

**143<sup>rd</sup> ANNUAL TRADES UNION CONGRESS**

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Held at:

**Congress House  
Great Russell Street  
London WC1B 3LS**

on

**Monday, 12<sup>th</sup> September 2011  
Tuesday, 13<sup>th</sup> September 2011  
and  
Wednesday, 14<sup>th</sup> September 2011**

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**Congress President:**

**MICHAEL LEAHY**

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**PROCEEDINGS – DAY TWO**

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## **SECOND DAY: TUESDAY SEPTEMBER 13<sup>TH</sup>**

### **MORNING SESSION**

(Congress reassembled at 9.30 a.m.)

**The President:** Congress, come to order. Thank you. Again, many thanks to the RGS Senior Chamber Group who have been playing for us this morning, and I am sure you will record that in the normal way. (*Applause*)

Delegates will be aware that I am to be joined on the platform this morning by Ed Miliband. I will formally be introducing Ed in a little while. May I remind delegation leaders that the ballot for Section C of the General Council takes place this morning. Unions eligible to vote for Section C should collect their ballot papers from the TUC information point at the bottom of the entrance stairs. Ballot papers will only be provided in exchange for an official delegate form, and please note that the ballot closes at 12 noon today.

Congress, this morning in a change to the published guide I intend to take Motion 59, Protecting local children and young people's services, before the address by Ed Miliband. The unions involved have been informed.

Delegates, we now return to Chapter 4, Economic and Industrial Affairs, Early years provision, from page 91. I call Motion 59, Protecting local children and young people's services. Note, please, the General Council supports the motion.

**Economic and Industrial Affairs: Early years provision**

## **Protecting local children and young people's services**

**John Chowcat** (*ASPECT*) moved Motion 59.

He said: Just prior to the General Election in 2010 in the world of children's services we had hope. There was a genuine belief that we would make progress through what the Labour government called its *Every Child Matters* agenda, which promised improved and better coordination in children and young people's services and enhanced investment in developing the children's workforce. But today the coalition government's comprehensive spending review has left local authorities in England (who run many of these services) this financial year with a funding gap no less than £6.5bn, which means that frontline services simply cannot be sustained in the sense that we have known them over the years. The resultant cuts to local authority children's services, in particular, have been very deep and damaging.

Just prior to the summer there was a survey by the Director of Children's Services and by the National College for Leadership of Schools and Children's Services confirming that the average level of cuts in the current financial year in children services has come out at 13%. In particular, the axe has fallen on youth work, vital as it is, on early years support, and on key school improvement services. They have been the hardest hit. For the children's workforce this has meant widespread job losses, sometimes in the form of compulsory redundancies so that key and expert professionals have been losing their livelihoods. For those who remain a very recent survey by the Hay Group shows that local government is twice as likely to have reduced workforce costs by cutting established terms and conditions, for example, the

size of redundancy payment packages and mileage allowances, than any other part of the public sector. As for staff training and development budgets, forget it; they have either been slashed or they have been deleted altogether.

Colleagues, there is more pressure to come, not just with further cuts under the CSR over the next few years but in the Open Public Services white paper published by the coalition government in July. They said this, and I quote: “We will also introduce an open commissioning policy in a number of specific services. In those areas commissioners should consult on and be challenged by potential providers from all sectors on the future shape of services; seek and fully consider a minimum of three providers, from whichever sector, when they contract for services and transparently link payment by results.” Colleagues, we have been warned.

The momentum of the original *Every Child Matters* agenda from the previous government means that although under-funded some national initiatives have survived today. They include the growth of graduate leadership in the early years sector and the development of new professional standards for social workers, and despite the severity of local budget cuts local efforts to develop multi-agency working to boost children’s services is proceeding in various forms, and it deserves our support.

Delegates, just to finish, is it not clear that all of us in this room now face a long period in the UK of economic stagnation at the very best with productive capital in spare supply and our public services disrupted? We need to ask the question, what future does this offer to the next generation. Our children do deserve better.

Defending children and young people's services is a vital step in ensuring that our children get that better future through a stronger start in life.

Colleagues, the Unison amendment to this motion is welcome and accepted. Please support Motion 59. (*Applause*)

**Chris Tansley** (*UNISON*) seconded Motion 59 and moved the amendment.

He said: We thank the mover for acceptance of the amendment. Congress, cuts are affecting all parts of society but nowhere can this coalition's hypocrisy be seen more clearly than the effect it is having on young people. They say they are concerned about social mobility and the younger generation being outside as a whole while education maintenance allowances have gone. Connexions have been slaughtered with half the workforce, 8,000 staff, and half the local Connexions centres closed down, and more savage cuts to come. Just what is it, Congress, about young people that this coalition does not like? Some local authorities appear to have washed their hands of career service advice completely and are no longer fulfilling their statutory duties, a position Unison is going to challenge legally. Fiddling while Rome burns the government propose to fill the gap by telling schools they must give careers advice for their pupils but giving them no money to do so, not even a penny.

It is much trumpeted that all-age careers guidance service is now being whittled down so guidance for young people will consist of little more than just a website. Even the Tory-led Education Select Committee and the government-appointed and grandly entitled Advocate for Access to Education, Simon Hughes MP, can see that the car crash is now ahead and they are demanding that the government funds face-to-face

guidance for young people. This careers story is replicated across every local authority services. This government have left young people facing terrible choices after leaving school with excessive university fees, a threadbare replacement for the education maintenance allowance, no jobs, no careers advice, and no youth services to support them.

Congress, this coalition is consigning a whole generation of our young people to a bleak future of joblessness and alienation. I also ask that you support our members in Barnet, who have been subjected to the coalition-supported easy council approach with services and jobs under siege and are walking out this lunchtime. Please support the amendment. Thank you. (*Applause*)

**Sally Hunt** (*University and College Union*) spoke in support of Motion 59.

She said: The Connexions service closed and the funding ended in the middle of the riots. What timing. Of course, there is no Connexions at all because we must remember it is not political. This was an act of a cowardly government. They then just said, “Oh, it’s on the councils but we are not going to give the councils any money, we will give it to the schools, but they won’t have any money either.” They are clowns. They could not run a circus let alone an economy, if they are not allowing our young people to have the proper guidance they need to make the right choices in the jobs that they do. (*Applause*) We were a model for the world with the Connexions service, people came from other places to set up that kind of system, and we are closing it. What a joke.

With the courses I teach we cannot now reach the young people. We have empty spaces on the courses and we cannot go to Connexions, so the young people do not know there are vacancies, they are still on the dole, and our members will be on the dole soon enough because the courses will close. What kind of system is it? As we have seen Stuart Hall saying in *The Guardian* today, they know what they are doing, they are trying to dismantle the welfare state and they are trying to deprive our people of any chances in life. Mr. Osborne, we are sick of being whipped by you. You may like it but we do not. (*Applause*) I am saying that we have to take collective and individual action to defend our services, to defend education, to defend health, and to defend welfare benefits. We have to say, “No more. No more now.” (*Applause*)

\* *Motion 59 was CARRIED*

**The President:** Congress, before I introduce our guest speaker this morning, may I please ask the photographers to take into consideration the needs of the delegates during this next session. Delegates, may I ask you in turn to be tolerant of the needs of the photographers who, after all, are union members just trying to do their job.

Congress, it now gives me great pleasure to introduce Ed Miliband, the Leader of the Labour Party and Her Majesty’s Opposition. Ed last addressed our Congress in Liverpool two years ago when he was Secretary of State for Energy and Climate Change. A lot has happened since then in the world of politics and following his return to parliament by the people of Doncaster in May 2010 Ed succeeded in the Labour Party’s leadership contest to become their leader at last September’s Labour Party Conference. In all his roles in Parliament, government, and opposition, Ed has

shown that he is prepared to engage with and listen to the trade union movement. With a stagnant economy, growth in unemployment, an assault on our public services and a generation of young people experiencing deep despair rather than hope, there is certainly a lot of common ground on which we campaign.

Ed will first address Congress and then has generously agreed to take a question and answer session giving delegates a chance to put their questions to him directly. Ed, you are very warmly welcomed here today and I warmly invite you to address Congress. (*Applause*)

**ADDRESS BY THE RT. HON. ED MILIBAND MP, LEADER OF THE  
LABOUR PARTY**

**Ed Miliband:** Mick, thank you very much and, friends, thank you for that reception. Ten years ago Tony Blair came to the TUC but he did not deliver the speech he came with and we all know why; indeed, some of you were there in Brighton that day when we said, at that time, we will never forget, and we must not. You were there trying to comprehend what had happened, united in shock and sorrow with those who feared for their loved ones. So, let us today remember all those who died, including the British citizens and the heroic public service workers, the 343 fire-fighters of the New York Fire Department. We saluted their courage ten years ago and we should do so again today. (*Applause*)

I am proud to come here today as Labour's Leader, proud of the relationship between the trade unions and the Labour Party based on shared values of equality, fairness, and

social justice. Most of all, I am proud to be here because of who you represent, the hardworking men and women of Britain, the people who look after the sick, who teach our children, and who through their hard work create the wealth of this country. They are the backbone of Britain and you represent them. They are people like the Sodexo dinner ladies I met in Richmond last year. They told me of their circumstances: no sick pay, shift patterns changed without any notice, and having to buy their own uniforms. We can all imagine the strain, you know the strain that puts on them and their families struggling to make ends meet, not knowing when they are going to be called to work, losing money, and fearing illness. That is the story of too many people in Britain today.

You may think what chance do those low-paid women have against one of the most powerful companies in the world, but you would be wrong. They got together, they sought the help of a union, Unison, and they campaigned for these basic rights. They won better pay, statutory sick pay, and formal recognition of their union. Let us applaud them for what they have achieved and the example they show about what can be done.

I also think of the Vauxhall car workers I met in Ellesmere Port. During the recession in 2008 their whole plant and the livelihood of those workers was under threat. What did they do? They sat down with the management. They worked through the problems and, yes, they made some sacrifices and by doing that they saved their jobs.

These two stories, as you know, show what trade unions can do for the hardworking people of this country and they are repeated in thousands of stories around this

country every day, but you will not hear about these stories in most discussions of your work. Too often the spotlight of publicity falls elsewhere but I come to this Congress as a Labour leader who believes you deserve credit for these stories, for the daily work you do. What do people say when new democracies form around the world, what do even the Tories say, they say the right to join a trade union is vital. I say, if we say it abroad we should say it at home too. (*Applause*)

These are the reasons why I value the link between the trade unions and the Labour Party. It explains why I want reforms to the Labour Party to strengthen our movement and why I will resist any attempt to break our relationship. The three million trade union levy payers, working men and women, are a huge asset to our party. They should never ever feel like passive unwanted members of our movement, and I know that too often in the past they did. I want them to feel part of it. I want them to feel proud of it. I want us reaching out to the people who are not members of the Labour Party but are members of trade unions, and also to people who are not members of the Labour Party or the trade unions because we need to hear their voice too. That is the way we become a stronger movement.

Of course, there are times when you and I will disagree. You will speak your mind and so will I, but our link is secure enough, mature enough, to deal with disagreement. The relationship between party and unions, for me, is not about romance or nostalgia; it is about respect and shared values. It is a relationship in which we listen to each other when we disagree and we know one thing above all, that what unites us is greater than what divides us.

By now maybe you are thinking, okay, we have seen this movie before. He is about to get to the bit where he says, modernise or die. You are half right, I am going to talk about change but I am not just going to talk about how people need to change to suit our economy, I am going to talk about how we need to change our economy to suit the hardworking people of this country. For me, there is too much fatalism and pessimism in this debate about economic change. Leadership is not simply about telling people to accept change being forced upon them. It is also about helping people to shape change, shape our economy, and shape our future. That is what our Movement at its best has always been about.

Today I want to talk about the big choice our country faces over the coming years. What is that big choice? The big choice is this, whether we carry on as we are or whether we change the way our country works for the hardworking people you represent. Let's face facts. The British economy is not working for millions of people in this country and you know that. Most people's living standards are being squeezed while those at the top are seeing runaway rewards. In the face of massive competition from countries like China and India too often the British answer seems to be, let's compete on low pay and low skills, and too often it leaves workers facing insecure prospects.

My message to you today is not simply about this government, not simply about the immediate economic difficulties we face; it is something more profound than that. We have a big task ahead of us. We have to challenge many of the assumptions on which economic policy has been based for a generation. If we do not do that, we will surely fail the next generation in this country. Financial services are important to

Britain, we all know that, and unions organise in the financial services, but unless we broaden our economic base and tackle the irresponsibility of the banks we risk a repeat of 2007 and what happened with the financial crisis.

Of course, jobs must be our priority but they have to be decent jobs at decent wages that provide proper opportunities for all our young people, whether they go to university or not. And, yes, all of us believe in rewarding entrepreneurship and wealth creation but if we just shrug our shoulders about inequality, about the growing gap not just between the rich and the poor but between the rich and everybody else, it will hurt not just our society but our economy as well. These are big challenges, challenges of changing the assumptions of the past for the next Labour government, for business, and indeed for the trade unions.

I want to talk to you today about how we as a country can build that new economy together. First things first, we all know there needs to be a plan B. The Tories' plan A is just A for austerity and that is what we are seeing. We have had nine months of the British economy flat on its back, zero growth, unemployment up, one in five young people out of work, and what does Mr. Osborne say? He says, "Britain is a safe haven." Tell that to the thousands of people who lost their jobs last month. Tell that to the 16,000 businesses that have gone bust in the last year. Tell that to the millions of British families struggling to make ends meet. There is no safe haven for them.

The Tories have forgotten a fundamental lesson: you cannot cut your way out of a deficit. You need to grow your economy as well. The government's policies are

hurting but they are not working. What is the result, tens of billions of extra borrowing over the coming years? The evidence, friends, is piling up to show the Tories are cutting too far and too fast. It is not just a slogan, it is the truth. Also, they are failing to share the burden of deficit reduction fairly between those who are responsible for creating the crisis and those who are not, a trebling of student fees, rising rail fares, and higher pension contributions. In government we worked with trade unions to reform public sector pensions. We sat down and we negotiated. It was difficult but we had an agreement. That shows the way we should reform pensions in this country. It is not about change versus no change. It is about how change is done and what kind of change it is.

The Tories have set about reform in completely the wrong way. Even before John Hutton's report was completed, as you know, they announced a 3% surcharge on millions of your members. It was a typically bad move by a bad government trying to pick a fight. I fully understand why millions of decent public sector workers are angry, but while negotiations were going on I do believe it was a mistake for strikes to happen last summer, and I continue to believe that. (*Calls of "Shame, shame."*) What we need now is meaningful negotiation to prevent further confrontation over the autumn. Ministers need to show public sector workers and the people who rely upon these services that they are serious about finding a way forward.

The Tories claim to be the party of reform but their actions risk derailing the vital reform of public sector pensions because many people may now opt out of the system. That will not save money. It will end up costing taxpayers billions of pounds and, at the same time as we see millions of hardworking families being hit, who is getting a

tax cut? This year they are cutting taxes for the banks and now what is George Osborne's obsession, cutting the 50 pence tax rate for the richest 1% of the population, for people who earn over £150,000 a year. They have raised VAT, they have cut tax credits, and they say these changes are set in stone and cannot be reversed.

It tells you everything you need to know about this government, that at the same time as they are chomping at the bit to cut the 50p tax rate, what excuse do they plan to hide behind, the claim that it does not raise that much money because most people avoid paying it. It is absolute nonsense. If it is the best they can do, I have a suggestion: Mr Osborne, if people are avoiding their taxes it is your job to stop them, and you should not forget it. (*Applause*) What do they offer for the other 99% of the population, greater insecurity, make it easier to sack people, and reduce protection against unfair dismissal. This is not an accident. It is because of their values. It is because of what they believe. It is because they believe in one rule for those at the top and another rule for everybody else.

Of course, and we have heard it before, they say there is no alternative, but there is, and it is fairer and it makes economic sense. First, prioritise tax cuts for the hardworking majority, not the super rich, and cut VAT now to 17.5% to get the economy moving again. Second, insist that those who caused the crisis take responsibility for helping to put it right. That is why we say, renew the bankers' bonus tax and use the money to support enterprise, to put the young unemployed back to work, and to build homes. Third, provide some international leadership. If every country and continent simply looks after itself that will not get the growth that we

need. I say to this government, if you want an export-led recovery you will not get it from a world engaging in collective austerity. That is the lesson of history, that is the lesson the 1930s, and a lesson that they are forgetting.

These are things that Ed Balls and I will be doing to get growth going at home and abroad, but the challenge we face is even greater. This is not just another term of the business cycle. A successful economic future can only be built on a different set of values and a different way of doing things, hard work, long-term commitment, and responsibility, rejecting the old view that the best government is the least government, the old view that short-term shareholder interests are always in the best interests of Britain's companies, and the old view that employee representation must mean confrontation, not cooperation.

A new economy will mean the government, employers and the workforce, all shouldering new responsibilities. For government it must ensure the rules of the system over the long term, the patient investment, the responsible business because paying our way in the world is going to be tougher than it has ever been. The short-term, fast buck, low pay solution just will not work, it will not work competing with China and India, and it is no good the government just walking away.

If we are going to be best at the things that really matter to the future of this country, advance manufacturing, creative industries, pharmaceuticals, renewables, all those growth industries, a government has to work in partnership with business and the workforce to understand what technologies and skills we need for the future, to provide the certainty they need to invest, to look at what government buys so that

innovative companies and British companies can succeed. That includes companies like Bombardier being cruelly sold down the river by this government. (*Applause*) We need a government that will make sure good regulation enables companies to build and win new markets and to build in every region and nation the universities, the skills, the banking services, and the leadership in cities and regions that can help every part of Britain grow and succeed.

Sometimes governments should get out of the way, sometimes small businesses are held back by regulation but sometimes government should lead, and the financial crisis taught us that. Let me also say to you the crisis has significant implications for the way government is going to work in the years ahead and the choices open to us. We are not going to be able to spend our way to a new economy. The deficit caused by the banking crisis is not going to be cured easily. We need economic growth. We need people, including those at the top, to pay their fair share of taxes, but if we were in government we would also be making some cuts in spending.

I sometimes hear it said that Labour opposes every cut. I know some of you wish it was true, but we do not. We committed ourselves to halving the deficit over four years. That would mean cuts, like our plans for a 12% cut in the police budget, not the 20% being planned by this government, like cuts to the road programme and, yes, some reform of benefits as well. There are cuts the Tories will impose that we will not be able to reverse in government and it is straighter for me to say that to you now, but getting the deficit down does mean rooting out waste. We all recognise that not every penny the last government spent was spent wisely. All of us know there is waste in any government; in this government too. I say to this government, stop the

waste, stop the waste of £100m on creating another tier of politicians with elected police commissioners, and stop the waste of billions of pounds on the NHS reorganisation, a reorganisation that nobody wants and nobody voted for. (*Applause*)

So, government has to change if we are going to support the new economy, but here is something very important, business has to change too. In Britain we should reward productive companies, not predator companies. The way our banks work needs to change, not just separating retail and investment banking, of course that is important, but greater competition in our banking services so that small businesses get a proper deal from our banks which up and down the country they do not get at the moment. Frankly, if we can strike off rogue doctors and lawyers for doing the wrong thing, the banking industry must be willing to strike off the bankers who did the wrong thing and put at risk our country and our companies.

Let's not pretend any more that we are neutral about the way different businesses are run, we are not, between the way Southern Cross runs its business and the way a good company like Rolls Royce runs its. The new economy must mean more firms who invest long term and pay their employees fairly. That is why back in power just as a first step we will ensure that every major government contract demands firms who provide apprenticeships for the next generation to get on. You know this, good employers recognise the need to foster cooperation between workforce and business, but others need to do it better. Let's face it, some need to make a start.

During the last 12 years, chief executive salaries have quadrupled while the share prices overall have remained flat. In some cases high rewards are deserved, we all

know it, the country knows it, but in others they are because of the closed circle of cosy remuneration committees that just award each other high pay and bonuses. Frankly, it has to stop. Some companies have already decided that workers on remuneration committees are a good thing. I say every company should have an employee on their remuneration committee that sets top pay. That is a basic requirement in the modern civilised society. So, for me, the demand for change is from government, employers and trade unions.

You know that the challenge of the new economy is to recognise that Britain needs to raise its game if we are to meet the challenges of the future and to get private sector employers in the new economy to recognise you are relevant to that future. Unions can offer businesses the prospect of better employee relations and higher productivity, as you did during the last recession. Of course, the right to industrial action will be necessary and is important as a last resort but, in truth, strikes are always a consequence of failure, failure we cannot afford as a nation. Instead, your real role is as partners in the new economy but as you know better than I just 15% of the private sector workforce is represented by trade unions.

You know that you need to change, if that is to change. That is why so many unions are making huge efforts to engage that other 85% that is currently unrepresented. You know the biggest challenge you face when you try to do this is relevance, relevance in how firms grow, relevance in how workers get on, relevance right across the private sector, and you know you will never have relevance if you allow yourselves to be painted as opponents of change. In this new economy you can and

must be the agents of change, and you know also the new economy that emerges from this crisis must be built on cooperation, not conflict, in the workforce.

Let me end with this thought. I know what a tough time many of your members are having at the moment, tough times that are being felt by millions of people around this country. The economic crisis is casting a long shadow over the hardworking people of Britain, the decent men and women who do the right thing and who just want their kids and grandkids to do slightly better than them; so, it feels like quite a dark time.

The reason why I am in politics and the reason why I believe in the power of politics is that I do not think these things are inevitable. So, yes, this generation in one sense faces a huge challenge, a challenge that comes out of the economic crisis, but in another sense out of crisis, as we always know, comes the chance to reshape your economy and your society, the opportunity to grasp the change we need in this country, to say it does not have to be this way, an opportunity to rewrite the rules, to build an economy that works for the hardworking majority of this country, to build a society that restores responsibility from top to bottom, to build a country that stands up for the next generation, that fulfils the promise of Britain, and to build, above all, the more prosperous, the more just, the more equal society we all want to see. Thank you very much. (*Applause*)

**The President:** Thank you, Ed, for that incisive, wide-ranging and excellent address. I think for the trade union movement the most poignant word is “together”. I think there is a realisation in the trade union movement and the Labour Party that if we are

to achieve change we can only do it together, change of an economic strategy and certainly an early change of government.

I will now hand over to the General Secretary who will chair the question and answer session.

### **Questions and Answers**

**Brendan Barber** (*General Secretary*): Colleagues, I think you know Ed agreed to take questions and we are going to take groups of questions on some of the key issues that he touched on in his address. The first one is that hugely important issue of public sector pensions and four unions actually submitted questions on this issue, starting with Nigel Titchen from Prospect.

**Nigel Titchen** (*Prospect*): The government's decision to change the index used for public sector pension increases from RPI to CPI will reduce the value of the pensions affected by 15%. In addition, the Department for Work & Pensions has estimated that private sector pension scheme members will lose over £80bn in accrued rights. Will the Leader of the Opposition commit to reverse this government's decision at the next General Election? (*Applause*)

**The General Secretary**: Thank you, Nigel. From PCS, Janice Godrich?

**Janice Godrich** (*Public and Commercial Services Union*): Mr Miliband, I would like to give you an opportunity to stand up on the side of hundreds and thousands of

workers whose pensions are under attack. Alan Johnson, your ex-Cabinet colleague, said that the pensions deal struck between the unions and the previous Labour government was fair and reasonable, and the National Audit Office has recently concluded that public sector pensions are affordable. Will you defend the deal, the negotiated settlement we agreed, and will you support trade unionists taking industrial action to defend that deal? (*Applause/Cheers*)

**The General Secretary:** Thank you, Janice. From UNISON, Mary Locke?

**Mary Locke** (*UNISON*): Good morning, Ed. At the current time, public sector workers feel that they are under attack from all sides, our jobs cut, our pay frozen and our pensions worsened. What is more, a lot of us feel like we are getting a worse press than the bankers who caused the economic crisis. Many of us here have always stuck by the party so what can Labour do now in Parliament and in the press to stick up for us? (*Applause*)

**Brendan Barber:** Thank you, Mary. Finally on this issue, Katie Collins from the Society of Chiropodists and Podiatrists?

**Katie Collins** (*The Society of Chiropodists and Podiatrists*): Can Mr. Miliband comment on whether the Labour Party supports public sector workers such as podiatrists in their fight to resist being forced to pay more, work longer, and get a worse pension as this government has proposed? (*Applause*)

**Brendan Barber:** Thanks, Katie. Ed?

**Ed Miliband:** Thank you. Let me deal with Nigel's question and the other three questions, which I think are in a way very similar. On CPI/RPI, Nigel, what I say to you is that I do not want to become Nick Clegg, somebody who tells you a promise before an election and then breaks it afterwards. I cannot promise to reverse CPI/RPI because I do not know where the money would come from to do that. We said we oppose the permanent change that there was to CPI/RPI, that it was completely the wrong thing to do, and that it has been an attack on the pensions of many workers, but I think that I have to be candid with you about what we can at this stage afford to say that we can do and what we cannot, otherwise I do not think we would have credibility as a party and I do not think we can have a proper relationship.

Let me come to Janice's question, Mary's question and Katie's question, which in a way are all related. On the question of the Alan Johnson agreement, the Alan Johnson agreement was a good agreement. The Alan Johnson agreement was essentially a framework agreement out of which negotiations in different sectors flowed. It is also right to say, and again this may not be popular with everybody in the room as I think what I said about public sector pensions was not that popular, that actually the John Hutton report is also a decent report. I will tell you why. (*Voices of dissent*) I thought you would not like that.

What are the three issues that it looks at? It talks about final salary to career average, which is actually not about the cost of the pensions but about the distribution. It says there should be a cost ceiling just like Alan Johnson said. It also says that over time people have to work longer. It also says something incredibly important, which is that

the government need to engage in meaningful negotiations with you. That is what should be happening.

So, Janice, the best thing that can be done is to avoid industrial action happening by a government willing to negotiate properly, that is what needs to happen. (*Voices of dissent*) That is what needs to happen. What I am going to do is stand up and say that the government need properly to negotiate with you on these issues.

Mary, yes, we are going to stand up and say the government are doing the wrong thing in relation to public sector pensions, as I did in my speech, which is why I said the 3% surcharge was wrong. We will indeed point that out and say it is the wrong thing to do and that they should be engaging in proper, constructive negotiations, negotiations which are continuing. It is our job to force them to take those negotiations seriously. (*Voices of dissent*)

Katie, in answering your question, I do understand the position of health service workers, in particular — and you work in podiatry — who are facing these difficult changes that are happening. My challenge back to the government, and it is the government's responsibility and we need to hold them responsible for this, my challenge back to the government is that they need properly to negotiate in good faith. That is what we should force them to do.

**Brendan Barber:** Thank you, Ed. Let's move on to some wider public service issues. There are four unions with questions in this area. First, the CSP, Alex Mackenzie?

**Alex Mackenzie** (*Chartered Society of Physiotherapy*): What is your strategy for the next stages of the Health and Social Care Bill, a bill that poses such a risk to our NHS? (*Applause*)

**Brendan Barber:** Thank you. Mary Bousted from the ATL?

**Mary Bousted** (*Association of Teachers and Lecturers*): I was proud to take action on June 30<sup>th</sup> in defence of our pensions. (*Applause*) Just for information, the government are not prepared to negotiate. All they are prepared to do is negotiate how they implement the changes they have decided. There are no real negotiations going on. We can give you chapter and verse about that, and we need to hear it. (*Applause*) This is the question: do you agree that the threat of privatisation is as stark in education as in the health service and, if so, will you alert the public to this?

**Brendan Barber:** Thank you, Mary. From the NUT, Betty Joseph?

**Betty Joseph** (*National Union of Teachers*): As Leader of the Labour Party would an outcome from the Policy Review that Labour should support the return of all academies, including free schools, to their local authority family of schools be something you would welcome? (*Applause*)

**Brendan Barber:** Okay. Thank you, Betty. Finally in this area, from UCU, Cecile Wright?

**Cecile Wright** (*University and College Union*): Good morning, Mr. Miliband. Do you believe that the private sector, in particular for-profit companies, should have any role whatsoever in our education system? UCU believe they should not. (*Applause*)

**Brendan Barber:** Thanks, Cecile.

**Ed Miliband:** Let me deal with those questions in order, Brendan. First of all, on the Health and Social Care Bill, we are going to carry on fighting this bill tooth and nail. It is a terrible bill not just because it diverts money from patient care and takes away money at a time when the health service, as you know, is facing the most difficult settlements for a generation, but also because actually it is a free market free-for-all. That is what they are introducing. Whatever claims they make about the changes that have been made, frankly, they are not fundamental changes to the nature of this bill. For example, under this bill, which I do not think has had that much attention, hospitals can be fined up to 10% of their annual turnover if they engage in anti-competitive practices. This is a bad bill and it is a bill we are going to fight, including in the House of Lords and including mobilising people in the country against it.

Mary, thank you for your question about schools. Let me tell you about my view on this and in a way it relates to the other two questions. For-profit schools are completely wrong. I am completely against for-profit schools. We do not need the profit motive in education. We do not want education to be warped by the profit motive. I am absolutely clear about that. (*Applause*)

On the role of local authorities, I think local authorities do have an incredibly important role, and I see it locally. Actually, what you need is academies, free schools, and other schools working much better together on the things on which they need to work together on. (*Voices of dissent*) Let me just tell you about my experience of academies. I have two academies in my own constituency. They have made a big difference to educational standards in my constituency and that is my local experience. (*Voices of dissent*) I am sorry people say “shame” because I care about the kids in my constituency and they have made a big difference, it has made a big difference to kids in my constituency. Of course, a local authority role in relation to schools is important. I invite the lady who asked the question to come to Outward Academy with me and see the differences being made and then we can have another discussion about it. (*Voices of dissent*)

**Brendan Barber:** We will move on to a couple of questions in the transport area, to the transport policy, from RMT, Mick Tosh.

**Mick Tosh** (*National Union of Rail, Maritime and Transport Workers*): Mr Miliband, the rail fares in Britain are the most expensive in Europe. Passengers are getting hammered. They are experiencing an 8% hike in fares. Private operators continue to make massive profits. Will you and the Labour Party consider the option of public ownership of the railways, if it can be demonstrated to provide a better deal for passengers and the taxpayer? (*Applause*)

**Brendan Barber:** Thank you, Mick. From the TSSA, Harriet Yeo?

**Harriet Yeo** (*Transport Salaried Staffs' Association*): Ed, the coalition government is due to respond shortly to the McNulty Report on value for money in the rail industry. I would like to ask you for your views on one particular issue, namely, the impact on small stations that only have one member of staff at any one time and mainly serve rural and suburban communities. If the coalition government accept McNulty's recommendations on this, these stations will no longer be staffed at all and will cause a great deal of inconvenience to passengers who will lose the assurance of assistance in the event of accident or assault, or when travelling as a disabled person. What, if anything, does Ed think the Labour Party should do to oppose this attack on a valuable service to the communities affected? (*Applause*)

**Brendan Barber:** Thank you, Harriet. Two questions there, Ed.

**Ed Miliband:** Let me deal with both of those, Brendan. First of all, on the question from Mick, I think the East Coast is a very interesting example. The East Coast is working well in public hands and I do not think we should be ideological about saying that the East Coast must go back into the private sector. It is something we talked about in our manifesto and I think, Mick, we do need to look at all the options, that is what our policy review is doing, all of the options about a way forward for rail services in this country, mutual options, public options, private options, and you have my absolute assurance that we will engage creatively in that debate and that Maria Eagle, our transport spokeswoman, will do that.

Harriet, I am aware of this issue partly because I have small stations in my own constituency of the kind that you are talking about. I think it is what is called

category E workers at those stations where people are being particularly affected. That certainly was not the intention on setting up the McNulty Review. What does the government need to do? It needs to sit down with the unions on this and find a way forward which does not involve the kinds of things that you are talking about, and again you have my assurance that we will work with you to try and make that happen.

**Brendan Barber:** Ed, thank you. Two questions now on another issue touched on, Ed, the union/Labour relationship. The first is from Sandy Mathers of the SOR?

**Sandra Mathers** (*Society of Radiographers*): Good morning. Now that the coalition government occupies the centre ground of politics, what do you consider to be the role of the Labour Party? (*Applause*)

**Brendan Barber:** Thank you, Sandy. From Usdaw, Dennis Stinchcombe?

**Dennis Stinchcombe** (*Udaw*): Good morning, Ed. I know you touched on it in your speech but could you clarify what you believe is the most important aspect of the Labour/trade union link? (*Applause*)

**Ed Miliband:** Let me deal with both of those. Sandy, on your question, I do not believe this government is in the centre ground of politics. When you look at what they are doing on the economy and the way they are going about cutting the deficit, when you look at what they are doing on the NHS, when you look at what they are doing on education, on welfare, they are not in the centre ground of politics. We have

to take on the idea that this is a centre ground government. Even some Tories are now saying that they are abandoning the centre ground. I think we absolutely have to take that on.

Just on the question about the link, what is the most important thing about the link? The most important thing is the people. We have a link to Usdaw in our constituency and, indeed, we have a link to Unite. The most important thing is the people, the three million levy payers, and part of the changes we are looking to make in the Labour Party is to involve them more in what we do as a party. I think our strength as a movement comes not just from the relationships at the most senior levels but comes from the people themselves on the ground who actually keep us in touch with the community. That is what our changes are trying to achieve and that is the most important thing about the link.

**Brendan Barber:** Okay, thank you, Ed. There are just a few more questions now on other topics: from Unite, Vicky Grandon?

**Vicky Grandon** (*Unite*): Does Ed believe it is fair that British trade unions have fewer collective rights than our sisters and brothers in Germany, France, Italy, Spain, and the rest of Europe? (*Applause*)

**Brendan Barber:** Thank you. Shall we take the question from Laura of Equity, too, please?

**Laura Bailey** (*Equity*): I am an actress starting out in my career and lots of young people in the creative industries are working for free or for very low pay for years and often for large powerful companies. So, what are you going to do to improve our employment rights and to give us a fair chance at work? (*Applause*)

**Brendan Barber:** Thank you, Laura. Brian Strutton from the GMB?

**Brian Strutton** (*GMB*): Ed, I am sure you will agree with the GMB that there needs to be a credible alternative to the ConDem's programme of cuts which instead commits to investing in jobs and young people, and community services. As part of that credible alternative the Plan B that you referred to in your speech, will you join with President Sarkozy and Chancellor Merkel in supporting a Robin Hood tax on financial transactions which would support some positive policies from you? (*Applause*)

**Brendan Barber:** Thank you, Brian. We will take the last two questions as well, please. From the CWU, Julia Upton?

**Julia Upton** (*CWU*): Hi, Ed. The UK government is investing a total of only £830m in super-fast broadband compared to £570m every year until 2025 in France. Do you agree that more government intervention is needed to enable all UK homes to share in the benefits of high-speed digital networks? (*Applause*)

**Brendan Barber:** Thanks, Julia. The final question is on a different issue again, from Jonathan Ledger of NAPO.

**Jonathan Ledger** (*NAPO*): Thank you. Mr. Miliband, the TUC's excellent response to the riots published last week identified many significant factors that contributed to what took place. These included a link between poverty and criminality, the impact of inequality and deprivation, and the loss of vital support services infrastructure in communities as a result of spending cuts. Do you agree with this analysis and, if so, what will you be doing to challenge the reactionary dogma emerging from many politicians and commentators about the riots? Will this include practical policies aimed at the long overdue need to address the causes of crime in our society? Thank you. (*Applause*)

**Brendan Barber:** Okay, Ed.

**Ed Miliband:** Thank you. Let me deal with those. First of all on the question about collective rights, this is always going to be a continuing discussion between the trade unions and the Labour Party, but let me just make this point, and it goes back to what I said in the speech that 15% of people in the private sector workforce are in trade unions. The reason why, or part of the reason why, there are these different arrangements on the Continent is that you have a completely different economy and a completely different level of union representation. Your challenge to us, and this is something we discussed during the leadership election, is to say we need to be able to get in and recruit those people in the private sector and often we cannot because employers put barriers in the way. It is something that I said in the leadership election that I thought needed to be looked at.

Laura, on your question about young people and what is happening to young people in this country, you are completely right about what you say and there are certain things that need to be done. For example, internships, currently the way they are made available to young people is grossly unfair and is on the basis of a closed circle. That needs to change. I think we need a living wage in this country to make sure that young people, and others, are properly paid. I think there are changes that need to be made to help young people but the most important thing that needs to be done, and this is why it is terrible the government got rid of the Future Jobs Fund, is we need to give opportunity to young people. There are one in five young people out of work. Actually, after a lot of different tries with different things, I think the Future Jobs Fund was working in giving real jobs and real opportunities to young people and I think the Conservative-led government were completely wrong to get rid of it.

On Brian's question about the international financial transactions, we do support that, we do support a global financial transactions tax. I think it could provide a way forward both to take action against speculation and to raise resources. I think it is an important idea.

On broadband, yet again it is an example of what I talked about in my speech, which is that government can play a role to make sure that the right things happen, and broadband is an essential part of our future infrastructure. The government got rid of the levy that we were proposing and which would have enabled us to fund super-fast broadband and, as a result, the plans have been set back. It was the wrong thing to do. We do support that rollout.

Then the last question, which in a way is a bigger question than just on the specific issue of the riots, the way the Prime Minister responded to the riots actually spoke precisely to this point about whether he is in the centre ground or not, and I think it showed he was not. Of course, nobody excuses and nobody justifies what happened in the riots. Go round to all the places affected and young people there will not excuse or justify what happened. It is ludicrous to say that hope and opportunity are not an essential part of getting young people in this country to do the right thing. Actually, the Government is taking away hope and opportunity. I heard backstage some of your debate about youth services. That can make an enormous difference to young people in this country. Youth services, jobs, educational maintenance allowances, what has happened to tuition fees, all of those things can make a huge difference to the future of young people in this country. Why were the government so resistant to have a commission of inquiry into the riots? I do not think they really want to know the truth about what is happening in these communities and what would make a difference. (*Applause*) That is why I think the commission of inquiry is going to happen but we have to make sure that that is held accountable so that we get the right solutions as the questioner asked for. Thank you.

**Brendan Barber:** Ed, thanks again for coming this morning and also for facing those questions, pretty tough direct questions, but it is important that we have this dialogue. Your central message about the need to make that case for a new economy is absolutely the work that we are engaged in too and there is no doubt that unless we are able to work together to get that message across, build public support for change, we are not going to see the changes that we need. Ed, it is an important relationship and it is important that this dialogue continues.

Many, many thanks again, and I am sure colleagues will want to show their appreciation. (*Applause*) (*Ed Miliband, Leader of the Opposition, left the Conference hall*)

**The President:** Thank you, Brendan. Delegates, we now return to Chapter 4: Economic and industrial affairs. We will take the environment from page 71. I call Composite Motion 6, Low-carbon economy. The General Council supports the composite motion.

## **Environment**

### **Low-carbon economy**

**Nigel Titchen** (*Prospect*) moved Composite Motion 6.

He said: President and Congress, this motion builds on an existing policy and seeks to ensure that the need to tackle climate change is undertaken with urgency and in a way that will support high quality green growth and employment across the economy. An Aldersgate Group report on Greening the Economy notes: “Economies must be transformed to provide rising prosperity to citizens, strengthening new growth sectors and modernising traditional sectors. The report also makes clear that this must extend beyond traditional environmental technologies to all sectors that must play a leading role in the transition to a green economy, including automotive, aerospace, information technology, the built environment, farming and the water industry. However, it concludes: “Whilst the UK economy has strong green foundations on

which to build, it is rapidly losing ground to developing nations and other competitors.”

The Committee on Climate Change has correctly prioritised de-carbonisation of the energy sector, and this must be underpinned by a balanced energy policy. However, this will not be delivered by the market alone and requires government intervention. Congress, we must hold the government to account on their proposals to ensure that the investment we need in all energy sources is delivered. We already know that the measures outlined in the White Paper will not now reach the statute book until 2013, and that Cambridge Econometrics has found that meeting the UK’s Fourth Carbon Budget will be very difficult. It has blamed this on a mismatch between the targets and the policies in place to meet them.

As Congress policy already recognises, a stable floor for carbon can play an important role in kick-starting investment alongside strategic government support to stimulate innovation and supply chains. It is both right and proper that all low carbon plants should be treated in the same way. To date the EU Emissions Trading Scheme has failed to provide such certainty, but getting the carbon price right is essential to support the business case for investment in low carbon generation.

Congress, science, technology, engineering and maths skills are at the core of a green economy, but the government is far too complacent about ensuring the UK’s future skills base. We had high hopes that the Green Economy Council would be jobs, skills and growth at the heart of its mission, but instead of the promised green economy roadmap the government recently published a short report. Although full of good

intentions, the report says very little about how the aspirations will be delivered and falls far short of the active industrial strategy that the UK urgently needs to deliver green growth. There is no analysis of the employment implications and only one short paragraph on skills, which is why Prospect are calling for a strategy for the specialist skills needed to develop and sustain a low carbon economy. It is simply not possible to make Britain greener without investing more. The government's approach to the Green Investment Bank exemplifies its penny-pinching approach. The Tories made a lot of noise before the election about setting up a green investment bank, but the coalition has back-tracked, instead opting for a fund that might some day evolve into a bank. The Spending Review provided for £1 billion of capitalisation by 2013, but analysts have recently argued that to make a significant impact the green bank would need £6 billion and should be established as a proper bank.

The spending cuts will massively impact on all environmental and sustainable development work across both public and private sectors. Furthermore, the government's decisions to axe funding for the Carbon Trust, the Sustainable Development Commission and the Royal Commission on Environment Pollution means that it has, effectively, lost all of the expertise that should be under-pinning its environmental and sustainability policies. We believe these damaging policies should be urgently reversed.

In May 2010 the Coalition government pledged that it would be the greenest government ever. However, recently published findings by the Pew Environment Group showed that the UK has dropped from third to thirteenth position in the world rankings for investment in green growth. Therefore, Prospect has today published a

pamphlet entitled *How Green is our Government*, which calls on the coalition to act now and act decisively to turn the rhetoric of its claim to be the greenest government ever into reality.

Congress, support the composition motion, support green jobs and support sustainable green growth. (*Applause*)

**Jacque Hatfield** (*Community*) seconded Composite Motion 6.

He said: Congress, last year the Coalition government promised to be the greenest government ever. I think it's another promise they have just forgotten. We also fought for measures to bring about the low carbon economy, but it's now easy task and we must make sure that it works properly. All too often the Department of the Environment doesn't talk to the Business Department and, ultimately, it's the workers who end up paying the price. The crazy thing is that our manufacturing base should be the key to a low carbon economy. After all, you can't make the wind turbine without making steel.

Current government policy is making manufacturers think twice about investing in the UK. Thanks to the TUC, the government is starting to listen but they are not acting fast enough. Six months ago Chris Huhne, the Energy and Climate Change Secretary, said that the government would announce some support for energy intensive industries, like steel and ceramics. The idea is that this will help those industries to be part of a low carbon economy, but so far we haven't heard any details. The problem is that companies are making decisions now and workers are losing their jobs now. My question to the Minister is: where's the support? We need a policy focus on low

carbon manufacturing. The government must support carbon capture and storage in key industrial sectors. We need a green industrial strategy in place before the carbon floor price is introduced. The carbon floor price will impose additional costs on industry and amount to £9.3 billion. Inevitably, this will affect communities, families and our members. Other EU countries have already taken action to help industries. Why does the UK always have to be the last?

Congress, this government's claims to be the greenest government ever is fast becoming the biggest sham ever. Support the composite, support UK manufacturing and support a low carbon economy. Thank you.

**Chris Kitchen** (*National Union of Miners*) supported Composite Motion 6.

He said: Delegates, the NUM is supporting this composite not for the obvious reason that it recognises that the continued use of fossil fuels is required to keep the lights on and that coal will be part of a balanced energy policy. We all accept now that something has to be done to cut carbon emissions. Clean coal and carbon abatement technology can achieve this not just in the UK but worldwide as climate change is a global problem. Delegates, the unfortunate fact is whether we look to offshore wind, clean coal or nuclear, the costs are going to be higher than what they are. For that reason, we should look to get the maximum benefit for our money. One of those benefits should be to retain a deep mine indigenous coal industry to improve our security of supply and to reduce our reliance on imported energy.

Comrades, it has been said that there is coal out there for us to buy when we need it, but when we have to rely on imported energy, whether it be gas or coal, the free

market forces will dictate that costs will go up as that is the business model that the Tory policies give you where it is considered that 'greed is good'. That higher cost will be passed on to the customer. A balanced low carbon economy should not be at any price. We must not allow ourselves to be held to ransom and miss the opportunity of reducing our reliance on imported energy. Thank you.

**Terry Fox** (*National Association of Colliery Overmen, Deputies and Shotfirers*) supported the composite motion.

He said: Congress, I am the national president of NACODS, the pit deputies union, which is one of the smallest unions. The advantages are clear. Fossil fuelled electricity has three advantages: reliability, availability and affordability. It is why fossil fuels will remain an important part of our future energy mix. We believe that the right mix of options – carbon capture and storage, alongside fossil fuels – holds the key to our energy supplies and, in turn, security of supply. It is not about low carbon versus affordability versus energy security. These elements all have to work together.

Security is a major component of our economic regeneration by using indigenous coal. By 2020 well over 80% of the UK's electricity generation will be fuelled by coal and gas. Coal-fired power stations are an integral part of our energy mix, providing around a quarter of our electricity needs, but just look at the last few winters we've had. Look at how exceptionally cold and enduring they were and the way our energy system coped demonstrates why we continually need coal. Yet fossil-fuel fired power stations – we are the first to acknowledge – is the most polluting

form of electricity generation, with coal producing around twice as much carbon dioxide compared with gas fired electricity generation.

We need to meet the challenge of decarbonising the next generation of our fossil fuelled power stations. That is why CCS needs to be a crucial part of this element in the government strategy on the climate change agenda. It is the only technology that can significantly reduce CO<sup>2</sup> emissions from fossil fuelled power by as much as 90 per cent. Also it will play an important role in balancing the electricity system. Without CCS and reducing emissions by 2050, electricity will be 70% more expensive. We all see our bills and the 18% rise that is dropping through our letter boxes now.

This industry is set to become a multi-billion dollar global one. In the UK alone, CCS has the potential to create up to 100,000 jobs, according to the IEA. If we are to deploy low carbon energy technologies, investment is required and it is required now.

In conclusion, Conference, we need more energy but fewer emissions. So I will end where I began. The challenge is vast, the prospects daunting, but it is always within our reach. The glass is definitely half full. Please support.

**The President:** Colleagues, we had a long list of speakers on this subject, but because of the time and we are trying to get emergency resolutions in today, I am taking one final speaker from UCATT.

**Dennis Doody** (*Union of Construction, Allied Trades and Technicians*) supported Composite Motion 6.

He said: Conference, I want to thank you for this indulgence. Twenty-seven years ago, Margaret Thatcher accused the National Union of Mineworkers of wanting to live in a museum society in their struggle to protect the mining industry. That occurred during 1984. The accusation was baseless because during that dispute the NUM was proposing a mixed energy policy, including the harnessing of wind, wave, solar and, of course, clean coal technologies. If anybody was living in a museum society it certainly wasn't the NUM, but it certainly was Mrs. Thatcher.

This composite has many facets but I want to focus my attention on the huge advantages of investing in a low carbon economy. The company I work for, Wakefield District Housing, is committed to reducing our organisation's carbon footprint. To help achieve this, we have recently invested in true zero carbon social housing. The project is unique because it is the only one of its type in Great Britain. We have invested in voltaic solar panels, which provide our tenants with free electricity. We have biomass heating systems. We have fitted both ground and air sourced heat pumps, and we are investing in retro-fitting and looking to sell electricity back to the National Grid.

On our carbon neutral site, we are integrating into the development a knowledge centre to explain and highlight the advantages of investing in renewable energy. If the example set by our housing organisation was followed throughout Great Britain, we would be well on the way to meeting the challenge of reducing Britain's carbon emissions by 50% by 2025. Alongside of this, the obvious advantage is that it would

create thousands of jobs involving construction and manufacturing. Currently in the UK we have the shameful statistic of having over one million people on council house waiting lists. I understand that this year there is a further rise by 17% of homelessness in Great Britain, in the fifth largest economy on this planet. That is an absolute disgrace!

If we invested in sustainable construction, we would put back to work the thousands of construction workers who have lost their jobs due to the recession, it would boost Britain's manufacturing base but, more importantly, it would provide much needed homes for those who need them. Please support the composite.

**The President:** Does Prospect want the right to reply? (*Declined*) We will now go to the vote on Composite Motion 6.

\* *Composite Motion 6 was CARRIED*

### **Report of the General Purposes Committee**

**Peter Hall** (*General Purposes Committee*): Good morning, I can report that the General Purposes Committee has approved a further emergency motion. Emergency Motion 4 on Agency Workers will be moved by Unite. The President will indicate it is hoped that the emergency motions approved so far will be taken. I will report further to you on the progress of business and other GPC decisions when necessary throughout Congress. Thank you.

**The President:** Thank you, Peter. Delegates, as Peter has reported, we now have a further emergency motion. Emergency Motion 4 is on Agency Workers. We now have four outstanding emergency motions and I will try to take them. Emergency Motion: TUC Response to the Riots will be moved by the POA and seconded by the FBU. I hope to take it after the scheduled business this morning. I will let you know if it looks likely nearer the time.

Delegates, we now stay with chapter 4, Economic and industrial affairs. We move now to Health and social care on page 87. I call paragraph 4.15, and Composite 10 – All Together for the NHS. The General Council support the composite motion.

### **All Together for the NHS**

**Eleanor Smith** (*UNISON*) moved Composite Motion 10.

She said: Conference, I am the President of UNISON and I move Composite Motion 10 – All Together for the NHS. Exactly a week ago MPs were beginning the two day process in the House of Commons of washing their hands of the responsibility of our NHS. Then, on Wednesday night, they voted by a majority of 65 to give the Health and Social Care Bill its Third Reading. Shamefully, only four Lib-Dems voted against the Bill, with a handful of others choosing to do the proper Lib-Dem thing of sitting on their hands by abstaining, gutless to the last.

This now means that all that stands between the government and its aim of breaking up the NHS is the House of Lords and us. Let's be clear on the Bill. It hasn't really changed. Yes, they held what was laughingly called 'a listening exercise' and, yes,

there have been some minor tweaks around the edges, but all the essentials are still there as this composite makes clear.

The government said that its regulator, Monitor, would no longer promote competition, but instead it will now prevent anti-competition behaviour. It sounds like the same thing to me. They said it would not be an economic regulator because they changed the title of the section of the Bill, but it still enforces competition law and holds current powers with the Office of Fair Trading. So it is still an economic regulator, then. They say the responsibility for the NHS will still reside with the Health Secretary, but this is simply not true. He or she will no longer have to provide or secure services but will instead do so through arms length bodies, such as the new Commissioning Board. So one of the founding principles of the 1946 NHS Act is unravelled.

Also they have stopped privatisation. What a joke! The policy of any Any Qualified Provider remains, and this was never in the Bill, anyway. They are just getting on and doing it, with companies gearing up to plunder the NHS for all it's worth. If anything, changes to the Bill make the prospect of creeping privatisation even more certain. The government has added in the legislation favouring either public or private sector provision. What this means is that the NHS can never again enjoy its position as the preferred provider of care.

Finally, MPs have begun to wake up to the damage that will be done by removing the cap on income from private patients, something which UNISON has been warning

about for over a year and which my union played a key part in inserting in the foundation trusts legislation under the Blair government.

The government has not acted out on this at all. They claim it will allow hospitals to improve NHS services. They are wrong. In the current climate of cuts and austerity, hospitals will be forced to do all they can to raise cash from whatever sources. If they can get unlimited amounts from those able to pay, they will have to do so, or risk going under. This approach puts the very basis of the NHS's philosophy, based on need and not ability to pay, in danger. We cannot let this happen.

UNISON has been fighting tooth and nail since the original White Paper came out last summer and we will not stop. The TUC in the *All Together for the NHS* campaign has a valuable role to play. It brings in all the professions of the Health Service together to demonstrate our unity in this fight. It is important that we keep this together and bind in those non-affiliators such as the BMA and the Royal Colleges of Nursing and Midwifery. We have to be firm and clear. This Bill must be defeated for the future of the NHS. It must be saved from the ravages of the Tory ideology and their Liberal puppets.

As the composite makes clear, our NHS is no. 1 for equity, no. 1 for quality and no. 1 for efficiency. It is the jewel in our public service crown, so I will not stop until we have saved it. I urge everyone here to do the same. Congress, save the NHS and kill the Bill. Thank you. (*Applause*)

**Alex Mackenzie** (*Chartered Society of Physiotherapy*) seconded Composite Motion 10 on the NHS.

She said: I ask you, is the Health and Social Care Bill anything about improving the NHS for patients, about better working between the different parts of the NHS and social care, about keeping the NHS, a service I have worked for all my life, safe for future generations? I think not. This Bill is about one thing and one thing alone: ideology. An ideology that puts competition and the market above all other considerations. The language is of patient choice. “Any Qualified Provider” sounds better than “Privatisation”, but I fear that the reality will be fragmented and destabilised services, healthcare increasingly rationed and delivered by post code lottery, NHS patients pushed to the back of the queue as trusts struggle to balance the books, and professional collaboration undermined.

The NHS is being asked to save £20 billion in efficiency savings. Will these reforms help? Will any Qualified Provider save money? No, but it will certainly help the profits of private companies, not to mention the insurance industry, and they deliberately avoid TUPE regulations in the process. No wonder overseas healthcare companies are rubbing their hands, and the Coalition is waving to them saying, “Come over here. Britain’s open for business.” The rest of the country might be struggling but there’s money to be made out of the NHS.

If the NHS was broken it may, just may, be a case for change, but the NHS has been ranked no. 1 in the world for quality, equity and safety, despite spending less per head than many other major developed countries. All of this is being put at risk. The Bill was already complex when it was first tabled, and MPs were allocated just two days

last week to debate more than one thousand further amendments. Can anyone call that democratic?

The Prime Minister has claimed that the amended Bill has the support of the health professions. Perhaps he has been badly briefed. All the major professions I work with were horrified. Eighty-nine per cent of CSP members believe that patient care will suffer as a result of these reforms, but it isn't all over yet. The Bill still has to go through the House of Lords and back to the Commons. There is still time to protect the NHS. Please think about anything that you can do, big or small, to support the campaign *All Together for the NHS*, and please support this motion.

**Jon Restell** (*FDA, The union of choice for senior managers and professionals in public service*) supported Composite Motion 10.

He said: As the composite motion points out, we can be proud of the NHS. Our colleague from the CSP said it is no. 1 for quality, equity and safety, and low on costs. This is the one country out of 11 industrialised countries where wealth does not determine your access to healthcare. So it is a shame that this government choose constantly to criticise the NHS and insist that it needs a complete makeover.

Our NHS is delivered by the whole healthcare team. It is not just doctors who make you better. It's the whole team. *All Together for the NHS* is a great campaign and an uplifting campaign, bringing together all the health unions under one banner and recognising the contribution of everyone in the team. When it comes to managers, guess what? It turns out that NHS managers are pretty good value for money as well. They are not a drain on the public purse. They are not preventing doctors and nurses

from getting on with their jobs. The position is the reverse, in fact. The NHS managers enable them to get on with their jobs.

Increasingly, the evidence – that is not something that this government worries about – shows that we may, in fact, be under-managed in the NHS. Hold on to your hat: the problem may be too few managers, not too many!

Now, of course, we find that the government has been making it all up, anyway. Don't let facts get in the way of a bit of public service bashing. It turns out that the estimates they provided on costs of commissioning were slightly exaggerated – 50% exaggerated. Apparently, they only found this out on the day after the vote on the Third Reading of the Health Bill. A coincidence? Don't you believe it. The general public know the truth about the NHS. It is low cost with high returns. Petition after petition and survey after survey show how much the public loves and trusts the NHS. The Second Reading of the Bill in the Lords is on 11<sup>th</sup> October – less than a month away – so let's keep up the campaign, keep up the united front and keep in touch with the Great British public. They will not let go of their NHS. Thank you.

**The President:** I am going to take two further speakers, one from Unite and one from HCSA.

**Andy Ford (Unite):** Delegates, our union has over 100,000 members in the Health Service. I work in the National Blood Service. The NHS is under threat as never before. The Tories want to destroy the NHS for one simple reason – it doesn't make a profit. It is a service provided for need, not for profit. The NHS is an element of

socialism in a capitalist system. As we have heard this week, it is a dysfunctional capitalist system. The NHS was set up by Nye Bevan, who was a convinced, determined and resolute socialist. Those are the sort of people who we need to lead this struggle, not people who sit on a fence and tell us things that we don't need to hear. We need people to fight all the way with us and be with us when we are struggling.

The NHS comes from a bargain reached for working class people during the war. That's a promise which Cameron and Clegg are going back on. It is another broken promise. They promised not to reorganise the NHS from the top down, but that is exactly what they are doing. They are also betraying the promise made to people who fought in the war who were told that they were coming back to a welfare state and told that they were not coming back to for profit medicine of the 1930s, which had failed in the 1930s, was proven to have failed, and all sorts of books written by Nye Bevan have proved that.

The reorganisation will cost £3 billion. That is £3 billion too much. York University has estimated that the market measures which are in force already have increased administration costs by 14%. As previous speakers have said, the NHS administration costs are amongst the lowest in the world. Private medicine will increase. Our members already report situations where people walk into a hospital lab and say, "Put these samples on first. These are for the private patients." That is the sort of going on. Private medicine does create that situation.

I said that I work in the National Blood Service. Within weeks of the government taking power – I won't say "elected" because they took power – they happened on the National Blood Service. They said they were going to key elements of the National Blood Service. Why they would do that, I don't know.

Our union, in co-operation with UNISON, set up a website. We had 40,000 people signed up to that website to help us oppose the privatisation of the National Blood Service. That threat has been withdrawn now. That shows, in a small way, how we can defend the Health Service. There has to be unity between the workers and the patients and service users. That is the only way to do it. I found that when we go out and request support, we do get the support we need. We can't rely on politicians to save the NHS. It is down to us. It is our duty. We are the one set of people who will do this job for us. We have no vested interest in being bribed and taken too conferences. We care about the Service.

We don't want to go with the situation in America where, just a month or so ago, a 24 year old father died because he could not afford medication for a tooth infection. In America, if you get ill, you will go bankrupt. That is the situation the Tories want to get us back to, unless you are very, very rich, that is. I move you support the composite.

**Annette Mansell-Green** (*Hospital Consultants and Specialists Association*) supported Composite Motion 10.

She said: Conference, I want to start with a message to Ed. We are not opponents of change. We are not agents of change. We are actually quite progressive as a

movement, especially when we work together. The HCSA is non-political. It has no dogmatic opposition to NHS reform. However, it is anxious to ensure that what is recognised is the professionalism of doctors in the diagnosis, treatment and care of patients. We need to provide a framework for the best possible delivery of patient care within the funds available.

We are genuinely of the view that the enormity of the funding reduction, taken together with the reforms outlined in the Bill, provide a political and organisational climate to create the perfect storm.

Morale in the NHS is at a very, very low ebb. Staff are finding themselves facing pay constraints, reductions in pension entitlements and redundancies being imposed, not for clinical reasons but for financial reasons, just to save money. All these situations potentially combine to create a climate where things could go horribly wrong in one or more trusts.

We have recently carried out a survey of our members on their attitude towards the pension reforms in the NHS about a fund that is actually in surplus, not in deficit. You may be surprised to hear, colleagues, that the Hospital Consultants and Specialists Association trade union members are now saying, “What are we going to do about taking some form of action to protect our futures?”

So long as the NHS is funded by taxation, as it should be, and allocations made by Parliamentary vote, it is considered, at best, naïve for the Secretary of State to relinquish his responsibility. The founding principles of the NHS, namely, that

healthcare should be based on clinical need, universally available and free at the point of need, should be enshrined in law and binding on what everybody is charged with the delivery of that fundamental objective. Removing ministers from that duty carries enormous risks.

Patient choice is a driver in the NHS but “Any decision about me should not be made without me.” This is a slogan which would be a powerful reminder of how GB commissioning should be conducted and a yardstick against which it will be judged. Integrated care, as other speakers have mentioned, is the key. We need collaboration, not competition. This campaign must continue with extra vigour if we are to retain the NHS with its founding principles intact. This is not a toy to be played with in a game of political ideology. Our members are proud of our NHS and will always put patients first. We must continue with this excellent campaign run by the TUC and we will play our active part too. Thank you for listening. (*Applause*)

**The President:** Does UNISON want the right to reply? (*Declined*) In that case we will turn to the vote.

\* *Composite Motion 10 was CARRIED*

### **Save the NHS**

**The President:** I now call Motion 50 – Save the NHS. The General Council supports this motion with a reservation. I will call on the DGS to explain the General Council’s position after the mover and seconder. It will be moved on behalf of the TUC Trades Union Councils’ Conference.

**Pat Stuart** (*Unite*): Conference, I am speaking on behalf of the TUC Trades Union Councils' Conference to move the motion. I think it is important that they have chosen a motion of such significance. I will acknowledge the qualifier myself because it is also a qualifier from my union, about nationalising of the pharmaceutical industry. Obviously, we would want to ensure that if that were to be a choice for us next week that full discussions had taken place with all those unions which organise in the pharmaceuticals industry. That would be a natural pre-requisite, and that includes my own union. I have no qualms about making that point here.

The point is that this motion has been brought forward from what was a lively conference with a wide range of issues being discussed is significant of the fact that this is what matters to people in their communities. The trade councils are us in the communities, really. They are our presence in the communities. This is what they feel is most pressing for people, that concern over the NHS and where it is going. We can feel the sense that people want to know that your family, parents, children and you are going to be safe and get the very best care possible when you go into hospital. It has been steadily undermined for people due to the political threat that is hanging over the Health Service at present.

A report in today's press says that increasing numbers of people are facing longer and longer waiting lists for elective surgery as health care trusts try to save money, and they are being forced into the private sector, if they have any money at all. If some people are being forced into the private sector because they can't stand the pain that is often associated with waiting for operations for months and months, then all those

people who don't have the money to do that are suffering that pain for all that much longer time. These are serious issues for all of us. We have to concentrate people's minds. It is appropriate that this message is coming from the Trades Councils and that we can address it, just after addressing the issues raised by our healthcare workers and their concerns. Organising in healthcare, like anywhere else, is not easy. It is a pity that Mr Miliband is not here to hear the rest of our debate today. It might be worth somebody pointing out to him next time they are talking to him it might be easier for us to do the difficult job of organising workers if we were able to point out to people that, as trade unionists, we would have the same full range of human rights that trade unionists do across much of the rest of the civilised world. We don't have that at present. We have our ankles shackled. That point needs to be made at some point. It is not just a private sector argument, either. This is what matters to the trades councils at this point. I am quite proud to be representing them to put this motion to Congress today. I ask you to support it. Thank you.

**John McCormack** (*University and College Union*): Congress, I am a member of the Trades Councils' Joint Consultative Committee.

The Government has used a whole range of myths, of euphemisms, to justify their NHS reforms. I think it is time for this Congress to start challenging and debunking some of them. They use words like “efficiency”, “restructure” and “reorganisation”. What that does is justifies and facilitates the private sector Trojan Horse worming its way into the very centre of the NHS. This NHS should be used not for the benefit of shareholders but for the benefit of the millions of stakeholders here and out there who rely on the NHS. They are the people who the NHS was devised for. They use words like “attacking bureaucracy”. That is quite reasonable except when you realise that the British NHS is amongst the most efficient and cost-effective of any comparable NHS system anywhere in the world, whether it is private or publicly owned. None of that is recognised by the government. They say that they will defend frontline services. There are two things to say about that. First of all, it is not true. They won't defend them. Secondly, it implies that only frontline services are valuable within the NHS. Colleagues, I am sick of ordinary hardworking people in the back office in the NHS, who may be working on frontline services, having their role devalued by this government. This Congress should value, welcome and congratulate all of the staff within the NHS who work hard to deliver the service. All of them are necessary and all of them should be valued.

The NHS exists to help people get over diseases and accidents. Part of that is that if there is a parasite in the body, they will do their best to eliminate and get rid of it. Colleagues, this Congress has got to attack the private sector parasites who getting into the NHS, waiting in the wings, hovering over ever hospital and surgery, trying to get their sticky, grubby little fingers on the wealth and resources of the NHS. That has got to stop!

An old saying states that attack is the best form of defence. Therefore, as well as defending the Health Service against the attacks of privatisation, we should be taking the arguments to the private sector and letting it be known now that their time is limited, and that we will be campaigning not just to defend what we have but to increase public sector involvement, to take over the bits of the Health Service that they have already got their sticky little fingers on.

This motion comes from the trades councils, and trades councils are at the heart of our communities and at the heart of the trade union movement. Together, both collectively, here and out there, we've got to campaign and defend the National Health Service. Thank you, colleagues.

**The President:** I call on the Deputy General Secretary.

**Frances O'Grady** (*Deputy General Secretary*): Congress, I have been asked to give the view of the General Council. The General Council supports this motion with a reservation. There is much to welcome in the motion, in particular, the call for campaigning to defend the NHS with health unions, patients, GPs and the public. Of course, as you have acknowledged, the TUC is already campaigning hard under the banner of *All Together for the NHS*. Many of you will have taken part in the candle lit vigils that we held outside Westminster and throughout the country last week.

The content of the motion is a little out of date now that the White Paper has been succeeded by a Bill now going through the Parliamentary process. It is very clear that

TUC policy is to oppose the so-called reforms of the NHS and, indeed, privatisation by stealth. However, as the mover of the motion acknowledged, the TUC does not have any specific policy currently regarding the nationalisation of the pharmaceutical industry and, as a point of principle, whilst the TUC believes there is an absolutely critical role for public ownership in key sectors of the economy – that was reflected in composite motion 4 that was passed earlier – the General Council would not wish to call for the public ownership of any particular sector without first fully examining the economic implications and also making sure, critically, that we first consulted with all unions with an industrial interest in that sector.

\* *Motion 51 was CARRIED*

### **Southern Cross and the care sector**

**The President:** Colleagues, I call Motion 51 – Southern Cross and the care sector.

The General Council supports the motion.

**Justin Bowden (GMB)** moved Motion 51.

He said: Britain 2011: Winterbourne View care home. The learning disabled, the autistic and the suicidal, the most vulnerable people in our society, on prime time television being beaten and abused in the one place that they should feel safe – their home!

Britain 2011: Southern Cross, the largest care home provider in the country, broken up and brought to the brink of collapse and bankruptcy by the toxic combination of private equity and privatisation greed.

Britain 20<sup>th</sup> Century: the ‘Big Society’ disgrace, where private comes before people and where invisible landlords, hidden tax havens and meeting behind closed doors, play pass the parcel with 31,000 vulnerable Southern Cross residents, while local and national government look on, content, apparently, to let the market rip. This was also predictable. We can say “We told you so”, and we did. For nearly two years GMB was warning that the business model used in the private care sector was unsustainable, the product of a culture of greed and gullibility that has dominated the financial markets since they were deregulated during the Thatcher years.

In 2006 Southern Cross was floated on the London Stock Exchange, alongside the lethal sale and leaseback model that separated the ownership of the homes from the care of the elderly. Profit was put before people. Private equity filled its boots. Companies like Blackstone, estimated to have made £600 million out of Southern Cross in secret financial dealings, a modern day scandal in which the losers are the 31,000 residents, 43,000 staff and the British taxpayers whose money mostly financed their greed. Yet, back then, Southern Cross and private equity were the darlings of the City and New Labour alike, lauded as the epitome of how the private sector could run things better and cheaper.

Today Southern Cross is as dead as a Norwegian Blue, a failed brand from a failed system, operating in a failed market. In a matter of weeks new operators will have their names on the doors of Southern Cross, but changing the name won’t change the game, and it’s the game that must change. The time now is long overdue for a new standard of care, a standard of care sufficiently funded and resourced from taxation

that guarantees all our elderly and vulnerable – those who have served and worked for this country all their lives are cared for safely, with dignity and respect.

What about Southern Cross right now? The residents and staff are being carved up amongst 32 new operators, some of them as debt-ridden and broke as Southern Cross itself. Some residents and staff still don't know who is going to be taking over the running of their homes in a matter of weeks. They are treated as mere pawns in some big city monopoly game, left worried out of their wits.

This motion demands action and support from government now, action to ensure that those worries are eased and that the homes are not closed in the next phase of the breakup. Politicians in all parties, in all parts of the UK, must take responsibility for this care sector crisis and take actions which put the residents first. This motion insists that the government guarantees that no Southern Cross home will close and no resident will be turned out or forced to move against their will.

The politicians have another responsibility – to investigate and expose the scandalous financial engineering in the City of London and Wall Street that led to the crisis and to make the guilty pay. They have an absolute responsibility to outlaw such financial engineering in social care and to make sure that this never happens again. The kings of private equity, in secret, hidden from the eyes of the press and public, have perpetrated ravages on the British economy and British jobs. Under current rules more is known about the Mafia than the antics of private equity. It is about time that they came into the light. It is time they were held to account and, above all, it is time the tables were turned and people were put before profit.

Finally, Congress, the politicians must also rule on whether, ultimately, private equity and the private sector are fit to care for our elderly, our most vulnerable and our most dependent. If they don't act, if they do nothing and nothing changes, then, Congress, there will be another Southern Cross. Please support.

**The President:** Thank you. I will now call the Communication Workers, and I intend only to call two further speakers, one each from Unite and UNISON.

**Bob McGuire** (*The Communications Union*) moved the amendment to Motion 51 and seconded the motion.

He said: The amendment to the motion reads: “2. the establishment of a new, independent and ‘fit for purpose’ public regular sufficiently resourced, and with the necessary legal powers, to conduct financial checks and due diligence on care home operators and undertake a comprehensive inspection regime backed by statutory minimum standards and staffing levels.” Breaking that down into English, if the RSPCA can kick a door in to protect a dog or a cat, then we need proper legislation that allows us to protect our mums, dads, grand dads and grandmas.

The demise of Southern Cross left the public shocked, that an organisation tasked with caring for the old and the vulnerable was able to expose itself to a level of financial risk. That resulted in so much anguish for residents, their families and the staff. The shock across the nation was absolutely unbelievable. Southern Cross collapsed as a result of pursuing a controversial business model of selling and leasing back its properties to fund rapid expansion, so much so that within four years – you

have already heard the mover say this – that they earned over £600 million in profit. For years the company's finances prospered. It also attracted private equity for property investors, but the bubble burst and it has left 752 care homes to be taken over by the various landlords, whilst the 31,000 residents and the 43,000 staff face an uncertain future.

The company's business model was based on the assumption that the care sector was a growth industry where occupancy rates would continue to stay high and, therefore, it would have no problems in paying the annual rent increases it had promised the landlords. It is known that out of the 752 Southern Cross care homes, 250 will immediately go to landlords who will then provide a care home service, but it remains unclear what is going to happen to the other 500 homes. Negotiations are going to continue for months, and this will clearly involve landlords selling and closing homes. Some of the landlords are, themselves, in financial difficulties, and it is still unclear who actually owns 116 of the homes.

Southern Cross employees were working in uncertain conditions. For many months staff pay was frozen, turnover rates of 40% were not unusual, while initially Southern Cross announced 3,000 job losses. All this leads to serious questions over whether this type of sector should be in private hands at all.

This motion and the amendment are saying that we need tougher regulation, essentially, to safeguard vulnerable people, a new public regulator should be created with the legal powers to set minimum standards, monitor performance, audit finances and closely inspect working practices to re-establish public confidence in the care of

the elderly. As a start, in a nutshell, we are saying that we want ensure that our mums, dads, grand dads and grandmas are looked after properly. (*Applause*)

**Alexis Chase** (*Unite*) supported Motion 51.

She said: We support this motion because it highlights the problem of growing old in Britain today. Being poor, sick and old can be quite frightening and very worrying, because for people like Southern Cross you are not a person, you are just a profit margin.

One of the scandals of Southern Cross has been the disregard of this government for the failure of the market to do anything other than to protect and maximise its profits. At no point have Cameron, Clegg or Osborne criticised the business model used by Southern Cross. At no point have they demanded that the private equity companies that made money out of these elderly people make any kind of reparations to them. The whole issue of Southern Cross should be regarded as a watershed moment. This should be the time when decent people in this country stand up and say, “This government has got to go.”

When elderly people can be used for the sake of profit and then discarded, we should be saying, “You need to go. You’re unscrupulous, you’re disgusting and you’re absolutely wrong.” There should be no place at all for someone like Cameron to stand here prating on about a big society and how we should act responsibly, when he is allowing these people to get away with wholesale robbery and leaving people vulnerable, frightened and alone. It’s a disgrace. Support this motion and support the fact that the care of the elderly should not be left to private profit. It’s something that

should be done by the state via local authorities, and regarded as the valuable and important work that it is. Get rid of this government and get rid of the private sector ethic. (*Applause*)

**Gordon McKay** (*UNISON*) supported Motion 51.

He said: Congress, during the past six months we have heard time and time again that the scandal of Southern Cross reminds us all of the failures of capitalism. What absolute nonsense, Congress! Southern Cross showed us that the privatisation of health and social care under the Tories worked exactly in the way in which it was meant to work for the benefit of the rich and powerful. Blackstone is the American private equity fund that previous owned Southern Cross did exactly what the free market economic model would tell them to do – screw every penny out of your investment and then walk away. Blackstone knew the drill off by heart. Buy the care providers, buy the company that owns the leases to the care homes, allow for a period of property speculation and then strip the assets and sell off the lot. Result: £1.1 billion profit in five years for the private equity shareholders and 750 care homes threatened with closure and 31,000 women and men threatened with eviction. Make no mistake, Congress, that the only thing that saved these people from eviction wasn't David Cameron's caring side. It was the fact that there were so many of them. If this had been one or two homes affecting 100 people, they would have been on the streets before Cameron and Clegg could have reminded us of the benefits of Rachmanism, but 31,000 people were too much for them.

That is the second reason why capitalism works for the wealthy under the Tories. Whether it was Railtrack, RBS, Lloyds, the PFI providers of schools and hospitals before them, the services that Southern Cross provided could not be allowed to fail. After the speculators walk away with their bonuses and dividends having run these vital public services into the ground, the ordinary people have to pick up the bill and rebuild the services so that the Tories can hand them back again to their friends. These, are, of course, the Tory plans for all our health and social care. When Cameron tells his business friends that the dead hand of the state is getting in the way of entrepreneurship, he means the entrepreneurs like Southern Cross. When he talks of the enemies of enterprise, he means care workers who get paid a proper wage working in local authority workers, as compared to Quarriers, who want to cut their staff's wages by 23%.

Capitalism does work. It works for private equity firms like Blackstones. UNISON wants a system that works for the residents of the care homes. Ed Miliband told us this morning that the next Labour government will have some hard spending choices to make. Well, here's an easy one, Ed. Stop handing over money to rogues like Southern Cross and instead invest in publicly funded, publicly delivered and publicly owned care services that we can be proud of, rather than private services that we are ashamed of. Please support.

\* *Motion 51 was CARRIED*

**The President:** The GMB do not wish to reply so we will move to the vote.

\* Motion 51 was CARRIED

## **Arthritis**

**The President:** I now call Motion 52, Arthritis. The General Council supports the motion.

**Katie Collins** (*Society of Chiropodists and Podiatrists*) moved Motion 52.

She said: I would suggest that if you asked most people about arthritis, they would say that it was something that happens to older people and it was just a natural ageing process which they could not do much about apart from taking some sort of supplements.

In fact, there are about 200 different musculoskeletal conditions which the term “arthritis” can cover, but it is usually linked to inflammation within a joint. Whilst arthritis is often associated with old age, it can in fact occur at any age and usually develops between the ages of 20 and 50.

The cost of arthritis to the economy has been estimated at £8 billion a year and with arthritis rates increasing in an aging population, this cost is only likely to increase. Arthritis in many forms, including osteoarthritis, can be initially detected in the feet due to stress that feet go through in everyday activity. It has been identified that early detection of arthritis in conjunction with education on footwear and the fitting of insoles can contribute to reducing the painful and often life-altering symptoms of arthritis.

Podiatrists are therefore a key member of the health profession team in detecting arthritis in early stages. The earlier these changes are noted, the easier it is to treat and in many cases prevent further deterioration. A recent survey by the Society of Chiropodists and Podiatrists highlights that significant proportions of the public were putting themselves at risk of developing arthritis by not wearing appropriate footwear including sports shoes and over-using high heels. Therefore, the podiatrist can educate the public about correct footwear and, if needed, prescribe insoles to further prevent foot injury and reduce strain on foot joints and cartilage.

The Society for Chiropodists and Podiatrists feel that the public are not being made aware of the risk appropriately and are missing out on treatment due to arthritis in the feet being neglected. Coinciding with this are the cuts the ConDem Government is pushing on to the public sector and NHS, including cuts in foot health services. Therefore, if this situation is allowed to continue, we could see the UK facing an arthritis crisis. This will only be made worse if the Health and Social Bill is passed by the Lords and GP commissioning is undertaken. Many specialist services have concerns that not all commissioning GPs would fully understand the intricacies of each specialism.

The Society of Chiropodists and Podiatrists and its members share these concerns. Because of their expert knowledge base, podiatrists and chiropodists can tackle arthritis in a number of ways including educating the patient, helping to prevent deterioration, manufacturing insoles, treating ulcers that occur due to arthritic deformities, helping to support patients who have rheumatoid arthritis, treating children with juvenile idiopathic arthritis and so on. However, will a GP, who may

have had little experience themselves with our service, just think of us as toe nail cutters and not commission us in an appropriate way, potentially curtailing even more important services to patients?

This motion is therefore calling upon the General Council to lobby the Department of Health to support the Society of Chiropractors and Podiatrists' campaign on this issue and to launch an intensive campaign to encourage people to seek professional help with their foot health. Please support. (*Applause*)

**Richard Evans** (*Society of Radiographers*) seconded Motion 52.

He said: It is a pleasure and a privilege to support the ever-popular footcare motion at Congress and I am glad to see that, if you read the text, high heels are back in our book.

Arthritis is a scourge. Arthritis causes pain and disability affecting the lives of millions. The cost in terms of treatment and interventions is huge, to say nothing of the cost of lost work and blighted lives. Members of the Society of Radiographers examine and diagnose cases of arthritis every day, but by the time changes in joints and bones are visible on an X-ray, the disease is already established. Incidentally, those changes do become very painfully visible on X-rays.

This motion is about early detection, as Katie said, and about prevention. In the foot, simple actions and precautions can prevent arthritis later. Why is it that insufficient attention is paid to prevention in healthcare in this country? It is one of the ideals upon which the NHS was founded. It is not only that free care is there for all, but

also that ordinary people will enjoy better and better health. It is right that we should be pressing for public health promotion and initiatives for effective disease prevention. It is good sense, it is low cost but it is in the NHS so it is under threat. Please support the motion. (*Applause*)

**The President:** Thank you. There are no other speakers and no right of reply so we will move straight to the vote.

\* *Motion 52 was CARRIED*

### **Misuse of anti-psychotic drugs**

**The President:** I now call Motion 53, Misuse of anti-psychotic drugs. The General Council supports the motion.

**Sandra Mathers** (*Society of Radiographers*) moved Motion 53.

She said: President, Congress, dementia is one of the most severe and challenging disorders we face in the UK. Dementia affects both men and women from all social classes and from all ethnic groups. This disease has, or will, affect us all at some time in our lives. I am sure that the majority of delegates here either have known, or currently know, of someone who is either living with the disease or caring for somebody who has the disease. The symptoms of agitation, aggression, wandering, shouting, repeated questioning and sleep disturbance can occur at any time in the disease.

My mother developed it when I was in my early twenties and I am now watching my friends having to care for their parents. Despite what is claimed, very little has changed over the intervening years in the provision of care and support. The figures used currently indicate approximately 700,000 people with dementia in the UK. It is estimated that due to the change in demographics in 30 years from now, this will rise to 1.4 million. I would say that this is a conservative estimate as these are based on statistics from 2007. Quite literally, we are sitting on a time bomb. The national cost is currently £17 billion per year and estimated to rise to £50 billion in 30 years' time. Need I say more?

Evidence has shown that dealing with these patients with challenging behaviour has developed in an ad hoc manner rather than planned and commissioned. It is by no means standard across any county or region within the UK. Current methods of treating this disease include delivering doses of anti-psychotic drugs in order to calm the patient. Reviewing such treatment seems to indicate a positive response by only a few patients. Of the 180,000 treated with these drugs annually, 36,000 will have some benefit from treatment. On the other hand, such users can equate to 1,800 deaths and of 1,620 patients who have suffered adverse effects, half of these may be severe.

It has also been estimated that approximately two-thirds of these prescriptions may well be unnecessary. The inappropriate prescribing of anti-psychotic drugs has been described as a serious clinical and human rights issue. I want to tell you a short story. Perhaps some of you may have already heard it. A daughter cared for her father at home until it became obvious that she could do so no longer and he required

specialist care. He was admitted to a care home. Although showing symptoms of the disease on admission to the home, he was actually able to get about and sometimes was able to have a conversation.

A few days after he was admitted, she noticed a rapid deterioration in his condition. When she went to visit him, he was slumped in a chair unable to speak or move. She thought he had had a stroke, but after a lot of questioning she was told that when he went to bed, he saw flashing lights and was becoming agitated. He was shouting and disturbing the other patients. It had been decided to put him on the new regime of anti-psychotic drugs to calm him down.

After a period of time, her father's condition deteriorated as he was entering the terminal phase of the illness. One day she was called and sat all day at his bed. As the light faded, all of a sudden his room was filled with flashing lights from the neon sign which was outside her father's bedroom window. Rather than looking at the man as a person and at the conditions in which he was living, he was drugged. Had the drugs hastened his end? There is no way of knowing, but it is clear that he did not need to have the drugs.

Congress, we need action now against the inappropriate use of anti-psychotic drugs with this group of patients. NICE guidelines from 2007 recommend that patients who display behaviour which is challenging should be given an early assessment not only to establish factors which contribute to their agitation, but to also establish appropriate treatment for their behaviour. Much of this is centred on staff training with good knowledge of the individual, the establishment of a dementia specialist

within staff and a dementia-friendly environment. The giving of anti-psychotic drugs is not a replacement for good clinical care and practice.

I ask you to support this motion and with your unions advise at every opportunity the establishment and implementation of national standards for the treatment and care of people living with dementia. (*Applause*)

**Katie Collins** (*The Society of Chiropodists and Podiatrists*) seconded Motion 53. She said: Research says that many dementia patients being prescribed chemical anti-psychotic drugs could be better treated with simple painkillers. A British and Norwegian study published on the *BMJ* website found that painkillers significantly cut agitation in dementia patients.

Agitation, a common dementia symptom, is often treated with anti-psychotic drugs which have risky side effects. The Alzheimer's Society wants doctors to consider other types of treatment. Experts say that each year about 180,000 patients in the UK are unnecessarily prescribed anti-psychotics, which have a powerful sedative effect and can worsen dementia symptoms and increase the risk of stroke or even death. They are often given to patients who dementia makes aggressive or agitated, but researchers from King's College, London and Norway speculate that the behaviour may sometimes be caused by pain which patients are unable to express in other ways.

They studied 352 patients with moderate or severe dementia in nursing homes in Norway. Half were given painkillers with every meal whilst the rest continued with their usual treatments. After eight weeks, there was a 17% reduction in agitation

symptoms in the group being given painkillers, a greater improvement than would have been expected from treatment with anti-psychotics. The researchers concluded that if patients' pain was properly managed, doctors could reduce the number of prescriptions for anti-psychotic drugs.

Professor Clive Ballard, one of the report's authors and Director of Research at the Alzheimer's Society, said that the finding was significant. "At the moment, pain is very under-treated in people with dementia because it is very hard to recognise", he said. "I think this could make a substantial difference to people's lives and it could help them live much better with dementia." However, he said that painkillers should only be given to patients under the supervision of a doctor.

The Alzheimer's Society is issuing new guidance calling upon doctors to think much harder before prescribing anti-psychotics and to look at prescribing pain medication instead. The National Care Association said that the study highlighted some of the complexities of dementia. "Pain in itself is debilitating so to identify it as the root cause of agitation and aggressive behaviour is a major breakthrough which will enable us to support people appropriately" said its Chairman, Nadra Ahmed.

A government programme to reduce the inappropriate prescription of anti-psychotic drugs is already underway in England. Congress shares the concern highlighted by the Alzheimer's Society regarding the widespread misuse of anti-psychotic drugs in the treatment of patients suffering from dementia. It is time for the government to act and to stop this abuse of some of the most vulnerable in our society. (*Applause*)

**The President:** Thank you, colleague. I think we can go immediately to the vote.

\* *Motion 53 was CARRIED*

### **Review of the use of psychotropic drugs with children**

**The President:** I now call Motion 54, Review of the use of psychotropic drugs with children. The General Council supports the motion.

**Kate Fallon** (*Association of Educational Psychologists*) moved Motion 54.

She said: President, Congress, I am here today to ask you to support our call for an urgent national review into the use of powerful psychotropic drugs such as Ritalin with school-aged children. We are concerned that not enough is known about the long-term effects of such powerful drugs upon the development of children's brains.

We are receiving increased numbers of reports from our members that children with behavioural difficulties are being prescribed drugs without full discussions with all the other professionals to see if some other strategies or approaches could be used instead of, or at least alongside, the medication. Very often these drugs are being administered to the children by support staff in school and we share the concerns expressed by the GMB about the responsibilities therefore being placed upon their members in this respect. We fear that the drugs are being seen as a quick fix.

In 2013, we are expecting new criteria for the definition of mental illness to be adopted here in the UK. These criteria will lead to many more children being

diagnosed as mentally ill based upon reports of their behaviours. A shy child could be diagnosed with social anxiety. A sad or temporarily withdrawn child could be diagnosed with depression. These are also conditions which are also likely to be treated with medication and under these circumstances, Congress, we will be putting potent drugs into children with little or no understanding of what it will lead to.

In a society that always wants quick results, using drugs to improve behaviour is very tempting, but there can be other ways of improving children's behaviour which typically involve time and energy from people.

Simply relying upon medication in isolation is no solution. We must foster a more collaborative approach to the treatment of school-age children with conditions such as ADHD. We should ensure that teachers, school support staff and educational psychologists are involved alongside the parents and doctors to try to develop consistent approaches and support for the children. There should be consistent approaches and support which are not solely reliant upon medication or on increasing the dosage of more tablets at the start of the day when the drugs do not work, but those which involve all the adults who work with the child and utilise all the skills and resources which they have.

NICE has issued guidance on the use of psychotropic drugs for children. It believes that there is no need to review that guidance. It says that they do not have the evidence to review the guidance. They do not have the evidence, Congress, because the Department of Health does not collect the data.

We have evidence that the current guidance is not being followed. For example, children under six are being prescribed the drugs, but there is no monitoring of that practice. If we fail to review our practices, we run the risk of even more children being prescribed with drugs whose long-term effects are not categorically known to us. We run the risk of committing children to long-term drug use and of committing the long-term spending of public money to increase the profits of pharmaceutical companies, public money which could go some way towards funding more adults being available to work directly with children.

Congress, I urge you to support this motion to instigate a full and urgent review into the use of psychotropic drugs with school-aged children and into the long-term effects of the use of those drugs. (*Applause*)

**Mary Turner** (*GMB*) seconded Motion 54.

She said: This motion raises real concerns about behaviour-altering drugs are being prescribed to our children and about their long-term effects. Congress, as parents and as a society, we have to get to the bottom of this. We have to ensure that these drugs are not prescribed unless it is safe and necessary to do so. We have to consider other ways of managing behaviour. There are lots of things which influence behaviour – and now you know what is coming – which can be as simple as providing proper nutritious free school meals, for which we had to campaign for a very long time. We were getting there but we know what happened. *This* lot of parasites got in and pulled the plug! In our opinion, a review of these behavioural drugs cannot happen soon enough. It is too important for the wellbeing of our children for the government to sit on its hands.

Congress, there is a broader context to this debate. We know that in the past few years, demand for all kinds of medical support in schools has increased, support for everything from asthma and diabetes to pupils with very complex physical needs. A lot of the responsibility for delivering this care has fallen on school support staff with no medical background whatsoever.

Congress, at the GMB, we are inundated with examples of schools expecting their secretaries and teaching assistants to perform often complex medical procedures such as tube feeding, tracheotomy care and IV drip replacement. In many cases, the staff have little or no training or supervision. We did a survey last year which found that 57% of support staff had not received relevant professional training for these medical duties. 62% said that they felt vulnerable about what they were being asked to do. It is scandalous when you think about it. It is certainly not fair to staff or to the children that they look after for schools to rely upon their secretaries and TAs like this.

We are warning that the makeshift arrangements schools have in place are inadequate and close to breaking point. There should be a fully regulated system of medical provision with better guidance for schools about who is responsible, with healthcare professionals willing and able to take a lead role and with a clear and reasonable limit to the basic medical duties that school support staff have to undertake.

With all these issues, Congress, we run up against the same obstacle, which is a government hell-bent on breaking up the education system through its academies and

free schools. Now, more than ever, the school system needs to be held together for the sake of the children who rely upon coordinated care.

I will just finish by saying this. I was a public service worker for 40 years and was proud of the job I did. I now represent public sector workers. For the benefit of this parasite coalition government, every single worker who delivers public services delivers frontline services. It is not just who Cameron and Clegg decide to identify. You deliver public services to the most vulnerable in our society. You are the front line. You are the people the clients see first. You are the ones who take the stick. So, Mr. Cameron, leave us alone. We do not get gold-plated pensions. Remember, you are not in the real world.

**The President:** Mary, you are taking liberties. You will never change. We will move immediately to the vote.

\* *Motion 54 was CARRIED*

## **Education**

**The President:** We now stay with Chapter 4, Economic and industrial affairs, moving now to Education on page 89. I call paragraph 4.16 and Composite Motion 11, State education, Free schools, Academies and privatisation. The General Council supports the composite motion.

**Chris Keates** (*NASUWT*) moved Composite Motion 11.

She said: Congress, the date of 12<sup>th</sup> May 2010, when the coalition government took office, marked a turning point for state education. It signalled the end of over a decade of genuine partnership between the government and unions which had provided gains in teachers' pay and working conditions to support them in raising standards, a recognition of support staff as important parts of the education team around the child, major improvements in educational standards with standards of literacy and numeracy vastly improved, more young people going on to further and higher education and record levels of investment in education. By 2010, England was one of the top 20 performing countries in education in the world. Of course, it was not always perfect – no system is – but the broad direction of travel was right.

The advent of the coalition government saw the obscene squandering of this legacy of success and the adoption of a “scorched earth” policy. Despite a wealth of evidence to the contrary, the coalition claimed that state schools routinely failed children and young people, teaching standards were poor, sacking teachers was too difficult, the curriculum was too broad, too many subjects were soft options, diplomas lacked rigour, education spending had been profligate, the system was over-regulated, schools lacked autonomy and the country was racing to the bottom of international league tables. The Education Secretary pledged publicly to end the monopoly of state education and declared himself not to be ideologically opposed to schools making a profit. Not one scrap of evidence was, or has been, produced to justify such denigration of State schools and the relentless reform which has followed.

Swingeing cuts have been made to local authority and school budgets, removing special needs, behaviour, advisory and other vital support services. The Education

Secretary's ideological academisation project is being driven forward through bribery and bullying without any evidence that standards will be raised and by riding roughshod over the views of staff, parents and local communities.

This academisation, passing into private providers the ownership of a school, stealing the assets from the local community, severing local democratic accountability and incurring risks to the public purse has nothing to do with raising standards and tackling disadvantage. The highest performing schools in this country are community schools. Take note, Labour leadership.

The coalition is driven by contempt for state education and other public services and a free market ideology that choice for the consumer is central to the delivery of services. The Education Secretary is arrogantly taking to himself, without a mandate from the people of this country, the freedom to give away 150 years of state school history to his few friends to enable them to turn a profit at the expense of our children and young people. It is the teachers and support staff who raise standards; academies and free schools are about lining the pockets of business. *(Applause)*

Just like the NHS, state education is not a discretionary commodity. It is not for the few. State education must be about equality and social justice. It must be distinguished by universal access and delivery according to need. We have common cause, common goals and a common enemy. We must win this war against those who know the price of everything and the value of nothing. We must oppose the Education Bill with the same vigour as we opposed the NHS Bill.

State education, which has secured opportunities for the many and not just for the privileged few, now stands on the brink of annihilation by this Government. As trade unionists, workers, parents, carers and grandparents we must do everything we can to fight this pernicious Education Bill and secure quality education for future generations. I move. (*Applause*)

**Nina Franklin** (*National Union of Teachers*) seconded Composite Motion 11.

She said: We second Composite Motion 11, particularly concentrating on the latest and worst attack on state education, the free schools, many of which started only a few weeks ago.

Free schools form a huge attack on state education. They take away the community schools' capacity to educate pupils in a local area. The free schools have a huge effect on the funding of education. The government uses taxpayers' money to give to elite groups of parents and various other people to provide education. They completely disrupt what is happening locally and, not least, can have a huge effect on the pay and conditions of our members, for which we fought for many years to win and to preserve. One of the main tenets of the free school programme is that you can break up national pay and conditions and you do not even need a qualified teacher to teach a class of children.

The current Education Bill which is making its way through Parliament also completely undermines the role of the local authority in education and therefore leads to its fragmentation and break-up. There has been much research done and evidence provided by the free schools in Sweden, on which the government has based its

programme, which has shown that they have led to massive inequality and social division. They are not seen as a success in Sweden and yet here we are undertaking a similar programme in this country.

In the NUT, we believe that local authorities are best placed to provide proper oversight of schools and to ensure that education is democratically provided. In Bristol, my local area, the largest free school in the country, which started in September, will without doubt lead to the closure of a good local comprehensive school which has been getting excellent results within that community. It means that the community will then be fragmented as most of the children who go to the local comprehensive school will not be able to get into the free school because it will have control over its admissions.

Congress, we use the old phrase, “Education should be a right and not a privilege”, but the old ones are often the best. Education should be a right and not a privilege. What is happening with the free school programme and general privatisation through academies is that a right to a good local school in every community and a good education is being denied to many children.

**Alice Robinson** (*Association of Teachers and Lecturers*) spoke in support of Composition Motion 11.

She said: President, Congress, the threat to state education can be clearly seen in the government putting political dogma above universal access to the highest quality education provision, based upon the needs of students instead of on the educational establishments that their parents can afford, in its push to bribe, force and encourage

schools to become academies. The decision taken by so many schools to take part in the “dash for cash” has itself undermined the role and sustainability of our local education authorities as the providers of central services. These include providing support and advice for special educational needs and other essential services such as local educational medical services and children’s centres.

This shameful situation has now been openly supported by the leader of the Labour Party. (*Applause*) The threat to state education can also be seen in the dual standards of funding for schools and academies with academies and free schools to date getting a higher rate of funding directly from central government, often at the expense of money top-sliced from local authorities. The funding of free schools has also seen a huge financial investment in them at a time when the budgets in many local authority schools are shrinking.

Two years ago, Lesley Ward, the President of the ATL, highlighted her concerns around the poverty of aspiration suffered by many students from disadvantaged homes. Imagine my concern when I realised that this poverty of aspiration had been adopted by the current government. For the students of free schools that have been established in the middle-class enclaves in many of our suburbs, the curriculum is that of a prep school. Two of them include Latin. However, for one of the free schools which has been proposed in the most deprived area of Oldham, the proposal for the curriculum is for literacy, numeracy and discipline.

Robert Lowe, in 1867, said, “We must compel our future masters to learn their letters.” He would have gone down really well with the current government because he also wanted payment by results for the three Rs.

I suppose we should not have been surprised by this current government’s belief in the acceptable nature of the privatisation of education. Michael Gove has clearly indicated that he is open to this development. The same, however, should not be said of the Liberal Democrats whose manifesto before the last election bore no relation to their current support for free schools, academies and the increase in tuition fees. Mr Miliband, I am appalled at your statements this morning. *(Applause)*

**Mark Campbell** *(University and College Union)* spoke in support of Composite Motion 11.

He said: UCU, like hopefully everyone still in this hall, believes in free, democratically-accountable state-funded education for all paid through progressive taxation. We fully defend and champion comprehensive education, neither academies nor free schools. We further believe that free education should not end at 16. It should be available to all who would benefit from it and that means across adult further education and universities. University education should be free. *(Applause)*

However, what we are having foisted upon us by this Tory coalition are supposed free schools. They would better be called free market experiments because that is what they are. We also have massive cuts to further adult and university education. These cuts involve the disgusting removal of EMA, a tax on ESOL and the most vulnerable in our communities and now £9,000 a year to go to university. It is destroying the

chance of a future for working class children. That is what this government is doing.

*(Applause)*

Now they are taking away 80% of government funding for universities and for humanities 100% is being removed. Therefore, our working class children will be narrowly streamlined into what will be notionally referred to (although not in practice) as “vocational jobs” and they will be denied a liberal education. That is what this government is doing in its attack on all of us.

Now, they are talking about introducing for-profit private universities and it is those universities in the current HE White Paper that we have to do everything to oppose. They even have the gall, as the last speaker said, to use taxpayers’ money to fund these things. Millions of pounds are going into the establishment of free schools with the idea that they will give private universities loan money in order to get the students they will be taking from our public universities. It is disgusting and Ed Miliband should have said that. *(Applause)*

Now, let us be clear. These are condemned policies that are part of a neo-liberal assault on working-class education around the world. We need to resist that with everything we have and that resistance has started. During this week alone, in Greece, there are over 200 universities in occupation. In Chile, there are massive demonstrations of students and workers fighting for publicly-funded education. We have seen demonstrations in Spain, Italy and Egypt in the revolution led by education workers.

In Britain, we now have the chance to go forward collectively with our students in November when millions of us will be on strike. We will be on strike with our students at our side even if Ed Miliband is not there. Our students will be there, our communities will be there and that is how we will win. We will win by solidarity, unity and by taking this government on and not complying with their ideas. (*Cheers and applause*)

**Richard Evans** (*Society of Radiographers*) supported Composite Motion 11.

He said: Our members are very happy to support our sisters and brothers in the teaching unions and particularly to support this important composite. Setting this call to defend state education within the context of wider public services' campaigns is exactly right. We should all be fighting for state education just as hard as we are battling to defend our NHS, council jobs and social services.

Education is not generally ignored or under-valued. The majority of people care passionately about standards, attainment and opportunity. It is personal because we all want the best for our own children. Sadly, it is that passion which can be cynically manipulated. It is that passion which makes any parent susceptible to the old lie that excellence in education needs to be bought. It is that passion that is vulnerable to the new lie that the public service approach to education has failed.

The fact that trade unions are opposed to cuts and attacks on the public sector gives rise to another lie – that we are therefore opposed to excellence, we stand in the way of progress and we betray a head-in-the-sand attitude to economic reality. Worst of all, we have been accused of having an ideological approach to supporting public

services. Well, who is ashamed of an ideology which seeks the highest standards of education for all children? (*Applause*) Is anyone here ashamed of an ideology which provides healthcare regardless of the ability to pay? Are we ashamed to stand together to ensure dignity for the elderly, opportunity for the disadvantaged and care for the disabled? Are we ashamed of that? No, we are not.

I will tell you who should be ashamed. This coalition government should be ashamed. They should be ashamed by the damage that they are doing across the public services. They should be ashamed of the deceit in every speech and briefing. They should be ashamed of the casual indifference to the neediest people in society. They should be ashamed of their prostitution to private profit.

There is overwhelming support, this motion says, amongst the public for public sector education. The British public are looking to us to provide the voice to oppose the government's attacks on public services. The British public, apparently, will not find assurances from Mr Miliband. It is up to us to support the composite. (*Applause*)

**Alison Shepherd** (*UNISON*) supported Composite Motion 11.

She said: Educational issues have had a very high profile over the past year and have been highlighted in debates this week, but this composite is all about dismantling State education and support and opening up the market.

A lot of my working life has been about opening up chances for many young people to be the first in their family to go to university and how great is that. You do not have to go very far back to find the first in the family to stay on at school until 16 or

even the first in the family to get any sort of secondary education. Life has been very short in terms of our education system but we have a great one.

Does anyone think that the opening up of these opportunities would have been achieved by the assortment of individuals, special interest groups and private companies to whom this government is so keen to hand over our education service? You do not have to work in education or be a parent to take an interest in this. Education belongs to all of us. Change is necessary. We live in a changing world. We do want better for all our young people and children, but we are clear. We want to see the change within the framework of a state education system, democratic and accountable. Support this composite and campaign. (*Applause*)

**The President:** There is no right of reply so we will move immediately to the vote.

\* *Composite Motion 11 was CARRIED*

### **The McCormac Review of the Scottish teachers' pay and conditions of service**

**The President:** We now move to Motion 58, the McCormac Review of the Scottish teachers' pay and conditions of service. The General Council supports this motion.

**Alan Munro** (*Educational Institute of Scotland*) moved Motion 58.

He said: Congress, today Professor Gerry McCormac delivered his report entitled "Review of Teacher Employment" to the Scottish Cabinet Secretary for Education and Lifelong Learning. Every teacher in Scotland will pore over his report and question whether it offers the prospect of enhancing teacher professionalism or

whether the stability that was secured in industrial relations in Scotland's schools following the 2001 pay and conditions agreement, when teaching unions, Scottish ministers and employers concluded a landmark deal, is at an end.

This 2001 agreement, entitled "A Teaching Profession for the 21<sup>st</sup> Century", was very significant. While the pay element has often attracted attention, the so-called pay bonanza was largely a catching-up exercise bringing Scottish teachers' salaries into line with graduate earnings across the economy. The reason the agreement was so significant was that it was built upon open negotiating machinery founded on trust. That trust has largely evaporated. Before setting up this Review, the Cabinet Secretary made no reference to the Scottish Negotiating Committee for Teachers ('SNCT') or to teachers' unions. The terms of reference of the Review included public expenditure issues and affordability.

The Cabinet Secretary took the decision that change was needed and in so doing he failed to discuss his decision with SNCT partners. As we move forward from the Review, there is unlikely to be a basis for teachers to trust COSLA, the organisation of employing local authorities in Scotland, to embrace genuine dialogue through the SNCT as giving the COSLA submission to McCormac was cost-driven and managerialist.

McCormac has resisted the demands to cut costs by, for example, raising class contact time for teachers. There is real concern that his desire for a flexible approach to working hours will threaten the stability provided for in the current agreement. McCormac raises significant concerns for the EIS in his report by, for example,

totally disregarding workload, which is a massive issue for teachers; by removing reference to the detailing of what can be expected of teachers in routine administration; by replacing the defined list of duties of teachers by reference instead to professional standards; by seeking to define working hours flexibly; using other professionals to deliver parts of the curriculum, and the removal of chartered teacher status thereby closing down a route for professional advancement. These last two, using other professionals and the removal of the chartered teacher status, are both opposed by the General Teaching Council for Scotland, which has expressed concerns.

The report is clear. It is solely for the SNCT to consider alterations to the current handbook setting out our conditions of service. That in itself is welcome. The retention of collective bargaining arrangements is, we believe, a prerequisite to proper workforce engagement. Despite the list of concerns that we have, it is important that Scottish ministers and local authority employers recognise that change cannot be imposed and must be considered properly through the bargaining machinery. We are now entering into a difficult period of negotiations, compounded, of course, by difficult economic factors.

This is a challenge for all public sector unions, as we know. While McCormac has recognised that the SNCT is the appropriate body to take changes forward, there are serious concerns that the Cabinet Secretary, who showed a cavalier disregard for the bargaining machinery in setting up this Review, and the Scottish employers, who have an outdated managerialist approach to changes, will refuse to negotiate meaningfully. The industrial landscape for teachers in Scotland would therefore be

very bleak as they are for all public sector unions. The immediate challenge will be to protect our bargaining machinery and our members from changes imposed from above. We seek support, Congress, for the aims of this motion and move Motion 58.

*(Applause)*

**Dave Harvey** (*National Union of Teachers*) seconded Motion 58.

He said: As the NUT has a sum total of zero members in Scotland, Congress might find it slightly odd that we are speaking on an issue which appears only to affect teachers in Scotland, but given our strong and longstanding relationship with the EIS, we are very pleased to second so that we can demonstrate support for our Scottish colleagues.

Teachers in England and Wales had changes to terms and conditions imposed upon them by the last Tory government in the 1990s so we are only too well aware of the direction that a one-sided review can lead. Sidetracking existing bargaining machinery, as happened in England and Wales 20 years ago and as is beginning to happen in Scotland now, can lead to the removal of collective bargaining rights, as occurred in some North American states earlier this year. The NUT wants to salute the public sector workers in places like Wisconsin where our brothers and sisters are still waging a vigorous and determined fight against those state governments which are trying to undermine their rights.

The NUT welcomes the fact that the EIS has brought this issue to Congress. It is confident that delegates will express solidarity through a unanimous vote of support for it. *(Applause)*

**The President:** There is no right of reply so we will move immediately to the vote.

\* *Motion 58 was CARRIED*

**The President:** That completes Chapter 6 of the General Council Report.

### **E1 TUC response to the riots**

**The President:** We now go to Emergency Motion 1, TUC response to the riots. The General Council supports the emergency motion. We are running a little behind time so if the contributors that we call could be as brief as possible, we will be able to get this through before lunch. It is moved by the POA and seconded by the Fire Brigades' Union. I call on the POA.

**Steve Gillan** (*The Professional Trade Union for Prison, Correctional and Secure Psychiatric Workers*) moved Emergency Motion 1.

He said: We are absolutely delighted with the TUC response to the riots. We believe that it is balanced, fair, appropriate and something on which the trade union movement can build. There has been a lot of knee-jerk reaction and we have seen some disgraceful comments from the coalition government and senior politicians in relation to blaming certain sections of society. Indeed, Kenneth Clarke made comments last week when he said that it was "the broken prison system which caused the riots". Well, he would say that, wouldn't he? It is because he has an agenda of privatisation on his mind for our public services including prisons. I believe that a

more appropriate headline would have been, “Broken coalition government policies contributed to the riots.” That is the reality. *(Applause)*

What we cannot allow to happen, as a trade union movement, is for them to deflect attention away from the real issues. We have an opportunity to mould our views so that we can influence government.

I want to speak about the brave public sector workers who protected the general public such as prison officers and related grades, fire-fighters, police officers, ambulance workers, nurses and doctors. That is against the backdrop of having two-year pay freezes, attacks on their pensions and a variety of other issues. They put the general public first before themselves. The government needs to get to the root causes of what has happened to our society. We all know what some of those causes are: alcohol abuse, drug abuse, mental health issues, education, social exclusion, deprivation and unemployment. Until the government gets to grips with those issues, we are just going to go round in circles.

Congress, I think this is an opportune moment to place on record our condolences to the families and friends of those who lost their lives during the riots. I leave here with this: the General Council has to influence this coalition government in establishing the true underlying causes of the recent riots. We should not allow them to deflect attention away from those issues. *(Applause)*

**Rose Jones** (*Fire Brigades’ Union*) seconded Emergency Motion 1.

She said: The Fire Brigades' Union is happy to support this emergency motion from the POA. Fire fighters, along with other emergency services, shop workers and others in the private sector, were at the sharp end of the August riots. Fire fighters were ambushed, shot at, spat on, threatened with knives and verbally abused whilst trying to help our communities. The trade union movement needs to be clear: we condemn attacks on workers in all sections. No one goes to work to be attacked. No worker should be attacked doing their job.

I am sad to say that these attacks were not a one-off for fire fighters. They face physical attacks on a daily basis. FBU research has shown that there are at least 1,500 serious assaults on fire fighters every year. That equates to 40 a week. Both the present and previous governments have done nothing to tackle this issue.

For the FBU, the wider context is important in this debate. It was no surprise to us that the riots took place in some of the most impoverished communities in England and no surprise that the communities are facing some of the most savage cuts at the hands of this government. Already this year 1,000 fire fighter frontline jobs have been cut with plans to cut thousands more. The metropolitan areas like the West Midlands and Greater Manchester have been the hardest hit with fire fighters and control staff stretched to almost breaking point during these riots.

In the run-up to the election, David Cameron had a photo call at a fire station whilst also claiming that there would be no frontline cuts. We did not believe him then and we do not believe him now. This is the message to David Cameron: we do not want

your Tory right wing law and order agenda. Stop cutting our services. Stop destroying our communities. (*Applause*)

**Helen Flanagan** (*Public and Commercial Services Union*) supported Emergency Motion 1.

She said: I welcome the POA raising these issues at Congress as any attempt to have a sensible discussion on these matters has been treated with aggression and contempt from elements of the press and politicians alike. The motion rightly states that we cannot condone the actions of rioters and looters. They were not a progressive outburst of anger and were very divisive, but we know that it is one thing to condemn and another not to analyse.

The conditions of mass unemployment, deprivation and cuts cannot be ignored. Our society is more unequal today than it has been at any point since the 1930s and the impact on young people is acute for reasons already set out by speakers today. It is clear that young people are suffering the brunt of the economic crisis. However, being young does not make you a rioter and whilst it could be said that young people may be more vulnerable to the dominant culture of consumerism, we should not fall into the trap of allowing focus to be on age and therefore division because this is clearly a class issue.

The trade union movement has a role in developing a joined-up planned response and we should prevent a permit being given to police to crush anyone who shows opposition. We should expose injustices in a criminal justice system and not allow sentencing to be undermined with the severe penalties we have seen, e.g. a six-month

prison term given to someone for stealing a bottle of water. In our response, we should go beyond pushing the government to establish the underlying causes, but force changes in society to provide a decent future for young and working class people.

**Mary Bousted** (*Association of Teachers and Lecturers*) supported Emergency Motion 1.

She said: What lessons should we learn from the riots? David Cameron's delayed reaction to the recent riots was not his finest hour. The Prime Minister's talk of a slow motion moral collapse which has taken over parts of our country in these past few generations did nothing to explain the causes of the chaos which for a few days hit parts of our inner cities. When politicians talk of morality, it is time to ask hard questions.

Let us start with David Cameron's announcement of a family test which is to be applied to all government policy. "If a policy stops families from being together", he said, "we should not do it." But, David, how are families going to be helped to spend more time together when over one million of them will be stripped of child benefit by 2013? This measure alone will tip the balance towards two parents having to work full-time and fitting child care and contact around the edges of the day when both are too exhausted to do more than go through the motions of a bedtime story.

Another hard question that the coalition government is furiously ducking is the effect of local government spending cuts on support for the most vulnerable children and young people. Despite the government's denials, it is clear that Sure Start provision,

which has been so effective in helping the most vulnerable parents to cope more effectively with the demands of bringing up babies and toddlers, is being cut to the bone. Children's centres are being closed while youth and community workers are being made redundant in a programme of savage cuts which disproportionately affect the most dispossessed.

Harriet Harman was quite right to raise the abolition of the Educational Maintenance Allowance when debating the causes of the riots with Michael Gove. The Secretary of State's furious reaction was more an indication of his fear that the riots could, in part, be explained by a huge sense of injustice felt by inner city youngsters that they are excluded by accident of birth from a better life. It is a blot on our nation that 15% of all 16 to 24 year olds are not in employment, education or training and it is disgraceful that in one of the richest societies in the world, we are prepared to waste a generation of young people on the sacrificial alter of budget cuts for a banking crisis that they did nothing to create. *(Applause)*

So when David Cameron talks of a moral collapse, does he include in his analysis the greed of the bankers which precipitated the financial crisis that has so devastated the current living standards and the hopes of the poorest? Does he understand the complete sense of hopelessness engendered by the prospect of unemployment and existing on the margins of society with skills and talents going to waste while the devil makes work for idle hands?

To raise these questions is not in any way to condone the criminality, the violence and the murderous disorder of the riots. Those involved in the riots must be subject to

justice, but legal redress alone will not make things better in the future. To coin a phrase, “We have to be tough on crime and tough on the causes of crime.”

I have one final thought. The riots happened in the school holidays. The function of schooling in giving purpose and order to young people whose lives are haunted by absent parents, family disorder, financial worries and dangerous neighbourhoods has not been adequately understood. For many of our poorest children and young people, school is the place where they learn what it is to be a good citizen, how to respect others and crucially how to have respect for themselves. Teachers are immensely skilled in building a better society. Instead of initiating another review of schools, David Cameron would do better to ask teachers just how they instil citizenship and respect in young people for others. He would be much better enquiring just how teachers do it. (*Applause*)

**The President:** There is no right of reply so we will move straight to the vote.

\* *Emergency Motion 1 was CARRIED*

**The President:** That concludes the morning’s business, but I hope you will be polite enough just to let me finish the announcements. I remind delegates that there are various meetings taking place at lunchtime. Details of these meetings can be found on page 11 of the Congress guide. I would also like to remind delegates to complete and return the equality monitoring form which has been sent to them. Delegates should receive lilac forms which should be returned to delegation leaders. If any delegates have not received a form, they should see their delegation leader.

Delegation leaders should return their white forms in the box provided at the TUC information point at the bottom of the entrance stairs.

Congress is now adjourned until 2.15 this afternoon. Thank you.

*(Congress was adjourned until 2.15 p.m.)*

### **AFTERNOON SESSION**

*(Congress reassembled at 2.15 p.m.)*

**The President:** Good afternoon. I call Congress to order. Many thanks once again to the RGS Senior Chamber Group who have been playing for us this afternoon. Please show your appreciation in the normal way. *(Applause)*

Delegates, you will see that a delegates' questionnaire has been distributed on your chairs during the lunch break. Please complete and return these to the TUC information point situated at the bottom of the entrance to the stairs.

Congress, as you know, we have three outstanding emergency motions. I intend to try to take two of those emergency motions this afternoon, Emergency Motion 3, English Defence League, to be moved by the NUJ, and Emergency Motion 4, Agency Workers, to be moved by Unite, after the scheduled business this afternoon and before the ballot results for Section C of the General Council. I will be taking Emergency Motion 2, Pre-Abortion Counselling, tomorrow. I will let you know if it looks likely nearer the time. Would the movers and seconders, however, please be ready? Thank you for that.

## **Congress Awards**

### **Presentation of lay rep awards**

**The President:** Delegates, we are going to start this afternoon by recognising the immense contribution made by the lay activists in our unions. The first award to be presented is the Organising Award, which this year goes to Anas Ghaffar of Usdaw. Anas became a union rep just three years ago and since then he has graduated from Usdaw's Organising Academy and now runs a team of 12 store reps. He has managed to boost people's awareness of the union and what it can do for them. In the last six months alone he has recruited over 300 members. That is a brilliant achievement. Anas, will you come up? That is brilliant. *(Presentation amid applause)*

**The President:** The next award is the Women's Gold Badge. This year's recipient is GMB member Evelyn Martin MBE. *(Applause)* Evelyn came to the UK from the Caribbean in the 1960s and has dedicated her whole working life to looking after others, as a mother, a care worker, a union activist, and a member of her church. She has been an active trade unionist since 1973 and today she combines her union activity with helping homeless people in Stoke Newington. So, Evelyn, would you come up to take your award. Well done, Evelyn, richly deserved. *(Presentation amid applause)*

**The President:** This year's Safety Rep Award goes to Cliff Mayor, who is a member of UCATT. Cliff has been active in unions and has had a particular concern about health and safety of his colleagues since he was 17. His proudest recent achievement is a system he has developed that allows his members to report health and safety

issues easily and confidently. So, Cliff, will you come up and have your award presented. Well done. (*Presentation amid applause*)

**The President:** The winner of this year's Learning Rep Award is Jonathan Waterhouse, who is a member of Usdaw. As well as improving his own qualifications via Union Learning Jonathan has encouraged 100 of his colleagues to achieve their first full Level 2 qualifications and is currently using the promotion of the Union Learning Agenda to increase membership. Jonathan, come up and receive your award. Well done. (*Presentation amid applause*)

**The President:** Our final award for this year is the Congress Award for Youth, which is awarded to Nick Parker. Nick is a member of the PCS and works at the Job Centre Plus call centre in Lincoln. As well as organising a number of workplace campaigns Nick is involved in the Lincoln and District Trades Council, where he has campaigned against the far right and organised the Trades Council's first May Day Rally for 20 years. It is great to have young people participating like that. Come up and receive your award, Nick. Well done, Nick. (*Presentation amid applause*)

**The President:** Congress, that completes the Lay Rep Awards. Delegates can read more about the award winners and their achievements in the Congress Guide. I am sure you will want to join with me in sending our congratulations to all the award winners. Well done. (*Applause*)

Now I call paragraph 10.3. We return to Chapter 4 of the General Council Report, Economic and Industrial Affairs and the section on Transport, page 78. I call

paragraph 4.12 and Composite Motion 7, Defending public transport. The General Council supports the composite motion.

## **Economic and Industrial Affairs: Transport**

### **Defending public transport**

**Bob Crow** (*National Union of Rail, Maritime and Transport Workers*) moved Composite Motion 7.

He said: Thank you, president, delegates. I am delighted to be supporting this composite with other rail unions. Brothers and sisters, I do not know if people are aware of the Sir Roy McNulty Report but the Sir Roy McNulty Report was actually commissioned by Labour and is now being carried out by the Conservatives and Liberals. It is ironic, really, that in the 1960s the Beeching Report was initiated by the Conservatives and rolled out by Labour.

We have a situation now with a railway industry where, I have to say and as Ed Miliband said this morning, we need agents for change. I have always been one of those agents for change. The reason why I am an agent for change is that over 110 years ago we had 120 different railway companies operating in Britain and those 120 railway companies in Britain went to four big companies, then just after the War it was nationalised, and now we are back again to 103 railway companies. We have seen steam, we have seen diesel, we have seen electricity, we have always seen change in the railway industry, but all of a sudden this bloke, Sir Roy McNulty, walks

along and says he knows what is best for the people who travel on the railway and work on the railway.

What he is basically saying and has come up with, and I suppose he would do, really — if you are paid over £200,000 you would — is the answers that people want. People should read this report. Don't read the report, actually, just have a summary of the report. This morning there was a fantastic debate I heard here and a speaker mentioned hypnotic drugs, about people having hallucinations and one thing and another; McNulty must have been on those drugs, I reckon. That is what he must have been talking about. (*Laughter*)

McNulty says that the British railways are 30% more expensive than they are in Europe. I will tell you the reason why they are 30% more than they are in Europe: ours are privatised and theirs are nationalised. You do not have to be a genius to work that out. (*Applause*) He says that we are the fourth most productive railway in Europe, our workers. Of course, we have a unique railway system. It ain't like from Barcelona to Madrid where you have a brand new track and brand new infrastructure, and a fantastic piece of railway, can I say.

Network Rail has to pay the train operating companies £125m to maintain their railways for them. You imagine having someone come round to mend your washing machine and they knock at the door, your washing machine is broken and your laundry is inside, and the washing machine bloke (or woman) is standing there with his bib and braces on, and you say to him, "By the way, mate, before you come in here I want to charge you £10 to come and repair my washing machine." (*Laughter*)

He would think you had gone crackers but that is what this lot are doing. We have to pay those people £125m to maintain their railway and on top of it since 1994 they have received over £20bn of taxpayers' money to run the railway.

When people talk about saving money and we need to get real, I will tell you how we need to get real. Ed Miliband said this morning that the East Coast Mainline railway was running well, but it is nationalised, that's what it is. I will tell you what, to my good friend Paul Noon I say, you haven't got to pay a single penny of compensation. All you do is when the contract comes up change the colour of the trains, give the staff new overalls, and say, "Thanks very much, Mr. Branson, away you go, we're going to run the railways, save the money, and give it to the nurses and doctors, and education. Away you go." (*Applause*)

Brothers and sisters, at a time when people are saying they are hard-pressed, under capital there are certain rules that are applied. If, for example, energy prices go up by 18%, then you have to pay it. If raw materials go up by 20%, you have to pay it. If train fares go up by 8%, you have to pay it. But when a worker asks to put their labour up they say they cannot afford it and the reason why is big businesses have an ideological hatred for working people. They do not want you to have anything. It is about time we recognised the fact that if you want to have economic success you only have to take the railways back. You ain't got to spend a penny in compensation. It is about time we said to these people, "These railways were stolen off us without a penny of compensation and it's about time it's put back in the hands of people that work it and travel on it." (*Applause/Cheers*)

**Simon Weller** (*Associated Society of Locomotive Engineers and Firemen*) seconded Composite Motion 7.

He said: We had some involvement with McNulty when he had the great and the good of the railway all gathered in the King's Rooms not far from here going through what he was proposing, what he was going to say to us, and we had some death by PowerPoint. It was nine hours of PowerPoint. One of the slides was on unproductive relationships within contracting and how the railways operate. Unproductive relationships: trade unions. It begs the question, unproductive for whom? The response from McNulty was, "Well, you've done all right for your members but you're old-fashioned." That was his entire response to the unproductive relationship that they saw as the trade unions. I think the clues became clearer further on when there was a slide about two hours later, and this is verbatim, on, "Changes to terms and conditions, especially drivers, will generate cost savings." That tells you where they are coming from.

They say pay is too high in the railway. They say there has been wages drift. What they forget is when we were privatised we spoke to the new employers and restructured. We were keen to restructure. The reason we have decent wages in the railway is because we are unionised, because we discuss productivity, because we discuss flexibility, and because we negotiated commitments, and in return we obtained a four-day week, a 35-hour week, and an increased salary. (*Applause*) If this is what was being discussed earlier today, about, "*Modernise or die*", and "*Don't be the opponents of change*", I will have to tell you that as a trade union ASLEF was doing it nearly 20 years ago.

The Tories have not modernised, they have not changed, it is the same mantra, “*Attack the workers*”. When faced with their botched privatisation, and it is botched, they identify the problem as being fragmentation. Their medicine to cure the railway is more fragmentation. We have to remember that it is a deadly fragmentation too.

One key recommendation is to give the maintenance of the track and signalling to the profit motivated train operating companies. The last time track and signalling was handed to a private profit motivated company it was Rail Track. We do not want to see the return of Rail Track and we must really pray we do not see the return of Ladbroke Grove, Potters Bar, or Hatfield. (*Applause*)

**Gerry Doherty** (*Transport Salaried Staffs’ Association*) spoke in support of Composition Motion 7.

He said: One of the drawbacks of being General Secretary of a railway union is that you usually have to follow Bob Crow when he has said everything, but as has been said before from this rostrum, McNulty, for £200,000, actually identified what was wrong with the railways, and everybody knows it.

There are two issues. Simon mentioned that one is fragmentation and the other one is ownership. Why is it costing so much to run Britain’s railways as opposed to Europe? It is because we run it for a profit and other places run it as a service to passengers. McNulty identifies fragmentation and Simon says his solution, at £200,000, is more fragmentation. I thought if that is a difficulty you reintegrate. Even Sir Roy McNulty does not appear to understand that. He does talk about wage drift and, as Bob said, the report identifies that it is the fourth most productive workforce in Europe.

McNulty says not a word about executive reward, not a word; not a word about Souter taking £55m out two or three months ago in the same week that it was announced the train fares were going to go up by 8% in January. These people have an affront to them. Richard Branson, that great entrepreneur, has not really cured the West Coast mainline but he has personally taken £18m out since privatisation. I am not going to say anything about Iain Coucher, who was until last year the Chief Executive of Network Rail, and the excessive bonuses that he paid himself.

Listen to this. One of the recommendations from McNulty, recommendation 24, is less restrictive franchises to allow TOCs more freedom to respond to the market. That means to the TOCs shut train stations, and he recommends the closure of 675. If people stop using trains because they become dangerous, they become no-go areas at night, then you respond to the market. This is Beeching Mark II. Bob mentioned Beeching. People will stop using train stations because they will be less attractive to them, particularly women, particularly the disabled.

So, what do we do? We need to come together to fight this. This is not about trade unions themselves standing alone and arguing against McNulty. We have to involve passengers. We have to involve the whole of the trade union movement. It is our railway. It should be given back.

This is the last time I will come to the rostrum to argue for public ownership of the railways. I am going to retire in a couple of months. I have been coming here for the last eight years arguing this and for eight years you have supported us. This morning

when Ed spoke that was the first time a Labour leader has not actually ruled out nationalisation of the railways. He did not actually say he was going to do it but he did not rule it out either. Ed, I am telling you just now, bring it back in. It will be cheaper, it will be better, and it is the right thing to do. (*Applause*)

**Jim Kelly** (*Unite the UNION*) spoke in support of Motion 39.

She said: Chair, Unite is the leading bus workers union. We have firsthand experience of what happens to the public transport system when you leave it to private fat cats. Thatcher's privatisation and deregulation of the buses in 1986 was a disaster for local bus services. The McNulty Report is a continuation of the failed policies of fragmentation, deregulation, and decline in services. Fares have risen faster than inflation, passenger numbers have slumped, and frequencies have been cut while bus workers' terms and conditions have suffered. What has happened since 1986 shows that private transport companies are in fact national monopolies and that competition does not work for workers or passengers in transport.

This ConDem government now is cutting 20% of the money it gives to local authorities for public transport. It puts more bus services in jeopardy. Some rural counties risk losing 50% or even 100% of their council-funded bus services. Chair, other councils are cutting all weekend and evening services. In many areas concessionary fares schemes for young people and for free bus pass holders during the peak hours are being withdrawn. Cuts to public transport impact on the elderly, young people and the unemployed. So much for social inclusion. Chair, together these changes will mean another £100m in funding being lost from the bus network.

All in all, buses could be tipped into a spiral of decline from which they will struggle to recover.

McNulty believes that fragmentation was the main cause of the high cost of rail travel. Unbelievably, he suggested that a further break-up of publicly maintained rail is the solution. Moving control over access and maintenance duties from Network Rail will see standards fall, creating increased risks and more costs. Colleagues, what we need is not McNulty. What we need is a safe, low-carbon, environmentally friendly, public transport system with good jobs, and good terms and conditions for unionised members within that industry.

I will finish with this, colleagues. The composite calls for an industrial fight-back and it calls for linking in with our communities. That is absolutely right, fantastic goals, and I am sure we are all going to support them. I am somebody who works in London in the transport sector. We are now going into an election. We are eight months away from five million Londoners voting for the next Mayor of London. That Mayor of London has the TfL budget, the biggest local authority budget in the country. His policies impact on taxis, the Woolwich ferry, buses, the Underground, CrossRail and train services. Colleagues, it is up to us as a trade union movement to link in with our communities to defeat the most high profile Tory outside of central government. We need all our union movement, all of our community behind that goal in May next year. To that end we need the trade union movement in London backing Ken Livingstone for the next Mayor of London. Thank you, Chair. (*Applause*)

\* *Composite Motion 7 was CARRIED*

## **Thameslink Rolling Stock project**

**The President:** I now call Composite Motion 8, Thameslink Rolling Stock project. The General Council supports the composite motion.

**Simon Weller** (*Associated Society of Locomotive Engineers and Firemen*) moved Composite Motion 8.

He said: This is another example of ineptitude from the Government, another example that we are not all in it together. The Tories' decision to allow the contract for the Thameslink Rolling Stock (which will go from the south of England to the Midlands) to go to the German-based Siemens rather than the Derby-based Bombardier has dealt a death blow to train manufacturing in the UK. We cannot put it any more starkly than that. ASLEF understands what a grave decision this has been for the Bombardier workers.

We met our Unite colleagues two years ago to discuss this very issue. We were there because we are the end user, discussing changes to the rolling stock, to the driving cabs. The Secretary of State, Hammond, claims it is EU procurement laws that stop him making the correct decision. It is also a ridiculous decision because there are compatibility issues. Where this rolling stock is going to run, as I say, from Brighton on the south coast upwards, it runs through an area where the other train operating companies all operate Bombardier rolling stock. What they are proposing to do is to put a completely incompatible type of rolling stock in amongst all the other stuff. If it breaks down, there is no way of clearing it out of the way. Hammond says, "Oh, it's

the EU procurement laws.” Somehow the French government gives its rail contracts to Alstom, which is a French firm, the German government gives its contracts to Siemens, which is a German firm. The Spanish government goes slightly better. They do not have a tradition of building trains, they do not have a train-building manufacturing base so they create one to give their contracts to their own manufacturing base.

What do our lot do? They do nothing. They mither on about value for money yet do not take into account the cost of the social devastation in Derby, the roll-on and knock-on effects on the supply chain that supplies Bombardier and the workers that are in the supply chain, the communities and firms that rely on those workers that rely on other workers. They do not consider that. What they do not even consider is that the tax revenue lost in Income Tax and the other bits and pieces is greater than the difference between the two bids.

Hammond told us, the unions, he could do nothing about it. We met him recently and he said, “Well, there is nothing I can do. I can’t do anything about it,” but last week he told a Select Committee he could do something. Now he describes going back and doing some proper consideration about the social impact. It is the nuclear option. What option do the laid-off workers of Bombardier have with the nuclear winter that has just been bestowed on them by the Tories? Support the Bombardier workers, support this composite. (*Applause*)

**Diana Holland** (*Unite the UNION*) seconded Composite Motion 8.

She said: I want to begin by paying tribute to the Bombardier workforce and the people of Derby. This struggle over the Thameslink contract is one in a long line since the disaster of Tory rail privatisation. The Bombardier site is currently the last UK based manufacturing site and workers have seen it change hands five times in the last 12 years. Unite is the lead union on site and we are campaigning together as joint unions with RMT, TSSA and GMB. The rally in Derby on 23<sup>rd</sup> July was supported by thousands. I felt we were the most popular people you could find; everybody came out onto the streets to support us. The support from across the TUC and the trade union movement in Europe and internationally has been overwhelming.

Over the summer we have been building this huge alliance, an alliance calling on the government to step back, to look again at the full cost of the contracts and to stop looking for excuses by blaming the last government and blaming European law. They must act now to ensure a future for a very proud history of rail manufacturing in this country. We met the Transport Secretary, Philip Hammond, last week and I gave evidence to the Transport Select Committee. Our questions remain: 1. Has the contract been awarded on ability to manufacture trains or on company credit rating? The structure of the contract is new, 30-year leasing added to manufacture and maintenance placing Bombardier at an absolute disadvantage financially right from the start. 2. Why is it that social and economic costs were not even calculated, that is what Hammond said, let alone taken into account?

Everyone in Derby is affected. 1,400 jobs are threatened right now, a world-class training centre is under threat, 15 apprenticeships have been stopped and a further 100 cancelled. Social costs also include workers in the supply chain; not one constituency

will be untouched, more or less. Over 800 sites throughout the UK supply the Derby site and a further 200 sites globally. A detailed Unite study has shown that already nearly half of those have started to make people redundant and within the next 12 months the rest will. Compare this with Siemens' statement that if they had lost the contract no jobs would have been lost in Germany or the UK, and Hammond is still claiming that this is best value for UK taxpayers. Just which planet is he on?

Finally, our third question, why is the government not taking action even now as Labour's Transport Secretary did at the same stage in the Intercity Express programme, and in Belgium where protests led to action to protect their last rail manufacturing site?

This motion is about saving UK rail manufacturers, it is about Derby and the East Midlands' economy, it is about skills and the future for young people and workers across the country, it is about implementing social clauses and fighting for better, and keeping UK rail manufacturing on track. I support. (*Applause*)

**Audrey McJimpsey** (*Community*) spoke in support of Composite Motion 8.

She said: Congress, Community is supporting this composite because it is about procurement, it is about the mistakes in procurement that successive governments have made, and it is about the damage those decisions are having on our communities. Sadly, the Thameslink decision is just the latest example. As ever it is not just the company that loses the contract that suffers, it is the suppliers, the contractors, and most of all the local community.

I work at Royal Strathclyde Blindcraft Industries. It is a supported employment factory where the overwhelming majority of the workforce is disabled people. It is a vital source of employment. Most of our business comes from procurement, and rightly so. It is really important to me and my members that local government, devolved government, and Westminster, think about the consequences of procurement decisions. They need to think about value for people not just value for money. After all, where is the value for money to the UK government if the decision puts hundreds of thousands of UK workers on the dole?

The fact is the power is already in place so that governments can procure goods or services close to home. They can add community benefit clauses to tenders that ensure local communities can benefit from what is taxpayer's money. Article 19 allows the right to reserve contracts to supported businesses which employ a majority of disabled workforce. The problem is that the government do not use these powers, they just count their pennies. When manufacturing is suffering the economy is struggling and when people are losing their jobs we need all the help we can get. Building our own trains would be a good start. Please support this composite. Thank you. (*Applause*)

**Ian Murdoch** (*National Union of Teachers*) spoke in support of Composite Motion 8. He said: "What are you thinking of doing when you leave school?" That is a question secondary teachers have to ask all the time. If you teach in Eton or Winchester you can probably do it without a lot of trepidation for the feelings of the pupils that you are asking it of. You may have a bit of trepidation for the country if it is a young Cameron or a Clegg minor that you are asking the question of, but in most

state schools today it is a lot harder to look your pupils in the eye when you ask this question, with youth unemployment soaring and with training and education opportunities being cut away. If you teach in a secondary school in Derby, what are you supposed to say when so many of your bright enthusiastic pupils are facing unemployment?

I have been an economics teacher and I guess the government would want me to say, “Fair competition rules in the European Union means that generations of skilled employment in this town has to come to an end, girls and boys.” “Oh, dear,” they say, “so what is the Plan B for us and our families?” The government says, “There is not a Plan B. You don’t plan things like jobs, they depend on market forces. If you are cheap and flexible, and grateful, maybe some kind of job will come along one day.”

If it happens like it did in the 1980s with the coalfields, with the steelworks, with the engineering works, maybe a job will come along in 10 years’ time, 15 years’ time, 20 years’ time, not that any self-respecting teacher would peddle this neo-liberal twaddle, I hope. (*Laughter*) The truth is that the kinds of market forces that are at work in Derby are not an external event like the weather. This market is rich, greedy, selfish people who will devastate whole communities if they are given the chance to make just a slightly bigger profit. They can do this when no one makes them pay, as other speakers have said, for the external social and economic costs that they generate by their activities in Derby, or anywhere else.

Congress, it is time that this worship of the market by all politicians was brought to an end. It is time our movement made it change. We need a plan B. That plan B has to

be a planned economy. It has to be a slightly stronger plan B than our speaker this morning was suggesting, I would suggest. We cannot let another generation be thrown on the Thatcherite scrapheap. I and other teachers when we look children in the eye want to be able to tell them that they have a real future in this country. Thank you. (*Applause*)

\* *Composite Motion 8 was CARRIED*

### **Maritime safety**

**The President:** I now call Motion 42, Maritime safety. The General Council is supporting the motion.

**Mark Dickinson** (*Nautilus International*) moved Motion 42.

He said: For almost a year now my union has been fighting government plans which threaten drastically to reduce the support system for shipping, seafarers, and the public, in distress around the UK coast. It was a very proud moment in my union's history when we were able to join all of you, all our sisters and brothers, on that historic occasion on the *March for the Alternative* on 26<sup>th</sup> March. Today we are here to appeal to you the delegates to support our call for ministers to abandon their proposals for cuts in the maritime safety net and to ensure that the Maritime and Coastguard Agency, the MCA, and the staff, have the staff and the resources it needs to match the marked rise in the demand for its services.

Britain is an island nation, I do not need to remind you of that, and we remain highly dependent on shipping for our economic wellbeing. The amount invested in protecting our maritime industry is already woefully insufficient and the plan to slash the MCA's budget by more than 20% over the next four years will see the end of the contract for four emergency towing vessels at key points around the UK coast and the scrapping of the Marine Incident Response Group that provides specialist fire-fighting chemical and rescue emergency support for ships around the UK, not just UK ships of course.

Ministers had also been planning swingeing cuts in the Coastguard Service, involving the closure of more than half the coastguard rescue stations around the UK, but thanks to a united and sustained campaign by the unions and the public the government have backtracked on that with a modified package that will at least retain a national network of 11 operation centres and sub-centres. The threat to the ETVs and to the MIRG service remains and at the end of this month the UK could be left with no emergency towing vessels and no cover around its coast.

ETVs were introduced in 1994 following the official report into the *Sea Empress* and *Braer* oil spills in Wales and in Scotland. They have since become a model for other countries. On average, they have been called out around 180 times a year and the number of recent incidents and near misses in the Channel alone demonstrates the value of these vessels. If they are removed, the costs of any future oil disaster and spill could far outstrip the entire £80m the government aims to save through these proposals. Indeed, the *Sea Empress* disaster alone cost more than £140m to clean up and the economic and environmental costs of a similar disaster today could cost in

excess of £1bn, or more. It is not just the money that we are talking about, it is the safety of life at sea, it is passengers and crews, and of course the wellbeing of the marine environment.

Nautilus is also very disturbed at the potential loss of the Marine Incident Response Group. That was launched in 2006 following long-running concerns over the decline in the number of fire brigades capable of delivering emergency support at sea. With ships getting bigger, carrying more passengers, carrying ever more hazardous cargoes, and alongside significantly reduced crewing levels, the support offered by this service remains critically important. Scrapping it will save the DFT £340,000 a year — £340,000 a year.

So, what price safety at sea? It is thanks to the professionalism of Nautilus and RMT members that shipping disasters in our waters are rare but scrapping these vital services is like cancelling your home insurance because you did not have a fire last year. It is essential we retain these services and the ability to cope with maritime emergencies as they occur. The cuts in the MCA budget pose serious social threats to seafarers. The flag has grown a lot since 2000 but the increases in the budgets of the MCA have not kept pace. The National Audit Office investigated this and concluded it is under-resourced. We have not ratified the ILO Maritime Labour Convention, Liberia and Panama have, and we have not and we are being taken to court by the European Union for failing to implement the European Port State Control Directive. I have run out of time. Thank you, President. Thank you. (*Applause*)

**Alan Grey** (*Prospect*) seconded Motion 42.

He said: Congress, this motion continues the underlying theme of this week, which is government cuts and deregulation leading to serious impacts on service provision and increasing safety risks. This time it is in the maritime environment. Prospect represents the specialists in the Maritime and Coastguard Agency covering ship safety, technical support, vessel traffic management, hydrography, and safe staffing policy. All of these specialist areas are suffering serious recruitment problems because of government pay policy, and the resultant understaffing is making it difficult for the MCA to meet its current legal and statutory obligations. A further 20% cut in the budget for 2015 can only make that worse.

This is like a different deregulation slant here, Congress, where instead of trying to cut regulations they simply have not implemented them and have not resourced the MCA to enforce them. Despite the importance of the new directive on Port State Control, the lack of underpinning UK legislation and failure to update vessel traffic management regulations severely constrains the authority of the inspections. The failure to install a computer to implement the system or to provide the necessary portable IT equipment to inspectors makes enforcement almost impracticable. On top of that, Congress, penny-pinching over out-of-hours conditions means that there are no mandatory inspections at weekends, so Saturdays and Sundays is a good time to sneak in and sneak out of port in the UK.

I am pleased to report, Congress, that the MCA's attempts to undermine the collective bargaining process by asking volunteers to attend on the terms rejected by the trade unions fell flat; they did not get them so the situation still applies. Like most of the ConDem government's policies this is very much a false economy. The failure to

implement the directive by 1<sup>st</sup> January this year means that the UK will not be able to comply with the provisions for banning repeat offending vessels from EU ports and thus European infraction proceedings could financially exceed any spending on personnel or equipment that is required. Every government body of the MCA is suffering from under-funding and the malaise of low morale. If this leads to them not being able to function properly, the effect on maritime safety could be disastrous. Please support this motion. (*Applause*)

\* *Motion 42 was CARRIED*

### **Piracy/Royal Fleet Auxiliary**

**The President:** Now I call Motion 43, Piracy/Royal Fleet Auxiliary. The General Council supports the motion.

**Mike Jess** (*Nautilus International*) moved Motion 43.

He said: Colleagues, when your members are at work do they face the risk of being shot at with AK47s and rocket-propelled grenades, kidnapped, tortured, or held hostage for months on end? Ours do. Piracy, I am sorry to say, has been with us for centuries but it is a modern manifestation very different from Johnny Depp. It is a brutal and increasingly terrifying reality brought home only yesterday with the news of the brutal killing and kidnap of the British couple in Kenya. Unfortunately, it has been a big issue for our union for more than 25 years. In that time we have seen hundreds of members killed, injured, held hostage and threatened by an increase in audacious attacks. Numerically, it keeps on growing. Attacks worldwide increased

by 39% last year to 406 cases, the highest in six years but, even worse, the attacks are also getting more violent and seafarers are paying the price: over a thousand crew members held for ransom last year, 120 vessels fired upon compared to 74 in 2008, eight crew members killed and 68 injured, 153 ships were boarded and there were 84 attempted attacks. Already this year there have been 23 hijacks and seven deaths by Somali pirates. Ships are being forced to change their routes and piracy is starting to strangle important supply routes. The critical north-south run from the Arabian Gulf carries 40% of world oil. It is now costing the global economy around £12bn a year.

Against this background Nautilus and seafarers' unions worldwide have welcomed the deployment of naval forces in the high-risk areas. Their presence has clearly prevented many hijackings. The percentage of successful attacks fell from 65% to 17% last year and on average five out of every six attacks were repelled in 2009, but the pirates are smart. They have been changing their tactics to try and outflank the navies. Using hijacked merchant vessels as mother ships, they have shifted their focus from the Gulf of Aden hundreds of miles into the Indian Ocean.

Naval officers say that trying to keep a lid on piracy in the new sea area is the same as trying to police the whole of Europe with a handful of squad cars. The European Naval Force, for instance, consists of eight ships covering an area of 2.8 million square miles. Commanders say that is less than a tenth of the actual ships they need to secure the shipping lanes. So, the news of defence cuts reducing the Royal Navy surface fleet combined with the NATO action in Libya, which has seen ships switch from piracy patrols to supporting regime change in North Africa, has created a huge concern amongst seafarers serving in the danger zones.

A particular concern to us is the impact of the defence cuts on the Royal Fleet Auxiliary, a civilian service that provides vital at-sea support to the Navy. Three ships are being cut from the RFA fleet as a result of the Strategic Defence Review and around 400 jobs lost from the merchant seafarers who crew them. The cuts in the RFA, which crudely mirror the cuts in the Royal Navy surface fleet, not only undermine the already overstretched capacity to provide efficient, effective anti-piracy patrols but also jeopardise the UK's ability to protect its seafarers. These reductions also affect the UK humanitarian programmes. Only last week the RFA vessel, *Wave Ruler*, was delivering post-hurricane relief to island communities in the Caribbean. Where the Royal Navy goes the RFA goes in supporting military or peacekeeping operations all around the world. The RFA has a remarkable history that stretches over a century of service and support, and the Nautilus and RMT members who work in the RFA fleet not only have a wide range of specialist skills but also frequently go into frontline service as civilians alongside the armed forces.

Colleagues, it is bad enough that piracy has come out of the history books to haunt our members in the 21<sup>st</sup> century but it is even worse if government spending cuts are to result in the erosion of what little naval protection they currently have. Please support this motion, support Nautilus and the RMT in our joint campaign to protect our members, international seafarers and a vital strategic support delivered by the RFA. (*Applause*)

**Mick Tosh** (*National Union of Rail, Maritime and Transport Workers*) seconded Motion 43.

He said: Just about a year ago a petition was handed into the International Maritime Organisation that had one million signatures on it. It said, "*Enough is Enough.*" That was in response to the piracy that is ongoing. It is already the case that governments are not doing enough to combat piracy and it is also against this background that the British government is proposing to cut staff on the Royal Fleet Auxiliary.

The Royal Fleet Auxiliary service has a long and proud history of providing efficient and economical worldwide support and strategic sealift to the Royal Navy. It has always been a civilian crew fleet and many of our members, and those of Nautilus, have died in the service of the RFA. As well as their support for the military, RFA ships have become increasingly involved in providing relief after natural disasters in such areas as Africa, Sri Lanka and the Caribbean, as well as recently working with the US Coastguard on successful counter-drug smuggling operations in the Caribbean.

At the current time, RFA vessels are undertaking the following tasks: minesweeping around the Gulf, working in the Caribbean on action to combat drug trafficking, assisting air training exercises, helping anti-smuggling operations, keeping shipping lanes open and, of course, importantly, supporting the campaign against piracy.

The need for adequate crewing and the staffing at the RFA is greater than ever. We face cuts of 250 ratings from a workforce of 1,200. These are highly skilled people. They will still be the largest single group of ratings at work in any one company in this country. That tells you where we are with the backdrop of an industry where we are actually losing people's jobs on a daily basis. It is also the case that if the cuts go through the RFA will be yet another hammer blow to the number of seafarers

employed in UK shipping industry whose members have plummeted by tens, if not hundreds of thousands, in recent years.

On 29<sup>th</sup> September this year there will be World Maritime Day. Please support our brave seafarers of the RFA and ask your MPs to sign Early Day Motion 1315 in support of the campaign. Congress, please support the motion. Thank you.

*(Applause)*

\* *Motion 43 was CARRIED*

### **Working for free**

**The President:** Delegates, we continue with Chapter 4 of the General Council Report, Economic and Industrial Affairs, from page 67. I call Motion 34, Working for free. The General Council supports the motion.

**Danny Longstaff** (*Musicians' Union*) moved Motion 34.

He said: I will be brief because I am doing this for nothing. *(Laughter)* I have just a little story. You want a new car, you build a garage, you buy your insurance, road tax, cleaning stuff, the wax, everything. Then you go to the showroom, you tell the salesperson you will look after the car, you will garage it, clean it, and you will use it to transport your family and children. Then you say, "Can I have it for nothing?" What a really stupid scenario; that is not going to happen. It never does; it never will.

There is another scenario. You have a budget of £400,000 to stage an event, free to the public. You build three temporary stages, paid for. You book security, paid for. You pay for advertising and a firework display. You book sound engineers, lighting equipment, and crowd barriers, and close the roads, all paid for. You then offer the opportunity to local bands, orchestras, musicians, dancers, theatre companies, all professionals, to showcase their acts, not paid for. Unlike the first scenario, this one is real.

What do we do as a union? Do we advise members to boycott the event; possibly, if you want to read the next day's headline, *Union stuffs your party*. Blackmail? Yes, I think that is blackmail. So, we are opposed to working for nothing; not always, though. We all have a choice. Offer us payment, which is paid to others without even thinking, then we have the choice.

Finally, Mr. President, you mentioned in your interview Tony Blair's opinion that the music industry is more important than the steel industry. We have never believed that but from what I have just said you must agree we are, sadly, cheaper. Please support this motion. (*Applause*)

**Gail Renard** (*Writers' Guild of Great Britain*) seconded Motion 34.

She said: You would not ask anyone else to work for free. You wouldn't say to a miner, "Come on, dig us a ton of coal as a favour," or to a printer, "Be a mate, run off today's newspapers for free," or to a prison guard, "What, you want money? Your work looks like so much fun." Musicians, actors and writers are workers too. A labourer is worthy of their hire and working for free can be expensive. Let's tot up

the cost, a day off work for preparation and travel, then there are the travel costs themselves, plus childcare at £5 to £8 an hour, lost earnings, and on and on and on. To put it another way, we cannot afford for others to be so charitable. Fair pay for all workers, please. Thank you. (*Applause*)

**Alec Clark** (*Association of Teachers and Lecturers*) spoke in support of Motion 34. He said: I do not wish to undermine those who wish to volunteer and give their time for free; in fact to all volunteers I salute you and the valuable contribution you make to society as a whole. However, particularly in the case of the young, this area must not be used or abused as a source of cheap labour with a promise of something better to come. In fact, internships and their like raise the whole issue of access and equality. How can someone with no money work for nothing? They must be on subsistence as a bare minimum.

I would say to all young people, if you wish to use your time effectively and are willing to work for no pay, then join in the struggle to save your right to work and to earn a fair and equitable living. Take the opportunity to defend the nation in which we live, which is under attack, and its values and its freedoms. This may be a far better use of your time than becoming the next generation of an automaton political researcher on the slippery slope to being cloned as your next MP having never done an honest day's work in your life.

Work should never be relegated to a second division, take it or leave it hobby. Work is a basic human right and a fair day's pay for whatever shift at whatever face you put in should go without question. Young people and their efforts in whatever field they

choose are the economic and social bedrock on which our nation is built. Under no circumstances should we allow the ConDem pact in any way to undermine those foundations. Young people have the right to work and to be paid fairly for their toil. Wealth and prosperity do not just appear in a magic mist. No, they are built on the hard work and intelligence of extraordinary working men and women. We should not be prompting comfy internships based on dynastic models where bloodline overrides ability, hard graft, and simple nous. Every young person in the UK has the right to work. Every young person has the right to support in order to succeed and do their very best.

Mr. Clegg, perhaps you would be better off spending your time creating employment for the 24% of young women and men who are currently on the dole. This may be a better use of your very limited tenure and well-rewarded internship. Rather than polishing the silver spoon that is available to only the few that can afford it and are well connected, work, fair pay, and equality, are the bedrock on which we build our working nation, not the destruction of the hard fought for workers' rights. We will not return to Dickensian Britain without a fight. I urge you to support. (*Applause*)

\* *Motion 34 was CARRIED*

### **Apprenticeships and the National Minimum Wage**

**The President:** I call Motion 35 – Apprenticeships and the National Minimum Wage. The General Council supports the motion.

**John Walsh** (*Unite, for the TUC Young Members' Conference*) moved Motion 35.

He said: President and Congress, the primary rationale for the introduction of the National Minimum Wage was to address injustice and inequality in the labour market and, in particular, to protect the most vulnerable from exploitation. Twelve years on, and those most vulnerable from exploitation, the young and inexperienced entering work for the first time, are still discriminated against by law.

Current age banding within the National Minimum Wage means that school leavers are paid almost 40% less than those aged 21 and above. In jobs where training is minimal, this can lead to unscrupulous employers sacking off young people when they become too old, unless affordable. Don't forget that these rates don't just engender discrimination against the young, because if you are older you cost more to train and to employ, so why bother? After all, there is always an inexhaustible supply of young workers.

Recently, the introduction of the National Minimum Wage for apprentices, as recommended by the Low Pay Commission, gained a luke warm response. Currently, apprentices under 19 and those in the first year of their training must be paid at least £2.50 an hour. To me that still feels a little exploitative. Historically, apprenticeships have been plagued by high drop-out rates. Where money is concerned, the introduction of a stand alone minimum wage doesn't get to the heart of the problem. Even when training is paid, it is not unusually enough to live on. On a wage of £100 a week, which can be typical within the first year of an apprenticeship, most would struggle to live independently. University students have access to grants and loans, but there is no equivalent funding for apprentices. When young people don't have the

support of their family behind them, when things get tough, it's very tempting to drop out and take an unskilled but higher paying job. Too many of my friends did that during my apprentice years and they have stayed there.

The current tuition fees debacle is likely to trigger increased demand for apprenticeships from those who would otherwise have applied for university, but with increased competition for places, the danger is that apprenticeships could become the preserve of better off families.

Not having access to adequate funds can also limit young people in the kinds of apprenticeships that they take on. A young person looking for an apprenticeship in aerospace engineering, say, living in the countryside, will have to travel a great distance in order to fulfil their ambitions. If the government wants to create tens of thousands of new apprenticeships, some detailed thinking needs to be done in order to help facilitate this, because the situation will become more and more acute for those from low income backgrounds.

Finally, I will reiterate the points of the previous motion on internships. These are most common amongst university students. Somewhere along the way it has become reality for those wishing to undertake such placements to do so for free, utterly unpaid, save for a contribution towards travel and, if they are lucky, food. The vast majority of employers expect interns to accept that they are volunteering the hours that they work and to bloody well appreciate the opportunity that they are being given. Is it fair that thousands of people, year on year, are backed into a corner like this? Employers are extremely reluctant to change this practice. The government is

unable, effectively, to force their hands, and the pool of willing work experience flunkies remains ever replete, so it is up to us.

Ultimately, the same argument is being made against the abolition of age banding and exemptions. These arguments were made against the introduction of the National Minimum Wage in the first place. The business community and conservatives said that it will cost jobs and harm business. They said it would hurt young people. When there was no discernible impact on employment levels, they U-turned and pretended it was the best idea in the world. Why would we hesitate for so long to redress an unfair system like this. Thank you, Congress. Support the motion.

**Fern McCaffrey** (*GMB*) seconded Motion 35.

She said: Congress, this motion touches on four key areas of concern to the GMB: discrimination of young workers, the National Minimum Wage rate, apprenticeship exemptions and internships. It has always been our policy that all workers are paid the rate for the job regardless of age. When the National Minimum Wage was introduced, the apprentice exemption was generally accepted. Traditionally, apprentices accepted lower pay in exchange for a high quality of training, leading to a qualification and the opportunity to earn higher pay in the long run. However, the reality is that apprentices in some industries, especially in non-unionised companies, are receiving shamefully low pay in exchange for poor quality of training. That is exploitation on two levels.

In the second year of apprenticeships, pay rates are still painfully low. Minimum Wage rates have fallen behind inflation. We need a real hike in rates, especially for

young workers. In this dire economic situation, more and more young people are chasing fewer job vacancies. Work experience placements and internships are largely unpaid, something which I experienced last summer. It was a highly valuable experience but, goodness me, a little bit of money or a free lunch would have gone a long way. For those interested in the media and politics, the only way to get access into a job is by becoming an unpaid intern. Only young people from the charmed circle of the wealthy and upper-class backgrounds can afford to take up such internships. This would deter those of us from low income backgrounds from even applying as they cannot afford to live without pay. Unpaid internships exploit workers, while simultaneously preventing equal chances in the job market, but the work they carry out is real work and should be paid as such.

Interns dare not challenge their employers for fear of losing placements and opportunities with some of the most powerful and high profile companies in the UK. We believe that all interns and apprentices should be paid at least the National Minimum Wage and be entitled to the same employment rights as everyone else. Government action on effective enforcement and funding is clearly needed, especially in the domain of Westminster where the practice is rife, unless, of course, you are family member brought in to pad out an expenses claim.

GMB's support for TUC Young Members Forums calls for an improvement in the quality of apprenticeships, for apprenticeships to be paid at least the National Minimum Wage, an increase in minimum age rates in line with inflation, increased levels awareness of rights and rates for apprentices, interns and young workers. Please support this motion because it is so important. *(Applause)*

**The President:** Congress, isn't it great for an old fogey like me, and many of us in this room, to hear two young people speak with such commitment and eloquence. The future is safe in their hands. *(Applause)* I call on the Deputy General Secretary to respond.

**Frances O'Grady** *(Deputy General Secretary)*: It is a shame to spoil it with an explanation on behalf of the General Council from an old fogey. Congress, the General Council supports this motion from the Young Members' Conference, just as we applaud the excellent work that they do. With youth unemployment nudging one million and good apprenticeships massively over-subscribed, and with many young workers, as we have just heard, forced into unpaid internships, it is more important than ever that young workers and apprentices have a strong voice within the trade union movement.

One of the most important issues facing young workers, of course, is pay. We believe, as trade unionists, that collective bargaining, recruiting and organising apprentices and young workers is always going to be the best way to counter exploitation, but we recognise that the National Minimum Wage, while not perfect, has provided a lifeline for many vulnerable workers. However, a word of explanation is required about the proposal in Motion 35 to raise the National Minimum Wage to £7 for all.

The General Council firmly supports increasing the National Minimum Wage to as high a rate as possible, and our long-term aspiration has always been to move from a

minimum wage to a living wage. Another key goal is to eliminate age discrimination in pay rates so that all workers, regardless of age, are paid the rate for the job. The statutory pay law was only won after years of trade union campaigning, and it goes without saying that we continue to push for more improvements. However, at a time when youth unemployment is so disturbingly high, we do need to be mindful of the potential impact on jobs. International evidence suggests that youth unemployment is more sensitive to minimum wage increases than is the case for older workers, although the risk is diminished when there is a differential rate for younger workers, as we have in the UK.

While we support the motion, at this stage we believe it is best to avoid a specific figure. That is why the TUC's submission to the Low Pay Commission calls for the minimum wage to be lifted as high as possible beyond inflation or average earnings growth, whichever is the highest. Please let me make it clear that the General Council believes that a significant rise for young people that begins to tackle that gap can be achieved without an adverse effect on jobs. We retain the highest possible ambitions for the minimum wage and we will continue to do everything in our power to achieve real improvements for all. Thank you.

**The President:** Thank you, Frances. I am now going to call two extra speakers. I will call both UNISON and PCS.

**Steve Warwick** (*UNISON*) supported the motion.

He said: I am another old git but, if my weight was my age, I would be in my late teens or early 20s. (*Laughter*) Before I get to the nub of the motion, UNISON

believes it is more important now than ever. Before we are able to hear and respond to the voices of young trade unionists, it is, after all, young people who are bearing a disproportionate hit from the Con-Dem cuts. It is not just a matter of trying to ride the impact of the coalition's ideology or economic policies for a few years. We are talking about policies that have the potential to do harm for the rest of their lives. With youth unemployment running at around a million, black youth unemployment is running at twice the rate of their counterparts, tuition fees going through the roof, connections and youth services collapsing. That is just a few examples of the way in which young people are paying the price for bailing out the w..bankers.

It is timely that this motion provides us with the opportunity to develop solid policy on a matter which affects far too many young workers, apprentices and interns. I want to thank the TUC Young Members' Conference for submitting this particular motion to Congress. I doing so I want to encourage all affiliated unions to ensure that they are fully represented at the TUC Young Members' Annual Conference, and also on the TUC's Youth Forum.

UNISON is only too well aware of the impact of coalition cuts on jobs, services and pensions. They are all on the coalition's shopping list and all for the benefit of their friends in the City. On the frontline it means greater and greater pressure on our members to deliver vital public services with fewer and fewer resources. You can imagine what it is like for our members when they see a co-workers being made redundant just as an apprentice joins the workforce. Our answer cannot be to reject the apprentice. Our answer must be to organise. We must organise to defend jobs, services and pensions, and to defend apprentices and the apprenticeship schemes. For

apprentices, that means we must defend them from exploitation by negotiating good quality schemes, refusing their use for job substitution, securing the rate for the job and organising them as trade union members. We must encourage employers to support the creation and expansion of apprenticeship schemes, but selling our labour and the labour of our young people cheap must end now. Please support.

**Helen Flanagan** (*Public and Commercial Services Union*) supported Motion 35.

She said: Apprenticeships and the rate of the National Minimum Wage are important industrial and political issues because they deal with inequality. It is important to address why the Young Members' Conference chose to raise this topic as an issue when there are so many other pressing matters for youth, such as high youth unemployment, tuition fees, the EMA and youth services.

Apprenticeships as a means on-the-job training should be supported, but only where they are long-term, meaningful and lead to employment. Too often they are overt means of exploitation as cheap labour. Even in the civil service apprenticeships have been introduced in Jobcentres for six month periods, at the same time when the DWP is sacking workers on fixed term contracts. It is easy for employers to exploit workers like this because it is partly due to lower rates of pay for apprentices and young people.

The different rates for the National Minimum Wage are an economic oddity and can't be justified. It makes no sense that at 16, legally, you can have sex, at 17 you can die for your country, at 18 you can vote and get married without parental consent, but you can't get equal pay until you're 22. There is very little evidence from economists or

academics that raising the rate of pay would have a damaging impact on the labour market, and actually enforcement would become easier with simplification. A further aspect is that this inequality also extends the benefit rates for young people.

The primary reason why the Young Members' Conference raises this issue in particular is because year after year the forum has demanded that the TUC should call for equal levels of the minimum wage. Whilst we should welcome the TUC's submission to the Low Pay Commission calling for the minimum wage to be in line with inflation or earnings, it is not really acceptable that the General Council repeatedly tell the Young Members' Conference that equal levels of wage are not realistic or achievable. What happened to aspirations and fighting against discrimination.

The trades union movement has been criticised recently for not defending younger workers. I would ask that Congress rebuff this claim by actually fighting for equal pay for young workers rather than just congratulating us for being here. Thank you.  
*(Applause)*

**The President:** We turn to the vote.

\* *Motion 35 was CARRIED*

**The President:** Delegates, staying on Chapter 4 of the General Council's Report, Economic and industrial affairs, we now turn to the section on Arts, Media and Culture, from page 94. I call on paragraph 4.19.

## **Lost Arts and a decent work agenda for the creative industries**

**The President:** I call Composite Motion 12, Lost Arts and a decent work agenda for the creative industries. The General Council supports the composite motion.

**Laura Bailey** (*Equity*) moved Composite Motion 12.

She said: Congress, this is my first time at Congress. (*Applause*) I am an actress and a proud member of Equity, and I propose this composite motion.

The creative sector now accounts for economic output of at least £60 billion per annum, which is 8% of the UK's growth domestic product and nearly 10% of the UK's businesses. Why, then, are creative workers suffering exploitation and unemployment? In 2010 Equity conducted a survey of 845 of its members. In the previous year 70% earned nothing or under £10,000. This is happening because no or low paid work is being disguised under the Voluntary Worker Agreement. Creative workers' desire to succeed in a competitive industry is also subject to exploitation. More and more there are no alternatives for us. Even some training institutes are telling their graduates that they should expect to work for up to five years for free if they want a career in entertainment!

In my first year after graduating I secured a part in an unpaid fringe production, the offset being the performance opportunity that all our expenses were covered and that we would be staying in top quality accommodation. A week before we opened, it came to our attention that some of us were expected to share rooms. It was not the

reality, but the principle was at stake. Why should we accept less than what was promised to us, especially when it is in exchange of a wage?

With my principled and courageous company, we, together, told our production team that if they didn't sort out that we each had our own room, we weren't going on. It took a massive amount of communication, united strength and guts to get what was due to us, and that's not even broaching a wage. However, we achieved it.

I gained a dance and drama award scholarship to train which comprised a significant amount of taxpayers' money. Those of us in receipt of these scholarships leave drama school and emerge into an industry where there is no support structure in place, through which we can continue to utilise the opportunity that our scholarship afforded us. Some may say, "It is my choice to be an actress in a vulnerable and competitive industry." I believe that this choice is as valid as someone's choice to be a doctor and work endless shifts in an often high pressure environment, to be a fire-fighter and enter life-threatening situations or to be a teacher and work all hours under the Sun. Just because I have the luxury to choose the industry into which I enter, does that mean that those industry employers can set whatever standards they like for their workers and that we have to accept it?

What do we want? We were promised essential sector specific advice on the complex nature of the legal framework that covers workers and low pay in the entertainment industry. Over a year later no action has been taken. Provide us with the necessary knowledge to support and empower our own workers. Secondly, in our highly competitive industry, many vulnerable and freelance workers are, understandably, too

scared to enforce their rights. Give us an amendment on the Employment Act that enables workers and their trade unions to take representative and group cases to employment tribunals. Thirdly, government art funding, or what's left of it, in some cases is being handed out to arts organisations that are then not paying their creative workers union minimums. In short, that government funding is going towards the just production of creative industry. If we only buy coffee that is Fair Trade, clothes that are Fair Trade, then shouldn't our theatres be Fair Trade, too? Why should everyone here, in other unions and other industry sectors, be fighting for the arts? It is so that they do not become lost to us. It is so that when our nurses have had a particularly hard day at the bedsides of our sick, they can come home and watch their favourite TV programmes and distract themselves from the hard reality for a while. It is so that our students, our industry's future, can immerse themselves in inspiring and educational theatre, so that society can be educated on your industries and the impact that the cuts are making within your sectors, so that we can see that our challenges and plights are shared so that we might begin to find solutions to them.

We are a powerful ally. I urge you to support our motion. (*Applause*)

**Barbara White** (*Musicians' Union*) seconded Composite Motion 12.

She said: The Lost Arts has been created by the Federation of Entertainment Unions and the Lost Arts website will keep a running total of the revenue lost to the arts and the wider economy as well as the jobs under threat over the three years to 2015. Sometimes people ask me how I can fight for the arts when so many essential services are in danger of being axed. To me the answer is simple. The arts are a frontline

service. All of the things that we need and value are equally important. You can only compare like with like.

Obviously, the arts sector recognises the need to contribute to the economic recovery, but it has already sustained significant cuts when £112.5 million of Arts Council Lottery Funding was diverted to the Olympics. The arts are vitally important to the UK's economy. We have the largest cultural economy in the world relative to GDP. Every one pound that is invested in culture produces two pounds. Music on its own contributes nearly £5 billion. The cultural industries are of enormous and growing value.

At a time when our general economy is struggling, it seems illogical to cut spending and, therefore, cause permanent damage to the arts, which is one of the areas that has consistently maintained growth.

With the arrival of the Olympics next year, it is essential that business and cultural institutions continue to deliver the quality and range of programmes that have been admired across the world. The Olympics will attract tourists to this country, but a health cultural realm is also a powerful reason that we are a tourist destination. In order for this to continue, there must be continued investment in the arts.

Alison McGovern MP tabled an Early Day Motion to support the Lost Arts campaign. At the launch of the campaign, she said, "When times are hard, that is when we need our culture most of all." The largest amount of money ever spent on the arts was during the war years. Winston Churchill resisted closing down theatres at the

beginning of the war when plans for the blackout were being discussed. He argued that the populations of the cities needed theatres and cinemas to help them have a little enjoyment amid the agonies of war. His Finance Minister said, "Britain should cut arts funding to support the war effort." Churchill's response was, "Then what are we fighting for?" The fact that the arts have a value in a civilised society seems to have been rejected by this government. There is a dark, new philistinism about, and I live in fear of death by a thousand cuts.

**Gail Renard** (*Writers' Guild of Great Britain*) supported Composite Motion 12.

The biggest industrial sectors in the British economy are the financial services and the creative industries. The difference is that we are prettier and more trustworthy and we actually pay a return on your investment. Cutting arts funding is not only a cultural disaster but it makes no economic sense. The Arts Council's theatre budget for 2008 was £54 million. In return, the theatres paid back £76 million in VAT in London alone. That's a 40% dividend, which even the greediest bankers would envy. The hit plays *War Horse*, *Enron* and *Jerusalem* were made not by commercial producers but were the fruits of our subsidised theatres. All were enormously successful, transferring to the West End, Broadway and beyond. Besides VAT, they earn even more millions for Britain in tourist dollars than other related industries, including some of yours.

The arts are actually responsible for 8% of the GDP. These figures prove beyond a doubt that this subsidy is not a handout or a charity but an important way to stimulate our economy, create employment and help Britain out of the recession. The pride and prestige that these successes bring to our nation is incalculable. By losing theatre

funding we are also losing the training and developing ground for writers who go on to become our greats, from Alan Beasdale, who gave us *Boys from the Blackstuff* to Heidi Thomas who wrote *Cranford*, and who amongst us doesn't love *Cranford*?

Mr. Clegg has shown us the importance of an apprenticeship in his own career. We just ask for a level playing field. In these hard times, we are looking for more, not fewer industries in Britain. This is one. The arts are one of our finest exports and for the smallest of investments bring rich rewards. Aside from all that, it's a great night out, too. Thank you.

**Luke Crawley** (*Broadcasting, Entertainment, Cinematograph and Theatre Union*) supported the Composite Motion.

He said: I want to touch on a few aspects in relation to broadcasting under Composite Motion 12. As was said yesterday, broadcasting is rife with bad practices and the issue of low pay, no pay and so-called interns working for free over very long hours and in very poor conditions are rife. This composite calls for proper training and it is fair to say that there are almost no apprenticeships left in broadcasting. Both the BBC and ITV have both reduced the amount of money they are prepared to spend on training people in broadcasting techniques.

Broadcasting is a very important force in the economy. As the motion says, along with the performing arts, broadcasting generates around £60 billion per annum. For that to continue, there really must be quality training but also quality jobs for those who have completed their training. Instead, we have universities who churn out so-called media graduates, who are all keen and ambitious to work in the media, many of

whom are very ill-equipped to work in broadcasting. It is that ambition which leads to the kind of abuses I touched on yesterday in relation to the film industry, and today I will tell you a short story about exploitation in the theatre industry. I am an enthusiastic supporter of the British theatre. It is not only one of the best in the world but it also employs thousands of BECTU members, both as stage crew, front of house and admin. Even here there are abuses.

Kevin Spacey – you may have heard of him, the famous Hollywood actor – in his day job, he also helps to run the Old Vic Theatre. BECTU has generally had a good relationship with the Old Vic, and we are recognised there for all staff except for actors and musicians, of course. The Old Vic advertised six places for interns. They would have expected to work at the Old Vic on the admin side over specified periods, directed by the Old Vic. If it had been on the stage and they had been working for free, obviously, our sister union, Equity, would have raised the issue. Had they been in the orchestra pit, the MU would have been there, but because it was in our area, the admin area, where we were recognised, we wrote to Mr. Spacey to tell him that this was illegal as the law required the Old Vic to pay the National Minimum Wage. After some delay he wrote back to us saying that the Old Vic’s lawyers had assured him that it was not illegal and that it was perfectly okay to exploit people in this way. He did not use the word “exploit”, needless to say. We challenged him when writing back asking for a meeting to discuss the matter because we regard it as an abuse, and it means that jobs that could be done by our members for proper pay, proper salary and with proper conditions, are being done for free. This sad story indicates that even good employers like the Old Vic try to exploit young workers, rather than offering properly paid jobs with thorough training. I would urge you to support this motion

because it is a very important issue in the arts, in the creative industries, in broadcasting as well as everywhere else. Proper training, quality jobs and proper pay are equally important. Thank you.

\* *Composite Motion 12 was CARRIED*

### **Educating consumers about intellectual property rights**

**The President:** I now call Motion 66 – Educating consumers about intellectual property rights. The General Council supports the motion.

**Malcolm Sinclair** (*Equity*) moved Motion 66.

He said: The title of this motion – Educating consumers about intellectual property rights – sounds somewhat obscure. It isn't. As you have been hearing from Laura and others, the UK's creative and cultural industries – our film, television, music, publishing and sport industries, let it be said – are world class. The workers behind these industries have immense talents and are the backbone of one of the most important sectors of our economy. We were very pleased that Brendan Barber, in his address to you yesterday, picked out the creative industries as one of our great success stories. We are not just talking about Oscar winning actors, BAFTA winning actors or GRAMMY winning musicians and singers, but also the thousands of people who are not in the spotlight, such as sound engineers, script writers, stage hands, retail shop assistants, editors and freelance photographers, among many others.

Unfortunately, however, something called “online copyright infringement” – what we call theft – and in particular illegal file sharing, is having a significant negative impact

on the creative sector. Declining investment, due to lost revenues in these sectors, means that many thousands of jobs are now at risk. It has been calculated that in 2008 alone, 39,000 UK jobs were lost due to piracy activities, and across Europe nearly 200,000 jobs were lost. This situation is completely unacceptable. These jobs – union jobs – must be protected.

The problem is not just about job cuts, as we have heard earlier. Low pay is endemic in the entertainment industry. Without these additional and often quite small payments, which arise through the re-use of recorded material, performers will not be able to earn a decent living, and ultimately the diversity and breadth of talent in the UK creative sector could be lost. Too often illegal file sharing is seen as a victimless crime. The reality is very different. Without the revenue from the distribution of creative content, there will be fewer films, fewer songs and TV programmes able to be commissioned. Job losses will be felt right across the change from production to distribution, from technicians to manufacturers and from logistics companies to staff in High Street shops. Consumers are just as vulnerable as workers. Many ordinary people are currently unaware that the use of sites providing illegal downloads does not only have consequences for workers and businesses in the creative sector, but it is actually breaking the law. Educating consumers is a key provision of the Digital Economy Act, which passed into law in May 2010 with great support from the trade unions and the TUC. A great job done!

What is something called “Notice sending to consumers”? Notice sending is really educating people. Notice sending to consumers rather than heavy-handed legal action has, in our view, a good chance of changing behaviour and attitudes by directing

consumers to the range of legal, online services that they can access, often at very cheap and reasonable rates. No one wants to see consumers and especially our young people being punished for trying to access entertainment. That is why it is our responsibility as creative workers to play our part in efforts to direct consumers to legal services. I urge you to support the motion.

**John Smith** (*Musicians' Union*) seconded Motion 66.

He said: Congress, bringing intellectual property and piracy to Congress is not new. We have been doing it for a while now. I can just record one of the victories. The victories are very few but we do get them occasionally. Yesterday, the European Council announced that they agreed for a directive to go through that extends the term of protection of performers and their recorded performances from 50 years to 70 years. This was a Congress motion a couple of years ago, and I want to thank everybody, particularly the TUC, for supporting it until we got it. Don't just believe what you read in some of the papers. It's not all about Cliff Richard. It is about lots of elderly performers who get income from their recordings and they really need it. It is good in these days to record a little victory.

Moving on to this particular issue – piracy. Malcolm was right in what he said. Consumer awareness is at the centre of this. That is part of the Act, but how you do that is quite difficult. The Digital Economy Act has this graduated response. There are three levels to it. The first level is that a letter will go to the subscriber of the Broadband account that is infringing copyright. That could be somebody's dad, and he doesn't know that his 14 or 15 year old is sitting in his bedroom downloading thousands of tracks, films, games or whatever. There is a bit of a wake-up call in this.

So this is an educative process all along for people to realise that downloading is actually wrong. It is people's property that you are taking.

The furore when, in the riots, people were breaking into stores and stealing trainers, televisions and electrical goods, we all understood what was happening there, but the music and film industry has been dealing with this for ages. We have had a virtual shop with no window, where people just go and help themselves. As Malcolm said, it seems that people think this is okay because it is on the internet. It is not okay. It belongs to somebody.

The MU has a website called *Music Supported Here*. There is a link from our site on to it. The idea of this website is to bring together the artistes and the fans. I am not talking about the stars again. I am talking about bands that are working their way up. So they can discuss this in chat rooms and talk about why bands sometimes make available individual tracks and then want to be paid for others. This is the way you have to relate to it – the human stories about people working in studios, developing their product, changing the lyrics, changing the chords, changing what they do and getting ready for the release, only to find that it is on some Russian website and people are making money out of it. It's heartbreaking for them. We have to talk about these human stories and it is up to us to do it. The unions can play their part. Thank you to the TUC and the part it has played in the Digital Economy Act process so far. There is a long way to go. Please support this motion and take us to the next level. Thank you.

\* *Motion 66 was CARRIED*

## **Media regulation**

**The President:** We now move to Motion 67 – Media regulation. The General Council supports the motion.

**Barry White** (*National Union of Journalists*) moved Motion 67 on media regulation.

He said: Congress, as the last speaker said, it is not often that you can come to Congress and announce that we have won something, but we have. In the past couple of months we have achieved a great victory over the abuse of power, corruption and cronyism. The most powerful media mogul in the world has, in the words of the *Wapping Post's* 25<sup>th</sup> anniversary edition, been humbled and rumbled. If you don't believe me, *there* it is! You can get a copy from the Bookmarks stall upstairs.

Let's dedicate this victory to the women and men of Wapping who, 25 years ago, had the vision and courage to stand up to Murdoch. (*Applause*) This summer the media and political landscapes have witnessed some amazing events. As I said, the world's most powerful media company was stopped in its tracks not by a government or the media regulator but by popular protests. Although a certain type of tabloid journalism has been discredited by the phone hacking scandal, let's not forget that it was good investigative journalists like Nick Davis (check spelling) in the *Guardian*, who did so much to expose the abuses of power, rottenness and corruption inside the management of News International and the police, which gave encouragement and ammunition to the wide coalition of campaigners, trades unionists, media reform

organisations, media academics, a few brave politicians and the public. You can meet some of them tonight at the NUJ fringe meeting at 7 o'clock at the NUJ headquarters.

We have an opportunity to change for the better the media in the UK so that the public interest and not the commercial interests of the few dominate. Public inquiries are often the British establishment's way of kicking difficult issues into the long grass. This must not happen with the Leveson inquiry. We must build on that sense of public outrage which forced the Murdoch's to withdraw their bid for BSkyB, to recast the media landscape to reflect the democratic and ethical values that we have been campaigning for.

In the second paragraph of the motion, we set out key principles, such as freedom of expression, diversity and plurality, limits of cross-media ownership and, as Michelle Stanistreet explained yesterday, effective trade union organisation at the workplace. This won't be easy. Any tightening of regulation and strengthening of our trade union rights are anathema to this coalition government, which believes in more deregulation and fewer collective rights at work.

Furthermore, the Press Complaints Commission is currently looking for a new Chair to replace Lady Buscombe. The NUJ has been critical of this body for many years, but its absolute failure to tackle the practices of the Murdoch press forced the Prime Minister to announce that the Leveson inquiry would, "look into press regulation because the way the press is regulated today is not working." We should also be aware that running alongside Leveson is the government's consultation on its new Communications Bill. A Green Paper is expected by Christmas. Leveson is not

expected to report until the autumn of 2012, and we need to make sure that the inquiry will feed in radical policies which will be included in the new Communications Bill.

Earlier, I said we had to build on the sense of public outrage that was so central in defeating Murdoch. Thanks to the online campaigning organisations, like 38 Degrees, who were critical and crucial in organising the popular protest to Jeremy Hunt, the Culture Secretary, and to MPs, we have succeeded in involving tens of thousands of people in this campaign. We must keep up this pressure. Now it is not just about Murdoch. It is about limiting the power and influence of all media moguls in the future so that we never allow the corporate media to exercise and abuse such power again. Thank you.

**Sharon Holder** (*GMB*) seconded Motion 67.

She said: Congress, for over 40 years the Murdoch empire has tightened its grip over the British media, British politics and the British society. Between them, the four Murdoch titles – *The Times*, *Sunday Times*, *Sun* and the *News of the World* – until recently commanded over 37% of the national newspaper market. While Murdoch's part-owned BSkyB dominated pay TV, and Sky News is central to the 24-hour news agenda, it is a platform of enormous and irresponsible power, which is why the history of News International is a history of scandal and disgrace: Wapping in 1986, Hillsborough in 1989, for which the *Campaign for Truth* continues, and phone hacking in 2011. Murdoch changed the rules of engagement for popular journalism. No more progressive popular campaigning and no more forward with the people. In its place we had gutter journalism and the lowest common denominator.

GMB members, like everyone in this hall today, and everyone across the country, have been outraged and appalled by the phone hacking revelations. At GMB Congress this year 600 delegates listened in stunned silence to Tom Watson MP as he alleged that the Murdoch henchmen had systematically conspired to invade the private lives of thousands of British citizens, the details of which were soon to become public knowledge. Everyone thought that the *News of the World* was unassailable, but an unprecedented campaign by honourable journalists, backed by people power, turned this unaccepted wisdom on its head.

So where do we go from here? We believe that Parliament must act in the wake of the hacking scandal. Self-regulation has manifestly failed. The toothless Press Complaints Commission campaign has operated in the interests of the press barons, not the public. It needs to give way to a genuine, independent regulator with proper powers to end press abuse.

GMB fully supports the concept of total freedom for the press, save for the constraints of restricting incitement, but when the press maligns individuals and misreports the news, there should be a body that insists on corrections and a right to reply. For too long the right-wing press has misrepresented trade unions and working people. Innocent people's lives have been destroyed by misreporting and unwarranted exposure. It is time for a strong, free and independent press, with objective reporting, a plurality of views and an end to the bias against the labour movement, because a free and fair press is an essential part of a democratic society. In Britain we have suffered from its absence for far too long. Thank you.

**Tony Burke** (*Unite*) supported Motion 67.

He said: Congress, as has already been said, 25 years ago Rupert Murdoch made his infamous move to Wapping, sacking five-and-a-half thousand print workers overnight. Let's recall that that Wapping dispute was not about new technology. It was a plan to break trade unionism and to generate vast profits to expand Murdoch's global media ambitions. Twenty-five years ago Murdoch broke unionism in his newspapers and created those profits which he used to launch his vile, right-wing, multi-media empire and extending those tentacles into the political class. Twenty-five years ago Murdoch was able to take advantage of what I describe as "the perfect storm". Yes, he took advantage of the availability of technology, but he had anti trade union legislation, a rogue union and a conservative government willing to place the resources of the state, including the Metropolitan Police, at his disposal. We know he kept those links with the Metropolitan Police.

Congress, the phone hacking scandal and the involvement of the Metropolitan Police is the logical continuation of the mindset that created the anti union 'Fortress Wapping' in 1986. News International generated massive profits to expand their empire into a global empire, starting with Sky Television, and from there on he was able to dominate the media in America with vile driven right-wing TV stations, such as Fox News. That influence knew no bounds, even to the back door of No. 10 Downing Street. He and his key executives behaved like members of a despotic banana republic. We should place on record our thanks to Tom Watson and Chris Bryant for their fearless refusals to be intimidated, and also to Ed Miliband from extracting the Labour Party, hopefully, from this nest of vipers.

Thank God we've seen the end of this useless and toothless Press Complaints Commission. Congress, the Leveson inquiries into cross-media ownership have to be clear. No one company should ever own so much of our media, newspapers, TV, film and websites. We need a proper Press Complaints Commission to bring to heel wrongdoing, and Murdoch should never, ever own BSkyB. We need to scrap the part of the Employment Relations Act that stops unions organising within inside News International, because he has got his own in-house union that stops us doing that.

These last 25 years are a reminder. We have to consider how to prevent the media abuses that we have witnessed, we need a new framework for employment law and to rebalance the economy, the economy based around the opportunity for people to be represented by trade unions.

On behalf of Unite, the five-and-a-half thousand veterans of Wapping and the sacked print workers, support the motion and consign James Murdoch, Rupert Murdoch, Rebecca Brooks and Andy Coulson to the dustbin of history where they belong, and make sure that this never, ever happens again. (*Applause*)

**The President:** We will move to the vote.

\* *Motion 67 was CARRIED*

**The President:** Let me make a plug for the *Morning Star*, a newspaper that supports the trade unions' agenda and is a Murdoch free zone. So read it!

## **BBC licence fee**

**The President:** I call on Motion 68 – BBC licence fee. The General Council supports the motion.

**Gail Renard** (*Writers' Guild of Great Britain*) moved Motion 68 – BBC licence fee.

She said: Congress, I am afraid that the Writers' Guild gets only one delegate. The BBC is being subjected to death by a thousand cuts. We all want to save money but you don't save on heating by burning down your house. The present government are doing just that with the BBC. The government giveth and the government taketh away.

The government have frozen the BBC licence fee for six years at a time when RPI has risen to over 4%. This means that the BBC will be starting from further and further behind every year. On top of that, the previous government made the BBC responsible for the digital switchover and for delivering a digital help scheme, all of which has to come out of our licence fee. The BBC has had to build a new media centre at Salford, creating much needed jobs in the north, which is great, unless there are no shows to make. All of this is a further cost out of our programme making.

The government are also trying to make the BBC responsible for S4C. Between us, Welsh language programming isn't top of the BBC's pops. This can only hurt both parties, both creatively and financially.

Fewer shows also mean that the BBC's income from overseas sales, DVDs and downloads will be greatly reduced. This cuts down on millions of pounds that, once again, should be used for future BBC productions. It is a continuing downward spiral and we are getting dizzy. Not only is the BBC's output suffering, but with it the income of writers, performers, production workers and countless related industries. There is only so much that can be loaded on to the BBC's back before it breaks. We can't make shows on fresh air. We are creative but not that creative. Let's ask the government to unfreeze the licence fee and to give the BBC the respect, the finance and freedom it needs to carry out its core function, which is, after all, making first-class British television and radio shows which are the envy of the world. Otherwise, I predict that the BBC will be out of business within ten years and Dr. Who will soon become Dr. Who Was That? Thank you.

**Corinna Marlowe** (*Equity*) seconded Motion 68.

She said: Congress, Equity strongly deplores the BBC cutbacks and the recent decision to reduce the slots for short story reading on Radio 4. In 2009 there were six slots a week, and next year there will be two. This is a huge loss. If cuts must be made, this choice seems crazy. A single voice telling a story is cheaper than most forms of broadcasting, with only one actor, the writer and minimal production costs.

The petition from National Short Story Week already has more than 6,500 signatures. Please, add yours. On it, writer and actor, Simon McBurney, reminds us that: "Being read to is one of all our earliest experiences. A short story can make us stop for a moment and listen. To listen is to hear others and to awaken our ability to feel."

If you see someone sitting still in a parked car when they have reached their destination, they are probably waiting until the story is over to get out. From an artistic point of view, the writing and reading of short stories are important skills which it is difficult to practise anywhere else. Many readers and writers have started with stories before continuing with longer fiction. Ian Rankin, creator of *Inspector Rebus*, says: “I got my real start with short stories on Radio 4. I would hate for future generations of writers not to have the same chance.” That goes for readers, too.

There was no apparent consultation before these cutbacks in drama and stories, not with listeners, writers, performers or in the creative community in the BBC. The Controller of Radio 4 says that the cuts in stories are to make the *World at One* 15 minutes longer. My husband was a producer on the *World at One* back in the ‘70s when the slot was lengthened to 40 minutes. He says that items were often stretched beyond their natural length. Do Radio 4 listeners really want to hear more news and current affairs? T.S. Eliot wrote: “Human kind cannot stand very much reality.” If we can stand it, it is available all day on Radio 5.

Those among us with sight impairments, the housebound and the unwell particularly value the comedy, drama and stories only available on BBC radio. To cut short stories is very short-sighted. The BBC has a duty to stimulate creativity and cultural excellence and to nurture new talent. These deplorable cuts may well place it in breach of its Charter. Sign the petition and support this motion.

**The President:** We will turn to the vote.

\* *Motion 68 was CARRIED*

### **Great Britain Football Team**

**The President:** I am now going to call Motion 69 – Great Britain Football Team. This is not a somewhat uncontroversial subject. (*Laughter*) The General Council has taken the difficult decision to leave this motion to Congress.

**Gordon Taylor** (*Professional Footballers' Association*) moved Motion 69.

He said: Good afternoon, ladies and gentlemen of Congress and President. I am the Chief Executive of the Professional Footballers' Association, the oldest sports persons' union in the world. I appreciate that I have been handed a hot potato. As President, Michael should know when Dai Greene, at the World Athletic Games, won the 400 metres hurdles, everybody in these islands was delighted.

Let me start by telling a tale about the Olympics. Long after the crowd had left and the cameras had moved on, a lone runner entered the stadium to complete the 26 mile long marathon in the 1968 Mexico City Olympics. Injured earlier in the race during a fall he stumbled along for more than hour after the other finishers. Hurling himself over the finishing line, John Stephen Akhwari of Tanzania finished last. Before you judge him as a loser, take careful heed of the words he uttered when asked why he did not quit the race earlier when he had been injured. He said: "My country did not send me seven thousand miles to start the race. They sent me seven thousand miles to finish it." Ladies and gentlemen, this is a duty of ours, a once in a lifetime opportunity, when we talk about the next generation and the youngsters of all sports,

to take part in a very special Olympics, when we are hosting them for the first time in over 60 years.

If you saw the television programme *Who Do You Think You Are*, who do we think we are? I was born in Ashton under Lyne, so am I an Ashtonian, I live near Manchester, so am I a Mancunian, am I an Lancastrian, am I a north-western, am I an Englishman, am I British, am I European or am I a member of the whole human race? I know that the only chance we have got is by coming together, irrespective of colour, creed, culture, politics or religion. Perhaps we should rely more on the United Nations and then, perhaps, we wouldn't send so many young people out to war to die somewhat needlessly. (*Applause*)

I respect being part of Great Britain. I am proud of being part of this island race. I am sure with my predecessors, there would have been a fair amount of Irish and, perhaps, Welsh blood. I was thrilled at Mary Peter's skills for Northern Ireland in past Olympics; Alan Wells of Scotland with his great speed; Lynn "the leap" Davies, and in our current game, the football game, what contributions the likes of Dennis Law, Kenny Dalglish, John Charles, Ryan Giggs, Danny Blanchflower and the great George Best. Why should we deny that opportunity to the likes of Gareth Bale, Aeron Ramsey, Charlie Adams, Darren Fletcher, Johnny Evans, who come from the different countries of Great Britain, who would want this once-in-a-lifetime special achievement?

Why should it be that we only think of ourselves as being British – Great Britain – when it comes to New Year's Eve, the Millennium, the Proms or Armistice Day?

Then, again, FIFA has promised that the separate identity of Ireland, Wales and Scotland will be safe for the future. I am aware, of course, of the qualities of devolution and how important it is for local people to have a say in what is happening locally. I suppose trusting Sepp Blatter and people would be like asking the chickens to trust you-known-who – Colonel Sanders, of course.

We are the host and football is the world game. We need to show the strength of our islands. This is where the game began. It is part of our legacy and heritage. We need to put out a Great British team. We need to put the “Great” into Britain. I hope we can win gold. As a trade unionist, not only that, that gold is more than just about winning the football tournament. It will be about bringing jobs and creating wealth throughout all our islands of Great Britain. Above all, it will be about welcoming people of the whole world, ensuring that this country is up to that and proud of that tradition. I hope you will support the motion.

**Alan Grey** (*Prospect*) supported Motion 69.

He said: Congress, there is an old joke: “What do you call a Scot in the finals of a major international football competition? A referee.” (*Laughter*) I can remember the good old days when we had the moral high ground, but that was in the days of 1974 and 1978 with Archie Gemmill, Billy Bremner, Denis Law and others. A slightly different take on that is, “What do you call a referee in the 2010 World Cup Final? A Prospect member.” (*Laughter*)

Congress, Prospect represents professional referees, mainly those who form the select group who officiate in the English Premier League. Their membership density is over

90%. Our members take the view that we should back a GB football team as that would demonstrate the same unity across the whole nation around football as it does in all other sporting activities at the Olympics. They also believe that having separate national teams would sit uneasy when in all of the other sports we have GB representation.

Congress, the sensitivities around this subject are understood, but the argument that this would be the first step towards a British national football team seems to have no foundation in the context of the Olympics. We are represented by Team GB in a lot of the sports played in the Olympic Games, but we are also represented by Team England, Team Wales, Team Northern Ireland and Team Scotland in the Commonwealth Games. Competitors are no less patriotic when they compete for Team GB than for any of the home nations and the pride of people from the home nations in Team GB's achievements is not diluted because the successful competitor was not from their home country. We see no pressure being exerted for a Team GB in the Commonwealth Games.

Having a GB football team at the Games could provide a terrific opportunity for the officials of the home nations to work together and to share skills and experience although the appointment of officials will still be by FIFA from the worldwide international list. In the 2004 Olympics, the English assistant referee, Phil Sharp, was selected. Surely, if the four home nation football associations were willing to participate fully in the Games, the hope for UK-based officials to be selected for next year's Olympics would be enhanced.

Prospect believes that the Games being in London next year provides a great opportunity to showcase the talent of officials and hopefully some of them will be able to emulate the achievement of Howard Webb, Darren Cann and Mike Mullarkey, who officiated in last year's World Cup Final. Congress, please support the motion.  
*(Applause)*

**Janice Godrich** (*Public and Commercial Services Union*) opposed Motion 69.

She said: We have been asked by the devolved administration committees in Wales, Scotland and Northern Ireland to intervene in the debate and to explain why.

I would like Congress to consider three points. First, we think that this is a hugely controversial issue for the devolved nations. It does nothing to allay the real fears that the precedent created will be used in future years to threaten the status of individual nation teams in European and World Championships. As one of our Scottish NEC members put it when we discussed this motion, "PCS must defend the basic fundamental human right of Scotland not to qualify." *(Laughter and applause)*

Similarly, we feel that some of the language used in the motion sways slightly towards jingoism and rather than acting as a united force could have the opposite effect. Thirdly, we would respectfully suggest that there are other more pertinent issues relating to football that Congress and the movement should consider. These include, for example, tackling racism in football (both amongst fans and clubs), the lack of opportunities for black managers, the exorbitant cost of tickets affecting fans at a time of recession, the differential between funds for Premiership teams and teams in the lower divisions struggling to survive and, finally, the corporate power and

influence over clubs and the game. On that basis, we will not be supporting the motion. *(Applause)*

**The President:** Thank you. Gordon, do you want the right of reply?

**Gordon Taylor** (*Professional Footballers' Association*) replied to Motion 69.

He said: I do respect and appreciate those who spoke against the motion. When you mentioned some of the points that need to be higher up the agenda, I agree with you. However, they are high on our agenda. I am proud of the efforts that we have made with regard to anti-racism in this country when you consider how things were. *(Applause)* That has been one of our proudest achievements.

We have set a fine example internationally regarding the integration of players from all over the world. We also have our community and corporate social responsibility projects involving a number of players who are now helping the government with anti-crime, anti-obesity, anti-truancy and literacy programmes.

You also mentioned jobs and keeping clubs alive. There has been a government report on football, but I can tell you that with the PFA and the loans that have made, hopefully we can keep Plymouth alive now. These clubs create jobs throughout the whole of our community. We have more full-time football clubs in more towns and cities for the size of our island than any other country in the world and I am particularly proud of that. *(Applause)* I do appreciate that women's football is becoming more and more popular. We have affiliated them to our union and we will be doing all we can to make sure that they are successful.

I have already mentioned how we have integrated many players here from many foreign countries. We did not win the World Cup bid, but all the players who play here could not believe that the contracts were worth what it is said they were worth. They have not suffered the abuse that has taken place in eastern Europe. We can see the progress that has been made from the bad reaction to our English players in Spain and Bulgaria recently.

Football is there to set an example and so is sport. I just think that the very fact that we have the Olympics here means that there is an opportunity for the world to focus upon the good things that are happening in England, Wales, Northern Ireland, Scotland and Southern Ireland too. Let us be proud of what we have achieved. If we are going to be hosts, let us be the best hosts in the world and not spoil that by not even agreeing on a Great Britain football team. Thank you. (*Applause*)

**The President:** Just before we move to the vote, I just reaffirm that the General Council's position is to leave the motion to Congress. We will move to the vote.

\* *Motion 69 was CARRIED*

## **Justice**

**The President:** We continue with Chapter 4 of the General Council Report, Economic and industrial affairs, the section on Justice, from page 92. I call Motion 60, 40-hour week prisoner working. The General Council supports the motion.

**Peter McParlin** (*The Professional Trade Union for Prison, Correctional and Secure Psychiatric Workers*) moved Motion 60.

He said: For the avoidance of doubt, this motion is regarding a 40-hour working week for prisoners and not prison staff. We are being told that Britain is open for business. I will leave that to one side for the moment, but I will tell you that prisons are open for business – commercial business, it would appear. I will explain what the government means by that as we go along.

We have always had work in prisons. Certain tabloid editors wish that we could return to the days of breaking up rocks, the treadmill and sewing mail bags. I have to make my apologies to the CWU as 30 years ago, when I was an officer at Wandsworth, I was in charge of quality control for the mail bags. We did eventually lose the contract and I have to admit that the fact that the postmen and postwomen of Britain lost parcels was probably due to my lack of quality control knowledge. That is what happens when you have amateurs in a process.

We have moved on from there and there is quality work done in prison along with some repetitive and mundane work. That quality work is provided by prison officers, by instructional officers and by teachers because there is an ethos of the need to install basic skills and social skills in prisoners. If you cannot read the safety notice, you are going to struggle in an industrial environment. If you cannot get off your drug addiction, I would say that you have very little hope, when you emerge from prison, of getting a reasonable job, moving on with your life and being properly rehabilitated.

Now things have changed. Currently we have approximately 9,000 prisoners, 400 workshops up and down the country, rehabilitation programmes, drug programmes and education programmes. We also have well-meaning industrialists, entrepreneurs and charities within the system with an ethos of the need to rehabilitate prisoners.

As part of their “rehabilitation revolution”, although but they do not want to pay for it, the government are expanding the prison industry. They have looked at the figure of 9,000 and the figure of 87,000 and said, “There is something here that we can latch on to.” They are now scouring the country for contracts to bring within prisons. I do not claim to be an economist or an industrialist, but if they have a captive cheap labour force, earning on average £9.60 per week, low start-up costs and factory feed-up within prisons where they can charge commercial rates, there is an economic opportunity for their friends in the City.

How do I know this? Am I scaremongering? I know this because I am part of the Advisory Group. You may ask, “What on earth are you doing on the Advisory Group?” They invite us to these groups because they realise that we may want to raise some issues with them. The problem is that the Advisory Group does not meet very often. It has only met twice in the last six months and when you give advice, they do not listen to it.

I suppose I am scaremongering. There are still some well-meaning entrepreneurs and charities involved in the process, but the bigger fish are coming in and licking their lips. Given the economic climate, they will take advantage and take work away from outside law-abiding people. We need to have a dialogue with government to

minimise those risks. A commitment from this government that they will not do that to outside workers will not be good enough. We will need more than that. We will need a formal detection mechanism and to get towards that we need dialogue. Therefore, I ask you to support this motion to enable the TUC to go to the government and start that dialogue to get those protections. Please support this motion.  
*(Applause)*

**John McCormack** (*University and College Union*) seconded Motion 60.

He said: The UCU supports the POA's concerns expressed about the 40-hour week for prisoners. Congress, it is no problem to think about what is best for prisoners and the effect that it has on the community. It is no coincidence that 80% of prisoners currently in prison have a literacy level at, or below, the benchmark of the average 11 year-old. 50% of the crimes that are committed in this country are committed by people who have already served time in prison. We have to address the revolving door of offending and re-offending.

If Kenneth Clarke wants to look at examples of constructive activity then he can see the plethora of research that has been carried out with prisoners, with the probation service and others in the whole of the prison system. Every one of them comes to the same conclusion: prison education is by far the best way of ensuring that people have a chance at life and will stop re-offending. We have to invest in the prison service and invest in prison educators.

Sadly and regrettably, the current perverse system of choosing which colleges and providers actually give that service has created a lack of investment and attacks on

prison educators, on their jobs and on their terms and conditions. UCU, as the union which represents most of those educators, has committed itself to fighting against those attacks. Rehabilitation is not a soft option. Re-offending is not acceptable. Therefore, the answer is not rocket science. The situation is that we must give people in prison an opportunity to get skills so that they can play a constructive and meaningful role once they leave prison. The stark truth is that if there are fewer criminals, there are fewer crimes and there are fewer victims of crime. That is what we want to achieve. That is the lesson that Kenneth Clarke should learn – education and not slave labour. (*Applause*)

**Peter McParlin** (*The Professional Trade Union for Prison, Correctional and Secure Psychiatric Workers*) replied to Motion 60.

He said: Just on the point of slave labour, it is the government's intention to revisit the International Labour Organisation's Forced Labour Convention. I anticipate they will drive a coach and horses through that.

**The President:** We will move to the vote.

\* *Motion 60 was CARRIED*

**The President:** I now call Motion 61, Privatising justice. The General Council supports the motion. It will be moved by NAPO and seconded by the POA.

**Tim Wilson** (*NAPO*) moved Motion 61.

He said: Congress, whatever you think of the previous record of Justice Minister, Ken Clarke, his first move in June 2010, announcing bold plans to reduce prison populations by reserving jail for more serious offenders, presaged hope for a more liberal sentencing policy using less costly and more rehabilitative community penalties delivered by the probation service.

In late June of this year, bounced by Cameron, Clarke lost his battle with the right wing of his party as a result of which more prisons – and that means private prisons – will be built. Further cuts to probation plus increased privatisation of its functions have also since been announced. I guess we could have expected nothing less from a government which, since coming to power 16 months ago, has widely trumpeted its belief in withdrawing the State from its responsibilities. Nowhere is this more irresponsible or reprehensible than in its abandonment of the duty to oversee the criminal justice system. In abrogating its state functions and opening up the rehabilitation of offenders and protection of the public to its privateer friends, the government retreats behind slogans such as “The rehabilitation revolution”, “Social impact bonds” and “Payment by results”. In so doing, it shies away from the fact that it has no plan B when its tacky list of penal experiments comes unstuck and results in more crime and more harm to the public.

Congress, criminal justice must be about protecting society, period, which requires close oversight and joined-up thinking by government. This government does not care that in handing justice over to private companies who are interested in making millionaires of their shareholders they leave the fate of our society in the hands of a group which has no concept of society, let alone a just and fair one.

Now, throw into the mix the serious riots in August and check whether the coalition will pass the test. We have seen Cameron run to categorise the rioters merely as “criminal”, glossing over that many of the disturbances were in the poorest, most cruelly cut areas or involved those with hugely diminished life options. We have heard the government’s call to lock up most of them, to ramp up the moral outrage, anything to distract from the fact that the situation is rather more complex and that any sense of fairness in our society is increasingly absent.

The government has been indecent in its haste to cover its feral uber-class, rich without responsibility, privileged without conscience and which, to the government’s shame, is a legitimised mirror image of the street anarchy which government condemns but will not understand in social justice terms. Challenging this is our duty, Congress. How can we tackle unrest among the poor and underprivileged when the rapaciousness at the opposite end of the social spectrum is connived at and encouraged even by this government?

Since 1908, the probation service of England and Wales has been the mortar between the bricks of the criminal justice system. Probation’s public sector status has assisted in the consistent and dispassionate dispensing of justice for poor, for rich, for all strands of diversity. It is no surprise then that probation is a justice model admired and copied worldwide.

For crime to be reduced, it requires a universally-shared perception of the quality of justice in our society. The way forward must be for probation to continue as a public

service, properly resourced, and not fragmented and thrown to the conscience-free trans-globals. Congress, support NAPO's resistance. I move. *(Applause)*

**Peter McParlin** (*The Professional Trade Union for Prison, Correctional and Secure Psychiatric Workers*) seconded Motion 61.

He said: We are pleased to second NAPO's motion. We support rehabilitation. We can even live with a rehabilitation revolution. If you have a rehabilitation revolution, I cannot see how you can possibly give the rehabilitation revolution a sporting chance if you start dismantling the experts in the field who are going to do most of the work from the very beginning before you have begun that revolution.

In the 19<sup>th</sup> century, when we were a force to be reckoned with and we used to invade countries, we used to keep the standing army, the civil service and the ethics of those countries. We used to just shoot the leaders and substitute them with our own. I am not suggesting for one moment that they should be doing that, but perhaps they should be looking higher up at where the problem is if there are any issues with the way in which the revolution in rehabilitation has gone and assist NAPO and the probation service to carry out their work.

Currently, we have the most privatised prison system in Western Europe. Incredibly, we lock up more prisoners than the United States of America. The only country in the world which has a more privatised prison system than us is Australia and given their uncertain start in life, I might give them the benefit of the doubt. *(Laughter)* I am very wary about using two legs good, four legs bad, but in the criminal justice system it has to be the responsibility of the state as we are locking up its citizens. I think it is

the responsibility of the state. Thinking that there are people making a profit out of the misery of victims of property crime, violence, rape or murder is morally repugnant and it will always be morally repugnant. (*Applause*)

We also support the amendment on public services, public responsibility and accountability. I have to say that when the government has to re-open the courts that they are closing, they will re-open them privately. I know that when my trade union breaks the law which prevents us from taking industrial action, I want to be processed into prison by the public sector so please support. (*Applause*)

**Chris Baugh** (*Public and Commercial Services Union*) moved an amendment to Motion 61.

He said: The purpose of the amendment is first to support the motion and the comments made by Tim in moving it and, secondly, to recognise the common nature of the threat, the common campaigns and actions that we need to take with our sister unions, NAPO and the POA. It is a common fight that we are going to need to wage if we are going to seriously challenge the massive cuts in the police, probation, court, legal aid and prison budgets.

This amendment was to draw attention further to the motion of the scale and impact of cuts and privatisation broadly in the criminal justice sector. The *Justice in Meltdown* report, produced in collaboration between ourselves, NAPO, the POA and the Police Federation points to cuts ranging from 20-25% across the Ministry of Justice, the Crown Prosecution Service and police budgets. 53 magistrates' courts and 11 county courts have been closed. A further 16 magistrates' courts and another

31 county courts are planned for closure. This is a third of all courts. Cutting court time will cause massive delays, it will ratchet up costs and it will reduce access, which will yet again hit the poorest and most vulnerable. Likewise, a £350 million cut in the £914 million legal aid budget will hit one in four people seeking legal aid, again hitting the poorest, the most vulnerable and those most in need.

In the context of an estimated £2 billion worth of outstanding court fines, the government is now looking to privatise criminal fines enforcement, affecting 1,500 staff in the guise of mutualisation, classic double-speak. It is nothing to do with cooperative principles and everything to do with bringing in private capital. We are worried that this will replicate the scandal of the joint venture exercise of the privatisation of QinetiQ in the Ministry of Defence, which made senior civil servants millionaire capitalists overnight. Reference has also been made to the scandal of prison privatisation.

My final point is that in the context of cuts in police numbers, a prison population at record levels, a deeply unequal society, an estimated 13.5 million people living in poverty and the worst riots on UK soil for decades causing magistrates' courts to be kept running all night in order to dispense fast-track convictions, in cutting the criminal justice sector the government is playing a very dangerous game and we call upon them to think again. PCS will be putting our alternative to the privatisation model. We are balloting our members in criminal enforcement in opposition to it. We are consulting our members in the Ministry of Justice in the build-up to November. We want to work with our colleagues in the POA against prison

privatisation but rather than shooting the leaders, for the next and biggest statement of our intent we want to take action together in November. I move. (*Applause*)

**Maureen Le Marinel** (*UNISON*) spoke in support of Motion 61.

She said: NAPO is our sister union in the probation service and CAFCASS. We have worked together for many years to oppose the dangers of privatisation and competition.

In the police service, UNISON is fighting on many fronts to protect essential policing services from this government's obsession with privatisation as the answer to public service reform. Nick Herbert, the Minister for Policing and Criminal Justice, has gone on record as saying that the public does not care who delivers support services in police and probation and that these services can be provided just as well by the private sector. I said to Ms May at the UNISON conference in June and I will say it now to you, Mr. Herbert that that is complete and utter rubbish. You need to change your stance now before you and your government ruin a proud and crucial public service.

When a member of the public makes an emergency call to the police, they want to know that the person on the other end of that phone is professional, trained, they know the neighbourhood and they are working solely for the public good. The private sector cannot guarantee this. When a member of the public is visited by a victim liaison officer from the probation service, they want to know that the person dealing with them has their interests at heart and not those of shareholders of a private sector company.

It does matter who provides our public services and it is our members who are delivering against the odds for communities across the UK. On a daily basis, as the recent disturbances across the country have shown, dedicated and proud public service workers have been working at the weekends when they are not contracted to do so and staying on at the end of shifts because they care about the communities and their colleagues.

Privatisation has been a total disaster for the probation service and now we face the prospect of community payback (or community service as it used to be called) being put out to competition. Community payback is a local service which allows offenders to make reparation to the community at the same time as getting help from probation to address their offending behaviour. So what does the government do? It puts together six mega regional contracts or lots to run community payback, loading the dice against the public sector and setting probation trust against probation trust. Out of the window goes any pretence of localism. UNISON and NAPO are united in our position to these crazy competition proposals. We will continue to stand shoulder to shoulder with NAPO to defeat these dangerous plans, which could see some probation trusts being unviable if they lose their community payback work.

In the police service, we face similar pressures with forces being told that they have to go to shared services. I say that those forces which are going down that line are lazy. They should be making those savings themselves and putting that money back into the frontline of policing. These initiatives are not about efficiency or effectiveness. I support. *(Applause)*

**The President:** NAPO does not wish to reply so we will move to the vote.

\* *Motion 61 was CARRIED*

### **Justice Family Review**

**The President:** Congress, as I indicated earlier, I hope to be in a position to take outstanding emergency motions after Motion 62, Family Justice Review and the regional dimension paragraphs. Those emergency motions are Emergency Motion 3, English Defence League, moved by the NUJ and Emergency Motion 4, Agency Workers, moved by Unite.

I now call paragraph 4.17 and Motion 62, Family Justice Review. The General Council supports the motion moved by NAPO and seconded by PCS.

**Jonathan Ledger** (*NAPO*) moved Motion 62.

He said: First, I would like to put on record my union's thanks for the support of PCS in seconding this motion.

CAFCASS, the Children and Families Court Advisory and Support Service, was created in 2001. It brought together family court welfare officers (previously part of the probation service) and guardians working for local authorities. The staff in CAFCASS undertake highly sensitive and demanding work with children and families either in contested proceedings between separating couples or in decisions about the future of children in care with the local authority. It is tough work, little known about

and rarely acknowledged, but undertaken by staff dedicated to the best interests of the children and families with whom they work.

Organisationally, CAFCASS made slow progress in combining its services, but the progress made was significantly challenged following the tragic death of Baby Peter in 2007. The reaction of social care agencies was fairly consistent with a focus on accountability and central control. In CAFCASS, this was translated by the implementation of targets and a rigid performance culture reinforced by external Ofsted inspection and internal performance management. Once trusted and respected, staff of all grades found themselves vulnerable to spurious action plans and performance improvement processes which promoted suspicion and anxiety at the expense of creativity and innovation.

In addition, family courts, sensitive to the public and political reaction to the Baby Peter tragedy, massively increased the request for reports and assessment in care proceedings. The knock-on effect to staff in CAFCASS was an increase in workloads which has reached chronic levels in many parts of the service. Consequently, both the recognised trade unions are now in dispute with CAFCASS over workloads. It is a telling indictment of the oppressive culture that the organisation has created that in an indicative ballot of NAPO members about the dispute, there was a 62% turnout with 94% voting in support of industrial action.

It is in this context, therefore, that NAPO has welcomed the Family Justice Review currently examining the organisation of the family justice system. The seconder of the motion will talk about the Review in more detail, but it is encouraging that the

panel undertaking the Review has strongly referenced the work of Professor Eileen Munro at the LSE. The Munro Report followed a comprehensive review of child protection. It was published in May 2011 and its 15 recommendations have been accepted by the government. These include reducing central regulation and prescription – that is targets and administration – and moving from a compliance culture to a learning culture; revising all statutory guidance; and greater emphasis in serious case reviews (after a child is seriously hurt or dies) on the causes and what obstructed best practice; the reform of social work training and placements to prepare students more for the challenges of the job; and greater autonomy for practitioners.

All these recommendations resonate with the experience of NAPO's members in CAFCASS. NAPO therefore welcomes both Munro and the Family Justice Review as an opportunity to free family court staff from mechanistic targets and demands which disrupt best social work practice with children and families, counter an impressive performance culture by creating a supportive professional development focus, and increase autonomy and decision-making for experienced and skilled staff supported by their employer rather than treated with suspicion and distrust.

This is the route to a stronger and more coherent family court system for the benefit of the children and the families that it serves. (*Applause*)

**Paula Brown** (*Public and Commercial Services Union*) seconded Motion 62.

She said: PCS is pleased to second this motion because it gives us the chance to focus on this particular aspect of social justice and to focus TUC resources on helping some of the most vulnerable members of our society. They are people who are caught up in often very complex legal processes which are very expensive and stressful to go

through. PCS represents legal advisers, ushers and other frontline workers in family courts who, as well as facing attacks on their pay and pensions, are also dealing with management reviews.

This morning, Ed Miliband spoke about unions engaging with change. Our members will do just that but we need to ensure that in doing so, the changes brought about by the reviews and the amalgamation of existing services do not descend into a mere ideologically-driven cuts exercise. The TUC must ensure that the newly-created body is able to sustain the public service ethos central to the provision of support to children and families caught up in a system which actually has a rising number of cases to deal with each year. It is essential that any efficiencies realised from the Review are channelled back into the system to speed up the legal proceedings, to provide more flexibility for hearings and to offer a greater use of mediation, all of which should lead to faster resolution for families who need our help. Please support this motion. (*Applause*)

**The President:** There is no reply. We will go to the vote.

\* *Motion 62 was CARRIED*

**The President:** We will now turn to Chapter 8 of the General Council Report, Regional Dimension, page 143. I call paragraphs 8.1 to 8.7. That completes Chapter 8 of the General Council Report.

**English Defence League**

**The President:** I now call Emergency Motion 3, English Defence League. The General Council supports the emergency motion, moved by the NUJ and seconded by the RMT.

**Anita Halpin** (*National Union of Journalists*) moved Emergency Motion 3.

She said: Unfortunately, this is not the first time that the NUJ has had to come to this rostrum to report abuse and hostility by the far right against our members, but hopefully it will be the last. We do not want to have to come back here year after year. We do not want to have to add the death of a journalist in this country to the too long list of deaths of media workers around the world. It is a dangerous profession.

Journalists, like all workers, have the right to work without being threatened verbally or politically. Attempts to deter journalists from carrying out their work are a violation of press freedom and in contempt of democracy. Be in no doubt that the EDL and other far right groups and websites have abused photographers and journalists both verbally and physically. Some of my photographer colleagues here can bear witness to that themselves.

Verbally, a website calls photographers “whinging left wing idiots” – I am glad some of them are left wing – and ends with a threat that anyone taking photos or filming, unless they have been invited by the EDL, should be treated as a hostile. Redwatch continues to feature NUJ members and prints their home address and other details. Journalists are not hostile. Journalists are honest seekers of truth, exposing the brutalities of racists and thugs and we ought to thank them.

Physically, we are abused. During an EDL protest in Leeds two years ago, a journalist was punched in the head. That was not an isolated incident as explained by this emergency motion, which unfortunately we bring to you. When the EDL was in east London on Saturday 3<sup>rd</sup> September, one journalist was sexually assaulted. Another one was torched and rushed to hospital, although luckily he suffered minor burns. Who knows what it will be next time? Who knows who it will be or where it will happen? NUJ members have received death threats from the far right. One EDL organiser, after that Leeds demo in 2009, declared a fatwa against an NUJ member.

There are ways in which we can respond. We ask this Congress and affiliates to call upon the police to take action to identify and prosecute EDL supporters who attack not only NUJ members but any of you, wherever you work, as many other trade unionists are on sites like Redwatch. We know that all affiliates will support us.

If you want to show that you will not tolerate fascism in our towns or our cities, can I invite you all to Cable Street on Sunday 2<sup>nd</sup> October and to the cultural events that surround that historical event. Eventually, we won that fight against fascism and we will win this one. Thank you very much. *(Applause)*

**Bob Crow** (*National Union of Rail, Maritime and Transport Workers*) seconded Emergency Motion 3.

He said: We have pleasure in supporting this resolution. We make it clear from the point of view of our union that even if we detest Conservative or Liberal policies, as long as they do not have racist or fascist views, any political party has the right to

demonstrate. If the Conservatives did want to hold a demonstration, we would support their right to have one. However, it stops, as far as I am concerned, when you attack someone because of the colour of their skin or their sexual orientation. That is when brotherhood and sisterhood, as far as I am concerned, come to an end. That is the difference. *(Applause)*

I differ from my good friend, Matt Wrack, when he said that the police should not put a ban on the march. It is okay when you can get people on the streets wanting to stop it, but when you cannot get them on the streets, then you have a problem. Therefore, the police should ban the EDL because of what took place there two weeks ago. With all the so-called analysis and intelligence that the police had, the situation was remarkable. We told them on the Friday afternoon that they were going to two pubs in the Euston Road, but they could not care less. It is marvellous that they can hack into people's phones and know what is going on, but they do not know what is going on when it comes to the far right. When miners were moving people on pickets across Britain 25 years ago, they stopped people going through the Dartford Tunnel, but they failed to stop these racists moving about on the tube system.

I will tell you what took place on that weekend. On that Friday, the police were going to run shuttle services on some parts of the Central Line direct to Liverpool Street non-stop. It is marvellous, isn't it? You cannot even get on a train some mornings, but this lot can get you from A to B as quickly as possible when it suits them and it was stopped. I will tell you something. I could not give two hoots about what was said Peter Hendy, the Commissioner of Transport, and Boris Johnson. Our members felt threatened. EDL members were smoking and drinking. If anybody else was

smoking or drinking on a train, they would have been nicked, but the old Bill turned their eyes to what was going on. It is a disgrace.

Therefore, we say that the EDL needs to be wiped out because they do not stand for what decent human beings stand for. We have a message, which is that we could not care less what Hendy or any other authority says. If our members or the travelling public feel threatened by racists, we will not go to work, with or without a ballot, and we ask you to support us. *(Applause and cheers)*

**The President:** There is no reply so we will turn to the vote.

\* *Emergency Motion 3 was CARRIED*

### **Agency Workers**

**The President:** I call Emergency Motion 4, Agency Workers. The General Council supports the emergency motion. It is moved by Unite and seconded by the CWU.

**Steve Turner** *(Unite the Union)* moved Emergency Motion 4.

He said: Not satisfied with their vicious cuts and privatisation strategy, a class war is effectively being waged in our communities across the nation, replacing hope and confidence with fear and despair. On an industrial front, with the ink barely dry and with just three weeks before their introduction, Cameron and co. are now looking to review and repeal already weakened protections in the Agency Workers Regulations for some of the most vulnerable workers in our communities.

Already undermined by the Swedish Derogation within them, the struggles of a generation for equal pay are being shoved aside as Cameron's Cabinet of millionaires are now arguing that the remaining protections have been unnecessarily gold-plated by their own government. Just last week, it was announced that Cameron had taken his own personal legal advice on how to address this problem and just three questions were being asked. First, can they stop the introduction of the regulations altogether? Secondly, can they postpone the introduction from the scheduled 1<sup>st</sup> October of this year? Thirdly, could they weaken already limited protections provided within them?

It is now crystal clear that this "unfair, don't care" government is far from satisfied with the existing wholesale provision of escape routes that have been provided in the regulations for the worst of employers, allowing decent employers, with decent relationships with trade unions who negotiate industrial best practice, to be undercut by the worst. This is resulting in thousands of agency workers being denied equal pay, even after the 12-week period, with those with whom they are working alongside. While the wholesale exploitation of the vulnerable appears to know no bounds in Tory Britain, bad employers in core sectors of our economy, across food and transport, services and manufacturing, are taking up Cameron's call and gearing up to exploit.

Unite is already gearing up for an industrial fight-back. For example, we have seen hundreds of agency workers in food sector supply chains threatened with new contracts which will deny them their right to equal pay. We have seen 1,000 workers contracted by DHL at Jaguar Land Rover issued with new contracts denying them

their rights to equal pay. Under the guise of providing permanent employment for vulnerable workers in workplaces across our country, the Swedish Derogation is allowing agencies to directly employ people in collusion with employers on the minimum wage with impunity under a contract of employment for as little for one hour a week.

Contrast this, Congress, with the benefits of recession provided to our self-appointed elite. Whilst the Tories and their partners in crime disgracefully label our youth as “a feral underclass”, the genuine guilty continue to pillage our communities and our society unabated. This is a group which has shown deep and complete contempt for our wider society. They have no regard for the struggle to meet rising costs on falling incomes and they are happy to call for the removal of the 50p higher tax threshold for the richest 1% in our society whilst working-class families are being forcibly evicted in an exercise of class-cleansing across our inner cities.

Congress, it is our duty to defend those who often cannot defend themselves and to do so using all of the tools in our armoury, whether they are industrial, political or indeed legal. Support the motion, Congress. (*Applause*)

**Andy Kerr** (*Communication Workers' Union*) seconded Emergency Motion 4.

He said: As the TUC, we have campaigned for a number of years on the Agency Workers Directive. It took a lot of hard work and hard talking with the past Labour government to get to the position on agency workers in which we are today.

I mentioned this subject yesterday. We did not do all that talking to be in the position explained by Steve. I will explain to you what the Swedish Derogation is. The Swedish Derogation was brought in in that country many years ago. It describes the way in which pay is applied to agency workers in Sweden. The basis of that was fairness as you had equal pay whether you were an agency worker or worked for a client.

What has been brought into place in the UK is nothing like that whatsoever, as Steve outlined. The qualifying period in the UK is 12 weeks whereas it is from the first day in Sweden. It is not the same and it is derogatory to use the words “Swedish Derogation”. The Swedish Derogation is something to which we should aspire and try to achieve. I negotiate with blue chip employers, as Steve has mentioned, who are quite disgusted at the way in which some agency employers are treating their workers at this point in time. They are not waiting until 1<sup>st</sup> October or until this week. I know of employers in this country who put people onto contracts three months ago, with fine print which you can hardly read with a magnifying glass. People are signing contracts not knowing what they are signing up to, not knowing that they can be laid off after 12 weeks and not knowing that they have to go on minimum wage for four weeks.

I do not understand how somebody in this country can survive on £20 odd a week, but that is what agencies in the UK are actually applying at this point in time. For all these reasons, we must challenge this in any way possible and if there is a legal loophole for the employers, there is surely a legal loophole for the trade unions. I ask you wholeheartedly to support this motion. *(Applause)*

**The President:** We have a few minutes left. Does anyone want to speak on this resolution? (*No response*) There is no right of reply. We will go to the vote.

\* *Emergency Motion 4 was CARRIED*

**The President:** Congress, I will now invite Glenroy Watson, the Chair of the Scrutineers, to give the results of the ballot for the General Council.

### **Result of ballot for the General Council**

**Glenroy Watson:** I present the Scrutineers' Report. If you turn to the back of your agendas, I will give you the result of the ballot for the General Council, Section C.

The members nominated for sections A, B, D, E, F, G, H, I and J and the General Purposes Committee are as printed in the agenda. The results for Section C are as follows: Jonathan Baume, FDA, 356,000; Bob Crow, National Union of Rail, Maritime and Transport Workers, 387,000; Mark Dickinson, Nautilus International, 458,000; Steve Gillan, POA, 386,000; Michael Leahy, Community, 379,000; Jonathan Ledger, NAPO, 345,000; Robert Monks, United Road Transport Union, 262,000; Ged Nichols, Accord, 382,000; Christine Payne, Equity, 258,000; Tim Poil, Nationwide Group Staff Union, 356,000; John Smith, Musicians' Union, 481,000; Michelle Stanistreet, National Union of Journalists, 398,000; Simon Weller, Associated Society of Locomotive Engineers and Firemen, 360,000, and Matt Wrack, Fire Brigades' Union, 455,000.

Those elected are Jonathan Baume, Bob Crow, Mark Dickinson, Steve Gillan, Michael Leahy, Ged Nichols, Tim Poil, John Smith, Michelle Stanistreet, Simon Weller and Matt Wrack. *(Applause)*

**The President:** That concludes this afternoon's business. May I remind delegates that there are various meetings taking place this evening. Details of these meetings can be found on pages 11 and 12 of the Congress guide. Congress is adjourned until 9.30 tomorrow morning. Thank you.

*(Congress adjourned until 9.30 tomorrow morning)*