

CONGRESS 2018

# CONSOLIDATED MOTIONS AND COMPOSITE MOTIONS

**The 150th Annual Trades Union Congress**  
9–12 September 2018, Manchester



Changing the world of work for good

## 01 Industrial strategy: an economy for the many

Congress believes that the government has abjectly failed to produce an industrial strategy that meets the needs of working people by re-balancing the economy for sustainable, job-creating growth.

The last year has been a litany of government failures, from the refusal to intervene in the takeover of GKN by asset-stripping firm Melrose to the cancellation of the Swansea Tidal Lagoon.

Congress echoes the concerns of shadow chancellor John McDonnell that the deep structural problems in our economy that led to the financial crisis - and the decade of subsequent austerity - have not been dealt with.

One result of the chronic levels of underinvestment is the alarming fall in the number of high-quality apprenticeships. Young workers remain more likely to be offered a zero-hours contract than a union-recognised, well-paid apprenticeship.

Congress calls on the General Council to campaign for an industrial strategy for the many, which includes:

- i. strengthening worker voice by promoting and extending collective bargaining and sectoral collective bargaining
- ii. support for UK manufacturing, construction and infrastructure investments
- iii. a commitment to positive procurement to support foundation industries, such as the use of UK steel for the next generation of RN fleet support ships
- iv. strategic support so the UK remains a world leader in emerging technologies, such as electric vehicles
- v. high-quality apprenticeships and an urgent review of the apprenticeship levy to close loopholes and guarantee a union voice on national skills bodies
- vi. reform of takeovers, merger and acquisition regulation to promote long-termism and protect the interests of workers and communities.

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### Unite

#### AMENDMENT

➤ Add sub-paragraph vii. at end:

"vii. support for investment and strategic planning to ensure UK industry is at the forefront of a just transition to a low-carbon economy and the fight against climate change, including by means of an integrated transport strategy."

**ASLEF**

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## **02 The future of the retail sector**

Congress is alarmed at the level and frequency of restructuring within the retail sector, which is a constant source of worry for the UK's three million retail workers.

Congress believes that retail workers have been overlooked for too long. Job security in the sector has not been a priority of the current government, which has failed to develop a coherent industrial strategy for retail, despite it being the UK's largest private sector employer.

Retail workers' concerns about the increasing pace of changes in technology and customer spending, and the risks posed by Brexit, must be addressed as a matter of urgency.

Congress agrees to campaign for:

- i. urgent government action to address the challenges facing retail
- ii. investment in skills for retail workers, including through union learning and high quality apprenticeships
- iii. reform of tax law to level the playing field between online and bricks-and-mortar retailers
- iv. stronger corporate governance rules, to prevent asset-stripping
- v. action to curb excessive CEO pay, to close the gap with the lowest paid workers and ensure that business failure cannot be rewarded with bonuses
- vi. a legal right to collective consultation on the implementation of new technology in workplaces
- vii. a review of the law on redundancy, to remove the loophole that allows large chains to avoid consulting over small sites
- viii. every alternative to job losses to be explored, including the option of reducing working hours, while protecting workers' take-home pay.

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

## **03 Save Our Steel**

Congress recognises the ongoing steel crisis is driven by global overcapacity and policies of the Westminster Conservative government that force our industry to compete at a disadvantage. Congress notes that our steel industry and supply chains as well as the wider manufacturing sector are constrained by the absence of an effective UK-wide industrial strategy.

Congress notes the recently imposed 25 per cent tariffs on US steel imports and the devastating impact this could have on the UK steel industry and British jobs. Congress is clear the US tariffs cannot be justified on national security grounds and that self-defeating economic protectionism is no answer to the ongoing challenge of global overcapacity, which will require a multilateral solution.

Congress acknowledges the ongoing importance and successes of the multi-union Save Our Steel campaign. However, Congress is under no illusion that our steel industry is continuously fighting for its future and that more must be done to ensure a sustainable future for UK steel making.

Congress calls on the General Council to:

- i. lobby government to deliver the long-overdue Steel Sector Deal
- ii. continue campaigning to ensure that the UK steel industry is the foundation of a comprehensive government strategy for manufacturing
- iii. condemn the US steel tariffs and lobby government to secure an exemption and support strong EU safeguards to protect our industry from trade diversion
- iv. lobby government to deliver a robust trade defence regime to protect our industry from steel dumping after we leave the EU
- v. continue to support the Save Our Steel campaign.

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## **Community**

### **04 Local casting**

On-screen talent is currently excluded from the regulator Ofcom's criteria for a television production to qualify under its regional production guidance. "Regional" includes productions that are currently badged as being produced in one of the UK's nations.

The intention of the Ofcom regional production guidance, which arose from the Communications Act 2003 is to "support and strengthen the nations' and regions' production sector". Congress agrees with this intention and believes that the performing workforce is as crucial to a strong production sector as other personnel and inputs involved in productions.

Film and television production is heavily concentrated in London and the South East of England. Performers based in the UK's nations and regions often struggle to find enough opportunities to sustain a career, particularly those from working class backgrounds. The rising cost of living in London, combined with housing shortages in the capital and welfare cuts have also led to a decline in the physical and social mobility of the performer workforce.

Recruitment practices in the performing arts are often built around personal relationships, subjective judgements and networking. Congress believes that all stakeholders in the industry need to do more to ensure that due consideration is given to talent based in the community or region in which a production is made or set.

Congress therefore calls on Ofcom to work with unions to come up with an appropriate inclusion of on-screen talent through a revision of its regional production guidance.

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## **Equity**

## **05 Automation**

Congress notes there are clear challenges and threats to workers presented by technological change, but that there are also opportunities to create positive change to boost productivity and provide workers with greater flexibility and creativity in their work.

Congress further notes some sectors, such as finance, are impacted by a more advanced wave of technological change. Congress acknowledges the extent to which automation has the potential to change or threaten jobs across the economy.

Congress recognises the vital role of trade unions in responding to and negotiating around workplace changes driven by automation and welcomes the work of unions across the movement in seeking to develop a trade union response to automation.

Congress firmly believes employers and government have a duty to ensure workers are equipped with the skills they need in response to automation and to adapt to technological change and potential changes to jobs or job roles.

Congress calls on the General Council to:

- i. bring together unions whose members are most affected by current developments in automation, such as those working in the finance and professional sectors, to discuss collective bargaining responses to the ongoing challenges artificial intelligence and automation will bring and to secure a fair share of productivity gains for workers.
- ii. support unions working with employers to provide opportunities for upskilling, retraining and redeployment for workers whose jobs are impacted by technological change
- iii. explore what government policy change is required to ensure workers can realise the benefits of automation and prosper in a rapidly changing advanced economy.

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## **Community**

## **06 Automation and its impact on black workers**

Congress is concerned about the speed of automation in our industries with its major impact on black workers. Many sectors with a higher risk of automation are dominated by black workers including those in precarious employment. Therefore, Congress calls on the General Council and affiliates to fight the threat of automation by assessing the risks and organising a campaign for the job security, terms and conditions, health and safety, new skills and training of black workers, through considering the following:

In the short term:

- i. assessing the threat of automation
- ii. collecting information from reps to predict risk
- iii. developing a risk register
- iv. raising awareness among black members and reps
- v. bargaining for job security
- vi. signing new technology agreements.

In the long term:

- a. safeguarding our unions by organising the lower risk sectors
- b. building global union power.

Through changes in legislation:

1. shorter working time without loss of pay and job protection
2. strong flexible-working regulations
3. better retirement policies
4. jobs and/or salary guarantees based on production volumes or service delivery
5. wide-scale sector bargaining
6. research and development in sectors most able to get more secure and better jobs from automation
7. education and training in skills needed for the future, including quality apprenticeship schemes.

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**TUC Black Workers Conference**

## 07 Just transition and energy workers' voice

Congress recognises our country's legally binding targets for a lower-carbon economy as part of international efforts to tackle climate change.

Congress notes that over 80 per cent of homes currently use gas, and that alongside the objectives of achieving lower and zero-carbon energy sources, governments must also ensure security of supply, meet requirements of industry and infrastructure as well as ensure affordability for the public.

Congress believes a balanced energy mix is essential to meeting these targets and objectives and that such a mix must include investment in renewables, alongside new nuclear and lower-carbon gas.

Congress notes that 'just transition' is a much-used but often ambiguous term and there is no shortage of voices who believe they are qualified to say what energy workers and communities want and need.

Congress wholeheartedly believes that trade unions are the best democratic vehicle for working people to collectively make their voices heard in public life and to defend their jobs.

Congress congratulates GMB, Prospect, UNISON and Unite for calling a just transition conference to ask members employed in energy precisely what they, their communities and industries want and need from an energy sector of the future.

Congress believes that the views of the workers affected, as expressed through these trade unions, should be paramount and central to development of all TUC policies on energy, industrial strategy and climate change, and that the TUC should develop a political and lobbying strategy led by the voices and experiences of energy unions and their members.

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### GMB

#### AMENDMENT

- › In paragraph 2, after "industry" insert "transport"
- › At end of paragraph 3 add: "underpinned by an expanded programme of energy R&D"
- › At end of paragraph 5 add: "Trade unions are the only bodies with the expertise and experience to deliver fair change for workers."
- › At end of paragraph 6 delete full stop after "future" and add "and supports the continuation of this important programme of work."

*Prospect*

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## 08 Fracking

Congress notes that Ireland, Scotland and Wales have effectively banned fracking. England remains an exception. The Labour Party has said it will ban fracking.

Congress acknowledges that decarbonisation of heat remains a huge challenge given the UK's high reliance on gas, and that imports have increased. However, pursuit of fracking is not the answer to this challenge.

Evidence of a changing climate is clearer than ever in both the UK and globally. Pursuing fracking will lock in fossil fuel infrastructure for decades to come, and detracts from pursuing real alternatives to wholly decarbonise our economy.

Fracking also poses health risks to workers and communities, and the long-term viability of our water resources on which other sectors such as agriculture and manufacturing depend. The Environment Agency reports that current levels of abstraction leave "little room for increases in demand".

Congress recognises and supports the rights of affiliates to protect their members' interests in the sectors they represent. However, the threat of climate change to all workers requires that we work in solidarity to repurpose and create new jobs that will wholly decarbonise the economy by 2050.

Congress calls on the General Council to work with unions to consult affiliates on energy and decarbonisation policy, and to develop strategies to support workers in the transition to a zero-carbon economy and industrial strategy.

Congress further calls on the General Council to lobby the government to immediately ban fracking, and provide public investment in the skills and jobs needed to achieve the above aim.

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### **Bakers, Food and Allied Workers Union**

#### **AMENDMENT**

- › In the second sentence of paragraph 3, replace "will" with "could", and at the end of the sentence, after "decarbonise our economy", add "without programmes to decarbonise gas."
- › In the last paragraph, after "lobby the government to", delete the remaining text and replace with: "independently evaluate the risks fracking might cause local communities versus the benefits of developing indigenous supply; support a moratorium whilst evaluation is concluded and commit government to a clean gas strategy, decarbonising gas fully using hydrogen/bio gas, ensuring affordable warmth is available to all."

**UNISON**

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## 09 Strategy for a low-carbon industrial region

Congress 2018 welcomes the following:

- i. Trade Union Councils in Yorkshire and the Humber TUC region have been working together with the regional TUC to develop a low-carbon regional strategy.
- ii. The Yorkshire and the Humber region hosts a strategically important industrial complex that generates more carbon gas emissions than any other region in the UK.
- iii. These industries include steel, chemicals, glass and cement, which are strongly unionised and provide thousands of much-needed, good quality jobs.
- iv. Our international commitments to reduce carbon gas emissions could pose a threat to the future of these industries and the jobs they provide unless real action is taken to 'clean up' their production processes.
- v. Yorkshire and the Humber TUC has already taken a lead in promoting a strategy for a Yorkshire and the Humber low-carbon industrial region

Yorkshire and the Humber TUC is committed to working with all competent actors to find environmentally sustainable solutions that can ensure the continued operation of these essential industries and protect the jobs they provide. This of course must include working with our trade union partners including shop stewards and activists employed in these industries. But we must also work with employers, local enterprise partnerships, local authorities, environmental groups and relevant civil society organisations to develop a sustainable strategy for a Yorkshire and the Humber low-carbon region.

Some of the solutions must include:

- a. carbon capture and storage technology
- b. new technology and modernised industrial processes that reduce carbon gas emissions
- c. recycling, combating waste, and other "green" solutions
- d. capture and use of carbon gases where possible
- e. collective bargaining agreements between unions and employers to achieve change whilst protecting jobs (including retraining where necessary)
- f. a just transition for workers so that no-one is left behind as industry and commerce adjusts to a low-carbon future.

Congress agrees to encourage Trade Union Councils in other regions of England and Wales to work with their regional TUC to develop appropriate low-carbon regional strategies, taking into account the particular carbon footprint applicable in their area.

Congress further agrees to put the fight against climate change at the heart of its campaign strategy, and urges the affiliated trade unions, the Trade Union Councils and most importantly our army of shop stewards and activists to give it their full support.

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#### **TUC Trades Union Councils Conference**

## **10 Nationalisation of the railways**

Congress believes the collapse of Carillion, a major rail contractor; the failure of Virgin/Stagecoach on the East Coast Line; the rail timetable chaos (which also led to increased threat of assaults against rail workers); the cancellation of rail electrification projects; and loss of skilled rail jobs has shown again that the privatisation and fragmentation of our railways and public services has been an abject failure.

Even though these rail policy disasters have taken place under Chris Grayling he has refused to take any responsibility and Congress supports the growing calls for Chris Grayling to resign.

Congress also notes the government has been behind protracted disputes to introduce Driver Only Operation and has persistently attacked rail unions, including shamefully seeking to blame hard-pressed rail workers for massive fare hikes.

Despite these attacks, rail workers, who remain constant public servants while privatised rail companies come and go, have continued to do their best to protect safety and service on the railway. This includes taking principled action to keep guards on trains.

Congress pays tribute and sends full solidarity to these workers.

Congress therefore reiterates its support for nationalisation of the railways and agrees to campaign for properly funded, integrated, publicly owned rail and tube networks, which also:

- i. ends outsourcing, bringing core functions such as catering, cleaning and renewals and track/train maintenance in-house
- ii. makes for optimum access for older and disabled passengers
- iii. ensures the involvement of rail workers through their unions in overseeing the running of the railway.

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#### **National Union of Rail, Maritime and Transport Workers**

## **11 High fares and the decline in season ticket sales**

Congress is concerned that commuters are being priced off our railways and are being forced to change jobs, move home, or take alternative modes of transport – which also has a knock-on impact on road congestion and air pollution.

Congress regrets that in January 2018 fares across all operators were 20 per cent higher in real terms than they were in January 1995. This year regulated fares rose by 3.6 per cent, which is a much higher rate than the median increase in wages.

Congress notes that DfT figures reveal a 9.4 per cent drop in season ticket sales between July and September 2017, compared with the same quarter the previous year, and ORR figures indicate that rail usage fell by 1.4 per cent in the 2017-18 financial year: the biggest fall since 1993-4.

Congress believes that the high cost of season tickets is forcing this decline in train use amongst commuters who are no longer willing to pay rising fares for overcrowded rail services running on unreliable timetables.

Congress condemns the fact the UK's franchised rail system is run for the profit of private enterprises, not in the public interest. Overall revenue has continued to grow for train operators but now that passenger numbers are stagnating and their massive growth rates are in decline, companies are bailing out and taxpayers are footing the bill.

Congress calls on the General Council to campaign for: an end to the failing franchise system; higher levels of investment in the railway network; affordable fares; and a quality service for all.

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**ASLEF**

## **12 Transport: Britain's railways**

Congress recognises that Britain's railways are in trouble after continued bungling and buck-passing by the government's transport secretary.

The introduction of new passenger timetables in May 2018 saw hundreds of train services cancelled or delayed on Northern and Thameslink, disrupting the daily lives of thousands of passengers. The minister blamed the publicly owned Network Rail when one of the main causes for the problem was the Department for Transport's refusal to allow a pause on introducing the new timetables.

This way of running Britain's railways characterises the government's ineptitude whereby:

- i. Conservative dogma re-privatised the highly successful East Coast franchise in 2015, only for it to fail for a third time and be returned to public ownership in June 2018.
- ii. Electrification projects have been scaled back, especially in the north of England, perpetuating the antiquated rail network there, and incurring additional expense for diesel engines in less environmentally friendly bi-mode trains.
- iii. There has been a failure to attract private sector investment, resulting in taxpayer-funded subsidies of £34.7bn between 2019 and 2024.

Despite this, Network Rail is apparently being prepared to be fragmented and privatised, which could see industry standards relaxed to attract private investors, raising the spectre of the safety failings of Railtrack.

Congress calls on the General Council to:

- a. continue to oppose rail privatisation and support public ownership of our railways
- b. campaign to keep Network Rail as one entity in the public sector
- c. establish a cross-union working group to progress transition plans for transport and other sectors.

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**Transport Salaried Staffs' Association**

## **13 The danger of rail freight decline for UK infrastructure**

Congress is concerned about the decline in freight transported by rail over the last five years. Total freight moved grew steadily from 1995-96, reaching a peak of 22.7 billion net tonne kilometres in 2013-14. This has now fallen by over 25 per cent, to 17.0 billion net tonne kilometres.

The fall is largely due to government policy to tax coal traffic and the difficulties the UK steel industry has endured. Over the last year, coal transported has fallen by 12.7 per cent and metals by 5.4 per cent. Areas of growth for rail freight, intermodal consumer goods and construction have not managed to keep pace with this rapid decline.

Congress notes that the rail freight industry has lost much of its capacity due to the decline in traffic but, that whilst decline in capacity can happen quickly, growing capacity and recruiting drivers takes far longer. Rail freight operators do the infrastructure repairs and enhancements across our network.

Congress is concerned that if the government does not do more to support the rail freight industry, the UK's infrastructure and railways will go into decline. Additionally, we will see far more freight go onto our roads despite the fact that rail produces 76 per cent less carbon dioxide emissions than the equivalent road journey.

Congress calls on the General Council to campaign for more support for the freight industry and for the introduction of a publicly owned rail freight operator in order to ensure our network has the capacity for renewals and enhancements.

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**ASLEF**

## **14 ETF fair transport campaign**

Congress welcomes the European Transport Workers' Federation Fair Transport Campaign, re-launched earlier this year, and expresses full support for the ETF's initiatives that seek to eradicate social dumping and secure decent work and quality services in all forms of transport. Congress notes that many workers in the European transport sector - and in shipping in particular - are exposed to extraordinary levels of exploitation, social dumping and unfair competition, which undermine their job security, pay and conditions. Congress also notes that transport workers often experience excessive working hours, stress, fatigue and substandard working conditions and urges the TUC to give full support to the Fair Shipping element of the ETF Fair Transport campaign, which seeks to create a European maritime space without social dumping and decent terms and conditions for all crew.

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**Nautilus International**

## **C01 Seafarers' working conditions and workforce safety in the offshore and maritime industries**

### **Motion 15 and amendment, and 16**

Congress expresses sadness and condolences to the families and loved ones of workers killed or injured when working at sea, including the 165 offshore workers and two seafarers who perished in the Piper Alpha disaster thirty years ago, on 6 July 1988.

Congress notes that the Health and Safety Executive regulates compliance with the Offshore Installations Regulations 1989 that cover safety representatives and safety committees and were introduced as a result of the Piper Alpha disaster. Congress is concerned that 26 compliance inspections since 2015 uncovered over 50 non-compliance issues, yet the HSE has not taken enforcement action against any installation owner or manager in the 29 years since these regulations came into effect.

Congress also notes that in the maritime sector safety culture is less developed than many transport sectors, which has contributed to safety incidents in crucial areas such as lifeboat drills.

Congress congratulates the Offshore Coordinating Group comprised of BALPA, GMB, Nautilus International, RMT and Unite for its continuing efforts to improve safety in the North Sea.

Congress records its concern at the continued evidence of substandard shipping and appalling working conditions for many seafarers working on ships around the UK coast. Congress notes the shocking number of cases involving owed wages and poverty pay, as well as the prevalence of problems such as excessive working time, fatigue, stress, little or no ability to communicate with friends and family, and workplace ill health, injury and fatality rates well in excess of any shore-based occupation.

Congress is further concerned that social dumping, as well as resulting in breaches of the Maritime Labour Convention, is also undermining safety standards in the maritime and offshore sectors.

Congress calls for:

- i. the government to enforce compliance with elected offshore safety representatives' standards
- ii. continuous improvement of the safety culture in the maritime and offshore sectors
- iii. a full-scale review of the effectiveness and enforcement of regulations governing worker engagement in safety standards on offshore installations and merchant shipping.

Congress calls on the General Council to:

- a. support the maritime unions in their work to continuously improve the Maritime Labour Convention as an effective global minimum standard to underpin improvements in the lives of seafarers
- b. ensure that the UK has the necessary staffing, resources and political commitment to police and enforce the requirements of the Maritime Labour Convention
- c. resist any attempts to dilute UK maritime regulatory standards or for the UK ship register to move to minimum international standards to compete with flags of convenience
- d. promote the collective voice concept within the maritime industry and to seek to restore the principles of sectoral collective bargaining within the shipping industry.

**Mover: National Union of Rail, Maritime and Transport Workers**

**Seconder: Nautilus International**

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## **C02 Brexit**

### **Motions 17, 18, 19 and 20**

Congress believes that more than two years on from the referendum, the Brexit process has now reached a critical juncture. How our movement responds to events in the months to come will be decisive.

Congress recognises that crashing out of the European Union would put at risk many of our hard-won rights at work, and that many thousands of good jobs rely on trade; is concerned that continued inept mishandling of the exit negotiations and bitter divisions on the government benches pose the very real risk of a disastrous no deal Brexit; and fears that if the UK ends up in this position, workers will be the ones who are hit hardest.

The warning from Airbus – which supports 110,000 jobs in the UK – against a hard Brexit which does not achieve either access to the single market or a customs union should be a wake-up call for anyone who believes the government can deliver a Brexit which protects, let alone enhances, workers' interests. Congress is opposed to a no deal Brexit and to the creation of a hard border in Ireland and is deeply concerned that many worker and trade union rights will be under threat post Brexit. Our movement cannot countenance a cliff-edge Brexit. The economic and social shockwaves would echo the financial crisis of 2008, leaving no one in our movement untouched. No measure can be ruled out to avoid this outcome.

Congress strongly condemns the government for its inept handling of the Brexit process. Congress notes the lack of progress in Brexit negotiations, the government's weakness which may lead to further concessions in negotiations with the EU and the division within the Tory government which led to the resignations of David Davis and Boris Johnson prior to the long overdue White Paper outlining the government's vision for the UK's future relations with the EU. Congress doesn't believe that the current government is capable of delivering a Brexit deal that will work for ordinary people. It's now clear that the Brexit originally promised is undeliverable and what we'll get is likely to do damage to our economy.

Congress agrees that the trade union movement has a responsibility to unify all workers whether they voted leave or remain and the best way of achieving this is to directly link the fight for a new deal for workers in the UK with the TUC's work on Brexit. Congress also agrees that we must continue to fight for reform of the EU to promote the interests of workers across Europe.

As set out in the General Council statement agreed at Congress last year, Congress continues to believe that in order to bring together workers, we must respect the referendum result and continue to call for a 'jobs and rights first Brexit.'

Congress reaffirms calls for:

- i. the retention of all the hard-won workers' rights that come from the EU, and making sure that UK workers get the same rights as workers in the EU into the future
- ii. the rejection of a job-destroying "no deal" Brexit, with the priority being a final Brexit deal that offers tariff-free, barrier-free, frictionless trade with the rest of Europe
- iii. the rights of EU citizens working in the UK, and those of UK workers elsewhere in the EU, to be guaranteed.

Any Brexit deal must enshrine and enhance working rights, social and environmental protections; maintain the Good Friday agreement and prevent a hard border in Northern Ireland; secure a customs union with the EU; and protect barrier free access to the single market.

Congress is encouraged to note that Labour's position on Brexit includes a commitment to vote down any deal which doesn't meet its six tests and also doesn't deliver a post-Brexit customs union with the EU. If, despite itself, the government reaches a withdrawal deal that is put to Parliament before March, the prospects that it can meet the tests set by Congress or the Labour Party are remote. When this happens, our movement must be prepared, politically and industrially, to mobilise against it.

Congress calls on the General Council to mobilise our movement politically and industrially to prevent either a cliff-edge Brexit or if the government's withdrawal deal fails to meet the TUC's tests. Congress agrees that the TUC should campaign against any deal that does not meet these tests with the aim of forcing an early general election to secure a Labour government with a mandate for a Brexit deal that puts working people first. Congress believes a defeated deal would be tantamount to a confidence vote in the government, warranting an immediate general election.

Congress, recognising the real risk of a collapse in the talks, or a deal that does not deliver on the TUC's priorities and, whilst respecting the outcome of the 2016 referendum, therefore calls for the option of a public vote to be kept on the table. Congress does not rule out the possibility of a campaign for people to have a final say on the final Brexit deal through a popular vote being held in order to make an informed decision on the deal on offer, break parliamentary deadlock or overcome the Fixed Term Parliament Act.

**Mover: Unite**

**Seconder: Communication Workers Union**

**Supporters: Transport Salaried Staffs' Association, Royal College of Midwives**

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## 21 Continuing the fight against insecure work

Congress believes the consequences of insecure agency work, false self-employment and zero- and short-hours contracts can damage people's finances, health and ability to plan for the future.

Congress notes that those who already face discrimination in the labour market are more likely to experience insecure work, including women, disabled workers, BAME workers and younger people.

Congress believes the Conservative government has failed in their duty to ensure justice at work and has not effectively enforced current employment rights in the UK.

Congress believes the government's long-awaited Taylor Review was a missed opportunity and condemns the failure of ministers to implement basic measures such as tackling employers' abuse of Swedish derogation.

Congress supports unions exposing the unfair treatment of workers and taking action to achieve justice for members in insecure workplaces.

Congress will highlight the longer-term consequences of insecure work for people's health, finances, pensions and skills and the impact this has on different groups in society.

Congress praises unions who have taken cases to the courts but recognises that ultimately justice for working people will be achieved in the workplace.

Congress welcomes the Labour Party's proposal of a new Ministry of Labour focusing on jobs and resolves to develop in detail:

- i. new rights for trade unions to have the freedom to access and organise in all workplaces and with greater ability to pursue agreements and collective bargaining
- ii. a new framework of employment rights from day one with a new agenda for enforcement.

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### GMB

#### AMENDMENT

› Add new final paragraph:

"Finally, Congress condemns the fact that Network Rail, which is entirely dependent on public funding, continues to tolerate the use of bogus self-employment and zero-hours contracts on the railway infrastructure. Congress will campaign to ensure public funding of our services, including rail, is linked to eradicating insecure work.

***National Union of Rail, Maritime and Transport Workers***

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## 22 A better deal for low-paid workers

Congress expresses its deep concern over the continued growth of in-work poverty along with the Conservative government's failure to implement policies that would tackle the issue.

The number of workers in poverty has increased by over 60 per cent during the last 20 years. Research from the Joseph Rowntree Foundation has identified a 'poverty premium' of £490 per year for low-income households.

At the same time, the proliferation of poor working practices such as zero- and short- hours contracts, agency work and bogus self-employment has been disproportionately directed at those in low-paid jobs. Low pay appears to be particularly entrenched for young workers who face continued discrimination caused by the national minimum wage age bandings.

Congress notes with disappointment that despite launching the Taylor Review into Modern Employment Practices at the end of 2016, Theresa May's government has yet to implement any legislative changes to help address these issues.

Congress agrees the TUC will campaign for a better deal for low-paid workers. Such a campaign must target:

- i. young workers to be paid the full adult rate
- ii. a £10 per hour minimum wage rate
- iii. tackling zero- and short-hours contracts through introducing a statutory minimum contract of 16 hours per week, which can only be reduced by the individual worker, accompanied by their union representative, requesting to optout and take fewer hours
- iv. a statutory right to an employment contract that reflects an individual's normal hours of work.

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### Union of Shop, Distributive and Allied Workers

#### AMENDMENT

➤ At the end of paragraph 3 add:  
"In the entertainment industries, workers are regularly asked to undertake engagements for no pay at all."

*Equity*

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## 23 Promoting flexible working

Congress recognises that a positive approach to flexible working by employers leads to a better motivated workforce, improves staff retention and productivity and attracts a wider pool of applicants for jobs. Many workers will benefit from flexibility at some point in their working lives. Whether to care for children or older relatives; to manage a disability or long term health condition; or to enable them to continue working longer as the retirement age increases.

Yet many employers are still reluctant to agree to flexible working arrangements that meet the demands placed on modern working families. Even in the NHS, employers continue to lose experienced staff because they are unable to negotiate the flexibility that they need. This not only leads to increased recruitment costs but places additional workload on remaining hard-pressed staff already struggling to cope with increasing patient needs.

In June, in a major speech on the future of the NHS, the prime minister recognised that the government must “take better care of staff and offer greater flexibility over where they work, when they work and what they can do”. We welcome this approach but need action rather than words. The 2017 NHS England staff survey revealed that only 50 per cent of staff were satisfied with their opportunities for flexible working patterns.

Congress calls on the government to introduce the right to request flexible working from the first day of employment and to do more to promote to employers the benefits of flexible working at all levels.

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### Chartered Society of Physiotherapy

#### AMENDMENT

➤ Add new paragraph at end:

“In addition, Congress agrees to support workplace representatives to review local policies to include provisions above the statutory minima, including:

- allowing more than one request in any 12 month period
- a strong commitment to, and promotion of, flexible working at all levels/grades, with rejection only if the employer can provide clear evidence that this would be unworkable.”

*Royal College of Midwives*

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## 24 Bullying and harassment

Congress applauds the brave men and women who, through publicising their own experience, have brought attention to the widespread culture of bullying and harassment that exists in employment.

The abuse of power that drives this behaviour takes many forms. In the public sector there is a unique dynamic where those who may seek to exploit that power are elected politicians, separate to the employment structure.

It has been evidenced through the exposure of systematic bullying and harassment in parliament, where there is little or no scrutiny, or where political expediency overrides the interest in protecting individuals, that employees are left with little or no effective way to challenge behaviours. In the civil service, whilst there are long established processes handling complaints, this does not include ministers.

Workers, wherever they are employed, can expect to do so free from bullying and harassment. Employers have a responsibility to ensure that there is an effective process to investigate complaints and to apply remedies and sanctions if appropriate. The public sector should be the exemplar for this issue, even where this challenges the power of elected politicians, political parties or government.

Congress therefore calls upon all public bodies, including the civil service, parliament and local authorities to:

- i. ensure there is a transparent process for reporting harassment and bullying, whether committed by another public servant, contractor, politician or other externally employed person
- ii. ensure visible independence in the process of investigation and decision-making appropriate to the nature of the complaint.

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## FDA

### AMENDMENT

➤ Add new final sub-paragraph iii.:

“iii. learn from the good work undertaken in the NHS by unions and employers that led to the initiative called Creating Positive Workplace Cultures and Tackling Bullying in the NHS - a Collective Call to Action.”

*The College of Podiatry*

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## 25 Regulation matters

Congress believes that effective, evidence-based regulation is essential to the proper functioning of our economy, the health and wellbeing of our society, and environmental protection.

However, the UK is currently falling short on all counts.

Post-Grenfell there is a renewed appreciation of the public value of social, safety and environmental regulation – which has been weakened by decades of deregulation.

The Brexit negotiations have put into question the future of UK regulatory regimes and their relationship with European agencies and standards.

Congress is concerned that:

- i. vital regulatory agencies like the Health and Safety Executive, Environment Agency and Civil Aviation Authority have lost capacity and expertise due to cuts in budgets and staffing
- ii. successive governments have increased risks to individuals, society and the environment through promotion of ‘light touch’ approaches and crude deregulatory targets
- iii. strategic industries such as energy, transport and communications have been subjected to economic regulation that has prioritised cost-cutting over investment, safety, universal service and decent employment standards.

Congress calls on the General Council to include:

- a. demands for properly resourced regulatory agencies in its campaigning for public services
- b. consideration of the role of regulation in TUC work on industrial strategy and inclusive economic growth.

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### Prospect

#### AMENDMENT

› Add at the end of paragraph 3:

"As highlighted in the debate over employment tribunal fees, workers' ability to enforce workplace regulation relies on access to effective representation during the litigation process."

› Add new sub-paragraph c. at end:

"c. a campaign to oppose the proposals in the Civil Liabilities Bill that would remove representation for workers when attempting to enforce workplace regulations."

*Union of Shop, Distributive and Allied Workers*

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## C03 Grenfell Tower

### Motion 26 and amendments

Congress stands in solidarity with the 72 people who died as a result of the Grenfell Tower fire, and with all those affected by it.

Congress applauds the tremendous work carried out by local organisations to support the community and to fight for justice.

Congress notes that the Grenfell Tower Inquiry has begun taking evidence about the fire.

Congress notes the inquiry's expert reports, which show that the cladding applied to the building led to fire that spread in 12 minutes to the top of the building and then across the rest of the tower.

They show almost every aspect of fire safety - including the walls, compartmentation, windows, doors, ventilation, fire lift and water supply - utterly failed.

Congress notes the impossible situation facing firefighters and emergency control staff on the night and applauds their courage in continuing to help people and carry out rescues in appalling conditions.

Congress acknowledges the widespread anger with the Inquiry and the media for some of the questioning and for unfair criticism of firefighters.

Congress demands that the inquiry focus on those who produced and installed the cladding, and those politicians who established the system which enabled the use of these combustible materials.

Congress also demands that the inquiry considers the de-regulation of building standards and practices, health and safety deregulation, austerity spending cuts and the consequent shortcuts taken when commissioning exterior cladding works, cuts to fire services, and the failure to listen to tenants and tenants' organisations.

Congress notes the Hackitt review, which found the building fire safety regime unfit for purpose.

Congress demands a universal ban on such combustible materials on the external walls of buildings and an overhaul of building regulations to ensure that they are fit for purpose.

Congress calls on the government to reverse the outsourcing of health and safety and building control, which has resulted in many high-rise buildings being unsafe.

Congress recommits to fighting for justice and to holding politicians, contractors and other agencies to account for the Grenfell Tower fire.

**Mover: Fire Brigades Union**

**Seconder: Unite**

**Supporter: UNISON**

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## **27 Night working**

Congress notes the radical changes in the nature of work and the increase in night working, not always reflected in better conditions, with employers often failing their duty of care responsibilities to provide a safe working environment for the growing army of people working unsocial hours.

The harmful potential health risks of night working are well established, especially for older women. Congress believes that long-term night workers should be eligible for regular 'holidays' from night work and that where possible employers should facilitate moves to other roles where an employee can no longer work night shifts.

Congress notes with concern the growing trend of employers using outsourced company doctors to set aside medical certificates from workers' GPs proposing exemptions from night working, and routinely cutting corners and costs in the provision of facilities through the night, such as staff canteens.

Congress further believes that the impact of night working should attract a premium in the calculation of workers' required working hours, and an acknowledgement that hours worked during the night are not equivalent to those in the daytime.

Congress calls on the TUC to campaign for better protections for night workers and to develop a best practice model for unions - that includes a policy on night work that focuses on health, safety and welfare at work and the work/life balance of employees.

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**National Union of Journalists**

## **C04 Healthcare workers and workplace violence in prisons**

### **Motion 28 and amendments**

In 2017 it was reported that the number of assaults on prison staff had risen by 25 per cent since the previous year. Congress notes a recent study looking at large prisons showed that most workplace violence (44 per cent) occurred in adult male prisons. Many of the victims were healthcare workers. Verbal abuse (71 per cent) was more common than physical abuse (29 per cent). Abuse can result in both physical and mental injuries and heightened stress levels following any abusive incident is common.

Congress praises the work of GMB and other unions involved in the successful Protect the Protectors campaign. With the support of Labour MPs Holly Lynch MP and Chris Bryant MP this will result in new legislation and stronger sentencing for those who physically or sexual assault emergency service workers.

Congress agrees that healthcare workers including podiatrists, physiotherapists, nurses and doctors should not have to face the fear of violence and abuse when they go to work each day. College of Podiatry members have reported a lack of training given to staff coming into the prison environment. The prisons themselves are facing disastrous reductions in funding, leading to understaffing, stretching of resources and the support they are able to give to the healthcare workers.

Congress therefore calls on the General Council to highlight and campaign on the issue of workplace violence for prison staff, including healthcare workers.

Congress also calls on the General Council to lobby the government to adopt minimum standards throughout the sector including; adequate staffing levels, effective health and safety measures and more training and development opportunities to encourage staff retention and ensure prison officers have the skills to do their job effectively.

**Mover: The College of Podiatry**

**Seconder: GMB**

**Supporter: Community**

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## **29 Social security**

Congress condemns successive governments' cruel and vindictive record on social security, including massive cuts in benefits as part of so called 'austerity', and constant demonisation of benefit claimants.

The Tory flagship policy, Universal Credit, beset by failing IT and inadequate staffing, is being used as a vehicle for introducing cuts at the expense of unemployed, sick and low- paid workers, resulting in homelessness and increased poverty. Congress agrees Universal Credit is unfit for purpose and its rollout must be halted.

Congress welcomes the change in the main opposition party's position to oppose Tory welfare cuts following the election of Jeremy Corbyn as Labour leader. Previously there had been a cross-party consensus on welfare reform, which had accepted myths of "benefit dependency", claimants being "work shy" and the "unaffordability" of a decent social security system.

Congress believes that we must raise our demands for necessary fundamental change in the social security system, building on the Welfare Charter.

Congress welcomes the commitments in the last Labour manifesto on social security. Congress believes we must build on this to formulate the demands for a future Labour government to change the social security system fundamentally, based on the principles of social insurance, social security as a right, and a welfare system based on need. Congress calls on the General Council to work with PCS and relevant unions to develop proposals for a radical new social security system, to influence the next Labour manifesto and to influence the situation in the devolved nations.

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

### **30 Stop and scrap universal credit**

Congress deplores the rollout of universal credit, a draconian system leaving many in debt, eviction and hunger.

The government is making further cuts by merging six benefits into universal credit, plus scrapping enhanced and severe disability premiums.

For the first time, workers could face savage sanctions for not demonstrating that they are seeking to improve their paid income. Claimants have at least a five-week wait for their first payment and some face 63p claw-back for every £1 earned.

Part-time workers could be forced to leave work that suits their disability or family life for a worse paid, full-time job, those in precarious employment will lose their pension credit and self-employed people will face greater bureaucracy. Housing benefit will not be paid to landlords but to claimants who may need to use the money for emergencies, resulting in rent arrears.

Congress, therefore, welcomes the forthcoming judicial review into this benefit.

Congress calls on the General Council to campaign around universal credit and consider the judicial review's recommendations and to call on the incoming Labour government to:

- i. stop and scrap universal credit
- ii. carry out a far-reaching social security reform that truly makes work pay and to protect those unable to work.

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#### **TUC Disabled Workers Conference**



## 31 Auto-enrolment and the lowest paid

Congress acknowledges that a major incentive for workers to save for retirement is the tax relief they receive on their pension contributions.

Everyone who saves into a pension is entitled to a government 'top up' of at least 20 per cent, whether they are a taxpayer or not. However, due to a tax loophole, thousands of the lowest paid workers are not benefitting from this and they, and often their employers, don't even know it.

As auto-enrolment contributions increase and personal tax thresholds rise, the number of people losing out and the scale of their loss will keep growing.

There are two types of scheme employers can choose to meet their auto-enrolment obligations. One type is called a Tax Relief at Source Scheme (TRS); the other is a Net Pay Scheme (NPS).

With a TRS scheme everyone enrolled gets tax relief on their contributions regardless of their income. However, non-taxpayers in an NPS scheme don't and they miss out on the government top up. This significantly reduces the value of their pension pot.

Industry experts have highlighted this injustice to the UK government but it has done nothing to address it. It continues to encourage the lowest paid to save for their retirement while denying them tax incentives.

Congress calls on the General Council to raise awareness of this issue with workers and employers so they can put pressure on government to close the loophole and pay those on lower incomes the tax relief they are due.

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### Aegis

#### AMENDMENT

› Add new final paragraph:

"Congress also recognises that for millions of workers, current pension provision from their employer is wholly inadequate. While DB schemes remain the gold standard, Congress supports the introduction of CDC as an alternative to DC provision and calls for the government to permit CDC schemes in the UK."

**Communication Workers Union**

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## 32 Corporal punishment of children in England

Congress notes the actions currently being taken by the Welsh government towards introducing legislation which will provide greater protection for children in Wales and a recent statement from the children's minister in Wales (Huw Irranca-Davies) when he said: "Physically punishing a child is outdated, and is no longer acceptable in a modern, progressive Wales. This is why we are committed to removing the defence of reasonable punishment, which reinforces our long-standing commitment to children's rights, based on the United Nations Convention on the Rights of the Child."

Congress further notes that the current UK government has not expressed any intention to take similar steps so as to give children in England the same protection as those planned in Wales.

Congress calls on the UK government to:

- i. affirm its support for the United Nations Convention on the Rights of the Child (of which it is a signatory)
- ii. acknowledge that physical punishment can have negative long-term effects on a child's development (and is ineffective as a punishment)
- iii. express its intention to draft proposals for the removal of the defence of "reasonable punishment" in criminal law regarding the use of corporal punishment of children.

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**Association of Educational Psychologists**

### **33 A strategy for children and young people (CYP)**

Congress notes with concern the recent report from the Children's Commissioner outlining the large number of CYP who are living in circumstances that make them vulnerable to the negative impact of a range of adverse childhood experiences. All these adverse experiences can lead to immense stress for CYP - the impact of that stress is toxic for their healthy development and wellbeing, both short term and long term. Some of that stress could be alleviated if the impact of certain actions and policies was fully understood by all adults and taken into account when a wide range of decisions are being made.

Congress calls for:

- i. a national debate across all our communities about all our children and young people and their basic needs - this should include developing a consensus about what core skills and experiences they need in order to thrive as they grow up but also in the future so that they develop successfully as active and fulfilled adults in our communities
- ii. the government to publish a joined up strategy for CYP, which includes consideration of the outcomes of that debate, is guided by a growing body of research on the effects of early childhood experiences, promotes the overall holistic development and wellbeing of all CYP and ensures that all new government policies are assessed in terms of their impact upon CYP before agreeing to implement them.

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**Association of Educational Psychologists**

## **C05 Fighting sexual harassment in the creative industries**

### **Motions 34 and amendment and 35**

Congress believes that this is a moment of change. Since November 2017, a raft of high-profile allegations has shone a spotlight on harassment, not only in the creative industries but elsewhere including male dominated sectors. Behaviour that was never acceptable and should never have been tolerated.

Congress notes cases reported to the MU highlight a range of issues including adverts calling for 'attractive' female violinists, inappropriate dress policies, unsuitable changing or bathroom facilities for female performers, unacceptable 'laddish banter', as well as instances of sustained harassment in a place of employment. The MU has also received several reports of sexual assault. In several cases threats to job security have been made when female musicians have tried to challenge the behaviour.

Congress welcomes the General Council's statement on sexual harassment, which demonstrates the movement's clear leadership on this issue. As unions we have always championed the rights of our members. We are the first line of defence against bad behaviour and the go-to-source of advice whenever our members face problems of any kind. We collaborate with good employers on initiatives to tackle sexual harassment, such as the principles commissioned by the British Film Institute in partnership with industry bodies and unions.

The MU is leading the music industry's response to issues of sexual harassment by investigating individual cases, surveying musicians to find out the extent of the problem and challenging all music professionals to promote appropriate behaviour and put in place clear policies to protect musicians from harassment. The Musicians' Union (MU) has created a 'safe space' email address where musicians can report abuse and ask for assistance whilst remaining anonymous.

These problems can exist anywhere and that is why legislative changes are needed to protect and empower workers regardless of their employment status or sector.

Congress therefore agrees to redouble its efforts to bring change to the law including through:

- i. calling for the reinstatement of the statutory equality questionnaire which allowed claimants to ask for information pertinent to a case of harassment or discrimination
- ii. ensuring recognition of third party harassment claims
- iii. investigating the use of Non-Disclosure Agreements by employers
- iv. campaigning for the recognition of self-employed workers in the Equality Act 2010

- v. seeking an extension to the current time limit for lodging a claim of discrimination and/or harassment from three months to at least six months
- vi. highlighting the advice and assistance provided by the MU to all musicians suffering harassment or abuse.

**Mover: Equity**

**Seconder: Musicians' Union**

**Supporter: Prospect**

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## **36 Sexual harassment**

The recent media coverage of the #metoo campaign and the University and College Union's survey revealed sexual harassment, assault and gender-based violence as endemic in our society and a serious unspoken problem. It has been clear how prevalent sexual harassment is across our most powerful institutions, including political organisations, entertainment industries, universities and colleges and unfortunately within our trade union movement, to name but a few.

Congress notes that companies treat sexual harassment and assault in the same way as other kinds of harassment, lost within a general harassment and bullying policy. Staff on precarious contracts, PhD students and early career lecturers can be particularly vulnerable because of dependence upon male white structures for promotion or work. They often suffer in silence.

Congress also notes that trade unions have a vital role to play in educating both employers and employees to eliminate sexual harassment and assault within the workplace.

Much more work now needs to be done on staff-on-student abuse and student-on-staff abuse and the particular vulnerability of black women. The NUS and 1752 Group are conducting research, and launching a campaign about, staff-on student sexual misconduct.

Congress calls on the General Council to/for:

- i. joint union resourcing to develop research and policy
- ii. a joint union campaign to highlight the issue
- iii. build on the TUC "Protection from Sexual Harassment" guidance and campaign for all employers to have a separate sexual harassment and assault policy to give it the prominence it clearly needs
- iv. promote an education programme including a model procedure for all trade unions on how to tackle and eliminate sexual harassment and assault in the workplace

- v. provide training for reps supporting members who have suffered this abuse
- vi. guidance on how trade unions should deal with cases against reps
- vii. resource training and support for reps and members who bravely come forward.

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#### **TUC Women's Conference**

### **37 We trust women – abortion rights**

Congress believes that UK abortion law is out of date with medical science, human rights and social norms; and that it is time to bring abortion under the same regulatory frameworks that govern all other medical procedures in the UK and remove it from criminal law. We should trust women to make their own decisions. We applaud the recent decision in the Republic of Ireland to repeal the 8th amendment and decriminalise abortion. The overwhelming weight of health opinion is now behind decriminalisation as evidenced by the RCM, RCOG and BMA etc. positions.

Under the 1861 Offences Against the Person Act abortion is a criminal offence and carries a sentence of life imprisonment. It is still in force today. The 1967 Abortion Act does not repeal the 1861 Act, it details a specific set of circumstances under which a woman or her doctors will not be prosecuted. It gives a limited defence against the 1861 Act. The 1967 Act is not in force in Northern Ireland which means there is no defence and all abortion is illegal.

Abortion is a workplace issue, a women's rights issue and a medical issue, not a criminal action.

Congress supports the statutory right to conscientious objection, making clear that healthcare workers have the right to refuse to participate in an abortion procedure in a 'hands on capacity'.

Congress calls on the General Council to support the We Trust Women Campaign to decriminalise abortion across the UK.

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#### **Royal College of Midwives**

## **38 Equal pay/gender pay gap**

Congress notes that the publication of the gender pay and bonuses of companies with more than 250 employees exposed the vast disparity between men's and women's pay; 91 per cent of media companies paid men more than women and gave them higher bonuses.

The publication of the BBC's top earners in 2017 lifted the lid on pay inequity at the Corporation, resulting in over 180 cases taken by the NUJ, and sparking significant work on equal pay at our public service broadcaster and across the media industry to tackle the problem. It further notes that this is a societal problem - without proactive action, given the slow pace of change, it would take 40 years to reach pay parity between men and women.

Congress therefore calls on the General Council to press government to:

- i. require companies with 50 staff or more to publish gender pay gaps and make all companies publish their plans to reduce the gap as part of the gender pay audit process
- ii. fine companies that fail to address substantial pay gender gaps
- iii. penalise companies that do not comply with the Equality Act 2010.

Congress calls on the General Council to help trade unions lead the way on pay parity, within our organisations and in work done for members including:

- a. carrying out an audit of all TUC-affiliated unions and developing a programme to address the gaps
- b. encouraging the use of equal pay surveys to ascertain the scale of the problem within workplaces across the UK
- c. facilitating training for equality reps and equality training for officials.

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**National Union of Journalists**

## **39 Armed forces and LGBT – dishonourable discharge**

Previous to the European Court of Human Rights ruling in January 2000, radiographers and others who were gay and engaged by the Armed Forces received a dishonourable discharge from the service with the loss of their pension rights.

This discrimination and injustice is unfair, has to be rectified and cannot continue.

Congress calls on the General Council to support all efforts to open a dialogue with the Ministry of Defence to reinstate the pension rights to all who received a dishonourable discharge from the armed forces for their sexuality.

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**Society of Radiographers**

## **40 Austerity, artists and discrimination**

Artists, particularly black and female and LGTBQ artists, who contribute economic, social, emotional and cultural value to this country, have experienced the worst of the Conservative austerity measures. The value of creative industries' contribution to the UK economy is £250bn per year and increasing.

Yet this revenue fails to reach the individual artists. Congress notes from the ArtsProfessional online research, between July and August 2017, receiving 506 responses, from those working in or with the arts and culture sector, that 69 per cent agreed that local authority cuts are hitting grassroots arts the hardest. This has negative effects on artists, such as having to work for less money and receive less support for arts-led activities catering for young people and other vulnerable groups, such as those with mental health problems, who are suffering from an acute crisis in mental health and NHS resources. The role creative arts plays in mental health is vital, contributing to personal enrichment and community cohesion.

Congress instructs the General Council to :

- i. campaign against discrimination, disadvantage and under-representation within art and culture
- ii. lobby government to reinvest the £250bn contribution from creative industries back into said industries
- iii. campaign to protect funding to the arts
- iv. campaign to direct government funds towards community arts and grassroots creative businesses.

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**Artists' Union England**

## **41 Support for gender self-declaration**

Congress notes the announcement on 3 July by the government that it will, finally, be holding a consultation on changes to the Gender Recognition Act (GRA) 2004.

As trade unionists we support trans workers rights, and as champions of equality we welcome the increased visibility and empowerment of transgendered and non-binary people in our society.

Congress calls on the government to take note of global best practice on gender recognition and to change the current processes for gender recognition that are lengthy, intrusive, humiliating and not fit for purpose.

Congress calls on the General Council to campaign for a simplified, free, statutory gender-recognition process based on self-declaration and to support rights for gender non-binary people at work and in wider society.

Congress welcomes the government's commitment that the provisions in the Equality Act 2010 will remain. We support the right of all women (including trans women) to safe spaces and the continuation of monitoring that can help identify discrimination against women and men.

Congress looks forward to the introduction of a social rather than medical model of gender recognition that will help challenge repressive gender stereotypes in the workplace and in society.

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**TUC Lesbian, Gay, Bisexual and Transgender+ Conference**

## **C06 Ending the hostile environment immigration policy and justice for the Windrush generation**

### **Motion 42, and 43 and amendments**

Congress is appalled at the treatment of the 'Windrush generation'. Deported or shamed into leaving the country, refused vital healthcare, separated from families and asked for multiple pieces of documentation, for every year, for decades.

Far from accidental, this is the inevitable outcome of the 'hostile environment', turning public service workers, private landlords and UK banks into immigration officers. Migrant people are being treated as second class citizens by a raft of legislation that impinges on every aspect of their life, a violation of citizens' fundamental rights. Congress notes this 'hostile environment' started under the then Home Secretary, now Prime Minister, Theresa May, who deployed 'go home' vans around London in 2013.

Rather than appease anti-immigrant sentiment, this has led to an emboldened and violent far-right, white nationalist movement. UKIP policies have been mainstreamed and groups such as Britain First, the Football Lads Alliance and 'For Britain' are mobilising in our streets - and are seeking to radicalise young people online. These developments have also seen a targeted attack on RMT members and others in London by supporters of Tommy Robinson, representing an attack on the whole trade union movement.

Congress is deeply concerned that with political and economic turmoil ahead, communities are being divided while trust in public services and institutions is eroded.

Congress recognises, on the 70th anniversary of both the creation of the NHS and the docking of the Empire Windrush, the contribution to the NHS made by the Windrush generation since its inception and throughout its history. Without migration the health and care service could not survive.

Congress notes:



- i. The Home Office administrative hurdles placed in the way of the Windrush generation to have their British citizenship recognised cause hardship, deprivation, denial of public and health services and their right to work and, in some cases, lead to deportation.
- ii. That 120,000 children, many born in the UK, including children who are stateless, are required to register their entitlement to British citizenship, which is their right.
- iii. That to access their citizenship right, children, their parents or guardians are required to pay an exorbitant and prohibitively high registration fee of £1,012, of which £372 is said to constitute the cost of administration and £640 is profit to the Home Office.
- iv. That for those children who are in local authority care, such a fee constitutes a direct transfer of funds from hard-pressed local authorities to the Home Office.

Congress applauds, and resolves to support, the campaign by Amnesty International UK to:

- a. remove any element of the registration fee over and above the actual cost of administration
- b. exempt the entire fee in the case of children in local authority care
- c. introduce a waiver of the fee in the case of any child who is unable to afford the administrative cost of registration
- d. improve awareness so that children exercise their rights to registration before a host of deplorable Windrush-type barriers and additional costs impact them when they reach 18 years of age.

Congress calls on the General Council to campaign:

1. to end the 'hostile environment' for all immigrants and for an independent inquiry into its implementation
2. for a rights-based and humane immigration policy that ensures the dignity of all workers and that tackles labour market exploitation
3. for the restoration of full rights for those affected by the Windrush scandal and full compensation for losses suffered
4. to reject the blame the government have placed on Home Office staff, and work with the Home Office unions to expose Conservative government policy.
5. to raise awareness of, and celebrate, the enormous contribution made by the Windrush generation and other migrant people to the NHS and all public services over many years, and which they will continue to make in the future.
6. to organise within our communities and at work to challenge the rise of the far-right and tackle the politics of hate, wherever they arise.

7. to organise a conference/forum of affiliates to discuss a trade union-based response to the threat of the far right.

**Mover: UNISON**

**Secunder: Accord**

**Supporters: Public and Commercial Services Union; National Union of Rail, Maritime and Transport Workers; Chartered Society of Physiotherapy; Royal College of Midwives**

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## 44 Challenging the politics of hate

Congress notes the continued normalisation of far-right discourse and action within the public realm at home and abroad. This includes but is not limited to:

- i. the rise in racist hate crime and speech in the UK, including far-right protest and Nazi salutes in London framed as defending 'free speech'
- ii. the impending closure of universities deemed hostile to the government in Hungary without any real sanction from fellow European states
- iii. recent comments by Italian MPs to draw up lists of Roma and "purifying the streets of Italy"
- iv. the on-going drive by the Trump Administration to "other" migrants that has led to vulnerable children separated from parents and held in chain link cages.

Congress believes the answer to this lies in part with a full embrace of the best of our union principles - internationalism and solidarity. This must include the strong defence of our links with sister unions across all nations and continuation to prioritise the role of organised workers in speaking out, organising and campaigning against the chauvinist, divisive, racist and sexist policies that all too often are freely touted across the globe.

Congress affirms policy passed at Congress 2017 on freedom of movement and defending the rights of all workers in Britain.

Congress calls on the General Council to:

- a. continue to challenge the current UK immigration system, which can also separate families.
- b. support campaigns and union initiatives that promote equality and diversity in our workplaces and communities.

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### University and College Union

#### AMENDMENT

› In paragraph 1 insert new bullet point ii.:

"ii. the Football Lads Alliance (FLA) attempting to organise football supporters in demonstrations against 'extremism';

› In final paragraph add sub-paragraph c. :

"c. launch a Jobs, Homes, Not Racism campaign to unite the wider trade union movement and to campaign effectively against the far right."

**Unite**

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## **C07 Public service outsourcing – lessons from Carillion**

### **Motions 45, 46, and 47 and amendment**

Congress is opposed to the privatisation of public services, PFI and the use of wholly owned subsidiaries by public bodies.

Congress notes the debacle and collapse of Carillion and notes with concern the cost to the taxpayer with further privatisation announced, including new prisons, probation services and some health services.

The recent TUC report 'What lessons can we learn from Carillion?' exposed the extent to which private companies running public services put short-term shareholder interests above the proper stewardship of public services, the wellbeing of workers who provide them, and the needs of communities that depend on them.

After Carillion's liquidation, damning National Audit Office reports and further evidence that profits are created at workers' expense, the need for trade union recognition, collective bargaining and common standards on pay, terms and conditions and pensions is pressing.

A Smith Institute report found that outsourcing has weakened employees' bargaining rights, further fragmented services, cut productivity, clouded accountability and damaged public service. PFI is now recognised as the costliest form of contracting.

Against that background the seven principles of public life (the Nolan principles) must now form part of the statutory requirements placed on those organisations that provide public services, to strengthen the public service ethos and benefit the public.

Congress notes that there has been no independent inquiry on the costs of privatisation and the failed Private Finance Initiative. The lessons of privatisation of our railways, healthcare, energy, Royal Mail, prisons and other services have been ignored by successive governments.

Congress demands a new approach that puts public interest and public service at the heart of decision-making. Congress calls on the General Council to develop policies on in-sourcing that rapidly end outsourcing on PFI and other contracts. In bringing services in-house the minimum standards for pay, terms, conditions and pension arrangements must be those sector-wide arrangements secured through collective bargaining.

Congress welcomes Labour's opposition to the continued use of PFI and privatisation of services.

Congress calls on the General Council to campaign for:

- i. an independent inquiry into the collapse of Carillion and privatisation, where trade unions can give evidence regarding their particular sectors to consider the evidence of poorer services and terms and conditions for workers in the race to the bottom and the long-term benefits of public ownership that has been ignored due to the dogma of privatisation
- ii. all commissioning decisions to be based on a public interest test with clear criteria and in-house provision as the default
- iii. the government to compile a comprehensive record of significant contracts across the public sector and enable central oversight of companies across multiple contracts
- iv. providers of public services to provide details of supply chains, company ownership and governance structures, employment, remuneration and tax policies and practices
- v. reform of directors' duties to require promotion of the long-term success of the company as their primary aim
- vi. the government to extend joint and several liability laws so that workers can bring claims for employment abuses against any contractor in the supply chain
- vii. an end to the use of PFI/PF2 models for the delivery of public infrastructure projects
- viii. the application of the seven principles and Freedom of Information Act requirements to all service providers
- ix. the sector-wide agreements secured through collective bargaining and the relevant public sector pension schemes becoming the minimum basis for the pay, terms, conditions and pension provision applying to all service providers in that sector
- x. trade union recognition in all service providers and the framework for their participation in sector-wide collective bargaining.

**Mover: UNISON**

**Secunder: Unite**

**Supporters: POA; ASLEF**

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## **C08 Public sector**

### **Motion 48 and amendments**

The public sector is facing unprecedented challenges after years of austerity and cuts. The ability of public services to deliver the quality provision our citizens deserve is seriously undermined. Leaders and managers in the public sector are in the unenviable position of implementing this government's agenda whilst trying to protect their services and their staff. Effective, ethical leadership relies upon fairness, transparency and collaborative cultures. The blame for job losses, inferior terms and conditions of employment and job insecurity rest with government, not on the shoulders of leaders and managers (many of whom are union members) in public service who face an impossible task. Leaders stand with Congress in actively opposing austerity cuts. We should not allow government to divert attention away from itself by blaming fellow trade unionists or public servants for its policy failure: it must not seek to pressurise leaders into damaging, morally compromising decisions that harm outcomes for service users.

Congress calls on the government to:

- i. recognise the damage to society that has resulted from cuts to public services
- ii. reinvest in our critical public services
- iii. incentivise better training for aspiring leaders, including the principles of ethical leadership.

Congress calls on the General Council to:

- a. lobby government to invest in the public services that this nation needs
- b. recognise that responsibility for austerity measures lies with government
- c. reject any attempts to divide our members as workers and leaders in the public sector
- d. publicly resist attacks designed to undermine the impartiality and professionalism of civil servants and other public sector workers.

**Mover: National Association of Head Teachers**

**Seconder: National Education Union**

**Supporter: FDA**

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## **C15 Public sector pay**

### **Motion 49 and amendment, and 50 and amendment**

Congress welcomes the pay settlements reached in the public sector during 2018 which have breached the 1 per cent government pay cap, in some instances with extra funding, but notes that inflation (RPI) was running as high as 3.7 per cent in January 2018, and that our members have suffered years of real-terms pay cuts.

Congress notes that following the 2017 general election the issue of the public sector pay cap was at the forefront of political debate and that in September 2017 the chief secretary to the treasury said that the pay cap would be lifted.

Despite this announcement, the government has continued to limit pay increases in the civil service and related areas to between 1 per cent and 1.5 per cent. The pay cap has already had a devastating effect on the value of the incomes of our members. PCS research shows the effect of that policy will mean that average civil service pay will have fallen in value by over 20 per cent by 2020.

Congress notes TUC estimates that show public sector workers such as crown prosecutors, NHS specialist dieticians, prison officers, firefighters, nuclear maintenance engineers, teachers and NHS ancillary staff are out of pocket by between £1,000 and £4,000 in real terms (based on CPI).

Congress notes the pay claim submitted by PCS for 5 per cent or £1,200 and the statutory ballot launched by PCS in June 2018 following the lack of any positive response from the government. Congress pledges to give full support to PCS members in the event of industrial action.

Congress recognises that pay review bodies in the United Kingdom is a government mechanism to replace collective bargaining for certain groups of employees in the public sector, including the prison service pay review body. Different pay review bodies also cover school teachers, nurses, doctors and other health professionals. It is noted by Congress that the review bodies are supposed to be independent of government when making recommendations after taking evidence from employer and trade unions but unfortunately the review bodies are selected, paid, and follow a remit from treasury and government which has led to pay cuts since 2010 with review bodies adhering to the government agenda.

Congress accepts that pay review bodies should be disbanded as they are not independent of government and effectively do as they are told to achieve government objectives on pay.

Congress notes existing models of national collective bargaining, such as the National Joint Council for Local Authority Fire and Rescue Services and the Middle Managers' Negotiating Body for firefighters across the UK.

Congress calls on the General Council to coordinate a public sector pay campaign for above-inflation pay increases for all public sector workers, to include the coordinating of bargaining timetables and pay demands, campaign activities, ballots and industrial action.

Congress further instructs the General Council to work with the Labour Party and other organisations who support a return to national sectoral collective bargaining.

**Mover: Public and Commercial Services Union**

**Seconder: POA**

**Supporter: Fire Brigades Union**

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## **C09 Education funding crisis**

### **Motion 51 and amendment, and 52**

Congress condemns the government's continuing failure to take meaningful action to provide higher funding for schools, colleges and early years education.

Schools and colleges continue to suffer staffing losses, curriculum narrowing and cuts to spending on equipment and services. Schools serving the most disadvantaged students are suffering some of the greatest cuts. School teacher numbers fell by more than 5,000 last year, while pupil numbers rose by 66,000. And while 24,000 teaching jobs have gone in further education colleges and staff have seen the value of their pay fall by 25 per cent in the last 10 years.

Congress is dismayed that funding for students with special educational needs has come under particular pressure, affecting the very right to education for some. Congress affirms that funding for special educational needs, post-16 education and early years education must be afforded the same prominence and priority as funding for mainstream schools.

Congress notes that the real-terms cuts to school funding since 2015 are having a devastating impact in schools, with the majority of schools anticipating a deficit budget by 2020 on current funding plans. Schools have already made every efficiency possible and now face cuts to teaching and support staff jobs. This is hurting children, narrowing opportunities and having the greatest impact on the ability to support our most vulnerable pupils with special educational needs and disability. As every area of school expenditure is being cut, school buildings are starting to fall into disrepair and schools are having to ask parents for basic equipment.

Congress reaffirms its support for funding campaigns, including the School Cuts campaign led by GMB, NAHT, NEU, UNISON and Unite, and parent and head teacher campaigns.

Congress praises the campaigning on school funding, undertaken by trade unions representing school leaders, teachers and support staff, as well as parents and school-funding campaigns across the country, but there is more to do. We cannot deliver a world-class education system on the cheap at the very time that a post-Brexit Britain will require investment in our children and young people.

Congress calls on the government to:

- i. recognise that like the NHS, education is critical to underpin our society
- ii. fully fund schools for the 2018 support staff and teacher pay increases
- iii. fully fund a pay increase in colleges that meets the further education unions' 2018/19 claim
- iv. announce an immediate investment in education funding in its Autumn Budget to reverse real terms cuts in education and the process of cuts of £2.8bn per annum since 2015

- v. increase education spending in its comprehensive spending review in order to bring forward fair funding and activity led funding
- vi. work with education unions and parent groups on the deployment of additional funding and a fairer funding system.

Congress calls on the General Council to continue to work with education unions and campaign groups in pursuit of the above priorities.

Congress calls on the General Council to:

- a. lobby the government to address real terms cuts to school budgets
- b. ensure that the needs of all children and young people are addressed to achieve equal access to a good education for all, including those pupils with special educational needs and disabilities.

**Mover: National Education Union**

**Seconder: National Association of Head Teachers**

**Supporter: University and College Union**

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## **53 Mental health and wellbeing of teachers**

Congress is deeply concerned by the evidence from the NASUWT's Annual Big Question survey, which shows that:

- i. over four-fifths of teachers believe that their job has impacted negatively on their wellbeing
- ii. over three-quarters of teachers believe that they have experienced more workplace stress over the last year
- iii. almost two-thirds of teachers believe that the job had adversely affected their mental health in the last year.

Congress believes that the current environment in schools is now toxic for the majority of teachers and that this has been exacerbated by recent government reforms to education, by the impact of increasing levels of poverty upon pupils and by the government's negative attitude towards workers' rights and health and safety.

Congress is further concerned about mounting signs of mental health and wellbeing issues for pupils in schools. Congress believes that there is a direct link between the mental health and wellbeing of teachers and that of their pupils.

Congress believes that the long-term consequences of these problems could be catastrophic upon the country as a whole.

Congress commits the General Council to press the government to:



- a. recognise the issues and address the causes of poor mental health and wellbeing in school
- b. understand and promote health and safety regulation and legislation as an avenue for addressing specific health and wellbeing issues in schools
- c. work with the TUC to promote and enhance workers' rights, recognising the importance of such rights in creating healthy working environments.

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## NASUWT

### AMENDMENT

- › Add "and school support staff" at end of motion title
- › Insert new paragraph 2:  
"Congress notes GMB analysis revealing that 2,800 teaching assistants and 3,000 additional school support staff members lost their jobs during 2017."
- › In existing paragraph 2, after "teachers" insert "and school support staff"
- › In existing paragraph 3, after "teachers" insert "and school support staff"
- › In final paragraph, add at end of sub-paragraph c.: "for all who work in schools."

**GMB**

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## C10 National education service

### Motion 54 and amendment, and 55

Congress notes that education is in crisis. Educators, learners and society are losing out.

Congress demands change. Congress welcomes Labour's pledge to create a national education service. This must cover all education provision (from early years to adults, through schools, alternative provision, post-16 and HE), all education workers, and all learners - whatever their needs, means or age.

The education system requires better funding and the recruitment and retention of sufficient staff. Any national education service must end and then reverse privatisation of education. It should be democratically accountable, locally and nationally, with rigorous financial oversight, providing national pay and conditions for all.

Congress calls on government and all political parties to create the social and economic conditions for young people to succeed, establish consensus for a long-term approach to education, and institute an inspirational, aspirational and principled national education service, delivered locally, and accessible universally:

- i. enabling learners to understand and contribute to wider society and the world in which they live and to change it for the better
- ii. ensuring parents are a valued part of the education community, including through school/college governance arrangements
- iii. recognising that every member of staff has a role to play in creating a supportive and stimulating environment in which learners can flourish and achieve their full potential

- iv. seeing education professionals as trusted partners and ethical leaders – redefining their professional identity to guarantee a confident, informed profession of choice with agency and moral purpose, supported throughout their careers and whose work, based on educational research, is valued by society
- v. fostering collaboration, not competition, between education establishments to provide the highest quality education for all, recognising the capacity to learn has no limits.

Congress notes the Fabian Society's *Life Lessons: A national education service that leaves no adult behind*. This publication sets out how a Labour government should deliver on its promise to create a free, universal 'cradle to grave' education system.

Congress endorses the publication's proposals:

- a. accountable – democratically accountable and open at every level
- b. devolved – with local decision-making that delivers coherent, integrated local provision, albeit within a national framework
- c. empowering – ensuring that learners, employees and institutions are all enabled and respected
- d. genuinely lifelong – with opportunities for retraining and chances to re-engage at every stage, and parity for part-time and digital distance learning
- e. coordinated – flexible pathways for learners between providers and strong partnerships involving providers, employers, unions and technology platforms
- f. outcome-focused – designed to meet social and economic needs, with far more adults receiving productivity-enhancing education but also recognising that learning brings wider benefits.

Congress urges all political parties to work towards the principles of a national education service with a clear commitment to support a professional workforce.

Congress also welcomes campaigns to liberate the life choices of students by moving to a system where students apply to university after they receive their results, as happens in other countries.

Congress calls on the General Council to campaign for a system that:

1. rejects marketisation of education
2. makes teaching an attractive career choice
3. ends the use of casualised contracts
4. invests in quality professional development
5. increases engagement with staff and respects their professional autonomy.

**Mover: National Education Union**  
**Seconder: University and College Union**  
**Supporter: UNISON**

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## 56 Data misuse

Congress notes that in the field of education data is often analysed in a shallow manner by political interests to support particular policy agendas, to the detriment of effective teaching and learning practice in schools, often leading to target setting, league table, “teaching to the test” approaches.

Congress believes that assessment in schools should be driven by the needs of the learner, not by data demands of the system.

Congress acknowledges that quality data is critical to evidence-based decision-making but expresses its concern about the growing abuse of covert data gathering, such as the practices highlighted by the Cambridge Analytica scandal, and the misuse of such data by unscrupulous parties with significant implications for personal privacy and security being posed by this practice.

In particular, Congress is concerned at the gathering of para-data, by agencies such as OECD in its Programme for International Student Assessments, almost always without explicit consent or even knowledge of survey participants.

Congress instructs the General Council to:

- i. support affiliates campaigning against the abuse of data in education policy and practice
- ii. investigate the ethical, operational, and legal issues pertaining to the use of para-data
- iii. campaign for transparency and full disclosure around data-gathering exercises.

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**Educational Institute of Scotland**

## 57 Music education

Congress notes that the Musicians’ Union is currently conducting research into access to instrumental music tuition for young people. Early indications show what we have long suspected - that children from poorer backgrounds are not getting the same access to music education as their wealthier peers.

Cuts to funding for music education over the years have affected job security for highly qualified instrumental teachers, and many have left the profession. The National Plan for Music made a number of positive recommendations to ensure that all children would have the chance to learn an instrument, but schools were never required to engage with music hubs and so musical opportunities for young people continue to be a postcode lottery.

Congress notes that in many schools, there is no provision or subsidy for music tuition, and so only young people whose parents can pay for instrumental lessons are given the opportunity to learn to play. Not only will this deprive many young people of the recognised benefits of learning an instrument, there will also be serious knock-on consequences for society. Orchestras are already criticised for a lack of diversity and there are fewer and fewer up and coming bands from a working-class background. The rich tapestry of our music industry will be seriously impoverished unless music education is properly invested in and made a part of the national curriculum.

Congress asks the General Council to support the MU's campaigning on music education.

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**Musicians' Union**

## **58 Education and training for life after football**

Congress calls on the General Council to support unions that provide education and training for their members so that they have the necessary skills and qualifications to meet the challenges of today's labour market. Statistics show that the average worker changes their job every five years which inevitably will require re-training and a need to acquire new skills.

In an industry like football where players are relatively young when their playing careers come to an end, it is imperative that they prioritise training and learning for a new career. The Professional Footballers' Association provides a wealth of support in this area and funds a wide range of courses and learning opportunities to ease the difficult transition from the dressing room to the more conventional workplace. This commitment to their members not only helps them with recruitment but also demonstrates that as their trade union they are also looking to the long term and their wellbeing after football. This extensive education provision is vitally important for players' futures and is perhaps a good template for the movement in general to adopt as union membership continues to decline and our relevance is questioned. Finally, Congress acknowledges the excellent work undertaken by the TUC here and calls on all unions to work together for the benefit of all our members in this area.

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**Professional Footballers' Association**

## 59 Central role of art and culture in education and communities

Congress notes that:

- i. Art and culture are an essential part of human life, central to education, health and wellbeing.
- ii. The Conservative policy of austerity has resulted in massive cuts in arts funding, both nationally in schools and colleges and regionally in arts education and arts services funded by councils, including museum funding.
- iii. Conservative education policies have resulted in 90 per cent of secondary schools cutting spending in at least one creative subject.
- iv. Predicted shifts of labour due to improved technology means we should be directing our efforts towards more cultural and creative work spaces/work lives.

Congress calls on the General Council to campaign for:

- a. art subjects to be included in education curriculums for all ages - STEAM not STEM subjects (art as well as science, technology, engineering and maths)
- b. increased funding for art education, particularly in colleges and further education, reintroducing no-fee or low-fee courses
- c. increased funding for regional and national arts organisations, that work bringing art to deprived areas.
- d. increased funding for library, gallery and museum services in local areas
- e. the arts to be more central in future economic planning.

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### Artists' Union England

#### AMENDMENT

› In paragraph 1, insert new sub-paragraph iv. and renumber remaining sub-paragraphs:  
"iv. The Conservative government's policy of deregulation has resulted in thousands of children and young people being denied access to arts education on the basis of their parents' ability to pay."

› In paragraph 2, sub-paragraph a., replace "in education curriculums" with "as a statutory curriculum entitlement"

› In paragraph 2, sub-paragraph d., replace "for" with "to continue to ensure free access to" and insert "all" between "in" and "local".

**NASUWT**

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## **C11 Health and social care workers**

### **Motion 60 and amendments**

Health and social care in the UK is facing a funding crisis. According to NHS Improvement 44 per cent of trusts overspent their budgets in 2017/18 and alarmingly, the NHS provider sector as a whole ended 2017/18 with a deficit of £960m. Furthermore, the Health Foundation suggested the social care funding gap is projected to reach £2.1bn by 2019/20.

These funding gaps are leaving dedicated staff in the sector having to pay for resources from their own pockets. The British Dietetic Association has gathered evidence that shows a high percentage of members are forced to pay for stationery, equipment and other resources in order to do their jobs effectively. This ranges from basic stationery to fridges, fans, uniforms, weighing scales and essential reference books. Staff are also conducting home visits to members of the public using their own vehicles but not being paid the nationally agreed mileage rates, thus incurring additional costs for already low paid NHS staff. Congress is appalled that staff are also buying food and other essentials such as baby milk and nappies for vulnerable patients.

Congress condemns the practice of workers paying to do their jobs. And local government budget cuts that have increased financial pressures on the social care system.

Congress is concerned that NHS workers are facing immense difficulties in securing funding and time off to undertake essential professional development training, leaving them to self-fund. This can amount to hundreds of pounds per year for course fees, text books, accommodation and travel along with the loss of annual leave and rest days.

Congress calls for:

- i. continued pressure on the government to spend a higher proportion of the UK's wealth on health and social care in line with other comparable economies and bring an end to reliance on the good will and dedication of already hard-pressed staff to deliver the services so desperately needed
- ii. a long-term funding settlement for health and social care
- iii. adequate funding and time off for essential professional development, including for care workers.
- iv. a campaign to highlight the widespread practice of public sector workers subsidising services
- v. integration of health and social care services to improve the quality of care.

**Mover: British Dietetic Association**

**Seconder: Chartered Society of Physiotherapy**

**Supporters: Community; The College of Podiatry**

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## 61 NHS pay

Congress notes the change of direction in NHS pay rates away from austerity.

The recent pay offers in England, Scotland and Wales were achieved by the NHS unions working together for the greater good of NHS workers.

This model of joint working, with the support of the TUC, should be welcomed and saw real negotiations take place for the first time in a number of years.

Whilst these agreements will go some way to re-building pay rates in the NHS it needs to be acknowledged that NHS workers are still suffering the effects of austerity and the job is not yet finished.

Congress therefore calls on the General Council to continue to work with NHS unions in the years to come to ensure that our members can continue the journey towards decent pay to acknowledge the hard work and commitment of our members.

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### The College of Podiatry

#### AMENDMENT

➤ Add at end of paragraph 4:

"For example, investment in senior bands and reform of boardroom pay is still required. We need to remove disincentives for staff, especially clinicians, to seek promotion into management roles and to ensure that - as originally intended - Agenda for Change supports NHS career paths from porter to chief executive."

*FDA*

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## 62 Preventing ill health

Physical inactivity is a major and costly public health problem. It is the fourth largest cause of disease and disability, directly contributing to one in six deaths in the UK, the same number as smoking. Only 50 per cent of UK adults do the recommended minimum of 150 minutes of moderate to vigorous exercise each week. Despite this only around 4 per cent of the UK health budget is spent on prevention.

Physical activity contributes to health improvement and can substantially reduce the burden of illhealth and unnecessary disability in our society. That is why the CSP launched its Love Activity, Hate Exercise? campaign this summer to make exercise more accessible to a wider range of people.

The huge culture change that is needed to make a real difference to levels of activity cannot be achieved through campaigns such as this alone. Greater investment in public health education and ill health prevention by the government is urgently needed. The recent announcement of an average 3.4 per cent increase to the NHS budget over the next five years disappointingly does not include an increase in the public health budget which has suffered real-term cuts in recent years.

Congress calls on the General Council and affiliates to use every opportunity in the coming months, as the details emerge of how investment in the NHS will be supported and sustained, to campaign for proper funding for public health and ill health prevention as part of the solution.

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## **Chartered Society of Physiotherapy**

### **C12 Mental health**

#### **Motions 63 and amendments, and 64 and amendment**

Congress believes the government's claim to have brought about "parity of esteem" between mental and physical health in England lies in tatters.

Recent UK polling shows that concern about mental health has doubled in the last year.

The systemic underfunding of mental health services, beds and training provision has had a progressive and continuing detrimental impact on both staff and service users at the same time as austerity generally has contributed to increasing mental ill health.

Congress shares the concerns of MPs that proposals to transform mental health care for young people through maximum waiting times and improved support in schools will take too long to effect real change and fails to address the wider population.

Congress is alarmed that yet again the crucial issue of improved social care funding has been postponed, with the green paper delayed until autumn 2018.

Congress believes the mental health crisis can only be properly addressed by adopting an holistic approach that involves not just the NHS, but also social care, education, youth work, housing and also policing.

Congress welcomes improvements in awareness of mental health with long-held taboos beginning to be overcome. The increase in the level of awareness has led to a spike in those seeking help and put a strain on NHS mental health services.

The lack of any appreciable increase in trained staff or funding for mental health amount to real-terms cuts. Those that cannot afford to pay for private services are waiting for essential help in their time of highest need.

Many GPs suggest that vulnerable people seek help from workplace occupational health departments as an alternative to mainstream services. However, this shifts the burden of responsibility to already stretched services that were never designed to take the overspill or to act as a stopgap for NHS services. Many workers, including freelance and atypical workers, have no access to any workplace occupational health or support services.



Congress asserts that mental health is also a workplace issue and that there is a need to ensure improvements in how employers are tackling the causes of work-related stress, which can cause or exacerbate mental ill health. The rise in insecure work, the fall in real wages and the frequent removal of sick pay provisions are all factors which have contributed significantly to the mental health crisis.

Congress supports a campaign to ensure that there are sufficient staff and facilities to meet the needs of the most vulnerable in our society.

Congress calls on the General Council to:

- i. campaign for improved mental health funding across the UK, working with service users and community groups
- ii. lobby for the RIDDOR system to be changed so that work-related stress absence is reportable
- iii. campaign to ensure that government and employers take action to address the mental health implications of poor employment protections
- iv. work with affiliates to organise a concerted trade union response on mental health and wellbeing that expects employers to conduct risk assessments that identify workplace and other risk factors and underlying causes of the condition, before making a commitment to address recommendations
- v. organise a one-day conference in 2019 on mental health in the workplace to bring together unions and organisations specialising in mental health issues
- vi. set up a cross-union working group on mental health to share best practice and co-ordinate campaigning work.

**Mover: UNISON**

**Seconder: Society of Radiographers**

**Supporters: Usdaw; CWU; Equity; TSSA**

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## **65 Civil service impartiality**

Congress condemns, in the strongest possible terms, the unwarranted attacks on the impartiality, integrity and professionalism of the civil service.

Congress recognises that, for some politicians and commentators, across the political spectrum, undermining the public's trust in a politically impartial civil service is a price worth paying to further their ideological objectives.

That these attacks have now come from the despatch box, from a serving government minister, signals a new low in the conduct of a government so evidently at war with itself.

Congress recognises that the prime minister, minister for the cabinet office and all serving government ministers owe a duty to their civil servants, to defend the integrity and impartiality of the service. Failure to do so swiftly and publicly, in the knowledge that civil servants cannot defend themselves publicly, risks further undermining the public's trust in the service.

These attacks will inevitably have profound longer-term consequences for any government seeking to convince the electorate of major policy initiatives where it seeks to use the analysis and expertise of the civil service to make its case.

Congress therefore calls on:

- i. all politicians to avoid undermining the impartiality and integrity of the civil service
- ii. the prime minister to publicly condemn the attacks on the impartiality and integrity of the civil service and to discipline members of the government who conduct such attacks.

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**FDA**

## **66 Family justice system in crisis**

Congress notes the record number of appearances before the family courts and the unparalleled numbers of children in care whilst the agencies tasked with supporting these vulnerable children and families are doing so on standstill budgets.

Research from the Nuffield Foundation and Family Rights Group found a £2bn shortfall across children's social care services. The same research highlights:

- i. children in the system having a sense of the crisis
- ii. professionals frustrated, overwhelmed and overstretched - Napo's own research shows members choosing to work reduced hours to manage their caseloads in their days off
- iii. a culture of blame, shame and fear permeating the system.

Austerity savings are false economies - legal aid cuts prevent or delay access to solicitors, resulting in delayed mediation and increased court costs from litigants in person; cuts to children's centres mean less access to information for vulnerable children and parents; cuts to benefits often trigger or worsen a family crisis. Tragically, children in care are far more likely to re-emerge in the criminal justice system. These wider social costs don't feature on treasury spreadsheets.

Congress calls on the General Council to:

- a. support campaigns for a fairer funding settlement for vulnerable children and families
- b. lobby for cross government strategic planning and shared responsibility to resolve the crisis
- c. lobby for adequate funding - including guaranteed staffing levels and pay, and training and support for initiatives to incentivise recruitment and retention across all parts of the social work profession.

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**Napo**

## **67 The transforming rehabilitation counter-revolution**

Chris Grayling's dogmatic 'rehabilitation revolution' was supposed to transform probation services and support for offenders on their release from prison. It saw the abolition of locally accountable, publicly funded Probation Trusts, but the main achievement was the ruinous division of an award-winning service, leaving it in an unsustainable mess. Private community rehabilitation company contracts, despite additional funding by government of over £230m, are still operating at a loss, prompting further dangerous staffing and service cuts. Napo believes it is no coincidence that serious further offences have increased since this disastrous privatisation.

The National Probation Service can't recruit, pay or collect staff pensions adequately or consistently, further undermining morale. Calls to their HR department cost the taxpayer 88p a minute. The MoJ, following the qualification of recent accounts, is seemingly being run from the Treasury with every major financial decision taken by its auditors.

It is time for a rehabilitation counter-revolution and a new model, built around consensus not dogma, where an independent, locally accountable, reunified and publicly funded core probation service is run in the public interest and not for profit.

Congress calls on the General Council to facilitate and support unions in:

- i. building a cross-sector alliance with HM official opposition, charities, public sector partners and supportive cross-party politicians and academics to develop a consensus and refine a new model
- ii. lobbying politicians to secure the funding and legislation needed to deliver a better, safer and more sustainable model for probation founded upon these principles.

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**Napo**

## 68 Grassland fires

Congress applauds the professionalism of firefighters who tackled the grassland fires across the UK this summer, notably in the North West and South East of England.

Congress notes the ongoing need for firefighters to tackle these moorland and heathland fires during periods of hot weather.

Congress further notes the increased risk of grassland fires now and in the future as a result of climate change.

Congress notes the excessive working hours worked by firefighters during these fires and the strain these fires put on fire cover.

Congress is concerned that firefighters had to rely on external support and on public donations for simple supplies like sun cream, insect repellent, caps and socks, and for appropriate vehicles to deliver supplies to firefighters.

Congress further notes the lack of water pressure in some areas that complicated firefighting efforts.

Congress condemns the Westminster government for an unprecedented period of austerity against public services, which has included cuts to one-in-five firefighter jobs since 2010.

Congress believes that these cuts put the public and firefighters at risk.

Congress believes that grassland fires, like flooding and other extreme weather events, are foreseeable matters of national resilience and that resilience is being undermined by local cuts.

Congress demands that the Westminster government invest in fire and rescue services across the UK. This must include new national structures (fully involving trade union representatives) for planning and preparation for emergency incidents as well as funding the recruitment of a new generation of firefighters to attend these kind of emergencies.

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### Fire Brigades Union

#### AMENDMENT (WITHDRAWN):

› In paragraph 3, between "of" and "climate", insert "inaction on"

› In paragraph 7, between "for" and "an", insert "blocking measures to reduce carbon emissions and for"

› In paragraph 9, delete "foreseeable" and substitute "urgent"

› Add a final paragraph:

"Congress notes the sad irony that the day Saddleworth Moor caught fire, Westminster ditched the Swansea Tidal Barage but endorsed Heathrow expansion. Congress commits to re-evaluating its advocacy of growth projects, and electing a Labour government committed to sustainable employment."

*Transport Salaried Staffs' Association*

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## **C13 A new deal for workers**

### **Motion 69 and amendments**

Congress agrees the 12 May New Deal rally is the catalyst for stronger collective action in the biggest trade union campaign for decades to reclaim our purpose as the collective voice of workers and to change the balance of forces in the world of work. Current volatility means now is the time to bring people together around a new deal manifesto with worker and trade union rights at its core.

The General Council must agree, publish and deliver a new deal next steps plan based on the following:

- i. Agree a common bargaining agenda for individual sectors to tackle insecure employment, inequality and in-work poverty and stress.
- ii. Convene a summit to agree a charter, similar to Bridlington, which promotes greater co-operation on how we recruit the millions of unorganised UK workers and bring an end to inter-union competition.
- iii. Agree a trade union new deal manifesto that builds on the Labour Party manifesto and the work of the Institute of Employment Rights.
- iv. Develop links and solidarity with other groups campaigning for social justice to build a better future and stronger society.
- v. Urgently challenge the government to amend the current Trade Union Act in respect of postal balloting for industrial action. The case for modernisation of the balloting laws and the introduction of workplace/e-balloting is clear. The current law restricts unions ability to defend our members.
- vi. Organise a day of action in support of the new deal in the first half of 2019, backed up and preceded by our biggest ever collective communication, social media and workplace meeting strategy. The action will be deliverable by agreeing an innovative menu of options that workers everywhere can participate in on a given date.

Congress recognises that with the structural inequality and imbalance of power in today's economy, the major problems in today's world of work and the challenge of the fourth industrial revolution it has never been more important for unions to come together like never before and deliver a bold new deal for workers and their communities.

**Mover: Communication Workers Union**

**Seconder: National Education Union**

**Supporter: Public and Commercial Services Union**

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## 70 Collective voice

Congress welcomes the focus of the TUC, in its 150th anniversary year, on renewing the case for trade unions for newer and younger workers. Increasing the proportion of younger workers, particularly in the private sector, is essential to the future of unions between now and 2030. Congress also believes that making a new case for collective voice should be a priority for the TUC. Many younger workers have no experience of collective bargaining and are unaware of how unions bargain for workplace improvements.

Congress believes:

- i. The economy is not delivering for workers. A decade on from the financial crash neither wages nor productivity have recovered.
- ii. Lower levels of collective bargaining correlate with higher income inequality in OECD countries.
- iii. Government attempts to promote collective voice have been inadequate and must mean more than simply workers on boards.
- iv. Increasing collective voice is good for workers, unions and the economy.
- v. A greater voice for unions, at company and industry level, is key to improving productivity, skills and sharing prosperity.
- vi. Collective voice is not just about traditional workplaces, it is also relevant to improving conditions for freelancers and the gig economy.

The decline in collective bargaining has many causes, from the changing nature of work to systematic government attacks on union rights. Congress calls on the General Council to:

- a. prioritise collective voice and the future of collective bargaining part of the TUC's work on the future of unions
- b. investigate how we make the case for collective bargaining to younger workers.

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**Prospect**

## **71 General data protection regulations (GDPR)**

Congress deplores the attempts by some employers to deny trade unions access to information by hiding behind GDPR legislation in order to pursue exploitative and discriminatory employment practices that attack the pay, conditions and jobs of workers.

Congress asserts that the right of trade unions to be given access to relevant information on such matters as redundancy and equal pay is paramount and must be protected.

Congress commits the General Council to press the Information Commissioner's Office to issue clear and unequivocal guidance to protect the rights of trade unions to be provided with information in order to represent and advocate for their members.

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**NASUWT**

## **72 Organising fast food workers**

Congress applauds and supports the courageous actions of fast food workers across the world, in particular the workers of global giants McDonald's and TGI Fridays, fighting to better the lives of thousands of underpaid, overworked people. Congress also recognises the part that young people are playing in these successful actions and the difference these actions can make to the whole trade union/ labour market.

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**Bakers, Food and Allied Workers Union**

## **73 Winning against atypical employment models**

Congress welcomes the breakthrough in the campaign against unfair atypical employment that has seen the achievement of full collective bargaining rights by Ryanair pilots and cabin crew in the UK. Congress urges Ryanair to negotiate good quality agreements with unions representing all sections of its workforce in all countries in which it operates.

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**British Air Line Pilots' Association**

## **74 Make 2019 the year of young workers**

Congress welcomes the work of the TUC Young Workers Forum and affiliated unions to raise the profile of young workers and young trade unionists through recruitment, organising and campaigning work, and the work that takes place during young workers month.

Congress notes, however, that

- i. in 2016, only around 6.2 million UK workers were in trade unions, a fall of 4.2 per cent over the previous year
- ii. while workers under the age of 25 make up 14 per cent of the workforce, only 4.7 per cent are members of trade unions.

Congress agrees that there is an urgent need to bring young workers into the trade union movement to help maintain and improve bargaining power and to ensure the building of sustainable union organisation.

Congress believes this requires a step-change to deliver an intensive young-worker focused, year-long programme of properly resourced recruitment, organising, and campaigning activity.

Congress calls on the General Council to:

- a. designate 2019 the Year of Young Workers, and call for the TUC to adopt 2019 as the Year of Young Workers
- b. devote a meeting of the TUC Young Workers Forum to planning support for the Year of Young Workers, including encouraging affiliates to participate
- c. encourage all delegates to Congress to raise this issue with their union, with the aim of securing a commitment to full support, including appropriate resources
- d. report back to the Young Workers Conference and Congress 2020, with an assessment of the impact of the Year of Young Workers.

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#### **TUC Young Workers Conference**

## **C14 Turkey**

### **Motion 75 and amendments**

Congress is concerned with the Turkish government's continued mis-treatment of workers perceived as being opponents of the state, in particular members of the Kurdish community. It is reported that since the 2016 election, some 60,000 people have lost their freedom and 150,000 have lost their jobs, including some 21,000 teachers, in the on-going purge by the Turkish government.

Congress notes the work of Academics for Peace in mobilising solidarity action from UK based academics in defending their academic colleagues in Turkey. Congress also sends its support to Education International and their work in coordinating international observers at the trials of academics in Turkey.

Congress reaffirms its call for the Turkish government to reinstate the tens of thousands of unfairly dismissed public servants and resolves to support further those Turkish trade unions, such as Egitim-Sen, fighting back against this repression.



Congress demands that the Turkish government immediately stop the war against the Kurdish population, restart the abandoned peace process with the PKK, and releases imprisoned Kurdish political leader Abdullah Ocalan so that he can play a full role in the peace process.

Further, Congress instructs the General Council to seek to persuade the UK government to actively support the reinstatement of dismissed workers and to demand the upholding of academic freedom.

**Mover: Educational Institute of Scotland**

**Seconder: Unite**

**Supporter: University and College Union**

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## **76 International Labour Organization**

Congress notes that 2019 will be the centenary of the International Labour Organization (ILO), the only part of the UN system that is genuinely tripartite.

We welcome the work that the ILO has done to protect and advance workers' and trade unions rights, and affirm that the core labour standards of the ILO - covering child and forced labour, discrimination at work and freedom of association and collective bargaining - are not just trade union rights but human rights.

We welcome the work that the ILO Commission on the Future of Work is doing to address the challenges of new employment arrangements.

Congress calls on governments and employers' organisations here and around the world to work with the global trade union movement to conclude ILO conventions on the current proposals: workplace aspects of gender-based violence and global supply chains. Congress demands that all current ILO conventions should be ratified and implemented in the UK (including those covering pay), and the core ILO labour standards should form a key part of UK development, foreign, migration and trade policy.

Congress calls on the government, in particular, to ensure that the ILO is properly funded and plays a key role in the work of international institutions such as the G7 and G20.

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### **Accord**

#### **AMENDMENT**

➤ Insert new paragraphs 3 and 4:

"Congress is appalled by the evidence of increased attacks on freedom of speech, freedom of association and the right to strike worldwide.

"Congress congratulates the ILO for highlighting labour rights violations and urges the TUC to continue to assist the ILO in challenging these attacks at home and abroad."

**NASUWT**

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## **77 Food security and sustainability**

Congress is concerned that the UK has no food policy and that the health gap between rich and poor is heavily associated with diet and food costs. Cheaper prices and more food banks is not a reasoned policy response.

Food security combines the politics of population growth, diet, the globalisation of food production and distribution with the limitations of soil, water, land use availability and climate change. Nearly 800 million people across the world are undernourished and about two billion are deficient in key micro nutrients. There is an increasing demand for food from a growing population, and a challenged food system that is already stressed by the degradation of global ecosystems.

Congress believes:

- i. The food system is already dominated by huge food companies and Brexit must not be an opportunity for further corporate capture of market power.
- ii. The UK must ensure that whatever the outcome of Brexit the food system is firmly shaped by values of justice and decency, good quality and safety.
- iii. Our global industrial food system should no longer be entirely dependent on the use of cheap external inputs. Particularly petrol, pesticides, fertilisers and cheap labour.

Congress calls on the General Council to campaign for global access to sustainable diets that:

- a. minimise environmental impact
- b. ensure food and nutrient security
- c. promote health for present and future generations
- d. protect biodiversity and ecosystems
- e. are culturally acceptable and affordable
- f. are nutritionally adequate, safe and healthy.

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**British Dietetic Association**

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