

# **National Disabled Members Standing Orders Committee 2017**

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**Preliminary Agenda**

**2017 National Disabled Members' Conference  
Motions and Amendments to Rule for SOC**

**Manchester Central Convention Complex**

**28 Oct 2017 - 30 Oct 2017**

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**1. REVISED NATIONAL DISABLED MEMBERS COMMITTEE (NDMC)  
CONSTITUTION AND STANDING ORDERS FOR NATIONAL DISABLED  
MEMBERS CONFERENCE**

(\*please see explanatory note at the end of the agenda)

The National Disabled Members Committee calls upon Conference to:-

- 1) Accept and adopt the following (a) revised National Disabled Members Committee Constitution and (b) Standing Orders for National Disabled Members Conference,
- 2) Note that these revised documents will take effect immediately following National Disabled Members Conference 2017

**a) NATIONAL DISABLED MEMBERS COMMITTEE (NDMC) CONSTITUTION**

- i) Membership of the Committee shall consist of:
  - two delegates elected from their Regional Disabled Members' Group;
  - three National Executive Council(NEC) members, two of whom must be the disabled members seat holders;
  - two co-opted members from the National Lesbian, Gay, Bisexual & Transgender Committee;
  - two co-opted members from the Lesbian, Gay, Bisexual & Transgender caucus at Disabled Members' Conference;
  - two co-opted members from the National Women's Committee;
  - two co-opted members from National Black Members' Committee;
  - two co-opted members from the Black members' caucus at Disabled Members' Conference;
  - two co-opted members from the Deaf native British Sign Language (BSL) users caucus at National Disabled Members Conference.

All members of the committee shall be entitled to vote.

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At least half of the members elected from each of the above constituencies must be a woman.

A post of a delegate can be job-shared but only one of that job-share team will be funded nationally to attend any meeting. If both job-share delegates attend a meeting, both will have speaking rights but only one will have voting rights.

- iii) UNISON's National Disabled Members' Officer and other UNISON staff attend to support and service the Committee with speaking but non-voting rights.
- iv) The Committee can set up working groups to undertake specific areas of work relating to its work programme.
- v) Convenors of the Committee's working groups will be agreed by the members of the Committee.
- vi) The Committee shall meet formally four times a year, including a meeting for a policy weekend, with provision for extraordinary meetings if business requires it.
- vii) Officer positions within the Committee shall be two Co-Chairs, at least one of whom must be a woman and two Co-Deputy Chairs, at least one of whom must be a woman. As set out in iv) the committee can appoint members of NDMC for specific areas of responsibility aligned to the NDMC work programme.
- viii) Caucus Groups will be able to appoint a liaison representative on behalf of the committee for:

Black Members  
Deaf (BSL) Members  
Lesbian, Gay, Bisexual & Transgender Members  
Women Members  
Labour Link

All of whom will be accountable to the full committee.

Caucus network meetings for Black members, Deaf (BSL) members, Lesbian, Gay, Bisexual & Transgender members and Women members will be held in accordance with standing orders SO3, 3.1 and 3.4 to enable greater participation of underrepresented groups and to enable submission of caucus motions and amendments

- ix) The officers will be elected at the first meeting of the NDMC following Disabled Members Conference. Where the position is contested there will be a secret ballot.
- x) No person can hold the same officer post for more than two consecutive years, but can put their name forward for the same post after a year's break. Any member leaving a post after two years can put their name forward for election to any other officer post.

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- xi) Quorum for the meetings shall be 33 per cent of the Committee membership.
- xii) The National Disabled Members' Committee Constitution may only be amended by a formal amendment agreed at National Disabled Members Conference by two-thirds of the delegates present and voting.

**b. STANDING ORDERS FOR NATIONAL DISABLED MEMBERS CONFERENCE**

SO1 Standing Orders

- 1.1 Standing Orders are the rules which say how conference must be run. They provide every delegate with an equal opportunity to contribute.
- 1.2 These Standing Orders are agreed by the National Disabled Members Conference.
- 1.3 Where these Standing Orders are silent on any issue, practice at National Delegate Conference will prevail.
- 1.4 These Standing Orders may only be amended by a formal amendment to Standing Orders agreed at National Disabled Members Conference by two-thirds of the delegates present and voting.

SO2 Standing Orders Committee

- 2.1 The Standing Orders Committee will be made up of:
  - 1 Four members elected, by ballot if required, (as stated in SO15.1.1) at the National Disabled Members' Conference;
  - 2 two members elected by the Lesbian, Gay, Bisexual & Transgender (LGBT) Caucus;
  - 3 two members elected by the Black Members' Caucus.

At least half the members elected from each of the above constituencies must be women.

- 2.2 The Committee will be advised by a UNISON staff member, who shall be the Committee secretary.
- 2.3 The members of the Standing Orders Committee shall hold office from the end of one National Disabled Members Conference until the end of the next National Disabled Members Conference.
- 2.4 At its first meeting after it takes office, the Committee shall elect a Chairperson and a Deputy Chairperson from amongst its members, at least one of whom shall be a woman.
- 2.5 The functions of the Committee shall, subject to these Standing Orders, be to:

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- 2.5.1 ensure that the National Disabled Members Conference Standing Orders are observed, and notify the Chairperson of any violation that may be brought to the Committee's notice;
- 2.5.2 draw up the preliminary agenda and final agenda of Conference business, and the proposed hours of business, to be circulated in accordance with a timetable published in the official Conference bulletin;
- 2.5.3 determine the order in which the business of Conference shall be conducted, subject to the approval of Conference.
- 2.5.4 consider all motions and amendments submitted for consideration by Conference and, for the purpose of enabling Conference to transact its business effectively the Committee shall:
  - 1 decide whether such motions and amendments have been submitted in accordance with the Standing Orders;
  - 2 group together motions and amendments relating to the same subject, decide the order in which they should be considered and whether they should be debated and voted on separately or debated together and voted on sequentially;
  - 3 prepare and revise, in consultation with the movers of motions and amendments, composite motions in terms which, in the opinion of the Committee, best express the subject of such motions and amendments;
  - 4 refer to another representative body within the Union a motion or amendment which in the opinion of the Committee should properly be considered there; the mover shall be informed of the reason for so doing;
  - 5 have power to do all such other things as may be necessary to give effect to these Standing Orders.
- 2.5.5 Any decisions of the Committee which are to be reported to Conference shall be announced by the Chairperson or Deputy Chairperson of the Committee and shall be subject to ratification by Conference. Any section of part of section of the Standing Orders Committee Report can either be accepted or referred back.
- 2.5.6 Members of the Standing Orders Committee shall take no other part in the conduct of Conference.

**SO3 Motions and Amendments Pre-Conference**

- 3.1 Motions, amendments and other appropriate business may be proposed for the Conference by properly-constituted meetings of the following:

Branch Disabled Members Groups  
Regional Disabled Members Groups  
National Disabled Members Committee  
National Disabled Lesbian, Gay, Bisexual & Transgender (LGBT) Caucus

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National Disabled Black Members' Caucus  
National Disabled Women's Caucus  
National Deaf (native British Sign Language Users) Caucus  
National Young Members Forum

3.2 Each of the above bodies may submit up to 3 motions, with no limit on the number of amendments that may be submitted, except for the National Young Members Forum which may submit up to 2 motions and up to 2 amendments (as per Rule D6.2.2).

3.3 Motions and amendments shall be submitted in accordance with the timetable and by the method specified in the official conference bulletin.

3.4 The caucus groups set out in SO.3.1 shall be entitled to meet in accordance with the National Disabled Members' Conference timetable to submit motions and amendments of concern to their respective member groups.

SO4 Attending, speaking and voting at Conference

4.1 Only branch disabled delegates are entitled to speak and vote in debates at conference.

4.2 Representatives of the following have speaking rights only in debates:

Regional Disabled Members' Groups  
National Disabled Members Committee  
Black Members Self-Organised Group  
National Disabled Black members' Caucus  
National Deaf (BSL) caucus  
Lesbian, Gay, Bisexual and Transgender Members' Self- Organised Group  
National Disabled Lesbian, Gay, Bisexual and Transgender members' caucus  
Women Members Self-Organised Group  
National Disabled Women members' caucus  
National Young Members Forum  
National Retired Members Organisation

4.3 The following may address Conference:

Conference Co-Chairs  
Co-Chairs of the Standing Orders Committee  
UNISON staff called to speak by the Conference Chair  
Speakers identified in a Standing Orders report that has been accepted by conference.

SO5 Chairing of conference

5.1 The Conference co-chairs shall be members of the National Disabled Members Committee.

5.2 The Conference Chair decides on any procedural motions and points of order. The Conference Chair's ruling is final and binding.

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5.3 The Conference Chair may at any time propose that Conference be adjourned for a specified period. Conference will immediately vote on this proposal.

SO6 Voting Procedure

6.1 The method of voting shall be by a show of the voting card which is provided to each branch delegate.

6.2 If the Chair cannot make a clear declaration s/he may call for a count or at least 20 delegates present may also call for a count.

6.3 The count must be completed and the result reported to Conference before proceeding to the next item of business.

SO7 Withdrawals of motions and amendments

7.1 A motion or amendment which is shown on the final agenda may not be withdrawn without the consent of the Standing Orders Committee, whose decision shall be reported to Conference for a formal vote on whether to accept that Committee's decision, or refer it back to them for further consideration.

SO8 Emergency motions and amendments

8.1 Emergency motions and amendments are those items of business which are submitted after the relevant scheduled deadline and relate to matters which have occurred after the relevant deadline.

8.2 Emergency motions may be submitted by properly-constituted meetings of the following bodies, in accordance with the procedure set out in the official conference bulletin:

Branch Disabled Members' Groups  
Regional Disabled Members' Groups  
National Disabled Members' Committee  
National Lesbian, Gay, Bisexual & Transgender (LGBT) Members' Caucus  
National Black Members' Caucus  
National Women members' Caucus  
National Deaf (BSL users) Caucus  
National Young Members' Forum

8.3 If the Standing Orders Committee gives its approval to the emergency motion or amendment being considered by Conference, copies will be made available to delegates at least one hour before Conference is asked to decide whether to consent to the Emergency Motion being added to the Conference agenda.

8.4 An emergency motion will not be given a higher place in the order of business over other motions and amendments on the agenda except where the Standing Orders Committee decides that its purpose would be frustrated if it were not dealt with earlier in the Conference.

SO9 Points of Order

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- 9.1 A Point of Order draws Conference's attention to a breach of the Rules or Standing Orders.
- 9.2 A Point of Order may be raised by a delegate at any stage during Conference if s/he considers that business is not being conducted in accordance with UNISON's Rules or the Conference's Standing Orders.
- 9.3 The Point of Order must be raised as soon as the alleged breach occurs, or at the earliest practicable moment.
- 9.4 The Point of Order shall not be debated or amended, and the Conference Chair shall make an immediate and final ruling.

SO10 Procedural Motions

10.1 The following procedural motions may be moved at any time without previous notice on the agenda:

- 10.1.1 "That the question be now put," provided that
- i) the Conference Chair may advise Conference not to accept this motion if in her/his opinion the matter has not been sufficiently debated.
  - ii) if this procedural motion is carried, it shall take effect at once, subject only to any right of reply under these Standing Orders.

10.1.2 "That the Conference proceed to the next business"

If this is carried it means that the matter being discussed immediately falls from the agenda and Conference proceeds to the next item of business.

10.1.3 "That the debate be adjourned".

10.1.4 "That the Conference (or part of Conference) be held in private session."

10.1.5 The only people permitted to attend a private session of Conference are:

- i) Delegates
- ii) Members of the National Disabled Members' Committee
- iii) Members of the Standing Orders Committee
- iv) Representatives as set out in SO 4.2
- v) Personal assistants working with any of the above
- vi) Members of staff who have been authorised by the National Disabled Members' Committee or the UNISON General Secretary to attend Conference
- vii) Any other people as the Conference Chair shall determine.

10.2 Procedural motions are put to the vote immediately without discussion and no amendment is allowed, except for motion 10.1.4, where the Conference Chair may allow debate and/or amendments.



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10.3 A person who has already spoken on the motion or amendment in question shall not move one of the procedural motions above.

SO11 Conduct of debates

11.1 The mover of a motion or an amendment may speak for no more than five minutes, and each subsequent speaker may speak for no more than three minutes.

11.2 The Chairperson may exercise their discretion to extend speaking times for delegates whose access requirements, in the Chairperson's judgement, would otherwise impact on their contribution, up to a maximum of double the speaking limits set in 11.1.

11.3 When an amendment to a motion is moved no further amendment may be moved until the first one is disposed of, except during grouped debates.

11.4 When an amendment to a motion is carried, the motion, as amended, becomes the substantive motion, to which a further amendment may be moved.

11.5 A delegate may not move more than one amendment to any one motion. The mover of a motion may not move an amendment to their own motion.

11.6 No delegates shall speak more than once on a motion or amendment, except that the mover of the original motion may exercise a right of reply for not more than three minutes. No new material may be introduced during a right of reply.

SO12 Grouped debates and sequential voting

12.1 The Standing Orders Committee may propose grouped debates or sequential voting on motions or amendments which deal with the same subject matter.

12.2 The following procedure will be followed:

12.2.1 The Conference Chair will advise Conference of the order of business and of the sequence in which motions and amendments will be moved and voted on following a general debate, and of the effect of certain proposals on others;

12.2.2 All motions and amendments included in the debate shall be moved;

12.2.3 The general debate shall take place;

12.2.4 The Conference Chair shall again state the order of voting and advise Conference which, if any, motions and amendments will fall if others are carried;

12.2.5 Voting will take place on motions, preceded by relevant amendments, in the order in which they were moved.

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12.2.6 A grouped debate may not be adjourned until after all the motions and amendments have been moved.

SO13 National Disabled Members' Committee at Conference

13.1 At the start of each Conference the National Disabled Members' Committee shall present its report for the past year, which shall be circulated to delegates prior to Conference.

13.2 Any report which contains proposals or recommendations requiring approval and adoption by Conference shall be submitted in advance in the form of a motion, in accordance with the timetable.

13.3 The National Disabled Members' Committee will indicate its policy on all items to delegates, in advance of a vote on the item.

SO14 Reference of outstanding items to the National Disabled Members Committee

14.1 Any motions not reached on the agenda shall stand referred to the National Disabled Members' Committee and reported on after the first meeting of that Committee after conference.

SO15 Elections at Conference

15.1 The following elections will take place at Conference:

15.1.1 National Disabled Members Conference Standing Orders Committee

15.1.2 Two delegates to the union's National Delegate Conference

15.1.3 One newsheet representative for the union's National Delegate Conference

15.1.4 One delegate for UNISON's delegation to Trade Union Congress

15.1.5 Two delegates to each of the union's service group conferences

15.1.6 Two delegates to Labour Party Conference, who shall also be delegates to the Labour Link Forum

15.1.7 Two delegates to the National Disabled Members Committee from each of the following caucuses:

- (i) the disabled lesbian, gay, bisexual and transgender members' caucus;
- (ii) the disabled Black member's caucus;
- (iii) the Deaf (native British Sign Language users) caucus.

15.2 Nominees for these posts must be eligible to stand in the relevant capacity and be amongst those registered to attend Conference as:

- (i) delegates from branches or regions;
- (ii) the National Disabled Members Committee;

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- (iii) the Standing Orders Committee;
- (iii) Representatives of Self-Organised Groups;
- (iv) Representatives of the National Young Members Forum.

15.3 Any contested election for positions under 15.1.1, 15.1.2, 15.1.3, 15.1.4 will be decided by ballot. Only those registered as conference delegates from branches or the National Disabled Members Committee shall be entitled to vote.

15.4 Any contested positions under 15.1.5, 15.1.6, or 15.1.7 will be decided by the meetings convened at Conference for members of those constituencies.

15.5 All elections will be subject to proportionality for women members.

**SO16 Selection of motions for National Delegate Conference**

16.1 A ballot will be conducted at Conference to determine from amongst those motions carried by Conference, which two shall be submitted as proposed business for National Delegate Conference.

**SO17 Suspension of Standing Orders**

17.1 Any one or more of these Standing Orders may be suspended by a resolution of Conference in relation to a specific item of business before the Conference or to the proceedings of Conference, provided that at least two-thirds of the delegates present and voting vote for the resolution.

***National Disabled Members Committee***

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**Recruitment & Organisation**

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Recruitment & Organisation

**2. WORKING WITH DISABLED WORKERS**

This Conference welcomes:

- (i) UNISON's decision to affiliate to Disability Rights UK (DRUK) in November last year
- (ii) The project run by City University, supported by the TUC and DRUK to:
  - (a) develop an online searchable database of reasonable adjustments capturing best practice, for use by members and union representatives;
  - (b) use the Government's Workplace Employment Relations Survey (WERS) as a basis for examining the disabled workers experience of how they are supported by employers and unions.

This Conference believes that the City University project will go some way to addressing the issues raised by disabled young members at young members weekend 2017 as regards improving knowledge and support for activists working with or organising disabled workers.

This Conference calls on the National Disabled Members Committee to:

1. invite a representative of the City University project to address this conference in 2018 on the progress of the project, including a demonstration if available of the searchable database;
2. consider, in consultation with regional disabled members groups, what other information, advice, and support UNISON could offer activists working with or organising disabled workers, and work towards provision of same.

***National Young Members' Forum***

**3. TOWARDS A DISABLED WORKERS CHARTER**

This Conference believes that it is time for a disabled workers charter that should include a statement of UNISON's position on disabled workers, as well as a set of rights for disabled workers, and employers' responsibilities. Such a document could form the basis of negotiating, organising, and campaigning at workplace level, inviting employers to sign up to it.

This Conference calls on the National Disabled Members Committee to:

1. draft a charter for disabled workers

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2. consult with the whole union on that draft
3. bring the finalised charter to National Disabled Members Conference 2018 for consideration with the aim of formal endorsement and adoption of the charter by conference
4. launch the charter at National Delegate Conference 2019 to ensure a wide range of UNISON activists are aware of it, and consider seeking to organise a fringe meeting at that conference for the purpose of the launch.

### ***National Young Members' Forum***

#### **4. INDIVIDUALLY TAILORED REASONABLE ADJUSTMENT AGREEMENTS**

Conference notes that some employers are negotiating the introduction of 'Individually Tailored Reasonable Adjustment Agreements' or "Disability Passports". These are a living record of the reasonable adjustments agreed between a disabled employee and their line manager. Members have reported that their experience has been very positive because the agreements;-

- minimise the need to re-negotiate reasonable adjustments every time the employee changes jobs, is re-located or assigned a new manager within the organisation
- ensure that both parties, the individual and the employer, have an accurate record of what has been agreed
- identify the impact on others from the agreed adjustments
- provide employees and their line managers with the basis for discussions about reasonable adjustments at future meetings

Conference calls upon the National Disabled Members' Committee to ;

1. Collate examples of agreements (or passports) currently in use and identify best practice
2. Develop an up to date model Agreement and circulate to Regional Disabled Members' Committees with a recommendation to encourage all branches to negotiate with their employers.

### ***South West Region***

#### **5. ORGANISING FOR DEAF BRITISH SIGN LANGUAGE (BSL) MEMBERS**

Conference recognises and commends the work that the National Disabled Members Committee has undertaken with regards to Deaf (BSL) issues

However, Conference is concerned that, because of cultural and linguistic issues, prejudice and the workplace environment it can be more difficult for Deaf members to participate in UNISON's branch, regional and national democratic processes or to

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take up roles such as steward, health and safety officer, convenor, branch secretary and so on.

Conference is aware that there may be barriers that could stop Deaf members becoming active such as a lack of confidence, or a lack of supportive structures in their branch in which to gain experience. Conference is particularly aware of the need to encourage young Deaf workers to understand the importance of trades unions, to become members, to participate in their union's activities and continue to fight for an end to discrimination faced by our Deaf members.

Conference calls on National Disabled Members Committee to:-

1. Work with the Deaf representatives on the National Disabled Members Committee and the Deaf caucus to explore ways to increase participation and help network Deaf members
2. Conduct a survey of Deaf UNISON members to identify the issues they face both in the workplace and in the union
3. Explore ways to increase participation and raise the profile of Deaf member's using social media, UNISON's website and e networks
4. Continue to use BSL video clips to explain key union issues and campaigns to Deaf (BSL) members at branch, region and national level

### ***National Deaf (native British Sign Language Users) Caucus***

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## **Negotiating and Bargaining**

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Negotiation and Bargaining

### **6. UNISON WORKING FOR INTERSEX EQUALITY**

Conference welcomes growing momentum for the recognition of human rights and equality for people born with intersex bodies (variations of sex characteristics). However, there continues to be confusion and misunderstanding of what intersex means and a lack of focus on everyday issues, especially workplace issues, that people born with intersex conditions face.

Conference welcomes the definition of intersex agreed by the Scottish Equality Network UK working group on Intersex Human Rights and Equality in June 2016. This describes intersex as 'an umbrella term used for people who are born with variations of sex characteristics, which do not always fit with society's perception of male or female bodies. Intersex is not the same as gender identity or sexual orientation.'

Conference further welcomes UNISON's bargaining advice published at the end of 2016, following consultation with intersex members. This sets out common workplace issues and advice for reps.

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Conference notes that the bargaining factsheet, titled 'UNISON working for intersex equality', emphasises that there is a wide range of workplace issues facing intersex people, many very specific to that person. What is often shared in common is a deep sense of shame - people may have been told since childhood to be silent about their condition. They may not have the words needed to get help. Where UNISON reps already have a basic understanding, this can make a huge difference.

Conference further notes that some lesbian, gay, bisexual and transgender (LGBT) groups have changed their remit to include intersex issues. UNISON's LGBT group and intersex activists have discussed this and agreed that this is not a move UNISON should make at this time. Some LGBT groups have merely added intersex to their name, without real understanding of what it means or the competency to work for intersex equality. However, UNISON LGBT conference has affirmed its commitment to promote UNISON's role as an intersex ally.

Some workers under the intersex umbrella fall within the protected characteristic of disability under the Equality Act 2010 and many face issues with health-related time off and seeking reasonable adjustments.

The social model of disability is important in this context. Disability is caused by the way society is organised, rather than a person's impairment or difference. UNISON works to remove barriers that restrict choices for disabled people. We are committed to removing these barriers in how we think, talk, act and organise workplaces, union activities and society. We take this understanding into our negotiations with employers and representation of members.

Conference therefore calls on the national disabled members committee to encourage disabled members to become intersex allies and:

1. Promote understanding of workplace issues facing members under the intersex umbrella;
2. Publicise UNISON's bargaining factsheet 'UNISON working for intersex equality';
3. Work with regional disabled members groups and branches to encourage support for members born with intersex bodies seeking reasonable adjustments, making sure employers tailor the approach to the needs of that person, rather than make assumptions about the needs of intersex people;
4. In all this, promote the social model of disability.

### ***National Lesbian, Gay, Bisexual & Transgender Members Caucus***

#### **7. HIDDEN/NON APPARENT DISABILITIES**

Conference, the Black Disabled Members Caucus are aware of members and, in particular, Black members with a range of conditions, for example, fibromyalgia, dyspraxia/dyslexia, lupus, diabetes, mental health, epilepsy, sickle cell and

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thalassima etc, which are not necessarily visible and do not necessarily affect the individual all day every day but can affect their performance at work.

There are Black members who have more than one protected characteristic and/or more than one disability and this is not often considered by employers when looking at reasonable adjustments in the workplace.

Black disabled members with dyslexia/dyspraxia/calculus have experienced lack of reasonable adjustment throughout their recruitment and selection processes, in that, whilst an adjustment has been made at the job application form stage, at the interview or assessment stages this has not happened which has led to them not being promoted.

It is also the case that more Black people are likely to have diabetes and this can affect individuals in different ways, tiredness, mood swings and concentration levels which can be fluctuating and again members experience negative responses from non disabled colleagues who don't understand about their condition and its effects.

Black Disabled Member's Caucus calls on the National Disabled Members Committee, working with the National Black Members Committee and other relevant parts of the union to develop;

1. A member/steward advice pack with materials on hidden/non apparent disabilities including links to help/assistance information for various conditions
2. A range of educational materials for stewards on hidden/non apparent disabilities
3. Update UNISON's guide on reasonable adjustments to ensure relevant cases and tribunal updates are included

### ***National Black Members' Caucus***

## **8. REASONABLE ADJUSTMENTS**

We welcome the work that the National Disabled Members' Committee are currently doing on reasonable adjustments. The disabled women members' caucus notes that in some cases where specialist equipment is required there are currently delays to employers providing the reasonable adjustments required.

These delays disproportionately impact on disabled women, who both outnumber disabled men and who are doubly marginalised on account of their disability and their gender. Disabled women are at risk of being subjected to bullying and harassment and capability and sickness absence procedures whilst they are waiting for their reasonable adjustments.

We call for the National Disabled Members' Committee to:

1. provide clear guidance on timeframes for reasonable adjustments under the Equality Act and Health and Safety legislation.
2. provide bargaining and negotiation guidance for members to negotiate with employers to commit to a timeframe



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3. raise awareness about this issue through articles in eFocus and the disabled members e-bulletin,
4. use the 2018 Equality Survey to collect case studies from disabled members of the impact of delays to reasonable adjustments

***National Women Members' Caucus***

**9. PENSIONS**

Conference, Deaf British Sign Language (BSL) caucus may not be unusual but we find pensions very confusing and complicated and when we contact our pension sections they only want to deal with issues via email which is a barrier to us getting a good understanding of our pensions.

For Deaf BSL users English is our second language and as a result we can experience the written word as a barrier. This becomes enhanced when the subject area is complicated.

Conference, we want to increase the knowledge and awareness of pensions for Deaf members working in or delivering public services, we want to know more about our own pension schemes. We know the union is working hard to protect our pensions but the information needs to be more accessible for Deaf members.

The Deaf (BSL users) caucus call on the National Disabled Members Committee to work with the Pensions Unit to;

4. Produce a BSL version of unions pensions advice booklet
5. To promote the availability of and/or provide BSL interpreters at branch/regional pensions surgeries where there is a need for BSL interpretation
6. Use the UNISON BSL web pages to cascade information about pensions to Deaf BSL users

***National Deaf (native British Sign Language Users) Caucus***

**10. PERCEPTION OF BLACK PEOPLE AND MENTAL HEALTH**

Conference, we are aware of the variety of work being undertaken within the union and externally to highlight mental health and the stigma that prevails.

The Black Disabled Members Caucus welcomes the two motions on mental health champions which were passed at the 2017 national delegate conference and calls for (amongst other things) taking forward the Cymru/Wales mental health champions initiative and promoting awareness of mental health issues.

In taking this work forward conference should note that Black people are more likely to experience mental ill health and are more likely to experience stigma, stereotyping and negative perceptions as a result of persistent disadvantage and racism.

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Mental health awareness raising is crucial and has a greater significance within the Black community, where the stigma surrounding mental health is persistent.

We call on the National Disabled Members Committee to build on the work undertaken by Cymru/Wales and work with the National Black Members Committee and other relevant parts of the union to;

1. To produce specific materials to promote mental health champions and to develop Black mental health champions
2. Consider providing a supported quiet/safe space at conferences for delegates
3. Further consider whether to include access to mental health champion(s) at conferences

### ***National Black Members' Caucus***

#### **11. HATE INCIDENTS AND 'MATE CRIMES'**

Conference welcomes the work that has previously been done by UNISON on hate crime. However, although hate crime is often highlighted, hate incidents and 'mate crimes' are not.

Citizens Advice describes hate incidents as 'acts of violence or hostility directed at people because of who they are or who someone thinks they are.' These differ from hate crimes as hate incidents are not criminal offences. According to research conducted by the University of Leeds, disabled women face a two to three times higher incidence of violence compared with non-disabled women and are thus more at risk of hate incidents.

Whilst there is no statutory definition of a 'mate crime', according to the Welsh government it is the term given to 'the befriending of people, who are perceived by perpetrators to be vulnerable, for the purposes of taking advantage of, exploiting and/or abusing them. This can strongly be associated, but not exclusively associated, with people with a learning disability, learning difficulties or mental health conditions.' Disabled women are particularly vulnerable to mate crimes involving sexual abuse, including enforced prostitution.

We call on the National Disabled Members' Committee to:

1. work with the National Women's Committee and other self organised groups to produce guidance for branches on how best to recognise hate incidents and support members affected by this. This would include information on where to report hate incidents and mate crimes and the various ways to do this.
2. produce a bargaining factsheet around hate incidents and 'mate crimes', which includes the Crown Prosecution Service (CPS) prosecution processes and witness support.

### ***National Women Members' Caucus***

**2017 National Disabled Members' Conference**  
**Motions and Amendments to Rule for SOC**

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**Campaigning**

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Campaigning

**12. DISABLED WOMEN IN POLITICS**

Conference, it is clear that there is a shocking lack of representation of disabled women in the current political makeup of the UK. Out of the five disabled MPs elected in 2017 only one is a woman - Marsha de Cordova, representing Battersea. Marsha is registered blind and used her victory speech to champion disabled rights. We also champion Rhian Greaves, a young disabled woman who became a councillor in Bristol in May 2017, a role model for young disabled women.

Disabled women who are currently councillors in England and Wales said that they have experienced discrimination on two counts, because they are women and because they are disabled. More information can be found in the Fawcett Society Survey 'Does Local Government Work for Women?' This survey shows that sexism is commonplace and women councillors experience barriers due to unpaid caring responsibilities and a lack of flexibility in how councils do business, much more than their male counterparts. Disabled women also face barriers relating to costs associated with their disability - in 2015 the government halted the Access to Elected Office fund, which offered grants of between £250 and £40,000 to disabled people to help with additional costs they may need in standing for election as a councillor or MP. These are all reasonable adjustments which provide equal access for them such as extra transport or interpreters, all reasonable adjustments.

It is clear that the whole system of accessing politics creates barriers for disabled women wanting to become involved in politics at all levels. From the lack of role models, mentoring opportunities through to the cuts to funding to support disabled women entering politics, including access to reasonable adjustments.

We ask the National Disabled Members' Committee to work with Labour Link, the National Women's Committee, the Learning And Organising Service and the Local Government Service Group to encourage and support more disabled women to become involved in politics, especially to become involved as councillors and MPs, by:

1. Developing training opportunities within regional and national education programmes to encourage women members, especially disabled women members, to become more politically active.
2. Profiling disabled women councillors and MPs in UMag and the disabled members e-bulletin
3. Lobby and campaign to get the government to reinstate the Access to Elected Office fund
4. Invite a disabled woman councillor or MP to address disabled members' Conference 2018

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5. Call on Labour Link to work with the Labour Party to produce guidance to CLPs on increasing the participation of women in local politics.
6. Seek to increase our Labour Link sisters' attendance and participation in Labour's women's conference

***National Women Members' Caucus***

**13. MENTAL HEALTH AWARENESS IN THE WORKPLACE**

This conference recognises that we spend a considerable amount of our lives at work and with more of us working longer hours, under more pressure, having mental health first-aid support in the workplace is critical not just for employees, but for employers too. Mental health issues including stress, depression and anxiety account for almost 70m days off sick per year, the most of any health condition.

We all have mental health, just as we all have physical health, and in both cases we need parity in the employers awareness. It is estimated that one in four people experience a mental health issue in any given year, and that one in six employees is depressed, anxious or suffering from stress-related problems at any time. However, many of us, and in particular the employer, know little about mental health. We often don't spot the signs that a colleague, employee, or we ourselves are struggling, and this delays help and recovery.

This conference calls on the National Disabled Members Committee to:

1. Continue to support and raise awareness of the triggers that influence poor mental health.
2. Call on employers to recognise and support the training of Mental Health First Aiders.
3. Call on the Government to realise that the increase in poor mental health will increase as people are working longer.

***South Lanarkshire UNISON***

**14. DISABLED WORKERS RIGHTS TO HEALTHCARE IN EUROPE**

As a member nation of the European Union, UK citizens currently enjoy the right to equal health care across other EU member states.

This requires the person to apply for and carry a European Health Insurance Card

“The EHIC covers treatment that is medically necessary until your planned return home. Treatment should be provided on the same basis as it would to a resident of that country, either at a reduced cost or, in many cases, for free”. “The EHIC also covers the treatment of pre-existing medical conditions and routine maternity care, provided the reason for your visit is not specifically to give birth or seek treatment“  
NHS choices website.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

For many UK disabled people and workers who have to travel abroad as part of their employment, this is an essential benefit. The fact our pre-existing conditions are covered without added costs is of great benefit. For many of us as disabled people travel abroad can be a complex and costly affair for some of us the prospect of getting private travel or medical insurance to cover our journeys can also be impossible, with many insurers refusing to cover pre-existing health conditions and disabilities and others only with the added cover a EHIC provides.

For many in the general public it is as simple as getting a travel insurance policy from their local supermarket or possibly already they have one free with a certain bank account. For disabled people it is much harder, there are so many exclusions and exceptions and EHIC offers a security blanket and reassurance.

Conference this motion calls on the National Disabled Members Committee to;

1. Campaign for the importance of the EHIC provision as part of Brexit negotiations and equal or similar to be provided for under any Brexit deal.
2. Write to the Disabilities Minister and flag this up as an issue for disabled people.
3. Liaise with other Unions to lobby/ write to key players in the health insurance industry for fair insurance for people with disabilities and long term health issues.
4. Raise awareness of this issue to Disabled Members and the general public via social media and other publications.
5. Liaise with the NEC to ensure UNISON's partner providers for travel insurance services do not discriminate against disabled people if EHIC scheme is revoked.

***Yorkshire - Humberside Region***

### **15. A SAFE ENVIRONMENT FOR ALL**

Deaf (British Sign Language users) face many barriers just like other disabled people. Many Deaf (BSL users) find it extremely hard to navigate and access information they need.

Conference, if you know someone who is vulnerable and needs to be protected, or if you have seen or experienced a hate crime, or if you are witnessing or experiencing domestic violence or maybe you want to find out about obtaining an ASBO, do you know where to go to get information? Can you find out what the process is or where you get the support? For many people the answer will be yes but for Deaf (BSL users) the answer is usually no, this is due to language and other barriers faced.

Conference, Deaf (BSL users) want to understand their and others rights in relation to safeguarding, hate crime, social care, domestic violence, ASBO's but it is harder for them to access information, understand what the terms mean, how and who they can report their concerns.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Conference welcomes that some police forces and local authorities do reach out to the Deaf community to raise awareness and assist with signposting and knowledge but this needs to be consistently applied

The Deaf (BSL users) caucus call on the National Disabled Members Committee to work with the Police and Justice and Local Government Service Groups to;

1. Work with the British Deaf Association to highlight the concerns and promoting a safe environment for Deaf (BSL users) and seek to promote closer working between the different Authorities and Deaf communities
2. Produce short interpreted video clips to explain hate crime and safeguarding with sign posting on how to access services for use via social media

### ***National Deaf (native British Sign Language Users) Caucus***

#### **16. INSTITUTIONALISATION IS NOT SOCIAL CARE**

Conference is concerned that continuing austerity and cuts to social care funding is, once again, reducing disabled people to objects who need to be “taken care of” rather than people who have the right to an independent and enjoyable life.

The never ending and ideological quest for efficiency savings at a time of increasing demand has become an almost impossible task for Clinical Commissioning Groups (CCGs). Many CCGs see enforced institutionalisation of disabled people as the only option to deliver the spending cuts the government have imposed.

Recent Freedom of Information (FOI) requests from campaign group Disability United found that 37 NHS CCGs in England are introducing rules that could force up to 13,000 disabled people with health conditions into care homes.

This approach, which is seen by many as a return to warehousing, isn't about providing better care or increasing independence it is simply cheaper to concentrate disabled people in institutions. Disabled people are essentially being told “you're too expensive. We're moving you to a care home unless you cough up the money to pay for what you need.”

Institutionalisation objectifies disabled people leading to some to believe we are less than human, affecting the way disabled people are spoken about and treated. All of which could lead to a return of the “stick them in a home” attitude we have fought against for so long.

Disabled people are currently offered some protection by the Equality Act, the Human Rights Act and the European Convention on Human Rights. We are concerned that the Minister for Disabled People's statement that “the decision about whether to institutionalise somebody against their will is rightly a matter for medical professionals, and decisions should be made on the grounds of individual safety and health” doesn't take our rights into consideration.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Added to this the government's ideological commitment to privatising social care is not only impacting our disabled members who are service users but our members who are working in this sector.

It's not only the reduced terms and conditions that is impacting on their health but the stress and anxiety that goes with knowing that they are being forced to deliver services in a way that is not only inappropriate but also incredibly inhumane. They go above and beyond what they are told to do to try to deliver the services they believe disabled people need but are constantly worried that this will lead to reprimand or disciplinary proceedings.

Conference is concerned that while there is talk of the need to integrate health and social care policies there has been no consideration of how welfare reform impacts on social care. As welfare reform continues to take money away from disabled people the road to institutionalisation is increasingly becoming the route our disabled members are forced to take.

Conference calls on National Disabled Members Committee to work with the NEC to:

1. Use the Public Service Champions campaign to raise awareness of the impact institutionalisation has on disabled people and society as a whole;
2. Lobby government to introduce policy that provides realistic checks and balances that prevents the enforced institutionalisation of disabled people;
3. Work with a coalition of agencies to develop a wide range of trained advocates who could represent disabled people at risk of institutionalisation and;
4. Campaign for a social care system that looks beyond the discredited medical model of disability to take a socially inclusive approach to care and welfare benefits that empowers disabled people.

### ***National Disabled Members Committee***

#### **17. ARE CHEAPER MEDICINES BETTER?**

Conference notes:

There needs to be a streamlining of medical services. If a member is under a hospital consultant and is prescribed medication by the consultant, when they go to their local General Practitioner (GP) for a repeat prescription they should not have the GP attempting to stop the medication or change it for a cheaper/different brand of medication if this has not been agreed with the consultant. By doing so this action is not always in the best interest of the patient or the best treatment for the condition, leading to further stress or anxiety.

Conference calls on National Disabled Members Committee to:

1. Work with National & Regional Health Service Group committees to highlight this issue with members, and campaign against this issue with the appropriate bodies.

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2. Highlight the issues to members via Disabled Members e-bulletin

***North West Region***

**18. DISABLED ARE VERY MUCH ABLED**

This conference recognises the discrimination disabled people face in the world, including the recent ablest abuse a journalist received at the hands of the President of the United States, Donald Trump, during the election campaign. This conference recognises that this type of behaviour may increase the discrimination often faced by disabled people in the United Kingdom, whether indirectly or targeted at an individual.

This conference instructs the National Disabled Members Committee :

1. To work with other UNISON committees, branches, members and officers to launch an education campaign on what disabilities are and the many benefits people with hidden/non-apparent and visible disabilities can bring to a work place.
2. To produce and issue guidance including best practice on how to involve more disabled members in union decision making and ensure disabled members voices are heard more at a national level.
3. To work with the disabled NEC reps to ensure that UNISON maintains a zero tolerance approach to any kind of discrimination or abuse by any member of this union and to not be afraid to take such matters to disciplinary action, if called for.

***Eastern Region***

**19. HATE CRIME AGAINST LGBT DISABLED PEOPLE**

Conference notes the dramatic rise in hate crime since the EU referendum against LGBT and disabled people, and that sentencing for disability and LGBT hate crimes are generally shorter than other forms of hate crimes.

Conference welcomes the fact that UNISON is one of the 75 signatories to the LGBT anti-violence charity Galop's letter calling for equal hate crime laws.

Conference calls on the National Disabled Members Committee to work with the LGBT committee, other self organised groups and other relevant structures of the union including service groups to:

1. Work with Labour Link to lobby politicians at Westminster, the devolved parliaments and assemblies to work to create equity for LGBT & Disabled people amongst hate crimes
2. Produce guidance for branches on how to support members, including LGBT and disabled members, who have experienced hate crime and hate incidents



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3. Provide a factsheet for members which signposts them to organisations that support LGBT and disabled members who experience hate crime and which includes guidance on reporting mechanisms
4. Develop a model hate crime at work policy for branches to negotiate with employers

***National Lesbian, Gay, Bisexual and Transgender Members Caucus***

**20. INVISIBLE DISABILITY**

Conference recognises that just as individuals with disabilities are unique and diverse so are the types of disabilities. Most physical disabilities are usually visibly apparent. However, there are disabilities whose symptoms are less obvious and are considered to be invisible.

Examples of these “invisible” disabilities include:

- mental health conditions such as depression, anxiety, bi-polar or schizophrenia
- cognitive impairments related to stroke, brain injury, MS or Alzheimer’s disease
- Chronic pain conditions and autoimmune diseases such as Fibromyalgia syndrome, ME, Lupus, Rheumatoid Arthritis, HIV and various others.

Individuals with invisible disabilities face the same issues in function, quality of life and discrimination as individuals with obvious physical disabilities. These issues can include employment/job retention, challenging misconceptions about their condition and educational attainment. The primary difference is having additional stigmatisation because their disability is not readily apparent. Since many individuals with invisible disabilities appear able-bodied and/or healthy they receive constant scrutiny about their disability status from strangers, co-workers, and society in general.

Scottish Disabled Members Committee calls on the Unison National Disabled Members Committee to:

1. Produce a leaflet and posters for branches around the subject to raise awareness with members of this issue that challenges discrimination
2. Work with other National Committees such as Black Members, LGBT and Women and Regional Disability Committees and SOGs to look at best practice around policies in the workplace such as disability leave, working at home and produce template policies that branches can use when negotiating disability policies and procedures
3. Work with the National Labour Link Committee to campaign to ensure that disabled workers rights are not eroded in any legislation changes with regards to Brexit

***Scotland Region***

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**21. AUTISM IN THE WORKPLACE**

Conference agrees that there are many workers who are Autistic, and fully recognises the valuable contribution that they make to the UK's economy, social fabric and vibrancy.

It is therefore vital that we understand the need to break down the continuing attitudes that prevail against people with Autism and why on average only 16% of people with Autism get full time employment.

There is unfortunately still much derision, intolerance and hostility towards people with Autism. From the mildest forms of mickey-taking through to violent attacks, people with autism sustain much mental and physical injury as well as a loss of confidence to make their way through life.

Especially daunting is the complete lack of understanding by lower and middle management as well as other workplace colleagues who consider autistic people to be nothing more than a nuisance and unable to contribute to the wider team effort.

It is time to tackle these issues full on and amplify existing campaigns that strive to promote the positive contributions that people with Autism can give us. We are all aware of many celebrated scientist such as Einstein and what they have taught us all.

Conference therefore instructs the National Disabled Members Committee to-;

1. Support the National Autistic Society's campaign to achieve a level of at least 32% of people with Autism to obtain full time employment by 2020.
2. Enlist the support of the National Executive Committee to publish up to date guidance on appropriate behaviour and support for workers with Autism that can be issued to all the employer organisations where UNISON members are employed.

***Eastern Region***

**22. ACCESSIBLE TRAVEL OPTIONS - TICKETLESS TRAIN TRAVEL**

Conference is concerned to learn that the rail industry is planning to replace paper train tickets with smart phone technology within three years and the impact this will have on disabled travellers.

Disabled members who do not have a smart phone and will still have to buy tickets, face paying higher fares than those who have adopted the new technology, as anyone still wanting a paper ticket will be charged more than those using the new contactless method.

There is also concern that the introduction of ticketless travel will mean that the number of passenger services employees within the travel industry will also be reduced. This could have a serious impact on our disabled members' travel assistance and cannot be condoned.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Conference therefore instructs the National Disabled Members Committee to liaise with the NEC and other relevant bodies including the Office of Road and Rail Regulator to publicise the negative impact of ticketless services on Disabled members and that disabled members could be financially disadvantaged by this proposal, and to report back to the National Disabled Members Conference 2018

*Eastern Region*

### **23. UNIVERSAL CREDIT**

Conference is very concerned that the conservative minority government will continue on its path to drive disabled citizens and our disabled members into poverty by its implementation of Universal Credit (UC).

There is the withdrawal of extra premiums both in Employment Support Allowance (ESA) and Universal Credit for those in the Work Related group which can mean a cut of over £30 per week. In some cases, over £70 per week. There is transitional protection for those already getting the premiums but their benefit level is frozen until it meets the level under the new regulations.

Any disabled claimant who transfers to UC from tax credit, in part time work, will have to undergo a work capability assessment and if found fit for work may be forced to look for increased hours.

The National Disabled Members Committee has been proactive working with local MPs and the Shadow Minister for Department of Works and Pensions (DWP) in clarifying regulations where decision makers have got it wrong. This means income related ESA claimants can now keep that benefit and only have to claim housing benefit through Universal Credit with the ESA deducted from their UC rate.

Universal Credit will impact on both disabled members and other members as it will replace Tax Credits. The benefit pays less money for those who will transfer from (ESA) and the existing Tax Credit system and there will not be the same disability premiums.

For part time workers, there will be the compulsion to find more hours whether you are disabled or not. Any person claiming housing benefit who moves house will be forced onto this benefit, alongside the draconian requirements it entails will cause greater problems for individuals.

Universal Credit is only paid calendar monthly, which again will cause hardship to many disabled people, as some disabled people may find it difficult to cope with such long periods between receipt of payments. With a lack of access to other support such as foodbanks, they run the risk of going without food and falling ill. They are more likely to be unable to keep up their utility payments and risk having no energy supplies to heat food or to keep themselves warm in winter. Conference, we know from experience of the original sanctions imposed on claimants that this will only create the right environment for more deaths of claimants unable to cope with these disastrous changes. We know that disabled people have far greater costs and this may force them to seek loans or ask for advance payments from Department of Work and Pensions to be paid back in an unreasonable length of time.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Conference, there are huge delays in Work Capability Assessments in Universal Credit and before decisions are made people could lose benefit for months and pushed into greater poverty.

We call up on the National Disabled Members Committee to work with, Labour Link and relevant committees of the NEC to;

1. work with opposition MP's to push for reform of this benefit
2. lobby and campaign to restore the UC payments to equate to existing benefit and Tax Credit rates, including all premiums payable for disability and allow 2 weekly payments.

### ***National Disabled Members Committee***

#### **24. MANDATORY RECONSIDERATION IS MANDATORY REFUSAL**

Conference is concerned that decisions on whether a disabled person should receive Personal Independence Payments (PIP) are not being based on the support needed but instead based on government targets to cut benefits.

Responses to recent Freedom of Information requests show that:

- Over half of Disability Living Allowance (DLA) claimants lose their higher rate mobility when they are moved to PIP
- The Department of Work and Pensions (DWP) target for Mandatory Reconsiderations (MR) is to uphold 80% of original decisions
- Almost 9 out of 10 decisions are actually upheld but at the MR stage
- 65% of decisions appealed at tribunal are overturned, that is found in favour of the claimant

From start to finish the process of applying for PIP appears to be aimed not only at getting disabled people off benefits but preventing them from applying in the first place.

Application process: This involves a phone call to the DWP, often quite lengthy, followed by the completion of a very long and detailed form (the contents of which it seems are then ignored). The form has to be completed in writing and there is no online version causing difficulties for many disabled people. Some will give up at this stage as they don't want to ask friends or family for help or disclose personal information to strangers so they can complete the form.

Assessment: Many disabled people find the assessment stressful. You are given little warning of what is included, not aware that you are being informally observed from the moment you arrive and often coerced into doing things you find difficult or uncomfortable. And it turns out that if the assessor does agree that you need support their evidence may well be ignored by the decision maker.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Mandatory Reconsideration: Once your claim is turned down (it almost always will be) you can write or ring to request a MR. This is when you will be able to ask for a copy of the assessors report, which in many cases will be completely different from your recollection of what was said. You then have 28 days from the day you said you wanted an MR to submit additional evidence. They have as long as they want to consider the evidence you submit.

If you haven't given up by now you probably will when you receive your new decision which in 9 out of 10 cases will be the same as the original. The letter you receive will state what evidence they have used to review the original decision – it usually won't include the information you have provided correcting all the errors in the assessors report.

Tribunal: It's usually only at this stage where disabled people feel they are being listened to. And that is backed up by the fact that over 65% of claimants are successful. However a high proportion of disabled people have already given up long before this stage,

Conference this is not acceptable. Disabled Members are losing the benefits they rely on and are being forced to put their health at risk to get them reinstated. There is no legal support to appeal, no financial support while you are waiting to appeal and, due to government cuts, very few organisations with the capacity to support or advise you during the process

Conference therefore calls on National Disabled Members Committee to work with the NEC to:

1. Campaign for a person centred assessment process that places greater weight on the evidence provided by the claimants GP, consultant or other medical professionals; and
2. Lobby government to remove all performance targets that are based on refusing disabled people benefits

***Northern Region***

### **25. DEFENDING THE RIGHT TO MOBILITY AS THOUSANDS HAVE DISABILITY VEHICLES TAKEN AWAY**

Conference notes that:

The Motability scheme entitles disabled people to lease a specially adapted new car, scooter or powered wheelchair using part of their benefit. But the charity says that 51,000 people have had vehicles taken away since the benefits system was changed in 2013.

To qualify for the higher level of the mobility component of PIP, which is needed to get a Motability vehicle, a person must be unable to walk unaided for 20 metres, compared with the previous distance of 50 metres under DLA.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Changes to the assessment process came in five years ago when personal independence payments (PIPs) were launched to replace the disability living allowance (DLA).

Of the 51,000 taken off, more than 3,000 people have since re-joined the scheme after the original decision to refuse them PIP was overturned.

director of campaigns, care and information at Muscular Dystrophy UK, said: 2016 "Each of the 51,000 vehicles being taken away is a story about a disabled person's independence being compromised. "This is having a devastating effect on quality of life".

Conference calls on the National Disabled Members Committee, to work with other committees, to:

1. actively campaign on behalf of its disabled members to get the reinstatement of the specially adapted cars
2. pressure the government to review the personal independence payments scheme to insure it is fair and just.
3. Raise Awareness

***Oxfordshire Health Services Branch***

### **26. UNITED NATIONS CONVENTIONS**

Conference, we welcome the existence of both the International convention on the Elimination of all forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities

The Committee on the Elimination of all forms of Racial Discrimination (CERD) considered the periodic reports of the UK and Great Britain and produced a comprehensive set of observations in 2016.

The Black Disabled Member's Caucus wish to highlight two specific observations from this report which relate to Black disabled people;

- 1) The spending cuts – it recommends that “any spending cuts and legislative amendments relating to the mandates of the national human rights institutions should not restrict their independent and effective operation in line with the principles relating to the status of national institutions for the promotion and protection of human rights”
- 2) “The Committee remains particularly concerned at reports of overrepresentation of persons of Afro-Caribbean descent in psychiatric institutions and of a higher likelihood of persons of Afro-Caribbean descent being subjected to restraint, seclusion and overmedication”

Conference, the Convention on the Rights of Persons with Disabilities (CRPD) sets out what human rights mean in the context of disability, it should represent a major

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step towards realising the rights of disabled people to be treated as full and equal citizens. However in the Equality and Human Rights (EHRC) submission to the CRPD in February they state 'In our view, the UK and devolved governments have not taken all the appropriate steps to progress the implementation of the Convention.' The UK's CRPD examination takes place during 2017.

Conference as a union we need to ensure both Conventions are examined thoroughly and implemented to ensure better lives for Black and disabled people.

As Black Disabled working in, and in receipt of, public services we are acutely aware of the impact of spending cuts on our members and services particularly in mental health services. It is due to these cuts that the EHRC remains in turmoil; without proper resources to assist in necessary investigations or enforcement.

Conference, we call on the National Disabled Members Committee to work with National Black Members Committee and other relevant parts of the union including Labour Link and work with the TUC to;

1. Campaign for both the Committee on the Elimination of all forms of Racial Discrimination and Convention on the Rights of Persons with Disabilities to be examined fully and responded to by the Government
2. Campaign for the Equality and Human Rights to be adequately resourced and to focus its response on conducting investigations and enforcing the Equality Act
3. Profile and support UNISON's mental health matters campaign in particular write and publish articles on the plight of Black people within the mental health system

### ***National Black Members' Caucus***

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#### **Effective and Efficient Union**

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Effective and Efficient Union

#### **27. SUPPORTING PARTICIPATION AT UNISON MEETINGS AND CONFERENCES FOR ACTIVISTS WITH COMMUNICATION DIFFICULTIES**

Conference acknowledges a need to facilitate inclusion and encourage participation among its activists with communication difficulties at all Unison meetings and conferences and recognises a clear need to allow more time for activists with communication difficulties to speak at such events.

Conference notes that the Unison Rule Book (rule P14.1) makes provision to adjust speaking time applicable to National Delegate Conference, Special Delegate Conference, and Service Group Conference only. Conference also notes the autonomy given to Self-Organised Groups and Regions to develop their own Standing Orders.

## **2017 National Disabled Members' Conference Motions and Amendments to Rule for SOC**

Conference acknowledges the onus on activists with communication difficulties to highlight their needs allowing them to participate fully, for example, when registering for conference. This approach recognises differing individual needs and enables our activists to retain control over what information is shared maintaining privacy and dignity

However, Conference also recognises that activists with communication difficulties may be unaware of the range of adjustments that could be made or may be reluctant to request; effectively excluding themselves from participating fully in meetings and at conferences.

Conference commends the efforts made at Unison's National Delegate Conference in June 2017 to encourage the participation of delegates with communication difficulties. Through the repeated explicit encouragement from the Chair of Conference that delegates with communication difficulties may be given additional speaking time delegates with speech, hearing, and sight difficulties participated fully in debate.

Conference calls on Unison's National Disabled Members' Committee to:

1. Review what arrangements and guidance are currently in place across the union to facilitate participation of activists with communication difficulties at Unison meetings and conferences.
2. Articulate a coherent policy position that facilitates inclusion and participation of activists with communication difficulties in Unison meetings and conferences.
3. Work with the National Executive Council to ensure arrangements and guidance across our union reflect that policy position.
4. Promote and raise awareness of the arrangements and guidance that exist to support activists with communication difficulties fully participate in Unison meetings and conferences across our union.
5. Raise the issue with our sister unions.

***South Lanarkshire UNISON***

### **28. UNISON NATIONAL WEBSITE**

This conference calls upon the National Disabled Members Committee to seek a review of the UNISON National Website to ensure that it is more accessible and informative for members who may be seeking advice facing concerns regarding disability issues.

***Cymru/Wales Region***



## **MOTIONS RULED OUT OF ORDER**

### **Beyond the Remit of Conference**

#### **ADOPTION OF RACE DISCRIMINATION PROTOCOL ACROSS ALL PROTECTED CHARACTERISTICS WITHIN EQUALITY ACT**

Conference Notes: The adoption of the UNISON Race discrimination Protocol by UNISON which gives black members within UNISON access to a process for raising concerns and challenging decisions regarding race discrimination within the union. This Protocol since implementation has provided UNISON members who suffer race discrimination support in tackling racism within the work place.

There are approximately 13.3 million people in the UK who identify themselves as disabled in the UK. There are more disabled women than men in the UK. In a recent fair treatment at work survey found that disabled people are significantly more likely to experience unfair treatment at work than non-disabled people.

There is not an equivalent protocol such as the race discrimination protocol providing the same support for disabled members or others covered by the Equality Act 2010.

Conference believes:

- 1) There is a need for disabled members to be able to raise issues around discrimination within the union.
- 2) Equivalent appropriate processes and practices should be adopted for all members who fall under the Equality Act 2010.
- 3) Discrimination suffered by members is not just limited to colour and members across all protected characteristics suffer discrimination.

Conference instructs the National Disabled Members Committee to:

1. Take action to ensure that all members who fall under the Equality Act have the same right of redress within UNISON as other members who can access the race discrimination protocol.
2. To draw up a Disabled Members protocol equivalent to the race discrimination protocol, for discussion and adoption at the next Disabled Members Conference at the latest.
3. To work with other self-organised groups to ensure all those facing discrimination have access to the same internal processes.
4. Work with others, including the NEC, to ensure UNISON adopts discrimination protocol across all protected characteristics within the Equality Act 2010.

**2017 National Disabled Members' Conference**  
**Motions and Amendments to Rule for SOC**

*Yorkshire Ambulance*

DEMENTIA

This conference recognises that there is an increased incidence of members of UNISON and their friends and families being diagnosed with dementia.

We call upon the NDMC to ensure that information is available to support members. We suggest that:-

1. Information be available on the UNISON National Website
2. An article raising these issues included in "You" magazine
3. Review across Service Groups and Branches harmonising carers policies.

*Cymru/Wales Region*

SUPPORT FOR ACTIVISTS ASSISTING MEMBERS IN CRISIS

Conference is concerned that our activists are dealing with an increasing number of members' cases that involve mental ill health. Due to the cut backs and the resulting pressure on Local Government and the NHS Services, many of our UNISON members are suffering from stress related conditions or a mental health illness. Often this is exacerbated by the stressful and challenging circumstances that our members find themselves in the workplace. It is our Stewards who are in the front line dealing with these very complex cases, some of which may result in an attempted suicide or a successful suicide attempt. Activists themselves can then be left needing support and counselling.

It is the Disabled Members' Group's belief that it is not the Employers responsibility to provide a service for a UNISON role, but that of UNISON itself to show that they support not only members of the union but activists as well. Activists need a system whereby they are fully supported, counselled and de-briefed throughout a difficult and traumatic case. UNISON does have a moral responsibility to look after its volunteers and although they provide training, there is no specialist training, advice or counselling service for this situation.

Conference therefore calls on the National Disabled Members Committee to:

1. Implement an emergency telephone advice line for stewards who are dealing with a member who is at immediate risk of suicide.
2. Develop guidance and training, specifically on providing ongoing support for stewards dealing with potential suicidal members.
3. Provide a counselling service for stewards who are left with the emotional aftermath.

*South East Region*

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### **WHO DECIDES WHEN A HATE CRIME IS A HATE CRIME**

This conference is rightly proud of UNISON's strong record of fighting Disability Hate Crime but unfortunately recent events show that we still have much work to do.

We campaigned to raise awareness of Disability Hate Crime and there is now more understanding. We campaigned for better media coverage of Disability Hate Crime and it is more widely reported and usually in a more acceptable way.

We campaigned for a legal definition of Disability Hate Crime and now there is one. We campaigned for the police to treat Disability Hate Crime as hate crime and in many cases they do.

We campaigned for the CPS to say when cases sent for trial should be dealt with as Disability Hate Crime and in many cases they do.

What we didn't do was launch a campaign to make sure the judiciary recognise a Disability Hate Crime when they see one. We thought their legal training and experience would be enough

Conference we were wrong. Judges don't always recognise Disability Hate Crime. Even when the police and CPS say it is. Even when the disabled victim has been murdered the Judge doesn't always rule that it was a Disability Hate Crime.

Conference some people may think it doesn't matter whether the crime of murder is recognised as a Disability Hate Crime as long as the perpetrator is found guilty it does. Because by not classifying a Disability Hate Crime as a Disability Hate Crime the sentence could be less, the victim's families are left feeling justice hasn't been served and, perhaps worst of all, it is likely to make more disabled people feel it is not worth reporting a Disability Hate Crime because they won't be treated seriously.

Conference it is wrong that one Judge can overrule the informed decision of the police and the CPS. It is wrong that a Judge can decide something is not a Disability Hate Crime even when it is clear that the crime meets the definition. It is wrong that a Judge can decide against all advice that something is not a Disability Hate Crime without having to explain the reasons why they have come to that decision.

Conference we know Disability Hate Crime is increasing but we also know that reporting is still low. If we are to ever put an end to Disability Hate Crime then we must have a legal system that is prepared to say Disability Hate Crime is Disability Hate Crime and treat it as such.

Conference calls on National Disabled Members Committee to work with the NEC to:

1. Raise awareness of Disability Hate Crime and the impact of not treating crimes targeted at disabled people as Disability Hate Crime; and
2. Lobby government to introduce legislation so one arm of the legal system cannot overrule the other two when deciding whether a crime is Disability Hate

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Crime without clearly stating why the crime does not meet the legal definition of Disability Hate Crime.

*Northern Region*

### **Not competent**

#### CHALLENGING VIEWS OF 'DISABILITY' AND MOVING TOWARDS A FAIRER BENEFITS SYSTEM.

This conference welcomes Labour's manifesto which 'supports a social model of disability' - recognising people are disabled by society and not their condition or impairment. We back Labour's strong statement on incorporating the UN Convention on the Rights of Persons with Disabilities into UK law.

We support Labour's call to repeal the cuts in social security support to people with disabilities through a new Social Security Bill.

In particular conference calls on the NEC to campaign among our members and the public with Labour for:

1. Increase Employment and Support Allowance (ESA) by at least £30 per week for those in the work-related activity group, and repeal cuts in the Universal Credit (UC) limited capacity for work element.
2. Increased Carer's Allowance by £11 to the level of Jobseekers' Allowance.
3. Implementation of the Upper Tribunal decisions on Personal Independence Payment (PIP) opening the possibility for parity of esteem.
4. The creation of a new National Care Service.

*Oxfordshire Health Services Branch*

#### NATIONAL DISABLED MEMBERS COMMITTEE MEETINGS

Conference is concerned that the timetabling of meetings for National Disabled Members Committee (NDMC) makes it unreasonably difficult for NDMC to complete their work programme.

NDMC's work programme is in the main set by the motions passed at the National Disabled Members Conference which is conference is usually held during the last weekend in October or on rare occasion the first weekend in November. The timetable for NDMC meetings to complete the work programme is usually as follows:

- Mid-February – Policy Weekend
- Mid-May – NDMC meeting
- Mid-August – NDMC meeting

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- Early October – NDMC meeting
- Conference – NDMC meeting (conference business only)

The new committee takes office at the meeting in February and the Annual Report where NDMC reports back on their work programme to conference needs to be drafted for final approval at the October meeting.

This means NDMC has only seven months to complete their work programme – less than any other UNISON Committee – and five months of every year are wasted.

For example National Women's Conference is held in mid-February with their AGM in late March or early April giving them 10 months to complete their work programme. Similarly the NEC have their first meeting less than two weeks after the end of National Delegate Conference allowing them even longer to carry out their work programme.

The impact of government cuts, ever changing national policy and reductions in facility time mean an ever increasing work load needs to be carried out in an ever decreasing amount of time. Disabled Members work programme is no less important than that of any other committee but the lack of time means it is not receiving the priority or attention it needs to be completed.

We recognise that, where possible, meetings need to be arranged so they do not clash with other National Committee meetings or conferences but the burden of having to complete all the required work in such a short timescale is becoming unsustainable.

Conference therefore calls on the NDMC to work with the NEC to:

1. Identify options for amending the committee timetable to allow more time for work to be completed; and
2. Consult with Regional Disabled Members Groups before agreeing the best alternative committee timetable to implement.

*Northern Region*

### **Not sufficiently clear**

#### **TO TAKE FORWARD DISABILITY LEAVE AND ABSENCE POLICY**

Conference is aware that in recent years there is still inequality for many of our disabled employees and they continue to be treated unfavourably at work. This inequality still happens even though the Equality Act 2010 makes it unlawful to discriminate against employees because of a mental or physical disability.

Removal of the disadvantage that a disabled employee has when considering formal action due to sickness absence would go some way towards rectifying this unfavourable treatment. Therefore the recording of disability absence separately

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from sickness absence helps to ensure that disabled employees are not penalised under absence management schemes for being disabled.

The creation of a Disability Leave Policy is seen as good practice in the Equality and Human Rights Commission's Employment Statutory Code of Practice.

Doctors, employers or even occupational health, cannot decide what is a reasonable adjustment for a disabled person. A medical diagnosis can say what an employee's impairment is, but it is only possible to know the effect on an employee by consulting with them about their experience of barriers to full inclusion in the workplace.

Conference calls upon the NEC and other relevant bodies in UNISON to consider implementing a Disability Leave and Absence Policy that encompasses the following:

### Disability Leave

1) Allowing disability leave, when the employee is well and not sick, for medical treatment, recuperation or rehabilitation for example. Some specific examples are detailed below:

- Hospital appointments, hospital treatment as an outpatient or specialist check-ups including monitoring of related equipment or treatment
- Assessment for conditions such as dyspraxia
- Training for example with guide or hearing dog or in the use of specialist equipment
- Counselling/therapeutic treatment
- Recovery time after blood transfusion or dialysis treatment
- Physiotherapy
- To allow time for adjustments or adaptations to be made

2. There will normally be a limit of 20 working days paid leave in any 12 month period

### Disability Absence

- 1) Treating sickness absence and disability absence separately
- 2) Right to contractual sick pay when on disability related absence
- 3) Allowing managers some flexibility when dealing with disability related absence
- 4) Implementation of reasonable adjustments, in full consultation with the employee

This conference calls upon the National Disabled Members Committee:-

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1. Encourage other regions within UNISON to provide information on their Disability Leave policy & how they have negotiated with the employer
2. Request supportive information to be made available to NDMC for further work.
3. To promote disability leave policies that can help to protect all workers who have a disability.
4. Produce up-to-date guidance on best practice, request & monitor the employer on supporting the employee branches and disabled workers, to remain in the workplace with a robust Disability Leave policy running alongside the Sickness policy.
5. To work with the NEC & TUC to promote the policy, with the aim of it becoming Law.

*West Midlands Region*

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### **EXPLANATORY NOTE OF MOTION 1, THE REVISED NATIONAL DISABLED MEMBERS COMMITTEE CONSTITUTION AND STANDING ORDERS OF THE NATIONAL DISABLED MEMBERS CONFERENCE**

The Standing Orders Committee has requested an explanatory note to Motion 1 to highlight the key changes to delegates.

#### **Background**

A motion was submitted to the 2016 National Disabled Members' Conference to revise National Disabled Members Committee (NDMC) Constitution and Standing Orders (SO) of the National Disabled Members' Conference. This motion was debated and lost. Since then the committee have reviewed the constitution and standing orders documents with the following principles;

- To bring the standing orders into line with national rule book, subject to specific content for Disabled Members (Conference)
- To address access issues
- To take on board the issues raised during debate at 2016 Conference
- To rectify any conflicts between the Constitution and the Standing Orders (SO)

Once this work was completed the NDMC consulted Regional disabled members' groups in May 2017 on the revised consultation and a number of regions inputted to the final version submitted to the preliminary agenda (Appendix 1 and 2)

#### **Explanation of the NDMC Constitution**

The NDMC Constitution sets out the rules on how the NDMC conducts itself. There have been no significant changes to the size and structure of the committee which will remain the same if the revised constitution is passed by conference. The revised constitution has clearer wording on proportionality requirements throughout the document and the following changes have been made;

#### **Paragraph i)**

The NEC seats on NDMC now include the reference to the two NEC disabled seat holders as required by the Rule Book.

In the previous constitution there was provision of up to four advisory places which have been deleted, as they have never been needed and the constitution allows the committee to invite speakers and advisors to meetings if they are needed.

The rights of the committee to vote has been made explicit. In the previous versions it was unclear as to the voting rights of the NEC, however this has now been clarified and all the committee are entitled to vote.

#### **Paragraph iv)**

The current constitution gives the NDMC the ability to co-opt individual disabled members onto working groups and for them to be convenors of working groups This has been removed from the proposed constitution. NDMC members are elected to represent their constituencies and can get advice and involve others in policy development through Regional Disabled Members' groups or other UNISON bodies



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if needed and therefore it was felt that this was not necessary. There has never been a budget for this activity nor has it ever been utilised

### **Paragraph vii)**

The current constitution has a number of committee officer positions namely those of; international officer, transport officer, health and safety officer, publicity officer and education officer. The NDMC has removed these roles, this is because the committee now organises itself around an annual work programme, which is based on the motions from conference and ongoing pieces of work. Therefore the revised constitution enables the committee to appoint officers within the committee to lead on those areas rather than these historic posts

### **Paragraph viii)**

An additional paragraph has been inserted at the end of the Caucus group lists to highlight the process already contained within the Standing Orders for the provision of Caucus network days to enable caucuses to submit motions and amendments to National Disabled Members' Conference.

The current Constitution set out the details of the elections to be held at National Disabled Members' Conference. This has been deleted because the elections have been transferred into SO15 of the revised Standing Orders set out in Appendix 2, which is the correct place for them to be.

### **Explanation of the National Disabled Members Standing Orders (SO)**

The National Disabled Members Conference Standing Orders set out the rules by which the National Disabled Members' Conference is run. There have been significant changes to the Standing Orders (SO) because they have been re-ordered to bring them into line with National Standing Orders as set out in the UNISON Rule Book (Section P). These have been consulted on and any key issues are highlighted at the appropriate section below

The key changes to the standing orders are detailed below;

#### **SO1 Standing Orders**

- 1.3 Introduces the concept that where the Disabled Members' Conference Standing Orders is silent on an issue then the practice from National Delegate Conference Standing Orders will prevail. This is common across all of the union's Standing Orders

#### **SO2 Standing Orders Committee**

- 2.1 Removes 'plus two reserves' from each constituency electing to the membership of the Standing Orders Committee (SOC) – this is not common practice across the union's standing orders and none of the reserved places have been used in previous years. Additionally, the SOC secretary has been consulted on the composition and it was reported that there have been no issues of low attendance within the committee.

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**SO3 Motions and Amendments Pre-Conference**

- 3.2 Brings in the right of the National Young Members' Forum (NYMF) to submit two motions in line the Rule Book (D6.2.2), but preserves right of other groups to submit up to three motions. The disparity between young members and other submitters was raised in the consultation however the NDMC cannot overrule the union's rule book on submission rights.  
NDMC received responses to the consultation seeking that the retired members be enabled to submit motions and amendments to National Disabled Members' Conference. However D7.8 of the union's Rule Book states that the National Retired Members' Organisation can only submit two motions to National Delegate Conference only. It does go on to state that two relevant Retired Member's representatives can be sent to National Self-Organised Group Conferences. This is set out in the revised constitution in SO4.2.
- 3.3 Links the Conference timetable to the official conference bulletin, rather than a timetable set by the NDMC, bringing it into line with Rule Book requirements set out in rule D 1.9

**SO4 Attending, speaking and voting at Conference**

This SO clarifies who has speaking and voting rights, who has speaking only rights and lists other people who may address conference  
The wording in 4.3 has been updated to state 'UNISON' before the word staff.

**SO5 Chairing of conference**

This SO specifies that the conference co- chair(s) must be from the NDMC. Previously any disabled person (not even required to be a member of the union) agreed by NDMC could chair.  
Additionally, it removes the right of regional delegates to vote – which is in line with Rule Book D1.7  
The word 'co chairs' has been moved to after 'conference' in SO5, 5.1

**SO10 Procedural Motions**

- 10.1.4 Moves the procedural motion, "That the Conference (or part of Conference) be held in private session" into the correct Standing Order. Previously, it stood as a separate SO from the other procedural motions.

- SO11 Conduct of Debates** 11.2 Brings in discretion for the Chair to allow longer speaking time (max twice length of that specified) to meet a delegate's access needs. For example, when interpreters are used.

**SO15 Elections at Conference**

This is a new SO which sets out the conduct of elections at National Disabled Members' Conference, this had previously been set out in the NDMC Constitution

- 15.2 This SO specifies that nominees for the various elections listed may only come from those registered as attending conference in various capacities.
- 15.3 This Standing Order preserves the rights from previous National Disabled Members' Conference Standing Orders for Branch, Regional delegates and

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the NDMC to vote in elections, the voting and speaking rights are detailed under SO4.

Note – this removes the Standing Orders Committee’s right to vote in ballots, this is a change from current Standing Orders, where they can vote in the ballot for SOC. It was felt that the SOC should not have a right to vote as their role is to ensure the conference is run in accordance with the Standing Orders.

15.4 Specifies meetings at conference for deciding caucus, service group, and Labour Link reps.

**SO16 Selection of motions for National Delegate Conference**

This SO specifies how the selection of motions to NDC will be determined by conference.

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