakers included Frances O'Grady, Kay Carberry and Alastair Hatchett, the Head of Pay and HR Services at Incomes Data Services. The sessions covered recent developments in pay bargaining, differences between the CPI and RPI measures of inflation, the pensions crisis, regional pay, public sector pay, fair pay and the Equality Act. An advisory group is helping organise the 2012 conference.

Vulnerable employment

The TUC continued to develop its Union Modernisation Fund (UMF) funded project to support trade unions tackling vulnerable employment. The TUC project involves multiple strands of work and is now into its second year.

The TUC has continued working with statutory enforcement agencies and the Pay and Work Rights helpline. Videos outlining the roles of each enforcement body have been created including a separate video on how to contact these agencies. These are placed on the basic rights section of the TUC website. Further information about basic workplace rights and how they can be enforced has been published in an enforcement guide.

The TUC has also created a new section of the TUC website to assist vulnerable workers and union reps who work with them. The website details basic employment rights for different categories of vulnerable workers and the enforcement routes for these rights via the statutory enforcement agencies.

The UMF manager network has become well established. The meetings allow managers to hear expert speakers relating to vulnerable employment. UMF projects have also been able to share best practice and identify solutions for tackling vulnerable employment.

The TUC has also developed training materials for both full time officers (FTOs) and union reps. This training gives officers and reps the skills to engage with vulnerable workers and overcome the hurdles that unions face. Both the FTO training and reps training is built into modules which can be inserted into existing training, which means that a focus on supporting vulnerable workers can be sustained after the conclusion of the UMF project.

The regional strand of the project, being undertaken by SERTUC, has seen joint work being carried out with the National Union of Students on a number of different university campuses. Events have been held to disseminate employment rights information to working students and to provide them with an introduction to the roles of trade unions. Protocols have also been put in place with campus careers advisers to direct young workers to trade unions.

The project will continue into the next Congress year, focusing on delivering outputs including a supply chain case study guide (which will outline how trade unions and employers can work together to protect vulnerable workers throughout supply chains); an online vulnerable worker module, via Trade Union Education, to assist those reps who can only access training online; and holding a joint UMF dissemination event in December 2011. This event will give attendees the opportunity to hear about UMF project's successes in tackling vulnerable employment and the opportunity to hear from speakers with expertise in trade union strategies to reverse the growing trend of vulnerable employment.

4.4 | Industry policy

This year's TUC activity on industry policy has been guided by Composite 4, Manufacturing and Industrial Policy, which was carried at Congress 2010.

In September 2010, the TUC made a submission to the House of Commons Business, Innovation and Skills Committee inquiry into government assistance to industry. We argued that the role of BIS must be to champion the creation of high skill, high value, sustainable industries. We called for government dialogue with industry to include dialogue with trade unions. We backed both horizontal support measures across industry, such

as skills training, and also vertical support where specific industries were particularly valuable to growing our economy. We also recognised the value of a body such as UK Trade and Investment and argued that the positive role of trade unions should be among the reasons promoted by UKTI for investing in the UK.

On 16th November 2010, Tim Page of the TUC office gave oral evidence to this inquiry. He said we should focus not just on industries where we are currently successful, but on industries where we could be successful with the right government support. Opportunities in the environmental technology sector were one example.

On 29th November 2010, the Government published its growth review. The TUC, like other stakeholders, had been expecting a Growth White Paper and were disappointed that this had been downgraded to a review. We were further surprised that the first 20 pages of this review described actions already taken by the Government, leaving only two pages to discuss the growth review.

Nevertheless, those two pages had important implications. One major announcement was that, from then on, the Chancellor and the Business Secretary would require every government department to present action plans for sustainable growth across sectors of the economy and for all sizes of business. These would focus on areas where there were clear opportunities to improve the UK's performance. The TUC had long called for such an approach in its discussions with BIS and we welcomed it when it was announced.

The review also said that, in advance of Budget 2011, the Government would focus on priorities for action on the following issues: planning; trade and investment; competition; regulation; access to finance; and corporate governance. The TUC agreed that these were important issues, but said that we also wanted to see action on investment, skills, innovation and on building the industries of the future.

The growth review said the Government would also examine the potential for action in six industrial sectors: advanced manufacturing; digital and creative industries; business and professional services; retail; construction; and healthcare and life sciences.

In December, BIS published its *Advanced Manufacturing Growth Review*. This stated the Government's overarching aims for advanced

manufacturing as being: to grow manufacturing in the UK; to make the UK Europe's leading high-tech exporter of high value goods and services; and to increase the proportion of the workforce seeking, and capable of, a career in manufacturing. Its short term focus would be on: technology commercialisation; skills; the image of manufacturing; and regulation, specifically in an individual sector, the food and drink industry.

The TUC was critical of these short-term priorities. Whilst we would not oppose work on technology commercialisation and skills, we believed the Government's focus on regulation and the image of manufacturing was a mistake, when it could have looked at, for example, how to build sustainable industries and make the UK a leading player in the global green economy.

As reported to the 2010 Congress, the Government decided against continuing with a cross-industry body, bringing together stakeholders to consider the future of manufacturing. It did, however, hold a number of meetings of the smaller Manufacturing Action Group, which included representatives from the CBI, EEF, TUC, the manufacturing company GKN and the Institute of Manufacturing at Cambridge University. This group was particularly active in advance of publication of the Advanced Manufacturing Growth Review. Tim Page of the TUC office attended these meetings.

BIS also held the Advanced Manufacturing Growth Summit on 25th January 2011, to feed into the review. This was attended by the TUC and affiliated unions. The summit was addressed by the Deputy Prime Minister, Nick Clegg, and the Business Secretary, Vince Cable.

The results of the Advanced Manufacturing Growth Review were published as part of the *Plan for Growth*, alongside Budget 2011. There were some announcements that the TUC was able to welcome, including the creation of a high value manufacturing Technology and Innovation Centre (TIC) and the funding of nine new university based Centres for Innovative Manufacturing by 2012. In fact, we had lobbied for a Centre for Innovative Manufacturing in Industrial Sustainability and we welcomed the fact that such a centre was created. However, the proposals set out in *Plan for Growth* rely heavily on cutting corporation tax and removing regulations from industry. No major industrial country has achieved serious levels of growth by pursuing such an agenda.

Throughout the past Congress year, trade unionists from Unite, GMB, Community, Prospect and USDAW, along with the TUC, have met at research officer level, to take forward work on Composite 4 from Congress 2010 on manufacturing and industrial policy. The group has met three times and produced a briefing for trade union members of the Labour Party Business and Enterprise Review, highlighting the challenges facing the manufacturing sector.

Procurement

The TUC has continued to promote the importance of procurement in developing the UK's future industrial strength. We have also continued to highlight the role of social, employment and environmental clauses in public contracts, to ensure that procurement can play a role in helping to achieve jobs for those excluded from the labour market by promoting greater equality and securing more sustainability.

In September 2010, the TUC contributed to the ETUC submission to the EU's evaluation of procurement legislation. We argued that in the UK, following some progress under the previous Labour Government, the Government's approach to procurement focused heavily on low costs, rather than the potential of procurement to promote higher skills or better environmental standards. We argued against the EU pursuing a similar low cost focus and disagreed with the suggestion that EU and national procurement rules add cost, delay and complexity. On the contrary, we argued that the aims of the former Lisbon Strategy – to make the EU “the most competitive and dynamic knowledge-based economy in the world capable of sustainable economic growth with more and better jobs and greater social cohesion” – remained laudable and that procurement policy should reflect the scale of this ambition.

The TUC's dialogue with the Office of Government Commerce, which is now based in the Cabinet Office, has continued. However, given the relationship between procurement and economic growth, we have expressed concern that procurement issues have moved from the Treasury to the Cabinet Office.

Like many other stakeholders, the TUC was very disappointed that the contract to provide trains for the Thameslink project was not awarded to Bombardier, a decision which looks likely to lead to the loss of a number of jobs in Derby. In letters to the Transport Secretary, Philip Hammond,



The July 23 march through Derby showed the strength of feeling about the decision not to award the Thameslink contract to Bombardier.

Photo: Jess Hurd/reportdigital.co.uk

and the Business Secretary, Vince Cable, the TUC Deputy General Secretary, Frances O'Grady, repeated a call from the TUC's 2011 *Budget Submission* for a task force comprising ministers and officials from the Treasury, BIS, DWP, DECC and the Cabinet Office, to consider a procurement policy that increases the UK's levels of skills, sustainability and employability, as well as value for money. We asked that employers and trade unions be invited to give evidence to this task force and said it should report within eight months.

4.5 | Corporate governance and capital markets

The TUC has continued to be actively involved in corporate governance debates and to highlight how weaknesses in corporate governance contributed to the financial crisis. Work on this area has been informed by Congress 2010 Resolution 19, Restoring Ethical Banking: Ending the Sales-Commission Culture.

In October, the TUC responded to the Government's consultation on narrative reporting by companies. The response argued that the quality of narrative reporting was patchy and in many cases weak, and that reports rarely included forward-looking information or information on areas where companies were facing problems. In addition, for users of company reports, the lack of comparability and consistency hampered comparisons over time and between companies. The TUC recommended that a statutory reporting standard should be introduced to provide clarity in terms of what is expected in reports, and set out its view of the minimum information that should be included on employees in narrative reports. The TUC also recommended that the scope of narrative reporting requirements should be extended to large and medium sized companies and that the business review should be put to the vote at company annual general meetings (AGMs).

In the autumn, the Government launched *A Long-term Focus for Corporate Britain: A Call for Evidence*. The consultation was very wide ranging, covering areas such as short-termism in equity markets, agency problems in the investment chain, directors' pay and mergers and

takeovers. The General Council agreed the TUC's response at its February meeting. This response argued that the short-term horizons of some investors combined with the highly diversified holdings of others meant that the emphasis on shareholder rights and responsibilities within the UK's corporate governance system was not working as intended. The response argued that the interests of investors who engaged in strategies based on short-term share-trading are not the same as the interests either of other stakeholders or the company itself. In addition, the large number of stocks held by fund managers means that there are practical problems with a system that relies upon shareholder engagement to apply effective monitoring and discipline on companies.

The submission recommended that directors' duties should be revised to require directors to promote the long-term success of the company, making serving shareholder interests and those of employees and other stakeholders subject to this overall aim. Other policy recommendations included:

- Voting rights in UK companies should be restricted to investors who have held shares for a minimum of two years.
- Fund managers should be required to report to clients on long-term returns to reduce the emphasis on quarterly and annual returns.
- Measures to cap share turnover should be developed for further discussion.
- Fund managers should be required to report on how they have voted their shares at company AGMs, and a template for reporting this information should be developed by the Financial Reporting Council.
- The membership of remuneration committees should be widened to include employee or trade union representatives and another independent member.
- Shareholder votes on remuneration committees should be made binding.
- The ratio of each director's total remuneration to average and lowest non-director employee pay within the company should be a mandatory requirement for remuneration reports.
- Regulation of mergers and takeovers should be reformed to ensure that takeover bids are subject to the long-term interests of the target company. This could be achieved through the establishment of a mergers and takeovers commission whose role would be to assess whether or not proposed takeovers were in the

long-term interests of the target company, or by widening the remit and membership of the existing Competition Commission.

- Shareholders in acquiring companies should be given the right to vote on proposed mergers and acquisitions.

Informal discussions between the TUC and the British Venture Capital Association (BVCA) have continued. In November, the TUC met with the BVCA and Ernst and Young to discuss the BVCA's *Annual Report on the Performance of Portfolio Companies*.

Mergers and takeovers

The TUC has continued to be actively involved in debates on mergers and takeovers and proposed reform of the mergers and takeovers regime in the UK. In July 2010, the TUC submitted a detailed response to a consultation by the Takeover Panel on the Takeover Code and set out its recommendations for amendments to the code. The Takeover Panel published its response to the consultation in October. This included its intention to implement recommendations made by the TUC in relation to the role of employees and their representatives in mergers and takeovers. In March, the Takeover Panel set out its detailed proposals for consultation. Points that the TUC welcomed included: bidding companies should be required specifically to state that they have no plans regarding the target company's employees and locations of business if this is the case; statements made in offer documents, in particular those relating to employees and locations of business, will be expected to hold true for at least one year; the code should make it clear that it does not prevent the passing of information in confidence to employee representatives; target company boards should be required to inform employee representatives at the earliest opportunity of their right under the code to circulate to shareholders their opinion on the effects of the offer on employment; the code should clarify that this will be done at the target company's expense; and the target company should pay any reasonable costs incurred by employee representatives in verifying information contained if in the employees' opinion this was necessary to comply with the standards required by the code.

The General Council agreed the TUC's response at its June meeting. The response argued that, while the Takeover Panel's proposals would not fundamentally change the existing system of

mergers and takeovers, they should help it to work better. The TUC argued for amendments to the proposed definition of an employee representative; that stronger enforcement powers were needed, especially in relation to the requirement for statements to hold true for at least one year; that further guidance for companies on what they were expected to cover in relation to information on employees and locations of business should be provided by the Panel; and that hard copies of offer documents should be made available to employees and their representatives on request. In addition, the TUC response included proposals on clarifying the factors that boards may take into account in reaching their opinion of the bid; offer-related arrangements; caps on offer-related fees; pro-forma balance sheets; and offer financing.

High Pay Commission

In considering implementation of Resolution 27 calling for the establishment of a high pay commission, which was carried at the 2010 Congress, the General Council noted the establishment in the autumn of the independent High Pay Commission by the campaign group Compass with support from the Joseph Rowntree Foundation. The Commission is chaired by Deborah Hargreaves, former business editor of *The Guardian*, and commissioners include TUC Deputy General Secretary Frances O'Grady. The TUC has held discussions with the High Pay Commission secretariat about its analysis and potential policy proposals. The High Pay Commission published an interim report in May and its final report will be published in autumn 2011.

Corporate social responsibility

A Global Reporting Initiative (GRI) working group on content and materiality in reporting under the GRI guidelines, on which Janet Williamson of the TUC office represented labour, completed its work in 2010. *The Technical protocol - Applying the Report Content Principles* was published by the GRI in early 2011.

Janet Williamson also represented the TUC on an AA1000 technical committee on stakeholder engagement, which published the *AA1000 Stakeholder Engagement Standard (2011)* in the summer.

The TUC, again represented by Janet Williamson, continued to have observer status on the UK Network of the Global Compact. In June, the TUC hosted a meeting of the UK Network of the Global Compact focussing on labour standards and employee engagement. The meeting was addressed by Diana Holland, Assistant General Secretary of Unite, who spoke about the role of trade unions in employee engagement; by Irene Cowden, Group Director for Human Resources at G4S, who spoke about the International Framework Agreement drawn up between G4S and UNI and the GMB; and by Nita Clarke, Director of the IPA, drawing on her work on the MacLeod Review on employee engagement.

Member Trustee Network

The TUC Member Trustee Network is a support service provided by the TUC for union members who are member-nominated trustees of pension schemes or observers on local government pension schemes. It currently has more than a thousand members, drawn from many of the biggest schemes in the UK, which are responsible for billions of pounds in assets. Members receive a quarterly newsletter, email updates and access to TUC events including seminars, training and an annual conference.

The 2010 TUC Trustee Network conference entitled *Stronger Stewardship: Trustee Responsibilities in a Changing Pensions Landscape* took place in November, with over 170 attendees taking part. The conference included keynote speeches from Pensions Minister Steve Webb and Shadow Pensions Minister Rachel Reeves. A panel discussion on stewardship was addressed by Peter Montagnon of the Financial Reporting Council; Anita Skipper, Corporate Governance Director at Aviva Investors; and Alan McDougall, Managing Director of PIRC. In addition, a series of interactive workshops provided trustees with an opportunity for in-depth discussion on a range of key issues.

TUC Fund Manager Voting Survey

The TUC Fund Manager Voting Survey 2010 was published in November. The survey revealed a sharp divide in the voting stances of institutional investors on key issues at company AGMs between July 2008 and December 2009. Whilst a minority of institutional investors supported more than 70 per cent of all management resolutions, at the other end of the spectrum, a minority

supported less than 40 per cent. Remuneration was the most popular issue for investor dissent, although there were again significant differences in the positions taken by different investors.

The survey showed that while an increasing number of investors now make some voting data publicly available, the quality and frequency of this information varied. Survey responses showed that only half disclosed all their votes cast, while the other half reported either just their 'oppose or abstain' votes or only headline statistics on voting. There are also wide variations in how frequently the voting data is updated and the length of time it is available on websites, making comparisons between investors and over time impossible.

The TUC survey cited an example of how unions were encouraging fund managers to engage more on employment issues, highlighting a resolution sponsored by Unite at the Tesco 2009 AGM on labour standards in the meat supply industry.

Workers' capital stewardship

In April, the General Council agreed a paper that set out a proposal for collaboration between union staff pension funds on voting and engagement strategies. The paper argued that for organisations like trade unions and the TUC, which take a strong stance on many issues relating to company practice, there was a danger that unless they gave specific instructions to their fund managers, their pension funds could inadvertently support decisions that would not be supported by the union itself. It argued that collaborating on voting and engagement would: enable the trade union movement to speak with one voice on capital market issues; make it much easier and cheaper for unions to get involved in this area of work; achieve economies of scale and avoid wasteful duplication; and, if successful, could provide a platform which in due course other labour movement organisations could be invited to join.

The General Secretary wrote to the general secretaries of all affiliated unions inviting them to send a representative to a meeting in May to take forward the proposal. Ten unions were represented at the meeting or expressed interest, with all supporting the idea of taking the proposal forward. The staff pension schemes of the TUC, UNISON and Unite have given an 'in principle' commitment to the collaboration. Further work and meetings are planned.

4.6 | Pensions

This paragraph covers the General Council's work on pensions, including work relating to Composite 5 on pensions agreed at the 2010 Congress. The General Council has continued to call for improvements to both state and workplace pensions, both in the public and private sector. Improvements are needed to assist today's and tomorrow's pensioners so that everyone can have an adequate pension and dignified retirement free from poverty.

The TUC's policy work is informed by regular meetings with the Trade Union Pensions Specialists. This group enables the TUC and unions to share information, consider government pensions policy and contribute to the TUC's official responses on pensions. This year union pensions officers contributed to the TUC's submissions to the DWP green paper *A state pension for the 21st century*; the TUC's interim and final submissions to the Independent Public Services Pensions Commission chaired by Lord Hutton; the DWP consultation on the impact of using the Consumer Price Index (CPI) as the measure of price increases for private sector occupational pension schemes; the TUC submission to the National Association of Pension Fund's Workplace Retirement Income Commission; and to the Pension Regulator's discussion paper: *Enabling good member outcomes in work-based pension provision*, which examined the regulation of the defined contribution pensions market.

The detailed work on public sector pensions is reported below in the paragraph on public services.

During the year the TUC has highlighted its deep concern about the retreat by private sector employers from the provision of pension schemes. The decrease in members' benefits, closure of defined benefit (DB) schemes to new members and to future accrual for existing members has continued over the past year. In unionised workplaces unions have successfully managed to negotiate with employers to retain DB provision and thereby resist levelling down. Yet all too frequently good quality DB schemes have been replaced by less generous defined contribution (DC) schemes where the risk is placed on the member. What is more, the move from trust-based DC schemes to contract-based schemes run by insurance companies has continued, and, despite TUC calls for such a measure, there is no regulatory requirement for a member voice

in the scheme governance of insurance-company run schemes. The latest figures produced by the Pensions Regulator show that there are 1.5 million members of trust-based DC schemes and three million members of contract-based DC schemes.

Throughout the year the TUC has been working closely with the DWP and the National Employment Savings Trust (NEST) to discuss how the 2012 pension reforms can be made a success and ensure that as many people as possible who are not currently saving, or are under-saving, begin to save for retirement as the reforms are rolled out from next year.

During the year the TUC expressed its strong objection to the Government's change to uprate some benefits and pensions in line with the CPI instead of the Retail Price Index (RPI). This has included meetings between the TUC General Secretary, the Prime Minister and Chancellor of the Exchequer; lobbying on the Pensions Bill 2010-2011; conference speeches and press campaigning. The change to CPI uprating for pensions covers public service schemes; many private sector defined benefit pensions (although this is dependent on the exact scheme rules); the Financial Assistance Scheme; the Pension Protection Fund; the State Second Pension and some benefits. The Basic State Pension (BSP) will also be affected in some years. The BSP will now be increased in a new "triple lock" mechanism by the higher of earnings, CPI inflation or 2.5 per cent. While over time this is likely to produce a higher state pension than the old link to RPI inflation alone, in some years the new CPI link will produce smaller increases than the old system. While reintroducing an earnings link to the basic state pension is a welcome reform in line with the Pensions Commission's recommendation and TUC policy, the new mechanism will not restore any of the value lost over three decades from the removal of the earnings link for the BSP.

During the year, the TUC has also highlighted the amount spent on pensions tax relief. The total cost of pensions tax relief currently spent on pensions is £39bn or 2.8 per cent of Gross Domestic Product (GDP). In contrast public service pensions cost 1.9 per cent of GDP – and will fall to 1.4 per cent 2059-60 according to Lord Hutton's final report on public service pensions. In our response to the recent state pension DWP green paper we argued that a significant increase in the state pension could be paid for by reforms to the pension tax relief regime.

The diminution of workplace pension provision and attacks on pensions, in both the public and private sector are of continuing concern to the TUC. If people retire with little or no occupational pension they will have to depend on an inadequate state pension and means-tested benefits. Clearly this is an unacceptable state of affairs. Therefore the TUC and affiliates have worked closely during the year to defend state, public and private sector pensions.

The importance of good quality private sector pensions

Throughout the year the TUC has continued to press for high quality occupational pensions for all workers in the private sector and raised our concerns about the decline in private sector pension provision. In 2010 39 per cent of male employees and 28 per cent of female employees belonged to employer-sponsored pension scheme in the private sector, compared with 52 per cent and 37 per cent respectively in 1997. Furthermore, this is closely correlated to income, with workers on high earnings more likely to be a member of a pension scheme than those lower down the wages ladder.

In pursuit of Composite 5, carried at the 2010 Congress, in March the TUC responded to the DWP consultation on the impact of using CPI as the measure of price increases on private sector occupational pension schemes. In our response we pressed for employers to consult with employees on any change to pension scheme rules that would change pension uprating from RPI to CPI. The Government has agreed that this change will take place.

As part of this consultation, the TUC and affiliated unions successfully lobbied against the Government introducing modification powers so that scheme rules could be changed to uprate private sector pensions in line with CPI, which is usually lower. The result of the consultation is that the means pension schemes use to index and revalue scheme benefits will largely depend upon their scheme rules. The DWP estimate that the change to CPI for private sector schemes alone will reduce the value of current and future members' pension rights by as much as £73.2bn over 15 years.

The General Council continues to support auto-enrolment, which will start to be phased in next year. When fully implemented this will bring millions of people into pensions saving

for the first time and compel their employers to contribute. This is undoubted progress.

However this expansion of defined contribution pensions has focused increased attention on their structure and charges. The TUC has supported the Tomorrow's Investor project at the Royal Society of Arts as they develop a critique of DC pensions and, in its evidence – both oral and written – to the National Association of Pension Fund's Workplace Retirement Income Commission, called for a debate on how best to reduce charges, improve governance and share risk with employers and between members. In our submission to the Regulator's discussion paper *Enabling good member outcomes in work-based pension provision* we urged the Regulator to make clear to employers that the eight per cent pension contribution on a band of earnings once the 2012 reforms are fully rolled out in 2016 is only a starting point, and that in time we would like to secure a minimum of ten per cent employer and five per cent employee contribution of all earnings in order to enable employees to achieve an adequate pension.

The 2012 pension reforms

In October, Paul Johnson, Frontier Economics and Institute for Fiscal Studies; David Yeandle, Engineering Employers' Federation; and Adrian Boulding, Legal and General, published *Making automatic enrolment work: A review for the Department for Work and Pensions*. This followed the establishment of the three person review by the Government in June 2010. The TUC submitted evidence to the review and while we opposed some of the review's recommendations and were disappointed that there was no consumer or employee representative involved in the review, we recognised that it stayed within the broad consensus established in the wake of Lord Turner's Pension Commission, and did not make the damaging changes urged by some, such as the exclusion of the staff of small employers or a big increase in earnings thresholds so that auto-enrolment only applied to employees well-paid enough to be attractive to the pensions industry.

Our concerns focused on two measures.

- The introduction of an optional 'waiting period' of up to three months before an employee needs to be automatically enrolled into a workplace pension. Workers can, however, opt in during the waiting period and receive the employer contribution.

- The law currently requires that anyone who earns above the bottom of the band of earnings on which contributions must be paid is automatically enrolled. This means the earnings trigger is the same as the contributions threshold. However the review proposed a higher trigger set at the income tax personal allowance but keeping contributions from the National Insurance threshold. This will adversely affect part-time women workers as they make up the majority of those earning between the NI limit and the personal allowance. The gap could grow if the Government continues to take forward plans to raise the basic personal tax allowance.

These changes are contained in the Pensions Bill 2010-11 currently being debated by Parliament and the TUC has been lobbying MPs to raise awareness of our concerns regarding these changes.

We have also continued to have a close involvement with the development of the National Employment Savings Trust (NEST). This is the scheme designed for low to middle income earners when auto-enrolment and compulsory employer pension contributions commence in 2012. In June Nigel Stanley, TUC Head of Campaigns and Communications, was appointed as a trustee member of the NEST Corporation.

Throughout the year the TUC has continued to liaise with the Pensions Regulator, the employer compliance body for the 2012 reforms. We want the new system to ensure employer compliance with the Pensions Act 2008 and for workers to be auto-enrolled into either NEST or a good quality employer provided scheme. The TUC has also stressed the importance of the Regulator being adequately resourced for this very important function. We have also said that it is equally important that the information campaign run by the DWP for individual potential savers is properly funded.

State pension and state pension age

In April the DWP issued the green paper *A state pension for the 21st century*, which covers reforms to the state pension and the introduction of a mechanism to determine increases in the state pension age beyond the age of 66. The TUC consultation response pointed out that a significant increase in the Basic State Pension

is needed for everyone to have a dignified retirement and must include both current and future pensioners, which is not what the green paper envisaged. The TUC will therefore continue to work with the DWP to seek improvements to the state pension reform agenda so that genuine improvements can be made to state pension provision.

Throughout the year the TUC and affiliates have also continued to work closely with the National Pensioners Convention (NPC) to seek improvements for pensioners.

The TUC has also opposed strongly the increase in the State Pension Age (SPA). The Pensions Bill 2010-2011, which is currently being debated in Parliament, plans to increase the SPA to 66 – on a timetable that particularly impacts women and breaks the Coalition Agreement. This raises the prospect of further changes to the SPA, since those agreed under the Turner settlement that were only made in the Pensions Act 2007, including earlier and greater increases in SPA. There are two stages for increasing the SPA set out in the Bill. Firstly, equalisation of the increase of the SPA between men and women will be accelerated from April 2016, so that women's SPA reaches 65 by November 2018 (rather than in March 2020 as set out in current legislation). This will be followed from December 2018 by the increase in the SPA from 65, reaching 66 by April 2020. The Government's own research indicates that an increase in SPA will have a disproportionate effect on women, disabled people and possibly on certain ethnic groups. An increase in SPA also affects people on lower incomes disproportionately. The TUC has therefore lobbied against this change during the passage of the Bill, and will continue to do so. We have also raised our objections in meetings with Lord Freud, DWP Minister for Welfare Reform and Steve Webb MP, Minister for Pensions.

During the course of the year the TUC has examined the true costs of living for pensioners. During the passage of the Pensions Bill we have argued against the Government's claim that the change to CPI is justified on the grounds that the CPI provides a more appropriate measure of the inflation faced by pensioners. The Age UK's Silver RPI study and analysis comparing ONS figures of CPI, RPI and pensioner RPI demonstrates that the change to CPI is not a better representation of pensioner inflation than RPI. Age UK estimated in May 2011 that since 2008 the extra increase in prices measured by their measure of inflation for over 55 year olds, the Silver RPI, relative

to headline RPI inflation now costs the average person aged 55 and over £918 per year. Research published by the Institute for Fiscal Studies in June also found that pensioners, in particular those who depend on state benefits, experienced higher rates of inflation than non-pensioners. Furthermore, TUC analysis of ONS data indicates that overall, the level of pensioner inflation is substantially greater than CPI. In 19 years from 1988 to 2010 the annual pensioner RPI rate was higher than CPI for one or both pensioner household categories. It is therefore not the case that CPI is a more suitable measure of inflation experiences of pensioner householders.

Financial Assistance Scheme (FAS) and the Pension Protection Fund (PPF)

The TUC and affiliates have continued to liaise with the DWP and PPF on the operation of FAS and PPF benefits. FAS is a highly significant TUC and union achievement to secure retirement benefits for members of schemes that collapsed before the PPF was in operation. In November the TUC submitted evidence to the DWP consultation on the Financial Assistance Scheme and Pension Protection Fund (Valuation, Revaluation and Indexation amendments) Regulations 2011 which examined the change from the RPI to the CPI as the uprating index for the FAS and PPF. To provide CPI increases, both before and after retirement, where the pension scheme members were previously entitled to RPI uprating increases from their scheme, is completely unjustified and unfair to those concerned as it will result in lower payments. The TUC has lobbied against the change to CPI from the RPI in calculating the PPF compensation payments during the course of the Pensions Bill 2010-2011.

Kay Carberry, TUC Assistant General Secretary, contributed to the PPF's thinking on the future shape of the PPF levy and in May the PPF announced details of its new levy framework which will take effect from 2012/13.

The TUC Pensioners Committee

During the year the TUC Pensioners Committee, chaired by Michael Leahy, has continued to meet. In the past year Richard Exell, Senior Policy Officer, and Nicola Smith, at that time Senior Policy Officer and now Head of the Economic and Social Affairs Department, have given presentations to the Committee. Frank Cooper,

President of the National Pensioners Convention (NPC) has continued to attend the Committee as an observer. This helps to continue the close working relationship between the TUC, affiliates and the NPC.

PensionsWatch

In September 2010 the TUC published the eighth annual *PensionsWatch* report. The study examined the pensions of directors from over 100 of the top UK companies, finding that executives had pension pots worth an average of £3.8m, providing an average expected pension of £227,726 per year. This is around 26 times the average workplace pension. Those directors with the highest entitlement in each firm (usually the chief executive) were found to have average pension pots of £5.26m, delivering expected pensions of £298,503 a year.

PensionsWatch found that – in stark contrast to the trend for most employees – senior directors tended to have defined benefit pensions that built up at a generous rate and came with comparatively low retirement ages (the majority had a retirement age of 60). Those who were in defined contribution schemes received an average employer contribution rate of around 19 per cent, three times the average rate for ordinary workers in this type of scheme.

The TUC called for directors to be members of the same pension schemes as employees on the same terms and for greater clarity and reporting of pay, remuneration and pensions, in order to provide investors with the information they need to scrutinise awards made to directors. The study received widespread media coverage.

TUC Stakeholder Pension Scheme

The TUC continues to run the TUC Stakeholder Pension Scheme, liaising with the Prudential as the administrator of the scheme. It is a trust-based stakeholder pension scheme and is open to both union and non-union members and their families.

4.7 | Social security

The Government has announced four major changes to social security since the general election. Two were the cuts announced in the

Comprehensive Spending Review and the Budget, dealt with separately in this chapter. The others were the Welfare Reform Bill and the Work Programme. The Welfare Reform Bill introduced Universal Credit and Personal Independence Payment (PIP); in October, the TUC published a response to the Government's welfare reform proposals generally and in February a response to the plans for PIP.

The Universal Credit will be an integrated benefit for people in and out of work that will replace existing working age benefits. It will be made up of a standard allowance, with additional elements for children, housing and other costs and there will be a single “taper” – the rate at which Universal Credit is reduced as other incomes rise. Existing tax credits and means-tested benefits will be abolished. The TUC response argued that while a simpler system and a single taper were good objectives this reform was being paid for by cutting support for second earners and for childcare costs. The Government had promised that no-one would find that they were worse off when the Universal Credit was introduced in 2013 – but this promise was only made possible by introducing serious cuts before then. These points were argued by TUC representatives on an expert advisory panel on Universal Credit established by Lord Freud, the Minister for Welfare Reform.

During the year, the TUC backed up these policy positions with a series of analyses and reports. October saw an analysis showing that changes to tax credits could cost low-income families as much as £1,500. In November, this was followed by a report showing that low paid families would face two-thirds of the welfare cuts. In April, a popular on-line tax credit calculator was published, helping individuals to find out what these changes would cost them.

The Welfare Reform Bill establishes the framework for Personal Independence Payment (PIP), which will replace Disability Living Allowance (DLA) in 2014. The TUC response to the consultation on PIP argued that the Government's own comments showed that the primary objective of this reform was a 20 per cent cut in spending from DLA levels. The current system's flaw was that it excluded too many people and its rates were too low, not that it was too generous.

The General Council has been concerned that ministerial and media comments about benefit fraud have focused on those who are claiming disability benefits. Disabled people have reported

that hate crimes are increasingly accompanied by remarks about fraud. Repeated posts by the TUC on the Touchstone blog have argued that the evidence shows that fraud in fact accounts for a small percentage of benefit spending and is particularly rare among DLA claimants.

The Welfare Reform Bill also restricts contributory Employment and Support Allowance for people in the work related activity group to a maximum of one year and includes provisions to remove eligibility for the mobility component of DLA/PIP for people in residential care. The latter aroused such immediate opposition from disability groups that the Government announced that it would be delayed until March 2013.

The TUC responded to these announcements through posts on the Touchstone blog, pointing out that the removal of the mobility component would hit 80,000 very vulnerable people and the time limiting of ESA would affect a third of a million disabled people. The TUC has also responded through membership of the Disability Benefits Consortium, which has taken a lead in opposing these reforms and through support for the historic “Hardest Hit” demonstration by disabled people on 11 May.

The campaign has also been pressed through the TUC’s membership of the Welfare Reform Bill consortium and a briefing for MPs produced for the Second Readings in the Commons and through providing oral evidence to the Bill Committee. A briefing for the Second Reading in the Lords is in preparation and the TUC also provided a briefing on social security issues for the Budget debate.

The 2010 Congress agreed resolution 16 on defence of the welfare state that called on the General Council to campaign to raise benefit levels, oppose workfare and argue for the delivery of welfare by publicly accountable agencies. In October, a poll commissioned by the TUC and the Fabian Society revealed that housing benefit is far from generous – more than half of those paying rent could not absorb any cut at all. In February, the TUC published *Welfare Benefits: A necessity, not a lifestyle*, which argued the case for social benefits paid at an adequate rate (points that have been reiterated in posts on the Touchstone blog).

In December, in response to a consultation by the Social Security Advisory Committee, the TUC argued against the Government’s Mandatory Work Activity programme, which was likely

to increase claimants’ hardship but not their employability.

The Work Programme is the Government’s replacement for the Future Jobs Fund, the New Deals and other employment programmes. It is entirely contracted-out, with contractors paid on an outcome-related basis. The TUC has been concerned that this approach, which leaves the design of provision entirely to contractors, runs a severe risk of “creaming” and “parking” – where contractors concentrate their efforts on those who need least help and do little for those facing the most severe barriers. The TUC is also concerned that privatising this work leaves the Government without a strategic ability to intervene in the labour market. These points have been emphasised throughout the year in the General Secretary’s meetings with Chris Grayling, the Minister for Employment. They have also been relayed to the Government in the response to the White Paper in November and in a meeting on this subject in December with DWP officials. In December, the TUC argued, in written evidence to the Work and Pensions Select Committee, that the abolition of the Future Jobs Fund was a mistake.

In the past year, trade union social security policies have also been progressed through the Social Security Advisory Committee, where the TUC is represented by Nicola Smith. During the year the committee considered a number of significant sets of regulations including changes to Housing Benefit, the introduction of the Government’s Work Programme and increases in conditionality for JSA claimants. The TUC raised concerns regarding the increased hardship that greater conditionality and reductions in housing benefit were likely to cause; the further privatisation of welfare to work services; and the ineffectiveness of mandatory work schemes as means to enable people to move into work. In submissions to the SSAC, the TUC argued against restrictions in Sure Start Maternity Grant and the cuts to housing benefit set out in the 2010 Budget. The TUC also responded to DWP consultations, welcoming the extension of NI credits to grandparents, but opposing proposals to mandate JSA claimants to attend skills provision. In its response to a consultation by HMRC on plans to require employers to report payments and deductions from workers’ pay in “real time”, the TUC reaffirmed its opposition to large scale centralised deductions by HMRC, which might be an increased security risk.

Poverty

The 2010 Congress agreed Composite 3 on child poverty that called on the General Council to lobby the Government to reaffirm its commitment to ending child poverty by 2020, defend universal child benefit and support affiliates' take-up campaigns.

The TUC has continued to be an active member of the End Child Poverty coalition (ECP), contributing to its advisory, policy and campaign groups. In August 2010, the TUC took part in an ECP delegation to Frank Field MP, who had been commissioned by the Government to carry out a review of poverty and life chances. At that meeting, the TUC argued that the incomes of poor families were the most important determinant of the life chances of their children. In December, when the Field report was published, the TUC responded with a critical analysis that pointed out that the report had two very different elements. One was a summary of the widely-accepted evidence regarding the importance of a child's early years for their future life chances. The other was a much more dubious attempt to argue that income is relatively unimportant. The TUC pointed to a number of cuts and policy changes that would reduce support for children in their early years:

- Restricting Sure Start Maternity Grants to the first child in families.
- Abolition of the Health in Pregnancy Grant.
- Abolition of the baby element of tax credits.
- Non-introduction of the toddler tax credit.
- The three-year freeze of Child Benefit.
- The reduction in the proportion of childcare costs covered by tax credits.

Low-income families with babies would be £1,200 a year worse off even after taking into account the Government's increase in the Child Tax Credit.

As a member of the ECP, the TUC lobbied for the Government to publish a plan to end child poverty by 2020 and to establish a child poverty commission. In November, TUC staff met officials from the Government's Child Poverty Unit to press this case. In February, we published a response to a consultation on the Government's new strategy, arguing that raising incomes is the key to tackling poverty and that in-work poverty should be a priority. This would require extra support for working parents to help them

increase their hours and progress to better-paid jobs.

In April (after the deadline set in the Child Poverty Act) the Government announced that it would create a commission on social mobility with child poverty as a secondary objective. In response, the TUC drew attention to *Social Mobility*, a report the TUC had published the previous August, which showed that social mobility is not an alternative to equality – international evidence shows a positive correlation between social mobility and equality.

On 18 October, the network of TUC-recognised unemployed workers' centres hosted the 2010 TUC Poverty Conference, titled Challenging Poverty in Changing Times. Speakers included Jonathan Portes, Kate Green MP, Mark Serwotka and Frances O'Grady. There were also workshops on disability benefit reform, benefit rates, alternatives to cuts, in-work poverty and organising.

4.8 | National Minimum Wage

The General Council believes that the National Minimum Wage (NMW) is a key measure in combating in-work poverty. We have worked to develop cross-party support for the minimum wage and we will continue to push for the highest rates that are economically sustainable.

The Low Pay Commission (LPC) has played a key role in making the minimum wage a success, by bringing together trade union representatives, employers and academic experts. The TUC's work during the past year has been informed by Resolution 28 on the National Minimum Wage and apprentices carried at the 2010 Congress.

In September 2010 the TUC Executive Committee endorsed a submission to the LPC. This was supported by the TUC team that gave oral evidence to the Commission in November. A number of trade unions have also organised meetings between the LPC and groups of workers. The Commission meets many employers and has regarded contact with employees as an important counterbalance.

In February 2011 the LPC published its recommendations for October this year, which were largely accepted by the Government. It is estimated that the October 2011 increase will

benefit around 900,000 workers, the majority of them women.

Minimum Wage Rates from October 2011 onwards

- £6.08 - Adults aged 22 and above
- £4.98 - 18-21 year old workers
- £3.68 - 16-17 year old workers
- £2.60 – apprentices under age 19 or in first year of course

The rate for apprentices was introduced in October 2010 and the number of apprentice “starts” has subsequently increased. The TUC estimates that the initial rate of £2.50 per hour benefited 14 per cent of apprentices, some of whom were previously paid nothing at all.

The forthcoming 2.5 per cent increase in the adult rate is likely to slightly exceed the growth in average earnings during the next year. However, high levels of unemployment amongst some

groups of young workers have led to the LPC recommending slightly more modest increases to the youth rates this year.

Members of the Low Pay Commission 2011/2012

David Norgrove – Former Pensions Regulator. Deputy Chair of the British Museum, board member of Amnesty International. (*LPC Chair*)

Heather Wakefield – UNISON National Secretary

Peter Donaldson – Managing Director of D5 Consultancy Ltd

Frances O’Grady – TUC Deputy General Secretary

John Hannett – USDAW General Secretary

Susan Anderson – CBI Director of Public Services and Skills

Neil Goulden – Chair, Gala Coral Group

Professor Bob Elliott – University of Aberdeen

Professor Stephen Machin – University College London

International minimum wages – highest adult rates December 2010

	Purchasing power parity value*	Adult rate as a percentage of median average earnings	Age full adult rate paid
France	£6.64	59.8	18
Australia	£6.60	52.7	21
Netherlands	£6.35	45.2	23
Belgium	£6.07	50.8	21
UK	£5.93	49.1	21
Ireland	£5.72	51.1	20
New Zealand	£5.19	60.0	16
Canada	£4.99	43.8	16
USA	£4.84	35.5	20
Japan	£3.83	36.2	16
Greece	£3.47	41.9	25
Spain	£3.13	40.9	16
Portugal	£2.58	49.8	16

Source: Low Pay Commission 2011, pps 150 & 151. Data compiled in December 2010.

*The OECD purchasing power parity measure is an internationally agreed way of calculating the real worth of income by measuring what it will actually buy. Where national pay surveys covering both employers and workers are available (such as ASHE and the LFS in the UK) the mid-point between the two is reported here.

The UK has the fifth highest minimum wage in the world in terms of what it will buy, and the sixth highest as a percentage of average earnings.

The TUC has continued to convene meetings of the National Minimum Wage Enforcement Group, which brings together unions, advice agencies and the lead civil servants from the Department for Business, Innovation and Skills (BIS), the LPC and HM Revenue and Customs (HMRC).

The abuse of work experience and “internships” has continued to be a key issue. Taking account of Resolution 29 of the 2010 Congress on interns, the TUC lobbied both BIS, who lead on the NMW, and the Cabinet Office, who lead on access to the professions. The NUJ, Equity and BECTU have all won employment tribunal cases enforcing the NMW for members who had been asked to work for nothing as ‘interns’.

In July 2011, the Government endorsed a code of good practice on the use of internships in the professions, which the TUC had helped to develop as part of the implementation of the recommendations from *The Panel on Fair Access to the Professions*. This code upholds the NMW as a minimum standard and recommends that employers consider paying more in order to attract and motivate good recruits.

The Government has also promised to launch new guidance on the NMW and unpaid work in the autumn, as a precursor to instructing HM Revenue and Customs to target the sector for enforcement in the latter part of the financial year. The TUC will ensure that unions are involved in this campaign.

The TUC and the maritime unions have worked to ensure that seafarers are protected by the Equality Act (see Chapter 3) and have lobbied the relevant European Commissioners. The Commission subsequently opened infraction proceedings against the UK, after which the Government brought new regulations before parliament to apply the act to seafarers of EU and EEA origin, which is the least that European law demands. However, around half of the seafarers on UK ships come from the Philippines and will still not be protected. The TUC has therefore also worked with RMT and Nautilus International to try to extend the coverage of the NMW to more non-UK domiciled seafarers on British ships. A working party established by the shipping minister Mike Penning concluded that it would be possible to extend coverage on an individual

basis using a “base test” to establish whether the seafarer in question had a significant link to the UK. However, we have yet to hear whether the Government intends to take further action on this issue. It is certain that the Chamber of Shipping would vigorously oppose such a change.

The TUC, Unite and the GMB also met HM Revenue and Customs to share information about the misuse of “troncs”, which are bodies that pool and disburse workers’ tips.

The living wage

The TUC actively supports living wage campaigns. At the 2010 Congress we launched *Unfinished Business, the Quest for the Living Wage*, a report produced jointly with the Fair Pay Network (FPN), a campaign group that has the support of a number of trade unions. We have also continued to work with the FPN on campaigns throughout the year and have worked with Citizens UK to promote the living wage and are currently working to achieve consensus on a single living wage rate outside of London, based on the work of Donald Hirsch, Head of Social Policy Research at the University of Loughborough. Further work on the implementation of the London Living Wage and the London 2012 Olympic and Paralympic Games is covered later in this chapter.

4.9 | Working time

The recession and the continuing economic difficulties have generated some conflicting pressures on working time. Some employers have cut staff and expect those who remain to work more hours, but the more common effect of slack order books has been to reduce the use of overtime and long hours.

The number of employees working more than 48 hours per week has fallen from 3.3 million at the start of 2008 to 3.0 million in autumn 2010. This is the lowest level since 1990 and the numbers have continued to fall during the past year. In contrast, there has been some revival in the use of paid overtime. As many as 4.2 million employees now work paid overtime, which is an increase of 300,000 on last year. However, this figure is still 400,000 lower than the total at the onset of the recession. Unions will need to be alert to the danger that economic recovery could lead to a

revival of excessive working time for some groups of employees.

At European level, despite the failure of the Commission's 2004-2009 review of the Working Time Directive (WTD), Commissioner Laszlo Andor has now launched a further review. The General Council was disappointed with the Commission's 2010 proposals, which, as we feared, focused too much on rolling back the European Court of Justice judgements on working time and had nothing to say about ending the individual opt-outs from the 48 hour average limit on weekly working time. Following a major ETUC conference on working time in February 2011, we gave a critical response to the Commission's proposals.

In March the European Commission asked the social partners whether they wished to negotiate on a revised set of proposals. At this stage, the ETUC considered there would be merit in trying to negotiate with the three European employer social partners, BUSINESSEUROPE, CEEP and the UEAPME, providing that they would discuss our full agenda, including ending the opt-outs. Talks are expected to commence in the autumn.

The Commission also published its long-delayed report on the implementation of the WTD. This showed that 22 member states had failed to comply with some aspects of the Directive. It has since been reported that the Commission has been pursuing an infraction strategy against a number of these states. As the penalties for non-compliance can be very severe, this might help to move the position of some obstructive states, but it seems certain that progress on the WTD will be slow at best.

The TUC's eighth annual Work Your Proper Hours Day was held on 25 February 2011. This marks the notional point in the year when the average worker who undertakes unpaid overtime begins to get paid for their efforts.

A key focus of this year's event was to highlight the contribution made by public sector employees, who are most likely to work unpaid overtime. The value of unpaid work in the public sector was £11.3bn last year and our publicity pointed to the fact that the high value of public sector goodwill was a further argument against government funding cuts.

In the spring the Department for Culture, Media and Sport consulted on moving the May Day public holiday to the autumn or to the national

saint's day in England and Wales, as part of the domestic tourism strategy (the issue is devolved in Scotland and Northern Ireland).

The TUC helped to coordinate submissions from a range of business and cultural groups in defence of May Day. More than 60 per cent of the 2,500 responses received by the Government came from individual trade union members. But despite this response it is expected that the Government will continue to press for the change.

The TUC has continued to campaign with WorkWiseUK, which is a coalition of business organisations promoting flexible working and high quality homeworking. In particular, we campaigned for an increased use of flexitime and homeworking as a response to the heavy snow falls experienced in December 2010.

4.10 | Housing

The General Council's work on housing this year has been guided by Composite 6 and Emergency Resolution 5 of the 2010 Congress, which dealt with housing and the redundancy notices issued at Birmingham City Council respectively.

The General Council has continued to press hard for more social and affordable homes, with a significant role for local authorities in building and operating new homes. We have opposed a number of aspects of the coalition Government's housing policy on the grounds that they will impede the achievement of our goal of decent homes for all. In particular, we fear that the abandonment of housing targets will simply lead to fewer homes being built. We are also concerned that proposed changes to access to social housing, the types of tenancies which are provided and the way that the homelessness duty is discharged will adversely affect some of the most vulnerable people in our society.

The TUC is also concerned to ensure that sufficient private houses are built for sale and that affordable mortgage finance is available. Amongst those in work, trade union members are more likely to be owner-occupiers than non-members. Stabilisation of the housing market is also thought to be a necessary condition for the return of consumer confidence, and thus for a sustained recovery. There is, however, little sign that these conditions are being met in many parts of the country. The latest figures from the Council of Mortgage Lenders show the number of loans approved in May to

be five per cent lower than the year before, and whilst the number of repossessions has not reached the astonishing levels seen in the early 1990s, the forecast of 40,000 households losing their homes this year is still around double the average.

In addition, figures from the Land Registry show that UK house prices fell by 2.2 per cent in the year to May. However, the regional picture is very mixed, with prices increasing by 2.9 per cent in London but falling by 6.9 per cent in the North East of England. This situation demands a regeneration agenda that is based on providing more jobs away from London and the South East. In addition, it is noticeable that the top end of the market has fully recovered and that the number of houses sold for more than £1 million is growing strongly.

In July 2011 the TUC published the Touchstone Pamphlet *Can housing work for workers?* Working with the Fabian Society, we brought together a number of key players to discuss the future of housing policy, including Caroline Flint, the shadow housing minister. A key point to emerge from this work was that government policy needs to reflect the fact that private sector housing has become “problem tenure” for around two million working-age people with mortgages. In addition, home ownership was hindering labour mobility, especially since the onset of the credit crunch.

4.11 | Climate change and energy

The coalition’s *Programme for Government* offered continuity with Labour’s high level commitments to tackle climate change, promising “a full programme of measures to fulfil our joint ambitions for a low carbon and eco-friendly economy.” It committed to a Green Investment Bank, a privately-financed Green Deal for homes energy efficiency, continuing public funds for carbon capture and storage (CCS) projects, reform to the energy market including a minimum carbon price to stimulate low carbon technology (which subsequently became Congress policy in 2010) and an energy mix comprising renewables, fossils fuels with CCS and new nuclear. The coalition Government also endorsed an ambitious UN global deal on climate change.

Whilst some promises have progressed, the Government’s macro-economic strategy has stymied much green economic growth, notably because of cuts in public expenditure and retrenching the role of government.

On green industrial policy, the Government’s decisions to scrap the £1.4m Strategic Investment Fund and the Regional Development Agencies have limited support for green enterprise. Tripartite bodies like the Renewables Advisory Board and the Forum for a Just Transition have also had their activities curtailed.

The Energy Minister has kept to a pre-election commitment to provide £1bn of public funding for the first of four carbon capture demonstration projects and has promised public support for three more. Under pressure, the Government retained Labour’s £60m for dockside developments to support the offshore wind industry. But it has so far refused to reinstate a promised £90m loan to Sheffield Forgemasters for low carbon technology. Warm Front – the Government’s home energy efficiency scheme in England to help vulnerable households – was cut by £500m (two-thirds), triggering hundreds of redundancies. The replacement programme based on private finance, the Green Deal, will take years to deliver green jobs on a large scale.

The TUC has sought to present a coherent and consistent response to these developments based on Congress policy. We have argued for a “just transition” to a low carbon future avoiding the injustices of rapid economic change in the past, based on effective dialogue and consultation between government, business and unions on the need for massive investment in green jobs and skills for a low carbon economy. Our key demands have included a regulatory framework to encourage significant investment in employees, skills and infrastructure; a stable floor price for carbon; policies that secure our key industries like steel, aluminium and ceramics against carbon leakage; government support for innovation and UK supply chains; and a binding UN global agreement on climate change. In consultation with affiliates, we have continued to build alliances with employers, business organisations, community and voluntary bodies on issues of common concern. This approach was reflected in the theme of the TUC’s annual climate change conference in October 2010, Alliances for Green Growth.

Green Economy Council

Given the basic importance of establishing dialogue with government and other stakeholders, the TUC prioritised securing a replacement for the Forum for a Just Transition. Following representations to ministers, we therefore welcomed the Government’s decision in November 2010 to set up a new, high level, tripartite

body, the Green Economy Council (GEC). The council provides for continuity in consultative arrangements on green growth at national level. The TUC is represented on the 20-member council by Paul Noon, General Secretary of Prospect and TUC General Council member, and Frances O'Grady, TUC Deputy General Secretary. Industry representatives include the chair or CEO of Ineos, Ford UK, GKN, Northumbrian Water, Shanks, Waitrose, Tata Steel Europe, Sygenta, Kraft, Centrica, IBM, Siemens, Climate Change Capital, and Bosh Thermotechnology. Industry bodies include the CBI, British Chambers of Commerce and the Aldersgate Group.

The Government describes the Green Economy Council as the “leading engagement mechanism for development of new green growth policies”, which it wants to advise on “business opportunities and challenges” for a low carbon economy. The council has met twice in 2011, on both occasions focussing on the terms of a promised Roadmap for a Green Economy, due to be published by summer 2011.

The GEC has also established an Energy Intensive Industries Task Group in response to intense disquiet over energy prices and jobs losses facing these industries. The group will bring together evidence on how these industries are affected by energy and climate change policies, including how investment decisions may be affected. It will make policy proposals to the GEC by the end of 2011. The GEC is likely to establish a similar task group on skills for a low carbon, resource efficient economy. This would be welcome. The TUC has however expressed concerns over the apparent lack of clear government leadership on skills, particularly the lack of a credible narrative on higher level Science, Technology, Engineering and Mathematics (STEM) skills, an issue of key concern to employers.

Green Investment Bank

The Business Secretary published the Government's vision for the Green Investment Bank (GIB) in May 2011, clarifying, after much uncertainty, that it will have operational independence to fulfil a mandate “to accelerate private sector investment in the UK's transition to a green economy.” Financing priorities include offshore wind investment, non-domestic energy efficiency, waste and the opening phases of the Green Deal.

However, the £3bn limit on the bank's available capital to at least 2015 means the GIB can only

play a minor role in the massive investment required to 2020 and beyond to renew our energy infrastructure. This £110bn challenge, combined with a multitude of other green investments including the Government's flagship Green Deal home insulation scheme, requires investments that in total exceed £450bn.

The financial cap reflects the Treasury's insistence on keeping the GIB on the Government's balance sheet, and is therefore tied to the Government's fiscal policy. The TUC does not believe that this ideologically driven position is good green economics: most other European public infrastructure banks do not feature on their balance sheets. The TUC has argued that the Government should free the GIB to deliver green investment at the scale and pace required for a green recovery.

Energy policy

In March 2011, a TUC delegation to Energy Minister Charles Hendry pressed the case for the future of our indigenous coal reserves, in the context of energy security and clean coal power developments. Other issues raised included the need for government leadership in a skills strategy for a low carbon, resource efficient economy, as the current demand-led model was clearly not working. The decision to set up the Weightman review in the aftermath of the Fukushima catastrophe was welcome, particularly after a trade union presence was secured on the review, with wide experience of health and safety in the nuclear industry.

The TUC has also emphasised the vital importance of developing links in supply chains associated with the green economy, such as steel in wind turbine programmes, and UK based carbon capture technology.

The Weightman review's interim report published in May 2011 found that the UK had displayed a strong safety culture in its response to Fukushima; that current safety measures were adequate; and that immediate safety improvements to operating nuclear reactors in the UK were not required. In June 2011, the Government's national policy statements for energy infrastructure included a list of eight sites deemed to be potentially suitable for the deployment of new nuclear power stations in England and Wales before the end of 2025.

Concerns that the UK was losing momentum in the transition to a green economy have been voiced by a number of organisations over the past year. The Aldersgate Group (to which the TUC

affiliated in 2011) argued in a report on the green economy that there was “only a small window of opportunity for government to assert leadership.” This theme was taken up in the TUC’s annual climate change conference in July 2011: What makes a good, green government?, which was chaired by TUC President Michael Leahy. The conference included a parliamentary panel debate on the role of government between Energy Minister Greg Barker, Shadow Environment Secretary Meg Hillier and Caroline Lucas for the Green Party.

Energy market reform

Much of the TUC’s work on energy and climate change policy in the past year has focussed on responses to government plans to reform the UK electricity market, and its implications for jobs, investment and green growth. This work has been informed by Composite 7 on climate change, agreed at Congress 2010.

The Government opened a round of consultations on Electricity Market Reform (EMR) at the beginning of 2011, proposing a series of pragmatic market interventions to drive investment into low carbon energy. The EMR includes proposals to set a “carbon floor price” (CFP). This is, effectively, a carbon tax on the fossil fuels used by energy companies and heavy industry to encourage investment in alternative, low carbon technologies. Other measures include long-term supply contracts funded by a system of new feed-in tariffs to provide more certainty on revenues for low carbon generation and make clean energy investment more attractive.

The electricity market proposals acknowledged that the UK faced profound challenges in the two decades ahead. Demand for electricity may double by 2050, as the UK increasingly relies on electricity for transport and heating. To meet commitments to provide secure, affordable, low carbon energy supply, the UK must replace a quarter of power stations by 2020 and quadruple our supplies of renewable electricity, at a cost of £75bn. Together with £35bn needed for new grid and other infrastructure, this implies £110bn of new investment by 2020, more than double the power sector’s yearly investment rate over the past decade.

By 2020, a quarter of nuclear, coal, oil and gas plants are due to close both in order to meet EU emissions standards and as they reach the end of their design lives. By 2020, 30 per cent of electricity will need to come from renewables, up from 7 per cent in 2009. By 2030, the Government’s Committee on Climate Change

envisages the almost complete decarbonisation of the UK electricity supply market.

In considering its response to this work, the TUC argued that the Government’s review of the UK’s energy market was taking place against the backdrop of a faltering economy, rising unemployment and fuel poverty and that energy market reforms should therefore be seen as a prime opportunity to deliver green jobs, economic growth and affordable energy. The TUC and affiliates in the manufacturing and energy sectors also expressed serious concern over the lack of an industrial strategy to secure the future of these industries in a low carbon economy, in the face of significantly higher energy costs than those faced by many competitors.

Carbon tax

Throughout the year the TUC supported the principle of a carbon tax, in line with the policy adopted at Congress 2010, as part of a framework to support a balanced energy mix - nuclear new build, renewables (both small and large-scale) and coal and gas with carbon capture and storage (CCS). We argued that feed-in tariffs with long-term energy supply contracts could help drive new investment, but that a tariff scheme was needed to secure a place for carbon capture and other innovative forms of low carbon technology.

The re-establishment of a tripartite Business Energy Forum in June 2011, chaired by the Energy Minister, offered a further opportunity for the TUC and affiliates, working with business, to influence the form and content of new energy legislation in the months ahead.

TUC Clean Coal Task Group

Composite 8 at Congress 2010 reaffirmed the TUC’s commitment to securing a role for coal-fired power generation with carbon capture technology in a balanced energy portfolio for the UK.

On behalf of the General Council, much of the work undertaken by the TUC and its affiliates in response to Congress policy was progressed through the Clean Coal Task Group (CCTG). Its activities included MPs’ briefings through the All Party Parliamentary Group on Clean Coal and representations on the case for CCS investment and UK mining through the UK Coal Forum and the Carbon Capture and Storage Development Forum. This new forum, established in November 2010, is chaired by the Energy Secretary, bringing

together government and industry stakeholders to devise ways to overcome barriers and maximise business opportunities in order to deploy CCS commercially in the UK. The TUC is represented on the forum by the Deputy General Secretary.

The CCTG's response to the Government's Electricity Market Reform (EMR) emphasised that, at a time of high unemployment and economic uncertainty, especially for young people, our concern was to secure good quality employment out of the huge energy investments that should lie ahead. The CCTG argued that the major challenge to delivering a balanced energy supply was the current "dash for gas" and that investing in unabated gas-fired power generation without carbon-capture technology, and relying on imported gas supplies, was inconsistent with a strategy to develop secure, diverse and low carbon power supply.

TUC Clean Coal Task Group

The General Council's CCTG is a joint industry/unions/government advisory body. Its remit is: "To identify an appropriate policy framework and supporting economic instruments and regulatory framework that would take forward the research, development and promotion and initiation of clean coal burn and carbon capture and storage technologies". The CCTG has held a number of briefings and workshops during the year. The CCTG is chaired by Dr Mike Farley, to whom the TUC would like to extend its warmest appreciation for his contribution to the group during the year.

Membership:

Dr Mike Farley (Chair), Director of Technology Policy Liaison, Doosan Power Systems

Chris McGlen, Market Analyst, UK Coal (Secretary)

Chris Kitchen, National Secretary, NUM
Pat Carragher, General Secretary, BACM-TEAM

Terry Fox, National President, NACODS
Mike Clancy, Deputy General Secretary, Prospect

Neal Evans, Policy officer, Unite

Gary Smith, National Officer, GMB/Pamela Ross, GMB

Dave Feickert, energy consultant to TUC
Nigel Yaxley, Managing Director, Coallmp

Phil Garner, Commercial Director, UK Coal

David Brewer, Director General, Confederation of UK Coal Producers

Michael Gibbons, Director, Powerfuel Plc (the Hatfield IGCC project)

Stephen Boyd, Scottish TUC

TUC staff: Philip Pearson and Nicola Smith.

Energy intensive industries

Last year's General Council Report outlined the TUC's concerns about the threat to jobs and investment in core industries such as steel, cement, chemicals and ceramics as a result of the UK's high energy costs. These concerns intensified over the past 12 months as further government reforms to the electricity markets emerged early in 2011. The TUC commented that the reforms again lacked an assessment of the cumulative impacts of climate change policies, including the addition of a carbon price floor, or carbon tax.

In consultation with the manufacturing unions in these sectors, the TUC's response has been underpinned by two evidence-based studies of the energy intensive industries. Both studies were undertaken jointly with the Energy Intensive Industries Users' Group (EIUG). The first, *The Cumulative Impact of Climate Change Policies on UK Energy Intensive Industries – Are Policies Effectively Focussed?* (2010) argued that, as tax structures stand, energy intensive industries are carrying the greatest burden of policies to tackle climate change and reduce energy use. In future, the impact will become even more disproportionate and intense. The report called on government to consult with industry and unions to develop a policy framework that would avoid the loss of jobs and investment to overseas competitors who have weaker climate change policies, or none at all. The fundamental threat is "carbon leakage", not only the loss of jobs, but control over carbon emissions.

The TUC, affiliates and the EIUG made various representations to government on energy costs. An All Party Parliamentary Group on Energy Intensive Industries was created in autumn 2010, where industry representatives spoke of the lack of clarity on the Government's strategy for the sector.

By early summer 2011, the Government appeared to have understood the depth of concern, with ministers acknowledging that UK-based energy intensive industries must play a full part in and benefit from the transition to a low carbon

economy. In June 2011 the Green Economy Council requested further consultations with stakeholders and a “package of measures” by the end of the year.

The second study, *Technology Innovation for Energy Intensive Industry in the UK* (July 2011), argues that there is a compelling rationale for government to develop an industrial low carbon manufacturing policy, in particular for the energy intensive sector. It shows that energy costs and lack of available capital are key barriers to innovation and called on government to develop a technology innovation strategy that includes new low carbon processes in various industries and where possible support shared solutions, such as carbon capture and storage demonstration for industries such as steel and cement making.

These industries provide many thousands of well-paid jobs across the UK. The TUC intends in the coming year to continue to work with affiliates to press the case for these industries, both in the UK and through the ETUC, to secure their economic and climate change contribution to a low carbon future.

TUSDAC

The Trades Unions Sustainable Development Advisory Committee (TUSDAC) has continued its work on climate change and sustainable development on behalf of the General Council. Defra’s emerging priorities have included farming and natural resource management, building the green economy and ensuring resilience to climate change. TUSDAC therefore agreed to focus its work with the environment department on skills for a low carbon, resource efficient economy; the future of the Forestry Commission in sustaining good environment stewardship; and climate change adaptation.

The high-level TUSDAC policy group is co-chaired by Paul Noon, General Secretary of Prospect and General Council lead on environment and sustainable development, and his opposite number, Defra Minister Lord Henley. The TUC is represented by the Deputy General Secretary.

Much of the TUC’s ongoing activities on energy and climate change is progressed through the TUSDAC Working Group, now chaired by Rob Sneddon, head of environment policy at Community. His predecessor, David Arnold of UNISON, was thanked for his work on behalf of the group at the time he stepped down. The

group has provided ongoing support for the TUC’s greenworkplace projects. It has provided advice on the Government’s energy policy review; the Green Economy Roadmap; skills for a resource efficient economy; and the TUC’s work in support of a fair, ambitious and binding UN agreement on climate change.

Through TUSDAC, the TUC expressed concern over the future of the Forestry Commission and other Defra Public Bodies as a consequence of both CSR 2010 and the Public Bodies Bill 2010. Much of the public opposition to the Government’s plans to dispose of the forest estate has centred on the threats to public access and to the sustainable management of the forest. At the TUSDAC ministerial meeting in March 2011, the TUC and its affiliates in the Forestry Commission highlighted the impact of frontloaded cuts of 25 per cent on the viability of the Forestry Commission (FC) itself and its key functions. Staffing levels and responsibilities, research and organisational capacity and integrity are all at risk. TUSDAC therefore welcomed the Government’s decision in March 2011 to halt the proposed sale of the Public Forest Estate (PFE) and set up an independent panel to review its future. However, returning to these issues at the TUSDAC ministerial meeting in July 2011, the TUC argued that the timing and scale of organisational changes now underway at the FC would pre-empt any substantive recommendations that the independent panel may make. Its interim report is not due until November 2011 and final report in 2012. Specific concerns were raised over the impact of a 34 per cent cut in Forestry Research staff that could do irreparable damage to its research capacity, leaving it unprepared to deal with new diseases and other environmental risks.

TUSDAC further discussed the challenge of equipping the workforce with the skills for a low carbon economy. The TUC argued that the lack of progress reflected failures in the employer-led model the Government favours. The consequences for the department of a lack of government leadership include acute skills challenges in support of farming and sustainable food production and managing risk from plant disease. The TUC argued that there was an urgent need to increase the skills of the existing workforce, including owners and managers and that government leadership would be required.

The department acknowledged the cross-departmental nature of the skills challenge, and plans to feature this issue in its Green Economy

Roadmap, due to be published in summer 2011, which will also acknowledge evidence that businesses are not clearly articulating their skills needs.

Over the year the TUSDAC has highlighted a number of cross-cutting outstanding issues on the Government's adaptation strategy including health risks, workplace temperatures (there being no statutory upper limit), flooding and the growing incidence of wildfire.

Elsewhere, a TUC Briefing note, *The Public Bodies Bill & Sustainable Development: An Overview* (June 2011), assessed the overall impact of cuts to bodies such as the FC, the Environment Agency and the Sustainable Development Commission, which was abolished.

The UN's road to Durban

The UN has until December 2011 to complete negotiations on a global agreement on climate change that will settle key international obligations on carbon emission reductions, climate finance and shared obligations between developed and developing nations. In a difficult year since the near collapse of climate change diplomacy in Copenhagen (December 2009), the UN worked to regain its leadership in unifying nations around a shared vision on tackling climate change.

The ITUC's positive report back from UN negotiations in Cancun, December 2010, reflected its achievement in securing a number of key union demands on the principles of a just transition, decent work and green jobs. The ITUC welcomed the UN's commitment in the Cancun agreement to "ensuring a just transition of the workforce that creates decent work and quality jobs."

In Cancun, the UN adopted a number of place holding decisions limiting global temperature rises, cutting CO₂ emissions, climate finance, low carbon technology and deforestation. However, it is still some way from a binding agreement to succeed the Kyoto Protocol, which expires in December 2012.

During the past year the TUC, working with affiliates, has also provided further assistance and support for in-country work on climate change in the global south, in Ghana, Kenya, Sierra Leone, Bangladesh, Korea and elsewhere. This initiative has provided valuable additional capacity for a number of ITUC affiliates and national unions.

On more limited resources, the TUC will continue to support affiliates in developing countries to build capacity to address the challenge of climate change and will continue to work with the ETUC and European affiliates in securing the maximum EU contribution to a new global agreement.

Rio + 20

The UN's Earth Summit takes place in Rio in June 2012, marking the 20th anniversary of the 1992 Earth Summit, which established the UN's Climate Change Convention - which in turn led to the Kyoto Protocol. Trade unions, through the ITUC, have welcomed the UN's decision to adopt the green economy as a solution to global poverty as its overarching theme for Rio. One billion people are without work globally, so the ITUC will emphasise the need to create millions of green jobs in the context of a just transition to a low carbon future.

Greening the Workplace.

Congress in 2010 saw the launch of the TUC's online UK wide GreenWorkplaces Network Project funded for one year by Defra. The GreenWorkplaces Network aimed to establish the framework for a UK-wide network of green workplaces and mainstream sustainability into union negotiating agendas, encouraging and promoting best practice in greening the workplace.

Through its interactive database, which went live online in February 2011, the Network provides access to advice on greening the workplace, details of events and training courses, an online resource of training materials, handbooks, briefings and practical toolkits on key topics for union reps and professionals.

The network has published over 20 case studies of best practice demonstrating the unique role trade union reps have as ambassadors for improving workplace environmental standards and championing the positive engagement of unions in the green skills agenda. This includes new case studies identified and submitted by network members for publication. On-line feedback forms also enable comments and suggestions for resources to be submitted to the project leader making the network a means of two-way communication.

More than 250 union reps have registered as part of the network which has expanded to

include international registrations from Australia, Belgium, Brazil, Canada, France, Northern Ireland, Norway, Scotland and the United States. The network encompasses members from 27 different unions, highlighting the potential to mainstream the workplace environmental agenda.

Findings from the registration process show that only 27 per cent of network members report that their employer has a joint agreement with unions on environmental issues and only 20 per cent of reps have been granted time off to carry out their union green role. Seventy-five per cent of members have no access to training reflecting the lack of statutory facility time for union environmental reps. This highlights the potential to expand union activity on green workplaces if provisions were made for the workforce to receive environmental training from their union. Given that the Network's online training materials are the most popular pages on the site, with 86 per cent of members downloading these, there is an obvious demand for this support.

New TUC GreenWorkplace web pages have been set up to complement the Network incorporating video and social media. Web links encourage environmental reps to network with one another online, enabling two-way communication between the TUC and its environmental reps, and regular email alerts can now be sent out to all network members to update them on the latest news, case studies and resources.

To complement the online resources, the project has provided environmental training and workshops at regional and national levels in conjunction with an ongoing registration campaign.

Promotion of the network and provision of one-day or part-day workshops by the project was widespread via TUC regions, unionlearn, TUC tutors, the South West TUC GreenWorkplaces Project, affiliates, existing TUC GreenWorkplace projects, unionlearn courses and the Climate Outreach Information Network (COIN). The project also reached out to new audiences via the trades union councils, unionlearn's Recessions and Recovery Project, the TUC's Union Professionals Network and NGOs such as Climate Week. Over the last 12 months promotion via events and workshops has covered an audience of 984 union reps and professionals and community activists.

In March 2011 the GreenWorkplaces Network joined forces with TUC South East Region's

Recession and Recovery Project to hold a one day Green Skills Day conference at Congress House for union activists and community organisations in London, southern and eastern regions. Using a workshop-based format, delegates examined the skills implications of climate change and what it means for the workplace, communities, trade unions and economic recovery. The conference was attended by more than forty activists and has acted as a pilot for further green skills events across the regions.

The Greenworkplaces Network Project has also worked in partnership with the trades union councils JNC 2011 work programme, participating in a workshop at the trades union councils conference in Peterborough this year.

The TUC has also become a partner in the Greener Jobs Alliance, a partnership between the University and College Union, Greenpeace, Friends of the Earth, the TUC and the Institute for Public Policy Research which aims to promote skills training and job creation to meet the needs of Britain's rapidly growing low carbon sectors. The Greener Jobs Alliance liaises at a national and local level to build the broadest possible support for policies, investment, partnerships and commitments needed to drive the transition to a low carbon economy.

This spring the TUC participated in the Institute for Public Policy Research's UK-US Green and Decent jobs exchange programme, forming alliances with participating community and NGOs such as: Capacity Global, Global Action Plan, the Greener Jobs Alliance and the Otesha project. This led to discussions around the TUC's role in supporting local green and greener jobs alliances across the UK through its network of trade union councils active in the community and our links with training providers and colleges. Early discussions have also taken place on forming a partnership with these organisations to form a "London Greener Job Hub" which would aim to ensure that all jobs are greener, provide a living wage, develop greener job policy and practice, create leadership in London, provide an information hub and support greener jobs initiatives. Meanwhile, the TUC is working with the European Trade Union Confederation and its affiliates to develop a European green workplaces programme supported by EU funding.

4.12 | Transport

Rail

The year in rail was dominated by the Government's announcements for rail funding in the Comprehensive Spending Review and the publication of the McNulty Review into value for money in the rail industry.

There was a sense of relief as the CSR gave the green light to a range of capital transport projects with potential positive impacts on regional economies. High Speed Rail, Tyne and Wear Metro, the Midland Metro and Crossrail remained on track. The absence of electrification of rail lines to Wales and the South West were matters of concern but the Department for Transport's capital budget came through better than some feared.

However, while this was welcomed there were also huge concerns. Rail commuters would continue to shoulder the burden with the Government's increase of the cap on regulated rail fares (typically season tickets and other commuter fares) rising from one per cent to three per cent over RPI leading to massive fare increases for rail passengers.

The final report of the McNulty Review into rail value for money, published in May 2011, identified inefficiency and waste brought about by a complex and fragmented system of multiple operators, excessive interfaces and adversarial contractual relationships leading to unnecessarily high transaction costs. The report was less clear on the scale of public money leaking out into train operators' profits and shareholder dividends.

The TUC and rail unions were fully consulted as part of the review and were able to challenge many of the assumptions about labour costs in the industry. In response to trade union submissions, McNulty conceded that there was no correlation between increased public subsidy and wage levels in the industry, the report also highlighted that workers in the UK rail industry were among the most productive in Europe with lower staff costs than a number of EU competitors.

However, the report's recommendations were disappointing. There was a failure to consider seriously the benefits of a national integrated rail system under public ownership. Historical

comparisons with British Rail and benchmarking against European networks clearly demonstrate that integrated, state-run systems are more efficient, though this option remains off the table.

More alarming was the focus on cost reductions through attacks on rail workers pay and conditions. Despite union evidence linking wage increases to significant productivity gains in the industry and the lack of correlation between wage levels and increased taxpayer subsidy, the report identified "excessive wage drift" caused by "weaknesses in human resource and industrial relations management" as a key factor in cost increases. The report also made a number of recommendations directly attacking workers' pay and conditions, including the use of driver only operations as the default position of all services on the network, closures and reductions to opening hours for over half the ticket offices in the country, a priority review of all station staffing and a review of salaries and employment terms for new entrants to the industry. In what might be seen as a veiled attack on collective bargaining within the industry, the report asserted that "the expectation that salaries, at all levels, will increase ahead of inflation must end".

The TUC was also concerned about McNulty's support for the break up and regionalisation of Network Rail with proposals to offer concessions with the "full vertical integration" of track and train operation. This recipe for regional fragmentation and privatisation of rail infrastructure was condemned by unions as a step backwards to the failed Railtrack model. The report also called for greater commercial freedom within longer franchises for TOCs, raising concerns about long term impacts on regional and off peak rail services and ticket prices.

The industry has responded to the McNulty report by establishing a Rail Delivery Group featuring representatives of the rail holding companies and Network Rail. The RDG, chaired by Tim O'Toole of First Group, does not have representation of rail unions or passenger groups. Unions have written to the RDG members seeking a role in the group.

The TUC and rail unions have also met with the Secretary of State, Philip Hammond, on two occasions. It has been agreed that the Government would look to convene a wider industry forum to discuss taking forward reforms to the industry, although the remit will likely be restricted to finding cost savings within the existing industry structure. The Government will

be publishing a white paper on the future of the rail industry towards the end of 2011 and unions will be working together to inform this process.

In response to the threats within the McNulty review, the fare increases inflicted on passengers and in line with Composite 10 and Emergency Motion 3 at Congress 2010, the TUC and unions in the transport sector have united to establish the All Together for Public Transport Campaign. Working with other partners such as the Campaign for Better Transport (CBT), the campaign will make the case for integrated, affordable, accessible and sustainable public transport. Key elements will include working with CBT to promote the Fair Fares Now campaign and fighting job cuts in UK rail and London Underground.

Debate continues around the proposed High Speed 2 project. The TUC has broadly welcomed HS2 however some questions still remain about the route details, project funding and likely impact on fares and access.

The announcement of the award of the Thameslink contract to the German train manufacturer Siemens was met with dismay by the TUC given the likely impact on train manufacturing at the Bombardier plant in Derby, the last of its kind in the UK. Bombardier's announcement of 1,400 job cuts may well mark the beginning of a longer term decline with no new UK orders expected in the near future and most of its production lines closing down. Unions have continued to campaign for a reversal of the decision and have pressed the case directly with the Secretary of State. Working with local MPs and other campaign groups, unions have mobilised a significant campaign centred on Derby. With several months to go before final sign off on the contract, hopes remain that pressure can be brought to bear on the Department of Transport to review the decision. Unions organised a well supported march through Derby on 23 July.

In line with Resolution 36, carried at the 2010 Congress, the TUC has continued to lobby in support of the expansion of freight on rail. Freight traffic increased by 16 per cent in the last year and the TUC continues to work closely with Freight on Rail campaign, liaising closely around our opposition to the Government's proposals to increase HGV capacity on UK roads. The TUC also made the case for ensuring expansion of freight as part of the McNulty Review, highlighting the significant barriers to freight that

would be imposed as a result of regional vertical integration of track and train.

Road transport

The Government's public spending cuts have had a devastating impact on bus services across the country, particularly outside London and metropolitan areas. A combination of massive cuts to local authority funding and a 20 per cent cut in the Bus Service Operators Grant has led to threats of bus service closure in a range of local authorities and the loss of non-statutory concessionary fares on buses.

Over 70 per cent of the 88 local authorities in England have already decided to make cutbacks to buses, with 20 per cent cutting over £1m from their buses budget. These cuts will particularly impact on those in rural areas and low income groups, the unemployed, parents with children, young people and the elderly as bus services form essential lifelines in local communities.

The TUC and unions in the transport sector have worked with the Campaign for Better Transport to promote the 'Save Our Buses' initiative, using regional networks to promote information about impacts on local bus services and producing local campaign materials.

The current climate in local authority funding has meant that no progress has been made on the implementation of re-regulation of bus services through the Quality Contract Schemes promoted in the 2008 Local Transport Act. Some local authorities, such as St Albans in Hertfordshire, have implemented voluntary versions of this through Quality Partnerships. But without further funding, it is unlikely that the gains made in the 2008 Act will come to fruition.

The TUC has continued to argue for better protection against long hours in the road haulage sector. The latest figures show that in 2010, the average HGV driver worked 48.4 hours per week whilst 10 per cent of drivers worked 63.0 hours per week or more (Source: ONS Annual Survey of Hours and Earnings). Average working time for HGV drivers has only fallen slightly since the onset of the recession, with the comparable figures for 2008 being 48.8 hours and 63.9 hours respectively.

The TUC also responded to the Department for Transport's June 2011 consultation on increasing the permitted length of articulated lorries. Unions generally opposed this proposal, arguing

that the technology to ensure safe steering of longer lorries had yet to be developed and that the consequent increase in road haulage capacity would have a detrimental effect on the development of freight on rail. The point was also made that the proposal would do nothing to improve drivers cramped resting and sleeping conditions

Shipping and ports

The General Council supports the continued development of a strong and vibrant shipping and ports industry. Taking account of Resolution 37 from the 2010 Congress and working together with the maritime and ports unions, the TUC has also lobbied for better conditions and employment rights onboard ships, meeting senior industry figures, government officials and the shadow minister during the year.

As a result of last year's Strategic Defence and Security Review, the Government announced substantial cuts to the Royal Navy, plus the withdrawal of three ships from the Royal Fleet Auxiliary, with attendant reductions in the number of civilians employed in the service. The TUC remains extremely concerned about the impact of the review for trade union members employed in the sector.

Aviation

The TUC and unions in the aviation industry have been concerned at the lack of a unified strategy to secure and develop the industry, in the context of climate change and international competition. In June 2010 the Government established the South East Airports Task Force to improve airport operations in the region, but there was no provision for a union presence on this body. The TUC considered it essential that the role of employees was taken into account in the many aspects of airport operations that are under review, including tackling delays, security reforms and other regulatory areas such as parking enforcement. These points were made strongly when the Deputy General Secretary and representatives of aviation unions met Transport Minister Theresa Villiers in November 2010 to discuss the future of the industry. In discussions with the minister, the TUC also highlighted possible amendments to the Flight Time Regulations, which determine such issues as the maximum permissible duty periods, flight duty periods and block times for crew members. The minister was encouraged to consider adopting

the Trusted Employee Scheme, operating for some time in the US, which offered a less stressful means to ensure security of key personnel. Unions also raised concerns about government plans to switch from a per-passenger to a per-plane duty. Subsequently, the Minister responded that she was not prepared to provide a union representation on the task force. The task force itself was later disbanded. In the 2011 Budget, the Government decided not to introduce a per-plane duty at the present time.

4.13 | Public services

The General Council's work on public services has been guided by Composite 10, carried at Congress 2010. Chapter 1 of this Report contains further details on the public services campaign pursued in the light of this composite and the Congress 2010 General Council statement on the economy, public spending and public services.

The year has been dominated by activity responding to public service cuts and widespread government 'reforms' including those in health, education and pensions.

Public Services Liaison Group

The TUC's work on public services is overseen and co-ordinated by the Public Services Liaison Group (PSLG). The group consists of representatives from all the affiliated public service unions and is chaired by Dave Prentis, UNISON General Secretary and the General Council lead on public services.

This year the PSLG has had a packed agenda including the All Together for Public Services campaign, negotiations over public service pensions and the Government's public service reform agenda. In order to give leadership in such a fast-moving period the group has met more frequently than in previous years, with meetings taking place at least once in all months except December and August. The PSLG also co-ordinates the TUC's input into the Public Services Forum.

Public Services Forum

The TUC continued to work through the Public Services Forum, which brings together unions, government and public sector employers and is

chaired by the Minister for the Cabinet Office, currently Francis Maude. This group was established in 2003 as a means to allow dialogue on key issues affecting public services and the public service workforce.

Through the PSF, discussions were held this year on pensions, the Government's public service 'reform' agenda and public service mutuals. Three main meetings of the PSF have taken place since Congress 2010, along with a series of workshops and other meetings arising from PSF decisions.

- In November 2010 the PSF received a presentation from the Chief Secretary to the Treasury, Danny Alexander, on the Spending Review. Unions used the meeting to express serious concerns about the impact of the cuts announced in the Spending Review on public services, public service workers and the economy. The meeting also included a discussion about good practice in employee engagement.
- In January 2011 the PSF focussed on the Government's proposed white paper on public service 'reform'. Minister of State for the Cabinet Office and Minister for Government Policy, Oliver Letwin, outlined the Government's approach to reform and heard concerns from unions about the impact of the proposals on employees and service users, including evidence of where privatisation and fragmentation were already having a damaging effect. As a result of the PSF discussion, Oliver Letwin committed to lead a series of meetings bringing together unions and the relevant secretaries of state to look at reform proposals in different parts of the public sector. Two meetings subsequently took place with Oliver Letwin and the Secretary of State for Education, Michael Gove, and two with the Secretary of State for Health, Andrew Lansley. Reports of these meetings are given in the relevant paragraphs below.
- In March 2011 the PSF met the week after the final report of the Independent Public Service Pensions Commission was published. The Forum received a presentation from the Chair of the Commission, Lord Hutton, who set out his proposals. Unions stressed that the report should be seen in the context of the other changes to public service pensions being pursued by the Government, and urged the Government not to make decisions outside the talks that were underway with the TUC. The PSF also discussed public service mutuals at this meeting.

Three workshops were held under the auspices of the PSF in June and July 2011, focussing in turn on skills, equalities and mutuals. These workshops were intended to provide an opportunity for more detailed engagement and practical outcomes. Reports will be given to the next main forum meeting in the autumn.

Public service 'reform'

In line with Composite 10 and other motions passed at Congress 2010, the TUC has lobbied against the Government's attempts to reform services in ways which we believe will increase inequality and damage the quality of services and the working lives of those who deliver them.

In November 2010 the Government published two related calls for evidence to inform a public service reform white paper: one on 'modernising commissioning' and a more general call for evidence on public service reform. The latter consultation said that the Government would publish a white paper based on the premise that the state should 'no longer be the default provider of public services'. The TUC submitted evidence to both consultations, using evidence from health, education and local government to argue that competition does not improve the quality of services, that the reforms would increase waste and bureaucracy and that the reforms would hit the poorest and most vulnerable in society the hardest. The TUC submissions emphasised the support for directly delivered, publicly-funded and accountable services. In addition, they emphasised that the reforms could not be considered in isolation from the widespread cuts to public services being imposed by the Government.

Minister for Government Policy and Minister of State for the Cabinet Office, Oliver Letwin, attended the Public Services Forum in January 2011 to discuss the Government's planned white paper. He acknowledged that reforms were already at a relatively advanced stage in some areas such as health and education and, as reported above, agreed to meet unions from each sector with the relevant secretaries of state to hear concerns about the reforms and union arguments for alternative approaches.

After a series of delays, the white paper, entitled *Open Public Services*, was published in July 2011. The TUC strongly criticised the paper, calling it a manifesto to break up our public services. The white paper itself was a mixture of repackaged policy initiatives and ideological statements

about the way in which the Government believed competition and diversity of providers improved outcomes and quality, though it provided no evidence to support these assertions. A major part of the Government's approach is the 'big society' concept outlined in the following section. The General Council will continue to campaign publicly to raise the profile of our arguments about the damage the Government's approach would do to public services. The TUC will also engage with government via the consultation on the white paper and contact with ministers and relevant officials, using evidence from across the public sector to support our case for modern, accountable and directly delivered public services as opposed to the fragmentation, individualisation and privatisation threatened by the reforms.

The big society

Although encountering scepticism from the media, professionals and public, the Government has continued to promote the 'big society' concept, with the Prime Minister officially re-launching the project on at least four separate occasions in the year.

While there is a degree of confusion and ambiguity about its scope and tangible content, not least within government departments, we can at least discern three key public policy areas within the 'big society' framework, namely decentralisation or 'localism', public service 'reform' and empowering community action.

Following engagement with unions through the Public Service Liaison Group, the TUC published its report *Civil Society and Public Services: Collaboration not Competition*, setting out its response to this agenda.

The report set out that, as a key component of civil society and with trade unionists eight times more likely than other people to be involved in volunteering and community action, the TUC strongly supported a dynamic, autonomous and campaigning civil society which speaks up for and supports communities and holds both the state and private sector to account. However, the TUC also set out a number of concerns about the Government's 'big society' approach.

The impact of spending cuts is hugely damaging, not only to public services but also, charities, voluntary and community organisations across the country, many of which are largely dependent on statutory funding. NAVCA (the National Association of Voluntary and Community

Action) estimates that in the past 12 months, local government funding to the voluntary sector has been cut by over £1bn. The Government's focus on community action has been seriously undermined by these massive cuts in funding, jobs and services within the voluntary sector. With such reduced capacity among those organisations, the Government's expectations for volunteering and community action to plug gaps in service delivery lack credibility.

The decentralisation agenda came under close scrutiny with the launch of the Localism Bill. The Bill was pitched by ministers as an attempt to devolve power to local communities. However, much of the legislation remains confused, and many of the proposals appear to devolve power away from elected local authorities into the hands of unaccountable and vaguely defined neighbourhood bodies, raising fears of the primacy of vested interests and 'loud voices' in local decision making and untamed NIMBYism. As the Bill has progressed through Parliament amendments have provided a greater role for business in the proposed neighbourhood structures. This raises concerns about the additional leverage that business interests may now have in determining local planning but also in promoting public service outsourcing for their own gain. The Community Right to Challenge enables 'community groups', however defined, to challenge local authority services thereby potentially triggering procurement opportunities for the private sector.

Perhaps the most worrying aspect of the 'big society' agenda is its drive for public service 'reforms' aimed at creating competition to provide public services in markets open to a plurality of providers from the private and voluntary sectors. While much was made of the role that third sector organisations might play in these new markets, the *Open Public Services* white paper makes it clear that the Government is 'neutral' about which sector actually provides a service. Early indications suggest that TUC predictions that private enterprises will dominate through their economies of scale, ability to absorb risk, access to capital and ability to undercut voluntary sector providers are well founded. In the DWP's Work Programme, hailed as a 'massive boost for the big society' by Minister Chris Grayling, 15 out of 18 delivery contracts went to the private sector, two went to voluntary and private sector partnerships and one to a public sector provider. Up to 300 voluntary organisations may now be sub-contracted by private enterprises under payment-

by-results conditions attached to the Work Programme. The big society vision for public service reform therefore seems to imply the privatisation of prime services with the voluntary sector expected to act as delivery partners under tightly prescribed commercial contracts. It is unclear how the Government's combination of marketisation and spending cuts could possibly form a recipe for a dynamic and innovative voluntary and community sector.

In addition to the publication of its civil society report, the TUC also provided written and oral evidence to the Public Administration Select Committee on the Big Society in July 2011. In February 2011, the TUC also convened a national conference with key voluntary and community organisations in order to build consensus around our concerns on the 'big society', spending cuts and public service reform. Dialogue continues with the voluntary sector on a national level and within a number of TUC regions, with separate events taking place with community organisations in London, the Midlands, South West, North West and Northern regions.

Public service mutuals

A key part of the Government's planned reforms is to 'enable' staff to form employee-led mutuals to take over and run the services they provide. In November 2010, the Government announced the extension of the 'right to provide' policy to workers across the public sector. Further measures were announced including the creation of a mutuals taskforce (a body of experts from the mutuals and co-operatives sector to provide advice to the Government), a £10m Mutuals Support Fund and an information service providing guidance and support to workers aiming to set up mutuals. Around 20 pathfinder mutuals delivering public services in health, further education, youth and children's services and adult social care were promoted by the Government.

The TUC has raised a number of concerns with the Government around this agenda. Evidence from trade unions suggests that employee support for mutuals has been very low and in many cases there has been active opposition to proposals. In the health service, where workers have been balloted there has been overwhelming support for retaining services within the NHS. There have been several cases where plans have gone ahead despite employee opposition, calling into question the very grounds on which the mutualisation process is based. Without employee support, the perceived benefits of mutuals will not be realised.

In central government, MyCSP, a new 'employee-owned mutual' has been created to administer the civil service pension scheme, despite little or no support from the workers involved. MyCSP will be a joint venture with a private sector investor, which raises questions about the claim to mutual status as well as concerns about stealth privatisation and corporate entryism.

Evidence from unions also indicates that many of the 20 pathfinder mutuals that have been promoted by the Government are experiencing similar issues, with most being part of top-down reorganisations with scant consultation with staff or unions.

Further fears about the implementation of public service mutuals concern the long term sustainability of the model and the threat posed by takeover by or competition with private sector providers and the loss of public assets to private interests. Clearly there are also threats to the pay, conditions and pensions of workers transferring out of the public sector. The *Open Public Services* white paper contained no reference to safeguards in respect of competition or the protection of public assets. Furthermore, reference was made to TUPE and Fair Deal on Pensions as barriers to competition in the market, doing little to reassure unions of the potential negative impacts on employment standards as a result of mutualisation.

As reported above, in June the TUC co-hosted a workshop with the Public Services Forum looking at the mutuals agenda. Several representatives of the Mutuals Taskforce present at the event shared TUC concerns around consultation and implementation, viability and public assets and proposals were made to explore ways of working with trade unions to mitigate some of these threats.

4.14 | Public service pay and pensions

Public service pensions

The General Council's work on public service pensions has been guided by Composite 5 passed at Congress 2010, which called on the General Council to defend public service pensions and to engage with the Hutton Commission, and called on the Government to engage in meaningful negotiation with unions on any changes to public sector pensions.

Following the appointment of John Hutton to lead the Independent Public Service Pensions Commission (IPSPC) in July 2010, the work of the Commission and the Government's response to the two IPSPC reports have also shaped TUC activity on public service pensions. All of this has been co-ordinated through the TUC's Public Services Liaison Group.

The TUC submitted evidence to the Commission in summer 2010, with a further round of evidence submitted in December 2010. The TUC also arranged two roundtables at which trade union pension specialists met Lord Hutton to explore the issues being covered by the Commission in more detail.

The interim report of the Commission was published on 7 October. It did not make concrete recommendations but pointed to where the IPSPC was likely to focus attention in the final report. It did, however, say that public service pensions were not 'gold plated' and that they should remain a benchmark for decent pension provision. It also noted that the value of these pensions had been reduced by around 25 per cent by the combination of the reforms negotiated under the previous Government and the decision to change the uprating mechanism from RPI to CPI.

In the terms of reference for the Commission, the Government had asked Lord Hutton to build into his interim report a consideration of 'the case for delivering savings on public service pensions within the spending review period to contribute towards the reduction of the structural deficit.' In the interim report, Lord Hutton said that there was a 'clear rationale' for increasing member contributions (though he did not specify by how much) to make short-term savings, whilst warning that changes should not impact on the low-paid and that increases should be staged and implemented with a view to preventing an increase in opt-out rates.

The Chancellor responded to the interim Hutton report in the Spending Review on 20 October, saying that decisions on long term public service pension reform would be left until the Commission's final report. However, he also announced that the Government would seek £1.8bn per year in savings from increases in employee contributions by 2014/15. When combined with the savings already anticipated as a result of existing cap and share arrangements, this was a saving of £2.8bn per year from 2014/15, equivalent to an average increase in

employee contribution rates of 3.2 per cent, phased in from 2012.

Unions reacted with anger to the announcement, arguing that this was in effect an additional tax on public service workers at a time of a pay freeze, job losses, rising living costs and cuts to the value of pensions because of the earlier decision to uprate pensions in line with CPI instead of RPI. The General Council raised serious concerns about the impact of any increase on public service workers and the likelihood that there would be significant opt-outs from the schemes. The General Council also pressed the importance of full negotiation and consultation on any changes.

In addition, the October Spending Review announced that there would be government consultations on the appropriate discount rate for public service pensions and on the future of the Fair Deal. The TUC responded to both of these consultations in detail, following consultation with trade union pension specialists.

In March, the TUC submitted evidence to the Treasury consultation on the discount rate used to set unfunded public service pension contributions. A discount rate is the rate at which a future payment or stream of payments is converted into a single value today. This was a technical consultation but it could have significant implications for scheme members because of the way the discount rate can affect contribution rates. The TUC submission therefore rejected any change to the current discount rate of 3.5 per cent or to the method used to set the rate. Following the consultation however, the Government has decided to move to using a discount rate based on the long term expectation of GDP growth. A discount rate of 3 per cent above CPI will be adopted under this methodology for future valuations. The Chancellor said that the Government would not use the change to seek further contribution increases in the Spending Review period on top of those already announced, but the TUC has warned against the change, saying that it is another attempt to downgrade public service pensions.

Lord Hutton said in his interim report that the Fair Deal policy was a barrier to non-public service providers, although unions pointed out that he did not provide evidence to support this claim. The Fair Deal is a non-statutory policy that provides pensions protection for public sector workers who are compulsorily transferred to a

non-public sector employer. It requires that the new employer provides a 'broadly comparable pension scheme' for transferred staff. The Government conducted a consultation on the future of the policy from March to June 2011. The TUC responded to the consultation, arguing strongly for the retention and improvement of the Fair Deal policy, including a call to extend 'Admitted Body Status' and other arrangements that mean non-public service providers can allow their staff to remain in their public service pension scheme.

The final report of the Hutton Commission was published in March 2011. It recommended a series of major long term reforms to public service pensions including:

- Moving to a career average revalued earnings (CARE) model of scheme design, revalued according to average earnings.
- Increasing the Normal Pension Age in line with the State Pension Age.
- A cost ceiling based on a proportion of pensionable paybill.
- Ensuring that pensions provide adequate levels of income in retirement, as defined by the Turner Commission benchmark replacement rates as the minimum.
- Improved governance arrangements for public service pensions.
- Moving current members to new schemes but protecting accrued rights, including the final salary link for past service for current members.
- Improving administration and information arrangements.

Lord Hutton has said that the change to CPI for public service pensions will reduce the value of benefits to scheme members by around 15 per cent on average. A Judicial Review in relation to public service pensions is being taken by two groups of unions and other organisations. The Judicial Review taken by both groups will be heard together at the Royal Courts of Justice on 25th October.

Since February 2011 the TUC has been in negotiations with ministers over the proposed changes to public service pensions, including the contribution rate increase and the reforms put forward by Lord Hutton. The talks arose following an approach by the General Secretary to the Chancellor in December 2010 raising serious objections to the Government's proposed contribution increases and the arbitrary way in

which the Government appeared to be pressing ahead with them, and seeking central discussions on principles to inform further negotiations. The negotiating team is made up of ten representatives of the Public Service Liaison Group, including the PSLG Chair Dave Prentis and the General Secretary Brendan Barber. The Government is represented in the talks by Chief Secretary to the Treasury Danny Alexander and Minister for the Cabinet Office Francis Maude.

In the discussions the TUC team has challenged the Government's position on the longer term affordability of the current arrangements and has focussed on key issues including the proposed contribution increases, changes to the Normal Pension Age and changes to scheme design. Other issues raised included potential opt-outs, equality impacts and the need for full transparency. The negotiating team have reported back to the full PSLG group after each meeting with ministers.

On 30 June, four TUC unions – ATL, NUT, PCS and UCU – took industrial action in response to the Government's proposed changes to public service pensions. The action gained widespread media coverage and reports suggested that up to 750,000 teachers and civil servants supported the action. The Government's claims that changes were driven by the issue of 'affordability' were clearly exposed during the media coverage on the day.

In July 2011, the Chief Secretary to the Treasury wrote to the General Secretary to set out his view of the progress made so far in the talks. This was also set out in a ministerial statement to Parliament. The statement acknowledged that a basis for agreement had been reached concerning the need for transparency, equality impacts, participation and opt-outs and scheme governance. Areas where there has been some change in the Government's position include an acceptance that schemes can consider how best to manage longevity risk, some potential room for savings that the Government planned to make through contribution increases to be achieved through other means, and a recognition that the circumstances of the Local Government Pension Scheme are different and deserve separate consideration. In responding, the TUC stressed that unions had not accepted the Government's objectives as set out in the Chief Secretary's letter, but did agree that the central process of talks should continue and that unions would actively consider participating in scheme-level talks to explore fully all the issues.



Teachers take to the streets in defence of pensions on 30 June.
Photo: Stefano Cagnoni/reportdigital.co.uk

Public service pay

In June 2010 the Government announced a two-year pay freeze for public service workers, which came into force in 2011. The TUC has continued to oppose this policy and to highlight the iniquity of the freeze at a time of rising living costs, cuts and attempts to increase pension contributions. The TUC has also raised the issue that, although the Government promised a £250 increase to those earning under £21,000 per year, this has not in fact been applied in local government and some other parts of the public sector.

The TUC also submitted evidence to the Independent Review of Fair Pay in the Public Sector, chaired by Will Hutton. Two roundtables between unions and Will Hutton informed the review, and the TUC evidence welcomed the focus on fairness but stressed the need to focus on the problem of low pay in the public sector and the risks of performance-related pay in promoting ‘gaming’ of the system and increasing inequality.

Responding to the report of the review, the TUC welcomed the challenging proposals for greater pay transparency and other changes in the public sector. The TUC also strongly supported the report’s calls for efforts to tackle unfair pay and

excessive top pay in the private sector, including through measures the TUC has long called for, such as introducing workforce representation on remuneration committees. Unfortunately the report did not take the opportunity to provide detailed proposals about low pay in the public sector.

Two-tier code

In July 2010 the Minister for the Cabinet Office informed the TUC at a meeting of the Public Services Forum that he was ‘minded to abolish’ the Cabinet Office Code of Practice in Workforce Matters, commonly known as the two-tier code.

The code had been established by the previous Government with the intention of providing protection for new employees working alongside transferred former public sector staff in a service that had been outsourced to a private or voluntary sector provider. The code required that new staff recruited to work on a public service contract alongside staff transferred from the public sector should be offered terms and conditions ‘overall, no less favourable than those of transferred employees’.

Whilst unions acknowledged that the operation of the code could be improved, it did provide an essential degree of protection against the emergence of a two-tier workforce, with companies winning contracts on the basis of driving down employee terms and conditions. The code was also supported by many of the large private contractors as providing a relatively level playing field for them in bidding for public service contracts.

In autumn 2010 the TUC co-ordinated a number of meetings between public service unions and private contractors to consider the response to the Government's intended removal of the code. Representations were made to the minister and officials about the serious danger of a race to the bottom on terms and conditions if the code was withdrawn. Nevertheless, in December the Government confirmed the decision to withdraw the code. In its place a statement of voluntary 'Principles of Good Employment Practice' was published by the Cabinet Office, following a brief, informal consultation on the content with unions and contractors. The principles include points on 'government as a good client', training and skills, terms and conditions, equality, dispute resolution and employee engagement. Their impact will be reviewed by the Public Services Forum in January 2012.

4.15 | Health and social care

The General Council's work on health this year has been based on Composite 11 of Congress 2010, and has included campaigning and lobbying against the Government's proposed reforms of the NHS in England (health is a devolved matter in Scotland and Wales).

The Health and Social Care Bill was published in January 2011. In the run-up to the publication of the Bill, unions had made detailed submissions to the consultation on the *Liberating the NHS* white paper. The white paper heralded a combination of an unprecedentedly tight financial settlement for the NHS -including £20bn of 'efficiency savings' over the next four years - along with massive top-down reform and restructuring, which would fragment the NHS and take it towards becoming a full-blown market, with a much greater role for private providers.

The Bill itself is one of the largest on record. It includes sweeping powers for the economic regulator, Monitor, which in the first draft had

a duty to promote competition in the NHS and even after amendments still has strong powers to prevent 'anti-competitive behaviour'. It calls for all hospitals to become foundation trusts and removes the cap on the amount of income a trust can make from private patients, raising serious concerns that NHS patients will be pushed to the back of the queue and waiting lists will increase. In addition the Bill transfers responsibility for commissioning the bulk of NHS services to local consortia led by GPs.

Alongside this the Government has also pushed the 'Any Qualified Provider' approach, which although it is not in the Bill itself is one of the most significant routes by which £1bn worth of NHS services will be opened up to private and voluntary sector providers and the NHS will no longer be the 'preferred provider'. Evidence from the experience of the predecessor to the policy, 'Any Willing Provider', which was previously in place in a limited way for some services, suggests that it is linked to rationing of care.

In response to the Bill the TUC has argued strongly that the market-driven vision of the NHS set out in the Government's proposals will affect patient care by putting different parts of the health service in competition with one another, leading to fragmented and disjointed care for patients and undermining collaboration and the sharing of best practice. It will also increase administrative and other costs, with public funding being wasted on transaction costs instead of patient care. Unions have emphasised the private sector's record of failing to deliver quality and value for money in the NHS – perhaps most famously demonstrated by the rise in hospital infections after compulsory competitive tendering led to the outsourcing of hospital cleaning in the 1980s.

Widespread public and professional concern over the Bill, combined with sustained lobbying and campaigning by many organisations including trade unions, put pressure on the Government to re-consider the plans. A key moment was the Liberal Democrat spring conference in March 2011 which passed a critical motion calling for changes to the Bill. The Government responded by holding a 'listening exercise' in April and May 2011. This included establishing a body of experts called the Future Forum to review the reforms.

During the 'listening exercise' a number of unions made representations and submissions to the Forum, including via a special session of the

NHS Social Partnership Forum. The TUC also co-ordinated a number of high level meetings between health unions and ministers: two with Secretary of State for Health Andrew Lansley and Minister for Government Policy Oliver Letwin, and one with Deputy Prime Minister Nick Clegg. At these meetings unions pressed concerns about the impact of the reforms on patients and staff and urged the Government to fundamentally reconsider their plans.

The Future Forum report recommended a number of changes to the Bill and the wider reforms. In responding to the recommendations the Government presented its changes as significantly altering the Bill. But analysis of the amendments put forward by the Government convinced unions that the Bill is still extremely damaging and that the campaign should persist and intensify as the Bill continues its way through the parliamentary process. Indeed, virtually all of the key elements of concern remain in place even if they have been somewhat amended, including the role of competition, the lack of accountability and the removal of the private patient income cap.

In order to campaign effectively on the NHS reforms the TUC has brought together health unions including TUC affiliates and key non-affiliates in the sector (the British Medical Association, Royal College of Nursing and Royal College of Midwives) under the banner of 'All Together for the NHS'. Regular meetings

of this group have taken place where unions share information and co-ordinate messages and activities. A set of common campaign messages was agreed by the group and these were used to inform activity including online actions, writing to MPs and peers and giving suggestions to support people organising campaigns in their communities.

Activity focussed around a number of key events and dates, notably the national day of action on 1 April 2011 and the NHS's 63rd birthday on 5 July 2011. On 1 April activities took place across the country, with local events and MPs being lobbied in their constituency surgeries. On 5th July over 60 events took place across the country, including a birthday party in Westminster where MPs and peers met health workers to hear their concerns over the reforms. There was also an extremely well-attended All Together for the NHS parliamentary reception in March 2011 which attracted parliamentarians from all three major parties.

The TUC has also continued to work through the NHS Social Partnership Forum (SPF), which brings together the Department of Health, employers and trade unions with members in the NHS to discuss policy issues and in particular the workforce implications. The SPF is chaired by Department of Health Minister Simon Burns. The union side of the SPF has used the main meetings and associated workshops and smaller meetings



Union leaders and health workers deliver a birthday card for the NHS to the Department of Health on July 5.
Photo: Steve Forrest

to press further concerns over the detailed aspects of the Government's proposed reforms and to co-ordinate input on guidance and consultations.

Social care

In July 2010, the Government established a Commission on Funding of Care and Support, chaired by Andrew Dilnot, Principal of St Hugh's College Oxford. The Commission had the remit of making recommendations on how best to meet the costs of care and support for adults in England. The other commissioners were Dame Jo Williams and Lord Norman Warner.

The Commission carried out a number of consultative events, including three meetings with an External Reference Group of stakeholder representatives. Richard Exell of the TUC office represented trade unions on this group.

The Commission issued a 'call for evidence' in December. In January, the TUC submitted a document written after consultation with unions representing workers in social care and taking into account the views expressed by unions generally, and by the Disability and Pensioners' Committees when producing the TUC response to the last Government's consultation on social care.

The TUC document argued that cuts and other policies likely to increase poverty and inequality were making it more difficult to establish an adequately funded high quality social care system. This task was, it was argued, becoming ever more urgent as the population grew older. The document emphasised unions' concerns about means-testing, the 'post code lottery' in eligibility for care services and the dangers of relying on private insurance. The document argued for the creation of a National Care Service, free at point of need and funded from general taxation. In line with a 2010 Congress resolution on social care that called on the General Council to highlight the essential and valuable work of social carers, the document emphasised that the work of informal carers and paid workers should be recognised and supported.

In June, the TUC arranged a seminar with Andrew Dilnot for trade unionists. This was attended by lay and full time union officers and members of the Pensioners' and Disability Committees. Mr Dilnot gave a presentation on the factors that had influenced the Commission's thinking and responded to a number of questions and comments.

In July, the Commission produced its final report, which argued for extra resources for social care, free care for people who become disabled before the age of 40, a single national assessment standard, a reformed means-test and the retention of universal disability benefits. It did not, however, recommend the creation of a free care service, but instead a "cap" on the maximum amount an individual should have to pay towards their care. A TUC response to the report is in preparation.

Independent Safeguarding Authority

In line with Resolution 60 at Congress 2010, the TUC continued to work with public service unions to press the Government for changes to the vetting and barring scheme for workers who engage with children and vulnerable adults.

In early 2011, the Government consulted on changes to the vetting and barring system. As part of the consultation the TUC working group comprised of 13 unions in the education, health and social care sectors, held a series of meetings with Home Office and Department of Health officials, as well as Sunita Mason who led the review into changes to the Criminal Records Bureau.

The TUC made the case for a streamlined system in which a register was maintained only of those individuals barred from working with vulnerable adults and children, where individuals were provided with evidence against them and a right of appeal, with CRB checks that were portable across employers and where administrative costs were met by employers.

The TUC welcomed the changes proposed by the Government, which have met most of the TUC's concerns and are now included in the Protection of Freedom Bill. However, the TUC continues to press for a right of appeal, a streamlined and easy means to challenge evidence and for costs to be met by employers.

4.16 | Education

Over the past year the TUC has continued to work closely with the affiliated unions on policy and workforce issues relating to education and early years provision.

School education

In line with Composite 12 agreed at the 2010 Congress, the TUC and education unions have engaged in a wide-ranging campaign against the Government's school reform agenda, especially the plans to rapidly expand academy schools and establish free schools. The General Council has argued that these reforms are a direct attack on the state schooling system that will lead to greater social segregation and undermine national and local bargaining arrangements. The TUC and education unions have also raised serious concerns that the Government's policy of rushing through major changes to the school system, with little or no consultation, has left parents, teachers and governors confused and concerned about the future of school education.

As part of the campaign, the TUC, with the support of the education unions, held a major event in November. The Future of our Schools conference was attended by more than 250 people and the line-up of speakers included the TUC Deputy General Secretary, the head of the school governors' body, a head teacher, a parent involved in campaigning, a national official from a Swedish teachers' union and many other prominent figures in the world of education. The education unions also led a series of workshops on a number of key campaigning issues. A clear demand articulated by all those in attendance was the urgent need for the Government to halt its rushed reforms and to undertake a proper national debate on the future of our schools.

Over the past year the TUC has also facilitated monthly meetings of the education unions to coincide with the monthly meetings of the Public Services Liaison Group in order to support co-ordination of the schools campaign with the wider public services campaign. These meetings have provided an opportunity to achieve co-ordinated action in a number of areas, including:

- Discussion on a set of agreed priorities for union campaigns against specific aspects of the Education Bill.
- Agreement on an extensive set of joint campaign resources - aimed at parents, staff, head teachers and school governors – with the explicit aim of building local alliances against the option of maintained schools converting to academy status.
- Establishment of a new working group with a remit to assess the impact and effectiveness of the TUC Academies Model Agreement to date and to discuss strategies to optimise

its potential to safeguard union recognition and terms and conditions in academy schools (and free schools once they begin to become established).

In March Cabinet Office Minister Oliver Letwin agreed to convene a series of meetings about the Government's wider public services reform agenda, bringing together the relevant secretary of state and unions from each part of the public sector in turn, beginning with health and education. The TUC and education unions have so far held two meetings with Michael Gove and Oliver Letwin with another planned for the early autumn.

The initial meeting focussed around three key areas of the school reform agenda that are raising particular concerns:

- Major changes to accountability within the school system and especially the democratically accountable role of local authorities.
- The growing number of conflicts between national measures/standards and local flexibilities being granted to academies/free schools.
- The lack of evidence about the educational outcomes that the Government claims its reforms will achieve.

At the end of the initial meeting it was agreed to pursue the discussion at the following meeting by focusing on the role of local authorities going forward. At this second meeting the union side highlighted the huge dangers involved in moving to a school system with few levers available for government and local authorities to intervene in order to address the quality of educational provision and the wider well-being of pupils. The detrimental impact of the school reforms in advancing equality and diversity was also a key feature of the case that the union side pressed. The discussion at the second meeting concluded with a request from ministers for the union side to draft a paper setting out their vision of the local authority role and especially with regard to supporting the most disadvantaged and providing extended care and services. Throughout these discussions with ministers the TUC and education unions have continued to argue against the central policy thrust of the Government's school reform agenda, in particular the expansion of academies and introduction of free schools.

At both meetings there has been a clear recognition by ministers about the increasingly important role of support staff and also a degree of acknowledgement that separate dialogue arrangements with support staff have been inadequate to date. In contrast to teachers, there is currently no national pay structure to cover school support staff. For this reason the previous Government had established a new national negotiating body for all maintained schools in England, i.e. the School Support Staff Negotiating Body (SSSNB). The SSNB was due to be fully operational by April 2012 but the Education Bill currently progressing through Parliament will now abolish it. The General Council has criticised this decision and related policies designed to weaken national terms and conditions and bargaining arrangements for teaching and support staff.

Higher education

The Government's policy approach on higher education has been hugely controversial and the General Council has strongly opposed the decision to allow universities to increase tuition fees up to £9,000 whilst also completely cutting government spending in some areas of HE, especially the humanities teaching grant. The TUC's submission to the independent review chaired by Lord Browne had argued that lifting the cap on tuition fees would lead to a much more competitive and marketised HE system and that this would bar progress in widening participation in HE, which should remain the centrepiece of government policy. In addition, the TUC submission highlighted that significantly raising tuition fees whilst very substantially cutting government investment in HE would endanger jobs in the sector and potentially undermine the terms and conditions of HE staff.

The Government's response to the Browne Review last year allowed universities to charge fees up to a maximum of £9,000 but those wanting to charge more than £6,000 would need to have their proposals to attract more students from disadvantaged backgrounds approved by the Office for Fair Access. OFFA is an independent public body that is charged with helping to safeguard and promote fair access to HE, including by approving and monitoring the "access agreements" that all English universities and colleges must have if they want to charge more than £6,000. The latest figures show that two thirds of universities will have a maximum fee of £9,000 and a third of them will charge the full fee for all courses in 2012.

The Government published its HE White Paper - *Students at the Heart of the System* - in June and this includes further measures to develop a competitive and marketised HE system, including opening up provision to more private providers, lifting the cap on the recruitment of students with grades AAB or higher and opening up a proportion of student places to competitive bidding from the few institutions charging fees below a threshold of £7,500.

The White Paper also reiterated the Government's commitment to take forward the recommendation in the Browne Review about addressing the inequitable position of part-time students having to pay tuition fees upfront by allowing them to access student loans on the same basis as full-timers. Whilst welcoming this reform, the TUC remains concerned that the huge increase in tuition fees will limit the potential of this change to support more mature students to access HE. In addition, academics who have championed this reform, such as Professor Claire Callender of the Institute of Education, are now contending that a number of restrictions will exclude large numbers of part-timers from accessing this newly available support.

The TUC also continues to make the case for policy makers to pay more heed to supporting access to HE among the existing workforce. Demographic and labour market trends highlight that this should increasingly be a priority with 80 per cent of the 2020 workforce already having left formal education. However, the majority of employers are loath to make the commitment to support individuals to access HE-level skills and until this nettle is grasped there is little likelihood of a significant change in participation in HE by employees.

Further details on FE policy and the work of unionlearn in supporting further development of the union role in higher level skills are contained in Chapter 6 and a report on joint work by the TUC and NUS is included in Chapter 2.

Early years provision

The TUC hosts an Early Years Network comprising officials from affiliated unions with membership in the sector. Over the past year the network has met twice and has invited the chief executive and policy director of the Daycare Trust to attend in order to provide expert policy advice to support the discussions of network members. A central issue for discussion at these meetings over the past year has been the impact of the

Government's cuts to local government on early years provision, especially Sure Start children's centres, and also the consequences of this for the early years workforce. A survey published by the Daycare Trust at the beginning of this year highlighted that approximately 250 centres were at risk of closing within a year with a further 2,000 centres planning to cut back services. The network has also discussed the ongoing campaign by a number of organisations, including the TUC, which is lobbying the Government to ensure that parents can access the same level of childcare support within the Universal Credit as is currently available via the tax credit system.

The Government has recently published an early years strategy, although it is now using the terminology "foundation years". The document – *Supporting Families in the Foundation Years* – sets out a number of new proposals, including a review of early years qualifications and the trialing of "payments by results" in children's centres. There is also a focus on raising the status of professionals working with young children. The Department for Education has established a stakeholder group to look at early years workforce issues and Ben Thomas of UNISON is a member of this group.

In recent years the Children's Workforce Development Council (CWDC) has had a remit from government to support the development, especially the skill needs, of the early years workforce and also other parts of the children's workforce. Jon Richards of UNISON is a member of the CWDC Board. As part of the review of arm's length bodies, the Government has announced that it will no longer fund CWDC's workforce development work from April 2012, but it may continue to fulfil a role as an independent sector body beyond that.

4.17 | Criminal justice

In line with Composite 15 carried at the 2010 Congress, the TUC has continued to work with unions in the criminal justice system to win a fair deal for staff working in prisons, probation and courts.

As with other public services, criminal justice is suffering swingeing cuts, with the Ministry of Justice's budget slashed from £9bn to £7bn. On top of this, the Government has embarked on a number of radical reforms which will see greater

voluntary and private sector involvement in the delivery of services.

The Government has said it wants to reduce the short-term prison population through greater use of non-custodial punishments, but the TUC remains sceptical that this can be delivered through privatisation, outsourcing and payment by results. Indeed criminal justice unions have continued to argue that the best way to reduce crime and protect the public is through well funded, publicly-run services provided by highly-trained professionals.

Over the past year, Britain's prisons have continued to operate under great pressure, with the Prison Estate expected to make huge savings at a time when the number of inmates stands at near record levels. Successful prisons such as HMP Lancaster Castle and HMP Ashwell have already been forced to close.

Inevitably, the quality of prison regimes has deteriorated. There have been full scale riots at HMP Ford, HMP Moorland and HMP Warren Hill, while serious violence has occurred at HMP Dorchester, HMP Swaleside and HMP Littlehey. A large number of assaults, including serious sexual assaults on female staff, have been recorded.

With funding pared to the bone, the Government has accelerated the policy of opening up prisons to competition. In March it controversially awarded G4S the contract to run the existing 1,400 inmate prison in Birmingham; the firm was also given the green light to build a new facility called Featherstone 2 near Wolverhampton.

The TUC has continued to work closely with the POA to address these and other issues. Deputy General Secretary Frances O'Grady addressed the union's Special Delegate Conference in February which was called in response to cuts, privatisation and growing violence in the Prison Estate.

The restoration of trade union rights remains a crucial issue for POA members. In April the ILO Committee of Experts condemned the UK Government for failing to have adequate mechanisms in place to compensate staff for being deprived of the right to strike.

On 30 June, the POA was one of a number of unions taking action to protest at government plans to reform public sector pensions. Branch meetings were held at every prison in Britain where members registered their anger at the proposed changes.

Staff working in probation are also bearing the brunt of cuts, privatisation and top-down reform. Despite being critically important to the Government's so-called "rehabilitation revolution", the probation service is operating under severe financial constraints, with serious implications for staff workloads.

The Government is seeking to outsource key services such as Unpaid Work, formerly known as community service, with multinationals such as Serco, Sodexo and Mitte invited to tender for contracts. Such an approach could result in increased group sizes, reduced supervision and staff being paid the minimum wage only.

The TUC has continued to work with Napo to expose flaws in the Government's policies and speak up for publicly-funded, publicly-run and publicly-accountable probation services. Frances O'Grady addressed the union's probation service officer conference at the end of June.

Finally, it has been another difficult year for staff working in Britain's courts, which are being hit particularly hard by the cuts. The closure of 93 magistrates' courts and 42 county courts is likely to lead to hundreds of job losses and make local justice less accessible. In addition, the £350m cut

in the legal aid budget will have a devastating impact on the ordinary people who depend on this service.

4.18 | Royal Mail

During the year the General Council has acted to support the campaign against the privatisation of the Royal Mail, informed by Congress policy as set out in Emergency Motion 2 carried at the 2010 Congress. A number of events were held across the country in support of the campaign with TUC speakers contributing to the Westminster rally in October, which was addressed by the Deputy General Secretary, and the Birmingham event in January, at which the Midlands Regional Secretary spoke.

The Government's Postal Services Bill received Royal Assent in June 2011. The TUC raised concerns with ministers as the Bill passed through both Houses, and expressed strong concern as it became law. The TUC will now continue to work with affiliated unions to campaign for Royal Mail to be retained in the public sector serving the public interest.



Frances O'Grady addresses the rally in defence of the Royal Mail at Westminster.
Photo: Stefano Cagnoni/reportdigital.co.uk

4.19 | Media, entertainment and the digital economy

The 2010 Congress carried three resolutions relating to this sector. The first expressed concern about the BBC's plans to close its Asian Network radio station, which the motion argued was contrary to the BBC's duty to represent minority interests. The General Council supported the motion and representations were made to the BBC in support of retention of the Network. In March, after a prolonged period of uncertainty, the BBC Trust announced that it was reconsidering plans to close the station, but was still considering reducing its budget. The BBC Annual Report, published in July 2011 stated 'The Trust will monitor the Asian Network's future as part of the BBC's wider strategy review'. The report also noted that 6Music had doubled its audience following the closure threat made at the same time as the threat to the Asian Network and about which the TUC had also made representations.

The second resolution concerned arts funding and referred to the cuts which had already been made in Arts Council funding and the threat to arts funding posed by the Comprehensive Spending Review. The resolution pointed to the contribution which the arts made to the economy and the importance of jobs in the sector. The role of arts funding has featured strongly in the All Together Campaign throughout the Congress year, with prominent contributions to the Central Hall rally held as part of the lobby of parliament on the eve of the Comprehensive Spending Review and the Hyde Park rally held as part of the March for the Alternative on March 26. The TUC has also supported the Lost Arts initiative organised by the entertainment unions, together with PCS and Prospect, which is a web-based campaign (www.lost-arts.org) launched in June, which seeks to record the projects, initiatives and performances that will be lost due to the cuts in public funding for the arts. By keeping an account of the damage done, it aims to win the argument for public funding of the arts.

The third resolution expressed support for the bid to bring the World Cup to England in 2018, citing the wide benefits that this would bring to the economy, as well as the sporting benefits and potential to boost sport, anti-racism and international friendship. The TUC backed the bid, however in December FIFA, controversially, decided to award the 2018 World Cup to Russia and the 2022 World Cup to Qatar.

On wider sectoral issues the TUC has continued to work closely with the Federation of Entertainment Unions, attending the FEU's quarterly meetings and liaising closely with the unions on sectoral issues, including those concerning the London 2012 Olympic and Paralympic Games – see below.

In November the General Secretary was among the guest speakers at the Performers Alliance annual parliamentary reception, when he took the opportunity to refer to role of the unions in the All Together Campaign and the work with the TUC through the Creative Coalition Campaign.

The TUC has continued to support the Creative Coalition Campaign, which brings together unions, employers and others in the entertainment sector to campaign against digital piracy. The General Secretary joined members of the coalition in giving evidence to Professor Ian Hargreaves, who had been invited by the Prime Minister to conduct an inquiry into copyright legislation. In his introduction the General Secretary stressed the importance of the sector to the economy and the crucial importance of protection against digital piracy, not only to protect existing works, but in creating a climate in which creative workers could generate new works, safe in the knowledge that there was adequate protection to prevent loss of revenue through piracy. The TUC welcomed the High Court ruling which supported the Creative Coalition Campaign against BT and TalkTalk, who as internet service providers had attempted to undermine the aim of the Digital Economy Act, which gave them a key role in preventing digital piracy.

In March, the TUC responded to the invitation from DCMS to comment on the proposed takeover of BSkyB by News Corporation. The TUC argued that the bid should be referred to the Competition Commission on the grounds that the move would give News Corporation and through that Rupert Murdoch an excessive influence over British media; that the guarantees for the independence of Sky News were inadequate, especially given Rupert Murdoch's record on circumventing such assurances, as he had done in the case of *The Times* and *Sunday Times* in 1981 and more recently in the case of the *Wall Street Journal*. It also pointed out that the role given to the Secretary of State for Culture, Media and Sport did not take account of the fact that News Corporation publications played a major role in British political life and their support could be a major influence on political careers. Following the receipt of more than 40,000 submissions to

the original request for comments, most of them as a result of an internet campaign opposing the bid, the DCMS gave a further brief period of consultation after setting out further assurances regarding the independence of Sky News. The TUC again responded citing the same reasons for regarding these additional assurances as inadequate and in addition citing the emerging evidence of widespread phone hacking at the *News of the World* as an additional reason why the bid should not go ahead. During this further consultation period in early July further evidence emerged of the far more extensive practice of phone hacking, together with allegations of illegal payments being made to the police for information. Amid intense publicity and growing political pressures the Secretary of State for Culture, Media and Sport agreed to refer the bid to the Competition Commission and within days News Corporation announced that it was withdrawing its bid.

The Prime Minister has subsequently announced an inquiry into phone hacking. Rupert Murdoch, James Murdoch and Rebekah Brooks, who had by then resigned as head of the News International arm of News Corporation, have appeared before a Select Committee and there is a growing clamour for tighter regulation of the press and a less cosy relationship between newspaper proprietors and politicians.

By coincidence, at the time that Rupert Murdoch was at the centre of the political storm, the TUC was hosting an exhibition, organised by Unite, the NUJ and the Campaign for Press and Broadcasting Freedom, marking the 25th anniversary of the transfer of News International publications to Wapping and the sacking of 2,500 print workers.

In June the Government announced its intention to undertake a wide-scale review of the regulatory framework supporting the UK communications sector. It sought initial comments by the end of June, but signalled an intention to undertake a longer period of consultation leading eventually to legislation by the end of the parliament. The review would focus on establishing ways in which the Government could drive growth and innovation in the sector. It said the intention was to strip away unnecessary red tape and remove barriers to growth and that the wider public interest would underpin the way in which it addressed these issues. In its response the TUC stressed the trade union interest in this area of policy, both because we represent unions with substantial numbers of members in the sector,

both creative workers and also those involved in the technology of communications, but also because in total union members form a substantial proportion of consumers and users who increasingly rely on a modern fast and efficient digital communications infrastructure for business, leisure and interaction with national and local government, public agencies and commercial companies. The central thrust of the submission was that whilst we share the Government's desire to put the UK on a path to sustainable, long-term economic growth, we are concerned that the emphasis on deregulation is not the way to achieve this ambition. The General Council will be keeping a close watch over the future development of this policy with a view to making further more detailed contributions to the consultation, in conjunction with the unions in the sector, during the next Congress year.

4.20 | London 2012 Olympic and Paralympic Games

The past year has seen the intensification of preparations for the London 2012 Olympic and Paralympic Games as the 'big build' on the Olympic Park in East London involved thousands of construction workers and detailed arrangements were put in place for staging what is widely regarded as 'the greatest show on earth'.

The TUC has continued to co-ordinate and facilitate trade union involvement in all aspects of the Games, liaising closely with unions and the two bodies principally responsible for putting on the Games – the Olympic Delivery Authority, which is responsible for providing the facilities (Barry Camfield, former Assistant General Secretary of Unite, is a member of the ODA), and the London Organising Committee of the Olympic and Paralympic Games, which is responsible for staging the event.

The TUC's work has been guided by three documents agreed between the TUC and London 2012 – the Principles of Co-operation, agreed in 2008, which set out the overall framework for engagement; the Volunteer Protocol, agreed in 2010, whose implementation is discussed below; and the Games-Time Grievances Resolution Protocol, which was signed by Brendan Barber, Lord Coe the Chair of LOCOG, and Ed Sweeney, Chair of Acas, when Lord Coe and Paul Deighton, Chief Executive of LOCOG, attended the General Council meeting in February 2011.

Work on the implementation of the protocol is continuing and will be drawn on during the 'test events' which are taking place later this year and at the start of 2012.

The Principles of Co-operation established a steering group between the TUC and London 2012 and this has met twice during the past Congress year, in December 2010 and in June 2011. The group will meet more frequently over the months leading up to the Games.

The Unions 2012 group, which is open to all unions with an interest in the Games, has continued to be the main means by which the TUC liaises with unions. The group has met twice during the year – in October 2010 and May 2011. The first meeting looked in detail at the proposed Games Time Grievance Resolution Protocol and the second at the discussions now taking place on volunteering. A visit to the park was also arranged for members of the group in June 2011.

Construction and employment

Prior to the signing of the Principles of Co-operation, the construction unions agreed a Memorandum of Agreement with the ODA and its delivery partner CLM. This included a commitment to the national terms and conditions; the London Living Wage; and the principle of direct employment. The construction unions have met regularly with the ODA. Issues of employment, training, health and safety and diversity have also been discussed through the Principles of Co-operation Steering Group. In total by July 2011 more than 25,000 people had worked on the Olympic Park and more than 13,000 on the Athletes Village. The annual report published in July 2011 showed that work had been completed on schedule, below budget and that safety standards had exceeded the industry average. Concerns about standards on the village were raised with Lord Coe during discussions at the General Council meeting in February. The original intention was that the village would not be part of the ODA- managed project but constructed and owned by the private sector. However following the crash of 2008 it was decided to build it through the ODA/CLM and to sell it after the Games, when the expectation was that the market would be in a stronger position.

Procurement

The TUC has worked closely with LOGOC and unions as the main contracts are allocated and detailed discussions have taken place with unions especially around the service contracts, including those for security. The purpose has been to ensure that the standards set in the Principles of Co-operation are adhered to especially on issues such as union access to the workforce and the London Living Wage. In June discussions were held between LOCOG and those unions that recruit in the service sector.

Transport

At the meeting with Lord Coe and Paul Deighton concern was expressed about the lack of union involvement from the transport and emergency services in the overall Games planning and the unions subsequently wrote to Lord Coe to reinforce these concerns. These issues have also been raised with the Secretary of State for Transport. A number of meetings, both between the unions and with officials involved in transport planning have been held and further meetings are planned.

Volunteering

The Volunteer Protocol, agreed between the TUC and LOCOG, set out broad principles for the use of volunteers during the Games. These recognised that the extensive use of volunteers had long been a key feature of modern Olympic Games and that the intention was to use up to 60,000 volunteers to help in the delivery of the London Games. These would include both general volunteers and some undertaking key specialist roles – in areas such as medical services. The TUC's aim has been to ensure that volunteers are fairly treated, including having access to the games-time grievance resolution machinery; and that volunteers are not used to undertake jobs that should be done on a paid basis. The protocol provided for sectoral discussions with unions on the implementation of these principles and these have taken place during the past year, usually combined with discussions on overall planning. Areas in which the TUC has facilitated discussions include those between the entertainment unions and the ceremonies team; between the NUJ and BECTU with the media team; and between the health unions and the Head of Medical. Discussions have also taken place between the media unions and the Olympic Broadcasting Services. Discussions will continue

in 2011 and 2012. Discussions have also been held between the entertainment unions, who have their own Olympics sub-committee, and the team responsible for the Cultural Olympiad.

In addition to the LOCOG volunteers the London Mayor's office is recruiting a further 8,000 volunteers – to be known as London Ambassadors. They will be positioned at venues across London and will greet and assist visitors to London during the Games. As reported to last year's Congress, it was hoped that the protocol agreed with LOCOG on volunteering could be extended to cover this group. A number of discussions have taken place – and these have especially focussed on the role of volunteers around transport hubs, where they would be sited alongside regular transport workers. These discussions are continuing.

Learning Centre

As was reported to the 2010 Congress, following discussions between the TUC and the ODA, a trade union and community learning centre was opened in autumn 2009 at the southern entrance to the Park. The centre has proved a great success, in particular helping security staff to achieve the qualifications that they need in order to carry out their role effectively. The original intention was that the centre would only remain on its current site until July 2011 however, following further discussions with the ODA, this has now been extended to January 2012 and further discussions are being held with a number of authorities with the aim of providing a service in the run up to the Games; during games time and into the legacy period.

Legacy

Trade union support for the London Games was always based on the legacy value of the project; in transforming an area of London that had long been characterised by run down and

polluted industrial buildings and high levels of unemployment and deprivation. It is for this reason that the TUC and construction unions have taken a close interest in the role of the Games in providing local employment and the record on apprenticeships. We remain concerned about the future use of the Park, especially the media and broadcasting centres, which offer the greatest potential for future employment, as well as the stadium itself, whose future is still uncertain, and we have started to work with the host boroughs whose aim is, within 20 years, to raise the social and economic chances of people living in these boroughs to those of London as a whole.

As the construction phase of the project nears completion the ODA have established an on-line learning legacy section of their website: the intention is that all those who have contributed to the delivery of the Games set out their experiences in a way that will help others understand how the project worked – both successes and difficulties. The TUC has agreed to co-ordinate trade union input into this work. We are also liaising closely with the ITUC, and through them with the Brazilian trade unions in the hope that they will be able to carry forward our work, in much the same way as we have been able to build on the experiences of the Australian unions in delivering the 2000 Sydney Games.

Playfair

An important strand of the TUC's work on London 2012 has been our involvement in Playfair, which seeks to use high profile international sporting festivals to raise standards in the international sportswear manufacturing sector – an area notorious for exploitation of workers in low cost countries; high prices in developed countries; and exploitation of the glamorous image of the world of sport. Our work in this area is reported more fully in the following chapter.

CHAPTER 5

Global solidarity

5.1 | Introduction

The TUC continues to promote global solidarity. In particular we aim to achieve a secure and just global recovery; to ensure more people globally have better rights at work; and to build stronger unions, more effective union organisation and democratic rights.

Sally Hunt continued to be the General Council spokesperson on international affairs, with Gail Cartmail as spokesperson on international development and Billy Hayes as spokesperson on Europe.

Over the past Congress year, the main issues tackled by the TUC internationally have been:

- The continuing impact of the global economic crisis and action around the G20, in the European Trade Union Confederation (ETUC) anti-austerity campaign and in the Robin Hood Tax campaign.
- The struggle for democracy and social justice in the Middle East and North Africa, led in many countries by trade unionists, along with continuing struggles for democracy in countries like Burma, Iraq and Swaziland.
- Defending trade unionists facing harassment and violence in countries such as Colombia and Palestine, in both cases developing campaigns such as that against the EU-Colombia Free Trade Agreement and in support of a boycott goods from illegal settlements in the occupied Palestinian territories.

The TUC has pursued trade union rights for migrant workers in the UK and globally; for domestic workers, including the achievement of a new ILO convention; for children, women and girls, LGBT communities and disabled people, including especially people living with HIV/AIDS. We also campaigned and lobbied for better rights for workers in global supply chains, especially through the Playfair 2012 campaign, through the

Ethical Trading Initiative and through revised OECD guidelines on multinational enterprises.

The TUC developed a new International Development Strategy titled Global Justice, Global Solidarity, but lost its Programme Partnership Arrangement with the Department for International Development and, as well as losing some valued members of staff, lost substantial capacity to assist trade unionists in developing countries. At European level, a new leadership of the ETUC was elected at the Congress in May in Athens including Bernadette Segol as general secretary and Judith Kirton-Darling as a confederal secretary.

5.2 | Building stronger unions

International Trade Union Confederation

The TUC's main global affiliation is to the International Trade Union Confederation (ITUC), which has 305 member organisations in 151 countries, covering 175 million trade unionists. Brendan Barber and Sally Hunt continued to represent the TUC on the ITUC General Council with Brendan Barber being a member of the Executive Committee and Diana Holland of the TUC Women's Committee continuing as chair of the ITUC Women's Committee. The ITUC General Council met in Brussels in February and among other matters elected Wellington Chibebe, current general secretary of the Zimbabwe Congress of Trade Unions, as a deputy general secretary from September.

The ITUC is taking a considerably more active role in areas such as union organisation and is developing a more strategic approach to trade union rights. On organising, the TUC was represented at a meeting with global unions in January in Washington DC, where it was agreed to mount a global campaign against the

anti-union practices of Deutsche Telekom in the USA: TUC unions took part in a global day of action in June to lobby German Embassies, as the German Government is a major shareholder in the company. The TUC is also assisting the ITUC to develop its trade union rights strategy, helping to draft the Burma strategy, for instance.

Commonwealth Trade Union Group

The Commonwealth Trade Union Group (CTUG) meeting, chaired by Leroy Trotman, Worker Vice-Chairperson of the ILO Governing Body, was held on 12 June 2011 in Geneva and was attended by Owen Tudor, Head of the TUC European Union and International Relations Department, Sam Gurney, Worker Member of the ILO Governing Body, and Bandula Kothalawala, TUC International Officer. ITUC Deputy General Secretary Jaap Wiene welcomed delegates and underlined the importance of engaging with the Commonwealth institutions to advance workers' rights and entitlements. Vijay Krishnarayan, Deputy Director, Commonwealth Foundation appreciated the contribution made by trade unionists to the promotion of democracy, good governance and the rule of law within the Commonwealth and expressed support for the group's role in bringing trade union concerns to the Commonwealth Heads of Government Meeting (CHOGM) to be held in Perth, Western Australia. Sunil Prasad, CTUG contact person, following a detailed discussion, advised the delegates that their comments and suggestions would be incorporated in the CTUG submission.

European organising

European Works Councils

The transposition of the new Recast Directive came into force on 5 June. The enacting regulation was put in place under the last Government but has come into effect without amendment by the present Government. Despite the British Government's minimalist approach to transposing the Directive, nevertheless it offers improvements for many EWCs. The TUC will be holding a seminar later in the year for affiliates to explore these new rights as well as to identify best practice. A guide on the UK's transposition of the Recast Directive will also be made available.

Social dialogue

The TUC, CBI and Partnership of Public Employers (PPE) met in February to discuss the implementation of the European Framework agreement on inclusive labour markets. The three organisations, who form the social partners for the purpose of the implementation of European directives, also invited BIS and DWP to form part of the working group.

The three have opted for a non-legislative method of implementation and will be developing a website. This will draw on the experiences of the social partner organisations, but also look to engage with a wider group of organisations covering a variety of sectors including for instance: skills, employment services, third sector etc. to seek their experiences and examples of best practice. To this end the social partners have agreed to hold a roundtable event either in the fourth quarter 2011 or first quarter 2012.

The TUC and the CBI staff also continued to meet regularly to discuss social dialogue issues.

International Development Learning Fund – projects

Kenya

Prospect's Going for Growth project in partnership with the Kenya Electrical Trades and Allied Workers Union (KETAWU) was completed with a mapping exercise, enabling the union to establish membership data and develop a three-year organisational plan focusing on health and safety, gender, youth, sexual harassment, job security, collective bargaining and representation.

Sierra Leone

Training courses conducted under the ICT Skills Programme for women members of the Sierra Leone Teachers' Union (SLTU), implemented by the National Union of Teachers, with its sister union in Sierra Leone, made it possible for participants to develop their skills in the use of office software packages and facilitate their access to the internet and networking with colleagues.

Cambodia

The ATL capacity-building project in Cambodia, launched in partnership with the Cambodia Independent Teachers' Association (CITA),

concluded with the publication and distribution of the national education law and enabled CITA to network with other civil society organisations active in the education sector in Cambodia, notably, with VSO International.

Zimbabwe

The National Union of Journalists strengthened its relationship with the Zimbabwe Union of Journalists (ZUJ) and raised awareness of the need for capacity building in its sister union in Zimbabwe, leading to NUJ branches and members donating computer equipment to ZUJ resource centres. The twinning project between TSSA and the Zimbabwe Amalgamated Railway Workers' Union (ZARWU) was also completed with the production of training and education material, support for the lay educators' training and the ZARWU's congress.

Guyana

The GMB London Region initiative, in partnership with the Guyana Agricultural Workers Union (GAWU) and National Association of Agricultural, Commercial and Industrial Employees (NAACIE) in Guyana, was instrumental in establishing an international network linking workers in the sugar industry and in publishing a booklet for shop stewards and activists and exchanging visits to and from Guyana.

Sierra Leone

The rebuilding trade union capacity in Sierra Leone project funded by the Department for International Development was successfully completed in September 2010. The project completion report submitted to DFID in January 2011 noted that the membership in the SLLC-affiliated unions had risen from 42,000 in 2007 by nearly 21 per cent to 50,806 in 2010, that the number of affiliates had increased from 20 in 2007 to 24 in 2010 with the affiliation of four associations of workers in the informal sector and that the union officials trained under the project had secured better pay and working conditions – a 20 per cent pay increase for some 15,000 civil servants in 2009-10. The report further emphasised that over 50,000 workers had their rights enhanced under collective bargaining agreements in 2007-10, that the SLLC and affiliates had adopted policies to improve women's position in unions while the technical advice provided through the project

strengthened the SLLC position on the technical committee tasked with the labour law review and that the SLLC continued its engagement with the Government of Sierra Leone and the Africa Peer Review Mechanism (APRM) on good governance. The report also pointed out that the improvement of pay and working conditions had contributed to the achievement of the Millennium Development Goals while the project had promoted gender equality and the empowerment of women. It was also instrumental in the establishment of the child labour desk in the Ministry of Employment, Industrial Relations and Social Security as part of a strategy to eliminate child labour.

Migrant workers

Organisation and representation

The TUC was party to two ETUC projects on organising migrants during the year, both funded by the EU.

The first 'Workplace: Europe' was based on the sharing of current practice and ideas about how unions can cooperate to ensure that EU workers exercising their right of mobility are not exploited and are organised into the host countries unions. Started in the previous Congress year, the project came to a successful conclusion at a conference held in Brussels at the end of September 2010.

The second project was called "What price the tomatoes". Its focus was on undocumented workers. It looked at the rights of these workers in various countries as well as different organising strategies. It was notable that in an increasing number of EU countries, unlike the UK, all workers can enforce their employment rights whether they are documented or not.

Migration policy

The TUC opposed the Government's policy of placing an arbitrary cap on net migration. Because the Government has no control over either the numbers of people leaving the UK or indeed the number of EU citizens entering the UK, in effect the Government's only means of achieving this objective has been to press down on non-EU migration. It has meant that the points-based system for non-EU migration is no longer solely determined by economic need. The TUC shares the view of the Migration Advisory Committee (MAC) that this will undoubtedly have a detrimental impact on the economy. The

TUC's views have been expressed through written responses to consultative documents and public meetings as well as within consultative meetings of the UKBA and the MAC.

The TUC and affiliates have also expressed concern over the temporary migration allowed under the EU – India Free Trade Agreement, currently being negotiated. This would open up a new temporary migration route from India under which workers and the self employed could enter the UK labour market without any demonstration that they would be filling existing skills gaps. Letters have been sent and received from both the Home Secretary and Secretary of State for BIS on this matter and meetings held with Vince Cable and officials from both departments. The TUC's concerns have also been expressed via a briefing to the ETUC and supportive MEPs.

EU Advisory Committee on Free Movement

The EU Advisory Committee on Free Movement has met twice during the year, the TUC being represented by General Council member Mohammad Taj. Within the committee there has been considerable discussion over transitional measures relating to A8 and A2 countries. Whilst transitional measures for A8 countries came to an end in April, transitional measures relating to the A2 countries of Bulgaria and Romania can still be applied. Transitional measures for A2 countries are due to be reviewed by the end of the current year and governments will need the agreement of the Commission should they wish to retain them for a further two years. Within the committee the TUC has argued that transitional measures merely lead to more bogus self employment and more workers entering the informal economy, which leaves them open to exploitation and the undercutting of other workers in the labour market. The MAC is due to consult on this issue later in the year.

5.3 | Solidarity

Bangladesh

As called for in Emergency Resolution 4 carried at the 2010 Congress, the TUC supported the struggle of Bangladeshi garment workers for a living wage, by bringing Z.M. Kamrul Annam, the chair of the lead body of Bangladeshi garment unions, to the UK to meet with trade unionists and press key clothing retail companies and

through the ETI, issued a public statement calling on retailers and the Bangladeshi government to support a living wage. The TUC also supported an Amnesty International appeal to release activists arrested during the national strike for decent wages.

Burma

The TUC continued to campaign against the Burmese regime, one of the world's worst abusers of labour rights, particularly as it sought to gain international support after holding sham national elections in November.

Sally Hunt, TUC General Council international spokesperson, addressed a TUC-supported national demonstration against the elections. The TUC welcomed the release of Burmese opposition leader Aung San Suu Kyi and called on the regime to release all political prisoners and begin a national dialogue to pave the way for genuine democracy and respect for human rights.

The TUC, in conjunction with the Burma Campaign UK, and its affiliates produced an action card calling on the UK Government to support commissions of inquiry into crimes against humanity and the denial of freedom of association in Burma.

The TUC continued to lobby the Foreign Office and the EU for tougher sanctions against the regime and the discouragement of investment. We also worked with the ITUC to press the ILO to take much tougher action against the regime, especially on forced labour and trade union rights.

Colombia

The TUC has continued provide financial and logistical support for Justice for Colombia (JFC) over the course of the Congress Year. JFC has seen the appointment of a new leadership team with Mariela Kohn appointed to succeed Liam Craig-Best, who has stood down after many years of dedicated service as Director, and Billy Hayes taking over from Jeremy Dear as chair, with Christine Blower, Mary Bousted and Sally Hunt elected as vice chairs.

The year has seen the welcome release of a number of political prisoners including Miguel Beltran whose case was highlighted in a video presentation at last year's Congress, regrettably however at the time of writing, other colleagues

such as Liliyany Obando, remain in detention and the campaign to secure the release of all political prisoners continues.

Despite the commitment given by the new Colombian President Juan Manuel Santos following his inauguration in August 2010 that his administration would have a 'firm and unwavering commitment' to human rights, assassinations of trade unionists and other human rights defenders have continued at a high rate. The latest JFC fact sheet lists 104 people killed in the first 10 months of the administration. With 17 trade unionists killed since the start of 2011. The TUC has continued to write on a regular basis to the Colombian embassy in London to protest at the killings and the continuing culture of impunity that appears to surround them.

Despite European Commission officials approving a draft free trade agreement between the EU and Colombia the campaign to prevent its ratification and approval by the European Parliament has continued to build. The campaign was a central issue at a joint TUC-JFC conference held at Congress House in December and the TUC has continued to support JFC work in Europe, including awareness raising work at the ETUC Congress in May.

Cuba

The TUC has continued to work on a number of issues relating to Cuba. Brendan Barber met with Cathy Ashton, the EU High Representative for Foreign Affairs, in February to call for revision of the European 'common position' on Cuba to facilitate a normalisation of relations between EU member states and Cuba. The signing by the British Ambassador in Havana of a UK/Cuba cooperation agreement in July was a welcome step in improving UK – Cuban government relations, although the TUC continues to call for higher-level government exchanges. The new Cuban Ambassador to the UK, Esther Armenteros, was welcomed at the TUC in November and Brendan Barber spoke at a Parliamentary reception in her honour later the same month. The General Secretary also met with the Cuban TUC's international secretary Manuel Montero during his visit to London in June.

The TUC has continued to work closely with the Cuba Solidarity Campaign (CSC) throughout the year including support for the campaign to secure the release of the 'Miami 5.' In October Brendan Barber spoke alongside Irma Gonzalez, daughter

of Fernando Gonzalez – one of the five, at the annual vigil for the Miami 5 outside the United States Embassy. CSC fringe meetings were held at various TUC conferences throughout the year.

Central America

The situation in many Central American states continues to cause grave concern. In Guatemala the death toll of trade unionists and other social movement activists has been rising at an appalling rate. The TUC together with the Banana Link organisation ran a postcard and e-action campaign to highlight the situation and called on the British Government to do more to support work to combat the culture of impunity there. In July Bert Schouwenburg, GMB International Officer, attended the 2nd ITUC Conference Against Impunity in Guatemala City on behalf of the TUC. The TUC has also continued to support work at the ILO to highlight anti-union laws in Panama and Costa Rica and has protested about the murder of trade unionists in El Salvador and Honduras.

Mexico

The terrible loss of life in Mexico as a result of drug gang led violence has continued throughout the year with working people often caught in the cross fire. There has also been a disturbing increase in deliberate attacks on migrant workers passing through Mexico on route to the United States. The TUC wrote to President Calderon in April to protest at proposed new labour laws designed to entrench the position of some union federations at the expense of independent structures.

Brazil

The TUC has strengthened links with its Brazilian counterparts during the past year. Joao Antonio Felicio, international Secretary of CUT, visited the TUC in June and discussed the signing of a memorandum of understanding, covering work to support Brazilian workers in the UK and British workers in Brazil. Work has begun to exchange experiences around union issues and the hosting of major sporting events in the light of Brazil being awarded the 2014 World Cup and 2016 Olympic and Paralympic Games. The TUC participated in a conference for members of the Brazilian Workers Party (PT) in Europe, highlighting the role of unions in defending migrant workers rights.

Iran

The TUC has continued to promote free trade unionism in Iran, especially the bus workers' union in Tehran led by Mansour Osanloo, who had been in jail since 2007, and his deputy Ebrahim Maddadi. Gholamreza Gholamhosseini, Morteza Komsari and Ali Akbar Nazari from the same union were arrested in November. In December, the TUC supported a global trade union solidarity campaign for Reza Shahabi, treasurer of the Tehran bus workers' union, who was on hunger strike in protest at his imprisonment since June. These union leaders are all prisoners of conscience, held solely on account of their peaceful trade union activities. In May, Mansour Osanloo was at last released on bail. In June, Amnesty International, the ITUC and several global union federations launched a major global campaign titled Determined to Live in Dignity: Iranian trade unionists struggle for rights. The TUC is supporting the campaign, which covers bus workers, teachers, sugar workers, journalists and others.

Iraq

The TUC continued to support the General Federation of Iraqi Workers (GFIW) and its campaign to finally secure an ILO-compliant labour law, despite more than eight years passing since the fall of Saddam Hussein.

In response to a TUC-backed international campaign, the new Minister of Labour withdrew an order derecognising the Iraqi trade union movement and publicly committed to enacting an ILO-compliant labour law and free and fair union elections. Iraqi unions and the ILO have also had some success in securing amendments to the draft labour law. However, the Parliament continues to block the law.

The TUC has continued to support demonstrations in Iraq demanding decent work and an end to corruption. We have also worked on urgent action appeals with Amnesty International and Iraqi unions to secure the release of demonstrators and labour activists, who had often been assaulted and arrested without charge as part of a growing government crackdown on protest.

The TUC also continued to protest against the harassment of trade unionists and supported the international appeal to prevent Jamal Abdul-Jabbar, President of the Kirkuk Oil and Gas Workers Union, from being transferred away

from his workplace as punishment for legitimate union activities.

Abdullah Muhsin, the International Representative of the GFIW, worked with the TUC to support campaigning work in Iraq for an ILO-compliant labour law, and spoke at a range of union events, including the Tolpuddle Festival.

Israel/Palestine

The TUC continued to carry out Congress policy on the Middle East as most recently set out in Composite 18 carried at the 2010 Congress. We have supported negotiations for a two-state solution and the stepping up of pressure on Israel to abide by UN resolutions.

A key focus of this work was campaigning against companies profiting from the occupation, the wall and the illegal settlements. The TUC pressed all British supermarkets to stop stocking goods from the settlements. As a part of this effort, the TUC produced and distributed an action card, in conjunction with the Palestine Solidarity Campaign (PSC).

As a result of campaign pressure from the TUC, the PSC, affiliated trade unions and civil society organisations, eight out of the nine largest British supermarkets have stopped sourcing goods from the settlements. This is a strong improvement from early 2010 when up to six of these supermarkets were still stocking settlement goods. Every supermarket also now claims to be applying the voluntary Defra labelling guidance which requires retailers to label their West Bank produce as either coming from the settlements or Palestinian producers. Trade unions also pressed other key British companies to withdraw from investments and partnerships supporting the occupation.

The General Council continued to press ministers and officials to ban imports of settlement goods or, as a step forward, to expand its labelling guidance to cover all settlement goods and encourage other EU member states to do the same.

Responding to a request from the Palestine General Federation of Trade Unions (PGFTU), the TUC supported the Palestinian National Authority's bid for UN recognition as a state, based on the 1967 border. Such recognition could hopefully strengthen the negotiating hand of the Palestinians within the framework of a two-state solution. The TUC pressed the Government,



**TUC international lead spokesperson, Sally Hunt, addresses the Global Day for Egypt rally in Trafalgar Square, organised jointly with Amnesty International.
Photo: Stefano Cagnoni/reportdigital.co.uk**

through ministers and officials, to support this position and the other concerns raised at Congress, including suspending arms sales and the EU-Israel Association Agreement.

The TUC supported the ITUC's programme of work between Histadrut (the Israeli trade union centre) and the PGFTU. The difficult state of the peace process led all three parties to pursue an international conference on peace and development in the West Bank planned for the end of 2011. The conference would seek to bring together investors and trade unions from Palestine, Israel and internationally, along with key international donors, to support the creation of decent jobs in Palestine. The TUC has assisted with the planning of the conference by facilitating contact with the office of the Quartet – the organisation which brings together the United Nations, European Union, United States and Russia to pursue the peace process.

The TUC participated in the PGFTU's second women's conference in December. TUC Aid is funding the inaugural women's officer position at the PGFTU for an initial period of 12 months.

Sadly, Fathi Nasser, the PGFTU's legal advisor and contact point for British trade unions died in May. Brendan Barber wrote to Shaher Sae'd General Secretary of the PGFTU conveying the sincere condolences of the British trade union movement to Fathi's family, friends and all at the PGFTU.

Arab Spring

Throughout 2011, the TUC campaigned and lobbied in support of trade unions at the forefront of the uprisings for democracy and decent work across the Middle East and North Africa.

In the case of Tunisia, Egypt, Bahrain and Iraq the TUC backed its trade union partners in their calls for change, and helped them resist government repression. The TUC also raised concerns over the escalating violence in Libya, Syria and Yemen. This has been done through extensive lobbying of ministers, ambassadors and officials at the Foreign Office and EU-level, as well as protests to the relevant embassies and

messages of solidarity to trade union sisters and brothers.

In Tunisia, the TUC backed the demands of the Union Générale Tunisienne du Travail (UGTT) Tunisia's national trade union centre, for democracy and decent work. This has included pressing the Foreign Office and EU to support debt relief and unilateral market access to Europe. Malika Achour, from the UGTT's Ben Arous region, addressed the Tolpuddle festival in July.

In Egypt, the TUC backed the protests and the historic formation of the Egyptian Federation of Independent Trade Unions (EFITU) in Cairo's Tahrir Square. It co-organised with Amnesty International, a national demonstration in Trafalgar Square that included a range of trade union speakers. The TUC also brought Kamal Abbas, the coordinator of the Centre for Trade Union and Worker Services (CTUWS), to Britain to strengthen links with British unions, and pressed the new UK Ambassador to Egypt to support their work in building an independent union movement in the country.

In Bahrain, the TUC supported the general strike of the General Federation of Bahraini Trade Unions and protested to the Bahraini Embassy and the UK Government on a number of occasions about the alarming crackdown and mass dismissal of union members.

A TUC Aid appeal was established to fund an ITUC programme of work to strengthening the UGTT in Tunisia and the EFITU in Egypt, and to help with the response to the crisis across the region generally.

Swaziland

In September, the TUC called for the immediate release of all trade unionists and democracy activists arrested by the Swazi police on the eve of the global day of action on democracy and good governance in Swaziland and joined protests outside the Swaziland High Commission. In April 2011, the General Secretary, in letters addressed to Mary M Kanya, High Commissioner for Swaziland, expressed outrage over the arrests of trade union leaders and activists during the protest action organised by the Swaziland Federation of Trade Unions (SFTU) and Swaziland Federation of Labour (SFL) on 12-14 April and demanded their release.

Turkey

The past year has seen the largely successful conclusion to the UPS dispute in Turkey. This had lasted 10 months and involved the dismissal of 163 workers for their trade union membership in contravention of Turkish law. The TUC supported the actions of the ITF who had taken up the cause of the sacked workers. Although UPS Turkey is not involved in the London Olympics, UPS is a sponsor of the Olympics and so the TUC expressed its concern to LOCOG (The London Organising Committee of the Olympic and Paralympic Games, which is responsible for preparing and staging the 2012 Games) and LOCOG raised the matter with UPS.

Under sustained pressure, UPS entered into negotiations and the vast majority of dismissed workers returned to work in February with the remainder receiving the relevant compensation package.

The Turkish government has however filed criminal charges against 111 union leaders, members and supporters in connection with a 2010 demonstration in Ankara. The charges carry prison terms of up to five years and have led the TUC to write to the Turkish government expressing deep concern about their actions.

Vietnam

Following Resolution 71 on Vietnam carried at the 2010 Congress, the TUC hosted a trade union delegation from the Vietnam General Confederation of Labour (VGCL), led by Senior Vice President Nguyen Hoa Binh. The visit included meetings with key trade unions and with the Foreign Office to discuss ways to collaborate on the recently concluded UK-Vietnam strategic partnership agreement. The TUC also met with the new UK Ambassador to Vietnam to echo VGCL demands for investment in skills and responsible British investment.

Zimbabwe

Bandula Kothalawala from the TUC office took part in a special conference on the trade union rights situation in Zimbabwe, which was held in Harare from 28 to 29 September 2010. The two-day conference organised by the Zimbabwe Congress of Trade Unions (ZCTU) and the International Trade Union Confederation was attended by representatives from the ZCTU and affiliates, the International Labour Organisation

and national trade union centres from Africa, Europe and the USA. The conference discussed in detail the report of the ILO Commission of Inquiry on Zimbabwe and agreed on follow-up action. Sharan Burrow, General Secretary of the ITUC, also pledged continued support for the ZCTU. The TUC Women's Committee signed a twinning protocol with the ZCTU Women's Committee in 2010. Following the harassment and detention by the Zimbabwean police of women celebrating the 100th year of International Women's Day, the TUC Women's Conference meeting in Eastbourne, expressed their outrage and continuing solidarity with their sisters in Zimbabwe. The TUC took part in the lunchtime vigil organised by Action for Southern Africa (ACTSA) outside the Embassy of Zimbabwe on 18 April 2011 on the occasion of the Independence Day in Zimbabwe.

Norway

In July, the TUC sent messages of condolence to the three Norwegian trade union confederations following the bomb blast in Oslo that killed a number of people and the subsequent murder of more than 70 people, most of them teenagers attending a Norwegian Labour Party summer camp on the island of Utoeya. (See also Chapter 3)

5.4 | Securing a just and sustainable global recovery

Trade Union Advisory Committee

The Trade Union Advisory Committee (TUAC) to the Organisation for Economic Co-operation and Development has continued to play a prominent role in developing and advocating global trade union policy positions to the G20, G8 and OECD.

Brendan Barber was part of a high-level trade union delegation to the G20 Leaders' Summit in Seoul, South Korea in November, meeting with Prime Minister David Cameron and world leaders from Japan, South Korea and Australia, as well as with the heads of the ILO, WTO and IMF. He also met with French President Nicolas Sarkozy in late 2010 and the UK G20 Sherpa to advance union priorities under the French G20 Presidency in 2011. The TUC frequently lobbied

officials in the Cabinet Office, the DWP and DFID, particularly on securing support for a G20 working group on employment.

The TUC participated in TUAC working groups on the economy, investment, corporate governance and education, training and employment policy. Frances O'Grady led the TUAC delegation at the OECD social policy ministerial in May, speaking on tackling global inequality. Brendan Barber continues to represent the TUC on the TUAC Plenary and Administrative Committees.

OECD Guidelines on Multinational Enterprises

The OECD Guidelines are standards expected of multinational companies operating in or from the 42 countries signed up to them. Over the Congress year, the UK National Contact Point (NCP), the UK-level complaints mechanism set up under the treaty issued final statements on trade union cases against Unilever in India and British American Tobacco in Malaysia. The NCP is still considering an IUF case against Compass in Algeria, and is tracking cases filed with other NCPs against UK-headquartered multinationals in four other union cases.

The TUC worked with TUAC and its affiliates to lobby member states during the update of the OECD Guidelines, including through written submissions, seminars and lobbying officials and ministers. Unions were successful in securing significant improvements on human rights and extending the coverage of the guidelines to workers in global supply chains, but failed to secure key procedural reforms of NCPs.

The TUC is represented on the Steering Board of the UK NCP by Lord Jordan.

Robin Hood Tax campaign

The TUC has continued to play a leading part in the Robin Hood Tax campaign in the UK, in European campaigning and in the global alliance, which held two global days of action in February and June and organised a global sign-on letter before the G20 summit in November. There are now 116 organisational members of the Robin Hood Tax campaign, including 25 affiliated trade unions, and over 250,000 supporters on Facebook.



Support for the Robin Hood Tax was a feature of the March for the Alternative on 26 March.

Photo: Rod Leon

The campaign seeks to secure a tax on financial transactions including shares, currency and derivatives, to raise revenue for global public goods. It connects our campaigning for an alternative to the Government's austerity package with broader civil society campaigns, which we also support, on financing for development and for tackling climate change. Secondly, it forms part of the campaign to present an alternative method of tackling the public sector deficit – an alternative based on increased tax revenues (alongside tackling tax evasion, for example) from under-taxed sectors of the economy and economic growth (which at the same time reduces government expenditure on benefits and increases tax revenues).

Although the UK campaign is one of the most active, a large amount of activity is now focused on international work as the prospects for the UK taking the initiative are slim. Nevertheless, the Robin Hood Tax campaign has developed a tool for lobbying MPs, and continues to lobby ministers and departments directly. The campaign endorsed the March for the Alternative and worked closely with UKuncut on domestic issues, and ran the UK arm of the global days of action in February and June, with stunts outside major financial institutions, as well as pressure

on bank bonuses and AGMs. As an initial step, the TUC and the campaign called for the Budget to include the extension of Stamp Duty on share transactions to cover all such transactions (banks' own account transactions are currently exempt) with the aim of raising £3bn a year.

The TUC played a leading role in both European and international campaigns for financial transaction taxes.

At EU level, the European Parliament adopted several resolutions/reports supporting financial transaction taxes at EU or Eurozone level if a global agreement could not be achieved. Campaigns to lobby the European Commission eventually shifted the Commission from a hostile approach to such taxes to supporting them: a legislative proposal is now anticipated in the autumn. The TUC worked closely with the ETUC and civil society, as well as with green and socialist MEPs to build support.

At global level, the TUC worked with the ITUC to ensure greater involvement of trade unionists in the global campaign, raising support, for example, in Australia, Brazil, Italy and South Africa. The Austrian, French, German and US trade union movements are among those that have taken a leading role from the beginning. The overall aim has been to put greater pressure on the G20 to support a financial transactions tax. In February, the G20's French Presidency commissioned Bill Gates to conduct a study of innovative financing, including financial transaction taxes, and the ITUC and the South African trade union centre, COSATU, took part in consultation meetings in Washington DC and Johannesburg. The TUC helped write the Robin Hood Tax campaign submission to the study, whose report to the G20 summit is due to be published in November. In addition the TUC took part in lobbying the UNFCCC process to ensure that financial transaction taxes are included as one source of funding for tackling climate change. Lobbying was undertaken at the Cancun talks in December and at the Bonn talks in June.

China

There have been considerable developments in China over the past year in relation to workers rights. Following the introduction of a new national contract labour law in 2008 a number of regional authorities, at various levels including provincial, municipal and township level, have also been looking at how to improve collective labour law provision, including some moves to

introduce more genuine collective bargaining. Whilst these developments were slowed following the global economic crisis, the pace of change might now be increasing again. This is in part a response to the Chinese Government's call for more balanced economic development, but is also due to issues around labour shortages in some areas as workers become increasingly assertive about the pay and conditions they are prepared to accept.

The TUC has continued to develop our contact with the state trade union organisation, the All China Federation of Trade Unions (ACFTU). Brendan Barber visited Beijing following the G20 Summit in Seoul in November for meetings with the senior ACFTU leadership, whilst the TUC has hosted a number of regional delegations including a group from Jiangsu who also visited the TUC Northern Region.

The International Trade Union Confederation has increased its work programme with the ACFTU and the TUC continues to support this policy of engagement both at the ILO and through direct exchanges such as a seminar on collective bargaining held in Beijing in August with British and German union officials.

Alongside these contacts the TUC continues to maintain close ties with independent unions and labour rights organisations based in Hong Kong and to monitor the wider human rights situation in China. Sam Gurney from the TUC International Department visited Hong Kong in February, meeting with colleagues from the Hong Kong Confederation of Trade Unions, the Global Unions Hong Kong Liaison Office, the China Labour Bulletin and other labour rights NGOs. He also visited a factory which is taking part in the Ethical Trading Initiative's China Decent Work project, which the TUC continues to chair.

Japan

The TUC hosted a six person delegation from JTUC-RENGO, the Japanese national trade union centre, led by President Nobuaki Koga and Deputy President Naomi Okamoto. The bilateral exchange covered policy and campaign responses to austerity and unemployment, as well as shared concerns on trade, climate change and vulnerable workers.

Brendan Barber sent a message of solidarity to President Koga following the devastating earthquake, tsunami and nuclear emergency that

hit Japan in March – its worst disaster since the Second World War.

Trade

The TUC has continued to advocate a fair international trading system that supports, rather than undermines, decent work for all.

The European Commission and UK Government both held consultations on trade over the past Congress year. The TUC put the case for a proactive industrial policy built on skills and support for innovation, quality public services and strong labour market institutions, both at home and abroad. The TUC also contributed to an ETUC submission to the European Commission consultation on trade and development.

The TUC continued to lobby the Commission to strengthen its Generalised System of Preferences (GSP) – a system granting trade preferences to countries in return for respecting human rights. The Commission has adopted some union proposals for making the scheme more transparent and putting more pressure on beneficiary countries to implement core human rights conventions. The TUC pressed the UK Government to support an investigation into Georgia's failure to fulfil its labour rights obligations under GSP. The TUC has been in dialogue with BIS on the GSP and on proposals to make EU trade negotiations more transparent, inclusive and be based on better impact assessments.

The TUC also continues to track a range of EU bilateral trade negotiations. On negotiations with India, the TUC has pressed for cautious and flexible provisions on the temporary movement of persons, based on a comprehensive impact assessment including a safeguard mechanism to ensure the protection of migrant workers and workers in the resident labour market. The TUC has continued to call for a binding sustainable development chapter in the agreement.

The campaign against any EU trade agreement with Colombia has continued. This is based on the grounds that Colombia continues to be a serial abuser of labour rights.

The TUC lobbied the UK Government and the European Parliament and Commission and supported an EU-wide civil society petition to ensure that EU investment provisions do not undermine quality public services and can hold

investors to account. The TUC also pushed for these points in trade negotiations with India and Canada.

The TUC has tracked proposals for concluding a more modest WTO Doha Round deal based on what has already been agreed and lobbied the UK Government to ensure that any deal concluded is more development friendly.

The TUC has also continued to participate in the ETUC working group on trade and globalisation and the Trade and International Labour Standards group of the ITUC.

Ethical trade and fair trade

The TUC has continued to play an active role in the Ethical Trading Initiative (ETI), the multi-stakeholder body enabling trade unions and NGOs to work with companies to improve working conditions in their global supply chains. Trade unions were represented on the board by Ben Moxham (TUC office), Ashling Seely (ITGLWF), Scott Walker (Unite and IUF) and James Howard (ITUC).

ETI efforts cover an estimated 9.8m workers in the global supply chains of its member companies across some 17,000 work sites. Over the last year companies have increased the resources they devote to ethical trade and are doing more project work on supporting suppliers to build human resources systems, but are still falling short in tackling violations of trade union rights.

Under new director, Peter McAllister, the ETI has shifted its focus away from broad auditing approaches, widely regarded as flawed, to more targeted and collaborative projects in priority supply chains in garments, food and hard goods. This new approach should allow the ETI to involve local sister unions more effectively in its programme work – a key weakness of company work on ethical trade to date. The ETI has also restructured internally to help deliver on this new approach.

Trade unionists also took part in validation visits to seven ETI member companies to scrutinise their ethical trade efforts – an effective activity that is set to expand under new company reporting requirements.

Annie Watson continued to act as the trade union co-ordinator at ETI, convening its trade union caucus, facilitating union involvement in its activities and inducting new ETI members

and staff on the concerns of trade unions. Sam Gurney from the TUC office continued to chair the ETI's China working group.

Playfair 2012 campaign

The TUC and affiliated trade unions have stepped up their efforts to raise awareness about working conditions in Olympic and sportswear supply chains and encourage activism among members to promote decent work through Playfair 2012. The TUC remains the main coordinator of the campaign.

The Playfair 2012 website www.playfair2012.org has been linked to the sites of 15 unions, promoted widely to members, and has had over 16,560 visits. To date, more than 5,200 people have taken the online/card campaign action calling on Adidas, Nike and Pentland (makers of Speedo) to respect workers' rights.

More than 25 joint events have been organised around the country. In April 2011, Playfair 2012 hosted Nirosha Priyadarshini Manakanda Dewage, co-president of the Free Trade Zones and General Services Employees Trade Union in Sri Lanka, who spoke at events organised by the TUC, ATL, NASUWT, NUT and Prospect. In addition, a number of unions have carried Playfair articles online and/or in membership magazines. Both Community and Prospect have passed motions in support of Playfair; and work with Anti-Slavery International, ATL, NASUWT and NUT will result in the release of Playfair teaching materials for 9-14 year-olds in October 2011.

The TUC has supported ground breaking negotiations in Indonesia involving local unions, sportswear brands and the international Play Fair campaign resulted in the signing of a protocol on freedom of association. Playfair 2012 has an online action encouraging other brands to sign and implement the protocol.

Playfair continues to engage with the organisers of the Games (LOCOG). As a result, LOCOG agreed to develop a complaints mechanism for workers in supply chains providing their goods/services. Playfair contributed to consultations on the mechanism's development; however, it has yet to be tested in practice. Playfair continues to press LOCOG on full public disclosure of supplier factories and successful operation of the complaints mechanism. In its latest Sustainability report, LOCOG states: "LOCOG continues to



Taking the Playfair message to the IOC meeting in London.
Photo: Jess Hurd/reportdigital.co.uk

have constructive dialogue with Playfair 2012” (2011).

In April 2011, after a gap of two years in talks with the international Play Fair campaign, Playfair 2012 successfully secured a meeting with International Olympic Committee representatives, during which our campaign demands were communicated and there was agreement to work together in future.

Dialogue between Playfair, Adidas, Next and Pentland, as suppliers to the Games, continues. This contributed to Adidas releasing its Olympic supplier list in July 2011.

Playfair 2012 continues to work closely with the international Play Fair campaign, and work has already been undertaken to share information and best practice with the Brazilian trade union movement. Other aspects of the TUC’s involvement with London 2012 are reported in Chapter 4.

5.5 | International development

Department for International Development

General Council member Gail Cartmail has continued to act as international development spokesperson for the General Council, chairing the International Development Group and co-chairing the joint TUC-Department for International Development (DFID) trade union forum. The forum met for the first time since the general election, at Congress House, on 8 February with Stephen O’Brien, the DFID Minister responsible for civil society and other matters, in the chair. The next meeting has been arranged for 8 November.

In the summer of 2010, the TUC consulted unions, NGOs, other ITUC solidarity support organisations and partners in the global south over a new international development strategy for the TUC, and the publication titled *Global Justice, Global Solidarity* was adopted in September and launched in December with an

article on *The Guardian* Development website. The foreword for the strategy was contributed by Helen Clark, former Prime Minister of New Zealand and now administrator of the United Nations Development Programme. The strategy, which will guide the TUC's international development work for 2011-2015, sets out three goals and three priorities (see box).

Global Justice, Global Solidarity

The TUC's international development strategy 2011-2015

Goals

- All workers, including the vulnerable, can enjoy decent work.
- All workers and their families enjoy safe working conditions, social protection and access to quality public services.
- All workers, speaking through their unions, promote and defend human rights, equality and social justice.

Priorities

- Enabling workers to build democratic and accountable unions, states and institutions.
- Securing equality and social justice through the trade union movement.
- Supporting vulnerable workers in improving their working lives.
- Ensuring international trade and investment drive decent work.

The implementation of this strategy will be severely restricted by the decision by DFID taken in December not to renew the TUC's Programme Partnership Arrangement, but it will continue to guide the work of the TUC and TUC Aid.

The TUC has maintained a role in the ITUC trade union development co-operation network, and Bandula Kothalawala represented the TUC at the June meeting. The TUC has continued to take part in the Global Economic Justice Networks (the successor body to the 2005 Make Poverty History campaign) and, with UNISON, the BOND-convened Campaign Co-ordination Team which brings together the main NGO campaigning organisations. Some NGOs engaged in regular work with trade unions sit on the TUC International Development Group.

DFID and other consultations

In November, the TUC, in a letter to the Foreign Secretary, asked the UK Government to support the Decent Work Agenda at the EU-Africa Summit held in Libya. In April, the General Secretary, in a letter to the Chancellor of the Exchequer in advance of the spring meetings of the World Bank and the IMF, underscored the need for coordinated action for the creation of jobs through education and skills training and for the adoption of recovery programmes conducive to equitable and sustainable growth.

The TUC, in response to the Bilateral Aid Review by the Department for International Development, reiterated the imperative need to take into consideration national development policies and priorities as determined by recipient governments in consultation with trade unions and other key stakeholders in the allocation of bilateral aid and called upon the Government to support the ILO Decent Work Country Programmes. In its submission to the Inquiry into the World Bank Group by the International Development Committee (IDC), the TUC underlined the need for the WBG to encourage governments seeking its financial and technical assistance to give priority to job creation and preservation in line with the ILO Global Jobs Pact endorsed by the G20 labour ministers in April 2010; pointed out that developing countries should be allowed more leeway in terms of design, content and implementation of their own strategies and policies; and regretted that, despite criticism from the international trade union movement over the World Bank's excessive reliance on labour market deregulation to promote employment, advocated repeatedly in *Doing Business*, no significant progress had been made on the use of more appropriate Employing Workers Indicators (EWIs) other than those relating to labour market flexibility.

In its submission to the IDC Inquiry into the DFID Report, the TUC welcomed the establishment of the Independent Commission for Aid Impact (ICAI) and hoped that the ICAI would have the broader task of looking into development effectiveness holistically rather than aid effectiveness only. In its reference to the Commonwealth Development Corporation (CDC), the submission noted that the CDC had been a laggard among development financial institutions in alleviating poverty and emphasised that it could significantly lift its performance by ensuring that its investment code was fully consistent with internationally recognised labour, social and environmental standards. In

April, a TUC study on conditionality noted that international financial institutions, especially, the IMF and the World Bank, had continued the use of economic conditionality under various guises.

DFID and the private sector

The TUC and affiliates have met with DFID ministers and officials to ensure that DFID's new private sector department is promoting decent work, supporting quality public services and labour standards to underpin sustainable and equitable growth. As a first step, the TUC worked with DFID on better ways to measure the quality and quantity of employment resulting from its interventions.

The TUC provided submissions to both parliamentary and DFID consultations on the future of DFID's finance development arm, the CDC group. DFID and CDC started to address many of the TUC criticisms by making CDC's investment code better reflect international labour standards and establishing a grievance mechanism. The TUC also highlighted the need for transparency in CDC's operations and capacity building to strength systems of industrial relations in companies using CDC funds.

The TUC provided input into the international trade union submission into the UN Framework and Guiding Principles on Business and Human Rights as developed by Professor John Ruggie, as well as directly lobbying Professor Ruggie. The Framework, formally endorsed by the UN Human Rights Council, is a potentially useful policy tool for unions to strengthen the responsibilities of business to workers in their global supply chains.

Programme Partnership Arrangement

In July 2009, DFID awarded the TUC a £2.4m Programme Partnership Arrangement (PPA) lasting until March 2011. The arrangement had four objectives:

- Improved the capacity of developing country trade unions to promote decent work and good governance to government, business and international institutions.
- Poor workers and their families having improved rights and/or improved capacity to enforce their rights leading to higher incomes and better employment conditions.

- Strengthened UK and developing country trade union international development policy engagement and influence at national, regional and international levels.
- Greater British trade union membership understanding of and commitment to sustainable development and the challenges of the decent work agenda.

The PPA provided the TUC with the opportunity to enhance its activities with more than 20 partners in the global south and there were several significant achievements. In Swaziland a trade union education programme with the International Research Academy for Labour and Education (IRALE) contributed to the formation of a united trade union centre, the Trades Union Congress of Swaziland (TUCOSWA), on 1 May 2011. In Zimbabwe, the TUC has supported ZCTU parliamentary advocacy, promoting a trade union perspective on the development of a new constitution, labour law reforms and the Millennium Development Goals. The TUC has been supporting ITUC-Africa to develop its organisational capacity and review its strategic plan. Many crucial issues relating to trade union, economic and political developments in Africa have been debated and will assist preparations for the 2011 Congress.

A programme around migrant workers' rights in Asia built co-operation between trade unions in Bahrain and Malaysia, countries receiving migrant workers, and India and Indonesia, from where the workers migrated. In Nepal, the TUC worked with the General Federation of Nepalese Trade Unions to educate more than 2,100 domestic workers about their rights. In Ghana and Sierra Leone, the TUC assisted trade union partners to organise workshops with government representatives to discuss the outcomes of the COP-16 Climate Change Conference.

The TUC has also continued to work with and support affiliates on international development activities. In September 2010, an event "Collaborating on successful overseas projects: achieving goals, avoiding pitfalls", was held for trade unionists and labour rights NGOs. Forty people attended and nine organisations (including the TUC and DFID) shared their experiences. The NUT and NUJ, with TUC support, submitted full proposals to the DFID 2011 Civil Society Challenge Fund. GMB London, with TUC assistance, also re-worked and then re-submitted their application from 2010. These were successful at the concept note stage but the full proposals were not approved.

In June, the TUC submitted its final self-assessment report to DFID, setting out progress towards meeting the objectives. In October 2010, the TUC applied to DFID for a new PPA to run from 2011-2014, which would have built on these successes and provided greater support to workers in the global south. The application was unsuccessful and the TUC will continue to explore alternative funding partnerships.

International Development Group

The TUC International Development Group (IDG) brings together trade union officials dealing with international development and representatives of NGOs that work in partnership with unions on development issues. Five meetings of the IDG were held during the year, in October, January, March, May and July. Meetings include alternately business agendas such as reports on union activity, TUC initiatives and guest speakers (union visitors from abroad or NGOs) and more thematic meetings covering one or two subjects in depth.

International Development Matters, a monthly electronic newsletter from the TUC, is also published on the TUC website and has almost 5,000 subscribers, containing information about union work on international development issues in the UK and globally. It is now edited by Tanya Warlock.

5.6 | Ensuring more people have rights at work

ILO Governing Body and Conference

The 2011 International Labour Conference (ILC) saw a major advance for the ILO with the adoption of a new standard, Convention 189, and an accompanying recommendation on the rights of domestic workers. Marissa Begonia from Unite/Justice for Domestic Workers represented the TUC in the second and final year of negotiations, with support from Diana Holland, Unite Assistant General Secretary. The new convention states explicitly that domestic workers must be covered by national legislation covering other workers and sets out many of the basic terms and conditions to which they should be entitled. It was deeply regrettable that the only speeches in the ILC plenary against the

convention were made by the UK Government, who, along with seven other governments, abstained in the adoption vote, and the UK employer representative, who voted against both the convention and the recommendation. The convention should now be ratified at a national level and the TUC is taking a leading role in the campaign in the UK to ensure this happens.

Richard Exell from the TUC's Economic and Social Policy Department represented the TUC in the discussion on social security which ensured that the 2012 ILC will discuss a new ILO recommendation on the creation of a universal social protection floor. Amanda Brown from the National Union of Teachers played an active role in the Committee on Application of Standards which reviewed 25 cases relating to violations of key ILO conventions. Sam Gurney, TUC representative on the ILO Governing Body (GB), acted as worker spokesperson in the committee on labour administration and inspection, which secured strong conclusions reaffirming that labour inspection was a public prerogative and that systems of administration and inspection needed to cover all workers including those in the rural economy and informal sectors.

Elections took place during the conference for worker, employer and government members of the ILO governing body. Sam Gurney was elected for a three-year term as a worker member, maintaining an unbroken run of UK representation on the workers group since the ILO was founded in 1919. The elections for the workers group saw nine new members elected; there are 33 worker members in total, and an improved gender balance with 14 women and 19 men. Proposals on reform of the functioning of the governing body have been approved and over the next three years the TUC representative will work with others to ensure that the workers group continues to improve its effectiveness within the ILO in order to deliver wider international trade union objectives.

The ILO governing body met for two weeks in November and three weeks in March. For several years much of the ILO's focus has been on how governments, social partners and multilateral institutions are responding to the global economic crisis. At the international level there has been some success in ensuring that bodies like the G20 have highlighted the need for stimulus to ensure jobs rich growth and the promotion of decent work. However it has become increasingly clear that at a national level many countries have in fact seen a reversal of



The 2011 International Labour Conference represented a big step forward for the rights of domestic workers.

policies designed to stimulate economic growth and secure employment. Arguments around this formed a major point of discussion in a number of governing body committees.

The agenda for the March governing body meeting reflected developing events in the Middle East. The meeting was addressed by the leader of the Tunisian Federation of Trade Unions, the Egyptian labour minister and others from the region. ILO technical cooperation and capacity building support has been rapidly mobilised in a number of countries in the region.

The March meeting also saw extensive discussion on the proposed budget for the 2011-12 ILO biennium. The initial proposal from the director general for a sixth consecutive standstill budget, with an increase of 2.7 per cent to take inflation into account, was supported by the worker and employer groups and the majority of governments. However the UK Government led a number of others in opposing the increase and even called for a three per cent cut. The ILO was able to identify further efficiency savings which reduced the proposed increase to 2.1 per cent but the UK continued to object and voted against the budget during the conference. It remains to be seen whether they will now refuse to pay the increased ILO contribution.

The change in the UK government in 2010 appears to have resulted in a general hardening of UK government – ILO relations. Following the release of DIFD's Multilateral Aid Review in March the UK also withdrew nearly all its additional voluntary support from the ILO (support which had amounted to around £20m over 2007-9). The TUC lobbied in favour of continued support and since the withdrawal has been working to ensure that DIFD officials remain in contact with their ILO counterparts with a view to renewed funding in the future.

Forced labour and trafficking

The TUC has been active in the United Kingdom Human Trafficking Centre (UKHTC), which provides a central point for the development of expertise and coordination in relation to the trafficking of human beings, working together with other agencies in the UK and abroad. The TUC is represented on the UKHTC Prevention Committee by Sean Bamford from the TUC office. Sean Bamford also represented the TUC at SAK's conference in Helsinki in February 2011 which exchanged national experiences of tackling trafficking. The TUC also supported the successful campaign to get the Government to change its mind and to commit to adopting the EU Directive on Trafficking.

Decent work and labour standards

The TUC celebrated the World Day for Decent Work on 7 October with ‘Stand up for Decent Work’: an evening of entertainment headlined by comedian Shappi Khorsandi, and with contributions from poet Luke Wright, authors Kat Banyard, and Andrew Simms, and Z.M. Kamrul Annam, a leader of Bangladesh’s garment workers union.

TUC Aid

TUC Aid Trustees met three times – October 2010, December 2010 and June 2011. They reviewed the progress in the implementation of the projects and made appropriate recommendations. Sheila Bearcroft joined the Board of Trustees in February 2011.

All activities under the Workers’ AIDS Project (WAP) launched in July 2009 in partnership with the National Organisation of Trade Unions (NOTU) in Uganda were completed in 2010. The project report highlighted the achievements in a number of areas of importance to the success of workplace response to the pandemic. The awareness of risks of HIV infection had risen following interventions by 60 peer educators and 25 local persons trained under the project, leading to an increase in the number of workers going for voluntary counselling and testing. The information and education material produced in English as well as in Swahili and Luganda circulated to workplaces also contributed to greater awareness of risks of infection. The collaboration between NOTU, its affiliates and employers facilitated the protection of employment rights and entitlements of workers affected by the disease. The project report urged the NOTU and its affiliates to engage with organisations representing the interests of the gay community regarding their employment and human rights as well as their role in HIV prevention strategies and to build alliances with employers, government agencies, civil society and other interested parties in order to have access to more resources to combat the disease.

The activities under the Building Workplace Capacity to Combat HIV/AIDS in Nigeria Project continued with the establishment of a voluntary counselling and testing (VCT) clinic in July 2010 at the Jikwoyi Primary Health Care Centre in Abuja. Due to increased demand, a second facility was opened at the Gwarinpa Hospital, making it possible to cater for the needs of workers travelling to the metropolis for

routine business. By the end of April 2011, 8,525 workers had attended the clinics and 467 had tested positive and been referred to appropriate hospitals for treatment and care. The training of trade union officials from participating unions in the preventive aspects of the pandemic as well as in the protection of employment and human rights through the implementation of a national workplace policy is in progress. Since the launch of the project in June 2009, about 2,300 trade union officials have attended courses. The awareness-raising programmes were attended by 249 trade union officials, representatives from civil society organisations and Nigerian Labour Congress Women’s Committee members. Some 13,700 people have been reached through the information and education campaign targeted on workplaces.

The seminar held in Congress House on the ILO Recommendation on HIV/AIDS and the World of Work brought together trade unionists, government officials and interested NGOs on World AIDS Day 1st December 2010. Mark Lazarowicz, Shadow Minister for International Development, praised the trade union response to the pandemic in his address to the seminar chaired by Annie Watson, TUC Advisor on international development. Kay Carberry, TUC Assistant General Secretary; Esther Ogunfowora, Coordinator of Building Trade Union Capacity to Combat HIV/AIDS in Nigeria; Stewart Brown, Executive Council Member of the Fire Brigades Union; Polly Jones, International Officer UNISON; Zuzanna Muskat-Gorska, Global HIV/AIDS Coordinator (ITUC); and Sarah Radcliffe, Policy Officer, National AIDS Trust (NAT) also addressed the seminar.

A TUC Aid grant coupled with financial assistance from the international trade union movement made it possible for Disability Aid Abroad to launch the Employment Support Programme for Workers with Disabilities in Tanzania Project in 2010 in partnership with the Tanzania Union of Industrial and Commercial Workers (TUICO), Radar Development (Tanzania), Comprehensive Community-based Rehabilitation in Tanzania (CBRT) Hospital. So far 37 people with disabilities have found gainful employment.

Further to Congress 2010 Resolution 68 on Haiti, TUC Aid had discussions with a women’s rights organisation in Haiti on possible collaboration in organising textile workers in the Free Trade Zones and is in discussion with the Trade Union Confederation for the Americas (TUCA) on

further financial support for strengthening trade union institutions and structures in Haiti as part of its contribution towards the implementation of the Trade Union Roadmap (TURM). A workshop in May 2011 held in Port au Prince concluded with recommendations for the effective enforcement of existing labour legislation and the reform of social protection mechanisms in order to protect the rights and entitlements of vulnerable workers – predominantly women – in the informal sector. More than 11,000 copies of the TURM in Creole have been circulated and training in basic trade unionism is in progress.

The multi-country appeal for Zimbabwe, Palestine and Burma is in progress with a dedicated webpage, which will provide updates on activities funded out of the proceeds. The production of fundraising packs and materials is envisaged with a view to disseminating them to affiliated unions. A strategic development initiative has been undertaken to raise the charity's profile, enhance its image and improve its long-term sustainability as a significant contributor to the TUC's international development activities. A major fund-raising effort involving TUC affiliates is to follow the strategic development initiative.

5.7 | Europe: combating austerity, fighting for our rights

European Trade Union Confederation

The ETUC Executive Committee met in October and December 2010 and in March and June 2011. TUC representatives on the Executive Committee are Brendan Barber, Billy Hayes, Sally Hunt and Dave Prentis, with Gloria Mills, Mark Serwotka, Owen Tudor and Elena Crasta as substitutes. Brendan Barber is also a member of the ETUC Steering Committee.

The TUC has continued to be represented by appropriate TUC policy officers on the following ETUC standing committees and working groups which met throughout the year (members are as June 2011 – alternates are in brackets). Significant developments in each area are dealt with in the appropriate chapters of this report:

- Collective Bargaining Co-ordination Committee: Richard Exell (Elena Crasta)
- Economic and Employment Committee: Tim Page (Elena Crasta)
- Economic and Social Cohesion Working Group: Alan Manning
- Lifelong Learning Working Group: Iain Murray (Bert Clough)
- Migration and Inclusion Working Group: Wilf Sullivan (Sean Bamford)
- Social Policy and Legislation Working Group: Hannah Reed (Elena Crasta)
- Social Protection Working Group: Richard Exell (Helen Nadin)
- Sustainable Development Working Group: Philip Pearson (David Arnold)
- Trade and Globalisation Working Group: Ben Moxham (Owen Tudor)
- Worker Participation Working Group: Sean Bamford (Janet Williamson).

The single annual meeting of the ITUC Pan European Regional Council executive committee was held in March 2011 with the TUC being represented by Sean Bamford. The meeting was addressed by Sandy Boyle (Unite and STUC), chair of the Economic and Social Committee external relations section, who spoke about the EU Eastern Partnership and the Civil Society Forum. The PERC general assembly, which meets every four years, will take place in the autumn.

ETUC Congress

The ETUC's XII Statutory Congress was held in Athens from 16-19 May. The TUC was represented by TUC President Michael Leahy and TUC General Secretary Brendan Barber; General Council Europe spokesperson Billy Hayes and General Council members Paul Kenny and Dave Prentis; TUC nominee for the position of ETUC Confederal Secretary Judith Kirton-Darling; TUC youth delegate Ruth Gregory from TSSA; and TUC Brussels Officer Elena Crasta.

The Congress elected Ignacio Fernandez Toxo (CC.OO, Spain) as president; Bernadette Segol (former general secretary of UNI Europa, France) as general secretary; Pratick Itschert (former general secretary of the International Textile Federation, Belgium) and Jozef Niemiec (former ETUC Confederal Secretary, Poland) as deputy general secretaries; Judith Kirton-Darling (EMF, UK), Claudia Menne (DGB, Germany), Veronica

Nilsson (LO Sweden) and Luca Visentini (UIL, Italy) as confederal secretaries.

The Congress adopted a comprehensive strategy and action plan together with an 'Athens Manifesto' which summarised its main points. TUC delegates spoke in the debate on austerity and labour law; minimum wages; climate change; and Colombia.

During Congress, a number of bilateral meetings were held, including those with a delegation of Socialist MEPs and with Poul Nyrup Rasmussen, president of the Party of European Socialists. In particular, TUC General Secretary Brendan Barber met with the incoming ETUC President and representatives from CC.OO (Spain); with representatives from the DGB (Germany) to discuss, among other things, the continuation of the British-German Trade Union Forum – which this year will take place in Germany in the autumn; with the general secretaries of CGIL and UIL (Italy).

European Network

The TUC European Network, bringing together officers from affiliated unions with European responsibilities, has continued to meet bi-monthly both to develop TUC lobbying strategies on European legislation and, more widely, to follow European developments and the ETUC's work. Members of the network have continued to receive detailed reports on EU legislation – such as financial market regulation and the campaign on the Robin Hood Tax, pregnant workers directive, revision of the working time directive as well as labour law developments more generally (which are all covered in detail elsewhere in this Report).

In May 2011, the group received an update on EU trade policy (which will be repeated every other meeting) and in July 2011, the group was addressed by Judith Kirton-Darling, newly elected ETUC Confederal Secretary, who presented the ETUC work programme.

Economic governance/austerity

As austerity plans were under way across Europe, on 29 September 2010 the TUC sent a delegation of more than 250 to the ETUC demonstration in Brussels, which went under the title 'No to austerity – priority to employment and growth'. A total of 100,000 workers joined the demonstration in protest against the fact

that they were being made to pay the price for an economic and financial crisis they did not cause. In March the ETUC Executive Committee adopted a resolution on European economic governance. The points in this were reiterated in May when the ETUC Congress agreed a statement and emergency resolution on austerity. This came as the European institutions were pushing through an economic programme of fiscal consolidation based on draconian cuts to public services, as well as unduly intrusive prescriptions on collective bargaining and wage setting mechanisms, undermining the whole concept of a social market economy built on the respect of social partners autonomy. Although the UK is not formally bound by these prescriptions – mostly aimed at 'safeguarding' the Euro area – the policies implemented by the Government have followed very much the same ideology of fast deficit reduction at the expense of a growth strategy. Thus the TUC has been arguing, both at home and in Europe, together with the ETUC, that there is an alternative based on investments, a serious attack on tax evasion and avoidance together with a financial transaction tax.

The ETUC has continued to take part in the Macroeconomic Dialogue (MED), a high level forum for the exchange of views between the European Council, the European Commission, the European Central Bank and the social partners. It was instituted by the June 1999 Cologne European Council to contribute to the growth and stability orientation of the macroeconomic framework in the EU. Tim Page of the TUC office has continued as a member of the ETUC delegation at technical level.

European Economic and Social Committee

This committee is composed of employer and workers representatives plus representatives of various interests. It meets nine times a year in plenary session to consider opinions prepared in response to Commission proposals, Council requests, or on its own initiative. These opinions are prepared by study groups which report first to one of six specialised sections. The TUC-nominated members of the Committee during the past year have been Christine Blower (NUT), Sandy Boyle (Unite and STUC), Peter Coldrick (TUC office), Nick Crook (UNISON), Brian Curtis (RMT and Wales TUC), Judy McKnight (formerly of Napo), Monica Taylor (Unite), and Kathleen Walker Shaw (GMB). Georgios Dassis (GSEE, Greece) has continued as president of

the workers' group. Sandy Boyle was elected chair of the external relations section. In its work on the economic crisis, the Committee has been consistently critical of austerity strategies, calling instead for growth-oriented fiscal policies, including European bonds and a financial transaction tax. The Committee was addressed in March by Commission President Barroso, and in July by European Parliament President Buzek.

CHAPTER 6

Learning and skills

6.1 | Introduction

This chapter sets out the General Council's work over the past year on learning and skills policy and the work of unionlearn, the TUC's learning and skills organisation.

Thanks to strong support from unions, the Government was persuaded to continue the funding for unionlearn. Key to winning this argument was the strong independent evidence from Leeds University research of the benefits to employers and employees of union learning.

Unions themselves are also investing strongly in learning. A unionlearn survey found that some 300 union staff (i.e. one in ten of all union officers) were now supporting learning. Almost half were funded by unions themselves, not the Union Learning Fund. There is strong evidence of growing demand for learning from members and activists with many branches reporting a revival of membership and activism due to learning.

Looking ahead, unionlearn's strategy is to continue supporting this work, providing a rapid, expert and responsive service to unions. One key area is providing more support on employer engagement or bargaining for skills.

6.2 | Learning and skills policy

Over the past year the General Council has continued to highlight the importance of government and employers maintaining investment in skills in order to safeguard jobs and support economic recovery. The Government consulted on its skills policy in summer 2010 and the TUC submitted a response saying that cuts to the skills budget would further damage prospects of a viable economic recovery. The TUC highlighted the following four priority policy areas in its submission:

- A welcome for some aspects of the direction of skills policy, including the commitments on continued government support for apprenticeships and for the role that unions play in promoting learning at work.
- A real concern that significant cuts in funding would deprive the most vulnerable in society of the opportunity to develop their skills in a very tough labour market.
- In light of reduced government spending, the even greater urgency for an active strategy to increase business investment in skills through the use of specific policy levers (e.g. Licence to Practice and training levies).
- The need to ensure alignment of a strategic approach on skills with an active industrial policy to build the skilled workforce needed for growth areas in the economy, especially the low carbon economy.

The publication of the Comprehensive Spending Review in October confirmed that the FE and skills budget would be reduced by 25 per cent over the coming period. The Government published its skills strategy – *Skills for Sustainable Growth* – the following month. The Government also commissioned Professor Alison Wolf to undertake a review of vocational education for young people aged under 19 and her final report was published in March.

Skills strategy

The TUC welcomed some aspects of the skills strategy, including the commitments on apprenticeships; the continued funding of unionlearn and the Union Learning Funding (ULF); and a degree of safeguarding for the Skills for Life budget. However the TUC expressed significant concerns about a range of cuts to skills provision. Under the skills strategy, individual skills entitlements will be scaled back and largely focused on those aged under 24 and also those in all age groups that are eligible for Skills for Life provision.

A major change is the abolition of the “Level 2 entitlement” which previously provided full funding to support achievement of a first Level 2 qualification, regardless of age. From 2012-13 people aged 24 and over will be required to pay a significant contribution to Level 2 training and the winding down of the Train to Gain programme is already significantly reducing access to this form of training by adult employees. In addition, from 2013-14, all government subsidy for Level 3 training (including adult apprenticeships) will cease for this age group. A new Level 3 student loan system will be introduced in 2013-14 in acknowledgement of the fact that many people aged 24 years and over will not be in a position to pay these fees upfront.

There are also going to be major restrictions to English for Speakers of Other Languages (ESOL) courses that will adversely affect many vulnerable adults. In future there will be no public funding to support ESOL training for migrant workers and from September 2011 free ESOL courses at FE colleges will be restricted to citizens claiming “active” benefits (e.g. JSA) with those claiming other benefits (e.g. Income Support) forced to pay fees for the first time.

In its *2011 Budget Submission* the TUC reiterated concerns about these cuts and pressed the Government to introduce measures to combat declining investment in skills. For example, the TUC called on the Government to review the current arrangements for tax relief for work-related training through the corporate tax and income tax systems. A policy paper commissioned by unionlearn has estimated that the total cost of this relief to the Exchequer is in the region of £5bn per annum, with little available data on how it is being used by those employers that qualify for it. The policy paper concludes that there are very strong grounds for using this money much more effectively, particularly in the current fiscal climate, by making it more progressive (e.g. incentivising employers to provide more training to low-skilled and low-waged employees) and giving tax relief for fees to individuals.

The TUC has also expressed concerns that there are no references to industrial strategy, and the complementary skills priorities and funding that should flow from this, in either the skills strategy document or the Government’s *Plan for Growth*.

Apprenticeships

Following the successful campaign to get a national minimum wage rate for apprentices, the TUC welcomed this year’s increase in the apprenticeship rate to £2.60, a four per cent increase. Unionlearn commissioned research on apprenticeship pay which revealed that the average salary for apprentices is £12,634 a year. The research was carried out by Incomes Data Services and it provided a comprehensive overview of pay, retention and training, with 289 employers contributing. Key findings included the fact that private sector employers paid, on average, 17 per cent more than public sector employers. It also found that the subjects which attracted the highest pay had the highest rates of retention after training.

Over the past year the TUC has responded positively to government announcements detailing increases in funding for more apprenticeship places over and above existing levels. The Budget included additional funding for 50,000 extra apprenticeships, including 10,000 higher apprenticeships and 40,000 places aimed at young people not in education, employment or training. Last autumn the Government announced funding for 75,000 additional places for adult apprentices (i.e. 19 years plus). In June the Government published data showing that there had been more than 100,000 additional adult apprenticeship starts in 2010-11 compared with the original target of 50,000.

However the TUC has continued to press the Government to take more action in ensuring that all apprenticeships are of a high standard and that pressure to achieve numerical targets does not lead to lower standards of quality. The TUC has consistently made the case that apprenticeships should be high quality, holistic career development opportunities that enable an individual to gain skills and experience by learning from experts in the workplace and gives them an opportunity to progress in their chosen field. The TUC has continued to highlight many challenges on this front, including companies using apprenticeship schemes that are little more than 12 week staff induction programmes, gender pay disparity, and limited access to apprenticeships by people from disadvantaged backgrounds.

In addition there is still a major challenge getting enough employers to engage in apprenticeships with only eight per cent of employers currently providing apprenticeships. Only 30 per cent of companies with more than 500 staff have

apprenticeship schemes compared, for example, with virtually all companies of that size in Germany.

The TUC has also continued to raise concerns about Apprenticeship Training Agencies (ATA), particularly agencies that run low paid, poor quality schemes with little progression or career development. Related concerns about ATAs centre around limitations on collective bargaining, union organising and recruitment, and the employment status of apprentices employed as agency workers. The TUC and unionlearn have worked with a number of sector skills councils to ensure that their bids to the Growth and Innovation Fund have adopted a Group Training Association Model (GTA) rather than setting up an ATA. The TUC is represented on the GTA national council. Both the GTA and the Association of Colleges have endorsed the TUC's Charter of Apprentices.

The IDS pay research report also reinforced previous findings in relation to gender pay disparity and other aspects of the equality and diversity agenda. The research revealed that higher-paid apprenticeships tended to have fewer women participants. For example, it found no evidence of women apprentices in the occupation with highest average apprenticeship pay, extractive and mineral processing. Access to apprenticeships by people from BME communities also continues to be an area of concern with the latest statistics showing that only eight per cent of apprenticeship starts went to this group. The TUC and unionlearn will be continuing to focus on the challenges in this area, including joint work with the National Apprenticeship Service and initiatives to support unions to negotiate equality and diversity training for managers and to promote recruitment strategies that directly target women, BME candidates and disabled people. Unionlearn is also working with a number of the National Apprenticeships Service's "Diversity Pilots" which have been set up to tackle this issue.

Unionlearn's Apprenticeships are Union Business project continues to raise awareness of apprenticeship issues amongst trade unions, both in terms of encouraging employers to recruit apprentices and offering training and resources to union reps in order to give them the tools they need to support existing apprentices in their workplaces. The project has been funded by the National Apprenticeship Service for two years and was recently granted a further funding extension. Unionlearn continues to support

unions' ULF funded projects which focus on apprentices. These encourage employers to hire more apprentices than they would otherwise have done and numbers to date are well above target.

Young people

Vocational pathways for young people have to some extent been protected by the continuing expansion of apprenticeships and the priority given to people under 24 in the new skills funding framework. It is also welcome that the Government has decided to implement the previous Government's policy of raising the age of participation in education or training to 18 by 2015. However, notwithstanding this, the past year has witnessed a dramatic increase in youth unemployment and the number of young people that are classified as NEET (Not in Education, Employment or Training) remains stubbornly high. The TUC has repeatedly highlighted the barriers to education and training faced by young people in the current economic context and the negative impact of this on their ability to achieve sustainable employment over the longer term.

In particular, the TUC has criticised the Government's decision to abolish the Education Maintenance Allowance and to replace it with a scheme comprising a third of the funding of the EMA. An inquiry by the House of Commons Education Select Committee concluded that these changes have left young people unable to make informed choices about their future education and training. Claims by the Government that its decision was based on an evaluation of EMA showing that 88 per cent of the money spent on it was ineffective or "deadweight cost" have also been called into question by the Select Committee. According to evidence given by Dr Thomas Spielhofer of the National Foundation for Educational Research, who led the evaluation study, the findings on deadweight were misinterpreted by the Government.

The Secretary of State for Education commissioned Professor Alison Wolf to undertake a review of vocational education for young people aged under 19 towards the end of 2010 and her final report was published in March 2011. The TUC welcomed the recommendation in the report that the Government should prioritise the expansion of high quality apprenticeships that offer genuine career progression for young people and that policy makers should learn from best practice on apprenticeships from other European countries. The TUC also noted that many of the recommendations in the report pose a huge

challenge for many businesses, in particular the focus on quality apprenticeships and the need for employers to ensure that young apprentices are engaged in training that supports the acquisition of a wider skill set and not just occupation-specific training. The Government's full response to the Wolf Report, published in May, endorsed the broad thrust of her recommendations. A seminar with Alison Wolf will be held in Congress House in the autumn.

Over the past year there have been wide-ranging concerns among unions and other stakeholders about career guidance services for young people, including the detrimental impact of substantial cuts to the Connexions service in many local authorities to date and the provision in the current Education Bill giving individual schools the responsibility for providing careers guidance in the future. A recent report by the Education Select Committee concluded that the cuts to the Connexions service have been "damaging and should not be allowed to continue". Furthermore, the Committee concludes that some young people are likely to lose out when careers advice is delegated to schools and it has therefore recommended that the provision planned under the National Careers Service (see below) should be modified so that it can provide face-to-face guidance services for young people as well as adults.

Higher education policy is covered in Chapter 4 along with early years and school education policy.

Green skills

The Government's approach to low carbon skills as part of its 'Green Economy Roadmap' has been disappointing. The TUC continues to press government for cross departmental commitment, ministerial leadership, comprehensive planning and structure, urgency, resources and a willingness to intervene where there is market failure. There are particular concerns regarding the loss of the Regional Development Agencies, the destabilised funding of sector skills councils and the reduced role of the UK Commission for Employment and Skills. The TUC has pressed for a skills subcommittee to the cross departmental Green Economy Council to prioritise green skills issues in government.

The Trades Unions Sustainable Development Advisory Committee (TUSDAC) and unionlearn are developing a distinct agenda for trade unions as the call for green jobs and 'low carbon skills'

gets louder in response to the twin challenges of economic revival and arresting climate change. Key themes for trade unions include environmental literacy, green workplaces, models of green employment (eg green apprenticeships), just transition and equality and strategic skills for the low carbon economy. Unionlearn is working to mainstream 'green skills' through its main programmes.

Right to request time to train

In the summer of 2010, the Government announced a review of evidence on the "future of the right to train" and consultation with stakeholders. The TUC argued that a review of the policy when it had only been introduced a few months earlier would mean that there would be very little evidence of how the right was working in practice. Unionlearn conducted research among union learning reps that found that the legislation was sufficiently light touch for its provisions not to be too onerous or bureaucratic: the ULR survey evidence suggested that the new right was useful and only one in ten requests have even needed to use the full procedure.

The results of the government review confirmed that evidence was in short supply but highlighted that opinions on the policy were "polarised". In February 2011, the Government announced that the legislation would not be extended to employees working for employers of 249 workers and under, as had been intended in the original legislation, but the right would be retained for employees working for employers with 250 staff and more. The TUC responded that the Government's decision was a setback for a skills-driven growth strategy and a loss of an important lever that was needed to get more people learning at work. The Government announced in July 2011 that the future of the right will be reviewed again before April 2015.

Skills utilisation

Over recent years there has been an increasing awareness among policy makers that greater consideration needs to be given to ensuring that skills are effectively utilised in the workplace in order to maximise the benefits for employers and employees of increasing skill levels of the workforce. In 2010 unionlearn commissioned Professor Francis Green of the Institute of Education to undertake a study on skills utilisation, including the potential for unions to increase the role that they could

play in supporting better application of skills in the workplace. In this study Professor Green summarised much of the policy debate around skills utilisation including the increasing recognition that raising productivity and living standards is inextricably linked to the need to improve the use of skills by persuading more employers to adopt “high involvement working practices” incorporating a dual commitment to skills utilisation and employee engagement. Over the coming year unionlearn will be undertaking an extensive capacity-building project to support union representatives to develop their role in this important aspect of workforce development.

UK Commission for Employment and Skills

Established in 2008, the original function of the UK Commission for Employment and Skills (UKCES) was to advise the UK government on how best to achieve improvements in skills, employment and productivity through strategic development, evidence-based analysis and the exchange of good practice. In addition, the Commission has managed the performance of sector skills councils since its inception. The Government’s review of arm’s length bodies in 2010 recommended that the Commission should be retained but that it should “change its purpose from being a top down advisory body to one that works with employers, trade unions, and other partners” so that it can “become a true vehicle for sustainable economic growth and social partnership”. In line with the Comprehensive Spending Review, the funding allocated to both the Commission and sector skills councils will be reduced over the coming years.

The focus of the Commission is increasingly to secure a much greater commitment from employers to invest in skills to drive enterprise, jobs and growth and it has established four priorities to support this overall aim:

- Making and winning the economic case for a greater investment in skills.
- Enhancing the value and accessibility of vocational training, especially apprenticeships.
- Galvanising industries and sectors to improve the skills of their workforces.
- Working with employers to maximise opportunities for unemployed and disadvantaged people.

The trade union members of the Commission are Brendan Barber, UNISON General Secretary Dave Prentis and STUC General Secretary Grahame Smith.

Whilst welcoming aspects of the new remit (especially the focus on attempting to build a social partnership approach and increasing employer investment in skills), the TUC has continued to highlight the scale of the challenge facing the Commission. The largest employer survey shows that a third of employers do not train their staff at all and that 44 per cent of the workforce – ten million employees in total – went without any training or development over the past year. The ongoing cuts to government spending on training are likely to exacerbate matters and deny training to an even greater proportion of the workforce in the immediate future.

In its *2011 Budget Submission* the TUC called on the Government to build on its recent welcome policy initiatives to promote a new social partnership approach at the sector level and to try and extend the use of regulatory levers to influence employer investment in skills. In order to give these policies some traction, the TUC recommended that employer and union representatives on sector skills councils should be required by government to come together to draw up a number of skills targets (e.g. the growth in the number of apprentices in sub-sectors). If these targets were not achieved, there should be a process to trigger the introduction of regulatory measures (e.g. occupational licensing and training levies) to tackle employer under-investment in skills in a particular sub-sector or occupation. The *2011 Budget Submission* also highlighted that procurement is another key policy lever that could be used more extensively by government to influence skills investment, for example, by requiring major contractors to take on a minimum number of apprentices.

Sector skills councils

Following the relicensing process that concluded in March 2010 two SSCs had been awarded only short term licenses pending further review. FSSC was successful in that review process, and re-launched in March 2011 as the Financial Skills Partnership (FSP). Lifelong Learning UK ceased to operate as a sector skills council on 31 March 2011 and responsibility for the majority of the LLUK footprint transferred to LSIS on the 1 April 2011. Additionally, GoSkills merged

with People1st on 4 July 2011, reducing the total number of licensed SSCs to 21.

The funding process for SSCs is changing so that from April 2012 all government funding will be contestable. The process started this year, with SSCs bidding into the Growth and Innovation Fund and the Employer Investment Fund. Unionlearn has provided support for several of these bids, in particular those which aim to develop Group Training Associations for apprenticeships, and environmental skills programmes.

Unionlearn continues to play a significant role in supporting union involvement in the work of SSCs by maintaining links between union officers and SSC personnel. A well attended and productive joint seminar was organised by unionlearn and the Alliance of Sector Skills Councils in March, on the theme of further developing collaborative working. A booklet featuring good practice case studies of joint working was produced for this event.

Joint work with the Manufacturing Skills Alliance has continued throughout the year, focussing on the promotion of apprenticeships and producing a jointly badged guide for employers in England entitled *Securing the Future of Manufacturing*. The Joint Action Working Group of Skills for Health, unionlearn and the health sector unions have also been working on the apprenticeship agenda, running workshops and producing case studies and a briefing for trade unions. The working group has also made a significant input into UNISON's development of a health sector specific unionlearn climbing frame.

Funding bodies

The Skills Funding Agency is an agency of the Department for Business, Innovation and Skills and it is charged with funding and regulating adult further education and skills training in England. The Skills Funding Agency houses the National Apprenticeship Service which has overall responsibility for supporting the Government's ambition for increasing the number and quality of apprenticeships. Responsibility for the funding of non-apprenticeship provision for 16-19 year-olds lies with the Young People's Learning Agency, which will be abolished in 2012 under provisions in the Education Bill that is currently progressing through Parliament.

The TUC Deputy General Secretary is a member of the Skills Funding Agency's Advisory Board

and the director of unionlearn is a member of the National Apprenticeship Service's Stakeholder Group and the SFA Employer Reference Group.

Skills for Life and ESOL

The Government remains committed to increasing literacy and numeracy in particular but announced in its skills strategy that it would review the Skills for Life strategy to assess its effectiveness in the context of economic and business benefits.

The Government announced major changes to ESOL funding from August 2011. There will be no public funding for workplace ESOL and the Government's expectation is that employers will now pay for this. Fully funded ESOL provision is being directed to people in "settled" communities who are in receipt of "active benefits" – Job Seekers Allowance and Employment Support Allowance (Work Related Activity Group). The Department for Business, Innovation and Skills (BIS) published an equality impact assessment of the ESOL changes in July 2011 and this stated that they "may have a disproportionate impact on some groups or sub-groups of learners." At the same time BIS announced that the planned policy approach on ESOL would remain in place, but that it would work in partnership with the Department for Communities and Local Government "on developing new forms of support for those who need informal, community-based learning of English." The TUC is working with those groups and unions, particularly UCU, which are campaigning against the cuts to ESOL.

The Government announced that literacy and numeracy learning up to Level 2 would continue to be fully funded and free to learners for the period of the Comprehensive Spending Review. However, the funding of literacy and numeracy will be reduced from August 2011 with the removal of the previous funding uplift for all provision (with the exception of Entry Level numeracy which has been given a higher priority). As a result of these changes it may prove more difficult for unions to source flexible provision with regard to literacy and the higher levels of numeracy learning. BIS have set up a high level project board to review and reform literacy and numeracy provision and unionlearn is represented on this board.

Informal Adult Community Learning

The Government has preserved the level of funding for Informal Adult Community Learning (IACL) throughout the period of the Comprehensive Spending Review. This amounts to £210m per annum under the Safeguarded Learning Budget. The Government asked NIACE to lead a consultation exercise on how effectively this £210m reaches those who need this kind of learning the most and also to make recommendations in the context of the aims of the “big society” policy picture. Unionlearn is seen as a trusted partner and has been closely involved in the consultation, emphasising the crucial role of union learning reps and their understanding of where IACL is most needed.

Further education and higher level skills

The General Council has continued to highlight the crucial role that FE colleges play in supporting the economic recovery and improving social cohesion in local communities. The significant economic impact of FE provision was highlighted in government research published earlier this year which showed that students and employees accessing FE provision in one year alone would generate an additional £75bn for the economy over their working lives, over and above what they would have contributed if they had not achieved these qualifications.

Throughout the past year the TUC has highlighted concerns about the impact of the 25 per cent cut to funding for the sector over the comprehensive spending review period. The impact of the cuts to provision on the most vulnerable in our communities has been of especial concern with a range of evidence showing that changes to fee remission and ESOL provision will have a disproportionate impact on women and other groups facing discrimination in the labour market. The introduction of FE student loans in 2013/14 is also of major concern – unionlearn is a member of a stakeholder group that is providing input to government about this major reform.

Unionlearn has a strategy for developing pathways to higher learning for union learners and has a strategic agreement with the Open University. There was a similar agreement with the Foundation Degree Forward (fdf), which has now been abolished. Regional projects have been set up to

work with universities to make local opportunities more accessible for union members. An innovation this year has been the development of the unionlearn Higher Learning at Work microsite. This website is a one-stop shop for working adults wanting to find out about higher learning. Since funding for organisations like fdf, Aimhigher and Lifelong Learning Networks has come to an end, unionlearn has now become a major organisation for working people looking for advice on getting access to higher level skills. Several HE institutions, including the Open University, offer discounts on their fees for union members, negotiated by unionlearn. A new progression pathways guide for union reps has also been produced. This new publication is an additional resource for reps about their own development and progression through their work in supporting union learners. Information about progression opportunities from TUC Education through to NVQs in Advice and Guidance and qualifications in coaching, mentoring and tutoring are included.

Adult careers service

The Government has announced that from April 2012, the all-age careers service will be known as the National Careers Service. The new service will replace the existing Next Step adult careers service and aspects of the services for young people which have been provided previously by Connexions Direct. However, as highlighted above, the original concept of an all-age service has been affected by major cuts in funding and the subsequent decision to give individual schools the responsibility for providing careers guidance in the future. The TUC shares the concern, led particularly by UNISON, that the new careers service for young people will not meet universal need.

The key features of the new National Careers Service are a high quality online and helpline service which will provide a single point of access for users and a network of public, private and voluntary sector organisations providing face to face careers guidance to adults. The TUC is represented on the advisory group supporting ongoing development of these policy initiatives and is being consulted about the development of the new service, including its branding and quality assurance processes.

Unionlearn has produced a new version of the *Supporting Learners* guides, which have been designed for union reps involved in supporting union learners in the workplace. The new 2011 *Supporting Learners* guides contain both new

and updated content about information, advice and guidance, mentoring and coaching and network organisations that can help union reps in supporting learners.

6.3 | Unionlearn

A summary of unionlearn's structure, activities and impact is set out in detail in its *Annual Conference Report 2011*. Unionlearn has continued to provide a robust framework to support unions in their learning activity and this has been recognised by the Government. As a result of its Comprehensive Spending Review, the Government reduced the adult FE and skills budget by 25 per cent over the three-year period 2011–12 to 2013–14. The core grant to unionlearn and the Union Learning Fund for the three-year period, however, was not reduced.

This reflects the cross-party support for union learning and recognition of its positive impact as evidenced by the in-depth evaluation carried out by Leeds University Business School. Speaking in an interview ahead of last year's unionlearn annual conference, John Hayes, Minister for Lifelong Learning, Further Education and Skills, said that unionlearn "is central to the Government's vision for building the nation's skills". Other ministers, including Vince Cable and David Willetts have also continued to be strongly supportive, as have employers and skills bodies.

Around 225,000 learning opportunities were supported by unions and unionlearn last year, including training for more than 57,000 union reps and just under a thousand union professionals undertaking a training course with TUC Education. In addition, a total of more than 26,000 union learning reps have been trained by TUC Education since 1999. As a direct result of union support employees engaged in a wide range of learning over the past year, including Skills for Life, vocational courses, apprenticeships, higher level skills, CPD, ICT, FE and informal adult learning.

Unionlearn board

The General Council's involvement in unionlearn is through membership of its board. The board's composition broadly reflects the unions in the General Council. During the year the Board has developed and revised its strategic plan

in relation to the new political and economic context. The Board has also had oversight of the internal restructuring of unionlearn as well as strengthening its internal financial management through its Finance and Audit Committee.

Unionlearn Board Membership

General Council Members

Mary Bousted (*chair*) ATL
Bob Abberley UNISON
Sheila Bearcroft GMB
Christine Blower NUT
Gail Cartmail Unite
Brian Cookson NASUWT
Sue Ferns Prospect
Allan Garley GMB
Tony Kearns CWU
Chris Keates NASUWT
Michael Leahy Community
Leslie Manasseh Connect
Doug Rooney¹ Unite
Mark Serwotka PCS
Alison Shepherd UNISON
Pat Stuart Unite
John Walsh Unite (co-opted)
Fiona Wilson USDAW

Staff members

Frances O'Grady, Deputy General Secretary, TUC
Tom Wilson, Director, unionlearn
Catherine McClennan, Business, Finance and ULF Manager, unionlearn

Observers

Tony Kearsley, BIS (Caroline Blondell from June 2011)
David Cragg, Skills Funding Agency

¹ Until December 2010.

Union Learning Fund

The Union Learning Fund (ULF) has been pivotal to the rise and development of trade union activity on learning since its launch in 1998. The ULF remains a government flagship programme and is central to both unions' and unionlearn's priorities. It has involved more than 53 unions in over 700 workplaces and has helped people to access more than 750,000 learning opportunities with the support of union learning reps. The objectives of the ULF include helping unions to: embed their work on learning and skills; develop the role of ULRs; establish support for learners; and form partnerships with employers and providers.

Over the past year the ULF has supported unions in achieving the following outcomes:

- 1,674 ULRs completing new training and 2,307 completing follow-on training modules.
- 102 new learning centres opened and 150 significantly improved.
- 285 learning agreements signed with employers and 160 partnership agreements with providers.
- 147,890 learner opportunities, including:
 - Informal adult learning (34,195)
 - Level 2 (24,113)
 - Continuing Professional Development (22,967)
 - ICT (18,686)
 - FE (17,859)
 - Skills for Life (17,526)
 - HE (4,878)
 - Level 3 (3,521)
 - Other (4,145).

Union learning reps

Union learning reps are pivotal to supporting union learners and TUC Education has trained more than 26,000 ULRs since 1999. The Leeds University evaluation of unionlearn and ULF found that “ULRs were a key factor in engaging learners”. Stakeholders recognise the unique role that ULRs play in providing peer-to-peer support, particularly for vulnerable workers or those who may not be confident.

The last biennial survey of ULRs commissioned by unionlearn found that the most powerful influence on both ULR activity and impact was the conduct of negotiation over learning and training. In most learning agreements ULRs play a major role, sometimes undertaking learning-needs analysis, usually participating in learning committees and invariably providing information, advice and guidance on learning to employees. However, the survey also showed that the biggest barriers to increasing learning opportunities are recruiting/training sufficient ULRs and the time pressure on ULRs to undertake their activities. Unionlearn continues to prioritise these pressing issues, in particular the need for more engagement with employers resulting in stronger learning agreements and better employer support for learning.

6.4 | TUC Education

TUC Education offers high quality, accredited union reps and professionals training through a network of partner colleges of further and higher education across the UK.

Trained union reps make all the difference in the UK’s workplaces, evidence of this was published in the 2010 research report *Making a Difference*. This showed that unions not only make a difference to workers, they can also bring benefits to employers and the wider community, thus, in the TUC’s view, making the economic case why the training of union reps should be supported by employers and government.

The Department for Trade & Industry (now BIS) published a report in 2007 which assessed the benefits of trade union involvement and representation in the workplace. The report showed that union representatives significantly reduced the number of ‘exits’ from a workplace; improved labour retention; and reduced absenteeism. The reps did this by giving employees a voice and so letting them air and deal with grievances rather than leaving disaffected employees with finding another job their only option. The study estimated that by performing this role union reps could help employers make savings of between £72m and £143m a year.

The Department for Business, Innovation and Skills estimates that the presence of union safety representatives also helps cut the amount of working time lost because of injuries at work by between 161,000 and 241,000 days a year. This results in a cost savings to business of £136m to £371m. BIS also estimates that 125,000-375,000 fewer working days are lost due to work-related ill-health because of the work of union safety representatives.

The evidence shows that through their union membership, workers are more able to participate in the decision-making processes of a company and feel they have more control over their working lives. This is in addition to union members having a voice and being able to have their grievances answered by management. The same research shows that employees that are listened-to have more commitment to the company and are more productive. It has been estimated this additional productivity was worth between £3.4bn and £10.2bn to the economy.

Despite the increased pressures on paid release arising from the economic downturn, participation in the programme for union reps was only slightly reduced (1.9 per cent) against the 2009 high of 58,321. Overall, 57,163 union reps across the UK received training from TUC Education, with an additional 908 union professionals participating in courses. TUC Education maintains an unrivalled reputation for quality and innovation in adult education. With 14 consecutive Adult Learning Inspectorate/Ofsted Grade 1, outstanding, inspection reports and an unrivalled reputation for quality and innovation in adult education, TUC Education continues to be an essential part of the adult curriculum across the UK.

These figures represent a significant achievement in numbers and in scope, with more courses and more flexible ways of accessing learning to suit the needs of union reps and employers. However, the steady increase in numbers experienced since 1997 is now levelling off as the economic downturn begins to bite – 1,158 fewer reps were trained than in 2009, whereas 2008 saw an increase of 5,027 reps trained over the previous year. This is undoubtedly the consequence of the harsher economic environment combined with a continuing squeeze on release for training. It remains, in that context, an impressive result and is the consequence of secure and efficient partnerships across unions and further education.

Overall, the number of reps trained each year over the last ten years has increased by 90 per cent. Growth remains concentrated in the shorter programmes (up by 231 per cent over the same ten year period), an indication of the difficulties reps face in gaining release from the workplace to attend training, and there is evidence to suggest that fewer reps are able to return for updates or further training. The results for 2010 reflect union reps' thirst for learning, as well as the role's growing complexity and sophistication. Almost all affiliated unions participate in the programme and many commission tailored programmes within TUC Education.

Training opportunities for union professionals also expanded significantly in 2010 with more than one in three officers from 35 unions receiving training through TUC Education. Learner numbers, at 908, were slightly down from their peak of 1,424 in 2008, still considerable coverage of a small but crucial segment of the trade union target group. Work is in progress to refresh the offer to union professionals.

The programme

TUC Education runs a fully accredited programme which offers training to more than one in four of the UK's 220,000 union workplace representatives each year. Women's participation in the programme rose slightly to 38.4 per cent of reps trained against 35.9 per cent in 2009. Women reps made up 47.5 per cent of all new ULRs trained.

Statistics on union reps' participation in TUC Education courses have been collected in the same way for more than 20 years. Continuing difficulties for trade union representatives in obtaining paid release and the decline of industries and sectors with strong, traditional release arrangements can be tracked. It is significant that the ten day programmes for union reps and safety reps and the five day course for union learning reps, the core training packages which offer a thorough and complete grounding, continue to show a slight downward trend despite legal rights to paid release being in place to support them. Over the ten year period from 1998 – 2008, numbers attending the Stage 1 and 2 courses for union representatives decreased by 45 per cent and the numbers attending Stage 1 and 2 Health and Safety Representatives courses decreased by 42 per cent. This is more than compensated for by a 223 per cent increase in student numbers on shorter programmes over the same ten year period and is an indication of the pressure on paid release and the decline of the industrial base where such rights had been fought for and won.

The year-long diploma programme continues to grow in popularity, with the Diploma in Occupational Health and Safety and the Diploma in Employment Law clear union priorities. Numbers rose slightly from 1,458 students in 2009 to 1,467 in 2010, still a significant increase in what is a very substantial educational commitment. It is also significant that, for the first time, numbers taking the Employment Law Diploma (730) exceeded those taking the Occupational Health and Safety Diploma. The new Diploma in Equalities, launched autumn 2011, is already in high demand.

Short courses are now vital to the programme, supporting national TUC priorities and the work of affiliates. The courses offered in 2010 included:

- equal pay
- health and safety in the quarrying industry
- disability champions

- dispute resolution
- discipline, grievance and the right to be accompanied
- data protection
- Organise!
- COSHH
- musculoskeletal disorders (MSDs)
- asthma
- body-mapping
- information and consultation
- work/life balance
- domestic violence
- trade unions and the environment
- UK unions and the EU
- countering the far right
- pensions champions
- health & safety update
- developing safety representative skills
- workplace accident investigation and reporting
- smoke-free workplaces
- negotiating with employers on learning
- working with providers
- coping with the economic downturn
- risk assessment.

The fees exempt funding formula, agreed with the Learning and Skills Council in 2002, and continued under the SFA has provided stability and the potential for growth in England. It builds the curriculum into the structure of further education and ensures that TUC Education no longer needs to pass on course fees to affiliates. Arrangements are in place for Wales, through a grant agreement with the Welsh Assembly Government, until 2013 and in Scotland through a grant from the Scottish Government. The Scottish Trades Union Congress (STUC) in partnership with TUC Education in Scotland has established the well-regarded Scottish Union Learning (SUL) to work together to support unions, reps and members and to establish a high profile, strategic direction for union learning in Scotland. The TUC is represented on the SUL Board by Liz Rees.

TUC Education is founded on partnerships and the long standing link with Colleges of Further Education and the Workers' Educational Association has made it possible to maintain and extend the resource base for trade union education. The TUC continues to enjoy positive professional relationships with college managers and tutors. The TUC wishes to record its

appreciation of the significant contribution made by its tutors, whose professionalism and commitment continues to be at the heart of the programme's success. Colleges, the WEA, their staff and all those trade unionists that support the work have also played significant roles in maintaining and developing TUC Education. Thanks are also due to union national education officers and their teams around the UK, whose enthusiasm and support for and commitment to trade union education remains key to maintaining quality and demand.

Union Professional Development Programme

Since the closure of the TUC National Education Centre in 2005, the programme for union professionals has been a key priority for TUC Education. It has grown exponentially since then, with around one in three trade union professionals taking part in the training offer each year. In 2010, 908 union professionals from 35 unions participated in a course: half of them women.

Much of the training took place in London, as in previous years, but regional programmes are run in Scotland, the Midlands, South West, Yorkshire and the Humber and the North West.

Course details can be accessed at www.unionlearn.org.uk/education these include:

- employment law
- equality
- gender, globalisation and poverty reduction
- lights! camera! action!
- health and safety
- reading financial accounts
- bargaining
- Organising Academy programmes.

The union women professionals' summer school is now in its seventh year. This course is designed to develop the next generation of women trade union leaders and has established itself as a unique development opportunity for women trade unionists. Fourteen women from ten unions participated in intensive sessions on a range of union priorities led by senior trade union and labour leaders. Priorities included pensions, organising strategies, employment law, equalities and leadership. A reception hosted by the Shadow

Home Secretary, Yvette Cooper, in the House of Commons was a highlight of the week.

TUC Education offers courses for affiliates on a bespoke basis covering a range of further subjects including, for example, contract law, administrative support and management training. Leadership and management coaching, a service providing tailored support for those holding leadership and management positions in unions, is also available. A new initiative between unionlearn and Chartered Management Institute (CMI) is developing new products and services for union professionals with management responsibilities.

A new approach to union professionals training was trialed in 2010 with online diploma courses in employment law, occupational health and safety and contemporary trade unionism being offered. Previous attempts to provide courses with such a high commitment of time have struggled due to the unpredictable nature of union professionals' workloads. However, the flexibility of study options that online learning offers made diploma courses more accessible for union professionals than previous formats. A total of 69 union professionals enrolled in online diploma courses in 2010, a remarkable achievement.

Further support for union professionals is available through a dedicated website, uniquely focused on union officers. Registration is at www.unionprofessionals.org.uk

TUC Education Online

TUC Education Online now offers a genuine alternative to its classroom based equivalent; a convenient and effective solution to union reps seeking to develop their skills and knowledge.

During the past year, TUC Education has continued to develop and expand its online programme. Demand for online courses is strong and increasing – 2010 saw an increase of 48.8 per cent on the 2009 figure to 1,438 reps on 99 online courses, with some affiliates commissioning their own online programmes and an increase in tutor capacity to deliver. This growth in numbers is mirrored by a growth in choice for online learners with a full range of courses available online, including Countering the Far Right and Going Global: Trade Unions and International Development as well as all three diploma courses. An analysis of the courses reps are undertaking online indicates that 8.5 per cent

of all participants in the Union Representatives' Stage 1 Course are learning online as are 8.4 per cent of all diploma students.

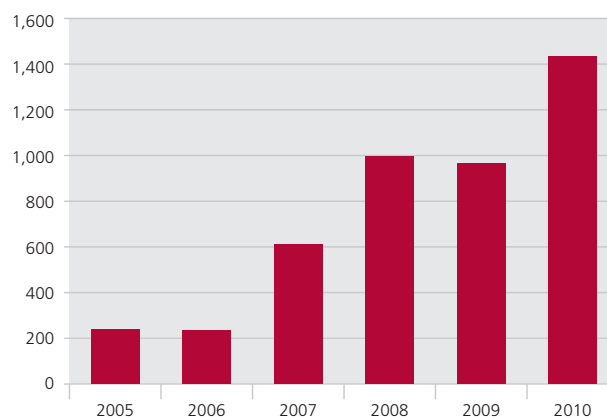
A snapshot survey of reps online showed that 54 per cent had obtained paid release for their learning whilst 46 per cent had not. Whilst lack of paid release often indicates that reps have exhausted paid release allocated by agreement, it does mean that a significant number are learning in their own time having been denied release.

Online tutors remain crucial and TUC Education is prioritising their continuing professional development. A conference was held in 2010 to give tutors an opportunity to share best practice, knowledge and experience and help to shape TUC Education's future online provision. Those attending worked with colleagues, participated in developmental workshops and explored online technological developments. The conference informed and influenced TUC Education's online learning strategy; provided key knowledge to enable the production of a new online course development and management manual; and created a best practice template for online course delivery.

In addition, the TUC tutors forum will be utilised to provide online tutor briefings on a range of topics, such as pensions and employment law, and explore ways of harnessing developments in technology to deliver a more interesting and diverse offer as part of this process.

The chart below shows the growth in online learners for the years 2005-2010.

Online Learners 2005-2010



In the current climate where release for training is tightly restricted and where it is becoming increasingly difficult to fund short programmes of learning through further education providers,

TUC Education is developing and piloting short, topic based e-learning modules for union reps and union professionals. Provisionally titled 'rapid e-learning for trade unions', it will focus on short, continuous development modules designed to keep union reps and professionals up-to-date with the fast moving world of work.

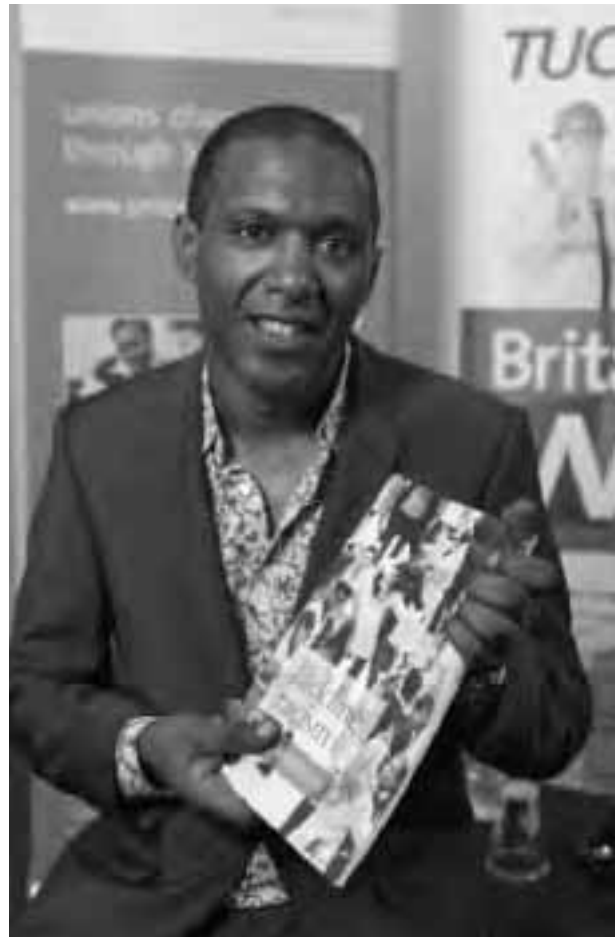
The short interactive modules will offer reps more flexible ways to access learning that suits their particular needs as well as those of their employers. It will also reach into those areas of the economy where union support is hard to access. This, alongside enhancements to TUC Education's existing online programme, will give union reps and professionals access to a convenient and effective professional development solution. First offers include Sick Notes; Paternity Leave; Green reps; and Organising. Modules will be launched in autumn 2011.

TUC Education has created a customised learning environment to host content for the new bite size modules and its existing tutor led e-learning study programmes. The work includes necessary support structures and will build internal capacity to manage this learning environment.

Qualification and Credit Framework (QCF) and funding

Trade union students are awarded qualifications through the QCF and TUC Education is consolidating its position as a part of the national offer. The Pan Sector Skills Council, responsible for trade union standards, and the Skills Funding Agency have agreed that nine of the qualifications within the framework have full Level 2 status (the equivalent of five GCSEs) and a further six diploma courses have full Level 3 status. This brings benefits to trade union learners, builds the status of the programmes and adds value to the trade union education curriculum within FE.

As part of the transition from the LSC to the Skills Funding Agency (SFA) new arrangements for the confirmation of public funding for qualifications have started to take effect. By January 2011 no vocational qualification will receive public funding unless it is in the QCF and is approved and recommended for funding by employers through their SSC. The SFA will take account of the mix and balance of provision as well as affordability issues and the priority will be full Level 2 and 3 qualifications, called "target-bearing qualifications". A number of TUC Education qualifications fall into this



Poet Lemn Sissay at the launch of the new edition of the influential equality workbook – *Tackling Racism*. Photo: Rod Leon

category, but the Skills Funding Agency approval process had excluded 16 of the 37 qualifications from public funding. This is a significant change of emphasis for public funding, excluding many of the smaller qualifications which fit with the short course programme for which there is a huge demand from unions. The growing difficulties in getting paid release for reps training has contributed to switching the emphasis from the more comprehensive ten day provision to the shorter, and now more vulnerable, programmes.

Following negotiations with the SFA and with the support of the Pan Sector Skills Council, an extension until August 2011 had been agreed to reconfigure the programme within the new arrangements. However, the SFA Strategic Approvals Panel agreed to support the short qualifications beyond the extension to August 2011, enabling TUC Education to retain capacity to deliver smaller qualifications for the time being. Developments at the SFA continue to be monitored, including the unit funding pilots. Fee remission arrangements continue until August 2012.

Course development

As part of the review of union learning rep training, a new five day course, Stage 2 Union Learning Reps, was launched in 2010. This will capture some of the key learning issues such as dyslexia and Skills for Life, and is designed to respond to the needs of ULRs on the course in the same way as the stage 2 programmes for reps and safety reps.

Following extensive consultation and research, TUC Education published the fifth edition of the influential equality workbook, *Tackling Racism*, offering a contemporary take on work begun almost thirty years ago. The workbook contains a timeline in poster form and is available to all learners on TUC Education courses.

The new Equalities Diploma is designed primarily for experienced trade union representatives whose role would benefit from a wider understanding of equality issues. It is intended to help students understand equality issues in the workplace, current equality legislation and how it can be applied to their own organisation. The diploma also develops values and skills needed for higher level study and activism. Organised as a year long, day release course, the diploma will also be available online for reps who need a more flexibly delivered programme.

An updated version of the second stage programme for health and safety reps, Next Steps for Safety Reps, is in development. A revised version of Stage 1 health and safety reps training programme was launched in 2010.

Employers' support is key to delivering the programme through release arrangements, and a new *Guide to Training for Workplace Reps*, written for employers, was launched in 2010. It is an invaluable tool in assisting reps to make the case for release for training.

TUC Education also trained 1,571 stewards to assist organisers and the police with the safe management of the 2011 March for the Alternative. It is intended to offer a module on safe stewarding of public events as a regular part of the programme.

Sector Skills Body (SSB)

ENTO has been the Sector Skills Body (SSB) which covers the occupational standards for the trade union "sector", and since 1993, the TUC and unions have worked with ENTO to develop

occupational standards, first for officers and then for reps, safety reps and learning reps. This role has now passed to the Pan Sector Partnership UK's leading authority for six key pan sector areas, covering customer service, business, administration and governance, management, leadership and enterprise, marketing and sales, languages and industrial relations. The trade union representative on the board is Liz Rees.

During 2011 a steering group of leading trade union educationalists and other stakeholders will oversee a revision of the national occupational standards that underpin the TUC Education programme.

Organising

A partnership agreement reached with Ruskin College moved the TUC Organising Academy from Newcastle College to within the newly established Ruskin TUC Education Unit. This partnership took effect from September 2009 and has been extended to 2012. This work is reported in Chapter 2.

Equalities

Equality is a key theme integrated in all areas of the TUC programme and with a particular focus on tutor development. It forms part of the external accreditation of TUC tutors and every opportunity is taken to mainstream equality issues within the programme as well as the more specific courses on race, gender and disabled workers. Equality-specific programmes available this year include:

- working women, (to be revised in 2011)
- bargaining for equality
- equality in the workplace
- equal pay
- disability champions at work
- equality reps
- tackling racism
- countering the far right
- women and health and safety
- organising migrant workers
- mental health awareness
- introduction to employment rights for Polish workers
- sexual orientation and religious belief regulations

- understanding the Employment Equality (Age) Regulations.

A new equality workbook on disability is in development, designed to be used across the curriculum. This will be launched in 2011.

Tutor Equality Week

The fourth annual Tutor Equality Week was held for key course coordinators working with TUC regional education officers on equality strategy. The week was structured to build knowledge and skills on equalities within TUC Education; to improve professional practice; to support the development of tutors so they are confident and comfortable with the full equalities agenda; and to produce equalities education materials and tools. Presentations were made by senior policy staff working on the equalities agenda. Briefings for all tutors took place in each region and presentations by senior equality policy staff were posted on the tutor intranet. Participants reviewed and revised their regional equality strategies as part of the week's work.

Tutor development

The maintenance and continuing professional development of a first class tutor team has been central to the success of trade union education in FE and TUC Education continues to make a significant investment in tutor development.

In the last nine years, TUC Education ran a total of 209 tutor training courses, training 2,383 tutors in a range of curriculum priorities as well as core education methods. These included:

- 545 tutors trained on the core tutor training programme
- 207 trained on health and safety
- 154 on Union Learning Reps (with 236 trained on ULR modules)
- 99 tutors trained on development education
- 80 on online delivery.

This year, TUC Education ran 13 tutor training courses and trained 191 tutors. The number of women tutors trained comprised 40.3 per cent of the total.

The publication *Development Opportunities for TUC Tutors* offered a range of courses over and above the core tutor training curriculum, The

Climbing Frame for ULRs, Disability Champions, International Development, Equalities, Working with VLEs, Pensions Champions, Employment Law and the QCF. A range of union and sector specific tutor briefings took place nationally and at regional level.

Union learning representatives

TUC Education has trained 26,040 ULRs since 1999 and an additional 9,514 in follow-on modules. In 2010, 1,509 new ULRs were trained, down from 1,941 in 2009, with 772 trained in follow-on modules down from 984 in 2009. Conversely the number of applications to the ULR online programme has continued to grow. In 2010 there was an 87 per cent increase in applications to online ULR courses. When compared with other core courses, recruitment to the online ULR programme had previously been slow. The introduction of an updated online ULR course has been a major contributing factor to the increase in interest in the offer.

Further work will be done during 2011 to mainstream the ULR role for shop stewards.

International and European partnerships

TUC Education continues to be involved in trans-national work that reflects TUC priorities. It provides trade union studies tutors for courses and projects organised through the European Trade Union Institute. The TUC is represented on the ETUI Education Committee by Liz Rees.

TUC Education is also managing an ambitious Leonardo project on online learning. The project will make a major contribution to forming an effective trade union approach to online learning across Europe. The principal aim is to inform European trade union education programmes and provide innovative tools and strategies that can be adopted by and applied to both experienced and less experienced trade union confederations. Partners include GSEE (Greece), SAK (Finland), ETUI, LO-Sweden and CITUB (Bulgaria).

TUC Education manages a European Information project including the publication of a quarterly journal, *The European Review*. In addition, the project produced the *European Union Digest*, a trade union digest of organisations and resources which is updated annually.

TUC Education has also continued its support for developing staff unions in the United Nations. During 2010, talks established a partnership agreement with the Federation of International Civil Service Associations (FICSA) for the delivery of courses across Europe from 2011 onwards. Six courses will run in 2011, in Rome, Copenhagen and London, training staff union officers and reps from a range of UN missions and duty stations.

TUC Educational Trust

The TUC Educational Trust supports trade union education through:

- Providing bursaries for students undertaking a year's study at Ruskin, Coleg Harlech and Northern College.
- Administering the Clive Jenkins European Study Bursaries.
- Providing bursaries to enable two trades union council secretaries to attend the annual WEA/ILO school in Geneva.
- Supporting trade union learners working online.
- Meeting the fees of TUC students in Scotland.
- Supporting Organising Academy students through the Roosevelt Memorial Trust.
- Supporting programmes at Keele University.
- Supporting officer training.
- Sponsoring bursaries for a Certificate in Professional Development (CPD) in Union Learning at London Metropolitan University.
- Supporting the BA Organisation of Work, Economics and Labour Law course at Birkbeck in association with the Institute of Employment Rights.
- Sponsoring a Chevening Scholarship (with the Foreign and Commonwealth Office).
- Offering an annual scholarship to the Harvard training programme for union leaders.

TUC Education Service Statistics 2010

Table 1: Union workplace representatives: Courses 2010

Region	Union officials		Safety representatives		Specialist courses	Short courses	Totals
	Stage 1	Stage 2	Stage 1	Stage 2			
South & East	30	12	32	21	61	834	990
South West	9	4	17	10	7	177	224
West Midlands	19	4	16	6	18	488	551
East Midlands	3	2	8	3	17	83	116
Yorks & the Humber	13	10	17	12	32	521	605
North West	40	19	26	21	46	943	1,095
Northern	10	2	12	5	30	178	237
Wales	7	2	8	6	11	233	267
Scotland	15	4	22	8	21	187	257
Northern Ireland	5	0	1	1	3	34	44
Totals	151	59	159	93	246	3678	4386

Table 2: Union workplace representatives: Students 2010

Region	Union officials		Safety representatives		Specialist courses	Short courses	Totals
	Stage 1	Stage 2	Stage 1	Stage 2			
South & East	273	118	313	249	644	14,945	16,542
South West	112	36	204	83	83	2,358	2,876
West Midlands	221	45	179	50	164	5,452	6,111
East Midlands	33	16	105	27	161	961	1,303
Yorks & the Humber	169	122	230	115	380	6,094	7,110
North West	363	192	312	204	517	11,661	13,249
Northern	117	18	129	60	617	2,063	3,004
Wales	60	23	83	37	91	2,845	3,139
Scotland	165	37	245	62	211	2,157	2,877
Northern Ireland	74	0	17	6	36	819	952
Totals	1,587	607	1817	893	2,904	49,355	57,163
%Women	32.1	28.8	27.5	29.3	44.2	38.9	38.4

Table 3: Short course students by Generic Course Title 2010

Generic Title	Students
Industrial Relations/Collective Bargaining	17,263
Health & Safety	8,345
Induction	5,997
Equality	2,939
Skills/Languages	3,175
Pensions	1,181
Information Communication Technology	7,076
Other*	3,379
Total	49,355

* Other courses include those organised in response to union requests.

Table 4: TUC Day Release and Short Courses Provision 1994 – 2010

Year	Union Officials		Health & Safety		Follow-on/Specialist		Short Courses		Evening Classes		Totals	
	Courses	Students	Courses	Students	Courses	Students	Courses	Students	Courses	Students	Courses	Students
1994	401	4,520	498	5,988	98	1,013	1,088	14,036	80	1,054	2,165	26,611
1995	395	4,503	472	5,733	118	1,335	900	10,496	84	967	1,969	23,034
1996	373	4,201	496	5,712	165	1,812	955	8,570	138	2,646	2,127	22,941
1997	330	3,703	456	5,740	182	1,916	1,023	11,377	263	3,115	2,254	25,851
1998	340	3,980	485	5,788	170	1,697	1,121	13,442	332	4,187	2,448	29,094
1999	345	4,102	443	5,375	194	2,029	1,287	14,801	336	4,205	2,605	30,512
2000	348	3,977	463	5,692	132	1,589	1,182	15,079	373	4,469	2,498	30,806
2001	307	3,560	430	5,264	118	1,379	1,570	19,157	282	3,111	2,707	32,471
2002	328	3,460	397	4,925	390	4,107	1,902	21,427	53	680	3,070	34,599
2003	288	3,161	404	4,502	562	5,252	2,135	23,873	85	1,058	3,474	37,846
2004	309	3,413	398	4,715	558	6,057	2,367	27,176	112	1,180	3,744	42,541
2005	279	2,917	353	4,021	487	4,800	2,954	33,561	82	1,203	4,155	46,502
2006	262	2,784	339	3,778	316	3,032	2,854	38,585	79	933	3,850	49,112
2007	268	2,667	355	3,781	359	3,730	3,097	41,085	130	1,367	4,209	52,630
2008	213	2,251	284	3,105	302	4,537	3,359	46,466	147	1,298	4,305	57,657
2009	202	2,155	294	3,120	314	3,105	4,018	48,483	155	1,458	4,983	58,321
2010	210	2,194	252	2,710	246	2,904	3,510	47,888	168	1,467	4,386	57,163

Table 5: Percentage Take-up of Places on TUC 10-day and short courses 2010

(Unions with 0.5 per cent and upwards of total affiliated membership)

Total Affiliated Membership	6,135,126
Total Number of Students Attending TUC Day-Release Courses	7,808
Total Number of Students Attending TUC Short Courses	49,355

Union	% of total TUC membership	% take-up of TUC course places:	
		10-day courses	Short courses
Unite	24.04	14.32	16.76
UNISON	22.40	19.94	19.12
GMB	9.81	8.25	11.10
USDAW	6.30	4.79	11.74
PCS	4.92	11.21	5.78
NUT	4.82	0.68	0.97
NASUWT	4.55	0.10	5.87
CWU	3.55	1.46	3.53
UCATT	2.08	2.02	0.59
ATL	2.05	0.24	0.37
Prospect	2.01	1.51	0.92
UCU	1.95	1.01	2.85
RMT	1.30	5.64	0.90
Community	1.10	0.46	0.35
EIS	0.98	0.14	0.04
FBU	0.72	3.36	2.75
Equity	0.60	0.06	0.10
CSP	0.59	0.06	0.21
POA	0.58	1.64	0.43
Accord	0.51	0.00	0.01

CHAPTER 7

Protecting people at work

7.1 | Introduction

During the past Congress year the General Council has sought to ensure that the health, safety and welfare of workers retained a high profile. It continued to campaign to ensure that workers were not injured or made ill as a result of their work and, if they were, they were given suitable access to rehabilitation and compensation. Campaigns have been run against the cuts to the budget of the Health and Safety Executive and that of local authorities and against the reduction in the level of enforcement of health and safety regulation. The General Council has sought to ensure that affiliates received the information and support they need in the most accessible and useful format and assisted in the development of workplace organisation and support for health and safety representatives.

7.2 | Health and safety representatives

Meetings were held with health and safety specialists from affiliated unions on six occasions during the year. These meetings allowed an exchange of information as well as discussions on developments within occupational health and safety or national consultations. External speakers covering issues such as the cuts, occupational cancers, charging, safety at level crossings and regulation were invited to the meetings.

A resource pack was developed for materials including advice on the role of health and safety representatives, a guide to what to expect when an inspector visits a workplace, and how to report and record injuries and illnesses. A number of existing resources around organising and inspecting were also revised.

Guidance for health and safety representatives was produced on a range of practical issues

including the use of statistics, older workers and dealing with the menopause.

A revised and updated edition of *The Union Effect* was produced. This outlined the evidence that unionised workplaces were safer than non-unionised ones and explained why health and safety representatives made a significant difference in the workplace.

The Gender in Occupational Safety and Health Group met several times during the year. In February a seminar on women and health and safety was held. This was well attended and discussed a range of issues relevant to women in the workplace including the menopause.

“Risks”, the weekly electronic bulletin on health and safety has continued to be published throughout the year. This now goes to 20,000 subscribers and for many safety representatives it is their main source of information on union health and safety issues. During the year the TUC has also worked with the Health and Safety Executive to produce a leaflet on why women should become health and safety representatives.

The biennial survey of health and safety representatives, conducted through unions and on the TUC website, was published in October 2010. This showed both the level of organisation within unionised workplaces as well as the main health and safety issues. It also showed the effect that enforcement action, or the possibility of enforcement action, had on employers’ response to health and safety.

7.3 | Campaigns

The TUC campaigned on a wide range of health and safety issues over the year. These helped ensure that the TUC maintained a high profile on occupational health and safety and also resulted in a considerable amount of press coverage both in the general and specialist media. To support

these campaigns a wide range of resources were produced for both affiliates and health and safety representatives.

Among the campaigns and activities that took place during the year were the following:

- **Health and safety profile** – in September 2010 the TUC issued a document making the case for health and safety. This was intended to pre-empt the review of health and safety regulation being undertaken by Lord Young at the request of the Prime Minister. It outlined the level of occupational ill health and showed that SMEs and offices, schools and shops were not inherently “safer”. The document received considerable publicity at the time. In addition a poster supporting the campaign was produced for workplaces.
- **Cuts** – following the announcement that the Government was to cut its contribution to the HSE by 35 per cent and that similar cuts would affect local authorities, the TUC developed resources for affiliates and trades union councils to use in lobbying MPs. These included briefings on the likely effects of the cuts and also advice on how to lobby. The TUC encouraged local union branches and trades union councils to lobby their MPs during European Health and Safety Week in October 2010. In addition the TUC worked with the All Party Parliamentary Group to produce a booklet on the likely effects the cuts would have on the enforcement of health and safety and on the guidance and support the HSE gave. Unions were also encouraged to use Workers’ Memorial Day in April 2011 to campaign against the cuts.
- **Regulation and enforcement** – the TUC strongly criticised the Government’s proposals to reduce the level of proactive inspections in the workplace by a third. Meetings were held with the relevant government ministers and a number of statements were issued on the importance of good enforcement and regulation. In addition meetings were held with Professor Ragnar Lofstedt on a number of occasions to discuss the review which he had been asked to conduct on health and safety regulation. Evidence was given to the Lofstedt inquiry on 21 July 2011 and detailed evidence to the inquiry was submitted in writing.
- **Asbestos** – during the year the TUC continued to argue for a continuation of the HSE’s “hidden killer” campaign and a meeting was held with the relevant minister in May 2011 to ask for its resumption. The General Secretary also wrote to the HSE asking that they reinstate this very successful campaign. The TUC has continued to press for an international ban on asbestos as called for in composite motion 17 at the 2010 Congress. A meeting was arranged between the International Ban Asbestos Secretariat and union health and safety specialists and the TUC also supported a demonstration against funding for the Canadian asbestos industry to reopen a mine. The Government was asked for details of transportation of asbestos on ships to UK ports and to confirm the level of asbestos that still existed within many seafaring vessels. The TUC continued to liaise with the Asbestos In Schools Group and invited them to give a presentation to the May 2011 meeting of union health and safety specialists.
- **Sickness absence** – A meeting was held with the DWP officials who were investigating sickness absence and how it was funded. Evidence was also given to the review team and they were invited to a meeting with union health and safety specialists in March 2011. The TUC was also represented on the government task group which looked at sickness absence. It continued to campaign for greater recognition of the impact of ‘presenteeism’. In addition the TUC opposed proposals to increase the period for reporting injuries from over three days to over seven days and provided a draft response to the consultation for affiliates to use in preparing their own responses.
- **Level crossings** – the TUC has supported the work being done by a number of rail unions with Network Rail on the dangers of misuse of level crossings. In January 2011 a meeting was held between unions and Network Rail to try to raise awareness among those workers most likely to be affected. The TUC has also agreed to circulate materials from Network Rail to affiliates on how to ensure that workers are properly trained and work schedules were such that drivers of cars and commercial vehicles did not have to rush and take unnecessary risks at level crossings.
- **Dust** – following discussions that had taken place in the Advisory Committee on Toxic Substances the TUC met with a number of unions to discuss the current standards on dust, which it believed were leading to a considerable number of respiratory diseases,

including cancers. It was agreed to support a reduction in the current levels of dust, as well as greater awareness of the problems and increased enforcement. In November 2010 it issued a paper to all affiliates on the proposals and asked them to seek to negotiate lower levels with their employers on an industry basis, and also call upon the HSE to reduce the current levels.

- **Directors' duties** – following the publication of a report on directors' duties by the Chief Scientific Officer, in which a number of trade union representatives had been involved, the TUC asked the HSE to introduce a legal duty on directors. This was not successful but the TUC also raised its concerns over the lack of such a duty in its evidence to both the Lord Young inquiry and the Lofstedt review.
- **Cancers** – following evidence that showed the level of occupational cancers was considerably greater than indicated by the HSE, the TUC met with researchers from Imperial College to discuss work that they were doing on the future burden of occupational cancer. The TUC circulated research on the dangers of silica to those unions representing workers who might be exposed to the substance. In addition a representative from the Sheffield Occupational Health Advisory Service was invited to make a presentation to the January 2011 meeting of union health and safety specialists and proposals for the development of the database on occupational cancer were circulated to affiliates with a recommendation that they support its creation.
- **Workplace violence** – the TUC facilitated a working group of union health and safety specialists whose remit was to liaise and discuss strategies to prevent workplace violence. Discussions on the issue were also held with affiliates in January 2011. Unions were also involved in supporting a European initiative aimed at dealing with workplace violence.
- **Occupational health** – the TUC continued to represent the views of affiliates on a number of government initiatives looking at health in the workplace. This included the work, health and wellbeing stakeholder council and the Government's partnership group. The TUC continued to argue for stronger regulation and the importance of preventative action in the workplace. It sought to resist attempts to place responsibilities on workers rather than employers. In addition it submitted a response on workplace health to the consultation on the public health white paper.
- **Maintenance work** – as part of European Health and Safety Week in October 2010 the TUC produced guidance for affiliates on the dangers of maintenance work and gave advice to safety representatives and affiliates on how they should respond to these risks.
- **Dangerous dogs** – the TUC supported proposals to change the law in relation to dangerous dogs. This was in response to a campaign run on behalf of postal workers and others who face the threat of dog attack during their work. The TUC responded to government consultations on this and circulated a briefing to MPs.
- **Stress** – stress remained one of the highest priorities for unions and the TUC assisted in the development of further guidance that was published by the British Standards Institute in May 2011. In addition, the TUC participated in a workshop with the HSE on developing online resources on stress for health and safety representatives.
- **Workers' Memorial Day** – the TUC set up and maintained a website on local activities relating to Workers' Memorial Day and encouraged all workplaces to have a minute's silence on the day. In addition they worked with the DWP to ensure that information on the day was listed on government websites. The Government retained its official support for the day.

7.4 | Health and Safety Executive

The TUC was represented on the Board of the Health and Safety Executive by General Council members Liz Snape and Paul Kenny and Hugh Robertson of the TUC office. Throughout the year TUC board members played an active part in all HSE decisions. Reports on the meetings of the board were sent to affiliates after each meeting.

The TUC continued to highlight the particular issues around occupational diseases and also sought further action on those industries with high injury and illness rates such as construction, waste and agriculture. The TUC continued to oppose any reduction in the HSE's budget

and called on the Government to ensure that the HSE had sufficient resources to allow it to act as an effective independent regulator and enforcer. TUC representatives on the board of the HSE expressed concerns over the reduction in proactive enforcement that was announced by the Minister in April 2011 and sought to ensure that the HSE maximised the effectiveness of its inspection and enforcement regime.

In April 2011 nuclear regulation was made the responsibility of a nuclear regulatory authority which remained part of the HSE. Paul Kenny represented employee interests on the board of the new agency.

The TUC worked with the HSE on developing proposals for a new charging system on the basis of fault. This was an attempt to both secure greater income for the HSE and also to try to punish those employers who did not comply with health and safety regulations by introducing a fee for any HSE activities following a visit that found the employer was at fault. The TUC also facilitated discussion between unions and the regulator on the way that these fees would be implemented.

The TUC continued to have a useful dialogue with HSE policy staff on other issues and made presentations to new staff employed by the HSE on the role of trade unions and health and safety representatives. The TUC and trade unions were represented on a wide range of HSE advisory committees and working groups. These representatives continued to make a major contribution to the work of the HSE. The TUC continued to support representatives on these groups and sought a commitment from the HSE that they would support these bodies. In December 2010 proposals on the future of advisory groups were sent to the HSE and discussions are taking place on how these proposals could be brought forward.

7.5 | Compensation issues

During 2010/2011 there were a number of government attempts to reduce the ability of unions to support their members in securing compensation after an injury or illness that resulted from their employers' negligence. These included the introduction of a bill aimed at changing the way that Employers' Liability Personal Injury Claims were funded. This would have led to costs being deducted from claimants'

damages and as a result many cases would not have been pursued. The TUC made a number of submissions to the Government outlining its concerns and sent briefings to MPs. It will continue to campaign against the proposals as they make their way through parliament.

In April 2011 the Government consulted on extending the current fixed costs arrangements for road traffic accidents to employers' liability claims. The TUC responded to the consultation and liaised with other claimants support groups to ensure a consistent approach.

The TUC has continued to call upon the Government to create an employers' liability insurance bureau as a fund of last resort for sufferers of asbestos-related diseases who cannot trace the insurance records needed to gain compensation. This was something that had been proposed by the previous Government. A number of meetings were held with ministers and a decision is still awaited. The Government did however set up the Employers' Liability Tracing Office participation in which became compulsory for insurers from April 2011. In a further move to assist workers seeking compensation, the TUC has held discussions with the Financial Standards Authority on ensuring that relevant historical documents are put on the database alongside new ones.

During the year, the TUC has continued to represent claimant interests on the review body that looked at the way that insurers currently trace records for those who develop an occupational disease.

The TUC continues to be represented on the Industrial Injuries Advisory Council (IIAC) by Claire Sullivan from CSP, Fergus Whitty, formerly of Unite, and Richard Exell from the TUC office. In June, the Government published regulations implementing the council's recommended extension of prescription to bronchiolitis obliterans ("popcorn worker's lung") and sino-nasal cancer for work with chromium.

The 2010 Congress carried a resolution on industrial injuries that asked the General Council to continue to raise with the Government the unfairness of the way in which Industrial Injuries Scheme (IIS) benefits are taken into account in full when calculating eligibility for means-tested benefits and the level of payment to which a claimant is entitled. This issue rose to prominence when it was announced in October that the new "benefit cap" established by the Welfare Reform

Bill (see Chapter 4) would count in calculating whether a benefit recipient had breached the cap. The TUC argued that the IIS is a no-fault *compensation* scheme: it was not designed to meet living costs, and should not therefore be treated in this way. When the IIAC met the Minister for Welfare Reform, Lord Freud, in January the TUC representatives on the Council took the opportunity to press this issue with him forcefully.

In the course of the past year, the IIAC has recommended prescription of osteoarthritis of the knee in carpet fitters and carpet and floor layers and lung cancer in coke oven workers. In April, the council wrote to Lord Freud to oppose the abolition of accident declarations in the Welfare Reform Bill. The council has published position papers on lead and fertility or cancer and on lung cancer and foundry workers and information notes on lobar pneumonia in welders, cancer risk in commercial painters and fire fighters' occupational health risks. The IIAC is investigating the cut-off date for claims for osteoarthritis of the knee in coal miners; whether this prescription should be extended to tin miners; the formula used for assessing the degree of disability suffered by people with chronic obstructive pulmonary disease and lung cancer and radon exposure. The council is also continuing to carry out a general investigation into noise-induced hearing loss.

The TUC has also been actively involved in a number of international bodies and is represented on the Board of the European Agency for Occupational Safety and Health and the Advisory Committee on Safety and Health of the European Commission.

7.6 | External bodies

The TUC continued to have close links with other organisations in the field of occupational health and safety and compensation. These included the Hazards movement, the Institution of Occupational Safety and Health, the Association of Personal Injury Lawyers, the National Forum of Asbestos Support Groups, the British Safety Council and RoSPA.

The TUC also provided administrative support for the All Party Parliamentary Group on Occupational Safety and Health and its Asbestos Sub-Committee. Both of these met three times during the year.

TUC nominees sit on a range of external bodies including the Faculty of Occupational Medicine, British Occupational Health Research Foundation, UK Rehabilitation Council, Work Health and Wellbeing Stakeholder Council, Responsibility Deal for Health and Work and the Health and Work Development Unit.

CHAPTER 8

The regional dimension

8.1 | Introduction

This chapter reports on the work of the TUC at regional level, together with that of the Wales TUC and liaison with other trade union bodies through the Council of the Isles. It also reports on the work of the trades union councils and unemployed workers centres.

8.2 | The economy and economic development

In many parts of England and Wales the fragile economic recovery has failed to deliver either growth or jobs and, as a result, these areas continue to face high unemployment and few opportunities for new jobs. Across the country there are five job seekers per vacancy but the ratio increases to more than 15 to 1 in many parts of Wales, Scotland, West Midlands, the North and inner London.

During the past year public spending cuts began to have an impact across communities, with some of the UK's deprived areas most deeply affected. The nature of local-authority funding cuts, with the removal of ring-fencing and area based grants, meant that authorities such as Hackney, Tower Hamlets, Newham, Manchester, Knowsley, Rochdale, Liverpool, Doncaster and South Tyneside were among the 36 local authorities that suffered the maximum cut of 8.9 per cent. Meanwhile Dorset received a 0.25 per cent increase in funding and Windsor and Maidenhead, Poole, West Sussex, Wokingham, Richmond upon Thames and Buckinghamshire all suffered cuts of one per cent or less.

Cuts to public spending also had a significant impact on employment in regions like the North East, where one in three workers is directly employed by the public sector and where the employment rate is already low.

As Regional Development Agencies (RDAs) were wound down in advance of their abolition in 2012, huge cuts were made to RDA funding with a significant impact on regional economic development projects. In the past 12 months more than £1.3bn was cut from RDA budgets leading to the termination of almost 3,000 individual projects, a reduction of 75 per cent.

In the meantime the Government has announced new initiatives aimed at stimulating economic growth and private sector jobs in local areas.

Local Enterprise Partnerships

LEPs have been established as a local or sub-regional alternative to RDAs, bringing local authorities together with employers and business representatives on a scale that is intended to represent a more accurate reflection of local economies and 'travel to work' areas.

To date 36 LEPs have been established, though several parts of the country remain without one. In September 2010, the TUC gave written and oral evidence to the Select Committee on Business and Skills, which was examining the role of LEPs. The evidence highlighted concerns about the lack of funding, the absence of statutory powers and lack of engagement with unions or other social economic and environmental partners.

Regional Growth Fund

The Regional Growth Fund provides £1.4bn in funding for projects that are aimed at promoting job creation in areas of England described as "too dependent on public sector employment". In April, the first round of funding was announced with £450m allocated to 50 bids. These were concentrated in the West Midlands, North East, North West and Yorkshire and Humber, with a focus on manufacturing enterprises. Only one project was awarded across the South East and East of England and London received none. The remaining funding was to be allocated later

in 2011. The TUC welcomed the initiative but pointed out that the funding fell far short of previous regional investment, the total fund representing just a third of that allocated to the Regional Development Agencies and the estimate of jobs created or protected by this investment accounted for around half of the increase in the number of jobless since the 2008 recession. Further concerns were raised about deprived areas of London and the South East missing out and the lack of clarity about the extent to which RGF funding might be used to promote more active engagement of employers in the delivery of apprenticeships, workforce development and tackling inequalities.

In July, Lord Monks, who had previously been general secretary of the TUC and ETUC, was appointed to the Regional Growth Fund's advisory panel, the body that evaluates bids and advises the Deputy Prime Minister.

Enterprise zones

At the end of March, following the announcement in the Budget of the creation of 21 new enterprise zones, the Government identified the first 11 Local Enterprise Partnerships (LEPs) that would host one. Birmingham and Solihull, Sheffield, Leeds, Liverpool, London, Manchester, the West of England (Bristol), the Black Country, Derby and Nottingham, Teesside and the North East were all selected to provide the first enterprise zones. In addition, four specific sites were identified, namely the Boots campus in Nottingham, Mersey Waters, Manchester Airport and London's Royal Docks. LEPs have been invited to submit proposals for a further seven zones.

Enterprise zones will provide a range of incentives to entice businesses to locate there, including business rate discounts, investment in infrastructure such as superfast broadband and simplified planning regulations. Local authorities within the LEP area will retain and share all business rates. However, the TUC has pointed to the failure of the previous generation of enterprise zones to generate new jobs, as opposed to displacing employment from other locations and areas outside of LEPs. Enterprise Zones may well face competition to hold on to businesses attracted by the discounts on offer. The Wales TUC, for example, has highlighted this as a possible tension with the areas in South Wales close to the English border facing competition from an enterprise zone in the Bristol area. Others have pointed to the fact that the level of business rate discount is only likely to attract

small and medium enterprises which may not provide substantial job creation.

Regional Development Network

As a result of the changes to regional economic development structures, the Regional Development Network has ceased to function in its previous form. Following consultation with unions and TUC regions it was agreed to hold an annual conference for regional representatives of the TUC and unions to agree strategic approaches to regional economic development.

8.3 | Welsh devolution

In a referendum held in March 2011, the people of Wales voted strongly in favour of increased devolution of direct law-making powers for the Welsh Assembly. The vote will give the Assembly law-making power in 20 devolved areas, including health and education. The Wales TUC strongly supported the 'Yes' campaign.

In May 2011 Welsh Labour increased its share of the Assembly by four seats, winning 30 of the 60 available seats, and Labour now forms the Welsh Government alone, following four years in which it had been part of a coalition government with Plaid Cymru.

Both constitutional and political changes in Wales have enabled the Wales TUC to enhance its engagement with the Welsh Government in order to find a 'Welsh way' of meeting the challenges to public services.

The Wales TUC initiated a Wales Memorandum of Understanding between local authority employers and unions under the auspices of the Workforce Partnership Council. This framework agreement identified an 'approved list' of matters which both sides considered appropriate for negotiation by local authorities and which would mitigate job losses and avoid the imposition of permanent reductions in terms and conditions.

The Wales TUC has also been involved in a number of joint initiatives including the public service summits, membership of the Efficiency & Innovation Board and its work streams, the Front Line Resources Review and the review of local government services. A new Welsh Government policy vehicle called 'Adapt' has resulted from this engagement. It features the development of

a career transition programme, with flexibility between jobs and employers within the public sector, in order to manage staffing levels over a long term timeframe. The Wales TUC has continued this positive engagement while continuing to strongly oppose privatisation and outsourcing.

8.4 | Council of the Isles

The Council of the Isles brings together representatives of the TUC, Wales TUC, Scottish TUC and Irish Congress of Trade Unions to exchange information on policy and campaign priorities in each devolved nation of the UK and Ireland.

This year's meeting took place in Glasgow in January. The primary focus was the rapidly changing political and economic situation across the UK and Ireland. Speakers included the then leader of the Labour Party in Scotland, Iain Gray.

At the conclusion of the meeting, a joint statement was agreed urging the governments in the devolved nations and Westminster to give much higher priority to pursuing tighter regulation of their domestic financial sectors and the international financial system; the elimination of off-shore tax havens and the introduction of a financial transactions tax; and for job creation and the reduction of unemployment to be the priority of concerted international economic cooperation.

8.5 | TUC in the regions and Wales

TUC regional offices in England and the Wales TUC have continued to take forward TUC priorities and supported the work of affiliated unions. There has been a range of co-ordinated initiatives and campaigns in a number of areas, including:

- All Together Campaign.
- Promoting sustainable economic growth.
- Developing partnerships with government and other organisations.
- Boosting trade union membership and organising.
- Promoting equalities and fighting the far right.

- Supporting healthier and safer workplaces.

All Together Campaign

TUC regions and the Wales TUC were instrumental in mobilising the massive support for the March of the Alternative. Working with affiliates, TUC offices played a key role in promoting the event as well as providing practical support and helping to co-ordinate travel arrangements. In the event, hundreds of coaches and trains were booked from every part of the UK leading to the massive turn out on the day.

As well as supporting the national campaign, the TUC in the regions and Wales also promoted a number of dynamic events in their local areas.

SERTUC designated three days of action in the spring with around 50 events organised by trades councils across London, the South East and East of England, including marches, rallies, street leafleting, a "read in" in a library, the creation of a cardboard city and an anti-cuts conga. In addition, a reps' conference was held to promote alternatives to the Government's austerity drive and explore practical support for unions in dispute. This was particularly put into focus by the on-going dispute involving a range of public service workers in Southampton City Council. SERTUC also explored the international dimension with a public meeting titled 'Euro Unions against Austerity', with speakers from UK unions, the TUC, France, Spain and Ireland.

The Midlands TUC organised a conference in October to highlight concerns relating to the cuts, covering both the public and private sectors. The conference looked for strategies to campaign against the cuts, forming alliances with partner organisations and effective media campaigning. On the back of this event, the Midlands TUC worked with unions to promote a range of local activity.

Campaigning in the Northern Region has largely been driven by the Public Services Alliance, co-ordinated through the Northern TUC. Through a series of campaign actions, leaflets and high profile activities, the PSA has organised an effective and productive campaign. Regional and local rallies, marches and public meetings have kept the campaign high on the public agenda. Various materials emphasising the impact of the cuts and promoting an alternative economic strategy have been produced, while seminars and training days for trade union representatives have



The newly launched White Horse (Wiltshire) trades union council was active in campaign work.
Photo: Karen Hatch

helped to build campaigning skills and workplace organisation. Alongside the campaign, there has been a political strategy that has seen local authority political groups pledging their support for PSA campaign objectives and focussing on the handful of non-Labour MPs in the region.

The North West saw co-ordinated days of action in December, including lobbying of targeted MPs in the region. Seminars were held in partnership with Thompsons solicitors focussing on employment and health and safety law and fighting the cuts, with joint materials produced. An Alternative Economic Strategy conference was held in February with speakers from trade unions and the voluntary sector. Anti-cuts leaflets have been distributed to the public in town centres across the region including Preston, Liverpool, Bolton and Chester. And the North West's Proud to Serve the Public website, linked to Twitter, has received over 720,000 hits to date.

Rallies, demonstrations, lobbies and other protest activities have become a regular occurrence across the South West. Every town and city has seen hundreds of people marching, lobbying and protesting. Service users, trade unionists and residents have turned out to express their anger at

the scale and unfairness of the cuts. Trades union councils have been re-invigorated by the need to co-ordinate local action. Anti-cuts alliances have also brought campaign groups together with trade unions. New trades union councils have been established in the region and they have got off to a flying start. The White Horse (Wiltshire) Trades Union Council was launched and set about organising a number of local events and the Gloucestershire Trades Union Council was established and quickly organised a rally in defence of public services. The South West TUC also supported protests against the sell-off of forests and woodland in the region.

Yorkshire and Humber TUC has worked tirelessly in the region to build the All Together Campaign by organising with trades union councils, community groups and service users to apply pressure on MPs and local councillors. Local election results in May sent a message to the Government with significant losses for Lib Dem and Conservative councillors in the region.

Despite the relative protection afforded to the health and schools budgets by the Welsh Government, Wales has lost heavily through public spending cuts suffering a 12 per cent cut in general funding and a 40per cent cut in capital funding. Ahead of the March for the Alternative, the Wales TUC staged the Protest in the Park to coincide with the coalition government party conferences in Cardiff with over 5,000 attending. The Wales TUC also distributed 120,000 of its anti-cuts leaflets *There is a Better Way* in both English and Welsh, an accompanying pamphlet with more detailed arguments for reps and activists was also produced. The Wales TUC also mobilised support for the March for the Alternative and over a hundred coaches transported thousands of Welsh activists to London on the day.

Promoting sustainable economic growth

Regional economic development structures have been overhauled by the Government, with the abolition of RDAs, government offices, business links and initiatives such as the Future Jobs Fund. TUC regions have continued to work to foster effective partnerships with the new economic development structures in their areas. Direct participation in Local Enterprise Partnerships, e.g. through board membership, has proved problematic but TUC regions have developed relationships with a growing number of LEPs. Active campaigning by trade unions alongside

MPs in local areas has secured some positive economic development news.

The ongoing and highly effective campaign by Community, Unite and the GMB in the North East was absolutely critical to the successful transfer of Corus TCP to SSI, with strong support from the local council and Tom Blenkinsop MP, securing and creating up to 1500 jobs as result. Unite and the GMB, with the support of the TUC, were key partners in the Back on Track campaign led by Phil Wilson MP to secure the long-awaited announcement that Hitachi would be successful in a bid to bring train manufacturing back to the North East. The Intercity Express Programme will lead to 700 – 800 permanent engineering jobs in Newton Aycliffe and 9,000 further jobs in the supply chain. The Northern TUC has also worked in partnership with the campaign group Compass to support the campaign to re-mutualise Northern Rock.

The Midlands TUC continues to work with Unite, RMT and local MPs like Chris Williamson in the continuing fight to overturn the Government's decision to award the Thameslink train manufacturing contract to German company Siemens and to secure the future of rail production at Bombardier in Derby. The Midlands TUC formed part of the TUC's Union Modernisation Fund project to support vulnerable workers, a project supported by Unite, the CWU and One Nottingham, the Local Strategic Partnership.

The North West TUC has worked together with the Northern TUC on events to promote the proposals to develop "an energy coast" focused on renewable and nuclear assets in Cumbria and elsewhere. The North West TUC also helped broker greater trade union involvement with the Mersey Partnership around plans to develop the Liverpool Super Port. The North West TUC is represented on the North West Regional Leaders Board and a number of Transition working groups along with representation on the European Programme Monitoring Committee with the objective of ensuring continued trade union involvement and support for jobs and growth in the North West.

As a result of funding withdrawal following the abolition of the RDA, the South West TUC Green Workplaces initiative has come to an end. This project has inspired many people to take action at work to cut energy and resource use. Green reps have been trained, a series of events organised and a wide range of advice materials

produced. Amongst many successful events were the New Jobs, New Skills conference in the autumn that linked the skills and environmental agendas together. The future of other renewable energy projects in the South West is also in doubt. The wave hub off the Cornish coast, installed at great risk by the RDA, faces an uncertain future. Ways to link the planned Atlantic Array of wind turbines with local employment opportunities are at risk without a public body to intervene.

The Wales TUC was influential in developing the claim for a system of wage subsidy, as used in Germany, into a fully fledged and unique support package focussed on using downtime for training in order to gear businesses up to survive the downturn and benefit from recovery. With the assistance of Welsh Government, the Proact scheme has been developed to enable the private sector to maintain employment and use downtime to train staff so that companies could continue to exist and then take advantage of increasing orders.

Developing partnerships with government and other organisations

Trade unions in the North East have been working closely with local authorities to find creative and innovative political and organisational responses to the significant reductions in budgets from central government. A significant agreement was achieved ahead of the Labour Group taking control once again of the iconic authority of Newcastle. In Place of Austerity commits the council leadership to work with trade unions to prioritise protection of the most vulnerable against the cuts and to work together to mitigate the worst impacts of the centrally driven spending cuts. The council has also pledged to introduce a 'living wage' and the TUC is represented on the panel to oversee its introduction and implementation.

Labour Party-affiliated unions in London have agreed a similar initiative through TULO. A Greater London Labour Party statement has been published supporting trade union engagement, promoting good industrial relations, reducing the use of agency staff, providing exemplary employment, introducing job protection agreements which focus on maximising job security and minimising redundancies, promoting in-house services, tackling low pay and the two-tier workforce and working with unions to respond to any proposed changes in the Local Government Pension Scheme.



This year's Tolpuddle Festival was judged to be one of the best.

Photo: Karen Hatch

The South West Stakeholders is a network of civil society partners. They stress the need to plan and co-ordinate some activities at levels above local government boundaries, to engage civil society and to bridge social, environment and economic issues. Nigel Costley, Regional Secretary of the South West TUC, was elected chair of the network.

The North West TUC are in discussions with Voluntary Sector North West and Community North West, the main umbrella organisations for third sector organisations in the region, with a view to identifying common ground in opposition to the cuts and an initial roundtable event was held in June with follow up work later in the year. The North West TUC also held a similar meeting with Social Enterprise North West.

Boosting trade union membership and organising

The Midlands TUC organised the annual Women Chainmakers festival in Dudley, attracting 4,000 trade union members and their families to the centenary event. The festival is the premier trade union event in the Midlands and gives a focus to the work of promoting trade unionism while highlighting the region's historical links to the minimum wage campaign. For 2011 the festival moves to Cradley Heath in Sandwell, the area where the chainmakers lived and worked and staged their historic dispute. The Midlands TUC

has been particularly effective in using digital media, establishing an on-line presence through its blog, linked to Twitter, which received more than 12,000 visits in the past 12 months. Blogs have now been established for the LGBT network and for retired members.

The annual Burston Strike School Rally in Norfolk continues to inspire trade unionists in the East of England and again attracted an attendance from across the region as well as the local community. SERTUC continues to play a key role in the event. 2011 is the centenary of the publication of *The Ragged Trousered Philanthropists* and SERTUC celebrated Robert Tressell's book with a day of music, comedy, poetry and politics, attended by hundreds of people in Hastings where Tressell was living when he wrote the book, and the town was the inspiration for of his fictional town Mugsborough. SERTUC Young Members Network continues its work, in partnership with the National Union of Students and the relevant trade unions, supporting students who are employed whilst at college and university. One-hundred workplace reps attended SERTUC's fourth reps' conference. It is significant and encouraging to note that more women, black and young reps attended this event. Media and website training has been organised for reps and trades councils in the SERTUC Region, with basic guidance published widely. The partnership with Acas in London and the East of England continues to provide stimulating annual sub-

regional events for reps and regional officers. In addition, a similar event is planned for the South East in 2012 ensuring full regional coverage.

The North West TUC held a programme of briefings for unions on a range of issues to support union organisation including equal treatment for agency workers, 'The Equality Act and Stronger Unions' event focussing on the Acas code and industrial action ballots. A roundtable on union facilities was also held and online guides to fighting redundancies and equal pay have been produced.

The Yorkshire and Humber TUC has worked with partners to deliver a range of support seminars for representatives. Acas, solicitors and others have covered a wide range of briefings and seminars in different parts of the region.

The South West TUC hosted events for union reps and officers on building stronger unions and the new rights for agency workers. Remembering and celebrating the history of working class struggles in the West Country remain an important aspect of the work of the South West TUC. The Tolpuddle Martyrs' museum and festival has been a focus for this and 2010 saw the first Tolpuddle Radical History School. Thousands braved the poor weather to attend this year's festival and feedback from attendees suggests it was one of the best ever. An event organised by the White Horse Trades Union Council in Bradford-on-Avon attracted a good audience to discuss a range of issues from the Swing Rebellion to the lives of Idrys and Phyllis Rose, communist councillors in Trowbridge. The life of Warren James, the leader of the 1831 uprising against enclosures in the Forest of Dean was celebrated with a day of music, talks, drama and a trip down a free mine.

Fighting the far right

The apparent demise of the BNP has been a source of celebration. It is not always straightforward to analyse cause and effect, but the lack of electoral success was clearly one of the factors driving the internal dissent that has led to the implosion of the far right party. That is in no small measure due to the co-ordinated and dynamic efforts of trade unions and anti-racism campaigners working to oppose the BNP. TUC regions have been at the heart of these campaigns working with partners in Hope not Hate and Unite Against Fascism and community organisations leading to the virtual removal of all BNP councillors in several regions.

However, TUC regions have been challenged to mobilise in opposition to the English Defence League and while the EDL presence has been sporadic TUC regions continue to monitor their activities and ensure that there is a robust trade union response whenever it is needed, particularly in regard to the EDL's tactic of mobilising for high profile events.

The Midlands TUC supported community activities run by Hope not Hate in the run up to the EDL demonstration in Leicester. The region also organised the stewarding of the counter demonstration against the EDL march and rally in Nuneaton. There was also success in seeing off the annual BNP Red White and Blue festival from its Derbyshire venue.

2011 is the 75th anniversary of the Battle of Cable Street, and SERTUC will be supporting the march and rally organised by Cable Street 75 and community events in October to ensure that the intent of the fascists and the labour movement response are not forgotten.

The Wales TUC helped distribute UAF Wales' newspaper to trade union members through the trade union studies centres and trades councils in Wales. The Wales TUC also funded the April newsletter, which was made available electronically and distributed through their electronic mailing lists. Following the elections, the far-right still has no seats in the National Assembly for Wales.

Promoting equalities

Supporting trade union reps to tackle inequality at work and increase diversity was the key theme of a major seminar on the new Equality Act in the Northern Region. A briefing published by the Northern TUC has proved a popular and useful tool for workplace reps and many employers are relying on the knowledge of union representatives to keep them up to speed on the changes to employer duties under the new equalities legislation.

The South West TUC continues to play a key part in Equality South West and its joint equality group has helped focus on this important aspect of trade union work. TUC Education ran successful events on vulnerable workers and the Equality Act. Women also came together in Exeter to celebrate International Women's Day.

Gender equality remains a key campaigning priority for the TUC and trade unions. Women

have been particularly hard hit by the economic downturn and the Government's austerity measures. The Midlands TUC Women's Committee held two women's events in the autumn with a focus on the effects of public service cuts on women.

While the relatively extreme weather conditions led to the cancellation of the Reclaim the Night event, International Women's Day in the Northern Region provided an opportunity to demonstrate the anger and frustration at the fact that women are bearing the brunt of the public spending cuts, public service reductions and tax and benefit changes.

The Wales TUC national officer and president attended the women's Council of the Isles meeting held in November 2010 in Derry. The Wales TUC presentation was based on the PCS women's mentoring programme which was also the focus of a conference, attended by approximately 100 senior public sector personnel from across Wales.

The past year has seen the Midlands TUC establish a disabled members' forum which has met on several occasions and now has a plan of work up to Christmas 2011. This followed a motion to the regional annual meeting in 2010 which called for the regional executive to consider how best to promote activity in this

important area of work. The blog posts for the disabled members' forum have become the most viewed over the past year indicating a significant level of interest in this area of equalities.

The South West TUC has kept up its efforts to tackle exploitation of the most vulnerable workers on farms and in food production and the South West TUC chairs the South West Migrant Workers Forum.

SERTUC will also be giving strong support to the UpRise festival against racism in London, with a UnionCity space for trade unions and community and campaigning organisations to showcase our policies to the predominantly youthful audience.

SERTUC's LGBT Network organised a celebration of LGBT History with the theme of Queer Noise. The event focussed on building support in the LGBTQ communities for anti-cuts resistance and the TUC national demonstration in March.

In the North West, the Disability Forum has produced a leaflet on employment of workers with disabilities and actions to take forward with employers. The Women's Committee is working on materials on women and health and the LGBT network has been in contact with the various police authorities in the region on tackling



SERTUC Disabilities' Network members joined 'The Hardest Hit' demonstration in London in May.

homophobic hate crime. All the equality groups are working on plans for anti-cuts events.

The South West TUC Pensioners held their annual conference in Weston-super-Mare last May. Healthy lifestyles, bus passes, age discrimination in health, energy saving and how to improve the state pension were among the topics discussed in the full day of discussions.

The economic and social impacts of inequality were highlighted at a packed event organised by SERTUC with *The Spirit Level* authors Kate Pickett and Richard Wilkinson.

Supporting healthier and safer workplaces

The health and wellbeing agenda has been a key feature of the work of the Northern TUC, working with the NHS and PCT workplace health advisers to promote trade union engagement in improving business performance and action in this area. More than 190 employers and over 1,000 union reps have become involved in this work with many employers working toward the regional standard, the Better Health at Work Award. This area of activity is making a real difference to workplace health and wellbeing and, in some cases, literally saving lives. Building the capacity of reps to lead on health and safety remains a constant theme and in addition to Workers' Memorial Day, where delegates received updates on key campaigning issues such as the Employers Liability Insurance Bureau and asbestos in schools, there have been well-attended health and safety training days on tackling workplace stress and promoting health and wellbeing at work.

The development of the Northern TUC Asbestos Support and Campaign Group has been a tremendous development in the region. In under a year the group has developed a client base of over 160 asbestos victims; has established itself as a member of the National Asbestos Victim Support Groups Forum; and has embedded relationships with key organisations like Macmillan, specialist medical professions and other support organisations.

Mental health wellbeing was the subject of an informative seminar in Cumbria, where around 40 delegates developed strategies for tackling issues of mental health in the workplace. Around one in five of all workers develop mental health problems at work, accounting for almost 60

per cent of all workers with a disability, clearly making this a key issue for trade unions.

SERTUC has continued to be a central partner in the Health & Safety Executive's innovative project Estates Excellence. The project focuses on the health and well-being of workers employed by businesses on industrial estates in the South East and this year won a SERCO Pulse award. HSE and SERTUC are optimistic that it can be rolled out in other parts of the SERTUC Region.

South West TUC's half-day conference on the new 'fit note' proved very popular and a packed meeting discussed the implications of the new system. The new *Cancer in the Workplace* book was launched at an event in March and a number of mental health awareness courses have been run in the region. Workers Memorial Day was again marked across the South West including wreath laying at Castle Park in Bristol.

The North West TUC continues to support a very wide range of activities on Workers Memorial Day and helped to publicise them and encourage participation. The North West TUC and trades councils in the region lobbied local MPs during European Health and Safety Week and the North West TUC facilitated a visit to the HSE headquarters in Bootle by the TUC Deputy General Secretary.

8.6 | Trades Union Councils

This year 162 trades union councils registered with the TUC, significantly up on 134 that registered in 2008/9. Over the past year the Trades Union Councils Joint Consultative Committee has welcomed the establishment of ten new trades union councils – Andover, Eastbourne, Flint and District, Gloucester and District, Greenwich and Bexley, Reading, Thanet, West Cheshire, Worcester and Derby Area.

Also registering was Bradford which, though one of the oldest trade union councils in the country, having been formed in 1872, has not been affiliated to the TUC for some time. The reformed Cheshire County Association also registered this year.

Registered trades union councils and county associations appear in the *Directory of Trades Union Councils and County Associations* which is distributed to affiliated unions as a guide for union branches wanting to affiliate to local trades



North Staffs Trades Union Council at the March for the Alternative. It also played a big role in the defeat of the BNP in Stoke.

Photo: Rod Leon

union councils. The directory is also available on the TUC website and on the trades union council dedicated web site Unions in the Community (<http://unionsinthecommunity.org.uk/>)

There is every indication that this trend will continue with new trades union councils being established and moribund councils being reinvigorated. This shows the support that trades union councils receive from affiliated unions and reflects the high level of activity that trades union councils have engaged in with campaigns against the cuts at local and national level. Trades union councils, with their links to local campaign groups and community organisations, played an important role in many communities in building for the March for the Alternative and ensuring its success. Trades union councils have also held numerous rallies and demonstrations as well as acting as co-ordinators for on-going campaigns working with the local community.

Trades union councils were often at the centre of campaigns to defeat the fascist and far right political parties during this year's local elections. An example is the crucial role that North Staffs

Trades Union Council played in the resounding defeat of the BNP and the England First Party in Stoke-on-Trent. Its secretary, Jason Hill, received the NUT's Blair Peach Award for his work fighting fascism.

This year the General Council agreed an allocation of £21,000 from the TUC Development Fund to provide grants to trades union councils or county associations to undertake activities in accordance with their programme of work. This money is distributed by TUC regional offices. The programme of work is available on-line through the TUC website.

The annual conference of trades union councils took place in Peterborough, 15-16 May. The conference format followed that of previous years with a rally on the Friday evening focussing on defending public services, in particular the NHS. Formal business began on Saturday morning and finished on Sunday afternoon.

The conference was chaired by General Council member Pat Stuart of Unite and the keynote address was given by NUT General Secretary Christine Blower. The conference was also

addressed by Jean Lambert, Green Party MEP for London, Dr Janice Fine from Rutgers University, USA, and Megan Dobney SERTUC regional secretary.

Delegates took part in three workshops:

- **Greening communities, workplaces and jobs** – This workshop explored the significant and exciting opportunities that there are for trade unions to lead on climate change action in communities, the workplace and delivering green skills and jobs. The morning session was chaired by Jean Lambert MEP and the afternoon session by Philip Pearson, Senior Policy Officer, TUC.
- **Fighting the cuts and privatisation** – This workshop looked at the impact of the Government’s programme of cuts and reforms and what unions and trades councils could do to mobilise against them. This session was led by Amarjit Singh, TUCJCC rep for Wales, and Paul Nowak, Head of the TUC’s Organisation and Services Department.
- **Community campaigning** – This workshop looked at the experience in the US, Australia and the UK in engaging with the community, the unemployed and building the union movement and was led by Dr Janice Fine, Rutgers University and John Page, National Organiser (Southern), TSSA.

The Trades Union Councils Joint Consultative Committee (TUCJCC) has been working to help develop the capacity of trades union councils to undertake their vital local campaigning work and to better link unions with trades union councils.

Highlights of this work over the past 12 months have included placing articles in TUC MAIL encouraging unions to reassess and strengthen their links with the trades union council movement. It also published a pamphlet, aimed at trade unions, highlighting the work of trades union councils and how trades union councils can promote their union and trade unionism in general in the local community. This complemented the earlier TUCJCC initiative, *The Journey*, re-issued in the summer this year, which is aimed at the general public for use by unions and trades union councils in their union recruitment campaigns. The TUCJCC will continue to monitor and encourage affiliations by unions to trades union councils.

8.7 | TUC unemployed workers centres

The on-going recession means that the demands for the services of TUC unemployed workers centres have increased, putting greater pressure on the current 35 centres. The main area of increased activity is advice and representation on appeals against denial of benefits. With the continued changes to the benefit system this area of work for the centres is bound to increase even further. This is reflected in the early stages of development of centres in Hackney and Kilburn as well as scoping activity in Lewisham, all in London.

Centres have been active in campaigning against the cuts to welfare and have highlighted the unfair system of assessment undertaken by Atos which received coverage in the national press (see also Chapter 4).

Cuts in local authority funding were already threatening the services provided by many centres and announcements on the cuts to local authority spending coming from the Comprehensive Spending Review have put centres in jeopardy with local authority funding being withdrawn completely in a number of cases. Some centres have been able to find alternative funding streams and others have been assisted with temporary support from the One Fund For All (OFFA) to prevent their closure while they seek more long term funding.

The TUC continues to promote the OFFA scheme to trades unions and trade union councils with its *Hands Up For Unemployed Workers Centres* pamphlet encouraging unions at national and local level to get involved with the work of UWCs and to make regular donations to their local One Fund For All Scheme or local UWC, or to the National Appeal for the Unemployed.

CHAPTER 9

Campaigns and communications

9.1 | Introduction

The General Council always seeks to ensure that the TUC's views are effectively communicated, and that strong campaigns are mounted for our core concerns. But this has been even more necessary in the previous year when the mistaken economic policies of the Government have done so much damage to public and private sectors alike, and affiliates have looked to the TUC to co-ordinate their response. Chapter One of this Report provides an overview of the All Together Campaign, including the March for the Alternative – the most ambitious and large-scale campaign event organised by the General Council in decades.

This chapter has a different focus. It provides an overview of the work done throughout the year by the TUC's Campaigns and Communications Department in support of the General Council and Congress policy that is either not reported elsewhere or which highlights particular communications or campaigns achievements.

9.2 | Campaigning through the media

The campaign against the cuts

The TUC has had a high media profile during the past year as an effective and authoritative critic of government policy.

In September 2010, the TUC highlighted how government austerity policies would hit private sector jobs while a further analysis found that two thirds of the Government's welfare and benefit cuts would fall on working families.

Responding to the Comprehensive Spending Review in October, the TUC warned that the Government's £30 a year child tax credit increase would be dwarfed by a £30 a week cut in

working tax credits. The TUC also highlighted the unfairness of the cuts with the poorest households hit 15 times harder than the richest.

To coincide with the rally in Manchester on the impact of policies on young people the TUC analysed the severe impact of the cuts and the Government's austerity programme on the young, highlighting the abolition of the Education Maintenance Allowance (EMA), reductions in the Connexions programme, the increase in student fees, rising youth unemployment and the increase in young people being expected to work for free as interns to gain employment.

In January, a statement released after a special meeting of affiliates on public sector cuts warned that the volatile cocktail of issues that union members in the public sector faced – the pay freeze, job cuts and attacks on pensions – could well give rise to industrial action.

In February, the TUC supported the launch of the anti-cuts campaign website False Economy by publicising new research based on Freedom of Information requests which revealed that more than 50,000 NHS posts were under threat.

In the run-up to the March for the Alternative, the TUC sought out case studies from across the country to illustrate the impact of the cuts upon communities, and considerable space was given in the *Daily Mirror* and *The Guardian* to these human interest stories. The TUC also took part in a press conference with Liberty and the Metropolitan Police to illustrate the efforts the organisations were putting in place to make the march a safe, family-friendly event. On the day the *Mirror* produced an eight-page supplement to mark the march. Media attention on the tiny minority of troublemakers was rebutted by a round of interviews with the General Secretary reminding people that the true story of the day was that half a million people had marched peacefully, not that a handful had not.

In June, the General Secretary and Deputy General Secretary made a series of visits to



Out of the shadows: Photographers focus on union leaders' revelation of how much the Treasury is losing by allowing banks to offset losses from the recession against current taxes. Events like this kept unions in the news. Photo: Jess Hurd/reportdigital.co.uk

workplaces and union meetings across the country to highlight how cuts were hitting local jobs and services. This included visits to the Forgemasters factory in Sheffield, meeting with council leaders in Leeds and Bradford and attending picket lines in the South West on 30 June.

The economy and unemployment

Throughout the year, the TUC has campaigned around several core economic principles – the need for an economic stimulus to secure recovery, opposition to deep early spending cuts, which will cause mounting unemployment and potentially a double dip recession, and the need for greater fairness in the economy.

On the eve of the monthly unemployment statistics published by the Office for National Statistics (ONS), the TUC has highlighted worrying unemployment trends, including warnings about increasing youth unemployment and a potential crisis in long-term joblessness.

At the annual poverty conference in London in October 2010, just a few days before the Government's spending review, the TUC called

for fair taxation as an alternative to austerity measures.

In December 2010, the TUC reported that a quarter of a million workers would be spending their second successive Christmas on the dole, with more than a third of local authority areas having at least 1,000 such people.

In the run up to the VAT rise in January, the TUC revealed that banks would soon be paying a lower rate of tax than consumers, basic rate taxpayers and small businesses.

In March, the TUC called for a £5bn strategic investment fund to encourage long-term investment in UK companies in order to kickstart the faltering economic recovery.

Responding to the Budget, the TUC criticised the Chancellor's failure to do anything to heed the mounting evidence that his economic strategy was not working.

In June, the TUC warned that it could take decades for parts of Northern England to return to pre-recession levels of employment and we have consistently highlighted areas of the country

with the highest ratio of jobless to vacancies to rebut the Government's claim that there are plenty of jobs for people willing to take them.

Throughout the year, the TUC highlighted the gap between inflation and pay rises, showing that pay freezes are a cut in living standards and that government policies, including tax credit cuts and the VAT rise, were making things worse for hard-pressed working families.

The tax gap

In October 2010, the TUC published the *Corporate Tax Gap* report, which found that UK banks were able to knock £19bn off future tax bills as a result of the losses made during the financial crash. The TUC used this to reiterate its call for a Robin Hood Tax on financial transactions.

The TUC also called for an end to the '90 day rule' which enables jet-setting tax dodgers, known as the 'Monaco boys', to commute from tax havens to the City to avoid paying their fair share of tax.

The Government's failure to address City bonuses was highlighted by the TUC in November when it criticised the Chancellor's plans to ditch rules drawn up by the previous government requiring UK banks to disclose bonus and salary payments above £1 million. The TUC also branded the Government's bank levy as "pathetic" and said that it would be celebrated in the City.

In February, the TUC called for all pay and bonuses over £250,000 (ten times the level of median pay) to be considered company profit and therefore liable for corporation tax. This call was made ahead of the latest round of annual reports by leading banks, which detailed their pay and bonuses arrangements.

In May, the TUC's latest tax report dismissed the link between corporate tax cuts and job creation and said that the Chancellor was losing vital revenues with no real benefit to ordinary taxpayers.

The Touchstone series

In June the TUC published *Britain's Livelihood Crisis* which highlighted Britain's 30 year income squeeze caused by the restructuring of the UK economy and argued that a fairer distribution of wages was required for economic recovery.

In July a Touchstone pamphlet on housing warned that the Government was ignoring the plight of many homeowners who are living in poverty, and whose mortgage commitments make it hard for them to move to take up a job.

The gap between rich and poor

In October 2010 the TUC welcomed the latest increase in the national minimum wage (NMW) as it would benefit nearly one million workers across the UK, two-thirds of them women. The TUC also welcomed bringing all apprentices under NMW legislation with a new hourly rate of £2.50 for those who were previously exempt. At the end of October the TUC called on the Low Pay Commission (LPC) to recommend raising the adult NMW by 21p to £6.14 an hour to ensure that low paid workers were not disproportionately affected by the recession. In April 2011, the TUC welcomed the Government's announcement that it has accepted the recommendations of the LPC to increase the NMW from October. The TUC publicised that this will provide a welcome pay boost for around 840,000 low-paid workers in the UK.

Welfare reform and benefits

In October 2010 the TUC held a photo opportunity at the Department for Work and Pensions (DWP), protesting that the company Atos Origin Ltd was moving sick and disabled people from Employment Support Allowance (ESA) to JSA when they were not fit for work and that this was being done to save the Government money. People who had been wrongly moved on to JSA stood outside the DWP with placards awarding Atos '0 points'. In November the TUC welcomed Professor Harrington's review into work capability assessments, hoping it would redress this trend. In February 2011 the TUC criticised findings from the Government's incapacity benefit reassessment programme and called on the Government to create more jobs and not blame the sick and disabled for being out of work.

The TUC, in its submission to the DWP consultation on the benefit in February 2011, also warned that cuts to the disability living allowance (DLA) would leave disabled people, their carers and their children in poverty.

In its submission to the Government's consultation on welfare reform in October 2010, the TUC argued that plans to move to a fairer

and simpler benefits system would be undermined if they were accompanied by cuts to hard-pressed middle income families.

In September 2010, the TUC revealed that at least 194,000 unemployed adults would lose nearly £500 a year, if the proposed 10 per cent housing benefit cut for adults who have been claiming Jobseeker's Allowance (JSA) for more than 12 months was introduced.

The TUC criticised the Government's decision to cut child benefit for higher rate taxpayers in October 2010, warning that no one was immune from the Government's rush to cut.

A new tax credits calculator was launched by the TUC working with the internet-based group, Mumsnet. This helped parents identify how much the Government's changes to working tax credits, coming into effect from April 2012, would cost them. The calculator showed that some working families could lose up to £2,500 a year.

Pensions

In September 2010, the TUC's annual PensionsWatch survey found that the average pension pots of FTSE 100 Directors had increased by £400,000 to reach £3.8m, giving an annual pension of £227,726. PensionsWatch found that directors pensions were now 26 times the size of the average occupational pension.

Throughout the year the TUC continued to rebut many right-wing attacks and myths about public and private sector pensions, drawing attention to the National Audit Office report in December 2010 and Public Accounts Committee report in May which said that public sector pensions were sustainable, and criticising the Government's decisions to consult on changing the discount rate used to calculate public sector pensions.

The TUC continued to support auto-enrolment of workers into workplace pensions from 2012 in the face of calls from business lobbyists to water down the plans.

Work-life balance

In October, the TUC published a new analysis to coincide with commuteSMART week that showed the growth of home working had helped to drive commute times to a ten year low.

In November we issued guidance for staff and employers affected by the snow, encouraging 'bad weather' policies so that workers did not face disciplinary action or the loss of a day's pay if they could not safely commute to work.

Work Your Proper Hours Day 2011 focused on the record number of workers who worked unpaid overtime in 2010 and that one in four public sector workers did unpaid overtime compared with around one in six in the private sector.

The TUC continued to campaign against plans to move the May Day public holiday to October, saying that it was a proposal that enjoyed no real support beyond a few backbench Conservative MPs who had a long-held grudge against what they perceived to be a trade union holiday.

Environment

In October, on the eve of its climate change conference, the TUC was one of a number of organisations calling on the Chancellor to use the forthcoming Comprehensive Spending Review to continue to invest in the UK's green recovery or risk losing the opportunity to create thousands of green jobs and jeopardise the move to a low-carbon economy.

Vulnerable workers (Union Modernisation Fund)

In January 2011, the TUC press-released the first in a series of newsletters to help vulnerable workers find out more about their basic employment rights at work and in July 2011 a website for vulnerable workers was launched.

Equalities

In November 2010 the TUC welcomed the first ever disability history month, but raised concerns that cuts to jobs and services would halt the progress disabled people had made in recent years in gaining equality at work. The TUC used the *Life Opportunities Survey* published by the ONS in December 2010 to remind the Government that disabled people were excluded from jobs not through any failings of their own, but because of the barriers they face in getting work.

The TUC demanded ministers focus on removing the barriers that prevent equal access to work,

not on slashing the benefits system and making disabled people even poorer. In January 2011, the TUC press-released a new guide for union reps to help them better support and represent disabled people at work amidst concerns disabled people would be disproportionately affected by the job losses in the public sector. To coincide with the annual disability conference in London in May 2011, the TUC press-released a new report which revealed the true impact of the Government's spending cuts on disabled people and encouraged unions and disabled people to fight back.

The TUC called on union members and the wider general public to campaign to end discrimination against transgender people by supporting Transgender Day of Remembrance in November 2010. In January 2011 the TUC called for an end to prejudice on Holocaust Memorial Day. In February 2011 the TUC held a photo opportunity at Congress House to promote Football v Homophobia: An international day opposing homophobia in football. In June 2011 the annual lesbian, gay, bisexual and trans (LGBT) conference provided an opportunity for the TUC to call on LGBT people to engage with anti-cuts campaigns.

In December, the TUC welcomed the fall in the gender pay gap but warned that government cuts – particularly the public sector pay freeze and heavy job losses – would hit women's income hard.

In November, the TUC joined up with Nautilus International and the RMT, to call on ministers to close a legal loophole which allowed shipping companies to discriminate against overseas workers employed on UK ships by paying them as little as £2 an hour.

In March, the TUC published a new analysis of women in the labour market to coincide with the Women's Conference. This warned that spending cuts would hit women's employment hard as they are more likely than men to work in the public sector.

In April, the TUC said that BME workers were almost twice as likely to be out of work as white workers and warned that public sector spending cuts could mean thousands of employees from ethnic minority backgrounds would lose their jobs.

In May, the TUC showed its support for an Age UK lobby on women's pensions by calling on the Government to back down over its plans to raise the state pension age for women.

Education and skills

At the TUC Future of our Schools conference in November 2010, Frances O'Grady warned that the rushed education reforms were causing confusion and concerns for both teachers and parents.

In November, the TUC welcomed the government commitment to extend funding for new apprenticeships but criticised further cuts to adult training budgets at a time when unemployment was so high.

In February, the TUC criticised the Government's u-turn on extending the right to request time off for training to small businesses, saying that it would hit those who are already least likely to be able to access learning at work.

In April, the TUC calculated that the Government's continued uprating of student loans by RPI rather than CPI, as it has done with key benefits and public sector pensions, would add an extra £5,000 to their student debts.

Health and safety

The TUC publicised a new report in September 2010 that showed that 20,000 people die through work-related causes a year – demonstrating that health and safety at work is as relevant today as it has ever been.

In October 2010, the TUC expressed concern that 152 people were killed at work between April 2009 and March 2010. We press-released our concerns that budget cuts in the Health and Safety Executive (HSE) would lead to higher illness rates, more days lost through sickness absence and more workers killed, injured or made ill as a result of their work.

At the end of October 2010, the biennial survey of safety reps was released. The study revealed stress, bullying and harassment, back strains, slips, trips and falls, and overwork top the list of workers' safety concerns. In November, the TUC revealed, again from the survey of safety reps, that nearly half of all UK workplaces have never had a health and safety inspection.

In October, the TUC warned that cuts to the Health and Safety Executive and to local authority budgets announced in the spending review would make it easier for rogue employers to take unacceptable risks with the health and safety of their workforce.

In March 2011, the TUC publicised new guidance on how employers and union reps can work together to support women through the menopause at work: this coincided with International Women's Day.

International

In September 2010, the TUC called on the Swaziland government to release trade union activists it had arrested and organised a demonstration outside the country's High Commission in London.

In November, to coincide with a visit to London of the International Olympic Committee (IOC), the TUC urged them to ensure that no workers involved in the delivery of the 2012 Games were exploited. When the IOC returned in April, the TUC and other campaign groups belonging to Playfair 2012 held a protest outside the board meeting to urge them to ensure that all workplaces in Olympic supply chains are free from poverty wages, insecure employment and excessive hours and that the workers are allowed to join unions. In June, the TUC welcomed an agreement signed in Indonesia between major sportswear brands and textile, clothing and footwear unions and said it raised hopes that merchandise produced for the London 2012 could be made in factories free from exploitation.

In February, in the run-up to the G20, the TUC was part of an international coalition behind a global day of action to increase pressure on governments around the world to sign up for a Robin Hood Tax on the banks.

In April, the TUC and union protestors concerned at the poor treatment of migrant tobacco workers in the United States confronted shareholders attending the annual general meeting of British American Tobacco. They urged it to get tough with US tobacco giant Reynolds America Inc over the poor wages and working conditions of workers employed in its supply chain.

In May, the TUC wrote to Iraqi Prime Minister Al-Maliki calling on him to repeal the sudden withdrawal of union recognition rights from the General Federation of Iraqi Workers (GFIW). It said the move had effectively ended free and independent unions in Iraq.

In June 2011, the TUC welcomed the adoption of a convention on the rights of domestic workers at the International Labour Organisation (ILO) conference in Geneva – and criticised both the

CBI, who voted against the convention, and the British government, which abstained.

Transport

In May 2011, the TUC criticised the review of rail value for money published by former Civil Aviation Authority Chairman Sir Roy McNulty. The TUC believed the report rightly highlighted the increased costs to passengers and taxpayers from the privatisation of our railways, but found its prescriptions wide of the mark and likely to make conditions worse for both commuters and rail staff.

In June 2011, the TUC condemned the Government's failure to award the Thameslink train production contract to Bombardier as a missed opportunity to boost British-based manufacturing and jobs.

Work

In January, the TUC called on the Government to stand firm in the face of intense employer lobbying in the run up to a major review of employment tribunals. It said that any major changes to the system could stop employees who had been wronged at work from seeking justice, and would give the green light to rogue employers to break the law.

Health

In July, the TUC delivered a giant birthday card to the Department of Health on the occasion of the NHS's 63rd birthday. Across the UK health professionals celebrated the day whilst warning that the Government's proposed reforms risked fundamentally altering the health service and undermining the basic principles on which it was founded.

9.3 | Campaigning in Parliament

The Government has had a heavy legislative programme and the General Council has therefore engaged in lobbying, briefing and engagement with ministers, MPs and Peers.

Bills on which the TUC has lobbied in this session include Localism, Pensions and Savings,

Education, Health and Social Care, Public Bodies and Welfare Reform. We have also provided briefing to counter back-bench Conservative MPs' bills on the minimum wage, industrial action and facility time for union reps. General briefings on the economy and the impact of the cuts programme have also been produced.

The TUC continues to respond to the many requests to provide evidence to Select Committee inquiries in both Houses which following the change of government in 2010 are of increased importance in the TUC's work.

Evidence was given on a wide range of issues including:

- The Government's pensions reforms, changes to housing benefit, youth unemployment and the Future Jobs Fund to the Work and Pensions Select Committee.
- The Comprehensive Spending Review to the Treasury Select Committee.
- The future of Commonwealth Development Corporation, DFID in 2009-10 and the World Bank to the International Development Select Committee.
- The New Local Enterprise Partnerships to the Business and Skills Select Committee.
- Smaller Government: Bigger Society to the Public Administration Select Committee.
- Alongside the Metropolitan Police we gave evidence on Policing the March for the Alternative on 26 March to the Joint Select Committee on Human Rights.

In addition, we gave written and oral evidence to the Public Bills' Committees on Pensions, Health and Welfare reform.

The political year began with a significant presence at all of the three main political party conferences. Literature distributed included *Cuts are not the Cure*, the Touchstone series and a range of unionlearn promotional materials.

General Council speakers contributed to fringe meetings and rallies. The General Secretary debated the economy with the Chief Secretary to the Treasury and the Minister for Policy in the Cabinet Office. TUC speakers also debated with shadow ministers at the Labour Party conference.

The General Secretary, Deputy General Secretary and members of the General Council continued to develop a contact programme with coalition ministers, including with the Prime Minister,

Deputy Prime Minister, Chancellor, Business, Innovation and Skills Secretary, International Development Secretary, Transport Secretary, Environment Secretary and Work and Pensions ministers.

Formal government bodies involving General Council representatives continued to meet. These included the Public Services Forum and the Trades Unions Sustainable Development Advisory Committee. The Minister overseeing public service reform has introduced new machinery for unions to engage jointly with departmental ministers and the Cabinet Office. These have already focussed on health and education and there are plans to cover local government and the criminal justice system. The Chief Secretary to the Treasury and the Minister for the Cabinet Office have held a series of meetings with the TUC and members of the Public Services Liaison Group to discuss the future of public sector pensions.

The election of a new leader of the Labour party and subsequent changes to the opposition front-bench have required the TUC to put in place more systematic contact with shadow ministers. The Labour Party's policy review has led to requests for TUC involvement in policy development which has happened across a number of issues. The Leader of the Opposition hosted a dinner for members of the General Council.

Contact has been maintained with peers of all parties, including ministers and shadow ministers. The TUC has recognised the importance of the House of Lords in influencing legislation in the new political environment and particular effort has gone into developing a new and sustained relationship with cross-bench peers as well as former general council colleagues now in the House of Lords. The General Secretary addressed the Opposition Peers at their formal weekly meeting.

The TUC organised a well attended rally and lobby of Parliament about the public sector cuts programme in October just before the Comprehensive Spending Review and has supported further union lobbies including ones on the Public Bodies Bill, the fire service, pensions and academy schools.

Two Westminster events relating to the Health Bill were organised under the All Together for the NHS umbrella – a reception within Parliament and a tea party for the NHS's 63rd birthday in Westminster Central Hall. Both were well attended by MPs and peers of all

parties. The TUC's unionlearn also hosted a reception and launched its new pack for MPs in Parliament. New MPs have also been invited to visit unionlearn projects in workplaces in their constituencies and this work is ongoing. The General Secretary has been invited to and attended other receptions and events by affiliated unions including the entertainment and education unions.

The Women Officers' Summer School participants had a successful reception and briefing event with the Shadow Minister for Equalities and several of her colleagues.

A programme to introduce the TUC's work to new MPs is underway. This has included a number of introductory meetings at MPs' request. The member for Ealing Central and Acton hosted a dinner for a dozen new Conservative MPs and similar events have been provided for new Labour MPs.

The network of affiliated parliamentary and political officers continues to meet and take forward the parliamentary aspect of the TUC's wider campaigning work. The TUC also continues to liaise with the Labour MPs Trade Union Group. As new opposition policy advisers have taken up post, the TUC has held introductory meetings and briefings with them.

The TUC contributed to specialist magazines and websites devoted to Westminster politics, sent advice bulletins for MPs to use in surgeries and provided written briefings for proceedings in parliament, including a monthly economic report.

9.4 | Campaigning online

The TUC's core website (www.tuc.org.uk) was comprehensively redesigned for Congress 2010, to communicate more effectively the TUC's work and to make better use of the possibilities of social media.

A separate campaigning network and toolkit, Going To Work (www.goingtowork.org.uk) was also launched at the end of 2010 and has since allowed the TUC to mobilise support for online action. Thousands of people have taken action to lobby MPs, peers, and other campaign targets, backing up the TUC's traditional campaigning work online.

This capacity was invaluable during the build up for the March for the Alternative in March 2011, when a temporary site set up to co-ordinate the march (www.marchforthealternative.org.uk) received around 250,000 unique visitors in the month leading up to the event. The Going To Work network, along with the False Economy website supported by the TUC, have also contributed to the 1st April and 5th July NHS days of action.

The TUC's staff-written blogs have continued to prove popular over 2010/11, especially the policy group blog, ToUChstone (www.touchstoneblog.org.uk), which has gained significant influence amongst political bloggers, journalists and think-tanks as well as union officers and activists. Combined with a growing presence in social media, this helps to make sure TUC views are reflected in online political debate. Planned for launch at Congress 2011 is a reworking of the TUC's movement-focused blog Stronger Unions (www.strongerunions.org), seeking to broaden awareness of union news and campaigns amongst bloggers and digital activists.

WorkSMART.org.uk, the TUC's advice and join-a-union website aimed at non-members, has been comprehensively updated, working with the Labour Research Department and policy specialists, and continues to be a popular source of advice on workplace rights and trade unions.

In January 2011, the TUC played a major role in organising and hosting the first UK Netroots conference. Themed around grassroots internet activists' roles in campaigning against the cuts, this event brought together over 500 online progressive activists to train, network and discuss campaign strategy. The event, run in partnership with the influential US equivalent Netroots Nation, was a great success and a longer-term working group has been formed to make ongoing use of the principles of the Netroots movement in the UK. The early involvement of the TUC ensures that union concerns will have a strong voice within the growing online progressive movement in the UK.

The TUC's Campaigns and Communications Department has also sought to build unions' capacity online by organising seminars for union staff on exchanging online communications best practice. Events in 2010/11 have included sessions on evaluating union website content management systems, and using Twitter in union communications to members and the media.

9.5 | Campaigning through print

New titles for sale in 2011

- *TUC Directory 2011*
- *Report of Congress 2010*
- *TUC Equality Audit 2011*
- *Britain's Livelihood Crisis* (Touchstone discussion pamphlet #10)
- *Can Housing Work for Workers?* (Touchstone discussion pamphlet #11)

Publishing for conferences and campaigns

The annual publications for the TUC's equality conferences (for example, the committee report for each conference) have been produced as usual. Other support work for campaigns and conferences included:

- posters, cuts-outs, flags, leaflets and banners for All Together Campaign (including lobbying the autumn party conferences and the October 19 Westminster lobby); and then for the March for the Alternative march and rally in London
- production of the influential *Cuts are Not the Cure* booklet
- birthday cards and promotional items in support of the Happy Birthday NHS campaign
- reprints of leaflets, cards and posters for the Playfair 2012 campaign
- leaflets, advertisements, flags and T-shirts for Pride 2011
- posters and leaflets for Work Your Proper Hours Day 2011
- promotional literature for the Future for Schools conference, plus a follow-up report
- promotional literature for the Alliances for Green Growth conference and the annual climate change conference
- promotional literature for the annual member trustees' conference.

For unionlearn

The TUC produces material for unionlearn, the TUC's learning and skills organisation. The *Learning Rep* magazine continues to be published quarterly. Materials have also been redeveloped

and/or reprinted for the union learning *Climbing Frame*; the Skills: Recession and Recovery project; and the Supporting Learners pack, which now includes a new guide to progression pathways.

Other new publications included *Making Learning Click*, the report for the fifth unionlearn annual conference; *Union Learning Adding Value, an evaluation of the ULF*; the *Union Learner Journey* (a checklist for HE providers); several academic research reports on the effect of union learning; *Unions and Sector Skills Councils*; a Community Toolkit; Get Online and MyGuide computer skills resources; a third edition of *Working for Learners*, a reference manual for ULRs; and a *Literacy, Language and Numeracy* six-pack of booklets.

For TUC Education, the TUC published the yearly *Union Professional Development Programme* brochure; new leaflets for TUC Education Equality Diploma; a revamped set of *Stage 2 Union Learning Reps* course materials; and a revision of the *Stage 1 Health and Safety* materials. Also published was *Training for Trade Union Workplace Reps*, a guide for employers. Unionlearn worked with several stakeholders to produce a well-received new edition of *Tackling Racism*. Finally, the TUC Education course booklets were given a revision and templates released for regional use.

For other policy areas

On economic policy, the TUC has published another 'Touchstone Extra' (unpriced policy documents available from www.touchstoneblog.org.uk): *Fairness and Prosperity*.

We have also produced a booklet for the Gateways to the Professions Collaborative Forum called *Common Best Practice Code for High-Quality Internships*.

A guide to the new Equality Act will be published in the autumn, and this issue will be covered extensively in the next edition of *Your Rights at Work*, due in 2012.

On the organising front, the TUC has also produced reprints of materials to promote the unionreps website; a leaflet to promote the Unions into Schools website project; an Organising Academy course brochure; a report called *Swords of Justice and Civic Pillars* about unions and community engagement; and a *Pocket Guide to Organising*: a manual for trade

union reps is also planned for publication in the autumn.

Unions at Work: What They are and What They Do tells non-members about trade unions and their role in modern society. This was reprinted in 2010/11 and was accompanied by a leaflet about trade union values and why people should join, called *Want Better Pay, Conditions and Benefits at Work?* This too was reprinted and unions have been offered their own editions tailored to meet their own needs.

Sales of the flagship health and safety publication, *Hazards at Work* grow strongly, whilst posters were produced for Workers Memorial Day. *Representing and Supporting Members with Mental Health Problems at Work* was reprinted to meet continuing demand. A *Safety Reps Starter Pack* was produced, as was a report and recommendations on the cuts to the All-Party Parliamentary Group on Occupational Safety and Health.

International work was supported by a booklet called *Bearing the Brunt, Leading the Response: women and the global economic crisis*; and by materials for International Women's Day. An

illustrated diagram *Trade Unions Working for Global Justice* on the international work of trade unions was commissioned and completed.

Union Publishing Network

A group of union editors and production staff meets regularly in informal sessions to exchange information and discuss print and design topics. The group is convened by the TUC and all union publishing staff are welcome. Topics discussed in the past Congress year have included copyright; green printing; accessible documents; and production for new media. The Campaigns and Communications Department provides email alerts about the meetings.

In-house print

Many of the TUC's consultation documents, briefings, submissions and media reports are printed by the TUC's in-house digital print facilities. New investment in more advanced equipment will provide an even better service in summer 2011. Unions are welcome to take advantage of these services at specially discounted



Trade unions working for social justice.

prices. Call CopyDesk for more details: 020 7467 1247.

The full TUC publications catalogue is available on request and customers can also purchase online from www.tuc.org.uk/publications.

9.6 | Campaigning through events

The sudden death of Keith Faulkner, the TUC Senior Events Officer, shortly before Christmas, shocked and saddened Keith's many friends and colleagues, not only in the TUC, but across the trade union movement and in the very many organisations with which he had dealt during a long career stretching back to 1978 when he joined the TUC from the National Union Students, initially as our print buyer, but later as a highly respected organiser of events ranging from Congress to demonstrations, taking in the increasingly important equality conferences. Tributes to Keith came from organisations as diverse as the Metropolitan Police and Cuba Solidarity Campaign and a memorial event held at Congress House in February, on what would have been his 63rd birthday, proved a fitting tribute.

The task of organising the March for the Alternative, fully reported in Chapter 1, would have stretched the TUC in any year and it is a tribute to those, both within the TUC and in unions, who picked up the many facets of the job following Keith's death, that the logistics of an event that involved bringing half a million people together went as smoothly as they did.

In addition to the organisation of the many events that comprised the All Together Campaign, other events organised during the course of the year included the statutory conferences – the four equality conferences, young members' conference and the trades councils conference and the other campaign initiatives reported elsewhere.

A lot of attention has been given to the arrangements for this year's Congress, following last year's rule changes, and the new arrangements which need to be put in place to ensure that the Congress House Congress meets the commitments to produce a high profile event that retains its place as the principal policy making body and maintains the constitutional commitment to equality.

9.7 | Exhibitions

A total of 80 exhibition stands were sold for the 2010 TUC Congress Exhibition.

An exhibition was staged at the TUC Women's Conference and various smaller exhibitions were held at other conferences throughout the year.

In 2010 the TUC took exhibition space at the Labour Party and Liberal Democrats Conferences. For space reasons there will be no exhibition at the 2011 Congress, but preparations are in hand for a solidarity wall at the 2011 Congress with a full exhibition in Brighton in 2012.

9.8 | TUC/TU ink Trade Union Communications Awards

This was the fourth year of the re-launched Awards and TU ink, a printing/project management company have agreed to continue as sponsors. The General Council is grateful to TU ink for their ongoing support for the Awards.

This year 22 unions entered the competition with a total of 97 entries and the awards have continued to thrive with a diverse range of high quality entries from across the union movement.

This year the judges were: Shamik Das, Acting Editor, Left Foot Forward; Dorcas Erskine, Head of Public Affairs, ActionAid; Chris McLaughlin, Editor, *Tribune*; Lisa Nandy MP; Peter Rees-Farrell, Journal editor, USDAW. The judges declared that they were very impressed by the breadth and vivacity of this year's entries and by the continuing emphasis that unions place on campaigning, whether it is focussed on their membership directly or on issues of wider social concern.

At the awards ceremony on 29 June union communications professionals were able to view all the competition entries, and network with their colleagues and General Council members. The TUC President and General Secretary awarded the certificates.

A single publication was produced bringing together what had previously been two documents into one *The Judges' Comments and Focus on the Winners*. A copy will be available for each delegate at Congress.



Winners of the TUC/TU ink Trade Union Communications Awards with Michael Leahy and Brendan Barber.
Photo: Rod Leon

The results were as follows:

Best journal or magazine

Winner: Nautilus International *The Telegraph*
Highly Commended: FDA *Public Service magazine*
Commended: Musicians' Union *The Musician*

Best feature

Winner: FBU – Scene of the crime
Highly Commended: Nautilus International – A mystery that must be cleared
Commended: CSP – Alive and well ... los 33, and ATL – A very questionable survey

Best use of a photo or illustration

Winner: CWU Photo/Illustration by John Chadwick/Brian McGregor
Highly Commended: Prospect Illustration by Simon Crosby
Commended: UCATT Illustration by Clive Wakfer

Best one-off publication

Winner: Musicians' Union *Musicians' Union Handbook*
Highly Commended: UCU – Wallchart – *International Day of Disabled People*
Commended: CSP *Equality and diversity toolkit*

Best campaign

Winner: CWU – Don't hang up on Barrow
Highly Commended: FDA – Defeat the Deficit

Best website

Winner: CWU www.cwu.org
Highly Commended: Nautilus International www.nautilusint.org
Commended: NASUWT www.nasuwt.org.uk

Best use of electronic communication

Winner: CWU – e-Voice
Highly Commended: UCU – Defend USS
Commended: SoR – Toptalk

CHAPTER 10

TUC organisation

10.1 | Introduction

This chapter reports on links with affiliates; the new arrangements for Congress; proposed changes in the composition of the General Council; other work not covered elsewhere in the Report; and the internal organisation of the TUC, including finances, personnel and information services.

10.2 | Affiliations and union mergers

There have been no new affiliations to the TUC during the past Congress year and just two mergers. In January, the Association for College Management transferred engagements to the Association of Teachers and Lecturers and early in 2011 the Staff Union Dunfermline Building Society transferred its engagements to the Nationwide Group Staff Union.

10.3 | Congress Awards

The winners of this year's Congress Awards for lay representatives are as follows:

The Congress Award for Youth: Nick Parker PCS

Health and Safety Rep Award: Clifford Mayer UCATT

Learning Rep Award: Jonathan Waterhouse USDAW

Organising Rep Award: Anas Ghaffar USDAW

Women's Gold Badge: Evelyn Martin MBE GMB

The awards will be presented at Congress.

10.4 | Congress

The 2010 Congress carried 37 resolutions, 18 composite resolutions and six emergency resolutions. One motion was remitted and Congress also agreed a general council statement on the economy, public spending and public services, which has formed the basis for the All Together Campaign, which, as reported above, has dominated the TUC's work throughout this Congress year. One resolution carried at the Manchester Congress called for a specific written report back to Congress on the actions taken on all motions carried or remitted at the previous Congress. As was explained in the Congress debate on behalf of the General Council, the purpose of this Report is to provide Congress with a report of the action taken by the General Council on Congress resolutions in the context of other developments during the course of the Congress year. In light of the resolution and the assurances given at Congress, this year efforts have been made to identify more clearly throughout the Report the actions taken as a result of specific Congress resolutions.

The 2010 Congress agreed rule changes, which would allow the 2011 Congress and, subject to review, Congresses held every alternate year from then on, to be held at Congress House in London over a three day period – rather than the traditional four days – with reduced delegation entitlements. During the course of this Congress year the General Council, assisted by the Executive Committee and a special working group of Executive Committee members, has looked in detail at the practical arrangements needed to implement these changes in line with the commitments given at Congress to ensure that the new arrangements did not lead to a reduction in the high media profile of the Congress; did not reduce the role of Congress as the principal policy making body of the TUC and the means by which the General Council is accountable to the wider movement; and maintained the commitment to equality, which is enshrined within the TUC rules. As a result, the following changes are being made

for the 2011 Congress: in line with the practice at many union conferences, including that of the Scottish TUC, delegates will not be provided with desks – though facilities will be provided where a delegate has specific access requirements; places on the platform will only be provided for the president and those members of the General Council and senior staff directly involved in assisting the president, rather than the whole of the General Council; credentials for union visitors/ support staff will be limited on the basis of a formula related to union size; certain sessions will be ‘ticketed’ for visitors and the media on the basis that on these occasions demand is expected to exceed the space available; facilities will be provided elsewhere in Congress House for union support staff, such facilities to include a webstream of Congress proceeding (this will also be available externally through the TUC website); whilst there will be no space for a commercial exhibition, a ‘solidarity wall’ will be provided to allow those organisations with which the TUC works closely, including campaign organisations which have previously exhibited, to display their campaign work; external speakers will be limited to the sororal delegate from the Labour Party – as part of the traditional arrangement by which the TUC and the Labour Party exchange fraternal/ sororal delegates – and the leader of the Labour Party, who has accepted an invitation to address Congress; and the video which in recent years has accompanied the presentation of the lay rep awards will be replaced by an article on the award winners in the *Congress Guide*.

As promised at the 2010 Congress when the rule changes were introduced, a review of the new arrangements will be conducted immediately after Congress. This will take into account views from delegates and unions. In the meantime, arrangements have been made for the 2012 Congress to be held in Brighton on the traditional basis and, subject to the review, the 2013 Congress will take place at Congress House on a similar basis to the 2011 Congress and the 2014 Congress will be on the traditional basis at a northern venue. These arrangements could however be re-examined depending on the conclusions of the post Congress review.

10.5 | General Council

At the time of going to press the General Council has held seven meetings during this Congress year. At the first meeting, held jointly with the outgoing General Council, on the final morning of the

2010 Congress in Manchester, Michael Leahy was elected as chair of the General Council and he will preside at the 2011 Congress. It was also agreed that the composition of the Executive Committee for the 2010-2011 Congress year should be as previously constituted but with the addition of Liz Snape and Christine Blower. In October, Mark Fysh retired from the General Council and it was agreed to invite nominations from unions to fill the vacancy in section H – the section representing trade unionists with disabilities. It was reported to the General Council in December that one nomination had been received – that of Sean McGovern of Unite, who was therefore invited to join the General Council. It was also reported in December that three of the Unite members of the General Council would be stepping down. They were: Dougie Rooney, president of Congress in 2010 who had joined the General Council in 1998; Derek Simpson, who had joined the General Council in 2002; and Tony Woodley, who had joined the General Council in 2003. In April it was reported that Unite had nominated Andrew Murray, Jane Stewart and Steve Turner to fill the three vacancies and the General Council invited Steve Turner to join the Executive Committee. In June, it was reported that Jeremy Dear was to stand down as General Secretary of the National Union Journalists at the start of July and was therefore not expected to attend any further meetings of the General Council during this Congress year.

As reported elsewhere, the General Council’s work during this Congress year has been dominated by the All Together Campaign and, as a result, there has been just one occasion when a discussion has taken place on the basis of a presentation by a guest speaker. That took place at the February meeting, when Lord Coe, chairman of the London Organising Committee of the 2012 Olympic and Paralympic Games, together with Paul Deighton, LOCOG chief executive, led a discussion on plans for the Games and trade union involvement. Questions covered security, the role of volunteers, the playfair campaign, construction, transport and the London Living Wage. As reported in Chapter 4 these issues have been followed up as part of the TUC’s continuing work on London 2012.

Review of the composition of the General Council

The 2010 Congress carried a resolution calling for a review of the composition of the General Council. The resolution supported the idea

of every union having a seat on the General Council, however the General Council, both in expressing reservations about the resolution at Congress, and in a consultation document subsequently circulated to unions, pointed out that this would represent a substantial increase in the size of the General Council and would have major implications for the representation of larger affiliates, with the resulting body becoming more of a conference than a council. The consultation document, circulated to unions in April, suggested that one way of addressing the issue identified in the resolution would be to reduce the threshold for automatic representation on the General Council from 100,000 to either 50,000, 40,000 or 30,000 members with the number of elected seats for unions below the threshold being reduced at the same time. The result would be wider representation of specialist unions but without the major increase in the size of the General Council that would result from a system by which all affiliates were represented. Responses to the consultation were considered by the General Council in July: of the 23 unions responding, none advocated the expansion of the General Council to include seats for all unions; one considered that the present arrangements, by which non-general council unions could attend and speak but not vote at General Council meetings, provided adequate representation; another recommended an annual meeting following Congress with all unions in attendance; and the other 21 responses were divided into two camps – one favouring a lowering of the threshold for automatic representation to 50,000 – and retaining the 11 seats open to election from the smaller unions; and the other supporting a threshold of 30,000 with a further seven seats to be elected by unions not having automatic representation. On balance the General Council agreed to adopt the latter formula and as a result is proposing the following rule change to Congress:

To amend the second and third paragraphs of

Rule 4(a)

Composition of General Council

Current wording

Section B shall consist of members from those organisations with a full numerical membership of 100,000 up to 199,999 members. Each such organisation shall be entitled to nominate one of its members to be a member of Section B of the General Council.

Section C shall consist of eleven members of unions with fewer than 100,000 members.

Proposed wording:

Section B shall consist of members from those organisations with a full numerical membership of 30,000 up to 199,999 members. Each such organisation shall be entitled to nominate one of its members to be a member of Section B of the General Council.

Section C shall consist of seven members of unions with fewer than 30,000 members.

If agreed by Congress the new arrangements will come into effect at the 2012 Congress.

A further issue raised in the debate on the motion at Congress concerned Rule 7(g), which prohibited canvassing for votes in the elections held at Congress. It was noted that this rule was widely ignored and that the last occasion on which legal advice had been taken it had been suggested that it would be unenforceable in practice.

In the course of the consultation no union advocated the retention of this rule and all that considered the issue recommended that it be removed from the TUC rulebook. The General Council therefore decided to use its powers under Rule 15(a) to remove Rule 7(g) from the TUC rules with immediate effect and this rule therefore does not apply in the elections to be conducted at the 2011 Congress, nor does it appear in the rules at the back of this Report. However should any union feel that any unfair tactics have been used in any of the elections, the General Council and the Congress General Purposes Committee could use their general powers to investigate the matter.

During the course of the consultation the CWU also raised the absence of standing orders for General Council meetings and the means by which membership of the Executive Committee is determined. An assurance has been given to the union that an opportunity will be provided for these issues to be considered further.

The General Council lead responsibilities for the Congress year are as follows:

Overall responsibility as lead spokesperson for the TUC	The General Secretary
Senior representative throughout year of office	The President Michael Leahy

Specific areas of responsibility

Disability	Mark Fysh <i>(until October)</i> Sean McGovern <i>(from February)</i>
Environment and Sustainable Development	Paul Noon
Europe Monitoring Group	Billy Hayes
International Relations	Sally Hunt
International Development	Gail Gartmail
Learning and Skills and Chair of the unionlearn board	Mary Bousted
Lesbian, Gay, Bisexual and Trans Rights	Maria Exall
Migration	Mohammad Taj
Pensions	Michael Leahy
Professional and Managerial Staffs Group	Dave Prentis
Public Services	Dave Prentis
Race Relations	Gloria Mills
Trades Union Councils	Jeremy Dear <i>(until June)</i> Bob Crow <i>(from July)</i>
TUC Regions	Allan Garley
Women	Pat Stuart
Youth	John Walsh
Health and Safety	Liz Snape

10.6 | TUC finances

The TUC's accounts for 2010 (see Appendix 3) show a total surplus across all funds of £3,107,000, but this includes the FRS 17 adjustments. The operating surplus of £1,609,000 comprises £266,000 set aside for the Congress House Dilapidations Fund, and surpluses of £528,000 and £817,000 on the Administration Fund and Development Fund respectively. The surplus was higher than expected due mainly to a very beneficial return on investments towards the end of 2010.

Development Fund

In 2010 ten per cent of the affiliation fee was allocated to the Development Fund and was used to promote new work and initiatives by the General Council. This was used to support a variety of projects with the main initiatives being:

- Speaking up for public services and the public sector lobby
- Organising young workers
- New Unionism and the Organising Academy
- Equality projects
- Web initiatives
- Health & safety
- Employment rights
- Promoting trade unionism
- Campaigning
- International issues.

Statement of Accounts

The annual Statement of Accounts and Balance Sheet as at 31 December 2010 is set out in Appendix 3. The overall surplus was higher than anticipated because of a beneficial return on investments together with a programme of savings. The Administration Fund (covering the day-to-day office running expenses and staff costs) showed an operating surplus of £528,000. The Development Fund, representing all non-unionlearn externally funded projects together with projects funded by the affiliation fee, showed an operating surplus of £817,000, whilst unionlearn funds showed a small deficit of £2,000. The Dilapidations Fund spent some £344,000 on maintaining the fabric of Congress House including final payments for the work on the water calorifiers. Further work was

undertaken on the building management system and as a result £610,000 was charged to the Administration Fund.

Prospects and Developments

A budget for the Administration Fund 2011 has been agreed by the General Council. This anticipates a likely deficit of £221,011, although this will be offset to some extent by holding back a contingency from the Development Fund to release sufficient funds to cover this deficit as well as allowing a contingency for any unexpected or unforeseen expenditure. The TUC recognises that there are likely to be additional financial pressures on it in the future arising from likely reductions in union membership as a result of the depth and speed of the Government's deficit reduction programme. In October, on the basis of the formula set out in the TUC rules, which seeks to link the amount the TUC receives in affiliation fees from unions to that which unions receive from their members, the General Council approved an increase in the affiliation fee to £2.51 pence per member for 2011.

The rolling programme of internal audit work conducted by the accountants Moore Stephens UK has continued with further value for money audits and operational and internal financial audits. During 2010 a value for money audit was completed covering the procurement services within the TUC and an operational audit was carried out to review expense allowance claims.

10.7 | Personnel and training

The past year has been a busy time for the personnel team, assisting managers and staff and dealing with a wide range of personnel, training and staffing issues, as well as providing a comprehensive support and advice service at all levels across the organisation.

Much of the latter part of 2010 and the early part of 2011 has been focussed on supporting unionlearn following the development of a new working model for the service and supporting the related staff arrangements. This involved supporting managers with the transition arising from changes to a number of roles and structures within unionlearn and the provision of follow up training support for staff to assist them in their new roles and functions.

During the year a number of accredited qualification training programmes for staff were completed, including project management and ILM level 3 management programme. A number of new training programmes were introduced, including a very successful training course on challenging unacceptable behaviour to underpin the organisation's policy to counter bullying and harassment as well as a disability-confident programme to further improve disability awareness amongst staff. A number of management development programmes were also introduced.

During the past year a decision was taken to provide more regionally delivered training programmes for staff based in regional offices to avoid excessive staff travel. This has proved successful and the level of staff travel from regions for training courses has reduced dramatically.

In addition, most training is now designed and delivered to meet individual training support needs, including one-to-one coaching sessions.

The level of recruitment has continued at a steady pace during the year with an increased level of activity in the latter part of the reporting period.

As well as delivering a personnel and training service covering many activities, including attendance management and recruitment and selection, the training and development team have provided support to managers and staff on a number of casework issues.

Over the coming year the personnel team will be focussing on the organisation's Investors in People re-accreditation as well as providing more accessible online resources, information and advice for managers and staff on the newly redesigned intranet system.

A number of unionlearn colleagues left the TUC following the restructuring reported in Chapter 6 in addition two members of the management team have left the TUC: Adam Lent, who had been head of the Economic and Social Affairs Department for the past four and a half years, left to take up a post with the Royal Society for the encouragement of Arts, Manufactures and Commerce – better known as the RSA; and Mike Jones took early retirement after thirty years with the TUC, twenty of them as head of the Management Services and Administration Department.

10.8 | TUC Information Service and Library Collections

The Information Service supports TUC staff as well as affiliated unions by offering:

- An enquiry and research service.
- Advice and guidance on issues including information management and legal compliance with data protection and copyright legislation.
- The unionprofessionals website – a secure online environment for communicating and sharing documents with other union professionals.
- The Trade Union Information Group (TUIG), which shares knowledge and learning about developments within the information profession.

This year has seen the launch of the TUC's new intranet, TUC-i. Over the next year the functionality will be developed in response to feedback and new resources such as KnowAll, a knowledge and information management system will be introduced.

Another priority has been increasing the membership of the unionprofessionals website. It now stands at 2,500 names – close to 100 per cent of all full time officers. The General Secretary's Report is a regular feature on the site and, over the next year, more content will be added and further improvements made to the site's functionality.

The workSMART website is being upgraded in order to answer more public enquiries such as:

- Which union is appropriate for my line of work?
- Does my company have a union recognition agreement?

WorkSMART also provides the leaflet *Know your Rights* in most European languages as well as links to our web partners including Acas and the CAB.

Over the next year the Information Service will be implementing a TUC-wide file management system to facilitate knowledge sharing and reduce the overall number of items on the shared drive.

The information service can be contacted at infoenquiries@tuc.org.uk or on 020 7467 1262.

TUC Library Collections

The collections are located at the London Metropolitan University and continue to attract a wide range of researchers interested in both the history of trades unions and their current activities and policies. The TUC Collections also house a number of other important historical records including those of the Workers' Educational Association and the Labour Research Department. The library staff work closely with the university's Working Lives Research Institute and the Centre for Trade Union Studies, supporting research programmes and trade union courses. The collections are open to anyone interested in the history or current policies of trade unions and group visits can also be organised.

The Collections have been the major contributor to the Exploring British Trade Union History module on the new TUC website Unions into Schools at <http://www.ebctuc.co.uk>. Photographs and other material from the collections were used in the 2010 feature film *Made in Dagenham*; on the *Winning Endeavours* website for the 2012 Cultural Olympiad at <http://www.winningendeavours.org>, and in *Visible in Stone* – a women's history project at <http://www.english-heritage.org.uk/discover>. During the year, there were events to mark the 1888 Match Workers' Strike, and the centenaries of the 1910 Cradley Heath chainmakers' strike and of the death of Robert Tressell [Noonan], author of *The Ragged Trousered Philanthropists*.

In April 2011, the online history websites: The Union Makes Us Strong; The Workers' War and Winning Equal Pay at www.unionhistory.info received a record number of 22,200 visitors. A new oral history, digitisation and website project, Britain @ Work 1945-1995, started in July. Further information on the collections can be obtained from the TUC Library Collections, London Metropolitan University Learning Centre, 236 Holloway Road, London N7 6PP [email: tuclib@londonmet.ac.uk] or on our website at www.londonmet.ac.uk/tuc

10.9 | Congress Centre

Congress Centre, which manages the TUC conference and events facilities at Congress House, like other conference venues in London, has seen a decline in general business demand. The centre has had to adjust rates and introduce offers to achieve confirmed sales and continue to be kept busy with many high profile TUC events. There has been some small investment to the facilities and the centre remains committed to offering exceptional levels of customer care to all visiting guests.

The strategic aim of Congress Centre is to deliver a value-for-money experience for clients and to provide the TUC with a financial return on its meeting space without damaging its operational requirements. The products and services offered target sections of the market which expect quality, reliability, security and the latest technology. The competitive advantage of Congress Centre is increased by our extensive in-house audio visual equipment along with the catering, which allows sales staff to react quickly to enquires and negotiate or design bespoke menus. The Centre is an ideal venue for large conferences, product launches, specialised events and has smaller rooms to accommodate meetings, training days and private dining.

High definition projectors have been installed in both our largest rooms along with digital sound systems. The wireless internet service is also managed in-house and, along with the facilities offered, has proven to be very popular with new and existing clients.

Overall, income was down in 2010 on previous years but the centre achieved sales topping £1.8m. This year it is expected that the centre will have a challenge to achieve forecasted sales but early signs are encouraging.

CHAPTER 11

Obituary

Colin Barnett, who died at the age of 81, was the north west divisional officer for the National Union of Public Employees (now part of UNISON), regional secretary of the TUC and a leading figure in the industrial disputes of the late 1970s. Born in Wandsworth, south west London, he began his career as a library assistant at the London School of Economics, before becoming an administrative assistant for the campaigning Methodist minister Donald Soper. He then worked at a steelworks in Sheffield before being appointed a full-time NUPE official in Yorkshire in 1960. After contracting osteomyelitis as a child, his mobility became increasingly impaired, and he retired from NUPE in his early fifties.

John Batstone, who died in June at the age of 86, was the long serving chair of the National Association of British Steel Pensioners and the Community representative on the TUC Pensioners Committee. After serving with the Fleet Air Arm he worked as a foreman at British Steel for 25 years, and was active throughout in the trade union movement. After his retirement he was active in the National Pensioners Convention (NPC), attending both the Pensioners' Parliament and the NPC biennial conference. He was nominated by unions on the Pensioners Committee affiliated to the European Federation of Retired and Older Persons (FERPA) to serve on the FERPA steering and executive committees. He died after being taken ill whilst attending the ETUC Congress in Athens on behalf of FERPA.

Andrew Boyd, who died in July 2011, aged 90, was the TUC regional education officer for Northern Ireland from 1954 until 1971, though he was employed by the National Council of Labour Colleges until the TUC took over the work of the council in 1964. Boyd began his working life in the Belfast shipyard, but after taking a degree at Queen's University he became an increasingly high profile figure, combining his trade union work with lecturing in journalism. He was best known for his 1969 book titled *Holy War in Belfast* that chronicled the growth of a sectarian strife that was to overshadow life

in Northern Ireland for the next thirty years. A prolific and high opinionated writer, he was critical of practically all political groupings in Northern Ireland.

Denis Delay, who died in April at the age of 84, was one of the most influential trade union figures in the British steel industry during its period in public ownership. Born in Wapping, east London, he joined a rifle regiment towards the end of the second world war and was a guard at the Nuremburg trials. Upon returning to London, he became a docker and joined the Stevedores and Dockers Union, before reading Politics, Philosophy and Economics as an adult student at the newly opened Keele University. In 1960, he joined the TUC, where he was closely involved in the foundation of the National Economic Development Office and the TUC's centenary celebrations in 1968. He became secretary to the newly established Steel Committee, which had been formed in response to the nationalisation in 1967 of a grossly underfunded steel industry and the foundation of the British Steel Corporation. The Committee was the national body for negotiating issues other than those governing wages, and subsequently became a forum where unions, management and government discussed the restructuring of the steel industry in the mid 1970s. Denis Delay travelled around the country consulting workers, giving them a chance to have their input into the future of their industry. He retired in 1990 soon after British Steel was privatised, playing a major part in the staging of the Docklands Exhibition at the TUC, the redevelopment of the Docklands area, and in establishing the Museum of London Docklands. He also wrote a report on the steel industry and Steel Committee for the TUC.

Jayaben Desai, who died in December at the age of 77, was the leading figure in the landmark Grunwick dispute in the late 1970s and an inspirational champion of low-paid women and migrant workers. Born in the Indian coastal state of Gujarat, she lived for a period in Tanzania, before moving to the UK in the late 1960s. After a stint as a sewing machinist, she started work

at Grunwick Film Processing Laboratories in 1974, where she was angered by a life of low pay and compulsory overtime. In the summer of 1976, she led a walkout of the predominantly Asian, female workforce in protest at the lack of union recognition at the firm; the women were then sacked. After joining the Association of Professional, Executive, Clerical and Computer Staff (Apex), the 137 women staged a defiant campaign lasting over two years, and were joined on the picket lines by workers from across the labour movement as the dispute achieved national prominence. The subsequent Scarman inquiry set up by Prime Minister Jim Callaghan recommended reinstatement and union recognition, but Grunwick's management – backed by Margaret Thatcher and the right-wing National Association for Freedom – defiantly rejected the inquiry's conclusions. Nevertheless the strike proved to be a seminal moment in British industrial relations, with Jayaben Desai an eloquent, principled champion of female migrant workers.

Keith Faulkner, who died suddenly in December at the age of 62, was senior events officer for the TUC. For more than 30 years, he was involved in the planning of conferences, demonstrations and festivals, and at the time of his death was part of the team working on the March for the Alternative. His long commitment to trade unionism began in 1963 in Guildford, where he



Keith Faulkner

was serving a five-year apprenticeship as a hot metal compositor. He went on to study art and design at Reading University, where he became active in the National Union of Students and was involved in the occupation of art schools and colleges that followed the occupation of Hornsey College in north London. His great skill was to apply his art training to his politics, producing striking, easy to read posters, leaflets and publications and introducing a proper house style to the NUS and TUC. As well as working on Congress and the annual equality conferences, he played a prominent role in a range of other important trade union events, including the second People's March for Jobs in 1983, the 1992 Jobs and Recovery campaign, the first Respect anti-racism festival in 1996 and more recently the 2009 pre-G20 Put People First demonstration. Among other events he helped organise were the annual rally supporting the return of trade union rights at GCHQ and demonstrations in support of better pensions and striking firefighters.

Mick Graham, who died in December aged 62, was national secretary of the GMB's 250,000-strong public services section from 1993 until 2005. He began his working life at the British Steel plant in Scunthorpe, and became active in the trade union movement as chair of the Scunthorpe Trades Council. During his time at the GMB, he addressed major challenges in the public sector, from the lack of investment in the Major years to the growth of outsourcing that affected many of his members. After his retirement Mick Graham worked with the VSO in South Africa, helping some of the country's poorest and most disadvantaged people. He worked as an administrator for the South African HIV Clinicians Society, helping to organise 14,000 medical staff at the front line of the fight against HIV-AIDS, and at a drop-in centre for children infected by HIV-AIDS in a poor township near Johannesburg.

Roy Jackson, who died in December aged 82, was TUC assistant general secretary from 1984 to 1992 and a leading figure in the development of trade union education. Born in 1928, his first job was with the Post Office Savings Bank, which was followed by national service with the Royal Navy. He subsequently graduated from Ruskin College with a distinction in political science, going on to obtain a BA in Politics, Philosophy and Economics from Oxford's Worcester College. He joined the TUC Education Department in 1956, becoming its director of studies in 1964. At that time trade union education was seen as a peripheral activity but over the next 25 years

Roy Jackson made it part of the trade union mainstream, attracting many talented tutors, and paving the way for the current revolution in union learning. In 1974, he became head of the TUC Education Department, having overseen a rapid expansion in the number of trade union representatives and officers taking TUC courses. As well as presiding over a greater input into the policy debate on public education, he was instrumental in the creation in 1984 of the TUC's National Education Centre in Crouch End, north London. That was the year that Roy Jackson became the TUC's assistant general secretary, in a change of senior posts following Norman Willis's election as general secretary in succession to Lionel Murray. During the next eight years he played a major role addressing some of the most difficult issues the TUC has ever faced, including the final months of the miners' strike, the Wapping dispute and the expulsion of the Electricians' Union over a breach of inter-union rules. He also oversaw the refurbishment of Congress House, the introduction of new technology to the TUC, a review of finances and constitutional changes that put equalities at the heart of TUC decision-making. Among the public bodies that he served on were the Manpower Services Commission; the Open University Committee on Continuing Education; and the Schools Council Convocation. After his retirement he was a member of the Employment Appeals Tribunal and a non executive director of Remploy, as well as an active member of Hatfield Labour Party.



Roy Jackson

Miriam Karlin, who died in June aged 85, was an actor who became famous for her television role as Paddy, the militant shop steward in the *Rag Trade*, and who was herself an active member of Equity, serving on the union's council. A regular delegate to the TUC Congress in the 1990s, her contributions from the platform enlivened many a debate with passion and humour. Brought up in north London, she attended Rada and appeared in music halls, as well as touring with the Entertainments National Service Association during the second world war. A wide range of roles on the stage followed, and in 1971 she made a brief but memorable appearance in *A Clockwork Orange*. She appeared in a number of television programmes including *Casualty*, *The Bill*, *Holby City* and *Miss Marple*, and starred in a range of films including *Children of Men* and *Flashbacks of a Fool*. But it was her role in the *Rag Trade* for which she was best known, with Paddy's catchphrase "everybody out" quoted by the millions who watched the BBC television comedy series. Miriam Karlin was deeply committed to a number of political causes, and was a campaigner for the Anti-Nazi League, CND and Soviet Jewry. She also went on marches in support of the miners' strike and refused to pay her poll tax.

John Macreadie, who died at 64, was a member of the TUC General Council from 1987-88 and a major figure in the development of civil service trade unionism, serving as deputy general secretary of the Civil and Public Services Association (CPSA), the forerunner of PCS, between 1986 and 1993. Born in Glasgow, he began his working life in London with the Ministry of Transport and played a critical role in the successful air traffic controllers' strike of 1977. He was elected general secretary of the CPSA in 1986, a post he was unable to take up due to allegations of ballot irregularities, which were strongly denied. Within a year he had been elected as deputy general secretary, where his organisational and campaigning skills helped inspire many hundreds of new activists. A convinced and committed Marxist throughout his life, he believed that trade union activity was an important part of the fight for a socialist society.

Terry Marsland, who died in May at the age of 79, was a senior official in the Tobacco Workers Union, TASS and MSF and was at the forefront of the struggle for women's rights. A member of the TUC Women's Committee from 1977 until her retirement in 1993, she represented the TUC on the Equal Opportunities Commission and was also President of the National Assembly

of Women in 1992. Born in Liverpool to Irish parents, she began work as a school dinner worker and became active in the pro-choice and peace movements. Later she worked as an official for the National Union of Goldsmiths and Silversmiths and the National Union of Bank Employees, before becoming a national officer for the Tobacco Workers Union in 1973, eventually becoming the union's deputy general secretary. Representing a mainly female workforce, her union was one of the first to negotiate new deals with employers when the Equal Pay Act came into force. Following the merger of the Tobacco Workers Union into TASS and then MSF, Terry Marsland successfully used this enlarged platform to speak up for women's equality. A committed socialist throughout her life, she was a powerful and principled voice for the interests of ordinary working women, and was instrumental in persuading Congress to support a woman's right to choose. Among the bodies she served on were the Acas Council, the Employment Appeals Tribunal and the Women's National Commission; she was also a TUC representative on the ETUC and served for MSF on the ETUC Industry Committee. After her retirement she served on her local fire and health authorities, became chair of the Warrington Standards Committee and was active in her local Labour Party.

Alf Parish, who died in May, was a national official of print workers' union SLADE – the Society of Lithographic Artists, Designers and Engravers – and played a leading role in the campaign to unionise the advertising industry in the 1970s and in unions' battles with employers such as Robert Maxwell, Rupert Murdoch and Lord Rothermere. A keen advocate of a single union for the printing industry, he played a key role in SLADE's merger with NGA and eventually the GPMU, in which he was a national officer until his retirement in 1996. A skilled and principled negotiator, he was successful in raising his members' terms and conditions. Alf Parish was also a member of the TUC Printing Industries Committee and following his retirement an executive member of the National Pensioners Convention. He continued to be associated with the struggle for union recognition with the formation of the PressforUnion rights campaign.

Tony Stewart, who died at the age of 71, worked in the TUC Economic Department from 1970 until he took early retirement in 1992. He started his working life as a shop worker, eventually becoming an USDAW shop steward. It was through the union that he won a scholarship to Ruskin College in the late 1960s, joining the

TUC staff shortly afterwards. He worked on collective bargaining issues at a time when the TUC was centre stage during the period of the social contract with the Wilson and Callaghan governments of the late 1970s.

Clive Webster, who died in May, was deputy general secretary of Accord. He began his working life as a boy miner in the Yorkshire coalfield, before winning an NUM scholarship to Ruskin College. He subsequently became a tutor in trade union studies and an active member of the National Association of Teachers in Further and Higher Education, and also served on West Yorkshire County Council until its abolition in 1986. Clive Webster then used his trade union expertise to set up the Leeds Permanent Building Society Staff Association (LPBSSA), and became its general secretary. Following the Leeds' merger with Halifax in 1996, and the LPBSSA's tie-up with the Independent Union of Halifax Staff, he became deputy general secretary of the enlarged union, which eventually became Accord. Closely involved in negotiations on organisational change, job evaluation and redundancy which characterised the finance sector at the time, he was highly respected by workforce and management alike.

Les Wood, who died aged 90, was general secretary of UCATT from 1978 to 1985 and a member of the TUC General Council from 1979 until his retirement in 1985. A joiner by trade, he joined the Amalgamated Society of Woodworkers in 1938, eventually becoming a full-time official of the union. He became assistant general secretary of UCATT following the creation of the new union in 1971, and its general secretary seven years later. Les Wood was the author of the 1979 publication *A union to build, the story of UCATT*. This charted the creation of the union from a number of craft unions and told the story of the six-week national building strike in 1972, which brought construction sites across the country to a standstill.

APPENDIX 1

Attendances

General Council

At the time of going to press the General Council had held seven meetings during the Congress Year.

Member	Attendance	Member	Attendance
Bob Abberley	4	Len McCluskey	3
Jonathan Baume	7	Sean McGovern ²	4
Sheila Bearcroft	4	Lesley Mercer	6
Christine Blower	3	Gloria Mills	5
Mary Bousted	5	Andrew Murray ³	3
Joanna Brown	6	Julia Neal	6
Tony Burke	7	Ged Nichols	4
Jane Carolan	5	Paul Noon	7
Gail Cartmail	6	Tim Poil	5
Brian Cookson	6	Dave Prentis	2
Bob Crow	7	Alan Ritchie	2
Jeremy Dear	2	Doug Rooney ⁴	2
Mark Dickinson	4	Malcolm Sage	6
Gerry Doherty	5	Mark Serwotka	5
Maria Exall	7	Alison Shepherd	4
Sue Ferns	7	Derek Simpson ⁴	0
Mark Fysh ¹	1	Eleanor Smith	4
Allan Garley	5	John Smith	4
Steve Gillan	6	Liz Snape	6
Janice Godrich	2	Jane Stewart ³	3
John Hannett	2	Patricia Stuart	3
Dave Harvey	6	Mohammad Taj	5
Billy Hayes	4	Steve Turner ³	3
Sally Hunt	4	John Walsh	2
Tony Kearns	7	Fiona Wilson	5
Chris Keates	2	Tony Woodhouse	5
Paul Kenny	4	Tony Woodley ⁴	2
Michael Leahy (Chair)	6	Matt Wrack	5
Angela Lynes	1	Brendan Barber	7
Leslie Manasseh	7		

¹ Retired October 2010

² Joined February 2011

³ Joined April 2011

⁴ Retired December 2010

NOTE: It is not possible to list all the reasons for absence but it should be noted that the main reasons given are other TUC commitments, union business and sickness.

Executive Committee

At the time of going to press the Executive Committee had held ten meetings during the Congress Year.

Member	Attendance	Member	Attendance
Sheila Bearcroft	8	Lesley Mercer	8
Christine Blower	10	Gloria Mills	8
Mary Bousted	9	Paul Noon	9
Tony Burke	7	Dave Prentis	4
Gail Cartmail	7	Alan Ritchie	2
Jeremy Dear	4	Dougie Rooney ¹	0
Gerry Doherty	8	Mark Serwotka	7
John Hannett	6	Alison Shepherd	9
Billy Hayes	4	Derek Simpson ¹	0
Sally Hunt	5	Liz Snape	10
Chris Keates	7	Steve Turner ²	2
Paul Kenny	3	Tony Woodley ¹	3
Michael Leahy (chair)	10	Brendan Barber	9
Len McCluskey	2		

¹ Retired December 2010

² Joined April 2011

NOTE: It is not possible to list all the reasons for absence but it should be noted that the main reasons given are other TUC commitments, union business and sickness.

APPENDIX 2

Committee membership

Disability Committee

General Council

Gail Cartmail
Mark Fysh¹
 Ged Nichols
Sean McGovern²
 Malcolm Sage

Elected at the Disability Conference

Bakers, Food and Allied Workers' Union
 Martin Kelly³

Community
 Gareth Davies

Chartered Society of Physiotherapy
 Cliff Towson

Communication Workers' Union
 Tony Sneddon

GMB
 Les Woodward

Napo
 David Quarmby

NASUWT
 David Bryson

National Union of Journalists
 Stephen Brookes
 Ann Galpin
 Michael Preston⁴

National Union of Teachers
 Mandy Hudson

Public and Commercial Services Union

Jeff Grist⁵
 Mark Leopard

Transport Salaried Staffs' Association
 Pauline McArdle

University and College Union
 Sasha Callaghan

UNISON

Helen Rose⁵
 Julie Robinson⁴

Unite

Julian Allam
 Richard Cook
 Lesley McCallum

Secretary

Sarah Veale

¹ Resigned October 2010

² From January 2011

³ Co-opted October 2010

⁴ From May 2011

⁵ Until May 2011

Lesbian, Gay, Bisexual and Trans Committee

General Council

Gerry Doherty
Maria Exall
 Julia Neal
 Ged Nichols
 Tim Poil

Note: the name of the Chair of each committee is in **bold**

Elected at the Lesbian, Gay, Bisexual and Trans Conference

Associated Society of Locomotive Engineers and Firemen

Susan Greenwell¹
Ben Wallington²

Community
Richard Angell

Communication Workers' Union
Laurie Smith

Fire Brigades' Union
Stewart Brown

FDA
Roland Zollner

GMB
David Braniff-Herbert²
Nick Day¹
Tony Hughes
Phyllis Opuku-Gyimah²

NASUWT
Alan Phippen¹

National Union of Teachers
Dave Brinson

Public and Commercial Services Union
Jan Baxter

POA
Anne Ruzyl²

Prospect
Sue Stelfox

University and College Union
Andrew Mullen¹
Rachel Doyle²

UNISON
Dettie Gould
Beverley Miller

Unite

Jenny Douglas²
Betty Gallacher¹
Harry McAnulty²
Nigel Marley
Ann Morgan
Janet Wall

Union of Shop, Distributive and Allied Workers
Neil Smale³

Secretary
Sarah Veale

¹ Until July 2011

² From July 2011

³ From November 2010

Pensioners Committee

General Council
Michael Leahy

Affiliated Unions

Associated Society of Locomotive Engineers and Firemen
Tony West

BACM - Team
Dennis Gadsby

British Airline Pilots Association
Julian Soddy

GMB
Derrick Baker MBE JP
J Rogers

Midlands TUC Pensioners Network
Sheena Gordon

Napo
Ian Lawrence
Margaret Pearce

NASUWT
Mike Cox
Paul Smith

Note: the name of the Chair of each committee is in **bold**

National Pensioners Convention

Frank Cooper

National Union of Journalists

Pat Healy

National Union of Teachers

Marion Wilson

Prospect

Mike Moriarty

National Union of Rail, Maritime and Transport Workers

Ron Douglas

SERTUC Pensioners Committee

David Morgan

South West TUC Pensioners Committee

John Pearce

TGWU Retired Members Association

William Jupp

University and College Union

Norman Jemison

UNISON

David Kippest

*Unite*John Brooks
George Jerrom
Bob Pinkerton*Union of Shop, Distributive and Allied Workers*

Geoff Page

Secretary

Helen Nadin

Race Relations Committee*General Council*Mark Dickinson
John Hannett
Billy Hayes
Leslie Manasseh
Gloria Mills
Tim Poil
Eleanor Smith
John Smith
Mohammad Taj*Elected at the Black Workers' Conference**Associated Society of Locomotive Engineers and Firemen*

Floyd Doyle

Broadcasting, Entertainment, Cinematograph and Theatre Union

Winston Phillips

*Community*Rajinder Sagoo¹*Communication Workers' Union*

Ian Taylor

Fire Brigades' Union

Michael Nicholas

FDA

Sarah Guerra

*GMB*Sharon Harding
Dotun Alade Odumosu*Napo*

Pauline Anderson

*NASUWT*Michelle Codrington-Rogers²*National Union of Teachers*Betty Joseph²
Roger King¹Note: the name of the Chair of each committee is in **bold**

Public and Commercial Services Union

Lorna Campbell
Zita Holbourne

Prospect

Freddie Brown

Society of Radiographers

Indira Bhansali

University and College Union

Gargi Bhattacharyya²
Penny Charles¹

UNISON

Mark Clifford

Union of Shop, Distributive and Allied Workers

Maureen Williams

Unite

Collette Cork-Hurst
Harish Patel¹
Nazerin Wardopp²

Secretary

Sarah Veale

¹ Until April 2011

² From April 2011

The Women's Committee*General Council*

Sheila Bearcroft
Christine Blower
Mary Bousted
Joanna Brown
Jane Carolan
Gail Cartmail
Maria Exall
Sue Ferns
Janice Godrich
Sally Hunt
Chris Keates
Angela Lynes
Lesley Mercer
Gloria Mills
Julia Neal
Alison Shepherd
Eleanor Smith

Liz Snape

Jane Stewart³
Patricia Stuart
Fiona Wilson

Elected at the Women's Conference

Communication Workers' Union

Linda Roy

Community

Tracey Clarke

Fire Brigades' Union

Denise Christie¹

FDA

Wendy Jones²

GMB

Sharon Harding
Evelyn Martin

Musicians' Union

Barbara White

NASUWT

Kathy Duggan
Joanna Wright

National Union of Journalists

Michelle Stanistreet

National Union of Teachers

Max Hyde

Public and Commercial Services Union

Sue Bond

Transport Salaried Staffs' Association

Pauline McArdle

University and College Union

Maire Daley¹

UNISON

Clare Williams

Note: the name of the Chair of each committee is in **bold**

Union of Shop, Distributive and Allied Workers

Sujata Patel
Hayley Pickles

Unite

Diana Holland
Susan Matthews
Jane Stewart

Secretary

Sarah Veale

¹ From March 2011

² Until March 2011

³ From April 2011

Trades Union Councils' Joint Consultative Committee

General Council

Jeremy Dear¹
Alison Shepherd
Pat Stuart
Matt Wrack
Dave Harvey
Bob Crow²

Elected Trades Union Councils' Conference

Dorothy Heath³
Michael Fetcher
Linda Kietz
Jason Hill¹
John McCormack
Kevin Donnelly
Alec McFadden
Andy Robertson
Amarjite Singh
Robert West

¹ Until May 2011

² From February 2011 – chair from May

³ From May 2011

TUC Educational Trust and Roosevelt Memorial Trust Trustees

Sheila Bearcroft
Michael Leahy
Gloria Mills
Alison Shepherd
Dave Prentis
Brendan Barber

Secretary

Liz Rees

TUC Young Members Forum

General Council

Jeremy Dear
John Walsh

*Affiliated Unions**Association of Teachers and Lecturers*

Jane Dennis
Carla Powell

Communication Workers Union

Kye Dudd
Melanie Reynolds

Equity

Ryan Forde Losco
Ellie Paskell

GMB

Samantha Wood
Sham Rajyaguru

NASUWT

Ashley Ellerby

National Union of Rail, Maritime and Transport Workers

Rebekah Hartley
Adrian Rowe

National Union of Teachers

Niparun Nessa
Ian Harris

Public and Commercial Services Union

Jane Warburton
Alan Warner

Union of Construction, Allied Trades and Technicians

Scott Walker

Note: the name of the Chair of each committee is in **bold**

Unite

Luke Jackson
Naomi Shipsides

Union of Shop, Distributive and Allied Workers

Estelle Crump
Sam Catterall

UNISON

Chris Leary
Lisa Waldock

Secretary

Carl Roper

TUC Trustees

Billy Hayes
Chris Keates
Dave Prentis

Heads of Department

Campaigns and Communications

Nigel Stanley

Economic and Social Affairs

Adam Lent¹
Nicola Smith²

Equality and Employment Rights

Sarah Veale CBE

European Union and International Relations

Owen Tudor

Management Services and Administration

Mike Jones¹
David Hemington²

Organisation and Services

Paul Nowak

Unionlearn

Tom Wilson

¹ Until March 2011

² From March 2011

APPENDIX 3

Accounts

Statement of the General Council's responsibilities

Trade Union law requires the General Council to prepare financial statements in accordance with applicable law and United Kingdom Generally Accepted Accountancy Practice for each financial year which give a true and fair view of the state of the affairs of the Trades Union Congress (TUC) and of the surplus or deficit of the TUC for that period. In preparing those financial statements, the General Council is required to:

- Select suitable accounting policies and then apply them consistently;
- Make judgements and estimates that are reasonable and prudent;
- State whether applicable accounting standards have been followed;
- Prepare the financial accounts on the going concern basis unless it is inappropriate to presume that the TUC will continue to operate.

The General Council is also responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the TUC and to enable them to ensure that the financial statements comply with the Trade Union and Labour Relations (Consolidation) Act 1992. It must also establish and maintain a satisfactory system of control over its accounting records, its cash holdings and all its receipts and remittances.

It is also responsible for safeguarding the assets of the TUC and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Independent auditors' report to the members of the Trades Union Congress

We have audited the financial statements of the TUC for the year ended 31 December 2010 which comprise the Income and Expenditure Account, the Balance Sheet and the related notes. These

financial statements have been prepared under the historical cost convention and the accounting policies set out therein.

This report is made solely to the members of the TUC in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. Our audit work has been undertaken so that we might state to the members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the TUC and the members as a body for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of the General Council and auditors

The General Council's responsibilities for preparing financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) are set out in the Statement of the General Council's Responsibilities.

Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. We also report to you if, in our opinion, the section regarding TUC finances in the General Council report is consistent with the financial statements, if the TUC has not kept proper accounting records or if we have not received all the information and explanations we require for our audit.

We read the section regarding TUC finances in the General Council report and consider the implications for our report if we become aware of any apparent misstatements within it.

Our responsibilities do not extend to any other information.

Basis of audit opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the General Council in the preparation of the financial statements, and of whether the accounting policies are appropriate to the TUC's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In

forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion the financial statements give a true and fair view in accordance with applicable accounting standards of the state of the TUC's affairs as at 31 December 2010 and of its surplus for the year then ended and have been properly prepared in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 and the information given in the section regarding TUC finances in the General Council report is consistent with the financial statements.

PHILIP CLARK
Senior Statutory Auditor
Hard Dowdy
a trading style of:
Chantrey Vellacott DFK LLP
Chartered Accountants
Statutory Auditor
LONDON

TRADES UNION CONGRESS
INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31 DECEMBER 2010

	Note	Total	Administration	Development Fund	Unionlearn	Dilapidations Fund
		£'000	£'000	£'000	£'000	£'000
INCOME						
Affiliation fees		15,106	12,664	1,400	1,042	–
Property rental and service charges		3,141	3,141	–	–	–
Investment income		716	716	–	–	–
Sales and publications		179	179	–	–	–
Donations and fees received		32,310	134	2,879	29,297	–
TOTAL INCOME		51,452	16,834	4,279	30,339	–
EXPENDITURE						
Staff costs	2	17,129	8,058	1,356	7,715	–
Property charges	3	3,420	2,272	33	771	344
Office expenses	4	7,843	1,785	989	5,069	–
International affiliation fees	5	1,924	1,924	–	–	–
Travel and meetings		1,061	216	305	540	–
Congress		255	255	–	–	–
Trade Union education		579	62	235	282	–
Grants and donations	6	16,662	154	544	15,964	–
Depreciation		676	676	–	–	–
Taxation	7	396	396	–	–	–
VAT recovered		(102)	(102)	–	–	–
Transfer between funds		–	610	–	–	(610)
TOTAL EXPENDITURE		49,843	16,306	3,462	30,341	(266)
OPERATING SURPLUS / (DEFICIT)		1,609	528	817	(2)	266
Other Recognised Gains and Losses						
Profit / (Loss) on disposal of short-term investments		66	66	–	–	–
Pension scheme actuarial loss	14	(61)	(61)	–	–	–
FRS 17 adjustment	14	1,493	1,493	–	–	–
Total Other Recognised Gains and Losses		1,498	1,498	–	–	–
SURPLUS / (DEFICIT) FOR YEAR		3,107	2,026	817	(2)	266
Funds brought forward 1 January 2010		8,837	4,073	4,854	–	(90)
Funds carried forward 31 December 2010		11,944	6,099	5,671	(2)	176

TRADES UNION CONGRESS

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31 DECEMBER 2009

	Note	Total	Administration	Development Fund	Unionlearn	Dilapidations Fund
		£,000	£,000	£,000	£,000	£,000
INCOME						
Affiliation fees		14,808	12,243	1,631	934	–
Property rental and service charges		3,531	3,531	–	–	–
Investment income		409	409	–	–	–
Sales and publications		197	192	5	–	–
Donations and fees received		31,036	96	2,924	28,016	–
TOTAL INCOME		49,981	16,471	4,560	28,950	–
EXPENDITURE						
Staff costs	2	16,763	8,212	1,453	7,098	–
Property charges	3	3,913	2,213	138	828	734
Office expenses	4	10,074	1,844	1,600	6,630	–
International affiliation fees	5	1,964	1,964	–	–	–
Travel and meetings		1,114	269	299	546	–
Congress		189	189	–	–	–
Trade Union education		736	69	330	337	–
Grants and donations	6	13,720	170	39	13,511	–
Depreciation		688	688	–	–	–
Taxation	7	305	305	–	–	–
VAT recovered		(127)	(127)	–	–	–
Transfer between funds		–	624	–	–	(624)
TOTAL EXPENDITURE		49,339	16,420	3,859	28,950	(110)
OPERATING SURPLUS/(DEFICIT)		642	51	701	–	(110)
Other Recognised Gains and Losses						
Profit / (Loss) on foreign exchange		1	1	–	–	–
Profit / (Loss) on disposal of short-term investments		(5)	(5)	–	–	–
Pension scheme actuarial loss	14	(2,415)	(2,415)	–	–	–
FRS 17 adjustment	14	1,292	1,292	–	–	–
Total Other Recognised Gains and Losses		(1,127)	(1,127)	–	–	–
SURPLUS (DEFICIT) FOR YEAR		(485)	(1,076)	701	–	(110)
Funds brought forward 1 January 2009		9,322	5,149	4,153	–	20
Funds carried forward 31 December 2009		8,837	4,073	4,854	–	(90)

TRADES UNION CONGRESS
BALANCE SHEET AS AT 31 DECEMBER 2010

	Note	2010 £,000	2009 £,000
ASSETS			
Tangible Fixed Assets	8	1,049	1,593
Investments	9	5,090	6,151
CURRENT ASSETS			
TUC Educational Trust		40	56
Short term loans		79	79
Debtors and prepayments	10	3,355	3,754
Cash at bank and in hand		16,640	13,471
		20,114	17,360
LESS CURRENT LIABILITIES			
Creditors and accrued expenses	11	9,699	10,339
NET CURRENT ASSETS			
		10,415	7,021
NET ASSETS LESS CURRENT LIABILITIES			
<u>Less</u> Provision for liabilities and charges	12	1,877	1,763
NET ASSETS BEFORE PENSION LIABILITY			
Pension liability	14	2,733	4,165
		11,944	8,837
FINANCED BY			
Funds employed		11,768	8,927
DESIGNATED FUND			
Dilapidations reserve		176	(90)
NET ASSETS			
		11,944	8,837

Approved by the General Council on 22 June 2011

TRADES UNION CONGRESS
NOTES TO THE ACCOUNTS FOR THE YEAR ENDED 31 DECEMBER 2010

1 ACCOUNTING POLICIES

a Basis of accounts

The accounts have been prepared under the historical cost basis of accounting and in accordance with applicable Accounting Standards.

b Affiliation fee income

Affiliation fees are shown in the accounts on the basis of cash receivable during the year.

c Donations and fees income

Donations and fees income is recognised in the accounts on an accruals basis in accordance with the underlying conditions attached to it.

d Depreciation

Fixed assets are stated at a cost. Depreciation is provided on all tangible fixed assets on a straight line basis, at rates estimated to write off the cost, less estimated residual value, of each asset over its expected useful life.

Freehold property	10% per annum on cost
Furniture and Fittings	10% per annum on cost as applicable
Equipment	20% per annum on cost as applicable
Motor Vehicles	25% per annum on cost

e Operating Leases

Rentals under operating leases are charged on a straight-line basis over the term of the contract.

f Pension

The Trades Union Congress pension scheme is a defined benefit scheme.

The amounts charged to Income and Expenditure Account are the current service costs. Actuarial gains and losses are recognised immediately in the Income and Expenditure account.

The assets of the schemes are held separately from those of the Trades Union Congress in a separate trustee administered fund. Pension scheme assets are measured at fair value and liabilities are measured on an actuarial basis using the projected unit method and a discounted rate equivalent to the current rate of return on high quality corporate bonds of equivalent currency and term to the scheme liabilities.

2 STAFF COSTS

	2010 £,000	2009 £,000
Salaries and national insurance	14,283	13,625
Pension contributions	2,387	2,258
Welfare and training	291	455
Restructuring costs	91	149
Advertising and recruitment	77	276
	17,129	16,763

	2010 £'000	2009 £'000
3 PROPERTY CHARGES		
Rent and rates	1,092	899
Heating and lighting	201	295
Cleaning	274	261
Insurance	87	85
Building repairs and renewals	290	429
External functions	1,132	1,320
Expenditure from dilapidations fund	344	624
	3,420	3,913
4 OFFICE EXPENSES		
Communications	518	605
Stationery and printed materials	1,245	1,763
Renewals and repairs to office equipment	1,147	1,439
Motor expenses	1	1
Audit fees	45	29
Bank charges	49	8
Legal and professional fees:		
Projects and campaigns	2,798	4,433
Conferences	32	68
Finance and management	170	249
Consultancy fees	1,637	1,358
Communications	68	100
Training and Development	135	21
Provision for doubtful debts	(2)	–
	7,843	10,074
5 INTERNATIONAL AFFILIATION FEES		
ICFTU	1,040	1,064
ETUC	800	809
TUAC	84	91
	1,924	1,964
6 GRANTS AND DONATIONS		
Tolpuddle Martyrs Memorial Trust	90	80
TUC Educational Trust	50	70
Sundry	128	59
Union Learn Fund	15,755	13,217
Grants to unions for Learning at Work Week	203	294
Grants to organisations overseas	436	–
	16,662	13,720
7 TAXATION		

This represents tax due on investment income, rents receivable and capital gains arising on disposal of investments.

8 FIXED ASSETS

	Freehold Property £'000	Furniture & Fittings £'000	Equipment £'000	Motor Vehicles £'000	Total £'000
COST					
1 January 2010	6,334	721	1,162	75	8,292
Additions	–	7	103	21	131
Disposals	(969)	(258)	(451)	(18)	(1,696)
31 December 2010	5,365	470	814	78	6,727

DEPRECIATION

1 January 2010	(5,252)	(589)	(793)	(65)	(6,699)
Disposals	969	258	451	18	1,696
Charge for year	(465)	(37)	(158)	(15)	(675)
31 December 2010	(4,748)	(368)	(500)	(62)	(5,678)

BOOK VALUE

31 December 2010	617	102	314	16	1,049
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BOOK VALUE

31 December 2009	1,082	132	369	10	1,593
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The Trades Union Congress holds the freehold of Congress House / Bainbridge House, Great Russell Street, London WC1N 3LS. The property is not recognised in the balance sheet as it has a £nil cost with the original value being met from a fund raised specifically for that purpose.

The property was valued by King Sturge LLP on 10 February 2009 at £26 million. A charge was registered against the property on 28 March 2006 for £9 million in favour of the TUC Superannuation Society Limited.

Expenditure on the property which increases its potential operating capacity is included within fixed assets as shown above. Other expenditure is written off in the year in which it is incurred.

9 INVESTMENTS

	Cost brought forward at 01.01.2010	Additions	Disposals	Cost carried forward at 31.12.2010
Quoted				
UK Quoted	1,639,222	2,276,671	(1,432,740)	2,483,153
International Quoted	4,496,115	2,240,116	(4,144,025)	2,592,206
	<u>6,135,337</u>	<u>4,516,787</u>	<u>(5,576,765)</u>	<u>5,075,359</u>
UK Unquoted				
Unity Trust 'A' shares	500	–	–	500
Unity Trust 'C' shares	300	–	–	300
Union Energy Limited	8,750	–	–	8,750
Wortley Hall	10	–	–	10
Investment in MSI Brussels	5,651	–	–	5,651
	<u>15,211</u>	<u>–</u>	<u>–</u>	<u>15,211</u>
	<u>6,150,548</u>	<u>4,516,787</u>	<u>(5,576,765)</u>	<u>5,090,570</u>

The market value of quoted investments at 31 December 2010 was £5,373,851.

10 DEBTORS AND PREPAYMENTS

	2010 £'000	2009 £'000
Trade Debtors	–	504
Other debtors	670	1,045
Prepayments and accrued income	2,685	2,205
	<u>3,355</u>	<u>3,754</u>

11 CREDITORS AND ACCRUED EXPENSES

	2010 £'000	2009 £'000
Trade Creditors	1,443	2,017
Taxation and social security	788	648
Other creditors	148	77
Accruals and deferred income	7,320	7,597
	<u>9,699</u>	<u>10,339</u>

12 PROVISION FOR LIABILITIES AND CHARGES

A provision has been made to reflect payments expected to arise from project funded activities which have a defined term of operation.

13 COMMITMENTS – OPERATING LEASES

At 31 December 2010 the TUC had annual printing and office equipment leasing commitments of £467,127 (2009: £631,625); £201,594 payable within one year (2009: £194,317), £177,155 between two and five years (2009: £330,530) and after five years £88,378 (2009: £106,778).

14 PENSION COSTS

The Trades Union Congress operates one defined benefit scheme in the UK which offers both pensions in retirement and death benefits to members. Pension benefits are related to the members' final salary at retirement and their length of service. Employer contributions to the scheme for the year beginning 1 January 2011 are expected to be £2.5m.

The major assumptions used by the actuary were (in nominal terms):

	At 31.12.2010	At 31.12.2009
Rate of increase in salaries	4.20%	4.20%
Rate of increase in pensions in payment		
- RPI, capped at 2.5% per annum	2.20%	2.40%
- RPI, capped at 5.0% per annum	3.40%	3.60%
- RPI, 3% per annum minimum and 5.0% per annum maximum	3.90%	3.80%
Discount rate	5.40%	5.80%
Inflation assumption	3.70%	3.70%
Assumed life expectancies on retirement at age 65 are:		
Retiring today		
Males	86.2	86.2
Females	88.3	88.2
Retiring in 20 years time		
Males	87.4	87.4
Females	89.3	89.3

The assumptions used in determining the overall expected return of the scheme have been set with reference to yields available on government bonds and appropriate risk margins.

The assets in the scheme and the expected rate of return were:

	Long-term rate of return expected at 31.12.2010	Value At 31.12.2010 £'000	Long-term rate of return expected at 31.12.2009	Value At 31.12.2009 £'000
Equities	7.18%	21,890	7.45%	18,923
Bonds	5.40%	28,887	5.80%	25,587
Cash	4.18%	520	4.45%	629
Other	7.18%	8,367	7.45%	7,142
Fair value of plan assets		59,664		52,274
The actual return on assets over the period was		6,228		6,429

The amounts recognised in the balance sheet are as follows:

Present value of scheme liabilities	(62,397)	(56,439)
Fair value of scheme assets	59,664	52,274
	(2,733)	(4,165)
Present value of unfunded scheme liabilities	–	–
Pension liability	(2,733)	(4,165)

14 PENSION COSTS (continued)

Reconciliation of opening and closing balances of the present value of the scheme liabilities

	2010	2009
	£'000	£'000
Liabilities at beginning of year	56,439	48,076
Current service cost	1,257	1,000
Interest cost	3,261	2,908
Contributions by scheme participants	573	542
Actuarial (gain) loss	2,798	5,982
Benefits paid	(1,931)	(2,069)
Liabilities at end of year	<u>62,397</u>	<u>56,439</u>

Reconciliation of opening and closing balances of the fair value of scheme assets

Fair value of scheme assets at beginning of year	52,274	45,034
Expected return on scheme assets	3,491	2,888
Actuarial gain (loss)	2,737	3,567
Contributions by employers	2,520	2,312
Contributions by plan participants	573	542
Benefits paid	(1,931)	(2,069)
Fair value of scheme assets at end of year	<u>59,664</u>	<u>52,274</u>

Amount recognised in income and expenditure account

Actuarial gains (losses)	<u>(61)</u>	<u>(2,415)</u>
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History of scheme assets, obligations and experience adjustments

	As at 31.12.2010	As at 31.12.2009	As at 31.12.2008	As at 31.12.2007	As at 31.12.2006
	£'000	£'000	£'000	£'000	£'000
Present value of scheme liabilities	62,397	56,439	48,076	51,868	49,336
Fair value of scheme assets	59,664	52,274	45,034	48,377	43,859
Surplus (deficit) in the scheme	(2,733)	(4,165)	(3,042)	(5,491)	(5,477)
Experience adjustments arising on scheme liabilities	(287)	(810)	(297)	570	(502)
Experience item as a percentage of scheme liabilities	-0.5%	-1.4%	-0.6%	1.1%	-1.0%
Experience adjustments arising on scheme assets	2,737	3,567	(4,925)	(603)	1,310
Experience item as a percentage of scheme assets	4.6%	6.8%	-10.9%	-1.3%	3.0%
Actuarial gains (loss) shown in the STRGL	(61)	(2,415)	1,488	(1,129)	5,220

Amounts recognised in the income and expenditure account:

	2010	2009
	£'000	£'000
Analysis of the amount credited to other finance income		
Expected return on pension scheme assets	3,791	2,888
Interest on pension scheme liabilities	(3,362)	(2,908)
Net return	<u>429</u>	<u>(20)</u>

14 PENSION COSTS (continued)

	2010 £'000	2009 £'000
Analysis of the amounts charged to other recognised gains and losses		
Actuarial loss on scheme liabilities	2,798	5,982
Actuarial gain on scheme assets	2,737	3,567
	<u>61</u>	<u>2,415</u>
Current service cost	1,257	1,000
Interest cost	3,261	2,908
Expected return on scheme assets	(3,491)	(2,888)
Contributions by plan participants	(2,520)	(2,312)
	<u>(1,493)</u>	<u>(1,292)</u>

15 RELATED PARTIES

During the year the TUC had transactions with the following charities which are under its control through the appointment of trustees:

	2010 £'000	2009 £'000
TUC Educational Trust		
Owed to /(by) TUC		
Opening balance	55,855	(69,124)
Payments to TUC	(55,855)	(40,000)
Payments from TUC		104,647
Net costs paid through TUC	<u>40,210</u>	<u>60,332</u>
Closing balance	<u>40,210</u>	<u>55,855</u>
Tolpuddle Martyrs Memorial Cottages		
Owed to TUC		
Opening balance	120,739	108,790
Payments to TUC	(90,000)	(80,000)
Net costs paid through TUC	<u>87,041</u>	<u>91,949</u>
Closing balance	<u>117,780</u>	<u>120,739</u>
TUC Aid		
Owed to TUC		
Opening balance	261,412	194,132
Payments to TUC	(261,412)	(194,132)
Net costs paid through TUC	<u>19,229</u>	<u>261,412</u>
Closing balance	<u>19,229</u>	<u>261,412</u>

TUC rules and standing orders

Part 1 | Constitution

Rule 1

Name, Office and Membership

- (a) **NAME AND OFFICE:** The name of the organisation constituted by these Rules shall be the 'Trades Union Congress' (hereinafter called 'the Congress'), and its principal office shall be at Congress House, 23-28 Great Russell Street, London WC1B 3LS, or such other places as the General Council of the Congress (hereinafter called 'the General Council') shall from time to time decide.
- (b) **MEMBERSHIP:** The Congress shall consist of such bona fide trade union organisations as satisfy the requirements of these Rules and are affiliated in the manner prescribed by these Rules.

Any such organisation may make application to become affiliated to Congress and shall furnish copies of its Rules and Constitution together with such other particulars and information as shall at any time be required by the General Council.

It shall be a requirement of affiliation that an organisation has a clear commitment to promote equality for all and to eliminate all forms of harassment, prejudice and unfair discrimination, both within its own structures and through all its activities, including its own employment practices.

In deciding at the time of such application or at any time thereafter whether or not a bona fide trade union is eligible for affiliation, the General Council shall have regard inter alia to the ability of the trade union organisation in its own right and of its own authority to fulfil the obligations of affiliation to the Congress and to comply with these Rules.

The General Council shall have full power to accept or reject any such application for affiliation

and the General Council shall in addition have full power at any time to terminate the affiliation of any organisation which in the opinion of the General Council does not fully satisfy the requirements of affiliation for the time being.

The power of the General Council under this Rule to accept or reject any application or terminate any affiliation is subject to the power of the next annual Congress to overrule any such decision.

The General Council may also accept applications from organisations of local trade union branches to register as Trades Councils, County Trades Councils or County Associations where they comply with such requirements as determined by the General Council including in particular to have a clear commitment to promote equality for all. Registration in this capacity does not consist of affiliation and confers no authorisation to speak or act on behalf of the Trades Union Congress.

Rule 2

Objects

- (a) The objects of the Congress shall be:

To do anything to promote the interests of all or any of its affiliated organisations or anything beneficial to the interests of past and present individual members of such organisations.

To promote equality for all and to eliminate all forms of harassment, prejudice and unfair discrimination, both within its own structures and through all its activities, including its employment practices.

Generally to improve the economic or social conditions of workers in all parts of the world and to render them assistance whether or not such workers are employed or have ceased to be employed.

To affiliate to or subscribe to or to assist any other organisation having objects similar to those of the Congress.

To assist in the complete organisation of all workers eligible for membership of its affiliated organisations and subject as hereinafter set forth in these Rules to assist in settling disputes between the members of such organisations and their employers or between such organisations and their members or between the organisations themselves.

In pursuance of these general objects, and in accordance with particular decisions that Congress may make from time to time, Congress may do or authorise to be done all such acts and things as it considers necessary for the furtherance of those objects.

- (b) In the interpretation of the above objects the General Council shall have complete discretion subject only to the power of the annual Congress to revise their decisions.

Rule 3

Affiliation Fees

Each Affiliated Organisation shall pay to the Congress an annual affiliation fee in respect of each of its members (probationary, free or otherwise). The annual affiliation fee shall be payable quarterly at the beginning of each quarter of the year, the first such quarter commencing on 1 January in any year.

The annual affiliation fee payable in respect of each member notified in accordance with sub-paragraph (a) shall be 95 per cent (the percentage figure) of the weekly (or equivalent) contribution rate based on the average of all unions contribution rates calculated in accordance with sub-paragraph (c). To this end

- (a) Each organisation shall by 31 May in each year, inform the General Secretary of Congress of the number of its members as at 1 January of that year.
- (b) Each affiliated organisation shall by 30 September in any year, inform the General Secretary of the contribution rate payable by the largest category of members as at 1 January of the year following.

- (c) The average of all unions' contribution rates is the sum of each union's contribution rate in accordance with sub-paragraph (b) multiplied by each union's affiliated membership and divided by the total affiliated membership in the year in which the contribution rate is notified to the General Secretary.
- (d) The General Council shall, by 31 October in each year, confirm, increase, or reduce, the percentage figure in accordance with the TUC work programme and priorities as decided by Congress in that year.

Unless decided otherwise by the General Council 10 per cent of each annual affiliation fee should be allocated to the TUC Development Fund.

Rule 4

Composition of General Council

- (a) The General Council shall be composed of ten sections as follows:

Section A shall consist of members from those organisations with a full numerical membership of 200,000 or more members. Each such organisation shall be entitled to nominate one or more of its members to be a member or members of the General Council and the number of members to which the organisations comprising Section A shall be entitled shall be determined by their full numerical membership on the basis of one per 200,000 members or part thereof provided that where the total number of women members of any organisation in Section A is 100,000 or more that organisation shall nominate at least one woman.

Section B shall consist of members from those organisations with a full numerical membership of 100,000 up to 199,999 members. Each such organisation shall be entitled to nominate one of its members to be a member of Section B of the General Council.

Section C shall consist of eleven members of unions with fewer than 100,000 members.

Section D shall consist of four women members all of whom shall be members of an affiliated organisation with less than 200,000 members.

Section E shall consist of one black member who shall be from an organisation with a full numerical membership of 200,000 or more members. Subject to Rule 4 (f), each such organisation shall be entitled to nominate one of its members to be the Section E member of the General Council.

Section F shall consist of one black member who shall be from an organisation with a full numerical membership of 199,999 or less members. Subject to Rule 4 (f), each such organisation shall be entitled to nominate one of its members to be the Section F member of the General Council.

Section G shall consist of one black woman member who shall be a member of an affiliated organisation. Subject to Rule 4 (f), each such organisation shall be entitled to nominate one of its members to be the Section G member of the General Council.

Section H shall consist of one member representing trade unionists with disabilities.

Section I shall consist of one member representing lesbian, gay, bisexual and transgender trade unionists.

Section J shall consist of one member under the age of 27.

All unions will be entitled to nominate one of their members who is a delegate to Congress for sections H, I and J and election shall be by ballot of all unions entitled to vote at Congress.

Subject to Rule 4 (f), the election of a member of the General Council for any section shall be in addition to, and not in substitution for, any member of the union who is elected as a member of the General Council in accordance with the provisions relating to the election of a member of another section.

- (b) On 1 June each year or as soon thereafter as is practicable, each affiliated organisation shall be allocated by the General Council either to Section A, B, C or E or F and, where applicable, Section D on the basis of its full numerical membership, as notified to the General Secretary in accordance with Rule 3 and the General Council shall then advise each affiliated organisation of the Section(s) to which it has been allocated and in the case of affiliated organisations allocated to Section

A and Section B of the number or numbers of members of the General Council to which they are entitled.

All organisations shall be notified of the arrangements for making a nomination of a member for Section G, H, I and J and organisations allocated to Sections C, D, E & F shall also be notified of the arrangements for making a nomination of a member for the sections to which they are allocated.

- (c) Members of all sections of the General Council shall take office at the termination of the annual Congress and shall remain in office until the termination of the next annual Congress and shall be eligible for re-election to or continued membership of the General Council.
- (d) In the event of a member of Section A or Section B ceasing by death, resignation or other cause to be a member of the General Council, the affiliated organisation which nominated that member may nominate a successor to take her or his place. In the event of a member of Section C, D, E, F, G, H, I and J ceasing by death, resignation or other cause to be a member of the General Council, the General Council shall determine how, if at all, the vacancy shall be filled.
- (e) No organisation may participate in the nomination or selection of members of the General Council unless it shall have paid the fees provided by Rule 3 during the previous year.
- (f) No affiliated organisation shall be entitled to nominate a member for Section G and, as appropriate, Section E or Section F.

Rule 5

Qualifications for General Council

- (a) No person shall be eligible for membership of any section of the General Council who is not a Congress delegate (as per Rules 17 and 18) and the organisation so represented shall have paid the fees provided by Rule 3 during the previous year.
- (b) No person shall be eligible for membership of the General Council who has privately assisted, during the year preceding the annual Congress, in the production of anything

made by non-union labour, or by such firms as may be declared unfair by the interested trade society, or who has continued to assist privately in the production of anything made by non-union labour, or by such firms as may be declared unfair by the interested trade society, after such matters have been pointed out to her or him.

Rule 6

Nomination of General Council

- (a) At least eight weeks prior to the date fixed for the commencement of each annual Congress, each affiliated organisation allocated to Section A or Section B in accordance with rule 4(b) shall notify the General Secretary of the Congress of the name(s) of its chosen member(s) on the General Council for the coming year. If a member so nominated shall resign or die before the annual Congress the General Council shall accept a replacement nomination from that organisation.
- (b) Each affiliated organisation allocated to Section C or Section E or Section F in accordance with Rule 4(b) shall be entitled to nominate one of its delegates for election, as appropriate, to Section C, Section E and Section F of the General Council. Subject to Rule 4(f), each affiliated organisation shall be entitled to nominate one of its delegates for election to Section G, H, I and J of the General Council.
- (c) Each affiliated union with 200,000 or fewer members shall have the right to nominate one of its women members for election to Section D of the General Council.
- (d) Nominations for the General Council under (b) or (c) above shall be sent to the General Secretary of the Congress on the appropriate form, which must be signed by the President (or the Chairman) and Secretary of the organisation making the nomination, and must be received by the General Secretary of the Congress at least eight weeks prior to the date fixed for the commencement of the annual Congress.
- (e) The list of members in Section A or Section B and of nominations to the places in Sections C, D, E, F, G, H, I and J shall be published in the preliminary agenda containing the motions which are to be discussed at the annual Congress. However, if a candidate for Section

C, D, E, F, G, H, I and J dies before the election takes place the General Council shall have the powers to authorise the acceptance of a fresh nomination notwithstanding anything in these Rules and Standing Orders.

Ballot papers containing the names of all candidates nominated for Section C of the General Council shall be supplied to the delegations of all organisations allocated to Section C on the day of the election. Ballot papers containing the names of all the candidates nominated for Section D of the General Council shall be supplied to the delegations of all organisations allocated to Section D on the day of the election.

Ballot papers containing the names of all candidates nominated for Section E of the General Council shall be supplied to the delegations of all organisations allocated to Section E on the day of the election. Ballot papers containing the names of all candidates nominated for Section F of the General Council shall be supplied to the delegations of all organisations allocated to Section F on the day of the election. Ballot papers containing the names of all candidates nominated for Section G, H, I and J of the General Council shall be supplied to the delegations of all organisations on the day of the election.

- (f) Notice of withdrawal of any nomination for Section C, D, E, F, G, H, I and J must reach the General Secretary of the Congress not later than four weeks before the opening of the annual Congress. Where, due to the withdrawal of a candidate before election or to any other cause, there is an insufficiency of candidates to fill the number of seats in the Section concerned, the General Council shall have the power to call for fresh nominations, notwithstanding anything in these Rules and Standing Orders.

Rule 7

Election of the General Council - Sections C, and D, E, F, G, H, I and J.

- (a) Members of Section C of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section C.

- (b) Members of Section D of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section D.
- (c) The member of Section E of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section E.
- (d) The member of Section F of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section F.
- (e) The members of Sections G, H, I and J will be elected at each annual Congress by ballot vote of all affiliated organisations.
- (f) In the elections of the General Council for the members of Section C and of Section D and for the Section E, Section F, Section G and Sections H, I and J, each organisation entitled to vote may cast all or any part of the votes to which it is entitled in favour of as many candidates as are to be elected in the election in question. No organisation shall cast more votes than the number to which it is entitled for any one candidate. The number of votes to which each organisation shall be entitled shall be determined on the basis of one vote for every 1,000 members or fraction or part thereof as declared by the organisation in accordance with Rule 3. The candidate(s) in each election securing the highest number of votes shall be declared elected.
- (g) The ballot papers shall be issued by the Scrutineers, and after being filled up shall then be immediately placed in the box without inspection by the delegates other than those of the organisation voting.
- (h) Any delegates found guilty of violating this Rule shall at once be reported to Congress, named by the President and expelled. Such delegate or delegates shall not be eligible to attend Congress again for three years.
- (i) A notification of the penalties likely to be involved in the infringement of this Rule shall be included in the instructions printed on each ballot paper.

Rule 8

Duties of the General Council

- (a) The General Council shall transact the business in the periods between each annual Congress, shall keep a watch on all industrial movements, and shall, where possible, co-ordinate industrial action.
- (b) They shall watch all legislation affecting labour, and shall initiate such legislation as Congress may direct.
- (c) They shall endeavour to adjust disputes and differences between affiliated organisations.
- (d) They shall promote common action by the trade union movement on general questions, such as wages and hours of labour, and any matter of general concern that may arise between trade unions and trade unions, or between employers and trade unions, or between the trade union movement and the Government, and shall have power to assist any union which is attacked on any vital question of trade union principle.
- (e) They shall assist trade unions in the work of organisation, and shall carry on propaganda with a view to strengthening the trade union movement, and for the attainment of any or all of the above objects.
- (f) They shall also enter into relations with the trade union and labour movements in other countries with a view to securing united action.
- (g) They shall have authority to invest and administer the funds of the Congress and to make grants to any organisation or person, whether in Great Britain, or abroad, for such purposes as it seems desirable, but in so doing they shall have regard to the directions, if any, from time to time given by Congress. They shall also have authority to raise funds for any special purpose and to invest and administer such funds and to make grants therefrom.
- (h) For the purpose of carrying out the objects of the Congress, of conducting its affairs and in relation to the matters specifically referred to in this Rule the General Council shall have power to utilise the funds and property of the Congress, to enter into any transaction and by any one or more of their members or appointed officers to execute in the name

and on behalf of the Congress any deeds or documents that may be necessary.

- (i) The General Council shall have power whenever they deem necessary to convene a special Congress or Conference to deal with any contingency that may arise, and to arrange the agenda and procedure whereby the business of such meetings shall be conducted.
- (j) In the event of a legal point arising which, in the opinion of the General Council (after consultation with Counsel) should be tested in the House of Lords in the general interests of trade unionism, the Council shall be empowered to take the necessary action.
- (k) In order that the trade union movement may do everything which lies in its power to prevent future wars, the General Council shall, in the event of there being a danger of an outbreak of war, call a special Congress to decide on industrial action, such Congress to be called, if possible, before war is declared.
- (l) The General Council shall prepare a report of their work for submission to the annual Congress and shall include in it a record of the attendances at General Council meetings. The Standing Orders of Congress and the General Council shall be published in each annual report of the proceedings of Congress.

Rule 9

Appointment of Committees

The General Council shall appoint such Committees as they consider necessary to deal with aspects of their business.

Rule 10

General Secretary

- (a) The General Secretary shall be elected by Congress, and shall be ex officio a member of the Congress and the General Council. She or he shall remain in office so long as her or his work and conduct give satisfaction to the General Council and to the representatives attending Congress, and shall retire from the service of the Congress upon reaching the age of 65.

- (b) The annual Congress preceding the date of retirement of the General Secretary shall elect a General Secretary Designate who shall become General Secretary on the retirement of her or his predecessor. Should a vacancy otherwise occur between the annual meetings of the Congress, the General Council shall have power to fill such a vacancy temporarily.
- (c) The General Council shall determine the salary and conditions of service of the General Secretary, and shall provide her or him with all necessary assistance, office accommodation, and facilities for conducting the business of the Congress and the General Council.
- (d) Any duty or function imposed by these Rules upon the General Secretary may be discharged (with her or his consent) by such persons as she or he considers appropriate provided always that the General Secretary shall remain responsible to the General Council for the discharge of that duty or function.

Rule 11

Industrial Disputes

- (a) It shall be an obligation upon the affiliated organisations to keep the General Secretary of the Congress informed with regard to matters arising between them and their employers and/or between one organisation and another, including unauthorised and unconstitutional stoppages of work, in particular where such matters may involve, directly or indirectly, large bodies of workers. The General Council or the General Secretary shall (if either should consider it necessary) disseminate the information as soon as possible to all organisations which are affiliated to the Congress and which may be either directly or indirectly affected.
- (b) The general policy of the General Council shall be that unless requested to do so by the affiliated organisation or organisations concerned, neither the General Council nor the General Secretary shall intervene so long as there is a prospect of whatever difference may exist on the matters in question being amicably settled by means of the machinery of negotiations existing in the trades affected.
- (c) If, however, a situation has arisen, or is likely to arise, in which other bodies of workpeople affiliated to Congress might

be involved in a stoppage of work or their wages, hours and conditions of employment imperilled, the General Council or the General Secretary may investigate the matter by calling representatives of the organisation or organisations concerned into consultation, and may use their influence or her or his influence (as the case may be) to effect a just settlement of the difference. In this connection the General Council or the General Secretary, having given an opportunity to each organisation concerned to present its views on the matter and having ascertained the facts relating to the difference, may tender their or her or his considered opinion and advice thereon to the organisation or organisations concerned. Should the organisation or organisations refuse such assistance or advice, the General Secretary shall duly report thereon to the General Council and/or the General Council shall duly report thereon to Congress or deal with the organisation under Clauses (b), (c), (d) and (h) of Rule 13.

- (d) Whenever the General Council intervene in relation to a matter within the provision of clause (c) of this Rule, and the organisation or organisations concerned accept the assistance and advice of the General Council, and where despite the efforts of the General Council, the policy of the employers enforces a stoppage of work by strike or lock-out, the General Council shall forthwith take steps to organise on behalf of the organisation or organisations concerned all such moral and material support as the circumstances of the dispute may appear to justify.

Rule 12

Disputes between Affiliated Organisations

- (a) Where disputes arise or threaten to arise between affiliated organisations, the General Council or the General Secretary of the Congress shall use their or her or his influence (as the case may be) to promote a settlement.
- (b) It shall be an obligation on the affiliated organisation or organisations concerned to notify the General Secretary when an official stoppage of work is contemplated in any dispute between affiliated organisations, whether relating to trade union recognition, trade union membership, demarcation of work, or any other difficulty. No affiliated organisation shall authorise such a stoppage

of work until the dispute has been dealt with under the provisions of Clauses (e) to (h) of this Rule.

- (c) Where a dispute between unions has led to an unauthorised stoppage of work, it shall be an obligation of the affiliated organisation or organisations concerned to take immediate and energetic steps to obtain a resumption of work.
- (d) The affiliated organisation or organisations concerned shall notify the General Secretary as soon as possible of any stoppage of work which involves directly or indirectly large bodies of workers, or which, if protracted, may have serious consequences. In addition to such notification, the affiliated organisation or organisations concerned shall inform the General Secretary of the causes and circumstances of the dispute and of the steps taken or proposed by it or by them to secure a resumption of work.
- (e) Either upon notification from an affiliated organisation as required by Clause (b) or Clause (d) of this Rule, or upon the application of an affiliated organisation, or whenever she or he considers it to be necessary, the General Secretary may investigate cases of dispute or disagreement between affiliated organisations and may decide on the most appropriate method of resolving the issue. Where she or he considers it appropriate, the General Secretary may refer any such case to a Disputes Committee of the Congress for resolution in accordance with the Regulations governing procedure in regard to disputes between affiliated organisations (as amended by the General Council and adopted by the Congress from time to time). In the event of such a reference, the General Secretary may summon affiliated organisations to appear as parties before a Disputes Committee and shall require such organisations to submit to that Committee any information, which she or he or the Committee considers to be essential to enable the Committee to adjudicate upon the case.
- (f) If an affiliated organisation refuses or fails to respond to a summons by the General Secretary to appear before a Disputes Committee, the General Secretary shall investigate the circumstances of such a refusal or failure by calling representatives of the organisation into consultation and inviting the organisation to give reasons for its conduct. If,

after such investigation, the General Secretary does not withdraw her or his summons and the organisation persists in its refusal or failure to appear before the Disputes Committee the General Secretary shall report the matter to the General Council who may deal with the organisation under Clause (h) of this Rule as if it were a case of failure by that organisation to comply with an award of a Disputes Committee.

- (g) If an organisation which is a party to a dispute fails or refuses to submit its case to a Disputes Committee as provided by this Rule, the Disputes Committee may proceed to make an award in the absence of that organisation and in any event it shall not be permissible for that organisation to raise the dispute at any annual Congress.
- (h) Affiliated organisations summoned by the General Secretary to appear as parties before a Disputes Committee shall be bound by any award of the Disputes Committee and shall comply forthwith with such award. Should any such organisation refuse or fail forthwith to carry into effect such an award (in whole or in part) the General Council having received the award may report on the matter as they think fit to all affiliated organisations, and/or may either:
- (i) deal with the organisation under clauses (b), (c), (d) and (h) of Rule 13, or
 - (ii) report the matter to the next annual Congress to be dealt with as that Congress may decide.

Rule 13

Conduct of Affiliated Organisations

- (a) If at any time there appears to the General Council to be justification for an investigation into the conduct of any affiliated organisation on the ground that the activities of such organisation may be detrimental to the interests of the trade union movement or contrary to the declared principles or declared policy of the Congress, the General Council shall summon such organisation to appear by duly appointed representatives before them or before such Committee as the General Council consider appropriate in order that such activities may be investigated. In the

event of the organisation failing to attend, the investigation shall proceed in its absence.

- (b) If after an investigation under:
- (i) clause (a) of this Rule; or
 - (ii) an investigation under clause (c) of Rule 11; or
 - (iii) an investigation and report to the General Council by the General Secretary of the Congress under clause (f) of Rule 12; or
 - (iv) an investigation by a Disputes Committee under clauses (e) and (g) of Rule 12 and a refusal or failure to comply with its award under clause (h) of Rule 12;

it appears to the General Council that the activities of the organisation may be detrimental to the interests of the trade union movement or contrary to the declared principles or declared policy of Congress, the General Council shall notify the organisation of that fact, specifying the grounds on which that charge is made and inviting the organisation to present its views to the General Council. If, after considering those views, the General Council decide that the said activities are detrimental to the interests of the trade union movement or contrary to the declared principles or declared policy of Congress, the General Council shall direct the organisation to discontinue such activities forthwith and undertake not to engage therein in the future.

- (c) Should the organisation disobey such direction, or fail to give such undertaking, the General Council are hereby empowered in their discretion to order that the organisation be forthwith suspended from membership of the Congress until the next annual Congress.
- (d) The General Council shall submit a report upon the matter to the next annual Congress.
- (e) No affiliated organisation shall circularise, either in writing or by general oral communication, other affiliated organisations upon any matter concerning the business of the Congress, without first securing the General Council's authorisation for such circularisation.
- (f) Should any such unauthorised circularisation take place concerning a motion for the agenda of the annual Congress or any special Congress or Conferences, and the General

Council after investigation decide that those responsible for such motion connived at, or were party to, or concerned with such circularisation, the motion shall not be included in the agenda.

- (g) The General Council may investigate any violation of the provisions of Clauses (e) and (f), and if after such investigation they decide that any organisation has acted deliberately in such violation they may deal with the organisation by investigation, suspension and report under the terms of Clauses (b), (c) and (d) of this Rule.
- (h) Any affiliated organisation dealt with under this Rule shall have the right to appeal to the next annual Congress and may appoint delegates in accordance with Rules 17 and 18 to represent the organisation upon the appeal and at the annual Congress if the appeal is allowed. Congress shall upon such appeal have final authority to deal with the matter by way of re-admission, further suspension or exclusion from membership of the Congress.

Rule 14

Trustees, Auditors and Accounts

- (a) **TRUSTEES:** Two or more Trustees shall be appointed by the General Council in whose names the funds and property of the Congress shall be vested. Such Trustees shall hold office until their respective successors have been duly appointed by the General Council and shall have accepted office. The Trustees shall deal with the funds and property held by them in accordance with the directions of the General Council and shall invest any funds available for investment in accordance with such directions. The bank accounts of the Congress shall be in the names of the Trustees, but the General Council may by resolution authorise the Trustees to direct the Bankers to honour the signature or signatures of any person or persons named in the resolution, in which case the Trustees shall give such direction and shall be relieved from all liability in respect of payments made in the manner authorised by the resolution while it is in force.
- (b) **AUDITORS:** The accounts of the Congress shall be audited annually by a chartered or incorporated accountant to be appointed by the General Council. The accountant shall be given access to all books and documents of the

Congress and shall be given all information or explanations with regard to the accounts that she or he requires. The accountant shall be required to submit a report to the General Council as soon as practicable after the audit.

- (c) **ACCOUNTS FOR THE YEAR:** In order that affiliated organisations may have an opportunity of perusing the financial statements prior to each annual Congress, the financial year shall close on 31 December. The audit shall then take place and printed Balance Sheets, duly certified by the Auditors, shall be sent with the complete agenda to the secretary of each organisation not less than 14 days before each annual Congress.

Rule 15

Amendment of Rules and Standing Orders

- (a) The General Council may between each annual Congress make any amendment to the Rules and Standing Orders that they deem necessary subject to any such amendment being confirmed by the next annual Congress, providing that any such amendment shall in any event be binding upon all affiliated organisations and their members until overruled by Congress.
- (b) Affiliated organisations may (subject to the provisions of Rule 23) put forward motions for the amendment of the Rules and Standing Orders for the consideration of such annual Congress.

Part 2 | Arrangements for Annual Congress

Rule 16

Preliminary Arrangements

- a) The General Council shall select the place for the annual Congress and shall have the powers to invite representatives of public bodies and other institutions to attend the sittings thereof.
- (b) The General Council shall meet during the week prior to the date of each annual Congress for the purpose of completing the arrangements there for.

Rule 17

Representation at Annual Congress

- (a) Affiliated organisations shall be entitled to be represented at the annual Congress by one delegate for every 5,000 members or fraction thereof, (save for unions with fewer than 5,000 members who shall be entitled to two delegates) provided always that they have paid the fees prescribed in Rule 3, except in alternate years starting in 2011, when Congress is held at Congress House, when representation shall be on the following basis:

Unions with more than 1,500,000 members – 44 delegates

Unions with between 1,000,000 and 1,499,999 members – 38 delegates

Unions with between 800,000 and 999,999 members – 26 delegates

Unions with between 600,000 and 799,999 members – 20 delegates

Unions with between 300,000 and 599,999 members – 14 delegates

Unions with between 150,000 and 299,999 members – 12 delegates

Unions with between 100,000 and 149,999 members – 8 delegates

Unions with between 75,000 and 99,999 members – 7 delegates

Unions with between 50,000 and 74,999 members – 6 delegates

Unions with between 5,000 and 49,999 members - one delegate per 10,000 members or part thereof, with a minimum of two delegates.

Unions with fewer than 5,000 members – one delegate.

- (b) Not later than seven weeks prior to the date fixed for the commencement of the annual Congress the names and addresses of the delegates shall be sent to the General Secretary of the Congress on the appropriate form which must be signed by the President (or Chairman) and Secretary of the organisation such delegates will represent.
- (c) A credential card shall not be issued to any affiliated organisation which has failed to comply with the foregoing conditions.

Rule 18

Delegates' Qualifications

- (a) Each annual Congress shall consist of delegates who must be financial members of the affiliated organisation they are to represent and actually working at their trade at the time of appointment, or full-time paid officials of such affiliated organisation. However, unemployed members of an affiliated organisation shall not be debarred from acting as delegates.
- (b) The above qualifications shall not, however, debar a person from acting as a delegate who is not a full-time paid official and who has temporarily left her or his normal full-time work as an employee in trade or industry to undertake Parliamentary duties, provided that, at the time of her or his attending Congress, she or he is occupying a national post designated under the Rules of the appointing affiliated organisation.

Rule 19

Congress President

- (a) The President of the Congress shall be appointed by the General Council at their first meeting after each annual Congress.
- (b) The duties of the President shall be to preside at all meetings of the General Council, and at all special Congresses or Conferences for one year following the date of her or his appointment, and at the annual Congress concluding her or his term of office. She or he shall then become first Vice-Chair of the General Council for a period of one year thereafter.

Rule 20

General Purposes Committee

- (a) A General Purposes Committee of five members for the ensuing annual Congress shall be nominated and elected by ballot. If any member elected is not a delegate to the ensuing annual Congress, or a vacancy arises from any other cause, the highest unsuccessful candidate shall be called upon to fill the vacancy.

- (b) Each nominee for the General Purposes Committee must be nominated by her or his own organisation. Nominations shall be submitted on the appropriate form which must be signed by the President (or Chair) and Secretary of the organisation and shall reach the General Secretary of the Congress at least eight weeks prior to the date fixed for the opening of the annual Congress.
- (c) The members of the General Purposes Committee shall appoint from their body a chair and secretary. The duties of the General Purposes Committee shall be:
- to co-operate with the movers of motions and amendments in order that composite motions may be obtained wherever possible;
 - to have printed and circulated to the delegates copies of the composite motions they have approved;
 - to submit to the President of Congress a programme of all motions and amendments approved by them as being in accordance with the Rules and Standing Orders, together with all suggestions for the proper conduct of the business of the annual Congress;
 - to report to the General Council any violation of the Rules or Standing Orders that may be brought to their notice, together with any recommendation agreed upon.

Rule 21

Tellers and Ballot Scrutineers

The General Council shall nominate, for the approval of the Congress, four or more Tellers and up to seven Ballot Scrutineers.

Rule 22

Voting

The method of voting at Congress shall be at the discretion of the President, by voice, or show of hands, or card vote. Where, however, a division by voice or show of hands is challenged by delegates to Congress, voting shall be by cards to be issued to the delegations according to membership (paid for as per Rule 3) on the basis of one vote for every 1,000 members or fractional part thereof represented. Such cards to be issued to affiliated organisations by the

General Secretary of the Congress before the commencement of the annual Congress.

Rule 23

Motions for Congress

- (a) Motions for the Congress must be submitted on the appropriate forms and be signed by the President (or Chair) and Secretary of the organisation submitting such motions and must be received by the General Secretary of Congress not later than eight weeks before the date fixed for the commencement of the annual Congress.
- (b) Such motions shall be printed and sent to each affiliated organisation not less than six weeks before the annual Congress. The order in which these subjects are to be discussed shall be decided by the General Council in consultation with the General Purposes Committee of Congress.
- (c) An affiliated organisation shall be allowed not more than two motions, apart from organisations with more than one million members who will be allowed one additional motion for each additional 500,000 members or part thereof. In addition each of the equality conferences, the Young Members' Conference and Trades Union Councils' Conference will be allowed to choose one motion carried by that conference for submission to Congress. In order that important labour questions may not be omitted from the discussion of the annual Congress, the General Council are empowered to place not more than three motions on the annual Congress agenda.
- (d) All amendments to the motions submitted by affiliated organisations must be received by the General Secretary of Congress not later than four weeks before the date fixed for the commencement of the annual Congress. An affiliated organisation shall be allowed not more than two amendments apart from organisations with more than one million members who will be allowed one additional amendment for each additional 500,000 members or part thereof. These must be submitted on the appropriate forms and be signed by the President (or Chair) and Secretary of the organisation concerned.

- (e) Notwithstanding the provisions of this Rule, the General Council or any affiliated organisation shall, subject to the approval of the General Purposes Committee, be permitted to submit an emergency motion for the consideration of the delegates to Congress. No such permission shall, however, be granted unless agreed to by at least two-thirds of the votes cast by the delegates to the particular annual or special Congress.
- (f) Motions shall not exceed 250 words in length. Amendments shall not exceed 50 words in length. These provisions shall apply to original motions and emergency motions but not to composite motions nor to motions selected to go forward to the Congress Agenda by the equality conferences, the Young Members Conference and Trades Union Councils Conference.

Rule 24

Delegations

All nominations for delegations appointed by Congress must be submitted on the appropriate form and be signed by the President (or Chair) and Secretary of the organisation and must be sent to reach the General Secretary of the Congress not later than eight weeks before the date fixed for the opening of the annual Congress. Each nominee must be nominated by her or his own organisation.

Rule 25

Date of Annual Congress

- (a) Unless otherwise decided by the General Council, the date for the opening of each annual Congress shall be the second Monday in September.
- (b) To enable affiliated organisations to comply with the various requirements of these Rules where time limits are fixed by reference to the date of the annual Congress, the General Council shall, in the event of any change in such date, direct that notice of such change shall be given to affiliated organisations in due time.

Rule 26

Standing Orders

- (a) **HOURS OF MEETING:** Delegates shall assemble at 10 a.m. prompt on the first day of each annual Congress and at 9.30 a.m. on each succeeding day. On each day (Monday to Thursday) Congress shall adjourn at 12.45 p.m. and reassemble at 2.15 p.m. and adjourn for the day at 5.30 p.m. on Monday to Wednesday and shall conclude no later than 4 p.m. on Thursday, except in alternate years starting in 2011, when Congress is held at Congress House, when Congress shall conclude no later than 4pm on Wednesday.
- (b) **AGENDA:** A complete agenda of the motions and amendments submitted under Rule 23 shall be printed and sent, not later than 19 days before the opening of each Congress, to the affiliated organisations which have paid up to the last preceding quarter the fees due under Rule 3.
- (c) **GENERAL COUNCIL'S REPORT:** After the opening of each annual Congress, the General Council shall present their report for the past year, which shall be laid on the table for discussion. The items of the report shall be discussed seriatim and not as a whole; each speaker to be limited to three minutes. Such report shall be given precedence over all other business provided that where a motion on the agenda bears directly upon any part of the report, such motion may at the discretion of the President be taken in conjunction with such part of the report.
- (d) **LIMITATION OF SPEECHES:** The mover of the motion shall be allowed five minutes, the seconder three, and any or each succeeding speaker three minutes. A delegate shall not speak more than once on a question, except the mover of the original proposition, who shall have the right to reply.
- (e) **ORDER OF SPEAKERS:** The President shall determine the order of speakers. Each delegate shall stand when speaking. If the President rises to call a delegate to order, or for any other purpose connected with the proceedings, the delegate speaking shall leave the rostrum and resume her or his seat and no other delegate shall rise until the President has authorised the discussion to proceed.

- (f) **PRESIDENT'S RULING:** Should any delegate cause disturbance at any session of annual or special Congress, and refuse to obey the President when called to order, she or he shall be named by the President, and shall be expelled from the hall for the remainder of the session, and shall not be allowed to take part in the Congress proceedings without the consent of Congress delegates.
- (g) **CLOSURE:** The Previous Question, Next Business, or the Closure may be moved and seconded only by those delegates who have not previously spoken during the debate, and there shall be no speeches on such motions. Should the closure be carried, the mover of the original motion shall have the right to reply in accordance with Rule 26, clause (d). Should the President consider that there is no practical difference of opinion among the delegates, she or he shall have power to stop the discussion and submit the proposition to the vote of the Congress delegates.
- (h) **SPECIAL MEETINGS:** In the case of special Congresses or Conferences the above Standing Orders shall be adhered to wherever applicable as closely as possible.

Rule 27

Suspension of Rules and Standing Orders

Rules and Standing Orders in Part 2 hereof, may, notwithstanding the terms of Rule 15, be suspended if such suspension is agreed to by at least two-thirds of the votes cast by the delegates to the particular annual or special Congress.

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