



TUC 

CONGRESS 2016

CONSOLIDATED MOTIONS AND COMPOSITE MOTIONS

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SECTION ONE

JOBS, GROWTH AND A NEW ECONOMY

C01 European Union

Motions 1, 2, 3 and amendment and 4

Congress notes the referendum on UK membership of the European Union, in which 17.4 million people voted to leave. The TUC campaigned for Britain to stay in the EU as being in the best interests of working people, particularly in terms of job security and workers' rights. Nevertheless we accept the referendum decision.

Congress notes:

- i. the political and economic turmoil precipitated by the Brexit vote on 23 June
- ii. the Tories' decisions to hold a referendum, fix its timing and orchestrate the campaigns
- iii. the economic turbulence that will adversely affect working class living standards for years to come.

Congress agrees that responsibility for the consequences of Brexit lies squarely with the Tories and their backers.

Congress recognises the concerns felt by many working people expressed in the referendum – over austerity, their sense of powerlessness and the abuse of the free movement of labour. The referendum result was a rebuke to an out-of-touch political and economic elite.

Congress is concerned that the trade union movement was unable to persuade working class communities to support the remain position adopted by the majority of TUC affiliates.

Congress calls on the General Council to work to understand why so many traditional trade union communities voted to leave the EU, and seek to tackle the underlying causes of this trend.

Congress believes Brexit presents huge challenges for the trade union movement and requires a coordinated response to protect our members against attacks on health and safety provisions, maternity and paternity rights, paid holiday, and many other rights protected by the EU.

Congress believes that the trade union movement must defend the jobs, services and living standards of all workers. Working class communities must not pay the price for the Tories' mismanagement of government.

Congress opposes likely attacks on EU-based employment and safety rights through trade agreements. Congress agrees to expose attempts to introduce free trade, low investment, low tax policies across the UK; and lobby for trade agreements that protect workers, public services, equalities, the environment, health and safety.

Congress demands the government end austerity now and launch a sustained anti-austerity stimulus package of jobs and public services, and an investment programme in services and infrastructure projects to rebuild communities, revive and re-balance the economy. This must be based on fair and progressive taxation of companies, property and individuals; and social justice, equality and fair pay.

The trade union voice must be heard in all official discussions about leaving the EU and the General Council is instructed to work to ensure this and demand a workers' voice in all EU negotiations.

The terms of Brexit must reflect trade union values and input, and any deal which reduces union or workers' rights would be unacceptable.

We must defend members' jobs, which might be threatened by the UK's exit from the European Union and its single market. We are ready to work with employers and the UK government to this end, promoting British businesses around the world, while campaigning for the investment needed to create the high-wage, high-skilled economy necessary for the UK to remain as a global economic force.

We will campaign to protect employment rights which depend on legislation at the European Union level. Brexit must not be carried through at the expense of workers' rights. Equally, pensioners must not pay the cost of Brexit and Tory austerity and the trade union movement must fight to retain the 'triple lock' on the state pension.

Congress resolves to stand in solidarity with all migrant workers, who contribute enormous value to society and support the right of all EU nationals living here to remain.

Congress opposes the racist backlash following the referendum and those politicians who have whipped up this backlash, and stands in solidarity with all peoples threatened by abuse and violence.

Congress believes that jobs and public services should not be the victims of a new post-EU referendum Westminster government. Congress believes there were no votes on 23 June for increased austerity and cuts in public services, investments and benefits.

Congress condemns the Treasury programme of continuing cuts stretching to 2020, slashing public services and jobs, that all contributed to the continuing recession. It is unacceptable that further cuts are being considered while bribes are offered to through corporation tax cuts.

Congress calls on the TUC to campaign for an immediate moratorium on public service cuts, and promote an anti-austerity alternative and the benefits of collective bargaining.

Congress affirms our solidarity with sisters and brothers across Europe. Congress believes the TUC's international department has positively enhanced the standing of British unions around the world and in light of Brexit this work should be expanded so as to maintain relations between British workers and those in Europe and the world.

Congress further resolves to take the fight to the Tories, who created the mess we are in. Congress calls on the General Council to organise a campaign across the EU and the UK on this programme, to promote this alternative, to support public events, rallies, protests and demonstrations, coordinated between affiliates, aimed at defending working people from the impacts of Brexit.

Mover: Unite

Seconder: UNISON

Supporters: FBU; Community; Communication Workers Union

C02 Making a success of Brexit

Motion 5 and amendments

Congress recognises that the impact of leaving the EU will have a profound and far-reaching effect on the UK's citizens and economy. Huge swathes of policy and legislation are currently directly and indirectly derived from our membership, and many public services, including the NHS, rely on tens of thousands of EU citizens to deliver vital services.

Congress recognises that following our exit, there will inevitably be debate over wide-ranging areas of policy from employment protection to farming subsidies; and from safety standards to regional economic development, dwarfing those considered at any general election.

Congress further recognises that it is in the UK's interest to ensure that the negotiations around our exit and the implementation of new arrangements that will follow are supported by a civil service that has the resource and expertise to make this process a success. This would be a challenge for any government but after six years of austerity the civil service has been ravaged by staffing cuts of around 20 per cent.

Congress calls on the TUC to secure urgent engagement with the government to:

- i. halt all planned staffing reductions, privatisation and changes to terms and conditions in the Civil Service and its related bodies including planned cuts to redundancy pay

- ii. ensure full consultation with unions on any bodies that are established in relation to the EU referendum decision and its consequences
- iii. assess the capacity and capability requirements for the civil service over the short, medium and long term
- iv. review the 2015 Comprehensive Spending Review to provide additional resources to departments as identified by this assessment
- v. ensure that this does not lead to further outsourcing of services and expertise
- vi. ensure that all EU citizens working in public services, many of whom are union members, retain their current rights to residency and that the same rights are extended to UK nationals working in public services elsewhere in the EU.

Mover: FDA

Seconder: GMB

Supporter: Public and Commercial Services Union

C03 Supporting a modern industrial strategy

Motion 6 and amendments

Congress notes with concern that the UK needs an immediate injection in investment in research, innovation and skills to be able to lead and compete in the global marketplace and in order to meet the challenges facing our manufacturing and service industries.

Jobs and research and development (R&D) have migrated out of the country mainly on the basis of price or cost and uncertainty surrounding the implications of Brexit for science and research will worsen this situation. UK spending in R&D on developing new technology and products should be around three per cent of GDP but the UK and the EU averages less than half that of countries like South Korea.

In order to encourage technological innovations, stimulate growth and revitalise them our key industries will need a modern industrial strategy across our four nations to open up new markets and job opportunities. This will require co-investment from both public and private sectors.

Congress believes a modern industrial strategy must be rooted in workplace industrial democracy whereby the extensive knowledge, experience and institutional memory of trade union representatives can be harnessed to help develop and rebalance the industries they work in.

Congress notes that the government needs to focus on infrastructure programmes that will impact on productivity and business confidence regionally and nationally. These programmes must recognise public procurement policies to support and

retain UK jobs, skills and industries. Gender-balanced workforces with skills in science, technology, engineering and mathematics (STEM) will provide the building blocks for future successful high-quality industries.

Following the referendum, the government needs an urgent plan in place to cushion us from another recession.

Congress calls on the TUC to:

- i. work with affiliated unions to develop a national plan to shape current and future industrial strategy
- ii. develop procurement policies that put trade unions and those who invest in skills at the heart of the process
- iii. launch a campaign to retain and uplift high quality skills in the UK.

Mover: GMB

Seconder: Prospect

Supporter: Associated Society of Locomotive Engineers and Firemen

C04 Steel

Motions 7 and 8

Congress deplores the neglect by government that has led to a crisis in the UK steel industry with devastating consequences for UK steel workers, their communities and the wider economy.

Congress recognises that the steel crisis, which came to public attention in October 2015 when SSI went into liquidation, is far from over. Congress believes that it is vital that the profile of the Save our Steel campaign is maintained and pressure increased on government to deliver the level playing field UK steelmakers need to be sustainable long-term.

Congress notes that UK steelworkers have heard plenty of warm words from government and that numerous working groups have been established; however, to date little has been delivered for industry in terms of tangible results. Congress notes that the key areas where UK steelmakers are at a competitive disadvantage are exactly the same as they were a year ago: energy costs, business rates, procurement and unfair trade practices.

The UK steel industry has suffered from the dumping of cheap Chinese steel, high energy bills, and the absence of an industrial policy with manufacturing at its heart.

Congress believes the increasing fragmentation of the UK steel industry and the UK's uncertain economic future mean that now more than ever we need government to adopt a comprehensive industrial strategy for steel. This crisis affects not only the UK steel industry and its workers but the whole of manufacturing including the automotive sector, aerospace and engineering, as well as supply industries and our national infrastructure. Steel is a strategically important industry and has a vital role to play in the active industrial strategy that the country so urgently needs.

Congress notes and welcomes the belated apparent recognition by government of the importance of industrial strategy and will seek to hold ministers to account on their commitments.

Congress calls on the General Council to:

- i. continue to support and raise the profile of the Save our Steel campaign
- ii. lobby the government to develop, with trade union involvement, an industrial strategy for steel involving a long-term strategic focus on investment, skills and research and development
- iii. campaign to ensure a long-term and sustainable future for the UK steel industry with an active role for UK government including a place for the steel industry in an active industrial strategy and a commitment to use UK steel for all major infrastructure and construction projects, government-backed contracts, and state funded infrastructure projects including rail, and that supports the wider steel industry supply chain and ensures appropriate social and economic impact assessments are made by issuing authorities ahead of the awarding of public sector contracts.

Mover: Community

Seconder: Unite

Supporter: Associated Society of Locomotive Engineers and Firemen

C05 Working harder not smarter

Motion 9 and amendments

Declining productivity growth is seen by government, employers and unions as one of the biggest obstacles to improved economic growth. Congress is concerned that without much higher productivity we will struggle to fund our public services, improve our living standards and create a fairer society.

Although there are multiple causes of low productivity, Congress supports Acas' call for greater attention to be given to the way workplaces are organised, the part played by managers and leaders, and the role and involvement of workers and their representatives.

It welcomes the Smith Institute's report *Working Harder not Smarter*, based on a cross-sectoral survey of over 7,500 union members, which shows despite increased work intensity the majority do not think that they have become more productive and that just 14 per cent are confident their suggestions for improvements are listened to.

The productivity challenge is also relevant to public sector employment. Workload is a factor in education's recruitment and retention crisis. Congress commends ATL's online workload tracker and 'Make1Change' campaign which help compare productivity constraints and share ideas to tackle them.

Congress also believes that the importance of decent pay and conditions should be emphasised in the debate on productivity. As the Smith Institute report points out, a strong sense of unfairness about pay can be a powerful de-motivator.

Recognising that without union influence the drive for better productivity could lead to fewer jobs and more insecure employment, Congress calls on the General Council to:

- i. work with government and employers to ensure effective worker voice in tackling the productivity puzzle
- ii. support sectoral initiatives, including efforts to improve coverage of collective bargaining and union tools helping members to work smarter not harder
- iii. organise an event on this theme, including opportunities to share good practice.

Mover: Prospect

Seconder: Union of Shop, Distributive and Allied Workers

Supporter: Association of Teachers and Lecturers

10 The impact of automation on employment

Congress notes the growing impact of automation and robotics in many workplaces. Research suggests that as many as 10 million UK jobs could be lost over the next 10 to 20 years as a consequence of technological change in the workplace. In many industries, such developments present profound implications for not only employment, but also the quality of work, training, and safety. In shipping, for example, trials of crewless technology on board a ferry are due to start next year and Rolls-Royce is predicting that autonomous merchant ships will be in service by the end of this decade.

Congress therefore calls for the TUC to:

- i. develop a proactive strategy for dealing with the challenges presented by workplace automation and to develop resources to assist member unions in responding to employers who use technology in a socially damaging way

ii. conduct research on the issues and to produce policy programmes to demonstrate how technology could be used to improve the nature of work and to harness the technological opportunities and make them work for, rather than against, workers' best interests, and to ensure that the UK workforce is given the training and support to make transitions to new and better jobs and that the productivity gained by growing automation is shared by all.

Nautilus International

11 After Paris: climate change, just transition and climate jobs

Congress welcomes the recognition in the COP21 Paris Agreement of 1.5 degrees' rise as a safe limit and the role of fossil fuels in climate change, but regrets its failure to deliver the binding legal commitments necessary to achieve this or any safe containment, including any immediate action on fossil fuels and climate justice.

Congress condemns the government's dangerous dash for oil and gas, and welcomes, in contrast, Jeremy Corbyn's backing for One Million Climate Jobs and a Zero-Carbon Britain by 2050.

Congress welcomes the Paris-launched 'Break Free from Fossil Fuels' the global justice movement formed by frontline communities affected by fossil fuel extraction to accelerate a just transition to 100 per cent renewable energy.

Congress commits the TUC to develop an active energy and climate change strategy, and to work with other organisations to campaign for:

- i. energy democracy and a rapid transition from fossil fuels
- ii. a stop to airport expansion
- iii. promotion of alternative to short-haul flights, including publicly owned rail in UK and Europe
- iv. a genuine commitment to reducing lethal air pollutants
- v. a just transition employment strategy to climate jobs and well-paid, skilled, sustainable employment
- vi. improved links between anti-war, refugee and climate campaign movements
- vii. action against TTIP, CETA and other trade treaties threatening climate justice
- viii. a Climate Justice Fund funded by wealthy nations and polluting companies.

Congress agrees to lobby the Labour Party and the government on these demands and to actively engage trade unionists in debate and campaigning on these issues.

Transport Salaried Staffs' Association

Amendment

- ◉ In paragraph 4, delete sub-paragraph ii.
- ◉ In existing sub-paragraph iii, delete "alternative to short-haul flights, including".

British Air Line Pilots Association

12 Food poverty in the UK

Food poverty is one of the starkest signs of inequality in the UK and is on the increase. Food poverty is the inability to afford, or to have access to, food to make up a healthy diet. It is about the quality of food as well as quantity. It is not just about hunger, but also about being appropriately nourished to attain and maintain health.

Congress is outraged that at a time when the UK is the ninth richest country in the world by GDP children are going hungry. According to figures published by the Child Poverty Action Group in June 2016, 200,000 more children are growing up in poverty, up 3.9 million in total, which is set to grow by 50 per cent by 2020. It is an indictment on the UK government that 60 per cent of poor children live in working families.

The BDA understands the importance of eating a variety of foods in order to improve general well-being and reduce the risk of conditions including heart disease, stroke, some cancers, diabetes and osteoporosis. A proper, balanced diet can also have a beneficial effect on mental health and importantly, children's ability to learn.

Congress recognises that good work has been started to tackle food poverty in Wales and Scotland but is concerned at the lack of positive action taken in England.

Congress calls on the General Council to work with the BDA to develop a campaign highlighting the causes and effects of food poverty in the UK and ensuring its eradication.

British Dietetic Association

Amendment

- ◉ Insert new paragraph 3:

"Congress is appalled that the UK government's policy of deregulation in respect of charging in schools has resulted in many children and young people being denied access to a school lunch and nutritional snacks on grounds of affordability."

- ◉ In the final paragraph, delete "the BDA" and replace with "affiliates."

NASUWT

13 Tax relief on pension contributions

The UK's decision to leave the EU raises significant uncertainty for employers. The value of companies in the financial services sector has been badly hit by the referendum result and it is important the government doesn't impose further challenges on this industry.

At the last budget the proposal to introduce a Pension ISA was shelved. Following the decision to exit the UK, Congress fears that the government may return to this proposal to boost the Treasury's coffers.

However, it has a number of disadvantages:

- i. Removing tax relief on pension contributions is a disincentive to save for both employees and employers.
- ii. It is incompatible with the existing pensions tax regime, which makes it more fragmented, complicated and costly for savers, and gives employees another chance to 'opt out' of auto-enrolment.
- iii. Changes of this size are costly for pension providers who employ thousands of UK workers. Congress believes it is likely to result in further redundancies in our sector.

This proposal is bad for savers, bad for the people who work in the pensions industry and bad for the long-term financial security of the UK. Pension reforms must focus on increasing tax relief for those on the lowest incomes so they continue to save for retirement.

Congress calls on the TUC to oppose any:

- a. government initiatives that will further harm the financial services sector and put the jobs of thousands of union members across the country at risk
- b. attempt by the government to address current budgetary constraints by cutting pensions tax relief.

Aegis

Amendment

- *In the final paragraph, sub-paragraph b, after "cutting" insert "any saver's"*
- *And new sub-paragraphs c and d at the end:*
 - "c continuation of the current lifetime and annual allowance policies that discourage saving and penalise members for scheme design and investment outcomes over which they have no control*
 - "d extension of the 'freedom and choice' agenda that undermines workplace saving for retirement"*

FDA

C06 Living wage

Motion 14 and amendments, and 15 and amendment

Congress notes that the national living wage for workers aged 25 and over falls far short of the real living wage. Congress believes that there is no justification for workers aged under 25 to be paid less than their older colleagues. Paying young workers less than the established rate risks devaluing young workers and encouraging age discrimination in recruitment.

Congress condemns those employers who use Osborne's living wage as an excuse for cutting long-established terms and conditions to compensate for reductions in profits, leaving some of the most vulnerable people in UK workplaces on the brink of poverty.

This includes contractors in major government departments such as HMRC which are cutting workers' hours to offset increases in pay. Congress supports workers taking action against such employers and condemns the government for failing to ensure that people who work at its own offices including cleaners are paid fairly.

Congress is concerned that some employers are falsely claiming that the introduction of the national living wage will lead to job losses. We are also concerned that some employers will attempt to reduce other terms and conditions and cut hours to fund the implementation of the national living wage. Congress notes that all aspects of the employment package, including premium payments, allowances and the availability of hours must be taken into account when looking at low pay.

Congress notes that, in addition to retail, adult social care is a sector where national minimum wage non-compliance has become depressingly commonplace – often as a result of a failure to pay travel time in homecare, or a failure to pay for 'sleep-ins' in residential care.

Congress condemns the continued failure to enforce minimum wage legislation for seafarers in the UK shipping industry, including in the offshore supply sector where pay of £2 per hour, some 70 per cent below the national living wage of £7.20 per hour has been discovered on some vessels.

Congress notes that in April 2015 there were an estimated 209,000 jobs still paid below the national minimum wage with very few prosecutions or evidence of widespread enforcement.

This non-compliance with the statutory minimum wage is likely to increase significantly following the introduction of the national living wage.

Congress agrees to:

- i. step up the campaign for a real living wage for all workers regardless of age

ii. make the case for organising workers and widening the coverage of collective bargaining agreements, to remove age-related pay scales and improve overall terms and conditions

iii. lobby the government to invest further resources in enforcement and awareness of national minimum wage rates.

Mover: Union of Shop, Distributive and Allied Workers

Secunder: Bakers, Food and Allied Workers Union

Supporters: UNISON; Public and Commercial Services Union;

National Union of Rail, Maritime and Transport Workers

16 Fair pay for young workers

Congress believes in equal pay for equal work. Congress notes that the Conservative government excluded workers under the age of 25 from the increased minimum (living) wage. Since the recession peak in 2009 the wages of young workers has fallen by 25 per cent with young people under 25 now being paid on average 42 per cent less than other workers.

Youth pay rates are clearly discriminatory and a basic breach of the concept of equal pay for equal work. The Human Rights Commission also welcomed the proposals to abolish the differentials based on age. Some countries operate much fairer systems than the UK.

Congress believes that the so-called national living wage, which came into force in April 2016, amounts to age discrimination against young workers. The new £7.20 rate will boost the minimum wage for many working people, but does not apply to workers under the age of 25.

Congress believes that investing in young people through Apprenticeships is fundamentally important to any long-term strategy for economic growth and that all Apprenticeships should offer high quality training as well as good prospects and a fair wage.

Congress believes that the minimum wage for apprentices, which currently starts at just £3.30 an hour, remains shockingly low and that a significant number of employers fail to pay even the miserly legal minimum.

Low pay affects workers in many ways. The inability to gain independence, and feelings of low self-worth and low morale are keenly apparent in areas where low pay is so prevalent.

Congress expresses its concerns that the government decision to limit the national living wage to 25-year-olds and over could encourage employers to re-introduce lower youth rates.

The youth unemployment rate is the worst that it has been for 20 years, with young people three times more likely to be unemployed. Some would argue that the pay differentials increase the likelihood of employers hiring young people; clearly this is not the case. Most young people are getting the same knock-backs of no experience, no job. Yet very few companies are prepared to invest in the training required to give young people the experience they need to succeed.

There should be a minimum rate of pay for a job, and that rate should apply to any worker who carries out that job. There should not be different age-related pay rates.

Over recent years, trade unions have successfully negotiated the removal of youth rates from many agreements, ensuring that young workers are paid the full rate for the job. Through this negotiating and campaigning work, trade unions have successfully tackled age discrimination in the UK workplace.

Congress therefore calls for the TUC to:

- i. campaign for the abolition of youth rates and strive for a system that is based on equal pay for equal work, making the case that young people should not be discriminated against through lower youth rates
- ii. launch a widespread public campaign decrying the government's effort to create an underclass of cheap young labour and to call for the age cut off for the 'living wage' to be abolished
- iii. campaign for fair pay for apprentices and a living wage wherever possible for all workers regardless of age
- iv. produce TUC literature and research on the issues of low pay of young people that can be used to support intra-union campaigns
- v. agree to combat any further attempts by the government to increase that age at which the national living wage is implemented
- vi. campaign for the national living wage to apply to all workers and for a living wage of £10 per hour for all, including young workers
- vii. ensure that the campaign is inclusive of all workers including freelancers and the self-employed.

TUC Young Workers Conference (this motion is exempt from the 250-word limit)

SECTION TWO

RESPECT AND A VOICE AT WORK

C07 Protecting worker and trade union rights in the EU Brexit

Motion 17 and amendments

Congress believes that the purpose of the trade union movement is to ensure that workers' rights are protected, maintained and enhanced. We must oppose any assault on those rights as a result of the decision to leave the EU.

The EU has played a key role in setting good employment practices and legal standards protecting workers from exploitation, inequality, hazards, discrimination. Leave campaigners who promised these rights would be respected must be held to account.

Congress notes that this movement campaigned vigorously against the Trade Union Act 2016, and that our rights as workers continue to be among the most restricted in Europe. Any further restrictions through Brexit negotiations are completely unacceptable.

Congress calls for:

- i. the recognition of trade unions as key stakeholders in the Brexit negotiations
- ii. a campaign to ensure that the UK government does not repeal any current rights guaranteed by the EU or water down or dismantle TU and worker rights
- iii. affiliates to be particularly aware of the need to protect existing equalities and discrimination legislation, recognising that the hard won rights of pregnant workers and working parents and carers are especially prone to being attacked and reduced
- iv. the rights of existing EU workers to remain in the UK to be protected, whilst ensuring the movement of workers in the EU is a key reciprocal right in any agreement that allows UK access to the single market
- v. the TUC to seek assurances from the government that UK nationals working in the EU on behalf of UK public sector employers will be guaranteed job security and to work with private sector employers to provide the same assurances for their UK workers in the EU
- vi. repeal of the Trade Union Act, and the promotion of the IER manifesto for Labour Law
- vii. the General Council to coordinate resistance and opposition to any attacks on the rights, security and living standards of working people.
- viii. in the light of a potentially impending recession the TUC should campaign to end the policy of public sector pay restraint to ensure that public sector workers, including NHS staff, do not pay the price of Brexit with a decade of pay restraint.

Mover: UNISON
Seconder: Chartered Society of Physiotherapy
Supporters: Royal College of Midwives; FDA

18 A new deal for workers

While David Cameron and George Osborne have been forced out of government, Congress notes that their legacy is an economy in which workers are under greater pressure to work harder and faster, for longer and for less, than at any time in recent memory.

In too many industries the only innovation working people have seen is in new forms of insecure employment, from bogus self-employment and zero-hours contracts to PBA contracts exploiting the agency workers loophole.

Millions of workers earn less than a genuine living wage, have no access to a decent pension and hundreds of thousands are still paid less than the legal minimum. The world of work is increasingly characterised by efficiency and performance targets that push employees to the very limit.

Congress agrees that this country needs a bold new deal for workers, with employment rights, collective bargaining and new forms of ownership and governance at its heart. Congress also believes that the EU referendum campaign and the demonisation of immigrants by the populist right, together with the Tories' attempts at re-branding, demonstrates the need for the labour movement to engage working people in this agenda.

Congress therefore instructs the TUC Executive to work towards and co-ordinate a major national demonstration in 2017 on a new deal for workers; and to develop a common bargaining agenda for TUC affiliates to tackle insecure employment models across the UK.

Communication Workers Union

19 Umbrella companies

Congress is concerned about the growth of umbrella companies in construction and other industrial sectors.

Congress notes that Treasury reforms introduced in April 2016 have resulted in greater financial disadvantages being placed on workers forced to operate under umbrella companies.

Umbrella companies offer no financial advantages to workers operating under them. The only reason why workers operate under an umbrella company is because they are given no option and it is the only way that they can secure employment.

Congress further notes that umbrella companies are just one of many suspect employment models which have been established to either deny workers employment rights or as a vehicle for employers to avoid paying National Insurance contributions.

Congress believes that all such forms of non-standard employment need to be prohibited in order to ensure that workers can fully exercise their employment rights, understand their own employment relationship and freely access other employee benefits such as the auto-enrolment pension system.

Congress recognises that there will not be any radical change in employment relations without the political will to introduce major reforms.

Congress calls on the General Council to:

- i. undertake a detailed survey of all sectors to properly assess the level of umbrella company membership and other non-standard employment relationships, in the UK
- ii. lobby all political parties to win a commitment for specific legislation that ensures that workers are not exploited by being coerced into undertaking employment where the distinction between the employer and the employee is not accurate or transparent.

Union of Construction, Allied Trades and Technicians

Amendment

- *In paragraph 1, after "construction" insert ", education".*
- *In paragraph 2, after "April 2016" insert "failed to tackle unscrupulous and tax-dodging practices by umbrella companies and".*
- *In the final paragraph add new sub-paragraph iii:
"iii. press the government to ensure full protection for agency workers in the context of the UK's post-Brexit strategy".*

NASUWT

20 2016 Trade Union Act

Congress condemns the Trade Union Act which is the biggest attack on trade unions in decades and represents a further transfer of power against workers and in favour of the employer.

In addition to the undemocratic ballot thresholds, new requirements on ballot information and notices and duration of disputes will not only weaken unions but will provide for legal uncertainty with employers challenging unions and seeking to persuade courts to make rulings to ensure the provisions of the Act are even more detrimental.

The requirement that every workplace must have a picket supervisor advised to the police may not only be unworkable and put unions at risk of challenge but will leave activists open to intimidation and victimisation and, as the Blacklist Support Group have warned, could create a "state sponsored blacklist."

Congress also notes the Act has maintained its attack on unions' political campaigning by requiring new members to opt in to political funds. Turnover in union membership will mean that the requirement to opt in will quickly become the norm rather than the exception.

Congress believes the General Council needs to convene an urgent conference of affiliates to provide a practical forum, including workshops, as to how to best coordinate our legal and industrial response to the Act in line with policy already set by Congress. The location and basis of representation to be determined by the General Council.

Congress applauds that under Jeremy Corbyn's leadership the Labour Party has committed to repeal the anti-trade union laws.

National Union of Rail, Maritime and Transport Workers

Amendment

● Add new paragraph at end:

"Beyond repeal, there needs to be a new framework of law including:

i transferring 'work' issues from BEIS to a new specialist ministry

ii a right to organise – including union access to workers

iii a right to bargain collectively – with statutory support for sectoral collective bargaining

iv an unequivocal right to strike."

Unite

Amendment

● Insert new paragraph 5:

"Congress notes that the ILO Committee of Experts has asked the government to review key clauses to ensure that the Act meets ILO requirements, including by removing the 40 per cent threshold from education and transport, and that the government was asked to report back to the ILO on developments next year."

National Union of Teachers

Amendment

● Insert new paragraph 6:

"Congress should discuss all options for challenging the new legislation. This should include stepping up the campaign to scrap the Act and other anti-union legislation as well as the practical steps to be taken to support any unions and groups of workers threatened by this anti-worker legislation."

Fire Brigades Union

21 Surveillance devices

Congress notes that the surveillance of workers via electronic tracking devices has been of growing concern to trade unions.

Congress further notes that CCTV, hidden cameras, car trackers, and Personal Digital Assistants (PDAs) are increasingly used in the workplace. Companies justify their use by arguing they protect lone workers, increase safety, or reduce fuel costs by monitoring driving speed.

Congress recognises that in the wrong hands, these devices become a menace in the workplace. This includes: faulty devices feeding back the wrong information to the employer, employees not being told they are being monitored and personal details like a home address becoming available to unauthorised employees, or devices being used primarily to build a case to discipline or dismiss employees.

Congress is aware that unnecessary levels of surveillance and monitoring have a detrimental effect on the workplace, reducing the level of trust, affecting productivity and increasing workplace stress.

Congress calls on the General Council:

- i. to create a comprehensive good practice guide to surveillance in the workplace
- ii. for a high profile campaign to ensure that employers are following good practice and acting legally when operating surveillance measures in the workplace
- iii. to pressurise the Information Commissioners Office to start ensuring employers follow data protection laws with regards to workplace surveillance
- iv. to ensure that workers have a clearer understanding of their rights with regards to workplace surveillance
- v. to name and shame companies that fail to adhere to good practice and indulge in unethical or illegal practices.

Union of Construction, Allied Trades and Technicians

Amendment

● *Insert new paragraph 5:*

"Congress believes that local trade union officials should be consulted on the use of CCTV monitoring prior to its deployment and is opposed to the use of covert surveillance. CCTV should not be used for the routine monitoring of workers and footage should only be acted upon in exceptional circumstances."

Community

22 Surveillance and blacklisting

Congress congratulates the contribution of whistleblowers to our society, and believes that those who challenge dangerous, illegal or reckless practice on the part of employers (or others) by expressing their concerns to their trade unions or journalists play a vital role in safeguarding workers.

Congress believes the growing use of state surveillance to access journalists' communications and expose whistleblowers' identities undermines press freedom and democracy.

Congress notes the journalistic and union activity of six NUJ members were monitored and placed on a "domestic extremism database" by the Metropolitan Police. It further notes the extensive targeting and blacklisting of trade unionists, now the subject of the Pitchford Inquiry into undercover police operations. Revelations of the secret accessing of journalistic data through the Regulation of Investigatory Powers Act further lifted the lid on how extensive this culture of improper surveillance on journalists and whistleblowers has become.

Congress congratulates the NUJ and others for obtaining significant amendments to the Investigatory Powers Bill currently before Parliament – including protecting unions from state surveillance – but believes further changes are vital. Safeguards should apply across the powers set out through the Bill; any surveillance of journalists should be subject to prior notice with the opportunity to challenge such a demand to a judge.

Congress calls on the General Council to campaign robustly against the growing surveillance culture and to lobby hard to secure further amendments to this dangerous Bill in order to safeguard journalism and whistleblowers, and to continue to campaign to put an end to blacklisting.

National Union of Journalists

Amendment

• *Add new final paragraph:*

"Congress applauds Unite, UCATT, GMB and the Blacklist Support Group in achieving compensation for workers blacklisted by 44 construction companies."

• *In existing final paragraph add at end:*

"and call a national day of action to highlight the urgent need for better law to make the punishment fit the crime and protect workers from surveillance and contemporary blacklisting."

Unite

C08 Challenging the politics of hate

Motions 23 and amendment, 24, 25 and 26

Congress notes with concern that following the EU referendum result there has been an upsurge in racial violence, harassment and hate crime in communities across the UK and a fivefold increase of reporting race-hate complaints. Across the UK, racist attacks on Black communities, refugees and those perceived to be of migrant backgrounds rose dramatically.

Congress condemns the disgraceful racism and scaremongering over immigration during the EU referendum campaign and the increase in racist incidents that have followed. The Leave campaign's content and tone was based on the fear of migrants and foreigners designed to ferment alarm and a siege mentality of the UK being overrun by millions of migrants. The Remain campaign failed to challenge this racist rhetoric or advocate the positive contribution of immigrants to the UK, historically or otherwise.

Congress notes that this has given some people comfort and confidence to racially abuse and harass migrants, people of colour and people of Muslim faith and even target migrant children. This racist behaviour such as assaults, fire-bombing and graffiti has been reported across the UK including on social media. Even in London the police received 599 allegations of racist abuse over the 24 hours following the vote. It has highlighted the continued vulnerability of refugees, migrants and the UK's long-established Black communities to racist attacks.

Congress believes that the vote for Brexit was largely based on disillusionment and political disengagement in many communities that have suffered from underfunded public services and chronic unemployment for decades. The Migration Impacts Fund set up in 2008 to provide £50m to ease the pressure of immigration on housing, schools and hospitals was scrapped by the Tories in 2010.

Congress notes that this has been decades in the making, with scaremongering and demonization of immigrants accompanied by legislative attacks on migrants and refugees. Over the past six years there has been a growth in racism created by the right-wing media and the government's increasingly vitriolic rhetoric on immigration, including the introduction of policies such as Theresa May's "Go Home" vans.

In a similar way the Prevent agenda has been forced on our colleges, universities and schools, contributing to the present atmosphere of surveillance, racial stereotyping and Islamophobia. This agenda seeks to monitor places of learning and scholarly study, and forces staff to monitor their students and thus threatens staff-student relations as well as academic freedom. Congress calls on the TUC to continue to support affiliates in their campaign against the Prevent duty and in defence of academic freedom and calls for the government to review the policy.

The referendum result has encouraged and provided legitimacy for the open expression of such prejudice. Anti-immigrant, anti-refugee rhetoric and xenophobic language also characterises much political and media discourse about Britain's ethnic and religious minorities.

Congress fears that 'Brexit' will be used as an excuse for yet more attacks on migrant workers as well as the removal of workplace rights regarded as 'red tape'. This will exacerbate the UK's economic problems, leave public services reeling, divide our communities and lead to a race to the bottom at work. The only real answer to low pay and exploitation for all workers is stronger employment rights protections, stronger collective bargaining and trade union solidarity against racism.

Congress condemns UKIP and the Tory right for channelling the injustice felt in many working class communities into blaming migration and migrants for low pay, unemployment, housing shortages and poor public services.

Congress believes that trade unions must take the lead in defending the contribution and rights of migrants and refugees against any attempts to use the referendum result as an excuse for the imposition of further measures that will inflame public discourse against refugees and migration and will increase their vulnerability to exploitation and discrimination. It is vital that the Brexit negotiations, and freedom of movement in particular, are free from xenophobia.

Congress calls on the General Council to develop a new anti-racism campaign that is integrated with an active anti-cuts, anti-austerity campaign, including:

- i. engaging with people over the issue of immigration by opposing cuts in education and health services and calling for a house building programme
- ii. providing a clear alternative economic policy that will provide decent jobs and hope for the future
- iii. leading and coordinating a recruitment campaign directed at migrant workers
- iv. arguing for the benefits of migration and the free movement of workers
- v. opposing any attempt by politicians to use the EU vote to restrict the rights of migrant workers and refugees
- vi. standing alongside sister trade unions across Europe in solidarity against those who seek to divide workers and abuse the migration crisis for political ends.

Congress recognises that the TUC and many affiliates have a proud and honourable history of challenging and confronting racism at work or in society as shown by the Unite Against Racism and Respect campaigns of the 90s. The trade union movement must stand at the forefront of tackling racism both at work and in our communities and congress commends the work already being done across the movement to challenge racism.

Congress calls on the TUC to work with unions and campaign groups in a renewed focus on tackling racism in the workplace and beyond to:

- a. launch a well-resourced Stand up to Racism campaign to condemn these attacks and continue the fight against hatred and racism
- b. work with community and anti-racist organisations to arrange a national trade union anti-racist demonstration
- c. lead and coordinate a recruitment campaign directed at migrant workers
- d. develop resources and materials to be used in workplace campaigns to support activists, both to challenge incidences of racism and proactively to display a united, zero-tolerance approach to racism.

Mover: GMB

Seconder: UNISON

Supporters: Public and Commercial Services Union; University and College Union; Union of Shop, Distributive and Allied Workers

27 Hidden conditions

Congress commends the TUC's activities supporting workers with invisible conditions, particularly those with atypical neurological conditions. These range from dyslexia to dyspraxia; autism to ADHD and a range of hidden arthritic conditions. Sadly they are often misunderstood by employers and others and misinterpreted as laziness or anti-social behaviour with the focus on the person's disability rather than on their abilities.

Such conditions are an important workplace issue. They affect parents and carers of those who have these conditions as well as workers themselves. For example autistic workers may need a 'benign' environment with fewer distressing factors – something which surely would benefit all workers.

Cuts to public services mean that there are increasing pressures on staff to take on greater workloads, process their workload more quickly and take fewer breaks. For all this is a challenge. For some it's an impossible situation.

Congress calls on affiliates and the TUC to:

- i. continue to raise awareness about the impact on workers affected by these conditions and dispel the myths that surround them
- ii. help increase the understanding of managers and colleagues of the support needed to allow them the same opportunities to have fulfilling working lives, focusing on their abilities rather than their condition
- iii. continue promoting the social model of disability, which highlights the barriers that need to be broken down to ensure true equality of opportunity

iv. help with collecting good-practice case studies and case law and make these accessible as a resource for reps and part of their training on disability discrimination.

Chartered Society of Physiotherapy

Amendment

● *Insert new second paragraph:*

“Workers with neurodiverse conditions suffer preventable career setbacks, especially during periods of restructuring and reorganisation. Lack of professional diagnosis may result in them missing out on useful support.”

● *In the final paragraph, at the start of sub-paragraph ii, insert “provide training to”*

● *Insert new sub-paragraph iii:*

“iii. promote the benefits for all staff and employers of a neurodiverse-friendly work environment”.

Prospect

28 2020 vision

Congress notes:

- i. progress on LGBT workplace rights won by unions
- ii. myths that equality has been achieved
- iii. continuing levels of anti-LGBT discrimination and prejudice
- iv. recommendations for much-needed change from the Commons Transgender Equality Inquiry
- v. that LGBT workers are worse off under the Tory government.

Congress expresses concern over:

- a. sustained Tory attacks on workers, public services, trade unions and human rights
- b. the destruction of LGBT services in the name of austerity, specifically:
 - the levels of homelessness among the LGBT community
 - continued cuts to the Equality and Human Rights Commission
 - lack of safe affordable public transport and the rise of unregulated Uber taxis
 - lack of LGBT supportive social care
 - closure of sexual health clinics and lack of Gender Identity Clinics provided . . . within the NHS
 - attacks on trade union organisation and LGBT networks
- c. widespread political disengagement, with increasing numbers falling off the electoral register.

Congress believes that the next four years present vital opportunities to win our arguments in communities and at the ballot box.

Congress calls on the TUC LGBT committee to agree a strategy for forthcoming elections up to and including the 2020 Westminster and devolved parliament/assembly elections, through:

1. developing clear LGBT union campaign messages
2. identifying LGBT equality manifesto demands, including on trans equality
3. building and strengthening coalitions with LGBT and other community partners, including the People's Assembly, and exploring the possibility of a People's Assembly LGBT section
4. identifying key dates and events
5. urging voter registration and engagement
6. encouraging our activists to stand for office.

**TUC Lesbian, Gay, Bisexual and Transgender Conference
(this motion is exempt from the 250-word limit)**

SECTION THREE

GOOD SERVICES AND DECENT WELFARE

29 Pay

Congress believes that the government's one per cent public sector pay cap has been disastrous for economic growth, has increased inequality, and has led to a 20 per cent real-terms drop in living standards for millions of public sector workers.

Congress notes the government's response to a PCS petition calling for the end of the pay cap was that the policy is intended to "help put the UK's public finances back on track". Congress believes that the government's policy has categorically failed, the public finances are still broken, and the deficit has grown. It is time for fair pay increases for public sector workers which would help to stimulate the economy and lift us out of the crisis the government has created.

Congress further notes that the pay cap has resulted in many union negotiators entering into deals with employers whereby terms and conditions are altered in return for pay increases. This can create tension between groups of workers and can weaken the unity of trade union members. Congress agrees that this can only be effectively opposed by breaking the pay cap.

Congress calls on the General Council to immediately launch a high profile campaign for an end to the pay cap including:

- i. actively supporting and coordinating strike action across the trade union movement
- ii. letters from the TUC general secretary to the government and all public sector employers
- iii. a parliamentary petition and a national demonstration to build support for joint union action.

Public and Commercial Services Union

Amendment

● *In the final paragraph, insert new bullet point i and re-number:*

"i. urgently convening a meeting of public sector unions to plan joint campaigning during 2017 and beyond."

● *Add new bullet point at end:*

"v. a series of major rallies and events in towns and cities across the UK to make the case against the pay cap and for united action to break it."

Fire Brigades Union

30 A more positive approach to public service delivery

Congress notes that, despite facing common challenges, the Scottish and Welsh governments have generally adopted a more constructive approach to public service delivery than the UK government. In particular both devolved governments have established structures for regular and continuing workforce engagement.

Recognising that devolution is a continuing process and that government policy is to expand it across English regions, Congress considers it important that trade union experiences in Scotland and Wales are more widely shared, evaluated and understood. This should help to support the long-term economic case for a more positive approach, irrespective of changes in the political climate.

Congress therefore calls on the General Council to:

- i. work with all relevant affiliated unions to collate and evaluate experiences across a range of sectors
- ii. share good practice examples and outcomes
- iii. provide guidance to support national and regional trade union engagement in England.

Prospect

31 Well-being

Congress recognises the unprecedented scale of workforce reduction the civil and public services have faced over the period of just two parliaments, and that there has been little or no attempt to match the demands being made on public servants with the resources allocated to deliver vital public services.

Despite assurances from ministers that Single Departmental Plans would address how commitments are matched with resources in the civil service, the publishing of these plans has been met with widespread disdain at their lack of detail.

Public servants cannot simply deliver ever-increasing demands by working ever longer hours. The FDA's survey of members found that that over a quarter work an extra day unpaid every week, one in ten work the equivalent of every weekend unpaid and 75 per cent of employers in the civil service do not even keep a record of hours worked.

Congress recognises that this will have a long-term detrimental impact on the lives of public servants and the quality of public services. Until government is required to account for all the hours worked by public servants and put in place appropriate compensation arrangements, this unpaid overtime will continue to subsidise the deficiencies in resources allocated to deliver the government's commitments.

Congress therefore calls on the TUC to campaign to ensure that:

- i. every public servant's working hours are monitored
- ii. government demonstrates how its commitments can be delivered with the resources allocated
- iii. all public servants are compensated for all hours worked.

FDA

32 Austerity undermining the most vulnerable in society

Congress recognises the commitment made in the post-2015 general election budget to save 50 per cent of the MoJ's administrative budget.

Austerity has already had a biting effect on frontline services and Congress does not believe that further dramatic cuts can be implemented without cutting directly into frontline service delivery. For example, Cafcass is recognised as delivering a good service when supporting some of our most vulnerable children and families. Yet it recognises this cannot be sustained within existing budgets and rising workloads beyond 2017. As part of the MoJ's extended family, instead of the additional investment it needs, it is fighting to get the resources to meet its statutory duties. Such social costs do not appear on Treasury spreadsheets.

Continued economic uncertainty and pressures, arising from Brexit and other factors, are likely to see greater stresses and pressures in our communities at least in the short and medium term. This is likely to translate to even greater pressures and demand on those services supporting our most vulnerable, like Cafcass.

Congress therefore calls on the TUC to make representations to ensure specific additional investment and revisions to poorly thought-through and unsustainable public sector cuts that will have far wider costs for society.

Napo

33 Funding crisis

Congress agrees that government policies and mismanagement are creating a crisis in education, with severe shortages of funding, school places and teachers and curriculum and assessment policies that are turning schools into exam factories.

The freeze in school spending per pupil is, when combined with the effects of inflation, “the largest real-terms fall ... over any period since at least the late 1970s” (Institute for Fiscal Studies) and comes on top of even greater cuts to higher, further and adult education funding.

Congress continues to reject the academies programme, noting the lack of evidence to support any benefits from academisation and the democratic deficit created by removing schools from local authorities and removing parents’ right to participate in school governance. Congress agrees that the government has the wrong priorities for education.

Congress condemns the break-up of school teachers’ national pay and conditions which, together with the funding crisis, threatens teachers’ pay in schools and academies alike and will worsen the teacher supply crisis. Congress welcomes the Labour Party’s “Review of the World at Work” and John Hendy QC’s contribution on sector-wide collective bargaining. Congress demands that the government meet its international obligations under ILO conventions 98 and 87 to promote and encourage collective bargaining and freedom of association.

Congress agrees that the TUC should bring together affiliated unions with the aim of jointly declaring their opposition to and intention to campaign against the government’s policies for schools and declares its support for affiliates taking strike action to oppose government policy.

National Union of Teachers

C09 School assessment and examination system

Motions 34 and 35

Congress believes the school assessment and examination system in England is in crisis, which is deeply harmful to all involved in education. This system has been mismanaged and badly designed. The TUC should join calls to change it, fundamentally.

Congress notes:

- i. the government’s determination to impose a primary curriculum geared towards preparation for high-stakes tests in maths and English at the ages of 7 and 11
- ii. the wealth of evidence suggesting that this approach to learning damages children’s mental health and well-being
- iii. the well-researched claims that tests, and the ongoing teacher assessment which is linked to them, increase teacher workload and stress, without educational benefit

iv. that in secondary schools, the 'Ebacc' measure is forcing a focus on a narrow range of study, increasingly excluding creative, expressive, technical and vocational subjects and disengaging students

v. the pressure on schools and school-students to achieve competitive success in examinations at 16 is giving rise to the same problems of stress and mental ill health afflicting primary children

vi. that problems arising from the design of assessment systems exist across the UK, but England, in its adoption of an 'exam factory' approach to education, is an extreme case.

Congress notes the unacceptable chaos and confusion within the school assessment system, harming pupils, parents, teachers and school leaders. Congress further notes that assessment is a key part of the learning process, but that tests should not be high-stakes accountability measures for schools, using flawed designs with inconsistent and unfair moderation.

Congress laments the mistakes, delays and confusion regarding this year's Key Stage 1 SATs, with the grammar, punctuation and spelling test cancelled after being published online before children were due to take the test.

Congress further notes that this year's Key Stage 2 tests and assessments were poorly designed and administered and gave schools inadequate time to implement the new curriculum for the current cohort. Variations in approaches between schools also resulted from delayed and obscure guidance.

Congress calls on the government to:

- a. not publish 2016 league tables based on Key Stage 2 SATs data
- b. abandon the floor standard, which the government uses to define unacceptable standards in schools, based on Key Stage 2 data
- c. abolish plans for pupils to re-sit Key Stage 2 SATs in secondary school
- d. publicly reject Sir Michael Wilshaw's suggestion of a return of SATs for 14-year-olds.

Congress calls on the General Council to:

1. join parents, educationalists, governors and teachers in a campaign against the present forms of examination and assessment in English schools
2. publicise the benefits of a broad, balanced curriculum and assessment system that allows all young people to succeed
3. lobby the government to ensure that it listens to the education profession to design an assessment system that works for pupils, parents, teachers and school leaders.

Mover: National Union of Teachers

Seconder: National Association of Head Teachers

C10 Professional status and evidence-based education policies

Motions 36 and amendment and 37

Congress notes the government's extensive plans for change in education, despite promising policy stability. Congress believes the intention to replace Qualified Teacher Status (QTS) with a new system of 'accreditation' is among the most damaging aspects set to undermine the public service ethos.

Congress is concerned about the effect accreditation and an increase in non-graduate teachers will have on public confidence in the education system. As with academy pay flexibilities, this new system will give head teachers powers they haven't asked for. Abolishing the nationally recognised standard of QTS can only damage the prospect of a great education for all pupils everywhere. Given real-terms budget cuts, delaying accreditation could be used to hold down pay. Localised accreditation will lead to increased inequality and discrimination.

The government's plans are also aimed at reducing the role of higher education in the provision of high-quality, graduate and post-graduate level teacher education and training, informed by educational research.

Congress also believes local accreditation will damage staff morale, pushing people away from teaching at a time of crisis in recruitment and retention. Already that crisis has had a negative effect on pupil attainment and behaviour management and leaves early-career teachers without proper support when experienced colleagues depart. When teachers leave, classroom support staff become prey to exploitation.

Congress calls on the TUC to work with education unions to lobby the government to protect pupils' education by:

- i. withdrawing plans to replace national QTS with localised accreditation
- ii. reaffirming its commitment to teaching being a graduate profession
- iii. defending the vital role of HE and HE-school partnerships in teacher education and opposing these elements of the white paper
- iv. acknowledging that making teaching a non-graduate profession is no way to solve recruitment and retention problems
- v. working with unions to improve pay, conditions and teacher qualifications to address the recruitment crisis.

Congress calls on the government to ensure that future educational reforms are informed by good academic research and that the implications of such reforms are scrutinised fully in the context of broader policy ambitions and the ability of local services to support outcomes. Congress would highlight that this is a particular concern when resources are limited to implement change.

Mover: Association of Teachers and Lecturers

38 Early Years education

Congress calls on all governments, both UK and devolved administrations, to ensure that the importance of Early Years education is wholly recognised, supported and fully resourced.

While it is to be welcomed that government is expanding provision of free early education and childcare, it is important that the correct balance of educational input by appropriately and highly qualified staff is achieved – this having been repeatedly proven to improve outcomes for all children in the long term, and particularly for those children who are disadvantaged by poverty.

While within Early Years teams there is a specific role for qualified teachers in the planning and delivery of educational opportunities, the role of all those working in Early Years education is vital and across the country the teams of professionals working within Early Years needs to be valued and nurtured.

Therefore, Congress will campaign to ensure:

- i. recognition that the quality of Early Years education is key to tackling the inequality of educational achievement caused by poverty and that access to early years education is seen as a right not to be undermined by where a child lives or by her or his family circumstances
- ii. that the provision of a sound educational experience from the very beginning of a child's learning journey is a statutory right for all children.

The Educational Institute of Scotland

39 Music co-operatives

Congress notes that the Musicians' Union (MU) released its third report into the state of music education in England earlier this year. The report highlighted that yet more instrumental music teachers have lost their jobs or left the profession due to worsening terms and conditions over the last year. MU members also highlighted their concerns about the inconsistency of music education provision across the country due to the varying attitudes of schools and head teachers towards music.

Instrumental music teachers faced with redundancy or worsening terms and conditions have, in some areas, been setting up co-operatives and independent trusts. These appear to be working very well and are examples of how high-quality,

accessible and affordable music education delivered by a committed and skilled workforce can still be provided. The MU is a member of Co-operatives UK and is providing advice and assistance to MU members who wish to set up their own co-operatives. For example, the MU assisted a group of members in Milton Keynes to form their teaching co-operative following the council's decision to make the majority of their instrumental teaching workforce redundant.

Congress believes that every child should be given the opportunity to learn a musical instrument, as was the aspiration of the National Plan for Music Education, and condemns all cuts to music education. Congress applauds efforts by instrumental teachers and the MU to form co-operatives and pledges to support this work.

Musicians' Union

C11 Mental health and well-being of the education workforce and young people **Motions 40, 41 and 42**

Congress asserts that government public sector austerity, cuts to pay and pensions and attacks on conditions of service have created a crisis in mental health and wellbeing that is damaging lives and undermining the ability of public services to meet the needs of the general public.

Congress welcomes the ground-breaking research by the NASUWT over the last five years in tracking the declining well-being of teachers, and in providing teachers with tools to monitor and review well-being at work.

Congress notes with concern that as a result of rising job insecurity, increasing demands and accountability pressures, workload is the highest-rated issue affecting teachers, and that work-related stress, mental health and well-being are directly and damagingly impacted by the pursuit of policies and procedures that are antithetical to health at work.

Congress believes teachers face an impossible task when the government fails to provide correct information on time, increasing workload and stress in planning teaching. Guidance for Key Stage 2 assessment of writing was withdrawn then repeatedly clarified, leaving schools in disarray whilst ministers commended reports into managing unnecessary workload. Summer term arrived with over a third of GCSEs awaiting accreditation before September and half of AS and A-level syllabi unapproved. Congress believes the government must consider impacts on mental health to solve education's workload problem.

Congress notes the increasing pressures on young people and the impact this has on their mental health and well-being.

Congress recognises that there are many factors contributing to these pressures, ranging from societal and technological changes to the impact of government policies. Changes to the education system, particularly the form and frequency of assessment, such as SATs, has caused many children to experience test anxiety.

Congress condemns chaos created by the government in assessment and qualifications which have contributed to increased poor mental health among pupils and staff.

NSPCC and ComRes studies note that the current testing and assessment regime takes an unacceptable toll on children's mental health and well-being. Congress notes ATL's survey revealing 89 per cent of education staff think tests are the greatest cause of pupil stress. Forty-eight per cent said pupils in their school have self-harmed due to stress and 20 per cent said pupils have attempted suicide.

Changes to the funding of public services including the cuts to CAMHS services have led to reduced capacity and gaps in provision for some of the most vulnerable children. A recent report for GPs (Pulse; 4.7.16) found that 60 per cent of cases referred to CAMHS led to no treatment and a third are not even assessed. Congress recognises that there are other connected and equally vital services, such as educational psychology services, that support children and young people and to which schools and others can make referrals when they are concerned about the mental health and well-being of those children and young people.

Congress believes that access to educational psychologists should be supported by the government in terms of funding for training, as well as resources for local authorities and schools to ensure that there are appropriately staffed educational psychology services to work with.

Congress notes that there are currently well over 200 vacancies for educational psychologists (EPs) in England whilst only 150 new EPs are trained each year.

Congress calls on the government to:

- i. develop an action plan to address the rise in mental health concerns in education
- ii. commit to extending its protocol for policy implementation so that all policies, and support materials publication, have built-in lead-in times, sufficient for schools to properly prepare teaching and learning
- iii. base assessment, testing and qualifications policy on evidence and professional expertise, engaging unions in policy formation and implementation
- iv. reappoint a children's mental health Tsar, free to highlight the impact of education reforms
- v. increase the numbers of EPs currently being trained.

Congress calls on the General Council to:

a. campaign vigorously for increased support for all workers in relation to mental health and well-being, including access to effective occupational health services that are genuinely supportive

b. highlight the impact of the government's reform agenda on the mental health and well-being of all public service workers, including teachers.

Mover: NASUWT

Seconder: Association of Teachers and Lecturers

Supporter: Association of Educational Psychologists

43 Post-16 education

Congress reaffirms its belief in the urgent need to invest in Apprenticeships and skills. The chronic failure to invest in genuine lifelong learning and a reliance on a narrow focus on traditional models of post-16 education continues to hamper economic, social and cultural development of our society.

Congress believes in an alternative vision of post-16 education based not on academisation and privatisation, but on our schools and colleges as community-based institutions funded to meet the full range of education and training needs of all members of the communities that they serve.

Congress believes that Apprenticeships should offer meaningful qualifications as a credible alternative to academic routes. Congress believes that community colleges, accessible to all, are vital. Congress believes that such institutions are the right vehicle for delivering Apprenticeships rather than private training companies.

Congress believes that education both contributes to skill development and forms a vital part of our democracy. Indeed it is through our colleges that our own trade union education programme is delivered. Congress affirms its support for TU tutors employed in post-16 education whose jobs are now under threat from government cuts.

Congress celebrates the role that public investment in post-16 education, rooted in our communities and delivered without the dead hand of the private sector narrowing the vision on offer, will play in transforming the life chances of our most deprived communities.

Congress therefore calls on the General Council to:

- i. support the resistance of affiliates to the present programme of college closures and mergers
- ii. campaign positively for public investment in high-quality education and training based in and responsive to the full range of needs of their communities

iii. support the UCU/NUS demonstration to defend and support education in the autumn.

University and College Union

Amendment

● *In paragraph 1, at the end of the first sentence after "skills", insert "nurturing learner enthusiasm for skills development from school-age."*

● *At the end of paragraph 1, after "society", insert "and local communities."*

● *At the end of paragraph 2, after "serve" insert:*

"Congress condemns the government's chaotic Area Reviews and their reluctance to involve trade unions."

● *In paragraph 3, sentence 1, after "Apprenticeships", insert "must be high quality and". In sentence 3, after "such institutions", insert "secure learning and assure quality so"*

● *Add new final sub-paragraph iv at end:*

"iv. lobby the government for union representation on the Institute for Apprenticeships and Technical Education."

Association of Teachers and Lecturers

44 Future sustainability of the NHS

The NHS is facing an ever worsening financial situation, on course for a deficit of £550m this year. The likely impact? More cuts to services and staff; morale badly affected as staff struggle yet again to do even more with even less. The NHS runs on its workforce – a workforce that is experiencing increasing stress, increasing workloads and decreasing ability to provide the high-quality care patients need despite its best efforts. For many there is now the additional fear of the impact of the EU referendum result and how this will affect their long-term future and their ability to continue their vital contribution to NHS care.

Congress calls on the TUC and affected affiliates to take the opportunity presented by the current House of Lords Select Committee into the future sustainability of the NHS to:

i. make the case for increased investment in the NHS both now and in the long term, in particular the need to increase NHS spending as a proportion of GDP

ii. recognise the vital links between health and social care, and the need to invest in both to ensure the needs of the whole population are met to the standards we should expect in country as wealthy as the UK

iii. highlight the need for real-terms pay increases and quality employment for staff, recognising the impact that years of pay restraint and increasing workloads have had on a workforce passionate about providing high quality care.

Chartered Society of Physiotherapy

Amendment

● *In paragraph 1, sentence 3, after "less" add:*

”; and a new encouragement for parts of the NHS, such as support services and pathology, to be outsourced.”

● *In the final paragraph, insert new sub-paragraph ii and re-number:*

“ii. ensure protection for the NHS model in which care is universally available, free at the point of need and overwhelmingly publicly provided”

UNISON

45 Continuity of midwife-led care

Congress believes that women should have the opportunity to form trusting relationships with midwives and other maternity staff. To provide this personalised care which centres around women’s needs, women need to see as few different midwives and other maternity staff as possible. Continuity of midwife-led care is endorsed across the UK because it is an evidence-based maternity service model which has been shown to result in high levels of satisfaction for women and improved outcomes.

Congress notes that this model of care can only be delivered if maternity services are funded and staffed appropriately and in accordance with NICE safe staffing recommendations.

Congress is therefore concerned that despite long-term campaigning by the RCM there is still a shortage of 3,500 midwives in the UK, due to the increasing birth rate and rising complexity of cases. Congress recognises that ending the shortage requires an increase in student midwives entering the profession and greater effort to retain existing midwives and accordingly calls on the government to re-think its plans to remove the bursary for student midwives (and other healthcare students); to end the long-term pay restraint in the NHS; and to guarantee the rights of EU NHS staff to stay.

Congress calls on the General Council to work with the RCM to campaign for more midwives to ensure that women have access to continuity of midwife-led care.

Royal College of Midwives

46 The dangers of new psychoactive substances

Congress recognises that new psychoactive substances (NPSs) are often described as “legal highs”, “designer drugs” and “club drugs”. These terms are often used interchangeably and mean different things to different people and may give the impression NPSs are legal and not dangerous to the health and well-being of the user or indeed those who come into contact with the user.

Congress notes with concern the growing use of NPSs in our communities and prisons and the dangers associated with them, which include death, mental illness, assaults and self-harm, particularly in prisons and the NHS. The increase in ambulance call outs to users of NPSs is at record levels within the prison system and putting casualty departments in our hospitals under extreme pressure along with the nurses and doctors who are threatened when individuals are under the influence of an NPS.

Congress therefore instructs the General Council to ensure that affiliated unions are at the forefront of a campaign that ensures government has a preventative strategy. A government strategy must provide preventative measures that go further than just prison terms and criminal convictions. It must include good education alongside accurate, relevant and accessible information. The TUC and trade union movement should be at the heart of a strategic approach to NPS prevention through our schools and mental health services, with evidence-based programmes and the resources to help communities eradicate the dangers of continued usage of NPSs.

POA

Amendment

- Add at end of paragraph 2, after "NPS":

"Congress recognises that the proliferation of NPSs in prisons has also placed prison officers at unacceptable risk and led to the admission of staff to hospitals."

- In paragraph 3, sentence 3, after "information.", insert:

"Further to this, government must take urgent action to tackle the rise of NPSs in prisons by ensuring all prisons are adequately staffed."

Community

47 Organ donation

NHS Blood and Transplant revealed that nearly 49,000 people in the UK have had to wait for a transplant in the last decade, 6,000 of whom died before receiving a transplant. The recent legislative change regarding organ donation in Wales to one of 'deemed consent' is unlikely to affect public opinion. In addition to this, there is talk around changes to the organ donation laws. In Northern Ireland the second stage of the Human Transplant Bill has been passed, which would implement a soft 'opt-out' system for organ donation, whereas Scotland is currently debating changes to the Transplantation Bill that could permit people to nominate a proxy to confirm their desire to donate.

Congress notes that since 2010 more than 500 families have refused consent to donate their loved ones' organs even though they were on the organ donation register, and despite 90 per cent of the public saying they support organ donation only 32 per cent of people are on the register in the UK. This, as well as many other statistics, highlights the great need for something to be done to recruit organ donors throughout the UK.

Congress calls on the General Council to work with the SoR to lobby the UK government and the devolved administrations urgently to consider all options that may improve the transplant chances of those waiting for organ donations and to work with NHS Blood and Transplant to support the campaign 'The Wait' and any subsequent campaigns in an attempt to increase organ donor numbers.

Society of Radiographers

48 Patient complaints

Congress notes with concern the growing number of patient complaints following treatment in the NHS. The number now exceeds 4,000 per week. Around 10 per cent of these lead to legal action being taken against either the NHS Trust or individual healthcare professionals.

Congress recognises only a minority of these complaints are upheld but very often the investigation of a complaint concentrates on avoiding litigation rather than on any learning outcomes there may be from mistakes made. Consequently important opportunities to improve patient safety are lost.

Congress also notes the new duty of candour placed on healthcare professionals by their regulatory bodies following the Francis report into the deaths at Mid Staffs NHS Trust. This duty requires professionals to acknowledge and report their mistakes. Congress recognises the value of this duty but also that fulfilling it leaves individuals vulnerable to legal challenge by patients or their families.

Congress is aware that alternative models exist that provide redress for patients and enforce professional, not criminal, sanction for healthcare professionals. These help improve patient safety by allowing the duty of candour to work in the way envisaged by Francis.

Congress therefore calls on the General Council to begin a discussion with interested parties on ending the ability of individuals to take legal action against healthcare providers and professionals, replacing with a system that continues to provide redress and compensation but also improves patient safety by allowing healthcare professionals to acknowledge, catalogue, apologise for and learn from any mistakes without fear of prosecution.

Society of Radiographers

49 Low wages and occupational health

Congress calls on the TUC to support the call for low wages to be recognised as an occupational health threat.

Recent medical evidence suggests links between low wages and higher risk of disease and injury. Low-paid employment is considered among the psychosocial factors such as long hours and high job strain.

The link between low wages and health has important implications in the TUC fight for higher pay and supports our aim of legislation for an increase in the minimum wage to £10 an hour.

Bakers, Food and Allied Workers Union

50 Promoting and protecting the dietetic profession

Congress notes that dietitians are the only qualified health professionals that assess, diagnose and treat dietary and nutritional problems at an individual and wider public-health level. They work with both healthy and sick people. Uniquely, dietitians use the most up-to-date public health and scientific research on food, health and disease which they translate into practical guidance to enable people to make appropriate lifestyle and food choices.

As part of the allied health professionals (AHPs) workforce dietitians play a crucial role in promoting food health and well-being, preventing illness and supporting recovery and rehabilitation. It is essential that there is proper recognition of the contribution and value of the whole health workforce in supporting patients by maintaining the number of dietitians and other AHPs based on full, robust data from all providers.

In this, the 68th year of our NHS, we are seeing a serious failure by government in providing necessary funding to the NHS. With further cuts inevitable along with more outsourcing of services, it is essential that the work of qualified and registered AHPs is fully protected. The contribution of dietitians to public health, prevention and treatment as part of multi-disciplinary teams must be recognised as essential for patient care.

Congress calls on the General Council to ensure that the whole workforce is equally represented and promoted in all campaigns to protect the NHS.

British Dietetic Association

51 Austerity kills

According to a recent study from the New Economics Foundation the austerity programme undertaken by the government is mainly hitting those in areas of significant deprivation the hardest and these areas are increasing; indeed the number of people living in poverty has doubled since 1983.

The SCP is increasingly worried about this following a recent study by Manchester University which has linked social deprivation, diabetes foot ulceration and mortality. People with diabetes have a 25 per cent risk of developing foot ulceration in their lifetime which is associated with increased mortality rates. The study found that people in disadvantaged areas had an even greater chance of developing a foot ulcer with the most deprived individuals being 62 per cent more likely to develop a foot ulcer, leading them to conclude that diabetes foot ulceration increases the risk of death, which is augmented further by social disadvantage.

With this link being made and the diabetes population increasing, the SCP is increasingly worried that if austerity continues and thus poverty increases, foot ulceration rates will also increase. Podiatry departments and the NHS as a whole will not have the resources to deal with these life-threatening conditions and as a result patients may lose their limbs and/or life.

Congress therefore calls on the General Council to continue campaigning against austerity whilst also raising awareness about the wider implications austerity can have on people's health and well-being and how this also interlinks with the need to properly resource our public institutions, including the NHS.

Society of Chiropodists and Podiatrists

Amendment

● Add at end of paragraph 1:

"Obesity rates have also nearly doubled in the last 20 years. There are clear links between poverty and health conditions such as obesity, with women living in poverty 11 per cent more likely, and children twice as likely, to be obese than their wealthier counterparts."

Chartered Society of Physiotherapy

52 Shortage of hospital consultants

The NHS has over 800,000 clinical staff all working hard to treat patients and provide the best care possible. The recent Public Affairs Committee (PAC) report confirmed a major shortfall in clinical staff within the NHS, which is continuing to have a key impact on the care being provided to patients and the financial pressures being placed on NHS funding. These pressures are as a result of NHS Trusts having to turn to locum and agency consultants at a much higher cost to the NHS.

In addition the shortfall in hospital consultants is highlighted in a recent report showing that four in ten hospital consultant posts remain unfilled. In the recent NHS workforce analysis, evidence showed that in several specialities the shortfall was notable, including in emergency medicine, acute general medicine, radiology and psychiatry.

The PAC sighted a clinical staff shortfall of 50,000 stating that this undersupply of staff inhibits trusts' ability to provide services efficiently and effectively and could lead to longer waiting times for treatment and shortcomings in the quality of care.

This significant shortfall in hospital consultants, specialists, trainees and other healthcare professionals places the notion of a fully funded, fully staffed, safe seven day service unattainable in the current climate.

Congress calls on the General Council to do all it can to highlight this shortfall in hospital doctors and other NHS clinical staff as the continuation of this decline will impact adversely on the care of patients.

Hospital Consultants and Specialists Association

53 Hospital consultants' continuing professional development

The NHS has always striven to be an organisation that has at its core a culture of education and training. For hospital consultants this is embedded in the contract of employment by ensuring that there is sufficient time allocated to Supporting Professional Activities (SPAs).

Congress notes the HCSA is deeply concerned that the drive to reduce this time could have an impact on patient care. It is this SPA time that underpins direct clinical care, training, research and development and the importance of good clinical governance. This time is vital for individual hospital consultants to ensure they are up to date and informed of all speciality-related developments and advances and improvements in practice. It is also in place so that junior doctors, the hospital consultants of tomorrow, receive clinical teaching and mentoring.

It allows the time needed to develop clinical research and also to develop clinical services in hospitals.

Cutting this time is bound to have detrimental effects in the long term.

Congress agrees that morale amongst hospital consultants is spiraling in a downward direction for a number of reasons and to ignore the importance of supporting professional activities would have a detrimental effect on recruitment, retention

and return. We urge the NHS to recognise the important part SPA time has in the workplace, and for the patients, and ensure that levels of time are increased not decreased.

Hospital Consultants and Specialists Association

54 Prison reform announcement

Congress acknowledges and accepts the announcement by the former Prime Minister David Cameron on 8 February 2016 regarding the government agenda for prison reform was nothing more than a publicity stunt and being nothing more than smoke and mirrors in amongst crocodiles tears distracting from the fact they have extracted £900m of cuts from the Ministry of Justice and created a service that is in crisis and has been since 2010 within England and Wales.

A crisis that has seen a record amount of death in custodies, self-harm, homicides, assaults, concerted indiscipline and placing the health and safety of both staff and prisoners in danger.

Congress accepts that under his announcements the prison reform agenda is not serious and just a Trojan horse for further competition and privatisation to lower the terms, conditions and pay for prison officer-related grades who do an excellent job in difficult and dangerous circumstances in the public and private sector.

Congress condemns the aligning of prisons to the failed concept of academy schools and foundation hospitals, therefore Congress authorise the General Council to work with the TUC Speak up for Justice campaign to scrutinise aspects of the white paper due for release in the autumn regarding the Prisons and Probation Bill where it leads to deregulation and devolution away from nationally agreed arrangements and allows for more competition and privatising public services in education, probation, the courts and health provision within the criminal justice system.

POA

55 Evidence-based decision making in the CJS

Congress recognises the Criminal Justice System's (CJS) operations were undermined during the coalition government and numerous decisions by the then Secretary of State. The CJS is now being undermined further by continuing austerity cuts.

Following the 2015 general election the new Secretary of State made a number of decisions that signalled a change of direction – including overturning the prisoners’ book ban, moderating proposed further restrictions to legal aid, and indicating greater support for rehabilitation. We also feel reviews within the prison estate are well intentioned. However, as the Offender Management in Custody and the Prison Review suggests, more work must be done in partnership with unions and other stakeholders to get the detail right before implementation.

Congress requests that the new Secretary of State for Justice, Elizabeth Truss MP, recognises the continuing instability in areas of the CJS and commits to working with unions to re-establish an evidence-based approach to decision-making at all levels, and overturning inappropriate legacy policies where this helps the CJS produce safer outcomes for clients and the public.

Congress particularly recognises rushed privatisations and poor contract management in probation and other parts of the CJS continues to be a significant weakness, recognised by the NAO.

Congress calls on the TUC to make representations to ensure appropriate, on-going ministerial and parliamentary scrutiny of past decisions; and secure commitments to greater caution and evidence-based testing of future changes before any further privatisations or changes within the prison estate and service delivery.

Napo

Amendment

● *Insert new paragraph 3:*

“Congress acknowledges the value of prison education, its positive impact on the lives of prisoners and on the reduction in re-offending. Congress therefore condemns the lack of support for prison education and the fact that three-fifths of prisoners still leave prison without an identified employment, education or training outcome.”

University and College Union

56 The crisis in the Post Office

As a result of funding cuts from the government, and gross mismanagement on the part of the board of the company, Congress believes that the Post Office is now at crisis point.

Staff are facing 2,000 job losses this year alone, the closure of the defined benefit pension scheme with over 3,500 active members and the threat of compulsory redundancy.

Communities across the country – many in the poorest urban areas – face the closure of branches, the loss of vital services and the privatisation of a valued public institution by the backdoor.

The announcements from the Post Office this year are part of a long trend of managed decline. When the government split the Post Office from Royal Mail it promised it would become a 'front office for government' and grow its revenues from financial services. It has failed on both counts.

Millions of pounds of public money have also been misspent in paying off long-serving experienced and unionised staff to leave, to allow companies like WH Smith to bring in part-time employees on the minimum wage.

Congress gives its full support to the CWU in its dispute with the Post Office and now calls on the board of the company to resign.

Congress also believes there must be a new political settlement for the Post Office, which rests with the government as its owner, and calls on it to intervene, pause the cuts and develop a strategy that will protect and grow the Post Office as a matter of urgency.

Communication Workers Union

57 Protect our fire and rescue service

Congress notes:

- i. the magnificent work carried out by firefighters over the last year, including at major fires, building collapses, floods and other incidents
- ii. the National Audit Office (NAO) report, *Financial Sustainability of Fire and Rescue Services*, which showed the terrible extent of cuts to the fire and rescue service since 2010 – this has meant the loss of over 8,000 firefighter jobs (17 per cent) since 2010
- iii. the transfer of responsibility for the fire and rescue service in England to the Home Office earlier this year
- iv. the Policing and Crime Bill, which would allow police and crime commissioners to take over fire authorities in England and imposed by the home secretary
- v. that response times are at their slowest for twenty years.

Congress believes the fire and rescue service should be resilient across the UK, whilst remaining a valuable part of local government.

Congress further believes that essential public services such as fire and rescue must remain publicly owned and democratically run, with the voice of firefighters represented at every level.

Congress resolves to:

- a. support the FBU's campaign for investment in the fire and rescue service and the end of austerity across the public sector
- b. oppose PCCs taking over local fire and rescue services
- c. support the FBU's campaign for a statutory duty on fire and rescue services to respond to major flooding in England and Wales, as is the case in Scotland and Northern Ireland
- d. support the FBU's campaign for national professional standards, to improve public and firefighter safety.

Fire Brigades Union

58 Public ownership of the rail and bus industry

Congress reiterates its support for re-nationalisation of the railways and believes the overwhelming case for public ownership has again been demonstrated by the performance of Govia Thameslink Railway (GTR) on the UK's busiest rail passenger franchise. GTR have subjected passengers to daily misery caused by frequent cancellations, a 15 per cent cut in services and disgraceful industrial relations, including scapegoating staff for the company's failures.

Congress is appalled that despite these failings and GTR being in default of its contract the government has refused calls, including from mass passenger protest, to take the franchise into public ownership, demonstrating once again that this government's priority is to put profits before passengers.

Congress notes the GTR dispute has been caused by the company and government proposals to threaten passenger safety and service by removing guards and introduce driver-only operation. Congress further notes the same proposals are being driven forward by the Scottish government on Scotrail.

Congress pays tribute to the striking GTR and Scotrail guards for their solidarity and determination and pledges to campaign against all staffing cuts and threats to safety on rail and tube.

Congress notes that the same ideology that is driving rail privatisation has also led the government to use its Buses Bill to seek to prevent local authorities from setting up municipal bus companies.

Congress agrees to campaign against these proposals as part of a wider campaign for public ownership of buses and also for best possible conditions and protections for bus workers.

National Union of Rail, Maritime and Transport Workers

Amendment

- *Insert new penultimate paragraph:*

"Congress calls on the General Council to campaign for the Bus Services Bill to:

i remove the clause that prevents municipalisation

ii include trade unions as statutory consultees as worker representatives

iii regulate to protect minimum terms and conditions and pension standards for new employees not covered by TUPE."

- *In the final paragraph, insert "this" after "to" and delete "against these proposals".*

Unite

Amendment

- *Insert new paragraph 3:*

"Congress calls on the government to stop meddling with the Southern franchise and to remove the failed GTR privateers as its operator before assigning it to the control of the London Mayor as a first step in the transfer of rail services in and around London to his control."

Transport Salaried Staffs' Association

59 Rail freight

Congress is deeply concerned about the future of rail freight in Britain. Congress acknowledges that between 2002 and 2006 the movement of commodities, predominantly coal, accounted for more than 75 per cent of the total rail freight market but regrets that this has fallen to 50 per cent this year and is expected to decline even further.

Congress is aware that the transport of consumer goods and the movement of intermodal freight has increased over recent years but notes that the decline of coal and steel traffic is so severe that the very future of the industry is at risk.

Congress acknowledges that the rail freight industry is the only part of the railway which is fully privatised and receives no government support. Congress further recognises that once freight capacity declines it cannot quickly be reversed.

Congress believes that a sharp decline in rail freight capacity could be disastrous for the future of the British economy across the supply and logistics chain. Congress further believes that rail is vital to a balanced freight sector and essential to the maintenance and ongoing health and safety of the entire rail network.

Congress recognises that rail freight produces 70 per cent less CO₂ per tonne carried than the equivalent road journey and notes that road congestion costs UK businesses £24bn per annum.

Congress calls on the General Council to campaign for public ownership of the rail freight industry to better facilitate sustainable and long-term growth in the sector and secure future rail freight capacity.

Associated Society of Locomotive Engineers and Firemen

Amendment

● *Insert new penultimate paragraph:*

"Congress further recognises that the sale of Network Rail land as part of the publicly owned company's attempts to make up the deficit in its funding reportedly includes sites containing operational rail freight depots or that are being held for future strategic freight terminals, thus further undermining the industry's prospects."

Transport Salaried Staffs' Association

60 Maritime jobs, skills and the future

Congress records its concern at the continued decline in the UK maritime skills base, exacerbated in the past year by the loss of thousands of jobs in the North Sea offshore oil and gas sector and further possible threats from the potential impact of Brexit on UK trade, British shipping and British seafarers.

Congress notes that half the recommendations contained in the Maritime Growth Study, published by the government almost a year ago, concerned employment and training. Congress further notes the lack of any tangible measures taken so far in response to the study and calls on the TUC to support the maritime unions in their campaigns to secure urgent action by the government.

In particular, Congress urges the government to:

- i. not only maintain but also improve existing support mechanisms for the shipping industry
- ii. combat social dumping in British waters by effective implementation and enforcement of such measures as the Maritime Labour Convention, the national minimum wage, national living wage and work permit requirements
- iii. act on the united calls from the shipping industry for a 'SMarT-Plus' scheme to enhance the existing support for maritime training to ensure that UK costs remain competitive in a globalised industry and to help address the growing demographic threat to the national maritime skills base.

Nautilus International

61 Safety in the skies

Congress is alarmed at the increasing numbers of drone near-misses on aircraft and laser attacks on pilots. It is surely only a matter of time before a major accident is caused by a drone collision or a pilot being incapacitated by a laser strike unless something is done to prevent it. The travelling public is entitled to expect every flight to be a safe flight but the increasing risk posed by drones and lasers makes that harder to maintain.

BALPA has been constantly raising these concerns with UK government and regulators who agree in principle that these risks must be addressed but their practical responses have been pitifully slow.

Congress calls on the aviation authorities to urgently use regulatory and legislative powers to ensure that drones and lasers are used safely before a tragedy occurs.

British Air Line Pilots Association

C12 Housing

Motion 62 and amendments

The recent publication of the UN's High Commissioner for Human Rights' CESCR report has further highlighted how the housing crisis in the UK is one of the major scandals of the 21st century, leaving the younger generation and people on average wages and below with no hope of decent housing. The ongoing reduction of council housing and housing association properties for rent on secure tenancies has resulted in shocking rises in rents in the private sector as more buy-to-let landlords are cashing in and getting rich on the back of the housing crisis.

A massive council housebuilding programme is needed to alleviate the housing crisis. This would also be an opportunity to tackle the dearth of construction apprentices. Strict procurement rules should be introduced requiring companies building council housing to train a minimum number of apprentices.

The social cleansing of the poor and disabled from our cities is part of the Tory agenda to blame those on low wages and/or in receipt of benefits for their own plight, and is turning the clock back to pre-war conditions.

The introduction of "pay to stay" that forces tenants to declare their income to landlords is a further direct attack on households in council properties and is designed to put more money from working class communities into the Treasury.

The terms 'affordable' and 'accessible' should be defined more clearly and be based on a reasonable proportion of the average wage.

Congress therefore instructs the TUC to build a broad-based campaign for:

- i. stronger rent controls and a "living rent" system
- ii. better regulation in the rented sector
- iii. an increase in the numbers of council homes built each year below market rent
- iv. the removal of welfare caps that have led to the social cleansing of our cities
- v. the abolition of "pay to stay" measures"
- vi. adequate financial support for the young and vulnerable to help them with housing costs
- vii . better and more secure jobs to enable people to access a decent home
- viii . improvements in public housing policy to ensure that social and affordable housing is a resource for all.

Mover: Transport Salaried Staffs' Association

Seconder: UNISON

Supporters: Communication Workers Union; Union of Construction, Allied Trades and Technicians

63 Public land and affordable housing

Congress opposes the sale of British public land for the development of unaffordable housing. Congress notes plans to offload substantial amounts of land owned by public bodies, including Transport for London and Network Rail, to build homes inaccessible to all but the richest in society.

Congress recognises the urgent need to address the UK's housing crisis particularly to assist key workers who are unable to afford to live in the communities they serve. Congress believes that if public land is to be sold it must be used specifically for the construction of affordable and key worker housing and regrets the current criteria whereby properties costing £450,000 can be considered affordable for the purpose of development.

Congress asserts that appropriate levels of public and railway land should be retained to provide future rail and transport capacity. A failure to do so would jeopardise the development of such infrastructure sites and will only add to overcrowding and congestion across the transport network in the decades ahead.

Congress further recognises that the value of such land for commercial and residential property development and the potential proceeds for the public purse have fallen significantly since Britain's decision to leave the European Union.

Congress calls on the General Council to campaign with any appropriate bodies or organisations to safeguard public and railway land for future infrastructure and public works and to ensure that any public land is used for genuinely affordable housing and homes for key workers.

Associated Society of Locomotive Engineers and Firemen

Amendment

- Add at end of existing final paragraph:

"Congress calls for the campaign to make the case for properly funded transport to end the increasing reliance of transport bodies on receipts from developing land."

- Add new final paragraph:

"Finally, Congress applauds the successful campaign to amend the 'Transport for London Bill', thereby undermining TfL's ambition to develop land via opaque, tax-avoiding structures."

National Union of Rail, Maritime and Transport Workers

64 Channel 4

Congress commends the TUC and the Federation of Entertainment Unions in their campaigning efforts to protect the BBC but is alarmed about speculation concerning the future of Channel 4. As a publicly owned broadcaster freed from shareholder pressures, Channel 4 commissions a range of original drama, comedy and entertainment and has specific responsibilities to nurture new talent, to reflect cultural diversity, to show alternative viewpoints and to invest in film.

The privatisation or part-privatisation of Channel 4 could lead to an erosion of Channel 4's remit, leading to a reduction in content for diverse audiences. Any reduction in such programming could affect the employment opportunities available to performers and other creative workers, particularly those from underrepresented backgrounds.

After privatisation, or part-privatisation, there is also a risk that Channel 4's budgets could be cut and schedules would feature much more bought-in content and repeats. This would not be in the interest of UK audiences and would have an adverse effect on the independent production sector.

Congress agrees that the TUC will:

- i. publicly state the importance of Channel 4 to the UK's audiovisual industries
- ii. campaign to resist the privatisation or part privatisation of Channel 4.

Equity

65 Transparency and accountability of broadcasters on diversity

Congress believes that the regulated broadcast industries have a profound impact on the culture and attitudes of people in the UK and furthermore believes that it is essential that the workforce of these industries should reflect the diversity of the society they serve.

Congress notes with concern:

- i. the failure of broadcasting regulator Ofcom to
 - require its licence holders to supply their equality monitoring data
 - publish that data for each individual named licence in the manner of its predecessor, the Independent Television Commission (ITC)
- ii. that in the six years after Ofcom decided to abandon ITC policy, minority ethnic employment in broadcasting fell by 31 per cent between 2006 and 2012
- iii. that Ofcom is now lagging behind other bodies in the creative industries, such as the British Film Institute and the Arts Council of England, which have both adopted this policy with regard to clients receiving public money.

Congress believes that transparency and accountability in diversity in employment is an essential step towards achieving real diversity at all levels of broadcasting and that the public has the right to know the facts about the diversity of broadcasters that are awarded licences on the public's behalf.

Congress calls on the TUC General Council to make representations to Ofcom and to the DCMS to ensure that Ofcom requires this crucial diversity data from its licencees and puts that data in the public domain for each named individual licence in accordance with the practice of the ITC.

Broadcasting, Entertainment, Cinematograph and Theatre Union

66 Performers and mental health

A 2014 survey by Help Musicians UK revealed the high levels of mental health problems within the musician community. Of those surveyed, 67 per cent had, on occasion, suffered from depression or other psychological problems, 75 per cent had experienced performance anxiety and 62 per cent had experienced relationship difficulties.

There has recently been an increased awareness of mental health within the creative industries and this is something that the entertainment unions welcome, since the unusual nature of a performer's working life can make them more vulnerable to certain mental health issues. Musicians, actors and other performers regularly face anti-social hours, loneliness, worries about money and strain placed on relationships

due to touring, all of which can be detrimental to their mental health. This, combined with the pressure of working in the creative industries, can lead to performers developing issues with alcohol and drug abuse as a coping mechanism. Cases such as the death of Amy Winehouse have highlighted that the music industry and the creative industries in general need to do more to support performers.

Congress supports all efforts to promote better mental health within the creative industries, and highlights the work of the British Association for Performing Arts Medicine (BAPAM) in treating both physical and mental health issues in performers and Help Musicians UK for supporting this essential work.

Musicians' Union

67 Free TV licences for over-75s

Congress is committed to support and benefits for elderly citizens and other vulnerable groups, and continues to believe that free TV licences for the over-75s are a welcome social provision.

Congress believes that such payments should be made from the public purse with money collected through the tax system, to ensure that the cost is fairly spread, and the benefits are clearly seen to be part of our welfare system.

Congress is therefore dismayed at the agreement struck last year between the BBC and the government, under which the cost of these free TV licences will transfer from the Treasury to the BBC itself. This equates to a cut in funding by 2020 which is estimated by the Office for Budget Responsibility to be £745m a year, nearly one fifth of the BBC's current licence fee income.

After a five-year freeze in licence increases, this loss of revenue will lead to reductions in services, range and diversity of programming, as well as wide-scale job losses and pressure on working conditions. These will diminish the UK's main public service broadcaster, which is not only valued by domestic audiences for its TV, radio, and online content, but is admired throughout the world for its objective and impartial content.

Congress is alarmed by this prospect of a declining BBC and calls on the General Council to campaign for a revised funding formula which will maintain levels of service in all BBC output.

Broadcasting, Entertainment, Cinematograph and Theatre Union

C13 In-work benefits and Universal Basic Income

Motions 68 and 69

Congress recognises the need for a rebuilding of a modern social security system for men and women as part of tackling poverty and inequality.

Congress believes that our social security system must work in tandem with our agenda for strong trade unions and employment rights and secure, decently and properly paid work.

Congress believes that, until all employers pay a real living wage, welfare payments will play a necessary role in ensuring that workers are able to make ends meet. Congress recognises that until the housing crisis is resolved there would also be a need for supplementary benefits to support people on low incomes with high housing costs and that there will always be a need for supplementary benefits for disabled people.

Congress expresses its concerns over the Conservative government's cuts to the welfare system. These cuts will cause increased levels of deprivation for many working families. The current system has been made increasingly punitive and has effectively been used to stigmatise benefit claimants. The operation of sanctions pushes people into destitution for trivial reasons.

The Conservatives have frozen most working-age benefits, including working tax credits, over the next four years; costing the average family £260 per year. The value of such benefits has already been seriously diminished as a result of one per cent increases between 2011 and 2015.

Congress is also deeply concerned about the introduction of Universal Credit, with estimates that the policy will leave 2.5 million families worse off; some by more than £3,000 per year. While the Conservatives may have originally claimed that the introduction of Universal Credit was to encourage more people into work, it has become increasingly clear that this is a thinly veiled ideological drive to cut the support provided by the welfare state to low-paid workers.

Universal Credit requires many claimants to commit to earning the equivalent of 35 hours' worth of pay at the national living wage every week. If workers face a cut in hours, they will not only lose pay but will also face benefit sanctions.

Congress agrees the TUC will campaign to defend in-work benefits to ensure that workers have access to a proper welfare system that ensures those on low pay are free from poverty.

Congress notes the growing popularity of the idea of a 'Universal Basic Income' with a variety of models being discussed here and around the world.

Congress believes that the TUC should acknowledge Universal Basic Income and argue for a progressive system that would be easier to administer, easier for people to navigate, paid individually and that is complementary to comprehensive public services and childcare provision.

The transition from our current system to any new system that incorporates these principles should always leave people with lower incomes better off.

Mover: Unite

Seconded: Union of Shop, Distributive and Allied Workers

70 Work Capability Assessments and links to suicide

Congress notes the *Guardian* report on 16 November 2015 that Work Capability Assessments (WCAs) have been linked to 590 suicides and 725,000 prescriptions of anti-depressants in the last three years.

Congress also notes that a senior coroner in North London, Mary Hassell, linked the suicide of Michael O'Sullivan in 2013 directly to a WCA, after he was declared fit for work.

Congress believes that enough is enough and that the time has come for action before more lives are lost. The DWP and government have been brought into disrepute and must be held to account.

Congress agrees with organisations such as DPAC (Disabled People against the Cuts) and MIND that WCAs must be scrapped in their current format and replaced by a fair and humane process.

Congress therefore instructs the incoming Disabled Workers Committee to campaign for reform using all means at its disposal.

TUC Disabled Workers Conference

71 Welfare Charter

The UK is one of the richest countries on earth. But one million people use foodbanks, over 25 per cent of children live in poverty, and 5.5 million adults go without basic clothing necessities, like a warm, waterproof coat. Congress fully supports the Trades Union Councils' *Welfare Charter*.

There is no place for a system that sees pushing people into poverty, the threat of hunger and eviction as legitimate punishments for not being in work. We need a social security system that enables everyone to have a safe, warm home, good food, proper clothing and to participate in society.

The *Welfare Charter* calls for:

- i. political commitment to full employment achieved with decent jobs
- ii. people being entitled to decent, stable secure jobs providing regular, guaranteed hours allowing them to meet any caring responsibilities; not zero- hours contracts in precarious jobs
- iii. a universal wage you can live on and a social security system that works to end poverty i.e. a national living wage people can live on, not just survive on, which applies to all
- iv. no work conscription – keep volunteering voluntary; forcing people to work for free on pain of losing benefits is simply providing free labour to organisations that should pay workers proper wages
- v. representation for unemployed workers – everyone should have access to advocates to help them navigate the social security system and appeal adverse decisions
- vi. an ombudsman for claimants: a Claimants Ombudsman should be appointed to arbitrate on unresolved complaints, to ensure claimants are treated with respect and dignity
- vii. equality in the labour market and workplace; equality in access to benefits: we need a labour market where structural inequalities are overturned and a benefit system that is accessible to all
- viii. an end to the sanctions regime and Work Capability Assessment – full maintenance for both unemployed and underemployed: we need a non-means tested, non-discriminatory benefit payable to all, with housing costs met allied with extensive provision of low-cost housing
- ix. state provision of high quality information, advice and guidance on employment, training and careers: a supportive, independent careers and job-broking service is essential, not linked to conditionality or benefits, offering face-to-face advice.

Congress calls on the TUC and General Council to:

- a. give support to the *Welfare Charter*
- b. raise awareness of the issues raised and the demands made
- c. work with TUC Unemployed Workers' Centres, Trades Councils, CATUCs and the wider trade union movement to realise the objectives of the charter.

TUC Trades Councils Conference (this motion is exempt from the 250-word limit)

SECTION FOUR STRONG UNIONS

72 Atypical workers

Congress notes that atypical working continues to increase across the economy and that the number of self-employed and freelance workers is rising year on year.

As part of its Making Tax Digital Roadmap, published in 2015, the government has proposed that all self-employed workers should submit a quarterly report in an approved format to HMRC. These reforms, which will be included in the 2017 Finance Bill, will increase administrative burdens on self-employed workers who have irregular working patterns, frequently travel for work or may be digitally excluded.

A greater frequency in errors could also arise from quarterly reporting which in turn would result in an increase in the penalties levied on self-employed workers. There are also concerns that over time, quarterly reporting could also lead to a requirement on self-employed workers to pay tax quarterly.

Congress therefore resolves to:

- i. support the efforts of unions to organise and represent atypical workers
- ii. support campaigning and lobbying undertaken by unions to ensure that self-employed workers are given a choice about which methods they use to comply with their taxation obligations
- iii. assess and monitor the impact of digital taxation on self-employed workers.

Equity

Amendment

- *Insert new paragraph 4:*

"In sectors such as construction where false self-employment is endemic, assignments are temporary and there is frequent movement between PAYE and self-employment, workers will be especially vulnerable to errors and missed deadlines."

- *Insert new sub-paragraph iv at end:*

"iv. campaign for the proposals to be delayed until false self-employment is eradicated."

Union of Construction, Allied Trades and Technicians

73 Rights for freelance workers

Congress notes that self-employed workers comprise more than 15 per cent of the UK's labour force – the greatest number since records began. Average self-employed earnings fell by 22 per cent in the six years to 2014, and freelancers have often been the first casualty of cuts.

Freelance journalists have been integral to Britain's media since the 1900s and today comprise a third of NUJ membership. Congress congratulates the NUJ for its successful campaign to reassert the rights to organisation of freelancers in Ireland.

Congress recognises that self-employed workers are critical to the dynamism and responsiveness of the UK economy, particularly the creative industries. It further notes that many companies, particularly in the media industry, have increased casualisation of work at the same time as cutting numbers of staff. Full-time employment should be available to those who seek it, but those who sell their labour along other contractual models also deserve a fair, enabling, regulatory environment.

Congress calls on the General Council to raise awareness among affiliates about the needs of freelance workers, and to campaign to secure reform to the legal framework of self-employment, particularly creating rights to: collective bargaining; fair contracts; intellectual property; and access to the benefits system. Congress also calls for the reform of HMRC rules that threaten self-employed workers' tax status if they accept employer-funded training.

Congress further calls on the General Council to lobby the International Labour Organisation to adopt a Convention on atypical workers that encompasses the above principles.

National Union of Journalists

74 Facilities time

Congress notes the crucial role that facilities time plays in schools in allowing representatives of all teacher, management and support staff trade unions to assist and represent their members in schools on issues of conditions of service. Congress further notes that trade union facility time enables union representatives to carry out demanding and complex roles, to advise and formally represent members in grievance and disciplinary hearings and negotiate terms and conditions with employers. This provides support to employees but also a route to working with employers to achieve the best outcomes on issues of conflict and resolve local issues as swiftly as possible, thereby reducing the risk of relationship breakdown and/or litigation.

Congress calls on the government to:

- i. guarantee facilities time throughout education, in both local authority maintained and academy schools
- ii. ensure that the ability for schools to 'de-delegate' funding to a local authority is maintained in any reforms to education funding
- iii. note that facilities time saves money in the public sector by dealing with issues in a way that avoids conflict, litigation and industrial action.

Congress calls on the General Council to:

- a. lobby the government to retain facilities time within all schools
- b. work with all unions to protect facilities time across the public sector.

National Association of Head Teachers

C14 Digital campaigning and organising

Motion 75 and amendments

Congress recognises and values the TUC campaign to reach out to young workers. The fragmentation of work and employment models, the überisation of many jobs, and the lack of a trade union presence in many workplaces presents huge organisational challenges for trade unions in the modern world.

This places particular challenges to traditional, workplace-based organising models in today's labour market.

Yet evidence shows that collectivism is not a historic concept. Young workers mobilise through social media and modern technologies on a wide range of political and social issues, from environmental campaigns to student activism. There is no in-built opposition among young workers toward collective action or toward trade unionism, but evidence suggests it is increasingly unlikely that young workers will develop collective responses to either the challenges they face at work or to achieving their goals from employment.

Congress recognises that employers have been quick to utilise technology to exploit working people, organising workers and their workload by smart phone and app; and replacing the physical workplace and line management by virtual workplaces and digital bosses.

Congress believes that digital campaign and organising strategies must be part of the solution for trade unions to achieving better outcomes for young people at work.

Congress resolves to:

- i. explore and showcase good examples of trade unions utilising digital campaign and organising strategies
- ii. work with trade unions to help build digital campaign and organising skills building capacity at all levels and utilising digital technology to organise workers.
- iii. develop digital tools to support collective union campaign and organising strategies.
- iv. encourage unions to share best practice about how membership systems can be utilised and integrated into digital campaigning and organising strategies

v. campaign to ensure the provisions in the Trade Union Act do not inhibit digital campaigning and organising.

Mover: Accord

Seconder: GMB

Supporter: Royal College of Midwives

76 Women organising against the Trade Union Act

This (and the last) government has led a sustained attack on trade union organisation, made fundamental changes to employment and equality legislation, and is now driving the passage of the Trade Union Act in Parliament.

Congress is deeply concerned at the major detrimental impact on the rights of women to organise collectively in trade unions through the Trade Union Act.

Congress notes the disproportionate impact on women of the ballot thresholds – 73 per cent of the workers covered by the 40 per cent threshold.

Congress further notes that trade union organisation and collective bargaining is the most successful way of closing the gender pay gap. The Work Life Balance Employer Survey in December 2014 found that compared to non-unionised workplaces a substantially higher percentage of unionised workplaces had written policies on flexible working and were more likely to have enhanced maternity pay. Trade union workplaces are also associated with higher pay. The difference in pay for trade union members is 16 per cent higher across all employees and 30 per cent for women. Equality in the workplace for women, disabled people, LGBT and an end to racism will only happen with strong trade unions in the workplace.

We have a proud history of women's activism in trade unions, characterised by individual trade union women activists coming together, supporting each other, campaigning on issues and achieving change to better the lives of women both in work and outside. Self-organised trade union women add value and strengthen trade unions.

Congress believes that the current government is determined to undermine employment relations, reduce pay and terms and conditions of employment and that the Trade Union Act is designed to curtail the legitimate business of trade unions and will establish additional hurdles for trade unions to organise. Cuts in facility time and other measures will mean that workers who face discrimination in the workplace will be more vulnerable than ever, with collective bargaining on tackling discrimination, equal pay and family friendly working damaged.

As part of the response to the Trade Union Act, Congress calls on the TUC to:

- i. raise awareness for affiliates to encourage, facilitate and support trade union women activists
- ii. highlight the merits of women's self-organisation in trade unions
- iii. ensure women are central to the trade union response to the Trade Union Act
- iv. organise local actions to highlight the role of women in trade unions delivering equality at work
- v. raise awareness of the importance of facility time in bargaining for equality and challenging discrimination.

TUC Women's Conference (this motion is exempt from the 250-word limit)

77 Lifelong learning

Congress calls on the General Council to support programmes that enable trade union members to acquire new skills in order to deal with an ever-changing and challenging labour market. Congress notes that the PFA provides its members with invaluable support and assistance in education and retraining for a working life after football. In many other sectors the old assurances that the same type of work will be available over the long term is no longer the case and workers therefore need to be looking to constantly update their skills and knowledge.

Footballers have always had to deal with a very difficult transition in their working lives and as a union the PFA has ensured that much of its resources and support is focused on encouraging players to plan for their future and gain the qualifications and skills to ease this transition.

The PFA has a unique approach in that its members are in the union for life and therefore are entitled to its support long after their football careers have finished. It recognises that unlike in the past individuals might have to change jobs several times in their working lives and it is there to assist with funding and practical help whenever they need it.

This kind of provision has ensured that the PFA has 100 per cent membership and is a good template for other unions to look at. Congress notes that this approach demonstrates that the PFA is committed to supporting its members through lifelong learning and training and hopes that this message resonates strongly throughout the trade union movement.

Professional Footballers' Association

78 Union learning and the skills agenda

Unionlearn is celebrating its 10th birthday. Over the last decade it has transformed workplaces by bringing learning and skills to hundreds of thousands of workers. It attracts cross-party support and employer engagement, builds union membership and plays a huge role in supporting the strategic skills priorities of government.

The TUC has successfully continued to make the business case to BIS for funding. Although funding has reduced, unionlearn has continued to deliver strong performance.

Congress notes we don't yet know the impact Brexit will have on BIS's budget; however, it is vital that learning and skills remains on the government's agenda as it negotiates our EU exit.

Recent evaluation of the Union Learning Fund estimates that every £1 invested in unionlearn produces an economic return of £10.60. Yet every year unions have the uncertainty created by the annual bidding process diverting attention away from learners and employers.

Many union projects are deeply embedded in the workplaces where they organise; they are an integral part of the union/employer relationship.

Other more recent learning agreements, for example Hinckley Point and HS2, are major contracts that need long-term plans.

Unions are central to meeting the government's ambitious targets for three million apprentices. It's time we had more stability.

Congress calls on the TUC to campaign to:

- i. keep union learning and skills a government priority
- ii. introduce a three-year cycle of funding to allow unions to develop long-term learning strategies
- iii. promote and expand the critical role unions play in delivering for apprentices.

Aegis

79 RCM's Caring for You Campaign

Congress congratulates the RCM on the launch of its Caring for You campaign, which aims to improve the health, safety and well-being of RCM members so they are able to provide excellent care for women.

Congress believes this campaign is necessary because many maternity units are overworked and understaffed with midwives feeling under intense pressure to be able to meet the demands of the service. Congress notes with concern evidence from an RCM survey of high levels of burn-out and stress among RCM members. Congress agrees with the conclusion of the RCM research that when NHS organisations, managers and health and safety representatives work in partnership and take action on health, safety and well-being it can lead to lower stress levels and better health and well-being for staff and improved care for women and their families.

Congress further agrees with the RCM that this research is testimony to the value of health and safety representatives in the workplace and the evidence that treating staff fairly is to everyone's benefit. Investment in NHS staff is an investment in NHS care.

Congress notes that the Caring for You campaign asks every NHS organisation to support their Head of Midwifery to sign up to the RCM's Caring for You Charter to show commitment to health, safety and well-being in maternity units.

Congress therefore calls on the General Council to support the RCM's campaign and to continue to make the case for the value of health and safety representatives.

Royal College of Midwives

80 Appropriate footwear in the workplace

The furore surrounding Nicola Thorpe being sent home from work by her agency from a receptionist job in London for refusing to wear high heels shows that the issue of safe and appropriate footwear at work is still alive and kicking.

The SCP raised the issue at Congress in 2009 and the TUC issued a guide that states dress that require people to wear high heels are sexist. The issue and problems associated with short- and long-term injuries that are caused by inappropriate footwear are still prevalent in the workplace.

In manufacturing, building and construction and many other workplaces appropriate footwear is mandatory for safety purposes. So why not require the same standards in other industries as well? Congress is not calling for a ban on high heels but calling for common sense and fairness in the workplace.

The issue has attracted significant public interest with a parliamentary petition gathering over 145,000 signatures with the government's petitions committee launching an enquiry and a possible debate in parliament. A survey of 2,000 people in the UK by the College of Podiatry in 2013 revealed self-reported foot problems in 90 per cent of respondents.

Congress therefore calls on the TUC and affiliated unions to work closely with the SCP and its members to educate employers and employees on the dangers of inappropriate footwear at work and to campaign for the law to be changed to enable people to not be compelled to wear high heels at work.

Society of Chiropodists and Podiatrists

C15 Impact of refugee crisis on children

Motions 81 and amendment and 82

Congress expresses profound concern at the continuing impact of the global refugee crisis on the world's children and young people.

Congress notes that half of the world's refugees are aged under 18, many travelling unaccompanied.

Congress expresses its support for refugees beginning their lives in the UK and for those seeking asylum. Congress urges the TUC General Council to seek commitments from government and local authorities that adequate resources are provided to meet the education, health, housing and social needs of children from asylum seeking/refugee families, including those whose applications for asylum have been rejected.

In the light of the political changes to the UK in its relationship to the European Union it is essential that the trade union movement ensures that the message that the UK welcomes refugees and asylum seekers is communicated clearly and with passionate resolve.

Therefore, Congress expresses its solidarity with refugees and asylum seekers and calls on the General Council to do all in its power to ensure that the UK is committed to equality of opportunity and support for the most vulnerable in society.

Congress recognises the entitlements of all children and young people set out in the UN Convention on the Rights of the Child, which affirms the right to shelter, protection from abuse, access to healthcare, freedom from violence, and the entitlement of all children to high-quality education.

Congress deplores that:

- i. many child refugees are denied fundamental rights in practice
- ii. only one per cent of global budget for humanitarian aid is invested in education
- iii. many schools serving refugee and displaced children are being targeted through violence

iv. children living with the trauma of rape, sexual violence and armed conflict do not have access to appropriate and timely mental and emotional support

v. many such children are fleeing consequences of misguided and sometimes illegal interventions by USA and UK governments.

Congress welcomes the work of the NASUWT and the wider trade union movement in working with national and international partners to deliver practical education assistance to meet the needs of refugee and displaced children including those trade unionists delivering practical aid to children in Calais.

Congress calls on the UK government to play its full part in securing refugee children's rights by committing to work with international bodies including UNICEF to ensure that all schools are free from militarisation and violence and ensuring that refugee children in the UK are given access to the full range of educational support, mental health support and resources they need to help refugee learners achieve and succeed.

The General Council, therefore, is urged to:

- a. oppose and campaign against any proposals for enforced deportations
- b. campaign to ensure fair and humane treatment for all and to tackle racism and discrimination
- c. work with all appropriate national and international agencies to support the children of asylum seekers and refugees
- d. support the work being carried out by affiliates to promote good practice.

Mover: NASUWT

Seconder: The Educational Institute of Scotland

Supporter: National Union of Teachers

83 Immigration Act

The Immigration Act 2016 quickly followed the Immigration Act 2014, criminalising workers, reducing workers' rights and disproportionately impacting black workers, whether recently arriving or already living in Britain. It poses a serious threat to all, including workers in the health, finance, local authorities, housing, agriculture and education sectors.

In this toxic environment BAME workers have been facing racial discrimination, abuse, victimisation and exploitation.

Congress therefore calls on the General Council to:

- i. continue campaigning against the two Acts

- ii. lobby for ratification of UN 1990, rights of migrants and their families
- iii. work with Migrant Rights Network and others to monitor, analyse and act on the effects of the Acts
- iv. campaign against racism and racial discrimination at work, and defend migrant communities and refugees
- v. negotiate for decent pay and conditions for all workers
- vi. use collective bargaining to negotiate document checks policies, including recruitment policy
- vii. stop members being disciplined for refusing to check documents
- viii. ensure full training for those required to carry out document checks
- ix. monitor how checks are carried to avoid discrimination
- x. ensure members, particularly migrant workers, are involved and informed throughout this process
- xi. negotiate for reducing the risk of immigration raids and protect affected workers' rights/benefits
- xii. continue organising and supporting migrant workers.

TUC Black Workers Conference (this motion is exempt from the 250-word limit)

84 Human rights

Congress notes that the European Convention on Human Rights (ECHR), which came into force in 1953, establishes crucial human rights norms and provides fundamental protections for workers in Europe.

Congress notes that Article 11 of the ECHR provides for freedom of association, including specifically for trade unions. Congress recognises that the ECHR has led directly to many advances in basic rights, including LGBTI rights, protections against human trafficking and domestic slavery, the strengthening of press freedom, and improvements in privacy rights, including specifically for workers subject to snooping by employers.

Congress welcomes the Human Rights Act (HRA) that came into force in 2000, which has the effect of incorporating the ECHR rights into UK law, making remedies for breaches of these rights actionable in the UK courts, and placing a duty on public bodies not to act in a manner incompatible with the ECHR. The Act further requires UK courts to take account of judgements of the European Court of Human Rights.

Congress notes with regret and alarm proposals by the UK government to introduce a British Bill of Rights which is intended to replace the HRA and which appears likely to water down the protections of the ECHR rights at home.

Congress applauds Amnesty International's substantial campaigning in defence of the HRA and in furtherance of the ECHR. Congress reaffirms its partnership with Amnesty International UK and commits to work with Amnesty International UK to promote their campaign and to defend the ECHR and the HRA.

Accord



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