

**2015 Community Service Group Conference  
Decisions**

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## 2015 Community Service Group Conference Decisions

### Motions

#### 1. Organising for Equality in the Community Sector

**Carried**

Conference welcomes the updated “Organising for Equality: UNISON guidelines on self organisation”. In the forward to the guidance, Dave Prentis, our General Secretary states that “Self-organisation is an essential tool helping the union to identify and challenge discrimination and build equality. It can be a way for members to get involved in the union, developing skills, expertise and confidence”.

Effective organising of members in the community sector is crucial to be able to identify issues, find solutions and resolve problems. It inspires confidence and acts as a recruitment tool and encourages existing members to become activists.

Conference recognises that some of our community members such as women, Black, disabled and lesbian, gay, bisexual and transgender (LGBT) members, experience prejudice and discrimination because of who they are and have traditionally been less visible in trade unions and under represented in democratic structures. Conference understands that as a result it is important for some members to be afforded the right to self-organise and notes the valuable contribution that self organised groups make to the trade union agenda.

Self organisation should not be seen as an add-on but as an integral part of the branch and a crucial part of the organising, bargaining and negotiating agenda.

UNISON’s rulebook provides for the core branch committee position of equality officers. Branch equality officers are not limited in number and include roles such as LGBT officer. The national LGBT committee advocates for branch LGBT officers to be sought and elected even where branches do not have an active LGBT self organised group yet, to assist the branch in meeting the needs of LGBT members and encouraging them to become active. Where an LGBT self organised group is in existence, the rule book provides that they may elect their representatives to the branch committee in accordance with branch rules.

Conference recognises that the way in which community organises is wide and varied and that one size does not fit all but branches should be encouraged to set up self organised groups and self-organised group members’ activism.

Conference therefore calls on the service group executive working with the national self-organised group committees, to:

Distribute the organising for equality guidance to community branches

- 1) Encourage branches to set up self organised groups and support participation in regional and national self-organisation
- 2) Produce guidance on facility time for members involvement in self organisation at branch, regional and national level
- 3) Circulate guidance to branches on their responsibilities to adequately fund self-organisation

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4) Collate and circulate examples of good practice in community branches.

### **3. Terms and Conditions in the Community and Voluntary Sector**

**Carried as Amended**

Conference notes with concern the insecurity facing workers in the community and voluntary sector, many of whom are low paid women workers.

Many voluntary sector organisations provide services via contracts from local government and health authorities, and cuts in public spending are inevitably impacting on the funding of these services and therefore on our members.

This is manifested in many different ways, including:

- 1) Job insecurity – according to Fawcett Society research, 820,000 more women have moved into low paid, insecure jobs since the start of the recession in 2008
- 2) Cuts in terms and conditions, including sick pay
- 3) Cuts to income
- 4) Additional pressure to deliver more for less

Conference welcomes the Home Care Charter developed by UNISON as a standard for home care services, which has been adopted by a number of employers.

Conference also welcomes the TUC – Children England declarations on childrens' services, setting minimum standards for the workforce and commissioning.

Conference calls upon the service group executive to explore a similar charter as a bargaining tool for branches where local government and health authorities contract out services to the voluntary and community sector.

### **4. Living Wage for All**

**Carried as Amended: 4.1**

Conference is disturbed to hear, that despite the introduction of the minimum wage in 1999 by a Labour Government, some employers in the care sector both in the community and private sectors are still paying their staff a pittance.

Working in a care home or looking after the most vulnerable people in our society in their homes, is both physically and mentally challenging, which is even more stressful if you happen to be a disabled care worker. Usually working long and unsociable hours for very little reward, either due to low value contracts with community organisations or private owners reaping huge profits, their staff are struggling to live and more often than not relying on benefits and food banks top ups to make ends meet.

In 21st century Britain this is morally wrong, we must campaign to ensure that these workers, don't just receive the minimum wage but a wage which allows them to work and earn without reliance on other benefits.

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Conference, therefore calls upon the Community SGE to continue its work in supporting the local government sector to put pressure on Government, Local Authorities and the community and voluntary and private sectors, to adopt the Ethical Care Charter for their own staff and their supply chains.

To work with relevant organisations such as the Living Wage Foundation to ensure that these members are paid a decent wage for the decent work they do.

### **5. The Impact on Members of 'Welfare Reform'**

**Carried**

Community members within the housing and associated areas, view with concern, the impact on their jobs, pay and terms and conditions, of the ongoing roll out of 'Welfare Reform'. It has been apparent from the introduction of the 'bedroom tax' that the reduction on the amount of housing benefit paid to tenants and service users, leaves many in debt. This means less income for our employers. With further 'Welfare Reform' and also payments going directly to tenants and service users, this trend will only get worse.

This Conference believes that apart from the terrible impact on those we service, the increase in poverty and debt, our members are directly affected as our employers battle the effects of reduced rental income.

The Conference believes that:-

- 1) Stress will increase on our members as they will be under pressure to get rents paid at all costs.
- 2) This will be detrimental to the service users and remove help and assistance that would have been beneficial to them.
- 3) Members will be more likely to be subject to 'violence at work' incidents from service users, as they come under pressure.
- 4) Members will be liable to undue pressure from their managers to achieve unrealistic targets.
- 5) Employers may feel forced to reduce jobs, pay and terms and conditions of our members, in order to 'balance the books'.
- 6) Our members are and increasingly will suffer from the same poverty and threats of homelessness as our service users.

This Conference calls upon the Service Group Executive to:-

- a. Gather statistical information from the pilot areas for 'Welfare Reform' to inform members of the extent of the damaging impact of 'Welfare Reform' on housing providers in those areas.
- b. Investigate ways of mitigating the impact of increased debt to our employers on our jobs, pay and terms and conditions. This should include ways in which UNISON could campaign, publicise and engage with organisations with whom we have common purpose.

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- c. Report back on progress on this matter to Community Conference 2016.

### **6. LGBT Austerity in the Community Sector**

**Carried**

Conference notes the research carried out by NatCen for UNISON in late 2013 which showed the impact of austerity on services for LGBT people including those services delivered by the community and voluntary sector. It revealed devastating cuts to services but also showed that austerity has had a negative impact on job security, terms and conditions and the mental well being and morale of LGBT workers, including those employed to deliver specialist services to LGBT people. Many of these workers are employed in the community sector and are UNISON members or potential UNISON members.

Conference further notes the report commissioned by the TUC from London Metropolitan University and published in September 2014: Staying Alive: The Impact of Austerity Cuts on the LGBT Voluntary and Community Sector in England and Wales and which confirms the NatCen findings. The report shows that specialist services and specialist posts within generic services are often a life-line for LGBT people.

Conference resolves to ask the Community Service Group Executive, in liaison with the national LGBT committee, to:

- 1) publicise these research findings amongst our membership and potential membership within the community sector, as part of our campaign for decent pay and conditions in community, alongside services that meet people's diverse needs
- 2) support community branches to carry out recruitment initiatives directed at LGBT workers, including those in specialist services / posts and harder to reach sections of community.

### **8. Staffing Shortages in the Community & Voluntary Sector and the Impact on Young People**

**Carried**

Conference notes with concern that many charities and third sector organisations are currently short staffed but are unwilling or unable to hire new staff members due to cost. Staffing shortages in the Community & Voluntary Sector are having a negative impact on workers lives, particularly young workers. In particular, staffing shortages can impact on:

- 1) Flexible working requests not being accommodated by employers, or older staff given priority as they are perceived to have more caring responsibilities;
- 2) Staff with existing non-standard working patterns, which are more likely to be young workers, being pressurised into changing their working hours, which could create problems with care arrangements and other home commitments;
- 3) Training and learning opportunities being restricted where managers are unwilling to release staff because there is nobody to cover the work;

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- 4) Staff feeling increasingly pressured into working additional unpaid hours to ensure that work is completed and that patient safety etc. is not compromised;
- 5) Staff experiencing increasing levels of stress as work pressures impact negatively on their health and wellbeing.

Therefore conference calls on the Community & Voluntary Group Executive to campaign to highlight the impact of staff shortages on the lives of all workers in the sector but particularly the disproportionate impact this can have on young workers.

### 9. Volunteering

**Carried**

Conference reiterates our belief, set out in Motion 11 at Community Conference 2010, that volunteers play a valuable role in many areas of society, including in the community and voluntary sector and in trade unions.

We agreed that “Conference believes that paid staff and volunteering roles are different, and volunteering should not be used by employers as a means of reducing professional, fully-trained, paid staff, especially in the delivery of public services. Volunteering roles should complement and be a supplement to paid roles, not replace them, and commissioning to the voluntary sector should not take place on the basis of staff losing their jobs.”

However, Conference believes that the situation in the sector has deteriorated since 2010. There are now examples of whole services being commissioned to be delivered by volunteers; and volunteers being used to run the ‘back-office’ functions of organisations. Some of the individual benefits of volunteering, including personal development, will also be undermined if volunteering coordinator posts are reduced. The general public also expects publically funded services to be delivered by qualified staff.

Substituting volunteers for staff starts by undercutting the proper role of paid and trained staff, and undermining our bargaining strength to achieve decent terms and conditions for workers in the sector. But very formal volunteer agreements can then lead to volunteers acquiring employment rights. In addition, whilst organisations are liable for the health and safety of volunteers; and volunteers need relevant Disclosure and Barring Service checks when working with vulnerable people; they do not have the same protection as workers under equality legislation.

This emerging mess is driven by chronic cost cutting from unnecessary and counter-productive austerity measures.

This conference calls on the Community Service Group Executive to:

- 1) Re-publicise the Charter for Strengthening Relations Between Paid Staff and Volunteers, agreed between the TUC and Volunteering England.
- 2) Work with activists, branches and regions to encourage employers to implement the principles of the charter

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- 3) Defend the jobs of members against attempts to replace them with volunteers.
- 4) Attempt to further identify the scope and nature of volunteering in the sector, and report back to Community Conference 2016.

### **10. Union Busting in the UK Housing Association and Charitable Sector**

**Carried**

This conference notes:

That a small number of Housing associations and other Charities in our sector are openly hostile to trade unions, carry out American style anti union practices and refuse to recognise trade unions.

The right of free assembly and collective bargaining is a fundamental human right enshrined in international law. Any failure by any employer to honour these rights with regard to trade unions means they do not respect human rights.

We note that most Housing Associations are also registered charities and should share a similar social ethos with regard to good governance and respecting human rights.

Organisations which do not treat their staff with respect will not treat their clients or residents with respect either.

Replacing free and democratic trade unions with internal “staff associations” is historically is a central plank of the philosophy called corporatism which has direct links with far right political groups in the UK and abroad.

The sector as a whole is still hugely dependent on public procurement and funding, direct or indirect, while at the same time paying its senior management huge amounts of money.

Many supporters of national charities would be horrified to find out that these charities refuse to recognise or engage with independent trade unions.

There is a huge reputational and financial risk to the whole sector by charities engaging in such union busting.

This Conference Calls on the Service Group Executive to:-

- 1) Actively support and help campaign against union busting by Housing Associations and Charities.
- 2) Draw up a campaign plan on how to organise in Community organisations that we do not currently have trade union recognition.
- 3) Call upon Labour Link to examine whether local Councils and a future Labour Government should debar any organisation that does not recognise trade unions from access to public funding.

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- 4) Call upon the Government to hold an independent public enquiry into the governance and democratic deficit in the charitable sector.

## 2015 Community Service Group Conference Decisions

### Composites

#### A. Pensions in the Community and Voluntary Sector

**Carried**

This Community Conference notes the ongoing crisis in pension provision affecting our members in Community and also that community and voluntary sector employees are among the lowest paid in society. The minimum level of auto-enrolment pensions is grossly inadequate; and employers continue to dumb down pension schemes to limit any possible financial risk to themselves. Members are likely to face further attacks following the triennial revaluation of Social Housing Pension Scheme (SHPS) in early 2015; additional NI contributions linked to the end of contracting out of Defined Benefit (Final Salary / Career Average) schemes in April 2016, and continued attempts to reduce employers' contributions by making workers pay more. The problem is exacerbated by the low rate of employee and employer contributions on an already small salary, which will ultimately fail to deliver a decent pension.

Recently released ONS figures show that the gender pay gap rose for the first time in five years, and now stands at 19.1% for all employees. Inevitably lower wages equate to lower pensions, with Scottish Widows estimating that only 42% of women make adequate provision for retirement – due to rising living costs, part time working and career breaks necessitated by caring responsibilities.

The “freedom” to withdraw lump sums from pension schemes is likely to see a boom for financial advisors, but impossible choices for low paid members faced with the pressure of paying immediate debts at the expense of their long term pensions.

This conference believes that pensions were never freely given to workers, but only exist because trade unions fought for them on behalf of their members. Without campaigning from UNISON and our members it is likely that they will be eroded to the point of irrelevance.

It is unacceptable in the 21st century, in one of the richest countries in the world, that workers may be financially compelled to continue working until they are incapacitated. A retirement free from poverty should be a right for all, and an above poverty-line state pension should be supplemented by decent occupational pensions. Public sector contracts should be funded to give workers on them access to relevant public sector pension schemes.

This situation is made more difficult for workers to influence, as many schemes in our sector do not have member trustees. Some of those that do, such as the Pensions Trust, have complex processes which make it hard for ordinary members to stand for election.

This conference calls on the Service Group Executive to:

1. Campaign for decent, defined benefit pension schemes for all who work in Community, including an improved minimum scheme for auto-enrolment.
2. Work with the NEC and Labour Link to campaign to enhance the basic state pension

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3. Expose employers who fail to offer decent pensions despite making healthy surpluses.
4. Lobby for protections for those moving into our sector, including an improved Fair Deal to retain automatic access to LGPS and other Public Sector pension schemes.
5. Lobby for TUPE to be reformed to provide clarity on pension rights of transferring staff at the earliest opportunity.
6. Produce guidance on the implications for pension contributions and benefits resulting from the removal of contracting-out in April 2016.
7. Consider supporting candidates for election as pension trustees who support UNISON's values.