

UNISON

**NATIONAL DISABLED
MEMBERS CONFERENCE
2008**

**RECORD OF DECISIONS AND
BALLOT RESULTS**

BALLOT RESULTS

NATIONAL DELEGATE CONFERENCE

Angie Marriott and Julie Robinson

NATIONAL DELEGATE CONFERENCE NEWSHEET

Jane Lam, Kevin Rodgers and 1 vacant post

LOCAL GOVERNMENT CONFERENCE

Julie Robinson and Peter Stafford

ENERGY CONFERENCE

Elizabeth Cocks

HEALTH CONFERENCE

Angie Marriott and Susan Merriman

HIGHER EDUCATION

Liz Silver and Katharine McKinnon

POLICE CONFERENCE

Jane Lam and Neil Marsden

TRADES UNION CONGRESS

Angie Marriott and June Poole

LABOUR LINK/LABOUR PARTY CONFERENCE

June Poole and Julie Robinson

STANDING ORDERS COMMITTEE

Graham Crowder, Pauline Gregory, Ray Gwena, Phil O' Shea, Rosie Pickard, Betsi Sidani, Polly Smith and Keith Stephens

TUDA

Phil O' Shea, June Poole, Julie Robinson and Liz Silver

1. AGENCY WORKERS

Carried as amended by 1.1, 1.2

This conference applauds the negotiations that UNISON has been involved in through the TUC to secure employment protection for agency workers who are employed for 12 weeks with the same employer.

However, we are concerned that disabled agency workers may face particular disadvantage:

Agencies may perpetuate institutional disability discrimination by not offering temporary positions for contract to disabled applicants

Agency workers are more likely to face barriers in securing Department for Work and Pensions Access to Work packages to enable short term contracts to become accessible to disabled people, this is particularly important in relation to government's welfare reform actions to get people off benefit and into paid employment.

As many agency workers work in call centres, cleaning and admin etc which are predominantly in women dominated work areas, employers may refuse to take these disabled women agency workers because of the cost and time needed to make reasonable adjustments.

Disabled people may not feel confident that agency work will provide a suitable transitional arrangement from dependency on benefit to paid economic activity.

We call upon the National Disabled Members Committee to produce guidance to support the recruitment of disabled agency workers, this should include:

- a) The value of trade union membership
- b) Advice about the Access to Work Scheme
- c) Reference to the anticipated large number of people expected to work through agencies as personal assistants funded through direct payments.
- d) Promotion of benefit protection guidelines

2. UNISON EQUALITY DUTY - TRAINING FOR BRANCH ACTIVISTS

Carried as amended by 2.1

Conference welcomes the UNISON Equality Duty, because equality for members is at the heart of what we do.

Conference believes that the UNISON Equality Duty cannot be fully effective without the appropriate training being made available for all branch activists and all other interested UNISON members. Conference believes that training is a valuable tool for developing new activists and this will provide the opportunity to skill up existing members potentially increasing the number of activists within branches. Only by training in the areas of the various equality strands can we be sure that the UNISON Equality Duty works to full advantage, especially at branch level.

Conference therefore urges that an Equalities Duty training programme is rolled out nationally so that activists and other interested UNISON members can attend in areas closer to where they live.

Conference also instructs the National Disabled Members Committee to use their influence and play a major part in assisting with the building of an effective and ongoing equalities training programme for all branch activists and other interested UNISON members.

3. MOBILE TYPETALK

Carried as amended by 3.1

Typetalk is a requirement for many of our deaf/hearing impaired and speech impaired members, as it gives them the opportunity to have more in-depth and professional phone discussions with colleagues that texting on mobile phones does not.

Typetalk is a service operated by RNID through a BT landline involving a Minicom user, a standard phone user and a central operator who converts the written word (from Minicom) to verbal format for the standard phone recipient. It allows the operator to translate to modified English where necessary and therefore eliminate incorrect information being given.

Unfortunately, this service is predominately linked to landline phones and as many of us now use mobiles, it is becoming less of a service than previously. It is accepted that some network providers are now starting to come on board, but we need to promote its use and benefits to the wider market to ensure that our members attain the best service possible, that allows them to undertake their employment with the same advantages as all our members.

We therefore request that:-

- a) Our National Disabled Members Committee collate the information on which network companies provide this service.

- b) Source how they operate and funding charges.
- c) Promote the viability of the service to all network providers
- d) Ensure that all branches and regions are aware of the outcome in order to inform our members.

4. REASONABLE ADJUSTMENTS - A NEED NOT LUXURY

Withdrawn

5. ACCESS OF CONFERENCE VENUES

Carried as Amended by: 5.1

This Conference requests the National Disabled Members Committee to liaise with the Conference department to ensure that hotels are asked to comply with their DDA Goods, services, and facilities duties and provide an access audit at no cost to the union.

We further request that audited conference venues and recommended hotels are circulated with the Conference Timetable in April/May.

6. ACCESS AT UNISON CONFERENCES

Carried as amended by 6.1

This Conference is concerned that disabled members' access needs are still not being fully addressed at UNISON conferences resulting in disabled people not being able to fully participate in all aspects of these events. This means that UNISON is failing to meet its Disability Equality Duty, as outlined in the recently launched "Equality Matters". This Conference also recognises that disabled members have a responsibility to ensure that reasonable adjustment advice is provided to the union, within given deadlines

Issues in recent years have included, for example:

- i) Difficulties in obtaining accommodation in or near to the conference venue
- ii) People being offered rooms which don't fully meet their individual access requirements
- iii) Insufficient provision of lifts and accessible toilets at the conference venue
- iv) Information not being circulated in all accessible formats or just given verbally due to lack of facilities for producing accessible formats
- v) Individual requests for "Reasonable Adjustments" not being met

This Conference calls upon the National Disabled Members' Committee to work with the National Executive Committee and UNISON's Conference Department to produce new and improved guidelines for the organisation and running of conferences in order that the union can work towards conferences which are fully accessible to everyone.

7. UNISON AND THE REPLACEMENT MEMBERSHIP SYSTEM (RMS)

Carried

Conference recognises the importance of identifying UNISON's disabled membership and their access needs in order to facilitate the participation of disabled members in their union.

The RMS is the main recording, mapping and organising tool of the Union at all levels. At the present time the information stored on the RMS with regard to disability is extremely basic, namely whether or not a person has declared that they are disabled and if they require documents in Audio, Braille or Large Print.

In order to facilitate our members' participation in UNISON this Conference mandates the National Disabled Members' Committee to influence the planned upgrade of the RMS, by ensuring that UNISON include a searchable tick box for access needs. This should allow a notes section to open to allow the recording of a member's access needs.

Conference believes that this will enable UNISON to better meet the access needs of disabled members in line with the UNISON Equality Scheme.

8. GIVING EVERY MEMBER A VOICE

Carried

Conference recognises that UNISON has led the way in improving access for disabled people with different issues at national conferences and at national and regional levels.

However, conference recognises that there may be some issues at branch level, where access and facilitation needs may still not be addressed.

And, conference is concerned that there are still gaps in provision for some disabled members, in particular those with speech impairments.

UNISON has produced an equality scheme, which is welcome, and we hope addresses, as part of its implementation Equality Impact Assessments of all UNISON procedures, including access provision. such assessments should include consultation with and the involvement of, disabled members with

different impairments.

Conference therefore instructs the National Disabled Members Committee to work with the National Executive Committee, other national committees and regions where appropriate to:

1. Check that the Equality Impact Assessment of access provision for disabled members has addressed issues for disabled members with different impairments, by consulting and involving them, and any gaps have been addressed as part of an equality action plan
2. Include guidance on removing barriers for people with speech impairments in appropriate publications, or as additional guidance and ensure this is distributed to all regions and branches using appropriate mechanisms
3. Ensure that such guidance includes the choice of members with speech impairments to use their PA to remove barriers by speaking for them, if that is the disabled members' choice.

9. PROMOTING AWARENESS OF DISABILITY DISCRIMINATION ACT (DDA) IN THE WORKPLACE

Carried as amended by 9.1, 9.2

In recent years disabled people have benefited from changes in law, which has meant - in some instances - that employment has been easier to obtain and maintain, because of the requirement to make reasonable adjustments.

However, we are concerned that due to a lack of appropriate training information and support, the Disability Discrimination Act, the Workplace Code of Practice and their benefits are not widely and equitably implemented by some lay branch stewards/lay branch officers.

For example, disabled members may be advised that only reasonable adjustment is for the employer to use redeployment, capability, redundancy or retirement on the ground of ill-health, as alternatives to maintaining them in their work role and making the appropriate reasonable adjustments.

Conference therefore instructs the National Disabled members' Committee (NDMC) to liaise with the National Executive Council (NEC) and appropriate lay bodies to:

- a) consolidate the previously successful "Beyond the Barriers" campaign and its highlighting of the recent benefits for disabled people in employment
- b) increase understanding of the Disability Discrimination Act, the

Workplace Code of Practice and their benefits by providing a robust and substantive branch based training and information programme which raises the level of understanding of the DDA relating to disabled people and employment for lay activists and members.

- c) Encourage and raise the awareness of branches of the importance of adequately informing and supporting disabled LGBT people and other disabled members, who may be particularly isolated in the workplace, of the relevance of the DDA Act so as to enhance protection and knowledge of workplace rights

Conference also instructs the NDMC to report back on progress made to Disabled Members Conference 2009.

10. TRANSPORT BY TAXI

Carried as amended by: 10.1

Transport by taxi is a lifeline to many of our members who require the convenience and necessity of this form of getting from A to B. However, on numerous occasions this aspect of travel is marred by the attitude and behaviour of the driver particularly where drivers refuse to allow working dogs to accompany disabled passengers. Many councils now insist on all drivers having proved attendance at Disability Awareness/Equality training as a requirement before the relevant licence is issued allowing them to operate. The West Midlands Region asks for the support of Conference to request our National Disabled Members Committee work with the Local Government Association for England, the Welsh Local Government Association, the Convention of Scottish Local Government Authorities and the Northern Ireland Local Government Association to:

- a) identify which licensing authorities now make the successful completion of a Disability Awareness/Equality training a condition of licence issue/renewal
- b) compile a report on its usage and disseminate best practice and identify other requirements that flow from the DDA that are conditions of licence issue or renewal
- c) work with the Equality and Human Rights Commission seeking the publication of guidance on the implications of the Disability Discrimination Act for the licensing of taxis and private hire vehicles and the development of appropriate training packages

11. BUILDING REGULATIONS AND DISABLED ACCESS

Carried as amended by: 11.1

Part M of Schedule 1 of The Building Regulations 1991 as amended by the Building Regulations (Amendment) Regulation 1998 deals with access and facilities for disabled people.

Conference notes that Section M is limited to:

- a) Reasonable provision for disabled people to gain access to and to use the building
- b) Reasonable provision of sanitary facilities in the entrance storey of a building
- c) Reasonable provision to accommodate disabled people in audience or spectator seating (if relevant to the building's purpose)

Conference considers this provision to be inadequate, and out of line with the requirements of Disability Discrimination Act and, for public sector employers, the Disability Equality Duty.

Conference, therefore, mandates the National Disabled Member's Committee to further investigate this issue in liaison with Labour Link, and to lobby the Government, with the aim of improving UK Building Regulations in connection with disabled access and facilities.

Conference requests that the National Disabled Member's Committee present a report on their progress to Conference in 2009.

12. TRADE ORGANISATIONS AND DISABLED PEOPLE

Carried

This Conference recognises the great strides made by disabled members self organisation to ensure this union is accessible to disabled members' participation and involvement and the value of self organisation to help the union meet its rule book commitment to fair representation.

We also recognise that much of the Code of Practice that relates to the Trade Organisation duties under Disability Discrimination Act is based on the real experience of disabled trade unionists.

We call upon the National Disabled Members Committee to campaign for future single equality legislation to enshrine the trade organisation duties currently provided for in the Disability Discrimination Act in order that membership organisations can eliminate institutional disability discrimination, disabled people can be promoted as activists in their union and trade unions continue to ensure that negotiated workplace agreements offer no detriment to terms and conditions of employment. We also call upon the NDMC to

campaign for trade organisation duties to be extended to provide protection from discrimination for other under represented groups within the union.

13. CERVICAL CANCER

Carried

Conference notes that one in 20 women experience changes to cervical cells which could lead to cancer and that 900 women die of cervical cancer in England each year.

Conference acknowledges that early detection can prevent cervical cancer developing in 75% of cases and that cervical cancer has no symptoms until it is quite advanced and then untreatable.

Conference is aware that the cervical screening programme saves 4,500 lives per year in England but is concerned that routine screening is only available in England from the age of 25. Conference is further concerned that whilst women between 25-49, should receive a smear every 3 year, this is not always carried out strictly and that women from the age of 50-64 only receive a smear every 5 years.

Conference therefore instructs the National Disabled Members Committee working with the National Women's Committee (NWC) to campaign for an effective and consistent cervical screening programme available to all women across all of the devolved administrations. In this work, the NDMC should also liaise with other appropriate structures of the union.

Conference further instructs the NDMC to work with the NWC to publicise and stress the importance of cervical screening.

14. UNISON EQUALITY DUTY – INPUT TO POLICY FOR BRANCH ACTIVISTS

Carried

Conference welcomes publication of the UNISON Equality Duty and the positive prospect of equality for all minority groups within the union's membership, and as women form the majority of this union, disabled women suffer multiple discrimination including low pay.

Disabled members along with colleagues from the other self-organising groups have consistently campaigned for not only recognition within UNISON, but for full equality in activism, campaigning and influence. UNISON Equality Duty goes a very long way towards meeting those aspirations.

Conference believes that disabled members in particular should show a lead to the other equality strands of members, by establishing their rights through their regional committees and national committee to have their views on equalities for disabled workers taken fully into account for evaluation as

components of the UNISON Equality Duty.

The National Disabled Members Committee (NDMC) is therefore instructed to try and ensure that Branch and Regional Disabled Members Committees and Groups are afforded every possible facility and opportunity to input their members views either through the NDMC or direct to the appropriate headquarters' department.

15. DEAF ADJUSTMENTS

Carried

This Conference is concerned that Deaf members do not get reasonable adjustments to carry out their work. We need time allowed to organise things such as arrange to get interpreters, deal with invoices, fill in claim forms that should be included in work hours to reduce stressful/frustrated on Deaf members.

We find that some Deaf people's performance appraisals fall short of hearing colleagues because we lost time in production or standard.

This Conference calls upon the NDMC to issue guidance about negotiating work time for us to manage our communication needs.

16. EQUALITY REPRESENTATIVES INITIATIVE INVOLVING BLACK DISABLED MEMBERS

Carried

Conference welcomes the Equality Representatives initiative that will enable work to be continued in supporting black disabled members and other members facing multi-discrimination.

The Black Disabled Members Caucus welcomes the equality representatives initiative which will further enable UNISON equality work to continue in supporting black and disabled members facing multi-discrimination. We call upon National Disabled Members Committee (NDMC) to highlight issues relevant to black disabled members and those members facing multi-discrimination

17. ENQUIRY INTO THE EQUALITY BILL

Carried

Conference welcomes the announcement by the Work and Pensions Select Committee of any enquiry into the "Equality Bill - What steps should the Department Work and Pensions take to achieve greater equality?"

The Work and Pensions Select Committee is welcoming submission in reference to:

- Equality in employment;
- Equality in goods, facilities and services;
- The Public Sector Equality Duty and how this could be built upon within a single equality duty;
- Private sector commitment and support, guidance and information for employers;
- a single Equality Act - how disability would fit in such an Act;
- The role of the Equality and Human Rights Commission within the Single Equality Act;
- The role of the Office for Disability Issues in the Single Equality Act

Conference welcomes that specific reference is paid to disabled people, carers and older people.

However, Conference is concerned that the particular barriers faced by people who experience multiple layers of oppression (for example disabled LGBT people) are not being appropriately highlighted.

Conference therefore instructs the NDMC to work with the appropriate structures to ensure that:

- 1) All discussions between UNISON and Government Departments and Equality and Human Rights Commission appropriately highlighted the issues faced by disabled people and include reference to the issues affecting LGBT members.
- 2) any written submission to the Work and Pensions Select Committee appropriately addresses these issues.

18. EQUALITY REPRESENTATIVES

Carried

Conference welcomes the introduction of Equality Reps pilot project and believes that it will be fundamental in raising awareness of the equality duties at branch level.

Conference also welcomes the announcement in the Equality Bill of the extension of the promotions of the positive duties to include sexual orientation and gender re-assignment.

Conference therefore believes that it is essential that equality reps are aware of multiple discrimination faced by many of our disabled members including our disabled LGBT members.

Conference therefore instructs the NDMC working with other appropriate structures of the union including the other national Self Organised Group committees and Young Members Forum to:

1. Ensure equality reps receive appropriate training and guidance:
2. Encourage disabled and disabled LGBT members to become equality reps.

19. WHEN IS A HATE CRIME NOT A HATE CRIME?

Carried

Conference notes that HIV/AIDS is an issue for all of UNISON members not just disabled members or LGBT members. However, Conference is aware that there are a number of LGBT members affected by HIV/AIDS - be it living with HIV or knowing someone close to them who is living with HIV.

Conference is concerned that the criminal law does not recognise hate crime on the grounds of their status, it will only be considered Disability Hate Crime if that person has a physical or mental impairment.

Conference therefore instructs the NDMC working with other appropriate structures of the union including the National Lesbian Gay Bisexual and Transgender Committee:-

- 1) To raise awareness of the National AIDS Trust (NAT) Campaign to include hate crime against people living with HIV to be recognised as a disability hate crime.
- 2) To seek examples from members who have experienced hate crime specifically because of their HIV status.