

## SECOND DAY'S PROCEEDINGS

### MONDAY, 6<sup>TH</sup> JUNE 2005 MORNING SESSION

*(Congress assembled at 10.00a.m.)*

THE PRESIDENT: Congress, come to order, please. Good morning, colleagues. I hope you are all bright eyed and bushy tailed. We had a lovely evening in the Regions. Thank you all.

*(Safety film shown)*

### ANNOUNCEMENTS

THE PRESIDENT: Let the show begin! Colleagues, I have a couple of announcements to make. I would like to welcome Colin Burgon, MP. Welcome. Of course, many of you have just seen our European MEP come in, a good friend to the GMB, Stephen Hughes. Stephen, welcome *(Applause)*

Yesterday we gave the awards, quite fittingly, to the Gold Badge winners of this year. But, Congress, last year we also had two Gold Badge winners. They are in the hall today. I would like them both to stand up. Les, come out of the dark and into the light. You think you are Peter Mandelson! Les White from Midland & East Coast Region won our Men's Gold Badge last year. He is very proud to have worn it. Well done. Jan Smith from London Region won the Women's Gold Badge. They were last year's winners. Thank you very much. *(Applause)*

Colleagues, we are going this morning to have to be flexible with the agenda as Gordon's train might be late, but that is what they get for privatisation, isn't it? However, he may make it on time, who knows. I call Composite 32, G8 Summit - Make Poverty History. We want to make poverty history everywhere in the world. We urge delegates to visit the Oxfam store where they can receive further information about the poverty history campaign.

## INTERNATIONAL

### G8 SUMMIT - MAKE POVERTY HISTORY

**COMPOSITE 000000000000000000 32**  
*(Covering Motions 339, 340 and 341)*

- 339 - G8 Summit, Gleneagles (GMB Scotland)**
- 340 - International (Birmingham & West Midlands Region)**
- 341 - Make Poverty History (Yorkshire & North Derbyshire Region)**

Congress notes that July 2005 will see the arrival of the group of G8 leading industrial Nations for a meeting at Gleneagles in Scotland.

The G8 summit will take place at Gleneagles in Scotland on July 6-8; and that a major demonstration against G8 policies will be taking place in Edinburgh.

Congress following on from the devastating effects and human tragedy seen by the world of the Tsunami in South East Asia it is clear that the G8 Nations have a Global responsibility to consider world poverty, the debt of developing countries, health, climate change, and conflict avoidance. Congress notes that Oxfam and other NGO's are promoting a drive to Make Poverty History (though changes to trade rules, debt cancellation, more aid). Changes to trade rules and debt cancellation are not, by themselves, adequate policies to tackle 'Third World' poverty. We need to support democratic movements, and above all the trade union movement, in developing countries.

British government policy includes pressure for the privatisation of public services and 'liberalisation of markets' which includes a race to find cheaper and cheaper labour sources. This Congress notes that, for example, when the municipal water system was privatised in Manila families saw their water rates rise by over 300% in six years (War on Want). Meanwhile parasitic consultancy firms such as PriceWaterhouse-Coopers and KPMG have made vast amounts from directing the privatisation of water, rail, electricity and postal services in developing countries.

Congress notes that:

- the G8 is a club of the major industrialised, capital nations, whose summits deal with macroeconomic management, international trade and relations with developing countries from the standpoint of these states
- world trade is estimated to be worth \$10 million a minute - the world's 49 least developed countries account for only 0.4% of this (Christian Aid)
- the cost of eradicating poverty would be 1% of global income (UNDP)

This Congress notes that the campaign against the G8 is the first opportunity to press the campaign to 'Make Poverty History' and therefore the GMB resolves to support the demo. Congress therefore calls on the GMB to:

- work with Trade Unions from the G8 countries to ensure that tackling poverty, disease, and education becomes a priority issue of GMB lobbying
- to engage with NGO's to promote an agenda which includes opposition to the drive to privatise basic public services; support for democracy campaigns;

- support for free trade unions and the right to a living wage

Congress urges Government during 2005 to campaign to introduce a just trade system and cancel unpayable debts while assuming the E.U. Presidency and hosting the G8 Summit

*(Carried)*

BRO. A. IRVING (Yorkshire & North Derbyshire): I am moving Composite 32. Colleagues, Make Poverty History is a campaign about justice, not charity. This motion could very well be the most important one we debate this week. Three million people in the UK, many of them our members, certainly think so and have already committed themselves actively to supporting the campaign.

So what is it all about? It is simple. It is about making a difference. Each and every one of us in this room has a unique opportunity to make a difference by being the generation to say: "Enough is enough". Thirty thousand children die every day from poverty, through hunger, lack of clean water and disease. If you try to find out why people are dying from poverty in one part of the world when another is dripping in material and natural riches, the trail always leads to one inescapable conclusion - greed.

We have the wealth. They have not. We could share it with them, but, instead, we let them borrow it and we will charge them for the privilege. However, whatever wealth they can generate for themselves comes straight back to us in interest payments instead of going to solve their own problems. The only thing worse than poverty must be poverty plus debt. As we keep on repeating this vicious circle. We kid ourselves that we are doing our bit. Enough is enough.

Next month, the G8 group, the leaders of the world's richest industrial nations, will meet at Gleneagles. These people really can make a difference. They have the power to make poverty history by changing trade rules, cancelling debt repayments, targeting aid and supporting democratic movements like trade unions in developing countries. They must protect public service provision in developing countries from private profiteers. They could do it, but do they want to? That is where we come in.

Colleagues, in the 1930s, the people of the North-East launched their own campaign against poverty. They marched from Jarrow, a town not far from here, to London to those in power to call for an end to poverty, the right to work and the right to a living wage. It was a local campaign which became a national movement.

In Edinburgh, in July, we have the chance to be part of a global march where justice, freedom, dignity and humanity are valued more than money and material gain. The GMB should be at the heart of this

campaign.

BRO. C. ROBERTSON (GMB Scotland): President, Congress, I am seconding Composite Motion 32. At the start of the Millennium, the leaders of almost the entire world, 191 nations, made an historic pledge to end extreme poverty and hunger by 2015. Their progress was to be measured by eight targets, known as the Millennium Goals. Time for action to meet these Millennium Development Goals is running out. Progress has been unforgivably slow. Only one goal, that of halving income poverty, has any chance of being met, and the poorest people will pay the price for this failure.

If current trends are allowed to continue, 45 million more children will die between now and 2015; 247 million more people in sub-Saharan Africa will be living on less than 70 pence per day in 2015 and 97 million more children will still be out of school in 2015. I, for one, refuse to believe that a world which can afford to spend billions on weapons of mass destruction cannot also find money needed to destroy the greatest weapon of mass destruction that exists today - abject poverty!

An amazing UK alliance of charities, trade unions, Christian dominations and faith groups have mobilised key opportunities in 2005 to drive forward this struggle against poverty and injustice. They called themselves "Make Poverty History". Make Poverty History urges the Government and the international decision-makers to rise to the challenge in 2005. They are calling for an urgent and meaningful policy change on three critical and inextricably linked areas on trade, debt and aid.

Events in 2005 mean there is finally a chance to win debt cancellation, trade justice and doubling of overseas aid - essential steps that could lift 800 million people out of extreme poverty. In July, the UK will be holding the Presidency of the EU and the G8 Group at Gleneagles. We have an unprecedented opportunity to end extreme poverty and to choose a full life for our brothers and sisters around the world. During the time it has taken me to read this motion, 200 children in Africa will have taken their last breath and lost their grip on life. Tomorrow 30,000 African children will die, the same as today and the day before.

I invite Congress to join with the Make Poverty History coalition to ensure that 2005 certainly is the year in which we make poverty history.

BRO. G. RICHARDSON (Birmingham & West Midlands): President, Congress, I support wholeheartedly - I have the unanimous backing of the Birmingham & West Midlands Region - making poverty history. The global alliance of trade unions, aid organisations, charities and religious groups want to reduce the gap between the richest and the poorest - a gap that widens as we speak.

We are going to support the call for more and

better aid in the form of getting rid of debt. Twenty-five billion a year is needed, and the 0.7 per cent of the gross national product pledged by the richest nations in aid needs a binding timetable. What is the proof of all this? Debt relief in Benin alone has allowed 54 per cent of the saving to be invested in health, including an extensive HIV programme. In Uganda, debt relief alone led to 2.2 million more people having fresh water.

The pledge to halve world poverty by 2015 is falling short. We live in a cruel society where wealth exists because it fundamentally exploits the poor. That may be OK in the UK, but if you lived in Baghdad or Accra, it would be something on your mind for ever. We live in a world where wealth comes before humanity and it is only natural to be complacent and cynical. But cast aside cynicism, and it is time to remind us all, especially Blair, of his commitments on world poverty.

Whether old Labour or new Labour, what is our Party about but equality? In 2005, Great Britain's name is on the door of the EU and the G8. Let us open that door. Let us do something, not talk about it.

BRO. H. RAJCH (Yorkshire & North Derbyshire): There is huge support, is there not, for the aims of Make Poverty History? The focus on Africa is really welcome where one in six children die before they reach their fifth birthday in a world that is getting richer. Gordon Brown has actually announced increases in aid from Britain, and that is to be welcomed as well. However, Britain's aid spending still only stands at 0.34 per cent of gross national income, which is still short of the target of 0.7 per cent, which he aims to reach eventually.

His proposals to the G8 Summit in Scotland in July have not been met with enthusiastic support from Germany or Japan. Worst of all, of course, is the fact that the United States has disagreed with Brown's debt plans and opposes his aid project. So at the G8 Summit we need to add our voice definitely to the protest. We have to make them give more aid. We have to make them drop the unfair debt. We have to get them to change the rules on trade.

I think we should also welcome Bob Geldof's intervention when he calls for school students to walk out of school and workers to walk out of work, to get to Scotland and to add voices and pressure on the G8 rulers to force them to change their position.

However, I would just like to ask -- I do not know who is going to answer this question, but, hopefully, somebody will -- why is the GMB not organising a train to go to Edinburgh? We don't we have a train going from London to Edinburgh, stopping at Doncaster so that the Yorkshire delegations can get on that train? That is what I would like to see. The cost of such a train is only £10,000. It is something that we ought to have done.

THE PRESIDENT: We have a problem with £1,000, never mind £10,000!

BRO. H. RAJCH (Yorkshire & North Derbyshire): Come on, be serious. We ought to be thinking about it. But, actually, in South Yorkshire we have our own G8 Summit ----

THE PRESIDENT: Come on, wind up, please.

BRO. H. RAJCH (Yorkshire & North Derbyshire): Yes, I am just finishing. The Justice & Interior Ministers' meeting is taking place in Sheffield, believe it or not, and this Saturday there is a march to protest at the G8, assembling at 10.30 am at Devonshire Green. Anybody available should get to Sheffield on Saturday.

BRO. A. SPINKS (Liverpool, North Wales & Irish): Congress, I wholeheartedly agree with what has been said, but one of my main concerns is that we keep pumping money into these places. The saddest part about it all, and everybody knows it, is the corruption and greed involved. A large percentage of the money does not get to the people who need it. Somehow or other, the world's leaders have to try to do that. Whether we were right to go to Iraq or whether we were wrong, to me the biggest crime of all is the money that will be siphoned off. It is totally wrong.

THE PRESIDENT: Thank you, colleague. Is there anyone else? *(No response)* Colleagues, we are not calling the CEC speaker because this Union is supporting it wholeheartedly.

*(Composite Motion 32 was carried)*

THE PRESIDENT: Colleagues, before I call the Deputy General Secretary, I have an announcement which you will smile about. There is a fringe meeting at lunchtime from ASH, smoke-free zones. I would like to welcome John Douglas, the General Secretary of Mandate from Ireland. John, where are you?

THE ACTING GENERAL SECRETARY: He has nipped out for a fag! *(Laughter)*

THE PRESIDENT: That will cost you another tenner in a minute! Colleagues, I would also like to welcome one of our international guests, Bob Ramsey, who is here from UNI, one of our affiliates. Welcome.

Colleagues, can we now move on, and it gives me great pleasure to ask the Deputy General Secretary, Debbie Coulter, to move her report, pages 19 and 20, 26 to 28, 33 to 34, and then address Conference.

## DEPUTY GENERAL SECRETARY'S REPORT

When I first addressed Congress in 2003 I spoke of my enormous sense of pride at being elected to the post of Deputy General Secretary and expressed hope and optimism for the years ahead. My message focused on the need for GMB to start a process of review and reflection, examining the way in which we operate, questioning our relevancy and influence in a changing world of work and our appeal and significance to a new generation of working people. The CEC Task Group has canvassed the views of activists, officers and staff throughout the union and will be reporting its findings to Congress. I hope that that this exercise will provide us with a framework for us collectively to create an organisation that will increase our appeal, improve our efficiency and equip us to face the challenges that lie ahead.

Of course I couldn't have predicted back in June 2003 the challenges that would lie in my path in the months ahead. After just several months in office I was forced to stand down from my position following a Certification Officer decision that the DGS election should be re-run. This was undoubtedly a difficult period for me personally and for the Union as a whole. However it was heartening to be elected once again in April 2004 and I'd like to place on record my thanks to all of my colleagues throughout the Union who were so supportive of me during this troubled period.

It was during this time also that the true picture of our financial difficulties was beginning to unfold and the Union was fully occupied in trying to tackle the overwhelming burden of our financial deficit. Tough decisions were necessary to ensure the survival of the GMB, and these included the shedding of jobs and the closure of National College. Tremendous sacrifices were made throughout the Union but, for many, the closure of the College was a particularly sad event. The College staff, who provided a legendary first class service to our members, were made redundant but thankfully most have moved on to utilise their skills elsewhere and have secured alternative employment.

Huge efforts have been made by the regions to secure alternative arrangements for advanced training mainly through the TUC, WEA and GFTU networks, and the development of Life Long Learning by Regional Education Officers, Regional Learning Coordinators and Union Learning Reps have earned GMB a deserved reputation for providing our members with some of the best learning projects in the country. The Union is currently considering the development of a National Strategy on learning which should strengthen our role in the delivery of training and learning throughout all regions.

I was elected on to the **Labour Party National Executive Committee** in September 2003 and at that same time our President Mary Turner was elected NEC Chair. I was therefore fortunate to have Mary to provide me with guidance through the Party's processes and procedures. It was of course also a huge honour for Mary and the GMB for her to preside over the 2004 Party Conference.

I also co-convene the Economy, Welfare & Work Commission and serve on the National Policy Committee and the Women, Race and Equalities Committee, while Mary is the vice-chair of the Organisation Committee, is co-convenor of the Health Policy Commission and serves on the Party into Power National Committee.

The work of the Economy, Welfare & Work Commission has made a major contribution towards achieving Labour's goal of opportunity for all - with almost full employment in every region. Largely due to labour market reforms - making work pay through the minimum wage, reform of the tax and benefit system and the New Deal - there are nearly 2 million more people in work than in 1997, unemployment is at its lowest in a generation and employment is at the highest levels ever recorded in the UK. In contrast, the Tories' James Review proposals would wreck the British economy. They are now pledged to: scrap the New Deal, scrap the Trade Union Learning Fund, scrap the Small Business Service and cut export support and regional support, including R&D and Innovation grants, and scrap the Sector Skills Agency.

At the time of writing, I am conscious that by the time we reach Congress there would have been a General Election, which we are hopeful will return a Labour Government for an historic third-term because, despite our differences and disagreements with New Labour, we must convince our members of the stark dividing lines that exist between Labour and the Tories and the very real threats to jobs, public services and the economy if Howard was elected to office.

Without doubt our greatest political achievements this term were achieved at the **National Policy**

**Forum** in July 2004. The historic Warwick Agreement secured long fought for rights for workers and the GMB played a significant part in achieving these arrangements including the right for 2 million workers to benefit from an extra 8 days holiday as well as many other future commitments to improve workers rights.

Our team of negotiators which included the President, the General Secretary, myself, Paul Kenny, Libby Swindells, and Linda Clarke worked tirelessly over 3 days and were at the forefront of all of the debates. Our focus now must be on ensuring that Labour delivers on its pledges.

However, these developments need to be contrasted with our own recruitment records which demonstrate that we have not increased our membership levels despite these advantageous conditions. The challenge for us all is how we can develop our resources, structures, internal organisation and external appeal to attract new members in emerging sectors of the economy.

A further commitment arising from the Warwick Agreement was to establish **The Women and Work Commission**. The Commission, chaired by Baroness Margaret Prosser, was established in October 2004 and I was privileged to be asked to serve on this body. One of GMB's priority motions to TUC Congress 2004 was on Equal Pay and highlighted that women now make up 45% of the workforce, up from 38% in 1971. The Equal Pay Act and the Sex Discrimination Act in the 1970's were important milestones in breaking down the barriers to women's participation in the labour market. But wages remain low in many occupations dominated by women and there is still a pay gap between men and women of 18% among full-time workers and 40% for those women working part-time.

The Commission are examining key factors shaping the difference in hourly earnings between men and women, including labour market experience, caring responsibilities, job segregation, skills and education as well as discrimination. In investigating the impact of discrimination the Commission will look at the measures necessary to strengthen equal pay legislation, including the case for equal pay reviews to be mandatory and establishing workplace equality reps. Final recommendations will be made to the Prime Minister in Autumn 2005.

In Steve Pickering's final report to Congress 2003 he commented that 'doing the job of DGS is multi faceted...no two days are the same'. Although I have a somewhat different role with some different responsibilities compared to my predecessor, I have continued with one area of work that Steve was passionate about: working to support the **Retired Members Association**.

I have attempted to be as supportive to the RMA as Steve was, which is a job made easy by the dedication and commitment of each RMA member. I was very pleasantly surprised when I met with Monica Smith, the RMA Secretary, to organise the 2004 RMA conference. She presented me with an agenda, a running order, lists of delegates, motions, speakers and visitors - in fact every detail of the conference had already been organised in advance - including the raffle! Their conference in November 2004 was a lively affair with debates on pensions, transport, community care, to name but some of motions that were debated with passion and determination.

In November 2004 I joined a TUC delegation to **Colombia** to meet with a range of trade union, human rights, student, church and community leaders, Government Ministers and British Embassy representatives. Our objective was not only to offer international solidarity with the Colombian people and trade union movement in their campaign for basic human rights and in their struggle for peace with social justice but also to highlight the appalling human rights violations against trade unionist under the Uribe Government. Last year alone 50 trade unionists were murdered, 681 have received death threats, 111 have 'disappeared' and 17 were kidnapped - making Colombia the most dangerous place in the world to be a trade union member.

Every union leader we met impressed upon us the importance of international solidarity and our campaign against UK military aid and one union leader told us bluntly that it is harder to kill Colombian trade unionists when foreign trade unionists are watching.

This would explain why the delegation were initially refused entry into Colombia - only after a stand-off at the airport our seven day visit was cut to three days after which we were told we would be expelled. Only after formal protests to the British and Colombian governments and mass rallies of support in Bogata did the security services grant us a special visa.

We did visit Barancabermeja, a highly militarised region under paramilitary control to meet with 253 sacked oil workers whose courage and determination was inspirational. However I have recently heard that the local oil workers leader has subsequently been shot. The CEC have donated £2,000 to support these workers in their struggle for reinstatement and protection from death squads and I would encourage all GMB branches to support our Colombian comrades by affiliating to Justice for Colombia.

I recall at our last Congress listening intently to the debate on the Deputy General Secretaries Post when Bro Isaacs from London Region stated that he was hard pressed to find out what exactly what the DGS does and he argued for a clearly defined role for this position. I must admit that at the time, just a month into the job, I was unsure myself how my role would develop and of course no one could have predicted the problems that lay ahead of us. It was for me a baptism of fire but I have learnt some valuable lessons which I hope will stand me in good stead in the years to come.

However, I did commit in my speech to Congress to play a more active part in the leadership of the GMB, and that has been the case. Due to a restructuring of managerial responsibilities, I have line management responsibility for the team of National Officials based at National Office and have recently taken an active role in supporting the efforts of the Regional Education Officers to develop a coherent strategy for the delivery of training and lifelong learning. I am also now Chair of the Trustees for the GMB 1961 Pension Fund, following the decision to remove any potential source of conflict between that role and that of the Treasurer of the GMB.

Together with the General Secretary and the rest of the GMB Senior Management Team, I hope that I have served you well and enhanced the profile of the GMB to both our members and the wider Trade Union and Labour movement.

## **TRAINING & EDUCATION - GMB NATIONAL COLLEGE**

The GMB National College opened in 1985, and served the Union well over nearly two decades. However, the costs of running and maintaining this grand old building became more and more of a burden, and the CEC during the latter years had to seek ways of keeping the costs under control.

The main method for doing this was to market the College to outside users and within the Union, and College management and staff were successful in increasing annual income from around £50,000 to £1.2 million over a ten year period. However, by the late 1990s, income growth had stalled, and some regular customers were going elsewhere, to more modern and often cheaper providers. The CEC carried out a study which showed that the College needed modernisation to improve the quality of the facilities and to remodel them so that they were more women-friendly and in tune with the needs of today's diverse GMB membership. Additionally, the College needed a major structural overhaul, and in some areas, such as the kitchens, there were real health and safety concerns about the quality of the working environment.

During the early part of this decade, the Union carried out architectural planning work which indicated that the cost of bringing the College up to standard would be little short of £5 million. Attempts to seek funding for this project were unsuccessful, and the Union was faced with the prospect of adding the whole cost to our already growing overdraft.

Taking all outgoings into account, the annual cost of running the College was around £2.2 million. After deducting the income from internal and external sources, the net cost of the College was £1 million each year. During 2003, the last full year that the College was open, 1714 students attended the National College (compared to 3,489 who completed a regional training programme). It is clear that at a cost of almost £600 per student, the College represented an uneconomical method of providing advanced training.

When the Union's senior management team met in Nottingham in October 2003 to carry out an urgent financial review, the need to take immediate action to cut operating costs brought the whole question of the future of the College, or any alternative residential education facility, into focus. After lengthy discussions in which no aspect of the Union's activities went unquestioned, it was reluctantly concluded that the Union could no longer afford the growing current and future costs of National College, and the recommendation to close it formed part of a recovery package recommended by the senior

management and agreed by the CEC on 2nd December 2003.

Many in the GMB have fond memories of the College, and there was heartfelt and genuine dismay and disappointment that the College staff - all intensely loyal GMB people - lost their jobs when the College shut its doors in February 2004. A negotiated package meant that colleagues left with relatively good severance terms, and the indications are that by the end of 2004, all those who were looking for alternative jobs had found them.

Since the closure of National College, GMB regions have continued to deliver the bulk of the training for GMB representatives, as has always been the case. Whilst it has taken time to address the problem of advanced training provision that resulted from the closure of the College, the signs of recovery are emerging.

Some regions, notably London and Southern, have responded by developing very comprehensive and imaginative programmes of advanced courses that are delivered within the region. This more localised delivery has the benefit of being more accessible to a greater range of activists than the courses previously delivered at the National College. Most notably, many women, and other workers who may have experienced difficulty in attending a residential course a considerable distance from their home, find these courses more suitable to their needs. Arrangements negotiated with training providers have helped to ensure that advanced training courses are being delivered, to standards and on subject matters set by the GMB, in a very cost effective manner.

The CEC Training Committee will be monitoring these developments, and the CEC Task Group recommended to the CEC in its report that the future direction and development of GMB education and training would best be served by regional delivery based upon nationally agreed standards. GMB Regional Education Officers have responded positively to the challenge posed by the closure of the national facility, and the regional co-operation and sharing of best practice that has taken place is set to continue and will help to ensure that GMB representatives will receive high quality training and support to fulfill their role of representing GMB members in the workplace.

### **The Caretrain Project**

Care workers across the UK are reaching new standards in the profession with help from a national GMB project backed by money from the government's Union Learning Fund (ULF). Caretrain helps careworkers improve their basic skills and complete vocational qualifications in line with targets set out in the Care Standards Act 2000, which commits each home to ensuring at least 50 per cent of carers are trained to NVQ level 2 by 2005. The project is being run by the GMB on a national basis in homes run by Southern Cross Healthcare, the third largest provider of long-term care in the country, with 10,000 staff in over 130 homes.

No one under-estimates the scale of the challenge. Evidence suggests that most providers are nowhere near the government targets and high staff turnover is another significant issue. Because many staff are also reluctant to participate in training because of poor basic skills and low self-confidence, Project Manager Colin Kirkham has concentrated upon the development of a network of Learning Reps to help people who have traditionally been excluded from learning to take advantage of these new opportunities.

Denise Webb, Secretary of the GMB's Southern Healthcare Branch and Caretrain Project Worker, trained on a TUC course run exclusively for the first wave of Southern Cross Union Learning Reps. In the two pilot homes - Tower Bridge Care Centre in Southwark, South London and Adelaide Care Centre in Bexleyheath - Denise knew, through her activities as a Learning Rep, that at least half of the staff wanted basic skills and English for Speakers of Other Languages courses before starting their NVQs. The project is organising and running courses in the homes themselves as well as in local colleges, because people can be very shy about learning, and when people who work together learn together, they can build up their confidence with each other.

The Project has created a network of Project workers that support the delivery of the project aims and objectives. The network has recently been enhanced with the use of ICT, Project workers are now able to use laptops to undertake initial Skills for Life Assessments and are currently developing a web based support network.

Excellent links have been established with a range of linked organisations and initiatives such as

Employer Training pilots, Centres of Vocational Excellence and the Move On Get On campaign. To date, the project has exceeded its targets with 545 Careworkers enrolling for the NVQ Level 2 and over 110 individuals accessing help with their basic skills.

The Project has just been awarded a further 2 years of funding from the ULF and is planning a dissemination event to share the good practice that has been developed.

## **PRODUCTIVITY SERVICES CENTRE**

### **Introduction**

Based at National Office, the Productivity Services Centre (PSC) provides a support service to GMB Officers, representatives and members in a whole range of productivity, pay and work organisation issues. The work of PSC has developed in recent years to reflect the changing nature of management initiatives from traditional work study through to newer concepts such as human resource management and partnership. Their range of expertise includes:

- Job evaluation
- Pay and grading systems
- Performance, incentive and competency schemes
- Teamworking Annualised hours and flexible working
- Work study systems Work organisation

### **Recent Activity**

The last two years have seen a couple of developments which have led to changes in the emphasis of PSC's work. The turbulent period affecting the GMB in this period resulted in a decline in the amount of training courses presented by PSC. The closure of National College is one obvious reason, with the loss of Management Techniques and HRM Courses, plus occasional Job Evaluation Courses. Regional training also declined while the GMB re-thinks its national and regional educational strategy.

A further interesting development is the increase in time spent in dealing with work study related issues. As manufacturing struggles to combat international competition, many companies are attempting to increase productivity by using work study techniques to improve work organisation. A key factor in attempts to retain jobs and membership, PSC expertise and experience has been instrumental in advising and assisting our members in relation to company projects in that field. It goes to prove that these initiatives go in cycles; organisations abandoned traditional work study techniques with the decline of bonus schemes, but are now realising they need to measure to compete. It is our intention that GMB Representatives are fully involved and armed with the knowledge to ensure best practice is adopted.

PSC has continued its important links with a network of external organisations. The UKWon project investigates and advises on improving work organisation to achieve a healthy work/lifestyle balance while seeking to improve organisational performance through employee involvement. A number of bodies are involved, including the Involvement and Partnership Association, TUC, DTI, CBI, Nottingham Business School and various employers.

PSC's direct involvement with, and advice to the DTI, Ethical Trading Initiative and National Group on Homeworking was instrumental in achieving significant changes to National Minimum Wage legislation. An estimated 1.5 million outworkers will benefit from the changes, which ensure they are paid fair piece rates. It provides us with the potential to recruit a largely female, unorganised, and exploited workforce which, nevertheless, is an important part of the economy. Such progress would not have been achieved without the direct input of the GMB's Productivity Services Centre.

### **Future Projects**

As the next stage of the Local Government Single Status Review, Local Authorities are now progressing from job evaluation into designing pay and grading structures. This is a potential minefield and our members need to be protected against employers seeking to use it as a means of reducing earnings. The GMB has therefore developed a national strategy which involves the PSC in providing comprehensive training in Pay and Grading structures, specifically for Local Government Representatives.

PSC will continue to provide the job evaluation training which has proved invaluable in the past. Job evaluation is an ongoing exercise, and, as new Officers and Representatives are appointed, it is essential they receive the relevant training and background.

### **NHS Agenda for Change**

Again, as part of a national strategy, PSC are to be involved in a series of presentations and training sessions for Officers and Representatives, which will give them a good background to Agenda for Change principles. The package will be flexible and adaptable to take account of different audiences, and are designed to support regional activities to recruit, organise and service GMB NHS members. Included are sessions on the aims of Agenda for Change, principles of Partnership, Job Evaluation and the Knowledge and Skills Framework.

### **Summary**

These two important future projects will expand upon PSC's traditional areas of work. The department will have an increasingly national profile, and will encourage co-ordination across a wider range of GMB services.

*(Adopted)*

THE DEPUTY GENERAL SECRETARY: Congress, it gives me great pleasure to move my report to you today. It actually gives me great pleasure to be here with you today as your Deputy General Secretary. I think after a bit of a shaky start and a brief period of internal exile, I was delighted to be re-elected back into office and, of course, thank all of those who supported me through a rather difficult couple of months.

I remember two years ago Steve Pickering talking me through the basics of the job and thinking, on reflection and perhaps somewhat over-confidently, at the time, "Yes, I can do that." What I did not know, and what none of us knew at the time, was the tremendous problems that lay ahead of us during the latter half of 2003 as a result of our perilous financial situation.

The background to these problems is well-documented and has been widely debated through the Union, but the whole experience of tackling our financial deficit has taught me some salutary lessons and provided me with a critical early insight into our Union, giving me an awareness of both our strengths and our weaknesses.

Undoubtedly, the decisions that we took as a senior management team were painful and difficult and had consequences for members, staff and officers and also affected others outside of our organisation. The most agonising decision of all was, of course, to close National College. Everyone involved in making that decision was aware of the widespread affection and pride that the College had amongst our active membership and the disappointment and dismay that greeted that decision.

However, Congress, the responsibilities of leadership dictate that decisions are not made based on popular appeal, but are made for the good of the organisation as a whole. This decision and others

designed to impose a fiscal discipline throughout this union forged a collective strength of leadership that has developed and continues to develop as we respond to fresh challenges on an almost daily basis.

As an officer of this Union, I have on countless occasions listened with my members to announcements on factory closures and job cuts, and I have shared with them their anger and their frustration. But, believe me, having stood in front of 68 National College staff and having to endure their bitterness, resentment and incredulity has taught me a valuable lesson. That lesson is that we must never return to the days when our organisation persists in spending money -- our members' money -- beyond our means. This not only puts this organisation in jeopardy, but we put the livelihood and the jobs of our own staff in jeopardy and that can never happen again.

Thankfully, we know from contact with ex-College staff that the majority have gone on to secure sound alternative employment. Again, it is testimony to the strength and resilience of our organisation, and particularly to the credit of the Regions, that they have responded to the challenge of providing replacement, locally delivered, advanced training programmes.

We have worked with the Training Committee, with the Regional Secretaries and the Regional Education Officers to develop a national strategic approach to officer and activist training, which has just been finalised. Our plans to develop a national strategy on learning are close to completion. It all took some time but we are getting there.

Colleagues, there are times, however, when the difficulties that we faced as an organisation paled into insignificance when measured against the problems being faced by others throughout the globe. This was brought home to me during my visit to Colombia in November 2004. Unfortunately, I do

not have time to give you a full report here, but I would urge you to attend the Justice for Colombia fringe meeting on Wednesday to hear my account, but, more importantly, to hear from our Colombian comrade, Angel Salas, on the struggles of trade unionists in that country; trade unionists who would literally be putting their lives at risk by attending a conference of this nature. Please visit the Justice for Colombia stand and speak to Angel who is desperate to secure your support and solidarity.

Congress, we have, understandably, been heavily focused on internal matters during these past two years as we fought to repair and rebuild our organisation. Unsurprisingly, there have been many detractors who believed that the GMB was finished both financially and in terms of our organisational and political influence. How wrong they were.

A further demonstration of our enduring strength was the role that we played in securing the Warwick Agreement. Let me tell you, that role was pivotal. Credit must go to each of our national policy forum delegates who gave their all that weekend and who were driven, not only by the need to get a grip on the political agenda and to reassert our authority on the Party, but to secure deals that are of profound importance to the members who we represent.

The outcomes of the Warwick Agreement will make a significant difference to our members' lives and we all, not least of all myself and Mary on the National Executive Committee, will be vigilant in monitoring the implementation of this agreement and to ensure that it is honoured in full.

Arising out of Warwick was the decision to establish the Women and Work Commission, of which I am proud to be a member. The Commission is due to report later in the year, but I can tell you that the task ahead is huge. The reasons for unequal pay are complex and the mountains of evidence that we have received so far seem to have posed more questions than provided answers.

However, what is clear, from a trade union perspective, is the scant attention that equal pay is still given on the bargaining agenda, particularly in the private sector. One outcome of the inquiry may be a call for mandatory equal pay audits on employers, but we should not be relying on possible legislation at some point in the future. Equal pay needs to be at the heart of every set of negotiations conducted by this Union, and I would love to see the GMB playing the leading role in this area.

I would just like at this stage to thank Sandra Allen from the Midlands & East Coast Region for giving evidence to the Commission on behalf of the GMB, drawing on her immense experience as a representative of hundreds of women workers. Sandra was able to highlight to the Commission the importance of training and learning opportunities in promoting equal pay.

Colleagues, as more and more women join the

GMB, and the labour market is set to witness record numbers of jobs being taken by women, it is not before time that our focus on equality has been strengthened and a fresh emphasis is being placed on equality and diversity throughout the whole organisation. Not only do we have a new advocate of this agenda in the form of Rehana Azam, who has now assumed responsibilities for equalities, but we are finally getting around to actively responding to the recommendations in the Elizabeth Henry Report that was presented to this Congress in 2003.

All senior managers in the organisation have received and have responded enthusiastically to race and diversity training and plans are underway to roll this out through the Union's structures. This transformation of how we think, how we act and how we operate will, hopefully, rid us of our legacy of being considered to be an institutionally racist organisation.

Our efforts in this field can only be assisted by the ambitious plans from the National Race Committee to host an event during Black History month in the beautiful city of Liverpool, soon to be capital of culture, as Derek so magnanimously reminded us yesterday.

We expect this event will get off to a sluggish start, picking up some momentum in the second half, to become a victorious triumph following extra time. Sorry, Paul! From one blue to another, it had to be said! But, seriously speaking, it is incumbent upon us all to support this tremendous event, putting the GMB back to the forefront in promoting race equality.

Congress, I have great hope and confidence that we have come through the last two years of tremendous difficulties stronger and ready to confront any challenges that lay ahead collectively and united.

We are all ready for a period of stability so that we can focus on the job in hand, which is to grow this Union and to represent the members to the best of our abilities. I think that time has finally arrived, and I am committed to working with Paul to help us achieve that goal. Thank you, Congress. *(Applause)*

THE PRESIDENT: Debbie, thank you very much indeed. I call pages 19 and 20. Are there any questions? (No response) Pages 26, 27 and 28. Are there any questions from the floor? (No response) Pages 33 and 34, are there any questions? (No response) I now ask Congress to agree that part of the report. Agreed?

*(The Deputy General Secretary's Report was adopted)*

THE PRESIDENT: Thank you very much indeed.

Colleagues, I am giving you advance warning that in the event that we complete business as briskly this morning as we did yesterday, I may be calling some of the programme from Wednesday or even this

afternoon forward; so have your speeches ready just in case.

I now move to ask Allan Black to give his

section report and to move the Special Report on the Security Industry.

## COMMERCIAL SERVICES SECTION REPORT

Following the departure of John Hockenull, National Secretary, under the VER scheme in March 2004 Allan Black assumed overall national responsibility of the Commercial Services Section of the Union. The membership of the Section at January 2005 (the most recent figure available at the time of writing) stood at 69,623 - a modest increase since last Congress. This increase, whilst obviously to be welcomed, in no way reflects the real growth potential for the GMB in the areas of employment covered by the Commercial Services Section. As the UK manufacturing base continues to decline and paradoxically as employment in the economy as a whole continues to grow these new jobs are being created almost exclusively in the services sector. The Unions, if it is to survive and prosper must therefore ensure that it grows at least as rapidly as employment in this sector. That is the challenge which faces the Commercial Services Section over the next two years. The Section National Committee, which was revamped in 2004, has been briefed on the nature of this challenge and stands ready to lead the Commercial Services Section in an aggressive recruitment effort. We must seize the real opportunities for growth that present themselves in:

- employment agencies
- legal and other professional services
- civil aviation
- and above all the security industry

if the Commercial Services Section is to be truly the engine of growth for the GMB as a whole.

Real efforts from National Office and the Regions have resulted in the creation of a much more representative Section National Committee with almost every Region now represented and, more importantly, with representatives attending the Section Committee quarterly meetings on a regular basis.

The Section National Committee is composed as follows:

|                |                                   |
|----------------|-----------------------------------|
| Mr R C Crosby  | London Region (Section President) |
| Mr N Smith     | Birmingham & West Midlands Region |
| Ms A Murphy    | Lancashire Region                 |
| Vacancy        | Liverpool, Wales & Irish Region   |
| Mr K Markillie | Midlands & East Coast Region      |
| Ms E Daley     | Birmingham & West Midlands Region |
| Ms Y Ritchie   | Northern Region                   |
| Mr B Guinea    | GMB Scotland                      |
| Ms J Cole      | South Western Region              |
| Mr D Clements  | Southern Region                   |
| Mr J Smith     | Yorkshire & N Derbyshire Region   |

And a sincere vote of thanks is due to those lay members who gave their time and their energy to make the Section a success.

The Committee now meets on a regular quarterly basis and this will continue for the foreseeable future.

Last year (2004) we held the Section National Conference during May in Scarborough. The Conference was attended by 35 delegates and Regional Officers.

A total of 11 motions were submitted by Regions. 10 were carried and one withdrawn. Speakers at the Conference included Mary Turner, National President, Phil Davies, National Secretary, Allan Black and Jude Brimble, National Officers, and Charlie King and Dolores O'Donoghue, GMB Researchers.

The Report of the Conference submitted to the CEC was accepted.

## 1. National Negotiations

It is still the case that many of our members are employed under nationally negotiated terms and conditions of employment. Thus a summary of the main national collective bargaining developments since last Congress follows:

### SECURITY INDUSTRY

The long overdue regulation of the Security Industry via the Security Industry Authority (SIA) is starting to have an impact on pay and conditions of our members in this growth area. The image of the industry as one based on low pay, long hours and - to say the least - dubious employment practices is change in the face of regulation. The Industry is the subject of a Special Report to Congress, where this will be gone into in more detail. Suffice to say here that regulation is starting to have the welcome impact on pay and conditions that we all expected and some of the reports which follow perfectly illustrate the fact that "times they are a changing".

### SECURITAS CASH SERVICES

With effect from 1st October 2004, a deal was negotiated with the explicit aim of producing a substantial increase in basic rates of pay. This was achieved in part by consolidating existing allowances into the basic, negotiating productivity improvements and by the injection of new money. The effect was to increase basic rate for drivers as follows:

|                         |                  |
|-------------------------|------------------|
| W.e.f. 1st October 2004 | 1st January 2005 |
| 675p per hour           | 833p per hour    |
| 1st October 2005        |                  |
| 855p per hour           |                  |

This agreement will come up for renegotiation with effect from 1st April 2006

### SECURICOR CASH SERVICES

At the time of the last Congress, after serious difficulties, a two year pay settlement has been put in place. At the time of writing this report protracted negotiations are being conducted to try to:

- boost the basic rates paid by Securicor CashServices as market leader
- harmonise the two existing contracts within the Company.

It is impossible to prejudge the outcome of these talks but an update will be given at Congress.

### GROUP 4 TOTAL SECURITY

In early 2004, it was announced that the two biggest employers in the UK Security Industry - Securicor and Group 4 were to merge to form a huge worldwide Company employing 340,000 people (around 30,000 in the UK) and operating in more than 100 countries. As Congress would expect this gave the GMB cause for concern for whilst our long standing relationship with Group 4 had, generally, worked well, our relationship with the manned guarding role of Securicor has been more difficult, leading to de-recognition in 1997. During 2004, the Group 4 National Negotiating Committee (NNC) met erratically as the Management Side was reshaped as a consequence of the merger. However, in the early part of 2005 things began to stabilise and meetings of the NNC has been put on a more regular basis. We have established a Patrol & Response NNC to deal with that particular aspect of the business and although merger has presented difficulties here with integration leading to some job losses, we expect this operation to grow as customers look to alternatives to manned guarding in the wake of regulation.

There are real concerns as this Report is written about the future of the Total Security NNC and its relevance, but by Congress hopefully several key issues will be clearer.

### GROUP 4 PRIME

The so-called Prime Contract, whereby Group 4 provides in excess of 2,000 guards for the Department of Work and Pensions (DWP), has its own separate NNC because of the size of the contract. At the time of writing this report pay talks for 2005 are in difficulty with GMB members having taken the Union's advice and rejected, in a ballot by a margin of 9:1, a pay offer of around 3.2%. This is because we have urged our members to confront basic rates of as little as 520p per hour head on. Talks are continuing.

### SECURITAS GUARDING

It is pleasing to report to Congress that we have signed off a single Union recognition deal covering

Securitas 4,500 UK guards. This gives us a chance to recruit this non-Union workforce into the GMB.

### **SECURICOR SECURITY SERVICES**

Negotiations are taking place to establish GMB recognition for the 12,000 Securicor Guards. This was lost in 1997. Whilst it would be premature to predict the final outcome, the talks held in the Winter of 2004/Spring 2005 have been going well.

### **GLOBAL SOLUTIONS LIMITED**

One of the consequences of the Group 4/Securicor merger mentioned earlier was that GSL (formerly part of the Group 4) was sold off as a free standing entity. This Company where we have more than 2000 members provides custodial and escort services in Courts in England and Wales, private management in the prison services and immigration detention services. There are controversial areas and are often in the public eye. In addition most of our GSL members are covered by the pernicious provisions of Section 127 of the 1994 Criminal Justice and Public Order Act. This is dealt with in greater details in the Special Report to Congress.

The largest group of our members in GSL are employed in Court Services. Our members discharge the thankless - and sometime dangerous - task of escorting prisoners from prison to Court and between prisons. Last Spring/Summer a great deal of effort was put in to resolving a long standing issue of creating a harmonised contract across the Country. This was finally achieved and after overwhelming endorsement by our members, in a ballot, it came into effect at the end of August last year. It runs through until the contract between the Home Office and GSL reaches its end.

We continue to expand as a Union into other GSL activities and have recently concluded recognition agreements for the building maintenance function and their policy custody services.

### **PRISON SERVICE JOINT INDUSTRIAL COUNCIL**

The GMB input into the Prison Service JIC has been stepped up following a very difficult period, during which our members felt that they had no option but to take limited industrial action. This was in response to the imposition of a derisory pay increase of 1% in 2003/2004 and no recognition of the invaluable contribution our members make to the Prison Service. 2004/2005 produced an increase of 2.15% which, of course, is still way below anything our members would have deemed acceptable. However, in the light of the situation the previous year our members reluctantly voted to accept this offering the hope of a more thorough review this year.

### **DHL**

Following the departure from the Union of a Senior Regional Officer from our Southern Region, responsibility for our DHL membership reverted to Allan Black at National Office. Apart from having organised a Reps' conference to draw up a pay claim at the time of writing this report, it is too early for anything of significance to be said and Congress will be given a verbal update.

### **THOMPSONS SOLICITORS**

Following last Congress, a two year deal covering pay and conditions in this large firm of employment law/personal injury solicitors was put in place. This comes to an end in October 2005. Since last March the Thompsons NNC has been revived and the process of consulting on a new pay and conditions claim for our members, starting in April 2005 has been put in place.

### **RUSSELL, JONES AND WALKER**

This is a smaller firm of well established labour movement solicitors. Our role and membership has slipped in recent years and steps have been taken this year to turn this position around. The (small) NNC has been reconstituted and an inaugural meeting with the Employer arranged for April 2005.

### **AVIANCE**

Our membership in this large civil aviation ground handling company (around 4,000 employees) fluctuates as contracts in this highly competitive industry change hands. We have recently (end 2004) suffered major job losses in the Southern Region at London Gatwick airport. We do however continue to recruit elsewhere and this Company remains on our list of targets for Commercial Services' growth. Pay bargaining continues to be on an airport by airport basis and, sometimes, in concert with other Unions.

## **SERVISAIR**

Much the same pattern is seen in Servisair, the largest handling company (about 6,000 employees) although here there is more national bargaining with a number of airports being grouped for collective bargaining purposes with the GMB as the recognised Union. A reps meeting to draw up a claim on pay and conditions with effect from 1st April 2005, is being arranged as this report is being written.

## **P&O FERRIES**

Our membership in this Company - concentrated round the coast and in the Southern Region, is under pressure from heavily subsidised competition from other carriers. Terms and conditions are negotiated at Regional level and, in spite of preoccupation with protecting jobs, our Officers and Reps have done well in defending the standard of living of our members employed in this industry. I am sure that the Southern Region in particular will want to add to this brief report.

## **2. Other Matters**

Several agreements or areas of employment, although of a national nature, are in fact led by a Region. Sometimes this is a result of the history of the Company or the industry, sometimes it is a matter of a deliberate decision and reflects membership concentration in one particular Region. This is the case for Commercial Services members working for:

- |                                   |                 |
|-----------------------------------|-----------------|
| • Brinks (Security)               | London Region   |
| • British Airways                 | London Region   |
| • Chubb                           | London Region   |
| • Trade Union and Political Staff | London Region   |
| • AA                              | Southern Region |

Brief Report prepared by the relevant Regions follow:

### **BRITISH AIRWAYS**

Following the conclusion of last summer's pay round, there have been ongoing problems in British Airways over the introduction of a new Attendance Management policy. The GMB has made vigorous representations to the company that they should undertake a thorough review of this policy, which the Company has now acceded to. It is to be hoped that this review is successful in fixing both the inconsistencies and the unfairness in the current policy.

There are grave concerns amongst GMB members and myself over the future of British Airways Engineering. This department is poorly managed, and there are very real dangers that major parts of the department work will be given away to third parties.

During the last 6 months the GMB has remained resolute in its determination to fight outsourcing off British Airways work to India. We are committed to a policy of ensuring that if any jobs are lost, they are replaced by new jobs created for our members in the UK.

Retaining our membership base within British Airways continues to be difficult owing to the ongoing shedding of labour by the company. A new programme of recruitment has been put into place which will target both the terminals and other administrative areas of the company.

### **BMI**

Membership continues to rise in BMI thanks to the efforts of the shop stewards at London Heathrow. The Union is tackling a problem over the company's disinclination to pay shift pay to our members when they are away on annual leave. BMI have been informed that if they refuse to make this payment, then we will consider taking the appropriate legal action.

### **BRINKS LTD**

Major concerns in Brinks regarding the imposition of new Contracts of Employment/Terms and Conditions from 1 February 2005. The company has stated that, due to the forthcoming requirements of the Working Time Regulations (drivers' hours), employees are limited to a maximum 48 hours per week. This has resulted in a severe financial penalty on members who traditionally work large numbers of extra hours (O/T). In negotiations with the employer an offer of 10% increase on pay was balloted to the membership, but rejected by our members nationally. Further talks with the employer continue.

## CHUBB

No Recognition Agreement with Chubb, which leaves the position of only representing members on Grievance/Disciplinary matters. Recruitment hard as employees are spread across the country in small sites.

## TRADE UNION AND POLITICAL STAFFS

There is GMB membership within almost every trades union and political organisation. Major areas of GMB membership are within the Royal College of Nursing (RCN), British Medical Association (BMA), Amicus, Public & Commercial Services Union (PCS), Trades Union Congress (TUC), and Prospect. In all of these major areas, and in most others as well, GMB membership densities are on the increase. The merger of AEEU and MSF to create Amicus and its recent amalgamations with UNIFI and GPMU have caused great upheaval and have caused great discontent within our membership. Improvements in terms and conditions have been negotiated in most areas. Pay rises have been in the range 3-4%. Once again, it is very disappointing to report that our members suffer bullying, harassment and work-related stress. I would like to pay tribute to our nationwide network of Shop Stewards, who perform their duties with great skill, determination and common sense.

### 3. Conclusion

I would like to thank the members of the Commercial Services National Committee for their support over the last two years. We also, as a Union, owe a debt of gratitude to the Commercial Services Officers at Regional level for their efforts which in many occasions went beyond their contractual obligations. Above all, however, we owe our thanks to our lay representatives in the Commercial Services Section for their efforts, commitment and dedication to the well being of their fellow members.

*(Adopted)*

## CEC SPECIAL REPORT: “ORGANISING IN SECURITY: OPPORTUNITY AND CHANGE”

### Introduction

In this report to GMB Congress 2005, the Central Executive Council recommends a framework for the GMB to achieve substantial and sustainable membership growth in this fast-expanding part of the service sector.

This is a time of rapid change in the security industry which is set for transformation due to critical factors now coming into play. We now have a unique and major opportunity to build on existing foundations and develop membership in an area of the Service Sector which is set for tremendous expansion and where:

- We are already established and have organisational strengths and established relationships at all levels
- We are the major trade union
- It is estimated there will be 500,000 employees across the sector by 2010.

*We want to make it a better and more attractive industry in which to be employed - with better training opportunities, resulting in a recognised award and a decent career progression.*

*Security Industry Authority*

This report is in two sections; each covers a sector of the industry where the GMB is already well established and has organisational strengths and established relationships at all levels.

- **Section 1** covers the guarding sector and makes 5 recommendations to Congress
- **Section 2** covers the criminal justice sector and makes 3 recommendations to Congress

## SECTION 1

### THE GUARDING SECTOR

The guarding sector is the longest-established part of the security industry and covers:

- Manned guarding (including Static Guarding and Cash and Valuables in Transit)
- Door supervisor and event security
- Vehicle immobilisers (wheelclampers)
- Keyholders
- Private investigators

The guarding sector is covered by the **Security Industry Act 2001** and regulated by the **Security Industry Authority (SIA)**. The Act was brought in to regulate the private security industry in England and Wales. Scotland will be included in the Act in the near future.

The GMB has lobbied for decades for the industry to be regulated. The absence of regulation created and supported poor employment standards in the industry, allowed “cowboys” to operate on the fringes of the industry and criminal elements to operate in some areas. The security industry became synonymous with poor employment standards, minimal training, low pay, and long working hours.

In 2001, the Security Industry Act was passed to protect and reassure the public by preventing unsuitable people getting into positions of trust in the private security industry; and to raise standards generally within the industry.

Soon, everyone working in the contract guarding and door supervisor sectors will need to be licensed. Other sectors will be brought into regulation at a later date. The in-house sector is currently excluded, but the SIA has the powers to bring this in, and is under strong pressure from the GMB and the industry itself to do so.

Licensing is being introduced in stages; door supervisors were licensed in 2004-5 and manned guarding licensing has been open for licensing from early 2005, with licences required by March 2006. It is a criminal offence to operate in the regulated sectors without a licence. Licences are granted to individuals by the SIA, subject to criminal record checks and achievement of an approved training qualification.

Until licensing is completed, it is not possible to know how many people work in the industry, and estimates vary. However, current estimates by the Security Industry Authority<sup>1</sup> indicate:

#### **Guarding Sector:**

|                                       |                |
|---------------------------------------|----------------|
| <b>Manned (Security) Guards:</b>      | <b>140,000</b> |
| <b>Cash and Valuables in Transit:</b> | <b>15,000</b>  |
| <b>Close Protection:</b>              | <b>1,000</b>   |
| <b>CCTV monitoring:</b>               | <b>7,000</b>   |

|                                       |               |
|---------------------------------------|---------------|
| <b><u>Door Supervisor Sector:</u></b> | <b>95,000</b> |
|---------------------------------------|---------------|

#### **Sectoral Growth**

The guarding sector is expected to grow, and it is estimated that up to 500,000 people could be working in the wider industry by 2010. Regulation and higher standards are expected to improve public confidence, and lay the foundations for private security companies to move into new areas of work, including taking on a complementary police role through contracting with police forces for Accredited Community Safety Officer posts<sup>2</sup>. Accredited Community Safety Officers (ACSOs) will have limited powers to tackle anti-social behaviour and minor disorder and issue penalty notices.

#### **GMB Membership**

The GMB is the major trade union throughout the guarding and cash services sector. We now have recognition agreements with Group 4 Securicor, the largest company in the manned guarding sector and also with Securitas.

<sup>1</sup> Security Industry Authority Regulatory Impact Assessment November 2004

<sup>2</sup> Accredited Community Support Officers should not be confused with Police Community Safety Officers (CSOs) who are governed by a separate regulation and directly employed by Police Forces. The potential for GMB organising in this area is being addressed by the GMB's Organising Working Group.

However, although we have partial recognition with other major providers, and some local agreements, membership in other companies in the guarding sector is patchy. Our total membership in the sector is in the region of 20,000.

Given the size of the guarding and CVIT sectors alone, currently estimated by the Security Industry Authority at 155,000, there is substantial potential for growth through:

- Consolidation in companies where we have full or partial recognition
- Achieving recognition in companies where we are not recognised, but have an established membership base
- Growing our membership in companies where there is no union recognition and minimal or no union membership

### Demographics

Improved standards and criminal vetting are expected to create a massive shake-out of the industry. The SIA anticipates that 12-14% of applicants for licences in the guarding sector will fail. There will be more competition to attract and retain skilled workers into the industry who are fit to obtain a licence and meet the competency criteria. This is set against a shrinking employee pool in an industry which currently has a high staff turnover with 30-130% annual churn rates<sup>3</sup>

- The eligible employee cohort is expected to reduce by 20-25%
- The youth cohort is shrinking. Between 2006 and 2016 there will be less young people coming into the labour market.<sup>4</sup>

### Changing Standards

It is widely acknowledged that the industry will need to be transformed to meet the challenge and higher standards of a regulated industry.

*"In three years' time, will anybody really be interested in having to go through licensing, criminality checks and training if they're then going to be in a boring, insecure job that only pays the National Minimum Wage? It's just not going to happen. There's a change coming, and the sooner this industry starts to manage that change the better."*

*John Saunders, CEO Security Industry Authority,  
SMT Interview January 2004*

This presents us with a unique opportunity for growth. This is an industry where:

- we are the main trade union
- we have close contacts with the key decision-makers at a time of change
- we have recognition agreements with major companies
- we have an established membership but there are substantial unorganised areas which present opportunities for growth

Regulation will engender a process of change in the industry. The poorly run companies will be forced out and the companies with good standards will be set to expand and grow.

The resistance to union organisation that has permeated the industry is now open to challenge. The GMB is now recognised by two of the largest companies in the United Kingdom and has membership in many fast growing companies.

In 2005, the SIA also plans to introduce an Approved Contractor Scheme (ACS). This will be a voluntary initiative that aims to raise performance standards and develop new opportunities in the private security industry. The GMB has been working with the SIA on establishing fair employment

<sup>3</sup> Chris Humphries, Director City & Guilds, SIA launch conference, April 2003

<sup>4</sup> Source: Office of National Statistics 2001

standards as a condition of achieving Approved Contractor status. There is more work to be done, but it is already becoming clear that companies wishing to achieve ACS status will be required to meet much higher employment standards than have prevailed in the past.

This is important because it is likely that companies contracting for the more lucrative high status contracts and wanting to move into complementary police work will be required by the SIA to meet ACS criteria.

### Key issues

As regulation approaches, people working in the industry will be seeking support on regulation, licensing and training issues in particular. Given the employment practices in the industry to date GMB has a unique opportunity to grow its membership through a recruitment and organisation campaign that focuses on key issues:

#### Issues in the guarding sector

- Low pay - 18-30% of workers in the sector are on National Minimum Wage
- Long working hours - the industry has relied heavily upon the opt-out from the Working Time Directive working time regulations
- Widespread failure to implement the rest breaks provisions of the Working Time Directive
- Grievance and disciplinary culture
- Cost of licensing: £190 for a 3 year licence, borne by the individual unless employer agrees to meet costs or subsidise the licence
- Concerns about training costs
- Concerns about meeting the criteria for licensing: basic skills (i.e. literacy and numeracy), competency and criminal vetting)
- Health & Safety - particularly fear of an attack
- Worries about having licence withdrawn

The licence itself will be of prime importance. It will be a criminal offence for an unlicensed person to work in the industry. Some major employers have agreed to pay the licence fee and training costs, but others are expecting their low paid employees to meet the costs themselves. This is an important campaigning issue.

In addition to representation and improvements in terms and conditions, the assistance the GMB can offer to security workers includes advice and support on licensing issues and appeals. Consideration should also be given to a cost-effective insurance indemnity scheme for licences similar to the Legal Defence Fund<sup>5</sup>.

### Door Supervisors/Event Security

There is also potential for growth in recruiting door supervisors and event security stewards, where up to 95,000 people will need to be licensed. Although some groups of door supervisors have formed federations or local associations there is no comprehensive national union organisation for representation in this area. It has traditionally been a difficult sector to organise, but regulation is expected to transform the industry. As regulation comes in there will inevitably be issues raised regarding the criteria for licensing which relate to criminality and competence in this sector. The GMB can offer advice and assistance and support, where needed, with the licensing process itself.

#### Recommendation 1

**The CEC recommends that the Manned Guarding and Cash and Valuables in Transit sectors of the security industry become a high recruitment priority for the Commercial Services section in all GMB regions.**

#### Recommendation 2

**The CEC recommends that the door supervisor and event security sectors are examined by the**

<sup>5</sup> The Legal Defence Fund is an insurance scheme that offers protection to members in the criminal justice sector (see Section 2 of this report).

**Organising Working Group for recruitment potential and campaigns.**

### **Recommendation 3**

The CEC recommends that the GMB launch a high-profile campaign for all employers to pay the licence fee and training costs “naming and shaming” those who refuse.

### **Recommendation 4**

The CEC recommends that the GMB campaigns for a sectoral minimum pay level of £10 per hour.

### **Recommendation 5**

The CEC recommends that the GMB considers offering a membership package to all GMB members covered by SIA licensing which includes:

- information on licensing
- advice and support on licence application and processes
- advice and support towards meeting the basic skills and competency criteria
- licence protection insurance including a 24 hour helpline and support scheme similar to the Legal Defence Scheme

## **SECTION 2**

### **THE CRIMINAL JUSTICE SECTOR**

Successive government policies from the early 1990's onwards created a new category of workers, employed by companies contracted by the Home Office to carry out duties in the criminal justice sector in:

- Contracted prisons, detention and reception centres
- Contracted escort services
- Contracted police custody services

### **GMB representation in the sector**

The GMB has a growing membership in the sector working in prisons, detention centres, escort and custody services. We have around 3000 members in this sector, in companies currently contracting to the criminal justice sector, including GSL, Reliance and Securicor.

### **Sectoral Growth**

Criminal justice policies of the two main political parties means that whatever government is in power employment in the sector will continue to expand in the foreseeable future. More providers, including USA operators, are also expected to compete for contracts in this field in the near future.

The GMB is a major union representing people who work in the contracted criminal justice sector so is well placed to expand our membership and seek recognition agreements throughout the sector as it develops.

### **Unionisation**

Other unions organising in this sector are the Prison Officers' Association (POA), who, following a change in policy, now actively recruit in the private sector, and the Prison Service Union (PSU) a non-TUC affiliated union. The POA has signed a legally binding no-strike agreement with the Prison Service and the PSU is believed to have signed a number of no-strike agreements with private contractors.

### **Regulation**

The sector is regulated through the Home Office which issues certificates to certain categories of employee who are subject to Section 127 of the Criminal Justice and Public Order Act 1994. The Act places restrictions on unions and individuals. GMB members affected by this legislation are:

- Custody Officers
- Prisoner Custody Officers
- Detainee Custody Officers

The GMB has taken advice from senior counsel on the impact of this legislation and it is clear that any breach of Section 127 can lead to a claim against the GMB for inducing members to take strike action. Nothing in any of the other legislation which normally applies to industrial action restricts the rights of the Secretary of State, and **the normal statutory protections do not apply.**

This means that the Secretary of State can both:

- obtain an injunction preventing industrial action on the grounds that it is unlawful, and
- Seek damages for losses without any restriction (**the normal statutory cap of £250,000 does not apply**)

It is clear that the Secretary of State through the Home Office will not countenance industrial action in this sector.

### **GMB Policy**

In May 2004 the GMB responded to the Home Office consultation on the proposal to repeal section 127 of the Criminal Justice and Public Order Act 1994, arguing for the legislation to be repealed without any pre-conditions. However, the Government made repeal conditional upon unions reaching legally binding “no strike” agreements.

It is long-standing GMB policy that we will not enter into “no-strike” agreements. However, the exceptional circumstances created by Section 127 effectively prohibit the GMB, its officers, activists and members from taking any form of industrial action without the risk of an injunction and damages as outlined above.

**The CEC recommends that the GMB continues to challenge this legislation, and seek its repeal.** Until such time as this is achieved, however, the GMB accepts that it will be bound by Section 127 of the Criminal Justice and Public Order Act 1994 and will enter into agreements which recognise the particular restrictions it places upon trade unions in the private sector.

### **Issues**

There a number of key issues in this sector that the GMB can focus on to develop a recruitment and organising campaign.

- Low pay
- Long working hours
- Demanding shift patterns
- Inferior terms and conditions to public sector managed prisons

### **The Legal Defence Scheme**

The Legal Defence Scheme entails a 24 hour helpline and defence support up to an insured limit for criminal and civil defence claims (typically made by prisoners) and disputes over Home Office custodial certificates. It should be emphasised that this does not cover normal employment related matters, which remain the responsibility of the elected representatives of the GMB.

The Scheme was introduced to cover members in areas where we compete with other unions, most notably the Prison Officers Association, for membership. Prior to the introduction of the GMB scheme, we were at a distinct disadvantage as we could not offer members the same protection as the POA, and this damaged recruitment.

### **Recommendation 6**

**The CEC recommends that Congress recognises that, in the light of the legal advice received, trade unions are effectively prevented from taking industrial action whilst the provisions of Section 127 of the Criminal Justice and Public Order Act 1994 remain in force.**

**The CEC will continue to campaign vigorously for the removal of Section 127 which prevents GMB members from exercising their right and freedom to take industrial action. But whilst it remains on the Statue Book, the CEC accepts that the GMB will enter into agreements which recognise the particular restrictions it places upon trade unions.**

**Recommendation 7**

**The CEC recommends that Congress sanctions the continuation of provision of a Legal Defence Fund to protect our members against claims and disputes over their Home Office certificates, as well as acting as a valuable recruitment and retention tool.**

**Recommendation 8**

**The CEC recommends that the Criminal Justice sector become a high recruitment priority for all GMB regions where the private sector operates within the criminal justice system.**

*(Adopted)*

BRO. A. BLACK (National Officer, Commercial Services): I am speaking to pages 35 to 39 of the General Secretary's Report on the Commercial Services Section and also, as the President said, I am moving the CEC's Special Report on the Security Industry, which is in the pack you have had since the start of Congress.

Conference, since assuming responsibility last March for the Commercial Services Section following the retirement of John Hockenull, I have been on a very steep learning curve, trying to understand the problems and issues confronting our members in the private services sector. I begin by recording my appreciation for the huge amount of help I have had in this learning process from the Sectional National Committee, from the Regional Officers responsible for the section and from the very many active lay members who went along with me when committing the undoubted blunders I have made since last March. Thanks to you all.

I should also like to make special mention, if I might, of the enormous help I have had from Dolores O'Donoghue, the GMB policy officer responsible for the sector. Dolores is sitting in the hall. Her modesty, I am sure, will prevent her rising for the occasion, but I would just like to record formally my thanks to her for the enormous amount of help I have had.

One of the things we appreciate very much in National Office is the fact that we have the best support staff in the trade union Movement, whether it is expertise on pensions or health & safety, whether the law, or any of the very many other areas where we require specialist advice. It is always available and it is always of the very highest quality. That also applies to Dolores and her colleagues in the Research Department.

I do not want to deal in detail this morning -- I do not have time, anyway -- with the negotiations covered in the written report, but, of course, I would be perfectly happy to try to answer any questions that there may be from delegates on them. However, I want to identify some of the challenges and opportunities that the Commercial Services Section faces.

Many of the areas of employment covered by the section are characterised by low basic rates of pay, long hours, part-time employment and high labour

turnover. There are really difficult organising challenges. However, taken together, the industries we cover in the section present the GMB with enormous growth potential for the future as more traditional areas of employment decline.

The National Committee has endorsed a programme of recruitment targets within the section. I have had initial discussions with the Acting General Secretary and other colleagues about resourcing these recruitment activities. If I can just do a quick commercial, I have with me some recruitment material, the bulk of which is currently at the printers and will be available to the Region shortly, aimed at recruitment in the security industry, which is one of the real main targets for growth for the Union.

We have to make our intentions very clear to the employers in the industries. Some of the agreements the GMB has previously entered into are, to put it politely, in need of radical overhaul. The days when the Union would roll over and play dead are gone, and that is a good thing, in my view. We do best in recruitment terms when we act as a union and defend with vigour, professionalism and commitment the interests of our members and potential members in these industries.

I shall give two particular examples, if I might. The security industry is being regulated -- I will say a bit more about that in relation to the special report -- and we are using that major change in the industry, which the GMB has campaigned for many years, to drive up the appallingly low rates of pay and not before time. In some parts of the security industry we have managed to secure very, very substantial increases in rates of pay and we are working on the rest. We will be turning to the more difficult employers and we will be naming and shaming where that is necessary in the interests of our members.

In conclusion, Conference, in moving my contribution to the General Secretary's Report, I look forward to the challenges presented in this particular section. I look forward to returning to Congress next year and updating you on the progress made in recruitment in this area. With those words, I formally move my part of the Report.

I would also now like to perform the second task that has been allotted to me, which is to move the Special Report. Since I am doing two jobs this

morning, I asked Paul Kenny before I started if I would receive two pay cheques. He said he would talk to me about it as soon as I was finished. I will take that as a “no”. *(Laughter)*

The GMB is the major union in the security industry, colleagues, and I hope you have all had a chance to read the Special Report, which I said at the beginning is in the pack you have been given. It is this document **here**. We are the major union in the industry and for many years we have battled against some really difficult, uncooperative, backward-looking employers who resisted trade union organisation, exploited workers through low pay and long working hours and fought against our campaign to regulate the industry.

Paul Kenny made a comment yesterday in his speech about the fact that we do not make enough of our successes. I have to tell you that it is in no small measure due to the efforts of the GMB over many years that we now have a regulated security industry in this country. That is a major step forward. That is something which we ought to be extremely proud of having played a major part in securing. That is something that we perhaps do not make enough of because it will change the face and the reputation of the industry in fairly short order.

Regulation, however, will not solve all our problems. It may even create a few new ones for us, but pay and standards will improve. I have already said, this situation has started. The introduction of regulation does give us a once-in-a-lifetime opportunity to grow our membership in the security industry. It will help us to drive out the cowboys who pull down wages and reduce standards. We have currently around 20,000 members in the security industry. Bear in mind that over the next five years the industry is expected to employ half a million people. It is a sign of the society we live in that the security industry is expanding very rapidly in the United Kingdom.

We are in a strong position to grow our membership. We are the major union in the industry. We are recognised by most of the major companies - Group 4, Securicor and Securitas. We are working on some others to secure recognition to improve pay and conditions and to represent a much larger slice for the people who work in the security sector.

There is also a great opportunity for growth in the door supervisor, which is now regulated as well. We are looking to help to improve training and standards in that area as an incentive for people to join the GMB.

Part 1 of the Report which you have makes five recommendations to grow and develop our membership in the guarding sector. Part 2 of the Report focuses on the criminal justice sector where we have a significant and growing membership. Indeed, we had a short debate on one of the major problems in that sector yesterday. I have to say that the decision taken yesterday by Congress was

extremely helpful in securing recruitment amongst the people covered by section 127 of the Criminal Justice Act. Again, this is a growing sector, alas, because it does reflect the society we live in.

The GMB has much to offer people working in the sector who suffer from poor pay and demanding working conditions. We all know that when pay is determined by private contractors' profits, generally speaking, it is not a very attractive package.

Conference, the issue of section 127 is an important one for us. It prevents our members from, effectively, taking industrial action. It sets out Draconian financial penalties for those who organise, lead or encourage people to take industrial action in this particular area of employment. We are working to have that piece of legislation repealed. I must make it clear to you, however, that the legislation still exists and still acts as a very severe deterrent against our members exercising their basic human right to withdraw their labour. We must ask the re-elected Labour Government to give some kind of priority to repealing section 127 and giving our members the same rights as everyone else has in the UK economy.

The second part of the Report makes three recommendations to support and grow our membership in the sector, colleagues. I would ask Conference to support all the recommendations in the Report, to endorse the Report as a whole and organise the security industry. Thank you very much, Conference.

BRO. N. SMITH (Birmingham & West Midlands): I am here today, Congress, to support the Special Report from our Region. I work for Group 4 Securicor in the cash and transit division in Birmingham. Some years ago, when I first became a union rep, we were very disorganised and we had a low membership. We also had a two-tier workforce. With the help of the likes of Allan Black and, prior to him, Brian Strutton, we managed to get organised. We trained our reps and after a long struggle we actually obtained recognition. This gave us the ability to go out into the guardian industry and get decent pay deals at last. In the last four years we achieved over 21 per cent, but this year is a year of great change in our industry. I call upon all the Regions and National to support us.

The security industry has been licensed and, as Allan has said, this offers a huge window of opportunity for us. Also, with the changes to the Working Time Directive that have directly affected our tachograph vehicle drivers, we now have a pay deal going out to our membership that offers more than 54 per cent over the next four years. This is of great pride to me and the rest of my colleagues in the security industry, that when we get organised, we can make a difference.

However, we must not rest on our laurels. We also are fully aware that the manned guarding sector

is one of the lowest paid sectors in the whole of the economy. We must work far harder to make sure we get organised in those industries. That is the challenge that faces this Congress. I hope that at Congress we will be able to say that in these Regions we went into the security industry and organised.

There is one final issue I would also like to bring to the Congress's attention, and it is one of health and safety. In Birmingham & West Midlands Region, during the last two years five drivers have been shot. These people were carrying out their duties whilst doing deliveries to the banks and servicing the AT machines which we all use every day. This is not only going on in Birmingham, but it is starting to be repeated and was happening only last week in Leicester. Two weeks ago, as I say, it was in Birmingham. It also happened in South Wales recently. It seems a pattern that is going to increase.

They do not give our guards any warning. They just go up to them and shoot them. Then they demand money from them. I think it is about time that this Union put together a national campaign to be led by my Region. Allan Black is offering support and we have had great support from our supported MPs. However, I hope that as we go into this year we will get momentum to this proposed change that these criminals, when they are caught, go down and they go down big time. No longer do I want to have to see a guard in hospital who cannot understand why a crook just went up to him and shot him. Congress, I hope everybody reads this Report and will support it. Thank you.

THE PRESIDENT: Colleagues, before I go around the Regions, I ask you to move to the General Secretary's Report. Pages 35 and 36. Are there any questions? (No response) Pages 37, 38, and 39. Are there any questions on that part of the Report? *(No response)* Thank you. I am now going to go around the Regions. I call Midland & East Coast Region.

BRO. R. MORGAN (Midland & East Coast): President, Congress, I am more than happy to speak and endorse the Special Report on "Organising in Security: Opportunity and Change". The report, as you will notice, is in two parts; the first being the guarding sector and the second the criminal justice sector. The growth in both of these sectors has been identified. The political parties and, indeed, the general public perceive the great threat to our well-being, which has just been very movingly and graphically illustrated by the previous speaker. The report states there will be an estimated half a million employees by 2010.

The GMB is already represented as the largest union in the guarding sector, and we have an opportunity to expand our presence. We have all seen the growth of CCTV and the presence of uniformed security guards in the city centres. An

increased feature of nights out in the towns and cities is door security that controls entry to the nightspots. These workers are often seen as fair game for some of the customers after a few drinks, as we are all well aware, especially in Newcastle where these people are part of the nights' entertainment.

Cash in transit is a common sight. These workers have a greater presence of threat of violence as they go about their work, often in unsocial hours. Following September 11th, all the large companies have responded to the local and global threat to their security and safety and employed their own security staff, but most are outsourced to the major companies in which we have a presence.

What we may not all be aware of is the growth in the criminal justice sector with the outsourcing of contracts and the competitive tendering for contracts. This leaves all the industry vulnerable to poor working conditions and environments and other weak terms and conditions.

These officers in prison, detention and custody roles work under considerable stress and deal with some of the less socially acceptable members of our society. They have to retain a detached and professional approach to a most challenging job, often in very poor conditions. They deal with the problems society cannot handle outside the institutional system. There are also other special legal constraints on their work. The GMB can and will seek to repeal some of the Acts of Parliament and regulations that prevent the workers accessing their common right to industrial action.

The workers who are employed in these sectors need the GMB to redress decline in their pay and conditions of work; long and unsocial hours being a common feature of most jobs and, in comparison to other less stressful jobs, are under-paid and undervalued. The difficulty that is experienced in filling posts means that an increased strain is put on the existing staff members with the resultant poor morale of all concerned.

These workers badly need the protection that a union such as ours can give them. This report gives a framework, which, if adopted, can both increase our membership and give some security of protection to those who are protecting us. I commend the Report.

BRO. P. KANE (Northern): I support the CEC Report on the security industry. Congress, in supporting this report, the Northern Region wants particularly to highlight the issue of licence fees and training costs and to support the CEC recommendation to launch a high profile campaign to name and shame those employers who refuse to pay licence and training costs.

It is only because of the campaigns run by this union and by the better employers in the industry that the issue of regulating the security industry ever reached the statute book. We campaigned to get the rogues and the cowboys out of the industry, to

get rid of the madness which allowed good employers to be undercut by back street firms employing criminals and paying low wages.

Clearly, our concern is for our members. We want a well-paid, professional and regulated industry. The present legislation clearly is a significant move in the right direction. However, if the bad employers are simply allowed to pass on the cost of regulation to our members, then, once again, we are into the madness of good employers being undercut by the bad and the bad being undercut by the worst.

The Northern Region welcomes the CEC's proposal to maintain the GMB's campaigning role in the security sector. We urge Congress to support the report. Thank you.

BRO. K. SCOURFIELD (South Western): I am speaking on organising in security. The South Western Region firmly supports the Special Report: Organising in Security. The report quite rightly states that the GMB has lobbied for decades for the industry to be regulated, and for that we are proud.

The Report is broken down into two sections with a total of eight recommendations: section 1, the guarding sector, which has five recommendations; section 2, the criminal justice sector, which has three recommendations. Recommendations (1) to (5) are welcomed by the South Western Region as we see a need to recruit these employees and to ensure they are paid a decent living wage. They should not have to pay for their own training and licensing fees, which so many employers make them do at this moment.

Recommendations (6) to (8) are also welcomed and supported by the South Western Region, in particular recommendation (6), which is that the CEC will continue to campaign vigorously for the removal of section 127, which prevents the GMB members from exercising their right and freedom to take industrial action.

SIS. M. TAYLOR (Yorkshire & North Derbyshire): President, Congress, I am speaking in support of the CEC's Special Report. So much within the GMB has changed since we last met in Blackpool, providing both challenges and opportunities. It is much the same in our biggest area for potential growth in membership, the private security industry, particularly in the guarding sector, traditionally one of long hours, low pay, low esteem, seemingly for ever beset by the image of the elderly night watchman and a dog isolated in their hut on a desolate industrial estate.

It also consists of women and men that collect and deliver cash daily, cheques and other valuables, in armed vehicles where attacks are now a daily occurrence. As well as these brave and hard-pressed members, the sector also involves workers in event security, door supervision and wheel clampers, who are to popularity what Bernard Manning is to race

relations!

The criminal justice sector also deserves our attention, colleagues. Seen most evenings on local and national television, our members provide escort and police custody services in the most demanding of circumstances, not knowing from one day to another what time they will finish work as prisoners are moved around the country from courts to prison all day, every day, where our members also work in detention and reception centres.

These are sectors where clients are happy to contract out the hassle of employing a workforce, leaving it to the so-called free market where the lowest bidder wins, and so bosses exploit their workforce who, in turn, think they have nowhere to turn for help, advice and assistance. These are the challenges and opportunities that face us. Now we seek the solution.

As you will have read in the Report, the Security Industry Act 2001 will soon require the vast majority of these workers in the industry to be licensed in numbers that can only be guessed at. This provides the GMB with a unique opportunity. Please support the recommendations in the Report to enable our activists and officers throughout the nation to focus on recruiting, organising and delivering a quality service, including a unique membership package where it is desperately needed, whilst at the same time naming and shaming rogue employers.

There should be a back-to-basics campaign aimed at colleagues deserving of a minimum pay level of £10 an hour and restoring the right to improve, maintain and defend terms and conditions of employment by industrial action where necessary.

Congress, as the GMB has done internally, let us meet the changes head-on and use the opportunity to organise in security. I move the eight recommendations in the Special Report. Thank you.

BRO. J. DOLAN (GMB Scotland): I am supporting the Special Report. The conditions that our members once enjoyed have deteriorated year on year and are getting worse since TUPE transfer came along and offered the company cheaper security. It is time these guys looked to the GMB -- they have looked to us for the last 20 years, they have been our members, and they are looking to us again -- to get them back to what they had. A major union should not let these people down. They need our help, so we must support and help these people.

BRO. L. MORGAN (Lancashire): President, Congress, I am speaking on the Special Document: Organising in Security. The Lancashire Region supports this document and we are greatly in favour of any framework or initiative that highlights the long-awaited need for organisation and good, fair regulation in all areas of the security industry.

The Security Industry Act and its regulatory body, the Security Industry Authority, were brought

in to protect the public and to raise standards along with removing and preventing poorly suited individuals, cowboys, from operating in and often running the business.

However, what about the genuine workforce, the guards and the door staff who often have little, if any, proper training and regularly experience poor working conditions? This document highlights all of the major and contentious issues and gives some clear guidelines on what we should be doing to achieve any form of success within the industry.

The major bone of contention is section 127 of the Criminal Justice and Public Order Act 1994 that prohibits some of our members from taking industrial action. It is of prime importance that the GMB campaigns most vehemently to get section 127 repealed. The Chief Executive of the Security Industry Authority said in January of this year: "There is a change coming and the sooner this industry starts to manage that change the better." Well, colleagues, that applies to the GMB as well. This document is only the beginning. Without the membership, we do not go anywhere. Lancashire Region supports this document. Read it and do likewise. Thank you.

BRO. R. GILL (London): In supporting the CEC Report and recommendations, I would like to give you a little bit of an insight into the security industry. I came into this industry in 1985. I think at that time the wage level in the industry, where I was employed as a security guard, was £4.45 an hour with 50 pence site allowance. That was over 20 years ago. The industry previously was an industry where it was low pay and long hours. People working in the security industry know that in the normal course of events they ended up working 60 hours. I have no doubt that I worked 84 hours seven days a week. That was before the Working Time Directive.

With regard to the actual scale of the task force, we, in the industry, consist of 155,000 people. The GMB has campaigned long and hard for licensing of the security industry. It was the only union which campaigned. We were here in 2001 with the 2001 Security Industry Act; so it is due to the efforts of our Union that we have achieved this much. Now the industry is being regulated and we have licensing. That is the guarding sector.

One of the CEC recommendations is for substantial growth in the industry. I think that can be achieved. I know we have a low base at the moment in guarding, although we have made great strides in a number of areas, including the aviation industry and cash in transit.

I want to refer quickly, because I know it is a big topic, to section 127. The Home Secretary, David Blunkett, as of February this year 2005 set in motion the repeal of this Act, but it will take nine months for it to be completely repealed. I think we have to keep at it in terms of trying to get this repealed. We have

the opportunity now in the custodial service ----

THE PRESIDENT: You have no opportunity now, Raj! Please wind up.

BRO. R GILL (London): All right. Just winding up, I think we are on the right road in terms of trying to increase the membership.

THE PRESIDENT: Or I will be giving you nine months!

BRO. B. GUNN (Liverpool, North Wales & Irish): I am speaking in support of the CEC Special Report on organising in the security industry. Congress, implementation of the Security Industry Act 2001 and the creation of the Security Industry Authority gave us the opportunity to start addressing the many issues in this industry. We will all have been aware that without regulation certain parts of this industry attracted some very suspect people. Basically, anyone with a van and a dog could set themselves up as a security firm. There was no licensing, no training, no career opportunities and low pay.

As the report points out, the recruitment potential in this industry is now massive with the possibility of up to half-a-million people being employed in the industry by 2010. Our obligation is to recruit, organise and to ensure the best possible terms and conditions for the industry, which would include licensing through the approved contractors scheme, a proper vetting procedure, ongoing training, rates of pay, thereby ending the current two-tier system and, most importantly, as one of the previous speakers referred to, a support system for our members who are the victims of acts of violence during the course of their duties.

I make particular reference to that issue because recently I was made aware of some statistics in relation to our members in Northern Ireland, who work in the cash in transit section. During the whole of the year 2004, there were 10 incidents resulting in the loss of £207,000 and involving 25 staff. During the first quarter of 2005, that figure had increased to 15 incidents resulting in a loss of £348,000 with 33 members involved.

Colleagues, shocking as those figures appear, the real concern for us has to be the impact on those members and their families. We, quite rightly, as a Union, argue that our members in the NHS, retail and public transport have the right to work in an environment free from the threat of violence. Our members in the security industry deserve nothing less. This report gives us the opportunity to play a role in regulating and organising this industry and, as such, I, on behalf of my Region, recommend it to Congress.

BRO. B. BEAVEN (Southern): First of all, I would like to thank Allan Black and Dolores O'Donoghue for all their efforts on behalf of everybody in the security

industry over the last two years. I would also like to thank Richard Ascough, Allan Frazer and Debbie Coulter for their work joining the life-long learning strategy to a national strategy of organisation and support for the licensing of training within the security industry, which they are putting together at the moment.

That said, we have only just touched the surface of the potential in the security industry, but you are still dealing with a culture that is based on bullying, harassment, low pay and extremely long hours. We are talking about an industry where the average working week is still over 60 hours, which is unacceptable.

That said, we have to remember that the Security Industry Authority have their own agenda. They are a self-funding body and they have recently appointed their own enforcement officers who will enforce a fine of £5,000 per person and per company for every person caught operating without a licence. Given the fact that our members in this industry can be earning £8,000 a year, you are talking about the best part of a year's wages as a fine, which is ridiculous.

That said, we have actually started a national reps forum. We had the first meeting of the security reps three weeks ago. Unfortunately, only half the regions have sent candidates to that, but, with the leadership of Allan Black and Paul Kenny, we will become the security union of the UK. The Southern Region unreservedly supports this special report.

THE PRESIDENT: Thank you, colleague. Does anyone else wish to take part in the debate? Does anyone wish to speak against? *(No response)* No. I now put the Special Report and pages 35 to 39 of the General Secretary's Report to Congress?

*(The CEC Special Report: "Organising in Security: Opportunity and Change" was adopted)*

*(The Commercial Services Section Report of the General Secretary's Report was adopted)*

THE PRESIDENT: Thank you, Congress. Allan, you have nothing to respond to. You are pleased about that.

## **COMMERCIAL SERVICES**

### **CHAUFFEUR INDUSTRY**

#### **MOTION 188**

This Congress should be aware of the appalling safety standards within this industry ie: driver working 24 hours without rest breaks, up to 21 days without days off, often on self employed or franchise contracts that test legality, Congress mandates the General Secretary to use all resources of the union to initiate a Government enquiry into the practices of the industry and to

produce legislation to bring it within the bounds of decent work practices.

### **PROFESSIONAL DRIVERS BRANCH London Region**

*(Carried)*

BRO. S. MCKENZIE (London): Friends, brothers and sisters, comrades. Along with cab drivers and couriers, the professional drivers branch of the GMB is working to organise within the chauffeur industry. It is a very difficult task because the conditions for many employed in this sector are quite horrendous. As the motion explains, there are situations where drivers are being enforced to work 24 hours non-stop. We also have examples of drivers working 21 days on the trot.

As the motion says, the contracts of many of these chauffeurs test the bounds of legality. We have examples of deductions from wages being made for the most spurious reasons; uniforms, petrol, wear and tear on the car, all sorts of excuses to try to claw back money out of the workers in the chauffeur industry. To say that there are some unscrupulous employers in the industry is a major understatement. Racism is rife in the industry with what our branch secretary refers to as the "Guinness" effect with a thin white layer always making it to the top.

To give you a flavour of what it is like in this industry, I will tell you a little recruitment exercise that I was asked to go on with our branch secretary. He had been asked by a small group of chauffeurs working for an firm operating in East London to visit a recruitment day that this company had organised. The company had been putting out false information about what you could earn if you worked for them. We had been informed that the information that was being put out was completely untrue.

For example, chauffeurs were being told that they would receive X amount of money in mileage, but they were not told of the deductions that were being charged that I mentioned before, like petrol, wear and tear, uniform, the agency fee that the firm deducts, and so on. If they went to an airport, they ended up with less than half of what they were originally led to believe they would get, and between three and four times less than the multi-national companies were being charged to get their over-paid, bloated directors and executives to the airport.

We met with the chaps who had contacted us. We had taken some leaflets that we had made up and some union application forms. We met them in Canary Wharf and thought it was a little strange when they did not want to travel with us to the EXCEL Centre where the recruitment day was being held. When we got there, they did not even want to be seen with us.

When we arrived at the venue, which was a massive yacht moored at the old docks which the firm had hired for the day, we were surprised to find that many of the chauffeurs were prepared to talk to us. However, these were the chauffeurs who had

nothing to do with these firms and who had come down to find out what was going on. Those that did work for this firm or knew about this firm did not want to be seen anywhere near us. We soon found out why.

The managing director of the firm came down the gangplank with a group of thugs behind him. To start with, they threatened me and Terry with physical violence. Then, when we refused to back down, they threatened us with the police. After that, we told them to call the police, they backed down, eventually calling security from the EXCEL Centre and having us ejected.

We carried on distributing leaflets and what-have-you outside. My lasting memory of that day is when a man came out to me, a chauffeur, a grown man, and said to me, "God bless you, sir, for trying to help us." These people are bullied by these corporate thugs.

What we are calling for in this motion is for the Union to put its weight behind the campaign and for the Government to investigate what is going on in this industry. Once these facts come out and the truth is established, legislation should be enacted to stop these disgusting practices and the disgusting bullying of these people. I move.

*(Formally seconded)*

## **PRIVATE CARE SECTOR-PAY**

### **MOTION 189**

Congress recognises that pay in the private care sector is extremely low and in the majority of employers is often the national minimum wage only.

Given the enormous value and responsibilities of the work that private care sector workers perform, Congress calls upon the CEC to initiate a major new campaign to highlight low pay in this sector and to investigate all options to ensure that wage levels are significantly increased.

**DARLINGTON 2 BRANCH**  
*Northern Region*

*(Carried)*

BRO. M. SULLIVAN (Northern): I move Motion 189. Congress, during the past 20 years the GMB has led the way on campaigns to eliminate sexual discrimination in our public services. The GMB has led the way on the full implementation of the 1997 Single Status Agreement on Retrospective Backpay for our low paid Union members and for the introduction of new, fair and non-discriminatory pay structures.

In the North-East alone, during the past 12 months, tens of millions of pounds has been paid in

out-of-court settlements to our members. New pay rates will mean 10, 20, 30 and even 40 per cent pay increases to our members. However, Congress, whilst we are succeeding, and continue to succeed, in the public services, the private sector continues to discriminate against female workers who are paid in many cases rates of pay well below those paid to public sector workers.

Congress, this motion calls for the CEC to move our campaign on equal pay into the private sector, to ensure that private sector employees are also forced to end discrimination and are not allowed to exploit the victories that we have achieved for public sector workers. The GMB cannot allow our hard work to be undermined by allowing the contractors and the cowboys a free ride to undercut our members. Congress, I urge you to support Motion 189.

BRO. A. JONES (Northern): I second Motion 189 on private care sector - pay. Congress, the private sector has for years exploited our members and has used every possible means to reduce the terms and conditions of employment. President, victories we have won in the public sector cannot be allowed to be undermined by the cowboys in the private sector. This motion is straightforward. Discrimination is discrimination, whether you work in the public sector or in the private sector. I urge you to support.

## **GUARANTEE PAY**

### **MOTION 190**

This Congress believes that the GMB union makes efforts to bring about the end of no work no pay clauses in the contracts of security officers, progressive companies within the contract security industry already guarantee a minimum amount of paid hours if they are unable to provide work for individual officers. The GMB should lobby for a change in the law which allows more unscrupulous security companies to include this clause within terms and conditions and in many cases they use this as a sanction for victimising employees who have fallen from favour.

**GROUP 4 (ELEVEN) BRANCH**  
*London Region*

*(Carried)*

BRO. R. GILL (London): I move Motion 190 on guarantee pay. As somebody who works in the security industry, we have a situation where many of the contracted companies, with the exception of Group 4 and Securicor, which actually provide a minimum of 40 hours if there is no work, have no such agreement. People may have a contract of employment, but there is no guarantee of work and pay.

We talk about modern society in the 21st Century.

There is nothing modern about having no work or no pay. We believe companies should be made to provide pay. Accordingly, we should ensure that there are changes in the law that will give us or the workers in the industry security of pay and work. Thank you.

*(The motion was formally seconded)*

## **INJURY ON DUTY**

### **MOTION 191**

This Congress believes that the GMB union should campaign through SIA for every security company to have an adequate injury on duty policy as part of their registration conditions with the SIA and that any payments made through these schemes represents the normal hours that an officer works so as not to penalise the officer through short payment for injuries received through no fault of their own.

**GROUP 4 (ELEVEN) BRANCH**  
*London Region*

*(Carried)*

BRO. R. SLADE (London): Congress, Motion 191: Injury On Duty. I ask this Congress to ensure that the GMB campaigns throughout the SIA and other agencies for every security company in this country to have in place an adequate injury on duty policy as part of their original registration requirements.

The scheme should present the normal hours that members works, so that they are not penalised when the members are injured through no fault of their own whilst carrying out their duties for the company. The reason this is required is that often officers are injured on duty and have to take a drop in their wages or seek social security payments in the worst possible cases.

Security employment is a dangerous occupation - we have heard that from past speakers on other motions -- in shopping malls, prison escorting, cash in transit, low working secure environment, detention centres, prisons, young offenders' institutions, police custody suites and court services. The list is endless.

Companies should be required by law to provide an adequate injury on duty scheme to protect employees when they are unfortunate enough to be injured on duty. It should be a statutory requirement that before a company is allowed to operate any contract that they have in place an IoD insurance policy that protects their employees. If such IoD policies were mandatory, they would assist Government in that these unfortunate people would not then have to claim off the State for SSP.

I have a member who five years ago received IoD. Our company paid her for two years. She is still off work and the Union's solicitors are now just bringing this situation to a conclusion, hopefully. We will wait

and see how that works through negotiations. They only used to pay 40 hours. They now pay 48 hours. We have achieved that through negotiations with the full-time officers. As stated, the main member was forced to reply on to SSP and the burden was placed on her and the State. Hopefully, this will be shortly coming to a conclusion.

There are people in other centres who I have helped and assisted when they have suffered trauma through fire, riots and assaults. They might never work again. Indeed, one of those not only lost his confidence, but he lost his family and friends. He could not leave his house for 18 months after the assault. After five years he is still unable to return to work and is claiming SSP. Injury on duty payments should be paid as full pay until the member is able to return to work once he or she is cleared by the doctor. I call for Congress to support this motion. I move.

*(The motion was formally seconded)*

## **SECTION 127**

### **COMPOSITE MOTION 17**

*(Covering Motions 192 and 193)*

#### **192 - Section 127 (London Region)**

#### **193 - Supporting Motion (London Region)**

Congress are requested to debate and call for the repeal of Section 127 of the Home Office Act, which states that all staff employed at Immigration Detention/Reception Centres are precluded from being involved in industrial action.

This Congress is asked to note the support of Group 4 Court Services membership for the repeal of Section 127 which denies the right to strike to employees in the custodial services.

This Congress calls on the Government to honour the ILO Convention of the Right to Withdraw Labour. Congress agrees to support Detention Reception Centre staff to enforce the Right to Strike.

*(Carried)*

BRO. R. SLADE (London): President and Congress, I ask Congress to support this motion to repeal section 127 of the Criminal Justice Act and Public Order Act 1994. It removes the right to withdraw our labour. This is completely against the GMB policy. It should be repealed totally and not replaced with legally binding agreements or sweetheart deals.

In the private sector, we do not to have the same conditions as those in Her Majesty's Prison Service: pay; shift patterns; injury on duty payments;

alternative employment, being taken out of active service and put in secure environments, such as in control rooms, where they do not need to come in contact with the prisoners; to move to non-operational duties when we reach 45 and pension guarantees. Most of the private sector companies seek to maximise profits and reduce costs by cutting staff working conditions to show how efficient they are to the shareholders and directors of their companies.

How can staff expect to reverse that trend if section 127 is still on the statute book? Even if removed, it should not be replaced with sweetheart deals. If staff are given good working conditions and treated with respect by managers, there should be no reason to take any industrial action, strike or otherwise, that might disrupt the company's business.

The Prison Officers Association have a reasonably good agreement. This was gained prior, not because of section 127. Unfortunately, the private sector has not taken this on board and some seek to impose lesser agreements at the expense of staff safety and conditions. The welfare in the private sector is nonsense. These private companies are there for profit, not protection. Make no mistake about that.

*(The motion was formally seconded)*

THE PRESIDENT: I call Bob Crosby to give the CEC's qualification.

BRO. R. CROSBY (CEC, Commercial Services): I am speaking on behalf of the CEC. Composite 17 raises a vital issue regarding members who work in prisons, detention and reception centres and as prison escorts. It asks the GMB to enforce their right to strike. They are Home Office certificated officers who are covered by section 127 of the Tories' Criminal Justice and Public Order Act, which removes protection from any employee covered by section 127 if they take industrial action, exposes any union organising such action to unlimited financial penalties and puts employees who take industrial

action personally at risk of being sued by the Secretary of State.

When Labour came to power in 1997, we expected the manifesto commitment to repeal section 127 to be put into effect. Last year the Government carried out a consultation. It proposed to repeal section 127 but only where unions agreed to enter into legally binding no strike agreements. The GMB responded saying that we would not enter into agreements which prevent our members from exercising their rights and freedoms and breached the ILO conventions. Instead, we will continue campaigning for unconditional repeal of section 127, which still applies to private contracted prison and detention services. The qualification is that we cannot ignore the law. We can only support the right to strike after section 127 has been repealed.

Turning to Motion 188, the motion calls for the GMB to bring about legislative change to improve the industry. This industry has appalling conditions; poor pay, long and anti-social working hours are the norm for chauffeurs. Yes, we do need to improve their working conditions, but the way to do this is by recruiting, organising and taking the employers on from a position of organisational strength. With these qualifications, Congress, we ask you to support Composite 17 and Motion 188.

THE PRESIDENT: Thank you, Bob. The mover accepts the qualification? Yes? OK.

*(Motion 188 was carried)*

*(Motion 189 was carried)*

*(Motion 190 was carried)*

*(Motion 191 was carried)*

*(Composite Motion 17 was carried)*

THE PRESIDENT: I now ask Tommy Brennan to move his report on the General Secretary's Report, pages 104 to 110.

## REGIONAL SECRETARY'S REPORT - NORTHERN REGION

### 1. Membership & Recruitment

|                                       |        |
|---------------------------------------|--------|
| Total membership                      | 74,751 |
| Women membership                      | 25,214 |
| Section membership (by each Section): |        |
| Clothing & Textile                    | 1,889  |
| Commercial Services                   | 7,726  |
| CFTA                                  | 3,051  |
| Energy & Utilities                    | 6,950  |
| Engineering                           | 14,970 |
| Food & Leisure                        | 7,536  |
| Process                               | 9,351  |

|   |        |
|---|--------|
| Public Services                               | 23,278 |
| Grade 1 members                               | 47,537 |
| Grade 2 members                               | 10,402 |
| Sick, retired & unemployed members            | 16,812 |
| Total number recruited 1.1.2003 - 31.12.2004  | 14,796 |
| Gross increase/decrease 1.1.2003 - 31.12.2004 | -2,093 |
| Net increase/decrease 1.1.2003 - 31.12.2004   | -      |
| Membership on Check-off                       | 41,813 |
| Membership on Direct Debit                    | 11,193 |
| Financial membership                          | 74,751 |

## **ECONOMIC & EMPLOYMENT SITUATION**

The Northern Region continues to face many economic, social, environmental and political challenges in the immediate and long term future from the current position wherein the Gross Added Value (GVA) per head in the North East is roughly 75% of the UK average and differences in prosperity between the North and South East are widening.

Our Region is one of the UK's most important exporting regions with exports accounting for 35% of the North East's GVA. The top three exporters defined by industrial sectors are automotive, pharmaceuticals and chemicals.

The regional economy has shown some growth, particularly in hospitality and tourism. Manufacturing continues to matter to the Region in terms of its contribution to regional GVA, employment rates and exports, although the sector continues to face severe challenges.

The record levels of investment in public services have strengthened the position of the public sector as the largest employer in the region. Manufacturing in the Northern Region has borne the brunt of new forms of international competition and the sector is likely to face serious challenges in the future. It is predicted that employment will continue to fall although the contribution of the sector to the regional economy will grow.

The Northern trade unions under the banner of the TUC have produced a comprehensive trade union manifesto for the North. This document outlines the position and measures required to deal with existing disparities.

The regional economy in the last two years through a growing service sector is replacing the jobs lost in manufacturing which is still in decline. This shift has been extremely detrimental to our organisation in financial terms through losing life long grade one members with full time jobs in well organised factories and replacing with grade 2 part time members in the service sector where there is a huge turnover of staff in comparatively low paid employment.

A positive factor of this shift is that there is more opportunity for women with parental responsibility to return to employment with the suitable hours available for a good work life balance. It is a fact that in certain parts of the region there are more women in work than men.

It is therefore our responsibility to encourage more women to engage in our activities as representatives in the workplace, on Regional Council and Committee. Our activists and Officer force should accurately represent the gender balance of our members.

The age profile of our members also gives cause for concern. Despite the efforts of our young members groups we have failed to make an impact in this important area. Without the seedlings there will be no harvest although we are encouraged by the number of young people who elect to join our trade union, but are mindful of the reluctance to become involved in our activities.

## **REGIONAL REORGANISATION**

Northern Region has undergone a reorganisation of Officers and staff with the objective of maximising our resources and directing to front line servicing and recruitment. The financial revelations emerged in the middle of this exercise and made it even more important to achieve a more efficient, effective and dynamic organisation.

This involved a slight alteration in our area team boundaries to create five area teams, ie North Tyne

and Northumberland, South Tyne and Wear, Durham, Tees Valley, and Cumbria. In addition we have embracing these areas overall a dedicated Public Services Team headed up by a Senior Organiser.

We lost some excellent Officers and staff to the VER scheme and wish them well in the future, but through reorganisation have managed to maintain and improve our regional performance.

### **RECRUITMENT AND ORGANISATION**

Northern Region has embarked on a policy of utilising the recognition regulations to its fullest extent and has subsequently secured a substantial number of new recognition agreements.

Our strategy is relatively straightforward. We strive to achieve ten per cent of the bargaining unit, organise a petition enlisting 50% in favour, then make the informal application. This approach has led to a workplace ballot in 90% of the cases. It is rare that we fail to resolve the matter informally and have had to resort to making a formal application to the Central Arbitration Committee.

One such case was the ASDA distribution site in Washington, Tyne and Wear where we narrowly failed in a ballot following the Central Arbitration Committee route. To be honest we were not prepared for the onslaught of negative propaganda from Walmart. This company reached down in the gutter in their attempts to denigrate our trade union and prevent the workers from having a say in negotiating pay and conditions of employment. Although we lost the ballot our members have kept faith with us because we tried, and we'll be back, better prepared next time.

It was therefore extremely pleasing and some consolation when our members at the ASDA distribution site on the same industrial estate as the previous reference, and where we have recognition, voted against an attempt to derecognise our Union with an offer which included a 10% increase in pay. They obviously value the service that we provide and perhaps have learned quite a bit from ASDA's hostility on the other site.

A notable success following an application to the Central Arbitration Committee was a joint approach by GMB and Amicus at Liebherr Cranes, an Austrian outfit situated in Sunderland where we won the ballot for recognition. This approach is far better than engaging in humiliating beauty contests.

### **POLITICAL**

The last two years have been extremely busy in the Northern Region. Three seats held by the Labour Party have become vacant at the next general election, where sitting members are retiring, Joyce Quin in Gateshead East and Washington West, John McWilliam in Blaydon, and Gerry Steinberg in City of Durham. The GMB were successful in two of these selection procedures. GMB member Sharon Hodgson was selected to stand in the vacancy left by Joyce Quin MP, and GMB member Roberta Blackman-Woods was selected to stand in the vacancy left by Gerry Steinberg MP.

The BNP have stood a large number of candidates in 2003 and 2004 local elections with varying degrees of success. In Sunderland in 2003 the BNP gained 14% of the vote coming second in a number of wards. In 2004 they managed to field a candidate in every ward in Sunderland. The GMB in conjunction with our colleagues at the TUC mounted a concerted effort to stop them gaining electoral success. With a lot of hard work the BNP share of the vote fell to 6% and they failed to win a single seat. We must not be complacent against this threat and we continue to actively campaign against the BNP.

In the summer of 2004 The Rt Hon Peter Mandelson MP announced that he was standing down from Parliament to take up the post of European Commissioner. Peter, a GMB member, has always had a close working relationship with the Northern Region and we wish him well in his new role. A by-election was called and a local man and GMB member Iain Wright was selected as the Labour Party candidate. The GMB put a lot of effort and resources into his campaign, which was aggressively fought by the Liberal Democrats, and although the Labour majority was reduced Iain Wright was elected to Parliament at the end of September. We look forward to working with Iain in the future.

In November 2004 a referendum was held on the question of did the north east want a regional assembly. The GMB in the region campaigned hard for a Yes vote in this referendum as we felt it would give us huge opportunities in terms of investment in the Region, job creation and skills training to name but a few. Unfortunately the electorate did not agree with us and a resounding defeat occurred when the North East voted No to an elected regional assembly. This is a lost opportunity for us in

tackling the problems that face the region but we continue to engage in the dialogue to find solutions to our problems.

We have at the time of writing this report already prepared for the forthcoming general election in conjunction with the Regional Labour Party, concentrating on returning Labour MPs in the marginals, and GMB associated MPs in addition to those Labour MPs who support GMB policies.

## 2. General Organisation

|                                       |     |
|---------------------------------------|-----|
| Regional Senior Organisers            | 5   |
| Membership Development Officers       | 2   |
| Regional Organisers                   | 19  |
| Recruitment and Organisation Officers | Nil |
| Regional Recruitment Officers         | Nil |
| No. of Branches                       | 141 |
| BAOs                                  | Nil |
| New Branches                          | 5   |
| Branch Equality Officers              | -   |

## 3. Benefits

|                                 |             |
|---------------------------------|-------------|
| Dispute                         | Nil         |
| Total Disablement               | £8,000.00   |
| Working Accident                | £22,457.45  |
| Occupational Fatal Accident     | £31,480.00  |
| Non-occupational Fatal Accident | £2,003.00   |
| Funeral                         | £105,982.50 |

## 4. Journals and Publicity

GMB Northern continues to have a very high profile in the regional media. We are asked to comment on most industrial and political stories that affect our region.

In the spring of 2004 we ran a campaign with our colleagues in Amicus and the T&G to put pressure on the Government to develop and implement a manufacturing policy that is so badly needed in an area like ours, where we are losing jobs in the manufacturing sector all the time. We gained extensive coverage for this in the print, radio and broadcast media.

The GMB in conjunction with Greenpeace and Peter Mandelson MP launched a campaign to bring a state of the art ship recycling/dismantling facility to the UK. This was in response to the news that ships are being broken up on the beaches of India by hand with all the health and safety issues that this involves. It came to light that an ex British military vessel was broken up this way. It is clear that we have the skills to do this job safely here which would result in well paid high skill jobs for our members. This campaign launch gained national print and television coverage.

We were heavily involved in the 'Yes' campaign to gain a regional assembly in the North East. Although the campaign was lost the GMB were at the forefront of the media campaign on radio and television, and taking a lead role in the referendum broadcast.

Ongoing is our constant campaign to bring more work to the river. We are working closely with one of the regional newspapers to bring an order to Swan Hunters shipyard in order to plug a gap in the order book. It is imperative that we win this campaign in order to secure the necessary employment for the skilled workforce and securing the continuity of work for apprentices.

We have two publications regionally that go out to our members. We produce a twice yearly magazine 'Northern Star' that is posted to every member. This has covered a variety of topics over 2003/2004 including the appointment of a new Regional Secretary, a move to new premises in the centre of Newcastle, many industrial stories and updates, also matters of human interest.

The Reps Reports go to all GMB reps in the Region (approximately 1700), every two months. They include any updates on employment law or changes to regulations, any initiatives that are ongoing in the Region, and any news that is pertinent. Some of the issues covered in the last two years include equal pay, increases in minimum wage, new membership system, changes to employment tribunal rules and regulations and a possible credit union in the Region.

## 5. Legal Services

### (a) Occupational Accidents and Diseases (including Criminal Injuries)

|  |                |
|--|----------------|
| Applications for Legal Assistance          | 3,867          |
| Legal Assistance Granted                   | 3,867          |
| <b>Cases in which Outcome became known</b> |                |
| Total                                      | 3,867          |
| Withdrawn                                  | 1,850          |
| Lost in Court                              | 2              |
| Settled                                    | 1,493          |
| Won in Court                               | 522            |
| Total Compensation                         | £14,470,379.00 |
| Cases outstanding at 31.12. 2004           | 2,310          |

### (b) Employment Tribunals (notified to Legal Department)

|  |               |
|--|---------------|
| Claims supported by Union                  | 615           |
| <b>Cases in which Outcome became known</b> |               |
| Total                                      | 615           |
| Withdrawn                                  | 62            |
| Lost in Tribunal                           | 3             |
| Settled                                    | 547           |
| Won in Court                               | 3             |
| Total Compensation                         | £1,284,908.32 |
| Cases outstanding at 31.12.2004            | 195           |

### (c) Other Employment Law Cases

|                                 |            |
|---------------------------------|------------|
| Supported by Union              | 38         |
| Unsuccessful                    | 1          |
| Damages/ Compensation           | £54,281.00 |
| Cases outstanding at 31.12.2004 | 18         |

### (d) Social Security Cases

|                                 |     |
|---------------------------------|-----|
| Supported by Union              | 267 |
| Successful                      | 108 |
| Cases outstanding at 31.12.2004 | 54  |

During the last two years the Region has run extensive poster and leaflet campaigns to increase awareness of the legal services available to members and to promote the asbestos register for the members who have, in the past, been exposed to asbestos at work. These campaigns have been successful in highlighting the benefit of Union legal services as against those provided by "claims farmers" who are increasingly targeting Union members. Due to the major changes in Employment Law, the Region's employment law service has been of particular benefit to members and Officers through seminars, employment law surgeries and in assisting in pursuing equal pay claims for members throughout the Region. There has also been a greater use of the Region's criminal law unit which provides a 24 hour cover for members.

We continue to use the services of two firms of solicitors, namely Thompsons and Browell Smith & Co, both of which provide top quality support in both personal injury and employment law cases.

Through the CFCA arrangement we have managed to achieve a cost neutral position in the provision of legal services to our members.

## 6. Equal Rights

The Equal Rights Committee has had a successful two years in organising a number of events.

In 2003 a conference was held at the Riverside Stadium in Middlesbrough with approximately 50 delegates attending. A number of speakers covered the topics of equal pay, pensions, work life balance and HIV as a workplace issue. An interesting debate took place and a lot of useful information was available for delegates to take away.

GMB and one of our solicitors, Browell Smith & Co, shared a stall at the Pride event in Newcastle; we

were the only trade union to have a stall at this event. The Equal Rights Officer has been invited to speak at a number of events addressing mature students at the University of Northumbria on the role of the Equal Rights Officer.

In May 2004 Jackie Woodall was invited to speak at a conference in southern Spain on domestic violence as a workplace issue. Jackie was invited by the Junta de Andalucia (regional government body in southern Spain). This was a wonderful opportunity for the GMB to address a conference attended by 500 delegates, with intense media interest. It is clear that the work our Union has done with the Daphne project has been heard of beyond these shores. The goal of the seminar was to bring all related areas of employment together in a process of support for women who are being abused in their homes within the working environment.

A conference was held in October 2004 in Newcastle, again with around 50 delegates attending. The two main topics covered were the Regional Referendum which was to be held in November, and pensions. We had a speaker from the Yes Campaign that put forward the way in which our members could help secure a yes vote and the issues that the referendum covered. Vera Baird MP was our other speaker who spoke at length on pensions. She was extremely interesting and informative; making what is an extremely complicated issue sound straightforward.

The Northern Region Race Committee, like most regions nationally, has concentrated their efforts in ensuring that no BNP or NF candidates are elected in the region. The broad based coalitions set up in the Region have helped organise communities in to our union, that has not traditionally happened before, by bringing people together on an issue that has united us, has developed the GMB's profile as a Union that is listening to the wider social issues affecting our communities.

In 2004 the GMB successfully organised a demonstration against Nick Griffin, Leader of the BNP, who tried to hold a meeting in Gateshead. Our efforts led to the BNP meeting having no option but to cancel their meeting. We organised the biggest Anti-NF rally in Newcastle and helped organise the first annual 'Respect' Festival that attracted 14,000 people in Sunderland. A Council heavily targeted by the BNP since 2002 (the only local authority in the country where a BNP candidate stood in every ward, not a single BNP candidate got elected in the region).

The North East was a key target for 2004 local government and European Parliamentary elections as the BNP stood more than 1,000 candidates nationally. The GMB, alongside other unions and the TUC, have taken the lead in building a regional campaign under the banner of 'North East Unites against the BNP'; this is building on the activity which took place in areas where the right wing candidates stood in the run up to polling day.

A meeting was organised on 8th May 2003 where activists and representatives from more than 25 organisations, the Labour Party, and cross-party councillors agreed to build a regional campaign.

GMB Northern Region organised the 'Celebration of Diversity' in Sunderland Football Club. Over 1,000 people attended and all sections of the community were represented; organised a successful meeting in Teesside to launch the 'Tees Valley' local coalition; chaired a meeting in Chester le Street where a BNP candidate was standing in the bi-election; participated in the TUC Challenging Racism Conference on 20th September 2003; continue to strengthen links with asylum and refugee community, discussing benefits of union membership once they are granted work permits; supporting Searchlight work in the region assisted in a training school for key activists; help, organise and set up local coalition in County Durham; continue to promote the 'Show Racism the Red Card' campaign in schools.

The work over the last 18 months has been extremely challenging but has proved that with joint co-ordination the region is far better equipped to defeat the BNP.

## **7. Youth**

A number of regional events are organised throughout the year. Responses to assist are very low. A growing number of shift workers, difficulties gaining time off and family commitments prove difficult to get around and organise.

Rights at Work booklets were circulated to all schools and proved very popular. A new print is planned as supplies are now exhausted. A number of schools invited the Youth Officer to speak to Year 11s as a result of receiving our booklet. Talks ranged from a single class to a series of talks covering the whole

of the year.

The GMB was the only trade union to participate at the time, although the TUC has developed an accredited course to get over this problem. The Youth Officer and two delegates took advantage of this course. It has not resulted in a request to speak in a school yet. Both delegates raised concerns regarding time off for these talks, not only time from work but preparation time as well. A follow-up CD Rom was promised but this has yet to appear. We maintain regular contact with the University of Northumbria job shop. Lots of information is requested but not many recruitment leads or members generated from it.

Our Region has been invited to participate in a number of TUC events, including Young Members Forum, Young Members Conference and two speakers in school projects.

Our Region was again involved in the National Youth Games, as well as an advert in their booklet we held a stall for the day. Health and fitness were promoted along with GMB benefits and GMB materials.

A series of talks were organised with Centre4Learners at Gateshead College. We hope to build on our success and relationship with them and look forward to more talks with a wide range of students, covering a wide range of issues.

## 8. Training

|  | No. of courses | Male                      | Female | Total | Total Student Days |
|--|----------------|---------------------------|--------|-------|--------------------|
| <b>(a) GMB Courses basic Training</b>                  |                |                           |        |       |                    |
| Introduction to GMB (3 days)                           | 16             | 184                       | 35     | 219   | 10,512             |
| GMB/TUC Induction (5 days)                             | 14             | 140                       | 31     | 171   | 9,576              |
| Branch Officers  | -              | -                         | -      | -     | -                  |
| <b>(b) On Site Courses</b>                             |                |                           |        |       |                    |
| 3 Day Introduction to GMB - BNFL                       | 1              | 4                         | 1      | 5     | 15                 |
| GMB 5 Day Health & Safety Course - McVities            | 1              | 6                         | 5      | 11    | 55                 |
| <b>(c) Health &amp; Safety Courses</b>                 |                |                           |        |       |                    |
| GMB 5 Day Health & Safety Training                     | 13             | 157                       | 28     | 185   | 12,025             |
| <b>(d) Other Courses</b>                               |                |                           |        |       |                    |
| 2 Day Accompanying Reps course - GMB Newcastle         | 1              | 12                        | 1      | 13    | 26                 |
| 2 Day Grievance & Discipline course - Northern College | 1              | Unable to provide figures |        | 22    | 46                 |
| <b>(e) GMB National College Courses</b>                |                |                           |        |       |                    |
| N/A  | N/A            |                           | N/A    | N/A   | N/A                |
| <b>(f) TUC (STUC &amp; ICTU Courses)</b>               |                |                           |        |       |                    |
| N/A  | N/A            |                           | N/A    | N/A   | N/A                |

### SHOP STEWARD & SAFETY REPRESENTATIVE TRAINING

There have been some drastic changes in education provision in Northern Region since mid 2003. Because of poor quality of service delivery, tuition, course materials and complaints from Reps and Officers, a strategic decision was made to cease using the TUC for education provision in the Region. It was decided to bring education 'in house', rewrite the core course materials and re-launch the education programme.

In the second half of 2003 the Education Officer set about this task and produced a core course programme for new and inexperienced Reps. That programme consists of a 3 day introduction course;

5 day follow-on and 5 day health and safety course making a total of 13 days training. The new materials are centred around GMB culture, how we function in relation to both our internal structures and external challenges. We use our own tutors, and have an agreement with the Workers Educational Association (WEA) who act as service provider and are the conduit for accreditation purposes.

We used 2004 to 'pilot' and perfect the new programme and last year we successfully ran 35 courses with a throughput of over 430 new or previously untrained Reps.

The main objective for 2005 and 2006 is to build on this by introducing and running a series of advanced Shop Steward and Safety Rep training courses. In addition we are introducing short, single issue and focussed courses on subjects such as COSHH, Work-related Stress, Employment Law, Risk Assessment, Negotiating Skills and Equal Opportunities.

On top of that it is intended to introduce sector specific courses and specialised courses which can lead to advanced certificate courses that ultimately could facilitate Reps progressing to further and higher education. All of this is being developed in partnership with the WEA and we are in the process of developing a training matrix which will facilitate progression for Reps from basic skills through to higher education for those who have the urge to do it. One result of this change in direction has been that demand from our Reps is increasing to the extent that many courses are now oversubscribed as opposed to having cancellations two years ago.

In the aftermath of the National College closure, the vacuum this has left and the total absence of any kind of National leadership or guidance in relation to education, Northern Region has embarked upon a course of collaboration with some other Regions and Northern College in South Yorkshire. This year Northern College has agreed to open their facilities for 5 days per month over 10 months to provide a series of short residential courses. At the time of writing this report we don't know whether this will be successful, but it is a serious attempt to provide 'stop-gap' cross-regional training for Reps to fill at least part of the hole left by the closure of GMB National College.

## **UNION LEARNING FUND PROJECTS**

At the time of writing this report there are 9 Learning for All Fund (LFAF) projects in Northern Region and 2 Union Learning Fund (ULF) projects. A bid to the Learning Skills Council has been submitted and is being negotiated to bring all of these projects under a Regional 'umbrella' project with the objective of producing a cohesive approach to developing the learning agenda for our members throughout the Region. It is intended to create a much greater involvement of GMB Union Learning Reps in 'mainstream' activities and to use this to boost recruitment and organisation in the Region.

## **9. Health & Safety**

Throughout 2003 and 2004 health and safety issues continually came to the fore. Asbestos was, and still is, probably the most important problem facing us. The change to Regulation 4 of the Asbestos Regs, which came into force in May 2004, placing a legal duty on those responsible for non-domestic premises is to be welcomed. In that context GMB Northern were successful in a DTI partnership bid with Redcar & Cleveland Council to develop an 'Asbestos Management Strategy'. This entailed the surveying of all council owned or controlled non-domestic property, making records of findings, creating an asbestos register and removing or making safe any damaged asbestos. A training programme was developed and every Council employee and contractor underwent relevant training on asbestos awareness. This project has been successfully concluded and has contributed to creating a safer environment for everyone affected by this local authority's activities.

Unfortunately all employers have not been as progressive as Redcar. We are currently in conflict with a number of local authorities on the issue of asbestos surveying. One particularly bad case was where one of our members who 'whistle blew' on a local authority which sanctioned only visual inspections where major refurbishment was to be undertaken in a school. He was bullied and the case is still ongoing at the time of writing this report. As a result of this approach the local authority, the contractors, teachers and school children have all been contaminated. We have been pressing the HSE to prosecute and are en route to an Employment Tribunal over the treatment of our member. Not surprisingly, this is a Tory authority.

Other issues that repeatedly come up and have been dealt with are stress, hazardous substances, RSI, working time, bullying and accidents, one of which was a fatality in December 2004. The worker who was killed was not a member and the RHSO gave advice to our Rep who used it to emphasise the

importance of being in the GMB and the protection and support this would have given the victim's family. The result was that we recruited the few remaining non unionists in this workplace, but it was a tragic way of having to emphasise the value of union membership.

*(Adopted)*

BRO. T. BRENNAN (Regional Secretary, Northern): I am Tom Brennan, Northern Regional Secretary, reporting from the Thistle Hotel, 4 star, Newcastle. *(Laughter, applause and cheers)* If that is 4 star, we want our money back.

I move the report of the Northern Region. In so doing President, if I may, let me make reference to page 105 wherein you will see that ASDA resisted an approach through the Central Arbitration Committee and a ballot, where we lost through a very hostile reaction from the company which, in the process, used absolutely gutter tactics to withstand an approach in a ballot for recognition. That will be the subject, of course, of an emergency motion.

The only thing I have to add to the Report, President, is that in the Political Report, the reference to two additional GMB prospective Members of Parliament were Roberta Blackman-Woods in Durham City, where we won the seat, Sharon Hodgson in Gateshead, where we won the seat and, to add to that, Jamie Reed in Copeland where we increased the majority, President. I have nothing further to add than that. I move my report.

*(There were no questions raised on this section of the report)*

*(The report was adopted)*

### **ADDRESS BY STEPHEN HUGHES MEP ON BEHALF OF THE GMB EUROPEAN PARLIAMENTARY GROUP**

THE PRESIDENT: Colleagues, it gives me great pleasure to welcome Stephen Hughes our MEP from the GMB European Parliamentary Group. I would like to remind delegates that Stephen has been a key player in pushing for an end to the UK opt out from the Working Time Directive. He is a good friend to the GMB, especially on health and safety and other employment issues. Stephen, on behalf of this Congress, to you and to our MEPs in Brussels, well done. I just hope that you can see it through to the end. Thank you very much.

BRO. S. HUGHES (MEP): Thank you, President and Congress. It is a great honour for me to be here to make the report on behalf of the six GMB MEPs in the European Parliament working with the Union week in and week out. We six members now form a third of the European Parliamentary Labour Party in our reduced circumstances following the election last

year, but we punch well above our weight in that Parliament.

Let me, right from the outset, thank the Union sincerely for the unstinting and constant support we receive which sustains us and buoys us up in our work on behalf of the Union in the European Parliament.

Debbie said a short while ago in her report that, for understandable reasons, the Union has concentrated on internal matters during the past couple of years. I have to say that, even though you might have been concentrating a great deal on our internal matters, you have maintained our presence in Brussels. Katherine Walker-Shaw does phenomenal work on behalf of every member of this Union every day in Brussels and she supports us phenomenally in our work. *(Applause)* So I thank you, through all of our difficulties, in maintaining that perspective. It is vital.

In turn you can be proud of the GMB members working with you in the European Parliament. Let me, briefly, list some of their key achievements: Gary Titley continues to lead the European Parliamentary Labour Party with wisdom and courage. He is active on both the Internal Market and Transport Committees of the Parliament. In the Internal Market Committee he has been one of the leading voices in the current debate concerning the Services Directive, the so-called Bolkestein Directive. Glennys Kinnock continues to do phenomenal work on behalf of the Development Committee at the European Parliament and the European Union's African, Caribbean, Pacific Joint Parliamentary Assembly.

For example, leading the fight to end the scourge of HIV in Africa by championing the crusade to get pharmaceutical giants to make cheaper generic forms of their medicines available in the development world.

Robert Evans sits on both the Economic and Transport Committees of the Parliament. Robert's most outstanding work has been in the area in the area of asylum policy and the prevention of human trafficking.

Richard Corbett sits on the Civil Liberties and Constitutional Affairs Committees. He is an acknowledged international expert on constitutional matters. He is one of the key figures to thank for the gains that we made as trade unionists in the Draft Constitution Treaty. President, I have to say that that does not seem to be something a lot of French and Dutch trade unionists appreciated last week. It is something that I will be debating later today with Bob Crowe at a fringe meeting. What a day for a

debate on the Constitution!

David Martin is an active member of the International Trade and Agricultural Committees of the Parliament. He is one of the leading voices in the campaign to get the European Commission to take action in relation to cheap textile imports from China, both in terms of a new import tariff and action at the World Trade Organisation.

That leaves me, the last of the six. What have I been up to? I think some in Downing Street and in various ministries might say that I have been doing my best to create mischief, but that is unfair. Like many of you here I campaigned to get this Government re-elected just a few weeks ago. Like all of you, when we are feeling fair-minded, I genuinely applaud the many fine things that Labour has done in Government since 1997, everything from the National Minimum Wage through to the unprecedented levels on spending in education and the NHS. However, I also happen to speak for all two hundred Socialists in the European Parliament on employment and social matters. That is where some very real difficulties begin.

I have had a series of run-ins with British ministers as we work on a series of employment laws. In each instance it has followed a classic path comprising of four main stages. First, the UK built a blocking minority; enough allies to bring decision-making to a complete halt. It held up the general framework on information and consultation for workers for two years in that way, and it is doing the same on the Directive for Agency Workers, to get agency workers the same terms, conditions and pay as the people who work alongside them.

On the subject of temporary agency workers, that was part of the Warwick Agreement. I think Debbie is right in what she said. We should applaud what was achieved at Warwick, the culmination of that policy forum process but, please, in future, be careful in accepting post-dated cheques on important issues like temporary agency workers. We should have had something up front before the election at that point.

Eventually, the blocking minority falls apart and the second stage begins. The UK Government then claim extra special difficulties in the UK labour market, which means that we need special dispensations or extra time periods to bring the law into effect in the UK. The classic cases of that scenario were in relation to the disability and age discrimination sections of the directive outlawing all forms of discrimination in the workplace.

However, the process does not stop there. Next comes foot dragging on the translation of the directive into UK law or deliberate misunderstanding of the requirements of the directive. In this way, for example, if it had not been for the campaign led by the GMB and taken up by the TUC, the directive on fixed-term contract workers would have applied to only a tiny fraction of those eligible for coverage.

Then we get the final phase. After all of that, sometimes dragging it out for four or five years, the Government claim the credit for all of the things that it has tried to block all along. It is now proud of the steps it is taking to give workers information and consultation rights, the four weeks annual leave for every worker is trumpeted from the rooftops, and the anti-discrimination measures being put in place to tackle ageism are ground breaking.

If you have been following the news at all in recent weeks, as the President said, you will know that the latest encounter concerns the Working Time Directive. I am proud to say that, less than a month ago, every one of the Labour members of the European Parliament followed me, with a massive majority in the Parliament, to end the opt-out in the Working Time Directive. The fury subsequently vented from London in our direction, and particularly in Gary Tittle's direction, was hardly surprising, and that is one of the reasons why I earlier underlined his courage. I think our Government's position on working time is totally cockeyed. A few years ago Tony Blair and other leaders agreed something called the Lisbon Process, the intention of which was to create in Europe by 2010 the world's leading knowledge based economy with more and better quality employment. We do not understand how that Process can sit easily alongside a long hours, low paid, culture of the sort that we have in Britain. We do not believe either that we will end the scourge of low pay, even though the minimum wage helps, until some kind of limit is put on the number of hours a person can be called upon to work.

The Government talk about the work/family life balance, but how can leaving the lid off working time help to bring that balance about? Maybe the lack of a proper balance has something to do with the fact that Britain has the highest divorce rate in Europe. We have the highest ratio of single parent families in Europe. Britain has one of the highest crime rates in Europe with the highest prison population. We have the highest rate of depression in adult males in Europe. Stress and stress-related illness costs industry and the taxpayer an estimated £12 billion a year, and we have one of the highest levels of teenage pregnancies in Europe.

We are also told by the Government and the CBI that ending the opt-out would be disastrous for UK companies and, yet, despite working record hours, Britains have one of the lowest levels of productivity in the G8. UK productivity is 35 per cent lower than that of the USA and the UK is 16th in the world league of competitiveness.

My final point is that we are told that what we are doing will be catastrophic for UK labour market flexibility. The deal we struck in the European Parliament was to end the opt-out in return for easier access to the annual calculation of working time. That would allow every worker in the UK potentially to work 2,304 hours per year. How much

more flexibility could anyone want? So the campaign goes on with your support. With your support we will win because we always do, in the end. Despite all of the foot-dragging and all of the obstructions, we win in the end.

There is no doubt that, within a few years, our Labour Government will be claiming the credit for a brave move to boost productivity, balance family and working life and really to tackle social dysfunction by ending the opt-out.

I thank you for your support. I look forward to that continued support in the future. Please bear in mind the strength and confidence it gives us in our work in the European Parliament. Many thanks. *(Applause)*

THE PRESIDENT: Stephen is a breath of fresh air - honest and committed. You might get committed but not to where you want to. Thank you very much. Let me, on behalf of the GMB and the Congress, present you with a gift of wine glasses made by our members. *(Presentation amidst applause)*

I would also like to applaud the fine work that Kathleen Walker-Shaw does in our Brussels' office. She keeps us very well informed. Kathleen, thank you on behalf of Congress. *(Applause)*

At this stage, let me say that the CEC stance on the motions, the recommendations are as follows: Emergency Motion 1, Migrant Workers, the CEC is asking for your support. Emergency Motion 2, ASDA, the CEC is asking you to support. Emergency Motion 3, Rover and the Phoenix Group, the CEC is also asking you to support. Those emergency motions will be taken later as we go through the agenda. Is that agreed, colleagues? *(Agreed)*

## **RIGHTS AT WORK**

### **EXPLOITATION OF LABOUR FROM WITHIN THE E.U.**

#### **MOTION 172**

Congress believes that the enlargement of the E.U. has brought about a situation where many unscrupulous employers seek to exploit a potential pool of cheap labour from Eastern Europe. This situation is particularly prevalent in industries where casual or semi-casual labour is used such as Construction and Ship Repair.

Whilst Congress would not seek to prevent these workers from seeking work in the UK, we would seek to protect the terms and conditions of UK Nationals and to ensure that labour from other countries work on the same terms and conditions and therefore call upon the Government to introduce legislation to ensure the Trade Union and Industry Agreements apply to all workers employed in industries or projects

regardless of their country of origin.

**SOUTHAMPTON NO. 1 Z42 BRANCH**  
*Southern Region*

*(Carried)*

BRO. B. HULLEY (Southern): I actually belong to another organisation as well called ARACE. Some of you may have heard of it. I am the anti-racist co-ordinator for ARACE. We, the working people of Britain, are currently under fierce attack from Bolkestein, which is sometimes known as the Services Directive and gangmasters. The T&G led a campaign against gangmasters which has been very successful and legislation is to be introduced next year for the licensing of gangmasters. We have to thank the T&G for that.

Migrant workers are being exploited in all industry sectors across the UK. We must protect migrant workers not because it is morally right to do so, not because we are philanthropists and not through altruism. We need to protect migrant workers in order to protect ourselves. We need to organise them. We need to fight for them to ensure that they get the same conditions as we get for comparable work, and the Government must - I do not know whether Gordon Brown is here yet - ratify the ILO 1990 International Convention on the Protection of All Migrant Workers and Members of their Families.

Comrades, please support Composite Motion 14 and Motion 172.

THE PRESIDENT: Stephen *(speaking to Stephen Hughes whose telephone rang)* you can leave your 'phone on but we want payment in Euros. I can hear another 'phone. Shop your neighbour. *(Laughter)*

## **MIGRANT WORKERS**

### **COMPOSITE MOTION 14**

*(Covering Motions 173 and 174)*

*173 - Migrant Workers (Southern Region)*

*174 - Migrant Workers (South Western Region)*

This Congress deplores the trafficking and exploitation of migrant workers in Britain and calls on the CEC to campaign and lobby the Government to ensure that these workers are protected and not exploited whilst working in the UK.

There is evidence that private employers in the UK are using coercive tactics to force migrants to work for low wages and in poor conditions, these coercive techniques include physical and sexual violence to debt bondage and blackmail. Migrant workers are taken on by labour agencies and given employment in sectors such as building work, farming, contract cleaning and

residential care, but these agencies take a vast proportion of their wages.

This is an anathema to our Trade Union movement and it must be regulated. We, as a movement, have always fought for human rights and this is a blatant abuse of workers rights, whether they are UK citizens or not, these abuses must be stopped.

Congress calls upon the Government to ratify the I.L.O.1990 International Convention on the Protection of all migrant workers and members of their families.

*(Carried)*

BRO. P. GAGE (South Western): This Congress deplors the trafficking and exploitation of migrant workers in the United Kingdom and should voice its concern about the appalling abuse of human rights. These workers, for whatever reason wish to work in the UK, deserve protection from this insidious practice. As trade unionists, we believe that this form of exploitation should be outlawed and exposed as these parasites who feed off brother workers should be dealt with quickly and severely.

Unfortunately, this is a trade which has been on the increase. It has transpired that a draft report was written by academics which explored relationships between forced labour and the deregulated markets under the previous Labour Government. The report on Forced Labour and Migration to the UK was delivered in August to the International Labour Organisation in Geneva and to the TUC in London. This report was commissioned jointly in January 2004 but is still unpublished six months later.

This report catalogues coercive techniques used by private employers to force migrants to work for low wages and in poor conditions, even involving physical and sexual violence, debt bondage and blackmail. The report gives examples of where wages are paid well below the minimum legal wage following deductions by labour agencies. The report focuses on building work, farming, contract cleaning and residential care. Many of the workers work in dangerous conditions and with long and excessive hours. There is even evidence that migrant workers have been employed by Government bodies such as the NHS where their monthly pay of £805 is actually reduced to £188 - £46 per week. This occurred after deductions were made at source by the NHS trust which employed them and the remainder was handed to the labour agencies as a money box.

The ILO/TUC publication was supposed to come out during the 2004 TUC conference, but it did not. Pressure may have been put to suppress this report because it would have been embarrassing to the Government prior to the election. The election is

over now and a Labour Government has been returned and we call on the CEC to campaign and lobby this Government to ensure that workers are protected and not exploited.

The immigration card was used somewhat successfully by the Tories during the election, and it is time we stood up to be counted. We must press this Government to do the decent thing. They must legislate to protect these workers who are legitimately arriving in the UK to help fill vacancies in the job market which are unfilled. They are not taking the jobs of British workers. Many such unfilled jobs have been vacant for some time. The migrant workers are helping our economy by filling the gaps in certain sectors.

Many migrant workers do not want to settle in this country permanently. They want to work here in the short term to improve the quality of life for themselves and their families. It is only the scurrilous scaremongering of Michael Howard and his ilk who put forward fears in people that we are going to be swamped with migrants. Research has shown that, with the enlargement of the EC, the number of migrant workers banging on our doors has resulted only in a trickle.

As a Movement, we have always championed human rights. We must now fight for those who do not have a voice, who are intimidated and coerced into working for a pittance in bad working conditions. They should be entitled to the same wages and conditions as the people they work alongside. They have chosen to come to work in the UK and they do not deserve to be exploited.

This composite concerns purely migrant workers and the labour agencies who many of them are signed up to. We hope that the introduction of the Gangmasters Licensing Act will go a long way to stamp out exploitative working practices by the labour providers. Although the Act will go a long way to address the problem, hopefully with the lobbying of the unions, further regulations can be introduced to tighten-up the Act to prevent another Morecambe Bay tragedy. We must remove those gangmasters who are exploiting desperate people who are forced to work in the field of temporary labour.

Congress calls upon the Government to ratify the ILO 1990 International Convention on the Protection of all Migrant Workers and Members of their Families.

Tony Blair said he would listen. If the evidence exists that the exploitation of migrant workers is happening, particularly in areas such as government organisations, such as the NHS, that evidence should be published and acted on so that our brothers and sisters who work with us are protected. I move.

BRO. B. HULLEY (Southern): I second Composite 14. I cannot say very much more than I have said in relation to Motion 172. We do need to organise migrant workers. If we do not and the employers continue to get away with paying them less money

and giving them worse conditions, if they get away with bringing in Bolkestein, that will undermine our wages, conditions and health and safety terms. That must not be allowed to happen.

The GMB must push the Government to ratify the 1990 Convention on the Protection of all Migrant Workers and Members of their Families. Let's do it.

*(The Rt. Hon. Gordon Brown arrived on the stage amidst applause)*

THE PRESIDENT: Welcome, Gordon. I do not think you need much introduction. He has brought Prudence with him as well.

## **GANGMASTER LEGISLATION**

### **MOTION 175**

Congress calls on the GMB to mount a campaign against the current Labour Government to introduce new legislation stopping the use of Gangmasters in all areas of employment as soon as possible to prevent more loss of life.

**B43 BIRMINGHAM CITY GENERAL BRANCH**  
*Birmingham & West Midlands Region*

*(Carried)*

BRO. D. KEMPSON (Birmingham & West Midlands): Congress, I would think that we must all be aware of that dreadful day when we had large numbers of lost lives on our beaches. Cockle-picking - for what? Slave wages. They were earning a pittance. This is just one of many incidents across the UK. Lives have been lost in the centre of our region, at railway level crossings and at farms. No doubt I could go on and on at this rostrum all day.

One would think that with a newly elected Labour Government for a third term of office to allow this kind of abuse of workers to continue is not right. This motion is asking for urgent action to be taken by the Labour Government to prevent further loss of life and further abuses. I move.

*(The motion was formally seconded)*

## **AGENCY WORKERS**

### **COMPOSITE MOTION 15**

*(Covering Motions 176 and 177)*

**176 - Agency & Temporary Workers (London Region)**

**177 - Agency Working (Midland & East Coast Region)**

This Congress believes in equal treatment of temporary and agency workers.

Congress is concerned at the growth in employment agency working, in that there is a barrier to secure employment rights, better health and safety standards, decent rates of pay, and pension entitlements.

Congress further believes that GMB should initiate a campaign in favour of the benefits of direct employment and calls on the CEC to mount a campaign to bring into UK legislation to ensure equality of terms and conditions to workers employed under this status.

*(Carried)*

BRO. J. NEEDHAM (Midlands & East Coast): My father was a casual worker for nearly all his working life. I remember the happiness of my parents when they learned that my father would no longer be a casual worker but would have a permanent job. The days of the blue-eyed boys were gone. Everyone would be treated the same, so they thought. Never again would the foreman hold power over his workmen or of their families' financial security. There would be employment benefits, employment rights and job security, but that was many years ago. Workers have progressed since then, or have we?

Employment agencies must be the second largest growth industry after residential care homes. The emergence of employment agencies has given rise to the further exploitation of the workers, filling the profits of greedy businessmen. People are not called casual workers today but agency workers. It is the same thing with a different name. I know of agency workers who have worked an eight hour day in factory A and then they went on to company B and put in another 8 hours during the same day. Yes; two different jobs but eight hours and eight hours. This is exploitation of those people who are desperate to provide for their families!

What can agency workers expect? They can expect no continuous work and to be sent home without pay. They are working alongside permanent employees but treated as second-class citizens. They are used and abused. But are they employed? Employment agencies are their employer. Why should these employees not have a guaranteed weekly wage for their daily eight hours of labour? As employees of an agency, our fellow workers should also be given access to pensions and other benefits. Health and safety should be obligatory. Hours of work should be closely monitored. We should campaign to end all discrimination against agency workers.

Let us look at the proposals by the European Commission on agency workers: "Equal treatment would not be required for posts of less than six weeks". We know what will happen there, don't we? "Agency workers should not have any worse employment conditions than permanent workers, unless this is objectively justified". There is not

much help there for a fairer society.  
I move Composite Motion 15.

BRO. D. BERRY (London): I second Composite Motion 15. Congress, in 1998 7% of all jobs in the UK were classed as temporary. By 2003 that figure was 10% and still climbing.

I come from a town in East Anglia of 40,000 people, which now has upwards of 20 employment agencies supplying labour to all elements of the economy. Our local economy more represents the 19th Century than the 21st Century. These people, mainly migrant workers, are the new reserve armies for the employers. This type of employment is wrong; wrong economically, wrong socially and wrong politically.

The social damage extends to outside of the workplace. Economically it is wrong in the workplace. It allows poor management, the workers have poor training, poor health and safety and they suffer from poor productivity. The damage extends outside of the workplace into the community. In housing first time buyers compete with landlords where tenants suffer from harassment, violence and eviction. In schools children turn up one week, their parents then move to another factory and take them to another school the following week.

Consider the political damage. I have just campaigned for six weeks for this Government. On the doorstep we met hard racism, not born of blind prejudice but born of economic competition. This is building a bridge for the Right. We have already seen the Tories tiptoe on it with, "Are you thinking what we are thinking?" Their lying on the doorstep is much harder.

I have to say that, without regulation, the labour market is no different from a cattle market. In this area of the economy there is no meritocratic Utopia of new Labour. This is hard day-to-day competition. Our opponents are the same people who told us that if employers gave people holidays the economy would be destroyed. Our opponents are the same people who told us that the National Minimum Wage would cause huge unemployment. It was false then. Legislation to protect these workers and to provide decent terms and conditions is overdue. This Government needs to stop blocking in Europe and to deliver employment rights to us.

THE PRESIDENT: Congress, with your permission, can we move to Motion 255 - A Radical Labour Government - and to Motion 256 - the Warwick Agreement. Would you agree? *(Agreed)*

## **POLITICAL - LABOUR PARTY**

### **A RADICAL LABOUR GOVERNMENT**

#### **MOTION 255**

Congress would welcome the return of a Labour Government for a 3rd historic term.

The GMB will need to use its full campaigning expertise to ensure that the government will remain committed to implementing those policies that were jointly agreed at the Warwick National Policy Forum in 2004.

If Labour is to build on its achievements since 1997 and reverse disillusion in 'New Labour' then it needs to adopt a radical approach to make progress in resolving problems concerning investment in public services and manufacturing and also to look at protection of pension funds and extending employee rights.

If a majority of the working population can benefit from radical social reform, then it should be possible to achieve a 4th term of office for a future Labour government and so deny office to the right wing Conservative Party for many years to come.

*(Carried)*

SIS. L. DUNN (Lancashire): Congress welcomes the return of a Labour Government for a third historic term.

The GMB will need to use its full campaigning skills to ensure that the Government will remain committed to implementing the policies that were jointly agreed at the Warwick National Policy Forum in 2004.

If Labour is to build on its achievements since 1997 and reverse disillusion in 'New Labour' then it needs to adopt a radical approach to make progress in resolving problems concerning investment in public services and manufacturing and also to look at protection of pension funds and extending employee rights.

The policies adopted by this Labour Government must have two elements: (1) to benefit the majority of the working population with radical social reform designed to protect those people from whom it is seen as a weakness in new Labour. We seek strength and investment in public services as opposed to the Tories, who propose to cut £35 billion from these budgets yet claim we would get better services.

We demand that Labour develops a clear strategy in relation to manufacturing and it must stop burying its head in the sand by claiming that they are creating thousands of jobs in declining manufacturing areas when the reality is that these jobs, although they do exist, are service jobs, mainly minimum waged and certainly no replacement for the loss of manufacturing jobs.

New Labour has let working people down by allowing employers to move away from commitments to maintain pension plans as existed with final salary

pensions. They must ensure the protection of pension funds.

Employee rights must be advanced, not just in the repeal of the Tory anti-trade union laws, but greater protection must exist and labour legislation must be strengthened to be equal to that of our colleagues in most other eastern European countries, thus giving our people an even playing field.

If the first element is achieved and the Labour Government produce radical progress on the issues mentioned, then, secondly, we could achieve a fourth Labour term, thus keeping the Tories out.

Remember what they said on the doorsteps during the election campaign, particularly from working people. They want to see radical social reforms to benefit all. They want to see this Labour Government looking after its people, just as the Tories looked after their people during their years in power.

With majorities as large as they were in Labour's first two terms in office, more should have been achieved in the area of social reform. This time, with a reduced majority, Labour must deliver.

Blair says that he has been listening. Let us see. Are you hoping what I am hoping? Be fair, Mr. Blair. Don't let us down, Mr. Brown. Thank you.

BRO. K. FLANAGAN (Lancashire): I am pleased to second Motion 255 about a radical Labour Government. Good morning, Gordon. I hear your train was late. Sorry about that. Gordon, congratulations on the new term and congratulations on the family.

This train, the Labour train, left lots of good things in its wake. Let's not pretend it did not. It did. It has done many good things, but we want you to go further. This Movement during the past few years has provided the Labour Party with 64% of its income. Remember that! Only 1% came from the employers. Remember that, too! You know where your friends are, and they are sitting in this hall today.

We want policies that will address the poor. We want this train to climb a few more hills. The hills might be a bit steeper, Gordon, but I can tell you that the view from the top will be great when you reach it. What we want to see is better equality on pensions. We want to see people with dignity in old age treated with respect and dignity, not having to leave in fear. We want to see an end to employers destroying pension schemes and getting away with denuding people's incomes. We want to see that issue addressed and addressed clearly, Gordon, because it is an absolutely disgrace up and down this country and people will not forgive you if you leave them in poverty in old age. You will not be forgiven. This train wants to see better workers' rights. Why do we have to have bank holidays as part of our ordinary holidays? Why does the disgrace of the Working Time Directive opt-out still remain, and we defend it? It is

not defensible. How can you not defend something that was put in for the health and safety of workers - the Working Time Directive? Are we saying that we can get rid of legislation merely because it is economically OK? Rubbish! We can never say that people's lives, livelihoods and their health is worth one penny or one million pounds.

We do not want to witness attacks on people who lead the good public services in this country. It was a disgrace when we learned that you were going to cut a hundred thousand jobs from the frontline people who deliver those services, who look after the people in need, who look after their dignity and respect. Don't cut there! If you want to get money back, take it from those who are exploiting their positions in high industry, who are taking the golden handshakes, who are taking the money out of manufacturing and putting it into their own personal back pockets. Take it from them, Gordon. We want to see legislation where it matters. That is radical.

If you want a radical government, let us see what it is. A radical government is one that stands up for people's dignity and people's rights. We will not make apologies for being trade unionists. This week we are reforming the GMB. We have set ourselves that task. We want to stand up and be seen to campaign for people's rights and dignity. It will at times be unpopular, but we will live with integrity and pride.

We want to see your train get a fourth term but it will only get a fourth term if it delivers on true policies, true respect and true dignity to working people. Thank you, Gordon.

*(Cheers amidst a standing ovation)*

THE PRESIDENT: Thank you, Kevin, for that. That was a great speech.

## **WARWICK AGREEMENT**

### **MOTION 256**

This Congress whilst welcoming the "Warwick Agreement" between the Labour Party and the unions, is concerned that members of the Labour Government and cabinet are already seeking to water down the commitments within it. Congress instructs the CEC to ensure that both the spirit and letter of the agreement is pursued by the Labour Party in Government.

**ISLINGTON APEX BRANCH**  
*London Region*

*(Carried)*

BRO. V. WEST (London): Let's be clear. We have just seen it and we are proud of the return of the Labour Government for an historic third term for the first time.

About a year before this victory the GMB, in concert with other trade unions, concluded what was

hailed in the press as an important agreement at the Warwick Policy Forum. That agreement enshrined not just a wish list, not just a list of hopes that we were seeking from a Labour Government, but what we and other unions hailed as a launch pad for both the manifesto that we fought on and also a programme for Government in employment of workers' rights and a progressive social agenda.

Many of the motions we are debating this week cover areas of the Warwick Agreement that are encapsulated in that agreement. We are debating them because they are important to us.

We have reneged on our bit. Our members provided many of the foot soldiers during April and May knocking on doors, delivering leaflets and canvassing support for Labour candidates up and down the country. It is now for our Government, this Labour Government, to deliver on Warwick.

We are realistic. We know that it cannot be done today or even tomorrow, but we now have four or five years of a Labour Government with albeit a reduced but workable majority. With a majority of more than 60 we express progress from Warwick. There must be no excuses, no turning back and no reverse gear. We have a deal. We expect it to be honoured. I move.

*(The motion was formally seconded)*

THE PRESIDENT: I call Allan Garley on behalf of the CEC.

BRO. A. GARLEY (Regional Secretary, South Western Region): The CEC is pleased to be supporting Motion 255 and Motion 256.

Many of you will have heard of the Warwick Agreement, but where did it come from and what exactly does it mean? The Agreement was reached at the Labour Party National Policy Forum in July 2004. Surprisingly, it was held in Warwick. This Agreement was then ratified at the Labour Party Conference 2004. The GMB negotiating team played a fundamental role in delivering many of the commitments which are now contained within the Agreement. Tribute should be paid to that team.

In policy terms the Warwick Agreement dragged the Labour Party, albeit screaming and kicking, to a position where it could go out and campaign on issues relevant to ordinary working people. More importantly, it gave trade unions and the GMB a list of policies that they could take to their members to show the stark difference between Labour and Tories.

Warwick contains more than a hundred commitments which we were proud to achieve. I have just picked out a number to highlight: four weeks paid holiday for all, exclusive of bank holidays; corporate manslaughter legislation, which was announced as a Bill in the Queen's Speech; protection for striking workers against unfair dismissal increased from eight to twelve weeks; the right for trade unions to bargain on pensions; fifty per cent of

pension funds to have member nominated trustees, and in public services the extension of the two-tier workforce protection. This is just a taste of what is contained within the Warwick Agreement, but there is a need for us in the GMB to make sure that all parts of the Warwick Agreement are implemented by the Labour Government.

We will monitor Government departments and we will monitor the civil servants to ensure that all of our hard work was not in vain.

Conference, the CEC is supporting Motions 255 and 256. We urge you to do the same. Thank you.

THE PRESIDENT: As Allan has said, the CEC is supporting Motions 255 and 256.

*(Motion 255 was carried)*

*(Motion 256 was carried)*

## **STANDING ORDERS COMMITTEE REPORT NO. 2**

BRO. G. FERGUSON (Chair, Standing Orders Committee): I formally move SOC Report No. 2.

Emergency Motions. The SOC has accepted two further emergency motions. Emergency Motion 2: ASDA, submitted by Northern Region. The SOC recommend that this motion be taken on Tuesday morning.

Emergency Motion 3. Rover and the Phoenix Group, submitted by Birmingham & West Midlands Region. The SOC recommend that the motion be taken on Wednesday morning.

Composites. Agreement has now been reached on draft Composite B. Composite Motions 198, 199, 205 and 314. This will now appear as Composite Motion 35, to be moved by Yorkshire & North Derbyshire Region, to be seconded by London Region, with priority in debate going to Northern Region and Birmingham & West Midlands Region. The SOC recommend that Composite Motion 35 be debated at the Tuesday afternoon session.

The SOC would like to thank the regions concerned for their co-operation in agreeing this composite.

Draft Composite KK covers Motions 332 and 333. The SOC would like to meet the regions involved, Lancashire and London, at 2 o'clock today.

Election of President and Vice President. In my Standing Orders Committee Report No. 1, I gave the official statement of the positions of President and Vice President. No elections. The SOC would like to thank and congratulate Mary Turner and Michael Sage on their re-election unopposed to their positions of President and Vice President, and I am sure that delegates will endorse that. *(Applause)*

*(Standing Orders Committee Report No. 2 was adopted)*

THE PRESIDENT: Congress, yesterday I did not say very much because it was a very emotional day for all of us. It was a great day, a great day for me to be elected again as your President. I am proud to carry out those duties, as I said yesterday, in the good times and in the bad.

I am more proud now that the GMB yesterday turned a corner that it should have turned a long time ago. I hope to be with the rest of the party, with Malcolm, Debbie and Paul, to guide that programme through, to show the world and country that the GMB is the best union in this country and the most caring. *(Applause)*

I would like to thank my region for their support and to the staff both at Head Office and in other parts of this great Union throughout the country.

I would also like to put on record my sincere thanks to my family who have given me total support and to very close friends in this hall, three of whom are at the back, namely, Barbara, Edna and Brenda. Thank you.

Most of all, I want to thank the General Secretary of the GMB, Paul Kenny, for totally supporting me all the way down the line. Paul, thank you very much. *(Applause)* Delegates, this is your Congress. Let's get on with the business.

#### **ADDRESS BY RT. HON. GORDON BROWN (CHANCELLOR OF THE EXCHEQUER)**

THE PRESIDENT: Gordon, I would like to welcome you to the GMB Congress. As you know, we have been good friends in the good times and in the bad. The delegates' resolutions are numbered and, as far as this GMB Congress is concerned, you are already in No. 10.

RT. HON. G. BROWN (Chancellor of the Exchequer): Let me say, first of all, what a pleasure and a privilege it is to be at this important Congress in Newcastle today.

I want to begin by thanking all of you individually and collectively, each region of this Union, for the work that was done day in and day out during our election campaign, for the work that was done in the years before the election campaign, and let me send to you the thanks of every member of the Parliamentary Labour Party, including Tony Blair and the Labour Cabinet, for the work that the GMB Union did to secure our historic third term election of a Labour Government. You have delivered for us. I promise you that we will deliver for the country.

Let me also join in the congratulations to Mary Turner. I have known her for many years. You have elected her unopposed in an unprecedented way to continue as President of this Union. I believe that the work that she has done in the Union and as a member of the Labour Party's National Executive for ten years was a very significant factor in securing the election of a Labour Government. Mary, I give my

thanks to you and my congratulations.

Before any celebrity chef came on the scene, Mary Turner put the case for school meals and investment in school meals. *(Applause)* The reason why more money is being spent on school meals -- £250 million more - is not due to a television programme, but to the work of this Union, the GMB. So thank you very much for that campaign.

Let me also thank Paul Kenny for his leadership, organisation and campaigning, in particular, during the General Election, the three-quarters of a million leaflets that your Union produced, the thousands of telephone calls that you organised, the advertisements you placed in our national newspapers, warning, rightly, of the Tory threat to the National Health Service and the vital work you did in marginal constituencies that secured the election of Labour MPs often in very tough fights against the Tories and Liberals. As a result of your efforts, the GMB now has a hundred MPs in the House of Commons. You have twice as many members as the Liberal Party. If this rate of progress continues, you will have more than the Conservative Party, and our duty is to keep the Conservatives out for ever! *(Applause)*

Paul and I share a great deal in common. We both support football teams that win very little. In my case, it is a little known team called Raith Rovers, organised by the GMB. My father told me that he was present when Raith Rovers last played well, and that was in the 1938 season. *(Laughter)* But Paul and I both want to congratulate the delegates from Liverpool on their great success in winning the European Cup, the delegates from Wales on the great success of Wales in winning the rugby championship and let us all hope that from all the different islands the British Lions will bring success to Britain over the next few weeks.

I want to place on record my thanks to this Union. I first stood as a candidate in the 1979 election with the support of this Union, and I was very grateful for it. Then I put in my election manifesto that the constituency needed an MP of youth and fresh ideas, and in the most recent election, in my new constituency of Kirkcaldy, I had to put in my election that the constituency needed an MP of maturity and experience. *(Laughter)*

I also remember that the first time I was ever asked to stand for any office was when I was a student in Edinburgh. A union official came to me and said would I stand for the local council elections. I said to him, "Look, I don't know much about the way the council works. I am not very sure about council finance", and a lot of you may think that I do not know a lot about it still. He turned to me and he said, "Look, pal. You don't understand. If we were going to win this seat, you wouldn't be the candidate." That is certainly how you are brought down to earth.

The purpose of elections is not simply to ensure that a government is elected but to ensure that the

policies on which it is elected are the policies that are right for the people of this country. I pledge to you - we have just had the debate - that even in the face of Tory opposition in the House of Commons, and Liberal opposition in the House of Commons, we will move forward and implement the Warwick Agreement, and legislation to implement it will be a priority of this session and every session of the Labour Government. *(Applause)* It is as a result of your agreements at Warwick - I was present with many of your officials at Warwick - and as a result of resolutions that came from branches, then discussions at conventions, conferences and congresses like this that the Labour Movement agreed the change in paid holidays, the rights to union recognition, new rights against unfair dismissal, new rights for bargaining on pensions, the right to time off for family emergencies, maternity pay and time off extended to mothers and fathers, with mothers having nine months maternity leave, the first ever paid paternity and adoption leave, protection against racial and sexual discrimination, a rise in the legal National Minimum Wage, a minimum wage now extended to 16 and 17 year olds, rising this year and next year, backed up by the Child Tax Credit and the Working Tax Credit, all advances voted for by this Union, all advances that would have been at risk if the Tories had been elected, and all advances that we will implement in this term as a Labour Government.

As I said at the time and as was said a few minutes ago in the debate, we are agreed that we must end the two-tierism in the public services. We will extend the new rights from local government to right across the public services.

As a result of your efforts, of course, we now find the Conservative Party in complete disarray. They are trying to find a new leader, which will be their fifth in opposition; they are trying to find a new system for getting the right leader, which is the fourth in opposition; they have been trying out a new Shadow Chancellor, who is the seventh in opposition, and soon they may be looking for an eighth. They are now looking for a new constitution, a new statement of values and new candidates. In fact, they are even thinking of a new name for the Conservative Party. Let me tell you this. Until they realise that it is their policies of privatisation, their policies for unfairness, their policies of economic incompetence and their policies which tolerate unemployment which are turning the British people away from them, they will never, even if they change their leader, their name and constitution, secure again the support of the British people.

Let me also congratulate you on raising the issue against another Party, the BNP. Your campaign exposes how the BNP exploits fears and does not answer fears. Your campaign has uncovered the reality that the BNP stands for hatred and is at the worst end of the political spectrum. In Dagenham

your efforts helped to ensure that the BNP were defeated at the General Election, and they must now be defeated at the local level in the forthcoming local by-election. I congratulate you on the work that was done in seats like Keighley, Dewsbury and in Oldham, where members from this Union helped ensure that Labour MPs were elected and BNP candidates were roundly beaten.

Let the message go out from this Conference that we will never again allow Britain to be subject to the policies of racism and fear. Our aim is to drive the BNP out of every local council seat in this country. I can confirm also that, as a result of the Queen's Speech, we will be bringing forward legislation to outlaw religious as well as racial hatred because we want, like you, to build a society which is founded on values of tolerance, self-respect and equality of all human beings.

Today I want to talk about not just what we have achieved but what we can achieve in the years to come. If you think back to the history of this great Union, with a hundred years or more of campaigning, it is a Union born of demands for justice from gas workers, electricity workers, council workers, metal workers, utilities' workers, the Union that has been and is the largest union for shipbuilding and manufacturing in this country, a union that represents a quarter-of-a-million public service workers, teaching assistants, dinner ladies, local government employees, caretakers and social care workers. Also, this Union is now representing workers in the leisure sector, the service sector, hotels, holiday camps, minicab drivers, the casinos of this country and professional footballers - a whole range of occupations new and old which are represented by this great Union in every region of the country. You should be proud that you are picking up members in new occupations and trades which have never been organised before.

Let us remember that for all of those one hundred years, the great passion, the great driving force of our Movement is that we have seen right across this country unemployment scar the lives of too many people. We have seen unemployment destroy young people at the start of their lives. We have seen unemployment rob adults of their dignity. We have seen unemployment ruin families as thousands of couples lose their jobs and lost their homes in the recession of the early '90s. We have seen unemployment prevent men and women over 50 from the chance of ever working again. We have seen unemployment condemn mothers to see their teenage youngsters turn from bright eyed and hopeful young people to cynical and rejected adults. Let us remember how, during the past 20 or 30 years, the Conservative Party tried to lecture us that full employment was never possible in this country again. Unemployment, they used to say, was the price worth paying. Let us not forget also how all of those experts, the economists, reporters and journalists,

fell for and succumbed to the propaganda that, as manual tasks were mechanised, as computer technology changed everything, we would bury for ever the idea that we, in Britain, could have an economy founded on full employment.

What has happened over the past two decades is that the labour Movement, men and women in communities up and down the country, upheld the ideal and the goal of full employment. They agreed that we should never walk by on the other side; they agreed that we should support each other in time of difficulty and they agreed that we had to believe in something bigger than simply our selfishness. Hard times did not teach the labour Movement selfishness but solidarity. That is why, led by our beliefs, and against the Conservative Government of the time and against all of the experts, the labour Movement, you will remember, marched for jobs. We petitioned for jobs, we rallied for jobs and we passed resolutions for jobs. We held fast to the goal of full employment.

So the first act and the most important decisions of the Labour Government was to restore full employment as the essential goal of modern government in our country. The first day that we came into power we created the windfall tax - £5 billion paid by the utilities to fund an employment programme to get people back to work. If only one person had benefited from that programme, it would have been worthwhile, but there are two million more people in jobs in our country, and in total nearly three million citizens have benefited from the New Deal. In the 1980s unemployment amongst young people was 350,000 who were condemned to unemployment. Today long-term youth unemployment is 6,000 in this country and we would prefer the figure, as it should be, to be zero. Every time a young person, who was denied a job under the Tories, gets a job under Labour we should be proud that it is because of your campaigning efforts that full employment is on the agenda.

However, we are not complacent. In this Parliament we want to do more. The next stage is to create more jobs, more skilled jobs, more well paying jobs and better protected jobs. When we cannot save the jobs in a particular industry or a particular occupation, we will help people get their next jobs. In our third term, we promise that a million more people will be helped by the New Deal to find the jobs that will give them a future.

So when all of the doubters and cynics say, as the Tories are saying again and as the newspapers are starting to say again, that globalisation means that we must abandon again the dream of full employment, that new technologies, new industries, new trading relationships mean that we cannot have the jobs in the quantity that we had in the past -- global change will certainly change the jobs we do, the skills we have and the technologies that we have to follow - I believe that full employment must not remain a distant dream. It must become a practical

reality in this country. I promise you that we will hold fast to the goal of full employment. As long as there is someone who is unemployed, unfairly in poverty, as long as there is a community denied opportunity, we will never rest or relax in our efforts as a Labour Government. We will be on the side of the people, helping people cope with change. We will take every necessary long-term decision to do so: stability, fiscal discipline, low inflation, economic reform and securing value for money, whilst supportive of being in Europe yet standing up to the European Union whenever it is necessary. We will do what is necessary so that we can campaign not just for jobs but for good jobs and decent paying jobs in the future, jobs where there is not exploitation in the workplace but fairness in the workplace.

You told us, rightly, that people should not see their health and safety recklessly put at risk in the workplace. We have just heard in one of the debates about the gangmasters and the threats to people's lives as well as livelihoods as a result of what they are doing. During the election we said that there would be a new campaign for new laws and more effective sanctions for holding companies to account when they pay little or no regard to safety. So we did announce in the Queen's Speech that we will legislate to outlaw corporate manslaughter - once again, keeping to our Warwick Agreement.

Friends, because the successful economies of the future will also invest in the potential of children and allow parents to balance work and family life, we will not only extend maternity leave but we will have new legislation, as you asked for at Warwick, to guarantee affordable childcare for all families on the road to abolishing child poverty in this generation.

The Equal Pay and Sex Discrimination Acts that were introduced 30 years ago were milestones then in attempting to breakdown barriers, but we know there is still a long way to go to deliver equal pay for women. So we have established the Women in Work Commission. Your Deputy General Secretary, Debbie, serves on it and she is a very important member of that Commission. I thank her for the work that she is doing on it and we will study the findings so that we can work, once and for all, for ending the gender pay gap in this country.

On pensions, I heard Kevin talking about the promises which we must make on pensions. You told us before the election that it is simply wrong that people who lose their jobs can lose their pensions, too. So in partnership with the trade unions, which we agreed at Warwick, we have set up the Pension Protection Fund. For the first time pensions are protected for those people where a company goes bust and its pension fund goes bust as well, and for people who have been hit in the past we have set aside £400 million pounds, and we will review that in the next two years. I tell you that we will work with your Union to do what it takes to tackle this gross injustice, where workers, through no fault of their

own, find their pensions have been destroyed. We will keep to our Warwick Agreement on pensions.

I say to the Conference, having introduced the first Winter Allowance for toady's pensioners, free television licences for all pensioners over 75, the new Pension Credit paid to 2.5 million pensioners, having introduced now free local bus travel for pensioners from next year, we will, as we said at Warwick, respond to the Pension Commission by doing what it takes to ensure, as your resolution said, that all workers in this country can have security and dignity in retirement.

Let no one say that manufacturing is the economic sector of the past. I can give you this assurance, here on the Tyne, where shipbuilding is so important, but also about the shipbuilding industry elsewhere in the country, that we will build in this country modern manufacturing strength, and that is right for this great island and maritime nation.

There is another argument that the Tories have put forward, which we have to counter. When the Tories say that we should not be investing in public services, that too many jobs are being created in public services, as if public service jobs are second rate jobs, a lower type of employment, let us say with pride that there are 80,000 more nurses as a result of what we have done in partnership together and there are a hundred thousand more teaching assistants, many of them organised by this Union. There are several hundred thousand more people working in education, health and the public services as a result of what we have been able to do together.

Let me thank also those members here who are in local government, because you were the first and last line of defence for our communities during the Thatcher and Major years, and you showed day in and day out what the ethic of public service means for this country. So while, like you, we will always insist on value for money, we will always insist on fairness, we have been right and we are right to double the investment in the neglected public services of this country, to renew them for the future, to resist Tory plans to privatise health and education, and we will continue to do everything to prevent their privatisation plans. We must tell the public that it is not just the investment we make in public services which matters, but it is the dedication and commitment of those people who work in public services that make the public services what they are because people join the public services because they want to make a difference.

To all those who want to privatise, let me say to you that I and my family, like all of you here and your families, have personally seen this ethic of public service at work. In our hospitals, I have seen not just the doctors and the nurses, but the porters, the ambulance men and women, the cleaners and caterers, sometimes people called "auxiliaries", but are actually central to the delivery of these services, men and women who not only show exceptional skill

and professionalism but extraordinary care, compassion and friendship to people at a time of suffering and need.

I have seen in our schools not just the teachers but the classroom assistants, the dinner ladies, the caretakers who, in everything they do, show their dedication day in and day out because they believe that every child and every child's future counts. In our communities, I have seen local government workers pioneering new services from childcare to neighbourhood wardens, carers whose unbelievable support can transform despair into hope; home helps and support staff whose dedication and humanity show that there are values which are way beyond the marketplace, far beyond contacts and exchange; values of caring, duty, support, service and compassion which make our country the community it is today.

If we can show that a publicly funded health service and education service, free at the point of need, delivers for the modern world to all the people, if we can show that the ethic of public service is so strong that public services can provide efficiently for all, then we can show that Britain can be a beacon to the rest of the world for world class public services and opportunity, justice and prosperity, delivered not just to some members of the community but to everyone.

In the recent election campaign I said that there was another reason why it was important for us to win the battle against privatisation and in favour of free health and free education. I said that if we could not prove in Britain the case for free healthcare and free education, then what hope is there for Africa? What hope is there for the poorest people in the poorest countries who will never be able to afford to pay for healthcare or to afford to pay for the schooling for their children, who need these public services free at the point of need? What hope is there for them if the privatisers win the argument, and that public services being free at the point of need is put at risk?

I can tell you, after my visit to Africa only a few weeks ago, what we need to do to help this continent, and I praise the GMB in what you are doing in the *Make Poverty History Campaign*. What we have to do takes on, for me, a special urgency. If you had seen what I was asked to look at, if you had visited the places that I was able to visit, if you had heard the voices of the people in huts, shacks and villages of Africa you would agree that we cannot continue with a world that is half rich and half poor. We cannot continue to tolerate a world where children suffer the humiliation of agony of abject and relentless poverty; children who are destined to die in their first year even before their life's journey has begun. I met mothers who were struggling to save the lives of their infant children and, in doing so, doomed to lose their own. Millions of children are denied education because to get education, even primary

and basic education, they would have to pay fees which they do not have. So let us tell the public of Britain the tragedy that happens when there are no public services.

Let us answer those who say that aid is money wasted when aid is not about saving money but it should be about saving lives. Let us answer those who say "There is nothing we can do in the richest countries to help the poorest". When I was in Tanzania I met a young man who was only 13 years old. I was taken to the hut in which he was living with his mother and sister. He was crippled by Aids, he had no money to find a hospital bed, he had no money for pain killers or treatments, he had no money to ease his suffering, and he could not even afford the bus fares for a visit to the doctor and he would not have been able to pay the fees that the doctor would have charged. He told me that he was suffering twice over. He was suffering from the disease itself and from the stigma associated with the disease. He said to me, "I know we are despised and I know I am despised, but are we not all brothers and sisters?" Then his young sister walked in and she was 13 years old. She was still at school. She told me that because of her brother's illness she wanted to train to be a doctor, but I knew immediately that there was no chance of her having a school education that went beyond 13, far less a medical education. She was about to be forced out of school because she could not afford to pay the fees. Her dream of becoming a doctor destined for ever to be unfulfilled.

In Tanzania and Mozambique I met 10, 11 and 12 year old children, as well as in Kenya and South Africa, begging to have the chance to do something that we take for granted for young kids - to stay on at school. They could not because they could not afford to pay the fees. I met mothers in Mozambique who worked in sugar plantations who were earning just £5 a week, who waved their pay cheques to me, saying that they had not a chance of being able to afford to pay for their children's education.

Then, perhaps the saddest story for me of all, I met a 12 year old girl. First, her mother had died and then her father had died from Aids. She had been moved from shack to shack, barefoot, with tattered clothes. The palms of her hands were as blistered as those of someone in their 70s or 80s. Here was a 12 year old at an age when everything should be in front of her, when there should be joy, expectation, promise and hope in her eyes, but here was a girl, suffering herself now from HIV Aids, suffering from tuberculosis, her youth had gone, her hope was all but dead and she was utterly desolate. When I looked into her eyes I saw that desolation. We talk of children and their life chances, and I had just met a child who had none. Her desolation is burnt into my soul.

Is not the philosophy of our Movement that every child is special, that every child is unique, that every child, whether disabled, diseased, poor or desolate, is

precious? Is not every child worthy of our help, worthy of a chance to grow and develop their potential but, as you know, thirty thousand children will die today unnecessarily from diseases we can cure and from a lack of drugs and treatments that we, in the richest countries, take for granted? A child every two seconds! Each one of those children will struggle for breath and life and, tragically and painfully, lose that fight.

I know what all of you are thinking. "If I could this day help that child who might otherwise die live, if I could prevent that avoidable death, if I could prevent that avoidable death, if I could stop a child needlessly suffering, if I could turn the despair of a mother worried about her child from desolation to hope, then it would make everything we do worthwhile." Just think, if we could together by our actions help not just one, two or ten but hundreds, then thousands, then hundreds of thousands and millions of children, if we could with all the power at our command, working together, collectively change the way people see poverty so that people right around the world saw that that poverty was preventable, should be prevented and had to be prevented, what a different world this could be.

Let me tell you, finally, what, in advance of the G8 summit, we are proposing to do. This is a week of preparation and vital decisions. European Finance Ministers will meet on Tuesday. Tony Blair meets President Bush on Wednesday. The G8 Finance Ministers meet on Friday. China, India, South Africa and Brazil all join us. At a time when there is an urgency about the need to act, what we are proposing is nothing less than a new deal between the rich and poor countries of the world. It is a new alliance for global prosperity against global poverty. It engages the richest countries, including the oil producing states, in a new deal where we engage everybody from foundations, businesses and government, a new deal which means that, instead of the poorest countries paying up to £15 billions in debt, their debt is written off so that they can pay for education so that children can go to school; a new finance facility that will double the amount of aid so that we can pay for the healthcare that is needed for young people, mothers and adults in the poorest countries; a new finance facility so that we can pay for drugs for malaria, TB and HIV Aids; a new finance facility which will build on the doubling of aid by our European partners and make sure that we can provide the money that is needed for anti-poverty programmes as well.

Because trade protectionism destroys jobs, we must dismantle the export subsidies and liberalise the trade. We must ensure trade justice for the poorest countries, giving help to build capacity in these countries so that they can trade with the world.

My argument is that we are not - this is the whole history of the trade union Movement - powerless

individuals, but acting together, as we did on debt relief a few years ago, on the anti-Apartheid struggle where the Labour Movement in Britain was instrumental in helping Nelson Mandela, we have the power to shape history and to change it.

Let it be said of our generation that we were moved when we saw abject poverty, that we cried when we saw people suffering, that we acted when we saw despair and desolation, that we felt the pain of others, that we believed in a world that was simply bigger than ourselves, that we never settled for things just as they were, that we had a vision and dream that was always more than a small change here or there, that we sought something greater than just the fairness that other Parties talked about, that we believe in fairness not just for some but a fair society for everyone. Our concern is not just our own elderly relatives but all pensioners, that we felt compassion not just for our own children but for children in every continent and that we believed in public services that made us proud to be a community again.

I look back on the history of our Movement and our goals are the same - yesterday, today and tomorrow. Our ancestors knew, like we do, that it is easier to be Conservative than Labour, to succumb to vested interests than to take them on, to take your own share than to fight for everyone to have a fair share, to see progress as you moving on and not just ensuring that everyone moves on together. The whole history of our Movement is that we advance together or not at all; that progress is everyone moving forward, not just a few, that opportunity and security should exist for all and not just the privileged elites in our society.

We believe, therefore, in a society branded in equality, that is driven forward by social justice and that retains the aims and ambitions of our early founders. Those are the good causes that we are fighting for. We can build a Britain worthy of our pioneers and we can build a Britain worthy of our ideals. We can achieve these ideals -- unions and Party, Government and people - best when we work together. Thank you.

*(Applause amidst a standing ovation)*

THE PRESIDENT: Thank you, Gordon, for that inspiring speech. Let me, on behalf of the GMB Congress, ask you to receive these small gifts made by our members in Birmingham & West Midlands Region and a little drop of the hard stuff.

*(Presentation made amidst applause)*

Congress, I think it would be cruel if I asked anyone to move a motion after Gordon. Does Congress agree that we continue with our debate this afternoon?  
*(Agreed)*

## **ANNOUNCEMENTS**

THE PRESIDENT: I would like to welcome Peter Bunting, the Deputy General Secretary of the ICTU. He has arrived here as a guest of the Liverpool, North Wales & Irish Region. Welcome. *(Applause)*

*(Adjourned for lunch)*

## **AFTERNOON SESSION**

*(Congress reassembled at 2.00 p.m.)*

THE PRESIDENT: Congress, let us return to the business that we did not finish this morning. I have a couple of announcements. The first is about a casino evening this evening. Debbie, do you have some money? It is on at the McClintock Suite, Centre for Life, from 6.15 pm to 7.15 pm. Food is available. "This is your opportunity to hear about the experience of casino workers in the UK and the US and how they are standing up against poor treatment from both employers and customers alike. Recent press announcements report that more than 100 new casino licence applications have been submitted prior to deregulation of the industry. Is one of them in your Region?" Signed Paul Kenny for the GMB. We have speakers, C. Laycock and D. Taylor. So you take your money and you takes your choice. So go along and listen.

I hope everybody is visiting the stalls because they have come to show their wares. There are particular stalls that I would hope you would respond to. One is the Jimmy Knapp stall, which is running a raffle and collection for cancer research and a hospice for young children. Please support them and give generously. I think somebody will be coming round with raffle tickets later.

My worthy President of the Northern Region has said he has put books of tickets on everyone's seat. Would you return the stubs to stall 15 and also the money? As you know, Billy spoke about the charity.

I know I have not taken the votes from this morning, but we will take them after we have finished the full debate.

## **RIGHTS AT WORK**

### **FIXED TERM CONTRACTS**

#### **MOTION 178**

Congress is deeply concerned at the dire effects which fixed term contracts (between contractor and client and not of employment) and the whole ethos of this principle has upon our GMB membership and activists.

Contracted out labour, as the result of privatisation across a broad brush of industry,

finds itself hived off to employers, keen to seek fixed quotation contracts with clients, usually and for whom our members originally worked of periods now extending to 20 and even 25 years! With rising operational costs, this leads to shortfalls in the contractor's finances, already keen to drive down cost, to little in the way of collective bargaining, to the long hours culture and to just about everything that can be said to be wrong with the British workplace today.

Congress therefore calls upon the CEC to draw to the attention of Government, a practice which is seriously disturbing to the very fabric of family life in whole communities and to deliver on its promises of a better work life balance.

SCUNTHORPE DISTRICT & APEX BRANCH  
Midland & East Coast Region

*(Carried)*

BRO. D. LASCELLES (Midland & East Coast) I move Motion 178 on fixed term contracts. Within weeks of coming to power in 1979, the Conservative Government moved to address the gains made by unions for the labour force of this country by the privatisation of jobs to contracted-out labour organisations across the United Kingdom. Traditionally, and within the understanding of most people, then as now, a contractor is someone, or one of a gang of labourers, who carry out a job of work for a fixed term, sometimes even for a fixed price, such as construction or demolition work and then leave on completion. The type of contract and work highlighted by this motion, in bringing to the attention of this Congress the plight of our members, is, however, very different. Contracts between a primary employer, be they a hospital trust in the NHS, a privatised railway company and its caterers and cleaners, or even the service industries to CORUS, the former British Steel Corporation, used to run from year to year, then they went to five years, 10, now 20 to even 25. Over time and with equally fixed budgets, the client company literally strangles the financial capacity of the contractor to be able, on the one hand, to deliver a service and, on the other hand, to make a profit to its shareholders.

Practices of increasing cost and staff cutting have life-threatening consequences. We have MRSA in hospitals through the cross-infection of domestic socket string mops -- the members told me that one; I would not have known it otherwise -- an abundance of train crashes and near misses on the East Coast mainline that you may have used to get to this Congress and with all the other health and safety breaches, quite literally could fill a book.

Ironically, the client companies' own individual records for its own employees are often exemplary in comparison. However, worse still is to come. As costs increase, hours of work increase often with a much reduced workforce. Team working actually means

one person working alone at night and unsupervised. The balance between work and home life becomes work, work, work. The carrot of overtime does not actually allow you to see in the dark on overtime and night shifts. It actually burns you out. Your wife or partner cannot see you even in daylight because he or she is often doing a double shift as well.

The situation gets worse. For many low paid contracted labourers, the dignity of a decent wage is overhauled by the inability of the contractor company to maintain levels of pay and to seek solace in the minimum wage. Collective bargaining vanishes along with trade union membership. Members walk off the job willy-nilly and go to the pool, football, disco or club in the firm's time confident that if they get the sack, the next job will be at least a change -- a change is as good as a rest -- and that, like the last job, it will at least pay the minimum wage, so who cares?

Conference, therefore, calls upon the Central Executive to bring these horrendous employment practices to the notice of the Government, the Department of Trade & Industry, in particular, so that they may deliver a sense of dignity at the workplace to the labourers after whom the Party is named.

BRO. P. SOPER (Midland & East Coast) I second Motion 178. In essence, this motion stems from the hopes and aspirations of members employed very much in the private or already privatised sectors and, in the main, the engineering, food and leisure sections of the GMB. However, it could just as easily be any of our other sections and, given time, it certainly will be. The lengthening of contractor/client relationships extends the ability of each and every one to drive down costs and, in particular, wages.

At the moment, most of the sentiments expressed by this motion only apply to caterers, porters, cleaners, hotel and security staff. The overwhelming success of this practice will see its extension into much more traditionally higher paid disciplines, as it seeks to drive down the costs to British industry and commerce, much of which is the annual wage bill.

Little wonder, then, when contracting companies can nearly halve wages paid in 10 to 15 years that they seek to move from weekly to two-weekly to monthly pay. After all, the sum paid by the BACS system into your bank is so low that the contractor might incur bank charges for the administration if paid weekly.

Congress, this is the time to highlight the plight of so many of our members, that if their number were to be removed from our membership figures, particularly in public services, we could appear to be a very small union indeed. Act now. Vote for this motion. I second. *(Mobile phone sounds)*

THE PRESIDENT: Jude Brimble, a tenner! You don't

want to put another tenner in, do you, in case it goes off tomorrow! Thank you, Jude.

## **POSTED WORKERS DIRECTIVE**

### **MOTION 179**

This Congress congratulates the work done so far by GMB members involved in the campaign for the implementation of posted workers directive but urges more pressure to be put on the Government by the GMB for National Agreements Terms and Conditions to be the minimum standards to be applied to posted workers and not the National Minimum Wage.

**SOLO BRANCH**  
*London Region*

*(Carried)*

BRO. J. MILLER (London): I am moving Motion 179, Posted Workers Directive. The Posted Workers Directive was enacted by the EU to protect the workers who were temporarily transferred to another country to work by ensuring that they enjoyed the terms and conditions of the host country, if superior to their own.

This directive has been interpreted by the rest of the EU as applying the national agreed terms and conditions for the appropriate industry. Recently we have seen, in the Irish Republic, that GAMA, a Turkish construction company, had to pay backpay to Turkish workers to bring them in line with the agreed rate for the Irish construction industry.

This was not given readily. It was achieved after a campaign by Irish trade unions and left wing politicians. As always, it is the trade unions which will be at the forefront of the battle to ensure that legislation is implemented.

What has just happened in the Irish Republic would not have happened in the UK, not because the UK unions would not fight to defend the rights of foreign workers and defend their own rights, but because the UK Government have interpreted the directive to mean that the only requirement on foreign countries is to pay the minimum wage.

We have seen instances, particularly in the construction industry, in the recent past, where foreign companies have won contracts and paid only the minimum wage, depriving the foreign workers of decent wages and the opportunity to travel home at the company's expense once a month to see their families as well as to undermine the terms and conditions of the British workers.

We must use all the influence of the GMB to force the Government to underpin the Posted Workers Directive, like the rest of the EU, and not allow the UK to be used as a cheap labour market to increase the profits of the multi-nationals. I urge Congress to support this motion.

BRO. A. BALDWIN (London): President, Congress, in seconding Motion 179, I fully endorse the sentiments expressed by the mover. However, I would wish to point out that the Posted Workers Directive itself is under threat from the Services Directive known as the Bolkestein Directive, after Fritz Bolkestein, the former EU Commissioner, who drafted the directive.

In layman's terms, the directive says "where services are provided", and construction, in which I work, is classed as such. The directive wishes to establish the principle of country of origin, which would also allow industries to operate with the standards that apply in its own country. This could lead to sites beside each other having different terms and conditions and health and safety standards.

How could such a situation be policed properly? What is to stop UK companies from setting up companies in countries with lower standards of health and safety and workers' rights? We were led to believe that the EU existed to raise standards. This directive will do the opposite.

The Services Directive is called the "Bolkestein Directive", but by some it is called the "Frankenstein Directive"! Don't let this monster destroy all the hard-gained achievements of the trade unions. Oppose the Services Directive. Support and strengthen the Posted Workers Directive.

THE PRESIDENT: Thank you, colleague. I understand you are a new delegate. Well done. Conference, this particular issue is going to affect all of us if we do not stop it. So it is them today and it will be us tomorrow. We have a lot of work to do on it.

## **WORKING TIME**

### **MOTION 180**

**Congress calls on the CEC to press the Government to remove the opt out of the working time directive from the regulations. We believe that there should be no requirement for workers to work longer than the 48 hour week.**

**HARTLEPOOL 3 BRANCH**  
*Northern Region*

*(Carried)*

BRO. M. SULLIVAN (Northern): President, Congress, I move Motion 180: Working Time. Since this motion was put forward, there has been some progress in Europe on this issue. As trade unionists, we should strongly oppose the opt-out of the Working Time Directive, so that no worker in this country should work more than 48 hours per week. The European Parliament last month voted to scrap the opt-out ruling limiting the work in the EU to an average of 48 hours per week.

This is a major step forward in the fight to end this unjust rule. However, this is just the beginning.

For this step forward to become law, the proposed changes to the Working Time Directive need to be approved by the Council of Ministers. The UK Government are very much opposed to the removal of the opt-out. It is a credit to our MEPs that they voted against the UK Government and voted in favour of the removal of the opt-out.

The GMB is at the forefront of the campaign in Europe and we must now continue our efforts to get the UK Government to drop the opposition to the removal of the opt-out. Common sense must prevail. No one should be working more than 48 hours per week. Congress, please support this motion.

BRO. M. BLENCH (Northern): I second Motion 180 on the Working Time Directive opt-out. Obviously, being a boilermaker, I find this a bit hard to understand. We have £20 million to fight for the 35-hour week, but obviously everyone is not as privileged as we are. The UK workers work the longest hours in Europe. Colleagues, make no mistake; it is not the bosses, the captains of industry, who are working these hours, but our members. It is our members, the low paid and the overworked who work the hours. Motion 180 is clear and straightforward. End the disgrace of long hours. I urge you to support Motion 180.

BRO. B. MONTGOMERY (CEC, Engineering): President, Congress, I am speaking on behalf of the CEC. Colleagues, the CEC is supporting Motion 180 with the following statement. Just over a year ago we believed that ending the opt-out of the 40-hour week would be a formality. Today, we have a real battle on our hands.

The GMB supported a major trade union campaign both at national and European level calling for the opt-out to be phased out as soon as possible, but the Government and the European Commission chose to listen to the CBI and not to the unions.

The proposal to revise the Working Time Directive presented last September not only kept the opt-out but threatened protections for on-call workers, undermining our hard-fought case to protect our wardens in Harrow. Work life balance issues were dismissed -- just what the Government ordered.

Our MEPs in the European Parliament did listen to us and voted last month to end the opt-out three years from adoption, ensured that all on-call time counts as working time and introduced family friendly flexibilities. For their loyalty to us, they suffered intense verbal bullying from the Government and the British press labelled them "rebels" rather than principled politicians. The Government refused to accept the European Parliament's position, and is working to re-introduce the opt-out and water down on-call provisions again at an EU ministerial level.

A further blow is the recent Court of Appeal decision in **Ainsworth**, which held that workers on long-term sick leave of over a year are not entitled to holiday pay under the Working Time Regulations.

Legalising the ability to opt-out of health and safety protections is criminal. Watering down already minimum working time rights is a scandal. Working time is our red line with the Government on their commitment to the European social model. So, Congress, the answer is simple and it is sweet: Your move, Tony. Support Motion 180.

BRO. A. SPINKS (Liverpool): Congress, I want to pass a few comments on Motion 179. I am also on the Stewards Committee for the NAECI along with the GMB, T&G and AMICUS, which have done an excellent job with the Posted Workers Directive. They have been campaigning in London, and things like that.

I have one problem. It is not all roses out there. We get called "racist" this, that and the other, but, unfortunately, we have members of this Union in the industry that I work in who cannot get on certain jobs. They cannot get on certain jobs because there are foreign workers on those jobs. It is totally ridiculous. Why we are bringing some of them in at times just beggars belief to me. There is a job at Queens Glass opposite to where I work now. All the installation has been done by foreign workers. We have been over there to try to do something. It is crazy. We have a major problem and it is going to get worse if we do not watch it.

As I say, people call us racist. You can call us what you like. It is not my fault I am English. We have families to feed and we need jobs. We cannot get jobs when they are filled by foreign workers. There is a major problem. Please be careful of the way we are going.

*(Motion 172 was carried)*

*(Composite 14 was carried)*

*(Motion 175 was carried)*

*(Composite 15 was carried)*

*(Motion 178 was carried)*

*(Motion 179 was carried)*

*(Motion 180 was carried with the statement)*

THE PRESIDENT: Congress, now we have caught up with this morning's business. We now start the afternoon's business. I ask Allan Garley of the South Western Region to move his report, pages 125 to 130.

# REGIONAL SECRETARY'S REPORT - SOUTH WESTERN REGION

## 1. Membership and Recruitment

|   |         |
|---|---------|
| Total membership                              | 44,532  |
| Women membership                              | 18,744  |
| <b>Section membership (by each Section):</b>  |         |
| Clothing & Textile                            | 1,815   |
| Commercial Services                           | 3,912   |
| CFTA  | 3,214   |
| Energy & Utilities                            | 2,706   |
| Engineering                                   | 2,065   |
| Food & Leisure                                | 5,120   |
| Process                                       | 6,893   |
| Public Services                               | 18,807  |
| Grade 1 members                               | 32,918  |
| Grade 2 members                               | 8,213   |
| Sick, retired & unemployed members            | 3,401   |
| Total number recruited 1.1.2003 - 31.12.2004  | 9,566   |
| Gross increase/decrease 1.1.2003 - 31.12.2004 | (6,002) |
| Net increase/decrease 1.1.2003 - 31.12.2004   | (7,102) |
| Membership on Check-off                       | 31,901  |
| Membership on Direct Debit                    | 6,038   |
| Financial membership                          | 40,756  |

## RESPONSE TO CULTURE CHANGE

The South Western Region has always fully appreciated the hard work and endeavours of Branch Officials, Shop Stewards, Staff Representatives, Activists, Full Time Officials and Regional Staff, and it is the continued commitment of all that has allowed the Region to consolidate its financial membership.

2004 was a year during which the National Union has undergone a tidying up exercise of its membership data, and a direct result of this is the membership record system cleared a significant proportion of supposed cash paying members, who in fact had not paid for a considerable period of time. This action has had the beneficial and desirable effect of up dating our records without having any effect on regional income.

The South Western Region has continued its development of the "cultural change" via the previously agreed "Regional Operating Plan."

I am delighted to report during 2004, Welsh Assembly Cabinet Minister Andrew Davies opened the Regions' new GMB Resource Centre in Pontypridd, South Wales.

The new Resource Centre operates in the form of an office/shop, and is very much a centre of activity, which is utilized by the Region, its Officers' and Activists to promote the "premium services from a modern Union" theme.

The Resource Centre has provided improved communication and contact and has generated wider community/family contacts, very much in line with "Fresh Start for Branches".

Membership recruitment from the new Office has been extremely successful and has proven to be invaluable to the Branches in the area and as a base for Branch Secretaries and Full Time Officers.

The Resource Centre has ensured the Region is investing for growth and has provided a Trade Union Centre of activity no other Trade Union can provide.

During the two year reporting period, the Region has worked to develop and build upon the strategies of the Region's Operating Plan; the main points are as follows and remain a crucial part of the Regions' objectives for maintaining the best service possible for the membership.

- Review and explore initiatives for membership development

- Develop campaign strategies
- Review consolidation procedure
- Look into initiatives to encourage youth membership
- Evaluate the resources of the Region
- Review publicity and regional literature, communication and contact
- Ensure priority is given at all times to recruitment, organising, servicing and retention.

I am pleased to report the Union's governing body, the Central Executive Council, has decided to establish a "Task Group" to examine how the National, Sectional, Regional and Financial Structures of the Union can be developed to enable the Union to best meet the challenges of organising and involving as many members as possible during the next ten years to ensure growth and wider member involvement. Many of the present systems and practices of the GMB work well. As a result, the achievements of the Union are considerable:

- The Union recruits in excess of 80,000 working people into its membership every year.
- The GMB provides first class representation for our members in the workplace on a vast range of issues.
- The GMB has an excellent reputation for providing legal, health and safety, pensions and research advice, for training our workplace representatives, and for opening up new learning skills and opportunities for our members.
- The GMB has a formidable track record of promoting and defending the best interests of our members by political lobbying and campaigning on employment rights, equal rights, public services, manufacturing and many other important issues.

The South Western Region has recently launched an extensive training and education programme which will ensure that all workplace representatives, staff representatives and health and safety officers have the opportunity of receiving the best training possible in order to secure the finest representation for the Union's membership.

The South Western Region has always been rightly proud of its education provision and Bro. Clive James, Regional Education Officer, has developed a Training and Education Programme that is "second to none" for Union Activists. This again underlines the Union's commitment to investing for the future.

### **RECRUITMENT TARGETS AND CAMPAIGNS**

The ethos of trade unionism remains constant, that whatever differences we may have with our colleague unions, the need to recruit and represent all workers and retain current members has to be paramount.

The Region's Recruitment Centre based in Regional Office, Cardiff is now well established, although new recruitment strategies and retention initiatives continue to be developed and fine-tuned on a regular basis by the Senior Management of the Region and the Recruitment Team. Branch Officials and Activists also play an important and active role in all recruitment initiatives.

The decline of traditional industries sadly continues, with redundancies and factory closures almost an every day occurrence. Recruitment plans are therefore designed to encompass the changing patterns of work, gender balance and a different age profile. The Region has undertaken to maintain its policy of recruitment within new companies where the GMB does not have any members and with established companies with union agreements. A number of recruitment campaigns throughout the Region within the public sector have taken place with good success.

Branch Officials and Activists have been instrumental in identifying some good leads for the Recruitment Centre.

Since the introduction of the "Fresh Start for Branches 2001", the Region has undertaken to ensure that Branches sustain the annual recruitment plan adopted within the Region, by providing the draft of an annual proposal in respect of the following.

- The potential for recruitment in there are
- Where the branches recruitment effort will be concentrated
- What resources are required for their recruitment campaign
- Which Officers' will run the recruitment campaign
- A clear campaign timetable

This plan has assisted with the process of drawing up priorities, as an aid to Branches where recruitment proves to be difficult.

Regional Officers' work closely with Branches at every stage and the legal right of "individuals to be accompanied in disciplinary and grievance hearings" and "the right for unions to be recognised by employers where a majority of the workforce want it" have been utilised to encourage new members.

The GMB partnership approach to industrial relations has helped the Region to become recognised by new companies in Wales and the South West and a number of Recognition Agreements have been signed within the two year reporting period.

Whilst it is right to concentrate on new companies where the workforce has no trade union protection, the second element of the Regions' regional recruitment strategy targets workplaces where we already have members. It is easy to assume that everyone is in the Union - too often, this is not the case! It is vital for Branches to conduct regular membership checks, obtain information on all new starters and establish effective communication with employees. However, recruitment is only half the battle - we have got to hang on to members as well. A recent survey revealed that for every member recruited by the Union, another one leaves.

Keeping members in the Union when they change their job must be a priority. The South Western Region has introduced a new scheme making it easier for members to stay with the GMB when they move to a new employer, become unemployed or retire from work. Crucial to the success of this initiative is information on which members' are about to leave their job. If you can contact a member before they move on you have a better chance of persuading them to stay in the Union.

Increasing the membership is not an option - it's a necessity! By working together, GMB Activists and Full Time Staff can meet the ambitious targets the Region has set itself. Only through recruiting new members and keeping existing ones, can we become stronger and continue to do what the GMB has become renowned for - representing people at work. Increasing our membership base is obviously the primary goal of the Organisation, so that we can sustain and build upon the strength of representation we provide for our current members and future members.

## **OVERVIEW OF REGION'S ECONOMIC AND EMPLOYMENT SITUATION**

With regard to the Region's economic and employment situation, the Region once again makes no apology for concentrating this part of the report on the difficulties that have confronted the manufacturing and private industry.

GMB members have not been immune to the process of factory closure, and redundancy. All sections of the GMB have suffered job losses, the main casualties being CFTA, Clothing and Textile, Engineering, Energy and Utilities and Manufacturing and Process.

Not surprisingly, these problems continue to exercise the minds of the Wales TUC and the South West TUC General Councils.

With regard to the Wales TUC, the Region is represented on the Business Procurement Task Force, a body set up by Andrew Davies, Welsh Assembly Cabinet Minister, with the following Terms of Reference.

- To take a strategic and cross-cutting approach to matching development of the Welsh economy to the commercial needs of the public sector, thereby maximising the potential to deliver an economic benefit from public sector expenditure, and deliver greater value for money.

- To develop a strong and robust network of Welsh suppliers to the public sector who can deliver competitive goods, services and works, meeting our sustainable development objectives.
- To build upon the model provided by the SME Food Development Group, and work to remove barriers and deliver stronger relationships across all key industry segments.
- To target a greater percentage of public sector expenditure sourced from within Wales through improvements in the supply base as a result of improved joint understanding, communication and flexibility.

The Union is also represented on the “Manufacturing Task and Finish Group”, again set up by the Economic Development and Transport Minister to include Employer and Trade Union Representatives of the Manufacturing Section, to explore the challenges facing the sector, and to examine if the Welsh Assembly Government, its agencies, and the manufacturing sector could work more effectively together.

On both of the above working groups, and all of the other working committees the GMB is represented on the Wales TUC and the South West TUC, the GMB continues to highlight the urgency and need of “state aid” and “public procurement” to be used as a tool to prevent further job losses. The struggle must continue to ensure the Labour Government wakes up to its responsibilities and develop an effective manufacturing strategy.

The importance of manufacturing to Wales and the South West cannot be overstated, and the South Western Region of the GMB holds the view, and will continue to drive forward, a policy that a strong manufacturing base is essential if the economy as a whole is to prosper.

## 2. General Organisation

|                                       |     |
|---------------------------------------|-----|
| Regional Senior Organisers            | 2   |
| Membership Development Officers       | 2   |
| Regional Organisers                   | 10  |
| Recruitment and Organisation Officers | 0   |
| Regional Recruitment Officers         | 0   |
| No. of Branches                       | 162 |
| BAOs                                  | 0   |
| New Branches                          | 3   |
| Branch Equality Officers              | 26  |

## 3. Benefits

|                                 |            |
|---------------------------------|------------|
| Dispute                         | £1,500.00  |
| Total Disablement               | £4,000.00  |
| Working Accident                | £10,903.60 |
| Occupational Fatal Accident     | Nil        |
| Non-occupational Fatal Accident | Nil        |
| Funeral                         | £24,641.00 |

## 4. Journals & publicity

The Region continues its established regular contact with all elements of the media through press releases, interviews, newspaper articles and appearances in radio and on television. The opening of the Regions’ new Resource Centre in Pontypridd received excellent coverage in all the local news papers, generating good publicity for the new Office. The Region continues to be vocal in Public Service issues and all other regional matters and disputes affecting GMB members. The Region is continuing its focus, through the TUC, Labour Party and the National Assembly for Wales, on the need to retain manufacturing within the Wales and the South West. The Region has been active in the affairs and business of the Wales TUC and Wales Labour Party - both annual Conferences are televised live in the Region. Similarly, the Region is active in the business of the South West TUC and South West Labour Party.

The Region has produced a further four editions of our Regional Magazine NEXUS, reporting on topical items as well as providing information on important issues including equal rights, legal issues and health and safety. Copies of NEXUS are posted to all members within the Region and are used as a recruitment tool.

## SPONSORSHIP

Although the Region continues with its policy of using determining factors with regard to sponsorship being granted, which are benefits to the Union, both in terms of publicity, the promotion of Union Membership and the nature of the sponsorship request, the Region has made a reduction in the latter part of the reporting period in line with the financial report.

### 5. Legal Services

#### (a) Occupational Accidents and Diseases (including Criminal Injuries)

|                                   |       |
|-----------------------------------|-------|
| Applications for Legal Assistance | 1,435 |
| Legal Assistance Granted          | 1,431 |

#### Cases in which Outcome became known

|                                  |                       |
|----------------------------------|-----------------------|
| Total                            | 1,778                 |
| Withdrawn                        | 665                   |
| Lost in Court                    | 7                     |
| Settled                          | 1,106 (£6,983,244.11) |
| Won in Court                     | -                     |
| Total Compensation               | £6,983,224.11         |
| Cases outstanding at 31.12. 2004 | -                     |

#### (b) Employment Tribunals (notified to Legal Department)

|                           |     |
|---------------------------|-----|
| Claims supported by Union | 437 |
|---------------------------|-----|

#### Cases in which Outcome became known

|                                  |                   |
|----------------------------------|-------------------|
| Total                            | 345               |
| Withdrawn                        | 222               |
| Lost in Tribunal                 | 11                |
| Settled                          | 108 (£564,559.99) |
| Won in Court                     | 4 (£11,515.15)    |
| Total Compensation               | £576,074.99       |
| Cases outstanding at 31.12. 2004 | 745               |

#### (c) Other Employment Law Cases

|                                 |   |
|---------------------------------|---|
| Supported by Union              | - |
| Unsuccessful                    | - |
| Damages/ Compensation           | - |
| Cases outstanding at 31.12.2004 | - |

#### (d) Social Security Cases

|                                 |    |
|---------------------------------|----|
| Supported by Union              | 55 |
| Successful                      | 23 |
| Cases outstanding at 31.12.2004 | 13 |

The Region's Legal Service remains a very important and attractive recruitment aid to Activists, Shop Stewards, Branch Secretaries and Full Time Officers.

The past two years have seen a relative increase in settlement monies obtained by our Solicitors on behalf of our members.

Following the retirement of Marilyn Brown in 2004, the Regions' Legal Officer for many years, new arrangements have now been put in place to ensure the continued high quality legal service to which the Regions' members have been accustomed.

It is pleasing to report the transition of the new arrangements have been seamless, and the Region continues to receive an increasing number of work related queries, which often lead to action being taken by our Full Time Officers' and/or Solicitors.

Members are becoming more aware of their rights as employees, and the GMB is recognised as the organisation to turn to for assistance and guidance in relation to the rights and welfare of working people.

## 6. Equal Rights

Since the South Western Regional Equal Rights Advisory Committees' last report, the Committee has

continued to process all equal rights issues.

The Committee over the past two years has continued with its involvement in the Carers at Work initiative which is a long term strategy, although in 2003/2004 it was not prioritised by the Committee as an undertaking, but several members of the Committee through the Wales TUC have continued to keep this issue active through the Wales TUC Carers Group.

The Region's Equal Rights Advisory Committee took the decision in 2003, due to the fact that the Equal Rights National Conference had been moved to a bi-annual basis, not to hold a Regional Conference, but decided to concentrate their efforts on a programme of work which would be presented to the next Conference. There were several events within the Region that the Committee agreed to concentrate and play a leading role in. One such event was 'Merthyr Rising', this was a musical event organised by the Wales TUC where all unions participated and the aim was to promote trade unionism, in particular the emphasis was given to encouraging young people to join trade unions. The South Western Region provided tee shirts made by Ethical Threads for the event and it was a very successful day. The theme used - Merthyr Rising - was in recognition of workers in 1831 that worked for ironmaster William Crawshay and rebelled against cuts in wages. Troops sent in to put down the riot killed twenty people and in the aftermath one worker, Dic Penderyn, was arrested, accused of wounding a soldier, found guilty and hanged in Cardiff jail and has since been heralded a martyr for trade union rights in Wales.

The Committee also played an active part in the Cardiff Mardi Gras which was another very successful event the Committee were proud to have had an involvement with.

As reported previously the Committee in 2001/2002 were involved in the Equal Pay Campaign, although this campaign, organised by the Wales TUC, terminated in April 2003, the work was still on going as it was felt that the talks had not been completed. The pay gap in Wales in particular was considerably wider than in England. The Welsh Assembly had recognised this and the Wales TUC, funded by the Assembly, carried out a survey within the private sector which involved identifying and encouraging companies to carry out pay audits. This programme will end in April 2005, but it has highlighted the ever widening pay gap and the reluctance of employers' to address the situation and this situation is unlikely to change under the present legislation and we, as a Committee, are campaigning to improve this 30 year old legislation to bring some parity in wages of men and women.

In 2004, the Committee once again took the decision not to hold a Conference and instead channel their efforts and resources in regional based events and campaigns. This decision was taken reluctantly mainly due to the fact that there was no national conference to be held in 2004.

Regular meetings are held by the Equal Rights Committee and the Race Committee and the Equal Rights Committee have held two joint meetings. It has been agreed that this would be a way forward to progress all equality issues within the Region. Several members of the Committee in 2003 and 2004 were included in the delegations to the South West TUC and Labour Party Conferences, the Wales TUC and Wales Labour Party Conferences. As usual the Region had a good delegation which included several members of the Committee to the 2003 and 2004 Wales TUC Women's Conference. This is a Conference where many of our active members had their first taste of speaking publicly to motions and the Committee will continue to encourage women members to attend and give support to first time attendees.

The Committee's programme of work for 2005 will still include the on-going issue of equal pay and continue with the work on domestic violence, but includes the issue of children's nutrition and in particular healthy school meals; this programme is being undertaken in the Bristol area and in Wales. The Welsh Assembly is introducing free breakfasts for all school children, after piloting the scheme in their Community First areas.

The Committee will continue its efforts to keep all equality issues on the agenda and encourage all Branches to do likewise.

The Regional Equal Rights Committee has 11 members:

- 8 Female
- 3 Male

The Regional Race Advisory Committee has 21 members:

13 Male (6 of ethnic minority)  
8 Female (2 of ethnic minority)

## 7. Youth

During 2003 and 2004 the debate has continued within the GMB with regard to “how do with make the GMB more relevant to young people.” An equally difficult question is “how does youth make itself more relevant to the GMB.”

There is a requirement for a positive relationship between young people and the Union, and the Union structures need to provide for a defined role for young people in the Union structure. How this can be best achieved is a matter for continuing debate, the issue of young peoples’ involvement in the GMB is the subject of close examination by the CEC Task Group whose report is open for discussion at this years Congress, but will only be achieved when young people are integrated into the process.

There is little doubt the issues that exist that young people would wish to connect with, for example inequality in wage rates, discrimination on grounds of race, gender or sexual orientation, victimisation and bullying, are all issues young people care passionately about and ones that affect them on a daily basis. The Union has to find a way of reaching out and involving young people in truly progressive policies.

During 2004 the Region has developed an initiative of taking the GMB directly into schools to illustrate the guidance that is on offer on dealing with workplace problems, to show the Union is an alternative to the difficulties that many young people find themselves in. It is undoubtedly a slow process, but a process that requires perseverance.

On a final note, it is a pleasure to report that Sis. Mel Whitter, young member South Western Region has been elected to the National Executive Committee of the Labour Party. This is excellent news for both Mel and the South Western Region. Well done!

## 8. Training

|  | No. of Courses | Male | Female | Total | Total Student Days |
|--|----------------|------|--------|-------|--------------------|
| <b>(a) GMB Courses Basic Training</b>            |                |      |        |       |                    |
| Introduction to GMB (10 days)                    | 12             | 93   | 48     | 141   | 1,410              |
| GMB/TUC Induction (5 days)                       | -              | -    | -      | -     | -                  |
| Branch Officers                                  | -              | -    | -      | -     | -                  |
| <b>(b) On Site Courses</b>                       |                |      |        |       |                    |
| Health & Safety (3 days)                         | 1              | 7    | 6      | 13    | 39                 |
| Representing Members (3 days)                    | 1              | 3    | 6      | 9     | 27                 |
| Representing Members (3 days)                    | 1              | 9    | 2      | 11    | 33                 |
| <b>(c) Health &amp; Safety Courses</b>           |                |      |        |       |                    |
| Health & Safety (5 days)                         | 10             | 86   | 34     | 120   | 600                |
| Risk Assessment - Workplace Inspections (3 days) | 8              | 57   | 49     | 106   | 318                |
| <b>(d) Other Courses</b>                         |                |      |        |       |                    |
| Pensions (2 days)                                | 3              | 21   | 16     | 37    | 111                |
| Representing Members (3 days)                    | 6              | 63   | 17     | 80    | 240                |
| Employment Law (5 days)                          | 6              | 26   | 16     | 42    | 210                |
| Local Authority Representing Members (3 days)    | 3              | 29   | 6      | 35    | 105                |
| <b>(e) GMB National College Courses</b>          |                |      |        |       |                    |
| Various  | -              | 219  | 8      | 27    | -                  |

**(f) TUC (STUC & ICTU) Courses**

|                         |   |    |    |     |       |
|-------------------------|---|----|----|-----|-------|
| TUC Various (X 10 Days) | 7 | 96 | 63 | 159 | 1,590 |
|-------------------------|---|----|----|-----|-------|

**9. Health & Safety**

Since the last report to Congress the Region have continued to provide a first class health and safety service for Health and Safety Representatives and members.

During 2003/2004 the Region has concentrated on workplace inspections which have lead to a number of recruitment initiatives. We have also continued to respond to in-house training needs specific to industry based issues, again this activity has also aided our recruitment campaigns.

A new Regional Education programme was introduced in September 2004 with a greater emphasis on Health and Safety courses which are all now accredited. The success of these courses have resulted in a greater interest for Representatives to gain further qualifications such as IOSH and NEBOSH which is supported by the Region in co-operation with the TUC Education Services. The Region is very proud of the service delivered by our dedicated Health and Safety Representatives, for their understanding in dealing with workplace health and safety issues, which have helped raise the profile of the GMB and certainly have assisted our retention and recruitment activities.

*(Adopted)*

*(The Report was formally moved)*

*(There were no questions raised on the report)*

*(The Report was adopted)*

THE PRESIDENT: I now move to the Process Section Report, pages 65 to 68? Rehana Azam, would you like to come and give your report?

**PROCESS SECTION REPORT**

This report is submitted to Congress 2005 and although it covers a two-year period, Congress will be aware, that Jude Brimble, as National Officer, took responsibility from March 2004, following Gerry Veart's retirement, and subsequently, Rehana Azam, National Officer took responsibility for the Section from November 2004.

**Overview**

Since the last Congress the manufacturing industry in the UK has continued to decline. There are a number of factors behind the reduction of people employed in manufacturing. GMB along with other interested groups has continued to lobby the government to adopt policies that will encourage investment in the UK manufacturing sector.

At the time of writing this report, there are some very small signs of a pick up in manufacturing as purchasing and supply indicators remain stable. If this picture continues, it will be a welcome relief to our membership within the process section, which has continued to decline over the last two years. The membership figures December 2004 stood at 43,202, January 2005 stood at 42,773, the loss of membership being in line with the decline in the industry.

The biggest challenge still facing the industry at the moment is the EU white paper on the chemical industry and the EU proposals on REACH, the Registration Evaluation and Authorisation of Chemicals.

The GMB and other UK trade unions have been lobbying both the UK Government and European Parliament to ensure the legislation will give protection of human health and the environment without creating wholesale job losses as a consequence. To date we have been successful in our objectives, and it was particularly gratifying to see at the annual CIA Conference, John Monks, General Secretary ETUC, pay tribute to the work undertaken by the trade unions on this vital campaign.

The UK trade unions, with the CIA, have also made applications under DTI partnership fund for monies to run a project to train health and safety representatives on environmental issues and to show best

practice across the industry, work is still on-going in these areas.

At European level the Chemical Employers and the European Chemical Trade Union Federation, continue to meet, to discuss the industries responsible care programme, through the established social dialogue agreement.

During the last two years we have seen increasing number of companies seeking to close their final salary schemes, in some companies, members have reluctantly accepted the situation, in others the fight still continues, but in all cases GMB have opposed these changes and it would be wrong not to praise the work of so many Shop Stewards who have fought so hard to retain decent pensions for our members across the industry.

### 1. Section National Committee

The Committee during its meetings since last Congress have covered the following key areas of work:

- Recruitment and Development
- Health & Safety
- REACH, Registration Evaluation and Authorisation of Chemicals
- Pensions
- CEC special task group working party

All meetings of the Section National Committee were minuted, all minutes were approved by the CEC, and circulated via Regions.

The Section National Committee has continued to meet on a regular basis, during the last two years, and continue to promote the issues affecting members within the section. The current membership of the committee comprises of:

|                                |  |
|--------------------------------|--|
| Vacancy                        | <i>Birmingham &amp; West Midlands Region</i>   |
| David Boyle, Section President | <i>Lancashire Region</i>                       |
| Bob Welham                     | <i>Lancashire Region</i>                       |
| Ged Philbin                    | <i>Liverpool, N Wales &amp; Irish Region</i>   |
| Tony Treacher                  | <i>London Region</i>                           |
| Shaun Clarkeson                | <i>Midlands &amp; East Coast Region</i>        |
| George Emmerson                | <i>Northern Region</i>                         |
| Tom Rankin                     | <i>GMB Scotland</i>                            |
| Steve Palmer                   | <i>Southern Region</i>                         |
| Brian Farr                     | <i>South Western Region</i>                    |
| Maureen Taylor                 | <i>Yorkshire &amp; North Derbyshire Region</i> |

The National Committee is served by Rehana Azam, National Officer

### 2. Process Section National Conference

No conference took place during 2004. The Section National Committee took the decision, that the 50% cost reduction needed in line with the decisions on the financial controls, that this particular Conference could not be delivered in a meaningful way. As the previous conference had been delivered on a very low budget and a further 50% reductions on costs, was not viable.

### 3. Section Involvement - Government Consultation

The Section has been involved in making representation and responding to Government initiatives, legislation, regulations and lobbying in the following areas:

- REACH, Registration, Evaluation & Authorisation of Chemicals Regulations
- A Sustainable Chemicals Industry

The Section has continued to work with the CIA, Chemicals Industry Association, and the Chemical Leadership Council, in promoting the image of the industry, encouraging employers to promote equalities of access to employment for women and black and ethnic minorities, who are severely under represented in the industry.

#### **4. National Negotiations**

##### **ASTRAZENECA GRADES SA91 2003/2004 PAY NEGOTIATIONS**

2003, pay negotiations, were extremely difficult with the management looking to secure an element of self financing and new modules of working practice. Following numerous meetings and consultation exercises, the offer was put to members via a ballot and accepted by a small majority. The negotiations concluded an increase of 2.5%.

The 2004 pay negotiations were set against the backdrop of members expecting something better than the previous year, having agreed the lowest pay settlement for some years and a change in working practices. However, the 2004 negotiations were extremely protracted with management still looking for further new working practices and efficiency savings.

Much emphasis was placed on the need for the Company to change the whole way it worked in order to maintain manufacturing in the UK as the company started to feel the pressure from Asian and Chinese markets opening up in the Pharmaceutical Industry

After many months of negotiations the company's final offer was put to members via a ballot and accepted. The offer for 2004 was:

- 3.3% on all basic grades
- A Joint working party to be established to look at efficient savings across all areas of operations.
- Agreement to keep in place the current collective bargaining structure for grades SA91, no move to personal performance structure.
- An agreement that no redundancies would be announced as a result of efficiency saving.

GMB members' decision to reject pressure of moving to personal performance measurement to determine wage increases, has been vindicated as they secured higher pay increases than those on PP Structure.

##### **ASTRAZENECA BROADBRANDED STAFF PAY INCREASES 2003/2004**

The staff grades continue to work on the newly introduces flexible benefits package, where salary increases are based on three key factors:

- Personal Performance
- The Business' ability to pay
- Market rates

The trade unions, make representations for this group of members, but continue to have no collective bargaining rights.

##### **INEOS**

A National Negotiating Pensions Committee was set up in 2003 to deal with the Company's proposals to drastically change the existing pension schemes, across the company's business areas, due to massive financial deficits.

The package of changes was rejected by members and a ballot for industrial action, was overwhelmingly carried at 97%.

Further negotiations took place, which were extremely protracted and complex which resulted in the trade unions securing significant improvements on the company's original proposed changes.

Whilst the final package was much improved, members still saw a reduction in their benefits and higher contribution rates. The scheme remains a final salary, open to new starters and was accepted by members via a ballot.

Recognition and thanks goes to the Shop Steward Team who put intense pressure on the Company to secure the improved package.

## **RHODIA**

Difficulties have continued over the last two years within Rhodia, with its speciality phosphates operation across two UK sites being divested to Thermphos.

2004 also saw a European level decision to cap UK pay increases, hold payment of annual bonuses, and to move the anniversary year, resulting in a six-month loss of increase.

Dispute hearings for two sites were lodged at national level, via CIA. However, the work and persistence of local shop stewards ensured both disputes were settled at local level. However, since then Rhodia announced the closure of its Staveley Site.

## **WINCANTON - AIR PRODUCTS**

Air Products - Packaged Gases Drivers Wage Negotiations 2004 resulted in the following revised offer which was accepted by a ballot of the membership:

- 3.8% increase on current basic rates of pay
- 0.5% parity payment on current basic rates of pay - as per previous agreement
- Further 0.5% parity payment on current basic rates of pay
- Increase in Legally Required Meal Break supplement to £7.00 per occasion
- Full night shift supplement to be included for holiday pay

All of the above effective from 1 July 2004. This offer was conditional on the acceptance of the revised productivity form of words being incorporated into the drivers Terms and Conditions, and also agreement on the Working Time Directive night shift derogation.

## **FEDERAL MOGUL/TURNER & NEWELL**

2004 saw the massive pension collapse of Turner & Newall, with a deficit estimated at £875m. As the American parent company filed for Chapter 11 bankruptcy protection in the United States, the Administrators of the UK operation, Turner & Newall won permission from the High Court to freeze the company's pension scheme and block further contributions.

The failure to save this pension scheme will result in the single largest ever wind-up of an under-funded scheme in the UK.

Extensive discussions have continued on this complex issue over many months involving Federal Mogul's US management, the US creditors, UK administrators, Independent Trustees and three trade unions. Representations have been made to Government to try and secure a package from the US that would enable the scheme to remain open.

Unfortunately, in December 2004, these negotiations broke down with the offer from the US being withdrawn over concerns that the financial liabilities of the scheme in future years would be too great and would affect the financial liabilities of the entire Group.

In the light of these developments representation was made to the DWP on the regulations to enter the pension protection fund (PPF) in order to avoid any action that may have rendered the Scheme eligible for the PPF.

At the time of writing this report negotiations were still continuing with the American co-proponents, to either:

- a) wind up the scheme and to put Turner & Newall into a controlled realisation, or
- b) agree a compromise deal

The Company in the meantime have established a stakeholder scheme with two to one contribution rate, employees paying 3% and the Company paying their maximum of 6%.

## **CONFEDERATION OF PAPER INDUSTRIES**

The outcome of 2003 pay negotiations was 2.84% on minimum rates. 2004/2005 - A two-year pay deal was negotiated with an outcome of 3.2% in 2004 and 4% for 2005. All percentages are based on minimum rates.

### **CORRUGATED PACKAGING ASSOCIATION 2003**

The outcome of the pay negotiations for the above was 2.85% on the minimum rate.

### **CORRUGATED PACKAGING ASSOCIATION 2004**

Our members were recently balloted and reluctantly accepted an increase of 3% on minimum rates.

At the time of writing Amicus have negotiated an increase to 3.2% and the outcome of their ballot has yet to be announced.

*(Adopted)*

SIS. R. AZAM (National Officer, Process): Conference, President, it gives me great privilege to stand at this rostrum today because it is my first time.

I took responsibility for the Process Section late last year when I was appointed as its National Officer. I would like to talk today about some of the most important challenges that our members in this industry face; challenges that I am sure many here recognise all too well.

There will be many different attitudes towards free trade in this room. What some see as an opportunity to stimulate investment in manufacturing, others will call a "neo-liberal agenda". I myself have strong feelings on this issue. Some may say that manufacturing in the UK has to become more competitive, that it has to respond to changes in the global economy.

As long as we are talking about training for skills or investment in research and development, I would have to agree. Being trade unionists, however, we will find it more difficult to disagree about the effects that market forces and the lack of regulation in industry are having on our members' terms and conditions. Take the contractor out of the so-called non-core services. We have all seen the devastating effects in public services, but large employers within the Process Section will have also begun to "hive off" what they see as their non-core functions to contractors.

Contracts go to the lowest bidder. One of the biggest outlays in any industry is its labour costs. So, to make themselves more competitive bidders, they start steadily to chip away at terms and conditions that we have spent decades trying to build up. What is one of the first things to go? Pensions -- deferred wages -- are our protection in retirement. For those of us who do not have the privilege of enjoying our jobs, that is what we spend our bloody lives working for! Conference, this is unlawful deduction by any other name!

I have just highlighted one aspect of our industry's response to market forces. In truth, the drive towards competition is collapsing pension funds all over the country and globally too. We heard some of the pensions debate on Sunday. It is hitting hard in manufacturing like elsewhere; the chemical industry, paper and packaging and the big one, Federal Mogul.

The year 2004 saw the massive pension collapse of Federal Mogul, a global process company, with a deficit of £875 million. This has been the single largest collapse of a pensions fund in the UK and one that has seen UK workers treated less fairly than those in the USA. We are aware of the Government's lack of pension protection and employment against global companies.

Tens of thousands of workers and their families at Federal Mogul have suffered years of uncertainty and distress as their pensions have been seen as an inconvenient burden on venture capitalists seeking to profit from its takeover. Although we are told day after day that we cannot fight market forces, this just is not true. Our members can make industry more competitive. GMB members are making UK industry more competitive. Our members want to make industry more competitive because, for goodness sake, we value our jobs as much as anyone values their profits! That is why the GMB will continue to fight for government intervention and to regulate industry where it threatens us. We know we can do it.

There were some complex regulations that would have stopped the Federal Mogul scheme going into the Government's Pension Protection Fund. However, after strong representation and lobbying by the GMB and signatory unions, we have ensured that the scheme will get some protection.

If we had not achieved this collectively, our members could have ended up with a mere 7 per cent of the pension they had earned over decades of loyal service. Now they can hope for around 90 per cent of their entitlement through the Pensions Protection Fund. However, this is still significantly less than they deserve and have a right to expect!

In the Process Section, we will continue to work with government, we will continue to work with industry, we will continue to develop as a skilled and valuable workforce and we will continue to see our members developing their products. This is how we are responding to the changing global economy because this is where our competitiveness lies, but our members will not sacrifice their terms and conditions to false economies.

To end on this year's theme, Organising in the 21st Century, it is true that there is a massive decline in manufacturing, but, let's face it, there are also

massive opportunities for consolidating our membership in existing workplaces, broadening our agreements to white collar areas in traditional companies and making sure that those contracted-out jobs are also organised by the GMB. I move. Thank you.

THE PRESIDENT: Thank you very much, Rehana. I go to pages 65, 66, 67, and 68.

*(It was agreed that the report be adopted)*

THE PRESIDENT: We now move on to Pensions and Retirement. We dealt with Motions 133 and 155 on Sunday morning, so today's Pensions debate will involve four composites covering 24 original motions. Rather than ask Jerry Nelson four times to reply, I will ask him to reply only once after the debate on Composite 8.

## **PENSIONS & RETIREMENT**

### **PUBLIC SECTOR PENSIONS**

#### **COMPOSITE MOTION 5**

*(Covering Motions 117, 122, 124, 125 and 128)*

**117 - Public Sector Pensions (Birmingham & West Midlands Region)**

**122 - Public Sector Pensions (London Region)**

**124 - Public Sector Pensions (Northern Region)**

**125 - Pensions (Midland & East Coast Region)**

**128 - Pensions - Admitted Body Status (London Region)**

Congress notes that the current proposals to change public sector pension schemes would be detrimental to our members and instructs the CEC to mount a vigorous campaign to defend public sector pensions from central government and employers attacks.

Public sector workers expect improvements in their pension schemes not reductions in their benefits so Congress calls on the GMB to mount a campaign with the TUC and other bodies against the present Labour Government to protect the benefits currently provided by final salary public sector pension schemes in the NHS and other public sector bodies.

Congress empowers our National Officers to act on behalf of all Public Sector members in highlighting and acting on this Government's plans for restructuring Public Sector pension schemes. Our members' Terms and Conditions are already being eroded with the abolition of

the 85 year rule in Local Authorities. The time has come for all Unions to unite and make a stand to show that all Public Sector workers are sick and tired of being classed as easy pickings, having to accept miserly pay deals and allowing the Private Sector to barge in and take the main core of our work.

This Congress agrees that a major contribution to the current pensions crisis is the reduction in contributions owing to the exclusion of privatised staff from Local Government and Health Service Pension Funds. Relentless privatisation has seen a year on year reduction in contributors to these funds and the time is fast approaching when they will be paying out more in pensions than they are receiving in contributions. The GMB must, as a matter of urgency, campaign to make it compulsory that any employee employed on a Local Government or Health Service contract has an absolute right to join the relevant Local Government or Health Service Pension Fund.

*(Carried)*

BRO. G. FRASER (London): I move Composite 5, Public Sector Pensions. President, Congress, there is a general pensions crisis. The Government may call it a "problem", but is a real crisis. However, they say they cannot do anything about it until the pensions report they commissioned is published. However, if you are in a public sector pension fund, then they can do something about that. They can whip the traditional whipping boys, the public sector workers.

They have a plan to make those in the public sector work longer, pay increased contributions for no better benefits and generally suffer because the public sector is an easy touch. This disadvantages all sections of public services. The Director of Human Resources in my London Borough was so worried about them because they affected her so badly that she asked me what the GMB was going to do about them. The mind boggles.

There are many reasons for a general pensions crisis - firms plundering pension funds, firms going bankrupt, the stock market crash or low interest rates. But, colleagues, the workers cause none of them. They just suffer. In the public sector, there is another reason -- again the workers did not cause it - - which is that unrelenting privatisation has seen a number of contributions to public sector pension funds fall drastically. The time is fast approaching, if it is not already here, when the funds will be paying out more in pensions than they are receiving in contributions. It has to stop, Congress. A worker employed on a public sector contract must have the absolute right to join the pension fund, and the employer must be obligated to pay the necessary contributions.

The reasons for the general pensions crisis may be many. They are the same for the public sector, but, to a large extent, the problems in the public sector have been inflicted by successive governments and not by market forces. However, we must stop this further vindictive attack on the public service workers.

Through compulsory competitive tendering and the Public Finance Initiative we have been bought and sold like slaves. Our wages have been kept at poverty levels and now they want to threaten our pensions. It has to stop, colleagues. We must combine with the TUC to make a strong campaign against this Government's plans for public sector pensions. We must protect them.

BRO. W. HELEY (Midlands & East Coast): This is my first congress. I second Composite 5, Public Sector Pensions. For many years, people were drawn to the public sector by the attractive package that was offered. An important part of that package was the prospect of a decent pension. Once they were employed, they were religiously paid a percentage of their salary, week by week, month by month, year by year, never missing and never taking a holiday.

Some even paid AVCs so that they would feel more comfortable when they did retire and not depend on any handouts.

Their pension was a deferred payment of their salary. It is theirs by right. They have never missed a payment, which is more than can be said of some employers. In good years, employers took holidays, some took many holidays, meaning millions of pounds lost to the pension funds. These millions of pounds supported Poll Tax and public charges. It supported central Government funding.

Now we are in a situation where our Labour Movement, our Government, whom we have fought hard to get elected from the years in the wilderness, then getting re-elected for a second term and then an historic third term, are attacking our pensions. If you told our illustrious MPs that they are to take a pay or pensions cut because of insufficient funds because people had the audacity to live longer, I know what they would tell you to do. Then they would hike up taxes, one way or another -- back door method, front door method, take your pick -- and they would not lose out. Isn't it time now for them to pay back the money they stole from us? Our members cannot and should not accept any cut or detriment to their entitlement. It is theirs by right; they have worked hard for it; they have paid for it, so back off.

BRO. S. HORTON (Birmingham & West Midlands): I speak in support of Composite 8, public service pension schemes. Congress, members who are employed in the public services, the NHS and other public bodies, are dismayed that we have a Labour Government, which has just been elected for a third

party term of office, slashing pension arrangements of GMB members.

In April 2005, in public services, the early retirement provision, like the 85-year rule, began being phased out. Our members are paying more contributions. What for? A considerably reduced pension. To add insult to injury, we have no negotiating right. We have almost no say on how the scheme is run and on the changes made. Unlike other occupational pension schemes, the Local Government Pension Scheme has no trustees. If change is required, there is only one way forward -- full negotiation with GMB and other TUC unions.

BRO. A. WALKER (Northern): I speak in support of Composite 5 on the public sector pensions. Congress, the Northern Region's input to this motion includes a call upon the CEC to launch a major campaign to protect the rights of our members in the final salary pension schemes.

Weaknesses in the 1995 Pensions Act has allowed thousands of companies across the UK to pull the plug on their final salary schemes and, as a consequence, millions of UK workers now face the prospect of poverty in retirement.

The GMB should be leading the way. The present legislation is grossly inadequate. We need to tell our MPs and the Government that we want a change now.

## LOCAL GOVERNMENT PENSIONS

### COMPOSITE MOTION 6

*(Covering Motions 118, 119, 121, 123 and 126)*

**118 - Pensions (Lancashire Region)**

**119 - Local Government Pensions (Liverpool, North Wales & Irish Region)**

**121 - Pensions (London Region)**

**123 - Pensions (London Region)**

**126 - Local Government Pension Scheme & Old Age Pension (Southern Region)**

This Congress demands that the GMB starts a campaign for the union to stop the erosion of our members' benefits and terms and conditions and instructs the CEC to formulate, develop and put into effective practice a campaign addressing the following issues:

- Reopening of the consultation process with particular emphasis on the potential changes in 2008 for LGPS
- Setting up national negotiation rights to negotiate our members' Local Government pension. At the moment the unions do not have this right and we only have the right to consultation. Pensions is one of the most important areas of our members employment, and the unions must have a voice in any review or negotiation.

- The attack on public sector pensions and call upon Government to enter in constructive negotiations with the trades unions to establish a long term solution to the country's pension crisis
- Protection of the benefits of the existing Local Government scheme
- Recognition from the employers that the present scheme represents members' pay and that adverse changes represent a pay cut for our members
- Strong emphasis on the depth of feeling of our LGPS members. A straw poll in Plymouth indicated an extremely strong 4-1 vote in favour of ongoing industrial action in support of maintenance of the present scheme
- No further employer pension holidays
- A comparison exercise with the state-provided pension scheme provisions for our Parliamentary representatives.

Congress urges the CEC to organise a vigorous campaign against the change in pension provision for our members within the Local Government Pension Scheme and to redress the anticipated negative outcome of the consultation process ending March 31 2005. Congress further expresses its determination to campaign for all pensioners and GMB members in particular, to receive a pension that allows them to live with dignity. Which will also remove any need for those of pensionable age to have any cause to depend on any means-tested benefits.

*(Carried)*

BRO. P. GOODACRE (Southern): I move Composite 6, Local Government Pensions. This Congress demands that the GMB starts a campaign to stop the erosion of our members' pension rights. It instructs the CEC to formulate, develop and put into effective practice a campaign addressing the following issues. We wish to see the re-opening of a consultation process with particular emphasis on the potential changes in 2008 for local government pension schemes. We wish to see the setting up of national negotiation rights to negotiate our members' local government pension schemes.

At the moment, the unions do not have this right. We only have the right of consultation. Pensions is one of the most important areas of our members' employment and the unions must have a voice in any review.

We call upon Government to enter into constructive negotiations with the trade unions to establish a long-term solution to the country's pension crisis. We demand protection of the benefits

of the existing local government scheme. We demand recognition from employers that the present pension scheme represents members' pay and that adverse changes represent an effective pay cut. A strong emphasis must be placed on the depth of feeling of our LGPS members. A straw pole in Plymouth recently indicated 4:1 in favour of ongoing industrial action. There must be no further employer pension holidays.

Furthermore, we call for a comparison exercise with the State provided pension scheme of our parliamentary representatives. Congress urges the CEC to organise a vigorous campaign against the change in pension provision for our members within the local government pension scheme and to address the anticipated negative outcome of the current consultation process.

Congress further expresses its determination to campaign for all pensioners to receive a pension that allows them to live with dignity. Our members are sick and tired of government promising to protect pension rights while continuing to undermine pensions in the local government and Health Service.

BRO. K. ROBERTS (London): I second Composite 6. This motion covers and explains all the issues in relation to the current position regarding the Local Government Pension Scheme. The Local Government Pension Scheme is one of the best pension schemes available. Pensions are simply deferred pay and must be protected at all cost. The GMB should lead from the front in any future negotiations as other unions have already demonstrated they are unfit to undertake this role.

We must continue to raise awareness and keep our members fully informed during the coming months. It is vital that our members understand what is at stake and we must act before it is too late. For too long now, our members have seen their terms and conditions attacked through privatisation and poorly implemented job evaluation schemes. We must fight, not only to retain the current benefits, but take an opportunity to improve the pension prospects for local government staff.

SIS. G. LAVELLE (Lancashire): President, Congress, I support Composite 6. Pensions are deferred pay. The Government backed off changing public sector working pensions just before the General Election. Before the election, the Government said they would start again and sit down with the GMB and other unions to look afresh at the situation. We need to make sure that we defend our members' pay and future pay. If we cannot defend our pensions, we will all look forward to poverty in retirement.

Pensions are pay, so I cannot understand how employers can take pension holidays. It is just the same as not paying our wages. This needs to be questioned. We must strongly defend our final salary pension scheme. If the public sector do not enjoy the

final salary pension scheme, then no one will.

SIS. M. GREGG (Liverpool, North Wales & Irish): I am speaking to Composite 6. President, Congress, the motion asks the Government to stop the erosion of our members' pensions rights; that the trade union working group make it clear our members will not accept any reduction in their entitlement to the 85-year rule and the raising of the option of going between the age of 50 to 55 and that for future changes due in 2008, our members are prepared to take action.

They understood why they were not balloted this year as they knew the GMB were still in negotiations on the key points, but if on-going negotiations fail, they will say "yes" to industrial action up to an including a strike because, as my colleague says, remember, pension is pay. We do not accept pay cuts when we are in employment. Why should we accept it for our future? When our members are retired, income is already reduced as the State pension is one of the lowest in Europe.

Delegates, we support the campaign. We support our members. We ask you to support.

BRO. S. GEOGHAN (Lancashire): I am speaking in support of Composite 6. I would like to highlight just how much our local government pensions are under attack. Recently, Wigan council "TUPE'd" out their trade waste service, which involved minimising paying landfill avoidance tax. The guys in the trade waste service, on average, have 25 years' service. Not only are they being given to a private company, their pensions are not safe either because the service is purely commercial and can be taken out of the borough. Their new pensions do not have the protection of "Admitted body status". This is a scandal. I would like to close the loopholes and stop the attack on our pensions. Thank you.

## **PENSIONS - RESTORE THE LINK**

### **COMPOSITE MOTION 7**

*(Covering Motions 141, 142, 143, 145, 152 and 153)*

**141 - Pensions (Birmingham & West Midlands Region)**

**142 - Pensioners (GMB Scotland)**

**143 - Pensioners' Manifesto (Liverpool, North Wales & Irish Region)**

**145 - Restore the Link (London Region)**

**152 - Retirement & Pension - Meeting Retirement Needs (Liverpool, North Wales & Irish Region)**

**153 - Women's Pension Rights (London Region)**

This Congress proposes that the Old Age Pension that is paid to all entitled people be tied

to the average pay that is earned by all workers using the Governments figures. We also propose that the Tax situation for senior citizens be lowered. After a lifetime of paying direct and indirect taxes the senior citizens of this country have contributed more than their share? Lower taxes for the older generation will add comfort and dignity to their lives at a time when it is most needed?

Congress notes that the treatment of our pensioners means that they are amongst the poorest in Western Europe. We urge the Government to address the plight of many pensioners by means of increases to pensions in line with average earnings and also increases to allowances enabling many to have more disposable income. We condemn the continuing slide towards means testing and call for the restoration of the link between pensions and earnings together with an immediate increase to compensate for the loss in value of the basic state pension since 1979.

Congress also notes that existing concessionary transport schemes are patchy and largely inadequate. Congress therefore calls on the GMB to campaign for the early introduction of the right to free public transport for all elderly people across the United Kingdom.

This Congress calls upon the CEC to put pressure on this Labour Government to review the way our members are expected to self fund themselves when they are old and need to go into nursing, or care homes, using money that they have saved through going without in their working lives in a hope for a better retirement.

This Congress recognises that post WW2 the unacknowledged contribution of child-rearing women to the UK's economy, has resulted in unacceptable levels of poverty and destitution currently suffered by elderly women also that despite work-culture changes, the pension impact of child rearing continues to remain ultimately detrimental to women.

We call upon Congress to support our campaign by asking the government to bring in the following:

- 1 Restore the link with earnings
- 2 Free nationwide travel for all pensioners
- 3 A review on council tax
- 4 Free TV licences for all pensioners
- 5 Removal of all means testing
- 6 Legislation to remove Age Discrimination
- 7 Winter fuel payments in line with inflation
- 8 Retention of Pension Books
- 9 Lowering retirement age and equality

Congress for a long time we have listened to

Labours promise of being the caring Government. Therefore we now ask that Labour start to act in accordance to its promises and start to deliver?

We would ask the Government to understand and not under-estimate the "Grey Vote"? We would also ask Congress that our GMB union should support this motion thus adding more weight to this request.

*(Carried)*

BRO. W. GOULDING (Liverpool, North Wales & Irish): I am moving Composite 7 and speaking on Motion 143. Colleagues, the old age pension that is paid to all entitled people should be linked to average earnings of all workers using Government figures. We also believe that after a lifetime of paying direct and indirect taxes, the senior citizens of this country are contributing more than their fair share. We should lower taxes for the older generation. This will add a lot of comfort and dignity to their lives at a time when it is much needed. We also believe that our pensioners are amongst the poorest in Western Europe. We urge the Government to address this situation by restoring the link with earnings.

We condemn the continual slide towards means testing. We call on the GMB to campaign for the early introduction of the right to free public transport for all elderly people across the UK. We also ask the GMB to put pressure on the Labour Government to review the way our members are expected to self-fund when they are old and need to go into nursing and care homes using their hard-earned savings to pay for it.

We, therefore, call on Congress to support our campaign by asking the Government to bring in the following: restore the link with earnings; free nationwide travel for all pensioners; a review on Council Tax; free TV licences for all pensioners; removal of all means testing; legislation to remove age discrimination; winter fuel payments in line with inflation; retention of pension books; lowering retirement age and equality.

BRO. D. SUTCLIFFE (Liverpool, North Wales & Irish): I second Composite 7. I am speaking on behalf, basically, of Motion 152 of the composite. How many of our members scrimp and scrape through their working life? For 20 or 30 years they have been through the process of working overtime in conditions of cold, damp weather, late at night, out-of-hours, all sorts, and working in areas with hazardous substances. There are issues of health that relate to all those.

When they retire, they hope to have a long and happy life. It has been indicated that, obviously, people are now living longer. It is a fact, but it is what dignity is involved in that. Dignity goes with money. Some people have occupational pensions,

some do not, but, nevertheless, what happens is if you are ill or have a situation where you have to go into a care home, or residential home, your money then starts to fund that.

If you are lucky enough to be in a situation where you have been able to get a bit of a lump sum from your pension or you are lucky enough, perhaps, to get a bit of a package, then that is fine. However, what happens is that in the situation when you are ill, your money then goes into that pot. £20,000 or £20,500 to be honest, is the top limit. You will then be allocated an allowance down to £12,500, which sounds a lot, but when you are then paying for residential fees of anything from £450 a week for EMI or £265 to £300 a week for residential, it soon goes.

And what about people paying mortgages on their houses? People work under the belief that it is an investment for the family. It goes. The £300 or £400 which the local authority will take out of the proceeds of a house goes nowhere. I ask you to support this composite.

BRO. C. WATERSON (Scotland): I support Composite 7. I must say now, in the true Parliamentary traditions, I have to declare a vested interest in this subject, because I was sitting in the bar last night and I reckon that in 40 years' time I will be 65. (Laughter) Don't laugh too loud, please! There was a lot of strong drinking involved, I must admit, so I might have been out by a month or two! However, no strong drink can disguise the disgraceful way that we treat pensioners in Britain. It does not take a genius to realise that we must improve the conditions for these pensioners and it does not take an eloquent speaker to present the case. Quite frankly, I think it is shameful that we are even having this debate after eight years of a Labour Government.

We all have a vested interest in demanding radical improvements for pensioners. Most of us have parents or grandparents who have been disadvantaged. We will all be there ourselves some time in the near future. Support the call for the restoration of the link between pensions and earnings. Support the introduction of free transport for the elderly.

THE PRESIDENT: Thank you, colleague. I was in that same bar. I have 50 years to go! *(Laughter)*

BRO. G. RICHARDSON (Birmingham & West Midlands): I support the composite motion. President, Congress, make no mistake. Most of us in this hall today will get there. Some already probably have. Where is that? Pensioner status. Then we will realise what it is like to live on a fixed income that does not meet our everyday needs.

Congress, means testing only works up to a point. Every year the Government say that millions of pounds go unclaimed. No wonder. As a nation of

proud people and the form-filling that is needed, some pensioners find it difficult to find their way through this maze to claim it.

The people we are talking about have fought for this country, for its freedom, only to be left, possibly, in poverty when their need is most. Just on housing costs alone, pensioners are getting poorer and will be £150 worse off a year by 2010. Their incomes are not keeping pace with the cost of running a home with increases in bills like gas, electric, water and Council Tax. Pensioners now spend on average £9,000 on essentials, but on projections that will increase to £12,500 in five years' time. Colleagues, pensioners who are feeling the strain already could find it difficult to maintain the same standard. It is time to vote with the grey vote. Pursue the Labour Government during this term of office to restore the link with average pay.

Secondly, the tax allowance system for the elderly needs a good overhaul, enabling more people to have more disposable income in retirement. Age allowance at the age of 75 should be reduced to 65 to get a free TV licence, otherwise you will probably be too deaf to hear it or too blind to see it. This should be free for over 65s.

Brothers and sisters, the Birmingham Region fully supports the composite and calls on this Congress to pursue the Labour Government and to address the plight of our pensions without delay.

BRO. D. BERRY (London): I am supporting the composite, but I would just like to make a couple of additional points. The demise of occupational pension schemes means the State pension takes on a whole new importance and at a time when it is being described as a "problem" by the Government and by the CBI. We need to be on our guard and to support pensioners through this difficult time.

I would like to make a couple of points that were picked up in the motion to do with the discrimination of our present pension scheme against women. Somebody said the other day about how employment law was linked to the Master and Servant Act of 1875. Well, our pensions still appear to be linked to the Poor law. The discrimination against women in terms of their child care responsibilities means that they nearly always bear the brunt of means testing. When we look at redesigning the pension system, we need to bear that in mind. It is not just simply based on people's ability to work, but this idea that is going around about a citizens' pension and universal entitlement, whether male or female, or whatever your work role has been. We need to look at that. We need to improve the system, take it back from the 19th Century system and improve it into something that is fit and equal for all members of society. Thank you.

## SAFEGUARDING PENSIONS

### COMPOSITE MOTION 8

*(Covering Motions 129, 130, 131, 136, 137, 138, 148 and 154)*

**129 - TUPE & Pensions (London Region)**

**130 - Pensions - TUPE (Yorkshire & North Derbyshire Region)**

**131 - Safeguarding of Pensions Protect Workers' Pensions From Dishonest Employers (Birmingham & West Midlands Region)**

**136 - Pensions (Northern Region)**

**137 - Pensions (Southern Region)**

**138 - Pensions (South Western Region)**

**148- Defending Pensions Against Inflation (Yorkshire & North Derbyshire Region)**

**154 - Pensions (Birmingham & West Midlands Region)**

Congress recognises that despite the recent falls in stock market investments, occupational pensions remain the best means to reduce poverty in retirement.

Congress urges the General Secretary to lobby government for protective legislation to promote and maintain quality occupational pension schemes. This is to be additional, not as a replacement, to a well funded national government retirement pension scheme. Legislation must safeguard those workers who have paid contributions for many years in company schemes and who have planned for retirement on reasonable expectations. Congress therefore calls upon the Government to recognise that the so called stakeholder pension is inadequate without legislation requiring employers to contribute towards their employees pensions.

This Congress calls upon the CEC to campaign and put pressure on employers to encourage their workers to join company pension schemes. With the population living in retirement longer, it is crucial that working people ensure that they are saving towards their retirement which will ultimately provide them with a better quality of life in their retirement. Employers should be encouraged to automatically enrol staff in their pension scheme and non-members should be invited to join on an annual basis. With the future of the state pension uncertain, it is imperative that where companies have pension schemes, that employees are allowed access and encouraged to join.

Congress fully supports the principle of index linking provisions in occupational pension schemes. Such provisions providing annual

increases to the retired members of these schemes. To ensure that future pension value is not eroded the GMB will vigorously defend this principle and also make every effort to include it in all schemes where we have influence.

Congress calls on the Government to review the A.C.T. credit on pension funds because of the state of the industry at present with the view of reversing the 1997 decision that robbed pension funds of up to £5 billion.

Congress supports the protection of pension entitlements to be TUPE'd along with jobs. This Congress instructs the NEC to campaign for the TUPE regulations to encompass pension provision.

Congress calls that the following areas should be looked at:-

1. When a "pension holiday" has been taken by a company and the pension fund is later found to be in deficit a fine should be levied on the employer, at least equal to the deficit.
2. When a company deliberately puts itself into liquidation rather than paying the full pension entitlement to its employees the company's assets should be sequestrated.
3. When a foreign owned company fails to fulfil its obligations to UK pension members the total assets of the company held in the UK should be confiscated.
4. Any company directors found to have sanctioned any of the above should be barred from holding a directorship in any UK company for life.

The government must also 'tackle' the abuse of company directors, who plunder schemes with large payments upon retirement, whilst closing schemes for the many who would ultimately, only take more moderate returns.

*(Carried)*

BRO. G. RICHARDSON (Birmingham & West Midlands): The Association of Consulting Actuaries say that 50 per cent of final salary schemes in existence have closed to new entrants. In 2005, just 35 per cent of firms offer a final salary scheme for workers compared to 40 per cent in 2004. More worrying, over 9 per cent of employers have closed their schemes to both new and existing members.

Quality occupational pension schemes form the bedrock of our society for working people enabling them to live comfortably without fear of poverty in retirement. Pensions are deferred pay. We should fight with all the means available to protect our members' benefits for which they have paid over a lifetime of work.

Pensions are our business! It is too late for some members whose schemes have already closed, but we must fight to end this demise any further. This Labour Government and the previous Tory one have all made decisions on pensions on a short-term basis, which is why we are in this position today -- in crisis. The Tories put a maximum funding ceiling on schemes of 105 per cent, which gave the green light for employers to take a holiday, which some have been continuing, even when schemes have been in deficit. That is disgraceful.

Secondly, our own Labour Government introduced the withdrawal of the ACT credit in 1997 robbing pension funds of up to £5 billion and, may I add, it is still ongoing! If this practice were to stop, it would assist schemes with deficits. It is a pity the Labour Government does not treat business likewise. When the Chancellor hit the major companies with a windfall tax, it was a one-off, not ongoing for eight years. Colleagues, this robbery has to stop and stop now.

Doesn't the setting up of both the Financial Assistance Scheme and the Pension Protection Fund tell us once again that the Government has had to take re-active measures where it should have been proactive in the first place? The only losers when a scheme goes under are the ordinary workers. Directors look after themselves, just to name the Rover 4 as the latest. We should send this clear message to any employer who is considering closing a final salary scheme, that we are not going to roll over and will not accept it. The GMB has been campaigning vigorously and this Congress urges it to continue and send out one clear message: Employers, we are not going to have poverty in retirement. Don't mess with our pensions. I move.

SIS. P. ROSS (Yorkshire & North Derbyshire): I am seconding Composite 8. Congress, I do not know whether pensions is such a popular topic of discussion at our branch meetings because we are all getting so near to pensionable age and, indeed, many of our members are already pensioners. However, we were pleased to learn, having submitted this motion on TUPE to Congress, that the Department for Work & Pensions has obviously been listening in to our branch meetings and has put right the omission of pension protection from the 1982 TUPE regulations.

From April this year, the Transfer of Employment Pension Protection Regulations 2005 came into force. This should be very good news for future TUPE transfers so that employees will not have to lose their pension entitlements when they are transferred to other companies. However, all is not as rosy as first it seems. What a surprise!

For a start, we note the contributions will be capped at 6 per cent. I am lucky enough now to be in a final salary scheme. That might be the percentage I pay, but my current employer pays a lot more than that. A 6 per cent cap would not give me the same

pension as I am entitled to now. The new law also states that it should be a comparable scheme. That does not mean it has to be the same as the scheme you have just been a member in. Not exactly a protected pension, then, just a “sort of” possibly similar one. It still leaves a lot to be desired.

Aspects of pensionable pay in one job, such as overtime or bonus, which might be construed as contractual issues, are not covered. We need to ensure that employees are not getting “sort of” the same pension when they are TUPE'd, but they are getting a mirror image pension so that they really will not lose out.

SIS. R. BENNETT (South Western): I support Composite C8. President, Congress, pensions at the moment are a very emotive issue and probably will become even more important in the life of this new Government. With the State pension diminishing before our eyes and many people not saving for their retirement, or, in many cases, prevented to save due to low wages and high cost of living, many will face a bleak retirement.

A report published by Age Concern in January said that the lack of information and limited opportunities are deterring many workers from making crucial savings towards their retirement and highlighting the problem of workers who do not feel that they can afford to contribute to a pension scheme. Studies have been carried out by Labour Research and their findings are a bit disturbing.

Most of those who took part were members of their employer's scheme, but 30 per cent said they had not joined when they started but had not been asked again. In some cases, it had taken several years for employers to be allowed to join the scheme.

We believe that employers could do a lot more to encourage their workers to join the pension scheme as soon as they have a permanent employment, but if the employee believes that they are financially unable to contribute at that moment, the opportunity and encouragement should be there for them to contribute at a later date.

As a union, we should be stressing the importance to our members, that, wherever possible, they should contribute to a company pension scheme to make provisions for their retirement. We note that it is difficult when speaking to our younger members as retirement looks so far into the future, but retirement is inevitable. We want to make sure our members face a comfortable and secure retirement.

BRO. V. WEST (London): President, Congress, I am speaking in support of Composite 8. We have already heard earlier about the crisis in public sector pensions, and you will be pleased to know that I will keep this brief and not repeat what others have already said. However, let us be clear. It is not just public sector pensions that are in crisis, but the whole of the pensions industry. Employers are

closing final salary schemes; pension schemes are still not fully covered by the protection of TUPE and unscrupulous employers seek ways to avoid paying out proper full pension entitlements. We need to recognise that stakeholder pensions will remain second or even Conference division schemes whilst employers do not have to contribute to them.

As somebody has already said, we need employers to promote pension schemes, to ensure that their workforce sign up to good company schemes, but we also need a legislative framework that brings confidence back into the industry, because if we do not, millions of workers will continue to be mistrustful of joining pension schemes that they think are going to be robbed in 10, 20 or even 30 years' time.

Good pension schemes need to be protected from trustees and employers playing fast and loose with their contributions and playing fast and loose with our members' old age. I urge you to support Composite 8.

THE PRESIDENT: Colleagues, as you can see, the pension debate is still a big priority for GMB and, as a Union, we always led the field and we need to lead the field more and more with what is happening today. I have just been informed by the General Secretary that at the back of the hall is Naomi Cooke and Heidi Benzing, our pension officers. I have just been informed that the Acting General Secretary has decided to expand our pension department so that we can look and work and make it our top priority. Well done.

BRO. J. NELSON (Regional Secretary, Yorkshire & North Derbyshire): I am speaking in support and on behalf of the CEC for Composites 5, 6, 7 and 8. The following statement is the CEC's position. We commit to fighting to protect the pension provision of all GMB members. Clearly, whether the attacks come from government, in terms of threats to worsen the benefits of the local government scheme, or whether they are from private sector employers that are threatening to close or reduce our members' benefits from occupational schemes, the GMB will fight and continue to fight to ensure our members get the opportunity to live in dignity and respect after their working lives have come to an end.

The Government finally accepted the GMB's demands in the most recent dispute, in which we in the GMB took the sensible position in terms of negotiations on the Local Government Pension Scheme, and did not vote for action on that occasion. But, make no mistake. That was not a lack of support from the GMB. That was our members and our senior activists saying: “At this stage of the game we are still in negotiations with the Government and until those negotiations break down, there is no point at all in taking action.” That was a sensible position for our members to take. At the end of the day, the

Government did accept our demands and have now given us rights in negotiations on the local government pension scheme.

They agreed to revoke the regulations, which would have meant removing the early retirement options in the scheme, which was the biggest threat, I have to say, to our members. I have some classic examples, because I have been part of the local government scheme myself, and so, too, Mary and Paul. I have seen people who have worked for me in the GMB actually continuing to work well into their 70s as cleaners at our office in Leeds simply because they could not afford to live on the paltry pension they had received from the local government scheme. That is a disgrace. Unfortunately, both Bert and Margaret died whilst still working. They actually died! They never got the opportunity to take the time out and enjoy retirement in dignity and respect. I think that is a disgrace. This Government and any other government that would want to try to reduce those provisions, to let people go out with dignity and respect, early, if necessary, is a situation that we need to campaign strongly on and we need to fight.

I have to say that the debate over the last couple of days on pensions has been fantastic. Kevin Flanagan made a great speech this morning just before Gordon made his great speech, but I have to say the issue is a main campaigning issue for the GMB. This statement is all about us continuing that level of commitment to fighting any proposed changes, whether it be from the Government or from private sector employers.

The average public sector pension, as I have already mentioned, is abysmally low. Many people have been at the rostrum this afternoon saying it is a good scheme. In terms of pension schemes, it is not a great scheme. It is an adequate scheme. That is all you could ever call it, adequate. You could not say it was good; you could not ever say it was great. Those are the kinds of things that the Government need to pay attention to. The GMB and other trade unions are saying that we need to stop the thoughts about changing the scheme, reducing the scheme and reducing the benefits of the scheme. We should actually be campaigning for improvements to the local government scheme, not worsening it, not fighting and stopping the worsening of it, but actually campaigning vigorously to make sure that the schemes that are in place are bettered and not detracted from.

There are key sections of our membership

affected in private sector as well. The classic example is the people that work for Federal Mogul. Federal Mogul actually closed its scheme. The members in that scheme were offered 7 per cent of what they would have expected to receive on retirement; 7 per cent of what was not a great scheme anyway! Again, if it were a good scheme, 7 per cent of a good scheme is not fit for anyone to live on with dignity and respect, which is what GMB wants for all its members.

So we are clearly saying to Gordon and the Government: the GMB will campaign vigorously. We will fight to defend the schemes that we have. We will campaign vigorously to make sure that private sector employees face up to their obligations and contribute to the schemes that are in place and do everything possible, because, as delegates have mentioned time and time again, these are deferred wages that will hopefully help you to live in some kind of comfort when you actually get to that retirement that many were talking about the other day. It is inevitable. We are all going to get there, we hope -- touch wood we will get there -- and we want to live in some degree of comfort and security that we are not going to live in poverty.

Well over a million people in this country are living in poverty. These are retired workers. A lot of them will be our members living in poverty. It is a disgrace. The Government have to wake up. They have to listen to us and make sure this third term is used positively on behalf of all our membership. Whether it is private or public sector pension provisions, the Government have to put an obligation on employers to pay into schemes. We have a big job to do as an organisation, trying to negotiate occupational schemes where they do not exist. Put it on the agenda, the bargaining agenda, with equal pay. Let us get occupational schemes in, final salary schemes wherever we can and let us get that as part of our organising agenda. It is a campaigning tool. It will help us recruit and grow. That is the main task for us.

We have to go away from here and not just talk about these issues and then forget them. The debate yesterday gave us a public services magazine, I think, so this will be one of the big new stories in it, about the GMB's continued commitment to fight to defend the local government scheme. Even though it is not great, we have to defend what we have and try to make it better. Thank you, Congress.

*(Composite Motions 5, 6, 7 and 8 were carried)*

## REGIONAL SECRETARY'S REPORT - YORKSHIRE & NORTH DERBYSHIRE REGION

### 1. Membership & Recruitment

|                  |        |
|------------------|--------|
| Total membership | 67,076 |
| Women membership | 28,688 |

**Section membership (by each Section):**

|  |        |
|--|--------|
| Clothing & Textile                           | 3,973  |
| Commercial Services                          | 2,558  |
| CFTA   | 5,803  |
| Energy & Utilities                           | 3,387  |
| Engineering                                  | 7,858  |
| Food & Leisure                               | 13,297 |
| Process                                      | 5,337  |
| Public Services                              | 24,863 |
| Grade 1 members                              | 40,949 |
| Grade 2 members                              | 14,388 |
| Sick, retired & unemployed members           | 11,739 |
| Total number recruited 1.1.2003 - 31.12.2004 | 14,702 |
| Gross decrease 1.1.2003 - 31.12.2004         | 4,233  |
| Net decrease 1.1.2003 - 31.12.2004           | 8,162  |
| Membership on Check-off                      | 41,445 |
| Membership on Direct Debit                   | 8,639  |
| Financial membership                         | 58,914 |

**THE REGION**

The region like many others within GMB is experiencing ongoing difficulties with the downturn in manufacturing industries and the lack of investment and growth within these industries. The harsh economic climate is not the only obstacle this and many other regions face in our attempts to grow and expand our membership. Our greatest battle is still with apathy amongst working people and this is borne from the generation of young people coming into the workplace that neither understand nor see the relevance of the trade union movement. One could say that we are the victims of our own success, particularly in areas that have been well organised by ourselves where pay, conditions of service and health and safety standards are extremely good, it is difficult for our activists to convince non-members who already receive the benefits from our success over the years of the need to be a member.

This problem was addressed by the region some four years ago when we established our independent financial services in the form of Premier Financial Protection (PFP) and extended our legal services to cover our members' families. These extensions to what is considered an extremely high level of benefits, is in our belief, the right and proper way for us to direct a small amount of regional resources to ensure our regional activists are carrying a large and comprehensive tool kit of reasons why people should belong.

Four years is a relatively short time in which the region has worked to turn our fortunes around into a successful region that is based on growth in membership and growth in income. Most of this period has been coupled with this region, like many others, operating on extremely tight budgets and self imposed financial restraints, but we still feel that a measure of success has been achieved and there is still a large potential yet to be exploited. This can only come from the region's 2005 Team Plan, which is largely based on improved communications with activists and members and targeted growth for our activists' base, as we all realise that the activists' base is where the vast majority of our growth in membership will be achieved.

The region will also ensure that these activists have access to top quality training and support services to enable them to perform the key tasks that we require of them, which is communicating with the members that they represent and actually working to expand their membership base, which in itself should deliver an increase in membership and therefore an increase in membership contributions.

The second stage of the Regional Plan is to achieve growth in income from outside of membership contributions. The region's plan is to work closely in partnership with Whittles Solicitors and Premier Financial Protection, who are our two main providers of services to our members and obviously are able to generate an additional source of income from their work on behalf of this region's membership.

GMB, Whittles Solicitors and Premier Financial Protection working together in close partnership can and will provide not only the best services that no other unions can match, which not only gives our members good value for money, it also provides that source of income so badly needed to maintain the ability to improve the delivery of our services to all the members.

Difficulties arising from financial constraints during the past couple of years has meant a reduction in our communications direct to members, which has meant the marketing of these partnerships has been largely by word of mouth. We anticipate during 2005, where our budgets have been set to increase communications and the regional officers and staff have signed up to the Regional Plan to promote these services, we should see a significant upturn in the take-up of these services and a fairly healthy income growth.

For the financial year the region remains as ever extremely confident in its own ability to meet this plan, which in turn we hope will benefit the GMB as a whole, and hopefully other regions will be encouraged to adopt some of the services that we currently provide for our members in this region for the problems and should be congratulated accordingly as membership levels either remain stable or are slowly increasing.

### **CONSTRUCTION, FURNITURE TIMBER AND ALLIED SECTION**

The CFTA section has continued to minimise the losses in membership despite facing increasing competition from foreign imports. This is a testament to the hard work and commitment to all the activists in the section.

There has been a change in ownership at the Howley Park brickworks with it passing from Marshall's to Hanson. Talks re the protection of our member's rights under TUPER are ongoing.

We are also having ongoing success with our recruitment campaign at Premium Timber of Dewsbury.

### **ENERGY AND UTILITIES SECTION**

In the Energy and Utilities Section the two major problems facing the section's membership are within National Grid Transco & YEDL. NGT Northern has been sold and we are currently in ongoing discussions about TUPER implications for our membership. YEDL has been amalgamated with NEDL under the RWE. umbrella. We are having ongoing discussions about bringing the existing terms and conditions as well as negotiating procedures together.

### **ENGINEERING SECTION**

General Engineering, one in eight manufacturing companies reported a freeze on pay in the three months to the end of December 2004, the highest level since December 2003. During the same period average pay settlements fell to 2.8%. Companies appear to be facing competitive pressures that limit their ability to pass on cost increases in the form of higher pay settlements.

Having said that, orders are picking up slowly with employment growing accordingly although there remain a number of closures and redundancies. Firms now tend to have a core workforce supplemented by agency staff and contractors when necessary.

The William Cooks Sheffield dispute legal saga continues in to its fourth year with the Court of Appeal adjourning pending further negotiations between the parties. Whilst small in number, our members involved continue to play a large part.

Engineering Construction, there has been considerable activity within the region over the last two years which has now come to an end as the nominated sites have been completed and our members have once more to travel the length and breadth of the country to seek work. Smaller construction and other category work continues but to a much smaller scale. Tribute should be paid to our members' involvement in the posted workers' directive campaign which gathered momentum throughout 2004 as UK labour was increasingly being replaced by cheaper and untrained foreign workers thus undermining the long established national agreement.

Steel, the problems facing Corus are well documented and they continue to restructure which in 2004 led to them announcing a profit for the first time. This at the cost of the Stocksbridge plant closing at the expense of the Aldwarke site in Rotherham which received a huge investment in capital and who will in turn produce steel of a better quality. The future for Corus and its remaining workforce looks favourable.

### **FOOD AND LEISURE SECTION**

The Yorkshire and North Derbyshire Region has around twelve thousand members within the Food and Leisure Section of which just fewer than six thousand members are female. This section, particularly in food manufacturing, continues to be prone to the ongoing restructuring, mergers and acquisitions which

have led to ensuring there is a constant state of transitional change in this area within the region.

This is reflected in the industrial relations climate within the sector within the region where there has been a significant increase in the number of requests from GMB members for authority to ballot for industrial action. Industrial action ballots have been sanctioned and or conducted in many of the region's key food and leisure employers. i.e. Nestlé Rowntree in York, Arla Foods in Leeds, ASDA RDC in Wakefield and Carlsberg Tetley in Leeds.

The region's membership in the Food and Leisure Section has continued to grow despite continuing redundancy programmes within the food and drink manufacturing sector, which have been mainly as a result of falling markets or the introduction of new technology. There has been significant workforce redundancies in Nestlé with the closure of a plant in Halifax and a reduction in staff in York. We have also seen the closure of the Trebor Bassett factory in Chesterfield.

However, the biggest blow to the region in the Food and Leisure Section has occurred within the summer of 2004 with the announcement by Kraft of its decision to close the Terry's chocolate factory in York. The company and the factory have been synonymous with York and Yorkshire. Around three hundred GMB members face redundancy due to the company's decision to close this York site, realise the value of the site from property development and relocate production outside of the UK.

Carlsberg UK Ltd is the new trading name of Carlsberg Tetley. New management structures have been introduced and restructure of pay grades and job profiles led to an industrial action ballot which was overwhelmingly supported by GMB members.

Nestlé Rowntree continues to restructure its operations in York where the GMB represents around two thousand five hundred members. It has not been lost on GMB members at Nestlé in York that the company has gone from twenty sites to eleven in the UK in recent years, and that the eleven remaining sites in the UK all face some sort of redundancy threat. In York recently, two hundred and twenty team leaders were made redundant and were replaced by forty shift managers. One hundred and fifty redundancies on the production side were carried out at the end of 2003. Nestlé has given six months notice to local union negotiators that all factory agreements are to end and that all national pay bargaining is to be disbanded.

Retail Distribution - Wilkinsons, GMB membership within Wilkinsons continues to grow in line with this company's dramatic expansion which will see its number of stores in England and Wales increase to three hundred by 2005. The number of stores currently stands at two hundred and sixty. GMB continues to represent the majority of employees at the company's distribution site in Worksop and is making steady increases in membership around the stores.

Asda Stores, GMB continues to represent a significant membership within Asda Stores in Yorkshire and North Derbyshire. The GMB core shop stewards network within the region continues to hold firm and I am very pleased to confirm the appointment of three new GMB shop stewards in Stores within the region over the past eighteen months, the first significant growth in shop stewards numbers for some time.

Pubs and Clubs, the Yorkshire Association of Club Stewards voted to merge with the GMB Yorkshire Region since our last Congress and this has led to a major increase in GMB membership in the club sector and a significant growth in GMB's profile within the licensed club sector. The region is currently in talks with the Leeds Association of Club Stewards with a view to a similar merger. A number of recruitment roadshows have been held for stewards and bar staff around the region, particularly in Brighouse, Sheffield and Wakefield and Doncaster.

Sports and Leisure, the GMB Yorkshire and North Derbyshire Region continue to play a central role in professional sport within the region.

The Rugby League Players' Association continues to grow. The Rugby League Coaches' Association has consolidated its membership with professional coaches within Rugby League.

The British Boxers' Association continues to consolidate its presence within the boxing industry with a very high press and media profile which has led to some significant publicity for the GMB.

## **PROCESS SECTION**

The Yorkshire and North Derbyshire Region has four thousand four hundred and ninety nine members within the Process Section.

The Yorkshire and Humberside Region has moved from bottom to fourth from the top in the UK League Table on investment from Europe and is making progress towards the target of attracting foreign investment.

The GMB, through its reputation as a progressive modern union for the manufacturing sector has the objective of providing union representation at these new workplaces.

Following on from our success in achieving recognition with the Glass Producer, Saint Gobain, near Selby, regional officials have been in lengthy discussions and consultations with Guardian Luxguard about trade union recognition. The huge glass production facility built by Guardian Luxguard in Goole began production at the end of 2003. A decision from the company on recognition is imminent.

The GMB is making significant inroads into organising employees of ABN, the animal foods producer who have a number of plants across the region and elsewhere. Consolidating our membership at the Sherburn Plant, we have now established a recognition foothold at the ABN, North Allerton Plant.

Officers and activists continue to pursue recognition and partnership agreements in the manufacturing sector. Membership/recognition campaigns are ongoing at Linpac, Thurston Group, Seabrook and Reed Boardall.

The GMB team at CIBA is currently rolling out the joint training programme for which the union obtained a £50,000 grant from the DTI. Every employee at the Chemical Plant in Bradford will receive Partnership training provided jointly by the GMB and the company. Union membership at CIBA continues to grow and our recognised Bargaining Unit is set to extend to cover White Collar Staff.

Despite strong employment growth, the Labour Force Survey suggests that Yorkshire and Humberside's unemployment rate is still above the UK average. Despite the fact that employment in the service sector continues to expand, this is outstripped by the fact that jobs in the manufacturing sector are still being shed. The outlook for the manufacturing sector continues to be gloomy with any exceptions being on the smaller scale.

As the industrial structure of the Yorkshire and Humberside Region is different to the UK average in that there is a heavier dependence on manufacturing and lower proportion of people employed in finance and business services, any gloomy outlook for manufacturing is bad news for the region as a whole. This is why the GMB is pressing the Government to:

1. Review Business Support and to do what is necessary to boost Manufacturing.
2. To ensure a 'level playing field' and that UK workers benefit from Government procurement.
3. Ensure Regional Development Agencies produce manufacturing strategies.

Regrettably, skill shortages still blight the region. As in previous years, when it comes to spending money on training, businesses in Yorkshire and Humberside trail with 32% of companies spending less than £20.00 per employee per year. 56% of companies say they train their staff. This is significantly lower than business training in Great Britain as a whole which is 67%. Bizarrely, despite all the evidence, the main reason given for not providing training is that "staff does not need it."

## **PUBLIC SERVICES SECTION**

There are twenty four thousand seven hundred and forty eight financial members in this section within the Yorkshire and North Derbyshire Region. I would like to pay tribute to the many activists and officers who have been responsible for this growth and for their ongoing efforts to represent our membership's interests in these challenging times.

### **Local Government**

Our Regional Local Government Core Group consists of senior lay representatives from each Local Authority within the region and meets six times a year. The group shares information, best practices and monitors trends, developments and recruitment and organisation across the region. The Core Group meetings have a standing agenda and the following represents a broad outline of developments in key areas.

### Single Status

The lack of progress on Single Status implementation, particularly in relation to Job Evaluation and pay/grading reviews has caused much frustration.

Only one Local Authority, Chesterfield, has completed the Job Evaluation process and implemented a new pay structure. The rest are at varying stages of the process. The situation currently within the region is:

**Chesterfield:**

Process completed, new pay and grading structure implemented based on NJC Job Evaluation Scheme.

**Sheffield:**

Job Evaluation process completed. Pay and grading review still under discussion.

**Leeds:**

Job Evaluation process underway. Benchmarking complete. NJC scheme used. Senior officers excluded.

Kirklees Job Evaluation underway. NJC scheme used. Benchmarking completed.

**Bradford:**

Process not yet commenced. Council site cost as reason for failure to commence.

**Rotherham:**

Job Evaluation completed. Moderation process underway. Implementation expected - April 2005.

**Doncaster:**

NJC Job Evaluation underway. Resistance from other trade unions slowed progress.

**Barnsley:**

NJC Job Evaluation underway.

### Equal Pay

The Yorkshire region of the GMB was instrumental in the production of a joint regional protocol on equal pay agreed between all regional trade unions and local authorities. This should allow for local negotiators to reach compensation package agreements before mid 2005 for our members in local authorities across the region.

Litigation was commenced where employers are not cooperating fully or to protect those members from going out of time.

### Best Value

Sheffield City Council, the second biggest authority within the Yorkshire and North Derbyshire Region - which has spent significant recent years under Liberal Democrat control, stands out like a sore thumb in relation to outsourcing Public Sector jobs.

Whole service assessments are ongoing. The declared intention of the council is to create a core council service at the hub of a contracted out wheel.

To date we have seen the following outsourced within Sheffield:

Refuse Department - Onyx

Works Department - Kier

Schools Cleaning - Mitie

Schools Catering - Serviceteam

ISIT - CSL

Financial Services

Housing Benefit - Liberata

Housing Services - Almo

In most other Local Authorities within the region our officers and activists have been successful in mitigating the worst effects of Best Value and keeping services in house.

### Schools

When we signed the National Agreement there was hope that finally the support staff would have the recognition they deserved, the training they needed and a recognised career path structure. However, the agreement, although it set out where we wanted to be, it did not say how this was to be achieved. This route has been the difficult part of the process.

The region feels that we have had a great deal of successes via our involvement in WAMG and the

NJC. These are the nationally agreed job profiles, nationally agreed levels, guidance on the Cover Supervisor role, involvement in producing the agreed standards for the HLTA role and the pilot scheme. However, while we do not want to detract from our successes we have now reached the implementation stage of these agreements and these have to take place at a local level and this is causing a great deal of anger and frustrations from our members, as they work along side colleagues in schools on differing rates of pay.

Within our region alone there are many inconsistencies within the LEAs, for example while all accepting the Agreed NJC profiles the LEAs are implementing different pay scales on differing terms ie some on term time, some on fifty two week contracts.

Examples of the differences are:

|           |         |                    |
|-----------|---------|--------------------|
| Rotherham | level 1 | scale 1 to 2       |
|           | level 2 | scale 3            |
|           | level 3 | scale 4            |
|           | level 4 | scale 5/6          |
| Leeds     | level 1 | scale 1, 2, 3      |
|           | level 2 | scale 3, 4         |
|           | level 3 | scale 5            |
|           | level 4 | scale 6 not agreed |

Doncaster is still in discussion for all year round contracts for all positions, Sheffield's proposals for the HLTA role is for a fifty two week contract and yet others like Leeds and Barnsley remain term time only. Qualifications for certain levels are also causing frustrations as again there are major inconsistencies between LEAs as to what are essential requirements. One other major issue resulting in an Industrial action ballot is the way some LEAs are openly planning the demise of the Nursery Nurse position, as in Leeds, while others in Rotherham are being re-graded above the national agreement, to SCP eighteen to twenty one.

As budget deficits are becoming more frequent and schools are closing or amalgamating due to the falling numbers, it as always seems to be the support staff who continue to be the ones most at risk. Twelve months ago we spent much of our time in consultation with our members to discuss "remodelling" the reality today, is that more and more of our time is now spent in "redundancy meetings."

A year ago our members were feeling optimistic and hopeful for the future. However, there remains a great deal of work that we still have to do to ensure we adequately protect our members in schools and we must continue to work on a local and national level to improve their working conditions. We have a long way to go before their hopes and our assurances become a reality.

## **NHS**

Our activists within the NHS deserve recognition and thanks for their efforts on behalf of GMB members over the past two years.

## **Agenda for Change**

Officers and activists are gearing up for the challenge this presents. Officers have been working with the various Workforce Development Confederations covering the region and cascading training and information down via their activists. Training sessions involving Kathy Dixon from GMB Head Office have been held - Presentation/Recruitment Roadshows around the region are ongoing.

## **Recognition**

GMB recognition has been achieved at Sheffield Children's hospital and Sheffield PCT - after determined campaigns from GMB Officers and activists.

## **Equal Pay Claims**

Forty one GMB members benefited from Equal Pay Claims brought by the union for catering staff at Barnsley DGH. Success at the Employment Tribunal came this year; four years after the applications were first lodged. It is envisaged that these test cases will open the gates for many other equal pay claims pending around the region.

## WYMAS

At West Yorkshire Metropolitan Ambulance Service (WYMAS) it is hoped that the new Chief Executive will help to bring stability to the service. Along side of Agenda for Change we are also seeing plans for a new structure in West Yorkshire. Some of the new initiatives include the new roles for paramedic with specific emphasis on 'first responders in emergency situations.' There has also been a major revamp of patient services with a view to running a twenty four hour, seven day service to match the needs of patients.

## West Yorkshire Police

Deborah Johnson, GMB regional organiser, in Yorkshire acts as GMB lead officer on a national basis, co-ordinating GMB work on behalf of members in the Police Service. Our membership in the region is slowly growing and facilities and the number of local representatives have been greatly increased.

### 2. General Organisation

|                                       |     |
|---------------------------------------|-----|
| Regional Senior Organisers            | 3   |
| Membership Development Officers       | 0   |
| Regional Organisers                   | 14  |
| Recruitment and Organisation Officers | 0   |
| Regional Recruitment Officers         | 3   |
| No. of Branches                       | 151 |
| BAOs                                  | 0   |
| New Branches                          | 5   |
| Branch Equality Officers              | 26  |

### 3. Benefits

|                                 |            |
|---------------------------------|------------|
| Dispute                         | £7,030.00  |
| Total Disablement               | £12,000.00 |
| Working Accident                | £23,694.30 |
| Occupational Fatal Accident     | £1,100.00  |
| Non-occupational Fatal Accident | £1,100.00  |
| Funeral                         | £55,954.00 |

### 4. Publicity

The region has sponsored many organisations and charities during the period 2003/2004, all of which are worthwhile causes and deserving organisations:

- Chesterfield TUC May Day and Gala Demonstration
- Chesterfield Unemployment Workers' Centres 20th Anniversary
- ME Awareness
- Bosom Friends & Bradford Cancer Support Fashion Show
- Confectioners' Benevolent Fund
- Children's Heart Federation
- Macmillan Cancer Relief
- ESAPLD
- Whizz Kids Children's Charity
- South Yorkshire Festival
- Bluebell Wood Children's Hospice
- Disabled Football League
- Children with Leukaemia
- The Doctor Jackson Cancer Fund
- Chesterfield & N. E. Derbys Pensioners' Action Association
- Take Heart - Yorkshire Heart Centre
- Leeds Irish Festival
- Light up a Light (St Gemma's Hospice)
- Cuba Solidarity Campaign

- Castleford Tigers
- The Asset Management Project
- Amnesty International
- GMB Learning Courses - Barnsley GMB
- National Heart Research Fund
- Chesterfield Pensioners' Rally
- Rubinstein Taybi Syndrome
- Townville FC
- Gerd Gutler
- G A Pilling - World Powerlifting Championships
- GOSH Inca Challenge 2004
- BARLA
- Barbara Plant - Lewisham Branch
- York City Knights RLFC
- Martin Gilbertson Scholarship
- Castleford Tigers Sponsors' Bus
- The Jewel in the Crown Fighting Fund
- Young Fabians of the North
- Jeans for Genes Day
- Wrenthorpe Rangers Junior FC
- Keeping 2 Residential Homes open in Barnsley
- S Hatton - NEBOSH General Certificate

## 5. Legal Services

### (a) OCCUPATIONAL ACCIDENTS AND DISEASES (including criminal injuries)

|                                   |       |
|-----------------------------------|-------|
| Applications for Legal Assistance | 2,522 |
| Legal Assistance Granted          | 2,519 |

#### Cases in which Outcome became known

|                                 |                        |
|---------------------------------|------------------------|
| Total                           | 4,012                  |
| Withdrawn                       | 1,614                  |
| Lost in Court                   | 13                     |
| Settled                         | 2,377 (£11,852,439.87) |
| Won in Court                    | 8 (£6,800.00)          |
| Total Compensation              | £11,859,239.87         |
| Cases outstanding at 31.12.2004 | 2,652                  |

### (b) INDUSTRIAL TRIBUNALS (notified to Legal Department)

|                           |     |
|---------------------------|-----|
| Claims supported by Union | 502 |
|---------------------------|-----|

#### Cases in which Outcome became known

|                                 |                   |
|---------------------------------|-------------------|
| Total                           | 257               |
| Withdrawn                       | 71                |
| Lost in Tribunal                | 7                 |
| Settled                         | 140 (£729,855.44) |
| Won in Court                    | 39 (£326,694.83)  |
| Total Compensation              | £1,056,550.27     |
| Cases outstanding at 31.12.2004 | 200               |

### (c) OTHER EMPLOYMENT LAW CASES

|                             |   |
|-----------------------------|---|
| Supported by Union          | - |
| Unsuccessful                | - |
| Damages/ Compensation Cases | - |
| Outstanding at 31.12.2004   | - |

**(d) SOCIAL SECURITY CASES**

|                                 |     |
|---------------------------------|-----|
| Supported by Union              | 100 |
| Successful                      | 43  |
| Cases outstanding at 31.12.2004 | 20  |

Legal services are a key element of the region's development plan offering 'GMB Life Services' to members and their families. The region's objective of providing a comprehensive legal service for members is integrated into recruitment and retention objectives. Through a successful partnership with Whittles Solicitors our members and their families are offered a first class free service that more than meets the challenge of the so called 'no win no fee' claims handling companies in work or non-work related accident and disease cases. The free will service continues to be popular as does arrangements for discounted conveyancing. In addition, members access general advice and guidance on many other legal issues.

The region has a small legal team that ensures we offer the best possible legal services to members. The Regional Legal Department is responsible for most of the region's employment law work. A highly professional and efficient system of Employment Tribunal casework management is in place which provides value to the GMB and a first class successful service to members. In-depth knowledge and practical experience of handling Employment Tribunal cases is utilised to provide regional organisers with employment law training courses and a consultancy service that is available on request. The department runs a monthly introduction to GMB legal services and a basic employment rights course as part of the induction of new workplace representatives. Training on the new statutory dispute resolution procedures has been provided to scores of the regions' workplace representatives and more is planned. Organisers are kept abreast of new developments in employment law through regular bulletins and e-mail briefings. The department is extensively used as an immediate resource of employment rights information and advice by officers, activists and members. The Regional Legal Department provides valuable assistance to members in need of benefits advice. Every year hundreds of GMB members are offered advice and assistance, for example with help filling in DLA application forms, representation at Social Security Appeal Tribunals and appeals to the Social Security Commissioners.

**6. Regional Race Committee/Equal Rights**

Anti racist activities have continued throughout the period combating the increase in racism in workplaces and the community.

Activists have been working with Unite against Facism groups mainly inside West Yorkshire which has been targeted by the British National Party as a main area for their activity.

Although the BNP had minor electoral successes in Bradford, Calderdale and Kirklees in the 2004 local elections their main target of Leeds remains fascist free despite them standing more candidates in that city than anywhere in the country.

A number of Race discrimination cases have been successfully taken to Employment Tribunals with two cases won against employees who were found guilty of racial abuse. Both the racist employees were awarded substantial financial amounts against them.

Charlie James, National Race Committee member, Altaf Arif and Alex Sobel all represented the National Race Conference in Nottingham in November 2004 successfully passing the regional motions.

There has been a lot of very good work carried out within the region. The RERDAC agreed a time table of work that will raise the profile of all aspects of Equality & Diversity, which has been adhered to and is showing good results. This committee has met regularly through out the year.

The Equal Pay campaign has been particularly successful and we have secured some significant payments for your members. Flexible working however, is not as successful as we had hoped. Many parents are encountering difficulty in getting their employer to ensure that this provision is available to workers.

Noreen Goddard retired from the National Equal Rights & Diversity Committee. On behalf of the region I would like to thank Noreen for her work on the various projects over the years. Noreen Metcalf has replaced her and has attended the NERDAC meetings. I would like to place on record my thanks to Noreen for the work that she has done on behalf of the GMB within Leeds City Council.

## 7. Young Members' Report

The last two years have seen a number of extremely successful events organised by the Yorkshire & North Derbyshire Young Members' Section. An event was organised in Bradford to celebrate the European Year of the Disabled. Speakers included Richard Corbett, MEP. The event was held in Bradford Centenary Square and attracted thousands of interested spectators many of whom participated in the event.

Love Music Hate Racism held a month of events nightly throughout May 2004 culminating in a Saturday city centre festival of music.

The GMB Young Members' Section was the main sponsor of the month with many of the members participating in stalls distributing GMB and anti racist-fascist literature throughout the clubs in Leeds.

A number of young members attended an anti fascist Searchlight weekend school in Manchester sharing their experiences gained in West Yorkshire and bringing back expertise to be used in the forthcoming General Election where once again the BNP will be concentrating in West Yorkshire. Nick Griffin the National BNP leader has announced that he will stand in Keighley at the next General Election.

Young members have been involved in recruitment campaigns at Green Flag Pudsey and Leeds University where recruitment stands were staffed during fresher weeks.

A number of Young members also attended the European Social Forum in London joining with thousands of other trade unionists and activists from all over Europe to discuss world peace, anti racism, environmental issues and equality.

Lucinda Yeadon is the delegate to the TUC Young Members' Forum and annual conference.

## 8. Training

|  | No. of Courses | Male | Female | Total | Total Student Days |
|--|----------------|------|--------|-------|--------------------|
| <b>(a) GMB Courses Basic Training</b>    |                |      |        |       |                    |
| Introduction to GMB (2 days)             | 20             | 275  | 86     | 362   | 724                |
| GMB/TUC Induction (5 days)               | 12             | 192  | 71     | 263   | 1,315              |
| Branch Officers                          | -              | -    | -      | -     | -                  |
| <b>(b) On Site Courses</b>               | -              | -    | -      | -     | -                  |
| <b>(c) Health &amp; Safety Courses</b>   |                |      |        |       |                    |
| GMB/TUC                                  | 20             | 208  | 60     | 268   | 804                |
| <b>(d) Other Courses</b>                 |                |      |        |       |                    |
| Grievance & Disciplinary                 | 3              | 58   | 10     | 68    | 204                |
| <b>(e) GMB National College Courses</b>  | -              | 122  | 24     | 146   | 730                |
| <b>(f) TUC (STUC &amp; ICTU) Courses</b> |                |      |        |       |                    |
| Stage 1                                  | -              | 60   | 7      | 67    | 335                |
| Stage 2                                  | -              | 42   | 7      | 49    | 240                |
| Health & Safety Stage 1                  | -              | 40   | 8      | 48    | 240                |
| Health & Safety Stage 2                  | -              | 35   | 5      | 40    | 200                |

Education in the region has managed like most other regions to continue to provide activists' training with our induction and follow on courses. However, there has been an absence of advanced courses since the closure of our National College in Manchester and this provision is now being sourced from

the Northern College in Barnsley, in partnership with our colleagues in surrounding regions, which the region is extremely pleased about.

The regional secretary has performed the role of education officer within the region for the past two years, but the region will fill the education officer's vacancy before Congress considers this report. It will be a welcome addition given the emphasis on the growth in our activists' base and the support and training that we commit ourselves to deliver to our activists.

## 9. Health & Safety

In October 2004, the region appointed a health and safety officer, filling a much needed gap that has existed in the region for the past few years. Despite this we have continued throughout this period to maintain provision of good quality health and safety training and improve on the number of activists undergoing training, thus developing competent, self-assured representatives.

Going forward our aim is to raise the profile of the health and safety resource, maximise its potential as a recruitment tool and build on the identity of the GMB as a leading organisation in regional health and safety. Initially efforts have been invested in setting up a regional database of activists and contacts, centred predominantly on the use of electronic mail this ensures a quick and efficient relay of information.

Through the database, regional magazine and regional website, branches and activists will be provided with regular health and safety bulletins and material specific to their workplace. The health and safety officer will also provide support and guidance as and when required to enable our activists to perform their role confidently and effectively.

Statistics show that workplace health and safety has always been and remains one of the foremost concerns amongst members and non-members alike, and is given as one of the main considerations by those who join, or remain members of a trade union. By being actively involved in recruitment campaigns and promotions, and assisted by the use of GMB published information tailored to the target workplace, the health and safety officer will support our organisers and workplace activists in the consolidation and retention of existing members, and recruitment of new members and securing recognition.

*(Adopted)*

BRO. J. NELSON (Yorkshire & North Derbyshire):  
President, as is the normal practice at Congress, the  
Regional Secretary is formally moving. It was only  
little Tommy Brennan that stepped out of line this  
morning for a particular reason.

*North Derbyshire Region was formally moved)*

*(No questions raised on the report)*

*(It was agreed that the report be adopted)*

*(The Regional Secretary's Report for the Yorkshire &*

## EUROPEAN REPORT

GMB is unrivaled as the most pro-active British Trade union in Europe. We were the first, and are currently the only, British union to have an office and full-time representation in Brussels, at the centre of EU level decision making.

GMB has also taken a leading role on Europe within the TUC, in chairing the TUC European Monitoring Committee and the European Network meetings, and as part of the TUC delegation on the ETUC Executive. We have an active and committed group of MEP's in the European Parliament, with whom we work very closely.

Together with our trade union colleagues in the European and International Sector Federations and ETUC, GMB is working to improve the social, employment rights and living standards of our members and their families, and help promote and protect their jobs against the threats posed by globalisation and neo-liberalism.

The European Union has given trade unionists many of the workplace rights that we enjoy today: a raft of health and safety protections, rights to equal pay, protections for collective redundancies and TUPE, rights to be informed and consulted at national and transnational level, equal treatment rights for part-time and fixed term workers, parental leave and maternity rights, rights not to work excessive hours, and to have 4 weeks paid holidays (soon to be on top of bank holidays). We have worked hard to ensure that the development of Europe as an internal market has involved a balance of the economic, environmental and social dimensions, underpinned by the European Social Model.

Through our valuable contacts with other European trade unions, we have been able to compare conditions and recognition arrangements across transnational companies, and have successfully used this information to seek recognition for GMB in such companies, or to bargain for improved conditions, and in cases where closure is unavoidable, better redundancy terms.

Our continued active involvement at European level today is no less important than it was when we began. The Social Model that we as trade unionists have fought so hard to create is currently seen by many governments as a luxury we can no longer afford, rather than the key incentive and driver it presents for improving productivity and competitiveness. We must protect it at all costs.

As European Governments struggle to achieve economic growth and contain unemployment, labour market flexibility and social reform are seen as “quick fix” solutions, when the real and fundamental problems relating to lack of competitiveness and productivity remain unsolved. The US deregulatory labour market model is seen by some as the way Europe should go. That model doesn’t work for American workers and it won’t work for Europe.

Britain already has one of the most flexible labour markets in Europe, and if our members are asked to bend any more, they will break. GMB members are paying the price for poor management, lack of investment in skills, training, and involvement of the workforce in decision making, and low investment in innovation, research and development. British workers have been calling for a level playing field with our European counterparts in workplace and social rights, through improving our rights to match their higher standards, not bringing the rest of Europe down to our lower standards.

A worrying trend appears to be set. The proposals to protect Temporary agency workers lie blocked in Council because our Government, backed up by Germany, Denmark, Ireland and Poland think that it is just to deny temporary agency workers equal treatment rights until they have worked for nine to twelve months, making a mockery of the spirit of the proposals. GMB has been pushing consistently at European and national Government level to get agreement on these proposals.

The recent proposals for revising the Working time Directive completely ignored the views and compelling evidence given by GMB, TUC and ETUC in the preceding consultation phase, and now offer wider and continued scope for the use of the individual opt-out, attempt to reverse European Court judgments on on-call time, and offer further flexibility on reference periods for calculating the average 48 hour week up to 12 months, by law rather than collective agreement. We will not accept this, and are currently working with the European Parliament to heavily amend these proposals.

GMB has been a major critic of the EU Commission’s proposals for a Directive on Services in the Internal Market (Bolkestein Directive). We gave one of the fullest responses to the DTI consultation on the proposals last year, and are working actively with ETUC and our European Federations to have the proposals withdrawn. Failing withdrawal, we will work with the European Parliament to remove all threats of social dumping, undermining of public, social and health services, and any threat to labour law and collective agreements, and to regulation and competence authorization in the construction, security and energy and utilities sectors.

Across Europe, people are debating and deciding the fate of the EU Constitutional Treaty, and with it, to an extent, the future direction of Europe. GMB members and trade unionists across Europe are rightly likely to judge the Treaty on the guarantees it holds for protecting and promoting our social Europe and our jobs, and how committed European Government’s are to upholding the principles of a social market economy, full employment, equality, non-discrimination, the application of the Charter of Fundamental rights, and the role of social dialogue, that lie therein. GMB has been encouraging the spread of information relating to the Constitutional Treaty to our members to allow them to make an informed choice.

The Social Model is Europe’s proudest and most popular achievement, and is not for sale. GMB is joining

trade unions across Europe to stop this vital cornerstone of the European Union from being undermined. We should not be distracted from the fact that it is business and Member State Government's, including ours, and not "Brussels" calling much of the tune on this approach.

*(Adopted)*

THE PRESIDENT: Colleagues, it gives me great pleasure to ask Kathleen Walker Shaw, the GMB European Officer, to address Congress. Kathleen?

SIS K. WALKER-SHAW (GMB European Officer): President, Congress, may I say how delighted I am to be at the rostrum for the first time for the GMB. Thank you very much, Paul, Mary and Debbie, for making this possible for me today.

Congress, what can I say? I cannot complain that being in Brussels at the moment is dull, although it is very clear that the events over the last few weeks have done a very positive thing, which is starting to get a very warm debate about Europe for a change, which I welcome. But, of course, it does throw us into a bit of uncertainty about where the future direction of Europe is going to go.

As Paul said in the fringe event at lunchtime, that can be a problem for us, but it can also be a challenge and an opportunity for us, as trade unionists, because nobody has drawn the lines on whose voices now go into the pool to say which direction we want the future of Europe to take and whether we have a referendum in Europe, whether the referendum across Europe now stops and whether the constitutional treaty is alive or dead.

What has been raised by the events of the last week or so is that the future of direction of Europe is very much a question for us all. I think that is where the time is very ripe for us, as trade unionists, to be coming forward very quickly now in this time of uncertainty with a very clear agenda of what trade unionists, not just across Europe but across the world, expect to see happening as a model for the European social model that we want to see transferred right out, not just in Europe, but to help benefit labour standards and working conditions across the globe. So, as I say, we have our challenges ahead of us.

However, it is perhaps a good time for us to remember, Congress, why it was that we became the British union that was most proactive in Europe all those many years ago. It was because of similar challenges to what we are facing today, that under years of Thatcherism and undermining of our trade union and labour rights in the UK, we looked to Europe to try to do something, to give our members the benefits and the rights that they deserved. As I say, over the years we have been very active as a union in shaping health & safety legislation, information on consultation rights at national and European level, part-time workers' rights, fixed term workers' rights, working time legislation, more recently, European legislation on how public

authorities spend their money, to put more of a focus on good jobs for disabled people and more of a focus on using that money in terms of social considerations.

Another big element of our work and our involvement in Europe, which we should not underestimate, is the contacts that we have made at the European level. This has been a hugely valuable solidarity issue for us as unions, as we have compared and contrasted not just conditions and rights across international companies operating throughout Europe, but we have also been comparing recognition agreements which involve why companies might want to recognise their German workers but not us.

We have had some very positive results, more recently with Gleasons in the Southern Region where a solidarity campaign by our German unions in support of our recognition bid actually gave us recognition. Those communications are going on as we compare their weekend shift working.

This is stuff we should not underestimate. We owe a great debt of gratitude to our European Works Council's representatives. There are more than 120 GMB European Works Council's representatives. I assure those of you who are not European Works Council reps that it is not a jolly. They work very, very hard and have actually pushed themselves up into positions of executives and chairs of some of the committees. That is a very valuable job that I am sure you would like to congratulate our reps for.

As Stephen said this morning, we would like to say that the Labour Government have lessened our challenges, but that is, sadly, not the case. On European employment and workers' rights, they prefer to listen to the CBI than to us. We should not underestimate the challenges that we face there on temporary agency workers getting equal treatment from day one with them. With respect to this Deregulatory Services Directive, which we, as unions, oppose -- we wanted to get it off the agenda at European level -- we are now faced with having to rely on our good MEPs, like Stephen Hughes and other colleagues in Brussels, to work on the social dumping elements, to take away the threats to our public services and our health care, and to make sure that any services in the Internal Market Directive is a trade union agenda for that and not a liberalising privatisation agenda.

So we have many challenges. The scales are not very well balanced for us at the moment, but that is more reason why we have to be working at European level, uniting with trade unions across Europe to make sure that these scales reclaim their balance and that our social Europe is something that goes on

and thrives in the future.

*(It was agreed that the European Report be adopted)*

THE PRESIDENT: I move on to Composite 26, European Constitution. The CEC support with qualification. Southern Region to move and second. Then I will ask the movers of 287, Europe, Yorkshire & North Derbyshire. CEC is seeking withdrawal on that one.

## EUROPEAN CONSTITUTION

### EUROPEAN CONSTITUTION

#### COMPOSITE MOTION 26

*(Covering Motions 285 and 286)*

#### **285 - The UK Referendum on the EU Constitution (Southern Region)**

#### **286 - European Constitution (Southern Region)**

Congress notes that the “social” policy of the EU has been established from the very beginning of what has become the EU and incorporates completely trade union aims of full employment, workers and trade union rights, health and safety, training, maternity rights, integration of disadvantaged groups etc.

Therefore, Congress believes that the EU Constitutional Treaty will commit Member States to pursuing a social market economy, underpin the goal of full employment, promote social dialogues between employers and trade unions, enshrines a range of social, civic and political rights and entrench the key values of the European Social Model, which will ensure that European economic development goes hand in hand with employment and social rights.

Congress regrets that some Member States attempted to dilute the legal force of the Charter of Fundamental Rights, contained in the Constitution, but is satisfied that the Charter will apply to the full field of EU law and thus restrain Member States from abandoning the course toward a sound social market economy.

The GMB will not support any constitution that erodes the fundamentals of a social Europe. The proliferation of the ideas of ‘Reaganomics’, Thatcherism and the free market doctrine of the Bush administration must not be allowed to prosper in a harmonised Europe. A pre-requisite of any constitution, in relation to workers and employment, must be a fundamental right to withdraw labour, without a cumbersome and procedurally beaucroatic process.

Congress welcomes the move to enhance the democratic accountability of the European Union and increase its efficiency in light of the recent enlargement to 25 Member States.

Congress calls on the GMB Executive to inform and educate members of the merits of the Constitution and publicly campaign in association with our social partners in support of a YES vote to ratify the proposed European Constitution in a UK Referendum.

*(Carried)*

BRO. P. GOODACRE (Southern): I am moving Composite 26 of the European Constitution. Despite events of the last couple of weeks, the issues raised by the European Constitution are still fundamentally relevant. The powers that be in Europe have spoken quite openly of their intention to press ahead with many provisions of the Constitution. There is a real danger that many of the negative provisions, such as Article 11.47 on services, could well be enacted. For this reason alone, you should be aware of the dangers of rejecting the European Constitution out of hand.

Despite what Bob Crowe said, during the dark days of the 1980s and 1990s, most, if not all, of the protective legislation for workers originated in Europe. There is much in the current treaty consistent with the goals of our Union. The current EU Constitutional Treaty will commit Member States to pursuing a social market economy, underpin the goals of full employment, promote social dialogue between employers and trade unions, enshrine a range of social, civic and political rights, entrenching the values of the European social model.

We will not support any constitution that erodes the fundamentals of a social Europe. A prerequisite for our support of any referendum on a future European Constitution must be one that enshrines all workers' rights, such as a fundamental right to withdraw labour without a cumbersome and procedurally bureaucratic process, such as we have at the moment in the UK.

A constitution that enshrines these principles and ensures a number of basic rights should be viewed as a valuable insurance policy for the future. Let's not forget, until quite recently the British electorate had shown a suicidal propensity to vote for Tory governments. In the future, who knows?

I urge you not to reject the European constitution. It is not the constitution itself that is the problem. It is the Blair-Berlusconi axis pushing an agenda of economic ultra-liberalism and unfettered market forces. Our support for a “yes” vote in any future referendum must be conditionable on their exclusion. I move.

*(The Composite was formally seconded)*

## EUROPE

### MOTION 287

Congress opposes the draft constitution of the European Union which if ratified poses real danger to workers' rights and public services.

We see the European Union as an attempt by European big business to extend its profitability where public services, pensions, labour and environment regulations are all at risk of erosion.

We now agree to urge our members to vote NO in any future referendum, not as 'Little Englanders' but by exposing the dangers to workers' rights and conditions.

BARNSELY GMB BRANCH  
Yorkshire & North Derbyshire Region

*(Lost)*

BRO. H. RAJCH (Yorkshire & North Derbyshire): The people of France and Holland have spoken on the European Constitution and rejected it, and we should welcome that decision. What was noticeable in securing the "No" vote, particularly in France, is the broad unity which existed amongst the Left in opposing the Constitution. Among those voting no were many of the public sector workers in France who had been opposing the direct threat on their jobs and conditions at that time. This was because the proposed Constitution will make the dismantling of public services across the EU much easier.

Throughout Congress we have been and will be discussing and supporting motions which are calling to keep public services public, yet the EU Constitution has a pro-privatisation agenda which we should definitely reject. I think it is really important that we reject the Constitution. We are not sure whether there will be a referendum in this country, but we should make our position clear today and that is to oppose the Constitution and follow what the French and Dutch workers have decided.

The point is that at the centre of the Constitution is the idea that free competition in public services is best, and that is an idea which we have been fighting in this Union for years. The idea of the Constitution is that free competition comes first beyond all other considerations; that free market capitalism becomes a constitutional principle.

We are told that the Constitution continues some good points, like the right to strike, although Bob Crowe questioned whether that idea would come about. If it did, it would also give employers the right to lock out their work forces. Our Labour Government have been in power for eight years so any good things that Europe can offer should have been brought in anyway. We should not have to be looking to Europe for decent conditions for working people.

The Constitution, though, preserves the undemocratic aspects of the EU as well. The European Parliament would still have little control over how finances are spent. It would be the Commission, rather than Parliament, which would retain the sole right to introduce legislation, thereby reducing democracy. We are interested in democracy as workers' representatives.

We are told that, as EU citizens, we would gain the right to petition the European Commission, but even if we gained the one million signatures necessary, there is still no obligation on the Commission to take any notice of it.

It is not just the French and Dutch Left which oppose the Constitution. Trade unions in this country oppose, as do some Labour MPs. Kevin Curran, two years ago, said there was no difference of opinion in the GMB regarding Europe. That idea has gone and he has taken it with him.

We need to oppose the Constitution because its overriding intention is to open Europe to neo-Liberal market forces. In fact, in France the entire political establishment was urging a "Yes" vote. Of those who voted "No" in Paris, 90 per cent of managers voted yes for the Constitution. That tells you something about it.

We are for a social Europe. However, I think we should reject this Constitution.

BRO. D. FAITH (London): The debate at lunchtime was interesting. I think Bob Crow, frankly, won it hands down. The Constitution is complex, but my objections to it are that the things that are supposed to be good for us are vague. The right to strike is something which the British Government have already said they have get-outs for, yet they things which are problems for our members are quite specific. Those are things like forcing privatisation upon us and the opening-up of services. From a working class, trade union and Left-wing point of view, I think those are absolutely sound reasons for opposing the Constitution.

The other important issue for us which came out of the debate is that for too long it has been the Right-wing, the Tories and the flag wavers who have had control over the no campaign. However, that has not always been true. I think it is time for us, by voting for this motion, to claim back the "No campaign" for progressive internationalist trade union values.

THE PRESIDENT: I call Joe Morgan to speak on behalf of the CEC.

BRO. J. MORGAN (Regional Secretary, Birmingham & West Midlands): The CEC is supporting Composite Motion 26 with a qualification and we also seek withdrawal of Motion 287.

In relation to Composite 26, the GMB has been actively encouraging debate on this important

European development. However, as previous speakers have said, we cannot ignore the fact that the French have said “Non” and that the Dutch have given a resounding no. This strong no vote in France and the Netherlands last week has certainly cast doubt over the future of the Constitution and the prospect of a UK referendum.

The EU Constitutional Treaty is not perfect - we acknowledge that - but it does commit Europe to developing a social market economy achieving full employment. It enshrines the Charter of Fundamental Rights into the Treaty which promotes equality, non-discrimination and the role of the social partners. These provisions are not included in any current EU treaties and they are unlikely to be the cherries which are picked if the EU governments decide to shelve the Treaty or to pull out the bits which suit them. We, in the GMB, should do everything within our power to ensure that the citizens of the UK get the opportunity to cast their votes in such a referendum. Colleagues, we should take time to reflect upon the recent events in France and the Netherlands, but that does not mean that we should sit back and let our Labour Government renege on their commitment to a referendum.

The words “social market economy” define the future direction that Europe must take, not the neo-liberal USA deregulated labour model, yet the referendum results last week show that people do not think that the EU governments are listening.

The GMB opposes our Government’s actions in seeking to limit the scope of the Charter of Fundamental Rights and our qualification for support for a “yes” vote in a UK referendum would depend clearly on the Government showing more commitment to promoting and protecting our European social model.

I now move over to Motion 287. The CEC is seeking withdrawal of Motion 287 on the grounds that the EU has provided most of the workplace rights which our members enjoy today and we applaud Europe for this. An awful lot of good legislation has come from the European Union.

Motion 287 alludes to the dangers of privatisation. Big business and governments seeking liberalisation and labour market flexibility, including Britain, have not needed a European Union Constitutional Treaty to privatise energy, utilities, the railways and flagship airlines. Frankly, Britain wrote the book on privatisation. They have been there, done that and they are currently getting the T-shirt printed as we speak, and probably in another country.

We are now experiencing the hard sell to Europe on the wonders of PFI. We should not be confused as to who is driving the agenda for liberalisation and simply blame Europe for dangerous policies lying closer to home. We must hold governments to their commitment to the European social economy and social model. We cannot do that if it is not laid down

in black and white in the Treaty.

Support Composite 26 and we seek withdrawal of Motion 287. Let’s fight together for our social Europe.

THE PRESIDENT: Is Yorkshire & North Derbyshire Region going to withdraw?

BRO. H. RAJCH: No.

THE PRESIDENT: Would you like the right of reply?

BRO. H. RAJCH (Yorkshire & North Derbyshire): I think it is important that we do not withdraw Motion 287 because we want to have the opportunity of voting on the Constitution, and this might be the only chance we get. If we do not have a referendum we will not get a chance to say what we think. I think it is important that we do vote today and reject the European Constitution. Why can’t we reject it. The Constitution is in favour of a pro-market agenda. Our history is against what the European Union Constitution stands for. We should reject. Vote no.

THE PRESIDENT: We now come to the vote on Composite 26: European Constitution. The CEC is supporting with a qualification.

*(Composite Motion 26 was carried)*

THE PRESIDENT: We now come to Motion 287: Europe. The CEC has asked the Region to withdraw but they have not agreed to withdraw, so we are asking you to vote against.

*(Motion 287 was lost)*

## **DEMOCRACY AND CONSTITUTIONAL REFORM**

### **DETENTION WITHOUT TRIAL**

#### **COMPOSITE MOTION 24 (Covering Motions 275 and 276)**

#### **275 - Detention without Trial (London Region)**

#### **276 - The Arbitrary Extension of Executive Powers to Date (London Region)**

This Congress resolves to oppose the seemingly arbitrary extension of executive powers. In particular the powers to allow the arrest and incarceration of foreign and British people within their/a “home” without trial or evidence. We should oppose any move to restrict personal liberties, and reduce the already thin ability for people to defend themselves from arbitrary arrest, imprisonment, or false accusation.

This Congress condemns the practice of the British Government of holding people in prisons without their being subject to due process of law and without access to full legal representation and support. Congress believes that this violation of human rights feeds the despair and hatred which is at the root of terrorism.

Congress therefore calls on the Government to act on the Law Lords' ruling of December 2004.

*(Carried)*

BRO. D. HALL (London): This motion is about justice. This Congress resolves to oppose the seemingly arbitrary extension of executive powers. In particular, the powers to allow the arrest and incarceration of foreign and British people within their or a "home" without trial or evidence. We should oppose any move to restrict personal liberties and reduce the already thin ability for people to defend themselves from arbitrary arrest, imprisonment or false accusation.

This Congress should condemn the practice of the British Government of holding people in prisons without their being subject to due process of law and without access to full legal representation and support. We ask Congress to agree that this is a violation of human rights and feeds the despair and hatred which is at the root of terrorism. We ask that Congress, therefore, calls on the Government to act properly on the Law Lords' ruling of December 2004.

The fact that this composite is made up of motions contributed from different branches and has received warm support from others goes to show how strong a feeling the GMB and its members have towards both social justice and the principles of what some would term "basic natural justice". I find it incredible that I am speaking on a composite motion such as this when our Government, which sprang out of a labour Movement built on equality, fairness and justice for all, is derogating from any human rights and aggressively pushing through legislation which will rob people of what should be their inalienable right. That is not only surprising but horrifying. Some say it is hackneyed to say that people from this country fought and died for such rights. They say that we must separate that time from now and hope that the loss of these rights is only temporary. We say that millions died in wars to protect us and the principles which we thought we stood for. Why should a very tragic loss of western lives, even in the thousands, now mean that we throw away those hard fought for rights so easily?

Some would argue that these kind of things have been happening for decades by proxy, with our country supporting oppressive regimes who routinely carry out detention without trial and torture, regardless of what British political party happens to be in power at the time. It is as if such behaviour

somehow excuses us from acting or opposing.

We say that the fact that these oppressive and, frankly, disgusting policies are now openly supported and implemented by our Government gives us more cause for action now than every before. We can no longer ignore what is happening. We can no longer ignore the fact that we are paying our taxes in ignorance of what our elected Government are doing, supposedly, on our behalf.

Of course, our Labour Government's Front Bench and Ministers deserve our support for the positive policies they are moving towards, and by no means do I personally doubt their motives. Of course, they are all honourable people. However, we must stand up for the basic principles of justice, fairness and simple common sense when they are threatened such as they are now.

For more than a century this Union has done as much as any other organisation to move forward the principles and policies of both social justice and natural justice for they are, in the end, one and the same.

I move this motion and ask Congress to vote in favour of it.

*(The Motion was formally seconded)*

## **LOCAL DEMOCRACY**

### **MOTION 277**

Congress recognises that the trend established under the last Tory government of limiting and controlling the role and powers of local government has under the present Labour Government only increased.

Congress calls upon the CEC to campaign for the restoration of the principle of local democracy, of local people, through the ballot box, determining local needs and local priorities.

**CONSETT 2 BRANCH**

*Northern Region*

*(Carried)*

SIS. R. CLEWES (Northern): I am a first-time delegate. I move Motion 277 - Local Democracy.

During the Tory years the GMB had a proud record of campaigning for public services and for local democracy. The GMB campaigned on the principle that local people, through the ballot box, have the right to determine what services they want and how they want those services delivered - by their council's own workforce or by a private company.

We expect to have to campaign against the Tories. We expected them to attack local democracy and to attack public service workers but, let's face it, this lot, a so-called Labour Government, are worse than the Tories. What with PFI, ALMO's and Best Value Reviews this Labour Government have privatised

more in eight years than the Tories did in 18 years. They have privatised education, housing, transport and social services. Every service has been subjected to the same attack.

Just in case some delegates in this hall have not cottoned on yet to what is happening, it is no secret that when Tony Blair talks about the need for public service reform he means privatisation.

The GMB during the Tory years campaigned for local democracy for local people, and that is what we want. We do not want central Government to run our councils. I urge you to support local democracy and to support Motion 277.

BRO. T. TELFORD (Northern): I am from the Wallsend Boilermakers' Branch. I second Motion 277: Local Democracy.

Conference, the Government are constantly lamenting that so few people vote in the local elections. Then the men in suits, in their think tanks, keep searching for new holy grails to encourage us to vote by postal voting, email voting and even voting in the supermarkets. So you will be able to get your baked beans and pass the ballot box all in the same aisle on special offer. Apart from the short-term marginal improvement and some catastrophes with rigged ballots, none of the new ideas have worked successfully. So here is an old idea. Stop interfering in the running of councils. Stop telling councils what they can do and cannot do and let local voters have the right to set their own priorities, and then voters will make the effort to vote on matters which affect them.

Support local democracy and support Motion 277.

THE PRESIDENT: I ask Mick Laws to speak on behalf of the CEC.

BRO. M. LAWS (CEC, Engineering): The CEC is supporting Motion 277 with the following qualifications. The GMB has consistently argued for increased local democracy knowing that the best interests of society are delivered when decisions are made at a local level by local people. The GMB has, throughout its history, campaigned for national governments to devolve their responsibilities down to the lowest level. That is why we welcomed the Labour Government's decision to set up a Scottish Parliament to and a Welsh Assembly. We do, however, realise that listening to the voice of the people does not always provide the result that you wish for. The GMB supported and was involved in the campaign for a North-East Regional Assembly. Such an idea was rejected by the people. We hope that one day it will come back for reconsideration.

The Tories attacked local democracy when last in power. They removed the power from local councils, centralising as many functions as possible at Westminster, thereby, effectively, disenfranchising working class communities. They opposed the

creation of the Scottish Parliament and the Welsh Assembly.

They also financially constrained councils with the threat of capping and imposing fines, which proved nearly as good as removing their functions altogether. We heard them at the last election calling for increased powers to be given to local governments. The call, I am sure, is as hollow as their commitment to public services. The Labour Government have devolved power to the Scottish Parliament and the Welsh Assembly. Those are steps in the right direction. Where the Government need to go further is to realise that they must release the shackles on the councils and thereby revive democracy at the local level. I move.

THE PRESIDENT: Does the mover accept the qualification?

SIS. R. CLEWES (Northern): Agreed.

*(Composite Motion 24 was carried)*

*(Motion 277 was carried)*

## TRANSPORT

### OVERCROWDING ON RAILWAYS

#### MOTION 313

Congress is disturbed to learn of the frequent overcrowding which is experienced by the travelling public on our railways.

Passengers often cannot find a seat on a train therefore forcing them to stand for part or the whole of their journey.

Congress agrees that this appalling situation is unacceptable and is in need of urgent attention and calls on the CEC to:-

1. Draw the plight of the travelling public to the attention of the Government.
2. Write to all GMB sponsored MPs seeking their support to put pressure on the Government to actively get this situation reversed.

103 MATLOCK BRANCH  
Lancashire Region

*(Carried)*

THE PRESIDENT: Just to remind Congress, Motion 314 - Public Ownership of the Railways - now forms part of Composite 35 and will be taken later this week.

BRO. F. SADLER (Lancashire): Congress, how many times must we keep drawing attention to the plight of the travelling public? Health and safety has been

tossed to the wind. The Disability Discrimination Act provisions have been tossed to the winds. The idea of comfort for the travelling public has been tossed to the wind. Members of the public, old people, children, the disabled, pregnant women, those with suitcases and prams, fall into the passageways and corridors on both commuter and high speed trains. Passengers have to stand for hours and hours in hope of a seat. People are transported around the country like a herd of animals.

Such behaviour is not good enough. We are human beings, not animals. This issue of overcrowding on railways has not been addressed. This issue will not go away. We need action and action now. Enough is enough.

Motion 313 calls on the CEC to draw the plight of the travelling public to the attention of the Government in the hope that action will be taken to alleviate the problem.

To back-up this hope, we ask Congress to write to all GMB sponsored MPs in order that they become involved and add their weight to this very important issue. Overcrowding on our railways needs sorting out now. I move.

BRO. M. TROUGHTON (Lancashire): I second Motion 313. Anyone in this hall who has travelled on the railways must recognise the problem of overcrowding on our railways. Year to year overcrowding and delays are an everyday occurrence. Year on year the problem is ignored. The price of travelling on the railways has increased drastically. We are told that the increases are to pay for the new rolling stock which is needed to alleviate the overcrowding. It is true to say that we pay but we do not see any results.

I was told by a colleague of mine who was travelling from London to Manchester, having attended a CEC meeting, that he could not get a seat and had to stand. Halfway to Manchester the buffet trolley came round and he was asked if he wanted anything. I have had to censor his answer somewhat. He said that a seat would be nice. The assistant laughed at him and he moved on. Colleagues, the situation is not funny. To pay for the privilege of standing for more than three hours is an insult. Such a situation should not be tolerated.

Overcrowding on the railways must stop.

## **TRANSPORT**

### **MOTION 315**

Congress recognises that transport policy in the UK remains under funded and uncoordinated.

Whilst the Government would prefer the public to use more public transport and reduce the use of private cars, in many communities public transport is either too expensive or non existent.

Congress calls upon the Government to introduce a Transport Bill to regulate public transport services and to provide funding to local authorities to ensure the provision of clean, modern, safe and affordable public transport.

**HARTLEPOOL 2 BRANCH**  
*Northern Region*

*(Carried)*

BRO. T. TELFORD (Northern): I move Motion 315: Transport.

Day in and day out the Government are constantly telling us about the benefits of public transport. They tell us about the damage caused to our planet and our environment by the polluting emissions from too many cars and about the crippling effect of congestion on our towns and cities.

Motion 315 clearly lays out the actions that the Government need to take to improve public transport. Fine words are not enough. The Government need to take decisive and positive action to support public transport.

The last Tory Government destroyed our public transport system. Today, the Government talk about public transport but in reality the system is a private service run for profit. Services are expensive and only operate where companies can make the most money at peak times and only in areas of high demand.

The time has come for the Government to put their money where their mouths are and to regulate public transport and to stump up the money to local authorities to provide clean, high quality, reliable and comprehensive public transport. I urge you to support Motion 315.

BRO. K. YOUNG (Northern): I second Motion 315 on Transport. In yesterday's newspapers the headlines told us that the Transport Secretary, Alistair Darling, is considering the introduction of road pricing. The aim is to reduce congestion. The aim may be a good one but for it to work there has to be an alternative means of transport to that of the private car. Motion 315 sets out that alternative. Local councils must be given the funds and powers to improve public transport. There is no other alternative. I urge you to support Motion 315.

THE PRESIDENT: I now put Motions 313 and 315 to the vote. The CEC is supporting.

*(Motion 313 was carried)*

*(Motion 315 was carried)*

## **WELFARE RIGHTS & SERVICES**

### **SOCIAL SERVICE CARE HOMES**

#### **MOTION 317**

Congress calls on the GMB to oppose the current Labour Government on the sale and transfer of residential care homes from the public to private sector on the grounds of cost.

**B43 BIRMINGHAM CITY GENERAL BRANCH**  
*Birmingham & West Midlands Region*

*(Carried)*

BRO. D. KEMPSON (Birmingham & West Midlands): I move Motion 317: Social Service Care Homes.

In moving this motion who would have thought that the United Kingdom is in the world's top five richest nations, yet we see on our TV screens almost every evening senior citizens, who are approaching 100 years of age, being pushed from one home to another or lying in hospital corridors for hours, sometimes days, and it is all down to cost.

We read of local authority homes being closed on the basis of not meeting the standards. Then we heard of private sector homes being closed through a lack of proper funding from local authorities and central Government.

We could, I am sure, stand at this rostrum all day giving examples in every region of our Union to the very bad way in which our senior citizens are being treated by local authorities and the Government. This motion is calling on the GMB to campaign to remove the injustices that I have just outlined. I move.

*(The motion was formally seconded)*

**CARE FOR THE ELDERLY**

**MOTION 318**

Congress notes that the current inspection regime of residential homes for the elderly is too bureaucratic and lacks teeth. Congress recognises that decent pay and much better training for staff are a pre-requisite for securing an improved care regime. Conference notes with concern the closure of local authority homes and their replacement with homes in the private sector. Furthermore it is vital that all those of pensionable age should receive free and regular access to the health service including regular checks covering dental health, vision, hearing, chiropody, diabetes, prostate and breast cancer screening. Conference believes that the Carers Allowance should be paid in addition to any state pension individuals may receive in recognition of the valuable work they do in caring for many vulnerable members of our society.

**GLASGOW NURSES APEX BRANCH**  
*GMB Scotland*

*(Carried)*

SIS. K. McINTYRE (GMB Scotland): We all know of the

present media reports on residential homes for the elderly. Improved care for the elderly can only be delivered by a well-trained and highly skilled workforce with decent terms and conditions. The growth and closure of local authority homes and their replacement with private sector homes should be noted with concern, with all the problems and standards being reduced, which we know of.

In reality, inspectors spend more time looking at the written policies and guidelines rather than observing hands-on care.

Furthermore, vital to the health of those of pensionable age is that they receive free and regular access to the Health Service, including checks covering dental health, vision, hearing, chiropody, diabetes, prostate and breast cancer screening. Some of the recent media reports of the elderly not receiving treatments and/or medication is deplorable.

For years the caring profession was seen as a job which could only be performed by women, who are natural carers, who needed no training, especially in the care of the elderly. We need to ensure that training and qualifications coupled with a decent living wage should be paid in addition to any State provisions that individuals may receive.

It is important that carers need to be recognised in recognition of the valuable work they do in caring for many vulnerable members of society and the fact that home carers make a huge contribution by saving some elderly citizens from residential care. Please support.

*(The motion was formally seconded)*

**SECURITY OF TENURE**

**COMPOSITE MOTION 29**

*(Covering Motions 319 and 320)*

**319 - Security of Tenure (Midland & East Coast)**

**320 - Security of Tenure - Residential Homes (Midland & East Coast)**

Congress, this Conference calls upon the GMB to seek the support of the wider Trade Union movement to campaign for the Labour Government to implement legislation that will provide Security of Tenure for all elderly people in receipt of residential nursing accommodation on the same basis as those people who reside in council property.

Congress is concerned by the fact that with the escalating loss of beds due to home closures within the private care sector, residents are evicted with just six weeks notice. This is allowed to happen because unlike other people who rent their homes, this category of people

are not covered by the Rents Act.

Recently, a legal challenge on behalf of such residents under the Human Rights Act was lost in the High Court.

In view of this, Congress believes that the treaty of Amsterdam, which supposedly outlaws discrimination, should be implemented immediately, and the wording must be challenged and Article 13 amended to incorporate all our citizens. Therefore, Congress calls upon the CEC to action this at every political level it has available to it.

*(Carried)*

SIS. E. BLACKMAN (Midlands & East Coast): President, I can recall early in the late 1980s as the secretary of the employees' side of a local authority's JCC strongly objecting to that authority's decision to change the criteria for clients accessing the home care service. In future, home care assistance would only be provided for those clients needing a mixed package of care; i.e., personal care and some light domestic assistance. Calls that were solely for cleaning and/or shopping would be gradually phased out.

Interestingly enough following that meeting, one of the social service's assistant directors who was present agreed with my assessment of what was likely to happen in the long term as a result of that change, but he did not have the guts to say so in the meeting. To say that that change in policy was misguided is the understatement of the year.

People who could have and should have remained with dignity within their own homes were forced into residential accommodation because of the lack of domestic assistance and support. Nor is it a coincidence that since the late 1980s there has been a decline in local authority residential provision, combined at the same time with a phenomenal growth in the numbers of private elderly persons' residential accommodation.

I am sure it will come as no surprise to delegates that, in the main, the private sector staffs are invariably under paid, over worked and poorly trained, and because of the inadequate system of registration and inspection of care homes, a disturbing incidence of abuse of older people has been emerging.

Today that bubble has burst and it has been estimated in a report prepared for the Joseph Rowntree Foundation that residential and nursing homes are currently under funded by one billion pounds a year. So it is hardly surprising, is it not, that in the last few years nearly eight hundred residential homes have closed with a net loss of some ten thousand beds? This is occurring at the same time as some 80% of older people, who are wanting to remain in their own homes for as long as possible,

struggle to do so because local authorities have cut back or increased charges on those services that would enable individuals to receive care at home. As a result, more pressure is put upon the millions who act as carers for older people, many of whom are pensioners themselves.

With the escalating loss of beds due to home closures residents are evicted with just six weeks notice, resulting in many premature deaths through the stress caused by their eviction and all that follows. This is allowed to happen because, unlike other people who rent their homes, this category of people are not covered by the Rent Acts. Therefore, it is common practice for such residents to be housed on a contract giving them a six weeks eviction clause which everyone seems impotent to do anything about, or there is a lack of political will.

The much heralded Human Rights Act is no help following a decision in St. Helens. After the hearing of that court case in St. Helens, my Union organiser began searching for another legal tool in which to challenge this inhuman state of affairs, which he thought he had found in Article 13 of the Treaty of Amsterdam. However, trying to interpret such a Treaty proved difficult to advice was taken from our Brussels' office, which to our discuss advised us of the following: Article 13 of the non-discriminatory article exists to prevent discrimination and to ensure equal treatment to anyone on the grounds of religion, disability or sexual orientation, but there is a delay on age, which comes into effect next year. However, even worse is the fact that it will only apply to those in work. Therefore, it will still be legitimate to discriminate against old and infirm people who, through no fault of their own, have to live in nursing or residential homes. As the Act calls for equal access to and the supply of goods and services which are available to the public, including housing, transport, culture, leisure and sport, this would have given residents some protection but as it is proposed that the Act will apply only to those in work, old and infirm people will be left unprotected.

I believe, and so does my region, that Article 13 must be challenged and amended to incorporate all the citizens of Europe. Please support.

SIS. C. CLARKSON (Midland & East Coast): I second Composite Motion 29.

President, as the mover has already indicated, residential and nursing homes are currently under-funded by one billion pounds a year, and whilst my region has some sympathy with the beleaguered private sector, what we find totally unacceptable is the fact that evictions and transfers of elderly residents to other locations causes suffering and even death. The quality of life in many homes is shocking, often with few opportunities to remain active.

Our former senior organiser, Keith Moore, is involved with an action group in Goole. He tells me

that following the closure of a residential home the closure not only resulted in staff being sacked but the loss of vital skills and forty elderly people were thrown out of what was their home, and within days a 103 year old woman was dead. She has since been followed by six more former residents. My region claims that this situation is not uncommon. It is not an isolated case. Such evictions become even more unacceptable when one realise that the Government are happy to spend more than twice as much per week on a prisoner than it does on an elderly person in care.

The home in Goole will soon be re-opened to deal with prisoners with mental illnesses. New Government guidelines ensure high standards of education and rehabilitation in prisons which means that a criminal costs the taxpayer an average of £691 a week compared with £302 which a local authority pays to look after an elderly person.

I have never subscribed to the views of the “hang ‘em and flog ‘em brigade”, but I believe in the rehabilitation and care of prisoners. However, I will be damned if I will put the interests of prisoners before the interests of our vulnerable elderly. They deserve better from us. How many more deaths will it take, colleagues, before this Government act to stop these elderly evictions and other outrages committed against our elderly citizens. Such outrages demand action.

## **COMMUNITY CARE AND PENSION BILL**

### **MOTION 321**

Congress, this Conference calls upon the GMB to seek the support of the wider Trade Union movement to campaign for the Labour Government to implement a Community Care and Pension Bill providing free personal care to the elderly by the end of 2007 at the latest.

**GOOLE BRANCH**  
*Midland & East Coast Region*

*(Carried)*

SIS. E. BLACKMAN (Midland & East Coast): Traditionally, most community care was delivered by the local authorities in the form of a home help service and community homes, but since the late 1980s massive changes in that area have taken place. What has happened is that the local authority provision has really declined. At the same time, we have witnessed a mushrooming of care in the private and voluntary sectors.

It would appear from a client’s point of view that everything in the garden was rosy until one realises that recent research has suggested that some 80 per cent of people, as I have already said, want to remain within their homes but cannot do so because the local authorities have cut back on domestic support. Where the support is available the charges are an

absolute bloody disgrace. It is a post code lottery of charges. In fact, the National Audit Office has told local authorities to get their bloody acts together and let’s get a standard charge throughout the UK.

Since October 2001, under the new Health & Social Care Act, nursing care is now provided free to all, whether they are in a residential, nursing home or at home, however the strict definition of what is “nursing care” is “time spent by a registered nurse on providing, delegating or supervising care in any setting”. This definition not only creates an artificial dividing line between what is and what is not nursing care, but it also arbitrarily means that some illnesses qualify for the free personal care whilst others do not. Surely, colleagues, this situation is inherently unfair. In effect, a person can have Alzheimer’s yet does not qualify for personal care. Colleagues, that situation is totally unacceptable.

My region believes that the concept of care within the community is a worthy aim and far too important to be left to the vagaries of the marketplace. We demand that the days of laizez faire community care provision be over because we believe that aid for day-to-day living should be provided free of charge to all those in need.

We believe that if community care is to be effective, governments and local authorities must accept that community care is about providing free personal care such as washing, dressing and assistance with feeding for service users, but it also means providing practical domestic assistance.

We remind Congress that the sentiments expressed in this motion will have been endorsed by the Retired Members’ Association at their conference last year. It was also recently endorsed by the National Pensioners’ Convention. It will also be a cornerstone of the Pensioners’ Charter, which is being accepted this week in Blackpool.

Whilst I am still at the rostrum, I would ask you all this question. Why the hell haven’t you affiliated your branches to the RMA, because the biggest challenge facing all people today is the pensions crisis. We need to build bridges between those in work and those who have retired. Please support.

BRO. P. DAVIES (Midland & East Coast): I second Motion 321.

President and Congress, local authorities throughout the UK still have responsibility for care of the elderly. They may not deliver it but they do facilitate it, manage and pay for it. It comes under the umbrella of social services. I have to say that clients are means tested. That means test can often look at a couple who have been married for fifty-five years and treat them as single for the means test. In our branch we have a welfare rights officer who work for the city local authority and he has recently exposed within that local authority the fact that when it comes to challenging these means tests - he is employed to do so by the same local authority - he

has been told to pull his neck in and not to upset other local authority departments. He is discovering that there are hundreds of thousands of pounds of maladministration within our local authority.

Clients can challenge the means test and the level of care they receive. When he asked the question, "How much care is provided for the bills that the local authority were paying?", nobody could give him an answer. He was told that he was not to unsettle the departments and he was not to dig too deeply. The true cost of charging and means testing is an absolute bloody shambles and it is not restricted to Nottingham City or Nottingham County Council. It is time we reviewed this situation, legislated for it and delivered care which is free at the point of delivery. Please support.

## **CARERS ALLOWANCE**

### **COMPOSITE MOTION 30**

*(Covering Motions 322 and 323)*

#### **322 - Carers Allowance (London Region)**

#### **323 - Care Allowance - Payment to Carers (Southern Region)**

This Congress demands that the Government review Carers Allowance and start to value the contribution Carers make.

The review must:

- i) End age discrimination, why when you reach the age of 65 should you lose Carers Allowance.
- ii) Those in receipt of Carers Allowance should receive Cold Weather Payments.
- iii) Women who give up work to Care must be treated fairly.
- iv) Carers Allowance is only £44.35p a week. Even if the Carer only did 37 hours a week this is £1.20p an hour, a quarter of the minimum wage. The rate must be increased.

Congress calls for an approach to the Minister of Works and Pensions as it is outraged at the decision to restrict carers to earnings of £79.00 a week to obtain £44.00 a week Carers Allowance.

*(Carried)*

BRO. M. HOLLAND (London): President and Congress, when I was asked to speak on the carers' allowance, I knew nothing about this benefit or the way in which carers were treated. We are talking about a section of society which spends a minimum of 35 hours a week looking after somebody. Anyone of you in this room could find yourselves as a carer, and what would you get? I will tell you.

The Government, in their generosity, will give you £45.70 a week for a minimum of 35 hours. That is a maximum hourly rate - I am talking of the maximum - of £1.24p per hour. What happened to the minimum wage?

If you are caring all week for, say, roughly, 160 hours, that works out to about 28 pence an hour. Carers are allowed to earn up to £82 a week without it affecting their Carer's Allowance, but when they become a pensioner they receive no Carer's Allowance. But do they retire from being a carer? I do not think so. That is a drop in income for most, but if your pension is below the £45.70p carer's rate, they will make it. We do value people, don't we?

Carers are on a low income but they cannot claim the Cold Weather Payment, but pensioners, regardless of whether they work or not, get this payment. This means that carers are discriminated against prior to retirement but once retired they can have the equivalent of the Carer's Allowance plus cold weather payments. Where is the fairness in that?

Carers save the Government thousands of pounds in caring costs. Why can't these people be paid? Let us take away the discrimination and let us take away the bias. Let's introduce a quality and fairness and let's build a society that cares.

This Congress demands that the Government review the Carers Allowance and values the contribution that carers make. I move.

*(The composite motion was formally seconded)*

THE PRESIDENT: I call June Minnery to reply on behalf of the CEC.

SIS. J. MINNERY (CEC, Public Services): President and Congress, the CEC is supporting Composite 30 but with a qualification on the age discrimination point in Motion 322.

Social Security benefits are complicated. The Carers Allowance is paid only to some carers. Not everyone who provides care gets it. To claim the allowance, carers must provide care for at least 35 hours a week and caring for someone who gets a specified benefit. It used to be the case that you could not claim the Carers Allowance for the first time once you were 65 or older but, and there is always a but, if you had been receiving the benefit before you became 65 you could continue to get it for the rest of your days, but not if you had an entitlement to the State Pension. You could only get one benefit, not both, due to the obscure overlapping benefits rule.

This rule means that our older citizens, who are mainly women, who are saving the State billions of pounds every year on providing personal care free of charge.

In October 2002 the operation of this rule was abolished so the age discrimination point no longer applies. You can now claim the Carers Allowance no

matter how old you are, be it 75, 80 or, God forbid, 95, but you are not guaranteed to get it because of the overlapping benefit rule still applies. If you are on Income Support and you receive the Carers Allowance, you will be no better off financially. As the movers have said, those lucky enough to qualify receive the princely sum of £45,70p. Most of you spend more than that in one night at Congress. If carers have any earnings above £82 they get nothing due to yet another obscure rule - the lower earnings limit rule.

These motions expose a benefits system in urgent need of reform. It is about time that the welfare benefits system became fit for purpose to meet the needs of all of our citizens. Please support Composite 30 with the qualification on the technical point on age discrimination.

*(Motion 317 was carried)*

*(Motion 318 was carried)*

*(Composite Motion 29 was carried)*

*(Motion 321 was carried)*

*(Composite Motion 30 was carried)*

THE PRESIDENT: Conference, I am alerting you that we may be taking some of Thursday's work later this afternoon. We have alerted the parties. I refer to Composite Motion 25: Racism, Fascism and the BNP. Does Congress agree? *(Agreed)*

## **CHILD SUPPORT AGENCY**

### **MOTION 324**

This Congress demands that the Government be lobbied by the GMB to change the way the CSA works and put the child first not the Chancellors pocket.

**ESSEX PUBLIC SERVICES BRANCH**  
*London Region*

*(Carried)*

BRO. M. HOLLAND (London): I move Motion 324 on the Child Support Agency.

The Child Support Agency was set up in 1993. It was not established for the benefit of children but it did reduce the benefits paid out by the Conservative Government. It was changed in its early years to stop fathers from committing suicide. This Government are trying to change the rules again, although maybe for the better, but the incompetence of the chief executive is unbelievable.

The Select Committee that is looking into the Child Support Agency damned the CSA's failures yet the chief executive says the CSA is not failing. The Select Committee said in its report: "The failures to

reach Ministerial targets are totally unacceptable".

In the opinion expressed by those one parent families who were represented it was said that this was nothing less than a severe breach of trust. This means that millions of pounds owed to children have not been transferred to those who need it and it has had a detrimental effect on the Government's child poverty targets.

You may think to yourselves, "What has it got to do with me?" I will tell you. It is costing money in tax and you don't even know it is happening. The CSA collected in 2003/2004 £601 million. The sum of £447 million went to parents for care, but £144 million went to the Department of Works & Pensions, leaving £10 million unaccounted for.

The CSA bought a computer system from EDS of America to try and improve the situation. It does not work. Furthermore, the CSA has tied itself into a £456 million contract. The CSA is, effectively, paying £1 million a week to EDS. What is the cost of this incompetence? It is £323 million, and you, the taxpayer, are paying for it. That is in just one year. This means that for every £2 collect, it costs £1 in administration.

To make a comparison with Australia, for every \$8 they take, it costs \$1 in administration. In Australia the authorities build and maintain relationships with both parents and the Australian Government passes 100 per cent of the money it receives through to the children. It is acknowledged that, in Australia, child support supports children.

In the UK the system is failing the very people who it was designed to benefit, and they are our children. For too long the Agency has not supported children and it is biased towards the Government saving money on benefits. Just look at working mums who are ignored by the Agency before they claim benefits, but as soon as they claim benefits they are helped. Absent fathers, as they have been called, are stripped of their finances for years and so cannot treat their children in a way that normal fathers can.

The CSA is often a destructive force when families break up and has direct impacts on our children. This issue affects many of our members.

This Congress demands that the Government stop the misuse of public money and change the way that the Child Support Agency works so that it supports children first. Put the child before the Chancellor.

*(The Motion was formally seconded)*

## **INCAPACITY BENEFIT**

### **MOTION 325**

Congress finds it incredible that the current Labour administration has introduced changes to the regulations that require those who are

employed but off work on certified sickness to undertake a personal assessment (the all work test) in order to continue to receive Incapacity Benefit and calls upon the Government to reverse this situation to allow those who find themselves off work on long term sick to continue to receive benefit.

**SOUTHAMPTON NO. 1 Z42 BRANCH**  
*Southern Region*

*(Carried)*

BRO. B. HULLEY (Southern): I move Motion 325: Incapacity Benefit.

It is appalling and disgusting that a government which calls itself Labour has introduced regulations that require those who are employed but off work and on certified sickness to undertake a personal assessment (the all work test) in order to continue to receive Incapacity Benefit. Let this GMB Congress put pressure on the Government to reverse this situation, to allow those who, unfortunately, find themselves off work on long-term sickness to continue to receive the help they deserve and should have. Please support this motion.

SIS. C. FALCONER (Southern): I second Motion 325. I believe that when people are off work sick they have enough problems in trying to get better or well enough to return to their workplace without the added disadvantage of having their income cut off when the employer does not pay. You then turn to the Government for help. The Government do not pay because they say you are working. This means that you cannot afford the medicines you need to help you to get better or to enable you to buy the proper foods that you will need to help you recover so that you can return to work. If this situation is true when you are on short-term sick leave, how much more important is it when you are on long-term sick leave?

I urge Congress to support Motion 324. I second.

## **SICK PAY**

### **MOTION 326**

This Congress agrees that in the recent past we have seen employers attacks upon company pension schemes. It now appears that they are moving their attention towards sick pay. We have seen employers cut sick pay for the first few days of absence, intimidate and bully workers not to go off sick by way of constant interviews and home visits. Now we see discussions taking place which may result in the issuing of sick notes to be decided by Company doctors and occupational health professionals. Congress therefore requests where company sick pay schemes pay full wages these should be defended and every effort should be made to

extend full sick pay across the section.

**BASILDON BRANCH**  
*London Region*

*(Carried)*

BRO. M. MURPHY (London): I move Motion 326. Congress, to some employers today's target is company sick pay agreements. Among the tactics used are no payment for the first few days or rolling years together, with other aspects including the verification of sick certificates by company doctors and occupational health professionals. This is a two-pronged attack, not only to save money but it is also a form of intimidation to prevent people from going sick, however sick they are.

Sick pay schemes only came about as the result of years of negotiation and were often offset by other factors. It would be criminal for us to accept that this vital part of the employment package should be subject to clawback or be devalued by unscrupulous employers. We know that there are enormous problems, both for individuals and the NHS as a result of people delaying or denying themselves medical help for all kinds of health problems, both physical or psychological, including muscular problems related to severe back problems.

These are the very issue picked up by the Right-wing press, who attack workers with genuine problems, with unscrupulous employers in the Right-wing press feeding off each other producing to the detriment of our members at the very time when they should be benefiting from good sick pay schemes.

As the motion says that our agreements need to be defended with every effort made to extend them across every industry. Thank you.

*(The motion was formally seconded)*

## **INCREASE STATUTORY PATERNITY PAY**

### **MOTION 327**

This Congress agrees to campaign for an increase in Statutory Paternity Pay to a minimum of £270 per week or 90% of earnings if they are less than this.

Whilst the introduction of the Legislation was a welcomed improvement, steps now need to be taken to further improve these rights. Currently, many qualifying fathers are unable to take paternity leave as this would lead to a substantial reduction in earnings over the period of leave.

**SECURICOR 1 BRANCH**  
*London Region*

*(Carried)*

BRO. P. MEDDES (London): I move Motion 327:

Increase Statutory Paternity Pay.

For many years this Government have helped fathers by giving unpaid paternity leave. This issue needs to be addressed. I believe that fathers find the current situation very hard to deal with financially. Some fathers have to take their holidays as paternity leave because of the financial cost. I ask Congress to support the campaign for an increase in statutory paternity pay to a minimum of £270 per week or 90% of their wages which would help their families and the families' incomes when new arrivals join their families. Thank you.

BRO. K. ROBERTS (Southern): This is a bit of a surprise to my regional secretary because he does not know that I am going to speak this afternoon. I want to second Motion 326.

In January of this year I was knocked over by a vehicle in my employment as a school caretaker. My knee cap was dislocated and I have been off work since that day, which was January 24th, and I am still off work. I have been signed off for a further month by my doctor. I have seen Occupational Health twice, by two very good professionals, as my doctor is a very good professional. I am leaving here tomorrow morning to visit an occupational health consultant to talk about my knee.

In all of the discussions I have had with my doctor, the occupational health nurses and, no doubt, the one I will have tomorrow, everyone has stated that I am fit to resume work or fit to return to work. I agree. I am fit to return to work, if I can sit down or if I can go back to work and lock and unlock the school. It was not until I explained my duties to the occupational health consultant and my doctor, never mind the company doctor, that they realised that of a list that long, I could do that. I am going to lose my job because of it and I will lose my house as a result.

I think it is very important that we look very carefully at this situation and that we add our support. We ask that this motion be supported. If we must have professionals examining us, we must make sure that we are protected by the continuance of our sick pay and that we support anyone who will be put into a similar situation to that which I will be. Obviously, our members will need the support of Congress.

THE PRESIDENT: We wish you well tomorrow. Good luck.

## **NHS DENTAL PROVISION - RURAL AREAS**

### **MOTION 328**

This Congress calls on the Central Executive Council to apply the necessary pressure to Central Government, Local Government and Assemblies to encourage NHS Dentists to locate

rural areas of Britain.

**COUNTY OF POWYS BRANCH**  
**South Western Region**

*(Carried)*

BRO. I. WILLIAMS (South Western): Moving Motion 328: NHS Dental Provision in Rural Areas.

This motion is not dealing necessarily with the lack of dentists in rural areas, although it forms the main thrust of the motion. Living in a rural area may appear to be idealic if you are young and a two or three car family with the mobility that such a lifestyle affords. However, stop and think for one minute about the elderly person or the disabled person who may not have access to a car when there is not a regular and integrated public transport service to enable this group to get in and out of urban and city locations to find a dentist of their choice. All levels of Government must become more pro-active in their approach to the way in which they encourage dentists to set up practices in rural areas.

Financial packages must be put in place to encourage and support them in order to discourage them from opening private rather than general dental practices in rural areas.

In supporting this motion, Congress has to be reminded of the reaction by individuals following some types of treatments, particularly extractions, where they may not feel fit enough to face a long car journey home.

The South Western Region is asking you to support this motion. We want and expect more than sympathetic applause. We want realistic support and commitment from Government in returning a basic right to those who choose to spend their lives living in rural areas. I move.

*(The motion was formally seconded)*

## **APPEALS PANEL**

### **MOTION 329**

Congress believes that Appeal Panels like DHSS, Criminal Injuries, Incapacity etc and Magistrates Courts are not made up out of a cross-section of members of the Public. Congress asks the Government to put this right.

**177 TYLDESLEY BRANCH**  
**Lancashire Region**

*(Carried)*

BRO. D. HOPE (Lancashire): Have you ever needed to go for an appeal, be it at the DHSS or to Criminal Injuries, or, if you have been a bit naughty, have you ever had to go to a magistrates' court? If you have, you know what this motion is all about.

I am not being sexist now. Have you ever seen a bin man on a magistrates' bench or, Mary, a dinner lady on a Criminal Injuries Appeal Panel? They are

more likely to be shopkeepers or business people or, in the case of the Criminal Injuries Appeal Panel, they are more likely to be ex-QC's, Lady this and Dame that.

In a recent Criminal Injuries Appeal Panel case that I attended, it involved a guy who was about 70 and this Dame looked older than he was.

In my case, I won my appeal but they reduced my offer by 75%. Why? In my case it was a very serious sexual assault. I was drugged and it took me three days to realise what had happened. That is why they reduced my offer because she had no idea was a date rape was; none at all.

I asked for a written report on the decision, she wrote in her report that I knew what type of club it was and the type of people who frequent those types of clubs. That is what she actually wrote. I wrote back to the chief executive of the Criminal Injuries Appeal Panel to clarify what was meant. The chief executive of the Criminal Injuries Appeal Panel wrote back to me telling me that he would no longer talk to me. He says he has told me enough. These people are completely out of touch with reality, never mind anything else.

Congress, please support this motion and let us get some proper folk on these benches. I move.

BRO. D. LANCASTER (Lancashire): I wish to second Motion 329. A big shake-up is needed at Appeals Panels. For too long now the panels have been made up of Ladies, Lords and the like. For a start, we actually need people on those panels who have a pulse and are up-to-date with current social issues. Maybe then people will get justice. I urge you to support this motion.

BRO. P. WHITELAW (GMB Scotland): I am going to speak in general on the various motions which we have been discussing during the past half-an-hour or so.

I am a welfare rights officer in West Dumbartonshire so I know quite a lot concerning what has been spoken about, in particular the Appeals Panels. There used to be trade union representation on them in the Glasgow area. Trade union representation has been done away with on those panels in assisting general people from any walk of life.

On the subject of Incapacity Benefit, the speaker earlier on was quite right when he spoke on the medicals he had to go through. There is a points system whereby you have to obtain either 15 points for physical disabilities or ten points for mental health disabilities or a combination.

Prior to 1995 it was called Invalidity Benefit. If the doctor who examined stated that you were fit for work, the DHSS would name the type of jobs that you could do. That system has been done away with. We now have a points system.

Finally, in West Dumbartonshire a joint project in

existence between the GMB and the council where we are looking at retired members and claims for industrial injuries benefits. Here the Government are looking at reducing the earnings allowances, the attendance allowances and the disability living allowance. They do not need to be over 65 years of age but they must have had to retire due to ill-health. Myself and Tommy Gorman are preparing a report on that subject. Tommy Gorman is going to speak on asbestos at a fringe meeting on Thursday lunchtime. We are hoping to hand the report to the GMB Scotland after the Congress. Hopefully, in the future, it may be something that other regions could take on board. It is a great thing for your members. Honestly, all of your members cannot be working all of the time, so some will be in retirement or, due to ill health, they will have had to retire early. Thank you.

BRO. J. ROBERTS (Lancashire): I would like to make a comment on the Appeals Panel and to ask your support for this motion. When people are looking for school governors, we know what people are talking about when they are a school governor, but on various other committees they ask the normal man in the street if they would like to join in a voluntary capacity. He has the same rights as everyone there. However, when it comes to the Appeals Panel, it seems to be staffed by hand picked professionals. It is okay to run our education system by amateurs with professionals joining in.

Conversely, what happens with the Appeals Panels. It is professionals versus amateurs. There is no one on the panels from our side of the fence. It is them versus us. We might not like having them and us situations, but on the Appeals Panels it is just them. We are just there to be shot at.

THE PRESIDENT: Mick Ryan will speak on behalf of the CEC.

BRO. M. RYAN (CEC, Energy & Utilities): I am speaking on behalf of the CEC in relation to Motion 325. The CEC is supporting Motion 325 but with the following qualification, that Incapacity Benefit and the all-work test were introduced by the Tories, not Labour. This benefit was then exploited by the Tories to disguise the true extent of unemployment. Hardworking people and many GMB members, who were unfortunate to become sick, were dumped onto the scrap heap. They were left with neither help nor hope. Thousands of people, clearly too ill to do a day's work, were found fit under the all-work test by private sector doctors working on behalf of the DHSS. With their benefit cut, they faced the double indignity of being forced to become job seekers, knowing that their illnesses made them unemployable.

The all-work test was so rigorous that more than half of those appealed, and crucially were

represented, were found unfit for any work. The Labour Government started to reform the all-work test. The focus changed to what people could do rather than what they could not do. That was the big change.

Initiatives, such as the Pathways to Work pilots demonstrated the way forward. The Tories left people on this benefit for years without help. This Labour Government are taking positive measures to assist a return to work. That is the right approach. That is where most people want to be - earning a decent wage. The GMB will support this type of positive intervention, but we will oppose any move which unfairly coerces sick workers. There must be more carrot and less stick.

David Blunkett, please take heed of our President's speech. She means business.

The CEC asks you to support Motion 325 with the qualification that the Incapacity Benefit tests were introduced by the Tories.

*(Motion 324 was carried)*

*(Motion 325 was carried)*

*(Motion 326 was carried)*

*(Motion 327 was carried)*

*(Motion 328 was carried)*

*(Motion 329 was carried)*

## **RACISM AND FASCISM**

### **RACISM, FASCISM AND THE BNP**

#### **COMPOSITE MOTION 25**

*(Covering Motions 282, 283 and 284)*

#### **282 - Racism and Fascism (GMB Scotland)**

#### **283 - Anti-Racism (GMB Scotland)**

#### **284 - Branches and the BNP (London Region)**

Congress is concerned about the electoral successes of the BNP. The threat and growth of racism and fascism is a threat to all that the GMB stand for. The growth of the neo-Nazi right in Europe shows that the fascist threat must be met head on and not ignored.

Congress accepts a negative climate created by increasingly restrictive immigration and asylum legislation, a hysterical media campaign, and growth of Islam phobia, but rejects the scapegoating of asylum seekers and welcomed the introduction of Legislation to exclude fascists from Union membership.

We welcome the continuing work of the "Show Racism the Red Card" campaign and encourage all branches to embrace this initiative as a means of raising awareness and combating racism in the workplace.

This Congress believes, contrary to the view expressed by some, that Branches are the lifeblood of the union. Congress further believes that the branch structure, coupled with well-developed political links, is the key to beating the BNP in elections.

Congress calls on the Trade Union movement to:

- keep up the campaign against the BNP and other xenophobic and racist parties and candidates
- support, promote, and build alliances with the Black Community, and Religious Organisations across the UK to oppose the insidious activities of the far right into the fabric of our society.

*(Carried)*

BRO. C. ROBERTSON (GMB Scotland): I move Composite Motion 25.

It is apparent that most people know that the far right face a dilemma. They need to appeal to working class people in order to gain political power. One of the best ways of doing that is through the workplace. The British National Party requires unions to peddle their politics. The GMB is unequivocally opposed to the harmful effects of racism and Fascism. They are the enemies of the trade union Movement and the GMB stands for unity and the complete opposite to those of the far right. We should never underestimate the threat of the far right.

In the 2004 European and London elections the BNP received the highest vote ever for a Fascist Party in Britain and stood in more than one hundred constituencies at the General Election, which gave them maximum publicity to spread their message of hate. The BNP claims that immigration is harmful to the economy of the UK. The truth is that migrant labour makes a net contribution to UK taxation. If there were no foreign born people in the UK taxes would rise by one penny. The BNP claims that immigrants support terrorism, yet black and Asian community groups condemn 9/11 and recent terrorism attacks.

Experience shows that the BNP exploit situations of social unrest, not least during local and national elections. They target those who are living in and facing disadvantage and they force their racial hatred on them and breed fear. The BNP is aided by hysterical media coverage, media coverage which has particularly focused on asylum seekers and Muslims. Newspaper headlines have included calls to stamp

out camp travellers and prompted an inaccurate and unbalanced portrayal of asylum seekers and Muslims. Television helps to foster suspicion of hostility against the whole Muslim community. A recent televised programme entitled "Islam is a Timebomb" described Islam as incompatible with the basic values of Britishness. This climate makes violent racist attacks much more likely for black and Asian communities. This is hardly news as many are subject to subtle and, therefore, unreported forms of racism on a daily basis. Often it is a look of disdain or sometimes it is a shuffle away as if that person has a contagious or deadly disease. They all tell the very same story: "We wish you people weren't here".

Politicians should challenge and not appease and encourage racism. Concessions to racism fuel support to the Fascist British National Party, which calls for an all-white Britain, denies the reality of the Nazi Holocaust and racist attacks where it is active. The BNP is trying to present itself as a respectable Party.

Congress, when I hear the word "respect", I automatically think of the American civil rights Movement where "respect" was a key word. The respect that Martin Luther King demanded or the song which Otis Reading and Aretha Franklyn sang about was one of going cap in hand or dotting on social protocols, but it was about the inalienable right of what all people who are born equal are entitled to. The BNP is not a respectful Party. It is a Fascist Party. Its members seek votes on the basis of racism, Islamophobia, anti-Semitism, homophobia and the vilification of refugees and asylum seekers. But Fascists also stand for the expulsion of black and Asian people from our country, the destruction of our trade union Movement and the elimination of basic democratic rights.

We need to be on our guard to ensure that we expose the BNP's lies and deceit, and also that we do not fall for the simple solution that divides our trade unions, and we need to stand shoulder to shoulder with our members, both black and white. Together we must recognise and accept that all of us have the right to enjoy our own religions and to use our language without fear of discrimination.

I leave Congress with this thought. We have to renew our efforts, but at the end of the day dealing with this situation is an individual responsibility for us all. Whatever circumstances we find ourselves in, we must never turn our heads when we hear someone say, "The BNP has a point, doesn't it?" I move.

BRO. D. POLE (London): I am proud to second Composite Motion 25 on racism, Fascism and the BNP. I have to say that this is the second time that I have been called early to this rostrum in two days. I am sure it is not a personal conspiracy against me, but I have noticed it.

I would like to support the comments made most eloquently by my colleagues in GMB Scotland in

moving the motion.

Comrades, let us not mince words. The BNP is a Nazi organisation and, as such, the enemy of all progressive and democratic people everywhere. They are Holocaust denialists. Their membership is full of people with criminal convictions for racial hatred and violence against ethnic minorities. They create an odious stench wherever given the oxygen of publicity and they need to be confronted wherever they appear so that they can be driven back into the gutter where they belong. They did not achieve the electoral breakthrough they dreamt of this time. In several areas their vote was, worryingly, high, as a result of playing on false fears, dividing and turning people against each other. Although the BNP has several councillors throughout the country, most of them are totally inept. History shows that they can be beaten by raising awareness and combating them, not ignoring them, as tragically some people have done in the past.

Those of us who follow football - well, Leyton Orient, anyway - know the valuable work which has been done by Show Racism the Red Card. A feature in the current Searchlight confirms this. This organisation deserves our wholehearted support.

The BNP believes that football grounds are fertile places, but we need to make sure that they cannot recruit in the way they have done in the past.

Those of us in the London Region are aware and proud of the work done by GMB staff, officers, shop stewards and members in recent Dagenham by-elections when working with other activists they were primarily responsible for preventing the BNP from getting another council seat by canvassing, leafleting and taking the BNP on. By working with Searchlight, Unite and other magazines, they showed the real intentions of the BNP and how their members are no friends of the union Movement. By uniting all in opposition to Fascism in a united front, the BNP can be reduced to the lunatic fringes. Until that moment comes, we must continue to exercise vigilance and not duck issues when the BNP is around. History shows us that we could pay a terrible price, yet that is preventable if we follow the terms and wording of this motion. I beg you to support Composite Motion 25.

THE PRESIDENT: Does anyone else wish to come in on the debate? (*No Response*) Then I call Ron Waugh to speak on behalf of the CEC.

BRO. R. WAUGH (CEC, CFTA): The CEC wishes to support Composite Motion 25 with one qualification. The GMB and the trade union Movement can be proud of their history in fighting Fascism. They have fought and campaigned against racism and Fascism. The GMB has been at the forefront of that campaign in battling against those twin evils.

The composite is right in what it says, but the CEC would like to go further. It is not just the branch

structure that is the key factor in defeating the BNP. It is how the branches function and how the membership within those branches are engaged and involved. It is through well developed political links and active members that the GMB has become successfully involved in elections at all levels and to build relationships to combat the BNP.

We have good examples of how this has worked, and Barking and Dagenham is one of those good examples. They have shown that where the branch uses the strength of its membership to go into the community, you can take on the forces of the BNP and win.

The CEC wants to go further than just protecting the structure of the branches. We want them to be developed, increasing the participation of the membership and getting that membership engaged in politics.

In conclusion the CEC is supporting Composite 25 with that qualification.

THE PRESIDENT: Congress, this issue has been very important and high profile for the GMB to the extent that Paul Kenny has asked Mick Rix to head-up and spearhead a campaign against the BNP. I give you Mick Rix.

### **ADDRESS BY BRO. MICK RIX: THE GMB'S CAMPAIGN AGAINST THE BNP**

BRO. M. RIX (National Executive Officer): President and Congress, it is a great honour and privilege to be asked to work closely with a number of good people in the GMB and also those from the trade union Movement in making an effective and co-ordinated fight back, not just against the BNP who, through their politics of hatred and hopelessness, but also fighting the causes that create the BNP in our communities. By co-ordinating our activities, learning from our experiences and building from the great work that many activists in the GMB have already done -- for example, our colleagues in the Northern Region who have done some fantastic work in this region and, especially, in Sunderland - we are trying to thwart the activities of the Fascists in that area.

Our colleagues in Yorkshire have helped to spearhead a campaign in Keighley and Dewsbury and our colleagues in the London Region have fought a magnificent campaign in trying to limit the damaging effects which are taking place in Barking and Dagenham.

At this very moment a by-election is taking place in the Goresbrook Ward in Barking, an area that one would not consider suffers blight. It is an area which does not include that much social deprivation. However, there have been changes in the community where the hatred and politics of the BNP have allowed them to infiltrate. I think it is time to be a little honest about these issues. It is not just the

issue of defeating the BNP at elections. We have continuously to work, day in and day out, pushing for good policies of social change. We must take on the BNP in the workplaces and also transferring the good leadership and skills activity from the workplace into our communities by impressing our political representatives that it is not acceptable to have the same sort of social and living conditions which have existed for thirty and forty years and then to expect people, through blind loyalty, to turn out and vote for you year in and year out at election time. We have to move that politic on.

I believe that we have some tremendous policies. If we can knit them together, work together with the regions, build quality teams and organise on this issue, not only can we defeat the BNP but defeat the causes of the BNP. More importantly, we will rejuvenate political activism at a local level and we rejuvenate political participate of our members at the local level.

I want to make a serious point on what Gordon Brown said this morning. Gordon Brown made a speech and in that speech he was the first mainstream Labour politician to condemn publicly the BNP, the causes of the BNP and also congratulate our efforts in coordinating activities against them. I think that is a very welcome step in the right direction.

I would urge many of our other colleagues within the Party and at national level that if what Gordon said today was replicated by people from Downing Street and in other quarters, then it would give the impetus actually to mainstream this activity in the Movement. The point is that some people believe that anti-Fascist and anti-racist work is just the preserve of ultra-leftists within our Movement or indeed of race committees.

Anti-Fascist and anti-racist activities are the preserve of us all. There is a generation of people in this country who gave their lives and suffered terribly fighting Fascism and racism. We not only owe it to them but to the legacy that they created and the society that they helped build today, which we take for granted, that those causes which created Fascism in the first place and racism, are still prevalent. So it has to be a co-ordinated effort from all of us and from all sections of our Union. That, I believe, will bring the policies forward where not only will we beat the BNP, not only will we defeat the conditions and causes that create such groups like the BNP, but we actually rejuvenate and create a social dimension which our forefathers fought for in this Movement that can regenerate our communities and workplaces as well.

It is a privilege to be here and a privilege to work on this important exercise. *(Applause)*

*(Composite Motion 25 was carried)*

THE PRESIDENT: Congress, we have got through a

great deal of business today. I have a couple of announcements to make.

Please give your contact details to Personal Injury Lawyers at stall 10. Sign up for free legal briefings and updates by post and email and then to enter into a free draw to win a CD player.

Browell Smith, solicitors, are giving away four pairs of tickets for Newcastle United Premiership football matches next season. This includes one night's accommodation in a top Newcastle hotel. For more information, see a member of Browell Smith's from stands 31-32.

Colleagues, have a good night. I will see you at 9.30 tomorrow morning.

*(Congress adjourned)*