

UNISON National Delegate Conference

# Composites booklet

To be read in conjunction with Conference Documents

**13 – 16 June 2023**

ACC Liverpool

## **Composite A**

(Motions 26 and 29 plus 26.1)

### **Social Care Crisis – The Urgent Need for Reform and Investment**

Conference notes that it has debated many motions over recent years on social care, including for older people. However, the problems remain.

Conference is appalled that adult social care continues to exist in a state of permanent crisis and that the sector remains severely underfunded, with hundreds of thousands of elderly and disabled people being unable to access the care they need.

Conference recognises that health and social care workers are poorly paid and that training for staff in this sector is inadequate for the care that is needed for people in residential homes, nursing homes or for that matter, in their own home.

Conference is deeply concerned that a large number of care staff are leaving the sector and this has continually increased during and after the pandemic due to the poor pay and conditions, and notes that the social care workforce shrank by 50,000 people in 2021-22, contributing to the record high of 165,000 vacancies across the sector. This ongoing exodus of care staff further compounds the major staff retention problems caused by the Tory government's disastrous 2021 legislation which imposed compulsory vaccinations on care home employees and for those staff visiting care establishments.

Conference asserts that a major reason for workers leaving the sector is the fact that pay levels are too low to compete with other sectors, such as retail, and further notes that these problems are bound up with the fact that too many cowboy care providers continue to operate in the sector, as part of an under-regulated and massively fragmented system.

UNISON has 165,000 retired members and this is a serious concern for retired members as well as anyone who relies on care workers to assist them with their day to day living.

A House of Lords report in 2019 said that 1.4 million older people have an unmet care need. The Health Foundation's report "What's the problem with social care" identified a funding gap of £18 million for social care by 2030/31. UNISON General Secretary Christina McAnea has stated that without sufficient staff the Government's policy on the NHS and Social Care is doomed.

Conference notes that government attempts to address the crisis have so far amounted to little more than a sticking plaster when what is needed is substantial and sustained investment, coupled with wide ranging reform of the sector and a comprehensive workforce strategy.

Nothing that the governments in Westminster, in Scotland, Wales or Northern Ireland has done has made an impact on this crisis situation.

Conference therefore reasserts its support for a National Care Service that brings about consistent standards of care for service users and consistent terms and conditions for the workforce.

Conference congratulates UNISON on its ongoing work in being a prominent proponent of such a system as we move towards the next general election and calls on the National Executive Council, working through the appropriate UNISON structures, to:

- 1) Intensify the union's campaigning for a National Care Service, including national pay bargaining and a national partnership forum similar to the NHS;
- 2) Continue to campaign for improvements to social care for older people including the provision of care by the Public Sector;
- 3) Continue to campaign for increased investment particularly in the work force;
- 4) Campaign for an end to the use of private equity in social care and a clampdown on the inappropriate use of the profit motive;
- 5) Continue to work with other like minded organisations in the care sector as part of a broad-based alliance of those demanding reform;
- 6) Build alliances with other TUC affiliates to ensure the broadest possible trade union campaign for a properly funded National Care Service under democratic control;
- 7) Call on UNISON's Labour Link to continue to campaign for a National Care Service within all relevant Labour Party forums.
- 8) Use Labour Link and all TUC structures to lobby for tax avoidance or low tax companies to start being taxed in the UK so that these huge profits can be used to fund social care across the UK;
- 9) Use Labour Link and all TUC structures to lobby for energy companies profits from oil revenues to be used annually to help fund social care provision across the UK."
- 10) Report back to National Delegate Conference in 2024 on any progress.

*26 South East Region*

*26 Isle of Wight Local Government*

*26.1 North Northamptonshire Local Government*

*29 National Retired Members' Committee*

## **Composite B**

(Motions 35, 36 and 37 plus 35.1, 35.2)

### **Outsourcing, Procurement and Ending the Two-Tier Workforce in Public Services**

Conference notes that with £300 billion of annual expenditure on goods, services and works, procurement accounts for a third of all public expenditure in the UK. Conference agrees that the way in which this expenditure is used is a crucial issue for public services, the economy and UNISON members who deliver public services whilst being employed by private contractors or the community and voluntary sector.

Decades of outsourcing has seen hundreds of thousands of staff transfer from employment by local councils, NHS trusts, police authorities, universities, colleges, schools and utility services to external providers, such as private companies or charities. From school catering to social care, cleaning to IT and HR services, almost no area of public services has been left untouched.

All too often this has led to a deterioration in the pay, pensions, terms and conditions of the staff delivering the service, creating a “two-tier” workforce of directly employed staff working alongside contractor staff, as well as a “two-tier” or “multi-tier” workforce within the contractor themselves between staff who transferred with TUPE rights and new starters joining in different waves. The result of privatisation has seen Black workers disproportionately trapped in these jobs with lower pay and worse conditions and part of our organising against institutional racism has to include improving conditions and campaigning for the services to come back in house.

Conference agrees that a major flaw of this model is that it create a false economy. The cost of the service is superficially lower. But, over time, many staff have to claim universal credit. Most contractors do not provide their employees with pension schemes of the same quality that public service employees pay into. This means that employees working for private or third sector contractors are enrolled into inferior pension schemes and consequently need to claim pension credit. Lower pay and insecure work have been shown to have a negative impact on mental health. The decline in the number of decent public sector jobs in the community has a chilling effect on the local economy. The dots aren't joined up, nor are the wider and longer term economic costs considered.

Conference agrees that not only is this model of delivery wrong for our members and the economy, it is all too often a disaster for public services too, with provision often deteriorating and contracting authorities struggling because they have failed to consider the full cost of procurement and contract management.

Conference further notes that the post Brexit Procurement Bill, which the UK government has introduced to replace EU regulations, is a clear indication that the Tory government is no friend of working people and public services. Although procurement is a topic that is hardly likely to capture the headlines, the implications of the Bill are far reaching and indicate the type of country that Tories want to create. It is one characterised by an insecure and flexible labour market, austerity and profit taking from public services.

International Labour Organisation (ILO) conventions have been abandoned. Commitments to using public expenditure to promote decent jobs, employment standards, end modern slavery in supply chains, equalities policies and sustainability have been downgraded. Opportunities to make procurement transparent and to call time on abuses typified by the PPE VIP lane have been ignored.

Conference agrees that now is the time for UNISON to set out and campaign for an alternative vision of procurement that puts the power of the pound behind quality public services, our communities and our members.

This should involve calling time once and for all on the wishful thinking of too many contracting authorities that outsourcing can deliver easy cost savings, better services and deliver a profit for providers, all at the same time. And it should involve supporting our members who already work for outsourced public services and who want to campaign for their jobs and pensions to be improved and/or to be brought back in-house.

Conference notes that in some regards the supposed benefits of outsourcing have been eroded by the reality of contracting outs. There has been a notable turn toward “insourcing” recently. But we are still a very long way from the presumption that services should only be outsourced if it can be shown that such work can’t be delivered in house. Hundreds of thousands of carers, cleaners, porters, security and catering staff in our public services workplaces are among the most worse off and insecure workers in the UK. Yet they are providing the vital public services upon which we all rely.

Conference agrees this has to end. Conference notes four important developments and the renewed opportunities these provide to address the injustices and the false economy of outsourcing.

First the Procurement Bill has re started a debate about what an alternative, progressive procurement regime that puts public services, workers and our communities first should look like.

Secondly, the Labour Party has set out its own five point National Procurement Plan, which includes a commitment to the biggest wave of insourcing in a generation.

Third the Labour government in Wales has introduced a Social Partnership and Procurement Bill, which institutionalises social dialogue around all procurement and introduces social public workforce clauses in all outsourcing contracts.

Fourth, UNISON has itself launched a new insourcing campaign, backed by the Campaign Fund, which is providing support and resources to branch campaigns to bring services back in-house.

Conference agrees that it's important that the union seizes this moment to win a new policy settlement on procurement and outsourcing that delivers for our members and for public services.

Conference therefore calls on the National Executive Council to:

- 1) Develop practical policy proposals that will deliver on plans for the biggest wave of insourcing in a generation, as called for by the Labour party;
- 2) Work through Labour Link and Campaign Fund to make the economic, moral and political case for in-house delivery of public services and for a wider procurement regime including goods and works which uses the power of public expenditure to promote decent, well-paying jobs, social value and economic development across the UK and internationally;
- 3) Continue to support branches to campaign for services to be brought back in-house;
- 4) Learn lessons from the Social Partnership and Procurement Bill in Wales and explore how relevant aspects of this legislation can be applied in other parts of the UK.
- 5) Put the future of public procurement at the heart of its political campaign activity in the year ahead;
- 6) Campaign for national collective agreement compliance to be allowed in tender specifications as is common in other countries;
- 7) Highlight the final parliamentary outcome of the Procurement Bill in the Westminster parliament and update any general negotiating advice;
- 8) To work with the National Private Contractors Forum (NPCF) to build our activist capacity;
- 9) To work with the NPCF to target contractors for local and/or national recognition drives;
- 10) Support our service groups and branches make annual pay claims for contracted staff and support our branches and members taking industrial action if necessary to win their pay claim;
- 11) Support our service groups and branches make claims for improved sick pay, pensions and annual leave;
- 12) Be aware of procurement developments in the devolved nations;
- 13) Include the UNISON supported Disability Employment Charter in any model procurement templates and claims available to branches.

Conference further notes UNISON's substantial and hard-won achievements in pressing the previous Labour government to introduce the 'Code of Practice on Workforce Matters' that applied in local government from 2003 and across all public services from 2005. The Code stipulated that any new starters must enjoy terms and conditions no 'less favourable' than those of existing colleagues and was backed by a dispute resolution model involving ACAS. Conference further notes that the Code was successful in preventing further incidences of two-tier working in the years up to 2010.

Conference recalls with dismay that the Code was removed across central government public services by the incoming Con-Dem government in December 2010, just seven

months after they took office. They subsequently removed the Code in local government services from 2011.

Conference believes that an incoming Labour government could move with similar speed to reintroduce a Code to prevent the expansion of two-tier working.

Conference notes that EU member states may face difficulties in maintaining or introducing such a code following the *Alemo-Herron* Judgement by the ECJ in 2013, as it may be seen to bind the external employer to public sector pay and conditions. However, no such legal impediment exists in the UK that could prevent an incoming Labour government from taking swift action.

Conference calls on the National Executive Council to:

- a) Liaise with the TUC, the WTUC and the STUC to formulate the wording of a new two-tier code that applies to all public services;
- b) Work through the Labour Link and TULO to promote a new code as Labour Party policy, and seek a commitment to early implementation;
- c) Campaign publicly for the end to the two-tier workforce to help build public support for a new code and to make it harder for a future hostile government to sweep it away;
- d) Support all industrial attempts to defeat the two-tier model, in order to strengthen collective bargaining and pave the way for the necessary insourcing of public services.

*35 Private Contractors' National Forum*

*35.1 Camden*

*35.2 National Executive Council*

*36 North West Region*

*37 East Midlands Region*

## **Composite C**

(Motions 64 and 65 plus 64.1, 65.1)

### **Defend Our Right to Vote - Voter ID is Voter Suppression**

Conference is deeply concerned at the changes in the law surrounding the requirement for mandatory voter ID at all general and by-elections in the UK and many other elections in England and Wales as part of the Elections Act passed in April last year. This is the requirement to show photographic proof of identity at Polling Stations before you are allowed to obtain your ballot paper. This legislation also covers proxy voters (people appointed by you to vote on your behalf if you are unable to attend the Polling Station yourself). Supposedly to prevent election fraud despite there being little evidence that this is a problem (for context, only six documented cases of ballot fraud were found at the last general election).

This will cover all voters in England and Wales for all elections and in Scotland this will apply only to Westminster Parliamentary Elections. In Northern Ireland there is already a need to provide photographic identification.

Voter ID, as many have warned previously, will amount to voter suppression. It stands to disenfranchise millions, particularly already disenfranchised groups in society.

The UK Electoral Reform Society have actively campaigned against the need for this change and have stated that:

"The UK does not have a problem with voter fraud and currently people have high confidence in voting. Adding a major barrier to democratic engagement off the back of so few proven cases would be a sledgehammer to crack a nut."

Conference notes that, unlike in mainland Europe where everyone is issued with a mandatory ID card, here in the UK it is the disenfranchised who are unlikely to have acceptable voter ID. Many people who can't afford to go on foreign holidays don't have passports, and those that can't, or don't, drive don't have driving licences.

Conference further notes that it is well documented that such schemes disenfranchise already disadvantaged groups, having a particularly disproportionate impact on Black communities.

A 2021 Channel 4 study found that ethnic minorities were far less likely to return to a polling station if turned away for not possessing the correct identification; voter ID trials in Watford in 2019 backed up these findings.

Conference further notes that none of the listed items of acceptable ID are aimed at younger voters with many specifically targeting older voters leading to concerns about the government deliberately disenfranchising the younger generation.

LGBT+ groups have also expressed anger over the voter ID provisions because of the potential for trans people to be turned away if their photo ID does not match their current appearance.



Conference is alarmed at the lack of government information and awareness raising on this issue. Uncertainty about awareness of the new requirements is likely to lead to disenfranchised groups being denied their right to vote from as early as this May.

Further, councils are reporting that they have serious concerns about the necessary support being in place in time for the May 2023 local elections meaning that, in England, this year could bring chaos to vital local elections at a time when councils are already facing tough choices in all areas of service provision.

Conference is also appalled to note that, by the government's own estimates the scheme could cost up to £20 million per election. It is clearly unacceptable that with the current cost-of-living crisis, the government would consider spending millions of pounds of tax-payers money to prioritise putting up barriers to people taking part in our democracy.

This comes as part of a dizzying and sustained onslaught by this Tory government on our rights such as our right to protest, to strike and the continued threats to repeal the Human Rights Act that undermine so much of what public services represent and a base-line for our basic rights.

Conference agrees that these voter ID proposals are a deliberate attempt at voter suppression, will lead to chaos at our ballot boxes, has scary echoes of the international far-right's play book and should concern us all.

Given the importance of making sure every vote counts, UNISON must do all it can to highlight these changes in electoral law that have the potential to disenfranchise our members from the democratic process. We need to raise awareness of what forms of identification are accepted and how members can obtain free Voter Authority Certificates from their Local Government offices.

Conference also notes that postal voting can be one of the routes to overcoming voter suppression in the short term, before the legislation requiring photo ID is reversed. If people are registered to vote by post, they are not required to present photo ID every time they cast their ballot. In addition, there is some evidence to suggest that people with a postal vote are more likely to vote.

The stakes have never been higher. We need to make sure our members are aware of the changes that are now in place in law, that way they can have the necessary documentation to be able to participate in the democratic process.

Conference therefore calls on the National Executive Council to:

- 1) Work, alongside the TUC, WTUC, STUC and affiliated civil liberties organisations to continue to oppose, reverse and lobby against these draconian measures;
- 2) Work with Labour Link to influence the next Labour Party general election manifesto to commit to reversing this legislation;
- 3) Whist the law remains, to continue to campaign for other forms of ID to be acceptable such as student ID and non-photo ID;

- 4) Develop and resource a campaign to raise awareness of the new legislation amongst members and issue guidance on how to get access to currently acceptable forms of voter ID;
- 5) Seek advice from the National Black Members Committee on how best to target information at Black communities.
- 6) Put in place plans to encourage UNISON members to apply for a postal vote for forthcoming elections.

*64 Eastern Region*

*64.1 Suffolk County*

*65 Renfrewshire*

*65.1 Suffolk County*

## **Composite D**

(Motions 80, 81 and 82 plus 81.1, 81.2)

### **Industrial Action Ballots**

Conference is rightly proud of our UNISON members and applauds the courage and commitment of our members who have taken industrial action during the previous year and places on record its thanks to the union, staff and activists, for all the hard work that it has undertaken to ensure that action could go ahead.

Conference recognises that whilst trade unions were able to block several proposed measures when the Trade Union Act came into effect in 2016, unfortunately it still included the 50 percent threshold for industrial action ballots which creates a significant challenge to successful industrial action, particularly as part of coordinated national campaigning.

This threshold is undoubtedly part of the Tory government's agenda to attack trade unions, workers, and their right to strike!

Conference recognises that anti-trade union legislation, including undemocratic ballot thresholds, workforce fragmentation and the cost of living crisis have clearly made organising industrial action so much harder than in the past. This has been reflected in the failure to meet required thresholds in many places even where there are very clear majorities for action.

We note the disappointment and frustration for branches that did not reach the threshold after all the work put in to mobilise members to vote. Particularly as those members who did participate, voted overwhelmingly for strike action over pay during this cost of living crisis.

Post pandemic many workplaces have changed with more workers working from home and engagement previously in person now online. This poses significant challenges to organising industrial action campaigns, but also opportunities.

During the recent ballot in the NHS, new technology such as peer to peer text messaging and online phone canvassing made contacting, and engaging with, large numbers of members remotely much quicker and easier.

Conference calls on the National Executive Council to liaise with relevant parts of the union to request a report evaluating the effectiveness of this new technology and how this may be developed in future organising and campaign strategies.

But despite the challenging context Conference recognises that UNISON members have been able to mount industrial action across the UK and conference congratulates the union's activists, organisers and officers for the way they have developed new techniques and utilised technology to overcome the barriers.

Conference also congratulates those Higher Education and the London Ambulance Service branch, who have reached the threshold and secured a mandate for industrial action as part of national campaigns, all as disaggregated ballots.

Industrial action campaigns raise the profile of the union and provide increased opportunities to recruit new members and identify and encourage new reps to build a stronger union. This must be embedded as a key part of any branch industrial action strategy.

Recent industrial action ballots have highlighted the importance of all members ensuring their membership record is up to date.

Conference calls on the National Executive Council to review existing processes and communications to encourage all members to check their details are up to date on My UNISON on a regular basis to ensure the union is ballot ready.

Conference notes that, despite members anger over issues such as the cost of living, it can be challenging for reps to encourage members to vote in industrial action ballots. Reasons for this vary from fear of reprisals by the employer, concern regarding loss of pay to confusion over postal ballots.

To try to counteract these, and work towards exceeding the threshold in future industrial action ballots, Conference calls on the National Executive Council to:

- 1) Find out more information, tools/techniques and best practice from those branches that did reach the threshold;
- 2) Explore harnessing virtual briefings or a modular training course to support reps in creating 'Get Out the Vote' plans to increase turnout and in particular having one to one conversation with members encouraging them to use their vote.

As those branches that have secured a mandate, and taken strike action know, reaching the threshold is only part of the challenge in reaching a dispute resolution.

Conference therefore affirms the importance of joint monitoring of action by the branch and region, both during and after strike days so that best practice, and any lessons learnt, can be collated and feed into future strategy development.

Conference agrees that whilst an incoming Labour government will create a more level playing field by removing undemocratic ballot thresholds, ensuring higher turnouts in ballots is fundamental to successful industrial action.

Participating in consultative ballots, voting in industrial action ballots and taking strike actions are all vital forms of collective action that members can take to deliver improvements in their workplace. Many trade union members do not understand the power of collective action and more could be done to increase their awareness.

Conference believes that there is also potential to learn from our local disputes with private contractors too.

To these ends Conference agrees that it is important that the experience and insights gained from this period are utilised and built upon.

Conference therefore calls on the National Executive Council to establish a small review group comprised of representatives from regions, service groups, Self Organised Groups and the National Executive Council.

Conference welcomes regional lay member democracy and participation and therefore instructs the National Executive Council to not select the regional representatives on the review group but facilitate a process that enables the twelve regional convenor teams to select who will represent them.

The goal of the group should be:

- a) Gather evidence on members experience of industrial actions ballots to understand barriers to involvement;
- b) Review the effectiveness of different communication techniques and technologies in reaching members in relation to industrial action;
- c) Develop effective campaign tools for boosting turnout in industrial action ballots across the union;
- d) Consider evidence from our disputes away from the core local employer;
- e) Work with other trade unions such as the RCN, GMB, RMT, NEU and ASLEF to find out how these unions achieved the over 50% turnout and also the 40% yes to strike;
- f) Explore how to use all social media platforms more effectively in each region and at a national level to increase member participation and achieve the yes vote.

This work should begin as a matter of urgency.

*80 Greater London*

*81 Eastern*

*81.1 Private Contractors' National Forum*

*81.2 North Northamptonshire Local Government*

*82 Newcastle Hospitals*