



Standing Orders Committee

Report No. Five

1. ORDER OF BUSINESS

Following consultation with Regions, the National Executive Council, the Self-Organised Groups, the National Young Members' Forum, the Private Contractors National Forum and the National Retired Members' Committee, the Order of Business for Friday afternoon is set out on pages 8, 9, and 10.

2. WITHDRAWALS

None further notified currently.

GREEN

UNISON NATIONAL DELEGATE CONFERENCE

19 – 22 JUNE 2018

ORDER OF BUSINESS

Motion	These items will be scheduled at the following times:	Notes
	<u>Friday 9.30 am</u>	
20	Protecting our Members and Growing in Private Contractors	
20.1		
20.2		Withdrawn
13	Organising and growing our membership in the Private Contractors and Community	
13.1		
	Speaker - Angela Rayner MP, Shadow Secretary of State for Education.	
	Return to Remaining Order of Business	
	<u>Friday 2.00-3.45pm</u>	
	Video – A Message from Jeremy Corbyn MP, Leader of the Labour Party.	
	Re-Prioritised Motions	
	<u>Friday 3.45-4.00pm</u>	
	Closing Session	

	Remaining Order of Business	
59	Privatisation and PFI – Building the Campaign	
59.1		
Composite C	Wholly Owned Subsidiary Companies (WOC's)	
Composite D	Universal Credit	
130	A CASE system for UNISON branches	If 130 is carried or lost 131 falls.
15	Better Training and Support for Branch Activists	
17	Work Related Stress and Mental Health Wellbeing	
17.1		
28	Mental Health Awareness in the Workplace	
34	Equal Pay	
32	Pay Up Now! - Real Pay Rises For All Public Service Workers	
32.1		
32.2		If 32.2 is carried 32.3 falls.
32.3		
105	Tackling Xenophobia and the Far Right	
105.1		If 105.1 is carried or lost 105.2 and 105.3 fall.
105.2		
105.3		
44	Dignity in Social Care, People Before Profit, Building for the Future	
44.1		
64	Public Service Mutuels: A Form of Privatisation	
64.1		

64.2		
14	Learning for the Future	
36	Pension Charges and Transparency	
121	Education is a Public Service	
121.1		
129	Branch funding	
129.1		
131	A national case system for UNISON	If 130 is carried or lost 131 falls.
18	Branch Treasurer Training	
38	Keeping public services at the top of the agenda in preparation for a snap election	
42	NHS Underfunding, Social Care Cuts And The Danger of STPs	
42.1		
42.2		
42.3		Withdrawn
42.4		Falls as 43 was lost.
57	UK Emergency Services Cuts - The need for greater coordination	
57.1		
82	Trump: Hands Off Jerusalem, Free Palestine Now	
82.1		
126	Looking After Our Carers	
9	Supporting digital organising in UNISON	
27	Mental Health and Employment	
56	Higher Education as a Public Service	
73	Ending austerity through progressive taxation	If 73 is carried or lost then 74 falls.

78	Triple-Lock on State Pensions	
93	Trade Democracy after the EU Exit We need to Stop the Deregulatory Trade Agenda	
110	English and Yorkshire devolution	
120	Hospital Car Parking Charges - A Stealth Tax	
26	Disability Leave Agreements	
40	End Winter Crisis in the NHS	
41	Social Care	
101	An end to sexual harassment at work	
104	Equal Marriage = Equal Widowhood	
109	Islamophobia and Prevent	
10	Using Digital Media to meet our objectives	
21	Effectively Representing members working across Service and Geographical Boundaries	
52	Cuts and the Council	
66	Campaign for Asylum Seekers Right to Work in the UK	
86	Free Abdullah Öcalan from 19 years of imprisonment	
128	Promoting the Political Fund and Defending our Political Voice	
23	Maternity Rights	
29	Apprenticeships	
29.1		
29.2		
29.3		

30	The importance of Health and Safety	
30.1		
37	Public Service Champions 2018/19	
55	The future of the Careers Service and Careers Professionals	
63	All Public Services Brought Back into Public Control	
63.1		
71	Working Together with Campaign Groups	
71.1		
112	Campaign for Climate Change Resilience Strategy and Funding for Climate Change Resilient public services	
61	PFI windfall profits tax	
72	Democratic Socialism	
74	Ending austerity through progressive taxation	If 73 is carried or lost then 74 falls.
122	Cuts To Our Safety Net	
122.1		
122.2		
50	Justice 4 Grenfell	
50.1		
87	Colombia	
16	Training for Stewards in sign posting members with mental health conditions	
16.1		
60	Campaigning For an End To Public Sector Privatisation	
60.1		
75	Robin Hood Tax	
102	Disability awareness	

127	Decriminalisation for safety	
65	Treating Terminally Ill People with Dignity in the Benefit System	
70	'The Total Eclipse of the S_N' Campaign	
79	Modern Slavery	
69	End period poverty	
94	A Trade Deal with the EU Should Not Limit Direct Provision of Public Services	
96	Defend Free Movement of People	
96.1		
107	Stand Up to Racism	
107.1		
Emergency Composite 1	Stop Trump	
Emergency Composite 2	Reproductive rights in Northern Ireland	
Emergency Motion 8	This Rail Chaos Must Stop	
Emergency Motion 9	Justice for the Windrush Generation	

REPRIORITISED MOTIONS FOR FRIDAY AFTERNOON

Motion	Title	
Composite D	Universal Credit	
Emergency Composite 2	Reproductive Rights in Northern Ireland	
	Video – Michael's Story	
Emergency Motion 9	Justice For The Windrush Generation	
Emergency Composite 1	Stop Trump	
Emergency Motion 8	This Rail Chaos Must Stop	
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EMERGENCY MOTIONS ADMITTED TO THE AGENDA

EMERGENCY MOTION 8 THIS RAIL CHAOS MUST STOP

On Sunday 20 May a new rail timetable came into force across the UK. What followed was an unmitigated farce.

With little or no consultation with customers or staff, train companies withdrew services, radically changed their timetables and routes. Overnight passengers found that they could no longer get to work on time or their regular train no longer stopped their local station.

Conference believes the events of the last month presents ourselves, other unions and politicians with a great opportunity. With private rail in the dock for its inability to

provide a service fit for purpose, there has never been a better time to start a campaign for a publicly managed and owned national railway.

Therefore we call on National Executive Council to:

- 1) To engage with the Labour Party through UNISON Labour Link, Campaign for Better Transport and other bodies to promote and develop workable practical plans for a properly accountable publicly owned and managed railway network;
- 2) To encourage and work with other unions, through the TUC, to run a vigorous and coordinated campaign, promoting the desirability of a public owned and managed railway;
- 3) Engage with and confront politicians at all levels, nationally and regionally, calling on them to speak out in favour of a transport system run for the benefit of the passengers and the country as a whole, rather than shareholders.

West Yorkshire Combined Authority and Transport

EMERGENCY MOTION 9 JUSTICE FOR THE WINDRUSH GENERATION

Conference notes that while the Windrush scandal has led to the resignation of Home Secretary Amber Rudd on 30 April 2018, the policies themselves are still in operation and compensation schemes will be delayed while public consultations are held.

Conference is appalled at the treatment that UNISON member Michael Braithwaite and other members of the 'Windrush Generation' have been subjected to. Many have been deported, detained, lost jobs, homes, savings and access to vital public services. Those affected came from the Commonwealth, responding to the call of the UK Governments in the post-war period to come and rebuild the country and our public services. Conference believes that inhumane treatment of commonwealth citizens, many of whom have been failed at the very point they should have been looking forward to a well-earned retirement, echoes the racism they have had to fight all their lives.

It heightens our resolve to challenge the institutional racism that humiliates, threatens and treats the 'Windrush generation' and the migrant people who followed in their wake, like second-class citizens in this country.

Conference is also deeply concerned that the Home Office is about to gain sweeping powers in the Data Protection Act to strip any migrant person or British citizen of their data protection rights whenever they use public services, if it is for the purpose of 'immigration control'. UNISON is disappointed that despite lobbying hard in the Commons, a cross-party attempt to prevent this failed narrowly on 9 May 2018. This exemption will restrict the rights of those affected by the 'hostile environment' effectively to challenge Home Office decisions, the very same right used by UNISON member Michael Braithwaite to successfully challenge the UK government.

Conference notes that on 10 May 2018 the government called for personal testimonies and evidence from affected people from the "Windrush Generation", in order to draw up a compensation scheme, with a further technical consultation to run over the summer. In the meantime, those affected will continue to experience great suffering. Conference believes that immediate redress must first take place,

including the release from detention of any facing deportation, the return of those wrongly deported, rights to legal aid and speedy and meaningful compensation not only for financial losses incurred but also injury to feelings.

Conference calls for an Independent Commission to review the workings of the Home Office and the legal framework of the 'hostile environment'. Parliamentary scrutiny over the past few months has exposed the fact that the Home Office knew before and after they implemented the hostile environment that it would result in problems for people legally resident in the country and for British citizens who did not possess certain documents. The Home Office's failure to heed multiple warnings, to monitor the impact of its policies and to follow its own rules has also been exposed.

Conference calls into question the operation of new immigration legislation since 2014 which has turned public sector employees such as nurses, doctors, teachers and teaching assistants into de facto immigration officers. Conference notes that landlords now face fines and liabilities for providing housing to anyone lacking documentation with the result that Black people now find it even harder to access decent housing. Conference notes that the offence of 'illegal working' criminalises vulnerable workers themselves and makes them vulnerable to the very worst employers. Conference asserts that this is a crisis created Theresa May during her tenure as Home Secretary and now as Prime Minister.

Conference believes that lacking sufficient documentation, as many members of the 'Windrush Generation' do, does not mean a lack of rights to reside, work or access public services. Conference believes that public service workers cannot be expected to act as immigration officials or make judgements about who is legitimately here or can access services if even the Home Office cannot. Conference notes that the Home Office themselves destroyed vital records held on the 'Windrush Generation', which should have supported their appeals and should have been preserved as a part of the cultural heritage and history of this country.

Conference asserts that trade unions must work to protect the rights of workers including migrant workers against exploitation from bosses, deportation and loss of access to public services such as health and education and all racist immigration controls.

Conference calls on the National Executive Council to:

- i) Campaign for the restoration of full rights for the 'Windrush Generation', Commonwealth British residents and their children arriving in the UK between the 1940s to early 1970s;
- ii) Working through service groups to support and defend affected UNISON members from job losses and detrimental treatment;
- iii) Campaign for the UK government to operate a 'fast track' stand-alone system to enable any of the 'Windrush Generation' to gain immediate citizenship rights free of charge, without citizenship test requirements, whether they are in the country or abroad, as soon as possible;
- iv) Campaign for rights to legal aid and full compensation for any losses incurred including injury to feelings;

- v) Campaign for an independent inquiry into the workings of the Home Office and the legal framework of the 'hostile environment';
- vi) Campaign against the 'hostile environment';
- vii) Work with Labour Link to ensure that the Labour Party adopts a rights based immigration policy, as a vital part of its mission to end the exploitation of all workers and particularly migrant workers.

National Executive Council

EMERGENCY COMPOSITES ADMITTED TO THE AGENDA

EMERGENCY COMPOSITE 1 STOP TRUMP

(Emergency Motions 1, 2, 3, and 4)

Conference notes with concern the invitation of the UK government to US President Donald Trump to visit Britain on 13 July.

Conference notes UNISON's consistent opposition to Trump and his regime, including our consistent financial, political and organisational support for the Stop Trump Coalition.

Conference believes that Donald Trump is a divisive bigot, who has used his position to attack women, Black people, disabled people, immigrants and public service workers.

Conference believes that Donald Trump stands opposed to all that UNISON and our members hold dear. He has sought to ban migrants from Muslim countries from entering the USA and encouraged systematic deportation of migrant workers, many of whom have lived and worked in the US for most of their lives. He is on record as describing the violent racist right, including the Klu Klux Klan as "fine people" and formerly included an open fascist, Steve Bannon, in his government. He has a record of sexual harassment of women of which he has bragged publicly. He has pushed through massive tax cuts for the wealthy, leading to cuts in the already minimal welfare provision for the poorest in the USA and the public services on which they depend.

Trump represents the opposite of the decent, humane values of community and public-service on which our union rests. His actions in pulling out of the Paris Climate Change Agreement and the Iran nuclear deal have made the world a less safe place. In the Middle East Trump has poured oil on the flames of conflict by moving the US Embassy in Israel to Jerusalem in a calculated provocation to the Palestinian people. Under his leadership, the US has instigated a trade war with the EU and China. As the leader of the most powerful nation on earth his open espousal of racism and sexism legitimises these views across the world.

Conference believes that Donald Trump should not be given a political platform for his bigoted views, and should be opposed at all points during his UK visit.

Conference calls on the National Executive Council to continue to support the Stop Trump coalition in opposing Trump's visit to the UK both organisationally and financially and:

- 1) Call on Theresa May to withdraw the government's invitation to Trump to visit to this country;
- 2) Play a leading role in Stop Trump and Together Against Trump demonstrations, including encouraging UNISON members to take part in those demonstrations;
- 3) Work with Labour Link to encourage the Labour Party to take a firm stance against Trump's July 13 visit and any subsequent visits;
- 4) Work with other unions through the TUC and STUC to support the Stop Trump coalition in their campaign against Trump's July 13 visit;
- 5) Work with our sister unions in America as they fight against Trump and his divisive agenda.

*National Executive Council
Camden
London Fire and Emergency Planning Authority
Portsmouth City*

EMERGENCY COMPOSITE 2 REPRODUCTIVE RIGHTS IN NORTHERN IRELAND

(Emergency Motions 5, 6 and 7)

Conference applauds the historic landslide vote by the people of the Republic of Ireland to repeal the Eighth amendment to the Irish constitution and recognises the huge victory for women's right to choose both in the South but also as a beacon of hope for all women where ever they live who are still fighting for access to legal, free and safe abortions.

Conference recognises that not all women have the basic human right to choose what she does with her own body and welcomes the renewed call being led by the women of Northern Ireland for abortion to be decriminalised in Northern Ireland. Conference also recognises that as we celebrate 100 years of some women's right to vote, the 1861 Offences against the person's act a law that was passed before this right to vote was won continues to dictate how a woman can choose what she does with her own body. With abortion continuing to be a criminal offense across the UK.

Conference notes with serious concern that following the result of the referendum in Ireland to repeal the 8th Amendment of the Irish Constitution, Northern Ireland will become the only jurisdiction in these islands to persist with restrictive abortion laws that breach human rights.

Conference believes that the time has come for Parliament to take clear action to address the situation.

Conference notes Theresa May's reluctance to intervene as her Government is propped up by the anti-abortionist DUP.

Theresa May has taken the position that Westminster legislating in this area would breach the devolution settlement, something her Government seems to have no difficulty with in relation to the claw-back of powers within the EU Withdrawal Bill. Whilst both health and justice are devolved matters, this position disregards the obligation placed on the Westminster Parliament under the Good Friday Agreement to "legislate as necessary to ensure the United Kingdom's international obligations are met in respect of Northern Ireland" (Paragraph 33(b), Strand 1)"

Northern Ireland abortion law is incompatible with international human rights obligations which the UK has signed and ratified. Most recently the UN Committee for the Elimination of All Forms of Discrimination Against Women has found in February 2018 that the current law on abortion in Northern Ireland "violates the rights of women in Northern Ireland by unduly restricting their access to abortion". The Committee called for the repeal of legislation criminalising abortion under the Offences Against the Person Act 1861 and urged that the UK legislate to provide for expanded grounds to legalise abortion in a range of areas.

The UK Supreme Court has recently found that the current law in Northern Ireland is disproportionate and incompatible with Article 8 of the European Convention on Human Rights (ECHR) in so far as it prohibits abortion on the grounds of rape, incest or fatal foetal abnormality. The Court however did not issue a formal declaration of incompatibility due to the manner in which the case was taken. Conference believes that the views of the court in relation to the current restrictive laws compatibility with human rights are clear. Conference considers it inevitable that the law will be deemed incompatible with the ECHR in due course.

Conference calls on the National Executive Council to:

- 1) Give our full support to the campaign to decriminalise abortion in the whole of the UK including Northern Ireland;
- 2) Give our full support to Abortion Rights UK the national pro-choice campaign with regions and branches considering how they can support the campaign alongside the support already given nationally;
- 3) Call on Labour Link to support Stella Creasy's call within the Labour party to support a woman's right to choose and decriminalise abortion;
- 4) Demand that the UK Government introduce legislation through Parliament to ensure that the law in Northern Ireland is compatible with international human rights obligations, in order to guarantee that women in Northern Ireland do not continue to suffer a serious deficit in rights protections.

*Camden
Cardiff County
Mater Hospital*

MOTION REPRINTED OWING TO FORMATTING ERROR IN CONFERENCE GUIDE

129. BRANCH FUNDING

Conference notes that UNISON's branches are of ever-increasing importance in the provision of support for members. The reduction of employers in national bargaining arrangements and the fragmentation of the workforce point to this trend.

Since 2010, the large increase in collective reorganisations at the local level due to cuts in central government expenditure and outsourcing, and the increase in resultant individual casework, have all shifted the workload further onto our branches. Facility time of lay activists has come under attack since 2010, placing further strain on activists within branches.

Many branches now deal with hundreds of employers, for which they receive no consolidated facility time, which puts an increasing strain on branches if member needs are to be successfully met.

Conference also notes the continuing need for branches to campaign for their members, particularly as austerity cuts continue under the current Tory government.

However, Conference notes that despite all these changes to the terrain in which the union operates, UNISON has not changed its branch retention formula to bring the union up-to-date to meet these challenges.

Conference notes that Motion 121 was passed at National Delegate Conference 2016 which provided for activity-based budgeting processes within branches. In 2017 this was implemented by the National Executive Council with arbitrary limits placed on the additional activity-based funding that branches could receive. Motion 103 was passed at National Delegate Conference 2017 which provided for the removal of arbitrary limits to activity-based budget funding.

Conference notes that our union recorded surpluses of approximately £10million and £3million in the 2015 and 2016 accounts respectively, and holds reserves of over £200million. Whilst the introduction of the Trade Union Act with its requirement that DOCAS agreements be in place by March 2018 provides a significant challenge to our union, Conference notes that the union is in a reasonable financial position. Any uncertainty there may be during the period whilst DOCAS agreements are reached does not of itself remove the need for the union to respond to the shift in where the support our members need is provided from. The fact remains that the overwhelming bulk of this work is done in branches, and our union's funding structures must adapt to meet this change.

Nevertheless, Conference fully accepts that our trade union must live within its means. Therefore a review must be undertaken to prioritise activity and expenditure at the union's regional and national tiers in order to free up sufficient funds as are

necessary to support branches in their critical and growing work, the success or failure of which will determine the future of our union.

Notwithstanding the continued operation of the activity-based budgeting process which this Conference supports, there remains in UNISON a mismatch of where the union's resources are and where they need to be. Therefore Conference calls for all appropriate national committees to consider:

1) A new scheme of funding to be in operation by 1st January 2019, based on the following principles:

a) Any branch with more than £16 per full member in general reserves at the annual point of calculation will not qualify for additional funding;

b) All other branches will receive an increase in the standard entitlement of total annual subscription income from 20.0% to 25.0%;

c) If a branch is just under the recommended notional reserve of £16 per member, and an increase in the standard entitlement would take the branch above £16 per member, that branch will only receive that portion of the increase in the standard entitlement which would take them up to £16 per member;

d) All additional percentage enhancements for branches will remain unchanged;

e) This will result in the fixed proportion of total annual subscription income allocated to branch funding increasing from 23.5% to no more than 28.5%, and the fixed proportion of total annual subscription income allocated to the regions and national office decreasing from 76.5% to no less than 71.5%;

f) That over time there will be significant further devolvement of resources to branches.

2) A review of activity and expenditure at the union's regional and national tiers, to be commenced during the remainder of 2018 so as to prioritise union activity and expenditure at regional and national tiers with a view to reducing or ceasing expenditure that may no longer be affordable. This review should be lay member led.

*South East Region
Bolton Metropolitan
Hackney
Salford City
West Sussex
Wirral*

129.1

In point 1) a) delete "will not qualify for additional funding" and replace with "will be funded at the standard entitlement of 20%".

In point d) add after Branches "with reserves below £16 per full member at the annual point of calculation" and continue with rest of bullet point.

North Yorkshire