

**date:** May 2015



# 2015 TUC Disabled Workers' Conference

## Agenda



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## Section one

# Motions

### 1 Disabled people's manifesto

Conference agrees that whatever the outcome of the general election, disabled people need to campaign hard to ensure that the Tory-led policies, cuts and so called reforms are reversed.

The trade union movement needs to draw up a Disabled People's Manifesto that includes commitments to:

- i) make democracy, justice and transport more accessible;
- ii) improve health and social care for disabled people; and
- iii) increase support for disabled people in education and employment; and complete a programme of disability awareness training.

The Manifesto would raise awareness of disabled people's issues in the media, with all MPs and with the public, and it would also be a tool to make MPs accountable following the election.

Conference calls on the TUC Disabled Workers' Committee to work with unions to:

- i) develop a Disabled People's Manifesto to improve equality of opportunity for disabled people;
- ii) issue guidance to on how to influence all MPs to sign up to the Disabled People's Manifesto, by working with individuals unions Labour Link and political structures; and
- iii) call for an early day motion to be tabled.

## **UNISON**

### **Amendment**

Add at end:

Conference also recognises that disabled people in other countries in the EU are facing similar problems and calls on the TUC Disabled Workers' Committee to contact the ETUC and trade union movements in other countries of the EU to see what can be done to agree an European Disabled People's Manifesto and have it debated in the European Parliament.

### **National Union of Journalists**

## **Amendment**

Add new iv) to vi)

- iv. embed a duty to promote dignity, justice for disabled people through a requirement on all employers and public bodies to carry out equality audits, tackle all discriminatory practices and institute positive action programmes;
- iiiv. a British Sign Language act; and
- iiiv. a commitment to tackle hate crime.

## **Unite the union**

2 Treating disabled workers more favourably  
Conference is deeply concerned by the fact that disabled workers and their families continue to be amongst the hardest hit by Coalition policies. This together with their divisive rhetoric and a growing tendency of politicians and other high profile public figures to openly regard disabled peoples as second class and 'worthless' citizens in impacting on how disabled workers are being treated at work. Reps report managers are increasingly dismissive of disabled workers' needs and of their own legal obligations. The much misunderstood and indeed unlawful approach to equality that treating people the same is the same as

treating people equally, is gaining ground. Disabled workers face hostile management attitudes, unsupportive colleagues and the loss of and/or refusal to enact reasonable adjustments.

Conference understands and reaffirms that in order to achieve equality it is not only desirable and lawful but frequently necessary to treat workers more favourably than non-disabled colleagues.

Conference asks the TUC to continue to:

- i) support union campaigning on getting this 'positive action' message out; and
- ii) support unions' efforts to ensure that all activists and reps understand why more favourable treatment is desirable and necessary and they have the confidence to challenge hostile attitude and unlawful behaviour.

### **Union of Shop, Distributive and Allied Workers**

3      Privatisation/outsourcing and the Equality Duty  
Conference is aware this government is eroding the public sector by privatisation and outsourcing. The Post Office; East Coast Mainline; a third of recent NHS contracts; and more recently, over half of the Probation Service, all moving



into private hands, not only will this lead to poorer service provision, it will also have a negative impact on equality outcomes for staff.

This is because in these newly privatised sectors only the general equality duty will apply. This will mean that employees with protected characteristics, especially disabled people, will now lose out from the safeguards afforded by the specific duties. In addition, they risk losing or having their reasonable adjustments severely diluted under private sector arrangements which could result in a high proportion of disabled workers losing their jobs.

We call on the TUC to lobby government to ensure that all organisations, whether privatised or not, that are delivering a public service, must comply with the specific duties. This will help ensure disabled people currently in employment with the support of reasonable adjustments can continue in secure employment.

## **Napo**

4 Disabled workers deserve better

GMB believes this government has shown a complete disregard for disabled people in and out of employment.

GMB welcomes the campaigning by disabled people against bad employers, congratulates Disabled People against the Cuts (DPAC) for its high-profile activities and its solidarity with Remploy workers.

Failure by employers to make reasonable adjustments has resulted in millions of disabled workers being excluded from the labour market. Employers should be under a statutory duty to raise awareness, change discriminatory work place culture and provide support to disabled workers by making the necessary changes.

Conference calls upon the TUC to lobby government to ensure that:

- i) all managers and supervisors are made aware and trained in physical and mental disabilities;
- ii) this training is of an agreed standard, verified by the TUC.

No local or national government contracts for goods and services are placed with companies that cannot show a fit for purpose disability training plan; and

- iii) restore the status, role of and the funding of the Equality and Human Rights Commission.

**GMB**

## 5 Welfare Benefits Reform

Conference deplores the coalition government's sustained attack on disabled people. The so called necessary reforms of welfare benefits have delivered:

- i) work Capability Assessments by Maximus for the DWP, leading to loss of benefits and wrong decisions for many disabled people unable to work;
- ii) the change from Disability Living Allowance to Personal Independence Payment designed explicitly to remove payments from thousands of disabled people;
- iii) the impact of the "bedroom tax" and the constant attacks on access to work; and
- iv) the closure of Remploy factories leaving disabled people previously employed in properly paid jobs without work.

These reforms mean that disabled people are no longer struggling against inequality and indifference but now having to face the real day to day challenge of survival. Conference condemns the government's imposition of a cap on welfare benefits and the Labour leadership's support for this, and congratulates those Labour MPs who voted against it.

Conference congratulates Disabled people Against the Cuts (DPAC) for its high-profile activities and its solidarity with disabled workers, and instructs the TUC Disabled Workers' Committee to approach the General Council to campaign vigorously with DPAC and other campaign groups committed to reversing the current government reforms.

### **Transport Salaried Staffs' Association**

#### **Amendment**

Add new bullet point after "without work":

v) the closure of the Independent Living Fund;

In final para, add after "current government reforms":

"and demanding that any incoming government restores the Independent Living Fund"

### **Public and Commercial Services Union**

6 Universal Credit (UC)

Conference notes that Universal Credit (UC) rollout has begun and will be available in all job-centres by spring 2016.

Since first announced, it has been criticised by the Public Accounts Committee and National Audit office for its cost. The system, administered by PCS and FDA members, is a

huge overhaul of the benefits system affecting around eight million people. UC will include income-based job seeker's allowance, income-related employment and support allowance, income support, child tax credit, working tax credit and housing benefit. Conference notes this extends conditionality and sanctions to working claimants.

Conference believes UC has many serious drawbacks, particularly for disabled people, e.g. it is only available online and can only be paid into a bank account, monthly. Although it is claimed around 3.1 million households will be better off, it is likely that 2.8 million will be worse off. Disabled people will be further pressurised into work by reduction of their benefits.

Conference calls upon the TUC to work with affiliated unions to press the Government to change the system to:

- i) enable disabled people full access;
- ii) ensure disabled claimants are not penalised further;  
and
- iii) oppose the extension of conditionality and sanctions to working people claim UC.

### **Public and Commercial Services Union**

## 7 Disabled people and the pay gap

Conference remains concerned that disabled people are far less likely to be in employment than non-disabled people and the proportion of disabled people living in low income households has been increasing over recent years.

Disabled people who are in employment face a pay gap compared to their non-disabled colleagues which has increased by 35 percent since 2010.

It is evident that discrimination against disabled workers based on pay is unlawful, but this is often overlooked where organisations carry out equal pay audits. This is exacerbated by the unfair operation of performance management systems. New evidence obtained by Prospect through a series of Parliamentary questions reveals patterns of institutional discrimination within the civil service, including against disabled staff.

Conference urges the TUC Disabled Workers' Committee to campaign to eradicate the pay gap and the process of pre-determined quotas within performance management systems, and encourage affiliated unions to:

- i) ensure that disability is covered in equal pay audits;

- ii) challenge discriminatory outcomes from the operation of performance management systems;
- iii) ensure managers are trained to conduct performance appraisals to secure fair and consistent treatment of all staff being appraised; and
- iv) support members in raising grievances where they believe they have been unfairly treated.

## **Prospect**

### 8 Impact of Working Longer

Conference notes that the increased State Pension Age means that workers will be obliged to work into their late sixties or even longer before they can afford to retire. In the public sector, the occupational pension age has been linked with the State Pension age.

These changes have a particular impact on women, employees with long-term or progressive health conditions, and those in physically or emotionally demanding jobs. Many women are already facing lower income in retirement due to working part-time or having time out of the workforce, and will face huge actuarial reductions in their pension if forced to retire early due to illness, disability or carer responsibilities.

Conference urges the TUC and all affiliates to campaign for:

- i) no further increase in the State Pension Age; and
- ii) the Treasury Committee when reviewing the link between State Pension Age and occupational pension age, to take into account the potential disproportionate impact on disabled employees of further rises in the state pension age.

### **Chartered Society of Physiotherapy**

#### 9 Work Choice Programme

Conference welcomes the continuing effort that Work Choice makes in supporting disabled people to find sustained employment but recognises that the number of people claiming incapacity benefit rose by 50,000 in six months in 2014 and that there is a long way to go to effectively reduce the unemployment rates of disabled people.

Conference is seriously concerned that no announcement has been made by the Government regarding the replacement for the programme after its scheduled end in 2015, that recent reports show the Government has overspent by £8 billion on Employment and Support Allowance and that still only 45 percent of disabled people are in work.



Conference calls on the TUC Disabled Workers' Committee to lobby the new Government:

- i) for the privatisation of funding and support for work support programmes over the next Parliament;
- ii) to work with employers to create more inclusive workplaces; and
- iii) to reform the Work Capability Assessment.

## **Community**

### 10 Hidden Disabilities

Conference welcomes the work of the TUC in actively campaigning around awareness of hidden disabilities.

Conference believes that conditions that have no outward physical sign are too often ignored or unsupported in the workplace. Many workers maybe unaware that they have a disability or that they have a hidden disability that may be protected under the Equality Act and may not be receiving the support or adjustments from their employer.

Conference believes we need better access to information and assistance to help reps and employers understand that

individuals affected by hidden disabilities need support that is specific and tailored to that individual.

Conference therefore calls upon the TUC to build on effective working relationships with organisations such as Mind, Time To Change, Together UK, Young Minds, ReThink and others and organise towards an awareness campaign around hidden disabilities

Unite calls on the TUC Disabled Workers' Committee to:

- i) develop a fact sheet to advise trade union members who may have a hidden disability of their rights at work;
- ii) hold awareness raising seminars on Hidden Disabilities and reasonable adjustments training for trade union reps and full time officials; and
- iii) work with trade union Equality Reps to identify best practice employers.

## **Unite the Union**

### **Amendment**

Fourth paragraph: "and others" insert "including organisations campaigning around neurodiverse issues".

Fifth paragraph: delete "Unite" and replace with "Conference". Add to second bullet point "This would

include guidance on dealing with the personal case of members with mental health and neurodiverse conditions.”

### **Prospect**

#### **Amendment**

Add an additional paragraph after paragraph two:

Conference deplores the fact that in too many workplaces, disabilities are hidden by employees who fear that they will face bullying and discrimination.

### **NASUWT**

P11 Beyond 12 weeks adjustments are still reasonable  
Conference is concerned at the continuing discrimination of disabled workers by public and private employers by failing to recognise and implement reasonable adjustments. The application of time bound restrictions to reasonable adjustments further discriminates against disabled workers who require longer term adjustments to enable them to remain in full time employment.

Twelve week phased return to work plans should not be used as a benchmark when assessing a disabled worker's ability to return to work.

Therefore conference calls upon the TUC to seek all employers to remove time bound restrictions on reasonable adjustments.

## **POA**

### 12 Mental Health and Reasonable Adjustments

Conference is deeply concerned by the growing evidence of increasing discrimination against disabled workers.

Conference is particularly concerned by the evidence that over three-quarters of teachers assert that the job impacts negatively on their mental health and wellbeing.

Conference condemns the lack of support for teachers and other workers with mental health issues and in particular those on the autistic spectrum or with other neuro-diverse conditions.

Conference further condemns the negative attitude of some employers who refuse to make reasonable adjustments for workers with mental health issues or create a climate of uncertainty and fear which discourages workers from disclosing their conditions.

Conference calls upon the TUC to work with affiliates to:

- (i) research the extent of discrimination against those with mental health conditions
- (ii) prioritise campaigning and bargaining policies that defend disabled workers' rights and
- (iii) campaign to raise awareness and remove the stigma associated with mental health conditions.

## **NASUWT**

### 13 Carers and Mental Health

Carers are our parents, partners, grandparents, relatives and children and yet shockingly according to Carers UK, we know that one in three cannot afford to pay their utility bills; one in 5 cannot afford their rent or mortgage. 80 percent of carers say caring has had a negative impact on their health and a staggering 61percent say they are or have been at breaking point. Carers, and those they care for, often face financial hardship that undoubtedly causes stress and anxiety and impacts negatively on mental health.

The Princess Royal Trust for Carers report 'Broke and broken' highlights the plight of carers battling depression, poverty and alcohol and drugs issues. Education staff throughout our education system is struggling to cope with combining working and caring responsibilities, often seeing their own mental health suffer.

Conference asks the TUC and affiliates to:

- i) raise awareness among reps of the mental health issues carers may face; and
- ii) lobby the Government for better financial support for carers.

### **Association of Teachers and Lecturers**

#### **Amendment**

Second paragraph: delete “Education staff throughout the education system is” replace with “Many trade union members are”

Add:

- ii) raise awareness for carers, including the right to request flexible working, time off in emergencies and protection from discrimination and harassment under the Equality Act where they are caring for someone elderly and/or disabled;

renumber existing ii) to iii)

#### **Prospect**

## 14 Employment Tribunals

Conference notes that tribunals are difficult for workers living with mental health conditions and other disabilities as this is often the reason for the discrimination which has created the need for a tribunal in the first place. Since the introduction of large tribunal fees and October 2014 rules cutting remission of fees for workers on means tested benefits there has been a reduction in discrimination claims of at least 46 percent.

Added to this is the lack of knowledge by claimants that the tribunal process should include reasonable adjustments for disabled workers including those dealing with mental ill health. Combined with reasonable fears regarding the need to be cross examined by the employer's legal representative and it is no wonder that workers are deterred from initiating proceedings or settling for compromise agreements with gagging clauses, even if their case has strong legal merit.

Conference calls on the TUC to make it clear that disabled workers have the right to seek reasonable adjustments during the tribunal process and to seek support from the Law Society, Bar Council, Legal Action Group etc to campaign on the discriminatory effect the introduction of fees and lack of remission is having on workers' right to justice.

## **National Union of Journalists**

### **Amendment**

Line 12 delete “compromise agreements” insert “settlement agreements”

### **National Union of Journalists**

#### 15 Home Working

Conference notes the increasing drive, in both the public and private sectors, to close workplace and centralise operations. Frequently this leads to increasingly lengthy, both in time and distance, and difficult commutes to work. This impacts disproportionately negatively on disabled workers.

At the same time, continuing and rapid advances in information and communications technology have created a revolution in the ability of employees to work from home or at other remote locations.

The ability to work from home or at any location more convenient than a distant workplace is of great benefit to many disabled workers. Many more disabled people would gain and maintain employment if they were able to work from home, subject to proper Health and Safety protection, including a risk assessment of their home working environment where appropriate.



Conference calls on the TUC and affiliates to campaign for all employers to increase access to, and availability of, home and remote working which will have a particular benefit for disabled workers.

## **FDA**

### 16 Access to Work

The Access to Work (AtW) programme is designed to provide disabled people with practical support to stay in employment. However, there have been significant problems with the scheme's operation.

Conference notes that the Work and Pensions Select Committee has concluded that the scheme helps “only a minority of the people it could benefit” and that the Department of Work and Pensions’ “attempts to increase the number of people helped by the programme, within an only marginally increased budget, risk bearing down on the awards of people who happen to have relatively high cost needs”.

Self-employed workers and in particular entertainers have experienced specific problems, including lack of understanding of their employment status, inconsistency and

delays in decision-making and requiring performers to claim back expenses after they have completed a job. The specialised needs of performers and other creative workers are also often misunderstood.

Conference welcomes the recommendations of the DWP Select Committee and will campaign for better guidance to be issued that can take greater account of the realities of working in the entertainment industry. Conference also resolves to campaign for improved funding for AtW and other measures which seek to bring about a level playing field for disabled workers.

## **Equity**

### 17 Stop Changes to Access to Work

Conference is appalled by the ongoing attacks this Government is making on the Access to Work scheme which is run by the Department of Work and Pensions. The Scheme is crucial for deaf and disabled employees who rely on it to access and pay for support such as Sign Language Interpreters, adaptive equipment such as ergonomic chairs, screen-reading equipment and also transport costs if public transport is not an option. However cuts are seeing support allowance halved for interpreters and other disabled people are having their respective support cut in other ways. The

application process is also being made more difficult which makes it inaccessible in some cases. The cuts particularly affect freelancers who are unable to take on work as they do not have the necessary support.

Conference calls for the TUC and delegates to sign the 38Degrees petition and to get in touch with local MPs about the issue.

### **Musicians Union**

#### **Amendment**

Insert after last paragraph: “Additionally, Conference calls on the TUC Disabled Workers’ Committee to engage with relevant disability and other campaigning groups to stop and reverse the changes to access to work”

### **PCS**

#### **Amendment**

Insert after Paragraph 1:

Conference opposes the new draft framework for interpreting service provision for the access to work scheme which would allow substandard and unsafe levels of interpreting.

Conference believes the framework agreement to be scrapped with immediate effect, and a full consultation with both the Deaf and interpreting communities.

Conference resolves to support the scrap the framework campaign.

### **Unite the union**

18 SEN Reform

Conference is gravely concerned about the impact that the new *Education, Health and Care Plans* are having on disabled children and young people and those labelled as having special educational needs. The ill-conceived reforms come at a time when families with disabled children are already facing cuts to their household budgets.

Conference believes that current national education policy is testing and target driven, thus creating a 'one size fits all' system which prevents and undermines inclusion.

Conference asserts that every child and young person should be valued and that they should be taught by a qualified teacher in an inclusive school system, with a curriculum that is accessible to every learner.

Conference deplores the fact that:

- i) the *Independent Living Fund* (ILF) for those with the most severe impairments has ended;
- ii) support staff working with disabled children and young people are amongst the lowest paid workforce; and
- iii) cuts to public services have drastically reduced services for disabled children and their families.

Conference calls on the TUC to call on the Government to:

- a) highlight the specific impact of the cuts on services for disabled children;
- b) reinstate the *ILF*; and
- c) campaign for smaller class sizes to allow individual learning to take place.

## **National Union of Teachers**

19 Impact of austerity and marketisation of the post 16 education sector

Disabled workers in post 16 education are experiencing unprecedented attacks on their working conditions and well-being. Increased workloads impact on all workers' work life balance as well as their pay as more work becomes part of unpaid hours. Disabled workers have the additional impact that any disadvantage a disability may have on how they do

their job is ignored. Employers are resisting agreeing reasonable adjustments and the government is intent on Access to Work becoming inaccessible. Increasing numbers of disabled workers are being performance managed often resulting in being forced out of the sectors.

Disabled workers in post 16 education are being made to feel that they are the problem rather than institutions focused on profit and a Government focused on minimal funding for the sectors. The additional stress of detrimental changes to welfare reform and health services is creating unmanageable stress and insecurity.

The Conference calls upon the TUC Disabled Workers' Committee to:

- i) continue to campaign against austerity and marketisation and its impact on disabled workers
- ii) work with appropriate campaigning organisations such as DPAC;
- iii) prepare for the defence or progression of disabled equality rights following the general election including the possible review of the Public Sector Equality Duty.

**University and College Union**

## 20 Cuts in transport staff

Conference is deeply concerned about the continued cutting of jobs on public transport, including London Underground and on our national railways and the direct impact this has for people with disabilities.

For example, conference notes the current proposals for Northern and Transpennine Express rail franchises which introduce driver-only operation, sack train guards/conductors, de-staff stations and close ticket offices.

This is not the only franchise where guards are being removed from trains. Conference notes that, broadly speaking, the guard is responsible for the protection of the passengers. Currently the guard is fully trained in operational safety, including being able to safely secure the doors, and acting in emergencies such as driver incapacity, failure of the train safety systems and derailments.

These cuts are a false economy and we believe that an affordable, accessible and properly staffed railway is vital for tackling social inequality, improving social mobility and protecting our environment as well as economic growth.

Conference agrees to continue to campaign on this topic, calling on the Government to stop these cutting franchises

and start protecting the interests of passengers and the communities who rely on these rail services.

## **RMT**

### 21 Disabled People and Access to Sports Events

Disabled people have every right to engage in sporting activities, through participation or simply as spectators. When it comes to the latter, it is evident that many sporting venues are not capable of allowing disabled persons to enjoy this right, as most venues and stadia are simply not equipped to accommodate the needs of disabled people.

The Accessible Stadia Guide was established in 2004 but football clubs are still not acting in the spirit of promoting a disability-friendly environment for disabled football fans.

Conference calls on the TUC Disabled Workers' Committee to conduct a study of the main sporting arenas. This study will identify spectator capacity, the percentage of seating allocated for disabled fans and any other provisions made to assist fans with other impairments. The committee should also engage with Disability Rights UK who are currently involved in a campaign on this very issue. The study should also compare the effectiveness of the Accessible Stadia Guide and make recommendations with a view to promoting



the interests of disabled people. A report will be made available to the 2016 TUC Disability Conference.

### **Communications Workers Union**

# Guide for delegates and visitors

## **Who attends the Disabled Workers' Conference?**

All affiliated unions are entitled to be represented by a minimum of two delegates, provided always that they have paid the fee prescribed in Rule 3 of the Rules and Standing Orders of the Trades Union Congress. For affiliates with 10,000 or more members, the following entitlements also apply:

- a) Affiliated organisations with between 10,000 and 20,000 members shall be entitled to be represented by a total of 5 delegates.
- b) Affiliated organisations with between 20,001 and 50,000 members shall be entitled to be represented by a total of 10 delegates.
- c) Affiliated organisations with between 50,001 and 100,000 members shall be entitled to be represented by a total of 15 delegates.
- d) Affiliated organisations with between 100,001 and 500,000 members shall be entitled to be represented by a total of 20 delegates.

- e) Affiliated organisations with between 500,001 and 1,000,000 members shall be entitled to be represented by a total of 25 delegates.
- f) Affiliated organisations with over 1,000,001 members shall be entitled to be represented by a total of 30 delegates.

TUC Regional Councils, together with the larger Trades Union Councils, are also invited to send an observer. Observers sit together in a separate section on the floor of Conference next to the delegates, and are able to speak in any debate, but not allowed to vote.

Many unions and outside organisations also send visitors to the Conference for all or part of the proceedings. The visitors sit separately and are not entitled to participate in any of the business of the Conference. Also in attendance are journalists and TUC staff.

### **How long does the conference last?**

The Conference lasts two days; opening at 11.00 on Thursday and closing at 18.00; opening at 09.30 on Friday and closing at 17.30, with a break for lunch from 12.45 to 14.15 on both days.

### **Who is responsible for conference arrangements?**

The TUC Disabled Workers' Committee acts as the Conference Arrangements Committee.

### **Who chairs the conference?**

The Conference is chaired by members of the TUC Disabled Workers' Committee.

### **How is the committee elected?**

The Disabled Workers' Committee will be composed of members of the TUC General Council appointed by the General Council and of seventeen members elected at the Disabled Workers' Conference; 14 (Section A) are general seats, 1 seat (Section B) for black members, 1 seat (Section C) for LGBT members, and 1 seat (Section D) for women members. Each affiliated union is entitled to make one nomination to each section and the nominees must be delegates to the Conference.

### **What does the conference discuss?**

Each union is invited to submit one motion, of not more than 200 words, which must deal with one subject only. Motions are published in a preliminary agenda and unions are then invited to submit not more than one amendment, of not more than 60 words. A final agenda is then distributed to delegates.

Delegates' printed Order of Business indicates the Committee's attitude to each motion:

- *Support:* In order to allow more time for delegates the Committee usually (but not always) waive their right to speak in a debate on a motion or amendment they support.
- *Support with Reservations:* If necessary a Committee member will explain to Conference any reservations they may have on a motion or amendment they otherwise support. The union concerned is notified in advance of the Committee's reservations.
- *Remit/Oppose:* The Committee may ask remission of a motion before Conference. If the union will not agree to remit the motion a Committee member will speak in opposition to it.
- *Oppose:* A Committee member will speak on any motion or amendment opposed by the Committee.

A Committee member may also speak in order to make observations or points of explanation on a motion or amendment. In doing so the Committee member accepts collective responsibility on behalf of the Committee and does not represent a union or personal view.

A number of speakers of special relevance to the business of the Conference will address delegates at various times during the Conference.

In addition, there is an informal plenary session during the Conference.

### **What about emergency motions?**

Any union may submit an emergency motion for consideration by the Conference. Such a motion must be signed by the union's General Secretary and received by the TUC General Secretary not later than the morning of 19 May 2015, and it must be accepted onto the agenda by at least two-thirds of delegates.

### **Motions to Congress**

Delegates are able to vote for one resolution (ie one successful motion) of the Conference to go forward onto the agenda of the TUC Congress in September. (This could be a composite motion.)

Delegates receive a ballot paper listing all the motions to be debated. Each delegate is able to vote for the one motion they wish to see on the Congress agenda. The ballot papers will be counted at the end of the Conference and the result announced. The resolution with most votes becomes a motion to Congress. In the event of a tied vote, the Disabled Workers' Committee make the final decision at their meeting following Conference (see next section).

### **What happens to motions after the conference?**

All motions carried (and now termed 'resolutions') or remitted form the basis of action by the Disabled Workers' Committee during the following twelve months. Resolutions are also considered by the General Council itself and TUC departments as part of the overall work of the TUC.

The resolution that the Conference voted onto the Congress agenda becomes the property of the union who moved the original motion. The union deals with it on behalf of the Conference. For example, the union might take decisions about compositing or accepting amendments. The union will move the motion at Congress on behalf of the Conference.

### **How are the debates conducted?**

The rules of debate may differ from those at some union conferences. These are some of the main points:

- a) *Moving and seconding a motion* – a mover of a motion may speak for up to six minutes. The seconder is allowed three minutes, although a motion can be formally seconded.
- b) *Debate and right of reply* – subsequent speakers on the motion are allowed three minutes. A delegate is not normally able to speak more than once in any debate unless permission is given by the Chair, to make a point of order or explanation. Whether or not a motion has been opposed, the mover may be allowed three minutes to reply to the discussion on the motion but no new issues may be introduced into this reply.
- c) *Moving an amendment* – the proposer of an amendment is called to speak immediately after the seconder of the motion. Like a motion, an amendment has to be seconded or it falls. Further amendments are called in

their order on the agenda. However, delegates moving amendments have no right of reply.

- d) *Voting* – delegates must remain in their seats during a vote. Voting is by a show of hands and all delegates are entitled to one vote. There are no union block votes and no card votes. It is the Chair's responsibility to call the result of the vote. However, four tellers are appointed at the start of Conference to count the hands raised in the event of a close vote.
- e) *Points of order* – delegates can raise points of order on the conduct or procedure of the debates.
- f) *Chair's ruling* – the Chair's ruling is final.
- g) *Standing orders* – the Standing Orders for the Conference can only be suspended if agreed by at least two-thirds of delegates to the Conference who are present and voting.
- h) *Speaking on a Report paragraph* - the Chair calls each paragraph in the Report in turn, and any delegate may intervene to make a point on that paragraph. Again, up to three minutes are allowed. A member of the Committee will usually then reply.
- i) *Timing of speeches* – it is important for delegates strictly to observe speaking time limits. If business over-runs allocated time it may be necessary during the course of



Conference to reduce speaking times. This requires a two-thirds majority on a vote to suspend standing orders.

### **Report of the TUC Disabled Workers' Committee**

As well as discussing motions, the Conference receives the Report of the TUC Disabled Workers' Committee, which reports the work of the Committee over the past year, including the implementation of resolutions from the previous Conference. Each paragraph is listed on the printed Order of Business distributed to delegates and the Conference proceeds paragraph by paragraph through the Report. Delegates are entitled to question the Committee on the issues contained in any paragraph when the number of that paragraph is called by the Chair.

Motions are ordered to correspond to the subjects of the paragraphs in the Report. The place of a paragraph or motion on the agenda is no reflection on the importance or priority of its content.

### **What other facilities and events are provided?**

TUC Publications together with a broad selection of books covering trade union and disability issues are on sale at the Conference bookstall and there is an exhibition with stalls from a number of disability organisations.

Some bodies also hold fringe meetings to which delegates and visitors are invited. Whilst these are an accepted feature of the Conference, the TUC is not able to publicise them formally or assist in their organisation. However, the

TUC circulates an informal list of such fringe events as they are notified to the TUC office.

## Section three

# Constitution and Standing Orders

## **Constitution**

### **1 Title and purpose of the conference**

The title of the Conference is the TUC Disabled Workers' Conference and its purposes are to:

- a) encourage disabled people to play a full and active role in the trade union movement; and
- b) advise the TUC General Council on issues of concern to disabled working people.

### **2 Date of conference**

The Conference meets annually for two days in the spring, unless otherwise decided by the TUC Disabled Workers' Committee.

### **3 Basis of representation**

All affiliated unions are entitled to be represented by a minimum of two delegates, provided always that they have paid the fee prescribed in Rule 3 of the Rules and Standing Orders of the Trades Union Congress. For affiliates with 10,000 or more members, the following entitlements also apply:

## **TUC Disabled Workers' Conference**

- a) Affiliated organisations with between 10,000 and 20,000 members shall be entitled to be represented by a total of 5 delegates.
- b) Affiliated organisations with between 20,001 and 50,000 members shall be entitled to be represented by a total of 10 delegates.
- c) Affiliated organisations with between 50,001 and 100,000 members shall be entitled to be represented by a total of 15 delegates.
- d) Affiliated organisations with between 100,001 and 500,000 members shall be entitled to be represented by a total of 20 delegates.
- e) Affiliated organisations with between 500,001 and 1,000,000 members shall be entitled to be represented by a total of 25 delegates.
- f) Affiliated organisations with over 1,000,001 members shall be entitled to be represented by a total of 30 delegates.

### **4 The Disabled Workers' Committee**

#### a) *General Council representation*

General Council members of the Committee are appointed by the General Council.

#### b) *Elected members – seventeen*

There are seventeen elected members of the Committee; 14

(Section A) are general seats, 1 seat (Section B) for black members, 1 seat (Section C) for LGBT members, and 1 seat (Section D) for women members. Each affiliated union is entitled to nominate one candidate for each Section. No candidate shall be eligible for election unless s/he is a delegate to Conference from her/his union. If a nominee is unable to attend the Conference, the nomination will only stand if the reason for non-attendance is acceptable to the Committee.

Voting shall be by ballot. Each trade union delegate attending the Conference has fourteen votes for Section A and 1 each for Sections B, C and D, with not more than one vote being given to any one nominee.

Any elected member of the Committee who during the year ceases to be the official representative of their nominating union will cease to be a member of the Committee. Should a vacancy occur during the year among the elected seats, the runner-up in the election at the previous Conference will be invited to fill it.

c) *Conference Arrangements Committee*

The Disabled Workers' Committee will act as the Conference Arrangements Committee.

## **5 Motions**

- a) Motions for the Conference agenda must be signed by the General Secretary of the union sending them and must reach the General Secretary of the TUC at least ten weeks before the date fixed for the Conference.
- b) Each affiliated union is allowed one motion, of not more than 200 words, which should deal with one subject only. The Disabled Workers' Committee, acting in their capacity as Conference Arrangements Committee, will draw to the General Council's attention any motion they consider does not comply with this requirement and the General Council will decide whether or not they are eligible for inclusion in the agenda. The decision of the General Council shall be final.
- c) The motions included in the preliminary agenda are sent to each union as soon as possible after the closing date for their submission. The order in which subjects will be discussed is decided by the Disabled Workers' Committee acting as the Conference Arrangements Committee.
- d) Each affiliated union is allowed two amendments, of not more than 60 words. All amendments to motions must reach the TUC General Secretary by a date to be decided by the Disabled Workers' Committee. Such amendments must be signed by the General Secretaries of the unions submitting them.

- e) Notwithstanding the above provisions, the Committee may submit emergency motions. Additionally, any union may, subject to the approval of the Committee, be permitted to submit an emergency motion for consideration of the delegates to the Conference. No such permission will, however, be granted unless:
  - i. such an emergency motion is received, signed by the union General Secretary, by the TUC General Secretary not later than the morning of 19 May 2015; and
  - ii. at least two-thirds of the delegates agree to its inclusion on the agenda
- f) In making arrangements for the Conference, the Committee has authority to take any steps considered necessary to co-operate with the unions submitting motions and amendments, in order that composite motions may be obtained wherever practicable. Failure to comply with the Committee's arrangements may involve a union's motion being deleted from the final agenda.
- g) Delegates will select, by secret ballot, one resolution of the Conference to go forward onto the agenda of the succeeding TUC Congress.

## **6 Hours of the Conference**

The Conference assembles at 11.00 on Wednesday and closes at 18.00; opening at 09.30 on Thursday and closing at 17.30, with a break for lunch from 12.45 and 14.15 each day.

## **7 Conference chair**

The Chair of the Conference will be elected by the Disabled Workers' Committee.

## **8 Business of the Conference**

The Conference considers the motions and amendments. There will also be an informal session. The agenda is sent to delegates not later than two weeks prior to the Conference.

## **9 Appointment of scrutineers and tellers**

The delegates appoint four tellers at the start of the Conference.

## **10 Limitation of speakers**

Six minutes are allowed for the movers of a motion and three minutes for each subsequent speaker. Speeches on behalf of the Committee are limited to six minutes unless otherwise agreed by the Conference. The Chair's address should be no longer than fifteen minutes. Guest speakers should not speak longer than the Chair.



A delegate may not speak more than once on any question unless permission to do so, on a point of order or explanation, is given by the Chair.

The mover may be allowed three minutes to reply to discussion on the motion concerned but no new matter may be introduced into such reply.

Delegates vote on the motion immediately the mover has replied.

## **11 Closure**

The Previous question, Next business, or the Closure of the debate 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 Standing Order 10.

## **12 Voting**

The method of voting at the Conference on all matters except the election of representatives to serve on the Disabled Workers' Committee, and the selection of one resolution to go forward onto the agenda of Congress, shall be by a show of hands. The Chair will order votes to be counted by tellers where the result of a show of hands is not clear.

**13 Suspension of standing orders**

Standing Orders may be suspended only if agreed by at least two-thirds of delegates to the Conference who are present and voting.

**14 Chair's ruling**

The Chair's ruling on all matters shall be final.





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