
Congress Decisions 2009

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Listed below are the decisions taken by the 2009 Trades Union Congress on the motions and amendments.

The numbers given to resolutions and motions refer to their number in the Final Agenda, or to that of the Composite or Emergency Motion.

This document also includes the General Council statements on the future of the UK economy and on the Middle East and the result of nominations and elections to the General Council and General Purposes Committee for the Congress Year 2009 - 2010.

Resolutions Carried

6 Bogus self-employment

Congress notes many employers are using the recession to casualise employment. This amounts to an attack on workers' pay and conditions.

Congress understands one of the most acute forms of casualisation is bogus self-employment, where workers are classified as self-employed but have all the characteristics of an employee.

Bogus self-employment denies workers basic employment rights. The bogus self-employed are at greater risk of injury, as they are likely to work on unorganised sites with low health and safety levels. Bogus self-employment reduces levels of training and apprenticeships.

Congress further notes that the Evasion Economy by Mark Harvey estimates there are at least 400,000 bogus self-employed workers in construction and that bogus self-employment via the Construction Industry Scheme costs the Exchequer £1.7 bn annually.

Congress welcomes the Warwick 2008 commitment to eradicate bogus self-employment from construction and the 2009 Budget announcement that the Treasury will hold a consultation into bogus self-employment in construction.

Congress calls on the General Council to campaign:

- i) to have the CIS tax scheme scrapped and to oppose all forms of tax status that create bogus self-employment
- ii) for a large-scale Government crackdown on employers who don't provide basic employment rights such as holiday pay, sick pay and redundancy pay for their workforce

iii) to name and shame companies who cut costs by casualising employment, thereby cutting workers' pay and conditions

iv) to end the confusion that exists around employment status so there are only two types of workers in the UK: employees and the genuine self-employed.

Union of Construction, Allied Trades and Technicians

12 Against racism, against homophobia

Congress recognises that the BNP is homophobic, sexist, racist and fascist.

Congress notes the British National Party's success in the London Assembly elections in 2008 in winning a seat, their campaign to win a seat at the Euro Elections in 2009 and their intention to run for the parliamentary seat of Dagenham and Rainham at the next general election.

Congress further notes that while social democratic parties have failed to slow the rise of the BNP, a prolonged economic recession could be the BNP's life-support machine.

Congress believes that the broadest public coalition is needed to stop the rise of the BNP and to stop them making a breakthrough into mass politics achieved by the far right throughout Europe.

Congress resolves to:

i) encourage affiliates to include in all anti-BNP materials that the BNP is homophobic and sexist as well as racist and fascist

ii) work with Unite Against Fascism, Searchlight and other organisations to expose BNP's homophobia and sexism

iii) recognise the pivotal role of school staff in anti-racist, anti-sexist and anti-homophobic education

iv) continue to use whatever appropriate methods available to stop the BNP and actively campaign against them whenever and wherever they appear

v) resist moves by the Mayor of London to derail anti-racist initiatives

vi) wherever the BNP have been elected, to discredit them publicly

vii) campaign for the political isolation and expulsion of fascists from trade unions

TUC Lesbian, Gay, Bisexual and Transgender Conference

15 Women's employment and the recession

Congress is concerned about the threats to customer services and employment in the UK finance industry arising from the crisis in world banking as manifested in the UK.

Congress notes the job losses announced in the finance sector and urges the Government to take action against unscrupulous employers who are using the credit crunch as an excuse to cut jobs.

Congress notes that the majority of employees in UK banks are women and that many work part time and are confined to the lowest grades. Congress calls on the General Council to support the demand that employers and HMG exercise their responsibilities to ensure that aggressive job reduction strategies are not pursued within the UK banking industry. Radical job cuts will have a negative impact on the economy as well as on service to the public.

Congress is deeply concerned at the impact the economic downturn will have on vulnerable women, including pregnant workers and single parents in temporary and agency work, particularly when reckless executives are still accepting huge bonuses and high salaries but not accepting responsibility. In addition, Congress is appalled that women workers will be denied the opportunities for education and training. This is due to the funding priorities and savage cuts in further and higher education which have a disproportionate effect upon this group in particular. Congress demands that this provision is restored.

Congress welcomes the Government's measures to help families at risk of repossession and demands measures to protect the most vulnerable workers in society by providing decent homes, tackling child poverty and fuel poverty, improving equality at work, protecting jobs and ensuring access to secure employment.

Congress therefore calls on the Government to:

- i) overhaul the finance sector and introduce tighter regulation
- ii) build one million new affordable homes
- iii) increase public spending in public services and end privatisation
- iv) support manufacturing through procurement and investment
- v) create a price commission for energy and a windfall tax on profits
- vi) introduce a fair tax regime to address the poverty gap
- vii) restore employment and collective rights for all workers.

TUC Women's Conference

The following Amendment was CARRIED

Insert new paragraph 5:

'The Women and Work Commission's final report notes progress in closing the pay gap has stalled. Low and unequal pay contribute to women's and children's poverty. Congress welcomes the Child Poverty Bill which gives new impetus to the fight against child poverty.'

Add new sub-paragraph viii) at end:

'viii) continue tackling child poverty as a priority.'

Union of Shop, Distributive and Allied Workers

16 Agenda for economic recovery

Congress notes that:

i) the people of Britain are experiencing the shock and awe of the turmoil in the financial markets and the banking sector, which has resulted in cuts in public spending, rising unemployment, wage cuts and home repossessions

ii) many in the financial sector continue to receive obscene pay, deny responsibility for the economic crisis and still extol the virtues of the free market

iii) many people suffer from the lack of heating while energy companies and suppliers show increases in profits and pay greater dividends to shareholders.

The challenge now for the Government is to steer the economy through the recession while protecting the most vulnerable and those least able to stand wage cuts and unemployment. It is sound economic sense to ensure greater disposable income for the poor, thereby creating demand to kick-start the economy, rather than relieving the rich of tax.

The biggest issue facing working people in Britain today is the carnage in social and economic terms of the recession. It is virtually certain that the employment/social impact will fall disproportionately on black people, especially young black people, for whom we have fought so hard over the years to ensure equality of opportunity.

Congress calls upon the General Council to lobby the Chancellor to continue to:

a) have greater regulation of the economy

b) increase public spending and accelerate the public works programmes

c) adopt measures to increase the pay of the poorest in Britain.

TUC Black Workers' Conference

17 Discrimination, recession and welfare reform

Congress notes that unemployment is predicted to increase to almost three million by 2010 and that disabled people are particularly at risk when unemployment rises.

Congress welcomes the announced increase in Access to Work funding but believes that even doubling the budget will prove inadequate to move one million people from incapacity benefits to employment. Congress believes that government proposals to abolish income support and compel disabled people, parents with young children and others to do work or training or lose benefits ignores the root causes of their circumstances and will disadvantage disabled people in particular. Congress opposes compulsion, and believes that voluntary entry to schemes is more effective.

Congress recognises that without measures aimed at tackling issues like discrimination and the lack of suitable childcare, government aims of increasing employment will be unachievable.

Congress resolves to:

- i) continue its campaign against the privatisation of public services, including initiatives supporting disabled people into work
- ii) support the TUC lobby of Parliament to protect Access to Work
- iii) press the Government to restore entitlement to Independent Living Fund (ILF) funding to all disabled people
- iv) support local and national campaigns to oppose attacks on services to disabled people.

Congress calls on the General Council to work with affiliates and other campaign groups to promote compassionate public service employment support and for welfare provision that:

- a) provides a safety net including increased levels of benefit and entitlements
- b) supports disability employment costs and the eradication of poverty
- c) does not allow organisations to profit from the unemployed
- d) provides fair, equal and publicly accountable treatment.

TUC Disability Conference

20 Save our steel

Congress recognises the importance of the steel industry to the UK economy. The steel industry supports entire communities in areas away from the metropolitan areas of a service-led economy. Congress notes with concern the many thousands of job losses in the steel industry this year and the continuing effects of the economic downturn on the industry. Steelmaking is crucial to the future of UK manufacturing. Without a domestic steel industry our automotive and aerospace industries would consider relocation to countries that can supply their steel. Therefore, Congress calls on the UK Government, in its new spirit of industrial activism, to take a pro-active approach to supporting the bedrock of UK manufacturing - the steel industry.

Community

25 Attacks on terms and conditions

Congress recognises the damaging effects of the recession on businesses and charities across the UK. Congress welcomes the work of trade unions to seek viable solutions with employers to getting through the downturn that safeguard jobs for the future. However, Congress condemns those employers that have seized the recession as an opportunity to attack workers'

terms and conditions with no guarantees of job security in return and condemns those employers that are merely trying to maximise profits while crying poor.

In particular, Congress notes with concern the recession being used as an excuse by employers to further the demise of final salary pension schemes. Congress calls on all unions and the TUC to campaign to defend final salary pension schemes as the best provision for security in retirement.

Community

The following Amendment was ACCEPTED

Insert new paragraph 2:

'Congress specifically condemns the actions of Diageo this year, which demonstrate the worst excesses of corporate opportunism at a time of recession, condemning more than 900 workers to the dole in order to maximise profits to shareholders. Congress calls on unions to support the campaign to keep the plants open.'

Unite

32 People's Charter

Congress agrees to support the People's Charter, which sets out a programme for challenging the economic crisis and for a fairer society including:

- i) a fair economy: taking leading banking, insurance and mortgage industries into public ownership; ending raids on pension funds, asset-stripping and corporate tax loopholes; restructuring tax so big business and the wealthy pay more
- ii) more and better jobs: building full employment, protecting existing jobs and investing to create new jobs with decent pay; raising the minimum wage and ending the lower rate for young workers
- iii) decent homes: stopping repossessions, controlling rents, giving local government the power and funds to build and renovate millions of affordable quality homes and buy empty properties
- iv) saving and improving our services: ensuring energy, transport, water, post and telecommunications are in public ownership; ending profiteering in public services; stopping EU privatisation directives
- v) fairness and justice: free heating and transport for every pensioner; linking state pensions and benefits to average earnings; protecting pension schemes; ending child poverty; enforcing equal pay for women; ending racism and discrimination; no scapegoating migrant workers; guaranteeing training, apprenticeships and education with grants and no fees; restoring trade union rights

vi) a secure and sustainable future: ending the cost of war and nuclear weapons; bringing our troops home; getting rid of the debt economy and cancelling the debts of the poor of the planet.

Congress agrees to build support for the Charter in workplaces and communities to assist in achieving a million UK signatures to demonstrate that the Government must put people first.

National Union of Rail, Maritime and Transport Workers

The following Amendment was ACCEPTED

Delete final paragraph and replace with:

'Congress agrees to build support for the principles outlined in the Charter in workplaces and communities to help promote progressive policies in the Labour Party and to assist in achieving a million UK signatures to demonstrate that the Government must put people first.'

Unite

35 Britain's Got Talent

Congress notes with concern the continuing reliance of television companies on reality formats to attract large TV audiences and in particular the increasing numbers of 'talent search' programmes such as Britain's Got Talent. The contestants in such programmes are often compelled to enter into restrictive contracts and because of a loophole in the National Minimum Wage Act for competitions they generally do not get paid.

Congress believes that talent search programmes give young people the misleading idea that it is easy to get into and succeed in the entertainment industry.

These programmes may be very popular with the public but are based on exploitation and humiliation of vulnerable people, which cannot be acceptable. A poll by The Guardian found that 67 per cent of the British public thought Susan Boyle, a contestant on Britain's Got Talent, had been exploited.

The public's demand for high quality entertainment should be met by professional drama and light entertainment, which has been replaced by this cheap exploitation.

Congress therefore resolves to:

- i) call on the makers and broadcasters of reality programmes to ensure that performers in talent search shows are paid in line with industry agreements
- ii) highlight the inadequacies of the National Minimum Wage Act, which allow TV companies to exploit people and justify them working for nothing
- iii) campaign for more variety and light entertainment, comedy and original drama to be commissioned and made in the UK, drawing on the talents of professional performers.

Equity

36 Transport

When the Working Time Regulations were introduced during 1998, 'mobile workers' were excluded from the definition of those who were protected by the legislation. Consequently, the various sectors of the transport industry had separate regulations that related to their own particular sector introduced by Parliament.

Under the Employment Rights Act 1996, employees are protected from unfair dismissal. Under this legislation, it is automatically unfair to dismiss an employee if they seek to assert a statutory right under the Working Time Regulations (s.104). It is automatically unfair if a worker refuses to obey an order that violates the Working Time Regulations (s.101A). In this respect, the definition of the Working Time Regulations has been extended, as stated above, through separate Regulations, so as to include merchant seamen, fishermen and railway workers. It does not, however, include lorry drivers under the Road Transport (Working Time) Regulations. This means that lorry drivers, who have been employed for less than one year, are not protected by the Employment Rights Act 1996, if they raise a working time concern with their employer and are subsequently dismissed. Congress recognises that this must now end.

Congress calls upon the General Council to seek an amendment to the Employment Rights Act 1996, s.101A and s.104, from the Government, so that the Working Time Regulations are extended to include the Road Transport (Working Time) Regulations.

United Road Transport Union

38 UK indigenous coal reserves

Congress demands that the Government give serious consideration to the exploitation of the current deep-mined indigenous coal reserves.

The Coal Authority should be tasked with the duty of correlating the deep-mined coal reserves and reporting clearly on how effectively and efficiently these reserves can be exploited.

Whilst criticism is often focused on the heavy reliance of imported energy, including gas, Congress understands that nearly two-thirds of the nation's coal-burn in UK power stations last year (68mt) was from imported coal. Much of this comes from some of the most politically unstable countries in the Western world, including Russia, where the UK imports up to 20 million tonnes per annum.

Security of supply is a major issue facing our nation. The UK is now a net importer of energy. That cannot be healthy for our island which is rich in natural minerals such as coal.

The world continues its insatiable desire to burn growing amounts of coal, resulting in most coal-producing countries increasing their levels of production. The impact globally sees an escalating trend in coal-burn across the world set to increase from the current levels of approximately 3.5 billion tonnes to 7 billion tonnes in 2030.

The current position regarding coal imports places a huge burden on the balance of payments. Coal generates at least 35 per cent of our electricity. We import at least 70 per cent of our coal requirements. As has been said many times before, 'It's the economics of the madhouse.'

National Union of Mineworkers

The following Amendment was ACCEPTED

In penultimate paragraph, line 4, replace '3.5' with '5.5'.

Add new paragraph at end:

'In 2008 UK production stood at 18 million tonnes but capacity could be increased to 20 million tonnes. In addition to the economic benefits, such a target would retain valuable skilled employment and contribute to security of supply. Congress is asked to seek Government support for such a production target.'

BACM-TEAM

43 East coast mainline

Congress welcomes the Government's decision to take the east coast mainline franchise back into public hands for the second time in three years following National Express's failed stewardship of the economically and strategically vital route and believes that the operator should be stripped of its remaining East Anglia and C2C franchises and banned from ever again running rail services in the UK.

Congress asserts that the ease with which National Express was able to renege on its contractual obligation to pay the Government £1.4bn by 2014 demonstrates that the rail franchising system cannot deliver the investment or certainty that passengers or taxpayers deserve and notes with regret that the Department for Transport intends to re-let the franchise in 2010.

Congress notes that the one constant among the many variables of the franchising process are the workers. It applauds the efforts of all staff on the east coast mainline amid the uncertainties of recent months and once again reiterates its belief that the optimum model for running a rail network is on a centrally run, publicly owned and vertically integrated basis.

Congress instructs the General Council to:

- i) lobby and campaign for the east coast franchise to be retained as a public company administered by the Government and run on a not-for-profit basis, rather than re-let to the private sector
- ii) pressurise the Treasury and Department for Transport into ensuring that the financial shortfall does not affect important infrastructure projects, such as electrification and the development of high speed rail.

Associated Society of Locomotive Engineers and Firemen

The following Amendment was ACCEPTED

Add new final paragraph:

'The collapse of the franchise again demonstrates the failure of privatisation and Congress continues to support full renationalisation of the railways and London Underground and oppose the privatisation of Tyne & Wear Metro and Eurostar and also the latest threat to fragment and privatise Cal Mac Ferries.'

National Union of Rail, Maritime and Transport Workers

44 Transport

Congress recognises the urgent need to introduce a scheme to improve LGV drivers' facilities by refurbishing existing facilities and building new ones, to allow professional drivers to park their vehicles in a secure vehicle park overnight. Congress believes this can be achieved through central Government and European funding initiatives, but on a much larger scale.

The lack of decent facilities nationwide results in many professional drivers resorting to parking lorries in areas and lay-bys with no facilities whatsoever. This cannot be allowed to continue.

Congress recognises the problems that a lack of decent facilities creates for society as a whole and calls on the General Council to address with the Government the problem of overnight, secure parking for LGV drivers at its earliest opportunity.

United Road Transport Union

45 Maritime policy

Congress deplores the Government's failure to develop and maintain a 'joined-up' approach to maritime policy. Whilst welcoming the increase in UK-flag shipping since the introduction of the tonnage tax scheme, Congress notes with concern the continuing reduction in the UK maritime skills base and the failure of the Government to respond to policy proposals submitted by all sides of the shipping industry early in 2007. Congress also notes with concern the continuing instances of exploitation and abandonment of seafarers in UK ports and waters, as well as the significant number of accidents in which problems of excessive working hours and fatigue are key factors. Congress also deplores the damaging impact of measures such as the continued restriction of the Seafarers' Earnings Deduction taxation arrangements and the marked expansion in the issuance of certificates of equivalent competency to allow a pool of low-cost labour to be created for UK shipping. Congress therefore calls upon the General Council to:

- i) lobby the Government for further measures to safeguard UK seafarer employment and training
- ii) seek increases in the staffing and resources of the Maritime and Coastguard Agency to ensure that it is adequately prepared to implement and enforce the international Maritime Labour Convention to protect the rights of seafarers on UK ships and on foreign ships visiting UK ports

iii) press for action to end the scandal of seafarer fatigue and to enforce realistic crew levels and effective hours of work and rest.

Nautilus International

46 Piracy

Congress notes with concern the marked rise in the number of pirate and armed attacks on merchant shipping. Congress also notes that the levels of violence being used against seafarers have also increased dramatically. Whilst significant attention has been paid over the past year to piracy off the coast of Somalia, Congress notes that this is a global threat and that seafarers in many other parts of the world are also facing the risk of being robbed, held hostage or attacked.

Congress welcomes the deployment by the UK and other EU member states of naval vessels to protect merchant shipping in the waters off Somalia. However, Congress also notes that the problem of piracy cannot be solved on the high seas, but needs long-term political and developmental support to address the root causes.

Congress therefore calls for the TUC to campaign for:

- i) the UK and other EU member states to continue to maintain and develop protection for merchant shipping in high-risk areas
- ii) the UK and other EU member states to intensify political and developmental initiatives to address the factors that help to create piracy
- iii) shipowners to take more precautions to protect their employees, including increasing crew levels in dangerous areas and installing alarms and other defensive equipment
- iv) resisting pressure for merchant ships and seafarers to be armed
- v) improvements to the international conventions covering ship security and safe crewing levels.

Nautilus International

47 Air passenger duty

Congress notes the Government's decision to increase drastically the rates of air passenger duty (APD) from November 2009 onwards. This will mean that next winter a family of four flying to a popular tourist destinations (such as the Caribbean or South Africa) will pay £300 in duty alone.

Congress further notes that in July 2008 the Dutch Government introduced a similar tax to APD, yet abolished it with effect from July 2009 when economic research commissioned by the Dutch travel and tourism industry found a loss of 10 per cent in passengers at Dutch airports, with a reduction in revenue for the industry of ?1.2 billion/annum.

Congress believes that:

- i) such a regressive tax will hit hard-working families the hardest
- ii) the impact of the duty on an already fragile industry will be extremely serious
- iii) there is a significant threat of the export of jobs to hub airports in neighbouring countries
- iv) climate change is an international occurrence, and as such the correct way to combat it would be to develop a global emissions-trading scheme.

Congress therefore resolves to campaign against the increases in air passenger duty.

British Air Line Pilots' Association

55 NHS waiting time targets

Congress is concerned over the recent government announcement that Primary Care Trusts will be funded so that patients who cannot be guaranteed a 'two week' wait can go private.

Congress believes that the Government's focus on waiting time targets is not always in the best interests of patients, nor necessarily supports the Government's drive, supported by Congress, to improve the quality of care.

At present, patients who are not clinically urgent are receiving diagnostic imaging as a priority due to the 'two week' wait. This is sometimes at the cost of delaying clinically urgent ward patients due to limited staffing levels. Anecdotal evidence suggests that imaging staff are increasingly forced to take on excessive workloads, or work extended hours to meet waiting time targets. Congress believes that this is not in the best interest of staff or patients.

Congress calls on the General Council to urge the Government to review:

- i) the impact of waiting time targets on the quality of care to patients
- ii) the impact on staff workloads and staffing levels
- iii) its policy of funding to PCTs in respect of the 'two week' wait.

Society of Radiographers

57 Child protection services and media coverage of baby Peter

Congress believes that some of the media coverage of the 'baby Peter' and other child protection cases has been hysterical in nature. It further believes that this type of coverage is unhelpful and destructive as it has a destabilising affect on staff morale and crucially on the recruitment and retention of key front-line child protection practitioners.

The fact is that potential recruits to these professions are less likely now to enter them; as they can see that the security of their future employment can be the subject of extreme media speculation and comment.

In some cases, services are now experiencing vacancy levels exceeding 50 per cent and staff turnover rates that undermine the continuity and integrity of the services being provided. The consequence of this is that the very children who depend upon those services for protection are now less safe than they were.

Congress calls on the Government to take positive steps to restore public confidence in these services by appropriately valuing and supporting child protection practitioners and, in particular, by making resources available to:

- i) offer attractive career opportunities and paths
- ii) ensure high quality initial training and on-going access to continuing professional development (CPD)
- iii) retain experience and expertise within key child protection roles
- iv) guarantee appropriate supervision and workload management systems for all.

Association of Educational Psychologists

The following Amendment was ACCEPTED

At end of paragraph 1, add 'in both the public sector and associated services in the voluntary sector.'

Community

59 Children's workforce

Congress confirms its broad support for the basic principles underpinning the Every Child Matters agenda, which prioritises five outcomes for all children and young people: staying safe, being healthy, enjoying and achieving, making a positive contribution, and achieving economic well-being. In this context, Congress welcomes the Government's commitment to, and related investment in, developing the children's workforce and improving its training and deployment of relevant skills and expertise. Congress further affirms that the evolution of a consistently high-quality children's workforce, ambitious for every child and young person and committed to excellence in practice and to partnership and integrated working, requires:

- i) early consideration of appropriate machinery to ensure fair pay and conditions of employment for staff in all sectors of this 2.7 million-strong workforce, and overcoming current recruitment and retention difficulties within key occupational groups
- ii) measures to highlight and promote the continued availability of specialist professional supervision for practitioners in distinct children's services professions, in all localities, as multi-disciplinary teamworking extends
- iii) encouragement of wider discussion and debate over modern holistic approaches to child development, including international experience of the theory and different forms of practice of social pedagogy.

Aspect

60 Information, advice and guidance (IAG) in education

Congress believes that a lynchpin of educational success for young people is that they are placed on the right learning pathway in the first instance: that is, the programme that suits their talents, aspirations and interests. When the choice of programme does not suit the young person then their chances of success are dramatically reduced. In spite of this self-evident truth standards of IAG have been poor for decades. Too often guidance serves the institution rather than the student; it is often unimaginative and under-ambitious; it frequently acquiesces with stereotypes; too often it is ill-informed.

The September guarantee, the Diploma and the raising of the participation age are all policies that demand excellent information, advice and guidance for young people.

Congress calls on the Government to lift standards of IAG practice by supporting and resourcing the development of:

- i) a culture of excellence, ambition and impartiality
- ii) best practice benchmarks
- iii) high quality training.

Association for College Management

61 Education and the recession

Congress notes:

- i) the economic devastation caused by the collapse of the global financial markets, leading to the second largest rise in unemployment since records began
- ii) the disproportionate impact of the recession on young people: over one million under-25s expected to be unemployed by next year
- iii) proposed government 'efficiency savings' of £35 billion by 2010/11
- iv) the devastating impact of the recession on further and higher education, with thousands of educators' jobs cut, millions of course places slashed, and communities devastated.

Congress believes that education has inherent value, and should be accessed by right, not as a matter of privilege. It has the potential to generate the knowledge and creativity that will drive economic recovery and reinforce our cultural understanding and confidence.

Colleges and universities are at the heart of any successful strategy to combat recession through open access to all who wish to re-skill and retrain. The restoration of Equivalent or Lower Qualification (ELQ) funding, and the provision of proper funding for all adults seeking access to post-school education, are urgent requirements.

Congress rejects:

- a) the continuing drive to privatisation and marketisation of education, which drives down quality and increases casualisation
- b) the commercialisation of research in universities and the resulting restrictions on academic freedom.

Congress calls on the General Council to campaign:

- 1) for a reversal of ELQ cuts, and for proper funding for both further and higher education to provide real educational opportunities for the growing numbers of unemployed people
- 2) against attacks on the jobs, pay, pensions and conditions of college and university staff.

University and College Union

62 Bonus culture

Congress celebrates the values and commitment of staff in public services, which are overwhelmingly shared by leaders and managers of those services, and recognises the contrast with the private sector with its emphasis on short- term profits and personal gain.

Congress believes that importing market values into the public sector has bred a culture of bonus payments that has started to undermine the collaborative approach to public services. In the education sector, the incursion of the bonus culture has been highlighted by the cases of allegedly unlawful payments made to headteachers, and the loss of public control of schools, and particularly academies, which are public assets.

Congress fears that these are not isolated examples, and calls on the Government to:

- i) review financial accountability mechanisms for schools, including academies
- ii) replace the statutory provisions in the School Teachers' Pay and Conditions Document, permitting school leaders to receive unlimited additional pay above their normal maximum pay levels, with clearly defined limits, together with criteria for any additional payments
- iii) ensure that all school governing bodies are aware of the new provisions and have adequate mechanisms for setting and monitoring pay levels in their schools.

Association of Teachers and Lecturers

The following Amendment was ACCEPTED

In paragraph 3, insert new sub-paragraph iii):

'iii) introduce a new statutory duty on all schools to publish details annually of the pay and rewards of headteachers and other school leaders'

Re-number the remaining sub-paragraph.

NASUWT

63 Demand-led learning in further education

Congress considers that the concept of demand-led learning is a sleight of hand. While the Government has subsidised employers to encourage their demand for learning and enable that demand to be manifest, it has withdrawn public subsidies from other areas of adult learning, including English for individuals whose first language is not English. Demand for learning is not the same as need for learning, and for those who are disadvantaged and lack skills public subsidy is necessary to allow need to become demand.

Further education colleges are leaders of learning in their communities and are in the best position to understand and respond to the unique pattern of needs, both of individuals and of employers, in those communities.

Congress calls upon the Government to give colleges the flexibility and discretion to respond to local needs within broad government policy outcomes of employability, a highly skilled workforce, combating disadvantage and supporting social cohesion.

Association for College Management

64 Prison privatisation

Congress welcomes and fully endorses the POA initiative and campaign Prisons Not For Profit and condemns the UK Government for its continued privatisation of prisons, the probation service and the justice system.

Further, Congress recognises that the market testing of prisons, with an overriding threat of prisons being handed over to private companies, will neither develop the prison system nor assist in rehabilitating offenders on release. Privatisation will not cause a reduction in offending behaviour and these policies will lead to a further breakdown of a civil society in which street crime, burglary, robbery, murder and terrorism will be allowed to flourish.

POA

The following Amendment was ACCEPTED

At end of paragraph 1, replace full stop with comma and add: 'including the forensic science service. Plans to close three laboratories will seriously undermine the collection and analysis of evidence.'

Add new paragraph at end of motion:

'Congress calls on the Government to work with the unions concerned to develop a national policy statement on forensic science setting out a clear and positive future direction.'

Prospect

65 Probation service cuts

Congress recognises the major threat posed to the future effectiveness of the criminal justice system (CJS) as a result of proposed Treasury cuts in its budget. It condemns the Government's reckless and unjustifiable cuts to the CJS.

If implemented in the probation service, these cuts could reduce the number of staff by up to 20 per cent. They threaten the livelihoods of hard-working staff and place communities at risk as a result of the probation service being unable to meet the heavy workload demands placed on it - workloads which are increasing due to the impact of the recession on people's lives.

Congress praises the dedicated work of probation staff challenging offending behaviour and changing lives whilst living with the uncertainty of job losses. It is appalled that more than half of trainee probation officers currently expect to be without a job on completion of their studies. Congress will actively support probation unions' calls for a significant increase in funding for frontline services and the use of industrial action, if necessary, in order to save jobs and maintain the high quality practice that has characterised the work of the probation service for the past 100 years.

Napo

66 Emergency fire control regionalisation

Congress condemns the determination of the Government to press ahead with the regionalisation of emergency fire controls in England. This is despite the escalating costs, the lack of support within the fire and rescue service and very clear evidence that this initiative will lead to a poorer level of service to the public, as well as threatening firefighter safety.

Congress also condemns the threat to jobs, terms and conditions in emergency fire controls as a result of this government initiative. The move to regional controls will lead to the loss of up to 900 jobs. Over the past year, clear evidence has emerged that fire service employers in the new Local Authority Controlled Companies (LACCs) intend to use the opportunity of the establishment of new controls to slash the terms and conditions of fire control staff. Congress notes that the LACCs are totally unaccountable to the local people who pay for their fire and rescue services through their council tax.

Congress reiterates its support for the campaign by the FBU against this project.

Congress further calls for the scrapping of the LACCs and for all aspects of local fire and rescue services to remain under local democratic control.

Congress notes the latest phase of the campaign by the FBU in defence of jobs, terms and conditions and pledges full support to the FBU strike action which now appears inevitable as a result of this attack on fire service jobs and conditions.

Fire Brigades' Union

71 Performers' moral interests

Article 27 (2) of the Universal Declaration of Human Rights states that 'everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.'

Moral interests define the right to be recognised as the author and/or performer of the work but also the right to object to use of the work in situations which contravene the beliefs and morals of the author/performer. Two recent examples have highlighted the poor protection of performers' moral interests in this country - the sale of CDs through the BNP's website and the use of music as part of torture processes. In both cases, the performers had no legal right of objection.

The possible uses of a recorded performance have exploded in recent years due to the development of digital technologies. Therefore Congress asks the General Council to join the lobby for a higher level protection for performers in order to enable them to exercise control over how their recordings are being used.

Musicians' Union

72 Media freedom

Congress welcomes the recent court ruling in favour of investigative journalist Suzanne Breen over protection of journalists' sources.

Congress salutes Suzanne's courage and determination in upholding a fundamental principle that is recognised by journalists worldwide.

Congress also notes recent reports on the policing of protests, including the G20 and Climate Camp, and welcomes calls for police and other authorities to respect the rights of working journalists covering protests and public order issues. Congress notes formal apologies from the police to NUJ and BECTU members over their unlawful detention at Kingsnorth.

Congress expresses its concern that these cases represent yet another example of increasing state interference in media freedom.

In many countries, including the UK, protection of sources is increasingly threatened, under the pretext of the 'war on terrorism' or immigration policies. Congress notes the rise in the number of attacks on protection of sources and on journalists' rights to work without government surveillance. Increasing use of stop and search powers, confiscation of cameras, denial of access and arbitrary arrest are part of an increasingly intolerant attitude towards media freedom.

Congress calls on the General Council to make active representations to Government and the police to respect the right of all workers, in particular frontline journalists, to carry out their role free from hindrance or unlawful obstruction or intimidatory surveillance.

National Union of Journalists

73 Workers in adult entertainment

All workers have a right to earn a living and to access trade union membership, representation and support. Congress reaffirms its commitment to representing all workers, regardless of workplace or industry, including those in the adult entertainment sector.

Under the proposed Policing and Crime Bill, a large number of venues will be reclassified as 'sex encounter establishments' and will require Sex Encounter Establishment Licences in addition to the existing premises licence. This could cost up to £30,000 per venue.

Congress believes that this legislation will reduce the number of workplaces available to workers such as dancers. Already there have been instances where local councils have introduced additional licensing requirements. Consequently, burlesque and other dance events have been cancelled and performers have lost work.

Congress further believes that use of the terms 'sex encounter' and 'sex establishment' gives the wrong expectation of the work dancers do in this field of entertainment.

Entertainment venues that currently employ professional dancers are sufficiently covered by the Licensing Act 2003. Congress therefore calls for the removal of Section 26 of the Policing and Crime Bill.

Equity

74 Human trafficking

Congress notes with concern that, despite the efforts of Government and a range of other agencies, the trafficking of men, women and children into this country continues apace.

Congress is aware that trafficking is carried out to take advantage of vulnerable people either in an employment context or as a means of exploiting people sexually.

Congress supports the continuing efforts of Government and the other agencies involved in:

- i) raising awareness of trafficking, particularly for the purpose of sexual exploitation
- ii) establishing the full extent of trafficking within the UK
- iii) developing policy and strategic objectives to end this exploitative practice.

Congress, therefore, calls on the General Council to continue to raise awareness amongst affiliates of the extent of trafficking within this country and of the efforts being made to bring this abhorrent practice to an end.

Educational Institute of Scotland

The following Amendment was ACCEPTED

Insert new paragraph 3:

'Congress also recognises that child prostitution is one of the abuses of human rights that results from such trafficking.'

In the final paragraph, line 2, turn all from 'raise' to the end into sub-paragraph a), and then add new sub-paragraph b):

'b) work with the Global Union Federations, ETUC and ITUC to encourage trade unions around the world to lobby their own governments to take concerted action to prevent prostitution of children.'

Association of Teachers and Lecturers

75 Colombia

Congress is outraged by the increasing numbers of trade unionists being assassinated in Colombia. In addition to the killings our education colleagues are regularly jailed without trial, threatened, physically attacked or forced to flee their homes and jobs. Colombia remains the most dangerous country in the world for trade unionists.

Congress believes that the administration of President Uribe is complicit in the violence and is appalled by the lack of any effort by the regime to put an end to the attacks and safeguard the lives of Colombian trade unionists.

Congress notes that the Colombian trade union movement is clearly opposed to both military aid and the proposed EU-Colombia Free Trade Agreement (FTA).

Congress is pleased that the US, Canada and Norway have refused to sign FTAs due to human rights concerns and notes that the US has frozen millions of dollars in military aid to Colombia.

Congress is therefore appalled by the current FTA negotiations between Colombia and the European Union and by the ongoing provision of British military aid to Colombia. Rewarding Colombia with trade agreements and military assistance when there has been no improvement in human rights does nothing to improve the situation.

Congress calls on the General Council to:

- i) campaign vigorously to prevent the European Union from signing an FTA with Colombia
- ii) oppose strongly ongoing UK military aid to Colombia
- iii) call on our Government to speak out about the plight of Colombian political prisoners
- iv) support the work of Justice for Colombia.

University and College Union

76 Palestine

Congress condemns the Government of Israel's January offensive in Gaza resulting in 1,450 Palestinians deaths and 5,000 injured and the massive destruction of infrastructure.

Congress further condemns the ongoing blockade that is in contravention of International Law.

Congress calls on the General Council to:

- i) use its influence with the British Government to make appropriate representations to the international community to secure support for a negotiated settlement based on justice for the Palestinians
- ii) build solidarity with the Palestinian General Federation of Trade Unions.

Congress condemns the Histadrut statement of 13 January 2009 in which it backed the attacks on Gaza and calls on the General Council to carry out a review of the TUC's relationship with Histadrut.

Congress calls on the General Council to pressure the Government to:

- a) condemn the Israeli military aggression and end the blockade on Gaza
- b) end all arms trading with Israel
- c) impose a ban on the importing of goods produced in the illegal Israeli settlements in the Occupied Territories
- d) support moves to suspend the EU-Israel Association Agreement.

Congress further calls on the General Council to encourage affiliation to the Palestine Solidarity Campaign and to develop an effective Boycott, Disinvestment and Sanctions campaign by working closely with the PSC to:

- 1) raise greater awareness on the issues
- 2) promote a targeted consumer-led boycott
- 3) encourage trade unionists to boycott Israeli goods, especially agricultural products that have been produced in the illegal settlements
- 4) encourage campaigns of disinvestment from companies associated with the occupation.

Fire Brigades' Union

The following Amendment was WITHDRAWN

At the end of paragraph 1, insert: 'and Hamas' rocket attacks against Israeli civilians.'

At the end of paragraph 2, insert: 'and prevents vital supplies from reaching the people of Gaza.'

In paragraph 3, at end of sub-paragraph ii), insert: ', including through project support and encouraging and supporting stronger relations with the Histadrut.'

In paragraph 4, line 1, replace 'condemns' with 'regrets'. In line 2 insert a full stop after 'Gaza' and delete the remaining words in the paragraph.

In paragraph 5, delete sub-paragraph b). Renumber existing sub-paragraph c) as b) and insert at the start of it 'seek EU agreement to'. Renumber existing sub-paragraph d) as c).

In paragraph 6, delete all from 'to develop' in line 2 to 'PSC' in line 3. Delete sub-paragraph 2) and renumber sub-paragraph 3) as 2). In this new sub-paragraph 2), add 'those' before 'Israeli goods' and replace ',especially' with 'and'. Re-number sub-paragraph 4) as 3), inserting at end: 'and pressure companies to withdraw from building the separation wall.'

GMB

The following Amendment was ACCEPTED

Add new final paragraph:

'Congress asserts that in undertaking these actions each affiliate will operate within its own aims and objectives and within the law.'

University and College Union

78 Asbestos

Congress expresses its grave and continuing concern that asbestos, the biggest and rising cause of workplace deaths, is a silent killer that remains in our schools and colleges. Because of this, children who are particularly vulnerable, as well as teachers and support staff, are being sentenced to an early death. This will continue into the indefinite future unless much tougher action is taken.

Congress welcomes the TUC's partnership with teaching unions campaigning for the removal of all asbestos in educational establishments, and calls for:

- i) an assessment to be made of the risk to the occupants
- ii) a comprehensive audit of the extent, type and condition of asbestos in educational establishments, and the standards of management
- iii) the Asbestos in Schools campaign to be reinstated
- iv) training for those involved in asbestos management in schools, including headteachers, chairs of governors and other staff and governors with responsibility for health and safety
- v) all asbestos in schools and colleges to be identified and removed in a phased programme to be completed by 2015, with asbestos in the most dangerous condition being removed first.

Association of Teachers and Lecturers

79 North Sea safety

Congress welcomes the speed of the Air Accident Investigation Branch's initial response into the Super Puma fatal accident, calls on the helicopter industry to implement the initial recommendations on the AS332L2 helicopter forthwith and pledges the support of all affiliates in pursuing the highest standards of safety in the North Sea.

Congress believes that we all need to be ever-vigilant and can never take flight safety for granted. Whilst it welcomes the establishment by the Oil and Gas Industry of a helicopter accident task group, Congress notes with concern that it will be of relatively narrow composition with direct input neither from the trade unions that represent the very people who have their safety inexorably linked to that of helicopters nor from independent flight safety experts.

Congress believes that there should be openness and transparency in all offshore safety-related activity. Therefore in the wake of this particular tragedy, but more generally in the light of the increasingly commercially competitive environment of the oil and gas supply industry, it calls on politicians in Westminster and Holyrood to convene a high-level summit involving the broadest range of interests to thoroughly understand the current safety regime in the North Sea in general and the helicopter industry in particular, and to identify whether there are risks to that regime.

British Air Line Pilots' Association

80 Performers' occupational ailments

The fact that performers can and do suffer from a range of illnesses associated with their profession is not generally recognised. These include musculo-skeletal ailments, focal dystonia, and occupational deafness. They can affect a performer at any time during their careers and can be exacerbated by the rigours of working irregular hours, night working and being subjected to significant levels of stress.

Congress therefore asks the General Council to examine the provision of compensation under the occupational diseases scheme, as currently operated in the UK, with a view to obtaining the recognition and inclusion of occupational diseases affecting performers in the existing list of workers to be found in the Social Security (Industrial Injuries, Prescribed Diseases) Regulations, 1985.

Furthermore, Congress requests that the General Council pursues, at European level, the introduction of protective legislation to cover performers' occupational illnesses within the European Framework Directive.

Musicians' Union

81 High heels

Feet bear the brunt of daily life, and for many workers prolonged standing, badly fitted footwear, and in particular high heels can be a hazard in the workplace. Around two million days a year are lost through sickness as a result of lower limb disorders. In 2007 the Society of Chiropodists and Podiatrists launched its working feet campaign to give women some helpful foot care advice on how 'working feet' problems can be avoided. Following this campaign in

2008 the TUC issued a guide called Working Feet and Footwear, which includes a checklist for health and safety representatives.

Many employers in the retail sector force women workers to wear high heels as part of their dress code. Wearing high heels can cause long-term foot problems, such as blisters, corns and callus, and also serious foot, knee and back pain and damaged joints. However, more needs to be done to raise awareness of this problem so that women workers and their feet are protected.

Congress calls on all employers who have dress codes that promote high heels to examine the hazards their women workers face and ensure that proper risk assessments are carried out, and that where these show the wearing of high heels is hazardous the high heels should be replaced with sensible and comfortable shoes.

Congress believes high heels may look glamorous on the Hollywood catwalks but are completely inappropriate for the day-to-day working environment.

Society of Chiropodists and Podiatrists

82 National TUC strategy for the defence of the TUC unemployed workers centres

Congress appreciates the contribution made since the TUC Congress of 1981 instructed Trades Union Councils to establish the TUC Unemployed Workers Centres, to represent Congress on issues of unemployment and poverty.

In what could turn out to be the greatest economic slumps since the 1930s, millions of workers face job losses, homelessness and poverty, at a time when TUC Unemployed Workers Centres in England have reduced in numbers to 35 from a peak of 200 in 1986.

Congress proposes the following campaigns to unite the trade union movement. Congress believes this could be the basis of a 2009 response by the TUC to the economic slump:

- i) a national launch of a campaign to support the TUC Congress motion of 2008 opposing the Government's welfare reforms
- ii) a national launch of a campaign calling for state intervention to protect jobs, similar to the state intervention to bail out the bankers
- iii) a national launch of a trade union-led campaign to establish a redundancy counselling service for workers losing their jobs
- iv) a national launch of a campaign to protect workers from unfair dismissal by employers using the economic slump as an excuse to get rid of staff who stand up for their rights
- v) a national launch of a campaign against poverty for workers with and without jobs in this time of economic slump
- vi) a national launch of a campaign to save the TUC Unemployed Workers Centres

vii) a national launch of One Fund For All in every workplace in our regions where we have union members, to raise funds for our centres to continue their commitment to the unwaged.

Trades Unions Councils Conference

83 Democratic renewal

Congress is dismayed that many politicians have broken the bond of trust with citizens in the claiming of allowances, damaging also trust in public servants, and believes that the current tide of anti-politics must be overcome by demonstrating that our parliamentary system can be refreshed and regenerated, and providing for better accountability. This will require reforming and strengthening the work of Parliament, redressing the balance of powers between the executive and the legislature, and restoring a culture of morality and decency that too many in public life appear to have lost.

Congress urges politicians of all democratic parties to ensure that:

- i) government policy decisions are supported by objective analysis and consultation
- ii) resources are provided to allow draft legislation to be thoroughly prepared, with adequate time for consideration by Parliament and others
- iii) the role of select committees to scrutinise the work of government is enhanced, for example by creating cross-cutting select committees such as a Select Committee on Equalities in the UK Parliament
- iv) proposals approved by the Government requiring fresh legislation or substantial resources are subject to post-implementation reviews within a timely period following their introduction, in particular to assess the outcomes and value actually achieved
- v) further consideration is given to enhancing the voice of local communities
- vi) there is a renewed emphasis on the importance of the Committee on Standards in Public Life's seven principles of public life
- vii) the political impartiality of the civil service is enshrined in a Civil Service Act.

FDA

The following Amendment was CARRIED

Add new final paragraph:

'Congress recognises that democratic renewal also requires elected politicians to be properly representative of, and accountable to, their constituents and therefore calls on the General Council to instigate a debate within the trade union movement on change in the current parliamentary electoral system towards a system of proportional representation.'

Public and Commercial Services Union

85 Young members

Congress is deeply concerned that almost a million young people are out of work, and according to the BERR 2008 trade union membership report, union densities of younger age groups are falling.

Congress notes the status, role and purpose of the TUC Young Members' Conference and Young Members Forum is recognised under rules, including:

- i) the yearly Young Members' Conference comprises delegates from affiliated unions and the purpose of the conference is to advise the General Council
- ii) affiliated unions are entitled to submit issues for discussion to this conference and these in turn form statements which are considered by the General Council
- iii) the Young Members' Forum, which meets regularly throughout the year, is an advisory committee to the General Council, comprised of General Council members and representatives from affiliated trade unions.

Congress also notes the STUC Youth Conference is entitled to send motions to the STUC annual Congress.

Congress believes the recruitment and representation of young members will be enhanced by giving young members a voice at annual Congress and instructs the General Council, in consultation with the Young Members' Forum, to implement a rule change which will have the effect of allowing the Young Members' Conference to submit one motion to annual Congress in similar fashion to the arrangements that exist for the equalities conferences and the Trades Union Councils Conference.

This rule change should take effect so that the Young Members' Conference will be able to submit a motion to the 2010 annual Congress.

National Union of Rail, Maritime and Transport Workers

Composite 1 Posted Workers Directive

Congress notes with interest the massive programme of work which will need to be undertaken by the UK engineering construction industry if the Government is to meet the commitments contained in its energy policy.

Congress therefore urges the Government to take all necessary steps in order to establish a level playing field for all contractors engaged in the UK engineering construction industry by supporting the introduction of pre-award auditing of contracts ensuring compliance with national agreements. To this end, contractors who discriminate actively against workers who expect to be paid in accordance with the national agreement in favour of workers the contractor can exploit must be excluded from the procurement process. Also contractors who class workers as self-employed in order to avoid paying national insurance contributions, pensions and other benefits, thereby denying workers employment rights, should also be excluded from the procurement process.

To ensure compliance with EU regulations when applying nationally agreed terms and conditions, the Government needs to amend its interpretation of the Posted Workers Directive and to take advantage of the provisions in the Directive which allow national governments to introduce measures to extend coverage to include sectoral or national collective agreements in companies operating in any sector.

Congress therefore calls on the General Council to investigate ways of:

- i) reforming UK employment law and practice so the directive will not undermine existing workforce agreements and protections
- ii) developing procurement practices that promote labour, equality and environmental standards.

Congress further calls upon the General Council, as part of its wider campaign to redress the imbalance between the social and business needs of the EU, to:

- a) support lobbies of the UK Government to amend the terms of the Posted Workers Directive, as it is applied in the UK
- b) support ILO action to address the undermining effect of recent ECJ judgments on collective agreements and trade union freedoms enshrined in ILO conventions 87 and 98
- c) seek urgent revision of the EU Posted Workers Directive in order to maximise protection of collective agreements generally applied in UK industries.

Congress reaffirms its opposition to ECJ rulings such as the Viking case, which also allow for attacks on collective agreements, and it reiterates that the Lisbon Treaty would exacerbate attacks on trade unions by handing greater powers to the ECJ to interpret disputes concerning the Charter of Fundamental Rights.

Mover: Unite

Secunder: GMB

Supporters: UNISON

Union of Construction, Allied Trades and Technicians

National Union of Rail, Maritime and Transport Workers

Composite 2 Temporary agency workers

Congress welcomes adoption of the EU Temporary Agency Workers' Directive giving long overdue rights and protections to a growing number of vulnerable workers, and will work with the Government to ensure robust and effective implementation and early enactment of these rights in the UK.

Congress expects the Government to guarantee full equal treatment rights, benefits and protections afforded by this legislation, and to introduce effective and strongly dissuasive

measures to prevent avoidance and abuse of the Regulations. Anti-avoidance measures must provide for any dismissal, action or detriment to avoid the effect of the Regulations to be unlawful and that any dismissal arising from avoidance of the regulations to be automatically unfair. Congress opposes the use of any derogation for agency workers who have permanent contracts and who are paid between assignments, as this could exclude thousands of agency workers who would significantly lose out on pay and defeat the whole objective of the Directive of equal treatment. The rights and protection of agency workers must take priority over the claimed costs and burdens to business.

Congress calls on the Government to:

- i) emphasise in the Regulations, as in the Directive, that employment contracts of an indefinite duration are the general form of employment relationship
- ii) ensure wide and inclusive definitions of agency and agency worker to prevent bogus self-employment
- iii) guarantee, in line with all other equal treatment legislation, a broad definition of equal treatment on holidays, hours and pay to include all forms of financial remuneration including basic pay, holiday, overtime, redundancy, maternity pay, performance-related pay, shift allowances, unsocial hours payments, commission, bonuses, parental and paternity entitlements, and paid training
- iv) extend the full protections of the Pregnant Workers Directive to agency workers in the Regulations
- v) ensure that agency workers have the right to actually take leave as well as holiday pay
- vi) ensure that the agency advertises prominently any vacancies for direct employment with hirers and does not seek prohibitive fees from hirers or agency workers themselves if the hirer wants to directly employ those workers
- vii) ensure speedy and effective enforcement through employment tribunals with hirers and agencies joined in the proceedings
- viii) implement and enforce the rights by Spring 2010.

Mover: GMB

Secunder: Unite

Supporters: Communication Workers' Union

Association of Teachers and Lecturers

Composite 3 Jobs, the recession and redundancy rights

Congress is deeply concerned at the substantial job losses being suffered by workers in the UK and the consequential affects this will have in the short and medium term for workers, their families and industry. Congress congratulates those workers fighting to keep their jobs,

including those taking action such as the occupation of workplaces in order to raise awareness and stop closures.

Congress recognises the hardship inflicted by redundancies announced in the last 12 months, such as the 30,000 redundancies at Woolworths resulting from the collapse of the business.

The Woolworths situation highlights the inadequacy of the current legal duty on administrators to consult with employees and their trade union representatives in insolvency situations.

Administrators are currently under little obligation to try to save the business or open serious discussions with employees to identify possible alternatives to closure, sell off and redundancies.

Congress believes that administrators should be under a greater legal responsibility to engage in meaningful consultation with employees and their trade union representatives to seek alternatives to closures and redundancies.

Congress further notes that the current recession has once again demonstrated the absence of a level playing field when it comes to safeguarding jobs in the UK. The cost of making a UK worker redundant falls far short of that in most EU competitor countries.

Congress believes that the experience of the last 12 months highlights the need for improvements to Statutory Redundancy Pay. Congress welcomes this year's increase in the amount of an employee's weekly earnings that counts towards Statutory Redundancy Pay. However, Congress is disappointed that the promised review of statutory redundancy pay in the lifetime of this Parliament has still to be implemented and at best will only raise the maximum weekly wage level to £380, which falls far short of the average earnings in the UK. Congress resolves to seek further increases in this limit.

Congress also seeks a reduction in the two-year qualifying period for Statutory Redundancy Pay. Workers should be entitled to Statutory Redundancy Pay from day one of their employment but even a reduction in the qualifying period to one year would benefit thousands of workers.

Congress further seeks an increase in the maximum number of years of employment that are taken into account for Statutory Redundancy Pay.

Congress also is disappointed that nothing has been done to assist employers and employees in their efforts to maintain skills and avoid redundancy through reduced working hours and temporary lay-offs. A temporary short-time working compensation scheme has been proven to work in Wales and should be applied across the UK.

Congress resolves to lobby the Government and campaign for the above improvements to statutory redundancy and consultation rights. Congress calls upon the Government to:

i) review its current plans for statutory redundancy pay and to support the proposals contained in the Private Member's Bill currently being considered in Parliament which would raise the maximum weekly pay to the equivalent of average earnings and maintain such a link in the future

ii) introduce a temporary short-term working compensation scheme to ensure essential skills are not lost to the economy.

Mover: Unite

Secunder: Union of Shop, Distributive and Allied Workers

Supporter: Transport Salaried Staffs' Association

Composite 4 Enforcement of fair and safe employment rights

Congress deplores the culture of law breaking by some employers in respect of the statutory rights of workers and their ability to flout the law with impunity.

Congress rejects the false rhetoric of the CBI, the Institute of Directors and other business lobby groups who seek to license discriminatory and unsafe working practices by employers on the grounds of the number of workers employed and in an attempt to lift the burdens on business. Fair and safe employment practice must be recognised as a basic duty of all employers, and that it makes good economic sense.

Congress asserts that all workers have a fundamental right to basic legal protections in every workplace, regardless of size.

Congress is deeply concerned that statutory enforcement agencies are woefully under-resourced and lack the capacity needed to tackle unacceptable employer practices.

Congress applauds the action taken by the Government to introduce legislation through the Apprenticeships, Skills, Children and Learning Bill which will ensure compliance with the statutory and contractual terms and conditions of service of the school workforce.

Congress welcomes the Government's commitment to introduce regulations outlawing blacklisting. However, Congress calls on the Government to ensure that the regulations cover issues wider than purely blacklisting due to activities associated with trade unions.

Congress welcomes the Government's Unleashing Aspiration report that exposes the abuse of internships, in particular in the media industry, through the failure to pay the National Minimum Wage and to provide proper training. Congress instructs the General Council to campaign for early government action to tackle such abuses.

Congress also welcomes the aims of the Equality Bill, which seek to extend the range of legal protections from discrimination in the workplace. However, Congress believes that the Equality Bill must be accompanied by a coherent enforcement strategy to ensure that the objectives of the legislation are delivered fully.

Congress further believes the Equality Bill should be strengthened by the introduction of statutory equality representatives and the requirement for all employers to undertake mandatory comprehensive equal pay audits.

Congress reaffirms its belief that action to strengthen employment rights and statutory enforcement powers should be a major manifesto priority for the next Government.

Mover: NASUWT

Seconded: Union of Construction, Allied Trades and Technicians

Supporters: University and College Union

National Union of Journalists

Composite 5 Trade union membership

Congress notes with concern that in 2008 trade union membership levels and union density in the UK both declined. Private sector union density fell by 0.6 per cent to 15.5 per cent and public sector union density fell by more than three times this rate - declining by 1.9 per cent. Less than half of UK employees are in a workplace where a trade union is present, and unionisation of younger workers has fallen over the past decade.

However, union membership levels and density are higher for women than for male workers and there continues to be a wage premium for union members.

Congress is further concerned that the recession will continue to intensify pressures on current and future membership levels and calls on the General Council to:

- i) investigate the scope for a TUC gateway to union membership to facilitate recruitment of non-members and support membership transfers when individuals change their employment
- ii) continue to publicise the practical value of trade union membership (higher pay, safer employment) to potential members, particularly those entering the workforce for the first time
- iii) convene discussions with affiliates on a sectoral basis to determine the scope for co-ordinated recruitment and organising campaigns
- iv) work with unions to build and share knowledge and capacity to organise and to improve density in the private sector and public sectors
- v) enhance work with the National Union of Students and with schools and colleges to raise students' awareness of the value of union membership
- vi) investigate the scope for incentivising students to join unions following their period of study
- vii) raise the profile of policy work that demonstrates the value of unions to civil society e.g. on climate change and quality public services.

The General Council is instructed to report back to Congress in 2010 on progress made in relation to each of these objectives.

Mover: Prospect

Seconded: Society of Radiographers

Supporter: FDA

Composite 6 Opposing the far right

Congress believes that the BNP are a racist and fascist organisation with no place in a democratic, diverse society and opposes all forms of racism and rejects the fascist and hate-based ideologies of far-right parties such as the BNP.

Congress believes that the BNP poses a threat to the fabric of our society and is hostile to the values and principles we hold dear as trade unions and professional associations.

Congress is alarmed at the rise of the far right across Europe, the election of two British National Party (BNP) representatives to the European Parliament and an increase in their councillors in June this year means we must address the rise of far right activity urgently.

Congress notes that the collapse in the Labour Party's vote allowed the BNP to gain electoral success. Policies to combat rising unemployment, invest in public services, halt privatisation and promote equality are needed to counter the disillusionment which fuels support for the far right.

Congress believes that this represents a failure of all political parties to address underlying social and economic problems, which have been heightened by the recession.

Trade unions have always been at the vanguard of the fight against fascism and racial intolerance and must be as resolute now in combating this threat as we have in the past.

Congress recognises that the PFA has been at the forefront of this fight supporting organisations such as Kick It Out and Show Racism the Red Card. The determined and sustained efforts to eradicate racism in football by the PFA and its partners has transformed our national sport. The shameful chapter in English football during the 70s when black players suffered appalling abuse thankfully no longer pervades our game.

Congress notes that members of the BNP are banned from employment in the police and prison services as their hate-filled views are incompatible with the provision of those services to the public, condemns the decision to allow a BNP demonstration to take place on Home Office property and to allow serving civil servants to stand as BNP election candidates. Congress believes that this ban should be extended to employment in all public services.

Congress notes media have a major impact on perceptions of the BNP and media cuts undermine journalists' ability to investigate the BNP. Congress welcomes media unions' plans for a Reporting the BNP website to promote guidelines, good practice and encourage rigorous examination of the BNP's racist and anti-free speech activities.

Congress believes that the BNP is a threat in future elections. Unions have played a crucial role in community campaigns against the BNP and in supporting migrant workers, and Congress believes only strong local organisation will defeat the BNP. It therefore resolves to re-double its opposition to the BNP, calling upon affiliate unions to be involved actively in this campaign, thus sending to all members and the wider electorate a clear and sustained message of opposition to the BNP.

Congress applauds the work of Unite Against Fascism, Love Music Hate Racism, Show Racism the Red Card and Hope not Hate in mobilising society against the BNP and in engaging with the growing number of apathetic voters and believes that a united campaign against the fascists is needed more than ever. History tells us that this is one fight that we just cannot afford to lose.

Congress instructs the General Council to:

- i) develop an economic and social programme that delivers for working class communities
- ii) support all public service staff who, within the law and relevant codes of conduct, do not want to come in to contact with BNP elected representatives and seek to prohibit the sponsorship, management or the governance of public services by members of the BNP
- iii) support measures that make BNP membership incompatible with regulated public service jobs such as police staff, teachers, doctors, nurses and others as appropriate
- iv) seek an urgent meeting with government representatives to raise the issue of an extension to the ban on the employment of members of fascist and racist organisations in the public services, as applies in the prison service
- v) advise all unions, with and without a political fund, how they can consistently campaign effectively and legally outside and during election periods
- vi) urgently assist all unions in updating their rule books in light of the Employment Act 2008 to enable them to exclude and expel the BNP and others of the far right, with an update to Congress in 2010 and continue to press for the legal right for trade unions to expel members of far right parties without penalty
- vii) campaign against websites such as Redwatch
- viii) organise through regional TUCs in England (and with WTUC, STUC and ICTU) joint union campaigns within local communities, using resources such as Searchlight and Unite Against Fascism
- ix) call urgently a national demonstration against the BNP involving trade unions and other organisations, including Unite Against Fascism, Searchlight, and Love Music Hate Racism.

Mover: UNISON

Seconder: Public and Commercial Services Union

Supporters: Napo

Professional Footballers' Association

NASUWT

POA

National Union of Journalists

Composite 7 Disability discrimination

Congress notes that the 'two tick' disability symbol is used widely in both the private and public sectors. The scheme symbol of two ticks with the words 'positive about disabled people' is meant to show that the employer using the symbol is positive about employing disabled people and is keen to know about the abilities of disabled people.

Whilst Congress welcomes the scheme it notes that there are no effective government monitoring or governance arrangements built in to review how each employer awarded the two tick symbol is meeting its commitments. The Society of Chiropodists and Podiatrists believes that to many employers the scheme is just a paper exercise and although policies and procedures are in place to attain the symbol, the practices are not. These can result in workers with disabilities being discriminated against, and without decent career prospects. Congress believes the only way to ensure the five commitments are put into practice is if there is regular effective review and monitoring by Government, or an independent awarding body. This would ensure the commitments are met, standards are kept high, and disabled workers would have confidence that they will receive equality in the workplace.

To this end, Congress calls on the TUC to work with Jobcentre Plus to tighten up the reviewing process, to ensure that every employer who displays the 'two ticks' symbol meets the required standards, and to publish the results of such reviews.

Congress further recognises the enormous benefits the Access to Work Scheme provides in supporting disabled people in work and enhancing career prospects. Congress calls for clear assurances from government that the scheme will not be withdrawn from public sector employers.

Mover: Society of Chiropodists and Podiatrists

Secunder: FDA

Supporter: Chartered Society of Physiotherapy

Composite 8 Manufacturing

Congress recognises the important contribution that government procurement strategy can play in the maintenance of the UK manufacturing sector. Congress is concerned that in the present economic climate the Government has failed to recognise the opportunities which could be used to sustain UK jobs in manufacturing through the exploitation of the existing provisions within the EU Directives on public procurement.

Congress notes the initiatives taken by the Government to encourage public purchasers to address social concerns when awarding contracts, but believes that far more needs to be done. But Congress is concerned that public procurement officers have also been warned about including provisions such as the London living wage in tender documents. Congress further believes that more needs to be done to place UK companies on a level playing field when it comes to competing for public contracts. Since, in the case of government purchasing, it is taxpayers' money that is being used, Congress urges the Government to use its purchasing

power to achieve social and, in particular, employment objectives while at the same time securing value for money for the public purse. To this end Congress calls upon the UK Government to:

- i) adopt a more flexible approach to the inclusion of social clauses in public procurement contracts
- ii) introduce positive guidance to public procurement officers to ensure that maximum benefit is derived by UK companies from UK government contracts.

Congress notes the financial aid given to bail out the financial sector. Congress demands the Government provide the same level of support to manufacturing to save jobs, revitalise the economy, build affordable housing and assist workers struggling to pay mortgages.

In pursuing these aims, Congress believes that the time and conditions are right to create one million Government employed 'green jobs' working on renewable energy, sustainable public transport and energy efficient house building projects thereby tackling unemployment and taking positive action on climate change for the benefit of all people.

Mover: Unite

Seconder: Bakers, Food and Allied Workers' Union

Supporter: Communication Workers' Union

Composite 9 Reforming the financial and banking systems

Congress welcomes the Government's acknowledgement that the financial regime must be changed fundamentally in order to bring stability to the banking sector and ensure it can never again undermine the UK economy.

In particular, Congress believes that the Government must ensure that there is no return to the short-term return decision-making culture which did so much to precipitate the banking crisis. Congress notes that the White Paper, Reforming Financial Markets, presents plans to prevent further crises in the finance industry. However, Congress believes that we cannot simply maintain the risky business models and poor supervision of the past. There needs to be a more interventionist approach to regulation of this sector, including the rules which determine the remuneration structures of these institutions.

Congress welcomes the steps that the Government has taken to stabilise the UK banking system, recognising its collapse would have had an even more serious impact on the wider UK economy than has been seen since the banking crisis of Autumn 2008.

However, Congress believes that the Government - via UKFI, the body it set up to manage taxpayers' stake in the banks - must play the role of an active investor if it is to protect the interests of UK domestic and business bank customers, more than 250,000 employees of the banks in which the Government has a stake, and the nation as a whole.

Congress recognises that thousands of finance workers are paying the price for the corporate greed, excess and recklessness of the City as they lose their jobs and pensions. Any

suggestion that the taxpayer-supported institutions may be returned to the private sector with no consideration given to the impact on workers and their families would be a step in the wrong direction.

Congress further recognises that it was not the customers or the majority of the hard-working employees of Lloyds Banking Group who caused the banking crisis - it was the failings of regulators, investors and senior executives - and that the customers and staff should not have to pay the price for the failings of others.

Therefore Congress requests the General Council to support a call for the Government to use the taxpayers' shareholdings in the bank to protect the interests of customers, shareholders, employees and the nation as a whole.

Congress calls on the General Council to campaign for:

- i) public interest representation on the board of the Financial Services Authority (FSA)
- ii) banks to have public interest representatives on their main boards
- iii) executive pay and bonus structures to be directly linked to sustainable and long-term performance
- iv) a clampdown on tax havens and offshore financial centres and a requirement for financial institutions to disclose the extent to which they use these jurisdictions.

Mover: Unite

Secunder: Accord

Composite 10 Defending quality pensions

Congress is committed to raising pension standards and fighting attacks on workers occupational pension rights whenever and wherever they may arise. Congress is appalled at attempts by politicians, the media, employers and the pensions industry to undermine workers' savings.

Congress remains alarmed at the continuing decline in the access to and value of defined benefit pension schemes for millions of British workers, with more and more employers indicating that they are planning changes to their workplace pension schemes that will be to the detriment of workers across the country.

Congress recognises that public and private sector defined benefit schemes are both sustainable and necessary; and that the closure of public sector schemes threatens quality schemes in the private sector that are already scarce as a result of continual attacks on members' deferred pay. Congress is extremely concerned for the future of final salary pension schemes in the private sector.

Millions of people are reliant on public sector pensions for their retirement income and now live in fear of their savings being decimated by a Tory government. Congress is concerned that risks of further attacks on hard-won pension benefits may take place after the next

general election, with both the Conservative and Liberal Democrat parties already identifying this as a major area for cuts in the level of public expenditure. Such measures are likely to receive the enthusiastic backing of employer organisations like the Confederation of British Industry and extreme right wing organisations such as The Tax Payers' Alliance who will do all they can to drive a wedge between workers in the public and private sectors. Congress calls on the General Council and affiliates to ensure that such a division is not allowed to develop and to campaign for good quality, affordable, defined benefit pensions for all workers in the run up to the next general election and beyond. Amongst other things, it needs to be made clear to members before the election what the impact of the main political parties' policies will be on their occupational pensions so that they can take this into account when casting their votes.

Congress notes the coordinated campaign in 2005, involving ballots for industrial action, which successfully forced the Labour government to abandon plans to raise the pension age for workers in the public services.

Congress welcomes the TUC General Secretary's analysis that companies are using the recession as an excuse to make savage cuts in pensions. In the context of the UK banks that have received billions of pounds of support from the taxpayer and in which the Government holds significant stakes, Congress will view any attack on pensions as part of the same short-term profit-seeking that precipitated the financial crash. Congress, therefore, calls on the Government to take positive steps to send a strong message to the part-publicly owned banks that the pension promises they have made to their loyal, long-serving and hard-working staff should be honoured.

Congress recognises that while current economic circumstances are challenging for schemes, pensions are long-term commitments; the sustainability of which should be judged over the economic cycle and against the long-term financial stability of the sponsoring employers. The lasting long-term effect of scheme closures on incomes in retirement could well have a devastating impact on individuals in old age, on overall direct and indirect economic demand in the UK economy, and on the public purse.

While Congress condemns those employers who are using current financial circumstances as an excuse to walk away from long-term pension commitments, Congress also acknowledges that the ability of many responsible employers to support defined benefit schemes has been compromised by the short-term effects of the financial crisis.

Practical and targeted action needs to be taken now to allow defined benefit schemes to weather the current financial crisis. A range of policies could provide real help. Different options, including instructing the Pensions Regulator to make more allowance for current conditions when agreeing recovery plans, agreeing a discount to the PPF levy, or revisiting the tax position of pension schemes could all assist organisations to keep defined benefit schemes open.

Congress resolves to adopt defence of defined benefit pensions, and improvement in defined contribution pensions as a key priority for the TUC for the next few years - one the movement must unite behind.

Congress calls on the General Council to:

- i) mount a properly resourced, coordinated campaign to promote and defend good quality defined benefit pension schemes
- ii) promote wider understanding of the critical role of occupational pension provision
- iii) build coalitions with organisations similarly committed to eradicating pensioner poverty
- iv) lobby all major political parties on the critical importance of maintaining existing occupational pension provision. The TUC must counter negative employer lobbying which exploits the current economic climate. It must also continue to rebut the argument that public sector provision should be levelled down to the standards increasingly seen in the private sector. Maintaining decent public sector provision is in the interests of all. The last thing Britain needs is a race to the bottom in pension provision
- v) lobby the Government and pensions regulators on the need to ensure that effective regulation is best achieved by balancing security in the short to medium term with the long-term sustainability of decent quality defined benefit provision.
- vi) show public sector schemes as a model of good practice to be replicated by employers, not to be cut to the minimum provision possible
- vii) publicly support the long-term sustainability of public services and public service pensions, recognising their significant contribution to the economy
- viii) take the necessary steps to ensure that all workers on public service contracts can participate in public sector pension schemes
- ix) highlight the savings to the taxpayer from occupational pension saving and the cost generated by inadequate provision and increased reliance on state benefits
- x) explain the contribution to the economy made by funded schemes which invest billions in UK businesses
- xi) work to introduce regulatory changes to bring in 50 per cent member nominated representatives and trustees on occupational pension schemes. Scheme members must have a decisive voice in governance and direction of investment
- xii) challenge the hypocrisy of the pensions industry and politicians seeking to force workers to work longer and save for their retirement but refusing to guarantee secure and reliable means of doing so
- xiii) organise a seminar by the end of the year on the various short-term measures that could assist in preventing defined benefit schemes from closing down
- xiv) invite a wide range of organisations to this seminar to ensure the widest range of options are considered and the broadest possible consensus supports any outcome
- xv) produce a report on the actions that are agreed would provide practical support in keeping defined benefit pension schemes open.

xvi) support workers who are forced to take industrial action to defend their pension.

Mover: GMB

Seconded: Prospect

Supporters: Accord

Transport Salaried Staffs' Association

Connect

UNISON

Public and Commercial Services Union

Fire Brigades' Union

Composite 11 Public sector pensions in the UK

Congress reaffirms its support for good quality, affordable, final salary occupational pensions in both the private and public sectors and deplores private sector employers using the recession as an excuse to attack occupational pensions.

Congress calls upon the General Council to:

- i) call for a political consensus on the means of providing adequate occupational pension provision for all workers
- ii) seek government action to support pension schemes, including helping schemes manage their deficits during the current economic crisis.

Congress notes that cuts to public or private sector occupational pensions will disproportionately affect women, who have lower average pensions and longer average retirements.

Congress deplores the resumed attacks on public sector pensions by politicians and the media, which are economically illiterate and driven by an agenda to eliminate defined benefit pension schemes in the public sector.

Congress notes that the 2005 PSF agreement between the Government and TUC led to agreed reforms of the Teachers', NHS and Civil Service Schemes, involving higher employee contribution rates, cost-sharing and higher retirement ages for new joiners.

Congress affirms that public sector workers are making a clear, substantial and demonstrable commitment to their pensions, which are, as deferred pay, an integral part of the longstanding settlement on the public sector remuneration package.

Congress believes that the real problem in UK pension provision is not that public sector provision is too generous but that private sector provision is inadequate and worsening.

Arguments for 'equality of misery' based upon the cost of public sector pensions fail to recognise that the withdrawal from defined benefit schemes in the private sector is building a welfare debt to be borne by the taxpayer for future generations. Public servants have already paid for their pension through lower salary levels than for comparable jobs in the private sector.

Congress resolves vigorously to defend public sector pension schemes and terms and conditions of service in the face of the economic downturn and calls to bear down on public sector pensions and pay.

It notes that the current economic crisis has been created by unregulated banking practices fuelled by corporate greed and is not the making of public service workers. Consequently, it believes that public sector workers and their families should not be penalised for the manifest failures of the financial institutions and government regulatory bodies.

It notes that public services are vital in times of recession and that public services provide excellent value for money.

Congress reaffirms the policies set out in the 2008 Congress resolution on pension policy and calls on the General Council to:

- a) defend public or private sector pension schemes, specifically against increased pension ages
- b) highlight the costs and impact of the retreat from defined benefit schemes
- c) urge all democratic political parties to recognise that pension rights are an important part of public sector remuneration that must not be unilaterally reduced
- d) work constructively with the political parties to ensure that an equitable approach is taken to any subsequent changes in managing the cost of providing public sector pensions
- e) support and co-ordinate public service unions in campaigns and industrial action to defend public sector schemes
- f) campaign for mandatory employer contributions to employee pensions at a minimum level of 10 per cent of pay.

Mover: National Union of Teachers

Seconded: FDA

Supporter: Association of Educational Psychologists

Composite 12 The National Minimum Wage

The National Minimum Wage has been a huge success, bringing legal protection for wages to millions of low-paid workers. It has been a key weapon in the Labour Government's attack on exploitation at work and has been increased by over 60 per cent since it was first introduced in 1999.

Congress notes with concern recent Conservative Private Member's Bill which attempts to undermine the National Minimum Wage framework by allowing companies and employees to opt out of the minimum wage. Congress is alarmed that the National Minimum Wage would be threatened by any future Conservative Government.

Congress believes that the inevitable consequence of an opt-out system would be, as has proved to be the case on the issue of the 48-hour week, unacceptable pressure on workers to forego their minimum wage entitlements and the undermining of the whole purpose of the legislation.

Congress reaffirms its support for a National Minimum Wage framework in the form of clear and unwaivable legal rights for workers and calls on the General Council to continue to campaign strongly on this issue.

Congress welcomes the establishing of Wage Concern, involving many affiliates, as a pressure group dedicated to fighting for the National Minimum Wage and opposing any attempts, such as the Tory private members bill, to dilute or undermine it.

The National Minimum Wage not only has to be defended from attack but improved and strengthened in the run up to the general election to demonstrate Labour's continuing commitment to tackling low pay and exploitation in the workplace and Congress believes that ending child poverty and the National Minimum Wage are integrally linked.

Congress calls on the General Council to urge the Government to:

- i) vote down any private member bills undermining the National Minimum Wage
- ii) reaffirm its commitment to the tripartite Low Pay Commission
- iii) significantly increase the National Minimum Wage
- iv) widen its scope by introducing a National Minimum Wage for apprentices to include merchant navy trainee officers
- v) reduce the adult rate to age 18
- vi) continue to strengthen the enforcement mechanism
- vii) campaign for the National Minimum Wage to apply to all seafarers on UK and foreign registered ships operating on routes between ports in the UK and between ports in the UK and the European Union.
- viii) strengthen the Child Poverty Bill to ensure that fiscal and economic circumstances cannot be used as excuses for inaction on ending child poverty
- ix) adopt a clear programme for redistributing wealth focusing on ending child poverty.

Mover: Union of Shop, Distributive and Allied Workers

Seconder: Broadcasting, Entertainment, Cinematograph and Theatre Union

Supporters: National Union of Teachers

Nautilus International

Composite 13 Housing

Congress notes that the lives of over one million households are being blighted because of a severe shortage of high quality social housing. There are 1.77 million households on housing waiting lists and over 63,000 homeless households. The policy pursued by successive governments that social housing should be provided by housing associations and that local authorities should be compelled to divest themselves of their housing stock means that almost half of local authorities no longer own or manage stock. This has been an unmitigated failure and has continually failed to provide sufficient social housing units to meet demand. The impact of this on families can be devastating, including increases in stress and other severe health problems.

Congress welcomes recent government announcements that councils will be given the ability to build their own housing but is concerned that the current proposals remain limited in scope.

Congress recognises that the downturn in the construction industry, especially house-building, has created spare capacity which if properly utilised could dynamically alter the configuration of the British housing market, redressing the balance between private and social housing and preventing future instability in the property sector.

Congress calls on the General Council to campaign, working to include the widest possible range of like-minded organisations, such as Shelter:

- i) to ensure local authorities are the primary deliverers of social housing, with housing associations and ALMOs
- ii) for further investment in local authority housing
- iii) for an expanded programme of affordable social housing
- iv) for a significant increase in the number of council houses for rent being built
- v) for councils to be properly funded and allowed to borrow in order to have the ability to build sufficient housing units to meet local needs
- vi) for a new sustainable business model for housing associations that looks beyond S.106 agreements
- vii) to ensure that all new social housing is built to the highest quality fire protection systems and that all existing social housing should be urgently assessed with a view to improving fire safety systems
- viii) for a sustained new-build social housing project to be used to increase dramatically the number of craft-based construction apprentices, in order to address the industry's severe skills deficits.

Mover: Union of Construction, Allied Trades and Technicians

Secunder: UNISON

Supporters: Fire Brigades' Union

Chartered Society of Physiotherapy

Composite 14 Replacement of coal-fired power stations and clean coal technology

Congress applauds the work of the TUC Clean Coal Task Group in identifying the role for clean coal technology as part of the solution to the problem of climate change. With over 35 per cent of the nation's electricity generated by coal, with peak times increasing to 50 per cent, it is not a case of 'should we burn coal' but how we burn it.

Congress recognises the essential need to burn the UK's indigenous coal reserves cleanly. Decarbonising energy supply is key to meeting UK climate change objectives.

It also welcomes the announcement in the Budget that the Government is to scale up its programme on clean coal to allow for up to four demonstration plants using different capture technologies. Congress welcomes the Government's recent commitment to develop a framework for clean coal, but believes that there should be a minimum requirement of four full-scale CCS stations by 2020 producing 6.4 gigawatts of electricity, which would reduce gas dependency and save 42 million tonnes/year of CO₂ emissions annually.

Further, if the Government's carbon reduction targets for 2030 to 2050 are to be met it is essential that carbon abatement applies to all fossil fuels, not just coal. Without the approach to carbon reduction which treats hydro carbons equally the longer term abatement targets will not be achieved. The General Council is asked to press the Government on these issues.

Congress understands climate change and global warming are a huge threat. Therefore the need to progress clean coal technologies at a rapid pace is crucial. The current programme needs to be expedited so that the agreed reduction in emission levels can be achieved within the agreed time limits.

Simultaneously, Government must ensure British industry can take advantage of opportunities provided by CCS. Accelerated diffusion and deployment of technology for industrial applications is essential to sustain competitive British industry and meet stretched carbon reduction targets, thus seeing a return on public investment in CCS.

Congress applauds the excellent endeavours of the TUC-led Clean Coal Task Group in constantly providing much-needed reports and data on the newest clean coal burn technologies.

However, it is a great concern that the UK Government constantly states that the UK is leading the way in new technologies such as carbon capture and storage (CCS) when in fact other countries are significantly ahead of the UK in the development of such projects.

There is a greater understanding now than ever before that a sensible, diverse, strategic energy policy is essential so that this nation can go forward in the knowledge that our

requirements for future electricity generation are both secure and green and can be supplied in line with realistic emission level reductions within a given time frame. This will entail significant investment in generating capacity and in transmission and distribution networks, and will not be delivered by the market alone. It must be underpinned by a coherent, sustained programme to develop and enhance low-carbon skills.

Congress calls for urgent discussions between the Labour Government and the affiliated TUC unions representing energy and intensive energy industry workers to progress further a much needed diverse and secure energy policy.

Mover: National Union of Mineworkers

Secunder: BACM-TEAM

Supporters: Prospect

Community

Composite 15 Rail industry

Congress condemns rail companies who, in spite of rising passenger numbers, albeit at a reduced rate, have used the current recession as an excuse to make employees redundant. Such action illustrates clearly their priorities of putting company profits before all other considerations, including customer service and employee welfare.

Congress welcomes the Government's commitment to rail freight, including the £200m allocated for the strategic freight network, but is alarmed that the industry is suffering from the impact of both a reduction in the core traffic derived from infrastructure work and a decline in commercial traffic as a result of the economic downturn. Congress acknowledges that contractions in the automotive and steel industries as well as a decline in container traffic from ports have led to a sharp decrease in commercial rail freight traffic; while the Government's decision to increase light dues and change liabilities for business in UK ports is a further setback for the industry.

Congress is also concerned at the impact that Network Rail's and London Underground's engineering maintenance strategies is having on workers elsewhere in the industry in terms of redundancies. Network Rail's decision to defer track maintenance and renewal work until 2012-2014 has been a huge blow to freight operators who rely on the work for up to 20 per cent of their revenues, and is concerned that the actions undermine the Government's stated intention to bring forward rail infrastructure projects as a counter-recessionary measure to create jobs in the rail freight sector and elsewhere.

Congress considers that redundancies at this time are totally unnecessary, acting against both the national interest and the industry itself, which typifies the short-term outlook of greedy, self-interested groups who have made a major contribution to creating the world's economic problems.

Congress notes that, by contrast to the hardship such redundancies cause to individuals and their dependants, those senior executives making these decisions continue to enjoy the benefits of huge basic salaries, bonuses and other perks.

Congress considers that the Government has a major responsibility for public transport and in particular the railways, given their economic, social and environmental importance. The levels of public subsidy received by these companies could and should be better used than for redundancy payments and excessive executive reward.

At a time of recession Congress considers that the Government should increase investment to improve the nation's railway infrastructure to help fight unemployment as well as contribute to improved productivity and efficiency as the economy recovers.

Congress calls on the General Council to pursue these matters with the Government, to urge the Secretary of State to offer his maximum support to the rail sector during the economic downturn and to campaign for an industry-wide strategy to minimise the impact of the recession.

Mover: Transport Salaried Staffs' Association

Seconder: Associated Society of Locomotive Engineers and Firemen

Composite 16 Defending the NHS

Congress recognises the significant strides in healthcare that have been achieved in recent years, and supports the Government's drive to improve the quality of health delivery for UK citizens. But this progress is clearly vulnerable to the impact of the economic downturn and consequent squeeze on public expenditure.

Congress calls on governments and health employers across the UK to learn the lessons from the damaging approach taken in 2006 to address financial deficits in the NHS. Indiscriminate expenditure cuts, targeting jobs and training, and a misconceived reliance on competition to solve problems are bad for NHS users and bad for staff.

Congress notes with concern the Transforming Community Services programme. The NHS may have to stop providing services directly to communities as a larger role emerges for social enterprises and companies - with staff jobs, pensions, terms and conditions coming under threat.

Congress is alarmed by the establishment of the Co-operation and Competition Panel, which will help companies break into the NHS. Panel guidance suggests that mergers resulting in a market share of 25 per cent will be investigated - effectively ruling out mergers between in-house PCT provider arms.

Congress deplores the publication of the new operating model, Necessity Not Nicety, which lays out a vision for a commercially driven NHS and sets up regional Commercial Support Units. It is explicit in its desire to 'maximise the contribution of third and private sector organisations' and provides clear encouragement for PCTs to go down the commissioning and procurement route. Congress acknowledges, however, health minister Ann Keen's letter reasserting the Government's preference for NHS provision.

Congress believes efficiency can be improved without resorting to privatisation, but the current agenda is opening the way for future governments to dismantle the NHS, and see soaring USA-style transaction costs where private healthcare is most developed with over 16

per cent GDP expenditure on health, yet more than 45 million Americans lacking health insurance. Congress notes that Britain spends half that, yet the NHS covers everybody.

Patients, NHS staff and their trade union representatives must be put at the heart of decision-making on the future shape and delivery of local health services. Knee-jerk decisions aimed at producing short-term savings must not be allowed to threaten long improvements, nor roll back the transition of the NHS into a service that actively promotes good health, rather than being mainly a service for the sick.

As a key provider of diagnostic and cancer treatment services the Society of Radiographers strives to ensure that at all times the patient's needs come first, that only relevant examinations and treatments are undertaken, and that users fully understand the reasons for their attendance.

The Society has evidence that, in a drive to increase patient throughput, women using the NHS Breast Screening Programme are facing a full-screen examination in appointments as short as three minutes. The Society takes the view that this is a short-sighted and flawed policy and to conduct a serious examination on a vulnerable and anxious woman in such a short space of time will compromise the quality of care, do nothing to improve the communication between the woman and the health professional, exacerbate existing concerns about operator welfare and safety, impact negatively on morale and reduce confidence in the service.

Congress calls on the General Council to reactivate the NHS Together campaign, as a platform for all affiliated unions to work together to contribute to the debate on the future direction and funding of the NHS. Congress calls on the General Council to work with NHS Together unions and patient groups to campaign for:

- i) services to remain within the NHS, delivered by NHS staff
- ii) better standards of care for all, while retaining the quality and effectiveness of healthcare
- iii) a moratorium on any further use of private companies in healthcare delivery
- iv) the Co-operation and Competition Panel to be scrapped
- v) making the case to the Government for proper and full resourcing for any initiative to improve and develop service delivery
- vi) staff and unions to be properly consulted and involved in decisions to alter service delivery
- vii) evaluation of costs of privatisation, including related 'quangos.'

Mover: UNISON

Seconder: Chartered Society of Physiotherapy

Supporters: Society of Radiographers

Unite

Composite 17 Independent Safeguarding Authority

Congress fully supports the principle of safe and effective public protection and the need for appropriate steps to be taken to ensure the protection of children and vulnerable adults.

Congress notes the establishment of the Independent Safeguarding Authority (ISA), with its role of vetting and registering all those wanting to work or volunteer with children or vulnerable adults and barring all those deemed unsuitable. However, the scheme will impact on over 11 million people and it is essential that careful consideration is given to ensure any measures introduced are fit for purpose, and that the new scheme provides an opportunity to ensure the fairest and safest system is put in place on the basis of manifestly reliable and relevant information.

Congress believes there are key concerns surrounding the current approach and implementation of the ISA scheme, including that the ISA system may be linked to a requirement to hold a national identity card, and calls upon the General Council to lobby the Government to:

- i) make it mandatory for employers to pay for the registration fee for the scheme rather than the individual applicant - the current registration fee will have a disproportionate impact on low-paid, female and part-time workers
- ii) ensure the ISA process does not duplicate costs and registration for those already on a relevant professional register - casual workers and those on short-term contracts are especially likely to suffer detriment as a result of the additional costs and administrative burdens associated with the new scheme; a flexible, cost-neutral process of ISA registration should be provided for these workers
- iii) ensure ISA assessments are based on relevant criteria, using up-to-date and secure information
- iv) ensure information from enhanced CRB checks is considered with due care so that individuals who have been the subject of false allegations are not unreasonably barred from working with children or vulnerable adults ensure that the barring and appeals processes are fully consistent with the right to due process, a fair hearing and to any necessary redress, and that they are fully compatible with articles 6 & 8 of the European Convention on Human Rights.

Mover: Chartered Society of Physiotherapy

Seconder: National Union of Teachers

Supporters: Equity

Society of Radiographers

Association for College Management

Composite 18 Digital Britain

Congress notes the recommendations and conclusions of the Government's Digital Britain final report, which seeks to secure the UK's position as one of the world's leading digital knowledge economies, and the trade union campaign on the need to roll out high-speed broadband across the nations and regions of the UK.

Congress believes that a communications infrastructure of high-speed broadband links, delivering online services to communities at higher speeds on a universal service basis, will play a key role in building a more dynamic, a more engaged and a more cohesive Britain, while also having the potential to drive economic growth and social inclusion.

If implemented effectively, Digital Britain's proposals promise to underpin economic recovery, improve social cohesion and create quality sustainable employment in the communications and associated industries.

Given that access to broadband services is now a prerequisite for full participation in the economy and society, it is especially encouraging that the Government has recognised the need for universal access to broadband, and that it has proposed public support to bring next-generation broadband to those who will not be reached by the market.

Congress would welcome the swift publication of the Digital Economy Bill and, in particular, its emphasis on enhancing the role of Ofcom with two new duties: to promote investment in the UK's communications infrastructure and to conduct biennial reviews. This represents a fundamental, and long overdue, change to the UK's regulatory framework, overturning twenty years of over-reliance on competition and markets.

However, while the Digital Britain report represents real progress in creating the right framework for investment in communications infrastructure and content, Congress believes there are areas where the proposals are not far-reaching enough. In particular, the Universal Service Commitment to broadband represents a promise of best endeavours, but should be made legally binding under a Universal Service Obligation to be truly effective.

Congress calls on the General Council to:

- i) work with the Government and Ofcom to ensure that the Digital Britain proposals are implemented in a way that maximises the potential for economic growth, social inclusion and job creation
- ii) lobby central government to ensure that the communications infrastructure aspects of the Digital Economy Bill move swiftly into legislation
- iii) lobby the Government and Ofcom to turn the Universal Service Commitment to broadband into a legally binding Universal Service Obligation
- iv) ensure that the agenda of digital inclusion drives the TUC's own working programme
- v) maintain pressure on the Department for Business, Innovation and Skills so that its policy of industrial activism continues to be central in addressing the needs of the UK's communications infrastructure.

Mover: Communication Workers' Union

Secunder: Connect

Composite 19 Public service broadcasting and copyright piracy

Congress notes the publication of the Digital Britain report sets out the Government's vision for the future of the broadcasting industry.

Congress believes the report is a woefully inadequate response to the crisis facing public service broadcasting, which has seen thousands of jobs axed at the BBC and ITV, and the halving of local and regional news at ITV. Congress condemns the proposal to top-slice the licence fee. Congress believes the licence fee should be used exclusively to fund public service broadcasting at the BBC.

Congress believes that the crisis can only be addressed by raising new funds to support public service broadcasting and local media. Congress welcomes the publication of the joint NUJ/BECTU report Mind The Funding Gap, which demonstrates that industry levies, as used in 27 other European countries, alongside the use of regulatory assets, can meet the funding shortfall.

Congress instructs the General Council to:

- i) campaign actively against the top-slicing of the licence fee
- ii) lobby for alternative funding mechanisms for public service broadcasting, in particular for the use of industry levies to ensure a quality local and regional news service can be maintained and developed on ITV.

Congress notes the growing problem of internet piracy and illegal online file sharing and believes this also represents a significant threat to jobs in the creative industries, including the audiovisual, music and publishing sectors.

Congress recognises:

- a) the creative industries contribute an estimated 8 per cent to UK GDP and provide an estimated 1.8 million jobs
- b) the illegal downloading of digital material is widespread and growing, with an estimated 98 million illegal downloads of films and more than one billion illegal downloads of music in 2007
- c) up to 800,000 jobs have been estimated to be at risk in the creative industries, including the jobs of many unionised workers in this area.

Congress believes:

- 1) internet service providers should now be required to take stronger action against the illegal distribution of content over their networks

2) internet service providers should therefore be required to send warning notices to offenders and to take additional graduated technical measures to prevent illegal downloading by individuals who ignore multiple warnings

3) that, in contrast to Digital Britain's emphasis on legal measures as the first resort (requiring rights holders to sue individual offenders), such technical measures should be given priority.

Congress believes this is an issue of preserving workers' jobs and that internet service providers should not be allowed to pursue their ruthless commercial interests under the cover of false and misleading justifications based on freedom of information.

Congress therefore calls on the General Council to campaign for the Government to take early and effective action to introduce and implement such measures.

Mover: National Union of Journalists

Seconder: Broadcasting, Entertainment, Cinematograph and Theatre Union

Composite 20 Working temperatures

Congress recognises that many workers in the UK have to work in extremes of temperatures that can be detrimental to health. Whilst there are prescribed standards for working in extremely cold environments, there is little protection for those working at the very warm end of the spectrum.

Research shows that when people experience temperatures in excess of 24 degrees Celsius the propensity for accidents increases and work productivity diminishes. The World Health Organisation recommends that the maximum air temperature should be 25 degrees Celsius.

Congress urges the General Council to embark on a campaign aimed at publicising the need for legislation in this area and calls on the HSE and the Government to introduce a maximum working temperature that will allow a standard for introducing control measures and to give workers rights when such standards are infringed.

Mover: Bakers, Food and Allied Workers' Union

Seconder: Union of Shop, Distributive and Allied Workers

Supporter: Transport Salaried Staffs' Association

Composite 21 Public services and the economy

The 2009 Budget increases government debt every year up to 2016 to tackle the recession and bail out the financial sector. Congress believes that a stimulus was the right response to ensure stability and restore growth quickly, and welcomes the Government's recognition that investment in public services is vital to pulling the country out of recession. But Congress believes that cuts of £47bn between 2011 and 2018 will damage vitally needed services and local economies whilst ultimately impairing economic recovery.

Congress rejects the notion that the solution to the economic crisis, and the resulting national debt, must be found in public spending cuts which damage services, freeze public sector pay, or cut pensions and benefits. Furthermore, there are aggressive efficiency targets in all areas, not officially classed as cuts, that are already damaging public services and promoting privatisation. The Operational Efficiency Programme is compelling all public bodies to outsource services provided by excellent teams whether it makes sense or not. Such measures end up being more expensive, and fragment and weaken public service flexibility and capability. Staff experience worsening pay, conditions and pensions.

Congress expresses its profound concern at the likelihood of deep cuts in public spending from 2010 onwards, mainly as a consequence of the impact on public finances of the Government's support for failing banks and financial institutions and of the deepening economic recession. Those who rely on public services should not be made to pay the price of a crisis caused by bankers.

Congress resolves to:

- i) oppose cuts in public services and pensions
- ii) seek union engagement in efficiency programmes
- iii) promote the involvement of staff and unions in improving services, and the case of in-house service transformation and public-public shared services
- iv) present an alternative to the economic consensus that involves fair and increased taxation, the wider benefits of public services to the economy and society and makes the case that current provision is affordable and the best route out of recession
- v) pursue a payback tax on profits above a certain level on financial institutions that have benefited from public money.

Congress believes that public services are at the heart of a democratic society and are essential to supporting individuals and families, developing strong and cohesive communities, and ensuring social and economic justice for all.

Congress notes the record levels of applications for entry to courses of further and higher education as a consequence of rising unemployment and believes that enhanced education and training provision across all sectors, but especially in further and higher education, will provide both short- and medium-term social and economic benefit and equip the workforce for the economic recovery when it comes. Further, the hard-hit construction industry should be deployed in remedying the parlous condition of much of the country's educational estate.

Congress asserts that public services are vital to the nation's economy and must be defended against privatisation, which puts profits before people and which has been a key factor in the current global economic recession. Furthermore, Congress deplores the monumental waste of public money, loss of economies of scale and increased risk for financial impropriety caused by policies of marketisation, financial devolution and outsourcing of public services.

Congress believes that panic measures to cut public spending would deepen a crisis caused by unrestrained free market policies. Congress believes that investment in public services is

essential at this time. Existing cuts must be reversed including the £11bn cuts in the current spending round. Instead, there should be a renewed commitment by all to investment in infrastructure and the future provision of publicly financed, efficient, high quality public services, and particularly, enhanced public investment in services for people. Funding must be found by enforcing tax compliance to close the annual tax gap estimated at between £50bn and £200bn.

Congress rejects the divisions that are being encouraged by the media and politicians between private and public sector workers in order to justify cuts and condemns those who seek to use the economic recession as an excuse to promulgate an anti-public services agenda, to privatise public services, and to attack public service workers' jobs, pay and pensions on the grounds that there should be 'equity of misery.'

Congress believes the next general election will be on increased investment in public services, privatisation and the welfare state.

Congress notes that in 2005 the willingness of public sector unions to take joint action successfully defended the pension age of millions of workers.

Congress instructs the General Council, working through the Public Services Liaison Group (PSLG) and Public Services Forum (PSF) as appropriate, to develop a new integrated campaign based on:

- a) protection of public services and an end to privatisation
- b) public investment in high quality and fully funded public services as a priority at the next general election
- c) promoting the case for high quality public service provision
- d) supporting investment in improving the country's infrastructure
- e) ending the systematic tax evasion by corporations and individuals and the current tax privileges of the wealthy
- f) supporting affiliates in opposing wage cuts, rejecting any public sector pay freeze and protecting pensions.
- g) demanding government action, including nationalisation, to protect and create jobs
- h) defending defined benefit pension schemes, including those in the public sector
- i) opposing the creation of any two-tier workforce, de-skilling and downgrading of existing key public services
- j) campaigning for an expansion in public sector education and training provision.

Congress further instructs the General Council to support, co-ordinate and encourage joint union action, including industrial action, in pursuit of these objectives.

Mover: UNISON

Seconded: Public and Commercial Services Union

Supporters: NASUWT

Educational Institute of Scotland

POA

Emergency 1 Pleural plaques

Congress notes that the Government was due to announce its decision on whether to restore compensation for pleural plaques victims by 21 July 2009, the last day of Parliament before the summer recess, but that no announcement was forthcoming.

The Scottish Parliament has already reversed the Law Lords' judgement on pleural plaques and the Northern Ireland Executive is committed to following suit.

Congress believes the Government have exaggerated their own liability, should there be a reinstatement of compensation for pleural plaques.

Congress regrets to learn that it is currently not the Government's intention to restore the right to claim compensation for victims of pleural plaques. This will create a postcode lottery with victims in England and Wales being denied compensation.

Congress further notes that recent new research by the Barbara Ann Karmanos Cancer Institute shows a clear link between pleural plaques and physical pain.

Congress calls on the General Council to campaign:

- i) to persuade the Government fully to overturn the Law Lords' decision on pleural plaques, allowing victims to seek compensation and identify the company(ies) and insurer(s) who are liable for their injuries
- ii) to undertake work with supportive backbench MPs to seek a parliamentary solution to the pleural plaques issue, if the Government declines to overturn the Law Lords' ruling.
- iii) for further research to be undertaken to better understand the physical and mental damage caused by pleural plaques.

Mover: Union of Construction, Allied Trades and Technicians

Emergency 2 Cuts in the civil service compensation scheme (CSCS)

Congress notes that on 31 July 2009 the Government published proposals for cuts in the civil service compensation scheme (CSCS). The CSCS provides funding for redundancy and early retirement.

Congress notes that in the media the cuts have been presented as reform to end gold-plated pay-offs. In reality, the proposals threaten to strip hundreds of thousands of staff, including the low paid, of their current entitlements to compensation in the event of redundancy and make compulsory redundancy more likely.

Congress believes that the proposals represent a crude attempt to make job cuts on the cheap at a time when jobs are threatened by plans for massive public spending cuts as a solution to the national debt arising from the current financial crisis.

Congress further notes that staff become more 'attractive' targets for the private sector in terms of work being outsourced if terms and conditions are less expensive and that therefore the cuts to the CSCS would make further privatisation in the civil service more likely.

Congress notes the proposals have been unanimously rejected by the civil service trade unions.

Congress believes the proposals are a dangerous precedent and gives full support to the civil service trade unions in their efforts to defend members' entitlements. Congress calls on the General Council to make clear this position to the Government and use its influence to seek a re-opening of negotiations.

Mover: Public and Commercial Services Union

Seconded: Prospect

Supporters: FDA

POA

Emergency 3 Royal Mail dispute

Congress notes that the CWU is balloting its Royal Mail membership from 16 September on strike action. This decision follows the failure of management to negotiate a new agreement covering the wages, terms and conditions of the workforce in the modernisation of the industry.

Congress agrees to offer full support to the campaign of the CWU, and calls upon Royal Mail management to reach an agreement, which secures the modernisation of the industry by consent and negotiation.

Congress notes that the Government decided not to progress the Postal Services Bill when Parliament rose on 21 July.

Congress welcomes the withdrawal of the immediate threat to privatise the industry, as contained in that Bill. However, Congress notes that the other issues covered in the Bill - the pensions deficit and the regulation of the industry - remain pressing problems. Congress therefore calls upon the Government to prepare suitable legislation to ensure that the Government takes on its responsibility for the deficit, and that a more appropriate form of regulation is introduced.

Mover: Communication Workers' Union

Emergency 4 Vestas and green jobs

Congress notes on 18 August the wind turbine manufacture Vestas reported a 29 per cent revenue increase and full-year operating profit forecast of 11 to 13 per cent whilst also hiring 5,000 workers for new factories in China, the US and Spain.

Congress is appalled that despite this expansion just weeks earlier Vestas closed England's only wind turbine factory, devastating the local economy and destroying skilled green jobs.

Congress applauds the Vestas workforce and their families who courageously fought to save their jobs, including occupying the factory. Their principled stand to defend their community and to fight climate change is a tribute to the finest traditions of our movement.

Congress congratulates the TUC, affiliates and green movement for supporting the campaign to keep the factory open and defend those workers who were sacked for occupying the factory.

Congress welcomes the high level summit hosted by Ed Miliband on 8 September to discuss the promotion of green jobs in the energy supply / manufacturing sector and notes the impetus of this was the Vestas closure.

Congress notes this forum will continue to meet and urges the General Council to campaign to ensure the UK's ability to meet climate change targets and create green jobs through a balanced energy policy is not held to ransom by market forces but instead includes a strategy which:

- i) urgently explores the benefits of UK publicly owned wind turbine manufacturing capacity, including at the Vestas site
- ii) public procurement and accelerating the permitting process.

Mover: National Union of Rail, Maritime and Transport Workers

Secunder: Unite

Emergency 5 Sri Lanka

The Guardian newspaper on Monday 7 September reported on Sri-Lanka's expulsion of a senior UN official who was critical of the Government-run 'Welfare Camps'.

The concerns raised by James Elder, UNICEF head of communications, support those raised in a briefing issued on 10 August 2009, by Amnesty International, which drew attention to the state of emergency facing Sri Lankan civilians displaced, facing potential death and disease in the aftermath of a devastating civil war.

Amnesty have now launched a campaign demanding that the Government 'Unlock the Camps', where civilians are detained by troops regardless of the contravention of the ILO and international law.

There are 409,000 displaced civilians, with 60,000 children alone, effectively imprisoned in camps with no sanitation, shelter, insufficient food, water and visitation for families, all witnessed by the UN Secretary General who claimed these as 'the most appalling scenes' he had witnessed.

Congress and affiliates must endeavour to support Amnesty's campaign 'Unlock the Camps' to support freedoms for civilians by:

- i) campaigning for access to the camps by journalists, aid workers and politicians
- ii) raising awareness of the disappearances, abductions, arbitrary arrest and sexual violence taking place in the country
- iii) circulating Amnesty International's 'Unlock' petition and campaign materials
- iv) working with sister organisations with similar goals to support democratic structures and processes in Sri Lanka
- v) providing financial assistance and support to civil society organisations working on behalf of vulnerable groups of people in Sri Lanka.

Mover: Fire Brigades Union

Seconder: National Union of Journalists

Emergency 6 National Grid: national greed

Congress notes with alarm the notification of redundancies in Newcastle, Northampton and Warwick, given to the joint unions (GMB, Unison and Unite) by National Grid on 4 September 2009.

Congress further notes the 24-hour strike which took place in Newcastle on 11 September, in defence of jobs at risk from the company's review of its UK Shared Services operations.

Congress applauds the joint unions for organising resistance to these unjustified redundancies, and condemns National Grid for this act of corporate greed. Congress notes that the joint unions have already identified £3m in cost savings, and believes that the plan to make workers redundant and either outsource the work, or offshore it to a low-wage economy, is both socially irresponsible and financially unnecessary.

Congress recognises that National Grid performs monopoly activities in the UK and is set to benefit from Government investment in the UK energy infrastructure. It made over £2.9bn profit last year, whilst seven of its directors shared £9.47m in salary and bonuses, and shareholders are guaranteed a dividend growth of 8% pa until 2012.

Congress calls upon National Grid to withdraw the threat of redundancies and guarantee security of employment to the loyal employees who have contributed towards its success. Congress further calls upon the Government to intervene and remind National Grid of its social obligation to protect jobs during the recession, and for Ofgem to ensure that if these

jobs are offshored that the company doesn't benefit from any investment funded by the British energy consumer.

Mover: GMB

Secunder: Unite

Motions Lost

7 Trade union rights and freedom - taking back our rights

Congress registers its total disgust and disappointment at the continuation of the anti-trade union laws throughout the United Kingdom.

Congress recognises that all initiatives and campaigns up to this time have achieved little change to employment rights for working men and women in this country.

Therefore, Congress calls upon all affiliated trade unions and the General Council to organise a series of street demonstrations throughout the United Kingdom, and selective days on which trade unions will break the anti-trade union laws by taking a general strike.

Further, these activities should continue until such time as the Government changes this anti-trade union and anti-working class legislation.

POA

56 Education and the economic crisis

Congress notes that the global recession has had a major impact on the lives of working people, students and the retired through job loss, increasing unemployment and threats to pensions.

Congress notes the £billions of taxpayers' money given to the banks, without evidence of loans to businesses, in contrast to the constant pressure on public service budgets.

Congress notes the one million young people out of work. Every young person leaving education must have the right to a job or high quality education or training.

Congress congratulates the TUC on the 28 March 2009 mobilisation and the statement, 'Put People First'. Congress endorses the People's Charter as a step towards the development of further demands and campaigns. Congress agrees to call together affiliates involved in education to develop an Education Charter, encompassing policies from Early Years to Adult Learning, couched in terms of rights and with costed proposals.

Congress calls on affiliates to co-ordinate campaigns in defence of jobs and services in health, education, housing and the post. The TUC should promote and promulgate demands on progressive tax policies, public works, pay levels, pensions, public spending, the ending of wasteful privatisation and the return of trade union rights.

Prior to the general election, Congress agrees that the General Council should organise, or assist in the preparation and co-ordination of, a major publicity campaign, public meetings and a national demonstration, and, as appropriate, calls for industrial action, with the theme of 'no to unemployment, no cuts in pay, pensions or public services'.

National Union of Teachers

84 Political representation of members

Congress recognises the lack of adequate representation at political level for the members of affiliated unions. Congress notes that New Labour, as currently constituted, is now failing to attract the support of our members and that its vote at the 2009 European Election reached an historic low. The present Government's policy of continuing privatisation, cuts in Government spending and failure to remove the anti-trade union laws is unlikely to change this in the near future.

Congress therefore calls on the General Council to convene, at the earliest opportunity, a conference of all affiliated unions to consider how to achieve effective political representation for our members.

Communication Workers' Union

General Council Statements

General Council statement on the future of the UK economy

Introduction

The country is still facing a profound economic crisis. Unemployment is growing particularly amongst young people. Despite the first signs emerging of a possible resumption of economic growth, there is a real danger of a so-called jobless recovery. From the TUC perspective, no turning of the economic tide can be regarded as a real recovery until unemployment starts to fall.

One year ago, the General Council delivered a statement on the economy to Congress 2008. That statement rejected the claims common at the time that interest rates needed to be held or even raised to stem the threat of inflation. It also rejected the argument that public sector wages had to be held down to avoid the risk of a wage-price spiral. Instead the statement called for a major fiscal stimulus of house building and tax cuts for ordinary earners to limit the likelihood of recession, for interest rates to be rapidly slashed, and for major resources to be committed to help those facing unemployment back into work and training. In addition, the statement called on the Government to end light regulation of the City which, it was argued, had become a risky liability for the UK and instead start identifying and helping those sectors in the 'real economy' that could drive economic growth in the future.

In the same month the General Council issued its statement, Lehman Brothers collapsed setting in train a series of consequences that profoundly changed the economic situation of the UK and the world. Well established and supposedly infallible economic approaches were rapidly ditched to be replaced by many of the very policies for which the General Council had called.

What is now clear is that however shocking the events of September 2008 and however damaging the ensuing recession, the really profound shift in economic policy priorities needed to meet the challenges of a completely new economic era has yet to occur. The current unorthodox approaches adopted by the Government and the Bank of England are generally presented as emergency responses designed to get the economy over this rather major bump in the road. Soon however, it is assumed, the work of these policies will be done and all can return to business as usual.

Hence we see bankers once again awarding themselves huge bonuses off the back of the taxpayer bailout and receiving little in the way of constraint other than stern words from the Treasury. And, most worryingly, public debate has been successfully steered by some political leaders away from the really pressing matter of limiting the long-term damage done to the economy by the recession and into the red herring of public spending cuts.

In contrast, the TUC calls for a major public debate about how economic policy must be rapidly rethought if we are not simply to return to business as usual and if the UK economy is to be fit enough to meet the challenges and opportunities of a new economic era.

It is time for a rethink based on the following policy imperatives:

- a bolder response to rising unemployment and a new approach to the labour market;
- a new policy focus on the ordinary wage earner;
- protecting public services;
- building on the industrial activist approach;
- creating a new role for the financial sector;
- rethinking monetary policy.

A bolder response to rising unemployment and a new approach to the labour market

In the past twelve months the shape of the UK labour market has fundamentally changed - unemployment is rising sharply, employment has experienced record falls, vacancies are down and redundancies are up. The latest statistics show that in the three months to June 2009 there were 2,435,000 people out of work - 750,000 more than the same period in the previous year. For the first time since July 1997 the number of people unemployed for over six months has moved over the 1 million mark. Over one in six young people aged 18-24 are out of work - 83 per cent of whom are not in full-time education. The TUC's 'want work' rate (which includes those who are economically inactive but would like a job in addition to those who are unemployed) shows that over four and a half million adults of working age would like to be in employment but aren't. And it is not only those who have lost their jobs who are suffering. Rates of involuntary part-time and temporary work are high and increasing, with just under a million workers are in part-time roles because they cannot find full-time employment.

Evidence from previous recessions shows us that it is likely to be at least a year from when growth returns before unemployment begins to fall, and many more years after that before unemployment returns to pre-recessionary levels - after the 1980s recession unemployment still hadn't returned to the levels of the late 1970s before the 1990s downturn began. Action to challenge unemployment, and to support those who have lost their jobs to re-train, is therefore essential both now and into the future.

We believe that Government needs to provide more support to viable firms struggling with short-term economic difficulties during the recession and the early days of recovery, and that a short-time wage subsidy scheme could do much to prevent more jobs from being unnecessarily lost. Across Europe, Governments have made subsidy packages available to employers moving workers to short-time hours or making temporary lay-offs - and recent evidence from Germany¹, where over one million workers are now on short-time working, suggests that the scheme has protected around 400,000 full-time jobs. As firms wait for the recovery to take hold a short-time working scheme in the UK could protect jobs and enable employers to retain essential staff and skills - making business success more likely in both the short and longer terms.

The Government has been bold in acting to tackle youth unemployment, guaranteeing a job, training place or work experience placement to all young people aged 18-24 who have been claiming JSA for 12 months or more. But the TUC is concerned that this welcome investment will be too short lived and too limited in its scope. The Future Jobs Fund will provide paid employment for 150,000 young people - but in June of this year 140,000 young people had already been unemployed for over 12 months, and the first jobs will not be available until October. Demand for the scheme will therefore be high, and many young people may find that rather than work they can only benefit from the training or work experience offer. It is therefore imperative that more jobs are created, and that the guarantee delivers meaningful opportunities that will have real impact on young people's job prospects. In particular, it will be essential that the most disadvantaged young people do not miss out on the Future Jobs Fund, and that they are not sidelined into stop gap work experience schemes with no promise of a paid job.

While the Government has been right to focus its resources on young people facing unemployment, who will feel the negative effects of early spells of unemployment for the rest of their working lives, the General Council is also concerned to ensure that other groups also receive appropriate support, and that existing labour market programmes take account of our changed economic circumstances. The introduction of the Future Jobs Fund demonstrates the Government's recognition of the need for demand side measures to provide opportunities for people to work - a departure from the focus simply on supply side interventions aimed at improving the 'work readiness' of unemployed people. The TUC now believes that this principle should be extended to wider labour market policy. We are particularly concerned about the 'work for your benefits' scheme for the long-term unemployed, proposed in the Welfare Reform Bill. The scheme will force people to do compulsory work experience, earning as little as £2 per hour, which will do nothing to improve the job prospects of workers - most of whom already have plenty of skills and experience. We believe that this scheme should be replaced with a jobs guarantee for all long-term unemployed workers, a policy which would provide real opportunities to access paid employment, and would recognise the need for a demand side response to support unemployed people in our changed labour market.

More broadly the debate around welfare reform must also change. For too long the focus has been on how to make the benefits regime ever harsher, underpinned by a view of benefit claimants as lazy scroungers who actively seek to avoid work. The recession has shattered this myth, and has also laid bare the insufficient support that our social security system now provides to the unemployed. Since the 1980s earnings have risen on average 1.6 times faster than unemployment benefits, with the result that Jobseekers Allowance is now worth around a tenth of average earnings - in the 1980s it was a fifth, and it was too low then. The TUC

believe that we need to develop a new vision for our welfare state, allowing the creation of an infrastructure that recognises the world of work as it exists now, supporting people in precarious and insecure jobs and recognising the reality of under-employment. Our social security system should provide non-discriminatory support to all those who are out of work, recognising the diversity of workers' family arrangements and playing its part in eliminating poverty.

The scourge of rising unemployment is also set to have a hugely detrimental impact on our skills base unless urgent action is taken by the Government. In spite of the rapidly weakening labour market, recent reports have highlighted that employers are having significant difficulties in recruiting skilled staff.

The experience of previous recessions has shown that a significant decline in skills investment is a key factor in how quickly and robustly the economy and labour market can recover. The TUC has therefore pressed the Government to use skills policy in a much more proactive way to safeguard investment in training and also to make a significant contribution to protecting employees at risk of redundancy.

The Government has instigated a range of skills initiatives expressly designed to counter the recession, including measures to continue expanding the number of apprentices especially by increasing recruitment in the public sector. Obliging more contractors to invest in workforce skills by strengthening public procurement policies has been another welcome change in Government policy. Flexibilities have also been introduced to Train to Gain, the government skills programme, in order to relax the eligibility criteria and increase access to training subsidies especially for SMEs during the recession.

The Government is also of course prioritising the skills of young unemployed people through major programmes such as the Future Jobs Fund. School leavers are another key group and it was welcome that in Budget 2009 the Government announced additional funding of £650M over the next two years to ensure that it delivers on its guarantee of an education or training place for all 16- and 17-year-olds. The TUC has also welcomed a government initiative with other stakeholders to safeguard construction apprentices at risk due to the major contraction in the sector by making alternative arrangements to enable them to complete their training.

Welcome as all this is, there is a need for additional measures to ensure that more people have the opportunity to acquire the skills they need to either retain their existing job or to find another job if they are made unemployed. These measures include the need for greater flexibilities for all companies facing the threat of closure (e.g. companies moving to short-time working) to access government training subsidies, although significant pressures on the Train to Gain budget will make this difficult over the short-term. Sector Skills Councils and Regional Development Agencies have an important role to play in supporting skills investment in companies facing difficult times and trade union members of these bodies are playing an important role in supporting such strategies. Government also needs to urgently consider how the new Right to Request Time to Train can best support employers and trade unions to assist the workforce to re-skill to meet the challenges of the new economy.

Public procurement can also play an even greater role in maintaining skills investment. The Government needs to rapidly extend the progressive approach being introduced for central government construction projects to other major areas of contracting (e.g. government IT projects) and also to bring greater pressure to bear on government agencies and local

authorities that are not currently using available procurement measures to oblige more contractors to meet a number of 'skills commitments.' The TUC has also been calling for the initiative in the construction sector to safeguard apprentices to be extended to many other sectors of the economy, including all parts of public services.

There is also a pressing need for all unemployed people to be able to access tailored skills training as early as possible in order to help them back into work or to give them the opportunity to retrain in a different sector. It is imperative that major initiatives, such as the Future Jobs Fund, deliver training opportunities that will genuinely help individuals to get the jobs that are being created as the economy recovers. We must not repeat the experience of past recessions where, all too often, the most disadvantaged young people were trapped in training schemes that did not lead to sustainable employment.

During the downturn we know that those who are already experiencing disadvantage will be some of the hardest hit. Unemployment is rising far faster among those in elementary occupations than in other groups, and many lower paid workers who manage to keep their jobs will face increased job insecurity and a higher risk of poor and illegal treatment. The recession means that for many workers the risks of vulnerable employment have increased - people may be more prepared to put up with bad treatment as they are scared of losing their jobs, and employers may use the insecure economic climate to justify exploitation.

Women, workers from black and minority ethnic groups and disabled workers are over-represented among those in low-paid and temporary jobs, and are more likely to be working below their potential in positions that do not make best use of their skills. For example 25.3% of workers from non-white groups are low-paid, compared to 22.6% of white workers, and jobs held by women are much more likely than those held by men to pay the minimum wage (or below). There is also strong evidence that disabled people are among the most socially excluded groups in our society and that some aspects of this exclusion - especially unequal access to housing, transport and education - increase the difficulty many disabled people face in getting and keeping a job.

Workers in these groups can therefore be particularly badly affected by unemployment. Lower paid workers are less likely to have savings or to qualify for substantial levels of redundancy pay, facing a greater risk of immediate poverty as they become unemployed. Evidence also shows that lower skilled workers are less likely to find new work than those who already have higher qualifications. In addition, workers who have caring or family responsibilities, or who face travel restrictions as a result of a disability, are even less likely to be able to access new jobs that are appropriate to their needs.

It is therefore essential that public policy recognises the disproportionate impacts that unemployment has for those who are already the worst off - and that new resources are appropriately targeted to address these existing inequalities. It is also vital that discrimination at work continues to be challenged during the recession -we simply cannot afford to hinder recovery by allowing discriminatory attitudes to limit people's potential. And the important role that public services, including health, social care and childcare provision, play in enabling many workers to overcome discrimination and disadvantage must continue to be recognised. Savage public spending cuts would only serve to exacerbate the disadvantage that many workers already face.

A new focus on the ordinary wage earner

Relative levels of income, wealth and social mobility for those on median incomes and those on higher incomes have diverged very considerably over the last thirty years. Under the Conservatives from 1979 to 1997, those on median incomes saw their salaries rise by 1.6% each year, while those on higher incomes enjoyed rises of 2.1% and the richest 1% experienced increases of 3.9%. Although, the divergence was not as strong under the Labour Governments since 1997, wealthier groups have still seen their incomes grow considerably faster. Median earners have had a 1.9% growth in their incomes each year since 1997, while those on higher incomes and the wealthiest 1% have enjoyed 2.1% and 3.2% respectively².

With such a long term trend in place, it is hardly surprising that inequality has increased significantly over the last thirty years nor that higher levels of social mobility have proved very hard to attain. Nor should it be a surprise that frustration amongst ordinary wage earners is high. A TUC survey of those on median incomes found that 45% felt their living standards were no better or even lower than their parents and that only 29% think their job has a higher status than their father's³.

The failure to address these inequalities has played a significant role in the creation of the current economic crisis. It is a little remarked fact that one fundamental economic trend in the UK and other advanced economies over the last thirty years has been the declining share of GDP going to wages. As the table below shows each decade since the 1970s has seen wages taking a significantly smaller share of national income:

| Period | Average annual percentage of GDP going to wages in the UK⁴ |
|---------------|--|
| 1957-1966 | 59.4 |
| 1967-76 | 60 |
| 1977-1986 | 56.9 |
| 1987-1996 | 54.1 |
| 1997-2006 | 53.7 |

The situation in the USA is even starker where average weekly earnings have fallen by 8.2% between 1964 and 2004⁵.

The risk of such a decline is that demand falls as consumers simply do not have enough money to buy the commodities and services being produced. This is particularly a risk in the UK which has also seen its export industries decline meaning that falling domestic demand is not being replaced by rising foreign demand. For a number of years, this crisis was forestalled by the rising provision of cheap credit; in effect, the shortfall in wages was made-up by consumers borrowing vast sums to continue buying. As a result, the ratio of personal debt to household income already stood at 98% by the beginning of 2000 but increased even further to 154% by the end of 2007⁶. However, with the era of cheap and easy credit over and extremely unlikely to return soon, there are clearly serious questions to be asked about the capacity of the UK economy to restore and maintain demand while the wage share remains so low.

Policy makers should also be asking themselves whether such a low level of GDP going to wages is sustainable. One consequence of the long term trend identified in the table has been the release of very large sums of money for investment. Maintaining a reasonable share of GDP for investment is, of course, necessary for the healthy functioning of an economy. However, if the amount increases too much then the probability of risky investment practices and the creation of an investment bubble grow. For example, it is notable that the exceptionally risky investment practices around the sub-prime housing sector occurred in the USA where, in addition, the opportunity to pay large salaries and bonuses to senior management of large companies and to financiers out of all proportion to their actual performance also increases. It is almost certainly no coincidence that the long-term rise of such practices and outcomes has occurred precisely alongside the fall in the wage share.

What this analysis signifies is that policy makers must begin to pay attention to the material well-being of the mass of ordinary wage earners if demand is to be restored to the economy in the longer term and if an important cause of future financial instability is to be closed off. Four areas in particular need to be explored.

Firstly, the tax system needs to be reviewed to ensure that ordinary wage earners are getting the best deal possible out of the system. Given that the progressive nature of the tax system in the UK has been eroded in recent decades and given that both the very wealthy and large corporations have proved ever more adept at avoiding tax⁷, it seems likely that a restructuring of tax and a concerted crackdown on avoidance and evasion could ensure that ordinary earners are not bearing an unnecessarily high tax burden.

Secondly, and most importantly, the nature of wage setting in the UK must be rethought. The cultural hostility to collective wage negotiation that afflicts so much of the private sector today and the forest of complex legal rules and anti-trade union rules that constrains trade unions from effective bargaining, organising and taking collective action needs to be rapidly addressed. There is also concern that recent decisions by the European Court of Justice have undermined established industrial relations procedures threatening the ability of unions to bargain, organise collectively and to take industrial action in some circumstances in order to promote decent working conditions, equality, skills and environmental standards.

In the three decades following the war, the trade unions not only played a central role in maintaining decent levels of equality and social cohesion but were also vital in ensuring that consumers had enough money in their pockets to support the rapid expansion of the mass market. Given the scale of the current crisis and the fact that the imperatives of the UK economy are suddenly very different to those of the recent past, it is now time to think again about the measures to promote collective bargaining as a force for equality, fairness and economic growth. In this context, it is vital that employers do not use the recession as an excuse to drive down wages and reduce terms and conditions in firms which remain profitable.

Thirdly, the Government must make every effort to ensure that the severe deterioration in the occupational pensions offered to ordinary workers is stemmed. In the short term, this must mean resisting the calls for weakening of public sector pensions arrangements. Such changes would do nothing to address the problems of private sector schemes and would instead add to the problems of declining pensions provision. In the longer term, it means pushing ahead with the Personal Accounts approach while resisting those seeking to undermine its goals and the integrity of the initiative. In addition, the Government must now deliver on the Labour

manifesto commitment to introduce mandatory 50% member nominated trustees on the boards of pensions schemes. Most fundamentally, it will require allowing trade unions to act as the most effective bulwark against workplace pensions deterioration by providing unions with the rights and freedom to organise mentioned above.

Fourth, policy makers need to address the culture of very large, independently negotiated remuneration and pensions packages for the directors of our largest companies. This trend has ensured that the UK's most senior managers now have no stake in the pay and pensions packages of the wider workforce they lead. It also ensures that they are entirely divorced from even the faintest understanding of the material reality faced by their employees. Such a culture within business organisations is not conducive to the types of fair pay settlements which will be required to ensure that workers have enough money in their pockets to maintain demand. For this reason, the TUC has supported recent calls for a high pay commission to explore the problems created by excessively high pay and to propose possible solutions.

Finally, the Government needs to take firm action to deal with the crisis of personal indebtedness that now afflicts many working and unemployed people in the UK. In particular, the development and implementation of further support for mortgage holders facing repossession and forthright action against loan shark exploitation of individuals and families who have been thrust into desperate measures by debt.

Protecting public services

Public services fulfil a crucial role during a recession. The part played by Jobcentre Plus, the Rapid Response service and the wider welfare system is obvious but recessions of this depth have highly damaging social and economic consequences which would be far worse without effective public services. The deterioration in physical and mental health, the rise of alcohol and drug misuse and increases in criminal behaviour are all well-evidenced short and long-term outcomes of recessions. Such changes not only do damage to personal, family and community life but also inflict a high cost on the economy as normal business practice is disrupted by higher levels of employee absence, lower staff performance and crime. In particular, the very high levels of unemployment amongst the young experienced in this recession threatens long term risks for the UK economy as large sections of the newest workforce cohort fails to secure the adequate working practices, experience and skills to guarantee the future performance of business.

However, public services are not only crucial as a component of the response to the current crisis. The global economy is changing as a result of the crash and the UK economy will need to change with it. The role of the financial sector will be less significant as a source of growth for many years as will the role of rising asset prices in providing the (supposed) security necessary to maintain credit flows. As the Government has now acknowledged, this means the UK will have to place a new emphasis on effective infrastructure, skills, investment and productivity gains if it is to compete in the global economy. Public services are absolutely vital to the achievement of these factors. Well-funded and structured welfare, health-care, transport, education and business support guided by sensible strategic debate, rather than myopic headline chasing, must be part of the fundamental underpinnings of this new approach.

The area of housing is particularly important in this regard. The UK workforce and wider economy simply cannot operate at their productive best when the supply of adequate housing is so poor. Workers and their families who are forced by high house prices to live in inappropriate or over-priced accommodation often at a great distance from their workplace are less likely to be committed and healthy employees with high morale. This is why the TUC welcomed the Government's plans to build three million extra homes by 2020. However, with the private sector now unlikely to be able to help significantly with the meeting of this target for the foreseeable future, it is vital that the public sector steps in and launches a major expansion of public housing.

For all of the above reasons, it is to be deeply regretted that public debate has been hijacked in recent weeks by a shallow assumption that public spending needs rapid retrenchment. The TUC is clear that such a measure is not only unnecessary and ineffective but will also cause deep damage to the UK's economic prospects as the recession is lengthened and public services are unable to support the wider economy as necessary.

Those who are calling for rapid cuts do so on the basis of three assumptions, all of which are flawed: cutting spending will reduce the public finance deficit; failure to cut will create a higher tax burden for generations to come; failure to cut risks a negative reaction from the bond markets which could lead to higher interest rates or even the failure of the UK state to borrow as necessary.

It is widely assumed that reducing the public deficit is a simple matter of cutting spending but this is, in fact, not the case. Both historical and contemporary evidence reveals that cutting spending during a recession can lead to further deterioration of the public finances. The clearest historical example is the experience of the early 1980s. Margaret Thatcher's spending cuts of the time did nothing to strengthen the public finances. In fact, the deficit continued to rise rapidly from 1979 and only began to decline by 1985. The current experience of Ireland should also give pause for thought. Following two austerity budgets, the tax take is well behind target and the credit rating agencies are still downgrading Ireland's sovereign debt.

The harsh economic fact is that cutting spending when tax revenues are falling and the economy is shrinking only places further burdens on the state finances in the form of benefit payouts and heightened demands on police, healthcare and social services. This is confirmed by TUC research conducted earlier this year which found that a 10% cut in public spending would lead to at least 200,000 public servants on the dole and a significant reduction in the public contracts secured with private sector firms.

The second argument for cuts is that taxes will have to rise for many years and even decades into the future to pay for the growing levels of public debt. While there is certainly little doubt that taxes will have to rise to pay for the damage done to the economy by irresponsible investment practices in the City, the notion that these rises will afflict future generations is fanciful. The truth is that no-one can be clear about the extent of the recovery nor about the future direction of the economy over coming decades. Without such certainty, it is simply impossible to predict the likely levels of tax revenues available to the Treasury to pay off the increased debt and as such it is impossible to predict for how long taxes will be increased by that debt. The factor that will most determine the level of tax revenues and the reduction of the deficit is the level and sustainability of economic growth.

More importantly, the notion that cutting spending now will relieve future generations of the higher tax burden is false. Firstly, as explained above, there is no direct relationship between the cutting of spending and the speedy reduction of public debt. Secondly, the job losses and public service deterioration resulting from public spending cuts will cause long-term problems which will prove an expensive drain on welfare, social, police and health services which are just as likely to burden future generations with higher tax as the existence of public debt now. One cannot calculate exactly but it is certain that the intractable social problems existing in the communities affected by the recession and public spending cuts of the early 1980s have proved a very long-term drain on public funds. Major spending cuts now will only exacerbate this fiscal pressure for future generations of taxpayers.

One further argument is commonly used to call for cuts now. This is the claim that without such cuts there is a risk that the Government will soon find itself either having to offer higher interest rates to borrow, or may even be unable to raise the necessary funds on the bond markets, as investors lose faith in the security of gilts. In some senses this argument has been disproved already. Despite all the commentary about the unsustainable nature of the public finances (including the wide but false claim of a failed gilt sale earlier this year), gilts are still finding ready buyers at interest rates that are well within the long-term trends. The reason for the non-emergence of panic is because gilt and bond prices and interest rates are affected by a number of complex interacting factors of which public debt is only one. In particular, issues such as the future path of interest rates, the behaviour of prices in the wider economy, and the relative attractiveness of other assets play a big role in determining bond values.

And, very importantly, the actual performance of the economy will also play a role as this will determine the likely availability of tax revenues to honour the payments on gilts. If major spending cuts were to force the UK economy into a deeper or double-dip recession just when our competitors were recovering, then this would be more likely to cause panic on the bond markets than making no cuts at all.

This analysis makes it clear that cutting spending in the midst of the recession will not achieve the reduced deficit or debt that is claimed and may very well have the opposite effects to all the benefits that are claimed for such a measure. This is not to say that the current state of the public finances is sustainable in the long term. It is necessary that the Government outlines how it plans to reduce the deficit and the debt once the future trajectory of the UK economy is clearer. However, such plans can only be effective and avoid highly damaging consequences if implemented when both the economy and tax revenues are growing again. Furthermore, such plans must be based not on indiscriminate and arbitrary targets for cuts but on a full strategic review that balances the central role effective public services must play in the economy of the future with the need to ensure very high levels of public sector productivity to enable the sustainable reduction in the deficit.

Building on the industrial activist approach

The publication of *New Industry, New Jobs* by the Government in April marked a significant shift from a previous policy of relying on the market to identify strategically important industries for the UK. The TUC has always recognised that in the age of globalisation, there must be a focus on those high value, high skill industries where the UK can compete with the best in the world. Furthermore, as the UK strives to meet its climate change targets, there is a strong case for government intervention both to develop green industries such as the building of wind turbines and the greening of more traditional industries such as motor manufacture.

New Industry, New Jobs highlighted a number of sectors where the UK could remain successful in the future. These included low carbon industries, ultra-low carbon vehicles, digital industries, life sciences and pharmaceuticals, and advanced manufacturing. The Budget made available £750m for a strategic investment fund, to support this new policy. The TUC strongly welcomed these developments. We argued that every penny of this £750m must be directed towards industries with the potential to be jobs-rich.

New Industry, New Jobs marks the start of a process. Industrial policy must target other sectors that can provide economic growth, export potential, high research and development, and high quality jobs. In some cases, this will entail short term interventions to support strategically important companies that have a long term future but are struggling in the economic downturn. There should also be a continuing focus, in particular, on supporting those sectors, such as postal and telecommunications, which provide the infrastructure for the UK economy and without which growth is very unlikely to return in a sustainable fashion.

In addition, the vision of a globally competitive economy that is emerging out of the New Industry, New Jobs initiative must be fully integrated with the development of a new policy environment for our financial services sector. As is explained below in more detail, new growth sectors will only expand if they are able to secure the right sort of reliable investment that understands the longer term vision of our most innovative companies. This is an issue that applies as much to the provision of finance to aid improvements in productivity as it does to funding for complex product development and the capture of new markets. Whether the City as it is currently structured is able to do this is something that requires urgent investigation. And, of course, before we even start addressing this longer term role for the financial sector, lenders need to show they are meaningful partners for growth by restoring the flows of credit to struggling businesses in the manufacturing and other sectors which the bail-out of the banks was supposed to initiate.

Skills policy is also an integral element of the new industrial activism policy approach set out in *New Industry, New Jobs* and the government will be publishing a new skills activism policy approach later this autumn. This will put skills at the heart of industrial strategies designed to enable the economy to recover from the recession in a speedy and sustainable manner by giving a greater priority to planning for future skill needs, especially in key areas such as the development of the low carbon economy. The gradual evolution of skills policy away from a largely employer-led approach to one which gives Government a greater strategic and regulatory role and attributes more importance to the needs of the workforce is much to be welcomed. It is also important to substantially increase training in those skills which will be crucially important in the low carbon and energy efficient economy of the future and in particular, to promote the take-up of STEM skills.

It is vital that the new skills activism policy genuinely reflects the policy intent originally set out by the Secretary of State in his speech to the CBI in October 2008, when he stated that 'through policy, regulation and through procurement, we are able to shape and create markets, and the skills that will be needed to drive them'.

Furthermore, the *New Industry, New Jobs* initiative must include a determined focus on narrowing the productivity gap between UK and overseas business. In some sectors, there have been real productivity breakthroughs made particularly with the help of new information technology. But such productivity leaps are not consistent enough across the UK economy. In particular, UK business has yet to fully embrace the great improvements in efficiency and

innovation that research has shown can be generated by offering workers more discretion over how they carry out their job while providing wide and continuing access to training and the acquisition of skills . In the longer term, it is only such breakthroughs in productivity which can ensure that British business remains competitive and the UK economy healthy.

It is also vital that the Government's recent and welcome efforts to take a more activist approach to shifting the UK towards a low carbon economy are maintained. Work to create the right legislative, regulatory, investment and skills framework to reduce carbon emissions in key sectors is already underway and the TUC welcomes the fact that trade unions are now playing a key role in the development of policy in this area. It is particularly important that such policy is shaped and implemented in the spirit of a 'just transition' which ensures that the move to a low carbon economy does not damage livelihoods and working lives but actually enhances them. For example, it is vital that the UK Government and wider international community recognise that high carbon industries, such as steel, can become green industries through targeted and adequate investment, training programmes and application of new technologies. With such support, the shift to a low carbon economy need not pose a threat to the livelihoods of those working in these sectors.

In this regard, we also welcome the Government's call for a global deal on the environment at Copenhagen that is legally binding, has an effective compliance regime and is subject to early and regular review. We urge the UK's negotiators to ensure that a deal with these characteristics does indeed secure agreement.

Finally, while the emphasis on high skill and high value-added sectors as drivers of growth is absolutely right, it is important that the Government does not lose sight of the fact that lower-skilled workers and other sectors also play a vital role in the economy and also have the potential to grow. Addressing the problems faced by low-skilled workers, many of whom are in vulnerable work, and helping their sectors to grow while also improving their working conditions should also be a key focus of economic policy.

Creating a new role for the financial sector

As has been extensively documented and analysed in recent months, the City of London and the investment practices it promoted were one of the fundamental causes of the banking crash of 2008, the resulting recession and the widespread hardship and anxiety that has resulted. Yet the regulatory response to the problems of the financial sector has remained limited and cautious and, more strikingly, that some financial organisations have returned with worrying rapidity to the bonus culture that helped feed the crisis in the first place.

The message from Government and from the interim report of the Walker Review of the banking sector that any regulatory response must be based largely on self-regulation and voluntary codes is entirely unacceptable. The City must not be allowed to threaten any future recovery through the continuation of light-touch regulation. As such, the TUC now seeks a robust statutory response to end the payment of bonuses out of all proportion to performance, to regulate those markets which have so far operated beyond the reach of normal values of integrity and responsibility, and to end the severe problems created by large banks indulging in highly risky investment practices.

Beyond this, however, it is vital that there is now a clear public debate and policy perspective about what UK citizens and businesses have a right to expect from the financial sector. As

has been explained throughout this statement, the fundamentals of the global economy are changing as a result of the crash. The UK economy will now have to focus unremittingly and rapidly on improved infrastructure, skills and productivity if it is to maintain its position as one of the world's leading economies. The role of investment in this new trajectory is crucial but the success of such a trajectory requires a long-term commitment and painstaking programme of change which does not sit well with a financial sector which emphasises short-term share performance and the making of fast profits from speedy and volatile trading. In addition, questions must also be raised about the close interest PLC directors are bound to take in short-term share performance rather than the longer-term search for productivity gains when so many stand to benefit personally from higher share prices and from mergers and acquisitions.

The TUC is calling, therefore, for the Treasury, the Financial Services Authority and the Bank of England to launch a public debate about the role of the City in the economy of the future not simply to understand how the instability of the past can be avoided but to understand how the capital markets and wider investment sphere can play their part in ensuring that the UK economy is competitive over the coming decades. In this context, the TUC welcomes the recent comments by Lord Turner, Chair of the Financial Services Authority, which raised important questions about the size of the City relative to the wider economy and the extent to which financial services can play a more 'socially useful' role.

The TUC also believes that it is vital that financial regulators are more publicly accountable and more responsive to public concerns. This is a crucial way of ensuring that regulators are not captured by the powerful sectors over which they are supposed to exercise oversight. One important route to such public accountability, would be for representatives of the trade unions and other civil society bodies to hold seats on the boards of regulators and financial authorities such as the FSA.

Rethinking monetary policy

The role that the banking crash played in the recession has obscured the fact that very serious mistakes were made by the Bank of England through 2008 which has meant that the slow-down in the UK is now more severe than necessary. In particular, the Monetary Policy Committee consistently held interest rates at around 5% for the great part of that year setting greater store by the potential damage done by rising commodity prices, inflationary expectations and a wage-price spiral than by the risks to the economy posed by recessionary pressures and the credit crunch.

Even more surprisingly it is clear that monetary policy authorities around the world failed to identify the growing dangers to financial stability of ever more complex financial instruments dominating credit flows within the global financial system.

The simple-minded focus on inflation targeting as the sole determinant of monetary policy has been proved unfit for purpose. The Bank of England and the Treasury should urgently design a new economic and financial stability tool-kit with inflation targeting balanced by a new focus on sustainable GDP growth while containing unsustainable rises in personal and corporate debt and in asset values.

Conclusion

The last year has been a historic and troubling period for the UK and the world. A financial crash and recession of the depth we have experienced will inevitably change many of the fundamental economic facts that have underpinned the UK and global economy over the last three decades. The coming period will determine whether our policy-makers have the vision to identify those changed fundamentals and develop a new range of policies to ensure that the UK can operate a successful and fair economy over the next three decades. Currently a great deal of policy thinking and debate (although not all) is still focused on crisis management rather than transformation. This must change.

However, the deepest worry must be that policy makers not only avoid a serious re-think but actually prescribe precisely the wrong solutions. If 2010 becomes the year of ill-conceived and unnecessary public spending cuts then the risk is very great that the UK will be forced back into recession and will ultimately miss the opportunities - seized by our competitors - to grow into an economy fit to compete in a new economic world. The TUC and wider union movement will not let the current and future well-being of millions of working people to be lost and will put maximum effort into preventing this mistake being made.

Notes

- ¹ H Bach H and E Spitznagel *Betriebe zahlen mit - und haben was davon* Institute for Employment Research (IAB) of the German Federal Employment Agency 2009
- ² M Brewer et al., *Poverty and Inequality in the UK: 2008*, IFS; the source figures for incomes for the top 1% were provided by David Phillips at the IFS.
- ³ TUC, *Life in the Middle: The Untold Story of Britain's Average Earners* (Touchstone Pamphlet No. 6), 2009
- ⁴ Data from Office for National Statistics
- ⁵ United States Bureau of Labor Statistics
- ⁶ BERR, *Household Debt Monitoring Paper - H2 2007*
- ⁷ TUC, *The Missing Billions: The UK Tax Gap* (Touchstone Pamphlet No.1), 2008

General Council statement on the Middle East

The TUC reiterates its belief that only when a sovereign, independent, democratic contiguous and viable Palestinian state is created, living side by side with a secure Israel will there be a chance for peace and stability in the Middle East. We remain committed to a two-state solution to the crisis in the Middle East and support for the Road Map. We recognize the enormous suffering of the Palestinian people, and we call upon the British Government to make appropriate representations to the international community to secure lasting peace through a negotiated settlement based on mutual respect and self-determination, on justice for the Palestinians and on security for Israel.

The TUC reiterates its condemnation of the Government of Israel's offensive in Gaza which resulted in 1,450 Palestinian deaths and 5,000 injured, as well as the massive, systematic destruction of infrastructure. We also reiterate our condemnation of the rocket attacks from inside Gaza against Israeli civilians. We welcome the findings of the UN investigation which highlighted possible war crimes on both sides of the conflict. The TUC remains concerned about the situation in Gaza and reiterates its opposition to the Israeli blockade, which is in contravention of international law and prevents vital supplies from reaching the people of Gaza. We welcome the contributions unions made earlier this year to the TUC Aid appeal for Gaza.

As a result of the Gaza offensive, the TUC calls on the British Government to:

- (a) condemn the Israeli military aggression and the continuing blockade of Gaza;
- (b) end arms sales to Israel which reached a value of £18.8 million in 2008, up from £7.7 million in 2007;
- (c) seek EU agreement to impose a ban on the importing of goods produced in the illegal settlements; and
- (d) support moves to suspend the EU-Israel Association Agreement which provides preferential trade facilities to Israel.

The TUC reiterates our pledge to work in solidarity with the Palestinian General Federation of Trade Unions (PGFTU) and urges unions to support financially the TUC/PGFTU projects funded through TUC Aid as well as the joint Histadrut-PGFTU projects being developed in several sectors under the auspices of Global Union Federations. We welcome the resolution last year of the longstanding dispute over the remittance of membership subscriptions from the Histadrut to the PGFTU, which was brokered by the International Trade Union Confederation (ITUC), and support any stronger relations between the Histadrut and the PGFTU that they wish to develop.

The TUC condemns the Histadrut statement of 13 January 2009 which backed the attacks on Gaza and showed insufficient concern for the level of civilian casualties. At the same time, we recognize the recent Histadrut resolution on peace and co-operation, welcomed by the ITUC, which calls on the Israeli government 'to make concessions and take courageous and concrete steps towards attaining peace.' We will continue to press Histadrut to take a firmer line on these issues. The General Council will raise Congress' concerns with the Histadrut and report back to Congress on future relationships.

To increase the pressure for an end to the Israeli occupation of Palestinian Territories, and the removal of the separation wall and the illegal settlements, we will support a boycott (where trade union members should not put their own jobs at risk by refusing to deal with such products) of those goods and agricultural products that originate in illegal settlements - through developing an effective, targeted consumer-led boycott campaign working closely with the Palestine Solidarity Campaign - and campaign for disinvestment by companies associated with the occupation as well as engaged in building the separation wall. In undertaking these actions each affiliate will operate within its own aims and objectives and within the law.

We reiterate our encouragement to unions to affiliate to the Palestine Solidarity Campaign and to raise greater awareness of the issues.

Thursday 17 September 2009

General Council and General Purposes Committee Nominations and election results

General Council

Section A

(Unions with more than 200,000 members)

Unite

(eight members)

- Tony Burke
- Gail Cartmail
- Len McCluskey
- Dougie Rooney
- Derek Simpson
- Pat Stuart
- Tony Woodhouse
- Tony Woodley

UNISON

(seven members)

- Bob Abberley
- Jane Carolan
- Gerry Gallagher
- Dave Prentis
- Alison Shepherd
- Eleanor Smith
- Liz Snape

GMB

(four members)

- Sheila Bearcroft
- Allan Garley
- Paul Kenny
- Malcolm Sage

Communication Workers Union

(two members)

- Billy Hayes
- Tony Kearns

National Association of Schoolmasters Union of Women Teachers

(two members)

- Chris Keates

- Jerry Bartlett

National Union of Teachers

(two members)

- Christine Blower
- Dave Harvey

Public and Commercial Services Union

(two members)

- Janice Godrich
- Mark Serwotka

Union of Shop, Distributive and Allied Workers

(two members)

- John Hannett
- Fiona Wilson

Section B

Unions with between 100,000 and 200,000 members

Association of Teachers and Lecturers

- Mary Bousted

Prospect

- Paul Noon

University and College Union

- Sally Hunt

Union of Construction, Allied Trades and Technicians

- Alan Ritchie

Section C

Unions with fewer than 100,000 members

*(eleven to be elected - those elected are shown in **bold**)*

| <i>Name</i> | <i>Union</i> | <i>Votes</i> |
|------------------------|-------------------------------|----------------|
| Jonathan Baume | FDA | 422,000 |
| Brian Caton | POA | 405,000 |
| Bob Crow | RMT | 328,000 |
| Jeremy Dear | NUJ | 470,000 |
| Mark Dickinson | Nautilus International | 389,000 |
| Gerry Doherty | TSSA | 538,000 |
| Michael Leahy | Community | 353,000 |
| Joe Marino | BFAWU | 301,000 |
| Robert F Monks | URTU | 200,000 |
| Ged Nichols | Accord | 459,000 |
| Christine Payne | Equity | 401,000 |
| Tim Poil | NGSU | 387,000 |
| John Smith | Musicians Union | 508,000 |
| Matt Wrack | FBU | 387,000 |

Section D

Women from unions with fewer than 200,000 members

(four to be elected - no contest)

- Joanna Brown Society of Chiropodists and Podiatrists
- Sue Ferns -Prospect
- Lesley Mercer - Chartered Society of Physiotherapy
- Julia Neal, Association of Teachers and Lecturers

Section E

Member representing black workers from unions with more than 200,000 members

- Mohammed Taj - Unite

Section F

Member representing black workers from unions with fewer than 200,000 members

Name Union Votes

Leslie Manasseh - Connect 681,000

Colin Moses - POA 487,000

Section G

Member representing black women

Gloria Mills -UNISON

Section H

Member representing disabled workers

Mark Fysh - UNISON

Section I

Member representing Lesbian, Gay, Bisexual and Transgender Workers

Maria Exall - Communication Workers Union

Section J

Member representing young workers

Name union votes

John Walsh Unite 5,265,000

Richard Marshall ATL 734,000

General Purposes Committee

(Five to be elected - no contest)

- Phil Davies GMB
- Peter Hall RMT
- Alastair Hunter UCU
- Dilys Jouvent UNISON
- Linda McCulloch Unite

Other update

Issued: 14 October, 2009

Source URL: <http://archive.tuc.org.uk/about-tuc/congress/congress-2009/congress-decisions-2009>