

UNISON

2018 National Delegate Conference

Composite Booklet

A	Strategic Review of UNISON
B	Palestine – End the detention of children
C	Wholly Owned Subsidiary Companies
D	Universal Credit

Composite A

STRATEGIC REVIEW OF UNISON

(Motions 1, 2, 3, 4, 5, 6, and 7; Amendments 1.1, 1.2 and 1.3)

As UNISON celebrates 25 years of being the biggest and best Union for workers delivering our public services in the public, private, voluntary and community sectors we need to start preparing for the next 25 years.

Our union has come a long way in this time. We've been innovative. We've grown. We've found new ways to represent members and speak up for public services.

We didn't give up when the UK Tory government imposed its ideological austerity measures on our members and citizens across our country. We've remained strong and financially viable, a testament to the world class union we are.

During this time we have organised millions of workers, developed new leaders, defended public services, challenged discrimination and the absence of rights, demanded equality and supported peace with and for our members, their families and their communities. We have championed such causes at home and throughout the world, in solidarity with our brothers and sisters facing oppression, exploitation and discrimination. We are a force to be reckoned with!

Our ability and willingness to initiate new ways of organising and recruiting, the hiring of over 300 fighting fund organisers to support hard stretched branches, our courage in taking the hardest of employment cases and continuing to train and educate activists and stewards despite a seventy per cent cut in external funding reflects a true determination to confront these challenges and test new solutions.

We have led the way in developing new structures, new forms of democracy and self-organisation to make sure all voices are heard in UNISON and shown that despite the challenges, our union, more than any other, is proud to represent our whole membership.

However, we cannot afford to stand still. Our structures need to be fit for purpose for the next 25 years with resources placed where they are needed to reflect the ever changing fragmented work environment and new models of public service delivery.

In a union with a majority of women members, the politics of time has always been paramount. We now live in a world where the demands on our members' time is even more critical than it was 25 years ago.

As we celebrate 25 years of UNISON, this milestone presents a unique opportunity to celebrate our success, to review our progress and achievements, and to look forward and to boldly map out what type of union we need for the future, what our priorities should be and more crucially how we match our resources accordingly.

Our future resource allocation must also reflect the major changes that the last 25 years have brought in terms of devolution of powers to Wales, Scotland and Northern Ireland and the significant implications this has had for the delivery of public services in these regions and nations.

In order to thrive, we have to be fit for purpose with appropriate structures, improved organisation and sufficient resources placed where they are needed, not historically allocated.

There are demographic, political and social trends facing our trade union:

- 1) The aging demographic and medical advances place growing demands upon public services, models of delivery and how public services are resourced;
- 2) The post Brexit political scene merely heightens the constitutional debate in a “disunited kingdom” of growing civic nationalism and regionalisation. The unsettled will for political change, the growing plurality of politics, which will have further implications for government and governance;
- 3) In turn, these are issues of plurality and diversification for the trade union to address in policy, organisation and resourcing;
- 4) The workforce will be more diverse, increasing frequency of health issues and working lives that are disrupted with associated learning and new-skill challenges;
- 5) The more diverse models of procurement and contracting, leading to more private/not for profit/community employers to organise and service, to redefine local and sectoral bargaining;
- 6) Responding to these new models of public service delivery will have implications for working practices, ratios of organising/resource/ administration and support to branches, more home working/networking, fewer buildings, smaller estate.

In order to thrive, we have to be fit for purpose with appropriate structures, improved organisation and sufficient resources placed where they are needed not historically allocated. All resourcing must reflect the ever-changing fragmented work environment and new models of public service delivery that continue to place a huge burden on branches striving to represent every member across multiple employers.

The lack of facility time, limited access to non-core employers and members in isolated and fragmented workplaces continue to add to that pressure. Any future resource allocation must also accommodate the new and growing demands placed on the national union for faster, speedier communications, more strategic large-scale litigation, more flexible, targeted training and more demanding and complex, sector based bargaining arrangements.

The financial formula devised in 1993 and revised in 2004 was established on single employer branches and streamlined bargaining arrangements both barely recognisable today. Fragmentation, outsourcing and devolution continue to reshape the world in which we operate, yet our financial allocations and current formula fail to reflect this.

Branches having to deal with sometimes hundreds of private employers makes life very difficult for branch representatives and stewards who are the backbone of the union. The union also centrally faces additional demands, with increased costs across the board.

Changing the way we resource our branches has rightly been the topic of much debate in recent years. The debate however has failed to reach the heart of the problem, creating further tensions across branches. Tackling one area of underfunding at the expense of another will never provide the long term financial solution we need for the viability of the whole union.

If UNISON is to remain a strong and growing union, we must continue to work as one union.

A strong strategic centre that supports strong organising regions and active branches is far more viable than a federation of independent fragmented branches. We seek our strength from our unity and the resources of our union belong to us all, to be shared fairly guided by the trade union principles of solidarity and equity. As demands change those resources must be redirected to where they are needed for the benefit of all, and not to the detriment of some and directed to ensure that every member wherever they work can be represented. That is our challenge.

So as we rightly celebrate 25 years of UNISON, this milestone presents a unique opportunity to look forward. To boldly map out what type of union we need for the future, what our priorities should be and more crucially how we match our resources accordingly. The review must be inclusive, transparent and bold, examining our structures, operations and objectives with nothing ruled out, while reflecting the founding principles of UNISON:

- a) Ensuring a strong member-led union which is accountable through democratic structures to members;
- b) Recognising the role of member activists who represent the union to members, potential members and the community and who are the bedrock of the union;
- c) Ensuring members are able not only to be represented, but that we seek to provide space and resources to facilitate members to be organised;
- d) Aiming to ensure that UNISON should always be about increasing the power of members in the workplace facing their employer;
- e) Recognising that devolution of political powers to the nations and administrative responsibilities to regions requires a union that can organise at these levels and develop policy appropriate to that devolved power.

The past quarter of a century has shown that we are at best when we work together. For those who wish to strengthen and enhance our union and build on our achievements of the past 25 years there can be no more pressing issue.

Conference instructs the National Executive Council to:

- i) Initiate a comprehensive strategic and functional review of the union's organisation, structures and resources at branch, regional and national level, including full consideration of the impact of devolution on these activities including a review of the Devolution Protocol;

- ii) The purpose of the review will be to ensure the most effective use of UNISON's resources to ensure all levels of our union are best placed to meet the challenges of the next 25 years;
- iii) The review group shall be inclusive and include 12 members of the National Executive Council and one representative from each region - including representatives from branches, service groups, self-organised groups, Young Members and Retired Members;
- iv) Conference agrees the need for a thorough review of all parts of the union after 25 years of operation and calls for regular reviews on a five yearly basis to ensure as a union we can effectively meet future challenges;
- v) Report back to Conference in 2019 with a view to tabling proposals which if agreed by Conference can be implemented immediately together with any additional proposals which may take longer to take effect and could require rule changes to be considered by Conference in 2020;
- vi) Conference believes that nothing should be excluded from consideration from this review and calls on the National Executive Council to:
 - A) Invite submissions and views from all parts of the union;
 - B) Produce a six-monthly update;
 - C) Report back to Conference with proposals to renew our union structures to improve our operation, effectiveness and relevance in the future and with specific proposals which could include the level of branch resources which could take place with effect from 1 January 2020.

Areas which the review should consider will include the following issues but may also consider other areas which may arise in the course of the review:

- I) Is the current branch funding formula fit for purpose?
- II) What additional branch resources and organising capacity can be put in place, where needed, by 1 January 2020?
- III) Rather than the no longer relevant (in most cases) approach of branches being based on single employers should the union to move towards geographical based branches where desired and appropriate?
- IV) Are all current Conferences within the union cost effective in terms of frequency, length and relevance in delivering the best level of services to branches and members?
- V) Are there alternative means which could achieve the objectives of the union and maintain internal democracy and accountability?

- VI) Do our service groups structures, functions and conferences reflect the reality of the environment we work in going forward and are there options to better organise across the union?
- VII) Whether there should be a cap on branch reserves and if so what the level should be?
- VIII) Should branches receive less funding on a sliding level until they meet any agreed cap?
- IX) Should there be a nationally agreed cap on the level of individual honoraria in Branches which can be applied and a cap on branch honoraria in % terms of branch funding in a formula taking account of the size of branches?
- X) Should branches be able to apply to jointly fund additional organising capacity in a scheme based on cost sharing from branch and national level?
- XI) Has the current overly bureaucratic model of self organisation as an approach delivered the intended aims and objectives of the union and could the equalities agenda be more effectively progressed through alternative means?
- XII) How can communications be improved within the union in a cost effective manner including access to a national directory of branches to assist good practice reflecting new working environments such as devolution, multi regional /national employers / academy chains, employers where we do not have recognition agreements, etc?
- XIII) Are there ways to improve the management and effectiveness of national and regional resources and for them to be restructured and refocused to better deliver for members and branches and in the process identify resources to enable branch funding to be increased?
- XIV) Can improvements be made in the use of resources in terms of national and regional union premises through a reduction in renting properties where there may be cost effective alternatives to buy so we have assets rather than liabilities and could the union incentivise branches to consider doing the same where possible and appropriate?
- XV) How could we involve more representatives and members in decision making in the union and how could that objective influence our union structures and organisation?

National Executive Council, Yorkshire and Humberside Region, Broadland 1
National Young Members' Forum 1.1
National Retired Members' Organisation 1.2
Plymouth in UNISON 1.3
West Midlands Region, Birmingham Health Care, Walsall General 2
Scotland Region 3
Northern Ireland Region 4

***Cymru/Wales Region 5
North West Region 6
Northern Region 7***

Composite B

PALESTINE – END THE DETENTION OF CHILDREN

(Motions 84 and 85)

Conference is appalled at the treatment of Palestinian children by Israel. The arrest of 16-year-old Ahed Tamimi shone a spotlight on Israel's systematic abuse of minors through the process of military detention. The treatment of Ahed rightly generated a global response, but her situation is far from unique.

Each year the Israeli military arrests and prosecutes around 500 to 700 children. From the moment of arrest, Palestinian children encounter ill-treatment and a denial of their basic rights.

Children as young as 12 are routinely:

- 1) Taken from their homes at gunpoint in night-time raids by soldiers;
- 2) Blindfolded, bound and shackled;
- 3) Interrogated without a lawyer or relative being present and with no visual recording;
- 4) Put into solitary confinement;
- 5) Forced to sign confessions (often in Hebrew- a language they don't understand).

Conference recognises that these practices involve widespread and systematic violations of international law, and the UN Convention on the Rights of the Child, to which Israel is a signatory, and as such condemns them.

Conference believes that Israel has a responsibility under international human rights conventions for the safety, welfare and human rights protection of Palestinian children living under occupation.

Conference welcomes the early day motion 563 tabled in late 2017 (sponsored by Richard Burden MP) and supports its call for "Palestinian children to be treated no less favourably than Israeli children".

Conference supports calls for the recommendations of UNICEF's 2013 report "Children in Israeli military detention", which remain largely unmet, to be carried out in full by the Israeli government without delay and that all children in military detention are released immediately;

Conference also recognises the work of the DCIP (Defence for Children International – Palestine) in supporting and advocating for these children.

Conference condemns Israel's treatment of Palestinian children and calls on the National Executive Council to:

- a) Lobby the UK and devolved governments to press the Government of Israel to end the widespread and systemic human rights violations suffered by Palestinian children in Israeli military custody;
- b) Encourage all branches to write to their MPs and MSPs calling on them to raise this issue in the Westminster and devolved Parliaments and to call on their governments to press the Government of Israel to end the widespread and systemic human rights violations suffered by Palestinian children in Israeli military custody;
- c) Publicise UNISON's position to members to raise awareness of the issue and encourage them to lobby their MPs and MSPs;
- d) Raise the issue of Israel's detention and treatment of Palestinian children through Labour Link and call on them to add their voice to the condemnation of Israel's treatment of Palestinian child prisoners.
- e) Make a donation to the DCIP.

***City of Wolverhampton 84
Aberdeenshire 85***

Composite C

WHOLLY OWNED SUBSIDIARY COMPANIES

(Motions 115 and 118)

Conference is alarmed at the spread of new NHS arm length companies being set up in England. Potentially employing thousands of staff these companies seek to exploit a VAT loophole to reduce their operating costs. Though owned by local NHS trusts they in future could bring in cheap labour and deny pension scheme access to new starters.

In the Yorkshire & Humberside region, NHS Hospital Trusts in Harrogate, South and West Yorkshire are currently pursuing a policy of creating their own private companies to carry out their estates and facilities work on a contractual basis. The companies are known as either SPV's (Special Purpose Vehicles) or WOC's (Wholly Owned subsidiary Companies). We are aware that these companies are being set up all over the country.

It appears that the driver for these companies is cost savings. No claims have been made that services will be improved. To the contrary we believe that the services will fragment and the quality of care will be compromised.

Our members are to be TUPE'd into the WOC's and we believe that they will be vulnerable to attacks on their terms and conditions, with new staff being employed on inferior terms and conditions where sick pay, holidays and pensions are slashed to the bare minimum, thus creating a two tier workforce.

It is the creation of this two tier workforce and the fragmentation of our NHS which makes this an issue for all of us rather than just the health care service group. All the evidence shows that a two tier workforce with the associated fragmentation of the workforce has a negative impact on the quality of the care provided to us as patients.

However, Conference's gravest concern is that these wholly owned subsidiary companies could easily be sold off to the highest bidder and lead to even greater privatisation of NHS services for UK citizens.

The chaos we are seeing in our hospitals has been created by the choices made by a very vindictive Tory government that wants to break up the NHS. This is yet a further step towards this goal.

These newly created companies will only bring further chaos and disaster with them. When we saw cleaners outsourced in many hospitals we saw MRSA outbreaks going through the roof. These WOC companies further down the line could potentially be sold to the likes of Virgin.

Conference salutes UNISON members in Wigan, Yeovil, Gloucester, Bristol, Harrogate and Huddersfield, to name but a few, who have been fighting these proposals this year. They have been driven by what they have seen of publicly owned arms length companies operating already in Local Government, social care, and education across the UK and other privatisation vehicles.

Conference reaffirms its fundamental support for public services provided by public servants on a not-for profit basis and based on social need.

Conference believes that this is an attack on the whole ethos of our NHS and that it will lead to further break up of the NHS.

Conference calls upon the National Executive Council to:

- 1) Work with the Service Group and the Labour Link and other appropriate parts of the union to oppose these moves at every level;
- 2) Campaign nationally against new NHS arms length companies as a real privatisation threat;
- 3) Campaign to close the VAT tax loophole to raise funds for public services;
- 4) Work with health service group in supporting local negotiations;
- 5) Support local branches involved in campaigns.

***North Yorkshire 115
Humberside Police 118***

Composite D

UNIVERSAL CREDIT

(Motions 124 and 125; Amendments 125.1, 125.2)

Conference notes that:

- 1) Universal Credit (UC) has been beset with IT failures and delays;
- 2) There have been many criticisms of UC, which while not opposing UC wholesale, have led to calls for the removal of some of the anti-claimant elements of UC, for example an end to in work sanctions, increased conditionality, monthly payments and the two child rule.

It is increasingly clear that the introduction of UC is being used by the Government as an excuse for introducing cuts to the total benefit bill at the expense of unemployed and low paid workers.

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.

This is in addition to changes to Disability Living Allowance (DLA) and Personal Independence Payment (PIP) where people have lost their entitlement or seen it significantly reduced in what is a financially devastating double impact for disabled people affected by cuts in both PIP and UC.

The withdrawal of extra premiums in Employment Support Allowance (ESA) for those in the Work Related group can mean a cut of over £30 per week and in some cases over £70 per week, with even higher losses in UC. There will be transitional protection for those already getting the premiums when people are moved to UC but their benefit level is frozen until it meets the level under the new regulations. Where claimants move from ESA to UC due to a change in their circumstances, no protection is available and benefit levels are significantly reduced unless in the Work Related group.

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 Secretary of State for Work and Pensions in clarifying regulations where decision makers have got it wrong. This means contribution related ESA claimants can now keep that benefit and only have to claim housing costs element through Universal Credit with the ESA deducted from their UC rate. Housing costs are only deducted if the cost is to be paid directly to a landlord, otherwise all of the UC is paid directly to the claimant who is then left with the responsibility of paying the housing costs themselves, except in Scotland.

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 to another local authority will be forced onto this benefit, alongside the draconian requirements it entails that will cause greater problems for individuals.

Except in Scotland where some different rules apply, 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.

We know from experience of the original sanctions imposed on claimants that this will only create the 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.

Conference notes there are huge delays in Work Capability Assessments in Universal Credit for new claimants and before decisions are made people could lose benefit for months and pushed into greater poverty and/or homelessness. Existing Support group claimants maintain that status when moved to UC and so get the extra payment, however the Work Related group only get the basic level of ESA. PIP or DLA are not a passport to extra premiums under UC.

To make matters worse, the government announced in February that they would be going ahead with their plans to impose a new income threshold of £7,400 for free school meals, replacing the existing system where benefit claimants automatically qualify for free school meals. Not only will this impact further on disabled families, it will make it more difficult to measure any increase in inequality and poverty as a result of the roll out of UC, as equality measurements have historically been based on free school meals data.

Further perverse and punitive aspects of the government's welfare reform are coming to light all the time, such as disabled people living in care homes under NHS continuous health care funding who lose the mobility element of PIP and can therefore face the loss of their Motability vehicle and hence their independence.

Universal Credit as currently constituted is not fit for purpose and requires fundamental reform. There are significant deficiencies in the legacy benefits that are being replaced by Universal Credit. First, benefit rates have been falling in real terms as a result of linking benefit uprating to CPI instead of RPI and freezes to benefit rates, secondly there is no link between the payment of housing benefit and the quality of the housing provided, whether rent levels are excessive, the tenancy conditions and whether and there is a good service provided by the landlord – all of which potentially represent poor value for public expenditure and overcharging by the landlord, and thirdly tax credits need to be accompanied by a requirement that

employers pay the Living Wage to avoid corporate profits receiving a hidden state subsidy.

Conference therefore calls on the National Executive Council working with Labour Link where appropriate to:

- a) Seek to influence public opinion, in particular through highlighting the importance of in-work benefits to disabled workers and the need for out of work benefits that do not push claimants into poverty and homelessness, undermining their ability to seek employment or live independently;
- b) Work with Labour MP's MSPs, AMs and Councillors to push for reform of this benefit and seek opportunities to put pressure on government and other opposition MPs MSPs, AMs and Councillors to back our campaign;
- c) 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.
- d) Campaign for a pause in the implementation of Universal Credit to allow for fundamental changes to Universal Credit including those set out in i) to xii) below, and the reversal of the cuts to the work allowance, restoring UC payments to existing benefit and tax credit rates, including all premiums payable for disability, abolishing the two child limit and an integrated approach, involving local and central government, to the delivery of a properly funded social security system:
 - i) A welfare state that ensures everybody has decent standard of living free from poverty and the restoration of the link between basic benefit rates and the level set for retirement pension as a minimum basic income;
 - ii) An end to the disproportionate sanctions regime common to many benefits;
 - iii) An end to in work sanctions;
 - iv) A welfare system based on need and not on moral judgements;
 - v) An end to the current work capability assessments;
 - vi) An end to the outsourcing of contracts in the social security system to the private sector;
 - vii) Adequate staffing levels;
 - viii) A living wage to be set at level at which all can live based on a nationally recognised Minimum Income Standard;
 - ix) The introduction of legally enforceable rent controls;
 - x) An end to all benefit caps;
 - xi) An end to DWP's target based culture;

- xii) Full implementation of the TUC's Welfare Charter.
- e) To coordinate this campaign with other organisations who oppose the Government's "welfare reforms".

National Disabled Members Committee 124
Birmingham 125
National Executive Council 125.1
National Executive Council 125.2