


Congress 2013

# GENERAL COUNCIL REPORT

JOBS GROWTH &  
**FAIR PAY**

CONGRESS 2013



I'VE GONE TO COLLEGE  
I'VE WORKED HARD  
BUT NOW I CAN'T GET A JOB  
OR APPRENTICESHIP

Copyright © 2013 TUC

ISBN 978 1 85006 947 8

Trades Union Congress  
Congress House  
Great Russell Street  
London WC1B 3LS

[www.tuc.org.uk](http://www.tuc.org.uk)  
020 7636 4030

Designed by **TUC**  
Typesetting and production by [www.design-mill.co.uk](http://www.design-mill.co.uk)  
Printed by **Newnorth**

For more copies of this publication, please contact TUC Publications on 020 7467 1294 or email [smills@tuc.org.uk](mailto:smills@tuc.org.uk). Bulk discounts may be offered. This Congress 2013 General Council Report may be made available for dyslexic or visually impaired readers, on request and at no extra cost, in an agreed electronic format or in accessible formats such as Braille, audio tape or large print. For more information, please contact TUC Publications as above.

**Congress 2013**

# **GENERAL COUNCIL REPORT**

**The 145th Annual Trades Union Congress**  
8–11 September 2013, Bournemouth

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



# Contents

General Council members	V		
General Secretary's introduction	VI		
<b>Chapter one</b>		<b>Chapter five</b>	
<b>Overview of the year</b>	<b>1</b>	<b>Respect and a voice at work</b>	<b>69</b>
1.1 Introduction	2	5.1 Introduction	70
1.2 New General Secretary	3	5.2 Employment rights	70
1.3 Campaigns	5	5.3 Employment rights internationally	74
1.4 Co-ordinating industrial campaigns	8	5.4 Equality at work	78
1.5 Respect and a voice at work	9	5.5 Women's equality	80
<b>Chapter two</b>		5.6 Race equality	82
<b>Jobs, growth and a new economy</b>	<b>11</b>	5.7 Disabled workers	84
2.1 Introduction	12	5.8 LGBT workers	85
2.2 The economy	12	5.9 Young people	86
2.3 Tax	16	5.10 Health and safety	88
2.4 Global trade	17	5.11 Learning and skills	91
2.5 Labour market	18	<b>Chapter six</b>	
2.6 Inflation	19	<b>Strong unions</b>	<b>93</b>
2.7 Working time	19	6.1 Introduction	94
2.8 Housing	20	6.2 Building stronger unions	94
2.9 Energy and environment	20	6.3 Green representatives	97
2.10 Corporate governance and capital markets	23	6.4 Global solidarity	97
2.11 Digital economy and creative industries	26	6.5 TUC Aid	104
2.12 Transport	27	6.6 Migration	106
2.13 Industrial policy	28	6.7 Skills at work	107
2.14 Science	30	6.8 TUC Education	111
2.15 Procurement	30	6.9 Course development	114
2.16 London Olympic and Paralympic Games	31	6.10 TUC Educational Trust	115
2.17 International Development	32	<b>Chapter seven</b>	
2.18 Learning and skills	33	<b>TUC administration</b>	<b>119</b>
<b>Chapter three</b>		7.1 Introduction	120
<b>Fair pay and a living wage</b>	<b>37</b>	7.2 Affiliations and mergers	120
3.1 Introduction	38	7.3 Congress	120
3.2 Britain needs a pay rise	39	7.4 Congress Awards	120
3.3 Public services pay and pensions	44	7.5 General Council	120
3.4 Pensions	46	7.6 Senior staff	121
<b>Chapter four</b>		7.7 Equality conferences	122
<b>Good services and decent welfare</b>	<b>51</b>	7.8 Young Workers' Conference	123
4.1 Introduction	52	7.9 Trades Union Councils Conference	124
4.2 Public services	52	7.10 TUC/TU ink Comms Awards	124
4.3 Public Services Liaison Group	54	7.11 TUC finances	125
4.4 Health	54	7.12 Personnel and training	126
4.5 Social care	56	7.13 TUC Information Services	127
4.6 Education and early years	57	7.14 TUC Library Collections	127
4.7 Local government	59	7.15 Congress Centre	128
4.8 Criminal justice	59	<b>Obituaries</b>	<b>129</b>
4.9 Public service reform	60	<b>Appendices</b>	<b>133</b>
4.10 Social security and the welfare state	62	1 Attendances	134
4.11 Public transport	66	2 Committee membership	136
		3 Accounts	142
		4 Disputes between unions	155
		5 Rules and standing orders	163
		Index and index of resolutions	176



**Lesley Mercer**  
TUC Congress President 2013

# TUC General Council members 2012–13

**Bob Abberley<sup>1</sup>**  
UNISON

**Sheila Bearcroft MBE**  
GMB

**Christine Blower**  
National Union of Teachers

**Mary Bousted**  
Association of Teachers and Lecturers

**Joanna Brown**  
Society of Chiropractors and Podiatrists

**Tony Burke**  
Unite

**Jane Carolan**  
UNISON

**Gail Cartmail**  
Unite

**Mike Clancy**  
Prospect

**Brian Cookson**  
NASUWT

**Manuel Cortes**  
Transport Salaried Staffs' Association

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

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

**Mark Dickinson**  
Nautilus International

**Maria Exall**  
Communication Workers Union

**Sue Ferns**  
Prospect

**Larry Flanagan**  
Educational Institute of Scotland

**Steve Gillan**  
POA

**Janice Godrich**  
Public and Commercial Services Union

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

**Dave Harvey**  
National Union of Teachers

**Billy Hayes**  
Communication Workers Union

**Sally Hunt**  
University and College Union

**Karen Jennings<sup>2</sup>**  
UNISON

**Tony Kearns**  
Communication Workers Union

**Chris Keates**  
NASUWT

**Paul Kenny**  
GMB

**Michael Leahy OBE**  
Community

**Angela Lynes**  
UNISON

**Leslie Manasseh MBE**  
Prospect

**Sue Mather<sup>3</sup>**  
Community

**Fern McCaffrey**  
GMB

**Paul McCarthy**  
GMB

**Len McCluskey**  
Unite

**Sean McGovern**  
Unite

**Lesley Mercer (chair)**  
Chartered Society of Physiotherapy

**Gloria Mills CBE**  
UNISON

**Steve Murphy**  
Union of Construction, Allied Trades and Technicians

**Andrew Murray**  
Unite

**Ged Nichols**  
Accord

**Christine Payne**  
Equity

**Dave Penman**  
FDA

**Tim Poil**  
Nationwide Group Staff Union

**Dave Prentis**  
UNISON

**Alice Robinson**  
Association of Teachers and Lecturers

**Malcolm Sage**  
GMB

**Eddie Saville**  
Hospital Consultants and Specialists' Association

**Mark Serwotka**  
Public and Commercial Services Union

**Eleanor Smith**  
UNISON

**John Smith**  
Musicians' Union

**Liz Snape MBE**  
UNISON

**Michelle Stanistreet**  
National Union of Journalists

**Jane Stewart**  
Unite

**Patricia Stuart**  
Unite

**Mohammad Taj**  
Unite

**Chris Tansley**  
UNISON

**Steve Turner**  
Unite

**Simon Weller**  
Associated Society of Locomotive Engineers and Firemen

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

**Tony Woodhouse**  
Unite

**Matt Wrack**  
Fire Brigades' Union

**Brendan Barber<sup>4</sup>**  
TUC General Secretary

**Frances O'Grady<sup>5</sup>**  
TUC General Secretary

<sup>1</sup> until July 2013

<sup>2</sup> from July 2013

<sup>3</sup> joined December 2012

<sup>4</sup> retired December 2012

<sup>5</sup> took up post January 2013

## Introduction

### Frances O'Grady General Secretary

As delegates gather this week at Congress to talk about the real issues facing working people, a very different kind of debate will be raging in Westminster on the government's lobbying bill.

Rather than address public anger about political sleaze, the government plans to demand yet more membership information from unions, on top of the annual audits we already publish.

But the bill will leave the vast majority of lobbying activity by the rich and powerful untouched and under cover.

In contrast, there is no secret about what the TUC and unions are campaigning for: to improve working lives, and build a stronger, greener and fairer Britain.

Our campaign is set out in some detail in the General Council's plan that was launched on May Day. But what working people tell us they want can be summed up in a few headlines:

- Decent jobs and apprenticeships. This would cut the human and economic cost of unemployment, especially for the one million young people priced out of higher education, and without training or paid work.
- Fair pay. Boosting collective bargaining and creating modern wages councils would help get unsustainable levels of household borrowing and debt down, boost consumer demand and stop pay inequality spiralling out of control.
- A new national care service for adults and children too. Taxpayers are calling time on the private companies that rip them off and instead want 21st century public services, from our railways to Royal Mail, publicly owned and democratically accountable.
- More democracy at work. In the rest of Europe it is now mainstream to guarantee workers' collective voice is heard up to and including the boardroom, so why not here?



There is no secret about what the TUC and unions are campaigning for: to improve working lives, and build a stronger, greener and fairer Britain.

Of course, action is also needed to remedy all the root causes of the financial crash, not least an overhaul of the banks and fair taxes.

And, as a growing band of businesses agree, the British disease of short-termism will only be tackled with an intelligent industrial strategy, with good, local jobs at its heart.

While financial engineers in the City of London may be cracking open bottles of champagne, there is precious little cause for celebration among cash-strapped communities in the rest of the country.

But austerity has only added to the almighty mess left by the global financial crisis and recovery is painfully slow. Any sign of green shoots should be welcome. But while financial engineers in the City of London may be cracking open bottles of champagne, there is precious little cause for celebration among cash-strapped communities in the rest of the country.

It is perhaps a sign of political desperation that government backwoodsmen have been let off the leash to weaken still further people's rights at work and attack their trade unions.

And the nasty politics of punishing welfare claimants for bad luck, and blaming migrant workers for bad employers, is back.

This summer the Austerity Uncovered buses set out across Britain to film often heart-breaking testimonies from those at the sharp end of loan sharks, benefit cuts and the bedroom tax. Their personal stories should prick the conscience of the nation.

In my first year as TUC general secretary, I have spent a good deal of time travelling around the country to press our case with politicians and employers, and listen to community and faith leaders, as well as workers. I want to record my appreciation for the support, wisdom and good humour of members of the General Council.

I've also drawn inspiration from meeting union reps who week in, week out negotiate decent deals to protect jobs, deliver new learning opportunities, keep workplaces safer, healthier and fairer, and organise fellow workers to stand up for dignity and justice at work.

It's a noble role, and one that deserves employer support and public praise. We will be calling on our workplace leaders again to help us mobilise for our Save our NHS march and rally in Manchester on 29 September and a major national demonstration next year.

Since taking up my post, the TUC team has been strengthened by the Executive's appointment of Paul Nowak to join Kay Carberry as an Assistant General Secretary. Paul is a talented leader whose commitment is second to none.

Credit is due to Brendan Barber who led the TUC as general secretary for the first part of this Congress year, including the second mass march for a future that works in October. I also want to thank all our TUC staff whose hard work and dedication helps ensure that the movement punches well above its weight.

► The unions in London, October 2012, for A Future That Works



## Introduction

### Frances O'Grady General Secretary



▲ Dave Prentis, Frances, Mayor of Liverpool Joe Anderson and UNISON president Chris Tansley welcome the Austerity Uncovered bus to Liverpool

I am in no doubt that ultimately the best way to meet the challenges we face is to rebuild union membership and collective bargaining coverage in both the public and private sectors. We also know that strength comes from diversity. And today, for the first time in our history, our six million membership is 50:50 men and women.

While there is still some way to go, particularly in promoting black and ethnic minority leadership, Britain's biggest democratic membership organisation now looks far more like the rest of the country than the somewhat limited gene pool represented in the current Cabinet and the average boardroom.

Finally, while sunshine and great live music play a part, it's no accident that this year labour movement festivals attracted such big crowds. From Tolpuddle to the Durham gala, as well as a new Match Women's festival celebrating the strike that marked the birth of first wave New Unionism, in times of adversity people feel the need to join together.

We owe it to all working people, at home and internationally, to keep our values of equality, solidarity and compassion alive. But that demands thinking as well as active trade unionism. It means we need to be even smarter and more strategic. And we need to build hope, confidence and unity to win a future fair for all. To coin a phrase, we really are all in this together.

# 1 Chapter one Overview of the year

- 1.1 Introduction
- 1.2 New General Secretary
- 1.3 Campaigns
- 1.4 Co-ordinating industrial campaigns
- 1.5 Respect and a voice at work

Any attack on rights at work, decent services or living standards will be met by active union campaigning

SAVE  
OUR  
NHS



TUC  
**Austerity  
Uncovered**  
Join us at [www.austerityuncovered.org](http://www.austerityuncovered.org)

**ACTION  
FOR RAIL**  
PEOPLE BEFORE PROFIT

**£££  
BRITAIN  
NEEDS A  
PAY RISE**



# Chapter one

## Overview of the year

### 1.1 Introduction

Workers have had a tough year. The 2008 economic crash continues to reverberate as living standards remain depressed, jobs scarce and spending cuts bite. Rather than invest for jobs and growth, government policies of austerity have held the economy back, with the economic crisis used as cover to reverse social progress won by unions over decades through attacks on benefits, services and rights at work.

Never has strong campaigning by the TUC and its affiliate unions been more necessary. The General Council's fight against austerity has been its top priority throughout the year – both through resistance to attacks on working people and through advocacy of the alternative – a new model of fair sustainable economic growth that can create decent jobs, boost wages and reduce inequality.

While unemployment has not risen as high as might have been expected from such a deep and prolonged depression, there has been a decline in the quality of employment. Precarious and vulnerable working has grown with recent attention on abusive zero-hours contracts and TUC research revealing jobs growth has been concentrated in low-paying industries. There is a hidden under-employment crisis.

Not only is there a growth of one-third in the number of part-time workers saying they would prefer a full-time job, but many – particularly the young – working in jobs that do not make full use of their skills and education. Our development of an alternative industrial policy is detailed in Chapter 2 of this report.

Real wages fell during the year. A TUC report reveals an 8.5 per cent drop over the last three years. By March 2013 average annual UK earnings were worth £2,234 less than in 2010. That's why the TUC launched the Britain Needs a Pay Rise campaign in June, with detailed analysis of the cost of lost wages to the UK economy.

Public services and social security have been under sustained attack as shown in Chapter 4. Many ministers are using the economic crash to realise their long-term agenda to shrink the state, and fragment public services through privatisation and marketisation. The NHS, in particular, faces continuing upheaval as government changes continue to undermine its basic principles. While no public service has been immune from cuts, local government has suffered from deep and front-loaded reductions while at the same time facing increased burdens from government attacks on council tax benefit and the bedroom tax. Many union members have lost good jobs providing vital services. Attacks on benefits, tax credits and social security mean that the most vulnerable are the greatest victims of austerity economics.



A similar ideology is revealed by continuing attacks on rights at work. The Prime Minister has framed the debate about Europe as a choice between leaving or staying in but with reduced employee rights. Protections against unfair dismissal and redundancy have been reduced. New fees for employment tribunals have made it harder to enforce the rights that remain. New rules on compensation for injury, further deregulation of health and safety and a big decline in enforcement activity make for more dangerous workplaces.

Protection against discrimination has also been under threat with further cuts to the budget of the Equality and Human Rights Commission, the repeal of key provisions of the Equality Act, and a review of the Public Sector Equality Duty. The blacklisting scandal in construction exposed the anti-union practices of employers in the industry.



📍 Frances O'Grady, actor Maxine Peake and Lesley Mercer head the Tolpuddle march in July



Attacks on facility time have been orchestrated from within government and secretive right-wing groups campaign against union representation. And while international bodies such as the IMF praise collective bargaining, UK ministers seek to weaken it.

Yet unions remain the core of the campaign against austerity. We continue to support members and to train activists. Membership recruitment goes on, despite the political and economic climate. The Labour Force Survey even showed a small increase in membership during the year.

And while the main thrust of government policy continues, the TUC has secured real victories. Not only have we defeated or mitigated many government policies, we have also built support for alternatives

as public confidence in the government declines and they pay an increasing political price for unpopular policies. Ministers know that any attack on rights at work, decent services or living standards will be met by active union campaigning at the workplace, in the community and increasingly through smart use of social media.

## 1.2 New General Secretary

At the end of 2012 Brendan Barber, the TUC's General Secretary for the past 10 years retired. Frances O'Grady, the former Deputy General Secretary, had been elected at the 2012 Congress to succeed him.

Media interest in a new General Secretary – the first woman in the organisation's long history – continues to present frequent opportunities to renew the General Council's anti-austerity message and has helped sustain a high media profile throughout the year. Frances O'Grady was included in Woman's Hour's top 50 most powerful women list.

Her New Year message received wide coverage across the written and broadcast media.

## Chapter one

### Overview of the year

#### Excerpt from the New Year message of the General Secretary

“Our economy is sick, and the government’s medicine is not working. We were told that short-term pain would deliver long-term gain, yet all we see are nasty side-effects with no sign of a cure.

What is worse is that we now seem to be locked into a vicious downward spiral of cuts. They are not working so the government cuts even more. That is why I will start the new year with a focus on the benefits up-rating cap – a measure that will do nothing to target the tiny number who play the system but will hurt millions of low-paid workers who rely on benefits to top up their poorly-paid jobs, and millions more without a job who are desperately trying to find one.

Reducing the living standards of some of the poorest and most vulnerable in society, while attempting to tar them all as scroungers, is perhaps the very definition of a party determined to be seen as nasty. And, what is more, it will further depress demand and slow the economy. People on the breadline spend every penny of their income, and mainly spend it in the local economy – while those who will benefit from the cut in the 50p tax rate coming this year are as likely to save it or take it offshore.

The government is failing to offer people a vision for the economy or hope for the future. What the great bank crash brought home is that we do not have an economy that works for ordinary families. Even before the recession, living standards were stagnating for the majority and the resulting unsustainable growth of credit-fuelled consumption was one key cause of the crash. There has been a long-term decline in quality, skilled, well-paid jobs that should make up the back-bone of the labour force, as the short-term interests of banking and finance dominated the economy over the last few decades.

This is why I want to campaign for three priorities in the year ahead.

First we need the government to change course and abandon the austerity that is doing more harm than good. That means stopping self-defeating spending cuts, and instead putting investment in jobs and growth first.

Second we need a long-term vision of how we can make an economy that works for the many. That means leadership from the very top of government to drive a new industrial policy, including investment in the country’s infrastructure, affordable homes and transport.

We also need a laser-like focus on the need to create decent jobs and apprenticeships, in the parts of the country that need them the most. Lord Heseltine’s recent report offers a good start, and it won widespread support across political parties, business and unions. It may not go as far as we would like, but even a few steps along its route would be a distinctive break with the dominant approach since the 1980s.

Rebuilding Britain will take time but we need to start now. Simply trying to go back to business as usual is a limp ambition that fails to address the causes of the crash and offers little to all those excluded from the proceeds of growth. We need rapid progress on reform of banking and the creation of a modern industrial bank to invest for the long term. It also means facing up to the immediate challenge of climate change and the investment that requires.

Third, we need to build a fair society – one where we really are all in it together. It is no coincidence that the economic model that we have followed since the 1980s led to a huge increase in the gap between the super-rich and the rest of us. Recession has only made this worse.

### 1.3 Campaigns

Campaigning dominated the General Council's work throughout the year.

#### A Future That Works

A march and rally for A Future That Works took place on 20 October 2012 and was attended by around 150,000 people. More than 200,000 flyers and 9,000 *Austerity is failing* booklets were printed to help publicise the march.

The march's website helped generate momentum and buzz around 20 October, with people from around the country posting testimonials on why they were marching, while others used it to find out where coaches were travelling from in their region.

Over 91,000 viewed the website on the day of the march and over 2,500 installed the Future That Works smartphone app.

The march generated widespread media coverage both by the UK and international media. The *Daily Mirror* was particularly supportive running a series of stories in advance of the day and publishing a special piece by Danny Boyle on why he was supporting the march.

#### New campaign plan

The General Council welcomed the new General Secretary's suggestion that it should set out its campaign agenda in a published *Campaign Plan* with clear priorities, activities and political demands.



The campaign plan developed through the early part of 2013 was published on May Day and sets out what the General Council will do in the struggle to make Britain a better and fairer place to live and work in the period up to the next general election.

The campaign is driven by five central priorities:

- ▶ jobs, growth and a new economy
- ▶ fair pay and a living wage
- ▶ good services and decent welfare
- ▶ respect and a voice at work
- ▶ strong unions.



The plan was published as an accessible pamphlet and is available online. It is aimed at union reps, officers and activists, as well as our campaign allies. It has been widely distributed and discussed within the movement, with many unions ensuring a wide distribution to executives, full-time officers, lay reps and activists.

# Chapter one

## Overview of the year



### Jobs, growth and a new economy

A pre-Budget rally, entitled *A Future for Families*, the TUC's contribution to an ETUC Europe-wide anti-austerity campaign action, was held on 13 March. The rally was hosted by the TUC President, Lesley Mercer, and speakers included union general secretaries and lay activists, together with supporters from a range of campaign and community organisations.

A video message from ETUC General Secretary Bernadette Segol emphasised the Europe-wide nature of the campaign, and the range of contributions showed the true effects of the government's austerity policies. Many of the delegates from the Women's Conference, which was taking place that day at Congress House, attended the rally. The event received some media coverage, including the use of some audio recording in a Radio 4 preview of the Budget.

Following the Budget, comprehensive TUC reaction continued to point out the Chancellor's economic folly, highlighting the limited impact his new infrastructure spending would have and demonstrating the ongoing real terms pay cuts, along with increased job losses, that public sector workers would face.

The TUC also ran a series of 'global race' stories in 2013 on how the government's economic reforms were seeing Britain lose ground to her economic rivals. Each story was accompanied by an infographic to boost social media coverage.

Issues explored included exports, wages, growth and production. The 'global race' series featured prominently in the media and helped undermine the government's economic narrative.

One story, timed to coincide with the arrival of the IMF, revealed that the UK economy was recovering slower than 23 of the nations monitored by the IMF.

Throughout the year the TUC has made a continuing contribution to developing an alternative economic model to replace the policies that brought us growing inequality and the crash.

A series of Touchstone pamphlets, the Touchstone blog and After Austerity events have established the TUC as intellectual leaders. Highlights have included events on industrial policy involving politicians from all parties such as Lord Heseltine, Vince Cable and Chuka Umunna. Former US Labor Secretary Robert Reich gave a keynote lecture in May attacking austerity.

### Fair pay and a living wage

The TUC has continued to make the case for fair pay throughout the year, showing how wages are being outstripped by inflation.

The TUC launched its campaign Britain Needs a Pay Rise with a report on shrinking pay packets across the UK. The launch was picked up by a range of national media and received further coverage throughout the week, including good broadcast coverage.

With support growing across the political spectrum for the living wage, and establishment bodies such as the IMF and OECD pointing to low pay, growing inequality and the decline of collective bargaining as drivers of the crash, the TUC has played a key part in shaping the beginning of a new consensus that wages at the bottom and in the middle need to rise, while those at the top need bringing under control.

### Good services

The TUC has continued to make the case for good public services, working with relevant unions to develop a strong sectoral voice when appropriate.

Action for Rail is a joint union campaign involving the TUC, and affiliated unions with members working on the railways – ASLEF, RMT, TSSA and Unite. It works with passenger groups, rail campaigners and environmentalists to fight cuts to rail services and to promote the case for integrated, national rail under public ownership.

Leafleting took place at more than 50 train stations across the country, involving activists from rail unions, trades councils, pensioner and climate groups and other partners in a day action held in December to protest against rail fare increases due in January 2013.

Action for Rail analysis showed that rail fares have increased over three times faster than average earnings since the start of the recession in 2008. This figure featured heavily in widespread media coverage that we received, with coverage from over 30 different radio and TV outlets, all major national newspapers and dozens of local papers. Photographs of campaign activities, particularly at Euston Station in London, were used in many national newspapers.

The TUC commissioned a report by the University of Manchester which looked at how privatisation had failed to deliver on its promises. This gained widespread media coverage in the local and national media.

The TUC has continued to bring together health unions to work against the fragmentation, marketisation and privatisation of the NHS. The TUC will hold a special Save our NHS march and rally at the Conservative Party conference in September.

Campaigning against Royal Mail privatisation continues.

## Iain Duncan Smith was rebuked by the UK Statistics Authority for making up false claims about the effectiveness of the benefits cap following a complaint by the TUC.

### Decent welfare

TUC polling, in early January, on how attitudes to welfare are shaped by ignorance and the right-wing media, resulted in front-page coverage on the day it was released and many subsequent references by commentators. The research, which showed how voters' support for benefits changed when they realised how much working people relied upon them, was cited throughout the year with over 50 national media mentions since January.

The TUC has also played a leading role in challenging the government over its misuse of welfare statistics. Iain Duncan Smith was rebuked by the UK Statistics Authority for making up false claims about the effectiveness of the benefits cap following a complaint by the TUC. This very public dressing-down was reported throughout the media, including ITN and the BBC.

The TUC also published in April a critique of the government's new Universal Credit system, which contradicted government claims that it would incentivise more people to find work. This study also pointed out how the majority of families will lose out under the new system with disabled people the hardest hit.

The TUC's campaign against workfare continued. Our welcome of the Court of Appeal's 'Poundland' judgement, which ruled that the work programme regulations were unlawful, was widely covered.

The TUC's continuing support of the False Economy website has helped reveal the hardship caused by benefit cuts, service cuts and the cruelties built into the new penal elements brought into the benefits system. The website has used personal testimony and freedom of information requests to expose dramatically how austerity has hit those least able to absorb cuts.

### Austerity Uncovered

To bring together priority areas in the campaign plan, the General Council ran an Austerity Uncovered campaign in June, designed to draw attention to the effects of government economic policies on the communities and workplaces often ignored by the media.

An Austerity Uncovered-branded TUC bus completed a two-week tour that took in every TUC region, with parallel events covering Wales and Scotland. The bus allowed local people to tell the TUC how austerity affects their communities. Testimony was gathered by TUC staff and local union activists, with visits to town centres, housing estates, factories, hospitals, community groups and many food banks.

# Chapter one

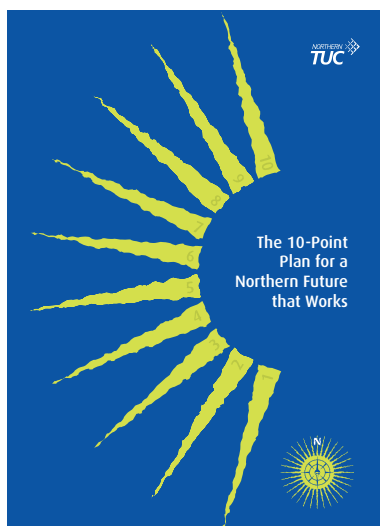
## Overview of the year

The visits were written up for the Austerity Uncovered website in a daily blog. Hours of video were shot both by a professional film maker and TUC staff. Many local contacts were made with organisations and community groups with whom we can continue to work in demonstrating the effects of austerity policies, particularly as case studies for media work.

While the bus visited many different locations and heard many stories, the commonest issue was the bedroom tax, closely followed by the hardship caused by the punitive aspects of the benefits system.

Local media covered the bus in some detail, and it has featured in the national press. Analysis of media coverage is still being carried out, but will feature in future media reports. The General Council gave particular thanks to the Musicians' Union for providing high quality entertainment at many of the bus stops.

The Austerity Uncovered bus linked up with buses organised in a similar initiative by Unite on the TUC's final day in Weston-Super-Mare. The Unite bus tour culminated in the NHS Birthday demonstrations in Manchester on 5<sup>th</sup> 6 July. The Wales TUC organised a similar bus tour of Wales and the STUC also engaged in activity during this period.



### 1.4 Co-ordinating industrial campaigns

Alongside our broader campaigning work, the General Council also explored the consideration and practicalities of a general strike, in line with resolution 5 agreed at the 2012 Congress.

This included an extensive consultation exercise, which drew 27 responses from unions representing 4.7 million members. In addition, as set out in Chapter 7, John Hendy was invited to give a presentation to the General Council in April, on the pamphlet he had co-written with Keith Ewing, *Days of Action: the legality of protest strikes against government cuts*.

The purpose of the pamphlet had been to examine the legality of calling a day of action in the UK on a weekday, an approach that had been taken by a number of European unions in response to ETUC calls for days of action.

At the conclusion of this discussion, it was recognised that there were serious and significant risks inherent in this approach: to members' jobs; to union funds; in respect of demands to repudiate our own activists; and to the TUC. It was also clear that any court action would take a long time to resolve – especially as it was likely only to be ultimately decided in the European Court – while any sackings and damage to union funds would be speedier.

This discussion and the consultation exercise on resolution 5 and a subsequent further consultation exercise on the co-ordination of industrial action showed that while there was a common concern that the government's austerity programme could inflict lasting damage on the economy and on society, unions had different views on the practicalities of a general strike or day of action. There was, however, a consensus around the need for 'smart coordination', including in respect of tactics and effective ways to build broad popular support for legitimate trade disputes. It was therefore agreed that unions should be encouraged to share information on plans for industrial action through the TUC, both through the established mechanisms such as the PSLG and wider systems covering both public and private sectors, with a view to greater co-ordination, where unions wished it.



# age Immaterial



In addition, it was noted that there was a broad consensus that any relevant industrial action needed to be part of a bigger campaign including 'mass community action' against austerity and for an alternative economic strategy based on decent jobs, green growth, wages and strong social protection. It was also recognised that building our strength and effectively opposing austerity critically depended on our ability to appeal to the eight in ten workers in the private sector who were not yet union members.

The General Council also agreed that the TUC should bring together unions that were engaged in national disputes, or disputes of national significance, and/or where there was a desire for a practical discussion on co-ordinated action, and this meeting was held on July 25.

**The General Council also agreed that the TUC should bring together unions that were engaged in national disputes, or disputes of national significance.**

## 1.5 Respect and a voice at work

The launch of the Age Immaterial campaign, which focused on the gender pay gap facing women over 50, received widespread coverage including the General Secretary in discussion with Employment Relations Minister Jo Swinson on Woman's Hour.

Age Immaterial has continued to build partnerships with outside organisations, such as Grandparents plus, throughout the year. Its website has run a series of blogs from guest authors.

The campaign also publicised the challenge facing women over 50 looking to work fewer hours without having to trade down jobs.

The TUC has also pressed home the case for better corporate governance and a voice at work, repeatedly making the case for an employee voice on remuneration committees.

The trustees of the TUC staff pension joined with their counterparts in Unite and UNISON to co-ordinate their voting and engagement strategy for their equity holdings.

## Global

The TUC continued to play an active role in the global trade union movement campaign to reverse austerity, promote growth and jobs based on the decent work agenda, and promote social justice. Among the campaigns was the demand for better labour laws and greater enforcement following the tragic loss of over 1,100 workers in the collapse of the Rana Plaza building in Dhaka, Bangladesh. The TUC took part in the international campaign to press companies to support the international union Accord on Fire and Building Safety to tackle the textile industry's appalling record on health and safety and workers' rights. The TUC also pressed the Department for International Development to involve unions in its work on health and safety training in Bangladesh, and joined the ITUC campaign for better labour laws.

# Chapter one

## Overview of the year

🔴 The TUC demanded action when more than 1,000 workers lost their lives in a building collapse in Dhaka



### Strong unions

Strong trade unions are a vital part of any fair and prosperous society. Societies with weak unions are less fair and more unequal – and that holds back economic growth.

The TUC continues to work with affiliates to build capacity, improve organisation and co-ordinate activity. Networks of union officers inform the General Council's work on issues as diverse as equalities, pensions and legal services.

The TUC Young Workers' Conference has put itself on a campaign footing in 2013, setting pay and employment, housing and promoting trade unionism as its key priorities.

Unionlearn continues to be an important part of the face of modern trade unionism ensuring union members at every skill level have the opportunity to get on, just as unions help them get even when things go wrong.

Resisting government attacks on union activity through threats to facility time and collective bargaining have been key priorities during the year. The fight against regional pay continues: despite successful union campaigns against a major switch in government policy, the threat continues in some sectors and organisations.

The General Council in adopting the TUC's Campaign Plan (see page 5) has highlighted the tough challenges the movement faces as the economy continues to flatline and the government fails to drive recovery, opting instead for austerity and attacks on workers' rights, public services and the foundations of our welfare state. The rest of this report shows in detail how the campaign plan has been put into practice.



# 2

## Chapter two Jobs, growth and a new economy

2.1	Introduction
2.2	The economy
2.3	Tax
2.4	Global trade
2.5	Labour market
2.6	Inflation
2.7	Working time
2.8	Housing
2.9	Energy and environment
2.10	Corporate governance and capital markets
2.11	Digital economy and creative industries
2.12	Transport
2.13	Industrial policy
2.14	Science
2.15	Procurement
2.16	London 2012 Olympic and Paralympic Games
2.17	International development
2.18	Learning and skills



## Chapter two

# Jobs, growth and a new economy

▼ Frances O'Grady and Robert Reich both addressed TUC audiences as part of the After Austerity seminar series

### 2.1 Introduction

The economic crash of 2008 was the deepest in living memory and did great damage to public finances. Deregulation and an unchallenged financial sector not only failed to deliver prosperity but led to economic meltdown. Since then the coalition government's policies have sent the economy into reverse gear through spending cuts, tax rises for ordinary families and austerity economics.

In line with resolution 5 the fight against austerity has been a central campaign priority, and the TUC has continued to make the case for investment in the services and support that can tackle unemployment and support working people across society. At the same time, over the year the TUC has campaigned for a model for economic growth that is both sustainable and fair – not a return to business as usual. We have made the case against government policies while supporting research and debate that seeks to help build a new economy and support the creation of good, fairly paid jobs. This has included continuing a programme of research and analysis documenting the case for change and an 'After Austerity' event series, which has included a keynote lecture from Professor Robert Reich, Chancellor's Professor of Public Policy at the University of California at Berkeley, and former Secretary of Labor in the Clinton administration.



The TUC remains very concerned about the state of the economy. As in 2011, a serious shortage of demand has continued to hold back growth. The impact of austerity, on top of a squeeze in living standards and the Eurozone crisis, has meant that growth has been extremely weak.

Since mid 2010 the economy has barely grown and the Office for Budget Responsibility's forecasts have proved to be too optimistic. As a result the Chancellor has missed his own fiscal targets and there is expected to be no progress on deficit reduction, despite service and spending cuts, between 2011/12 and 2013/14.

The intellectual case for austerity collapsed in 2012. In September 2012 the International Monetary Fund substantially upped its own estimates of the fiscal multipliers (the impact of spending cuts on growth) and noted that 'fiscal consolidation' had much larger impacts on growth than it had previously thought. In early 2013 the *Reinhart and Rogoff* paper, which found that once government debt/GDP was above 90 per cent growth slowed, was found to contain spreadsheet errors. Despite this, and a call from the IMF to bring forward capital spending, the government has refused to change course.

### 2.2 The economy

The TUC has continued to publish a series of Economic Reports highlighting key issues and challenges for the economy such as the failure to 'rebalance' and the worrying fall in productivity since the recession. In addition a new Economic Quarterly, bringing together recent economic and labour market developments, has been launched.

TUC analysis published in early 2013 found that the fall in construction output over 2012 had had an especially severe impact on growth. Large cuts in public sector construction spending as part of the government's deficit reduction programme had caused output in the sector to collapse to 1998 levels. Despite construction only being seven per cent of the total economy this had a major impact on growth. Growth would have been 1.2 per cent in the five quarters to Q1 2013 rather than just 0.4 per cent if construction activity had been flat.

TUC analysis has also identified falling household savings and rising personal debt as an important driver of the 'weak recovery'. Growth in 2012 and early 2013 has been reliant on rising household spending despite falling household incomes. This has been achieved through rising borrowing and the running down of savings.

The government has claimed over the past year that the UK is part of a 'global race' and their policies are aimed at helping it win. The TUC has published several reports examining the UK's performance against its major competitors in terms of growth, wages, inflation, manufacturing and regional inequalities. In general the UK has been firmly towards the bottom of the league table.

In March the TUC published a major piece of analysis from the National Institute of Economic and Social Research which examined the case for a borrowing funded capital spending stimulus focused on infrastructure. This analysis modelled the impact of £30bn of government spending on infrastructure funded through additional borrowing. It found that this would boost output and lower unemployment. Although the deficit would increase in the short term, the research found that if the stimulus was undertaken while the economy remained depressed (as at present) then in the medium term this would lead to a lower rather than higher debt/GDP ratio.

In line with resolution 27 the TUC has continued to press the case for widespread reform of the banking system. The TUC welcomed the government's steps to set up a British Business Bank but has argued that this is a case of too little, too late. The TUC argued that the proposed bank's mandate is too limited and its initial capital too small to make a difference to the UK economy.

The TUC has continued to press the case for a democratically controlled state investment bank with a mandate to support both real economy firms and infrastructure, a proper Green Investment Bank with borrowing powers and new publically owned regional lending institutions. The TUC opposed the Chancellor's mooted plans for an early sell off of the government's stake in RBS and Lloyds.

The TUC, together with the British Chambers of Commerce, held a joint meeting to press the case for a state-backed lender, with representatives of the British Bankers' Association and the Secretary of State for Business, Innovation and Skills speaking at the event.

In March 2013, the Chancellor of the Exchequer, George Osborne, presented his Budget in the House of Commons. Just over one month before, on 18 February, the TUC Budget Submission was presented to the Chancellor by our General Secretary, Frances O'Grady, our President Lesley Mercer, Bob Abberley from UNISON, and Nicola Smith from the TUC office.

▼ One of series of infographics made and widely publicised by the TUC to counter the Chancellor's claim that Britain was winning the 'global race'



## Chapter two

# Jobs, growth and a new economy

That submission set out the TUC's assessment that austerity had failed and that the government should go for growth. Among our recommendations, we called for an immediate stimulus package, including a reversal of capital spending cuts, a cut in VAT and an end to the one per cent public sector pay cap and freeze. We also called for a commitment to reverse the regressive Benefits Up-rating Bill, for a business bank capitalised with an initial £40bn over four years and for specific consideration to growing green industries, starting with sector-based industrial strategies to complement energy market reform. We also called on all parties to commit to the goal of full employment.

In July 2013 the TUC submitted written evidence to the Treasury Select Committee on the 2013 Spending Review, which considered the public finances to 2015–16. Nicola Smith also represented the TUC at an oral evidence session with the committee.

### European austerity

While Europe continued to pursue self-defeating austerity measures, the ETUC and TUC continued to argue forcefully for a change of course. In particular, the ETUC organised a day of action in November, on the same day that general strikes were being held in Portugal, Spain and Italy. The TUC General Secretary, accompanied by TUC President Lesley Mercer and Steve Turner from Unite, met with the EU representation office in London to explain the nature of trade union action across Europe and concerns about austerity and the attack on the EU social model, and handed over a letter to the President of the European Commission, Jose Manuel Barroso, and a copy of the ETUC Social Compact adopted in June 2012.

Despite many representations stressing the need to support growth by active policies of investment and job creation, the European establishment continued in its track of fiscal discipline, prompting a new wave of campaigns and actions. The ETUC called a day of action on 14 March in Brussels, with coordinated activities at national level to coincide with the spring European Council, preceded by the traditional tripartite social summit. The TUC organised a rally in London on the eve of the action and ahead of the Budget, and organised a small delegation to attend the ETUC demonstration, where TUC General Council spokesperson on Europe Billy Hayes addressed the rally, calling for urgent measures to tackle youth unemployment.

📍 Two weeks, 18 destinations, hundreds of personal testimonies: the austerity bus tour captured the real state of the nation



Unite's The People United bus (left) joins up with the TUC in Weston-super-Mare



Both the ETUC Collective Bargaining Co-ordinating and Economic and Employment Committees (where the TUC is represented by Richard Exell and Tim Page respectively, with Elena Crasta as alternate member) met twice and considered the worrying developments around the economic prescriptions that the European Commission was directing at almost all countries in Europe. Similarly, the ETUC Social Policy and Legislation Working Group (where the TUC is represented by Hannah Reed with Elena Crasta as the substitute member) considered the initiative of trade union friendly lawyers who have signed a manifesto for social Europe and the respect of fundamental social rights, which have been trampled on in the aftermath of the crisis.

TUC General Council spokesperson on Europe Billy Hayes addressed the rally, calling for urgent measures to tackle youth unemployment.

Throughout the year, the TUC took the opportunity provided by ETUC events at which the General Secretary was speaking (e.g. the ETUC 40th anniversary conference in Madrid in January and the ETUC mid-term conference in Dublin in June) to secure publicity for the ETUC case that the European Union needed to abandon austerity and promote growth and social justice to deal with persistent recession and unemployment in the EU. The TUC sent regular messages of solidarity to Greek, Irish, Italian, Portuguese and Spanish trade unionists taking action against their governments' austerity programmes, and disseminated information to unions about such actions. The TUC also supported the June Alter Summit gathering of anti-austerity movements in Athens.

### Global economy

The TUC continued to play an active role in the global trade union movement campaign to reverse austerity, promote growth and jobs based on the decent work agenda, and promote social justice. The global trade union movement's institutions through which most of the work in this area was channeled are covered in Chapter 6, but the TUC continued to lobby domestically for the UK government to adopt progressive policies in the Organisation for Economic Co-operation and Development (OECD), the G8 and G20, and the international financial institutions (the International Monetary Fund and the World Bank).

## Chapter two

# Jobs, growth and a new economy

In October, in his letter to George Osborne, Chancellor of the Exchequer, ahead of the autumn meetings of the World Bank/IMF, the General Secretary pointed out that the generalised economic slowdown was caused by the premature shift by many governments away from measures in support of recovery and by the hasty recourse to fiscal contraction and austerity policies which undermine global demand. In April, in a further letter to the Chancellor in advance of the spring meetings of the World Bank/IMF, the General Secretary urged the government to support the implementation of an economic recovery programme for Europe, emphasising the need for a forceful response from international financial institutions.

The G8 was chaired by the UK in 2013, and the TUC welcomed the government's emphasis on tax, trade and transparency, and in particular the government's announcement in June that it would sign up to the Extractive Industries Transparency Initiative (EITI), chaired by Clare Short: the TUC is ensuring energy sector union involvement in the UK aspects of EITI. However, on tax, the TUC issued a series of tests just ahead of the G8 summit in June, and expressed disappointment thereafter that the summit had adopted aspirational objectives but inadequate practical measures. In particular, the TUC will continue to press for action in the OECD on 'base erosion and profit shifting' (the measures used increasingly by transnational corporations to avoid taxation) and country-by-country reporting to ensure that developing countries benefit.

Russia took over the G20 from Mexico in 2013 (the Mexican G20 was reported to Congress last year) and Paul Nowak represented the TUC at the L20 summit bringing together trade union leaders from the G20 countries in Moscow in July. He subsequently took part in a tripartite meeting of G20 employment ministers with unions and employers, ahead of the first ever joint G20 Finance and Employment Ministers meeting. The G20 leaders' summit will be held in St Petersburg in September. The TUC has taken part in drafting global union statements to the G8, G20 Finance and Employment Ministers meeting and the G20 leaders' summit, and these have been disseminated through unions as they set out comprehensive yet concise policies for rebooting the global economy in the interests of working people.

The TUC participated in a World Bank consultation held in London as part of its Safeguards Review and stressed that the Bank should adopt comprehensive labour and occupational health and safety safeguards and ensure strict compliance with them in all activities financed by it.

### 2.3 Tax

The TUC, in line with resolution 26, has continued to argue for a fair and just taxation system. The TUC responded to several government consultations on taxation in the last year and has continued to make the case for wider reform.

As in previous years one major issue has been cracking down on avoidance and evasion by firms and wealthy individuals. This has once again been a high profile issue with the Parliamentary Public Accounts Committee raising serious questions about the tax affairs of companies such as Google, Amazon and Starbucks. The TUC has pushed for a general anti-avoidance rule and called for the introduction of country by country reporting in order to crack down on such practices.

During the banks' 'bonus season' the TUC continued to argue for the levying of corporation tax on bonus payments above ten times the median salary. This would raise an estimated £2.5bn.

### Robin Hood Tax

The TUC continued to play a leading role in the Robin Hood Tax campaign in the UK, as well as in the European and global networks on the issue. The campaign continues to press the case for a tiny tax on financial transactions such as derivatives, futures and options (share transactions are already taxed under Stamp Duty in the UK, raising £3bn a year) to provide resources to prevent cuts in public services and increase spending on measures at home and abroad to tackle poverty and climate change; as well as re-balancing the economy by discouraging short-term and speculative gambling on the markets. Overall, 117 unions (covering the vast majority of TUC affiliated membership), NGOs, green and faith groups support the campaign, which has over 250,000 Facebook followers and over 100,000 supporters online.





The Robin Hood Tax campaign has **250,000** Facebook followers



The main work of the campaign in the UK has been the launch of an initiative to secure support for the campaign from councils and councillors, and since April, the following councils have passed motions supporting the tax: Torfaen (the first), Bassetlaw, Corby, Edinburgh, Islington, Lewisham and Nottinghamshire (covering Sherwood Forest itself). Globally, the campaign held a very successful face to face meeting in Tunis as part of the World Social Forum in March, at the suggestion of the TUC.

In February, having failed to reach unanimity on an EU-level financial transactions tax, the EU agreed to allow 11 member states to implement the tax through the Enhanced Co-operation Procedure, despite the opposition of the UK (who could only muster the votes of the Czech Republic, Luxemburg and Malta), and negotiations are now underway involving Austria, Belgium, Estonia, France, Germany, Greece, Italy, Portugal, Slovakia, Slovenia and Spain. The European Parliament voted to support the procedure in July by an overwhelming majority. The TUC has backed the Robin Hood Tax campaign in opposing the Chancellor's legal action against the European Commission over the procedure. At the end of February, the TUC assisted in getting EU Tax Commissioner Algirdas Semeta, a convert to the Robin Hood Tax, to the USA

to discuss the implementation of the tax with Congressional figures, the US administration and, in New York, the UN and leading figures on Wall Street. The TUC also encouraged Labour's spokesperson on the tax, Chris Leslie MP, to travel to Washington for these events, and he subsequently wrote a column for the Guardian and proposed an amendment in Parliament supporting the tax.

## 2.4 Global trade

The TUC has continued to advocate global trade policies which advance decent work and promote international development, but with the breakdown of the Doha trade round, trade negotiations currently relate mostly to bilateral agreements (where the European Commission negotiates on behalf of the UK and other EU member states). Although there are many negotiations underway (e.g. with Canada and India, on which the TUC continues to lobby through the European Trade Union Confederation (ETUC) and also through BIS, the main agreement currently under discussion is the EU-US free trade agreement, known formally as the Transatlantic Trade and Investment Partnership (TTIP), which was launched at the G8 in June.

Already by that stage, the TUC had taken part in the ETUC's working group on trade and development and fed into its policy, stressing the need to protect public services and maintain or extend labour standards. The TUC's US equivalent, the AFL-CIO, had similar concerns about the TTIP and launched a joint campaign with the ETUC in May 2013 calling for improved working conditions and decent work.

The TUC adopted a detailed approach to the negotiations in July specifically calling for the NHS and the state's ability to legislate in the public interest to be safeguarded in negotiations on the TTIP and for social partners to be involved in the negotiations. The TUC emphasised this position in meetings with MEPs and ministers, in particular with Vince Cable, Secretary of State for Business, Innovation and Skills. The TUC has begun discussions with the newly formed All Party Parliamentary Group on the TTIP, and begun to inform the movement more widely through Touchstone and Stronger Unions.

The TUC continues to stay in contact with BIS and the Home Office on latest developments concerning the EU-India Free Trade Agreement. In letters and meetings with Vince Cable, the General Secretary has emphasised the concerns raised in the 2011 Congress motion opposing any Mode 4 arrangements that allowed Indian workers entering the UK labour market to be exploited.

## Chapter two

# Jobs, growth and a new economy

### 2.5 Labour market

The labour market's response to recession, recovery and stagnation has been one of the economic puzzles of the last five years. In particular, the recovery of employment since the second half of 2011 – while GDP stagnated – has been unexpected. The government has claimed that employment growth is a vindication of its economic strategy.

Part of the explanation lies in a deterioration in the quality of employment, with a shift from full-time to part-time employment and the number of part-time workers who say they would prefer full-time work rising by one third of a million. At the same time, as a TUC analysis published in July showed, jobs growth since the start of the recession has been concentrated in industries where lower pay is the norm.

Explaining this complicated picture has been a substantial element of the TUC's work on the labour market. The TUC has emphasised its response to the monthly labour market statistics, publishing a reaction within minutes of their publication, a longer response in a blog post on the day, a video on the TUC website within a week and a considered review, at first published in the monthly *Labour Market Report* (till March) and, since June, in the *Economic Quarterly Report*.

While employment has grown, there has not been a corresponding fall in unemployment. Some groups have been particularly badly affected and the 2012 Congress agreed composite resolution 5 on youth unemployment that called on the TUC to give a high priority to this issue.

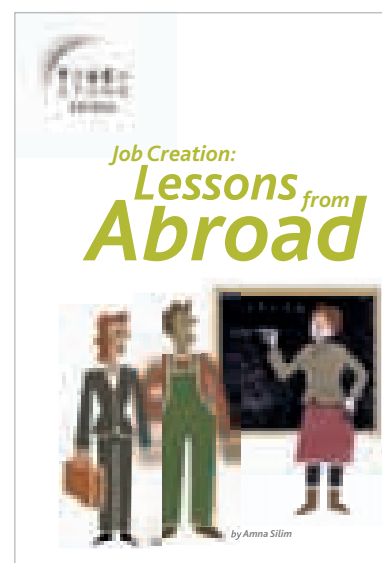
Youth unemployment was the subject of three TUC analyses. In October, the TUC looked at youth unemployment by ethnicity, reporting that young black men had experienced the sharpest rise in unemployment since 2010, with 26 per cent out of work. In the same month the TUC released figures showing that overall youth unemployment in England had risen 23 per cent since May 2010. In May, the TUC showed that an extra 395,000 jobs would have to be created to return the youth employment rate to its pre-recession level. Of all age groups, young people had experienced the sharpest decline in their job prospects.

In the summer the TUC published *The Gender Jobs Split*, a report which showed that, in the lower half of the labour market, gender segregation begins early in working life and that young people have been especially hard hit by the growing problem of underemployment. A seminar to discuss these findings is in preparation.

A number of MPs and commentators have argued that Germany's strong employment performance has been the result of partial labour market de-regulation, especially the creation of 'mini jobs'. In October the TUC published *Mini Jobs*, a briefing showing that mini jobs have caused as many problems as they have solved and are, in fact, regulated in the same way as other German fixed-term and temporary jobs.

A project on making the case for full employment began in July with a report entitled *A Job for Everyone*. Launched in July at a seminar in the House of Commons, the report looked in detail at how to define full employment in a way relevant to the modern labour market and argued that the Monetary Policy Committee should be instructed to give equal weight to unemployment alongside inflation when it sets policy.

Later in the month another pamphlet – *Job Creation: Lessons from abroad* – was launched at a seminar with speakers from the Netherlands, Germany and the UK. This showed that, although British debates have assumed that the increase in UK employment is exceptional, it is in fact close to the average for OECD member states. International comparisons do not suggest any need to de-regulate labour markets to achieve strong employment growth.





The effectiveness of a country's employment programmes is important however. The TUC has paid particular attention to the government's decision to close the Future Jobs Fund and to create new schemes such as the Work Programme and the Youth Contract that are much cheaper. On the Touchstone blog TUC commentators have repeatedly pointed to the lack of evidence about the effectiveness of the Youth Contract (other than that employers seem unaware of it) while evaluations published over the past year have shown that the Future Jobs Fund was very effective. In contrast, Wales retains a more effective programme, and the Wales TUC participates in the Welsh Assembly Youth Jobs Guarantee Scheme which seeks to provide 12,000 jobs for young workers over three years.

In May, the Work and Pensions Select Committee reported that the Work Programme was not meeting the (unambitious) targets set for it by the government. The Programme was especially ineffective in helping the most disadvantaged participants (as the TUC had forecast), a problem that was confirmed when new performance figures were published in the summer. In April the TUC published *Getting on the Path to Work*, an international study of job creation programmes, focusing on job guarantees. This study concluded that successful 'activation' strategies had not relied on punitive measures, but had used a variety of instruments to facilitate access to employment.

## 2.6 Inflation

The Office for National Statistics (ONS) launched a major consultation on amending the calculation methods for Retail Price index (RPI) inflation. The ONS proposed calculating RPI under a new formula which would effectively lower it by around 0.5 per cent. As RPI is widely used in pensions and wage setting this would have had a serious impact on the economy. The TUC responded by opposing the measure and the ONS decided to continue publishing RPI but to also publish a new measure (RPIJ) with the new formula. The TUC organised a meeting for union officers to discuss the new inflation measures, which concluded that it was important for unions to defend continued use of the RPI.

## 2.7 Working time

The General Council continues to strive to reduce excessive working time.

The UK's sustained economic difficulties have generated some conflicting pressures on working time. Some employers have cut staff and expected those who remain to work more hours, but in other cases there has been downward pressure on working time and particularly overtime.

The number of employees working more than 48 hours per week has remained at three million for the past couple of years, which is indefensible at a time when unemployment remains too high.

In addition, around four million employees work at least one hour of paid overtime each week. This figure is 600,000 lower than at the onset of the recession.

The European social partners engaged in a year-long formal review of the Working Time Directive. The GB trade unions were represented by Gloria Mills (UNISON) and Paul Sellers (TUC).

It became clear by the December 2012 meeting of the ETUC that the employers were asking too much from the trade union side without offering enough in return, so no viable deal was on offer and the process concluded without agreement.

It seems unlikely that the European Commission will let the matter rest where it stands, since the majority of states are not complying with the directive at the moment. However, it will not be possible for the Commission to take any further action before the 2014 European Elections.

The TUC's tenth annual Work Your Proper Hours Day was held on 1 March 2013, which marked the notional point in the year when the average worker who undertakes unpaid overtime began to get paid for their efforts. Given the government's proposals to make teachers work more hours, it is important to note that education professionals consistently top the league in terms of extra unpaid hours.

## Chapter two

# Jobs, growth and a new economy

The TUC's tenth annual Work Your Proper Hours Day was held on 1 March 2013, which marked the notional point in the year when the average worker who undertakes unpaid overtime began to get paid for their efforts.

The TUC has also continued to campaign with WorkWiseUK, a coalition of business organisations which is promoting flexible working and high quality home-working. In autumn 2012 a TUC report showed that the time taken up by commuting averaged 193.6 hours per year, the equivalent of about five weeks' work. In May 2013 a TUC report found that despite the recession the number of people working from home had increased by 13 per cent during the past five years.

### 2.8 Housing

The TUC's work on housing this year has been guided by resolution 42 of the 2012 Congress.

The housing crisis continues to be deeply entrenched, and blights this country. The General Council largely focuses on social and affordable housing, as this is where the need is most urgent, but our broader vision is one of housing construction helping to restart the economy and providing more decent employment.

We are thus also concerned to ensure that sufficient houses are built for sale and that affordable mortgage finance is available. The latest figures from the Council of Mortgage Lenders show the number of loans approved had fallen by 19.2 per cent in the past year and the volume of house sales is less than half its pre-recession peak.

There is sharp concern that high deposits are excluding ordinary working people from the mortgage market. But this is certainly not the case for the wealthiest, as sales of houses worth more than £1m increased by 20.9 per cent last year.

The General Council has pressed for more social and genuinely affordable homes, with a significant role for local authorities. We have continued to work with the campaign group Defend Council Housing. Social housing construction remains at a historic low, with local authorities and housing associations building less than 20,000 new homes between them last year. Demand for social housing has mushroomed while supply has decreased, leading to local authority waiting lists growing to a record 1.8 million.

TUC officials have met members of Labour's shadow housing team on several occasions to explain the scale of the housing crisis and the growing need for social housing.

The General Council has opposed most aspects of the government's housing policy, on the grounds that these measures are likely to make the housing crisis worse.

In our 2013 Budget submission we demanded that the government should stop the planned £250m cut in the DCLG budget this year and use the money to invest in housing instead.

We remain deeply sceptical about the government's Help to Buy initiative, which was re-launched in the March Budget without sufficient safeguards to rule out possible abuse.

The TUC also opposed new government measures to make it easier to house homeless people in unsuitable private sector accommodation, which put more vulnerable people at risk.

### 2.9 Energy and environment

The General Council's industrial strategy for a low carbon economy has been guided by composite 10 (energy policy) and resolution 43 (Greenwash), which call for a long-term policy energy framework to deliver investment in plant, new technology, jobs and skills in a sustainable energy mix.

The General Council has been mindful of the widening gap between the government's early promise to become the 'greenest government ever' and the damaging effect of the UK's stop-start approach to green initiatives. The government has cut established programmes covering renewable energy and support for a UK-led carbon capture and storage programme has fallen badly behind schedule. Budget

2013 marked a new step towards a gas power generation strategy, with a new subsidy for shale gas fracking while the Green Deal home energy efficiency scheme was so far behind programme that by summer 2013 one in four workers in the home insulation industry had been laid off.

At the TUC's annual climate change conference, Green is Good for Growth (October 2012) TUC General Secretary, Frances O'Grady, argued that a just transitional shift to a low carbon economy would bring rewards in new jobs, skills and economic growth. The Business Secretary, Vince Cable MP, provided an outline of the government's vision for a new approach to industrial policy and expert speakers from business, environmental bodies and trade unions developed the case for a green industrial policy.

In April, the TUC hosted a second high profile seminar on these issues, as a panel of speakers debated Growing the Green Economy: can UK industry meet the low carbon challenge? Participants were Geoffrey Spence, chief executive of Infrastructure UK at HM Treasury, Emma Howard Boyd of Jupiter Asset Management, corporate director at Siemens UK Energy Sector Mike Rolls and the TUC's General Secretary Frances O'Grady.

The Green Economy Council (GEC) met once in the past year (January 2013), focusing on financial and other barriers to manufacturing supply chains for the offshore wind industry. The GEC is a 20-member tripartite body of business and trade union representatives, where the TUC is represented by Sue Ferns, director of research and communications at Prospect, and GC lead on sustainable development, and TUC General Secretary Frances O'Grady.



Much of the TUC's work on climate change and sustainable development on behalf of the General Council is progressed through the Trade Unions Sustainable Development Advisory Committee (TUSDAC). The high-level TUSDAC Policy Group is co-chaired by Sue Ferns, director of research and communications, Prospect, and General Council lead on environment and sustainable development, and her opposite number in government, Defra Minister Lord de Mauley. The TUC is represented by the General Secretary.

The TUSDAC Policy Group met three times in the past year and has taken forward concerns over the future of the Forestry Commission and Forest Research and has pressed Defra to establish a duty on the fire and rescue services to participate in flood rescue. The group has also continued to express concerns over the effect of austerity measures, which have led to in excess of 25 per cent cuts to staffing levels at all grades, and compromised the Commission's world-leading scientific capacity.

Following discussions at TUSDAC with forum management representatives, an agreement was reached between the TUC and PCS, the FDA and Prospect, and the forum, to set up six pilot projects, based on a commitment to work together to reduce the environmental impacts of departments' operations, by taking practical and deliverable action in central government buildings. As they have progressed during 2013, these projects have established a useful workplace audit system, and led to a number of innovative and significant reductions in energy and resource use.

Throughout the year the TUC has also continued to press the case for the Green Investment Bank to have access to capital markets, although we welcomed the announcement of an additional £880m in funding from 2015. The bank has moved quickly to invest its £3bn of available resources, with its first annual report showing £635m invested in 11 low-carbon projects for energy efficiency, renewable energy and waste management, matched by £1.6bn from other private sector sources, a leverage of 3:1. Once projects are fully operational they will reduce our greenhouse gas emissions by 2.5m tonnes a year over their lifetime.

On behalf of the ITUC, the TUC took part in a UN forum on climate change policy responses and 'just transition' in Bonn in June 2013.

## Chapter two

# Jobs, growth and a new economy

### Energy intensive industries

The TUC's work on behalf of the General Council in support of the steel and other energy intensive industries has been guided by resolution 30 (Industrial infrastructure), which focused on a strategy for industrial activism.

The past year has seen an intense period of consultation over the terms of the government's £250m 'compensation package' for the energy intensive industries. The compensation package, initially available for two years, includes £210m to offset the escalating cost of the EU Emissions Trading Scheme (EU ETS) and the Carbon Price Floor (CPF), or carbon tax.

The scheme is designed to address the impact of industry's additional costs arising from the government's climate change and carbon tax policies. More than 800,000 people work in the UK's energy intensive industries and their supply chains, providing many of the essential inputs for a low carbon economy, such as steel for wind turbines or glass for home insulation. The TUC and its affiliates in these core industries have worked with industry bodies, including the Energy Intensive Users Group (EIUG) to press the case for government support, including the influential joint study, *Building our Low Carbon Industries*.

Much of this work has been taken forward through the government's Energy Intensive Industries Task Group, where the General Council is represented by the TUC and Community. The TUC has also raised concerns with the Business Secretary that the support package should be extended to 2020 and beyond; and that the government should ensure that its work on building UK supply chains includes the UK's heavy industries. CSR 2013 extended the compensation package for a further year, to 2016-2017. The official task group is now considering the terms of further measures to offset some of industry's costs of its electricity market reforms, a move which the TUC has welcomed.

In Autumn 2012, the Environmental Audit Committee (EAC) launched an Inquiry into the Energy Intensive Industries' Compensation Scheme. The TUC's evidence, *More German Lessons*, highlighted the German government's far more generous support for its manufacturing industries. Germany's industry policy interventions provided its industries as a whole, including its energy intensive industries, with long-established reliefs from energy and climate change-related duties, levies and taxes. The EAC's report endorsed the TUC's call for 'a strategy for energy intensive industries.'



### Electricity market reforms

The TUC has argued that the government's Energy Bill should include a binding 2030 target for power sector decarbonisation, to reduce the political risk currently associated with long-term UK industrial investment. The TUC, together with over 80 business and environmental organisations, urged the government to support this measure. But the government has resisted these appeals.

In November, the General Secretary, on behalf of the TUC, led an energy unions' delegation to meet Energy Minister John Hayes MP, to discuss affiliates' concerns over the government's radical, market-oriented electricity market reforms, focusing on the future for coal, the need for a 2030 decarbonisation target and the need for long-term, fixed-term energy supply contracts with fully transparent strike prices.



# 800,000

More than **800,000** people work in the UK's energy intensive industries

The TUC commented that the reforms appeared to underplay employment and skills issues, both of which will be crucial to the sustained delivery of the proposed reforms, and urged the government to focus on the jobs and skills premium that its reforms should bring. The Minister welcomed these contributions, and undertook to develop a coal strategy in consultation with trade unions and industry bodies.

Throughout the year, the TUC has continued to make representations to government and MPs on these matters. The Department for Energy has the lead role on energy market reforms, and shares with BIS the work of the three industrial councils for the energy sector. The TUC has welcomed the creation of these new bodies, and will continue to press for urgent changes in core areas such as supply chain and skills development.

However, the government appears to be falling short of its three main aims to provide secure, affordable and low carbon energy. In response, the TUC and a number of affiliates have also supported the Energy Bill Revolution campaign over the past year, aimed at persuading government that investing the new carbon taxes in home insulation would be a highly effective job creator, as well as cutting energy use and bills and boosting the economy.

## Clean coal with CCS

Much of the TUC's work on behalf of the General Council in supporting the coal industry and the development of CCS technology has been progressed through the TUC's Clean Coal Task Group (CCTG), a joint union-industry body. The CCTG has arranged a number of briefings and workshops during the year.

In February 2012 the UK coal industry was hit by a massive fire at one of the three remaining deep mines, at Daw Mill, Warwickshire, owned by UK Coal. The subsequent closure of the mine, with 650 redundancies, placed the future of UK Coal in jeopardy. In response, the mining unions, NUM, BACM-TEAM and NACODS, together with Unite and the GMB, made a number of representations to the employer and to the energy department. With the support of the TUC, the mining unions brought together their main concerns in a strategy paper, *Clean Coal in the UK: A plan for the future*. This set out the case for official action to resolve not just the immediate crisis facing UK Coal, but to develop in consultation with all sides of industry a long-term, credible strategy for clean coal in the UK, providing security of supply based on indigenous resources.

In July it was announced that the Pension Protection Fund would take on the UK Coal pension scheme and responsibility for Kellingley and Thoresby mines, with the mining unions expressing concern over the cut in pension entitlements that this deal implies.

The TUC and its affiliates have continued to press the case for intervention in these areas, including a meeting in July with the new Energy Minister, Michael Fallon MP, and in discussions with Labour's Shadow Energy Minister, Tom Greatrex MP, and with Ian Lavery MP, Chair of the Trade Union Group of Labour MPs. The TUC has also made representations to government at official and Ministerial level in favour of developing CCS for power supply and heavy industries. To strengthen the case for CCS in the UK as vital infrastructure investment, the CCTG has joined with the Carbon Capture and Storage Association (CCSA) and the Energy Technology Institute to commission a joint study of the economic and employment, as well as environmental, benefits of CCS technology. The study is due for completion in autumn 2013.

## 2.10 Corporate governance and capital markets

The TUC has continued to argue that the UK's shareholder value system of corporate governance is in need of fundamental reform and has started to make the case for worker representation in corporate governance.

In September the TUC organised a small roundtable chaired by the General Secretary designate on workers' representation on company boards. A range of union representatives, academics and policy makers participated.



## Chapter two

# Jobs, growth and a new economy

In May the General Council considered a paper exploring the issue of economic democracy and workers' voices within corporate governance. The paper argued that shareholder primacy within the UK's corporate governance system had contributed to short-termism in corporate decision-making in the financial sector and more broadly. It proposed that investors' governance rights should be dependent on a minimum period of share ownership and directors' duties should be reformed so that directors were required to promote the long-term success of the company as their primary aim, rather than prioritising the interests of shareholders as at present.

The paper went on to argue that the lack of any mechanism for the representation of workers is a major gap in the UK's corporate governance system, noting that in 18 of the 27 EU member states plus Norway there is some provision for worker representation on company boards. The paper argued that workers had a long-term stake in companies and that their involvement in company decision making in the UK would help boards take a long-term view of company success. It suggested that the role of member-nominated pension fund trustees provided a useful precedent for workers playing this sort of role.

The General Council agreed a position in principle of support for workers' representation in corporate governance and agreed a work programme to explore the issues involved further.

In June, the General Secretary made a speech setting out the case for workers' representation on company boards to a conference on employee involvement in corporate governance organised by the Pensions Investment Research Consultants (PIRC).

The TUC contributed to a review of short-termism carried out by Sir George Cox for the Labour Party which reported in February 2013. General Secretary designate Frances O'Grady was a member of the steering group for the review and the TUC organised a meeting for Sir George Cox to meet union representatives who set out their views on the factors that contribute to short-termism and what could be done to address it. The TUC also submitted written evidence to the review. As well as setting out the case for reforms to corporate governance, the mergers and takeovers' regime and public procurement, a major theme of the TUC's input to the review was the positive contribution that investment in skills, long-term employment relationships and engagement with staff and unions can make to company performance. The final report included some positive proposals on mergers and takeovers and public procurement but said little on employment issues.

In June, the TUC responded to a BIS consultation on voting disclosure by institutional investors. The TUC response argued that it should be a legal requirement for asset managers to disclose their voting records publicly and that a prescribed format should be established for disclosure.



### Trade Union Share Owners

Trade Union Share Owners (TUSO), an initiative bringing together union funds to vote in line with trade union values at company AGMs, was launched in March, with the participation of the staff pension funds of the TUC, UNISON and Unite. Policies to guide the voting and engagement approach of TUSO were set out in the *Trade Union Shareholder Voting and Engagement Guidelines*, published at the time of the launch by the TUC. The *Trade Union Shareholder Voting and Engagement Guidelines* are based heavily on existing TUC policies. They include voting against company remuneration reports where the ratio between top director pay and average employee pay exceeds 20:1 or where pay rises for company directors are out of line with pay increases for other company staff and only supporting incentive schemes that are open to all company staff on the same terms.

In April, TUSO signed an Investor Statement in Support of Improved Oversight of National Express Human Capital Strategy. TUSO voted against the report and accounts of National Express at its April AGM as a result of the Board's lack of response to concerns raised about anti-union activity at its US subsidiary, Durham School Services.

The General Council welcomed the launch of TUSO and noted that all union funds are welcome to join the initiative at any time.

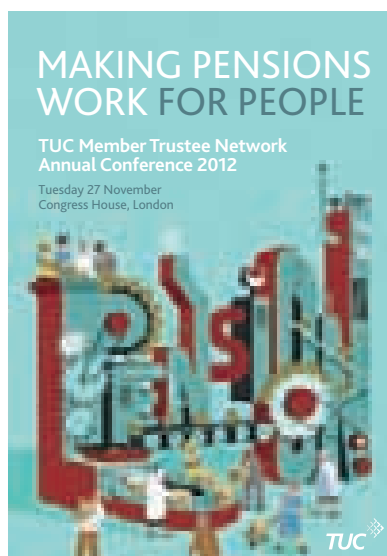
### Employee ownership

Following on from the Nuttall Review of Employee Ownership, which reported in July 2012, the government consulted on the Review's proposal that there should be a statutory right to request employee ownership. The TUC's response argued in favour of a statutory right to request employee ownership, supported by a statutory code of practice with non-statutory guidance. It also argued that the right to request should be clearly distinguished from the right to provide in the public sector; that only employee ownership schemes that would include all employees, including part-time workers, should be included; and that the right to request should be a collective right, with a trigger process set out clearly in the code. Following the consultation, the government decided not to take forward the proposal.

The TUC has been represented on an Employee Ownership Implementation Group set up by BIS following the Nuttall Review, has participated in discussions on an employee guide on employee ownership and led a workshop on employee ownership and trade unions as part of Employee Ownership Day.

### Member Trustee Network

The TUC Member Trustee Network is a service provided by the TUC for union members who are member-nominated trustees of pension schemes or observers on local government pension schemes. It currently has



over 1,000 members, drawn from many of the biggest schemes in the UK and responsible for billions of pounds in assets. Members receive a quarterly newsletter, email updates and access to TUC events including seminars and an annual conference.

The 2012 TUC Trustee Network Conference, entitled Making Pensions Work for People, took place in November. The conference included keynote speeches from Pensions Minister Steve Webb and Professor John Kay, author of the *Kay Review of UK Equity Markets and Long-Term Decision Making*, and a panel session on taking environmental, social and governance issues into account in investment decisions. In addition, a series of interactive workshops provided trustees with an opportunity for in-depth discussion of a range of key issues.

### TUC Fund Manager Voting Survey

The TUC Fund Manager Voting Survey 2012 was published in November. The survey again revealed a sharp divide in voting stances of institutional investors on key issues at company AGMs in 2011. At one end of the spectrum, three respondents voted in favour of over 85 per cent or more of management resolutions, while at the other end, three supported less than 25 per cent. Remuneration was once again the most common topic of engagement and the issue over which respondents were most likely to oppose company management.

Almost all of the survey respondents (26 out of 28) now make at least some voting data publicly available. However, the quality of information varied, with several fund managers only disclosing votes against and abstentions, and others providing only headline statistics.

A striking finding was a sharp drop in the overall headcount of specialist corporate governance and responsible investment staff employed by respondents. This did not reflect cuts across the board, but was largely driven by big reductions in the teams employed by three respondents. Significantly, all three had been significant players in responsible investment in recent years.

## Chapter two

# Jobs, growth and a new economy

### Committee for Workers' Capital (CWC)

The TUC contributed to the CWC's second Proxy Review in 2012. The report identified significant shareholder votes on social, environmental and corporate governance issues from Australia, Canada, the Netherlands, South Africa, Spain, Switzerland, the UK and the USA. The TUC, working with Pensions Investment Research Consultants (PIRC), provided the UK votes included in the Review.

Janet Williamson from the TUC spoke to a workshop on corporate short-termism at the CWC's Scaling Up Conference in November 2012.

### Ethical Trading Initiative

The TUC continues to play a key role in the Ethical Trading Initiative (ETI), the multi-stakeholder body enabling unions and NGOs to work with companies to improve working conditions in their (predominantly global) supply chains. Trade unions are represented on the Board by Monika Kemperle (IndustriALL), Ben Moxham (TUC), Alison Tate (ITUC) and Scot Walker (Unite and IUF). The TUC has been working to ensure a sensible system of resolving union concerns about domestic supply chains, including assisting Unite with problems around blacklisting in the construction industry which are yet to be resolved.

ETI now has 75 corporate members with a combined turnover of £166bn. The TUC has worked to take forward ETI programmes in priority supply chains including garment making in Bangladesh and South India, seafood production from Thailand and Indonesia, natural stone and costume jewellery manufacture from India, footwear and toy making from China, horticulture from Peru and furniture making from Vietnam, in which context, Rosa Crawford participated in an ETI delegation to visit furniture factories around Ho Chi Minh City with John Lewis, Oxfam and BWI representatives. A number of hazards at work were identified in the factories including poor ventilation and fire safety standards which were clearly linked to the lack of worker participation in the factories. The TUC will be working with ETI on programme work to support better working conditions through genuine collective bargaining in a selection of factories in Vietnam.

### 2.11 Digital economy and creative industries

The 2012 Congress carried three resolutions (motions 71, 72 and 73) relating to this sector. They concerned the Leveson Inquiry, BBC cuts and the practice of asking professional musicians to play for free. The weakness of the government's strategy for rolling out a fast broadband network was also highlighted in an intervention on the 2012 General Council Report.

The TUC has continued to work closely with unions in the sector on these and other issues, principally through the Federation of Entertainment Unions.

The resolution on the Leveson Inquiry built on the work done in the previous year. This had included a one-day conference on media ownership and regulation that informed the TUC's submission to Leveson. The 2012 resolution called for: a conscience clause in journalists' contracts; the right to representation in the workplace for media workers; and changes in the regulation of the press to ensure it stopped being the plaything of media barons.

The Leveson Report was published in November 2012. It was welcomed by the TUC, as an important step forward, with the recognition of the need for a conscience clause in journalists' contracts being particularly welcome. In looking at the report in more detail the executive concluded that despite the developing political divide over the need for a new system to be underpinned by statute, the real test would come once the system was in place and it was faced with treading the fine line between press freedom and the rights of those who considered they had been wronged by the press. It committed to continue to press for a media free from control either by the state or over-powerful owners. In April, the General Council supported a European Citizens Initiative on media pluralism, which was being promoted by the European Federation of Journalists, among others. The initiative called for: effective legislation to avoid concentration of ownership in the media and advertisement sectors; guaranteed independence of supervisory bodies, with a politically and culturally balanced and socially diverse membership; definition of conflict of interests with media ownership; and the publication of information on ownership. The initiative requires a million signatures from across



☐The Leveson Report was published in November 2012. It was welcomed by the TUC, as an important step forward, with the recognition of the need for a conscience clause in journalists' contracts being particularly welcome.☐

European Union countries before it will be considered by the European Commission. This needs to be done within a year and unions have been encouraged to promote the initiative to their members.

On the BBC, the General Secretary offered her support to the NUJ, BECTU and Unite ☐ the staff unions ☐ in their continuing dispute over job losses and cuts arising from the licence fee settlement made in haste in 2010.

The issue of artists, mainly musicians, being asked to perform without pay in exchange for the 'exposure' they would receive has been raised by the Musicians' Union (MU) at successive Congresses. It was also a serious issue around the Olympics. The MU is now running a high-profile campaign, Work Not Play, and the TUC is supportive of this.

In addition, the TUC has continued to support the entertainment unions in their battle against digital piracy through participation in the work of the Creative Coalition Campaign, which brings together rights holders and is pressing government and internet service providers to take action against illegal file downloading of copyright materials.

The government had committed to enact a communications bill before the end of this parliament, but that now looks unlikely. Of particular concern is the absence of a co-ordinated plan to ensure the effective roll-out of a superfast broadband network covering the whole country and not just the areas where such a service would be highly profitable. But more generally, through the absence of leadership and the cuts in arts funding being implemented both through central and local government, the government is demonstrating a failure to appreciate the role of the arts and creative industries in the wider economy and their contribution to exports and well-being at home.

## 2.12 Transport

### Government review of the balance of EU competencies

In July 2013 the Executive Committee endorsed the TUC's response to the government's review of the balance of legislative competencies between domestic government and the EU.

The TUC argued that a framework of EU legislation was necessary to support cross-border trade, and to ensure that the environment, workers and consumers were all properly protected. The response argued strongly that the EU had skimped on social and environmental protection in recent years.

### Aviation

This year's TUC activity on aviation policy has been guided by resolution 49 at Congress 2012.

In June 2013, Oliver Richardson (Unite), Emily Boase (Prospect) and Tim Page (TUC) met with Sir Howard Davies, Chairman of the Airports Commission. This followed a letter to the Commission from the TUC General Secretary, Frances O'Grady, in March 2013.

Frances O'Grady's letter stressed the value of workplace agreements and good industrial relations, citing an excellent agreement relating to the construction of Heathrow Terminal 5 and another relating to the infrastructure for London 2012 as examples of how working with trade unions brings economic and industrial benefits.

## Chapter two

# Jobs, growth and a new economy

At the meeting with Sir Howard Davies trade unions stressed the importance of aviation for the economy and jobs. We recognised the importance of a hub airport, while also acknowledging our support for the UK's regional airports. We highlighted the importance of connectivity. We stressed the importance of climate change and pollution issues, recognising the need to balance competing concerns. We also noted that air traffic provision was regulated by the Single European Sky legislation, targets for which were set by the European Commission.

In March, Frances O'Grady and Tim Page met with Daniel Moylan from the office of the Mayor of London, to discuss the range of airport options for the capital.

### Shipping

This year's TUC activity on shipping policy has been guided by resolution 48 and composite 9 at Congress 2012.

In January 2013, TUC General Secretary Frances O'Grady wrote to the Secretary of State for Business, Innovation and Skills (BIS), Vince Cable, in pursuit of the ratification of the ILO Maritime Labour Convention. This letter noted that the British Chamber of Shipping and the two maritime unions, RMT and Nautilus, had jointly stressed the importance of ratification in a letter to BIS in August 2012, making clear that UK flagged vessels risked being placed at a serious disadvantage relative to shipping registered in states which had ratified the convention. Trade unions continued to pursue this issue, successfully calling on the government to act before the convention officially came into force in August 2013.

# £23,



The average salary for a full-time driver is now **£23,675**

### Road transport

The General Council continues to press for better working conditions for heavy goods drivers. The road haulage industry currently employs 176,000 HGV drivers, a fall of about six per cent since 2004. The average salary for a full-time driver is now £23,675.

The TUC has continued to campaign for better protection against long hours in the sector. The introduction of the Road Transport Working Time Directive (2005) led to some reduction in average hours but has dented rather than defeated the entrenched use of excessive working time in the industry.

Thus the latest figures show that 10 per cent of full-time HGV drivers still work 22.5 hours of overtime or more per week (Source: ONS Annual Survey of Hours and Earnings 2012). This figure has fallen by four hours per week since the directive took effect in the UK, but is still far too high.

These figures must be read in the context of a dangerous environment. According to the DfT the number of fatalities in accidents involving buses and goods vehicles increased last year, while the figures for car users improved.

### Rail

Rail transport was a major focus of the TUC's transport work over the year. As this primarily concerned cuts and privatisation issues, this is dealt with in Chapter 4.

### 2.13 Industrial policy

This year's TUC activity on industrial policy has been guided by composite 1, A Future That Works campaign, which was carried at Congress 2012 and by resolution 32.

Two high-profile seminars, held as part of a year-long After Austerity event series, formed the centrepiece of TUC work on industrial policy during this Congress year. The first, which took place in January 2013, was addressed by the former Deputy Prime Minister, Lord Heseltine, whose review, *No Stone Unturned*, was published two months before. Alongside Lord Heseltine, Peggy Hollinger from the Financial Times, Andrew Churchill from the business community and Frances O'Grady, general secretary of the TUC, debated major issues affecting the future of industry.

The second seminar, held in June 2013, featured the Business Secretary, Vince Cable, and his Labour Shadow, Chuka Umunna, alongside Juergen Maier of Siemens and Frances O'Grady. This seminar also sought to learn lessons from abroad, hearing from Patrizio Bianchi from the University of Ferrara in Italy and Lim Swee Say, the General Secretary of Singapore's NTUC. Mariana Mazzucato from Sussex University discussed her work on the role of the state in promoting innovation.

▼ Lord Heseltine speaking at a TUC  
After Austerity event in January

Tony Burke (Unite) and Tim Page (TUC) attended the 2013 Manufacturing Summit, which took place at the Heritage Motor Centre in Gaydon, Warwickshire in February 2013. The Deputy Prime Minister, Nick Clegg, and the Business Secretary, Vince Cable, were joined by the BIS Ministerial team. Tony Burke and Tim Page also attended the EEF Manufacturing Summit in March. Tim Page continues to represent the TUC at the Manufacturing Action Group, an ad-hoc body offering advice to government on industrial matters. The TUC is represented alongside the CBI, EEF, GKN and the Institute of Manufacturing at the University of Cambridge.



Frances O'Grady has continued to serve on the High Level Stakeholder Group for the Government Office for Science Foresight team's Future of Manufacturing Project. This two-year project was established in December 2011 to look at the long-term future of manufacturing, investigating global trends and drivers for change. It has also explored how the UK can maximise future opportunities. It is due to report during Autumn 2013.

The main government announcement on industrial policy was its response to the Heseltine Review, *No Stone Unturned*, which coincided with the Budget. Lord Heseltine's report had made 89 recommendations to government. These included:

- ▶ a call for the Prime Minister to chair a national growth council, with a cross-government focus on driving growth and wealth creation
- ▶ a national growth strategy which sets out the government's vision and includes concrete commitments to which it can be held to account
- ▶ a sectoral economic strategy and an industry council for each formal partnership between government and a sector
- ▶ a single funding pot for local areas, with Local Enterprise Partnerships (LEPs) bidding for funds from central government on a competitive basis
- ▶ the use of procurement policy to support building the UK's long-term technological advantage and its industrial base
- ▶ clarity over the future of airport capacity in the South East
- ▶ and science and research funding at a level which keeps pace with our international competitors.

Many of these recommendations reflect long-standing TUC concerns and we were happy to welcome them in Lord Heseltine's report. More generally, Lord Heseltine called for much of industry to raise its game. While recognising that the UK is home to some of the best companies in the world, Heseltine said that we cannot be "dazzled by their success and ignore the performance of the average".

In its response, the government argued that it had accepted 81 of the 89 recommendations in *No Stone Unturned*. It had accepted the principle of a single local growth fund, allocated through a process of negotiation to strengthen incentives on LEPs to generate growth. It also argued that it would ensure all departments have ambitious and transparent growth targets and that industrial strategy partnership councils would be established for 11 key industrial sectors.

## Chapter two

# Jobs, growth and a new economy

The TUC was disappointed that Lord Heseltine's call for clarity over airport capacity in the South East was not forthcoming. We regret the fact that there will be no national growth council chaired by the Prime Minister. We welcome the councils and strategies for 11 key industrial sectors – we particularly welcome the representation of the TUC General Secretary on the 'Council of Councils' – but, while on some sector councils there is proper trade union involvement, we are disappointed that our contribution has not yet been welcomed fully on others.

In January, the TUC contributed to the Armitage Review of Infrastructure Investment. This review was conducted for the Labour Party by Sir John Armitage, the former Chairman of the Olympic Delivery Authority. In our submission, the TUC highlighted the UK's long history of insufficient investment in infrastructure. We made the case for infrastructure to serve the whole country, highlighting how broadband is inadequate in many rural areas, while investment in rail infrastructure has been disappointing since privatisation. We also drew attention to the success of Heathrow Terminal 5 and the stadia and facilities for the London 2012 Olympic and Paralympic Games, two projects that benefited from strong relationships between delivery bodies and trade unions. We endorsed the creation of an independent infrastructure commission.

**‘We made the case for infrastructure to serve the whole country, highlighting how broadband is inadequate in many rural areas, while investment in rail infrastructure has been disappointing since privatisation.’**

In line with resolution 32 the TUC continued to support a reduction in the powers of supermarkets over manufacturers. This included working with the Centre for Research on Socio-Cultural Change at Manchester University on forthcoming research considering the business pressures facing sectors including the dairy industry.

Over the year the TUC regions continued to engage with regional economic policy institutions, although the extent of engagement varies given the non-uniform nature of Local Enterprise Partnerships (LEPs) and varying 'combined authority' and City Deal arrangements. The NW TUC has established a trade union economic forum to influence and inform engagement with LEPs, City Regions and other economic fora. SERTUC has published practical guides to key economic issues for reps and has secured funding for a programme giving a voice to unemployed workers and all regions are seeking various routes to engage in economic development concerns at a local level, including participating in local employment and skills boards. In Wales, *Towards a Welsh Industrial Strategy*, a Wales TUC report, was launched at the 2013 Wales TUC Congress. The development of a Single Growth Fund and European Investment Fund provides new impetus and opportunity for TUC engagement in these areas.

### 2.14 Science

The TUC Alliance for Science met with the Minister of State for Universities and Science, David Willetts, in January 2013. At this meeting, trade unions raised issues concerning the role of Public Sector Research Establishments. We also highlighted the Department of Business's Review of the Government Science and Engineering Profession, whose work we wished to see reported to the Cabinet Office to ensure that its recommendations were reflected in the Civil Service Capability Review.

At the initiative of trade unions, it was agreed that, going forward, BIS would organise a round table on equality of access to apprenticeships in science sectors, involving large employers in the science sectors, employer representatives, the TUC and unions in the science sector and those campaigning on the future of apprenticeships.

### 2.15 Procurement

The TUC's work in this area has been informed by composite 6, effective procurement. In January 2013, the TUC made a submission to the Public Administration Select Committee (PASC) inquiry into public procurement.

In our submission, we made three substantive points:

- At a strategic level, the UK has failed to make full use of the potential for procurement policy to support both the quantity and quality of employment, to assist economic inclusion and to underpin a modern industrial strategy. This failure to use procurement policy in a positive manner must be addressed going forward.
- The procurement of new trains as part of the Thameslink contract, won by Siemens of Germany rather than by Bombardier, which is based in Derby, had implications for industry and jobs in the UK. This experience changed the debate on procurement policy and it is important that lessons are learned.
- From a European perspective, new reformed EU procurement directives must continue to support the use of social, employment and environmental clauses in public sector contracts.

Regarding this latter point, in December 2011, the European Commission published a proposal to revise the 2004 public procurement (general and utilities) directives. Since then the TUC, together with partners in the Network for Sustainable Development in Public Procurement, as well as the ETUC, has been engaging with the European Parliament in order to seek improvements to the text. This work has continued during the past Congress year.

The TUC has focused in particular on securing the mandatory respect of working conditions set by law or collective agreements applicable in the place where the work is carried out or the service is provided. This amendment is particularly important in the light of the unhelpful Ruffert case that has so far prevented public authorities from demanding the respect of anything other than minimum legal requirements.

The TUC and its affiliates have also sought to delete an amendment put forward by the UK government aimed at ring-fencing public services spin-offs and mutuals (as loosely defined by the government and thus including private operators) from competing on the open market for a given period of time. It remains unclear whether this formulation, which risks providing further scope to the government's agenda of privatisation of public services, will stay in the text.

Over the year the general secretary of Wales TUC chaired a task group developing good procurement practice for the Welsh Assembly which included reference to apprenticeships, community benefit and decent employment standards in public contracts.

## 2.16 London 2012 Olympic and Paralympic Games

The trade union contribution to the London 2012 Olympic and Paralympic Games and the lessons to be drawn from the success of the Games featured prominently in a number of contributions to the 2012 Congress, which opened on the day of the Paralympic closing ceremony.



In order to record and assess the trade union role in the Games a consultation exercise was conducted with unions in autumn 2012 and concluding discussions were held with the principal TUC contacts at both the Olympic Delivery Authority and the London Organising Committee.

A document assessing the various aspects of trade union involvement was agreed by the General Council in March and circulated to unions for information. The main conclusions were that while union involvement had been more low key than in previous Games, such as Sydney 2000 or Atlanta 1996, the positive engagement with unions had helped to raise standards and contributed to the success of the Games. A separate assessment was made of the Playfair project and reference to this can be found in Chapter 6.



## Chapter two

# Jobs, growth and a new economy

Following the Games, contact has been maintained with the London Development Legacy Corporation, which is responsible for the development of the Olympic Park after the Games and the corporation has committed to principles of co-operation that build on those between the TUC and the two Olympic bodies – the ODA and LOCOG. Contact has also been established with the body representing the Olympic boroughs and support given to them in their aim to raise living standards in those boroughs up to the London average within the next two decades. Work on the Olympic legacy is now being handled by SERTUC.

### 2.17 International development

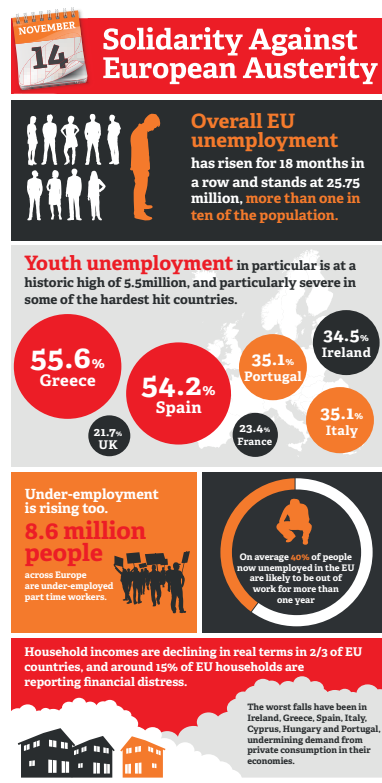
The TUC continued to press for a progressive international development agenda, urging the government to maintain its commitment to international aid spending of 0.7 per cent of Gross National Income (the UN target) and incorporate decent work into its programmes. In particular, the TUC marked World Day for Decent Work on 7 October with a report called *A Decent Job?* which set out how the Department for International Development (DFID) was failing to incorporate the decent work agenda into its practices. After annual meetings in 2011 and 2012 of the DFID/TUC trade union forum, the newly appointed DFID minister responsible for civil society, Lynne Featherstone MP, held two meetings of the forum in January and July, and committed to a meeting later in 2013, thus restoring the three meetings a

year held under Labour. The Forum, which is jointly chaired by the Minister and the TUC General Council spokesperson on international development, Gail Cartmail, covered the decent work agenda; the report of the High-Level Panel (co-chaired by the Prime Minister) on the successor to the Millennium Development Goals; violence against women and girls; and tax policy. The TUC also worked closely with the Labour Party on its international development policy, and Ivan Lewis, Shadow Secretary of State, addressed the TUC International Development Group in July.

The TUC also continued to work through BOND, the umbrella body for NGOs working on development, and in the Progressive Development Forum, promoting a more radical, social justice-focused approach to development. The TUC decided, after consultation with unions, not to take part in the 'Enough If' campaign on food and hunger run by the major aid charities, as reported to the 2012 Congress.

#### Post-2015 Development Agenda

In October, in a submission to the International Development Committee (IDC) on the post-2015 Development Agenda, the TUC pointed out that the failure to integrate 'decent work' into Millennium Development Goals (MDGs) had deprived them of a viable strategy to achieve them, that productive and decent work was pivotal to the fulfillment of individual aspirations as well as to the collective achievement of social and economic goals and that decent work and social protection played a determining



role in sustaining economic activity and growth, as well as in reducing poverty and enhancing social cohesion and integration. The TUC argued in favour of a set of goals articulated around four key pillars – economic, social, environmental and institutional – to be incorporated in the new development paradigm and stressed that priority should be given to the creation of decent and productive employment opportunities, enabling all to afford the basic necessities and comforts of life and enjoy their rights and entitlements and that social protection needed to extend to all and include safe working conditions, sufficient free time and rest, adequate compensation in case of loss of income or reduced income and access to affordable health care and retirement benefits.

Throughout the year, the TUC took part in the consultations on the post-2015 Development Agenda organised by the ITUC/ETUC Trade Union Development Cooperation Network (TUDCN) as well as in a Trade Union Experts' Meeting held in Geneva in May and backed the inclusion of decent work and social protection as one of the key goals in the new framework and underscored the need for effective measures to reduce growing inequalities within and between nations.

In February, the general secretary wrote to Justine Greening, Secretary of State for International Development, urging the government to ensure the adoption of the Private Member's bill on the enshrinement in law of the UK government's commitment to devote 0.7 per cent of Gross National Income (GNI) to Official Development Assistance.

In June, in a submission to the IDC on development finance, the TUC emphasised the need for dedicating 0.7 per cent of GNI to Official Development Assistance (ODA) in view of the rapidly growing needs of development and related issues such as climate change and protection of the environment and opposed any dilution of the UK commitment in this regard. Moreover, the submission noted that the UK had not yet taken the opportunity to enhance the impact of its aid programmes through engagement and collaboration with trade unions in developing countries, despite its recognition of the role of labour in development.

## 2.18 Learning and skills

Over the past year the General Council has continued to highlight the importance of prioritising investment in learning and skills in order to support economic recovery and tackle unemployment, especially youth unemployment.

Other aspects of the work of the TUC and unionlearn on education and skills can be found in Chapters 4, 5 and 6.

### Skills investment

Austerity measures have meant that government spending on workforce skills is now largely confined to apprenticeships and support for those employees yet to achieve minimum standards in English and maths. Union learning reps, with the support of the Union Learning Fund, are continuing to play a crucial role in supporting individuals and employers to access, and maximise, the benefits of these training subsidies while also encouraging increased employer investment in the skills of the wider workforce.

In this context the TUC has repeatedly highlighted that the biennial *National Employer Skills Survey* shows that nearly half of the workforce received no training at work during 2011 (compared with 37 per cent before the recession began). Given new requirements for more individuals to fund their own training, unionlearn has also published guidance for union reps on the loan system.

## Regulation and social partnership

In addition to calling on the government to maintain public investment in skills, the TUC has pressed for three other specific policy proposals designed to boost the number and quality of training opportunities. The TUC has stressed that, in sharp contrast with many other countries, the UK lacks a framework of regulatory measures that incentivises employers to invest in workforce development and training. Secondly, the TUC has called on the government to draw on the experience of many other successful European economies where a 'social partnership' model involving high levels of co-operation between employers and unions around workforce training – especially apprenticeships – is the norm. Thirdly, the TUC has made the case for an integrated approach with regard to industrial and skills strategies as is found in many 'social partnership' states. In December 2012 the unionlearn board hosted a round-table discussion focused on these policy themes, with the discussion led by Professor Lorna Unwin of the Institute of Education.



## Chapter two

# Jobs, growth and a new economy

Over the past year unionlearn has also led on a European-wide project aiming to increase the capacity of trade unions to support workplace learning. One of the outcomes of the project has been an EU-wide study of ways in which unions help workers access learning and skills with an emphasis on highlighting best practice. The project report *Building Trade Union Support for Workplace Learning throughout Europe* was launched at a seminar in June 2013 attended by union representatives and other stakeholders from many European countries.

### Industrial partnerships and skills

Through the Employer Ownership Pilot the government is testing out the impact of offering employers the opportunity to bid for direct access to public investment of more than £300m to design their own training solutions in partnership with other stakeholders, including unions and colleges. Round 2 of the pilot includes a welcome emphasis on supporting a more strategic approach by encouraging funding bids from 'industrial partnerships to take wider responsibility for skills development in a place or sector'.

The TUC has welcomed references in the document stipulating that these new industrial partnerships should be 'resonating with the social partnerships that we see in countries such as Germany'. It is also welcome that the UKCES has highlighted the importance of union involvement, saying that the industrial partnerships will 'create the conditions for strong employer-led partnerships of business, trade unions and sector bodies to step up and take full end to end responsibility for workforce development in their industry'. However, as highlighted in the TUC's Budget submission, any decision to extend this pilot on a nationwide scale through the tax system should be given very careful consideration.

### Apprenticeships

The General Council continues to give strong support to the apprenticeship programme while also pressing government to address some key policy challenges, in particular the need to improve quality and standards, boost employer recruitment and tackle equality of access. Various TUC reports have evidenced that it is no coincidence that those European countries that provide high quality apprenticeship opportunities to a large number of their young people are the very same countries with significantly lower levels of youth unemployment.



In the summer of 2012 the government appointed Doug Richard to lead an independent review into the future of apprenticeships. The TUC submission to the review stressed the urgent need to drive up the quality of all apprenticeship programmes and to tackle exploitation and poor quality by strengthening regulation and enforcement, in particular as regards minimum pay rates, duration of apprenticeships, time off for training, progression, and employer funding contributions.

On the publication of the Richard Review report in November 2012, the TUC welcomed the focus on the urgent need to improve the quality of apprenticeships. It also broadly welcomed Doug Richard's recommendation that employers and unions should have a greater say in the development of high quality apprenticeship frameworks and standards through collaboration at the industrial level.

The TUC's submission also called for urgent action by government to tackle the major equality and diversity challenges affecting the apprenticeship programme. Unionlearn, in partnership with NAS, commissioned research in 2012 in order to provide a detailed analysis of gender equality and race equality in apprenticeships and also the potential for improving access routes for women and BME groups. The research report is due to be published in autumn 2013.

### Young people

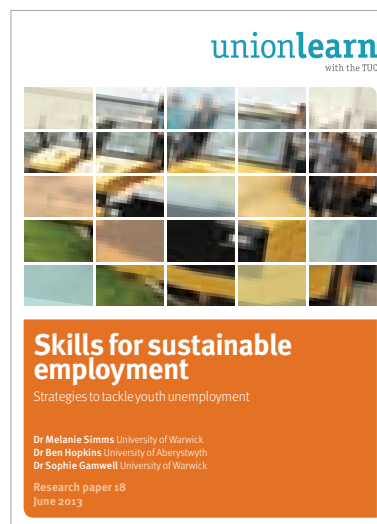
In line with Composite 15 agreed at the 2012 Congress, over the past year the TUC has continued to press the government to widen access to other learning and skills opportunities that would help more young people achieve sustainable employment. The TUC responded to the government consultation on the proposed new traineeship programme, saying that it welcomed the stated aim of traineeships supporting more young people to access high quality apprenticeships and sustainable employment with training, but that a range of criteria would need to be met to ensure the programme achieved this aim for all participants and thereby ensured that no young person would be at risk of exploitation by unscrupulous employers. In July the TUC published a *Charter for Traineeships* that sets out the criteria for a quality traineeship that unions could give their support to.

In its 2013 Budget Submission the TUC emphasised that young people pursuing learning and skills outside of apprenticeships are facing huge disadvantages, especially greater financial barriers resulting from the abolition of the Education Maintenance Allowance. The Budget Submission called on the government to tackle some of these barriers, including addressing a particular injustice relating to free school meals. The Budget Submission also highlighted that transport costs constituted a major financial barrier for many young people, a finding corroborated by research commissioned by unionlearn and direct feedback from young people attending unionlearn's annual event for unionised apprentices.

In 2012 unionlearn commissioned the University of Warwick to conduct research looking at innovative activities unions are engaged in around tackling youth unemployment and also to highlight potential policy reforms to reduce youth unemployment. The final report *Skills for Sustainable Employment: Strategies to tackle youth unemployment* was launched at a seminar in March 2013 when speakers included Professor Melanie Simms and Robert Halfon MP.

### Adult skills and further education

Following TUC lobbying the government last year agreed to form a sub-group to the Green Economy Council that would focus on how the skills needed for a green economy could be delivered.



Unionlearn hosted a major dissemination event for trade unions in November 2012 entitled 'Union Learning and the Green Economy'. The event received keynote speeches from former GMB General Secretary and Aldersgate Group member John Edmonds and also Capacity Global Director, Maria Adebawale (author of unionlearn's *Stewarding the Green Skills Agenda* report).

In addition to producing guidance for union reps about the new 24+ advanced learning loans, unionlearn is encouraging affiliated unions to contribute evidence on the impact of their introduction on access to learning and skills in the workplace in line with Composite 15 agreed at the 2012 Congress. Unionlearn is represented on the government stakeholder group established to oversee the introduction of the loans system and has particularly been pressing government on a number of issues.

## Chapter two

# Jobs, growth and a new economy

Unionlearn co-ordinates the TUC Further Education Advisory Group which supports regular policy discussions among trade unions representing the teaching and support workforce in the sector. The TUC welcomed proposals in a government report produced by Lord Lingfield for a new professional body for further education lecturers to be known as the FE Guild and a new 'covenant' between colleges and their staff regarding professional development. Unionlearn will be working with affiliates to ensure that the Education and Training Foundation is responsive to the voices of teaching staff and learners.

Unionlearn co-ordinated responses from further education staff and union learning representatives to a consultation on professionalism in the further education sector during the summer of 2012. Research found that 9 out of 10 wanted to maintain the national minimum qualification level for teachers in further education and consistent support for a negotiated settlement between employers, unions and government with regard to continued professional development in the sector.

During the past year the government asked Nigel Whitehead (UKCES Commissioner and Managing Director of BAE Systems) to review adult vocational qualifications in England. Dave Prentis, in his role as a UKCES Commissioner, is a member of the UKCES taskgroup taking forward the review and unionlearn has continued to support union engagement in the consultation process.

### Career information advice and guidance

Last year the TUC responded to the Department for Education consultation on extending the age of young people receiving career guidance, welcoming the proposal that career information, advice and guidance be extended to all young people from year 8 upwards but expressing concerns about the lack of face-to-face guidance available to many young people.

At the beginning of the year unionlearn conducted a survey of union learning representatives that looked at the current provision of careers guidance for working people. The survey found that only 20 per cent of respondents had used the National Careers Service (NCS) and many did not know about it. These findings informed a unionlearn submission to the London Assembly consultation on adult careers information, advice and guidance and our recommendations on ways in which the NCS could engage more effectively with employers and unions.

The TUC submitted a paper on *Careers Service Issues for Working People* to the National Careers Council (NCC), to consider as part of their deliberations and discussions in producing the NCC's annual report published in May.

### Supporting union representatives on skills bodies

Established in 2008 as a result of the recommendations of the Leitch Review of Skills, the UK Commission for Employment and Skills (UKCES) now describes itself as a 'social partnership, led by commissioners from large and small employers, trade unions and the voluntary sector' with a mission 'to raise skill levels to help drive enterprise, create more and better jobs and economic growth'. The trade union members of the Commission are Gail Cartmail, Frances O'Grady, Dave Prentis, and STUC General Secretary Grahame Smith. Unionlearn provides support to the union commissioners by providing regular briefings on learning and skill policy developments.

There are currently 18 sector skills councils (SSCs) and 5 sector skills bodies in place which engage with employers, unions and other stakeholders to define skills needs and skills standards in their particular industries. Unions play a key role in the work of SSCs and sector bodies including through union representation on their boards and engagement at other levels. Unionlearn provides a range of support services for union representatives, including briefings and regular network meetings, and also coordinates the nomination of officials from affiliated unions to sit on the SSC Boards.

# 3

## Chapter three Fair pay and a living wage

---

3.1 Introduction

---

3.2 Britain needs a pay rise

---

3.3 Public services pay  
and pensions

---

3.4 Pensions



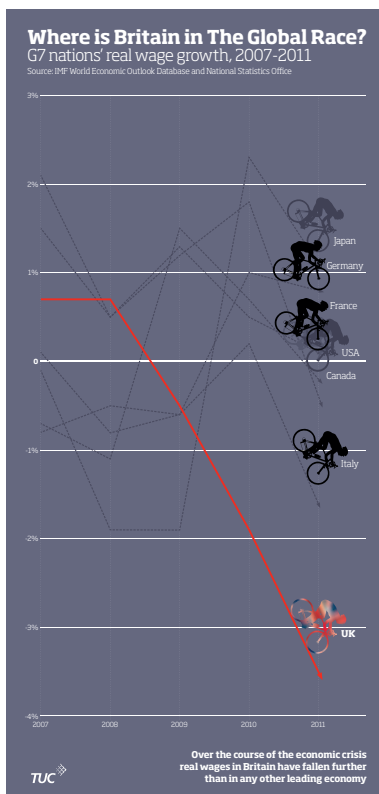
# Chapter three

## Fair pay and a living wage

### 3.1 Introduction

The TUC is seeking new ways to increase pay for UK workers, who have seen the value of their wages fall in recent years. A recent TUC report found that real wages fell by 8.5 per cent over the last three years, meaning that by March 2013 average annual UK earnings were worth £2,234 less than in 2010.

A second TUC report found that workers in the UK have suffered a bigger fall in real wages than any other workforce in the world's top ten developed economies. This study showed that between 2007 and 2011, real wages fell by 4.5 per cent in the UK, a tighter squeeze than the fall seen in Italy (-2.7 per cent) or Japan (-0.7 per cent). In contrast, real wages in France grew by four per cent over the same period.



We often regard work as the best route out of poverty, but for far too many people relatively low wages mean that employment has not provided the hoped-for escape route. DWP analysis shows that there was an increase in the proportion of working-age adults in relative low income between the years 1998/1999 and 2010/11 both before and after housing costs. The figures stayed around the same level between 1998/99 and 2004/05, and have risen since then. (Households Below Average Income, DWP, 2012)

To throw the issue into very sharp relief, a recent report found that 50 per cent of the working age population in poverty was also in work (*Will Universal Credit Work?* Lindsay Judge, TUC/CPAG, 2013). However, perhaps the most striking statistic of all is that three in five children living in low-income families were living in families where at least one adult was in work. (DWP op cit 2012)

While it has become increasingly clear that the government wants to 'make work pay' by reducing welfare payments, the TUC is determined to make work pay through better wages.

In addition to the key traditional work of organising and collective bargaining, the General Council continues to regard the National Minimum Wage as an important minimum standard, reaffirms its commitment to rolling out the living wage as widely as possible, and has sought to develop new tripartite institutions to re-embed trade unions in wage-setting at industry level.

▶ **Plummeting real wage growth in Britain, as this TUC infographic shows**

### 3.2 Britain needs a pay rise

The TUC's Britain Needs a Pay Rise campaign launched on 11 June, with a detailed analysis of the cost of lost wages to the UK economy and the publication of the campaign plans and objectives. The research was broken down by region which allowed the regions to organise their own launches drawing attention to trends between or within their regions.

Over the year the TUC has been represented on many platforms on the issue of low pay and pay inequality with speakers contributing to events ranging from a Resolution Foundation debate to a High Pay Centre event run in conjunction with the CBI.

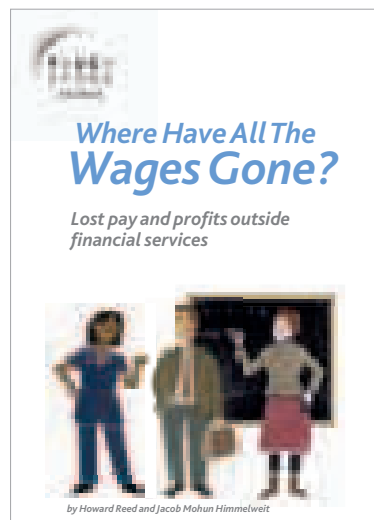
The campaign's aims are to:

- ▶ promote and increase public awareness and political debate on the importance of fair wages to boosting living standards and the economy
- ▶ achieve policy outcomes that lead to a fairer wage distribution and improve people's lives through increased pay for ordinary workers, particularly those on low to middle incomes
- ▶ win the argument that unions are central to securing improved wages for UK workers.

# 52%



The share of national income being paid out as wages has fallen from around 65 per cent in 1975 to around **52 per cent** in 2012



The campaign is now a major feature on the TUC website, which allows the drawing together of campaign resources, campaign activities, and research and briefing materials. A particular emphasis has been put on the use of social media, with a distinct Twitter and Facebook presence, and the development of campaign material for activists and supporters to share and pass on to colleagues and friends.

To support the campaign the TUC has published two major Touchstone pamphlets on the wage share of the economy.

The share of national income being paid out as wages has fallen from around 65 per cent in 1975 to around 52 per cent in 2012. The pamphlet *Where Have all the Wages Gone?* examined the reasons for this fall. It found that the fall could be explained by a weakening of trade union power and coverage and the rise of the financial sector. The

pamphlet also argued that the fall in wages, and rise in profits, had not translated through into increased investment or higher R&D spending. Instead much of the 'lost wages' had simply been paid out as dividends or added to a growing corporate cash pile of idle resources.

A second publication, *How to Boost the Wage Share*, looked at policies to reverse the trend of a declining wage share. It found that a reduction in unemployment, a restoration of the minimum wage to its former real terms value, the extension of the living wage and the extension of collective bargaining would reverse around one quarter of the 'wages gap' that has developed over the last three decades. Closing the remaining three quarters of the gap will require an active industrial policy and wider economic reform in order to ensure that the economy is generating higher waged, higher skilled jobs.

The report was launched at a high profile After Austerity seminar featuring former IMF economist Romain Ranciere, the author of a key paper that argued that rising inequality was a major cause of the financial crash.

#### National minimum wage

The General Council has worked to deepen cross-party support for the National Minimum Wage (NMW) and will continue to push for the highest rates that are economically sustainable.



## Chapter three

### Fair pay and a living wage

#### 7 The TUC continues to press for stronger enforcement of the NMW, and for higher rates for young people in particular

In September 2012 the TUC Executive Committee endorsed a submission to the Low Pay Commission (LPC). This was supported by the TUC team that gave oral evidence to the Commission in November.

A number of trade unions have also organised meetings between the LPC and groups of workers. The Commission also meets quite a lot of employers, and therefore regards the views of employees and their trade unions as an important balancing factor.

The TUC supported both the publication of our targets for 2013 and the October 2012 rate increases with media campaigns.

In February 2013 the LPC published its recommendations for October this year, which were largely accepted by the government.

#### **Minimum wage rates from October 2013 onwards**

- £6.31 for adults aged 21 and above
- £5.03 for 18- to 20-year-old workers
- £3.72 for 16- and 17-year-old workers
- £2.68 for apprentices under 19-years-old or in first year of their course

It is estimated that the October 2013 increase will benefit around one million workers, the majority of whom will be low-paid women.



The TUC has continued to press for stronger enforcement and to convene regular meetings of the National Minimum Wage Enforcement Group, which brings together unions, advice agencies and the leading civil servants from BIS, the LPC and HM Revenue and Customs (HMRC).

The abuse of work experience, 'internships' and other forms of unpaid work has continued to be a strong issue. Following extensive lobbying, in 2012 HMRC targeted unpaid work for the first time, recovering £137,000 for 138 interns.

Across the whole economy, the 150-strong HMRC team recovered £3.6m for 17,000 workers, and levied £725,000 in civil penalties. However, the TUC continues to argue for more resources for enforcement as it is easy to identify a number of other problem areas, including the accommodation and hospitality sectors, which account for 12.5 per cent of employment but 25 per cent of minimum wage complaints, and the increasingly complex social care sector.

The TUC's labour market intelligence indicates that there is also a significant problem with the treatment of apprentices. While apprentices account for just two per cent of the workforce, they are over-represented by a factor of 12 in NMW cases.

A significant problem is that much of the government's enforcement work remains invisible. It is an offence punishable by a period of imprisonment of up to two years for an HMRC officer to disclose information about a case other than through a legal gateway, such as the 2009 amendment that allows HMRC to share NMW information with the Employment Agency Standards Inspectorate. However, there is no such route for sharing information with local authorities or specialist enforcement bodies such as the Maritime and Coastguard Agency. This means that HMRC cannot feed back on third party complaints, thus creating a significant disincentive for those wishing to pass on complaints to them. In addition, individual civil penalties are not in the public domain, which means that much of HMRC's enforcement work has been effectively invisible.



The TUC met HMRC and BIS in autumn 2012, since when HMRC have started publicising employment tribunal and County Court judgements against non-payers, which are firmly in the public domain, but more still needs to be done.

In addition, the TUC has tried to fix the government's much vaunted naming and shaming scheme for persistent offenders, which has stalled. This scheme was launched by the previous government in 2009 but did not succeed in naming any employers. Following a re-launch by the government in 2011, just one small business woman has been named.

The TUC has met civil servants on a number of occasions to argue that the criteria for this scheme are too tough. In particular the financial thresholds involved are too high, so that while the average NMW arrears per worker last year was £206, the minimum threshold for a naming case is £500 per worker. The TUC has written to the employment minister calling for this problem to be dealt with as a matter of urgency.

The process of concentrating all government on-line advice on a single website (Gov.uk) has led to a serious loss of quality. As the Cabinet Office has responsibility for this project, the TUC wrote to Francis Maude in January 2013 setting out a considerable number of omissions and inaccuracies in the new text. The minister's reply promised to fix these shortcomings, but the TUC has been forced to continue to raise the issue because the faults have not yet been rectified.

The Low Pay Commission has played a key part in making the minimum wage a success. Clearly a process that brings together trade union representatives, employers and academic experts has much to commend it.

Nevertheless, the TUC is not convinced that the LPC is delivering as much as it possibly can for low paid workers. Thus, as the NMW approaches its 15th birthday next year, the TUC is supporting a project by the Resolution Foundation think-tank to conduct an independent appraisal of the LPC.

### The Agricultural Wages Board

The General Council was deeply saddened by the government's decision to abolish the Agricultural Wages Board (AWB) for England and Wales, despite a sterling defence by Unite.

As part of the campaign, the TUC and Unite general secretaries twice wrote jointly to the Prince of Wales, whose estate manager had called for abolition. Disappointingly, the Prince was absolutely determined not to become involved in this matter of party politics.

The current Agricultural Wages Order (England and Wales) runs out next month. The AWBs for Scotland and Northern Ireland will remain and continue to function as normal.

### Members of the Low Pay Commission 2013/2014

David Norgrove  
Former Pensions Regulator (LPC Chair)

Heather Wakefield  
UNISON National Secretary

Peter Donaldson  
Managing Director of D5  
Consultancy Ltd

Kay Carberry  
TUC Assistant General Secretary

John Hannett  
USDAW General Secretary

Susan Anderson  
CBI Director of Public  
Services and Skills

Neil Goulden  
Chair, Gala Coral Group

Professor Bob Elliott  
University of Aberdeen

Professor Stephen Machin  
University College London

## Chapter three

# Fair pay and a living wage

### The living wage

The TUC continues to campaign for increased coverage of the living wage (LW), which is an important part of many trade union pay campaigns.

We have also worked closely with campaign group Citizens UK to promote the LW, and with the Living Wage Foundation, which now provides certification for employers.

There is a single living wage rate of £7.45 per hour outside of London. In London the living wage figure is calculated by the Greater London Authority (GLA), and is currently £8.55 per hour. It has been agreed that both figures will increase annually during Living Wage Week in November.

The January meeting of the TUC executive committee discussed how living wage accreditation was achieved. The TUC had received accreditation and a number of unions are actively considering it.

The TUC supported the production of a useful report by the IPPR and Resolution Foundation think-tanks on the affordability of the living wage (*Beyond the Bottom Line: the challenges and opportunities of the living wage*, K. Lawton and M. Pennycook, 2013). This found that around three million women are paid below the living wage (62 per cent of all employees paid below the living wage); that a total of 2.7 million part-time workers are paid below the living wage (41 per cent of all part-time employees) compared to just under two million full-time workers (11 per cent of all full-time employees) and that almost four million workers paid less than the living wage work in the private sector (86 per cent of all low-paid workers).



The authors also commissioned the National Institute of Economic and Social Research (NIESR) to model the employment impact of simply paying all private sector employees the LW. The results indicate that there is huge potential for more workers to be paid the living wage, since NIESR found that four million workers would get a pay rise. Nevertheless, there are some limitations, since the report also found that overall labour demand might fall by about 160,000 and up to 300,000 might be displaced as employers shifted to more experienced workers.

The TUC has met civil servants on a number of occasions to argue for the adoption and promotion of the LW. A similar exercise has been carried out with opposition contacts.

The TUC has also been producing a number of campaign tools to help trade union activists to fully understand the LW and to help them to lobby local authorities to adopt it. These will be rolled out from September onwards.

All regions and Wales are engaged in campaigning for an increase in the number of employers, public and private sector, paying the Living Wage.

The TUC has been instrumental in supporting the development of a living wage in a number of local authorities from Exeter to Newcastle. Salford City Council launched their living wage in July, along with half a dozen companies and suppliers who had all agreed to adopt the living wage alongside the authority. Yorkshire and Humberside and the North East have coordinated meetings with Labour local authority leaders and alliances have been formed with a range of voluntary and community groups to challenge low pay. Wales TUC has participated in a Ministerial Advisory Group on a living wage and has lobbied the Assembly and local government to introduce a LW for staff and to secure a LW in the private sector through use of procurement and commissioning tools. Developing good practice in procurement and commissioning to increase leverage to introduce living wages in the private sector continues to be a feature of this campaigning work.

Many regions have linked low pay campaigns to financial inclusion issues, such as payday lenders and loan-sharking, which increasingly impact on low-paid workers. SERTUC hosted a seminar, Ending the Low Pay Culture.

## New industrial wages councils

The June 2013 meeting of the TUC Executive Committee discussed plans to develop new tripartite industrial wages councils. It was agreed that establishing pay thresholds like the NMW and the LW is intrinsically worthwhile but, by definition, cannot cure all the nation's pay problems. Only a structure with trade union involvement is likely to be able to address the complexities of increasing pay fairly across whole organisations and industrial sectors.

The TUC believes that we are only likely to achieve a reversal in current trends by engaging the active assistance and convening power of a sympathetic government in the creation of new tripartite wage setting institutions. Our proposal is that we advocate in the first instance for a relatively modest pilot exercise, targeting perhaps two sectors in the first instance. Further detailed analysis of the likely susceptibility of these industrial sectors, including their ability to pay and to improve productivity, will be undertaken before the final targets are chosen.



# £4.33m

Executives in defined benefit pension schemes had pension pots worth an average of **£4.33m**

Work to further develop these proposals, and to push for their implementation, will continue over the year ahead. The proposals will recognise the need to consider not just the bottom pay rates but also the whole range of skilled and semi-skilled rates, overtime premia, sick pay, holiday entitlements and other non-wage benefits. Only such a measure to revive collective bargaining could hope to go beyond discussion of minimum rates in the way that is clearly needed. Nevertheless, the TUC has already met key Labour Party contacts on a number of occasions in order to explain how this idea is developing.

## Pay bargaining

In March the TUC held its annual Pay Bargaining Forum, organised jointly with Incomes Data Services, looking forward to the year's pay round. This year's event asked if negotiators will ever get back to 'normal' pay bargaining or whether commentators such as the CBI have been right to argue that there is a 'new normal' of no automatic pay increases. The Forum looked at the use and abuse of inflation data in negotiations and the prospects for re-establishing co-ordinated pay bargaining.

In June, a seminar on performance-related pay (PRP) looked at proposals for extending the use of PRP in the public sector, performance linked elements of senior executives' pay and the substantial evidence that PRP does not improve organisations' performance.

## Executive pay

In September, the TUC published its tenth annual PensionsWatch report. The study examined the pensions of directors from over 100 of the top UK companies. It found that executives in defined benefit pension schemes had pension pots worth an average of £4.33m, providing an annual pension of £240,191, around 24.4 times the average workplace pension. The average company contribution to directors' defined contribution (DC) pensions was £144,508 and the average employer contribution rate as a percentage of salary was 22 per cent, nearly four times the average employer contribution rate for employee DC pensions and more than seven times the size of the maximum employer contribution required under automatic enrolment.

The TUC called for directors to be members of the same pension schemes as their employees on the same terms and for a legal requirement for more comprehensive reporting on company pension provision for directors and employees in company annual reports.

In October, the General Council considered the TUC's response to a government consultation on reporting on executive pay. The TUC submission included proposals for comprehensive reporting on directors' pensions and argued that companies should be required to state in remuneration reports how their workforce had been consulted on directors' pay.

## Chapter three

### Fair pay and a living wage

In November the TUC hosted a seminar on executive pay entitled Short-term Rewards, Long-term Failings, as part of the After Austerity events series. General Secretary designate Frances O'Grady, Liberal Democrat peer Lord Matthew Oakeshott, David Pitt-Watson from Hermes and Simon Walker from the Institute of Directors spoke at the event. The seminar focused in particular on what can be done to address the growing gap between the pay of company directors and their own staff.

Janet Williamson of the TUC and Heather Slavkin of the AFL-CIO represented labour on a Global Reporting Initiative (GRI) Working Group established to draw up recommendations for governance and remuneration reporting in the GRI guidelines. Following a process of public consultation and debate within GRI and the Working Group, the new G4 Guidelines include two new GRI indicators: the ratio of top to median pay and the rate of increase of executive pay compared with the median pay increase for the rest of the workforce. The G4 Guidelines were launched at the GRI Conference in June and Janet Williamson spoke at a session on the new governance and remuneration disclosures at the conference.

### 3.3 Public services pay and pensions

The General Council's activity on pay and pensions in public services has been guided by composites C07 (pensions) and C12 (austerity, pay and public services reform) and resolution 53 (regional pay) of Congress 2012.

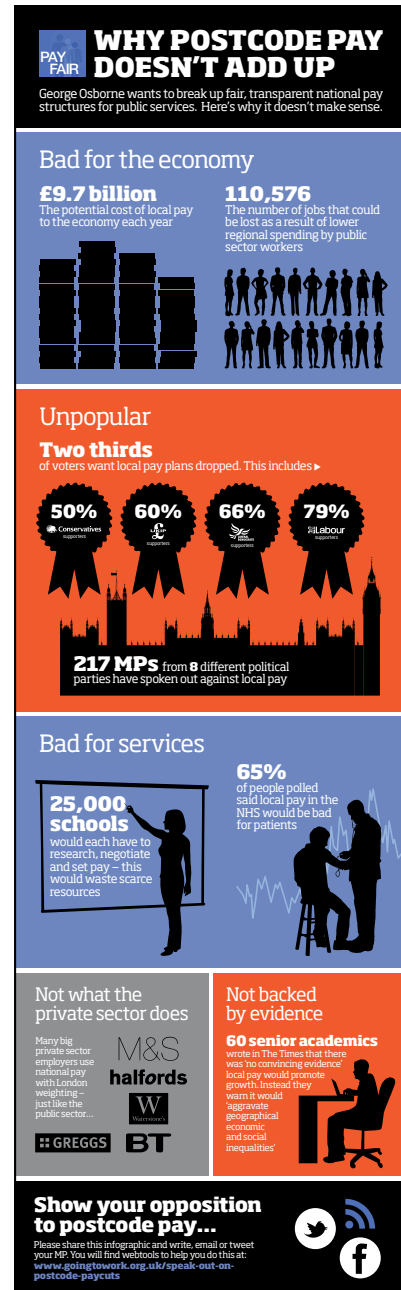
#### Public services pay

The year saw a series of attacks on the level of public service workers' pay, pay progression and national collective bargaining arrangements. It also saw an important victory in the union-led campaign against regional pay for much of the public sector.

As reported in the 2012 General Council report to Congress, the TUC fought a spirited campaign against government proposals for local or regional public service pay, following the Chancellor's announcement in November 2011 that he would like to make pay more 'local market facing'. The Pay Fair campaign was debated at the 2012 Congress and continued into the next year. The campaign highlighted the lack of evidence for the proposal, the damaging impact it would have on the economy, services, fairness and equality.

Activity included a strong social media presence, local lobbies of government MPs across England and Wales, briefing for supportive MPs, public opinion polling and numerous articles, blogs, media coverage and speeches. Materials and online tools were produced for reps and activists to use in lobbying MPs and local councils, and councils of various political hues adopted a model Pay Fair motion.

✔ The TUC's Pay Fair campaign convinced the government not to press ahead with local or regional pay



Further polling was published by the TUC to coincide with a major debate on local pay at the 2012 Liberal Democrat party conference. Sixty-five per cent of respondents to the poll said that the local or regional pay idea should be dropped and almost two-thirds of voters said that it was unfair. At the conference, delegates overwhelmingly supported a motion to oppose local or regional pay, helping to build political pressure against the policy within the government.

More than sixty leading academics signed a public letter on the subject published in *The Times* on Monday 29 October. The letter, supported by the TUC, opposed local or regional pay on the grounds of the economic damage it would do and the danger of widening the north-south divide.

In the December 2012 Autumn Statement, the Chancellor announced that the government would not be pressing ahead with local or regional pay. This result was a victory for trade union campaigning, and an important reflection of the broad public, political, business and expert alliance built by the TUC during the campaign.

In responding to the climbdown, the TUC stressed that there was no room for complacency, given the government's wider fragmentation of public services. Moves such as the cartel of NHS Trusts in the South West that sought to break away from national terms and conditions showed the fragility of this situation. However, that group dwindled in numbers following the national announcement and a strong campaign led by health unions and the regional TUC.

While the news for NHS staff, civil servants and prison officers was positive, the government took a more radical and damaging approach to teachers' pay, also announced at the 2012 Autumn Statement. This was a move towards a deregulated and individualised pay system, with a strong focus on supposed 'performance related' pay. The General Council highlighted the compelling evidence about why performance related pay is inappropriate for schools and bad for education and equalities.

A seminar on performance-related pay held by the TUC in June 2013 set out these issues in more detail and drew on evidence from the private sector – particularly banking and other senior executives – alongside education.

At the Spending Review in June 2013 the Chancellor announced a related move to abolish automatic pay progression in the civil service and to move towards removing it elsewhere in the public sector. The TUC used blogs and media to publicise the folly of this policy. Pay progression is based on the principle that new, less experienced staff are paid lower rates and as people increase their skills and experience over time they are rewarded through progression. This has an important part to play in attracting and retaining skilled public sector staff and ensuring equal pay. Moving away from this kind of system will mean more potential for equal pay disputes over how 'performance' and decisions about individual progression are made.

At the same time as changes to pay determination arrangements, the Chancellor also announced further real-terms pay freezes across the public services at the March 2013 Budget, confirmed in the June 2013 Spending Review. The government announced that they would impose a further year of a one per cent cap on pay increases in the public sector in 2015–16, following successive years of an arbitrarily imposed pay freeze and then one per cent cap. What this means in practice, as the General Council response stressed, is living standards falling further as real terms pay cuts bite. TUC research showed the impact this had had on households, pushing 180,000 children with a parent in the public sector into poverty.

During the year the Public Services Liaison Group also agreed to collect and share information about the progress of pay claims, negotiations and any industrial action on pay across sectors.

### Public service pensions

Public service pensions continued to be a high priority for the General Council as the government moved to implement the reforms that were the subject of negotiation and mass industrial action in 2011–12. Detailed discussions about the remaining elements of the schemes and cross-cutting issues such as cost controls, protections for outsourced members and equalities continued with the Treasury and at sector level with the relevant government departments.



## Chapter three

# Fair pay and a living wage

The Public Service Pensions Act was introduced in autumn 2012 and passed in April 2013. This put into place the legislative framework for the implementation of the reforms to public service pensions. The TUC lobbied and provided parliamentarians with detailed briefing on the Bill at all stages during its passage, and TUC Senior Policy Officer Alice Hood gave evidence to the House of Commons Committee examining the Bill.

Although the overall framework for the reforms was unchanged, a number of significant changes to the Bill were secured as a result of union lobbying. These included:

- changes to the clauses that would have allowed retrospective changes to pensions, which were amended to require member consent
- a requirement for member representation on pension boards in equal numbers to employer representatives
- a strengthened parliamentary test before negative revaluation could take place
- a number of amendments and clarifications of relevance to the Local Government Pension Scheme.

Detailed discussions with the Treasury included the arrangements for cost controls in the new schemes, where the TUC secured an important change to the way in which the costs included in the 'cap' for the schemes will be calculated. The TUC also co-ordinated a joint union response to the equalities impact assessment of the reforms, which was highly critical of the limited approach taken to the assessment by the Treasury and the government's failure to address the concerns raised.

Discussions also continued on the application of the new Fair Deal, which protects members who are outsourced from the public sector. The new policy negotiated as part of the revised schemes would deliver this protection by allowing people to remain members of their public service scheme, rather than going into a 'broadly comparable' scheme set up by the new employer as in the past.

In February 2013, the TUC submitted a response to the Treasury consultation on the implementation of the policy, stressing the importance of the decision to maintain and extend the Fair Deal and urging the government to fully implement the policy across all of the schemes as soon as possible without weakening the commitment made to members. The TUC continued to press these points with Ministers and officials throughout the year while awaiting detailed government guidance on the implementation of the policy, and unions shared updates on progress at scheme level via the Public Services Liaison Group.

### 3.4 Pensions

The TUC's work this year on pensions has been guided by composite 7 on pensions agreed by Congress in September 2012. The General Council continues to campaign for improvements to both state and workplace pensions, both public and private sector.

The TUC's policy work on pensions is informed by regular meetings with the Trade Union Pension Specialist Group. This enables the sharing of information between the TUC and unions on key policy issues and informs TUC responses to official consultation documents.

This year the TUC has submitted responses to a number of consultations on a wide range of issues including the following: the House of Lords Select Committee on Public Service and Demographic Change (September) (where subsequently the TUC gave oral evidence); the DWP review and revision of earnings thresholds for auto-enrolment (October); the Work and Pensions Select Committee inquiry into Improving Governance and Best Practice in Workplace Pensions (November) (to which the TUC also gave oral evidence); the DWP consultation into the restrictions on the National Earnings Savings Trust (January); and the Work and Pensions Select Committee pre-legislative scrutiny of the Single Tier State Pension (February) (to which the TUC also gave oral evidence).

## The state pension and state pension age

In January the DWP published the white paper *The Single-Tier Pension: a simple foundation for saving*. While a move to the single-tier state pension (STSP) commencing in 2016 could be a good idea in principle the TUC has ongoing concerns about its implementation and precise policy design. Since the policy's announcement the TUC has successfully lobbied for some improvements to the STSP model, such as allowing workers currently contracted out to accrue entitlements in the new system, reflecting their higher National Insurance contributions. We will also continue to call for extra money to be put into the STSP so that it is at a higher level, in order to achieve a dignified retirement for all.

Throughout the year the TUC has continued to oppose both the increase in the state pension age (SPA), and the bringing forward of the increase in the SPA. The Pensions Bill includes the acceleration of the SPA to 67 between 2026 and 2028. During the year the TUC has also continued to lobby for a fully independent commission to adjudicate on any changes to state pension age. The TUC believes this body should be akin to the Pensions Commission, with power to make proposals to Parliament, and that the Government Actuary's Department should report to this body on life expectancy rather than to the Secretary of State.

“People need time to plan for their retirement and the TUC opposes any increase in the retirement age, especially while there are disparities in life expectancy geographically and between socio-economic groups.”

## The importance of good quality private sector pensions

During the year the TUC has continued to campaign for good quality work-place pension provision for all workers and has expressed concern about the closure of defined benefit (DB) schemes.

This year the TUC has contributed to the DWP work on reinvigorating workplace pensions, including consultation responses and participation in a DWP working group. We have highlighted that the most important outcome is for workers to have good returns for their savings. We are sceptical of the government's argument that deregulation will result in the retention of DB schemes. Rather, it could reduce the security of members' pension provision and result in more schemes moving to defined contribution (DC) provision. In this debate on 'defined ambition', or 'risk sharing', models range from 'DB minus' to 'DC plus'. We have argued that the government's policy focus should be on improving DC scheme provision.

Work on the proposed changes to the EU directive on IORPs (Institutions for Occupational Retirement Provision) has continued to be a key priority this year for the TUC and unions. The application of solvency rules, akin to insurance companies, placed on DB schemes would have drastic implications. The TUC, along with unions, the CBI, the NAPF, the Treasury, DWP and the Pensions Regulator have argued strongly against this change with some success, as Commissioner Barnier has said he will not include the issue of solvency rules in his plans for IORPs, although he noted it will remain an issue in the longer-term.

The TUC has continued to engage with the DWP on their work on incentive transfer exercises from DB to DC schemes. While the introduction of the industry-based code last year was welcome, particularly the ban on cash incentives, we remain concerned about pension transfers. We therefore welcome the power contained in the recent Pensions Bill to enable the Secretary of State to ban the practice of providing transfer incentives. We have also been working with the Pensions Regulator in its efforts to crack down on 'pensions liberation' which can result in members losing thousands of pounds.

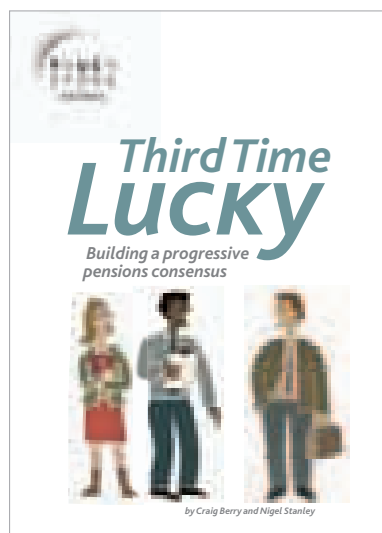


## Chapter three

### Fair pay and a living wage

The TUC supports the work of the '68 is too late campaign' which opposes unacceptable increases in occupational pension ages. People need time to plan for their retirement and the TUC opposes any increase in the retirement age, especially while there are disparities in life expectancy geographically and between socio-economic groups.

The TUC has also called for a fairer system of pensions tax relief. The benefits of the current system are skewed towards higher earners, contradicting the objective of auto-enrolment to incentivise low and middle earners to save more. We therefore commissioned the Pensions Policy Institute to undertake modelling on a pensions tax relief regime which offers greater relief to lower earners, or less relief to higher earners, which was published in July.



During the year the TUC has published a number of important pension studies. In November the Pensions scorecard was the first assessment of workplace DC pension membership; contribution rates; governance and outcomes from pension saving by TUC Pensions Policy Officer Craig Berry. In May the Touchstone Extra Paper *Third Time Lucky: Building a progressive pensions consensus* by Craig Berry and Nigel Stanley, TUC head of campaigns and communications, was published. The TUC also published working papers on DC and DB schemes in October 2012 by Bryn Davies and Hilary Salt respectively. We also held the following seminars on pensions: Sharing Risk in Workplace Pensions with Steve Webb MP in February and The Governance Gap: Improving Accountability in DC Pensions Provision with Gregg McClymont MP in May.

#### Auto-enrolment

The General Council continues to support auto-enrolment and warmly welcomed its launch in October 2012. This will result in millions of people saving for the first time or saving more for retirement. There have been low levels of opt-outs so far and the latest membership figures reported by NEST (the National Employment Savings Trust) are 250,000.

Auto-enrolment will be gradually rolled out to medium-sized and smaller employers by 2017. Contribution levels will then increase to their legal minimum of eight per cent in October 2018 (with three per cent from the employer on a band of earnings). While the Pensions Regulator, and indeed the Pensions Minister, recognises this is a baseline minimum amount, the TUC continues to be concerned that contribution rates are insufficient. The TUC has also called for a rethink of the auto-enrolment earnings band and trigger point, which act to reduce entitlements for women and part-time workers.

The TUC and unions continue to work closely with NEST, the DWP and the Pensions Regulator on the roll-out of auto-enrolment. Naomi Cooke, assistant general secretary of the FDA, is a member of the NEST members' panel. In May, colleagues from NEST met with union pensions officers to discuss the latest work of the organisation.

The TUC has continued to campaign for the lifting of the annual contribution limit and an end to the ban on transfers in and out of NEST. In January we responded to a DWP consultation on this and joined with the EEF, FSB, British Chambers of Commerce, *Which?* and Age UK to lobby the Minister of State on these restrictions. We welcomed the House of Commons Work and Pensions Select Committee again calling for the lifting of the restrictions on NEST in their *Improving Governance and Best Practice in Workplace Pensions* report published in April. The TUC welcomed the Pension Minister's announcement in July that these restrictions will be lifted from 2017, although we will continue to press for a swifter implementation timetable.

**The TUC has continued to campaign for the lifting of the annual contribution limit and an end to the ban on transfers in and out of NEST.**

### Improving DC pensions

With the commencement of auto-enrolment in October 2012, the vast majority of employers will enrol their eligible workers into new or existing DC schemes. Improvements to DC pensions are therefore vital. This year we have continued to contribute to and meet with the Pensions Regulator regarding their ongoing work on improving DC workplace pensions in the context of the start of auto-enrolment. We responded to their consultation Regulating work-based defined contribution (DC) pension schemes regarding improving member outcomes in occupational DC schemes. The consultation documents set out a series of six principles and 31 quality features for boosting standards in trust-based DC schemes in a range of ways, and provided much to welcome.

However the consultation does not cover contract-based schemes, highlighting the limitations in the regulatory pensions framework - which is covered by the Financial Conduct Authority, Prudential Regulatory Authority and the Pensions Regulator - where there is no formal scheme on level governance for contract-based pensions, and indeed no single over-arching regulatory structure that covers all pension schemes.

The TUC has continued to monitor the emergence of 'master trusts' in the context of the start of auto-enrolment. Some master trusts can be trust-based multi-employer schemes, but some can be contract-based schemes. The Pensions Regulator has begun taking a closer interest in the extent to which master trusts adhere to scheme standards, which is welcome.

Some master trusts have taken advantage of 'short service refunds' in the run up to auto-enrolment. This issue was recognised by DWP following lobbying by TUC and *Which?* and pension providers' power to make refunds of contributions to members of occupational DC pensions who end their membership before two years has ended will be removed by the Pensions Bill. This is welcome as this measure is currently detrimental to members.

## Chapter three

### Fair pay and a living wage

Due to lobbying from the TUC and others, the government has now noted that the issue of scheme quality needs to be addressed.

We have continued to lobby for transparent, default pension fund costs and charges. The TUC was part of the NAPF's working group on an industry code of conduct on charges for employers published in November 2012. We lobbied successfully for a ban on consultancy charges in schemes used for auto-enrolment, and continue to press for a wider ban. We will also contribute to the DWP consultation on a cap on pension charges. It is concerning to note that fewer than half of the occupational DC schemes surveyed by the Pensions Regulator in their recent governance survey claim that their trustee board has an 'extremely' or 'very' good understanding of each of the charges outlined. Clearly greater transparency is required.

The TUC has met with the Office of Fair Trading regarding their market study to examine whether DC workplace pensions are best delivering for savers. It is due to report in August and we hope it will conclude with some promising recommendations.

The TUC has also continued to lobby on the issue of 'small pension pots'. Along with *Which?*, Age UK and NAPF, the TUC called for the 'aggregator' model whereby small pension pots would unite in one or a small number of places. Instead, the government has adopted the 'pot follows member' approach, which is contained in the Pensions Bill. The premise of this model is that when a worker leaves an employer their pension pot comes with them, although of course not everyone moves from job to job in an orderly fashion. We have expressed concern that the scheme they join could be less generous and less good quality in terms of charges, governance and investment. Due to lobbying from the TUC and others, the government has now noted that the issue of scheme quality needs to be addressed.

Saving in a defined contribution pension pot requires it to be converted into an annuity at the point of retirement. This year the TUC has continued to work with the DWP/Treasury working group on measures to give further transparency to the annuity market and to increase members' engagement with the 'open market option'. We welcomed the announcement in January that the Financial Services Authority (now Financial Conduct Authority) is to undertake a thematic review into whether savers are losing out from not shopping around, and met with members of the FSA consumer panel to discuss this. We also welcomed the mandatory implementation by ABI members in March of the *Code of Conduct on Retirement Choices* which will help 400,000 people who buy an annuity each year to better understand their options at retirement and to choose the right annuity.

#### Pensioners Committee

Throughout the year the TUC Pensioners Committee, chaired by Michael Leahy, Community general secretary, has continued to meet.

Frank Cooper (National Pensioners Convention) has continued to attend the Committee as an observer. This facilitates the close working relationship between the TUC, unions and the NPC which has continued throughout the year.

#### TUC stakeholder pension scheme

The TUC continues to run the TUC stakeholder pension scheme, liaising with the Prudential as the current administrator of the scheme. It is a trust-based stakeholder pension scheme and is open to both union and non-union members and their families. The scheme has around 5,000 contributing members and a fund value of approximately £45m.

# 4 Chapter four

## Good services and decent welfare

4.1	Introduction
4.2	Public services
4.3	Public Services Liaison Group
4.4	Health
4.5	Social care
4.6	Education and early years
4.7	Local government
4.8	Criminal justice
4.9	Public service reform
4.10	Social security and the welfare state
4.11	Public transport



# Chapter four

## Good services and decent welfare

### 4.1 Introduction

The core agenda of the government has been to shrink the size of the state and break up public services through fragmentation and privatisation. At the same time the Beveridge model of the welfare state, which was fought for by trade unions, is under greater threat than at any time before with the most vulnerable taking the brunt of much of the government's assault on benefits and public services.

Local councils in Britain's most deprived areas are being hammered. The Comprehensive Spending Review 2010 set out reductions of 26 per cent in local government funding and in June 2013 the Chancellor announced a further eight per cent cut for 2015–16.

The past year has seen the implementation of the Welfare Reform Act, the introduction of new legislation limiting cost-of-living increases to benefits and the announcement of plans to place a curb on overall benefit expenditure. Already meagre benefits are being cut with disabled people among the hardest hit. Even our schools are in danger of being run for profit with many more being taken out of the traditional state sector. There has been a huge decline in part-time HE students, with participation falling by 40 per cent since 2010.

The criminal justice system also faces extremely difficult challenges as the Ministry of Justice oversees £2bn of cuts. In January the government announced the closure of seven prisons, with two further partial closures, which could result in the loss of over 1,000 jobs, while the probation service is seeing 10 per cent trimmed from its budget.

These policies are doing great damage. Yet over the year there has also been a very vocal and, at times, successful campaign by unions and the TUC to protect our services and welfare from these assaults. Initiatives such as Action for Rail have helped make the case for modernised services that work for us, not for corporations.

### 4.2 Public services

The General Council's work on public services, social security and public transport has been guided by composites 4, 11, 12, 13, 14 and 15; resolutions 53, 54, 56, 57, 58, 63, 64, 67, 69 and 70; and emergency resolutions 1 and 3 agreed at the 2012 Congress.

During the year the impact of the government's policies on public services, jobs and wages deepened. The General Council campaigned to raise awareness and bring political pressure to bear about the impact of the cuts and market-based 'reforms' on households, communities and the economy as well as on services.

In March 2013 the Office for Budget Responsibility increased their estimate of the number of jobs that will be lost in the public sector as a result of spending cuts, predicting that a total of a million public service jobs will go between the beginning of 2011 and the beginning of 2018. Women have been particularly hard hit, as has local government, but job losses have been felt across virtually all of the public services.

With services now entering the sharpest period of consolidation that modern Britain has ever seen, the impact on services themselves also intensified over the year.

- ▶ Eighty-five per cent of social workers surveyed by Age UK said that frontline social care services had been affected by spending cuts.
- ▶ More than 30 per cent of funding to sexual violence and sexual abuse services for women has been cut and according to one survey 95 per cent of women's organisations are facing funding cuts or a funding crisis primarily as a result of cuts to local authority budgets.
- ▶ Cuts to fire services have led to increased response times. The FBU report that in 2011–12, 22 per cent of incidents took over 10 minutes for an appliance to arrive. This is up from 16 per cent five years ago, despite the number of incidents reducing.

▼ At the start of the Future that Works march in 2012



The impact on services and communities has been at the forefront of the TUC's campaigning and media work, demonstrating the social and economic costs of public service cuts. We have also worked to counter the government's attempts to divide public and private sector workers, for instance through research showing that three in ten working families include at least one parent working in the public sector.

All TUC regions and Wales have well-established and effective public services campaign coalitions in place, led by public services unions and involving community groups and organisations. Partnership in the Workforce Partnership Council by the Wales TUC has helped to develop positive approaches to mitigating the impact of spending cuts in Wales, protecting jobs and services and opposing privatisation.

There was a strong public services showing at the national A Future that Works demonstration on 20 October 2012 and in the Austerity Uncovered bus tour in June 2013, as well as in hundreds of local and regional events supported by the TUC's regional councils and the Wales TUC. The General Council has also supported sector-specific campaigns such as in health, education, probation and children's services.

Public service pay and pensions issues were also a major focus of the General Council's policy and campaigns activity, and are addressed in Chapter 3 of this report.

☑All TUC regions and Wales have well-established and effective public services campaign coalitions in place, led by public services unions and involving community groups and organisations.☑



## Chapter four

# Good services and decent welfare

### 4.3 Public Services Liaison Group

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

This year the PSLG has had a packed agenda including pay, pensions, campaigns in health and education, working with co-operatives and mutuals in public services, responding to threats to facility time, and organising in public services. The group agreed a programme of activity for the year which chimes with the themes set out in the overall TUC campaign plan and will put the group on a campaigning footing in the run-up to the 2015 General Election.

PSLG meetings have also included regular information sharing on the progress of pay claims and negotiations, talks within sector schemes about the detail of the pensions reforms, and any plans for industrial action.

The PSLG also co-ordinates the TUC's input into the Public Services Forum (PSF), a tripartite forum bringing together public service unions, employers and government. The PSF has not met this year, but following an approach by the TUC the Cabinet Office Minister has now agreed to restart the Forum.

### 4.4 Health

The General Council's work on health has been guided by composite 13 and resolution 58 passed at Congress 2012.

In April 2013 the bulk of the Health and Social Care Act 2012 came into force. The Act had been robustly opposed by unions, patients, communities and NHS staff through a long and hard-fought campaign, as reported in the 2012 General Council Report to Congress.

Once the Act was forced through, the focus of the campaign turned to raising awareness about the dangers of the reforms, holding politicians to account, and local activity to minimise the extent of privatisation and cuts.

An important parliamentary battle focused on competition and procurement regulations made under Section 75 of the Health and Social Care Act. Draft regulations published in February 2013 prompted uproar from health unions, medical professions and the public. The regulations broke promises made by Ministers during the passage of the Act that decisions about whether, when and how to use competition would lie squarely with the new GP commissioners. Instead, they would have forced services out to competition. The TUC gathered over a thousand submissions from members of the public to an influential House of Lords Committee examining the regulations within a 24-hour period. The outcry forced the government to withdraw the regulations to revise the language around integration and co-operation and remove some of the most explicit pro-competition wording.

However, in effect the new regulations had much the same effect as the previous version, because to award a contract to provide health care services without a competition, commissioners would have to be satisfied that only that provider was capable of delivering that service. This would have the effect of forcing virtually all services out to competition, increasing private involvement in the NHS and wasting time and money on complicated contracting processes.

In campaigning against the regulations, the TUC asked supporters to contact members of the House of Lords to encourage them to vote against them in a debate forced by the Labour health spokesperson. Hundreds of activists used the TUC's Adopt a Peer tool to do so, and hundreds more wrote to MPs asking them to sign a special Early Day Motion aimed at securing a debate on the regulations. The campaign helped to gain significant media profile for what might have been seen as a relatively obscure piece of parliamentary process, because it exposed the real intention behind the government's market-based reforms of the NHS. However, when pushed to a vote in the Lords, the Labour attempt to overturn the regulations was defeated by Conservative and Liberal Democrat peers.

In moves to support grassroots NHS campaigns, the TUC produced materials for reps, activists and other campaigners. A campaigners' guide to the new NHS was published in summer 2013, focusing on supporting campaigners to get information about what is happening in their area and to take action locally.



▼ **Marking the NHS' 65th birthday with campaign materials and a campaign toolkit**

**Built to care**  
**Keep our NHS safe at 65**

**It's the NHS's 65th birthday on 5 July.**  
The NHS was built to care for Britain. Don't let this government dismantle it. Communities, patients and staff are fighting for our NHS by:

- exposing the cuts and privatisation that threaten to break it up
- campaigning for patient safety and safe staffing levels to protect you and your loved ones
- campaigning against NHS money going into private profits
- lobbying for transparency and openness from all providers.

**Celebrate by joining the campaign. You can:**

- get involved in local issues – cuts, privatisation of local services or financially-driven closures
- lobby your MP to keep our NHS safe from cuts and privatisation
- get together with unions, patients' groups and anti-cuts campaigners in your area to celebrate the NHS.

**TUC**  
Join the campaign at [tuc.org.uk/nhs65](http://tuc.org.uk/nhs65)

© JPA Redcliffe/Photo.com

Also published in summer 2013 was a series of profiles of major private providers looking for work in the NHS. The profiles, produced for the TUC by tax and financial analysts Tax Research UK, exposed the extent of links with tax havens and the low rates of UK tax paid by many of the companies looking to profit from the NHS.

The TUC's regions and Wales worked with unions and patients' groups to support joint activity to mark the 65th anniversary of the foundation of the NHS on 5 July 2013. Events across the country focussed on celebrating the NHS, highlighting the impact of cuts and privatisation, campaigning for patient safety and safe staffing levels and against NHS money going into private profits, and lobbying for transparency and openness from all providers. Joint activity was under the established All Together for the NHS umbrella which brings together the TUC's health affiliates and also includes the major non-affiliates in the sector, the British Medical Association (BMA), Royal College of Nursing (RCN) and Royal College of Midwives (RCM).

At the national level, the TUC disputed the government's claim in the June 2013 Spending Review that health spending would continue to rise. The £2bn of additional spending announced to be delivered 'through the NHS' was also included in the local government spending category in the review, therefore enabling the government to claim simultaneously that the health budget was rising in real terms and that overall local government spending would only see a reduction of 2.3 per cent. In evidence to the Treasury Select Committee the TUC highlighted this misleading presentation of the finances, which effectively means that the government's promise to protect NHS funding has been broken.

The General Council also participated in the political and policy debates around the future of the health service. On 15 May 2013 the TUC held a roundtable for unions representing members in health and social care with Shadow Secretary of State for Health, Andy Burnham MP. At the meeting Andy Burnham presented his emerging proposals for the integration of physical and mental health care and social care. The proposals include repealing the Health and Social Care Act and moving back to a model of the NHS as preferred provider, with a strong role for local authorities as commissioners of health and social care. Unions responded to the proposals in detail and followed up with work to influence policy development on points including the workforce, skills and training aspects of the proposals.

The TUC also hosted a private discussion on 29 May 2013 between health unions and Robert Francis QC, who chaired the inquiry into the failings at Mid Staffordshire NHS Trust. As well as following up the discussion with health unions and employers via the NHS Social Partnership Forum, the TUC agreed to consider the implications of the report for public services more widely. Themes emerging from the report that have resonance beyond the NHS included professionalism, organisational culture and staff engagement, openness and some inspection and regulation issues.

## Chapter four

# Good services and decent welfare

The TUC has also continued to work with the NHS Social Partnership Forum (SPF), which brings together the Department of Health, employers and trade unions with members in the NHS to discuss policy issues and in particular the workforce implications. The SPF is currently chaired by Department of Health Minister Daniel Poulter MP. The union side of the SPF has used the main meetings and associated workshops and smaller meetings to raise concerns and co-ordinate input on implementation issues associated with the health reforms and the Francis Review, among other subjects. Subgroups have also taken forward detailed work following the reforms of the NHS pension scheme, focussed on the implications of working longer and on widening access to the scheme.

### 4.5 Social care

The 2012 Congress agreed resolution 57 in support of the Multiple Sclerosis Society's End the Care Crisis campaign. The resolution pledged support for the Dilnot Commission's recommendations on the funding of care and support and committed the TUC to lobbying for reform of the confused patchwork of social care legislation.



The government plans to set a cap of **£75,000** on how much anyone would be required to pay towards their care costs

The TUC has well-established policy in favour of the creation of a National Care Service, free at point of use and funded from general taxation. The TUC has also agreed, as a step towards this objective, to support the Dilnot Commission proposals, notably a lifetime cap (of between £25,000 and £50,000) on how much anyone would be required to pay towards their care costs. The TUC has argued that the establishment of national eligibility criteria for social care and a national set of minimum services are particularly important reforms, vital to ending the 'postcode lottery' in the provision of services.

In February, the government announced that it had accepted the main recommendations of the Dilnot Commission. In the Queen's Speech the government announced plans for a Care Bill, which was introduced in the House of Lords in May, including provision for a cap on care costs.

Most organisations representing older people, disabled people and carers have welcomed the acceptance of the cap in principle, but have expressed concern about the lack of public funding for care services and about many of the details in the government's plans.

The TUC produced a briefing for MPs on the Care Bill prior to the debate on the Queen's Speech. The TUC argued that the government's cuts in local authority funding would make it very difficult for councils to comply with the new duty to promote the integration of health and social care established by the Bill. The TUC was especially critical of the level of the lifetime cap. The TUC's objective is a free service, but the cap proposed by the Dilnot Commission would have been an important step in this direction. Unfortunately, the government plans to set the cap at £75,000 in 2017 prices, equivalent to £61,000 in 2010/11 (the date when the Dilnot Commission's report was published). In other words, the government plans to set the cap 22 per cent higher than the maximum level the Dilnot Commission regarded as fair.

The Dilnot Commission proposed that people who develop care needs before the age of 40 should be entitled to free care without a means test. It now seems very likely that the government will limit this to those who develop such needs by the age of 18, with those who do so between 18 and state pension age only being entitled to a lower cap than £75,000.

There are a number of issues where the government's intentions were unclear at the time of the publication of the Care Bill. The TUC raised concerns about the national eligibility criteria. It has since become clearer that to qualify for the lifetime cap and means-tested support, an individual's care needs must be 'substantial' which will exclude many thousands of disabled and elderly people. Even more importantly, it is still unclear how local authorities will raise the funds necessary for this reform.

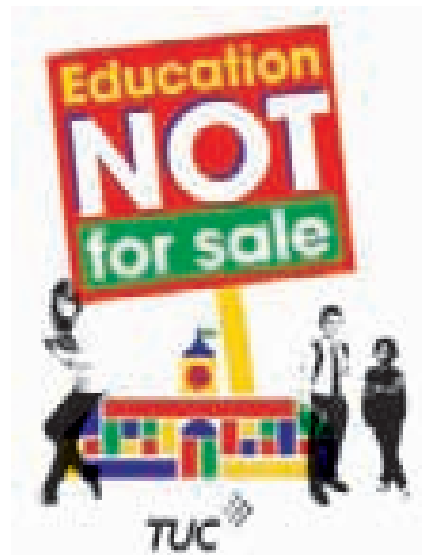
#### 4.6 Education and early years

Over the past year the TUC has continued to work closely with affiliated unions on policy and workforce issues relating to education and early years provision in line with composites 14 and 15, resolutions 63, 64 and 67, and emergency resolutions 1 and 3 agreed at the 2012 Congress. Our work on vocational education and learning and skills in the workplace, including the role of further education in this respect, is covered in other chapters in this report.

The TUC has continued to facilitate bi-monthly meetings of the education unions to coincide with the meetings of the Public Services Liaison Group in order to support coordination with wider public services campaigning and the TUC Campaign Plan. In line with one of the key themes of the education resolutions agreed at the 2012 Congress, the TUC has been planning a campaign 'Education not for Sale' focused on raising awareness of the detrimental

impact of the expansion of 'for profit' education providers and the danger of greater privatisation in all parts of the education sector. This campaign is being developed in close consultation with the education unions, with a range of campaign activities scheduled for autumn 2013. Unions have also continued to play a key role in continuing to oppose the government's plans to emulate the approach seen in the United States where 'for profit' providers in the HE sector have been expanded significantly with disastrous consequences for students and the workforce. Union campaigns have had some success in preventing the government from delivering on the scale of ambition set out in the 2011 HE White Paper.

In line with composite 14 the TUC and education unions have continued to express concerns about the effects of social and economic deprivation on the educational achievement and attainment of young people as well as highlighting that the further expansion of academies and free schools is worsening educational inequalities. The effects of the government's policies will be widespread and cover a range of services including those covered in resolution 68. The TUC and education unions have also given support to a number of education campaigns drawing support from a wide range of stakeholders, in particular the campaign opposing the government's original plans to reform GCSEs, which ultimately led to a major policy u-turn by the Secretary of State for Education earlier this year. In line with emergency resolution 1, the TUC and education unions also gave support to the campaign about the changes to GCSE grading boundaries.



The education unions have played a key role in campaigning on pay issues, including opposing performance-related pay for teachers and the extension of unfair flexibilities given to schools on pay bargaining as a result of the expansion of academies and free schools (see Chapter 3 for more details on public sector pay). The TUC and education unions have also continued to look at strategies to protect the rights and entitlements of teachers and support staff in academies, especially with regard to national pay and conditions of service frameworks and collective representation through trade unions. One means adopted to achieve this has been by extending the reach of the TUC Model Agreement for Academies, which provides a mechanism for trade union recognition and facilities and machinery for consultation and negotiation in academy schools. After a series of meetings, NAHT became a signatory to the model agreement guidance note in October 2012 and this new version of the guidance note has been widely circulated.

## Chapter four

### Good services and decent welfare

☐The TUC has continued to raise concerns about the significant decline in part-time HE students in recent years, with participation falling by 40 per cent since 2010.☐

Over the past year the TUC and education unions have engaged in discussions with the School Co-operative Society (SCS) and the Co-operative College with the aim of establishing a national framework for trust schools and academies that come under the remit of the co-operative movement. These discussions are building on existing developments in this area, including the work undertaken by the Public Services Liaison Group in developing best practice guidance with Co-operatives UK. In June senior officials from the education unions and the TUC met with the Chief Executive of the Schools Co-operative Society and the Chief Executive of the Co-operative College in order to discuss a framework agreement between the TUC and the education unions and these two organisations. The text of the framework agreement is currently being negotiated with the aim being that it will be in place early in the new school year.

The TUC has continued to raise concerns about the significant decline in part-time HE students in recent years, with participation falling by 40 per cent since 2010. Prompted by this disturbing trend, Universities UK are currently carrying out a review of undergraduate part-time and mature HE which is due to report in the autumn. The TUC has submitted a response to the review highlighting the negative impact of a number of the government's funding changes on the participation rates of part-time and mature HE students. The TUC response called for the government to signal to the HE sector that increasing the number of mature students in part-time HE is a priority and for a relaxation of the equivalent or lower qualification policy which prohibits loans to those who already have a degree.

The IPPR Commission on the Future of Higher Education in England presented its findings in June and this included a recommendation, drawing on research commissioned by unionlearn, that the government should reform the £5bn of training tax relief currently awarded to employers with the aim of incentivising them to invest in courses supporting employees to achieve accredited qualifications and continuing professional development, whether in further or higher education. Using tax relief to influence employer investment in skills has also been endorsed by the UK Commission for Employment and Skills.

The TUC has continued to express concerns about the impact of the government's policy approach in a number of areas on early years provision and access to affordable high quality childcare. Following close consultation with the TUC Early Years Network, in August 2012 the TUC submitted a response to the call for evidence by the government's Childcare Commission, which was originally established to look at how to reduce the costs to families and the burdens on childcare providers. The TUC submission highlighted the lack of affordable high quality childcare and especially the limited access to adequate provision for families with disabled children.

In January of this year the government announced a number of proposals for reforming childcare, including significant deregulation involving changes to child to staff ratios in early year settings. Along with many other key stakeholders, the TUC strongly criticised this proposal, arguing that it would not reduce costs as planned and instead risked reducing the quality of care. In June of this year the Deputy Prime Minister stated that he had "concluded that, because it will not reduce costs for parents or increase the quality of childcare, the proposed ratio changes for pre-school children cannot proceed".

# 250,000



Employment in local government has fallen by **250,000** since 2010

The TUC has also campaigned on other policies affecting early years provision, including highlighting how cuts to local government have led to reduced services provided by local children's centres. The TUC supported the campaign lobbying the government to ensure that parents can access the same level of childcare support within the Universal Credit as is currently available via the tax credit system.

## 4.7 Local government

Local government has borne the brunt of the government's austerity drive. The Comprehensive Spending Review 2010 set out reductions of 26 per cent in local government funding and in June 2013 the Chancellor announced a further eight per cent cut for 2015<sup>16</sup>.

Claims made by George Osborne and Secretary of State Eric Pickles that there has been little impact on service delivery are seriously undermined by evidence presented by a range of organisations including the Local Government Association (LGA), the Public Accounts Committee, the National Audit Office and UNISON.

The LGA indicates that a funding crisis is looming. Their modelling of future sources of council revenue against future demand shows a potential funding gap of £16.5bn a year by the end of the decade, a 29 per cent shortfall between revenue and spending pressures. This is having a significant impact on the local government workforce, with massive job losses, a continuing squeeze on pay and low morale. Employment in local government has fallen by over 250,000 since 2010.

This is also having a major impact on service delivery. Responding to the 2013 spending review Sir Merrick Cockell, Conservative Chair of the LGA, said that 'Some councils will simply not have enough money to meet all their statutory responsibilities' confirming that 'Services such as culture and leisure facilities, school support, road maintenance and growth-related programmes will bear the brunt of these cuts.'

In turn this is having a knock-on effect on commissioned services, particularly those for children and young people, women and older people in need of care. 85 per cent of social workers recently surveyed by Age UK said that frontline social care services had been affected by spending cuts. Over 65 per cent of children and young people's charities responding to a survey by the National Children's Bureau are reducing both the level and range of services they deliver due to public funding cuts. A substantial minority said it was 'very likely' that they would be closing down their organisations within the next 12 months.

This presents enormous challenges to community groups and unions looking to oppose cuts at the local level. The work of trades councils and local trade union branches in campaigns such as the Barnet Alliance for Public Services has shown what can be achieved through concerted local action against council plans to close and privatise services.

The TUC, along with unions representing workers in the children's service sector such as UNISON, Unite, AEP, Community and Prospect, has joined forces with Children England and a range of children's charities to campaign for the protection of children's services, setting out a manifesto for action that will be presented to political parties and local authority leaders in the run up to the next election.

## 4.8 Criminal justice

Workers in the criminal justice system continue to face extremely difficult challenges as the Ministry of Justice oversees £2bn of cuts. In January the government announced the closure of seven prisons, with two further partial closures, which could result in the loss of over 1,000 jobs. This is likely to put additional pressure on the prison estate, where violence has been a prominent problem over the past year. The probation service is seeing 10 per cent cut from its budget, with knock-on effects for the quality of service provision and staff workloads. Meanwhile, many courts are closing with thousands of jobs at risk.



## Chapter four

# Good services and decent welfare

The value of Ministry of Justice contracts rose from £8m in 2008 to £79m in 2012. Privatisation in the prison, courts and police services continues to grow and the government has now announced proposals to outsource over 70 per cent of the probation service by 2015. The TUC will continue to work closely with Napo, POA, PCS, UNISON, GMB and others in the criminal justice system to highlight the impact of spending cuts and the risk created by the scale and speed of the government's outsourcing agenda in these particularly sensitive areas.

### 4.9 Public service reform

In *Open Public Services 2013* the government reaffirmed its commitment to a public service reform agenda based on the opening up of public service markets, increased outsourcing of services to the private and voluntary sectors and driving through spending cuts.

The escalation of outsourcing has been remarkable. The *Financial Times* reports that public service outsourcing has doubled in the last four years, from a total of £9.8bn in 2008 to £20bn in 2012. With another £84bn worth of contracts in the pipeline, it is estimated that the public service outsourcing market could grow to over £100bn by 2015. Key growth areas have been local government, health, defence and, increasingly, criminal justice.

# £100bn



It is estimated that the public service outsourcing market could grow to over **£100bn** by 2015

Despite the government's rhetoric, most outsourcing continues to lead to the concentration of services in private hands as large private providers are able to dominate markets, particularly those where lowest cost and payment by results commissioning processes are used. The Work Programme has demonstrated how a small number of private providers are able to use their access to finance to corner the market and farm out sub-contracts to voluntary and community groups that are forced to absorb the risk of payment by results. In turn, that risk is increasingly being passed on to the workforce, as seen by the rise in zero hours contracts and agency work replacing permanent jobs.

The General Council will continue to campaign against marketisation and privatisation of public services, challenging the government's ideological assumptions about the primacy and efficiency of markets. Working with affiliates, think tanks and academics, the TUC will be producing evidence-based arguments that demonstrate how accountable, integrated and publicly owned services provide the best quality, value for money, efficiency and flexibility. We will also continue to push for approaches to service provision that put public service workers and communities at the heart of decision-making.

Earlier this year, the TUC commissioned research from the Association of Public Service Excellence (APSE) looking at how local authorities were improving services through increasing the voice of workers and communities in their design and delivery. And the TUC will be working with unions and other partners to publish a series of articles setting out our agenda for public service reform that puts people before profits.

While the delivery of public services through mutuals or co-operatives set up by public sector employees continues to form a key part of the government's narrative, the approach has been modified in some regards.

The government has scaled back some of its earlier ambitions. Gone is the target for a million public sector workers to be outsourced into mutuals by 2015. With just under 70 mutuals currently delivering public services, representing 0.14 per cent of the public service budget, it is clear that this has yet to significantly take off. Growth has largely been confined to community health services, social care and non-statutory local government services, such as youth and leisure, often as an alternative to closure or 'death by a thousand cuts'.



There has also been an increased focus on the concept of 'mutual joint ventures' where ownership is shared between employees and private sector partners. Whether this is a cover for privatisation or a shortcut to accessing the kind of finance otherwise deprived to fledgling mutual start ups, it is clear that the government is encouraging private sector involvement and watering down the language on employee ownership as a result. Recent Cabinet Office pronouncements on mutual joint ventures have indicated employee ownership levels of 25 per cent as acceptable, incurring strong criticism from mutuals advocates such as Co-operatives UK who see this as a corruption of the co-operative and mutual ethos.

It is precisely because of these concerns about the government's approach that the TUC and Co-operatives UK have worked together to produce best practice guidelines which set out the conditions that should be in place to ensure that public service mutuals are set up in the interests and with the support of the workforce and service users.

Through the Public Services Liaison Group, the TUC agreed a set of guidelines with Co-operatives UK that cover the key areas of workforce consultation and engagement, commissioning, governance, safeguarding of public assets and the protection of employment standards. The guidance makes clear the TUC's commitment to public ownership but recognises that, in instances where mutuals emerge, this must be with the explicit support of the workforce, in partnership with their trade unions and commissioned in a way that safeguards against privatisation and protects or enhances employment standards.



### Public Services Research Network

The Public Services Research Network (PSRN) has been convened by the TUC to bring together trade unions, academics, researchers and think tanks that have an interest in non-market based approaches to public services and public service reform.

The aims of the network are to co-ordinate and share information and promote new research and policy work and assemble evidence with a view to informing and developing cogent arguments in support of publicly owned and accountable public services.

Over the last 12 months, the TUC has developed a network of over 150 research, policy and academic staff, providing regular bulletins with links to relevant research and has hosted a number of seminars.

## Chapter four

### Good services and decent welfare

Work we have promoted through the PSRN includes academic reports on public sector employment relations, outsourcing and privatisation; analysis of the future of public services and current government policy from think tanks such as IPPR, Compass, the Fabian Society, new economics foundation and CLASS; and analysis on the impact of austerity and public spending cuts from the Institute of Fiscal Studies, National Audit Office and Audit Commission.

Seminars have been held on public service outsourcing, co-production in local government, and social dialogue and public services in the age of austerity with speakers from the Association of Public Service Excellence, London Metropolitan University, the Public Services International Research Unit, Kings College London, IPPR, several TUC unions and the Wales TUC.

#### 4.10 Social security and the welfare state

The past year has seen the implementation of the Welfare Reform Act, the introduction of new legislation limiting cost-of-living increases to benefits and the announcement of plans to place a curb on overall benefit expenditure. The 2012 Congress agreed composite resolution 8 on the Welfare State that expressed concern at the impact of government policies on vulnerable

❑The TUC has been particularly concerned about the replacement of Disability Living Allowance with Personal Independence Payment.❑

groups, especially the tougher Work Capability Assessment being used to re-assess the claims of everyone receiving Employment and Support Allowance. The resolution called on the General Council to campaign to defend and rebuild the welfare state working in collaboration with other organisations.

Disabled people may well suffer more from the benefit cuts than any other group. As the TUC noted in a special post on the Touchstone blog to mark the International Day of Disabled People, in addition to the closure of Remploy factories (reported on in Chapter 5) disabled people have seen the closure of the Independent Living Fund; massive cuts associated with Universal Credit (reported on in more detail below) and the Benefit Cap, which will hit disabled people harder than non-disabled people.

The Work Capability Assessment is being used to re-assess claimants being transferred from Incapacity Benefit to Employment and Support Allowance, leading to thousands of disabled people losing entitlement. Under the Welfare Reform Act, ESA claimants in the Work Related Activity Group (the majority) who paid National Insurance contributions while in employment have had their entitlement cut to a maximum of one year before they face a means-test (currently it is paid indefinitely).



The TUC has been particularly concerned about the replacement of Disability Living Allowance (the benefit that helped disabled people with the extra costs of disability) with Personal Independence Payment. The new benefit has a tougher eligibility test, designed to cut spending by £1bn a year and eliminates the help DLA provided for people with less severe impairments. It isn't possible, as the TUC emphasised in a video in May, to map extra costs to severity of impairment: thousands of people with less severe impairments face very high costs and will now be plunged deeper into poverty. In two videos launched in April, the TUC argued that the Welfare Reform Act's Benefit Cap and Bedroom Tax will also hit families and children.

The most complicated and far-reaching element of the government's plans is the introduction of Universal Credit (UC), a new benefit that will eventually replace all means-tested benefits and tax credits for people under retirement age. The TUC has always accepted that there are positive aspects of the new benefit, not least the creation of a simpler system for claimants. But over the past three years, the negative elements have grown in size and number. Thousands of disabled people will lose out because of the elimination of the Child Tax Credit disability element, the Working Tax Credit Disabled Worker element and the Severe Disability Premium in means-tested benefits. Nearly all two-earner couples will be worse off under the new system; most lone parents will have lower incomes too. Worries about the IT system needed to operate UC are slowing its introduction and there are concerns that many vulnerable people will find it difficult to cope with a benefit that can only be claimed on-line.



In response, the TUC commissioned a new report, *Will Universal Credit Work?* from Lindsay Judge of the Child Poverty Action Group. The report, published in May, looked at the pros and cons of the new system, and noted that original plans for UC to be generous enough to guarantee substantial reductions in poverty had been watered down. It is especially important to put UC in context: when the coalition's wider benefit and tax credit changes are taken into account, a majority of people in every income decile will be worse off. The government repeatedly claims that most people will be better off when UC is introduced but this has been achieved only by providing substantial transitional protection for thousands of people who would otherwise be worse off under the new system and by reducing the generosity of the tax credits now, so that those who have seen their entitlements cut will stand to gain from UC.

In April, the TUC updated its Tax Credit Calculator to take account of some of these changes, which will leave low-waged families up to £3,000 a year worse off by 2015/16. These changes include the abolition of the Baby Element of tax credits; the reduction in the value of support for childcare costs; the increase in the number of hours couples have to work to qualify and only uprating tax credits by one per cent for three years. These will more than offset the increase in the personal allowance for hundreds of thousands of families and the Calculator helps people to work out how much they stand to lose.

UC has significant implications for people at work as well as those out of employment. In particular, the new benefit introduces 'in-work conditionality' people with low paid jobs who need to supplement their wages with Universal Credit will be expected to act to raise their earned incomes to a target level. Eventually there will be benefit penalties for those who fail to do this, though the Department for Work and Pensions insists that it will take a 'light touch' approach at first.

In April, the TUC responded to a DWP consultation on increasing the earnings of UC claimants, arguing for a supportive approach and opposing the use of benefit sanctions. The TUC submission also argued for a significant increase in the minimum wage, promotion of the Living Wage, investment in training and improvements in the availability, cost and quality of childcare.

## Chapter four

# Good services and decent welfare

In July, DWP officials spoke at a briefing at Congress House on Universal Credit and workplace issues. There was a very constructive discussion about the implications of UC for workers and how best unions can alert members to these issues and it was agreed that the TUC should organise a further meeting at which unions could discuss this issue. To help union representatives an e-note was produced on workplace issues, reported on in more detail in Chapter 6.

This year has also seen the Welfare Benefits Up-rating Act come into effect. For three years, this Act will limit cost-of-living increases in benefit rates to a maximum of one per cent, however high inflation may be. The Autumn Statement revealed that the cut in benefit and tax credit up-rating will account for more than a third of all the government's cuts and tax increases by 2015/16. The government had already announced cuts in benefit up-rating, but the new policy goes even further. As the TUC revealed, in just three years, the new policy meant that single unemployed people would lose £2.85 a week compared with the up-rating policy before the Act and £3.85 compared with the policy that existed before 2010. The government's decision to place a 'cap' on annual managed expenditure, announced in the Autumn Statement and the Spending Review, will inevitably lead to further cuts in benefit rates, but the scale of this is not yet entirely clear.



Not all benefits are subject to the one per cent ceiling: Child Benefit is frozen. In December the TUC published *Child Benefit: a Bad Case of Neglect?*, which looked at the effect on families of this freeze. It revealed that, by the end of 2015, a family with two children will have lost a cumulative total of over £1,000, compared with the policies on cost-of-living increases the government inherited; in 2013-14 alone families will lose £234.

The 2012 Congress agreed resolution 40 on Child Poverty that condemned the Secretary of State for Work and Pensions for trying to redefine poverty in a way that took attention away from inadequate wages and benefits and reaffirmed support for the Child Poverty Act goal of ending poverty by 2020. Congress also agreed resolution 59 on the British Dietetic Association (BDA's) Mind the Hunger Gap campaign, which had revealed that a million older people eat less than one meal a day.

The reality of increasing poverty was revealed by the publication of the *Households Below Average Incomes (HBAI)* statistics in June. As the TUC pointed out in a series of posts on the Touchstone blog, the number of people in 'absolute' poverty (defined by reference to average incomes when the current government came to power) rose by 900,000 in 2010-11. A majority of children in relative poverty now live in households where at least one person is in employment.

The TUC continues to be an active member of the End Child Poverty coalition, represented on the Steering Group and helping to publicise initiatives such as polling published to coincide with the HBAI statistics, showing that 82 per cent of the public think that tackling child poverty should be a government priority.

**Kirkby Unemployed Centre, Liverpool**

In September, the TUC organised a seminar on Women's Work and Women's Benefits, which acted as a 'feeder' seminar for the 2012 Poverty Conference the following month. The Poverty Conference took place on 17 October, the International Day for the Eradication of Poverty on the theme of 'Work or Full Maintenance'. The speakers included Professor Danny Dorling, author of *Injustice* and Owen Jones, author of *Chavs*. This was the last Poverty Conference in this format although from 2013 the TUC will continue to hold a large poverty and social security event.

In March, the TUC published *A Bleak Future for Families*, a report commissioned from Landman Economics, looking at falling living standards under the present government. This was the first report to bring together data on all the government's tax and benefit changes and the impact of slow wage growth in an analysis that showed how falling living standards would affect different income groups and different family types. The report found that around 700,000 more children will be living below the minimum income standard by 2015: 460,000 because of tax and benefit changes, 170,000 because of slower than forecast wage growth and 80,000 because of the public sector pay freeze.



The TUC has been increasingly concerned about the government's use of statistics and in April Nicola Smith (head of the TUC's Economic and Social Affairs Department) wrote to Andrew Dilnot, the Chair of the UK Statistics Authority. This was prompted by the Secretary of State for Work and Pensions' claim that DWP statistics showed that the benefit cap had led to 8,000 people moving into jobs. This was despite a disclaimer in the DWP document explicitly pointing out that the statistics did not show this. In May Mr Dilnot replied, agreeing with the TUC's criticism. He also wrote to the Secretary of State, to tell him that his use of the statistics meant that his Department was not compliant with the Code of Practice for Official Statistics.

TUC concerns about the government's cuts and welfare reforms have been raised through the statutory Social Security Advisory Committee, where Nicola Smith represents the interests of employees. In the past year, the Committee has published important reports on Welfare Reform Act regulations, Universal Credit and conditionality and a study of the support needs of Universal Credit claimants.

It has become increasingly clear that the government's stigmatising language, used to win support for cuts and reforms that reduce the benefit entitlement of claimants, has had many negative effects. Charities and campaign groups have linked it to an increase in hate crimes against disabled people, and many poor families are refusing to claim benefits to which they are entitled, for fear of being labelled 'scroungers'. Polling conducted for the TUC, released in January, found that there is a direct link between ignorance about the social security system, negative attitudes to claimants and support for benefit cuts. The less people knew about benefits the more likely they were to believe the worst of claimants and the more likely they were to support cuts. This was disturbing, as ignorance was widespread: on average, the people covered by the TUC poll thought that 27 per cent of benefits were claimed fraudulently – the correct figure is 0.7 per cent.

## Chapter four

### Good services and decent welfare

In July, the TUC held a meeting on Solidarity and Social Security Cuts to discuss the links between divisive language, stigma and cuts to benefits. The speakers included Alison Garnham, Chief Executive of the Child Poverty Action Group and Professor Ruth Lister who has written extensively about the 'bothering' of groups such as claimants. Further events and publications to take this work forward are being considered.

#### 4.11 Public transport

This year has seen the spectacular failure of the government's franchising programme, intensifying the debate about our privatised rail system.

Intense scrutiny of the franchising process followed the failure of the award of the West Coast contract, with the government launching two reviews into the process. Arguments in favour of public ownership and nationalisation have gained prominence in the media as evidence from academia and the Office of Rail Regulation demonstrated the failings of privatisation. Opinion polls continue to show overwhelming public support for nationalisation, the TUC and rail unions' Action for Rail campaign has continued to strengthen and the Labour Party has begun to propose fundamental changes to the industry.



**This year has seen the spectacular failure of the government's franchising programme, intensifying the debate about our privatised rail system.**

The government, however, is pressing ahead with a revised franchising programme, prioritising the currently state-run East Coast Main Line as the first newly tendered service before the election. This is despite evidence showing that Directly Operated Railways on East Coast has the smallest subsidy, outperforms previous private operators on the line and comparable operators like Virgin on West Coast and by the end of this financial year will have returned £800m to the government to be reinvested in the service.

Potentially larger threats are emerging in Europe, as proposals to enforce the tendering of passenger services and the separation of track and train are developed through the Fourth Rail Package.

The threats to jobs and services from the recommendations of the McNulty Review remain very much alive. Train Operating Companies (TOCs) are attempting to find £300m of savings through the de-staffing of trains and stations; London Midland has made large scale cuts to booking offices; and London Overground is looking to move to driver only operation, shedding 130 safety critical guard jobs in the process. The new funding settlement for Network Rail seeks to find up to £2bn in savings over five years, placing enormous stress on a workforce already stretched to breaking point from previous cuts. Those at the front line are warning of the effect of cutbacks on performance and safety.



In line with composite 11 agreed at Congress 2012, the Action for Rail campaign has continued to build momentum. Four national days of action have been held as well as a large number of targeted actions by local activists covering over 150 stations. Over 4,500 postcards have been signed by members of the public. In addition, relationships have been formed with a number of other campaign and community organisations helping to build our reach and leverage.

In line with emergency resolution 2 agreed at the 2012 Congress, a broad group including UNISON, PCS, NUJ, Alliance for Jobs and Climate, Campaign against Climate Change, We Own It, ACT and the National Pensioners Convention has been convened to take forward joint activity on the campaign for public ownership of our railways. The battle for the future of the East Coast Main Line will be one of the key objectives for this group and it has been good to see the Labour Party publicly joining forces on this.

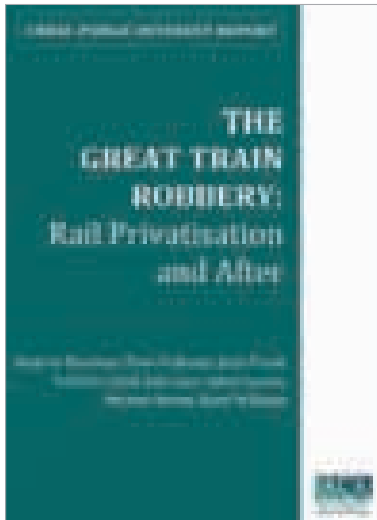


Action for Rail has also undertaken targeted activity fighting cuts to staffing on trains and stations with groups of passengers who will be particularly affected. This has included partnership with the National Federation of Women's Institutes raising concerns about the impact on women's safety. We have also worked with disabled and older passengers, represented by the National Pensioners' Convention, Disabled People

against Cuts and Transport for All, highlighting the impact of de-staffing on passengers with mobility issues. Our survey found that over 80 per cent of disabled passengers said that unstaffed stations and trains would make travel difficult and over 25 per cent had suffered abuse or hate crime while travelling on trains. Our delegation to Westminster of disabled and older passengers told the rail minister Norman Baker that staff cuts were completely unacceptable.

## Chapter four

# Good services and decent welfare



Damning evidence on the record of rail privatisation was presented in *The Great Train Robbery*, a report produced by the CRESC team at the University of Manchester, part funded by the TUC. Their analysis showed how rail privatisation had failed to deliver on its promises, with increased public subsidy, higher fares, older trains and virtually no new private investment. At the same time, it showed that all the TOCs were net recipients of public money through direct and indirect subsidies. The widespread and positive media coverage this report generated reflected the increased interest in debates on the nature of privatisation this year. *The Great Train Robbery* is a resource that adds to the work that Transport for Quality of Life produced in their *Rebuilding Rail* report, commissioned by ASLEF, RMT, TSSA and Unite the previous year.

The battle for public ownership of the railways is there to be won, with increased public antipathy to the failed franchising system and an increasingly sympathetic ear in media and political circles. However, there is much to be done. Action for Rail will continue to campaign with other partners, including the Labour Party, to keep the East Coast Main Line in public hands but to also fight privatisation on other lines, including the commuter franchise Thameslink, Southern and Great Northern (TSGN), carrying up to a third of UK passengers, which is due to be awarded in Spring 2014. We will continue to work with partners in the European Transport Federation (ETF) to fight the Fourth Rail Package in Europe, which threatens any alternative proposals for a publicly owned railway which puts passengers and taxpayers before private profits.

Communities around the country have continued to lose out on bus services as a result of government cuts to local authority funding. According to the Campaign for Better Transport, one in five local bus services were withdrawn by local authorities last year and 40 per cent of funding for bus services was due to be cut. A further cut of 10 per cent to local authority funding announced in the June 2013 Spending Review means that this situation is unlikely to change in the years ahead.

However, there was some welcome news with the announcement that the Bus Service Operators Grant (effectively a grant paid to operators to maintain non-profitable services and keep fares down) is to be maintained and ringfenced until 2017, testament to the work of the Save our Buses campaigners at the Campaign for Better Transport and trade unions to ensure that the vital role of buses in our local communities is kept near the top of the political agenda.

# 5 Chapter five

## Respect and a voice at work

- 5.1 Introduction
- 5.2 Employment rights
- 5.3 Employment rights internationally
- 5.4 Equality at work
- 5.5 Women's equality
- 5.6 Race equality
- 5.7 Disabled workers
- 5.8 Lesbian, gay, bisexual and transgender workers
- 5.9 Young people
- 5.10 Health and safety
- 5.11 Learning and skills



# Chapter five

## Respect and a voice at work

### 5.1 Introduction

Over the past year we have seen a continuation of the government's attack on the rights of workers. They have led the charge against any kind of 'social Europe' have reduced protection against unfair dismissal and redundancy and sought to make it harder to enforce rights by introducing fees for employment tribunals and changing the rules on compensation for injury.

Protection against discrimination has also been under threat with further cuts to the budget of the Equality and Human Rights Commission, the repeal of key provisions of the Equality Act, and a review of the Public Sector Equality Duty.

The government has also continued its attempts to remove or weaken health and safety regulations and reduce the level of inspections.

Yet unions and the TUC were at the forefront of the campaign for a voice at work and the General Council had some success in resisting some of the attacks on equality and employment rights, both in the UK and internationally.

### 5.2 Employment rights

#### Government attacks on employment rights

In 2012/13, the government continued its attack on employment rights. Most proposals were inspired by the Beecroft Report and were based on the ill-founded belief that cuts in employment protection would generate growth.

Many of the changes were included in the Enterprise and Regulatory Reform Act (ERRA 2013) which received royal assent on 25 April 2013. The TUC prepared briefings for MPs and Peers during the parliamentary stages of the bill.

The General Council resisted the government's proposals, in line with composite 3 adopted at Congress 2012. They argued that stripping away employment rights would do nothing to stimulate growth or to create new jobs. Rather it would increase job insecurity, lead to downward pressure on pay and conditions and increase in-work poverty.

The government's reforms have focused on three principal themes:



#### (i) Making it easier for employers to sack staff

Since 2010 the government has sought to weaken unfair dismissal rights. In April 2012 the qualifying period for unfair dismissal cases was extended from 12 months to two years. TUC research revealed that this would strip away dismissal protections from nearly three million UK employees and would disproportionately affect BME and young workers.

The government has also legislated to reduce the cap for compensatory awards in unfair dismissal cases. The new cap is based on an individual's annual salary and is subject to an overall limit of £72,400. Responding to the BIS consultation on *Ending the Employment Relationship*, the General Council opposed the proposal, arguing it would disproportionately affect older workers.

In summer 2012 the government announced it would withdraw its proposal for no-fault dismissals in micro-firms, following strong opposition from trade unions and some employers' organisations, including the CIPD. Nevertheless, the government legislated to make it easier for employers to use settlement agreements to end individuals' employment. Under section 14 of ERA 2013, employers are free to offer an individual a sum of money in return for their agreeing to sign a settlement agreement (formerly known as a compromise agreement). While employees can refuse the offer, many will be fearful that if they remain in work they will be victimised and bullied. The offer and any conversations will remain confidential and cannot be used in an unfair dismissal claim, unless an employment tribunal decides that the employer behaved improperly. The General Council labelled the new rules *Beecroft-lite* as they would encourage employers to sack staff for arbitrary reasons and without following a fair dismissal procedure.

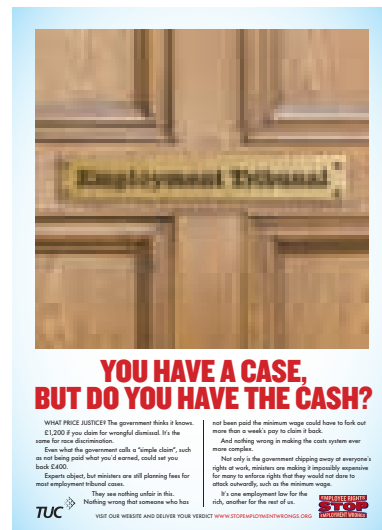
In February 2013, Acas consulted on a draft Code of Practice on Settlement Agreements. Following representations by the TUC, the Code advises employers to permit individuals to be accompanied by a union representative or colleague in any meetings to discuss settlement agreements. The new rules on settlement agreements came into effect on 29 July 2013.

### ***(ii) Removing redundancy and Transfer of Undertakings (Protection of Employment) Regulations (TUPE) rights***

In 2013, the government significantly weakened unions' rights to consultation on collective redundancies. On 6 April the government halved the minimum period of consultation in mass redundancies affecting 100+ employees from 90 to 45 days. In reaching this decision the government disregarded extensive evidence submitted by the General Council which demonstrated how consultation arrangements had been used by employers and unions to avoid redundancies during the recession in the private sector. The government also excluded employees on fixed-term contracts which had reached the end of their term from consultation rights.

In 2012/13 BIS consulted on changes to the TUPE Regulations including:

- ▶ the removal of service provision change (SPC) rules
- ▶ increased flexibility for employers to reduce pay and conditions following a TUPE-transfer
- ▶ a one year limit on the application of collective agreements following a transfer
- ▶ weakened dismissal protections for outsourced staff.



The General Council argued that the government's proposals would breach the Acquired Rights Directive and would lead to an erosion of outsourced workers' pay and conditions, growing inequality and in-work poverty. The removal of the SPC provisions would increase risks and uncertainty for businesses.

### ***(iii) Limiting access to justice***

The introduction of fees for employment tribunal users is predicted to have a major impact on the ability of individuals to enforce their workplace rights. In July 2012 the Ministry of Justice (MoJ) announced that individuals bringing a claim for non-payment of holiday pay or the national minimum wage (NMW) would have to pay up to £160 to submit their claim and a further £230 to go to a hearing. In unfair dismissal or discrimination cases individuals would need to pay up to £1,200 for their claims to be decided by a tribunal.

## Chapter five

# Respect and a voice at work

The General Council argued that the proposed fees were excessive and would price many low-paid workers out of justice. The government's belief that the proposed remission scheme would protect access to justice for those on low incomes was misplaced. TUC research demonstrated many individuals paid at NMW rate would be required to pay up to £345 to go to an employment tribunal.

In April 2013 the MoJ consulted on proposals which would further restrict entitlements to remissions. Under the new proposals, where an individual or their partner has savings or investments worth £3,000, they would not be entitled to any remission. Responding, the TUC argued this rule would exclude nearly half of all UK households from remissions and 39 per cent of couples with children.

In June 2013 the government tabled legislation on fees in Parliament. UNISON has applied for a judicial review on the grounds that the government's fees proposals would severely limit access to justice and failed to comply with EU law.

UNISON has applied for a judicial review on the grounds that the government's fees proposals would severely limit access to justice and failed to comply with EU law.

### *iv) Statutory enforcement agencies*

The government has taken steps to weaken statutory enforcement agencies, including the Gangmasters' Licensing Authority (GLA). In May 2012, the government announced that the GLA should take a 'light touch' on regulation and should no longer automatically inspect all licence applicants. The TUC, national food retailers, labour providers and the Ethical Trading Initiative have strongly resisted these proposals, preparing joint responses and lobbying government ministers. Responding to a GLA consultation, the TUC argued that the government's proposals could see as many as one in five non-compliant gangmasters being granted licences.

In April 2013, Defra consulted on restricting the scope of the GLA and streamlining the GLA board. Responding, the General Council argued against the proposed restriction of the role of the GLA. Rather, the Authority's remit should be extended to include construction, hospitality and social care. It was also important that key stakeholders should retain the right to nominate board members. During 2012/13 four trade union representatives have served on the board: Hannah Reed (TUC), Cath Speight (Unite), Steve Kemp (GMB) and John Gorle (Usdaw).

In line with resolution 16 adopted at Congress 2012, the General Secretary (Brendan) wrote to the Lord Chancellor expressing serious concerns at proposals for hidden courts contained in the Justice and Security Bill.

In April BIS consulted on the future of the Employment Agencies Standards Inspectorate and on proposals to streamline the Conduct Regulations which regulate employment agencies and businesses. Responding, the General Council argued that agency workers were among the most vulnerable in the UK labour market. It was therefore essential that effective regulations and enforcement were retained to protect them from exploitation.

### **"Trading rights for shares"**

At the 2012 Conservative Party Conference, the Chancellor unveiled highly controversial proposals to permit employers to trade employment rights, including unfair dismissal protections and statutory redundancy pay, for shares valued at between £2,000 and £20,000. These proposals were vigorously opposed by the TUC and received a lukewarm response from the business community.

Following extensive lobbying by the TUC, the government suffered a defeat on the proposal at report stage in the House of Lords. The proposal was subsequently voted through after the government conceded additional safeguards, including the requirement that individuals must receive independent advice before agreeing to become an 'employee shareholder'.



## Agency workers and zero hours contracts

The mistreatment of agency workers continued to be an issue of major concern for the General Council.

In line with Congress policy, during 2013 the TUC complained to the EU Commission that the UK government had failed to implement the Temporary Agency Worker Directive properly. The grounds of the complaint included that the definition of pay used in the Agency Worker Regulations (AWR) was too narrow and that employers and agencies were able to exploit rules relating to pay-between-assignment contracts to avoid paying agency workers equal pay.

The General Council also expressed serious concern at the sharp increase in the use of zero hour contracts, including in the public sector. The General Council called on the Secretary of State to use the BIS review to end the exploitation of zero hours contract workers.

## Trade union rights

The TUC continued to campaign to protect and promote trade union rights, including the rights to strike and to bargain collectively. The TUC actively supported affiliates in making applications to the European Court of Human Rights (ECtHR), that UK industrial action law failed to comply with Article 11 of the European Convention on Human Rights. In November the TUC and ETUC made a joint submission in support of the RMT case. In this case, the RMT was arguing that UK legislation on industrial action notices and the complete ban on all forms of solidarity action failed to comply with Convention rights to freedom of association.

In April 2012, the TUC and ETUC made a joint submission in support of the POA complaint relating to the ban on industrial action by prison officers and the absence of collective bargaining or an independent mechanism for determining pay for prison officers. In May 2012, the ECtHR ruled that the POA case was inadmissible on the grounds that the complaint had already been determined by the ILO Freedom of Association Committee.

## Acas early conciliation

From early 2014, all individuals will be required to apply to Acas for early conciliation before they can submit a claim to an employment tribunal. Failure to do so will mean that an individual cannot subsequently make an employment tribunal claim.

In January 2013 BIS consulted on draft regulations which would implement the early conciliation scheme. Responding, the General Council supported early conciliation as a means of resolving disputes early. However they expressed concern that the regulations could generate satellite litigation and inadvertently limit access to justice. Concern was also expressed at the difficulties of applying early conciliation to multiple cases. The TUC argued that those jurisdictions which regularly resulted in multiples should be excluded from the scheme. It was also essential that union members were able to identify their union rep on the early conciliation form.

☐The TUC complained to the EU Commission that the UK government had failed to implement the Temporary Agency Worker Directive properly.☐

## Employment tribunals

In July 2013, substantial changes were made to employment tribunal rules and procedures, following recommendations from the Underhill review. In November 2012, the TUC responded to a BIS consultation on the proposed changes. The response expressed serious concerns at some measures, including plans to give employment judges increased powers to strike out claims.

Hannah Reed continued to represent the TUC on the Employment Tribunals National User Group.

## Vulnerable workers

The TUC has campaigned for better enforcement of workplace rights for vulnerable workers in accordance with resolution 7 from the 2012 Congress, including the retention of the Employment Standards Inspectorate and for an expanded remit of the Gangmasters' Licensing Authority.

## Chapter five

# Respect and a voice at work

The TUC is also gathering evidence of the extent and nature of casualisation in both the private and public sectors, including the increased use of agency workers and the sharp rise in the use of zero-hours contracts. The TUC has gathered case studies and has developed an online survey of workers employed on zero-hours contracts. We also plan to carry out focus groups involving precarious workers. This evidence will help to inform future campaign activities.

### Whistleblowing

In the New Year, Public Concern at Work announced that it was going to conduct a review of the law and employers' practices with regard to whistleblowing policies and make recommendations to improve both. Sarah Veale, TUC, was invited to join the advisory group that was to be set up to steer the project.

In June the TUC submitted a response to the review, arguing that the recent reforms had weakened legal protection for whistleblowers and should be reversed.

### Better regulation

The previous government set up a new body, the Regulatory Policy Committee (RPC), to promote better regulation and to scrutinise proposed new regulation to ensure that it was supported by effective impact assessments, covering both the benefits and the costs. Sarah Veale, TUC, was appointed to serve on the RPC. The first RPC Report was published in July 2010 and the most recent one in July 2013.

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

### Union networks

During 2012/13, the TUC continued to arrange regular meetings with the Union Legal Officers Network and the Working on the Edge Group. The TUC also regularly met union policy officers to discuss responses to government consultations.

## 5.3 Employment rights internationally

### Social Europe

Social Europe has come under attack from many fronts: at European level, with the European institutions inadequately grappling with the crisis, and national level, with the Prime Minister's speech on Europe in January, which clearly singled out workers' rights as an area that his government would attempt to repatriate from Brussels. Frances O'Grady gave a speech on social Europe and workers' rights at the ETUC 40th anniversary conference (as reported further below), firmly rebutting the Prime Minister's speech when he spoke of the possibility of a referendum on EU membership, which the TUC considered as a false choice between a reformed Europe that had lost its social dimension and the status quo.

☑The TUC is also gathering evidence of the extent and nature of casualisation in both the private and public sectors, including the increased use of agency workers and the sharp rise in the use of zero-hours contracts.☑

Last summer the government also launched a Balance of Competences Review, which looks at all EU powers and their relation with national ones under each government department. The TUC made representations to the government disagreeing with the premise and the potential use of the outcome of the exercise. Nevertheless, the TUC is responding to various calls for evidence on the EU Internal Market, stating that it should never take primacy over workers' rights; on EU development cooperation; EU transport, trade and climate change policies; and on EU asylum and immigration as well as free movement of persons.

## In 2009, the ETUC and European employers' organisations negotiated a social partner agreement on inclusive labour markets, promoting best practice.

In line with resolution 78 on the subject from the 2012 Congress, the TUC has continued to work with the ETUC towards a legislative response to the Viking and Laval cases, in the shape of a social progress clause. This would stipulate that where there is a conflict between fundamental social rights (including the right to strike) and economic freedoms (including the provision of services across borders and the right to establishment in another EU member state) fundamental social rights would take precedence. In November, the TUC met a delegation from our Swedish equivalent, LO, to discuss how to achieve the objective of a social progress clause, and in April the ETUC contributed to the various roadmaps on the future of Europe that were under consideration at the European Council. In particular, on the roadmap for the social dimension of the EU, the ETUC and TUC have reiterated that this must be grounded in the respect for fundamental social rights – as included in the Charter as well as in international instruments such as ILO conventions – and in the improvement of living and working conditions.

### Social dialogue

The European social partners' joint work programme (2012–2014) contained a commitment to develop a shared vision concerning the consequences of European economic governance and to develop recommendations. This process started in January and concluded in June with the adoption of a joint declaration. The social partners called on the European institutions and the member states to consult better and integrate the social partners (at European as well as national level) in the process of European economic governance that monitors countries' budgets and issues recommendations for national reform programmes and jobs plans. Elena Crasta represented the TUC in the negotiation of this joint text.

Negotiations on a framework of actions to deal with youth employment started in September and concluded in April. The framework addressed four priorities: learning, transition, employment and entrepreneurship. Against each of these are actions for the social partners and recommendations for the European Commission. Carl Roper and Elena Crasta represented the TUC in these negotiations.

In December negotiations on the revision of the working time directive broke down because it had not been possible to find a compromise between the social partners, in particular on the issue of on-call and the individual opt-out – the two sides' positions being too irreconcilable. The existing 1993 directive continues to apply and it is now up to the European Commission to come up with a legislative proposal for revision. Paul Sellers (TUC) and Gloria Mills (UNISON and ETUC women's committee vice-president) were part of the negotiating team.

In 2009, the ETUC and European employers' organisations negotiated a social partner agreement on inclusive labour markets, with the aim of promoting best practice. In 2012 a web-based guide to good practice was drafted and it was finalised this summer. The launch is planned for November.

### European Works Councils

The TUC has been involved in several conferences/projects run by the ETUC and the Italian confederation CGIL on European Works Councils (EWCs). The purpose of these activities has been two-fold. Firstly, there is a continuing examination of the recast EWC directive as the final transpositions have been completed and are bedded down. Secondly there is an increasing interest in EWCs and other examples of transnational worker-based information and consultation bodies, in helping foster greater corporate social responsibility, particularly in company restructuring and responsible investment. The TUC has continued to support ETUI EWC training and offer advice to affiliates on EWCs.

## Chapter five

# Respect and a voice at work

📌 **Guy Ryder of the ILO and Frances O'Grady at Congress last year. The TUC continues to support the ILO in its aim of securing decent work for all**

### European Economic and Social Committee

The Committee is composed of employer and worker representatives plus representatives of various interests. It meets nine times a year in plenary session to consider opinions prepared in response to Commission proposals, Council requests, or on its own initiative. These opinions are prepared by study groups which report first to one of six specialised sections. The TUC-nominated members of the Committee during the past year have been Christine Blower (NUT), Sandy Boyle (Unite and STUC), Peter Coldrick (TUC), Nick Crook (UNISON), Brian Curtis (RMT and Wales TUC), Judy McKnight (Napo), Monica Taylor (Unite), and Kathleen Walker-Shaw (GMB). In April 2013 Henri Malosse (France, employers@group) was elected Committee president for the coming two and a half years. Georgios Dassis (GSEE, Greece) has continued as president of the workers@group. The Committee has continued to be very critical of austerity strategies, and while supporting Economic and Monetary Union it has urged that it be given a true social dimension and that growth and not just stability policies be pursued. The Committee has actively worked for a financial transaction tax as well as proposals for green growth, supported the further development of an EU energy market partly to keep prices in check, and urged that much stronger guarantees be given to young people that they will be able to find decent work.



### Global labour standards

Guy Ryder formally assumed his role as director general (DG) of the International Labour Organization (ILO) in September. He has acted rapidly to implement his election commitments to reform the ILO structure and develop outcome-based priorities which will enable the ILO to deliver on its core mandate to secure social justice and decent work for all. The TUC representative on the ILO governing body, Sam Gurney, strongly supported this reform process during the governing body meetings in November and March.

Following a UK employer-led attack on the supervisory mechanisms of the ILO, the TUC welcomed the emphasis on the need for the ILO to retain its role as the organisation which produces authoritative conventions and recommendations covering all aspects of the world of work. The Rana Plaza factory collapse in Bangladesh emphasised the need for the ILO to be more proactive in securing the enforcement

of its standards by engaging directly with enterprises to support initiatives such as cross-border social dialogue involving multinational enterprises and global union federations.

Following the failure in 2012 of the Committee on the Application of Standards to discuss the most urgent cases of violations, due to the employers group refusal to recognise the right to strike under convention 87, it was seen as a step forward that this year a full list of 25 cases was heard. The list included countries of key concern to the TUC such as Bangladesh, Fiji, Greece, Guatemala, Swaziland and Uzbekistan. The TUC was represented by Amanda Brown from the NUT who spoke on a number of cases, including Greece and Swaziland. However, the underlying dispute with the employers on the role of the ILO's independent Committee of Experts continues and will need to be resolved before next year's conference.

Although there were no standard setting items on this year's conference agenda, good progress was made in setting out work-plans for the ILO and national level constituents in the three main conference committees. These were focused on sustainable development, decent work and green jobs where the TUC was represented by Graham Petersen of UCU; employment and social protection in the new demographic context covered by Rosa Crawford from the TUC; and the recurrent discussion item on social dialogue which was covered by Sam Gurney from the TUC. The workers group at the ILO will now use the conclusions to push for standard setting at future conferences on issues such as just transition and labour rights in global supply chains.

The conference also marked the 20th anniversary of the founding of the ILO International Programme for the Elimination of Child Labour (IPEC). The TUC representative on the ILO governing body acted as spokesperson for the workers group in the IPEC steering committee and, while praising the work of the programme to date, stressed the need for IPEC to work directly with governments to put in place sustainable systems focused on long-term elimination of all forms of child labour and to increase its work at national level with workers' and employers' organisations.

A unanimous conference decision saw the lifting of the last ILO sanctions against Burma.

Over the course of the year the workers group has continued to call for the establishment of new committees of inquiry into Bahrain and Guatemala and at the end of the June conference tabled a demand for a commission on Fiji. The TUC is a signatory to all three requests and has continued to lobby the UK government and others for support.

### Forced labour

Just as the UK finally realised that there was nothing in UK law prohibiting forced labour and servitude, leading to the Coroners and Justice Act 2009, similar realisations are occurring in other countries leading to new legislation. In addition, there is a growing awareness that within developed economies forced labour is not largely confined to prostitution. The ILO has estimated that 70 per cent of forced labour victims in the EU are being used for labour, while only 30 per cent are victims of sexual exploitation. These factors have significantly increased interest in this problem among unions. Accordingly the TUC has participated in various meetings and conferences on the subject attended by academics, NGOs, unions and state agencies. Among these events was the seminar held by the Spanish union confederation UGT on the subject in Madrid. The TUC also participates in the Home Office's sub-group on forced labour.

### Domestic workers

The TUC continues to press the government to ratify ILO Convention 189 on domestic workers. This year has seen the steady ratification of the convention by countries throughout the world but most notably by Italy and Germany. In pushing for UK ratification the TUC is working with a variety of organisations including Unite, Justice for Domestic Workers, Anti-Slavery International, the ILO, ITUC in its 12-in-12 campaign, and Kalayaan. Our strategy has in part been to challenge the government to justify its refusal to ratify and then rebut the arguments they give. This has taken place both through exchanges of letters with ministers and face to face meetings. The TUC has also taken every opportunity given by EU and international agencies to expose the indefensible position of the British government as well as its retrogressive step in abolishing the visa for overseas domestic workers, which allowed such workers to change employers – thus providing them with a route out of abusive relationships. The TUC will also join with the ETUC in pushing for a directive on domestic workers which at least embodies the provisions of the ILO Convention. The TUC has talked to both the Labour and Liberal Democrat parties on the issue to brief them on why the UK should ratify the convention and to expose the current government's justification to criticism. The TUC has attended events on the convention run by the ILO, ITUC as well as partner organisations within the UK.



## Chapter five

# Respect and a voice at work

### OECD guidelines on multinational enterprises

These guidelines were significantly revised in 2011, incorporating key elements of the UN's work on business and human rights and further aligning the chapter on employment and industrial relations with the ILO Multinational Enterprises Declaration. Notably the new guidelines allow NCPs to be proactive rather than waiting for referrals of abuse. TUAC guidance on the new guidelines is being rolled out as they are translated into different languages, and workshops on them are taking place across the globe. The TUC has produced an introduction to the guidelines and will run a briefing for affiliates in the autumn. Lord Bill Jordan continues to represent the TUC on the steering committee of the UK National Contact Point, supported by the TUC office.

### 5.4 Equality at work

#### Public Sector Equality Duty

The TUC has worked with affiliates and voluntary and community sector organisations in accordance with resolution 18 to ensure that the government's review of the Public Sector Equality Duty does not abolish or weaken it.

The TUC has pressed for full union involvement in the review process, including union representation on the review panel, and the involvement of workplace reps in the site visits under the review. Both requests were rejected by the government. The Government Equalities Office (GEO), leading on the review, did agree to attend a TUC-hosted roundtable of unions.



# £17m

The EHRC's current core budget is **£17m**, already a drastic reduction from £70m when it was established in 2007

The TUC established a working group of affiliates and commissioned a survey conducted by the labour research department into union usage of the Equality Duty. It shows that the duty has helped unions to make employers take equalities serious, especially to reduce the disproportionate impact of cuts on women, and BME and disabled workers.

But in far too many cases public bodies are not doing enough. As a TUC briefing paper on the PSED and its consultation response makes clear, this has not been helped by the failure of government to enact the EHRC's Statutory Code of Practice, government hostility towards equality standards and impact assessments more generally, and the loss of staff responsible for enforcing the duty.

The TUC also pressed the case with the responsible minister and has been working with organisations under the umbrella of the Equality and Diversity Forum (EDF) on joint campaigning and lobbying of government and Parliament.

#### Equality and Human Rights Commission

The TUC continues to press for an effective EHRC against the backdrop of heavy budget and staffing cuts and government restrictions on its independence in accordance with resolutions 17, 18, 19, 20 and 24.

The TUC hosted a roundtable of unions and key organisations in late 2012 looking at how to 'future proof' the EHRC's work. Out of that meeting the TUC coordinated a joint letter with 46 union and voluntary and community sector organisations in early 2013 calling on the EHRC to strengthen its work with civil society and its relationship with Parliament.

There has been some progress. After the UN raised concerns about the EHRC's independence in late 2012, the EHRC was able to negotiate a less restrictive framework agreement with government, but strict financial controls are still in place, especially over the use of programme funding. Further, the government has proposed further cuts to the EHRC's current core budget of £17m, already a drastic reduction from £70m when it was established in 2007.

The government also attempted to repeal the general duty of the EHRC 'its legal mission statement' but was defeated in the House of Lords after heavy lobbying of peers by civil society groups, including the TUC and affiliates.

The TUC has also been working with the EHRC on key priorities including possible work around pregnancy discrimination, and follow-up work on vulnerable workers, among a range of other areas, in accordance with resolution 7 at the 2012 Congress.



A new EHRC chair, Baroness Onora O'Neill, was appointed in 2012 and Sarah Veale of the TUC was appointed as a Commissioner in early 2013.

### Shared parental leave

The government is legislating for a system of shared parental leave (SPL) and pay which will allow a mother to end her maternity leave and pay early and share it with her partner on a more flexible basis. It is also extending similar leave entitlements to those becoming parents through adoption or surrogacy.

In consultation responses, a parliamentary briefing and lobbying at ministerial level, the TUC has broadly welcomed the plans but has pressed for a range of measures to support parents and improve the poor anticipated take-up rates.

Working in partnership with unions, and organisations such as Working Families and Maternity Action, the TUC has pressed for day one eligibility for parents, improving the poor statutory rate of pay and a reserved period of leave for fathers/partners. The TUC published an analysis on Father's Day which showed that less than one per cent of eligible fathers or partners take additional paternity leave – the entitlement that SPL is effectively replacing.

The TUC has also been lobbying to strengthen the right of mothers and partners to return to work, and to allow partners to take reasonable and paid time off to attend ante-natal appointments. The TUC is also working with Acas on guidance on breastfeeding rights at work after a coalition of organisations, led by Maternity Action and including affiliates, secured a commitment in this area.

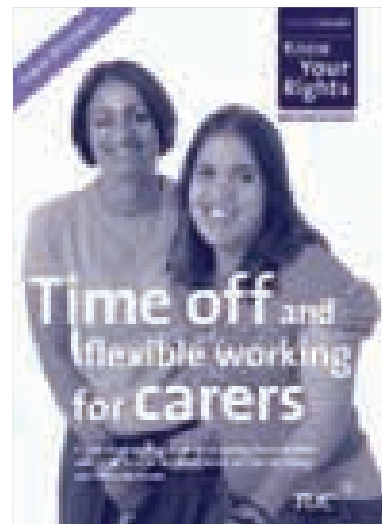
### Flexible working

The TUC welcomed the proposed extension of the right to request flexible working, but regretted that this is limited to employees with at least 26 weeks of service.

The TUC also raised concerns at the replacement of the statutory procedure to consider requests with an Acas code of practice, and the weakening of the right of appeal for employees. This was done through parliamentary briefings, a consultation response and through the TUC's position on the DWP's flexible working group tasked with developing the draft.

### The Equality Act 2010

The government has repealed key provisions of the Equality Act 2010 including: employer liability for third party discrimination, and statutory discrimination and equal pay questionnaires. In meeting resolutions 18 and 19 the TUC briefed parliamentarians to oppose these repeals given the negative impact they will have on victims of discrimination. The TUC has been engaging with Acas to ensure that its proposed non-statutory questionnaire is credible enough for unions to use.



The government has introduced a requirement for employers breaching equal pay laws to conduct an equal pay audit. The TUC submitted its response to a consultation on the audits, arguing that, while the law is welcome, it would be far more effective to require audits to be done proactively as envisaged by section 78 of the Equality Act 2010, which has never been enacted by the government. Instead, it is relying mostly on a voluntary scheme which has had poor levels of take-up, especially on addressing equal pay.

The TUC has also briefed parliamentarians to oppose the repeal of the power for employment tribunals to make wider recommendations to employers found to have unlawfully discriminated, put forward in the Deregulation Bill. The power is a helpful tool to weed out discrimination rooted in workplace cultures or policies.

The TUC produced a briefing and spoke at a wide range of union events on these changes to the Equality Act and how unions can respond to them in bargaining and campaigning.

# Chapter five

## Respect and a voice at work

### 5.5 Women's equality

Chaired by Pat Stuart, the Women's Committee has continued its work promoting gender equality in the workplace, in line with Congress and Women's Conference resolutions. The Women's Committee has continued to focus on the impact of cuts on women, in particular on issues facing older women at work, employment rights, violence against women, and occupational segregation.

#### Women and the cuts

In the TUC's work on public service cuts and reforms we have consistently highlighted the way in which women have been hardest hit by the combination of job cuts, attempts to change terms and conditions, and cuts to public services.

In lobbying and campaigning on the issue of public sector pay, we emphasised the impact this would have on women.

A half-day conference was organised by the TUC in September 2012 called Women, Work and Benefits. Speakers included academics from the Women's Budget Group and representatives from Child Poverty Action Group, Coventry Women's Voices and Gingerbread. The conference sought to explore how women's position in the labour market had been affected by economic crisis and how proposed welfare reforms might create new barriers to women in the labour market.

The TUC also embarked on a project to highlight a range of issues facing women over fifty in the workplace.

A report on women in the economy was also produced in the autumn of 2012 and was widely circulated to unions. The report highlighted the rise in women's unemployment since the beginning of the recession as well as the rise in under employment and involuntary part-time work among women.

The TUC continued to work closely with and support the work of the Women's Budget Group, whose gendered analysis of government fiscal policy is widely respected and is often cited by unions, MPs, and journalists.

#### Older women and work

At the 2012 Women's Conference, there were several motions relating to older women in the labour market. The resolutions covered a wide range of issues affecting older women, from the impact of the change from RPI to CPI indexing of pensions, to the change in the state pension age, to age discrimination in the workplace and the increasing caring responsibilities faced by many older women with elderly parents and grandchildren as social care and childcare become increasingly unaffordable.

In addition to its ongoing policy and campaigns work on pensions, the TUC also embarked on a project to highlight a range of issues facing women over fifty in the workplace. The campaign has four strands: pay, labour market issues, caring, and health.

Through a blog, social media presence, media work, reports, and briefings to unions, as well as surveys and focus groups, the Age Immaterial campaign has researched and raised awareness of several issues facing women over 50 in the workplace including: a wide gender pay gap, low pay and occupational segregation, multiple discrimination faced by older women particularly older BME women and older disabled women, women being 'managed out' on competency/health grounds, problems faced getting back into the labour market by women over 50 who lose their jobs, and the lack of leave or flexible working available to grandparents who are often juggling childcare and work.

The Age Immaterial campaign has involved building relationships with organisations such as Carers UK, Grandparents Plus, Age UK, and The Age and Employment Network (TAEN).

#### Pregnancy discrimination

In line with the TUC's campaign priorities, new work to tackle pregnancy discrimination is in development. Over the course of the past year, the TUC has worked with Maternity Action and supported and provided funding to the Valuing Maternity campaign, which seeks to raise awareness of pregnancy and maternity discrimination. The TUC has also worked with a number of organisations in the Alliance Against Pregnancy Discrimination to support Acas and the EHRC in developing joint guidance on pregnancy and maternity rights in redundancy situations.

## Violence against women

In accordance with Congress resolution 22, Saving Lives, Supporting Women, the TUC has continued to work closely with the End Violence Against Women (EVAW) coalition over the course of the last year. Rights of Women, whose campaign work on legal aid cuts is cited in resolution 21, is also a member of the EVAW coalition. As a result of campaigning from such organisations, and a defeat in the House of Lords, the government was forced to relax the stringent requirements that it was proposing for victims of domestic violence who were seeking access to legal aid.

In line with a 2012 Women's Conference resolution, which called for TUC resources and training on violence against women in the workplace, this work is now underway.

The TUC has supported the work of regional TUC offices in producing local guides to domestic and sexual violence services. The TUC will continue to support the work of affiliates in addressing sector specific issues of violence against women, such as violence against women at sea, or violence against women working in betting shops, as debated at the TUC Women's Conference in previous years.



## Representation of women in unions and in public life

### *Building links with the voluntary sector*

The TUC has continued to work closely with a wide range of women's voluntary sector organisations, including the Fawcett Society, the Women's Budget Group, Maternity Action, Abortion Rights, the Women's Resource Centre, and EVAW. The TUC has also forged new links with organisations which had not traditionally worked with the trade union movement such as the National Federation of Women's Institutes. The TUC has worked closely with UK Feminista over the course of the past year, supporting its lobby of Parliament and feeding into and helping to disseminate a series of short films produced by UK Feminista on various feminist issues, including women and work. The founder of UK Feminista, Kat Banyard, addressed the TUC Women's Committee in May 2013.

### *Women in unions*

The year since the 2012 TUC Women's Conference has seen an increase in women representing the trade union movement to the outside world, largely due to the fact that a woman general secretary is leading the TUC for the first time in its 140-year history and the Presidency of the TUC is also currently held by a woman. There has been significant media interest in the new general secretary and this has led to an increase in media profile for women trade unionists and a renewed interest in the role of women in the trade union movement.

In order to better understand and overcome occupational segregation in the Apprenticeships system, unionlearn has commissioned academic research into how women and ethnic minorities are served by the Apprenticeships system. The research will consider issues of occupational segregation and barriers to women considering a career in science, engineering and technology (SET) sectors. Another unionlearn project on technician pathways is also looking at ways that unions and employers might encourage more young women into science, technology, engineering and mathematics (STEM) careers.

# Chapter five

## Respect and a voice at work

### *Women on boards*

In line with a TUC Women's Conference resolution, the TUC has given evidence to the European Commission consultation on the issue of the under-representation of women on boards and has also given written and oral evidence to the House of Lords Select Committee on the European Union (Internal Market, Infrastructure, and Employment, Sub Committee B). The TUC's policy position is to support the introduction of a 40 per cent quota for women on boards, as well as supporting the 'softer' approaches advocated by the Davies Review such as mentoring programmes, more transparency in board recruitment processes, and changing the working practices of executive search agencies. The TUC welcomes the progress made by Lord Davies on this issue but believes that non-mandatory measures do not go far enough. The only example of a country which has achieved significant change to the gender balance of boards is Norway which achieved rapid and significant change through the introduction of quotas.

### **CEDAW – UN Convention for the Elimination of Discrimination Against Women**

Over the course of 2012–13, the TUC has engaged with the shadow reporting process to the UN Convention for the Elimination of Discrimination Against Women. The TUC has engaged with the two main shadow reports coordinated by the EHRC and the Women's Resource Centre (WRC). The TUC attended the information gathering sessions and has provided written reports on women in the labour market and women in education for the WRC shadow report. The TUC was represented at an initial meeting between the UN CEDAW Committee and NGOs in Geneva in 2012.

### **Abortion Rights**

The TUC has continued to support the work of Abortion Rights through affiliation and by speaking at and hosting events. In June 2012, the TUC held a workshop at the Netroots conference on the challenges and opportunities presented by online activism to the pro-choice movement.

The TUC has also developed a good working relationship with other pro-choice organisations over the course of the last year, including the British Pregnancy Advisory Service, Education for Choice, and the Bloomsbury Pro-Choice Alliance.

### **5.6 Race equality**

The Race Relations Committee (RRC), chaired by Gloria Mills, has continued to work on a range of race equality issues, prioritising its efforts to improve the organisation and recruitment of black workers. The Committee has focussed on the effects of public spending cuts on black workers and the black community.

The TUC has continued to lobby the government through the Ethnic Minority Advisory Group (EMAG) which has been reconstituted as the Ethnic Minority Employment Stakeholder Group (EMESG) with a reduced membership. The group continues to be sponsored by the Department of Work and Pensions. Wilf Sullivan, TUC, and Collette Cork-Hurst, Unite National Officer and a member of the TUC Race Relations Committee, were re-appointed to EMESG.

In pursuance of 2012 Congress resolution 23 'Stephen Lawrence's Legacy', the RRC has undertaken a review of the recommendations of the TUC Stephen Lawrence Task Group. In doing this the Committee decided that the recommendations should be prioritised and examined for their current relevancy. The RRC has decided to develop a strategy around each of the recommendations that it has prioritised, which takes into account who needs to take action, what resources are needed and how the recommendations can be successfully mainstreamed into the work of the TUC and its affiliates.

**📌 Zita Holbourne's painting in support of the Stephen Lawrence Appeal**



In accordance with 2012 Congress resolution 24, 'The continuing fight against racism', the General Council has continued to prioritise work on challenging the far right. The TUC president spoke at the 2013 Unite Against Fascism (UAF) One Society Many Cultures Conference and the TUC is intending to discuss with both UAF and Hope Not Hate how trade unions can help to campaign effectively against the far right in the run up to the 2014 European Elections. All TUC regions and the Wales TUC have been active in challenging the presence of UKIP and/or the EDL in their areas.

The TUC was concerned about a ruling in the European Court of Human Rights (ECtHR) in the case of *Redfearn v United Kingdom*, which had resulted in some affiliates raising questions as to whether the decision had implications for agreements that banned BNP members from employment or may limit employers' willingness to negotiate future agreements. The TUC generally welcomed the approach that the government took, as it avoided contentious debates about extending the provisions of the Equality Act on religion and belief to include political opinion.

In order to carry on the work that affiliates had been undertaking to negotiate bans against BNP activity in the workplace, the TUC has suggested that future trade union collective agreements incorporate a duty to promote equality of opportunity and eliminate discrimination within their conditions of service, in such a way that it becomes a contractual requirement and that affiliates should also consider negotiating a similar clause in employees' job descriptions. This approach may assist employers to take action against those who promote far right views within the course of their work.

The TUC has been concerned about the growth of far right activity across Europe, especially with the formation of the Alliance of European National Movements (AENM) comprising fascist and racist MEPS from the UK, France, Hungary, and Bulgaria, who have been trying to secure funding from the European Union. There has also been alarm about the situation in Greece where support for Golden Dawn has resulted in the creation of a hostile environment for migrant workers. The Greek General Confederation of Labour (GSEE) supported and encouraged members to attend a silent march in Athens on 15 December 2012 against racism and the rise of neo-Nazism. The TUC sent a letter of solidarity via the GSEE to the march.



## Chapter five

# Respect and a voice at work

### 5.7 Disabled workers

The central focus for the TUC's work on disability has continued to be the government's relentless attack on the benefits relied upon by millions of disabled people – including many who are in work – and the consequences of government propaganda for disabled people in general (see Chapter 4).

The TUC has also sought to expose the hypocrisy of government ministers talking about their commitment to disability equality at the same time as driving large numbers into poverty and creating an atmosphere in which (as evidence confirms) hate crimes have been encouraged. The TUC continued to promote the work of the Disability Hate Crime Network and to explain the link with government-inspired media attacks on ‘crougers’ in accordance with resolution 25 at the 2012 Congress. Because of this, the committee recommended the unusual step of turning down an invitation to participate in the government's proposed Disability Action Alliance.

Changes to the Equality Act and the Public Sector Equality Duty, and cuts to the Equality and Human Rights Commission (see above) are having a significant impact on disabled people, who had formed a large proportion of callers to the Commission's helpline. A report from the Commission indicated that some 30 per cent of employers were failing to comply with the ban on pre-employment health and disability questions introduced with section 60 of the Equality Act, and more were ignorant of it. The TUC had strongly supported the ban as a way of reducing the number of disabled job applicants being turned down for discriminatory reasons.



The government also took advantage of disagreements among disabled peoples' organisations on the issue of supported employment to proceed with the shutdown of almost all Remploy factories. The TUC gave full backing to the campaign of the Remploy trade union consortium and is now supporting the establishment of new workplaces as cooperatives or social enterprises.

The Disabled Workers' Committee engaged with the TUC to ensure that disabled people were able to take part in the march on 20 October. The march featured a strong contingent representing the Hardest Hit coalition, while Disabled People Against the Cuts held a parallel protest in Park Lane, London. From the platform, Committee chair Seán McGovern addressed the rally.

The Committee has worked closely with disabled campaigners in resisting austerity in many local and national initiatives. This includes the Transport for All campaign (see Chapter 2).

Analysis of data published by the Office for Disability Issues confirmed that the 2008 recession had been unusual in not disproportionately impacting on the employment rate of disabled people. However, it also showed that the rapid improvement over the previous decade had ended, leaving an employment rate gap of 30 per cent. Within that figure there remain wide discrepancies between impairment groups, with the lowest rates for people with mental health issues and learning difficulties. Among disabled people in work, figures confirmed that significantly more disabled people are working part time. Unions were sent an updated list of resources to help support members with mental health issues.



#### Trade union campaigners at Pride 2013

Unions highlighted the continuing problem of employers misusing sickness absence procedures to dismiss disabled workers, ignoring the good practice recommendation to treat disability-related absence separately. The TUC updated and republished its guidance for unions on this topic and urged the minister to highlight the correct approach of seeing separate treatment (and establishing a disability leave policy) as reasonable adjustments.

The TUC engaged with the consultation on the future of the Disability Committee of the Equality and Human Rights Commission and helped secure its continuation for the next period.

The TUC has also encouraged unions to support the new Disability History Month.

### 5.8 Lesbian, gay, bisexual and transgender workers

The TUC has dealt with a wide range of contradictory developments affecting LGBT people and trade union members.

On the legal front, the decision by the European Court of Human Rights to reject the appeals of Ladele and Macfarlane was welcomed by the TUC insofar as the ruling means that no one is exempt from providing non-discriminatory services to LGBT people. The TUC engaged with the Equality and Human Rights Commission to encourage adoption of this principle in its advice, and also gave continued support to the work of the Cutting Edge Consortium to challenge prejudice within faith groups.



The LGBT Committee has worked to ensure that the impact of government austerity on LGBT communities was understood in the trade union movement but also to generate a response from LGBT activists. Despite much promotional work, this has remained a challenge.

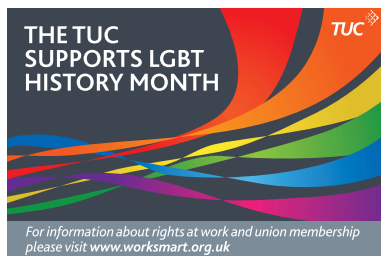
One reason for this has been because the government bill to establish same sex marriage dominated media coverage. The TUC played a continuous part both in supporting the legislation as a further step towards equality and also by lobbying to seek improvements to ensure that existing anomalies (for example, inequality in pension benefits) were removed. The government resisted these changes, but will now consult on civil partnerships in 2014.

The reality for ordinary LGBT people is different from the picture presented by ministers. Unions report continuing workplace problems of bullying and harassment. In education, the freedoms allowed to academies and free schools have undermined the requirements of the public sector equality duty to promote LGBT equality despite TUC pressure on the secretary of state.

Trans people have so far failed to enjoy the same improving public acceptance as LGB people, with appalling cases of harassment and hate crime. The TUC responded strongly to hostile press coverage in the Observer, and then to the tragic death of NUT member Lucy Meadows. The LGBT committee was represented at an international trans forum in the Netherlands. The TUC has also assisted in the setting up of a network for trans trade unionists.

## Chapter five

# Respect and a voice at work



Slow progress continues to be made in challenging homophobia and transphobia in sport, with developments at national level involving the PFA, but also grass roots initiatives encouraged through the TUC sports alliance and organised by campaigners at football clubs, including days of action organised by the CWU. The TUC also promoted a Bournemouth University study confirming that the problem is deep-rooted at school level.

World Pride in 2012 descended into chaos and the TUC played a major role in bringing together community activists afterwards, working with the LGBT Voluntary Sector Consortium to agree a set of basic principles by which those organising Pride in future should abide. Pride 2013 was largely positive and there was high-profile trade union involvement through which the anti-austerity message was vigorously promoted. The same will be done at other Pride events across the country.

International solidarity remains necessary as advances in Europe and the USA are counter-balanced by backward steps elsewhere. The TUC worked closely with the CGT (France) to assist in the development of its own anti-homophobia campaigns, and discussed practical solidarity with LGBT communities in hostile countries. A seminar attended by expert speakers discussed the impact for UK LGBT workers posted abroad, as part of LGBT History Month.

This seminar produced recommendations that will be presented in a revised edition of the TUC guidance, *LGBT Equality at Work*.

Other areas covered included support for the LGBT Domestic Abuse Forum, work with Age UK on LGBT elders, and with the Terrence Higgins Trust on its HIV health promotion campaign.

### 5.9 Young people

A determination to provide a campaigning response to the impact of the coalition's policies on young people, which have intensified over the year, and

respond to resolution 8 from Congress 2012, which called for a more proactive approach to promoting the work and achievements of trade unions to young people, shaped the outlook and work of the TUC Young Workers' Forum (formerly the Young Members' Forum) over the last year.

The effects of government policies on young people were felt in relation to three areas in particular: employment, pay and access to housing.

Rather than helping young people into work, the government's work programme pulled off the unique feat of not just failing in its main purpose of finding young people jobs but, through the element of compulsion, making it more difficult for young people to have the time to seek work. During the year youth unemployment once again crept upwards to near one million and young people faced the bleakest prospect of getting a job for five years. Research published by the TUC in May 2012 found that young people were 10 per cent less likely to be working than before the start of the recession in 2008.

► Lynn Collins, North West Regional Secretary, and actor Ricky Tomlinson show their support for young people in the region



Where young people did manage to find work, all too often it was in short-term, low-paid jobs that often didn't provide the opportunity to utilise their skills and qualifications. Under-employment rates were highest for young people aged 16-24 and almost one in five young people in work found themselves underemployed. Since the start of the recession the number of young people under-employed has risen by around 25 per cent. The Northern TUC has engaged with the Regional Youth Network to locate trade unions as mentors and brokers of good quality work experience.

Even those young people in relatively well-paid and secure work faced huge problems in reaching one of life's great milestones: finding a place of their own to live in. A triple whammy of a shortfall of affordable housing, cuts to housing benefit and the size of the deposits required by banks and building societies have created a situation where, according to housing charity Shelter, 1.6 million people aged 20-40 are still living with their parents because they cannot afford their own home. The youth homelessness charity Centrepoint has described the need for affordable housing as having reached crisis point.

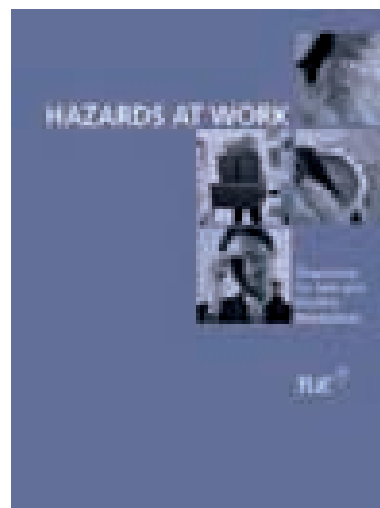
### TUC Young Workers' Forum

It was against this background that, at its conference in March 2013, the TUC Young Members' Forum decided to change the way it operated in order to become more inclusive and campaign focused.

Firstly, to reflect the Forum's desire to be a voice for all young workers regardless of whether they were in a union or not, the Forum changed its name and that of the conference to TUC Young Workers' Forum and Conference. Secondly, to improve the focus of its campaign work the Forum agreed that in future the Forum would agree two 'priority campaigns' that would run each year alongside a standing campaign of promoting unions to young workers. Following the 2013 Young Workers Conference the Forum agreed that pay and employment and housing would be the 2013/14 priority campaigns.

The Young Workers' Forum has been concerned about attendance and representation of unions at Forum meetings for some time. In the four meetings of the Forum that took place between the 2010 and 2011 Congress the average number of delegates attending was nine and unions represented, seven. To address this the Forum agreed that in future, all regular delegate meetings of the Young Workers' Forum would be followed by 'open' meetings related to each of the priority campaigns to which all young workers, students and unemployed would be invited. The Forum also decided that future delegate and 'open' meetings would be held in TUC regions. The first Open Forum on Housing was held in the SERTUC region on 6 July and was attended by over 20 young trade unionists, students and workers.

To address the crisis of youth unemployment in Europe, which during the year reached an average rate of 23 per cent, the TUC took part in negotiations between the European Social Partners to develop a framework of actions on youth employment. Despite the efforts of the



employer side who regarded reducing employment rights and minimum wage rates as the most effective solution to youth unemployment, the negotiations did secure a framework that contained a number of progressive measures. These included a commitment to economic policies that emphasised growth and job creation, the need to create quality rather than precarious employment opportunities and an emphasis on ensuring that young people were able to stay in education and secure access to quality employment services.

# Chapter five

## Respect and a voice at work

### 5.10 Health and safety

During the year the General Council has sought to ensure that the health, safety and welfare of workers retained its high profile. It continued to campaign to ensure that workers were not injured or made ill as a result of their work. The TUC has campaigned against the reduction in the level of enforcement of health and safety and attempts by the government to reduce the level of regulation. It sought to ensure that affiliates received the information and support they needed in the most accessible and useful format and to develop workplace organisation and health and safety representatives.

#### Health and safety representatives

The TUC convened meetings with health and safety specialists from each of the affiliated unions on six occasions during the year. The meetings allowed for an exchange of information as well as a discussion on developments within occupational health and safety or any consultations taking place. At these meetings external speakers were invited, including the Chair of the Health and Safety Executive.

A range of guidance and support material was produced for the use of health and safety representatives on a variety of practical issues. In addition a revised copy of the manual *Health and Safety at Work* was published.

The TUC continued to publish *Risks*, a weekly electronic bulletin on health and safety. This is sent to 23,000 subscribers, many of whom are safety representatives for whom it is their main source of information.

Separate TUC health and safety Facebook and Twitter accounts were established and used to ensure that information was made available quickly to health and safety representatives.

The biennial survey of health and safety representatives, conducted through unions and on the TUC website, was published in October 2012. This identified the main issues that trade union health and safety representatives were dealing with and also gave an indication of the level of organisation within unionised workplaces. Questions were also asked on the effect of enforcement action on employers' responses to health and safety.

Following concern over the problems that trade union representatives were having in getting time off for both training and trade union activities, the TUC produced new guidance on both these issues. They were widely circulated. In addition the TUC hosted an information sharing session on the issue.

#### Campaigns

The TUC campaigned on a wide range of health and safety issues over the year. This ensured that the TUC maintained a high profile on health and safety. To support these campaigns it also produced a wide range of resources for both affiliates and health and safety representatives.

The major campaign was the work surrounding the publication of a trade union manifesto for reclaiming health and safety at work, *Health and Safety: Time for change*. This document was produced after consultation with affiliates and consisted of a list of ten measures which trade unions wanted to see delivered

by a future government. It was believed that, if implemented, these measures would have a significant impact in reducing the toll of death, injury and illness within the UK. The TUC sent the manifesto to MPs, and also wrote to the appropriate spokespeople for the major political parties. The shadow employment minister indicated that he welcomed the manifesto and supported a number of the recommendations, in particular in relation to enforcement and occupational diseases. The TUC also issued more detailed bulletins on each of the measures within the document.

The TUC continued to campaign on the issue of the government's deregulatory agenda in accordance with composite 16, which was passed by the 2012 Congress. It lobbied parliamentarians and produced briefings on the government's proposals to exempt certain self-employed workers from health and safety regulation and to withdraw a number of Approved Codes of Practice, in particular those relating to the management regulations and docks. The TUC also met with the minister to outline our objections to the deregulatory approach the government was taking.

In addition the TUC was involved in a number of wider campaigns. These included:

- ▶ Asbestos – the TUC continued to push for an awareness campaign from the government and the HSE on the dangers of asbestos.
- ▶ Blacklisting – the TUC met with unions in construction to discuss work on the scandal of blacklisting of construction workers for a range of reasons, including health and safety activity.



- ▶ Occupational cancer – the TUC raised the lack of action on occupational cancers with both the HSE and government on a number of occasions.
- ▶ Workers' Memorial Day – the TUC supported activities on Workers' Memorial Day and hosted a website on local events.

During the year Professor Ragnar Löfstedt was asked to produce a follow-up to his 2011 report on the regulatory burden of health and safety. The TUC was represented on the review team by Liz Snape, Assistant General Secretary of UNISON. The TUC produced written evidence for the enquiry where it expressed concern that the government had gone well beyond the recommendations in the initial report. The follow-up report was published in January 2013.

☐The TUC continued to support the work of the HSE on a day-to-day basis and to seek to ensure that the HSE had sufficient resources.☐

### Health and Safety Executive

The TUC was represented on the board of the Health and Safety Executive by General Council member Paul Kenny and head of the Equality and Employment Rights Department, Sarah Veale. In addition Hugh Robertson of the TUC was a member of the board until 31 March 2013. The TUC supported Matt Wrack of the General Council to replace him but the minister appointed a retired union general secretary instead to fill the trade union place. The TUC made strenuous objections to this and has sought assurances that there will be full consultation with the TUC prior to any further appointments of worker representatives being made.

Throughout the year TUC board members played an active part in all HSE decisions. Reports of the meetings of the board were sent to affiliates after each meeting. The TUC met with HSE officials on a number of occasions to express concern over changes to the guidance and Approved Codes of Practice which were seen to be diluting the contents or effectiveness. The TUC also sought to secure joint badging with both trade unions and employers' organisations with the HSE on a number of occasions.

During the course of the year the TUC drafted responses on behalf of affiliates on a range of consultations. It also invited HSE officials to discuss issues with affiliates. Among the areas where separate discussions took place were needlestick injuries, occupational cancers and asbestos.

In May 2013 the government announced a review of the HSE to be conducted by Martin Temple, Chair of the EEF. The TUC facilitated a meeting with him and affiliated unions and also drafted guidance on various issues arising from the review.

The TUC continued to support the work of the HSE on a day-to-day basis and to seek to ensure that the HSE had sufficient resources to allow it to act as an effective independent regulator and enforcer. The TUC continued to express concerns over the lack of inspection and enforcement activity by the HSE and also over the HSE's national code for local authorities which imposed considerable restraints on the ability of local councils to inspect premises.

Paul Kenny also represented employee interests on the Board of the Office of Nuclear Regulation.

## Chapter five

# Respect and a voice at work

### Construction workers lobby

#### Europe

The TUC represented affiliated trade unions on the board of the European Agency on Health and Safety and the European Commission's Advisory Committee on Health and Safety at Work. It was represented on European bodies looking at occupational diseases and standardisation. In addition the TUC held regular meetings with the European Trade Union Institute of the European TUC on health and safety matters.

Throughout the year reports were given to affiliated unions on developments within Europe and the TUC drafted guidance on possible responses to a European Commission consultation on a new occupational health and safety policy framework.

#### Compensation

The TUC held a number of meetings with affiliated unions on the implications of the Legal Aid Sentencing and Punishment of Offenders Act and how it would affect their ability to ensure that members received compensation after an injury or illness. The TUC also convened a meeting with the Solicitors Regulatory Authority on the status of trade unions in respect of the Legal Services Act. The TUC was represented on a number of bodies developing new costs arrangements by Helen Buczynsky of UNISON and John Usher of Unite/Usdaw.



In 2012 the government announced that it was amending the Health and Safety at Work Act to remove the current liability for civil damages if the employer were in breach of the Act or regulations made under the Act. This was following a recommendation that the government should look at the issue of strict liability which was made in the Löfstedt report, published in November 2011. The TUC campaigned strongly against the changes and met with opposition MPs and peers. It also provided briefings for affiliates on the government proposals. The campaign was successful in getting the Lords to reject the government's proposals on one occasion, but ultimately the government amendment was agreed and the Bill received Royal Assent in April 2013.

The 2013 Queen's Speech announced that there would be a mesothelioma bill which would give an automatic right to compensation for those workers who developed mesothelioma but who could not trace their employer's insurer. This followed a campaign by the TUC which started in 2008. Although the draft bill went some way to establishing an Employers' Liability Insurance Bureau along the lines of that proposed by the TUC it was deficient in a number of areas, in particular the coverage, which was limited to mesothelioma victims, and the amount of compensation, which would not be the full amount the victim would have received had they been able to trace their insurer. The TUC met with MPs and the opposition front bench in the Lords to outline our concerns. In addition a meeting was held with the relevant minister, Lord Freud.



In accordance with resolution 82 agreed by the 2012 Congress, the TUC campaigned against proposals to cut the compensation available through the Criminal Injuries Compensation Authority and provided briefings to parliamentarians outlining the arguments against the proposals. Although the government initially agreed to drop the proposals, they were reintroduced and approved.

### **Industrial Injuries Advisory Committee**

The TUC continues to be represented on the Industrial Injuries Advisory Council (IIAC) by Claire Sullivan from CSP, Fergus Whitty, formerly of Unite and Richard Exell from the TUC office.

The Council is currently looking at two broad issues that affect eligibility for Industrial Injuries Disablement Benefit: 'presumption' and medical assessments. The 'presumption' regulation determines when a claimant's condition can be presumed to have been caused by their employment and it usually applies if a claimant develops a prescribed disease while working in a prescribed occupation or within a month of leaving it. For some industrial diseases this is sensible, but it is less justifiable where there is a long period of latency (cancer, for instance) or incubation. IIAC is therefore working on a proposed reform of the regulations, proposing new time rules that are more appropriate to each prescribed disease.

Medical assessments are particularly important for the assessment of the amount of loss of faculty that is compensated by the Industrial Injuries Scheme. The Council has established a working group looking at whether improvements can be made to this process, and has commissioned a review of how schemes in other countries address such issues as pre-existing complaints and multiple occupational injuries and diseases.

In 2012/13, the Council considered lists of occupational diseases published by the European Union and the International Labour Organisation and found that one occupational disease listed by these bodies but not prescribed under the Industrial Injuries Scheme was chloracne. Chloracne is an infrequent occupational disease that can be severely disfiguring. IIAC's review of the evidence on the subject found evidence of a doubling of risk for workers who are exposed to chloacnegens and a report on the disease is in preparation.

### **External bodies**



The TUC continued to have close links with other organisations in the field of occupational health and safety. These included the Hazards movement, the Institution of Occupational Safety and Health, RoSPA, the Association of Personal Injury Lawyers and the British Safety Council. The TUC provided administrative support for the All Party Parliamentary Group on Occupational Safety and Health and its asbestos sub-Committee. Both of these met three times during the year.

TUC nominees sat on a range of external bodies including the Faculty of Occupational Medicine, the British Occupational Health Research Foundation, The Council for Work and Wellbeing, the Better Regulation Delivery Office, the Responsibility Deal for Health and Work, and the Work, Health and Wellbeing Stakeholder Council.

During the year TUC representatives also spoke at a wide range of conferences and events on health and safety both in the UK and abroad.

## **5.11 Learning and skills**

### **Supporting apprentices**

In November 2012 unionlearn launched a new campaign  I'm an Apprentice, Value Me  to highlight the continuing exploitation of young people who are being paid below the national minimum wage rate for Apprenticeships. This campaign is aimed at ensuring that apprentices know what they are entitled to, that employers are aware of what they should be paying, and that the government is properly enforcing the apprentice minimum wage. The last apprentice pay survey undertaken by BIS in 2011 showed that nearly one in five were being paid below the legal minimum and that five per cent were not receiving any pay at all. At the time of writing, it was anticipated that the Department would be publishing an updated apprentice pay survey in summer 2013.

Over recent years unionlearn has instituted an annual event that brings unionised apprentices together to enable them to articulate their collective voice

## Chapter five

# Respect and a voice at work

on key issues. The latest event in November 2012 attracted nearly 40 apprentices and this coincided with the launch of unionlearn's apprentice pay campaign. Decent pay, quality training and a greater degree of responsibility were the key issues that delegates identified as being essential elements of a high quality Apprenticeship. The event also provided an opportunity to highlight best practice and potential areas for unions and employers to cooperate in order to improve Apprenticeships (a short pamphlet and film from the event is available on the unionlearn website). The event also highlighted some significant financial barriers faced by apprentices with transport costs being cited as a major issue by many of the delegates.

### Right to request time to train

The TUC expressed concern in its consultation response that the right to request time to train has been further undermined by the government's decision to remove it from the new 'employee owner' status being introduced from September 2013. In losing the right to request time to train, employee owners would no longer have the legal right to at least one meeting a year with their employer to discuss their training needs. Employee owners would also lose the right to request financial support or to propose flexible working patterns to accommodate their training needs and to have them properly considered by their employer.

☐The right to request time to train has been a target for some business lobbying organisations who describe it as an unnecessary burden.☐

The right to request time to train has been a target for some business lobbying organisations who describe it as an unnecessary burden. The TUC welcomed it as a necessary step in strengthening employee rights around training, especially with research showing that around 13 million workers receive no training at work. Unfortunately the right has never been properly promoted by the current government and an early review resulted in a decision not to extend the right to employees in workplaces with fewer than 250 workers as had been originally scheduled for 2011. However, the government did listen to the TUC's argument that there wasn't enough evidence available at the time on the success or otherwise of a very short lived employment right and that it should not

therefore be abolished (it was introduced in April 2010). The government has committed to reviewing the right again before 2015.

In a poll of union learning representatives in 2012, unionlearn found that the right is quietly establishing itself as a way of advancing training opportunities in workplaces without creating onerous burdens on employers. Forty per cent of reps said that they had supported at least one trade union member to formally exercise their right to request time to train. Importantly, 70 per cent of requests have resulted in positive approval or reasonable compromise, with three quarters of employers having no difficulty responding to a request within the statutory 28 days. Around four fifths of reps had supported requests for vital vocational courses and continued professional development and a third reported supporting requests for Skills for Life and ESOL, all of which can make a vital contribution to a company's productivity and personal development.



# 6 Chapter six

## Strong unions

- 6.1 Introduction
- 6.2 Building stronger unions
- 6.3 Green representatives
- 6.4 Global solidarity
- 6.5 TUC Aid
- 6.6 Migration
- 6.7 Skills at work
- 6.8 TUC Education
- 6.9 Course development
- 6.10 TUC Educational Trust



## Chapter six Strong unions

### 6.1 Introduction

Although trade unionism is under attack the trade union movement has responded well to the many challenges that it has faced in the past year. We have seen attacks on facility time often orchestrated from within government itself, a continuing campaign against union representation from fringe right-wing groups and further attempts to reduce collective bargaining. At the same time unions have seen members forced out of their jobs by the cuts and recession.

Yet we have continued to support members and to train activists. We have also managed to recruit members despite the political and economic climate with last year showing an increase in the number of members of a trade union.

British trade unions and the General Council are also proud of the support that they have given to unions and workers around the world. The campaign for worker protection in the fashion and clothes industry after the death of over 1,100 workers following the collapse of a garment factory in Bangladesh led to a large number of high street retailers signing the international Union Accord on Fire and Building Safety. We also continued to argue for a rights-based approach to migration while calling for measures to prevent the exploitation of migrant workers in the UK.



In 2012, trade union membership rose by **59,000** to 6,455,000 members

### 6.2 Building stronger unions

For the first time in a decade union membership increased. According to the 2012 Labour Force Survey (LFS) which was published in May, trade union membership rose by 59,000 and stood at 6,455,000. Given the challenging political, economic and industrial climate this was a significant achievement and is a testament to the work of unions, their officers, organisers and representatives.

Overall union density remained at 26 per cent and there was a small increase in density in the private sector which stood at 14.4 per cent. Union density in the public sector was 56.3 per cent.

Despite concern that the significant fall in union membership in the public sector recorded last year might mark the start of a prolonged period of contraction in membership and density, the fall recorded by the latest LFS was relatively small. While it would be premature to suggest that this represents a bottoming out in respect of membership decline in the public sector, this was welcome news considering that since 2010, membership has fallen by 180,000.

Collective bargaining coverage fell by almost two per cent to 29.3 per cent, although if only those employees working in large workplaces were taken into account the proportion of employees who had their main terms and conditions negotiated by a union increased to 42 per cent. While bargaining coverage remained stable in the private sector, albeit it at just 16.1 per cent, there was a more significant fall of almost four per cent in the public sector to 63.7 per cent.

The areas of the UK with the highest collective bargaining coverage were Northern Ireland, Wales, Scotland, Merseyside and Tyne & Wear where coverage was 40 per cent or higher. In Wales, the North East, South Yorkshire and Merseyside, unions were present in over half of all workplaces.

Because union membership kept pace with the increase in the number of employees, union density in the private sector remained stable. Membership in the sector rose for the second consecutive year, has increased by more than 100,000 since 2010 and currently stands at 2,572,000.

Union density among women was higher than among men by six per cent and the overall increase in union membership recorded during the year was almost entirely due to the increase in union membership among women employees. Since 1995, the proportion of women workers carrying a union card has increased by 10 per cent.

The LFS gave cause for concern with respect to the age profile of union members. The only age group of workers in which density fell was among workers aged 16-24 and the figures in the LFS suggested that while less than one quarter of union members have the majority of their working lives ahead of them, more than a third can reasonably expect to have just 10 to 15 years left.

Union membership has declined dramatically in some key private sector industries. The classifications used in the Labour Force Survey made it difficult to identify particular parts of the private service sector, but density in wholesale and retail was just 12.7 per cent and in accommodation and food service activities just 3.5 per cent.

The first findings of the 2011 Workplace Employment Relations Study (WERS) were published in January 2013. The figures were based on workplaces with five or more employees and therefore should be treated with some caution given that unions are most often present in larger workplaces.

The proportion of workplaces with any union members fell from 29 to 23 per cent and just one in ten workplaces had a majority of employees who were union members. In the private sector union members were in the majority in just three per cent of workplaces – although as mentioned previously, this can be, in part, explained by the fact that unions are much less likely to be present in 'micro' workplaces.

On workplace representation, there was good news from WERS on the presence of union representatives in unionised workplaces which increased to 27 per cent. Reps also retained their reputation for effectiveness with a significant majority of union members regarding their workplace union rep as the person who would provide the best representation on pay, hours and disciplinary matters.

Despite the hysteria from the political right about the number of union representatives in the public sector who carried out a union role on a full-time basis, WERS reported that just one in six senior union representatives had such arrangements.

WERS confirmed the general trends in the decline of collective bargaining coverage reported in the LFS and also identified a contraction in the scope of bargaining, particularly in the private sector. The proportion of unionised private sector workplaces that negotiated on the three areas included in the statutory recognition procedure (pay, hours and holidays) fell from 29 to 17 per cent.

Composite 2 and resolution 9 carried at last year's Congress both recognised the need for unions to increase membership and collective bargaining in the private sector and to promote the wider contribution that unions make to fairness at work. Much of the work carried out by the TUC to support the terms of this motion is described below and, looking forward, the *Strong Unions* section of the TUC Campaign Plan highlights the need for unions and the TUC to address the organising challenges faced by our movement.

Union density among women was higher than among men by six per cent and the overall increase in union membership recorded during the year was almost entirely due to the increase in union membership among women employees.

The plan contains specific commitments to support unions via the TUC Organising Academy, provide support and briefings to reps and officers in TUC regions and explore the value of a gateway to union membership specifically for younger workers in non-union workplaces.

Alongside this work, the run-up to the 2015 General Election may provide the opportunity for unions to assemble policy priorities aimed at removing some of the practical obstacles that prevent unions from organising to scale and allowing unions to extend their influence.

TUC regions too have responded to the organising challenges, hosting seminars and workshops focusing on organising skills and strategies and responding to union capacity building demands by facilitating flexible 'bite-sized' briefings on skills and key information for workplace reps and officers.

The northern region of the TUC has been using the issue of health and wellbeing as an organising tool, introducing trade unionism to twenty-five non-unionised workplaces, and has produced a new Learning and Organising Toolkit for union learning reps.

## Chapter six

# Strong unions

### TUC Organising Academy

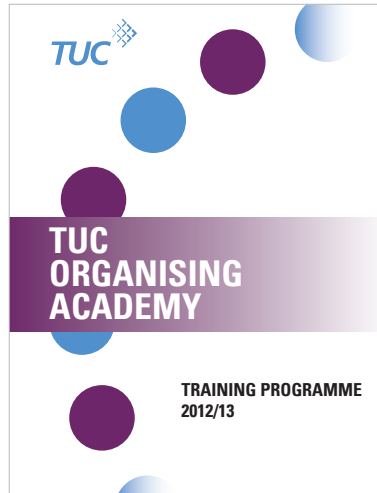
The Organising Academy continued to be the primary means of support from the TUC towards union efforts to increase membership and organisation. The Organising Academy provides training in organising, recruitment and campaigning in partnership with Ruskin College and during the year the partnership has extended for a further 12 months to September 2014.

### Core programme

The emphasis this year was on delivering the Organising Academy Core Training programme which included the Diploma in Organising, Certificate in Advanced Organising and Award in Supporting Organising courses. Over the year, just short of 100 union officers, organisers and staff representing 16 TUC affiliates attended these courses.

### Bespoke support for individual unions

The Organising Academy continued to provide individual support to unions developing organising strategies. This year there was an emphasis on strategic choice and the Academy ran sessions on this and other matters related to organising for ASLEF, FBU, NASUWT, Prospect and UNISON.



### Leading Change

After a break in 2012, the TUC® leadership development programme for senior union officers, Leading Change, returned in July 2013 and had a record-breaking intake with twenty participants signed up for the 2013/14 programme. Leading Change continues to be supported by Birkbeck College and the Harvard University Labor & Worklife Programme.

### Lay Leadership Development Programme

Recruitment to the 2012/13 Lay Leadership programme, which provides development in strategic planning and governance to senior lay reps who are members of union executives, was hit by the restrictions on paid time off for union training and activities. As a result the Organising Academy will be working with Trade Union Education over the next year to review the delivery of this programme with the intention of making it more accessible.

### Regional briefings

To increase the understanding and capacity of union reps and officials in relation to some of the key organisational challenges facing unions, the TUC developed a series of regional briefings on issues such as the state of union organisation and membership, facility time and how unions can reach out to workers in sectors with low union presence, density and membership. Briefings were held in the Northern, Yorkshire and the Humber, SERTUC and North West regions.

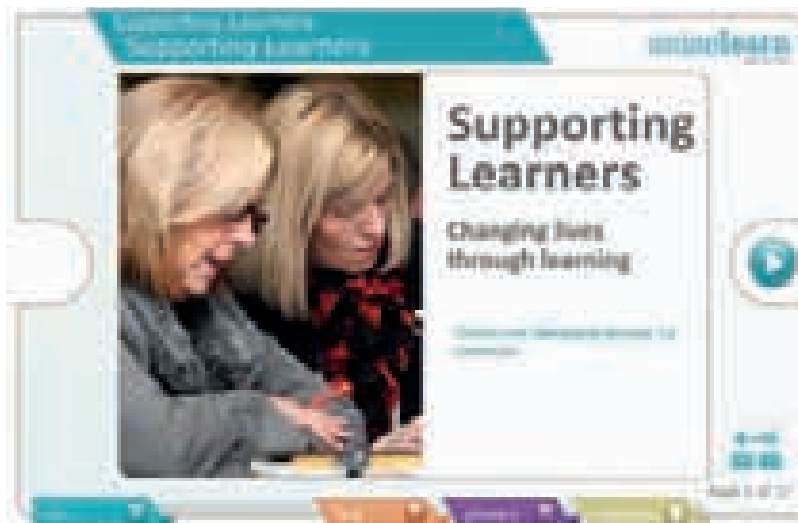
### Facility time

The attack on the right of union representatives in the public sector, and the Civil Service in particular, to represent members continued over the last year. The government's response to the consultation by the Cabinet Office was published in October 2012 and recommended that the proportion of the Civil Service pay bill spent on facility time be cut by more than half. In addition, restrictions were placed on reps attending internal union meetings and conferences and the number of reps on full-time release for union duties.

In local government, the Department for Communities and Local Government included reducing paid time off for union representatives and charging unions for the provision of rooms, other facilities and check-off in a list of *50 Ways to Save: examples of sensible savings in local government* circulated to local authorities.



The TUC continued to provide support to unions and representatives in defending time off and facility arrangements. A new online eNotes briefing on facility time was developed by the Organising Academy and TUC Education. As well as providing background information on the legal position in respect of paid time off for union reps, the materials included resources to help union branches promote the benefits and value of the work carried out by workplace union representatives to employers as well as union members.



### Netroots UK

The TUC has continued to support the Netroots UK initiative to build the capacity and personal networks of the UK's digital activists. A Digital Skills day was held in Birmingham in conjunction with the TUC, UNISON and Digital Action Lab, to help local progressive grassroots activists to build their online campaign skills. The project connects activists from across the progressive spectrum to each other, and the TUC's involvement has helped build awareness of the union movement among people who are natural allies or potential members.

### 6.3 Green representatives

In consultation with affiliates, the TUC has continued to develop its national greenworkplaces initiatives, complementing the greenworkplace networks established by a number of trade unions in the public and private sectors. The TUC's *GreenWorkplaces Newsletter* reported a variety of innovative projects undertaken by affiliates during the year.

The TUC also contributed to an ETUC project that culminated in a handbook, *A Green delegate's guide for Europe*, which was launched at an ETUC conference in Brussels in October 2012. The TUC also took part in a project led by CISL, Italy, to provide union representatives with the tools to build union activism and action for a sustainable economic recovery. The output was a *Green Workplace Representatives Guide*, with case studies of union best practice from across the EU. The TUC has been represented in these initiatives by PCS, Unite, UCATT, UNISON, UCU, FDA and Prospect.

### 6.4 Global solidarity

The International Trade Union Confederation (ITUC) General Council met in October in Jordan. The General Secretary and Sally Hunt, General Council international spokesperson, sit on the General Council, as does Diana Holland as chair of the ITUC Women's Committee. Frances O'Grady and Diana Holland also sit on the Executive Bureau. The TUC has backed ITUC General Secretary Sharan Burrow, who addressed the TUC Executive Committee in May, in pressing the case for stronger unions and international social justice. The TUC has played a key role in ITUC's work on human and trade union rights which is reflected below. This included the work on freedom of expression in Belarus, Burma and elsewhere in line with resolution 74 from the 2012 Congress.



## Chapter six Strong unions

The European Trade Union Confederation (ETUC) Executive Committee met in October, December, March and June. TUC representatives on the Executive Committee are the General Secretary, Billy Hayes, Sally Hunt and Dave Prentis, with Gloria Mills, Mark Serwotka, Owen Tudor and Elena Crasta as substitutes. Frances O'Grady is also a member of the ETUC Steering Committee. ETUC celebrated its 40th anniversary on 29 January at a conference in Madrid, which was addressed by Employment and Social Affairs Commissioner László Andor, Economic and Monetary Affairs Commissioner Olli Rehn and European Parliament President Martin Schultz. Frances O'Grady also addressed the conference with a speech on Europe and workers' rights. The ETUC also held its mid-term conference in June in Dublin, discussing the essential features of social Europe in the context of the crisis. Frances O'Grady, speaking in one of the panels, insisted that the union movement had to resist the Troika's structural reforms, make the case for robust collective bargaining and lead a popular mobilisation against austerity right across the EU.

The TUC has continued to be represented by appropriate TUC policy officers on the following ETUC standing committees and working groups which met throughout the year (members are as June 2013 ☐ alternates are in brackets):

☐ Throughout the year a number of bilateral meetings at general secretary level have taken place with the Italian unions CGIL and UIL.☐

- ▶ Economic and Social Cohesion Working Group: Megan Dobney
- ▶ Lifelong Learning Working Group: Richard Blakeley (Fred Grindrod)
- ▶ Migration and Inclusion Working Group: Wilf Sullivan (Sean Bamford)
- ▶ Sustainable Development Working Group: Philip Pearson (David Arnold from UNISON)
- ▶ Trade and Globalisation Working Group: Rosa Crawford (Owen Tudor)
- ▶ Worker Participation Working Group: Sean Bamford (Janet Williamson)
- ▶ Social Protection Working Group: Richard Exell (Helen Nadin)

The TUC European Network, bringing together officers from affiliated unions with European responsibilities to develop TUC lobbying strategies on European legislation and, more widely, to follow European developments, meets to deal with single issues and extend the Network to relevant union officers to increase participation. The Network met in February to discuss the EU trade and investment policy and its implication for public services, as well as consider the TUC submission to the BIS call for evidence on the Internal Market, as part of the government's Balance of Competences Review. There will be a further meeting on public procurement and the Transatlantic Trade and Investment Partnership in early September.

The Pan-European Regional Council (PERC) yearly executive committee met in March. The committee heard from Sharan Burrow about the ITUC campaign on building workers' power and organisation, and from Bernadette Segol, ETUC general secretary, on the effects of the crisis on working people and the need for a job-rich recovery. The committee also considered the preparation for the 9th ILO European Regional Conference, which took place in Oslo in April, where Elena Crasta represented the TUC.

Throughout the year a number of bilateral meetings at general secretary level have taken place with the Italian unions CGIL and UIL (October), the French union CGT (December), the Belgian unions FGTB and CSC as well as the Swedish union LO (March). The annual British German Trade Union Forum (funded by the Friedrich Ebert and Hans Boekler Foundations) took place in July in Berlin, on the subject of a European growth strategy and workers' alternative to austerity, in the context of the European Parliament elections of 2014.

In January, Frances O'Grady replaced Brendan Barber as the TUC's representative on the Administrative Committee of the Trade Union Advisory Committee (TUAC) to the OECD. Prospect Deputy General Secretary Leslie Manasseh is the TUC substitute for the Administrative Committee. From the office, Sean Bamford has replaced Ben Moxham in attending TUAC meetings on the OECD Guidelines for Multinational Enterprises.



@TUCGlobal twitter feed has almost **4,000** followers

The Annual Meeting of the Commonwealth Trade Union Group (CTUG) chaired by Chris Uyot, general secretary of the Nigeria Labour Congress (NLC), was attended by Owen Tudor and Bandula Kothalawala on 16 June in Geneva. ITUC Deputy General Secretary Wellington Chibebe drew attention to trade union rights violations in a number of countries in the Commonwealth including Bangladesh, Fiji, Swaziland and former Commonwealth country Zimbabwe. Felix Anthony, national secretary, Fiji Trades Union Congress (FTUC), briefed the delegates on the trade union rights situation in Fiji, detailed some of the measures adopted by the military dictatorship to restrict collective bargaining and told the meeting that companies took advantage of the situation and that the government had failed to comply with international standards in the constitutional review. The delegates emphasised the need for action for the effective enforcement of health and safety measures in the garment industry in Bangladesh in view of the magnitude of the tragedy in Dhaka and reviewed trade union developments in Burma following the return of exiled trade unionists to Rangoon.

It was agreed that the CTUG statement to the Commonwealth Heads of Government Meeting (CHOGM) to be held in Colombo, Sri Lanka, in November 2013 should reflect trade union concerns and views on decent work and social protection as well as the promotion of trade union and human rights in the Commonwealth and that the arrangements for the participation of the CTUG in the Commonwealth People's

Forum (CPF) would be made in consultation with ITUC affiliates from Sri Lanka. For the first time, with TUC encouragement, two trade unionists were appointed to the Commonwealth Civil Society Advisory Committee. Mele T'Amanaki from the Tonga Public Services Association and Khamati Mugalla from the East African Trade Union Confederation visited the TUC in April.

The TUC has held four meetings in October, January, April and July of the International Development Group, chaired by the General Council international development spokesperson Gail Cartmail, bringing together union officers and NGOs. The October meeting heard from Noe Ramirez, General Secretary of the SITRABI banana plantation workers union in Guatemala and Reinaldo Villalba from the CCAJAR Colombian human rights defenders. Peter Bailey, national health and safety officer of the South African National Union of Mineworkers spoke at the April meeting about the campaign for justice for silicosis sufferers suing Anglo-American. And in July, Shadow International Development Secretary Ivan Lewis MP attended to discuss Labour's policies on decent work.

Throughout the year, the TUC continued to produce the monthly *International Development Matters* e-bulletin (which now has 5,600 subscribers), and built the @TUCGlobal twitter feed to almost 4,000 followers.

## Trade union rights

The TUC continued to defend the rights of trade unionists around the world, mobilized trade unionists in Britain to protest, and raised awareness of the situation faced by workers, especially through the *Stronger Unions* and *Amnesty International UK* blogs. The TUC has supported as many ITUC urgent actions as any other national affiliate, and has maintained its memorandum of understanding with Amnesty International UK while supporting the strikes by unions at both the UK section and the International Secretariat during the year. The TUC has publicised and supported a number of *LabourStart* e-actions.

## Latin America

### Brazil

As part of the TUC's ongoing work on the international Playfair campaign to improve the rights of workers in the global supply chains of major sporting events, the TUC translated a number of reports on our work on London 2012 into Portuguese for dissemination to union colleagues in Brazil. Preparations are also underway for a number of bilateral meetings and visits.

## Chapter six

### Strong unions

📌 The Playfair campaign is lobbying for workers' rights to be respected in the run up to the Rio Games in the Estádio Do Maracanã

#### Chile

The TUC general secretary gave a message of support to the founding meeting of the Chile 40 Network to mark the 40th anniversary of the Pinochet coup on 11 September 2013. The message noted both the role of British trade unionists in supporting Chileans forced into exile and also the contribution made by these exiles to the British labour movement.

#### Colombia

In line with resolution 75 from the 2012 Congress, the TUC has continued to prioritise work on Colombia throughout the year. Justice for Colombia (JFC), with TUC political and financial support, has been active in supporting the developing peace process in Colombia. This work has included taking high-level cross-party and union delegations from Northern Ireland to meet negotiators and bringing colleagues from the Patriotic March to Ireland and the UK to share lessons from the Northern Irish peace process. The TUC has continued to support calls for a full ceasefire, civil society participation in the peace process and an end to the continuing attacks and stigmatisation of trade unionists and others calling for an inclusive process.



Regrettably despite our continued campaigning the European Parliament approved the EU-Colombia free trade agreement in December. We can be proud that British Labour and Green MEPs voted unanimously against the agreement. Since it was approved it has become clear that little attempt has been made to follow up on even the limited 'safeguards' that EU negotiators claimed had been secured. The TUC has highlighted this lack of follow-up and is supporting calls by the JFC parliamentary group for a debate at Westminster when the agreement is presented for ratification.

The TUC general secretary has met with the Colombian ambassador and written to the Colombian government on numerous occasions during the year, to condemn assassinations and attacks such as the attempt on the life of CTC President Luis Miguel Morantes and to highlight our concern over the cases of political prisoners such as David Ravelo.

#### Cuba

Despite the welcome return to Cuba of Rene Gonzalez, the TUC has continued to highlight the continued imprisonment of the remaining members of the 'Miami 5' in the US. The issue has been raised with FCO officials and our counterparts in the US trade union movement. The general secretary addressed the annual CSC vigil outside the US embassy and the TUC president restated TUC support for the Cuba Solidarity Campaign and anger at the apparent intensification of the illegal US blockade in her speech to the Cuba Solidarity garden party organised by the RMT.

## Guatemala

Following TUC support for a full ILO commission of inquiry into the continued systematic violation of labour rights and appalling level of anti-union attacks and murders in Guatemala, the chair of the ILO workers group and the Guatemalan Labour minister signed a memorandum of understanding in March. It commits the government to take a series of time-bound measures to reduce the violence, end the culture of impunity surrounding perpetrators and support freedom of association by removing barriers to union recognition and adequately funding a labour inspection system. The general secretary has written on a regular basis to both the Guatemalan ambassador and president to condemn the ongoing killing of trade unionists and to demand an increase in protection for leaders and activists. The TUC has been active in pushing the ITUC to adopt an increased focus on the situation in Guatemala and was represented by the GMB's International Officer on an ITUC delegation to Guatemala. Information on a project supporting banana workers to organise is detailed below.

## Mexico

In February the TUC took part in the Global Unions week of action on Mexico by arranging a delegation to visit the Mexican embassy in London. The delegation was led by TUC international spokesperson Sally Hunt, together with General Council members Tony Burke and Billy Hayes. They raised a series of concerns, including the failure of the Mexican government to deal with the issue of 'protection contracts', which make independent union organising almost impossible in

many sectors; the continuing exile of mine workers leader Napoleon Gomez; and the dismissal of over 16,000 electrical union members in Mexico City. In addition the TUC general secretary wrote to the Mexican president to call for action to bring Mexican law into line with core ILO standards and a TUC representative addressed a public meeting organised by Unite later that week.

## Venezuela

The TUC supported calls for the international community to respect the views of the Venezuelan people following the death of President Chavez in March. The general secretary issued a message of solidarity and support and TUC representatives addressed a number of events organised by the Venezuela Solidarity Campaign.

## Central America

Aside from Guatemala the situation in other Central American states has continued to cause concern. In December the general secretary wrote to the Panamanian President to highlight our concerns that the legal proceedings against a number of union leaders breached ILO conventions on freedom of association and to express deep concern over police attacks on protesters in the city of Colón. Anti-union violence has also continued in Honduras and the TUC and a number of unions have called for more action to halt the violence.

## Sub-Saharan Africa

### Côte d'Ivoire

In August the general secretary wrote to the Ivorian Ambassador in London expressing concern at the continued imprisonment of Mr Basile Mahan Gahé, general secretary of the Ivorian trade union confederation (DIGNITE) and calling for his release and free exercise of his rights without interference from the state.

### Kenya

In October, following the conviction of Francis Atwoli, general secretary, Central Organisation of Trade Unions (COTU) for contempt of court over his failure to appear after an industrial dispute over job losses in the tea plantation industry, the TUC protested to the Kenya High Commission and pointed out that, according to the Kenyan Industrial Court Act 2011, all matters related to industrial disputes should be referred to the Industrial Court, that the trial was fraught with procedural anomalies and that the conviction was unwarranted. The TUC organised a collection to pay the fine levied by the authorities.

### Somalia

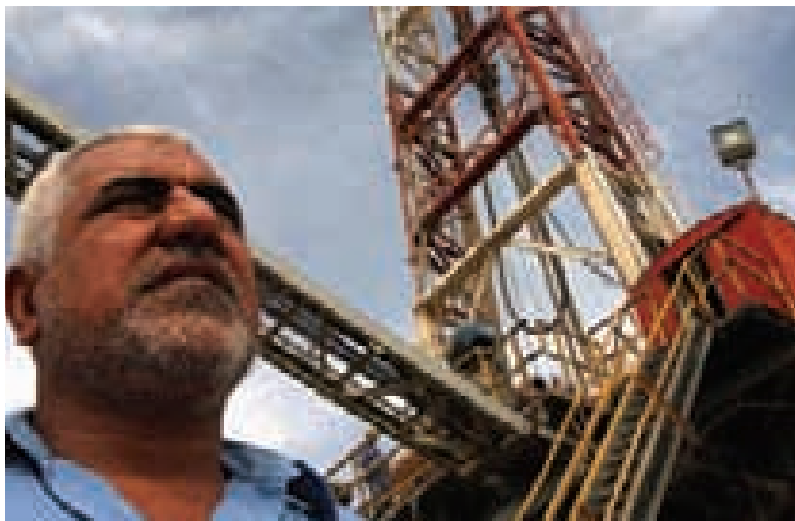
In March, in a message to the 2nd National Congress of the Federation of Somali Trade Unions (FESTU) held in Mogadishu, the TUC expressed appreciation of its contribution to the protection and promotion of workers' rights, democracy and good governance in Somalia under difficult circumstances. The TUC unsuccessfully attempted to assist FESTU in securing funds from the FCO for democracy and human rights work.



## Chapter six

### Strong unions

▼ **Hassan Juma'a, head of the Iraqi General Union of Oil Employees, fought a successful court case against his employer, with help from unions internationally and the TUC**



#### Swaziland

The TUC continued to support the Swazi trade union movement, TUCOSWA, in the campaign for democracy and human rights, as well as for re-registration of the confederation. The TUC has developed a campaign with TUCOSWA for the suspension of Swaziland from the Commonwealth, and, together with Action for Southern Africa (ACTSA) has picketed the Swaziland High Commission, organised a meeting at the House of Commons, and successfully defended Swazi refugees from deportation.

#### Western Sahara

In February, in a letter to Alistair Burt, Parliamentary Under-Secretary of State, the general secretary expressed deep concern over the sentencing of 23 Saharawis by a military court in Rabat and urged the government to use its influence with the Moroccan authorities to ensure a fair trial for them in a civilian court. In reply, he said that the British Embassy had followed the trial closely and that the government would raise human rights issues with the Moroccan government.

#### Zimbabwe

The TUC participated in an ITUC practical solidarity workshop covering Zimbabwe held in Johannesburg in March which discussed two key priorities – voter education and peaceful elections and organising workers in the priority sectors of the economy. A TUC Aid grant of £5,000 made it possible for the Zimbabwe Congress of Trade Unions (ZCTU) to conduct a peace and rights awareness campaign in the run-up to the referendum on the new Constitution in 29 constituencies in Harare and Chitungwiza.

#### Middle East/North Africa region

##### Bahrain

In November, the TUC led a delegation to the Bahraini embassy to protest at the repression of trade unions there. The TUC has hosted two Bahraini delegations representing both the Bahraini Teachers Association (BTA) and imprisoned opposition leaders. We have also sought to intervene in the case of BTA Vice President Jalila al-Salman who still faces imprisonment like BTA

President Mahdi Abu Deeb. On the eve of International Women's Day the TUC held its annual event at Congress House, with Jalila al-Salman as the guest speaker, but unfortunately she was unable to attend due to visa problems. She was later able to visit the UK for the teacher union conferences over Easter.

##### Egypt

Sean Bamford attended the Arab Democratic Trade Union Forum in Cairo. The Forum was founded in 2011 by 15 Arab trade union organisations from 10 countries. The aim of the forum is to promote the fundamental values of democratic and independent trade unionism and to increase regional union solidarity and unity. Amongst those issues discussed were the role of women in post-Arab Spring countries and combating continuing repressive forces both in government and other sections of society. Former TUC North West Regional Secretary Alan Manning represented the TUC in a seminar which took place in Alexandria which was resourced and run through an autonomous arm of the Swedish Foreign Office. The seminar was for Egyptian trade union leaders and addressed the issue of the role of labour movements in democracies.

##### Iraq

The TUC has continued to support free trade unionism in Iraq, and the development of an ILO-compliant labour law. This has involved campaigning from March through to July for false charges against Hassan Juma'a, leader of the oil workers in the Southern Oil Company to be dismissed, which they eventually were.



## *Israel/Palestine*

In line with the TUC's support for a two-state solution, work has continued to ensure that supermarkets in the UK are not selling goods from the occupied territories. The TUC is also working with the ETUC to get similar action to that being taken in the UK to be adopted at an EU level. It is however currently proposed that EU wide action will be on a voluntary basis. The TUC will work with the ETUC to toughen the stance of the EU on this issue. The project that the TUC has helped fund in Gaza (see below) in the production of fresh vegetables continues despite delays and should be of long-term benefit. In accordance with last year's resolution 76, a TUC delegation to Gaza is being planned and will involve the Palestinian Solidarity Campaign. The delegation will aim to express solidarity with the besieged people of Gaza and to contribute to pressure on the Israeli government to lift the blockade. The TUC also protested against attempts to de-unionise the Israeli ports sector.

## *Tunisia*

Building on our existing links with the Tunisian trade union centre UGTT, the TUC is working on scaling up what was going to be a regional initiative in Tunisia into one which is nationwide. Following discussions with the UGTT the TUC will submit a request for funding from the FCO's Arab Partnership Programme. The proposed project will be aimed at women and young members and will endeavour to increase their activity and voice within Tunisia's trade union movement. The TUC took part in the World Social Forum in Tunis in March.

## *Turkey*

The TUC sent a number of letters of protest to the Turkish Embassy and directly to the Turkish government protesting against the abuse of individual Turkish trade unionists and restrictions on freedom of association. In June, the TUC joined in a variety of initiatives including online petitions and a demonstration outside the Turkish Embassy in support of the street protests against the Turkish government in most of Turkey's major cities by a large cross-section of the population on a scale not seen for a generation. The TUC has worked in conjunction with affiliates, Amnesty International and the ITUC in condemning all attacks on peaceful protestors. Sean Bamford also attended a meeting in Istanbul at which he was briefed by the Turkish unions on the continuing attacks on them both under Turkey's notorious terrorism laws and changes to the laws on union recognition which will lead to many Turkish workplaces becoming de-unionised. He also spoke at the NUJ's Press Freedom Day event, which this year showcased Turkey. Turkey has the highest number of imprisoned journalists in the world.

## *Asia/Pacific*

### *Bangladesh*

In March, in a letter to the acting High Commissioner for Bangladesh, the TUC called for the amendment of the Labour Act of 2006 in Bangladesh to bring it into compliance with the observations of the ILO Committee of Experts with regard to Convention Nos. 87 and 98. In April, the general secretary expressed shock and sorrow at the tragic loss of over 1,100 workers in the collapse of the Rana Plaza building in Dhaka. The TUC took part in the international campaign to press companies to support the international union Accord on Fire and Building Safety to tackle the textile industry's appalling record on health and safety and workers' rights. The TUC also pressed the Department for International Development to involve unions in its work on health and safety training in Bangladesh, and joined the ITUC campaign for better labour laws.



In April there was a tragic loss of **1,100** workers in the collapse of the Rana Plaza building in Dhaka

## Chapter six

### Strong unions

#### Burma

With the European Union's decision to lift sanctions against Burma, the TUC has been working closely with the ITUC to call for new investment from the EU to Burma that follows ethical guidelines. The general secretary wrote to William Hague on the eve of the G8 Foreign Ministers' Summit in April asking for a Commission for Responsible Investment to be established in Burma where firms would register and publish details of their investments so any rights violations in their business practices such as child labour or anti-strike regulations in factories could be investigated and corrected. The TUC also raised this issue with MEPs who included the need for transparent investment procedures and stressed the need to follow the UN Guiding Principles on Business and Human Rights in the European Parliament Resolution on Burma in May 2013. A TUC Aid contribution to the ITUC's plans for reconstruction of Burma's unions is being developed.

#### China

The TUC has continued to work closely on the issue of workers' rights in China. Developments in the Chinese economy have seen some progress with moves to greater openness for worker organisation. The level of openness however continues to vary across the country. TUC representatives have participated in workshops organised by the ILO together with the All-China Federation of Trade Unions in China (ACFTU) and the TUC has received a number of ACFTU delegations in the UK. A number of these delegations were focused on the strengthening of regional links, including between TUC Northern Region and Jiangsu province and TUC North West Region and Shanghai. Work has also continued, through the Ethical Trading Initiative, to support the establishment of elected worker committees in factories supplying British retailers. Using the lessons learnt from the ETI China Decent Work pilot, larger scale projects are now being planned in the toy and footwear sectors. Sam Gurney visited Hong Kong and Shenzhen in February to meet with labour rights NGOs and union colleagues involved in the ETI project work. In addition the Playfair 2012 campaign commissioned a series of investigations on working conditions in Chinese factories supplying London 2012 merchandise. As a result of the findings the TUC engaged with the Olympic organisers to develop a package of workers' rights trainings to be piloted in a number of factories that produced 2012 branded products.

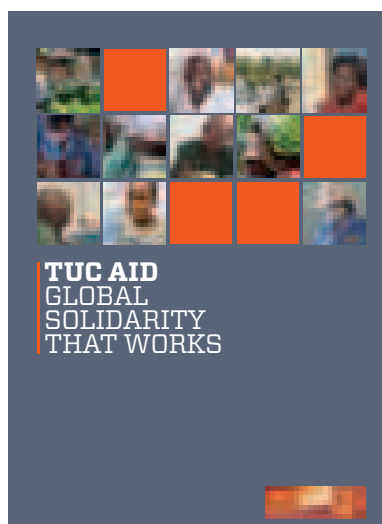
#### Pakistan

In September, the TUC sent a message of condolence to Zahoor Awan, general secretary, Pakistan Workers' Federation (PWF), following the deaths of some 300 workers in the two factory fires in Karachi and Lahore and condemned those responsible for the unprecedented disaster through their crass disregard for health and safety in the workplace.

### 6.5 TUC Aid

Chris Tansley, General Council member, and Frances O'Grady, General Secretary, joined the Board of Trustees during the year, replacing Alison Shepherd and Brendan Barber. Gail Cartmail continued as chair, and the other trustees were Sheila Bearcroft, Sue Ferns, Sally Hunt, Fiona Wilson and Owen Tudor, who acted as Secretary.

The evaluation of the *Building Workplace Capacity to Combat HIV/AIDS in Nigeria* project conducted by Dr Pricilla Ibekwe, independent consultant, and Chidozie Ezechukwu from the National Agency for Control of AIDS (NACA) in Nigeria recognised the contribution made by the project to the achievement of MDG 6 in Nigeria. The researchers concluded that the project made an appreciable contribution to national achievements in HIV Counselling and Testing (HCT) and Prevention of Mother to Child Transmission (PMCT).



The activities under the *Employment for People with Disabilities* project in Uganda supported by TUC Aid through Disability Aid Abroad (DAA) in Northern Ireland are underway. 120 disability champions, following their training in empowerment of workers with disabilities, have begun compiling data on workers with disabilities at their workplaces while the training of employers on disability awareness and employment of workers with disabilities has taken place with ten employers so far having benefitted from the programme.

### Bangladesh

TUC Aid made a donation of £10,000 to the industrial appeal for funds to help the families of the victims of the collapse of the Rana Plaza Building in Dhaka and forwarded £15,400 including the proceeds of its own appeal.



### Haiti

Activities designed to build capacity in the trade union movement in Haiti are in progress with a grant of £90,000 from TUC Aid made under the memorandum of understanding signed between the Trade Union Confederation for the Americas (TUCA) and TUC Aid in March this year. 149 organisers including 58 women officials trained under the project have started organising workers. The Confédération des Travailleurs Haitiens (CTH) has formed a trade union at Global SA in Caracol which has a workforce of 1,300 and recruited some 1,050 members and is due to negotiate a collective bargaining agreement. The Confédération des Secteurs Public et Privé en Haïti (CTSP) has set up a trade union for construction workers with 69 members. In addition, plans are underway to form a trade union for about 300 nurses. The monthly inter-union coordinating meetings involving some 15 organisations have made it possible to exchange views and develop common policies on labour law reforms, women's participation, social protection and dialogue etc.

Activities designed to build capacity in the trade union movement in Haiti are in progress with a grant of £90,000.

### Palestine – Gaza

TUC Aid, in collaboration with Australian People for Health, Education and Development Abroad (APHEDA) the development arm of the Australian trade union movement and through the MA'AN Development Centre, is supporting the development of a nursery making it possible for hundreds of households to grow fruit and vegetables in the Gaza Strip. Some of the most vulnerable families have received seedlings and greenhouses under the initiative, which will improve the food security and supplement their meagre earnings.

## Chapter six

### Strong unions



#### Guatemala

TUC Aid is collaborating with BananaLink to improve the reach and impact of collective bargaining in the banana sector in Guatemala. The project, implemented in partnership with the SITRABI banana workers union, will run training for union activists in both the north and south of the country and support efforts to establish a system of national collective bargaining in the banana industry. The first series of workshops has already taken place.

#### 6.6 Migration

The TUC has continued to argue for a rights-based approach to migration, both within the EU where freedom of movement operates and in terms of global migration. In the UK, the TUC has continued to call for measures to prevent exploitation of migrant workers and undercutting of existing workforces, and has pressed the government to rein in its hostile approach to migrants, its attempt to set an artificial cap on net migration, and its restrictions on migrant access to benefits, health and housing. At the same time, we have called for measures to protect wage rates from undercutting through migration, for example by defending the Resident Labour Market Test which requires employers to seek workers locally before taking on foreign workers. The TUC has continued

to provide information on *Your Rights at Work* in 17 languages to trade unions and migrant workers groups.

The TUC is now developing the basis for a higher profile, public campaign to make a positive intervention in the debate on migration, linked to the TUC's pay and Austerity Uncovered campaigns. This builds on the work the TUC has highlighted on the *Touchstone* blog about migration statistics, the negative impact of migration policy on higher education, our opposition to immigration bonds, possible moves to regularise the status of people whose immigration status is uncertain, and opposing measures designed to turn education workers, landlords, medical staff and employers into immigration police, while tinkering with the machinery of the government's own border forces.



In July, the TUC convened a roundtable of researchers, trade unionists and activists to debate how to develop a rights-based framing of the migration debate. A number of progressive frames for the migration debate and practical ways that these could be developed into actions aimed at the media, politicians and local communities has resulted, and will be refined with regional TUCs and unions. The TUC is also developing its links nationally with a network of community activists and reps to build support for our message.

The TUC adopted a response to the government's Balance of Competences Review in July which pressed the case for EU-wide rules on migration and visa arrangements, where the UK's opt-outs have harmed both business and the rights of migrants. The EU Advisory Committee on the Free Movement of workers met twice this year and the newly appointed TUC representative is Ben Moxham. In the meeting in April, the TUC joined the ETUC in supporting the Committee's proposed Directive to provide more information to mobile workers in the EU. Mohammed Taj is the General Council lead on migration issues.

unionlearn helped unions create opportunities for **221,000** learners

## 6.7 Skills at work

Union learning attracts members and activists. Unions which deliver skills, and challenge employers to do more, are growing stronger. Membership and activism grows. New union learning reps and other reps active on skills issues tend to be younger, and more representative of women and BME members. Many go on to take up wider union roles and become officers. ULRs make a pivotal difference in creating equal access to learning for all, they show that training is a collective issue, attract new members and provide the peer support which learners need. Pay and jobs will always be union priorities but for many working people the best way to a more secure or better job or a pay rise is through a skills rise. Around 10% per cent of union activity is now on learning, double the level ten years ago, half funded by government and half by unions themselves.

### Headline figures

In 2012/13 unionlearn helped unions create learning opportunities for 221,000 learners. Of those learners, 52,000 were on TUC Education courses; over 3,000 on HE (university) courses; 51,000 on informal courses of various kinds including photography, family history and cookery; 5,000 were apprentices; 30,000 were enrolled on formal Level 2 or 3 courses; over 20,000 on English and Maths; over 20,000 doing computing courses; 38,000 doing Continuing Professional Development courses (e.g. technicians or professionals

keeping abreast of latest developments in their field); and 3,500 doing on-line basics courses for those new to computing.

### The Union Learning Fund

Unionlearn receives £18.9m government funding from BIS and manages grants to unions from the Union Learning Fund. In 2012/13 the ULF delivered 42 contracts to 39 unions with a value of over £13m. Unions use ULF funding to build up mainstream learning within their normal activities, democratic structures and industrial strategies. This year unions signed 126 new learning agreements with employers. Through the ULF 1,395 new ULRs were trained and 1,422 existing ULRs accessed follow-on courses in 2012/13. Those numbers are forecast to rise to 2,000 in 2013/14 as a new generic course comes on stream, combining learning with other workplace issues. To date, over 30,000 ULRs have been trained. They comprise around 10 per cent to 15 per cent of all reps.

In 2012/13 the ULF supported the opening of 115 new learning centres. Union learning centres offer unique support to union learners in the workplace. They raise the profile of the union at work and in local communities. They are union led, often in partnership with supportive employers and local providers. The key factor is the physical presence of the ULRs promoting the centres, leading learning and supporting learners.

## Chapter six

# Strong unions

With the support of the ULF and unionlearn, ULRs have reached the parts of the workplace and their communities that mainstream education and workplace training do not reach, thereby extending and strengthening the influence and relevance of unions. Unions have a proven track record in reaching those who are vulnerable or marginalised and unlikely to participate in learning otherwise. ULRs are particularly effective in supporting areas of learning for less confident adults such as English and Maths, English for Speakers of Other Languages (ESOL), digital inclusion and informal first steps into learning.

### English, Maths and ESOL

There were changes to English and Maths qualifications in September 2012. The previous 'Skills for Life' courses were replaced by 'Functional Skills' qualifications which are generally better, but also harder. This brought challenges to ULRs. To counter them, unionlearn set up a Functional Skills Task Group which has been well supported by unions. This additional support proved effective and unions delivered 18,214 English and Maths learning opportunities in 2012/13, supported by the ULF. The government's concern about the low level of Maths in the adult population led to unionlearn receiving funding through NIACE (the main adult education professional body) to promote Maths with a range of educational partners. This resulted in over 880 union Maths champions being trained by unionlearn which helped achieve 7,000 learners working towards Maths qualification.



Cuts in workplace ESOL funding have brought great challenges. However unions found creative ways to help people (often low-paid migrant workers) at work and in communities who need support. Unionlearn co-ordinated a multi-union ESOL stakeholder group. The ULF helped unions provide 914 ESOL opportunities and unions negotiated help for hundreds more, for example via Unite's ESOL work with food processing migrants in East Anglia or UNISON's work with London University cleaners.

### Computing skills – digital inclusion

Last year saw the expansion of union activity to support digital inclusion ensuring that everyone is included in the computer and digital revolution. Latest figures show there are 16 million people in the UK without Basic Online Skills and 4.6 million of those are in the workforce. Unionlearn, working with Go On UK and other partners, has made a big impact through training 183 Digital Champions and delivering 22,946 ICT learners through the ULF. The piloting of Universal Credit (which requires claimants to have digital skills) in the North West has led to a series of workshops to develop the union role in providing help.

### Informal Adult and Community Learning (IACL)

Many learners are put off from learning. They may have bad memories of school or lack confidence. ULRs understand the importance of informal learning as a first step back into learning. The majority of IACL learners then go on to further learning, leading to qualifications, either for their own personal development and/or to get on at work. Unionlearn continued to be an important participant in Adult Learners' Week (18-26 May) and Learning at Work Day (23 May) which promote IACL and unionlearn's own Celebration of Learning (in October) was well supported once again by unions. The ULF helped unions provide 32,900 IACL learning opportunities.



## Continuing Professional Development

Almost half of all union members are graduates or have HE (Level 4) qualifications. Another third have Level 3 qualifications and many of them aspire to develop further. Unionlearn supports these learning needs just as much as those of members needing basic skills. The ULF has been supporting unions to change the face of Continuing Professional Development at work from opportunities designed by employers into opportunities developed through the union. The ULF has supported unions such as teaching unions, specialist unions in health and those in science and engineering for example. They delivered 12,727 CPD opportunities at Level 3 or above to their members. This is a fast-growing area of union work. ATL, for example, is now one of the biggest providers of CPD to teachers in the country.

## Apprenticeships

Unionlearn's Apprenticeships are Union Business project continues to play a key role in supporting union involvement in Apprenticeships. The aims of the project are to help unions negotiate with employers to recruit more high quality apprentices; give training and resources to union reps about Apprenticeships; and help unions to recruit and support apprentices in the workplace. The project has been funded by the government's National Apprenticeship Service (NAS) for four years and funding was renewed again for 2013-14. Over the past year unionlearn has worked with the education unions to develop a guide to Apprenticeships for union reps in schools and colleges. The guide will be launched in autumn 2013.

Unionlearn has also been able to survey users of the Believe in Young People website (around 400,000 are registered on the site) to capture young people's views of unions, Apprenticeships, and in particular their views around the barriers that young women face accessing Apprenticeships.

See Chapter 2 for our policy work on Apprenticeships and Chapter 5 for our work on supporting the Apprenticeship voice in the workplace.

## Young people

Over the past year unionlearn has also helped young people at Glen Parva Young Offenders Institute. Working with partners such as the Skills for Logistics Sector Skills Council and the GMB, the project is providing young offenders with the opportunity to undertake pre-apprenticeship training courses. The union contribution to this project has been significant, including their role in developing the pre-apprenticeship framework, linking to local employers and delivering important modules such as employment rights and responsibilities and health and safety.

In partnership with several unions and employers (such as Tesco and Usdaw or Ucat and Kier) unionlearn has helped deliver quality learning opportunities to young people while highlighting the importance of trade unions. Unionlearn has helped union involvement in an e-mentoring scheme run by NHS employers. Two unions - MiP and SCPOD - have supported union learning reps to act as mentors to young disadvantaged people with an interest in working in the health sector.

Unionlearn has also worked with a charity - Believe in Young People - to network with large employers such as Bass and Whitbread and their unions who are already working with young people. Believe in Young People works with large employers to provide good careers advice and quality work experience placements. These employers were interviewed as part of the unionlearn research commissioned from the University of Warwick (see Chapter 2) and this highlighted the obstacles the skills landscape creates for employers looking to engage with young people. Unionlearn has also been able to survey users of the Believe in Young People website (around 400,000 are registered on the site) to capture young people's views of unions, apprenticeships, and in particular their views around the barriers that young women face accessing apprenticeships.

Unionlearn has also facilitated union involvement in another charity, Future First. Future First aims to improve social mobility for state school pupils by enabling them to receive high quality careers guidance and insight from former alumni. Unite has promoted the scheme among its representatives.

## Chapter six

### Strong unions

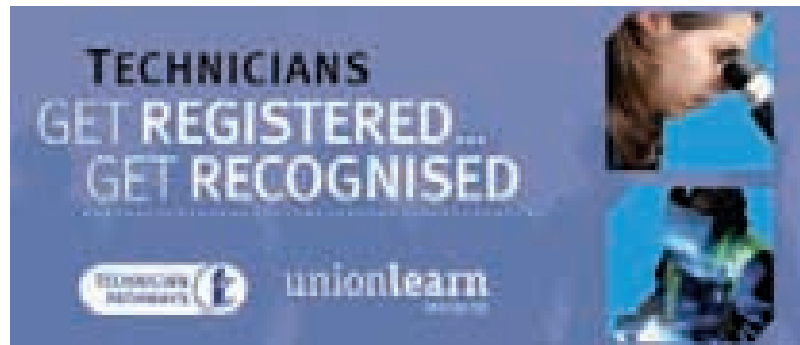
#### Higher level (e.g. graduate) skills

Unionlearn has a strategy for developing pathways to higher learning for union learners, and has strategic agreements with the Open University and Birkbeck University to take this forward. Some of these strategic agreements include discount offers to union members. Birkbeck University offers a 10 per cent union discount on course fees. Last year over 750 members claimed their discount because they came through the union route <sup>2</sup> earning Birkbeck over £4m.

The Higher Learning at Work web pages and resources have been updated and a new *Studying part-time at work* section has been added. This website is a one-stop shop for working adults wanting to find out about higher learning. Since the disappearance of organisations like Foundation Degree Forward, Aimhigher and Lifelong Learning Networks, unionlearn has become a major organisation for working people looking for advice on getting access to higher level skills.

Unionlearn is a partner in a new campaign launched in May called Part-Time Matters. The launch of Part-Time Matters is in response to the dramatic 40 per cent overall downturn in students enrolling for part-time undergraduate courses. The campaign aims to highlight some of the often unknown benefits of part-time study to the economy, society and the individual. The campaign is supported by an alliance of universities, business and unions.

Please note that Higher Education policy is covered in Chapter 4.



#### Supporting learners

The Climbing Frame website has been developed to provide up to date information and continuing support for ULRs within the learning themes area. The learner management section allows ULRs to record their sessions with learners. This year unionlearn developed and launched a Climbing Frame App to improve access and flexibility which will help unions mainstream and embed the Climbing Frame in their learning and skills work. In addition, unionlearn has developed two new bite-sized e-learning modules called eNotes on supporting learners and using the Climbing Frame. These short, interactive, self-study learning modules contain videos and essential information and resources for effectively supporting workplace learners.

#### Supporting the technician workforce

Unionlearn is currently leading a Technician Pathways project which is supporting progression for the technician workforce. The main aim of the project is to promote the trade union role in delivering professional registration for technicians working in science, engineering and technology (SET), covering key sectors such as energy, education, healthcare and manufacturing.

Unionlearn is working in partnership with professional bodies and other organisations to promote the professional standing of technicians, recognising the valuable contribution they make both to the economy and to our lives more broadly. The primary aim of the project is to develop positive and sustainable relationships between professional bodies, trade unions, employers and others with a view to encouraging and supporting more workers to take up technician registration. A number of smaller projects in conjunction with employers and professional bodies are being run to test how professional registration for technicians can best be supported.

The project recently published a report produced by unionlearn setting out the historical and current union role in promoting the interests of the technician workforce. The TUC held a conference in July 2013 to raise awareness, build relationships and disseminate the work of the project to date. A toolkit for union reps containing information and guidance on professional registration and how to support technicians in the workplace will be launched in the autumn of 2013.

## Sector Skills Councils (SSCs)

Unionlearn and affiliated unions continue to be involved in joint projects with SSCs. Over the past year unionlearn has re-established the employer and union collaborative network supported through the Manufacturing for Skills Alliance (involving three SSCs: Cogent, Improve, and SEMTA). Unionlearn has also worked closely with union representatives to map union participation in any industrial partnerships that have been approved under round two of the Employer Ownership Pilot.

## Green skills

During the past year unionlearn's Green Skills partnership attracted a national university Green Gown award for its work with London colleges on supporting access to green skills. The partnership has developed collaborations between training providers, employers, trade unions, the voluntary sector and communities to deliver sustainability training and employment opportunities in the green skills agenda. The partnership continues to generate a growing number of learning and employment opportunities through an ever-growing number of construction employers, social enterprises, training providers, local authorities, sector skills councils, community groups and trade unions.



Unionlearn is supporting UCATT and Unite's engagement with the Build Up Skills UK 2020 roadmap initiative (to which the green agenda is essential) that is being co-ordinated by Asset Skills, Summit Skills, Construction Skills and Energy & Utility Skills, including plans for a consultation with union representatives in the autumn. Unionlearn also supports Prospect, the leading partner on the World Skills Environmental Science Competition which is attracting the support of UK colleges and colleges in Holland and Germany. FDA, UCATT and UCU have also delivered successful TUC Green Workplaces training initiatives with funding from the ETUC.

## 6.8 TUC Education

Statistics on union reps' participation in TUC Education courses have been collected in the same way for more than thirty years, and they tell a story about trade unionism over the years. Continuing difficulties for trade union representatives in obtaining paid release and the decline of industries and sectors with strong, traditional release arrangements can be tracked. These difficulties peaked in 2011-12 with the added and unprecedented recessionary pressures of redundancy, wage freeze and a slide in confidence. Unions have been forced to prioritise industrial matters at the expense of new and emerging initiatives such as learning and green issues. It is significant that the ten-day programmes for union reps and safety reps and the five-day course for union learning reps, the core training packages which offer a thorough and complete grounding, continue to show a downward trend despite legal rights to paid release in place to support them. The substantial short course programme, which grew significantly over the past ten years and which experienced a sharp decline in 2011, remains an indication of the pressure on paid release and the difficulties reps face in accessing training. Nonetheless, new developments in the use of educational technology, coupled with a firm commitment to reach out to reps with a flexible classroom offer has meant that real progress can still be made.

## Chapter six

### Strong unions

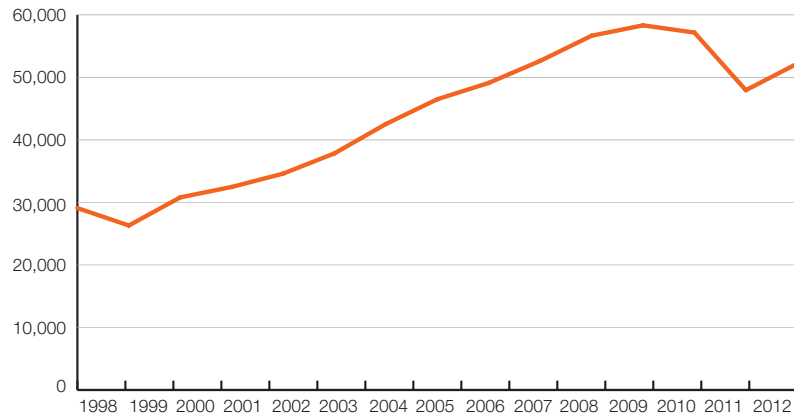
In 2012, 52,198 union workplace representatives undertook training, an increase of 4,251 over 2011. This is particularly significant, given the pressure on time off for reps to access training, and a real tribute to the hard work of union education officers and TUC tutors. Almost all affiliated unions participate in the programme and many commission tailored programmes within TUC Education.

A secure funding mechanism which gives government backing to key areas of work underscores the reputation of trade union education as an important part of the adult curriculum in further education. Government support for the work is also secured in Wales and Scotland, where different funding regimes apply.

The Scottish Trades Union Congress (STUC), in partnership with TUC Education in Scotland, has established the well-regarded Scottish Union Learning (SUL) to work together to support unions, reps and members and to establish a high profile, strategic direction for union learning in Scotland. The TUC is represented on the SUL Board by Liz Rees.

TUC Education is founded on partnerships and the long-standing link with colleges of further education, the National Open College Network and the Workers' Educational Association has made it possible to maintain and extend the resource base for trade union education. The TUC continues to enjoy positive professional relationships with college managers and tutors.

#### Total reps trained in 2012: 52,198



The TUC wishes to record its appreciation of the significant contribution made by its tutors, whose professionalism and commitment continues to be at the heart of the programme's success.

Finally, thanks are due to union National Education Officers and their teams around the UK, whose enthusiasm and support for and commitment to trade union education remains key to maintaining quality and demand.

#### TUC Education Online

TUC Education offers a convenient solution to union reps seeking to develop their skills and knowledge who are unable to access classroom-based courses. In addition to online tutor-led qualifications, TUC Education has successfully developed a number of web-based, bite-sized modules on a range of subjects to support trade unionists.

The demand for online courses has continued to increase with almost 2,000 reps obtaining full qualifications online in 2012. The online offer allows reps in hard to reach geographical locations to access reps training. This includes UK overseas territories such as Gibraltar, the Falkland Islands, Cyprus, Germany and even a submariner. A new version of the Union Learning Reps Stage 2 has now been added to the extensive list of online courses offered to trade union representatives.

TUC Education Online has worked with a number of unions to develop bespoke online courses tailored to their needs. Trade union studies centres have also responded to these demands by offering more flexible ways of accessing training, including a large increase in the number of blended courses, a mixture of traditional classroom-based delivery and online activities.

With release for training increasingly restricted, TUC Education has continued to develop alternative ways of providing reps and officers with knowledge and information updates via eNotes – short, online modules. These have been well received by union representatives and by unions themselves. TUC Education has developed eNotes on a range of subjects including *Supporting Learners*; *Being a Route Steward*, *Using the unionlearn Climbing Frame and Facility Time*. The 40-minute eNote on Facility Time has been extremely popular and well used. To date, almost 2,500 reps have registered at [www.tuclearning.net](http://www.tuclearning.net) TUC Education is supporting unions in developing their own eNotes. Further eNotes are in development, including *Understanding Universal Credit*; *Apprenticeships* and in support of TUC campaign themes.

In order to further enhance the online offer, a new website and virtual learning environment will be launched in the autumn. It will support existing learners, embed online and blended learning across the programme and allow users to easily access TUC resources and information on TUC campaigns.

### Union learning reps

During 2012, 1,039 new ULRs were trained compared to 1,155 in 2011, a continuation of the downward trend observed over the past few years. An additional 631 undertook Stage 2 and follow-on modules, as against 807 in 2011.

These numbers reflect the continuing difficulties particular to the ULR role, which have been exacerbated by the economic climate and the need for unions to prioritise pressing industrial problems at the expense of this agenda. Release for training is even more difficult to obtain, despite the underpinning rights, and courses fail to recruit despite considerable efforts. The unionlearn board decided in 2012 to take the learning agenda to the heart of union and employer workplace activity by mainstreaming it within the Stage 1 Union Representatives' Course, (the Shop Stewards programme) to avoid a marginalisation of this work during times very different to those in which the role was conceived and developed. With union reps bargaining in a much harsher economic climate than ever before, learning and skills will be most useful at the heart of union activity at a time when pay bargaining is yielding scant returns. Active recruitment to the ULR course will continue alongside this offer.

The new course has finished the pilot phase and is being published for formal launch in September 2013. It is estimated that 500 reps have been trained using the pilot materials.

### Union Professional Development Programme

After eight successful years, the Union Professional Development Programme has been comprehensively redesigned to ensure its continuing relevance. Following consultation with union officers and staff throughout the UK, the new programme offers more flexible learning options than ever before to make it as accessible as possible for union professionals.

Greater use of blended learning – combining online and face-to-face learning – is being phased in, together with the use of shorter, more intensive training on developments in specific topics, such as employment law or pensions, as well as workshop style events such as project management and time management.

Over 600 union professionals received training through TUC Education in 2012, almost a quarter of the total target group. 58 per cent of participants were women officials.

The union women professionals' summer school is now in its ninth year. This course is designed to develop the next generation of women trade union leaders and has established itself as a unique development opportunity for women trade unionists.

Sixteen women from ten unions participated in intensive sessions on a range of union priorities led by senior trade union leaders. Priorities included pensions, organising strategies, employment law, equalities and leadership. A House of Commons reception was a highlight of the 2012 week, which was held in October as a consequence of the London 2012 Olympics.

## Chapter six

# Strong unions

Further support for union professionals is available through a dedicated website, uniquely focused on union officers. Registration is at: [www.unionprofessionals.org.uk](http://www.unionprofessionals.org.uk)

Course brochure and further details can be accessed at [www.unionlearn.org.uk/education](http://www.unionlearn.org.uk/education)

### 6.9 Course development

#### Employment rights

Given the significant changes to UK employment law taking place, TUC Education is piloting a new Certificate course (which will replace the Stage 2 union representatives' course) to enable union reps to prepare for these changes in the best way possible for members and for the workplace.

This new Certificate course is designed for union reps who have already completed the TUC Stage 1 Union Reps course or its union equivalent. It is a practical and comprehensive training course that approaches the law from a workplace perspective and its principal concern is how knowledge and confidence in using employment law can improve workplace bargaining. It is not aimed at legal professionals or the finer points of technical interpretation of the law.

The course is accredited by TUC Education and the awarding organisation NOCN and reps achieving the learning outcomes of the course will receive a Level 2 or Level 3 Certificate.



#### Working Women (third edition)

The first *Working Women* course book was produced by TUC Education in 1991, focusing on the lives and experiences of women at work, in their communities and as trade unionists. This third edition, launched in May 2013, is again designed as a resource for all trade unionists as a source of information, as an aid to discussion, and as a stimulus to working towards a fairer deal for women. It has a mixed format of easy to read information, a mix of facts and comments on the experiences of working women, things to find out and activities for groups.

#### Organising

A partnership agreement is in place with Ruskin College to deliver the TUC Organising Academy within the Ruskin TUC Education unit. This partnership took effect from September 2009 and has been extended to August 2013.

#### Tutor development

The maintenance and continuing professional development of a first class tutor team has been central to the success of trade union education in further education and TUC Education continues to make a significant investment in tutor development.

In the last eleven years, TUC Education ran a total of 247 tutor training courses, training 2,928 tutors in a range of curriculum priorities as well as core education methods. This year, TUC Education ran six tutor training courses and trained 83 tutors. The number of women tutors trained comprised 54 per cent of the total. These were supplemented by a range of regional briefings and national events.

The sixth annual Tutor Equality seminar for key course coordinators working with TUC Regional Education Officers on equality strategy was held. The event is structured to build knowledge and skills on equalities within TUC Education; to improve professional practice; to support the development of tutors so they are confident and comfortable with the full equalities agenda and to produce equalities education materials and tools.

A conference for course co-ordinators was held in February 2013 and a further event is planned for early 2014.



## International and European partnerships

TUC Education continues to be involved in trans-national work that reflects TUC priorities. It provides Trade Union Studies tutors for courses and projects organised through the European Trade Union Institute. The TUC is represented on the ETUI Education Committee by Liz Rees.

Tutors supported Bananalink projects in Cameroon.

TUC Education manages a European Information project including the publication of a quarterly journal, *The European Review*. ([www.tueip.dircon.co.uk](http://www.tueip.dircon.co.uk)) In addition, the project produced the *European Union Digest*, a trade union digest of organisations and resources which is updated biannually.

## 6.10 TUC Educational Trust

The TUC Educational Trust supports trade union education through:

- ▶ bursaries for students at Ruskin, Coleg Harlech and Northern College
- ▶ supporting the Clive Jenkins European Study Bursaries
- ▶ meeting some of the fees of TUC students in Scotland
- ▶ supporting Organising Academy students through the Roosevelt Memorial Trust
- ▶ supporting programmes at Keele University
- ▶ sponsoring bursaries for a Certificate in Professional Development (CPD) in Union Learning at London Metropolitan University
- ▶ supporting the BA Organisation of Work, Economics and Labour Law course at Birkbeck in association with the Institute of Employment Rights.
- ▶ sponsoring a Chevening Scholarship (with the Foreign and Commonwealth Office)
- ▶ offering an annual scholarship to the Harvard training programme for union leaders.
- ▶ Initiating a scholarship in memory of Hugh Higgins, TUC tutor.

## Chapter six

### Strong unions

#### TUC Education Service Statistics 2012

Table 1: Union workplace representatives: courses 2012

Region	Union officials		Safety representatives		Specialist courses	Short courses	Totals
	Stage 1	Stage 2	Stage 1	Stage 2			
South and East	21	6	25	12	35	719	<b>818</b>
South West	3	1	14	5	2	132	<b>157</b>
West Midlands	10	6	13	10	28	795	<b>862</b>
East Midlands	3	2	4	3	9	65	<b>86</b>
Yorkshire and the Humber	14	6	16	6	20	449	<b>511</b>
North West	40	19	33	23	133	633	<b>881</b>
Northern	8	4	8	9	10	147	<b>186</b>
Wales	4	1	8	4	19	179	<b>215</b>
Scotland	12	3	18	11	14	187	<b>245</b>
Northern Ireland	17	2	9	5	5	19	<b>57</b>
<b>Totals</b>	<b>132</b>	<b>50</b>	<b>148</b>	<b>88</b>	<b>275</b>	<b>3,325</b>	<b>4,018</b>

Table 2: Union workplace representatives: students 2012

Region	Union officials		Safety representatives		Specialist courses	Short courses	Totals
	Stage 1	Stage 2	Stage 1	Stage 2			
South and East	216	109	235	114	345	12,441	<b>13,460</b>
South West	41	8	158	44	17	1,707	<b>1,975</b>
West Midlands	123	35	139	85	235	9,502	<b>10,119</b>
East Midlands	27	14	38	26	83	811	<b>999</b>
Yorkshire and the Humber	152	50	210	57	281	5,458	<b>6,208</b>
North West	476	252	405	254	1,249	8,078	<b>10,714</b>
Northern	82	28	94	75	157	2,203	<b>2,639</b>
Wales	26	10	75	32	164	2,339	<b>2,646</b>
Scotland	111	22	166	92	128	2,244	<b>2,763</b>
Northern Ireland	189	15	111	58	57	245	<b>675</b>
<b>Totals</b>	<b>1,443</b>	<b>543</b>	<b>1,631</b>	<b>837</b>	<b>2,716</b>	<b>45,028</b>	<b>52,198</b>
Women	34.1%	34.3%	25.4%	19.5%	35.7%	39.5%	<b>38.4%</b>

Table 3: Short course students by generic course title 2012

Generic Title	Students
Industrial Relations/Collective Bargaining	11,757
Health & Safety	8,650
Induction	7,056
Equality	2,879
Skills/Languages	2,739
Information Communication Technology	2,545
Information and Consultation	1,133
Other*	8,269
<b>Total</b>	<b>45,028</b>

\* Other courses include those organised in response to union requests.

Table 4: TUC day release and short courses provision 1992-2012

Year	Union Officials Stage 1 & 2		Health & Safety Stage 1 & 2		Follow-on Specialist		Short Courses		Evening Classes		Totals	
	Courses	Students	Courses	Students	Courses	Students	Courses	Students	Courses	Students	Courses	Students
<b>1994</b>	401	4,520	498	5,988	98	1,013	1,088	14,036	80	1,054	<b>2,165</b>	<b>26,611</b>
<b>1995</b>	395	4,503	472	5,733	118	1,335	900	10,496	84	967	<b>1,969</b>	<b>23,034</b>
<b>1996</b>	373	4,201	496	5,712	165	1,812	955	8,570	138	2,646	<b>2,127</b>	<b>22,941</b>
<b>1997</b>	330	3,703	456	5,740	182	1,916	1,023	11,377	263	3,115	<b>2,254</b>	<b>25,851</b>
<b>1998</b>	340	3,980	485	5,788	170	1,697	1,121	13,442	332	4,187	<b>2,448</b>	<b>29,094</b>
<b>1999</b>	345	4,102	443	5,375	194	2,029	1,287	14,801	336	4,205	<b>2,605</b>	<b>30,512</b>
<b>2000</b>	348	3,977	463	5,692	132	1,589	1,182	15,079	373	4,469	<b>2,498</b>	<b>30,806</b>
<b>2001</b>	307	3,560	430	5,264	118	1,379	1,570	19,157	282	3,111	<b>2,707</b>	<b>32,471</b>
<b>2002</b>	328	3,460	397	4,925	390	4,107	1,902	21,427	53	680	<b>3,070</b>	<b>34,599</b>
<b>2003</b>	288	3,161	404	4,502	562	5,252	2,135	23,873	85	1,058	<b>3,474</b>	<b>37,846</b>
<b>2004</b>	309	3,413	398	4,715	558	6,057	2,367	27,176	112	1,180	<b>3,744</b>	<b>42,541</b>
<b>2005</b>	279	2,917	353	4,021	487	4,800	2,954	33,561	82	1,203	<b>4,155</b>	<b>46,502</b>
<b>2006</b>	262	2,784	339	3,778	316	3,032	2,854	38,585	79	933	<b>3,850</b>	<b>49,112</b>
<b>2007</b>	268	2,667	355	3,781	359	3,730	3,097	41,085	130	1,367	<b>4,209</b>	<b>52,630</b>
<b>2008</b>	213	2,251	284	3,105	302	4,537	3,359	46,466	147	1,298	<b>4,305</b>	<b>57,657</b>
<b>2009</b>	202	2,155	294	3,120	314	3,105	4,018	48,483	155	1,458	<b>4,983</b>	<b>58,321</b>
<b>2010</b>	210	2,194	252	2,710	246	2,904	3,510	47,888	168	1,467	<b>4,386</b>	<b>57,163</b>
<b>2011</b>	188	1,969	240	2,522	213	2,148	2,847	39,758	134	1,550	<b>3,622</b>	<b>47,947</b>
<b>2012</b>	182	1,986	236	2,468	275	2,716	3,166	43,375	159	1,653	<b>4,018</b>	<b>52,198</b>

## Chapter six

### Strong unions

Table 5: Percentage take-up of places on TUC 10-day and short courses 2012 (unions with 0.5 per cent and upwards of total affiliated membership)

Total affiliated membership	5,977,178
Total Number of Students Attending TUC Day-Release Courses	7,170
Total Number of Students Attending TUC Short Courses	45,028

Union	% of total TUC membership	% take-up of TUC course places 10-day courses	Short courses
Unite	23.55	11.98	17.66
UNISON	22.04	16.54	16.23
GMB	10.21	8.23	8.41
USDAW	6.90	4.90	13.12
NUT	5.43	0.47	0.46
NASUWT	4.92	0.03	14.36
PCS	4.69	7.85	5.39
CWU	3.42	1.56	4.11
ATL	2.21	0.04	0.36
Prospect	2.05	0.59	0.27
UCU	2.00	0.50	1.73
UCATT	1.40	1.35	0.48
RMT	1.27	4.37	0.89
EIS	0.94	0.36	0.06
Community	0.84	1.66	0.63
FBU	0.71	1.74	1.63
CSP	0.63	0.56	0.09
Equity	0.62	0.00	0.01
POA	0.55	0.78	0.35
MU	0.53	0.00	0.00
NUJ	0.51	0.00	0.00

# 7 Chapter seven

## TUC administration

7.1	Introduction
7.2	Affiliations and mergers
7.3	Congress
7.4	Congress Awards
7.5	General Council
7.6	Senior staff
7.7	Equality conferences
7.8	Young Workers' Conference
7.9	Trades Union Councils Conference
7.10	TUC/TU ink Trade Union Communications Awards
7.11	TUC finances
7.12	Personnel and training
7.13	TUC Information Services
7.14	TUC Library Collections
7.15	Congress Centre



# Chapter seven

## TUC administration

### 7.1 Introduction

This chapter reports on affiliations and mergers; the Congress Awards for lay representatives; equality, young workers and Trades Union Councils conferences; Congress arrangements; Trade Union Communications Awards; the General Council; and changes in senior staff. It also reports on the internal management of the TUC; finances, personnel and training matters; the information service; and TUC Library Collections.

### 7.2 Affiliations and mergers

In February the Staff Union West Bromwich Building Society was accepted into TUC affiliation. The union has 500 members and the general secretary is Julie Holton.

### 7.3 Congress

The 2012 Congress was held in Brighton. The Congress carried 43 motions, 16 composite motions and three emergency motions. It also agreed statements on banking reform and solidarity with South African mineworkers and unions. One motion was lost. This year a grid is included in this report showing where, within the report, the action taken on each of the resolutions is reported.

During the course of the year the Executive Working Group, which advised on arrangements for the 2011 Congress that was held at Congress House, has been reconstituted to advise on arrangements for this year's Congress, which will be the first to be held at the Bournemouth International Centre since 1988. A number of changes are being introduced with the aim of improving the delegate experience and further details of these will be given in the Congress documents.

In April the General Council agreed that the 2014 Congress should be held in Liverpool and the 2015 event in Brighton.

### 7.4 Congress Awards

The winners of this year's Congress Awards for lay representatives are as follows:

- The Congress Award for Youth: Debbie Wilson of Prospect/Jamie-Max Caldwell of Unite
- Health and Safety representative award: Andy McArthur of the Communication Workers Union
- Learning Representative Award: Sarah Barnes of GMB
- Organising Representative Award: Jim Frew and Graeme Ewart of Unite
- Women's Gold badge: Agnes Tolmie of Unite

### 7.5 General Council

At the time of writing the General Council has held seven meetings during this Congress year. At the first meeting, held jointly with the outgoing General Council on the final morning of the 2012 Congress, Lesley Mercer was elected as chair of the General Council and she will preside at the 2013 Congress. It was also agreed that the Executive Committee should be composed of the existing members, with Jane Carolan, Leslie Manasseh and John Smith replacing the retiring members. During the course of the year, Sue Mather was elected to fill the vacant seat in Section D, which consists of four women members from unions with fewer than 200,000 members, and Chris Tansley was appointed to fill the vacant UNISON seat. In July it was reported that UNISON member Bob Abberley had been replaced by Karen Jennings.

In May, following a request from Equity, the Executive Committee clarified the circumstances in which unions would be entitled to send observers to General Council meetings. The practice of allowing those unions that did not have a member on the General Council to send an observer had been introduced in 2006 following a review and in order to ensure that all unions were able to participate in TUC policy making between Congresses. In line with this principle the Executive agreed that the right to send an observer should be extended to include unions who would not otherwise be present because their member or members were unable to attend a particular meeting. Unions were informed of this in the June issue of TUC MAIL.





▲ John Monks, Norman Willis, Frances O'Grady and Brendan Barber at the retirement event for Mike Smith, long-serving TUC staff member

During the course of this Congress year the General Council's work has centred round the development of the campaign described in Chapter 1 and whose elements form the structure for this report. The special meeting of the Executive Committee held in January was an important part of this process. The conclusions of that meeting were agreed at the February meeting of the General Council and the campaign document was agreed in April.

Guest speakers were invited to the December and April meetings of the General Council. Representatives of the Scottish TUC attended the December meeting for a discussion on the trade union approach to the forthcoming referendum on Scottish independence. A report of this discussion is included in Chapter 6. In April John Hendy QC introduced a discussion on the pamphlet that he and Professor Keith Ewing had written titled *Days of Action, the legality of protest strikes against government cuts*. A number of references had been made to this publication in unions' responses to the consultation on Congress resolution 5, Countering

Government Austerity Measures, and in advance of the meeting the authors had met union legal officers to discuss the issues that had been raised.

## 7.6 Senior staff

As was reported to the 2012 Congress, as the sole nominee for the post of general secretary, Frances O'Grady was elected general secretary designate following Congress and succeeded Brendan Barber as general secretary on Brendan's retirement in December 2012. Brendan's departure, after 37 years with the TUC and ten years as general secretary, was marked by a reception jointly hosted by Congress President Lesley Mercer and General Secretary Designate Frances O'Grady. A reception was also held for current TUC staff on Brendan's last day in the office and the trade union group of MPs hosted an event in Brendan's honour at the Speaker's House at Westminster in January.

### The General Council lead responsibilities for the Congress year 2012–13 have been as follows:

#### Overall responsibility as lead spokesperson for the TUC

The General Secretary  
Brendan Barber (until December 2012)  
Frances O'Grady (from December 2012)

#### Senior representative throughout the Congress year

The President Lesley Mercer

### Specific areas of responsibility

**Disabled workers:** Sean McGovern

**Environment and sustainable development:** Sue Ferns

**Europe:** Billy Hayes

**Health and safety:** Liz Snape

**International development:**  
Gail Cartmail

**International relations:** Sally Hunt

**Learning and skills:** Mary Boustead

**Lesbian gay, bisexual and transgender rights:** Maria Exall

**Migration:** Mohammad Taj

**Pensions and pensioners:**  
Michael Leahy

**Public services:** Dave Prentis

**Race equality:** Gloria Mills

**Trades union councils:** Bob Crow

**Women:** Pat Stuart

**Youth:** Fern McCaffrey

## Chapter seven

# TUC

## administration

In December, the Executive Committee decided that the post of deputy general secretary should be replaced with that of a second assistant general secretary. A shortlist was drawn up and interviews were conducted at the February meeting of the Committee. Following a ballot, Paul Nowak, head of the TUC® organisation and services department, was appointed to the new post. Kevin Rowan, TUC Northern Regional Secretary, was subsequently appointed head of the organisation and services department and Beth Farhat was appointed as the new northern regional secretary. Following the retirement of Alan Manning, who had been north west regional secretary since the post became full time in the 1980s, Lynn Collins from UCU was appointed as his successor. Mike Smith, head of the secretariat, retired in June 2013. A new post of director of strategy was created instead of this role and Alice Hood, senior policy officer for public services, was appointed.

### 7.7 Equality conferences

#### Women's Conference 2013

The 2013 TUC Women's Conference was held at Congress House and was chaired by Gail Cartmail. The 295 delegates from 34 affiliated unions passed resolutions on issues ranging from the gender impact of tribunal fees, maternity rights, the impact of low pay and the public sector pay freeze on women, women's representation in a range of male-dominated sectors, ending violence against women, to abortion rights.

The theme of the conference was Women: Mobilise and Organise.

For International Women's Day an event was held at Congress House with speeches from Frances O'Grady, Lesley Mercer, and Suzanne McCarthy of the Ethical Trading Initiative.

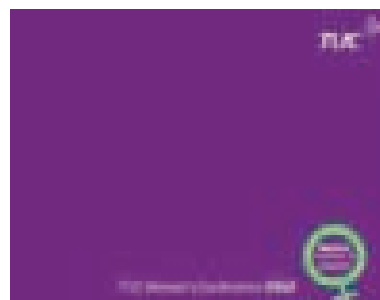
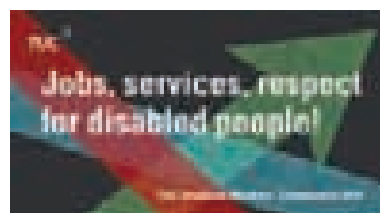
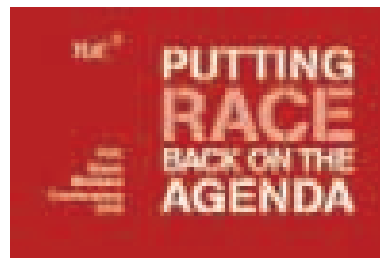
The resolution chosen by delegates at the TUC Women's Conference to go to TUC Congress 2013 was a resolution with the title Women and Employment Rights.

The conference was addressed by TUC General Secretary, Frances O'Grady, Fiona Mactaggart MP, Dr Robert Perrett of Bradford University and Claire Courteille, ITUC equality director.

Feedback from delegates about the conference was extremely positive.

#### Black Workers' Conference 2013

The twentieth TUC Black Workers' Conference was held at Congress House in April 2013. The conference was attended by 232 delegates from 27 affiliated unions. Mohammad Taj chaired the conference. The TUC President, Lesley Mercer, addressed the conference, as did the General Secretary, Frances O'Grady. Other speakers were Owen Jones, Rafeef Ziadah, a Palestinian refugee and activist, Professor Elizabeth Anionwu from the Mary Seacole Statue Appeal and Roger McKenzie, the Assistant General Secretary of UNISON.



The conference featured a panel debate titled Putting Race Back on the Agenda and delegates took part in workshops on deaths in custody, community and trade union organising and collective bargaining on race equality.

# 217



## Disabled Workers' Conference 2013

The twelfth TUC Disabled Workers' Conference took place at Congress House on 22-23 May 2013. The conference sessions were chaired by Seán McGovern, Mandy Hudson, Manjeet Sandhu and Tony Sneddon. Conference was addressed by Kay Carberry, TUC Assistant General Secretary, Seán McGovern, co-chair of the Disabled Workers' Committee, TUC president Lesley Mercer, Andy Green (Disabled People against the Cuts) and Francesca Martinez (campaigner and entertainer). A panel comprising Chris Holmes (Equality and Human Rights Commission), Joanna Rowland-Stuart (Regard), Sarah Veale (TUC) and Rick Burgess (War on Welfare) introduced an informal plenary discussion on promoting the recognition of diversity in advancing disabled peoples' rights.

The conference elected the Disabled Workers' Committee and debated motions covering topics including government attacks on disability benefits and the welfare state, and the impact of this in specific sectors, the undermining of equality law, support for disabled workers' co-operatives, campaigning to change the law to allow job-sharing for MPs, the misuse of sickness absence procedures against disabled workers and in particular of the 'Bradford Factor', promoting awareness of issues facing workers with autism, and championing disabled entertainers. The conference was attended by 217 delegates from 26 unions.

The conference was attended by **217** delegates from 26 unions

## LGBT Conference 2013

The 16th TUC LGBT conference took place at Congress House on 27-28 June 2013. The conference sessions were chaired by Maria Exall, Jan Baxter, Ann Morgan and Bev Miller. Conference was addressed by Frances O'Grady, Maria Exall (Chair, TUC LGBT Committee), Angela Eagle MP, Michael Rubenstein (editor, Equal Opportunities Law Reports), Lesley Mercer and Antony Smith (Age UK).

An informal plenary session discussing the progress of LGBT rights across Europe was introduced by a panel comprising Cinzia Sechi (ETUC), Louise Ashworth (ILGA Europe), Renata Tretiakova (CGT) and Stephen Whittle (Press for Change). Conference elected the TUC LGBT Committee and debated motions covering the impact of austerity on LGBT communities, supporting LGBT members with mental health problems, discrimination in education, hate crime, the case of Lucy Meadows, same sex domestic abuse, promotion of HIV testing, homophobia in sport, homelessness among young LGBTs, and international LGBT rights including in the Arab world, Africa and Russia. Conference was attended by 235 delegates from 29 unions.

## 7.8 Young Workers' Conference

The 2013 TUC Young Members Conference took place over the weekend of the 23-24 March at Congress House. The conference was attended by 75 delegates representing 20 TUC affiliates. The conference discussed 20 motions and decided to send a motion on Fair pay for Young Workers to the 2013 Congress. It was also agreed to change the name of the conference to the TUC Young Workers' Conference.

## Chapter seven

# TUC administration

Some of the winners at the Communications Awards presentation



### 7.9 Trades Union Councils Conference

The Trades Union Councils Conference was held on 12 June 2013 at Congress House. There were 84 delegates and 10 observers. TUC General Secretary Frances O'Grady was the keynote speaker. TUCJCC Chair and RMT General Secretary Bob Crow also addressed conference. The conference also heard from Bill Greenshields, trade union liaison officer for the Peoples Charter and George Binette, President of Camden Trades Union Council. Camden Trades Union Council organised the pre-conference rally. Delegates were pleased that three members of the General Council, Bob Crow, Dave Harvey and Pat Stuart, each chaired a section of conference. The conference passed a resolution on representation at Congress which will be debated at the 2013 Congress.

### 7.10 TUC/TU ink Trade Union Communications Awards

This was the sixth year of the re-launched Awards and TU ink, a printing/project management company, has agreed to continue as sponsor. The General Council is grateful to TU ink for their ongoing support for the Awards.

This year 22 unions entered the competition with a total of 90 entries and the awards have continued to thrive with a diverse range of high quality entries from across the union movement.

In 2013 the judges were: Martin Brown, Head of Communications, Equity; Mark Epstein, Director, Mass1; Jean McLean, Head of Mobilisation, Save the Children; John Healey, MP for Wentworth and Dearne; and John Moylan, Employment & Industry Correspondent, BBC.

The judges expressed much praise for the skill and professionalism shown in union entries to the Awards and praised the teams for the commitment to good communications with their members and the wider public.

At the awards ceremony on 10 July union communications professionals were able to view all the competition entries, and network with their colleagues and General Council members. The TUC general secretary awarded the certificates.

Again this year a publication was produced *The Judges' Comments and Focus on the Winners*, reporting on the awards. A copy will be available for each delegate at Congress.

### The results were as follows:

#### **Best journal or magazine**

Winner: MU *The Musician*  
Highly Commended: Nautilus  
International *Telegraph* and  
UNISON *U* magazine

#### **Best feature**

Winner: Unite *Wish you were us?*  
Highly Commended:  
MU *VIP Musicians*  
Commended: Usdaw *Know your rights: Dealing with debt and pay day loans*

#### **Best use of a photo or illustration**

Winner: FDA illustration  
by David Simonds  
Highly commended: FBU  
illustration by Phil Disley  
Commended: UNISON illustration  
by Stephanie Wise

#### **Best one-off publication**

Winner: Usdaw *Supporting families with disabled children*  
Highly Commended: MU *Live music kit*  
Commended: FDA *New Pension Scheme 2015 – Government's final offer*

#### **Best campaign**

Winner: POA *Campaign to keep HMP Magilligan open*  
Highly Commended: UNISON *People before profits*

#### **Best website**

Winner: Community  
[www.community-tu.org](http://www.community-tu.org)  
Highly Commended: Usdaw  
[www.usdaw.org.uk](http://www.usdaw.org.uk)  
Commended: CWU  
[www.cwu.org](http://www.cwu.org)

In 2012, 10 per cent of the affiliation fee was allocated to the Development Fund and was used to promote new work and initiatives by the General Council.

#### **Best use of electronic communication**

Winner: UCU *Holocaust Memorial Day film* and Usdaw *A guide to auto-enrolment*  
Highly Commended: BALPA *A message from Britain's airline pilots*  
Commended: NASUWT *Reclaim the classroom*

### 7.11 TUC finances

The TUC's accounts for 2012 (see Appendix 3) show a total surplus across all funds of £1.494m, including the FRS 17 adjustments. The operating surplus of £848,000 comprises £83,000 being set aside for the Congress House dilapidations fund and surpluses of £388,000 and £375,000 on the administration and development funds respectively.

#### **Development Fund**

In 2012, 10 per cent of the affiliation fee was allocated to the Development Fund and was used to promote new work and initiatives by the General Council. For 2012 an additional levy of £0.10 per member was raised to support additional campaign activities. This was used to support the main strands of our campaign objectives:

#### **Battle for ideas**

- Economics conference
- Support to external organisations
- Developing Touchstone publications
- Research on countering the case for austerity
- Impact of cuts on equality in employment

#### **Battle for narrative**

- Surveys and opinion polls probing public opinion of economic policy

#### **Day-to-day campaigning**

- Employment rights campaign
- NHS rally
- Enough is enough ETUC

#### **Capacity building**

- Community organisers
- Regional activities
- False economy website
- Digital campaigning.

# Chapter seven

## TUC administration

### Statement of Accounts

The annual Statement of Accounts and Balance Sheet as at 31 December 2012 is set out in Appendix 4. The Administration Fund (covering the day-to-day office running expenses and staff costs) showed an operating surplus of £388,000. The Development Fund, representing all non-unionlearn externally funded projects together with projects funded by the affiliation fee and the additional campaign fund, showed an operating surplus of £375,000 while unionlearn funds broke even. The Dilapidations Fund showed that £753,000 was spent on the upkeep of Congress House during the year and £836,000 was charged to the Administration Fund.

During 2012 our calculated FRS17 liability decreased from £2.681m to £1.974m. This reduction of liability of £707,000 together with the increase in the Dilapidations Fund of £83,000, the surplus on the Development Fund of £377,000, the surplus for the year on the Administration Fund of £388,000 and the loss of £61,000 on sale of investments has increased the funds of the TUC from £13.567m to £15.061m.

### Prospects and developments

A budget for the Administration Fund 2013 has been agreed by the General Council. This showed a projected surplus of £28,141. The General Council approved an increase in the affiliation fee to £2.61 for 2013.

The rolling programme of internal audit work conducted by the accountants Moore Stephens UK has continued with further value for money audits and operational and internal financial audits being undertaken. During 2012 an internal financial audit reviewed the payroll activities for the TUC, and at the start of 2013 we carried out a value for money audit covering the website services within the TUC. As Moore Stephens had been our internal auditors for five years we undertook a tender exercise at the end of 2012 and as a result appointed BDO as the new internal auditors for the TUC. During the next 12 months the programme of work will continue and it is envisaged that procurement and purchasing will be reviewed and that we will carry out a value for money audit on the conference activities and facilities within Congress House.

### 7.12 Personnel and training

The personnel team has continued to deliver a comprehensive personnel and training service for managers and staff, including recruitment to a number of appointments across the organisation, casework on some complex staffing issues, and advice and guidance on a range of staffing and personnel issues across the organisation, including the regions and Wales. In addition, the team supported managers with a number of staff changes in unionlearn resulting from changes to funding.

During the year, the focus has been on developing and implementing a comprehensive investing in people action plan and putting in place an extended management training programme. Both activities built on staff feedback from different staff engagement activities, where areas for further development were highlighted. The personnel team is supporting senior management with these developments and have been undertaking individual training needs analysis with managers to inform the training programme as well as developing and helping to deliver the programme itself.



## 7.13 TUC Information Services

The Information Service supports TUC staff by offering an enquiry and research service supported by a range of online resources, including FAME for company reports and Factiva for all UK newspapers and periodical publications. We also look after the unionprofessionals website, a secure online environment for communicating and sharing documents with other union professionals. All employees of our affiliated unions, as well as all TUC staff, are all eligible for membership. The Information Service also chairs the Trade Union Information Group (TUIG) which meets regularly to share knowledge and information of relevance to information professionals within the trade union movement.

In addition, the Information Service is responsible for the TUC's own files and documents and provides advice and guidance on records management. We also advise on compliance with and best practice in respect of the Data Protection Act (1998). The Information Service looks after the TUC-i, our intranet, which provides a platform for internal communications as well as staff forms, the staff handbook and TUC policies, etc.

We have also been involved with updating the Worksmart website which has become an important repository of general employment rights guidance as well as helping members of the public who are looking for the appropriate union to join.

To contact us, please email [infoenquiries@tuc.org.uk](mailto:infoenquiries@tuc.org.uk) or ring us on 020 7467 1262.

# THE UNION MAKES US STRONG TUC HISTORY ONLINE

**An online resource featuring the digitised collections of the  
TUC Library held at London Metropolitan University.**

**Contents include:**


- Timeline 1815–2000 covering all of the major personalities and events, illustrated with contemporary photographs, leaflets, posters, audiovisual clips and union emblems
- Match Workers Strike Fund Register, 1888
- Manuscript of *The Ragged Trousered Philanthropists* by Robert Tressell
- General Strike 1926, documents and images
- Trades Union Congress reports, 1868–1968
- Other online resources include testimonies from World War II home front veterans and film interviews with equal pay campaigners.



www.unionhistory.info



Trades Union Congress  
Library Collections at  
London Metropolitan University



New Opportunities Fund  
LOTTERY FUNDED

## 7.14 TUC Library Collections

The collections are located at the London Metropolitan University and continue to attract a wide range of researchers, interested in both the history of trade unions and their current activities and policies. The TUC collections also house a number of other important historical records including the archives of the Workers' Educational Association and the Labour Research

Department. The library staff work closely with the Working Lives Research Institute and other university departments. Presentations, open days and visits are also organised for unions and other interested groups.

## Chapter seven

# TUC administration

### Pensions Minister Steve Webb speaking in Congress Centre at the 2012 TUC Trustee Network Conference

Material deposited during the year included papers from the 1978–79 social workers' strike, various union badges, commemorative plates from the 1984–85 miners' strike, and placards, posters and other ephemera collected at the TUC demonstration in October 2012. Two externally funded cataloguing projects were completed during the year: on British-Soviet relations 1917–1930 and Industrial Relations 1945–1995.

Our history websites – *The Union Makes Us Strong*, *The Workers' War*, *Winning Equal Pay and Britain at Work: Voices from the Workplace 1945–1995*, all accessed from [www.unionhistory.info](http://www.unionhistory.info), remain very popular, with on average 23,000 visitors each month. There is increasing interest from the media in using images from the websites and from our Facebook page at [www.facebook.com/tuclibrary](http://www.facebook.com/tuclibrary). Further information on the collections can be obtained from TUC Library Collections, London Metropolitan University Learning Centre, 236 Holloway Road, London N7 6PP [email: [tuclib@londonmet.ac.uk](mailto:tuclib@londonmet.ac.uk)].

### 7.15 Congress Centre

Congress Centre continues to be kept busy and in 2012 hosted 982 events including many high profile TUC conferences as well as welcoming many varied external clients into the building who appreciate our excellent in-house catering and audio visual facilities.



The long-term goal of Congress Centre is to service the TUC's requirements for conferences and events and to help support its delivery of core objectives while becoming a recognised, quality central London conference and events venue. The Centre continues its membership of the Meeting Industry Association and currently holds an *AIM* accreditation which confirms that the venue meets industry best standard. This year we have been building customer awareness of the venue and promoting its use through exhibitions, client visits and publications praising the Centre for its stunning modern and contemporary feel while incorporating state of the art facilities.

Revenue in 2012 was £1.7m which was a good achievement on the part of the sales team reflecting their hard work to deliver in a difficult market as corporate events have dropped in number and with companies reducing their overall spend on events. This year it is expected that Congress Centre will again face a difficult challenge to achieve its forecast sales in a market which continues to be demanding.



**Mary Alys**, who died in May aged 60, was the Midlands regional manager for unionlearn, the TUC's learning and skills organisation. A political campaigner all her adult life, she was heavily involved in both the women's and peace movements and since 2001 had been at the forefront of the TUC's work on lifelong learning. She was deeply committed to equality and fought tirelessly to stop gender segregation in Apprenticeships and promote ESOL opportunities.

**Harold Dunning**, who died in March at the age of 93, worked in the TUC International Department in the 1950s and 1960s. He went on to become a prominent figure in the International Labour Organization, acting as Secretary of the Workers' Group of the ILO Governing Body and Head of the Workers' Relations Branch in Geneva.

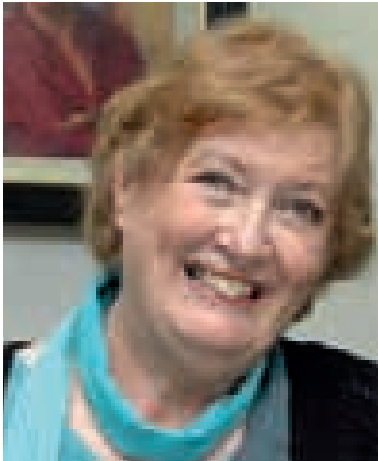


**Jack Hart** (left), who died in November aged 86, was the senior elected union official at the government listening post GCHQ at the time of the union ban in 1984. Instigated by Margaret Thatcher's government, workers faced the choice of leaving their unions or being dismissed. A top signal specialist by trade, for many years he was chair of the committee representing all civil service union branches at GCHQ, and along with his colleagues deeply resented the inference that their union membership represented a conflict of interest. Following early retirement, he was a stalwart of the campaign to restore trade union rights to GCHQ, which ran for 13 years until the ban was reversed within hours of the Labour government coming to power in May 1997.

**Bill Gill**, was a member of the TUC General Council from 1983-1987 and was a member of NALGO's national executive. He served on a number of TUC committees, including social insurance, education and equal rights.

**Walter Greendale** (left), who died last September at the age of 81, was a TGWU member of the TUC General Council from 1978-1986. He was a trade union member of the Health & Safety Commission and a strong advocate of trade union education, but will be best remembered as a formidable lay representative of Hull dockworkers. After becoming a docker, he joined the TGWU and was heavily involved in its unofficial Joint Shop Stewards Committee, campaigning against casualisation in Britain's ports and advancing the terms and conditions of dockworkers. He won a seat on the TGWU's executive council in 1970 and served on a number of TUC committees, including the employment policy and organisation committee.

**Lord Bill McCarthy**, who died in November aged 87, was both one of Britain's leading experts on industrial relations and a good friend to the trade union movement, assisting the TUC with a wide range of projects. His academic career started on a trade union scholarship to Ruskin in the 1950s, and in the 1960s and 1970s he was closely involved in the major national debates on employment legislation. From 1973-1986 he was chair of the Railway Staff National Tribunal, and his skills as an arbitrator in difficult disputes were highly regarded.



**Inez McCormack** (above), who died in January aged 66, was the President of the Irish Congress of Trade Unions from 1999–2001 and also UNISON regional secretary for Northern Ireland. A formidable campaigner and human rights activist, she was an outstanding champion of low-paid workers and played a prominent role in the 1980s campaigns against privatisation. She later received international recognition for her part in the Northern Ireland peace process. Inez became the first female full-time official of the National Union of Public Employees (NUPE), where she worked from 1976–1993, before becoming UNISON's first female regional secretary. Throughout her life, she championed the cause of women in the workplace and in trade unions and was a founder member of the Equal

Opportunities Commission and Fair Employment Commission in Northern Ireland. Latterly she was involved in the Vital Voices Global Partnership, an international women's organisation. In 2011, Newsweek magazine described her as one of '150 women who shake the world'.

**Jim Mortimer**, who died in April aged 92, was a trade unionist who became general secretary of the Labour Party. After starting work as a dockyard apprentice, he won a TUC scholarship to study at Ruskin College and in 1945 joined the TUC's economic department. In 1948 he began a steady rise through the trade union movement when he joined the Draughtsmen's and Allied Technicians' Association. In 1968 he joined Barbara Castle's Prices and Incomes Board, and became a board member of the London Transport Executive in 1971. In 1975 he was appointed to run the newly-established Advisory Conciliation and Arbitration Service and was Labour's general secretary from 1982–1985. After his retirement, he contributed to the work of the Institute of Employment Rights.

**Chris Murphy**, who died in January aged 66, was a member of UCATT's national executive and a prominent campaigner against blacklisting, bogus self-employment and many other issues affecting building workers. He also championed council housing and represented UCATT on international issues, notably Cuba and Latin America.

**Bill Rankin**, who died at the age of 91, was deputy general secretary of NALGO from 1976–1982. He joined the union as a district officer in 1951, before moving to head office in 1967 to join the health negotiating team and subsequently represent gas and local government workers. He led NALGO's campaigns against damaging public spending cuts in the 1970s, as well as the union's support for the Grunwick strikers.

**Dee Rogers**, who died in December aged 62, was unionlearn's co-ordinator for bargaining and skills in the South West until 2011. She worked for the TUC for 11 years and played a major role in developing union-based workplace learning in the region.



**Vic Turner** (right), who died in December aged 85, was one of the Pentonville Five shop stewards from the TGWU who were jailed by the National Industrial Relations Court (NIRC) for refusing to obey a court order to stop picketing a container depot in East London. In one of the defining episodes of post-war industrial relations, the men were released five days later after 35,000 dockers walked out, 250,000 workers in newspapers, transport, coal mines and other

sectors went on strike, and the TUC called a one-day general strike. Afterwards the role of the NIRC was discredited and the anti-union Industrial Relations Act largely ignored. After becoming a union activist when he started work as a docker, Vic Turner was instrumental in the long fight to end casualisation in Britain's ports and secure better terms and conditions for dockworkers. He played a pivotal role in the 1970–1972 dockers' strike, and for the next 15 years continued to defend dockworkers as containerisation took hold in the shipping industry. After losing his job as a docker, he worked for Newham Council, becoming a Labour councillor and then Mayor of the borough in 1997–1998. He was elected President of the United Campaign for the Repeal of Anti-Trade Union Laws, and was awarded the TGWU gold medal for his union work. In 1997, Vic was presented with the TUC gold badge in recognition of his work on behalf of the movement.





# Appendix 1

## Attendances

### General Council

At the time of going to press the General Council had held seven meetings during the Congress year.

Member	Attendance	Member	Attendance
Bob Abberley <sup>1</sup>	6	Paul McCarthy	3
Sheila Bearcroft	5	Len McCluskey	2
Christine Blower	4	Sean McGovern	5
Mary Bousted	6	Lesley Mercer (Chair)	7
Joanna Brown	5	Gloria Mills	3
Tony Burke	6	Steve Murphy	2
Jane Carolan	4	Andrew Murray	3
Gail Cartmail	4	Ged Nichols	5
Mike Clancy	5	Christine Payne	5
Brian Cookson	5	Dave Penman	7
Manuel Cortes	7	Tim Poil	7
Bob Crow	5	Dave Prentis	2
Tony Dale	6	Alice Robinson	7
Mark Dickinson	4	Malcolm Sage	7
Maria Exall	7	Eddie Saville	7
Sue Ferns	6	Mark Serwotka	5
Larry Flanagan	5	Eleanor Smith	4
Steve Gillan	5	John Smith	5
Janice Godrich	4	Liz Snape	4
John Hannett	3	Michelle Stanistreet	2
Dave Harvey	4	Jane Stewart	2
Billy Hayes	5	Patricia Stuart	5
Sally Hunt	4	Chris Tansley <sup>4</sup>	3
Karen Jennings <sup>2</sup>	1	Mohammad Taj	6
Tony Kearns	6	Steve Turner	6
Chris Keates	1	Simon Weller	7
Paul Kenny	4	Fiona Wilson	6
Michael Leahy	4	Tony Woodhouse	4
Angela Lynes	0	Matt Wrack	5
Leslie Manasseh	5	Brendan Barber <sup>5</sup>	3
Sue Mather <sup>3</sup>	3	Frances O'Grady <sup>6</sup>	4
Fern McCaffrey	4		

<sup>1</sup> left June 2013

<sup>2</sup> joined July 2013

<sup>3</sup> joined December 2012

<sup>4</sup> joined late October 2012

<sup>5</sup> retired December 2012

<sup>6</sup> took up post January 2013

NOTE: It is not possible to list all the reasons for absence but it should be noted that the main reasons given are other TUC commitments, union business and sickness.

## Executive Committee

At the time of going to press the Executive Committee had held ten meetings during the Congress year.

Member	Attendance
Sheila Bearcroft	5
Christine Blower	6
Mary Bousted	9
Tony Burke	5
Jane Carolan	8
Gail Cartmail	5
John Hannett	7
Billy Hayes	4
Sally Hunt	4
Chris Keates	1
Paul Kenny	0
Mick Leahy	3
Leslie Manasseh	9
Len McCluskey	3
Lesley Mercer (chair)	10
Gloria Mills	6
Ged Nichols	7
Dave Prentis	5
Mark Serwotka	5
John Smith	8
Liz Snape	8
Steve Turner	8
Matt Wrack	7
Brendan Barber <sup>1</sup>	3
Frances O'Grady <sup>2</sup>	7

<sup>1</sup> retired December 2012

<sup>2</sup> took up post January 2013

NOTE: It is not possible to list all the reasons for absence but it should be noted that the main reasons given are other TUC commitments, union business and sickness.

## Appendix 2

### Committee membership

#### Disabled workers' committee

##### General Council

Manuel Cortes<sup>1</sup>  
Ged Nichols  
Paul McCarthy  
Sean McGovern (chair)  
Malcolm Sage

##### Elected at the Disability Conference

*Bakers, Food and Allied Workers' Union*  
Martin Kelly

*Community*  
Robert Mooney

*Chartered Society of Physiotherapy*  
Cliff Towson

*Communication Workers Union*  
Tony Sneddon

*GMB*  
Les Woodward

*NASUWT*  
David Bryson<sup>2</sup>  
Michelle Williams

*National Union of Journalists*  
Ann Galpin

*National Union of Rail, Maritime and Transport Workers*  
Janine Booth<sup>3</sup>

*National Union of Teachers*  
Mandy Hudson

*Public and Commercial Services Union*  
Mark Leopard

*POA*  
Robert Steadman<sup>2</sup>

*Prospect*  
John Swaney

*University and College Union*  
Patricia Roche

*UNISON*  
Julie Robinson<sup>2</sup>  
Kim Silver<sup>3</sup>

*Unite*  
Julian Allam  
Lesley McCallum  
Manjeet Sandhu

<sup>1</sup> From September 2012

<sup>2</sup> Until May 2013

<sup>3</sup> From May 2013

#### Lesbian, gay, bisexual and trans committee

##### General Council

Maria Exall (chair)  
Julia Neal<sup>3</sup>  
Ged Nichols  
Tim Poil  
Simon Weller

##### Elected at the Lesbian, Gay, Bisexual and Trans Conference

*Associated Society of Locomotive Engineers and Firemen*  
Darran Brown

*Association of Teachers and Lecturers*  
Julia Neal<sup>2</sup>

*Community*  
Richard Angell<sup>1</sup>

*Communication Workers Union*  
Laurie Smith

*Fire Brigades' Union*  
Stewart Brown<sup>1</sup>  
Pat Carberry<sup>2</sup>

*FDA*  
Roland Zollner

*GMB*  
Philip Brannan<sup>2</sup>  
David Braniff-Herbert  
Tony Hughes<sup>1</sup>  
Phyllis Opoku-Gyimah

NASUWT  
Alan Phippen

*National Union of Teachers*  
Dave Brinson<sup>1</sup>  
Annette Pryce<sup>2</sup>

*Public and Commercial Services Union*  
Jan Baxter<sup>1</sup>  
Christopher Carroll<sup>2</sup>

*Prison Officers Association*  
Anne Ruzyllo<sup>1</sup>  
Helen Ffrench<sup>2</sup>

*Prospect*  
Graham Nash<sup>2</sup>  
Sue Stelfox

*RMT*  
Jill Elder<sup>1</sup>

*University and College Union*  
Paul Hambley

*UNISON*  
Dettie Gould<sup>1</sup>  
Beverley Miller  
Asha Wolfe-Robinson<sup>2</sup>

*Unite*  
Harry McAnulty<sup>1</sup>  
Nigel Marley  
Ann Morgan<sup>1</sup>  
Samantha Webster Moore<sup>2</sup>  
Michelle Winstanley<sup>2</sup>

*USDAW*  
Neil Smale

*Secretary*  
Sarah Veale

<sup>1</sup> Until July 2013

<sup>2</sup> From July 2013

<sup>3</sup> Until September 2012

## Pensioners committee

### General Council

Michael Leahy (chair)

### Affiliated unions

Tony West  
*Associated Society of Locomotive Engineers and Firemen*

Dennis Gadsby  
*BACM-Team*

Trevor Phillips  
Julian Soddy  
*British Air Line Pilots' Association*

Peter Lightfoot  
*Community*

Graham Wilson  
*Communication Workers Union*

Derrick Baker  
J Rogers  
*GMB*

Margaret Pearce  
*NAPO*

Paul Smith  
Pat O'Donnell  
*NASUWT*

Pat Healy  
*National Union of Journalists*

Marion Wilson  
*National Union of Teachers*

Peter Wood  
*Public and Commercial Services Union*

Mike Moriarty  
*Prospect*

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

William Jupp  
*TGWU Retired Members Association*

## Appendix 2

### Committee membership

Norman Jemison  
*University and College Union*

David Kippest  
*UNISON*

Mike Pike  
Bob Pinkerton  
*Unite*

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

Elizabeth Taylor  
David Morgan  
*SERTUC Pensioners Committee*

George Bell  
*Northern TUC Pensioners Committee*

John Pearce  
*South West TUC Pensioners Network*

Sheena Gordon  
*Midlands TUC Pensioners Network*

Frank Cooper  
*National Pensioners Convention*

Helen Nadin  
*Secretary*

### Race relations committee

#### General Council

Mark Dickinson  
John Hannett  
Billy Hayes  
Leslie Manasseh  
Fern McCaffrey  
Gloria Mills CBE (chair)  
Tim Poil  
Eleanor Smith  
John Smith  
Mohammed Taj

#### Elected at the Black Workers' Conference

*Associated Society of Locomotive Engineers and Firemen*  
Floyd Doyle

*Broadcasting, Entertainment, Cinematograph and Theatre Union*  
Faisal A Quereshi

*Communication Workers' Union*  
Amarjite Singh

*Community*  
Carol Hodgson<sup>2</sup>

*Fire Brigades' Union*  
Michael Nicholas

*FDA*  
Sarah Guerra<sup>1</sup>

*GMB*  
Sharon Harding  
Dotun Alade Odumosu

*NASUWT*  
Michelle Codrington-Rogers

*National Union of Rail, Maritime and Transport Workers*  
Glenroy Watson<sup>2</sup>

*National Union of Teachers*  
Betty Joseph

*Public and Commercial Services Union*  
Pav Akhtar<sup>1</sup>  
Lorna Campbell<sup>1</sup>  
Zita Holbourne

*Prospect*  
Freddie Brown

*Society of Radiographers*  
Indira Bhansali<sup>1</sup>

*University and College Union*  
Gargi Bhattacharyya  
Professor Cecile Wright<sup>2</sup>  
Jim Thakoordin<sup>2</sup>

*UNISON*  
Mark Clifford<sup>1</sup>

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

*Unite*  
Collette Cork-Hurst  
Nazerin Wardopp



*Secretary*  
Sarah Veale

<sup>1</sup> Until April 2013  
<sup>2</sup> From April 2013

## **The women's committee**

Sheila Bearcroft  
Christine Blower  
Mary Bousted  
Joanna Brown  
Jane Carolan  
Gail Cartmail  
Maria Exall  
Sue Ferns  
Janice Godrich  
Sally Hunt  
Chris Keates  
Angela Lynes  
Lesley Mercer  
Fern McCaffrey<sup>1</sup>  
Gloria Mills CBE  
Alice Robinson  
Eleanor Smith  
Liz Snape MBE  
Michelle Stanistreet  
Patricia Stuart (chair)  
Fiona Wilson

## **Elected at the Women's Conference**

*Communication Workers' Union*  
Linda Roy

*Community*  
Tracy Barlow

*Equity*  
Jean Rogers<sup>2</sup>

*Fire Brigades' Union*  
Denise Christie<sup>3</sup>  
Sam Rye<sup>2</sup>

*GMB*  
Sharon Harding  
Evelyn Martin  
Lorraine Parker

*Musician's Union*  
Barbara White<sup>3</sup>

*NASUWT*  
Kathy Duggan  
*National Union of Teachers*  
Max Hyde

*Public and Commercial Services Union*  
Sue Bond

*POA*  
Barbara Baker

*RMT*  
Jennifer Gray<sup>3</sup>  
Tracey Darker<sup>2</sup>

*Transport Salaried Staff's Association*  
Pauline McArdle<sup>3</sup>

*University and College Union*  
Maire Daley<sup>3</sup>

*UNISON*  
Clare Williams<sup>3</sup>  
Eleanor Smith  
Lucia McKeever

*Union of Shop, Distributive and Allied Workers*  
Jackie McNeil<sup>2</sup>  
Sujata Patel  
Hayley Pickles<sup>3</sup>

*Unite*  
Diana Holland  
Susan Matthews  
Jane Stewart<sup>3</sup>  
Samantha Webster-Moore<sup>2</sup>

*Secretary*  
Sarah Veale

<sup>1</sup> From September 2012  
<sup>2</sup> From March 2013  
<sup>3</sup> Until March 2013

## Appendix 2

### Committee membership

#### Trades union councils' joint consultative committee

##### General Council

Bob Crow (Chair)  
Dave Harvey  
Pat Stuart  
Matt Wrack

*Northern*  
Kathy Taylor\*

*Yorkshire and the Humber*  
Kevin Donnelly

*North West*  
Alec McFadden

*Midlands (East)*  
Moz Greenshields

*Midlands (West)*  
Jason Hill

*East of England*  
Teresa MacKay

*South East*  
Linda Kietz

*Wales*  
Amarjite Singh

*South West*  
Andy Robertson

\* from June 2013 (replaced John McCormack)

#### TUC educational trust and Roosevelt memorial trust trustees

Sheila Bearcroft  
Michael Leahy  
Paul Kenny  
Gloria Mills  
Lesley Mercer (chair)  
Dave Prentis  
Frances O'Grady

*Secretary*  
Liz Rees

#### TUC young workers' forum

##### General Council

Fern McCaffrey (Chair)

##### Affiliated unions

Affiliates are allowed to send two delegates to each meeting of the Young Workers Forum, one of whom must be a women. This delegates listed below are those who were nominated and represented their unions at Forum meetings since Congress 2012.

*Association of Teachers and Lecturers*  
Richard Thompson  
Jane Dennis  
Victoria Josiah  
Robert Goddard

*Broadcasting Entertainment and Theatre Union*  
Hannah O'Grady  
Christopher Davies

*Communications Workers Union*  
David Fuller  
Helen Mead  
Olufemi Igbekele  
Corita O'Leary

*Equity*  
Kezia Davis

*Fire Brigades Union*  
David Pitt

#### *GMB*

Freddie Vanson  
Ryan Ward  
Sarah Worth

#### *Musicians Union*

Emily Stewart

#### *NASUWT*

Suzanne Rule  
Joseph Williams

#### *Nautilus International*

Martyn Gray

#### *National Union of Teachers*

Nonie Lambert  
Robert Chaval

#### *Prospect*

Debbie Wilson  
Benjamin Clarkson

#### *Public and Commercial Services Union*

Stephanie Smethurst  
Lee Vernon  
Debbie Mallet  
Jayne Warburton (vice-chair)

#### *UNISON*

Rebecca Davies  
Graham Smith (vice chair)

#### *Unite*

Anna Lavery  
Bryan Simpson

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

David Owens  
Shawney Hind  
Becky Davies

### **TUC trustees**

Billy Hayes  
Chris Keates  
Dave Prentis

### **Heads of department**

#### *Campaigns and Communications*

Nigel Stanley

#### *Economic and Social Affairs*

Nicola Smith

#### *Equality and Employment Rights*

Sarah Veale CBE

#### *European Unions and International Relations*

Owen Tudor

#### *Management Services and Administration*

David Hemington

#### *Organisation and Services*

Kevin Rowan

#### *Unionlearn*

Tom Wilson

## Appendix three

### Accounts

#### Statement of the general council's responsibilities

Trade Union law requires the General Council to prepare financial statements in accordance with applicable law and United Kingdom Generally Accepted Accountancy Practice for each financial year which give a true and fair view of the state of the affairs of the Trades Union Congress (TUC) and of the surplus or deficit of the TUC for that period. In preparing those financial statements, the General Council is required to:-

- i. Select suitable accounting policies and then apply them consistently;
- ii. Make judgements and estimates that are reasonable and prudent;
- iii. State whether applicable accounting standards have been followed;
- iv. Prepare the financial accounts on the going concern basis unless it is inappropriate to presume that the TUC will continue to operate.

The General Council is also responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the TUC and to enable them to ensure that the financial statements comply with the Trade Union and Labour Relations (Consolidation) Act 1992. It must also establish and maintain a satisfactory system of control over its accounting records, its cash holdings and all its receipts and remittances.

It is also responsible for safeguarding the assets of the TUC and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

#### Independent auditor's report to the members of the trades union congress

We have audited the financial statements of the Trades Union Congress (TUC) for the year ended 31 December 2012 which comprise the Income and Expenditure Account, the Balance Sheet and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the TUC's members, as a body, in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992. Our audit work has been undertaken so that we might state to the Union's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the TUC and its members as a body, for our audit work, for this report, or for the opinions we have formed.

#### Respective responsibilities of the General Council and auditor

As explained more fully in the Statement of the General Council's Responsibilities, the General Council is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

## Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the union's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the General Council; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the Annual Report to identify material inconsistencies with the audited financial statements. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

## Opinion on financial statements

In our opinion the financial statements:

- ▶ give a true and fair view of the state of the TUC's affairs as at 31 December 2012 and of its surplus for the year then ended;
- ▶ have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- ▶ have been prepared in accordance with the requirements of the Trade Union and Labour Relations (Consolidation) Act 1992.

## Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Trade Union and Labour Relations (Consolidation) Act 1992 requires us to report to you if, in our opinion:

- ▶ adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- ▶ The union has not maintained a satisfactory system of control over its transactions in accordance with the requirements of section 28 of the Trade Union and Labour Relations (Consolidation) Act 1992; or
- ▶ the financial statements are not in agreement with the accounting records and returns; or
- ▶ certain disclosures within the form AR21 of Officers' remuneration specified by law are not made; or
- ▶ we have not received all the information and explanations we require for our audit.

## CHANTREY VELLACOTT DFK LLP

Chartered Accountants and Statutory Auditor  
London

## Appendix three

### Accounts

#### Trades Union Congress

#### Income and expenditure account

#### for the year ended 31 December 2012

	Note	Total £'000	Admin £'000	Development fund £'000	Unionlearn £'000	Dilapidations fund £'000
<b>Income</b>						
Affiliation fees		15,899	12,847	2,100	952	?
Property rental and service charges		2,981	2,981	?	?	?
Investment income		468	468	?	?	?
Sales and publications		226	205	21	?	?
Donations and fees received		22,577	140	1,426	21,011	?
<b>Total income</b>		<b>42,151</b>	<b>16,641</b>	<b>3,547</b>	<b>21,963</b>	<b>–</b>
<b>Expenditure</b>						
Staff costs	2	16,296	8,528	1,069	6,699	?
Property charges	3	3,665	2,127	127	658	753
Office expenses	4	4,723	1,841	1,375	1,507	?
International affiliation fees	5	1,878	1,878	?	?	?
Travel and meetings		831	221	176	434	?
Congress		167	167	?	?	?
Trade Union education		500	19	307	174	?
Grants and donations	6	12,740	133	116	12,491	?
Depreciation		542	542	?	?	?
Taxation	7	58	58	?	?	?
VAT recovered		(97)	(97)	?	?	?
Transfer between funds		?	836	2	(2)	(836)
<b>Total expenditure</b>		<b>41,303</b>	<b>16,253</b>	<b>3,172</b>	<b>21,961</b>	<b>(83)</b>
<b>Operating surplus</b>		<b>848</b>	<b>388</b>	<b>375</b>	<b>2</b>	<b>83</b>
<b>Other recognised gains and losses</b>						
Loss on foreign exchange		(13)	(13)			
Loss on disposal of investments		(48)	(48)	?	?	?
Pension scheme actuarial loss	14	(463)	(463)			
FRS 17 adjustment	14	1,170	1,170			?
<b>Total other recognised gains and losses</b>		<b>646</b>	<b>646</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Surplus for year</b>		<b>1,494</b>	<b>1,034</b>	<b>375</b>	<b>2-</b>	<b>83</b>
Funds brought forward 1 January 2011		13,567	6,797	6,422	(2)	350
<b>Funds carried forward 31 December 2012</b>		<b>15,061</b>	<b>7,831</b>	<b>6,797</b>	<b>–</b>	<b>433</b>



Trades Union Congress  
Income and expenditure account  
for the year ended 31 December 2011

	Note	Total £'000	Admin £'000	Development fund £'000	Unionlearn £'000	Dilapidations fund £'000
<b>Income</b>						
Affiliation fees		15,198	12,595	1,657	946	?
Property rental and service charges		3,037	3,037	?	?	?
Investment income		472	472	?	?	?
Sales and publications		155	153	1	1	?
Donations and fees received		26,011	154	2,105	23,752	?
<b>Total income</b>		<b>44,873</b>	<b>16,411</b>	<b>3,763</b>	<b>24,699</b>	<b>–</b>
<b>Expenditure</b>						
Staff costs	2	15,741	8,212	1,072	6,457	?
Property charges	3	3,108	1,997	132	663	316
Office expenses	4	5,270	1,749	1,208	2,313	?
International affiliation fees	5	1,946	1,946	?	?	?
Travel and meetings		847	203	210	434	?
Congress		156	156			?
Trade Union education		521	18	193	310	?
Grants and donations	6	14,883	164	197	14,522	?
Depreciation		523	523	?	?	?
Taxation	7	408	408	?	?	?
VAT recovered		(42)	(42)	?	?	?
Transfer between funds		?	490	?	?	(490)
<b>Total expenditure</b>		<b>43,361</b>	<b>15,824</b>	<b>3,012</b>	<b>24,699</b>	<b>(174)</b>
<b>Operating surplus</b>		<b>1,512</b>	<b>587</b>	<b>751</b>	<b>–</b>	<b>174</b>
<b>Other recognised gains and losses</b>						
Profit / (Loss) on foreign exchange		(6)	(6)	?	?	?
Profit on sales of assets		13	13	?	?	?
Profit on disposal of short-term investments		52	52	?	?	?
Pension scheme actuarial loss	14	(1,368)	(1,368)	?	?	?
Pension scheme other FRS 17 movements	14	1,420	1,420	?	?	?
<b>Total other recognised gains and losses</b>		<b>111</b>	<b>111</b>	<b>–</b>	<b>–</b>	<b>–</b>
<b>Surplus for year</b>		<b>1,623</b>	<b>698</b>	<b>751</b>	<b>–</b>	<b>174</b>
Funds brought forward 1 January 2011		11,944	6,099	5,671	(2)	176
<b>Funds carried forward 31 December 2011</b>		<b>13,567</b>	<b>6,797</b>	<b>6,422</b>	<b>(2)</b>	<b>350</b>

## Appendix three

### Accounts

#### Trades Union Congress

#### Balance sheet as at 31 December 2012

	Note	2012 £'000	2011 £'000
<b>Assets</b>			
Tangible fixed assets	8	592	722
Investments	9	9,639	9,667
<b>Current assets</b>			
Short term loans		122	91
Debtors and prepayments	10	3,946	4,540
Cash at bank and in hand		12,242	10,797
		<b>16,310</b>	<b>15,428</b>
<b>Less: current liabilities</b>			
Creditors and accrued expenses	11	7,702	7,897
<b>Net current assets</b>		<b>8,608</b>	<b>7,531</b>
<b>Net assets less current liabilities</b>		<b>18,839</b>	<b>17,920</b>
Less: Provision for liabilities and charges	12	1,804	1,672
<b>Net assets before pension liability</b>		<b>17,035</b>	<b>16,248</b>
Pension liability	14	1,974	2,681
		<b>15,061</b>	<b>13,567</b>
<b>Financed by</b>			
Funds employed		14,628	13,217
Designated fund:			
Dilapidations reserve		433	350
<b>Net assets</b>		<b>15,061</b>	<b>13,567</b>

Approved by the General Council on 25 June 2013  
Lesley Mercer, President

# Trades Union Congress

## Notes to the accounts for the year ended 31 December 2012

### 1 Accounting policies

#### a Basis of Accounts

The accounts have been prepared under the historical cost basis of accounting and in accordance with applicable Accounting Standards.

#### b Affiliation Fee Income

Affiliation fees are shown in the accounts on the basis of those amounts collected and due from members in respect of the year under review.

#### c Donations and fees income

Donations and fees income is recognised in the accounts on an accruals basis in accordance with the underlying conditions attached to it.

#### d Depreciation

Fixed assets are stated at a cost. Depreciation is provided on all tangible fixed assets on a straight line basis, at rates estimated to write off the cost, less estimated residual value, of each asset over its expected useful life.

Freehold property	10% per annum on cost
Furniture and Fittings	10% per annum on cost as applicable
Equipment	20% to 50% per annum on cost as applicable
Motor Vehicles	25% per annum on cost

#### e Operating Leases

Rentals under operating leases are charged on a straight-line basis over the term of the contract.

#### f Investments

Investments held as fixed assets are stated at cost less provision for any permanent diminution in value.

#### g Pension

The Trades Union Congress Superannuation Society Limited pension scheme is a defined benefit scheme. The amounts charged to Income and Expenditure Account are the current service costs. Actuarial gains and losses are recognised immediately in the Income and Expenditure account.

The assets of the scheme are held separately from those of the Trades Unions Congress in a separate trustee administered fund. Pension scheme assets are measured at fair value and liabilities are measured on an actuarial basis using the projected unit method and a discounted rate equivalent to the current rate of return on high quality corporate bonds of equivalent currency and term to the scheme liabilities

### 2 Staff costs

	2012 £'000	2011 £'000
Salaries and national insurance	13,190	12,782
Pension contributions	2,350	2,231
Welfare and training	430	428
Restructuring costs	255	203
Advertising and recruitment	71	97
	<b>16,296</b>	<b>15,741</b>

## Appendix three

### Accounts

#### 3 Property charges

	2012 £'000	2011 £'000
Rent and rates	1,053	1,010
Heating and lighting	313	208
Cleaning	146	211
Insurance	100	85
Building repairs and renewals	343	323
External functions	957	955
Expenditure from dilapidations fund	753	316
	<b>3,665</b>	<b>3,108</b>

#### 4 Office expenses

	2012 £'000	2011 £'000
Communications	358	370
Stationery and printed materials	798	1,056
Renewals and repairs to office equipment	1,168	1,193
Motor expenses	1	2
Audit fees	47	41
Bank charges	17	13
Loan interest	7	(30)
Legal costs	88	38
Projects and campaigns	628	891
Conferences	35	40
Finance and management	168	161
Consultancy fees	1,335	1,418
Facilitators	25	51
Training and Development	20	51
Provision for doubtful debts	35	(25)
	<b>4,723</b>	<b>5,270</b>

#### 5 International affiliation fees

	2012 £'000	2011 £'000
ICFTU	1,011	1,059
ETUC	784	799
TUAC	83	88
	<b>1,878</b>	<b>1,946</b>

## 6 Grants and donations

	2012 £'000	2011 £'000
Tolpuddle Martyrs Memorial Trust	75	80
TUC Educational Trust	47	72
Sundry	27	49
Union Learn Fund	12,491	14,552
Grants to organisations overseas	100	130
	<b>12,740</b>	<b>14,883</b>

## 7 Taxation

This represents tax due on investment income, rents receivable and capital gains arising on disposal of investments.

	2012 £'000	2011 £'000
(Over)/under provision in prior years	(168)	8
Provision for the year	226	400
	<b>58</b>	<b>408</b>

## 8 Fixed assets

	Freehold property	Furniture & fittings	Equipment	Motor vehicles	Total
<b>Cost</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
1 January 2012	5,366	480	953	68	6,867
Additions	7	7	412	7	412
<b>31 December 2012</b>	<b>5,366</b>	<b>480</b>	<b>1,365</b>	<b>68</b>	<b>7,279</b>
<b>Depreciation</b>					
1 January 2012	(5,049)	(402)	(672)	(22)	(6,145)
Charge for year	(223)	(30)	(272)	(17)	(542)
<b>31 December 2012</b>	<b>(5,272)</b>	<b>(432)</b>	<b>(947)</b>	<b>(39)</b>	<b>(6,687)</b>
<b>Book value</b>					
<b>31 December 2012</b>	<b>94</b>	<b>48</b>	<b>421</b>	<b>29</b>	<b>592</b>
31 December 2011	317	78	281	46	722

The Trades Union Congress holds the freehold of Congress House / Bainbridge House, Great Russell Street, London WC1N 3LS. The property is not recognised in the balance sheet as it has a £nil cost with the original value being met from a fund raised specifically for that purpose.

The property was valued by Jones Lang LaSalle on 26 March 2012 at £30.5m. A charge was registered against the property on 28 March 2006 for £9m in favour of the TUC Superannuation Society Limited.

Expenditure on the property which increases its potential operating capacity is included within fixed assets as shown above. Other expenditure is written off in the year in which it is incurred.

## Appendix three

### Accounts

#### 9 Investments

	Cost brought forward at 01.01.2012	Additions	Disposals	Cost carried forward at 31.12.2012
	£	£	£	£
<b>Quoted</b>				
UK Quoted	2,298,719	728,135	(758,973)	2,267,881
International Quoted	7,352,653	6,940,737	(6,937,228)	7,356,162
	<b>9,651,372</b>	<b>7,668,872</b>	<b>(7,696,201)</b>	<b>9,624,043</b>
<b>UK Unquoted</b>				
Unity Trust 'A' shares	500	?	?	500
Unity Trust 'C' shares	300	?	?	300
Union Energy Limited	8,750	?	?	8,750
Wortley Hall	10	?	?	10
Investment in MSI Brussels	5,651	?	?	5,651
	15,211	?	?	15,211
	<b>9,666,583</b>	<b>7,668,872</b>	<b>(7,696,201)</b>	<b>9,639,254</b>

The market value of quoted investments at 31 December 2012 was £10,036,554.

#### 10 Debtors and prepayments

	2012 £'000	2011 £'000
Trade Debtors	1,101	362
Other debtors	199	224
Prepayments and accrued income	2,646	3,954
	<b>3,946</b>	<b>4,540</b>

#### 11 Creditors and accrued expenses

	2012 £'000	2011 £'000
Trade Creditors	2,062	1,033
Taxation and social security	680	652
Other creditors	12	72
Accruals and deferred income	4,948	6,140
	<b>7,702</b>	<b>7,897</b>



## 12 Provision for liabilities and charges

A provision has been made to reflect payments expected to arise from project funded activities which have a defined term of operation.

## 13 Commitments – operating leases

At 31 December 2012 the TUC had annual printing and office equipment leasing commitments of £480,742 (2011: £648,798); £153,298 due within one year (2011: £173,467), £298,791 between two and five years (2011: £380,181) and after five years £28,653 (2011: £94,150).

## 14 Pension costs

The Trades Union Congress operates one defined benefit scheme in the UK which offers both pensions in retirement and death benefits to members. Pension benefits are related to the members' final salary at retirement and their length of service. Employer contributions to the scheme for the year beginning 1 January 2013 are expected to be £2,400,000.

**The major assumptions used by the actuary were (in nominal terms);**

	At 31.12.2012	At 31.12.2011
Rate of increase in salaries	3.80%	3.70%
Rate of increase in pensions in payment		
☑ RPI, capped at 2.5% per annum	2.10%	2.10%
☑ RPI, capped at 5.0% per annum	3.10%	3.10%
☑ RPI, 3% per annum minimum and 5.0% per annum maximum	3.70%	3.70%
Discount rate	4.10%	4.60%
RPI Inflation assumption	3.30%	3.20%
CPI Inflation assumption	2.30%	2.20%
Revaluation in deferment*	2.30%	2.20%
Assumed life expectancies on retirement at age 65 are:		
Retiring today		
☑ Males	88.0	87.9
☑ Females	89.7	89.6
Retiring in 20 years time		
☑ Males	89.8	89.7
☑ Females	91.7	91.6

\*Note that the revaluation of deferred pensions between leaving and retirement is subject to an underpin of 3 per cent per annum

The assumptions used in determining the overall expected return of the scheme have been set with reference to yields available on government bonds and appropriate risk margins.

## Appendix three

### Accounts

The assets in the scheme and the expected rate of return were:

	Long-term rate of return expected at 31.12.2012 £'000	Value at 31.12.2012	Long-term rate of return expected at 31.12.2011 £'000	Value at 31.12.2011
Equities	6.02%	24,453	5.96%	20,434
Bonds	4.10%	42,380	4.60%	36,051
Cash	3.02%	1,356	2.96%	1,171
Other	6.02%	9,047	5.96%	8,672
Fair value of plan assets		77,596		66,328
The actual return on assets over the period was		10,197		6,058

The amounts recognised in the balance sheet are as follows:

Present value of scheme liabilities	(79,570)	(69,009)
Fair value of scheme assets	77,596	66,328
<b>Pension liability</b>	<b>(1,974)</b>	<b>(2,681)</b>

Reconciliation of opening and closing balances of the present value of the scheme liabilities

	2012 £'000	2011 £'000
Liabilities at beginning of year	69,009	62,397
Current service cost	1,519	1,299
Interest cost	3,172	3,350
Contributions by scheme participants	568	541
Actuarial (gain) loss	7,394	3,842
Benefits paid	(2,092)	(2,420)
<b>Liabilities at end of year</b>	<b>79,570</b>	<b>69,009</b>

Reconciliation of opening and closing balances of the fair value of scheme assets

	2012 £'000	2011 £'000
Fair value of scheme assets at beginning of year	66,328	59,664
Expected return on scheme assets	3,455	3,773
Actuarial gain (loss)	6,931	2,474
Contributions by employers	2,406	2,296
Contributions by plan participants	568	541
Benefits paid	(2,092)	(2,420)
<b>Fair value of scheme assets at end of year</b>	<b>77,596</b>	<b>66,628</b>

Amount recognised in income and expenditure account

Actuarial gains (losses)	(463)	(1,368)
--------------------------	-------	---------

### History of scheme assets, obligations and experience adjustments

	31.12.2012 £'000	31.12.2011 £'000	31.12.2010 £'000	31.12.2009 £'000	31.12.2008 £'000
Present value of scheme liabilities	79,570	69,009	62,397	56,439	48,076
Fair value of scheme assets	77,596	66,328	59,664	52,274	45,034
Surplus (deficit) in the scheme	(1,974)	(2,681)	(2,733)	(4,165)	(3,042)
Experience adjustments arising on scheme liabilities	(461)	4,425	(287)	(810)	(297)
Experience item as a percentage of scheme liabilities	0.6%	6.4%	-0.5%	-1.4%	-0.6%
Experience adjustments arising on scheme assets	6,931	2,474	2,737	3,567	(4,925)
Experience item as a percentage of scheme assets	8.9%	3.7%	4.6%	6.8%	-10.9%
Actuarial gains (loss) shown in the STRGL	(463)	(61)	(1,368)	(61)	(2,415)

### Amounts recognised in the income and expenditure account:

	2012 £'000	2011 £'000
<b>Analysis of the amount credited to other finance income</b>		
Expected return on pension scheme assets	3,455	3,773
Interest on pension scheme liabilities	(3,172)	(3,350)

<b>Net return</b>	<b>283</b>	<b>423</b>
-------------------	------------	------------

### Analysis of the amounts charged to other recognised gains and losses

Actuarial loss on scheme liabilities	7,394	3,842
Actuarial gain on scheme assets	(6,931)	(2,474)

	<b>463</b>	<b>1,368</b>
--	------------	--------------

Current service cost	1,519	1,299
Interest cost	3,172	3,350
Expected return on scheme assets	(3,455)	(3,773)
Contributions by plan participants	(2,406)	(2,296)

	<b>(1,170)</b>	<b>(1,420)</b>
--	----------------	----------------

## Appendix three

### Accounts

#### 15 Related parties

During the year the TUC had transactions with the following charities which are under its control through the appointment of trustees:

	2012 £'000	2011 £'000
<b>TUC Educational Trust</b>		
Owed to TUC		
Opening balance	58,123	40,210
Payments to TUC	(58,123)	(72,000)
Scholarship	8,862	7
Net costs paid through TUC	39,102	89,913
<b>Closing balance</b>	<b>47,964</b>	<b>58,123</b>
<b>Tolpuddle Martyr Memorial Trust</b>		
Owed to TUC		
Opening balance	119,496	117,780
Payments to TUC	(119,496)	(80,000)
Net costs paid through TUC	81,317	81,716
<b>Closing balance</b>	<b>81,317</b>	<b>119,496</b>
<b>TUC Aid</b>		
Owed to TUC		
Opening balance	10,122	19,229
Payments to TUC	(10,122)	(19,229)
Net costs paid through TUC	28,581	10,122
<b>Closing balance</b>	<b>28,581</b>	<b>10,122</b>

## Appendix four

# Disputes between unions

### RMT and Community – Serco, London Cycle Hire Scheme

1. A TUC Disputes Committee composed of Lesley Mercer (Chair, TUC President and Director of Industrial Relations, Chartered Society of Physiotherapy), Ged Nichols (member of the General Council and General Secretary of Accord) and Matt Wrack (member of the General Council and General Secretary of the FBU); with Paul Nowak (TUC Assistant General Secretary) acting as Secretary and Carl Roper (National Organiser, TUC Organisation and Services Department) also present, met 4 April 2013 to consider a complaint made by RMT against Community concerning Serco, London Cycle Hire Scheme (Serco LCHS).
  2. In outline RMT complained that:
    - a. Community had breached principle 3 of the Principles and Procedures, by signing a single union recognition agreement with Serco LCHS, undermining the position of the RMT who claimed to have been actively organising in Serco LCHS since October 2010.
    - b. Community had breached principle 2, by actively encouraging an RMT activist to leave the union and to take up a position as a Community lay representative.
  3. The Community response, in outline, was that at the point at which the union signed the recognition agreement with Serco LCHS, Community was unaware that RMT was engaged in organising activity in Serco LCHS. The union had only been made aware of such activity after the recognition agreement had been signed, and that since that point Community had made significant efforts to resolve the issue which had arisen between the unions.
  4. With regard to the alleged breach of principle 2, Community rejected the allegation that any individual had been pressured into leaving RMT to join Community; and further rejected the suggestion that the union's actions were in any way related to the subsequent dismissal of an RMT activist by Serco LCHS. Community suggested it could have potentially raised a counter-complaint under principle 2, with regard to a formal collective grievance concerning the alleged conduct of Community full-time officials signed by a number of Serco LCHS employees in March 2013.
  5. Bob Crow (General Secretary), Peter Pinkney (President) and Dave Marshall (Recruitment and Retention Organiser) represented RMT. Paul Talbot (Media and Political Officer) and Terry Pye (National Operations Manager) represented Community.
- ### Alleged breach of principle 3
6. The complaints presented by RMT relate to a dispute over union recognition at Serco LCHS. On 29 February 2012 Community signed a single union recognition agreement with Serco LCHS covering all employees below Assistant Director level. Community insist that at the time it signed the agreement it was not aware of any RMT organising activity.
  7. Serco was awarded the contract to run the London Cycle Hire Scheme in August 2009, and has operated the scheme since summer 2010. The company now employs up to 250 people, mainly concentrated in two sites – Sugar House Lane in Stratford and Penton Street, in Islington.
  8. In their statement of case, and at the hearing, RMT presented evidence to suggest that they had been actively organising in Serco LCHS since October 2010. This organising activity was initiated following a request from a Serco LCHS employee – later to become an RMT activist. It is clear from evidence presented to the Disputes Committee that RMT had organised a significant number of members over the period from October 2010 to Spring 2012. Membership lists provided by the union – backed by email correspondence between members of the RMT organising team suggest that by March 2012 RMT had recruited 48 members (approximately 24 per cent of the workforce).

## Appendix four

### Disputes between unions

9. On 6 March 2012, the RMT's London Regional Organiser wrote to Serco LCHS to request a meeting to discuss voluntary recognition. The company maintain that they responded to this letter on 28 March 2012, suggesting that the parties sought the assistance of ACAS. RMT insist that the union did not receive this letter.
10. RMT subsequently submitted a formal claim for recognition at Serco LCHS through the CAC <sup>2</sup> sending notification of a formal request for recognition to the company on 2 April 2012, and submitting a formal request to the CAC on 24 April 2012.
11. On 9 May 2012, Serco LCHS wrote to the CAC to say that the company already had a, *'pre-existing voluntary recognition agreement for the purposes of collective bargaining, with Community. This agreement pre-dates any request from the RMT regarding the same...'*. With this agreement in place, the company therefore indicated it was not agreeable to recognise RMT; and that in its view the CAC had no authority to proceed with the RMT's application. This position was reiterated in a letter from Serco LCHS to the RMT on 18 May 2012.
12. On 18 May 2012, the company also wrote to all employees to inform them that, following a request from the union and ongoing discussions, the company had entered into a voluntary recognition agreement with Community in February 2012.
13. The RMT General Secretary subsequently wrote to the Community General Secretary on 21 May 2012, to highlight his view that Community's decision to sign an agreement with Serco LCHS was in contravention of principle 3. This, and subsequent correspondence, resulted in an informal meeting between the unions <sup>3</sup> held under the auspices of the TUC <sup>4</sup> on 11 July 2012.
14. Whilst this meeting did not resolve the issue between the unions, on 26 September 2012, the General Secretary of Community wrote to the General Secretary of the RMT to confirm that he would be willing to facilitate and attend a meeting between the RMT and Serco LCHS. He expressed his hope that, *'... hopefully we can resolve outstanding issues arising from our Recognition Agreement as result of this initiative'*. This meeting <sup>5</sup> attended by both General Secretaries and the Serco Director of ER/IR, UK & Europe took place on 5 November 2012. On 30 December 2012, the Serco Director of ER/IR, UK & Europe wrote to the RMT to decline the RMT's request for recognition.
15. On 7 January 2013, the RMT formally wrote to the TUC to request that this issue be considered by a TUC Disputes Committee alleging that Community had breached principle 3.
16. In both their statement of case, and in their evidence to the hearing, the RMT made the following key points. The first was that at no stage prior to reaching recognition with Serco LCHS, did Community attempt to identify if any other union had a membership and/or organisational interest in Serco LCHS. Secondly, that Community did not notify the TUC General Secretary, as provided for under rule, of its intention to reach a single union agreement with Serco LCHS. Thirdly, that the agreement reached between Community and Serco LCHS did not reflect the wishes of the majority of the workforce, and that this was reflected in the respective membership levels of both unions in Serco LCHS (RMT provided evidence to suggest that they currently had 67 members employed in Serco LCHS); fourthly, that Community previously refused to provide details of its membership levels within Serco LCHS; and fifthly, that Serco LCHS had only revealed the existence of its agreement with Community after the RMT had submitted its CAC claim.



17. With regard to this latter point, the RMT stressed that Serco LCHS correspondence to the union on 28 March 2012 (which the union disputes originally receiving), made no mention of a pre-existing recognition agreement with Community. Further in correspondence sent on 8 May 2012 to members of staff in relation to their concerns regarding changes to shift patterns, the Operations Director of Serco LCHS stated categorically, *'As Serco does not recognise a Trade Union currently there is no specific requirement for them to be involved in any consultation process relating to this, or any other business driven decision'*. RMT asserted that it seemed implausible that a senior manager would not be aware of a *'pre-existing recognition agreement'*. At the hearing, the RMT General Secretary reinforced this point, stating he found it hard to accept that, *'...an operations manager knew nothing of a recognition agreement nearly three months after it had been signed'*.
18. In responding to the alleged breach of principle 3, and in particular the points made by RMT as in paragraph 16, Community set out the process by which they secured the recognition agreement with Serco LCHS. The company had initially been identified as an organising opportunity by the union's regional campaign manager in October 2011. The union's National Operations Manager had subsequently made contact with the Serco Director of ER/IR, UK and Europe through a mutual acquaintance. During discussions with the company, Community had asked if any other unions were organising on-site and were told they were not, and this reinforced Community's view that this was a 'greenfield' site. Community maintain that at no point up until March 2012 were they aware the RMT were actively organising in Serco LCHS. In support of this point, Community noted that the RMT request for recognition made on March 6, 2012, and in particular the use of the phrase *'By way of introduction, I am the full-time official for the RMT Trade Union...'*, coming two years after RMT claimed they started to actively organise the company suggested that RMT had made little or no effort to engage Serco LCHS directly. RMT did not contest this point, responding that their approach was to build membership to a sufficient level before directly approaching a company for recognition.
19. Between October 2011-December 2011, Community and Serco LCHS had discussions regarding a framework agreement. These discussions stalled at the beginning of 2012 as the company wished to insert a clause relating to unilateral binding arbitration, which Community would not accept. In February 2012 the company agreed that binding arbitration could only be triggered with the agreement of both parties and the agreement was subsequently signed on 24 February 2012 by the company and 29 February 2012 by the union. At the time that the recognition agreement was signed Community stated they believed they had 12 members in Serco LCHS - this had now risen to 53 members none of whom were former RMT members. Community agreed to provide the Committee with membership records to substantiate these figures. The union subsequently confirmed they had recruited a total of 58 members.
20. In response to the specific points raised by RMT, Community made the following points. Firstly, the union acknowledged it had not actively sought to identify if any other union(s) had a membership or organisational interest in Serco LCHS prior to signing their single union recognition agreement, nor had they informed the TUC General Secretary of their intention to sign such an agreement.
21. Secondly, Community acknowledged that it would have been appropriate to provide information about its membership levels in Serco LCHS at an earlier stage in the informal discussions that the TUC had facilitated in 2012. It would now be happy to provide this information as quickly as possible.

## Appendix four

### Disputes between unions

22. Thirdly, Community was very clear that its recognition agreement had been signed in February 2012, well in advance [redacted] and in no way connected to [redacted] RMT's claim for recognition. In explaining the gap between the signing of the recognition agreement and the company's formal announcement of the agreement to staff, Community indicated that the union's priority had been reaching agreement on an Olympic bonus and premium payments for weekend working. The union was clear that there had been *'no conspiracy to keep the document under wraps'*. The union could provide no explanation as to why the Operations Director of Serco LCHS had seemingly told staff on May 8, 2012 that the company did not recognise a trade union. One explanation might have been that there have been a typo error in the letter. (In subsequent evidence submitted to the Committee by Community, Serco LCHS have suggested that the Operations Director in question may have used an, *'...old template and had not bothered to have it updated. [He] was in the process of negotiating his exit at around this time and I suspect that his mind was not tuned in to this level of detail'*.) More pertinently, the representatives from Community stressed that their engagement with Serco LCHS had been through the Serco Director of ER/IR, UK and Europe and the Contract Manager. However, the union stressed that it had been engaged in negotiations with Serco LCHS regarding the shift patterns referred to in the correspondence. Again, the union indicated it would be happy to provide the Committee with evidence that these negotiations had taken place.
23. Fourthly, Community reiterated that the union had helped facilitate a meeting between RMT and Serco LCHS. While Community, its members and Executive Committee would not be prepared to 'walk-away' from its agreement with Serco LCHS, and had not actively supported the RMT's efforts to secure recognition, the union would not stand in the way if Serco LCHS agreed to recognise the RMT.

#### Alleged breach of principle 2 and other issues

24. Alongside the alleged breach of principle 3, both unions addressed the issues around the alleged breach of principle 2.
25. RMT maintained that one of their leading activists in Serco LCHS [redacted] who has subsequently been dismissed by the company [redacted] was introduced to a full-time Community representative by the Serco Director of ER/IR, UK and Europe; was encouraged by the full-time Community representative to leave the RMT; and to take up a position as a Community lay representative on facility time. RMT further alleged that the activist in question had since been dismissed in part because of his failure to recognise Community's 'presence in the workplace as legitimate'. The RMT stated that the activist [redacted] who had provided a written statement [redacted] had audio-recorded this conversation, but that the union had not provided this in evidence and did not intend to do so.
26. Community acknowledged that a meeting had taken place between the activist in question and a full-time Community representative. The exact nature of this conversation was unknown, and may obviously be open to interpretation, although it would be fair to assume a *'robust exchange'* of views had taken place. Whilst Community acknowledged that, *'In retrospect that discussion should not have taken place'*, they were very clear that there was absolutely no link at all between this conversation and any subsequent disciplinary action taken by Serco LCHS. The Community representatives made the point that the General Secretary of Community had on previous occasions made it clear the union would not accept any activist of any union being dismissed on the grounds of trade union activity; and the union would in no way be party to such a decision. Community indicated that they believed that the RMT was trying to link together events which were in no way connected.

27. As indicated in their statement of case, Community provided the Disputes Committee with recruitment materials produced in the name of the RMT in support of RMT's recognition campaign. These materials which had been subject to discussion at the informal meeting between the unions facilitated by the TUC in July 2012 included personal attacks on named Community full-time officials. Community also provided recent correspondence from Serco, setting out a 'Notice of Formal Grievance' in the form of a petition signed by a number of employees at Serco LCHS alleging 'bullying and harassment' by Community full-time officers. Community commented on the timing of this petition in relation to the date of the hearing for the Disputes Committee, and the fact that to date no individuals had raised these allegations directly with the union.
28. With regard to the recruitment material tabled by Community, the RMT General Secretary said he had not authorised this material. Nevertheless he was aware that it had been circulated in the name of the union and was inappropriate. Further he had given an assurance at the informal meeting held in July 2012 that no further material of this nature would be produced and/or circulated, and this had proven to be the case.

### The current membership situation

29. As outlined above, both unions now have members at Serco LCHS. As of 4 April 2012, Community had 53 members and the RMT had 67 members. Both unions had members on the two main Serco LCHS sites.

### Award

30. The Disputes Committee carefully considered all the evidence provided by both unions, both in the written statements and the oral evidence given during the hearing. The Committee was disappointed that the two unions had not been able to resolve the differences between them informally. At the informal meeting held in July 2012 a draft statement setting out an agreed way forward had been tabled, but this had not been agreed by both parties. At the commencement of its proceedings the Committee asked whether, even at this late stage, there was a possibility of any agreed settlement without the need for formal hearing. The parties indicated that they believed such a settlement was not possible. Community in particular highlighted that they would not be prepared to agree to the RMT's request that they formally withdraw from their existing recognition agreement. In light of the failure to resolve these issues informally, the Committee agreed that it had no alternative other than to make a binding award under rule 12(h) of the TUC rules (Disputes between Affiliated Organisations).
31. The Committee were mindful that in considering their decision they were bound by the TUC Principles and Procedures, including the section entitled 'The role of TUC Disputes Committees in disputes between affiliated organisations' contained therein at pages 24-26.
32. In its statement of case RMT outlined two substantive complaints. The first was that that Community had breached principle 3, which states that a union should not, '*...make an approach to an employer or respond to an employer initiative, which would have the effect of, directly or indirectly, undermining the position of the established union, or the union currently engaged in that organising activity*'. In addition principle 3 requires that, '*When making sole negotiating rights or union membership agreements or arrangements affiliated unions should have regard to the interests of other unions which may be affected and should consider their position in the drafting of such agreements*', and that, '*A union in the process of making a single union agreement, should at the initial stage of discussion, notify the TUC General Secretary of that fact with as many of the details as possible...*'.

## Appendix four

### Disputes between unions

33. The Committee considered all the evidence provided by RMT in relation to this complaint. In addition it took into account the evidence offered by Community, and in particular the union's insistence that the agreement with Serco LCHS had been signed in good faith, and in the belief that no other union was actively organising in the company.
34. The Committee believe Community clearly breached principle 3. In evidence Community accepted that they had not actively sought to identify if any other union(s) had a membership or organisational interest in Serco LCHS prior to signing their single union recognition agreement, nor had they informed the TUC General Secretary of their intention to sign such an agreement.
35. Community offered no evidence that it had run an active organising campaign in advance of signing the recognition agreement with Serco LCHS, and at the point at which the agreement was signed they only had 12 Serco LCHS employees in membership. In these circumstances, the Committee believe that Community should have done more to assure themselves that no other union had an active organising campaign in Serco LCHS, beyond asking the company if this was the case. Evidence presented by the RMT suggests the union had over 40 Serco LCHS employees in membership at the point at which Community signed its recognition agreement.
36. The Committee was particularly concerned by the allegation made by the RMT that Community's recognition agreement was signed as a result of the RMT making its request for recognition. With regard to this issue, the insistence by the Operations Director of Serco LCHS in his correspondence to staff on May 8, 2012 seems at odds with the fact that the company signed its recognition agreement with Community on 24 February 2012 (subsequently ratified by the union on February 29, 2012). This anomaly notwithstanding, the Committee did not feel there was compelling evidence to suggest that Community had not signed the recognition agreement in good faith in February 2012 as they maintained.
37. The Committee noted that it is not uncommon <sup>7</sup> although poor practice and outwith the Rules <sup>8</sup> for unions to sign sole recognition agreements without recourse to sister unions or the TUC. Indeed, the RMT acknowledged that they too had failed to notify the TUC General Secretary of their intention to seek a single union recognition agreement with Serco LCHS as required under the terms of principle 3.
38. In light of the above the Committee therefore award that the RMT complaint in respect of Community's breach of principle 3 is upheld.
39. RMT's second complaint was that Community had breached principle 2 of the TUC Disputes Principles and Procedures, which states that, *'All affiliates of the TUC accept as a binding commitment to their continued affiliation to the TUC that they will not knowingly and actively seek to take into membership existing or 'recent' members of another union by making recruitment approaches, either directly or indirectly, without the agreement of that organisation'*.
40. RMT had maintained that Community had breached principle 2, by actively encouraging an RMT activist to leave the union and to take up a position as a Community lay representative. RMT further alleged that the activist in question had since been dismissed in part because of his failure to recognise Community's 'presence in the workplace as legitimate'.
41. In considering this complaint the Committee was very clear that it had no locus to consider any issues currently subject to, or likely to be subject to, Employment Tribunal proceedings, except and in so far as they are covered by the TUC disputes principles and procedures. With this in mind the Committee considered only that part of RMT's complaint potentially covered by principle 2, namely that a full-time Community representative had attempted to encourage an RMT activist to leave the RMT and become a Community representative.

42. Both unions accept that a meeting took place between the full-time Community representative and the RMT activist. In their written statement of case, Community suggest that this meeting was purely to, *'inform [the RMT activist] that Community was the recognised union and was in the process of negotiating the 'Olympic bonus' and improved overtime arrangements to accommodate the additional work done by staff during the Games'*.
43. In his written evidence the RMT activist indicates that he received a 'number of phone calls' from Community full-time representatives, including the representative with whom he met. He suggests that he was told he would be 'looked after' if he became a Community representative.
44. The Committee accepts the point made by Community at the hearing that the exact nature of this conversation or conversations between the RMT activists and Community representative(s) are unknown, and may be open to more than one interpretation. However, on balance, the Committee clearly believes that on one or more occasion a full-time Community representative did attempt to encourage an RMT activist to switch to Community.
45. In light of the above the Committee therefore award that the RMT complaint in respect of Community's breach of principle 2 is upheld.
46. Turning to consider the full terms of its award the Committee is directed by section (r) of the 'Regulations governing procedures in regard to disputes between affiliated organisations'. This sets out the need for a Disputes Committee to have, *'general regard to the interests of the trade union movement and to the declared principles of Congress but shall in particular be guided by the Code of Practice which includes the Principles Governing Relations Between Unions...'*.
47. With particular regard to the Committee's award that Community breached principle 3, the Committee was mindful of that section of *'The role of TUC Disputes Committees in disputes between affiliated organisations'* which deals with cases concerning sole negotiating rights or union membership agreements and arrangements. This states that the Committee should, *'take full account of the existing industry practices and agreements and the opinion of the workers concerned and any other material factors.'*
48. Community has currently held a sole recognition agreement in Serco LCHS for over 12 months. This agreement provides for accredited union representatives, facilities and paid time-off for these representatives, and time off for trade union activities and trade union meetings. However, despite these provisions, Community currently has fewer members in Serco LCHS than RMT. Many RMT members are long-standing, and the union has maintained a significant and consistent membership within Serco LCHS despite the fact it is not recognised by the company.
49. The Committee notes that Community has indicated it would not be prepared to walk away from its existing recognition agreement, in order to submit a claim for joint recognition with the RMT in Serco LCHS under the CAC procedure. The Committee acknowledges that such a move would risk alienating and confusing Community members; would not be guaranteed to result in recognition (a number of unions have lost CAC applications for statutory recognition despite having a majority of workers within the bargaining unit in membership); and that there is a possibility – albeit remote – that Serco LCHS could decide to reach a recognition agreement with a non-TUC affiliate, thus frustrating any claim for recognition through the CAC.
50. The Committee further notes that while Community has indicated that it will not stand in the way of RMT securing voluntary recognition at Serco LCHS, this would require the support of the company. The letter from the Serco Director of ER/IR, UK and Europe to RMT dated December 30, 2012, suggest that the company would not be minded to agree to an approach from the RMT for voluntary recognition.
51. However, in light of the RMT's significant membership in Serco LCHS, which the Committee believes reflects the 'opinion of the workers concerned', the Committee believes that a joint recognition agreement in Serco LCHS represents the fairest and most sustainable approach to union representation and recognition.



## Appendix four

### Disputes between unions

52. The Committee therefore award that:
  - a. Community should positively approach Serco LCHS with a view to amending the existing recognition agreement to allow RMT to become a party to the agreement. The TUC will give full and active support to these efforts to secure a joint Community/RMT recognition agreement in Serco LCHS
  - b. The TUC provide assistance to both unions, as provided for under principle 1, to develop practical joint working arrangements in Serco LCHS.
53. With particular regard to the Committee's award that Community breached principle 2, the Committee formally remind Community of their obligations under principle 2. Seeking to actively encourage an existing union representative to join another union is against the substance and spirit of principle 2.
54. The Committee reflects that this breach reflects the broader poor relationship between RMT and Community in Serco LCHS, exemplified by the recruitment material issued by the RMT in the first half of 2012. Both unions produced materials [ ] printed and online [ ] which could fairly be judged inappropriate, and which risked bringing the trade union movement into disrepute. The Committee notes that this material clearly cut across the terms of principle 1, which sets out the responsibility of all unions to 'build positive inter-union relations...', and reminds both unions of their clear obligations in this regard.
55. With regard to the Committee's award that Community breached principles 2 and 3, the Committee issues a formal censure against Community as provided for in 'The role of the TUC Disputes Committees in disputes between affiliated organisations'. The terms of this censure are set out below, and the Committee requires that the terms of the censure are published in a prominent position in Community's journal and web-site.
56. The terms of the Censure are as follows:  
*'Following a complaint made by RMT, and a formal hearing, a TUC Disputes Committee has found that Community breached principles 2 & 3 of the TUC Disputes Principles and Procedures. The Committee found that Community signed a single union recognition agreement with Serco London Cycle Hire Scheme (Serco LCHS) at a time when RMT was actively organising in Serco LCHS. In addition the Committee found that, in breach of principle 2, Community actively encouraged an RMT activist to leave the union and to take up a position as a Community lay representative. The Committee have awarded that Community should positively approach Serco LCHS with a view to amending the existing recognition agreement to allow RMT to become a party to the agreement, and reminded the union of their commitments under principle 2.'*
57. The Committee is minded to review the application of this award in six months time. In the event that joint recognition has not been secured, the Committee reserves the right to amend its award.
58. The Committee also notes the point made by both unions that there is likely to be a growth in London-style cycle hire schemes which may be the focus of organising efforts by the two unions party to the dispute and other TUC affiliates. With this in mind the Committee urges both unions to develop joint working arrangements to prevent a recurrence of the issues at the heart of this dispute. As provided for in principle 1, the TUC stands ready to assist in the drawing up of such working arrangements at the request of both parties.
59. In addition the Committee reminds both unions that, as provided for under rule 12(h) of the TUC rules (Disputes Between Affiliated Organisations) affiliated unions are required to be 'bound by any award of the Disputes Committee and shall comply forthwith with such award'.
60. Finally the Committee wish to thank the representatives of RMT and Community for the way in which they conducted themselves and gave their evidence throughout the course of the dispute hearing.



# Appendix five

## TUC rules and standing orders

(as at April 2013)

### Part 1 Constitution

#### Rule 1

##### *Name, office and membership*

- (a) NAME AND OFFICE: The name of the organisation constituted by these rules shall be the 'Trades Union Congress' (hereinafter called 'the Congress'), and its principal office shall be at Congress House, 23-28 Great Russell Street, London WC1B 3LS, or such other places as the General Council of the Congress (hereinafter called 'the General Council') shall from time to time decide.
- (b) MEMBERSHIP: The Congress shall consist of such bona fide trade union organisations as satisfy the requirements of these rules and are affiliated in the manner prescribed by these rules.

Any such organisation may make application to become affiliated to Congress and shall furnish copies of its Rules and Constitution together with such other particulars and information as shall at any time be required by the General Council.

It shall be a requirement of affiliation that an organisation has a clear commitment to promote equality for all and to eliminate all forms of harassment, prejudice and unfair discrimination, both within its own structures and through all its activities, including its own employment practices.

In deciding at the time of such application or at any time thereafter whether or not a bona fide trade union is eligible for affiliation, the General Council shall have regard inter alia to the ability of the trade union organisation in its own right and of its own authority to fulfil the obligations of affiliation to the Congress and to comply with these rules.

The General Council shall have full power to accept or reject any such application for affiliation and the General Council shall in addition have full power at any time to terminate the affiliation of any organisation which in the opinion of the General Council does not fully satisfy the requirements of affiliation for the time being.

The power of the General Council under this rule to accept or reject any application or terminate any affiliation is subject to the power of the next annual Congress to overrule any such decision.

The General Council may also accept applications from organisations of local trade union branches to register as Trades Councils, County Trades Councils or County Associations where they comply with such requirements as determined by the General Council including in particular to have a clear commitment to promote equality for all. Registration in this capacity does not consist of affiliation and confers no authorisation to speak or act on behalf of the Trades Union Congress.

#### Rule 2

##### *Objects*

- (a) The objects of the Congress shall be:

To do anything to promote the interests of all or any of its affiliated organisations or anything beneficial to the interests of past and present individual members of such organisations.

To promote equality for all and to eliminate all forms of harassment, prejudice and unfair discrimination, both within its own structures and through all its activities, including its employment practices.

Generally to improve the economic or social conditions of workers in all parts of the world and to render them assistance whether or not such workers are employed or have ceased to be employed.

To affiliate to or subscribe to or to assist any other organisation having objects similar to those of the Congress.

To assist in the complete organisation of all workers eligible for membership of its affiliated organisations and subject as hereinafter set forth in these rules to assist in settling disputes between the members of such organisations and their employers or between such organisations and their members or between the organisations themselves.

# Appendix five

## TUC rules and standing orders

(as at April 2013)

In pursuance of these general objects, and in accordance with particular decisions that Congress may make from time to time, Congress may do or authorise to be done all such acts and things as it considers necessary for the furtherance of those objects.

- (b) In the interpretation of the above objects the General Council shall have complete discretion subject only to the power of the annual Congress to revise their decisions.

### Rule 3

#### *Affiliation Fees*

Each Affiliated Organisation shall pay to the Congress an annual affiliation fee in respect of each of its members (probationary, free or otherwise). The annual affiliation fee shall be payable quarterly at the beginning of each quarter of the year, the first such quarter commencing on 1 January in any year.

The annual affiliation fee payable in respect of each member notified in accordance with sub- paragraph (a) shall be 95 per cent (the percentage figure) of the weekly (or equivalent) contribution rate based on the average of all unions contribution rates calculated in accordance with sub-paragraph (c). To this end

- (a) Each organisation shall by 31 May in each year, inform the General Secretary of Congress of the number of its members as at 1 January of that year.
- (b) Each affiliated organisation shall by 30 September in any year, inform the General Secretary of the contribution rate payable by the largest category of members as at 1 January of the year following.
- (c) The average of all unions' contribution rates is the sum of each union's contribution rate in accordance with sub-paragraph (b) multiplied by each union's affiliated membership and divided by the total affiliated membership in the year in which the contribution rate is notified to the General Secretary.
- (d) The General Council shall, by 31 October in each year, confirm, increase, or reduce, the percentage figure in accordance with the TUC work programme and priorities as decided by Congress in that year.

Unless decided otherwise by the General Council 10 per cent of each annual affiliation fee should be allocated to the TUC Development Fund.

### Rule 4

#### *Composition of General Council*

- (a) The General Council shall be composed of ten sections as follows:

Section A shall consist of members from those organisations with a full numerical membership of 200,000 or more members. Each such organisation shall be entitled to nominate one or more of its members to be a member or members of the General Council and the number of members to which the organisations comprising Section A shall be entitled shall be determined by their full numerical membership on the basis of one per 200,000 members or part thereof provided that where the total number of women members of any organisation in Section A is 100,000 or more that organisation shall nominate at least one woman.

Section B shall consist of members from those organisations with a full numerical membership of 30,000 up to 199,999 members. Each such organisation shall be entitled to nominate one of its members to be a member of Section B of the General Council.

Section C shall consist of seven members of unions with fewer than 30,000 members.

Section D shall consist of four women members all of whom shall be members of an affiliated organisation with less than 200,000 members.

Section E shall consist of one black member who shall be from an organisation with a full numerical membership of 200,000 or more members. Subject to rule 4 (f), each such organisation shall be entitled to nominate one of its members to be the Section E member of the General Council.

Section F shall consist of one black member who shall be from an organisation with a full numerical membership of 199,999 or less members. Subject to rule 4 (f), each such organisation shall be entitled to nominate one of its members to be the Section F member of the General Council.

Section G shall consist of one black woman member who shall be a member of an affiliated organisation. Subject to rule 4 (f), each such organisation shall be entitled to nominate one of its members to be the Section G member of the General Council.

Section H shall consist of one member representing trade unionists with disabilities.

Section I shall consist of one member representing lesbian, gay, bisexual and transgender trade unionists.

Section J shall consist of one member under the age of 27.

All unions will be entitled to nominate one of their members who is a delegate to Congress for sections H, I and J and election shall be by ballot of all unions entitled to vote at Congress.

Subject to rule 4 (f), the election of a member of the General Council for any section shall be in addition to, and not in substitution for, any member of the union who is elected as a member of the General Council in accordance with the provisions relating to the election of a member of another section.

- (b) On 1 June each year or as soon thereafter as is practicable, each affiliated organisation shall be allocated by the General Council either to Section A, B, C or E or F and, where applicable, Section D on the basis of its full numerical membership, as notified to the General Secretary in accordance with rule 3 and the General Council shall then advise each affiliated organisation of the Section(s) to which it has been allocated and in the case of affiliated organisations allocated to Section A and Section B of the number or numbers of members of the General Council to which they are entitled.

All organisations shall be notified of the arrangements for making a nomination of a member for Section G, H, I and J and organisations allocated to Sections C, D, E & F shall also be notified of the arrangements for making a nomination of a member for the sections to which they are allocated.

- (c) Members of all sections of the General Council shall take office at the termination of the annual Congress and shall remain in office until the termination of the next annual Congress and shall be eligible for re-election to or continued membership of the General Council.

- (d) In the event of a member of Section A or Section B ceasing by death, resignation or other cause to be a member of the General Council, the affiliated organisation which nominated that member may nominate a successor to take her or his place. In the event of a member of Section C, D, E, F, G, H, I and J ceasing by death, resignation or other cause to be a member of the General Council, the General Council shall determine how, if at all, the vacancy shall be filled.
- (e) No organisation may participate in the nomination or selection of members of the General Council unless it shall have paid the fees provided by rule 3 during the previous year.
- (f) No affiliated organisation shall be entitled to nominate a member for Section G and, as appropriate, Section E or Section F.

## Rule 5

### *Qualifications for General Council*

- (a) No person shall be eligible for membership of any section of the General Council who is not a Congress delegate (as per rules 17 and 18) and the organisation so represented shall have paid the fees provided by rule 3 during the previous year.
- (b) No person shall be eligible for membership of the General Council who has privately assisted, during the year preceding the annual Congress, in the production of anything made by non-union labour, or by such firms as may be declared unfair by the interested trade society, or who has continued to assist privately in the production of anything made by non-union labour, or by such firms as may be declared unfair by the interested trade society, after such matters have been pointed out to her or him.

# Appendix five

## TUC rules and standing orders

(as at April 2013)

### Rule 6

#### *Nomination of General Council*

- (a) At least eight weeks prior to the date fixed for the commencement of each annual Congress, each affiliated organisation allocated to Section A or Section B in accordance with rule 4(b) shall notify the General Secretary of the Congress of the name(s) of its chosen member(s) on the General Council for the coming year. If a member so nominated shall resign or die before the annual Congress the General Council shall accept a replacement nomination from that organisation.
- (b) Each affiliated organisation allocated to Section C or Section E or Section F in accordance with rule 4(b) shall be entitled to nominate one of its delegates for election, as appropriate, to Section C, Section E and Section F of the General Council. Subject to rule 4(f), each affiliated organisation shall be entitled to nominate one of its delegates for election to Section G, H, I and J of the General Council.
- (c) Each affiliated union with 200,000 or fewer members shall have the right to nominate one of its women members for election to Section D of the General Council.
- (d) Nominations for the General Council under (b) or (c) above shall be sent to the General Secretary of the Congress on the appropriate form, which must be signed by the President (or the Chairman) and Secretary of the organisation making the nomination, and must be received by the General Secretary of the Congress at least eight weeks prior to the Monday of the annual Congress.
- (e) The list of members in Section A or Section B and of nominations to the places in Sections C, D, E, F, G, H, I and J shall be published in the preliminary agenda containing the motions which are to be discussed at the annual Congress. However, if a candidate for Section C, D, E, F, G, H, I and J dies before the election takes place the General Council shall have the powers to authorise the acceptance of a fresh nomination notwithstanding anything in these rules and standing orders.

Ballot papers containing the names of all candidates nominated for Section C of the General Council shall be supplied to the delegations of all organisations allocated to Section C on the day of the election. Ballot papers containing the names of all the candidates nominated for Section D of the General Council shall be supplied to the delegations of all organisations allocated to Section D on the day of the election.

Ballot papers containing the names of all candidates nominated for Section E of the General Council shall be supplied to the delegations of all organisations allocated to Section E on the day of the election. Ballot papers containing the names of all candidates nominated for Section F of the General Council shall be supplied to the delegations of all organisations allocated to Section F on the day of the election. Ballot papers containing the names of all candidates nominated for Section G, H, I and J of the General Council shall be supplied to the delegations of all organisations on the day of the election.

- (f) Notice of withdrawal of any nomination for Section C, D, E, F, G, H, I and J must reach the General Secretary of the Congress not later than four weeks before the opening of the annual Congress. Where, due to the withdrawal of a candidate before election or to any other cause, there is an insufficiency of candidates to fill the number of seats in the Section concerned, the General Council shall have the power to call for fresh nominations, notwithstanding anything in these rules and standing orders.

### Rule 7

#### *Election of the General Council – Sections C, and D, E, F, G, H, I and J.*

- (a) Members of Section C of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section C.
- (b) Members of Section D of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section D.
- (c) The member of Section E of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section E.

- (d) The member of Section F of the General Council shall be elected at each annual Congress by ballot vote of all affiliated organisations allocated to Section F.
- (e) The members of Sections G, H, I and J will be elected at each annual Congress by ballot vote of all affiliated organisations.
- (f) In the elections of the General Council for the members of Section C and of Section D and for the Section E, Section F, Section G and Sections H, I and J, each organisation entitled to vote may cast all or any part of the votes to which it is entitled in favour of as many candidates as are to be elected in the election in question. No organisation shall cast more votes than the number to which it is entitled for any one candidate. The number of votes to which each organisation shall be entitled shall be determined on the basis of one vote for every 1,000 members or fraction or part thereof as declared by the organisation in accordance with rule 3. The candidate(s) in each election securing the highest number of votes shall be declared elected.
- (g) The ballot papers shall be issued by the Scrutineers, and after being filled up shall then be immediately placed in the box without inspection by the delegates other than those of the organisation voting.
- (h) Any delegates found guilty of violating this rule shall at once be reported to Congress, named by the President and expelled. Such delegate or delegates shall not be eligible to attend Congress again for three years.
- (i) A notification of the penalties likely to be involved in the infringement of this rule shall be included in the instructions printed on each ballot paper.
- (b) They shall watch all legislation affecting labour, and shall initiate such legislation as Congress may direct.
- (c) They shall endeavour to adjust disputes and differences between affiliated organisations.
- (d) They shall promote common action by the trade union movement on general questions, such as wages and hours of labour, and any matter of general concern that may arise between trade unions and trade unions, or between employers and trade unions, or between the trade union movement and the Government, and shall have power to assist any union which is attacked on any vital question of trade union principle.
- (e) They shall assist trade unions in the work of organisation, and shall carry on propaganda with a view to strengthening the trade union movement, and for the attainment of any or all of the above objects.
- (f) They shall also enter into relations with the trade union and labour movements in other countries with a view to securing united action.
- (g) They shall have authority to invest and administer the funds of the Congress and to make grants to any organisation or person, whether in Great Britain, or abroad, for such purposes as it seems desirable, but in so doing they shall have regard to the directions, if any, from time to time given by Congress. They shall also have authority to raise funds for any special purpose and to invest and administer such funds and to make grants therefrom.
- (h) For the purpose of carrying out the objects of the Congress, of conducting its affairs and in relation to the matters specifically referred to in this rule the General Council shall have power to utilise the funds and property of the Congress, to enter into any transaction and by any one or more of their members or appointed officers to execute in the name and on behalf of the Congress any deeds or documents that may be necessary.

## **Rule 8**

### ***Duties of the General Council***

- (a) The General Council shall transact the business in the periods between each annual Congress, shall keep a watch on all industrial movements, and shall, where possible, co- ordinate industrial action.
- (i) The General Council shall have power whenever they deem necessary to convene a special Congress or Conference to deal with any contingency that may arise, and to arrange the agenda and procedure whereby the business of such meetings shall be conducted.

# Appendix five

## TUC rules and standing orders

(as at April 2013)

- (j) In the event of a legal point arising which, in the opinion of the General Council (after consultation with Counsel) should be tested in the House of Lords in the general interests of trade unionism, the Council shall be empowered to take the necessary action.
- (k) In order that the trade union movement may do everything which lies in its power to prevent future wars, the General Council shall, in the event of there being a danger of an outbreak of war, call a special Congress to decide on industrial action, such Congress to be called, if possible, before war is declared.
- (l) The General Council shall prepare a report of their work for submission to the annual Congress and shall include in it a record of the attendances at General Council meetings. The Standing Orders of Congress and the General Council shall be published in each annual report of the proceedings of Congress.
- (c) The General Council shall determine the salary and conditions of service of the General Secretary, and shall provide her or him with all necessary assistance, office accommodation, and facilities for conducting the business of the Congress and the General Council.
- (d) Any duty or function imposed by these rules upon the General Secretary may be discharged (with her or his consent) by such persons as she or he considers appropriate provided always that the General Secretary shall remain responsible to the General Council for the discharge of that duty or function.

### Rule 9

#### *Appointment of Committees*

The General Council shall appoint such Committees as they consider necessary to deal with aspects of their business.

### Rule 10

#### *General Secretary*

- (a) The General Secretary shall be elected by Congress, and shall be ex officio a member of the Congress and the General Council. She or he shall remain in office so long as her or his work and conduct give satisfaction to the General Council and to the representatives attending Congress, and shall retire from the service of the Congress upon reaching the age of 65.
- (b) The annual Congress preceding the date of retirement of the General Secretary shall elect a General Secretary Designate who shall become General Secretary on the retirement of her or his predecessor. Should a vacancy otherwise occur between the annual meetings of the Congress, the General Council shall have power to fill such a vacancy temporarily.

### Rule 11

#### *Industrial disputes*

- (a) It shall be an obligation upon the affiliated organisations to keep the General Secretary of the Congress informed with regard to matters arising between them and their employers and/or between one organisation and another, including unauthorised and unconstitutional stoppages of work, in particular where such matters may involve, directly or indirectly, large bodies of workers. The General Council or the General Secretary shall (if either should consider it necessary) disseminate the information as soon as possible to all organisations which are affiliated to the Congress and which may be either directly or indirectly affected.
- (b) The general policy of the General Council shall be that unless requested to do so by the affiliated organisation or organisations concerned, neither the General Council nor the General Secretary shall intervene so long as there is a prospect of whatever difference may exist on the matters in question being amicably settled by means of the machinery of negotiations existing in the trades affected.



- (c) If, however, a situation has arisen, or is likely to arise, in which other bodies of workpeople affiliated to Congress might be involved in a stoppage of work or their wages, hours and conditions of employment imperilled, the General Council or the General Secretary may investigate the matter by calling representatives of the organisation or organisations concerned into consultation, and may use their influence or her or his influence (as the case may be) to effect a just settlement of the difference. In this connection the General Council or the General Secretary, having given an opportunity to each organisation concerned to present its views on the matter and having ascertained the facts relating to the difference, may tender their or her or his considered opinion and advice thereon to the organisation or organisations concerned. Should the organisation or organisations refuse such assistance or advice, the General Secretary shall duly report thereon to the General Council and/or the General Council shall duly report thereon to Congress or deal with the organisation under clauses (b), (c), (d) and (h) of rule 13.
- (d) Whenever the General Council intervene in relation to a matter within the provision of clause (c) of this rule, and the organisation or organisations concerned accept the assistance and advice of the General Council, and where despite the efforts of the General Council, the policy of the employers enforces a stoppage of work by strike or lock-out, the General Council shall forthwith take steps to organise on behalf of the organisation or organisations concerned all such moral and material support as the circumstances of the dispute may appear to justify.
- (b) It shall be an obligation on the affiliated organisation or organisations concerned to notify the General Secretary when an official stoppage of work is contemplated in any dispute between affiliated organisations, whether relating to trade union recognition, trade union membership, demarcation of work, or any other difficulty. No affiliated organisation shall authorise such a stoppage of work until the dispute has been dealt with under the provisions of clauses (e) to (h) of this rule.
- (c) Where a dispute between unions has led to an unauthorised stoppage of work, it shall be an obligation of the affiliated organisation or organisations concerned to take immediate and energetic steps to obtain a resumption of work.
- (d) The affiliated organisation or organisations concerned shall notify the General Secretary as soon as possible of any stoppage of work which involves directly or indirectly large bodies of workers, or which, if protracted, may have serious consequences. In addition to such notification, the affiliated organisation or organisations concerned shall inform the General Secretary of the causes and circumstances of the dispute and of the steps taken or proposed by it or by them to secure a resumption of work.
- (e) Either upon notification from an affiliated organisation as required by clause (b) or clause (d) of this rule, or upon the application of an affiliated organisation, or whenever she or he considers it to be necessary, the General Secretary may investigate cases of dispute or disagreement between affiliated organisations and may decide on the most appropriate method of resolving the issue. Where she or he considers it appropriate, the General Secretary may refer any such case to a Disputes Committee of the Congress for resolution in accordance with the Regulations governing procedure in regard to disputes between affiliated organisations (as amended by the General Council and adopted by the Congress from time to time). In the event of such a reference, the General Secretary may summon affiliated organisations to appear as parties before a Disputes Committee and shall require such organisations to submit to that Committee any information, which she or he or the Committee considers to be essential to enable the Committee to adjudicate upon the case.

## Rule 12

### *Disputes between affiliated organisations*

- (a) Where disputes arise or threaten to arise between affiliated organisations, the General Council or the General Secretary of the Congress shall use their or her or his influence (as the case may be) to promote a settlement.

# Appendix five

## TUC rules and standing orders

(as at April 2013)

- (f) If an affiliated organisation refuses or fails to respond to a summons by the General Secretary to appear before a Disputes Committee, the General Secretary shall investigate the circumstances of such a refusal or failure by calling representatives of the organisation into consultation and inviting the organisation to give reasons for its conduct. If, after such investigation, the General Secretary does not withdraw her or his summons and the organisation persists in its refusal or failure to appear before the Disputes Committee the General Secretary shall report the matter to the General Council who may deal with the organisation under clause (h) of this rule as if it were a case of failure by that organisation to comply with an award of a Disputes Committee.
- (g) If an organisation which is a party to a dispute fails or refuses to submit its case to a Disputes Committee as provided by this rule, the Disputes Committee may proceed to make an award in the absence of that organisation and in any event it shall not be permissible for that organisation to raise the dispute at any annual Congress.
- (h) Affiliated organisations summoned by the General Secretary to appear as parties before a Disputes Committee shall be bound by any award of the Disputes Committee and shall comply forthwith with such award. Should any such organisation refuse or fail forthwith to carry into effect such an award (in whole or in part) the General Council having received the award may report on the matter as they think fit to all affiliated organisations, and/or may either:
  - (i) deal with the organisation under clauses (b), (c), (d) and (h) of rule 13, or
  - (ii) report the matter to the next annual Congress to be dealt with as that Congress may decide.

### Rule 13

#### *Conduct of Affiliated Organisations*

- (a) If at any time there appears to the General Council to be justification for an investigation into the conduct of any affiliated organisation on the ground that the activities of such organisation may be detrimental to the interests of the trade union movement or contrary to the declared principles or declared policy of the Congress, the General Council shall summon such organisation to appear by duly appointed representatives before them or before such Committee as the General Council consider appropriate in order that such activities may be investigated. In the event of the organisation failing to attend, the investigation shall proceed in its absence.
- (b) If after an investigation under:
  - (i) clause (a) of this rule; or
  - (ii) an investigation under clause (c) of rule 11; or
  - (iii) an investigation and report to the General Council by the General Secretary of the Congress under clause (f) of rule 12; or
  - (iv) an investigation by a Disputes Committee under clauses (e) and (g) of rule 12 and a refusal or failure to comply with its award under clause (h) of rule 12;

it appears to the General Council that the activities of the organisation may be detrimental to the interests of the trade union movement or contrary to the declared principles or declared policy of Congress, the General Council shall notify the organisation of that fact, specifying the grounds on which that charge is made and inviting the organisation to present its views to the General Council. If, after considering those views, the General Council decide that the said activities are detrimental to the interests of the trade union movement or contrary to the declared principles or declared policy of Congress, the General Council shall direct the organisation to discontinue such activities forthwith and undertake not to engage therein in the future.

- (c) Should the organisation disobey such direction, or fail to give such undertaking, the General Council are hereby empowered in their discretion to order that the organisation be forthwith suspended from membership of the Congress until the next annual Congress.
- (d) The General Council shall submit a report upon the matter to the next annual Congress.
- (e) No affiliated organisation shall circularise, either in writing or by general oral communication, other affiliated organisations upon any matter concerning the business of the Congress, without first securing the General Council's authorisation for such circularisation.
- (f) Should any such unauthorised circularisation take place concerning a motion for the agenda of the annual Congress or any special Congress or Conferences, and the General Council after investigation decide that those responsible for such motion connived at, or were party to, or concerned with such circularisation, the motion shall not be included in the agenda.
- (g) The General Council may investigate any violation of the provisions of clauses (e) and (f), and if after such investigation they decide that any organisation has acted deliberately in such violation they may deal with the organisation by investigation, suspension and report under the terms of clauses (b), (c) and (d) of this rule.
- (h) Any affiliated organisation dealt with under this rule shall have the right to appeal to the next annual Congress and may appoint delegates in accordance with rules 17 and 18 to represent the organisation upon the appeal and at the annual Congress if the appeal is allowed. Congress shall upon such appeal have final authority to deal with the matter by way of re-admission, further suspension or exclusion from membership of the Congress.

## Rule 14

### *Trustees, Auditors and Accounts*

- (a) TRUSTEES: Two or more Trustees shall be appointed by the General Council in whose names the funds and property of the Congress shall be vested. Such Trustees shall hold office until their respective successors have been duly appointed by the General Council and shall have accepted office. The Trustees shall deal with the funds and property held by them in accordance with the directions of the General Council and shall invest any funds available for investment in accordance with such directions. The bank accounts of the Congress shall be in the names of the Trustees, but the General Council may by resolution authorise the Trustees to direct the Bankers to honour the signature or signatures of any person or persons named in the resolution, in which case the Trustees shall give such direction and shall be relieved from all liability in respect of payments made in the manner authorised by the resolution while it is in force.
- (b) AUDITORS: The accounts of the Congress shall be audited annually by a chartered or incorporated accountant to be appointed by the General Council. The accountant shall be given access to all books and documents of the Congress and shall be given all information or explanations with regard to the accounts that she or he requires. The accountant shall be required to submit a report to the General Council as soon as practicable after the audit.
- (c) ACCOUNTS FOR THE YEAR: In order that affiliated organisations may have an opportunity of perusing the financial statements prior to each annual Congress, the financial year shall close on 31 December. The audit shall then take place and printed Balance Sheets, duly certified by the Auditors, shall be sent with the complete agenda to the secretary of each organisation not less than 14 days before each annual Congress.

# Appendix five

## TUC rules and standing orders

(as at April 2013)

### Rule 15

#### *Amendment of rules and standing orders*

- (a) The General Council may between each annual Congress make any amendment to the rules and Standing Orders that they deem necessary subject to any such amendment being confirmed by the next annual Congress, providing that any such amendment shall in any event be binding upon all affiliated organisations and their members until overruled by Congress.
- (b) Affiliated organisations may (subject to the provisions of rule 23) put forward motions for the amendment of the rules and standing orders for the consideration of such annual Congress.

## Part 2 Arrangements for Annual Congress

### Rule 16

#### *Preliminary arrangements*

- (a) The General Council shall select the place for the annual Congress and shall have the powers to invite representatives of public bodies and other institutions to attend the sittings thereof.
- (b) The General Council shall meet during the week prior to the date of each annual Congress for the purpose of completing the arrangements there for.

### Rule 17

#### *Representation at Annual Congress*

- (a) Affiliated organisations shall be entitled to be represented at the annual Congress by one delegate for every 5,000 members or fraction thereof, (save for unions with fewer than 5,000 members who shall be entitled to two delegates) provided always that they have paid the fees prescribed in rule 3.

- (b) Not later than seven weeks prior to the Monday of the annual Congress the names and addresses of the delegates shall be sent to the General Secretary of the Congress on the appropriate form which must be signed by the President (or Chairman) and Secretary of the organisation such delegates will represent.
- (c) A credential card shall not be issued to any affiliated organisation which has failed to comply with the foregoing conditions.

### Rule 18

#### *Delegates' qualifications*

- (a) Each annual Congress shall consist of delegates who must be financial members of the affiliated organisation they are to represent and actually working at their trade at the time of appointment, or full-time paid officials of such affiliated organisation. However, unemployed members of an affiliated organisation shall not be debarred from acting as delegates.
- (b) The above qualifications shall not, however, debar a person from acting as a delegate who is not a full-time paid official and who has temporarily left her or his normal full-time work as an employee in trade or industry to undertake Parliamentary duties, provided that, at the time of her or his attending Congress, she or he is occupying a national post designated under the rules of the appointing affiliated organisation.

### Rule 19

#### *Congress President*

- (a) The President of the Congress shall be appointed by the General Council at their first meeting after each annual Congress.
- (b) The duties of the President shall be to preside at all meetings of the General Council, and at all special Congresses or Conferences for one year following the date of her or his appointment, and at the annual Congress concluding her or his term of office. She or he shall then become first Vice-Chair of the General Council for a period of one year thereafter.

## Rule 20

### *General Purposes Committee*

- (a) A General Purposes Committee of five members for the ensuing annual Congress shall be nominated and elected by ballot. If any member elected is not a delegate to the ensuing annual Congress, or a vacancy arises from any other cause, the highest unsuccessful candidate shall be called upon to fill the vacancy.
- (b) Each nominee for the General Purposes Committee must be nominated by her or his own organisation. Nominations shall be submitted on the appropriate form which must be signed by the President (or Chair) and Secretary of the organisation and shall reach the General Secretary of the Congress at least eight weeks prior to the Monday of the annual Congress.
- (c) The members of the General Purposes Committee shall appoint from their body a chair and secretary. The duties of the General Purposes Committee shall be:-
  - to co-operate with the movers of motions and amendments in order that composite motions may be obtained wherever possible;
  - to have printed and circulated to the delegates copies of the composite motions they have approved;
  - to submit to the President of Congress a programme of all motions and amendments approved by them as being in accordance with the rules and standing orders, together with all
  - suggestions for the proper conduct of the business of the annual Congress;
  - to report to the General Council any violation of the rules or standing orders that may be brought to their notice, together with any recommendation agreed upon.

## Rule 21

### *Tellers and ballot scrutineers*

The General Council shall nominate, for the approval of the Congress, four or more Tellers and up to seven Ballot Scrutineers.

## Rule 22

### *Voting*

The method of voting at Congress shall be at the discretion of the President, by voice, or show of hands, or card vote. Where, however, a division by voice or show of hands is challenged by delegates to Congress, voting shall be by cards to be issued to the delegations according to membership (paid for as per rule 3) on the basis of one vote for every 1,000 members or fractional part thereof represented. Such cards to be issued to affiliated organisations by the General Secretary of the Congress before the commencement of the annual Congress.

## Rule 23

### *Motions for Congress*

- (a) Motions for the Congress must be submitted on the appropriate forms and be signed by the President (or Chair) and Secretary of the organisation submitting such motions and must be received by the General Secretary of Congress not later than eight weeks before the Monday of the annual Congress.
- (b) Such motions shall be printed and sent to each affiliated organisation not less than six weeks before the annual Congress. The order in which these subjects are to be discussed shall be decided by the General Council in consultation with the General Purposes Committee of Congress.

# Appendix five

## TUC rules and standing orders

(as at April 2013)

- (c) An affiliated organisation shall be allowed not more than two motions, apart from organisations with more than one million members who will be allowed one additional motion for each additional 500,000 members or part thereof. In addition each of the equality conferences, the Young Workers' Conference and Trades Union Councils' Conference will be allowed to choose one motion carried by that conference for submission to Congress. In order that important labour questions may not be omitted from the discussion of the annual Congress, the General Council are empowered to place not more than three motions on the annual Congress agenda.
- (d) All amendments to the motions submitted by affiliated organisations must be received by the General Secretary of Congress not later than four weeks before the Monday of the annual Congress. An affiliated organisation shall be allowed not more than two amendments apart from organisations with more than one million members who will be allowed one additional amendment for each additional 500,000 members or part thereof. These must be submitted on the appropriate forms and be signed by the President (or Chair) and Secretary of the organisation concerned.
- (e) Notwithstanding the provisions of this rule, the General Council or any affiliated organisation shall, subject to the approval of the General Purposes Committee, be permitted to submit an emergency motion for the consideration of the delegates to Congress. No such permission shall, however, be granted unless agreed to by at least two-thirds of the votes cast by the delegates to the particular annual or special Congress.
- (f) Motions shall not exceed 250 words in length. Amendments shall not exceed 50 words in length. These provisions shall apply to original motions and emergency motions but not to composite motions nor to motions selected to go forward to the Congress Agenda by the equality conferences, Young Workers Conference and Trades Union Councils Conference.

### Rule 24

#### *Delegations*

All nominations for delegations appointed by Congress must be submitted on the appropriate form and be signed by the President (or Chair) and Secretary of the organisation and must be sent to reach the General Secretary of the Congress not later than eight weeks before the Monday of the annual Congress. Each nominee must be nominated by her or his own organisation.

### Rule 25

#### *Date of Annual Congress*

- (a) Unless otherwise decided by the General Council, the date for the opening of each annual Congress shall be the Sunday before the second Monday in September.
- (b) To enable affiliated organisations to comply with the various requirements of these rules where time limits are fixed by reference to the date of the annual Congress, the General Council shall, in the event of any change in such date, direct that notice of such change shall be given to affiliated organisations in due time.

### Rule 26

#### *Standing Orders*

- (a) HOURS OF MEETING: Delegates shall assemble at 4pm prompt on the first day of each annual Congress and at 9.30 a.m. on each succeeding day. On Sunday Congress shall adjourn at 7pm and each day thereafter (Monday to Wednesday) Congress shall adjourn at 12.45 p.m. and reassemble at 2.15 p.m. and adjourn for the day at 5.30 p.m. on Monday and Tuesday and shall conclude no later than 4 p.m. on Wednesday.
- (b) AGENDA: A complete agenda of the motions and amendments submitted under rule 23 shall be printed and sent, not later than 19 days before the opening of each Congress, to the affiliated organisations which have paid up to the last preceding quarter the fees due under rule 3.



- (c) **GENERAL COUNCIL'S REPORT:** After the opening of each annual Congress, the General Council shall present their report for the past year, which shall be laid on the table for discussion. The items of the report shall be discussed seriatim and not as a whole: each speaker to be limited to three minutes. Such report shall be given precedence over all other business provided that where a motion on the agenda bears directly upon any part of the report, such motion may at the discretion of the President be taken in conjunction with such part of the report.
- (d) **LIMITATION OF SPEECHES:** The mover of the motion shall be allowed five minutes, the seconder three, and any or each succeeding speaker three minutes. A delegate shall not speak more than once on a question, except the mover of the original proposition, who shall have the right to reply.
- (e) **ORDER OF SPEAKERS:** The President shall determine the order of speakers. Each delegate shall stand when speaking. If the President rises to call a delegate to order, or for any other purpose connected with the proceedings, the delegate speaking shall leave the rostrum and resume her or his seat and no other delegate shall rise until the President has authorised the discussion to proceed.
- (f) **PRESIDENT'S RULING:** Should any delegate cause disturbance at any session of annual or special Congress, and refuse to obey the President when called to order, she or he shall be named by the President, and shall be expelled from the hall for the remainder of the session, and shall not be allowed to take part in the Congress proceedings without the consent of Congress delegates.
- (g) **CLOSURE:** The Previous Question, Next Business, or the Closure may be moved and seconded only by those delegates who have not previously spoken during the debate, and there shall be no speeches on such motions. Should the closure be carried, the mover of the original motion shall have the right to reply in accordance with rule 26, clause (d). Should the President consider that there is no practical difference of opinion among the delegates, she or he shall have power to stop the discussion and submit the proposition to the vote of the Congress delegates.
- (h) **SPECIAL MEETINGS:** In the case of special Congresses or Conferences the above Standing Orders shall be adhered to wherever applicable as closely as possible.

## Rule 27

### *Suspension of rules and standing orders*

Rules and Standing Orders in Part 2 hereof, may, notwithstanding the terms of rule 15, be suspended if such suspension is agreed to by at least two-thirds of the votes cast by the delegates to the particular annual or special Congress.

## A

Abberley, Bob 13, 120  
 abortion rights 81, 82, 122  
 academy schools 57, 58  
 Acas  
   early conciliation 73  
   flexible working 79  
 accommodation industry  
   union membership 95  
 Acquired Rights Directive 71  
 Action for Rail campaign 7, 52, 66, 67, 68  
 Adebawale, Maria 35  
 adoption 79  
 Adult Learners' Week 108  
 adult skills 35  
 Advisory Committee on Health  
   and Safety at Work 90  
 After Austerity campaign 12, 28, 39, 44  
 Age Immaterial campaign 9, 80  
 agency workers 60, 72, 73, 74  
   Agency Worker Regulations (AWR) 73  
 aggregator pension models 50  
 Agricultural Wages Board 41  
 All Party Parliamentary Group on  
   Occupational Safety and Health 91  
 All Party Parliamentary Group on the TTIP 17  
 All Together for the NHS campaign 55  
 Alliance Against Pregnancy Discrimination 80  
 Alliance of European National  
   Movements (AENM) 83  
 Alys, Mary, obituary 130  
 Amnesty International 99, 103  
 Anionwu, Professor Elizabeth 122  
 Anthony, Felix 99  
 Anti-Slavery International 77  
 Apprenticeships 34, 107, 109  
   black and minority ethnic people 81  
   national minimum wage (NMW) 40  
   public procurement 31  
   science sectors 30  
   skills investment 33  
   social partnerships 33  
   supporting apprentices 91  
   women 81  
 Arab Partnership Programme 103  
 Armitt, Sir John 30  
 Arnold, David 98  
 arts funding cuts 27  
 asbestos 88, 89, 91  
 Ashworth, Louise 123  
 Association of Personal Injury Lawyers 91  
 Association of Public Service  
   Excellence (APSE) 60  
 asylum seekers 74  
 austerity 3, 9, 14, 21, 33, 59, 62, 84, 85, 86  
   After Austerity campaign 12, 28, 39, 44  
   Austerity Uncovered campaign 8, 53, 106  
   European 14  
   LGBT Conference 123  
 auto-enrolment of pensions 48  
 aviation 27, 29, 30

## B

Bailey, Peter 99  
 Baker, Norman 67  
 Balance of Competences Review 74, 107  
 Bamford, Sean 98, 102, 103  
 Bangladesh 103, 105  
   Rana Plaza factory collapse 9, 76, 94, 99  
 banking industry 13  
   Green Investment Bank 21  
   pay 45  
 Banyard, Kat 81  
 Barber, Brendan 3, 72, 98, 104, 121  
 Barnes, Sarah 120  
 Baxter, Jan 123  
 Bearcroft, Sheila 104  
 bedroom tax 2, 8, 63  
 Beecroft Report 70  
 Believe in Young People charity 109  
 benefit cuts 62, 64  
   children 65  
   disabled workers 84  
   migrant workers 106  
 Benefits Upgrading Bill 14  
 Berry, Craig 48  
 Better Regulation Delivery Office 91  
 Binette, George 124  
 Birkbeck 96, 110, 115  
 bisexual workers see Lesbian, gay,  
   bisexual and transgender workers  
 black and minority ethnic people  
   apprenticeships 81  
   Black Workers' Conference 122  
   impact of cuts 78  
   rights at work 70  
   union learning reps 107  
   women 80  
   youth unemployment 18  
 blacklisting  
   construction industry 88  
 Blakeley, Richard 98  
 Blower, Christine 76  
 Boase, Emily 27  
 bonus payments 16  
 Boustead, Mary 121  
 Boyd, Emma Howard 21  
 Boyle, Danny 5  
 Boyle, Sandy 76  
 breastfeeding at work 79  
 British Bankers' Association 13  
 British Chamber of Commerce 13  
 British Dietetic Association (BDA) Mind  
   the Hunger Gap campaign 64  
 British National Party (BNP) 83  
 British Occupational Health  
   Research Foundation 91  
 British Safety Council 91  
 broadband network 27, 30  
 Brown, Amanda 76  
 Brown, Martin 124  
 Buczynsky, Helen 90  
 Budget 6, 13, 14  
*Building our Low Carbon Industries* 22  
 Building Trade Union Support for Workplace  
   Learning throughout Europe project 34

Building Workplace Capacity to Combat  
 HIV/AIDS in Nigeria project 104  
 bullying 71  
   lesbian, gay, bisexual and  
   transgender workers 85  
 Burgess, Rick 123  
 Burke, Tony 29  
 Burnham, Andy 55  
 Burrow, Sharan 97, 98  
 Burt, Alistair 102  
 bus services 68

## C

Cable, Vince 6, 17, 21, 28, 29  
 Caldwell, Jamie 120  
 campaigns and communications  
   Action for Rail 7, 52, 66, 67, 68  
   After Austerity 12, 28, 39, 44  
   Age Immaterial 9, 80  
   Austerity Uncovered 8, 53, 106  
   Better Transport 68  
   Britain Needs a Pay Rise 6, 39  
   Careers Service Issues for  
   Working People paper 36  
   Defend Council Housing 20  
   Education not for Sale 57  
   End the Care Crisis 56  
   Enough If 32  
   A Future that Works 5  
   health and safety 88  
   I'm An Apprentice, Value Me 91  
   industrial action 89  
   Mind the Hunger Gap 64  
   National Health Service (NHS) 7, 54  
   Part-Time Matters 110  
   Play fair 31, 99, 104  
   Pay Fair 44  
   plan 5, 57  
   public sector 67  
   public services 53  
   Rights of Women 81  
   Royal Mail 7  
   Save our Buses 68  
   Short-term Rewards,  
   Long-term Failings seminar 44  
   Solidarity and Social Security  
   Cuts meeting 66  
   Strong Unions 95  
   Transport for All 84  
   Valuing Maternity 80  
   welfare 7  
   Will Universal Credit Work? report 63  
   Women's Work and Women's  
   Benefits seminar 65  
   Work Not Play 27  
   World Day for Decent Work 32  
   Young Workers Conference 10  
 cancer  
   occupational 89  
 capital markets see corporate  
   governance and capital markets  
 Carberry, Kay 123  
 Carbon Capture and Storage  
   Association (CCSA) 23  
 Carbon Price Floor (CPF) 22

Care Bill 56  
 career information advice and guidance 36  
 carers 56  
 Carolan, Jane 120  
 Cartmail, Gail 32, 36, 99, 104, 121, 122  
 casualisation 74  
 Celebration of Learning 108  
 Centre for Research on Socio-  
   Cultural Change 30  
 Certificate course 114  
 Certificate in Professional  
   Development (CPD) 115  
 Chibebe, Wellington 99  
 Child Benefit 64  
 child labour 104  
 childcare 58, 63, 80  
 Children England 59  
 chloracne 91  
 Churchill, Andrew 28  
 Citizens UK campaign group 42  
 City Deal 30  
 civil partnerships 85  
 civil service  
   facility time 96  
   pay progression 45  
 Clegg, Nick 29  
 Climbing Frame website 110  
 co-operatives movement 54, 58, 60  
   Co-operative College 58  
   Co-operatives UK 58, 61  
 coal industry 22-3  
 Cockell, Sir Merrick 59  
 Coldrick, Peter 76  
 collective bargaining 43, 44, 73, 94, 95  
 collective redundancies 71  
 Collins, Lynn 122  
 commissioning 61  
   living wage 42  
   public service reforms 60  
 Committee on the Application  
   of Standards 76  
 Committee for Workers@Capital (CWC) 26  
 Commonwealth Heads of Government  
   Meeting (CHOGM) 99  
 Commonwealth People@ Forum (CPF) 99  
 Commonwealth Trade Union  
   Group (CTUG) 99  
 community groups 60  
 compensation 32, 70, 90-1  
   mesothelioma 90  
 competition  
   health services 54  
 computer skills see digital inclusion  
 Congress 120  
   arrangements 172-5  
   Awards 120  
   Centre 128  
 construction industry 2, 13, 26, 72, 88  
 continuing professional development  
   58, 92, 107, 109  
 contract-based pensions  
   schemes see pensions  
 Cooke, Naomi 49  
 cooperatives and social enterprises  
   disabled workers 84  
 Cork-Hurst, Collette 82  
 corporate governance and  
   capital markets 23-6  
 Council of Councils

TUC representation on 30  
 Council of Mortgage Lenders 20  
 Council for Work and Wellbeing 91  
 Courteille, Claire 122  
 Cox, Sir George 24  
 Crasta, Elena 15, 75, 98  
 Crawford, Rosa 26, 77, 98  
 Creative Coalition Campaign 27  
 creative industries see digital economy  
   and creative industries  
 Criminal Injuries Compensation Authority 91  
 criminal justice system 52, 59-60  
 Crook, Nick 76  
 cross-border trade 27  
 Crow, Bob 121, 124  
 Curtis, Brian 76  
 cuts  
   black and minority ethnic people 82  
   women 80  
 Cutting Edge Consortium 85

## D

dairy industry 30  
 Dassis, Georgios 76  
 Data Protection Act 127  
 Davies, Bryn 48  
 Davies, Sir Howard 27, 28  
 Davis, Lord 82  
 de Mauley, Lord 21  
 decent employment 14, 15,  
   17, 31, 32, 33, 77, 99  
 defence  
   service outsourcing 60  
 Defend Council Housing campaign 20  
 digital  
   champions 108  
   economy and creative industries 26-7  
   inclusion 108  
   piracy 27  
 Dilnot, Andrew 56, 65  
 disabled people  
   benefits 62, 123  
   children 58  
   Disability Aid Abroad (DAA) 105  
   Disability Committee, Equality and  
   Human Rights Commission (EHRC) 85  
   Disability Hate Crime Network 84  
   disabled workers 84-5  
   hate crimes 65  
   impact of cuts 67, 78  
   social care 56  
   Universal Credits (UC) 7, 63  
   welfare funding reductions 52  
   women 80  
   Disabled Workers@Committee 84, 123, 136  
   Disabled Workers@Conference 123  
 discrimination 70, 78, 79  
 dismissal  
   settlement agreements 71  
   see also unfair dismissal  
 disputes between unions 155-62  
 Dobney, Megan 98  
 domestic abuse  
   LGBT Conference 123  
   and sexual violence 81

domestic workers 77-8  
 Dorling, Professor Danny 65  
 Dunning, Harold, obituary 130

## E

Eagle, Angela 123  
 early years see education and early years  
 economic deprivation  
   effect on educational achievement 57  
 economy  
   global 15-16  
   importance of fair pay 39  
   recovery 6  
 Edmonds, John 35  
 education sector 52, 57-9  
 Education Maintenance Allowance 35  
   lesbian, gay, bisexual and  
   transgender workers 85, 123  
   teachers  
     continuing professional  
     development 109  
     pay and conditions 45, 57  
     and support workers 36  
   technicians 110  
   working time 19  
   young people 87  
 electricity market reforms 22-3  
 employee ownership 25  
 Employer Ownership Pilot 34  
 employment  
   decent 14, 15, 17, 31, 32, 33, 77, 99  
   fall in local government 59  
   law 114  
   protection of standards 61  
   quality 2, 18  
   recovery 18  
   rights 70-4, 114  
   young people 86, 109  
 Employment Agency Standards  
   Inspectorate 40, 72  
 Employment of People with  
   Disabilities, Uganda 105  
 Employment Standards Inspectorate 73  
 Employment and Support Allowance 62  
 employment tribunals 41, 71, 73, 79  
   fees 2, 70, 122  
 End Child Poverty coalition 64  
 End Violence Against Women  
   (EVAW) coalition 81  
 Ending the Low Pay Culture  
   SERTUC seminar 42  
 Energy Bill Revolution campaign 23  
 energy  
   energy intensive industries 22  
   and environment 20-1  
   sector technicians 110  
 Energy Technology Institute 23  
 enforcement agencies 72  
 English language  
   English for Speakers of Other  
   Languages (ESOL) 92, 108  
   learning and skills 33, 108  
 Enough If campaign 32  
 Enterprise and Regulatory  
   Reform Act (ERRA) 70

environment 33  
 aviation 28  
 climate change 16  
 energy 2021  
 European Economic and Social Committee 76  
 green industries and jobs 14, 77  
 green reps 97  
 green skills 110  
*Green Workplace Representatives Guide* 97  
 procurement 31  
 Environmental Audit Committee (EAC) 22  
 Epstein, Mark 124  
 equal pay questionnaires and audit 79  
 equality  
   conferences 12223  
   Law and disabled workers 123  
   race 8223  
   union professional training 113  
   at work 7829  
 Equality Act 2010 70, 79, 84  
 Equality and Diversity Forum (EDF) 78  
 Equality and Human Rights Commission (EHRC) 2, 70, 7829  
 Ethical Trading Initiative (ETI) 26, 72, 122  
 Ethnic Minority Employment Stakeholder Group (EMESG) 82  
 European Union (EU)  
   Advisory Committee on the Free Movement of Workers 107  
   Emissions Trading Scheme (EU ETS) 22  
   Enhanced Cooperation Procedure 17  
   EU-India Free Trade Agreements 17  
   Internal Market 74  
   procurement 31  
 Europe  
   health and safety 90  
   youth unemployment 87  
 European Commission  
   Advisory Committee on Health and Safety at Work 90  
   Single European Sky legislation 28  
   working time 19  
 European Court of Human Rights (ECtHR) 73, 83  
 European Economic and Social Committee 76  
 European Federation of Journalists 27  
 European Investment Fund 30  
 European partnerships  
   TUC Education 115  
 European Social Partners 87  
 European Trade Union Confederation (ETUC) 17, 75, 98  
   austerity 14215  
   *A Green Delegate's Guide for Europe* 97  
   procurement 31  
   social partner agreement 75  
 European Trade Union Institute 115  
 European Transport Federation (ETF) 68  
 European Works Councils (EWCs) 75  
 Ewart, Graeme 120  
 Ewing, Professor Keith 8, 121  
 Exall, Maria 121, 123  
 executive pay 4324, 45  
 Exell, Richard 15, 91, 98  
 external bodies in occupational health 91  
 Extractive Industries Transparency Initiative (EITI) 16

**F**  
 facility time 88, 94, 9627  
   health and safety training 88  
   threats to 3, 54  
 Faculty of Occupational Medicine 91  
 Fair Deal  
   pensions 46  
 faith groups  
   prejudice against LGBT workers 85  
 False Economy website 7  
 far right groups 3, 83, 94  
 Farhat, Beth 122  
 fashion and clothing industry 94  
 Fawcett Society 81  
 Featherstone, Lynne 32  
 Federation of Entertainment Unions 26  
 Ferns, Sue 21, 104, 121  
 Financial Services Authority/Financial Conduct Authority 50  
 fire services 52  
 fixed-term contracts 71  
 flexible working 20, 79, 80, 92  
 food service industry 95  
 forced labour 77  
 Forest Research 21  
 Forestry Commission 21  
 Fourth Rail Package 66, 68  
 fracking 20  
 Francis, Robert QC 55  
 Freud, Lord 90  
 Frew, Jim 120  
 Full-time union representatives 95  
 functional skills (formerly skills for life) courses 108  
 further education 3526, 112  
   tutor development 114  
 Future First 109  
 Future for Families rally 6  
 Future Jobs Fund 19  
 Future that Works campaign 28, 53

**G**  
 G4 Guidelines 44  
 G8 meeting 16, 17  
 G20 meeting 16  
 Gangmasters&Licensing Authority 72, 73  
 Garnham, Alison 66  
 gay workers see lesbian, gay, bisexual and transgender workers  
 GCSE reform 57  
 gender  
   apprenticeships 35  
   pay gap 9, 80  
   segregation 18  
   union membership statistics 94  
 General Council 12021  
   meetings 134  
   statement of responsibilities 142  
 General Secretary see Frances O'Grady  
 Gill, Bill, obituary 130  
 global economy 15216  
 global labour standards 7627

global solidarity 9, 15, 972104  
 Bahrain 77, 102  
 Belarus 97  
 Brazil 99  
 Burma 77, 97, 99, 104  
 Cameroon 115  
 Central America 101  
 Chile 100  
 China 104  
 Colombia 100  
 Côte d'Ivoire 101  
 Cuba 100  
 Egypt 102  
 ethical trading 26  
 Fiji 76, 77, 99  
 Greece 76, 83  
 Guatemala 76, 77, 99, 101, 106  
 Haiti 105  
 international union rights 99  
 Iraq 102  
 Israel/Palestine 102  
 lesbian, gay, bisexual and transgender workers 85  
 Mexico 101  
 Pakistan 104  
 Palestine 2 Gaza 105  
 Robin Hood tax 16217  
 social justice 97  
 Somalia 101  
 supply chains 77  
 Swaziland 76, 99, 102  
 trade 17  
 Trade Union Development Cooperation Network (TUDCN) 33  
 transnational worker-based information 75  
 Tunisia 103  
 Turkey 103  
 Uganda 105  
 union support 94  
 Uzbekistan 76  
 Venezuela 101  
 Western Sahara 102  
 Zimbabwe 99, 102  
   see also Bangladesh  
 Go On UK 108  
 Gorle, John 72  
 government  
   inadequacy of on-line advice 41  
   industrial policy 28230  
   public services policies 31, 5223, 60  
 Government Actuary's Department 47  
 Government Equalities Office (GEO) 78  
 graduate  
   loans 58  
   skills 110  
 Greatrex, Tom 23  
 Green, Andy 123  
 Green Economy Council (GEC) 21, 35  
 Green Investment Bank 13, 21  
 Green is Growth conference 21  
 green reps see environment  
 Greendale, Walter, obituary 130  
 Greening, Justine 33  
 Greenshields, Bill 124  
 Grindrod, Fred 98  
 Growing the Green Economy debate 21  
 Gurney, Sam 76, 77, 104

# H

Hague, William 104  
 Halfon, Robert 35  
 harassment  
   lesbian, gay, bisexual and transgender workers 85  
 Hart, Jack, obituary 130  
 Harvey, Dave 124  
 hate crime 65  
   disabled people 67, 84  
   lesbian, gay, bisexual and transgender workers 85, 123  
 Hayes, Billy 14, 98, 121  
 Hayes, John 22  
 Hazards movement 91  
 Healey, John 124  
 health 54-6  
   care 32  
   chloracne 91  
   integration with social care 56  
   medical assessments 91  
   migrant workers 106  
   pre-employment questions 84  
   service outsourcing 60  
   unions  
     continuing professional development 109  
 health and safety 70, 88-91  
   occupational 16  
   rail service 66  
   reps 88  
   working conditions 32  
   young people 109  
 Health and Safety at Work Act 90  
 Health and Safety Executive (HSE) 89  
 Health and Social Care Act 2012 54, 55  
 healthcare sector  
   technicians 110  
 heavy goods drivers 28  
 Help to Buy initiative 20  
 Hendy, John QC 8, 121  
 Heseltine, Lord 6, 28, 29, 30  
 higher education 109  
   decline in participation 52, 58  
   impact of migration policy 106  
 Higher Learning at Work website 110  
 higher level skills 110  
 HIV 86  
   HIV Counselling and Testing (HCT) 104  
 LGBT Conference 123  
 holidays  
   collective bargaining 95  
   entitlement and pay 43, 71  
 Holland, Diana 97  
 Hollinger, Peggy 28  
 Holmes, Chris 123  
 Holton, Julie 120  
 home-working 20  
 homelessness 20  
   LGBT Conference 123  
 homophobia  
   in sport 86, 123  
 Hood, Alice 46, 122  
 hospitality industry 72  
 House of Commons Work and Pensions Select Committee 49

housing 20  
   migrant workers 106  
   young people 86, 87  
 HRMC  
   role in enforcing national minimum wage (NMW) 40  
 Hudson, Mandy 123  
 Human Rights Commission 84  
 Hunt, Sally 97, 98, 104, 121

# I

ILO 76  
   Freedom of Association Committee 73  
   International Programme for the Elimination of Child Labour (IPEC) 77  
   Maritime Labour Convention 28  
   Multinational Enterprises Declaration 78  
 immigration 74  
 in-work conditionality 63  
 Incomes Data Services 43  
 Independent Living Fund 62  
 industrial action 45, 54, 73  
   campaigns 8-9  
 Industrial Injuries Advisory Council (IIAC) 91  
 Industrial Injuries Disablement Benefit 91  
 Industrial Injuries Scheme 91  
 industrial partnerships and skills 34  
 industrial strategy partnership councils 29  
 industrial wages councils 43  
 Informal Adult and Community Learning (IACL) 108  
 infrastructure 30  
 Institution of Occupational Safety and Health 91  
 Institutions for Occupational Retirement Provision (IORP) 47  
 integration of health and social care 56  
 International Day for the Eradication of Poverty 65  
 international development 32-3  
 International Development Committee (IDC) 32  
 International Development Group 99  
 international employment rights 74-8  
 International Labour Organisation see ILO 76  
 International Monetary Fund (IMF) 16  
   spending cuts 12  
 international partners 115  
 International Trade Union Confederation (ITUC) 97  
 international trade union rights 99  
 International Union Accord on Fire and Building Safety 9, 94, 103  
 International Women's Day 102, 122  
 internships 40  
 IPPR Commission on the Future of Higher Education in England 58

# J

Jennings, Karen 120  
 Job for Everyone report 18  
 Jones, Owen 65, 122  
 Jordan, Lord Bill 78  
 Judge, Lindsay 38, 63  
 Justice for Domestic Workers 77  
 Justice and Security Bill 72

# K

Kay, Professor John 25  
 Kemp, Steve 72  
 Kemperle, Monika 26  
 Kenny, Paul 89  
 Kenya 101  
 Kothalawala, Bandula 99

# L

Labour Force Survey (LFS) 94-5  
 labour market 18-19  
 Labour Research Department 127  
 Lavery, Ian 23  
 Lay Leadership Development Programme 96  
 leadership  
   union professional training 113  
 Leading Change 96  
 Leahy, Michael 50, 121  
 Learning at Work Day 108  
 learning difficulties 84  
 Learning and Organising Toolkit 95  
 learning and skills 33-6, 91-2  
 legal aid  
   domestic violence 81  
   Legal Aid Sentencing and Punishment of Offenders Act 90  
 legal protection  
   whistleblowers 74  
 lesbian, gay, bisexual and transgender workers 85-6  
   Committee 136-7  
   Conference 123  
   Domestic Abuse Forum 85  
 Leslie, Chris 17  
 Leveson Report 26  
 Lewis, Ivan 32, 99  
 Lim Swee Say 28  
 Lister, Professor Ruth 66  
 living standards 45  
 living wage 38, 39, 42, 63  
   Living Wage Foundation 42  
   see also national minimum wage (NMW)  
 loans  
   advanced learning 35  
   graduate 58  
   sharks 42  
 local authorities  
   living wage 42  
   welfare funding reductions 52

Local Enterprise Partnerships (LEPs) 29, 30  
 local government 59  
   facility time 96  
   Local Government Association (LGA) 59  
   Local Government Pension Scheme 46  
   service outsourcing 60  
 Löfstedt, Professor Ragnar 89, 90  
 London Development Legacy Corporation 32  
 London 2012 Olympic and Paralympic Games 27, 30, 31, 102, 104  
 low pay 122  
   Low Pay Commission 40, 41  
   young people 87  
   learning and skills 108

## M

McArthur, Andy 120  
 McCaffrey, Fern 121  
 McCarthy, Lord Bill, obituary 130  
 McCarthy, Suzanne 122  
 McClymont, Gregg 48  
 McCormack, Inez, obituary 131  
 McGovern, Séan 84, 121, 123  
 McKenzie, Roger 122  
 McKnight, Judy 76  
 McLean, Jean 124  
 Mactaggart, Fiona 122  
 Maier, Juergen 28  
 Making Pensions Work for People conference 25  
 Malosse, Henri 76  
 Manasseh, Leslie 98, 120  
 Manning, Alan 102, 122  
 Manufacturing Action Group 29  
 manufacturing industry technicians 110  
 Manufacturing for Skills Alliance 111  
 Manufacturing Summit 29  
 Maritime and Coastguard Agency 40  
 marketisation  
   public services 60  
 Martinez, Francesca 123  
 Maternity Action 81  
 maternity rights 80, 122  
 Mather, Sue 120  
 maths  
   learning and skills 108  
   standards 33  
 mature students 58  
 Maude, Francis 41  
 Mazzucato, Mariana 28  
 Meadows, Lucy 85  
 means-tested care support 57  
 media  
   BBC 27  
   conscience clause 26  
   interest in new General Secretary 81  
   national minimum wage (NMW) 40  
   newspapers 5, 17  
   ownership 26  
   public service pay and pensions 44  
   radio 3, 6, 9  
   regulation 26  
 medical assessments 91

mental health 84  
   LGBT Conference 123  
 Mercer, Lesley 6, 13, 14, 120, 121, 122, 123  
 mergers and takeovers 24  
 mesothelioma 90  
 migrant workers 17, 83, 94, 106, 107  
   learning and skills 108  
 Millennium Development Goals (MDGs) 32  
 Miller, Bev 123  
 Mills, Gloria 19, 75, 82, 98, 121  
 Morgan, Ann 123  
 Mortimer, Jim, obituary 131  
 Moxham, Ben 26, 98, 107  
 Moylan, Daniel 28  
 Moylan, John 124  
 Mugalla, Khamati 99  
 Multiple Sclerosis Society  
   End the Care Crisis campaign 56  
 Murphy, Chris, obituary 131  
 musicians 26, 27  
 mutual joint ventures 61  
 mutuals 31, 54, 60

## N

Nadin, Helen 98  
 National Apprenticeship Service (NAS) 109  
 National Audit Office 59  
 National Care Service 56  
 National Careers Service (NCS) 36  
 National Children's Bureau 59  
 National Employment Savings Trust (NEST) 48, 49  
 National Federation of Women's Institutes 67, 81  
 National Health Service (NHS) 17  
   65th anniversary 55  
   birthday demonstrations 8  
   campaigns 54, 105  
   pay, terms and conditions 45  
   pensions 65  
   private providers 55  
   privatisation 7  
   Social Partnership Forum (SPF) 55, 56  
 National Institute of Economic and Social Research (NIESR) 13, 42  
 National Insurance contributions 47, 62  
 national minimum wage (NMW)  
   38, 39, 40, 101, 63, 71  
   apprentices 91  
   National Minimum Wage Enforcement Group 40  
   see also living wage  
 National Open College Network 112  
 nationalisation  
   public transport 66  
 needlestick injuries 89  
 Netroots UK 97  
 Network for Sustainable Development in Public Procurement 31  
 no-fault dismissals 71  
 north-south divide 45  
 Nowak, Paul 16, 122

## O

Oakeshott, Lord Matthew 44  
 obituaries 130, 131  
 occupational injuries and diseases 88, 90, 91  
 occupational health and safety 88, 90  
 occupational segregation 80, 81  
 Office for Budget Responsibility 52  
 Office for Disability Issues 84  
 Office of Fair Trading  
   direct contribution workplace pensions 50  
 Office for National Statistics 19  
 Office of Rail Regulation 66  
 O'Grady, Frances  
   adult skills and further education 36  
   austerity action 14  
   aviation 27, 28  
   cuts in services 59  
   election 3, 121  
   environment 21, 22  
   executive pay 44  
   global solidarity 97  
   industrial policy 28, 29  
   International Women's Day 122  
   lesbian, gay, bisexual and transgender people 85, 123  
   migrant workers 17  
   new year message 4  
   OECD 98  
   older people 64, 70  
   rail service 67  
   shipping 28  
   short-termism review 24  
   social care 56  
   social Europe and workers' rights 74  
   Trades Union Councils Conference 124  
   TUC Aid 104  
   TUC Budget submission 13  
   union membership 95  
   women at work 80  
   worker representation on company boards 23  
 O'Neill, Baroness Onora 79  
 Open Public Services 60  
 Open University 110  
 organising  
   TUC Education 114  
 Organising Academy 97  
 Osborne, George 13, 16, 59  
 outsourced workers 45, 46, 71  
 outsourcing services 60, 62  
 overtime 19

## P

Page, Tim 15, 27, 28, 29  
 paid release  
   union reps 111  
 Pan-European Regional Council (PERC) 98  
 parental leave 79  
 Parliamentary Public Accounts Committee 16  
 part-time workers  
   disabled workers 84  
   employee ownership 25



living wage 42  
 Part-Time Matters campaign 110  
 pension entitlement 48  
 shift from full-time 18  
 women 80  
 pay 19  
   apprentices 34  
   bargaining 43  
   cap and freeze 14, 45, 65  
   claims and negotiations 54  
   collective bargaining 95  
   education unions 57  
   equal 79  
   falling value 38  
   gender gap 9, 80  
   low 18  
   overtime 43  
   Pay Fair campaign 44  
   progression 45  
   public sector 80  
   skilled and semi-skilled rates 43  
   young people 86  
 payday lenders 42  
 Pearson, Philip 98  
 pensions 19, 24, 46–50, 54  
   auto-enrolment 48–9  
   coal industry 23  
   defined benefit (DB) 47  
   defined contribution (DC) 47, 49–50  
   executive pay 43  
   fund trustees 24  
   lesbian, gay, bisexual and transgender workers 85  
   member representation on boards 46  
   NHS 65  
   ‘pensions liberation’ 47  
   private sector 47  
   public service 45–6  
   retirement benefits 32  
   single-tier state pension (STSP) 47  
   state pension age 56  
   transfer incentives 47  
   TUC Member Trustee Network 25  
   women 80  
 Pensions Bill 47  
 Pensions Investment Research Consultants (PIRC) 24  
 Pensions Policy Institute 48  
 Pensions Regulator 49  
 Performance-related pay (PPP) 43, 45, 57  
 Perrett, Dr Robert 122  
 Personal Independence Payment 63  
 Petersen, Graham 77  
 Pickles, Eric 59  
 Pitt-Watson, David 44  
 Play Fair campaign 31, 44, 104  
 police services 60  
 pollution see environment  
 Post-2015 Development Agenda 32–3  
 postcode lottery 56  
 Poulter, Daniel 56  
 poverty 32, 45, 63, 64, 84  
   in-work 70, 71  
   statistics 38  
 Poverty Conference 65  
 pre-employment health and disability questions 84  
 pregnancy discrimination 78, 80  
 Prentis, Dave 36, 54, 98, 121

prison officers  
   collective bargaining 73  
 prisons see criminal justice system  
 private sector  
   union membership and collective bargaining 94, 95  
 privatisation 7, 57  
   criminal justice system 60  
   impact on NHS 55  
   mutual joint ventures 61  
   public services 60  
 probation service see criminal justice system  
 procurement 24, 30–1  
   health services 54  
   living wage 42  
   public 98  
 Progressive Development Forum 32  
 Public Accounts Committee 59  
 Public Administration Select Committee (PASC) 30  
 Public Concern at Work 74  
 public sector 17, 52–3  
   cuts 13, 16, 80, 82  
   facility time 96  
   fragmentation 45  
   pay 80  
   pay progression/freezes 45, 122  
   pensions 45–6  
   Public Sector Equality Duty 70, 78, 84  
   Public Sector Research Establishments 30  
   reforms 60–2  
   TUC campaigns 6–7  
   union membership 94  
   use of zero-hours contracts 73  
 Public Services Forum 54  
 Public Services Liaison Group (PSLG) 45, 46, 54, 57, 58, 61  
 Public Services Research Network (PSRN) 61–2

## R

race equality 82–3  
   apprenticeships 35  
   Race Relations Committee 138–9  
 rail 28, 30, 31, 66  
   Action for Rail 52  
   East Coast Main Line 66, 67, 68  
 Ramirez, Noe 99  
 Ranciere, Romain 39  
 Rankin, Bill, obituary 131  
 redundancy 70  
   collective 71  
   maternity rights 80  
   pay 72  
 Reed, Hannah 15, 72, 73  
 Rees, Liz 115  
 regional briefings 96  
 regulation and social partnership 33–4  
 Regulatory Policy Committee (RPC) 74  
 Reich, Professor Robert 6, 12  
 release for training 113  
 Remploy 62, 84  
 Resolution Foundation think-tank 41  
 Responsibility Deal for Health and Work 91

retail industry  
   union membership 95  
 retail price index (RPI) 19  
 Richard, Doug 34  
 Richardson, Oliver 27  
 Rights of Women campaign 81  
*Risks* e-bulletin 88  
 road transport 28  
   Road Transport Working Time Directive 28  
 Robertson, Hugh 89  
 Robin Hood tax 16–17  
 Rogers, Dee, obituary 131  
 Rolls, Mike 21  
 Roper, Carl 75  
 RoSPA 91  
 Rowan, Kevin 122  
 Rowland–Stuart, Joanna 123  
 Rubenstein, Michael 123  
 Ruskin College 96, 114, 115  
 Ryder, Guy 76

## S

safety reps 111  
 safety see health and safety  
 Salt, Hilary 48  
 Sandhu, Manjeet 123  
 Save our Buses campaign 68  
 Saving Lives, Supporting Women 81  
 School Co-operative Society (SCS) 58  
 science, engineering and technology (SET) 30  
   continuing professional development 109  
   technicians 110  
 science and research funding 29  
 Scottish TUC 112, 121  
   Austerity Uncovered campaign 8  
 Scottish Union Learning (SUL) 112  
 Sechi, Cinzia 123  
 sector skills councils (SSCs) 36, 111  
 Segol, Bernadette 6, 98  
 self-employed workers  
   health and safety 88  
 Sellers, Paul 19, 75  
 Semeta, Algirdas 17  
 Serwotka, Mark 98  
 settlement agreements 71  
 sexual violence and abuse services 52  
 shared parental leave (SPL) 79  
 Sharing Risk in Workplace Pensions seminar 48  
 Shelter charity 87  
 Shepherd, Alison 104  
 shipping 28  
 Short, Clare 16  
 short-termism  
   corporate 26  
 short-term work  
   young people 87  
 sickness absence  
   disabled workers 85, 123  
 Simms, Professor Melanie 35  
 Single European Sky legislation 28  
 Single Growth Fund 30

skills  
 investment in 33  
 Skills for Life 92  
 at work 107–14  
*see also* industrial partnerships and skills  
   learning and skills  
 Slavkin, Heather 44  
 Smith, Antony 123  
 Smith, Grahame 36  
 Smith, Ian Duncan 7  
 Smith, John 120  
 Smith, Mike 122  
 Smith, Nicola 13, 65  
 Snape, Liz 89, 121  
 Sneddon, Tony 123  
 social care 56–57, 72, 80  
 social deprivation  
   effect on educational achievement 57  
 social dialogue 75  
 Social Europe 74–5  
 social media 39, 88  
   Facebook 16, 39, 88  
   Twitter 39, 88  
 social partnership *see* regulation  
   and social partnership  
 Social Security Advisory Committee 65  
 social security and the welfare state 62–6  
 social workers 52  
   cuts in services 59  
 Speight, Cath 72  
 Spence, Geoffrey 21  
 sport  
   homophobia 86, 123  
   *see also* London 2012 Olympic  
   and Paralympic Games  
 Stanley, Nigel 48  
 state pension age 46, 48  
 state pensions *see* pensions  
 ‘Stephen Lawrence Legacy’ 82  
 stigmatisation  
   language 65, 66  
   trade unionists 100  
 strike action 8  
 Stronger Unions 17  
 Stuart, Pat 80, 121, 124  
 Sullivan, Claire 91  
 Sullivan, Wilf 82, 98  
 surrogacy 79  
 sustainable development 77

## T

Taj, Mohammed 107, 121, 122  
 T@amanaki, Mele 99  
 Tansley, Chris 104, 120  
 Tate, Alison 26  
 tax 16–17, 32  
   avoidance and evasion 16  
     NHS private providers 55  
 bedroom tax 2, 8, 63  
 carbon 22  
 changes 65  
 council tax benefit 2  
 employer investment in skills and training 58  
 financial transaction 17, 76  
 G8 meeting 16

increases 64  
 industrial partnerships and skills 34  
 pensions 48  
 tax credit system 59  
 VAT 14  
 Taylor, Monica 76  
 technicians 110  
 Temple, Martin 89  
 Temporary Agency Worker Directive 73  
 Tomie, Agnes 120  
 Touchstone 6, 17, 19, 39, 62, 64, 106  
   publication *Third Time Lucky* 48  
 Trade Union Development  
   Co-operation Network (TUDCN) 33  
 Trade Union Education 96  
 Trade Union Pension Specialist Group 46  
 Trade Union Share Owners (TUSO) 24–5  
 Trade Union Sustainable Development  
   Advisory Committee (TUSDAC) 21  
 trade unions  
   developing countries 33  
   history  
     TUC Library Collections 127–8  
   rights 73  
   role in London 2012 Olympic and  
   Paralympic games 31–2  
 trades councils 59  
 Trades Union Councils Conference 124  
 Trades Union Councils' Joint  
   Consultative Committee 140  
 traineeship programme 35  
 training  
   right to request time off 92  
 Transatlantic Trade and Investment  
   Partnership 98  
 transgender workers *see* lesbian, gay,  
 bisexual and transgender workers  
 transport 27–8  
   Action for Rail campaign 7, 52, 66, 67, 68  
   government policies 52  
   public 66–8  
   Transport for All campaign 84  
   *see also* aviation  
     bus services  
     rail  
     road transport  
     shipping  
 Tretiakova, Renata 123  
 trust schools 58  
 TUC  
   Adopt a Peer tool 54  
   Aid 104–6  
   Alliance for Science 30  
   Bargaining Forum 43  
   Clean Coal Task Group (CCTG) 23  
   Early Years Network 58  
   Education 97, 111–14  
     course development 114–15  
     course statistics 116–118  
     Online 112–13  
     pensions professional training 113  
     tutor development 114  
   European Network 98  
   finance 125–6  
     Administration Fund 126  
     auditor's report to Congress 142–43  
     Development Fund 125, 126  
     Dilapidations Fund 126  
     prospects and developments 126

statement of accounts 144–54  
 Fund Manager Voting Survey 25  
 Further Education Advisory Group 36  
 history websites 128  
 Information Services 127  
 Library Collections 127–8  
 Member Trustee Network 25  
 Model Agreement for Academies 57  
 organisation  
   affiliations/union mergers 120  
   constitution 163–72  
   Executive Committee meetings 135  
   Executive Working Group 120  
   heads of department 141  
   personnel training 126  
   Pensioners Committee 50, 137–8  
   senior staff 121–2  
   trustees 141  
   TUC Education Trust and Roosevelt  
 Memorial Trust Trustees 140  
 Organising Academy 95, 96, 114  
 publications  
   *Austerity is Failing* 5  
   *A Bleak Future for Families* 65  
   *Charter for Traineeships* 35  
   *Child Benefit: a Bad Case  
     of Neglect?* 64  
   *A Decent Job?* 32  
   *The European Review* 115  
   *European Union Digest* 115  
   *The Gender Jobs Split* 18  
   *Getting on the Path to Work* 19  
   *GreenWorkplaces Newsletter* 97  
   *Health and Safety at Work* 88  
   *Health and Safety: Time  
     for Change* 88  
   *How to Boost the Wage Share* 39  
   *International Development  
     Matters e-bulletin* 99  
   *Job Creation: Lessons  
     from Abroad* 18  
   *LGBT Equality at Work* 85  
   *Mini Jobs* 18  
   *on pensions* 48  
   *PensionsWatch* report 43  
   *Third Time Lucky* 48  
   *Where Have all the Wages Gone?* 39  
   *Working Women course book* 114  
   *Your Rights at Work* 106  
 Race Relations Committee (RRC) 82–3  
 stakeholder pension scheme 50  
 Tax Credit Calculator 63  
 Women's Conference 82  
   Women, Work and Benefits 80  
 Young Workers' Forum 86, 87, 140–1  
 TUC/TU ink Trade Union  
   Communication Awards 124–5  
 Tudor, Owen 98, 99, 104  
 Turner, Steve 14  
 Turner, Vic, obituary 131

# U

UK Commission for Employment and Skills (UKCES) 36, 58  
 UK economy 12–15  
   inflation 19  
 UK Feminista 81  
 Umunna, Chuka 28  
 UN Convention for the Elimination of Discrimination Against Women (CEDAW) 82  
 unemployment  
   effect of Welfare Benefits Up-rating Act 64  
   long hours 19  
   women 80  
   workers' voice 30  
   youth 86  
 unfair dismissal 70, 72  
 union disputes 155–62  
 Union Information Group (UIG) 127  
 union involvement  
   industrial partnerships and skills 34  
 union learning centres 107  
 Union Learning Fund 33, 107–8  
 union learning reps 33, 92, 107, 109, 110, 111, 113  
   adult skills and further education 36  
   career information advice and guidance 36  
   Informal Adult and Community Learning (IACL) 108  
 Union Legal Officers Network 74  
 union officers and officials 95  
 Union Professional Development Programme 113–14  
 union reps 95, 96, 111  
   paid time off 97  
   participation in TUC Education courses 111  
   on skills bodies 36  
   see also environment  
     safety reps  
     union learning reps  
 union strength 10  
 unionlearn 58  
   apprentices 35, 81, 91, 109  
   career information advice and guidance 36  
   Celebration of Learning 108  
   Functional Skills Task Group 108  
   green economy 35  
   skills investment 33  
   staff changes 126  
   workplace learning 34  
   young offenders 109  
   young people 35  
 unions  
   bespoke courses and support 96, 112  
   response to Equality Act changes 79  
   sector skills councils (SSCs) 36  
   strength 94–7  
   women  
     members 81  
     in public life 81–2  
 Universal Credit (UC) 7, 63, 59, 62, 64, 65, 108  
 Universities UK 58  
 Ununna, Chuka 6  
 Unwin, Professor Lorna 33  
 Usher, John 90  
 Uyt, Chris 99

# V

Veale, Sarah 74, 89, 123  
 victimisation 71  
 violence against women 32, 80, 81, 122  
 voluntary sector 60  
   women's organisations 81  
 voting disclosure 24, 25  
 vulnerable people 2, 20, 52, 62, 72, 73–4, 78  
   domestic workers 77–8  
   learning and skills 108  
   Universal Credit (UC) 63

# W

wages 2, 65  
 Wales TUC 53  
 Austerity Uncovered campaign 8  
   living wage 42  
   procurement 31  
   Towards a Welsh Industrial Strategy report 30  
   young people 19  
 Walker, Scot 26  
 Walker, Simon 44  
 Walker-Shaw, Kathleen 76  
 Webb, Steve 25, 48  
 Welfare Reform Act 52, 62, 63, 65  
 Welfare Benefits Up-rating Act 64  
 welfare state  
   threats to 52  
   see also social security and the welfare state  
 whistleblowing 74  
 Whithead, Nigel 36  
 Whittle, Stephen 123  
 Whitty, Fergus 91  
 wholesale industry  
   union membership 95  
 Willetts, David 30  
 Williamson, Janet 26, 44, 98  
 Wilson, Debbie 120  
 Wilson, Fiona 104  
 wind energy 21, 22  
 women  
   impact of cuts 52, 59, 78  
   living wage 42  
   national minimum wage (NMW) 40  
   pension entitlement 48  
   role in post-Arab Spring countries 102  
   safety 67  
   Tunisia 103  
   under-representation on boards 82  
   union learning reps 107  
   union professional training 113  
   in unions and public life 81–2  
   violence against 32, 81  
   women's equality 80–2  
   Working Women course book 114  
 Women's Budget Group 80, 81  
 Women's Committee 80, 139  
 Women's Conference 81, 122  
 Women's Resource Centre 81

Work, Health and Wellbeing Stakeholder Council 91  
 Work Capability Assessment 62  
 work experience 40, 87, 109  
 Work Not Play (Musicians' Union) campaign 27  
 Work Programme scheme 19  
 Work Related Activity Group 62  
 Work Your Proper Hours Day 19  
 worker representation 23–4  
 Workers' Educational Association 112, 127  
 Workers' Memorial Day 89  
 workers' rights 70–4  
 workers' voice 23, 60, 70  
 workforce consultation on executive pay 43  
 workforce development and training  
   employer investment 33  
 Workforce Partnership Council 53  
 working conditions 31  
 Working on the Edge Group 74  
 Working Families and Maternity Action 79  
 Working Lives Research Institute 127  
 working time 19–20, 32  
   collective bargaining 95  
   long hours and overtime 28  
   Working Time Directive 19, 75  
 Workplace Employment Relations Study (WERS) 95  
 workplace pensions see pensions  
 Worksmart website 127  
 World Bank 16  
 World Social Forum 17  
 World Pride 86  
 Wrack, Matt 89

# Y

young people 2, 35, 86–7  
   career information, advice and guidance 36  
   cuts in services 59  
   European Economic and Social Committee 76  
   learning and skills 109  
   national minimum wage (NMW) 40  
   offenders 109  
   rights at work 70  
   Tunisia 103  
   union membership 95  
   women in science, technology, engineering and mathematics (STEM) careers 81  
   Young Workers Conference 10, 123  
   Youth Contract scheme 19  
   youth unemployment 14, 18, 33, 34, 75

# Z

zero-hours contracts 2, 60, 73, 74  
 Ziadah, Rafeef 122

# Index to resolutions

Resolutions, including composite and emergency resolutions, carried at the 2012 Congress, and where they are referred to in this General Council report.

Resolution 5	8, 12, 121	Composite 1	28
Resolution 7	73, 78	Composite 2	95
Resolution 8	86	Composite 3	70
Resolution 9	95	Composite 4	52
Resolution 16	72	Composite 5	18
Resolution 17	78	Composite 6	30
Resolution 18	78, 79	Composite 7	46
Resolution 19	78, 79	Composite 8	62
Resolution 20	78	Composite 9	28
Resolution 21	81	Composite 10	20
Resolution 22	81	Composite 11	52, 67
Resolution 23	82	Composite 12	52
Resolution 24	78, 83	Composite 13	52, 54
Resolution 25	84	Composite 14	52, 57
Resolution 26	16	Composite 15	35, 52, 57
Resolution 27	13	Composite 16	88
Resolution 30	21, 22		
Resolution 32	28, 30	Emergency resolution 1	52, 57
Resolution 40	64	Emergency resolution 2	67
Resolution 42	20	Emergency resolution 3	52, 57
Resolution 43	20		
Resolution 48	28		
Resolution 49	27		
Resolution 53	52		
Resolution 54	52		
Resolution 56	52		
Resolution 57	52, 56		
Resolution 58	52, 54		
Resolution 59	64		
Resolution 63	52, 57		
Resolution 64	52, 57		
Resolution 67	52, 57		
Resolution 68	57		
Resolution 69	52		
Resolution 70	52		
Resolution 71	26		
Resolution 72	26		
Resolution 73	26		
Resolution 74	97		
Resolution 75	100		
Resolution 76	103		
Resolution 78	75		
Resolution 82	91		

## Photography

© **Reportdigital.co.uk** | Paul Box (*vii*, 53)

Stefano Cagnoni (76); Jess Hurd (92); Roy Peters (40)

© **TUC** | *Front cover*, *viii*, 3, 12, 15, 29, 62, 86, 121, 128

© **Miscellaneous** | Qamrul Anam, IndustriAll Global Union (10)

Andrew Aitchison (*vi*); David Bacon (102); Jacky Chapman (93)

Chris Coates (121); Glenn Copus (66); Perian Flaherty (12)

RioTur (100); Leonora Saunders (11); Laurie Smith (85)

Sarah Turton (1); The Robin Hood Tax Campaign (17)

Andrew Wiard (90, 124); Theodore Wood (*iii*)

