

THIRD DAY'S PROCEEDINGS

TUESDAY, 5TH JUNE 2007

MORNING SESSION

Congress assembled at 9.30 a.m.

THE PRESIDENT: Will colleagues come to order, please? Come along, Congress, sit down. We have another busy day today.

Just to remind Congress, the health and safety procedures are still the same. I understand that I have had a request from the Midland & East Coast Region that when they come they need double the time because they were nearly all gassed last night. I am telling you, that Yorkshire Region will do anything! *(Laughter)* Anyway, it is good to see that you are all OK.

Can I remind delegates that the Congress is being transmitted on TV so your speech will be transmitted as well so, any naughty words, you know what to do with them.

I do not know whether it is an invitation but I am getting a collection of hotel room keys. Even when I leave mine in the door no sod comes in, but there we are! *(Laughter)* Someone who is staying at the Holiday Inn, I've got your room key so check. It is probably mine. I keep throwing it in the middle and they keep giving it back to me!

I have glasses as well. I am waiting to see what else comes up. That was left in the Midland & East Coast Region; maybe that was the gasman looking for his glasses! *(Laughter)* Who is it, Vic? Vic Baines.

Anyway, I would like personally to say it was a long day yesterday and I would like to say thanks to Congress for your patience and the respect that you gave the delegates whether you agreed with them or not, that is how the GMB performs. Thank you very much indeed for that. *(Applause)*

We had the Executive last night. We did not want any debate because you had had enough debate listening to everybody. We just asked for the votes from each region and the GMB candidate that we are asking our members to support is Peter Hain. *(Applause)* We wish Peter well, and that is the GMB. He is aware and I understand he felt extremely proud and delighted, and he says thank you very, very much. I am making it up as I go along but, still, never mind! *(Laughter)* No, it is only water, honest to God!

Can I thank GMB Scotland for a lovely reception last night. The band showed up in the end. They had plenty of talent there and I understand Jackie Fauldss had a special song which is now going to be downloaded off the internet, so it will be number one next week. Also, can I thank the North West & Irish Region for a fantastic night.

They always seem to find these great comedians. Mind you, they've got a few now, haven't they? They have Toomey. *(Laughter)* Thanks to everyone.

THE PRESIDENT: Can I now ask for Standing Orders, Gerry Ferguson? Where are you, Gerry? *(Conferring)* Thanks for telling me. I have been reading this all morning.

REGIONAL SECRETARY'S REPORT: BIRMINGHAM & WEST MIDLANDS REGION (pages 100-109)

BIRMINGHAM AND WEST MIDLANDS REGION

1 MEMBERSHIP AND RECRUITMENT

Financial Membership	49,546
Section Financial Membership (by each Section):	
COMMERCIAL SERVICES SECTION	13,648
MANUFACTURING SECTION	16,429
PUBLIC SERVICES SECTION	19,469
Grade 1 members	37,418
Grade 2 members	8,149
Retired, Reduced Rate and others	3,979
Male Membership	30,037
Female Membership	19,509
Total number recruited 1.1.2006 - 31.12.2006	7,340
Increase/Decrease 1.1.2006 - 31.12.2006	+896
Membership on Check-off	34,963
Membership on Direct Debit	9,908

RESPONSE TO ORGANISING AGENDA

As a result of the decision made at Congress 2006 and the moving and subsequent adoption of the GMB at Work document which emphasised the Organising Agenda as being the priority for all regions, the Birmingham and West Midlands region took the decision to re-organise where necessary, Officers worksheets to enable the region to set up a dedicated Organising Team. The team has a blend of skills and also both experience and enthusiasm. The team is headed up by a dedicated Senior Organiser who has overall responsibility for the Organising Agenda within the region. We have made it specifically clear that this is not a recruitment team, their purpose is not to simply recruit members into the union, although that is important, their role within the Organising Agenda is much more detailed. They move into partially organised workplaces and in some instances Greenfield's and through regular meetings with the potential membership and existing membership, lay down the foundations of a successful organised workplace, encouraging workplace leaders to come forward and setting up Shop Stewards/Organising Committees within the workplace. These newly established committees are then given assistance to map the workplace and develop an organising plan for their individual company/workplace. In conjunction with the setting up of the Regional Organising Team, each Senior Organiser's worksheet has been greatly reduced to enable each of them to devote more time to actually managing their specific area teams. Each area team has their own area target to aim for with regards to the Organising Strategy and each area team

dedicates one week out of every four to organising. This one week in four is not done instead of general day-to-day organisation, it is done in addition to that. The Birmingham and West Midlands Regional Committee have embraced the Organising Strategy and within the area teams we have encouraged the use of experienced lay representatives to assist the area teams to organise successfully. Overall within the region, the response to the Organising Agenda has been a positive one. All Full Time Officers and staff within the region recognise how important the Organising Agenda is for the future of our organisation. Almost all branches within the region have also shown a similar commitment for the Organising Agenda. Branch organising plans continue to be received and monitored by first the Regional Committee and then passed to the appropriate Senior Organiser for them to follow the progress of each individual plan. As a result of the efforts by all activists, Officers and staff put in throughout 2006 on the Organising Agenda, I am pleased to report an increase in financial membership on the 12 month period of 896.

RECRUITMENT TARGETS AND CAMPAIGNS

From January 2006 through to December 2006 the main emphasis had been to concentrate our efforts in areas where we were confident it would deliver results. We have therefore continued to prioritise organising within the Public Services Sector. The School Support Staff continue to provide us with a steady stream of new members. Towards the middle of 2006, we began to target the catering staff within the schools in conjunction with the Administration Support Staff we had already been recruiting into the region. This delivered significant results for the region enabling us to increase our rolling average to aim for the increase of 200 per month in line with the proposals within the Organising Agenda. There is an issue within the school kitchens with regards to the hours of work each member has. On the face of it, it looks as though a lot of the employees work 10 hours or less and thought has been given to the promotional rate of 65p, however when Officers and activists delved further, in the main it is established that the employees have more than one job, they are then informed that the part-time rate covers them for all of their employment and in most instances this is accepted and we enrol them on the part-time rate for 20 hours or less. As well as the Public Services Sector organising, the regional project board still identifies both Southern Cross and G4S Security as being targets that should be pursued. Our regional membership within Southern Cross Care Homes has increased fairly significantly. The homes within the Birmingham and West Midlands Region have been mapped by the Lead Officer in conjunction with a member of the Organising Team, each home has then been put into an organising plan, to be targeted at particular times, aiming wherever possible to hit each shift within the particular home. We also continued to attend the inductions at G4S which provides us with a steady growth of membership within the Security Industry. The region also initiated a high profile campaign to stop attacks on CVIT members, which both raised our profile and established the GMB as the main union in the Security Industry. The region has also been looking at organising Private Hire Taxi's and we have had assistance from the Professional Drivers Branch within London Region. Wherever possible the region attempts to expand our membership base, however since January 2006 through to December 2006 only one recognition agreement has been signed with the following workplace:-CEP Ceilings Ltd.

OVERVIEW OF THE REGION'S ECONOMIC & EMPLOYMENT SITUATION

The Birmingham and West Midlands Region has a very proud history with what was once a strong manufacturing base within the region. Unfortunately, manufacturing is still in decline and we have seen some very established manufacturing workplaces close their gates within 2006. This has also seen us losing long-standing members within the Engineering/Manufacturing

Sector. The unemployment rate within the West Midlands at the end of December 2006 stood at 172,000 people claiming benefits, which is 6.4% of the working population. Both these figures and the dramatic reduction in manufacturing employment causes real concern within the region.

2 GENERAL ORGANISATION

Regional Senior Organisers	4
Membership Development Of	0
Regional Organisers	14
Organising Officers	3
No. of Branches	117
New Branches	2
Branch Equality Officers	14
Branch Youth Officers	1

BENEFITS

Dispute	26,360
Total Disablement	4,000
Working Accident	1,598
Occupational Fatal Accident	Nil
Non-occupational Fatal Accident	1,003
Funeral	7,530

4 JOURNALS & PUBLICITY

The regional magazine, GMB Centrepoint continues to be a popular source of communication with both branches, activists and members in general. We continue to receive feedback on the magazine from our shop stewards base and we have taken into account some of their suggestions and changed the format of the magazine which now incorporates a dedicated women's section. Successes in the Organising Agenda are highlighted on a regular basis within the regional magazine. The regional website also continues to be a popular source of information for members and non members alike and we continue to have a fairly steady stream of online joiners via the website. There have been many TV and radio interviews conducted throughout the region with Full Time Officers ensuring wherever possible they raise the profile of the GMB. Press releases have been put out regarding the demise in manufacturing, industrial action, pension issues and the very high profile we have had in 2006 regarding equal pay claims. The network of regional MP's is continually utilised to assist wherever possible with such issues as factory closures, transfer of work to other countries and on quite a few occasions, their assistance has been sought to give the region a foothold in non organised workplaces. Also, regular newsletters are circulated amongst our public services membership to maintain the high profile with regards to single status, Local Government pensions and the equal pay agenda. All in all, we have established and maintain a very useful media strategy.

LEGAL SERVICES

(a) Occupational Accidents and Diseases (including Criminal Injuries)

Applications for Legal Assistance	Legal Assistance Gra
991	991

Cases in which Outcome became known

Total	Withdrawn	Lost in Court	Settled	Won in Court	Total Compensation
991	316	9	£1,541,795.70		£1,541,795.70
Cases outstanding at 31.12. 2006			828		

(b) Employment Tribunals (notified to Legal Department)

Claims supported by Union	74
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Cases in which Outcome became known (c) Other Employment Law Cases

Total	Withdrawn	Lost in Tribunal	Settled	Won in Court	Total Compensation
23	29	1	£48,819.89	£22,000	£70,819.89
Cases outstanding at 31.12. 2006			22		

Supported by Union	Unsuccessful	Damages/ Compensation	Cases outstanding at 31.12.2006
9	-	£22,000	3

(d) Social Security Cases

Supported by Union	Successful	Cases outstanding at 31.12.2006
7	1	5

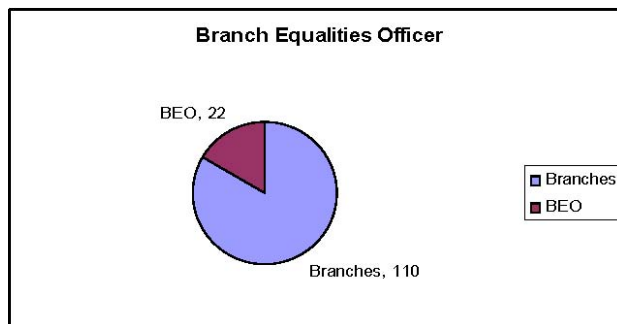
6 EQUAL RIGHTS

During the past year the main work of the Committee has focused on raising the profile of the GMB as the champion organisation for addressing inequality issues. This has extended to Regional Council, Regional Committee, full time and lay officials, representatives, employers, members and non-members. Full-time Officers have also been encouraged to use RERAC as a resource for organising in the workplace and utilising Committee members in recruitment campaigns throughout the Region. The Birmingham and West Midlands Region continues to champion lesbian, gay, bi-sexual and transgender issues by circulating advice and information to members and non-members. The Region sent a full delegation to the National Equalities

Conference held at Chancellors Conference Centre in Manchester. The Regional Equal Rights Committee also plays an active role with the Women's Charter Group within the Region.

Last year the Committee analysed NERAC's Action Plan and subsequently put into place a complete overhaul of the Region's equal rights structure. Committee looked first at the equalities base in the branches (*figure 1*) and from this wrote out to all the branches reiterating the position of the Branch Equalities Officer (BEO) under Rule. The Committee Action Plan also involved increasing the number of activists over a twelve month period. This is to be achieved by visiting those branches that do not have a BEO, explaining the role of the BEO and how the position links into regional and national structures. The Committee were looking for activists in the first instance to visit branches. The Committee also decided to change the structure of Committee meetings to include activities and more outside speakers on various topics. In addition they are asking activists from around the Region to attend along with the Committee members in order to increase participation. This should ensure that the business side of the meeting will be dealt with more quickly. The Committee will also have a greater involvement with the organising team by linking relevant issues into organising.

(FIGURE 1)



Regional Race Advisory Committee Report

Activity within the Birmingham and West Midlands Region in relation to race/equality issues continues to be a priority. Earlier this year members of the Committee attended the Vasakhi Festival (Sikh Religious Day) and distributed leaflets/flyers of the benefits of the GMB and how we as a Trade Union are working together with the Sikh community. Unfortunately we were not able to take the trailer. The purpose of this exercise was to promote the GMB which we believe will be beneficial for future recruitment.

We are liaising with Sohail Zulfikar who is the Chairman of the County FA Race Quality of Birmingham CC to promote GMB racial awareness within football.

Local meetings are taking place to promote racial awareness and at these meetings Warrinder Juss of Thompsons Solicitors has been in attendance to give support and to answer individual queries.

We now have the full amount of Race Committee Members (12) who are committed to taking full responsibility to lead the way in raising and promoting the profile of the GMB.

Part of the Elizabeth Henry's report was to encourage the GMB to hold an Equality & Diversity seminar which all staff and officers attended. The feedback from the seminar highlighted the many issues that people face every day without sometimes realising that these situations can occur not only in a person's workplace, but also in everyday life.

We would like to thank those who attended the seminar, especially the actors who performed very realistic scenarios.

The Black History month will take place in October 2007 in Birmingham. The Committee would be pleased if as many people as possible can attend.

7 YOUTH REPORT

Within the Birmingham and West Midlands Region young members make up approximately four percent of our membership. Throughout the last year a number of regional events have been organised in a continued endeavour to engage and encourage new activists from this cohort.

We have continued to maintain our presence at music and local festivals, once again promoting the GMB and engaging young workers in discussion on the wider trade union movement. Meetings within schools, colleges and universities have also been ongoing with particular input from local Branches. Activists have attended courses at the TUC for 'Speakers in Schools' to underpin this initiative. A protocol has been agreed with the Birmingham Guild of Students with a view to accessing students and to look at ways of organising Branches within this structure. Other Branches have also been initiating links with Job Centre Plus.

In addition, plans are underway to support the 'Birmingham Schools Kick Racism Out of Football' campaign. This entails a 7-a-side competition engaging 5-6 year olds across more than 50 schools across the City. With the BNP claiming their first Council seat in Birmingham it is vital that the trade unions and their younger members should be the cornerstone of events such as this.

Autumn of 2006 saw the re-start of the GMB's National Young Members Conference to which young member delegates from the Birmingham and West Midlands Region attended. This gave our members an opportunity to engage in political debates and workshops in a wider forum and has initiated a network of young members nationally.

Following this event a regional questionnaire was disseminated to help concentrate on the future aspirations of this group and identify young activists who seek to take their issues and ideas forward. This group has now been identified and work is underway in planning a way forward to enable them to reach the ambitions highlighted in this research. Nominees from this group are also attending the Young Labour Party and the TUC Young Members Conferences.

8 TRAINING

(a) GMB Courses Basic Training					
	No. of Courses	Male	Female	Total	Total Student Days
Introduction to GMB (10 days)	7	94	34	128	896
ICT for Reps (1 Day)	1	5	1	6	6
Introduction to being a ULR (5 Days)	2	9	8	17	34

(b) GMB advanced courses					
	No. of Courses	Male	Female	Total	Total Student Days
Industrial Relations 1&2 (10 Days)	3	17	9	26	78
Health & Safety 1&2 (10 Days)	3	34	10	44	132

(c) TUC Courses					
	No. of Courses	Male	Female	Total	Total Student Days
Union reps stage 1 (10 days)	2	1	1	2	4
Union reps stage 2 (10 days)	3	3	2	5	15
Health & Safety 1 (10 days)	3	3	0	3	9
Health & Safety 2 (10 days)	5	5	0	5	25
Cert Health & Safety (36 Days)	1	6	0	6	6

Understanding pensions (10 days)	1	1	0	1	1
Employment Law Cert (36 Days)	2	1	0	1	2
Bullying & discrimination (10 Days)	1	1	0	1	1
Trade Unionist in the Classroom (1Day)	1	1	1	2	2
Spanish for trade unionists (10 days)	1	1	0	1	1
Grievance & disciplinary (2 days)	2	2	0	2	4

(d) Northern College					
	No. of Courses	Male	Female	Total	Total Student Days
Employment Law (5 Days)	2	9	0	9	18
Understanding Pensions (5 Days)	1	2	0	2	2

(e) GFTU					
	No. of Courses	Male	Female	Total	Total Student Days
Organise Now (3 days)	1	3	0	3	3
Management of change (3 Days)	1	1	0	1	1
Tackling discrimination (3 Days)	1	0	1	1	1
Pensions for beginners (3 days)	1	2	1	3	3
ICT Courses (3 days)	4	4	0	4	16
Leadership skills for women (3 days)	2	0	2	2	4
Advanced negotiating (3 Days)	1	0	1	1	1
Employment law (3 days)	2	2	0	2	4

Union Learning Agenda

Since the appointment of a Regional Learning Co-ordinator in August 2005, the GMB in the Birmingham and West Midlands Region has developed and extended the learning agenda through the established structures of branches and shop stewards. This has resulted in the successful recruitment of numerous Union Learning Reps (ULRs) across all sectors recognised by the GMB where they have successfully negotiated flexible and accessible learning opportunities in workplaces across the region. These ULRs are trained in-house in partnership with the WEA. The benefits that improved Skills for Life bring to our members are numerous, including recognised qualifications routes like Adult Literacy and Numeracy tests or NVQs up to Level 2. However it is the so-called "softer" outcomes which are not so easily measurable that are also having a lasting feel good factor and thus adding value to their GMB membership card:-

Family Benefits – being able to help their children with their homework.

Financial – being able to calculate and run their own personal finances.

IT- accessing the internet for cheaper services such as insurance or air flights.

Help with learning barriers – dyslexia awareness raising and focused responses by providers that include employers providing resources for workers who need to access specialist support in the work place.

Learning and Organising - growing the Union through educating our members and encouraging activists.

Equality and Diversity – through the learning agenda by focusing on migrant workers, who are largely unrepresented in low paid jobs with poor terms and conditions and by using the learning agenda to address language barriers for members where English is their second language and

linking them to relevant courses.

The above are just a few examples of benefits that learning brings to our members and the Union. Learning not only helps raise people's skills levels but also builds self esteem and confidence by enabling people to achieve personal and workplace aspirations.

9 HEALTH AND SAFETY

The Birmingham and West Midlands Region has continued to carry out the Union's policy with regard to health and safety. We continue to offer advice and assistance to our representatives, by providing both an information service and workplace visits when requested.

In the past year the health and safety department has been involved in a number of workplace organising campaigns. One key strategy which linked health and safety into organising was launched in the early part of 2006. This took the form of a Workplace Health and Safety Audit document, which assisted representatives in mapping the health and safety of their workplace and identifying key areas for action. The Audit form was well received and has been instrumental in identifying workplaces which needed to update their safety structure. A Safety Awareness Campaign for women has also been launched and linked into the Women's Charter. A training day on the new Health and Safety Consultation Regulations was organised by National Office and was well attended by activists. Workers Memorial Day was again commemorated with a multi-faith service held at St Johns Church close to Regional Office and was attended by over 25 people.

The Department has been instrumental in driving health and safety issues forward and raising awareness throughout the Region. This has been achieved by using the Media Officer to promote health and safety campaigns in the media along with providing materials for the *Centrepoint* Regional magazine and the regional website.

(Adopted)

THE PRESIDENT: Can I ask Birmingham & West Midlands Regional Secretary to move his report?

Regional Secretary's Report: Birmingham & West Midlands Region (pages 100-109) was formally moved.

THE PRESIDENT: Thank you. Seconded, Joe?

Regional Secretary's Report: Birmingham & West Midlands Region (pages 100-109) was formally seconded.

THE PRESIDENT: Thank you. Pages 100, 101, 102, 103, 104, 105, 106, 107, 108, 109. Agree the report, Congress? (*Agreed*) Thank you.

(Regional Secretary's Report: Birmingham & West Midlands Region (pages 100-109) was adopted.)

PRESENTATION OF GMB GOLD BADGE 2007: MRS. JAYABEAN DESAI, LONDON REGION, GRUNWICK STEWARD

THE PRESIDENT: Thank you. Colleagues, I come to a very special part of our proceedings and it gives me great pleasure as someone who lives in Brent and can remember the days well, to welcome Mrs. Desai, from the London Region, and also a Grunwick steward. The Gold Badge is in recognition of her outstanding dedication and determination during the dispute at George Ward's Grunwick photo processing factory in the 1970s. The dispute started in summer 1976 when Mrs. Desai and her son resigned from the factory after refusing to work compulsory overtime. Mrs. Desai set about picketing the factory and encouraging workers to sign a petition for trade union recognition.

The predominantly Asian and East African female workforce at the factory were subjected to harassment, violence, and intimidation, during the two-year dispute. To this day the Grunwick dispute is still seen as an important landmark in the history of British industrial action and the struggle for equal rights.

Congress, I give you Mrs. Desai and I award her our highest honour for the work she and her colleagues did during that long struggle. Thank you.

(Presentation amid standing ovation)

MRS. DESAI: I say I am not good enough for English. Everybody knows that my English is not very good and I am not qualified, I am not a professional speaker, but from my heart I say to you, everybody, I see a lot of people who are regular visitors on the picket line and this honour is not only myself, it is in honour of you who took part and participated with Grunwick and who are supporting me today. This is honour for them as well. (*Applause*) My colleagues also, this is not only my honour, the Grunwick, not won by only me, there were a lot of my colleagues as well who are not here today, but anyway they are with me and this honour is for them as well. Thank you very much and nice to see everybody here after so long a time, so many faces I can recognise, but forgive my ignorance because I keep forgetting the name. (*Applause*) That is the main thing, I can recognise the face of everybody who were regulars and a visitor of the picket. Thank you very much. Thanks very much again. Nice to see you here with so much respect from your heart, let me tell you. Thanks very much. (*Standing ovation*) God bless you all.

THE PRESIDENT: Thank you. Paul?

THE GENERAL SECRETARY: Thank you. I think, quite rightly, the GMB is proud of our heritage. You have often heard me and others say that we stand on the shoulders of those who go before us and in this particular case I am not going to practise it in public, all right, but I am honoured and proud to be able to share the same space on this planet as you. I think the love and respect from this union – (*Applause*) – for the struggles that you went through on the issues, fighting for justice, fighting for trade union recognition, fighting for equal pay, is a banner for people. I know you find it difficult to understand why people feel like this because you just did what you knew was right, and that is the most fantastic part about it; we know it is right and that is why we fight. You are an honour and an inspiration to this union. Jayabean, thank you very much. I love you. (*Applause*)

Briefly, I mentioned yesterday that wonderful great company down there in Wembley, Bakkavour, what a fantastic outfit, a wonderful, wonderful place. We have Dimple and Nitin, two of our stewards, sitting at the back there. Welcome to Congress. Fantastic. Stand up. (*Applause*) Thank you for continuing the tradition of fighting and organising for workers in the GMB. You are also a credit and it is really great you are here today. We are proud to have you. (*Applause*)

THE PRESIDENT: Congress, what an inspiration. In those days, believe you me, if we think we have it hard today when we are trying to win recognition, for all these ladies.... It was only round the corner from me and we were involved, still dinner ladies making the sandwiches, and I was proud to do it. It gives me great delight to see Mrs. Desai here, long overdue the honour that we have bestowed on her today because it is our honour as well as hers. Thank you very much. (*Applause*)

THE GENERAL SECRETARY: There is a fringe meeting tonight, colleagues. (*Applause*)

THE PRESIDENT: There is a fringe meeting tonight and you heard Harriet Harman saying her husband was down, well Jack Dromey was very much involved in that. The London Region have the fringe tonight so, Ed, it is in the Holiday Inn, am I correct? (*Confirmed*) You are all welcome and Mrs. Desai will be there, and other people who were involved in that dispute. Please go along and show your support. Thank you, Congress.

Can we now start today's business? We are going to move Composite 4, Employment Rights, to be moved by the Northern Region, Motion 72 to be moved by London Region, 73 Southern Region, and Composite 5, Restoration of Trade Union Rights. Thank you. Away the lads!

EMPLOYMENT POLICY: RIGHTS AT WORK

COMPOSITE MOTION 4

71 – Employment Rights – (Northern Region)

74 – Employment Rights – (North West & Irish Region)

EMPLOYMENT RIGHTS

Congress recalls that the former Labour Leader John Smith promised that a future Labour Government would ensure that every worker was covered by the protection of employment rights from day one of their employment.

Ten years after the return of a Labour Government it is a disgrace that a hard working, committed, probably underpaid and exploited employee can be sacked after 11 months service and has no right to seek unfair dismissal at an Employment Tribunal.

Congress is appalled at the injustice suffered by members who have employment issues but cannot raise them at a tribunal because they have not been employed for over a year.

Congress believes that everyone is equal under the law and instructs the CEC to mount a vigorous campaign to persuade the Government to give full employment rights to every worker.

Congress demands that the Government stop pandering after the CBI and act immediately to introduce the regulations to give UK workers full employment rights from day one, the commencement date of their employment.

(Carried)

BRO. A. WINTER (Northern): Congress, when Tony Blair came to power one of the first measures that he proposed was to rename the Labour Party. As a result, New Labour was born. The only problem, of course, was that he got the name wrong. New Labour has nothing to do with working people. A more accurate name would have been, The Bosses Party, paid for by mugs in the Trades Union Movement.
(Applause)

Congress, the GMB has poured millions of pounds of our members' money into the Labour Party yet on important legislation that affects our members it is the CBI and the Institute of Directors that New Labour listens to. President John Smith, the Leader of the Labour Party stood at this very platform at the TUC in 1994 and promised faithfully that the Labour Government would ensure that all workers had full employment rights from day one. Yet here we are 13 years later, 10 into a Labour Government, and still we wait.

Congress, in no other walk of life is human rights so limited. Our members do not have to wait a year to have their right not to be assaulted or murdered, likewise a criminal cannot claim in court, "It's all right, your honour, I know I shouldn't have done what I did but this Post Office had only been open for 11 months." Congress, the Government's failure to give full employment rights to all workers regardless of their length of service clearly demonstrates the contempt that they have for people in this country. Yes, they will take our money, they will flatter us with fancy words, but again and again they fail to act to support our members. What about some support for our Remploy members?

President, New Labour seems at a loss to understand why they are losing votes in the polls. They cannot understand why longstanding and loyal Labour supporters are simply refusing to vote. Well, the explanation is simple, you do not bite the hand that feeds you. I have a simple message for Gordon Brown: if he wants to restore support

for the Labour Party, stop pandering to the CBI and their friends the Tories; they always have been friends and always will be. After all, it is the trade union member who puts you in power and, Gordon, unless you start delivering for our lot, it will be the Trades Union Movement that gets shot of you. Work together or be damned.

Congress, support full employment rights for all workers, support Composite Motion 4. I move.

THE PRESIDENT: Secunder.

SIS. L. HOLMES (North West & Irish): President, Congress, hands up all those people who think they are equal? Come on, get your hands up. Not many. Well, it is true to an extent, you have justice and then you have the employment law and never confuse the two. While there are exceptions, whistle blowing and racial discrimination, you can be dismissed from your employment without recourse to an industrial tribunal. Why, because you have not completed a year with your employer. There may be many different reasons for unfair dismissal – your face does not fit, you do not like overtime, the factory rights – all these and many more reasons can be seen by an unscrupulous employer as a potential threat. Often misplaced but it does not matter how unfair a dismissal is, justice is denied to you. We have had 10 years of a Labour government, 10 years of missed opportunities to right dreadful wrongs, 10 years of misery for new starters, and 10 years of injustice for thousands of people. These people may be accused of misdemeanours yet they have never had a chance to rectify those wrongs. How much longer are we going to let this situation continue? We ask, we request, no, we demand that this injustice is ended forthwith. I second.

THE PRESIDENT: Thank you, colleague. While the next speaker to move employment statutory rights from London is coming to the platform, could I announce that at the raffle for the North West and Irish Region the total raised has been £1,730. That is extremely well done. (*Applause*) It is for the Derian House Children's Hospice. Conference, on Sunday when I was welcoming the visitors I welcomed Billy Smith the ex-Regional Secretary from the then Liverpool & North Wales & Irish Region, and I have actually announced him twice because he was not here. He is here this morning so, Bill, welcome; a good friend to our union. OK.

MOTION 72

EMPLOYMENT STATUTORY RIGHTS FROM DAY ONE TO ALL EMPLOYEES

Employees with less than one year working time for their employers have seen their jobs terminated for various reasons or no reason at all.

Migrant workers are included in the disadvantaged group which is most affected by their lack of knowledge of the English Language and the English Employment Law. Most of the workers in this situation find themselves in extreme difficulties to find another job or return to their countries, and are 'pushed' into the benefit system.

Nevertheless, it is a workers 'RIGHT' to have the SAME RIGHTS as everybody else from day one, and not be 'legally' discriminated against.

GMB, Britain's General Union should press the **Labour Party** to make this simple but significant

change in Employment Rights legislation.

LOWESTOFT BRANCH
London Region

(Carried)

BRO. A. GUEDES (London): President, Congress, colleagues, a lack of a constitution or a similar mechanism to address and check up on new regulation is probably causing a constitutional error that permits different acts of law to come into force not taking into consideration the framework they are affecting. Employment law in the UK does not apply equal rights from day one to all workers and one loses rights when changing his or her employer. Protection from unfair dismissal as relates to minimum wage and redundancy entitlement are mere examples of rights that workers should be entitled to from day one. In a country where equality and discrimination are a day-to-day concern the Government and the law should give the example and not discriminate against? Legal discrimination is discrimination, after all. Employment statutory rights from day one to all workers is in demand and GMB should press the Labour Party and the Government to provide this simple but significant change in employment legislation. Congress, I move.

THE PRESIDENT: Thank you. Secunder. Will the mover of 73 please come forward?

BRO. A. McLEAN (London): I feel that the time has come for the Employment Rights Act 1992 and 1999 to be revisited. The current rules at best cover many employers but at its worst it is unjust for those who have less than 12 months service. It is fair to say that all legislation has qualifying conditions and cut-off points, however to avoid these anomalies all employees regardless of length of service should receive the same legal protection and rights. I urge the GMB to pursue the Government to amend the current legislation to bring equality and fairness to all employees. I ask Congress to give their full support to this motion. I second.

THE PRESIDENT: Thank you, Alistair. 73?

MOTION 73

EMPLOYMENT

Congress supports all efforts to increase any attempts to increase the protection of workers' rights.

DUNGENESS ELECTRICITY D27 BRANCH
Southern Region

(Carried)

BRO. A. CIRKET (Southern): This is a very simple motion, as you can see. There are two "increases" in the motion but I am not sure how they got there. It is very simple, our branch feels that any attempt to increase or improve the legislation that protects people at work should be supported; fairly obvious. The reason behind this motion was that we had an employee within our firm, 28 years had worked there, accused of stealing a can of coke, dismissed, management would not back down, took

him to tribunal, he won substantial payout, but it is not the same as getting your job back, is it? That is what was behind this motion. People should be protected more and if you have to go to a tribunal and you do win, the compensation should be substantially more than what you get at the moment. Thank you.

THE PRESIDENT: Thank you. Secunder.

Motion 73 was formally seconded.

THE PRESIDENT: Thank you very much. Can I now have the mover of Composite 5, Restoration of Trade Union Rights, Southern Region to move, North West & Irish Region to second, and priority to debate in Midland & East Coast Region.

COMPOSITE MOTION 5

(Covering Motions 75, 76, 77, 80)

75 – Reinstatement of Past Trade Union Rights – (London Region)

76 – Repeal of all Anti-Trade Union Legislation - (Midland & East Coast Region)

77 – Trade Union Freedom Bill – (Southern Region)

80 – Strike Action – Secondary Picketing – (North West & Irish Region)

RESTORATION OF TRADE UNION RIGHTS

Congress notes with alarm that the Labour Government has not repealed any of the anti Trade Union legislation brought in by the Thatcher Government.

Congress notes that some of our greatest gains in terms and conditions resulted from the effects of secondary action. Since this right was stolen from our movement by the Thatcher Government, our ability to defend and promote workers rights has been severely curtailed.

Congress asks the CEC to look at the Trade Union rights which were removed in the Thatcher years and ask why they have not been re-instated in the Labour regime.

Congress calls upon the CEC to unite with our sister Unions to maximise a campaign directed at the Government to restore secondary action boundaries to pre Thatcher Government levels.

Congress wishes to see

- enshrined in law, the fundamental right to strike and without a protracted bureaucratic balloting process, as is the legal 'minefield' which exists today.
- legislation to protect striking workers, protections against replacement labour and the ability to support in secondary action where relevant.

And requires a Trade Union Freedom Bill to protect its workers in an ever increasing vulnerable working world.

Congress instructs the GMB leadership to support fully the campaign and lobby for a Trade Union Freedom Bill and the restoration of the Trade Union rights and protections removed during the 18 hostile years of a Tory government.

Congress calls upon the Government to address this situation during this term of office and expects to be fully supported in this campaign by all the MP's from GMB supported constituencies and future GMB backing should be conditional on their involvement and help.

Congress requests GMB officials to inform the Labour leadership, that we support the Labour Government, but there is no 'Block Vote' in a General Election and our members will no longer support a party that does not look after its own .

(Carried)

BRO. P. GOODACRE (Southern): Congress condemns the failure of the decade-long Labour Government to overturn the anti-trade union laws of the Tories which were imposed during the last millennium. Congress demands that this shameful state of affairs is addressed and to this end instructs the GMB leadership to campaign for and support the Trade Union Freedom Bill.

The foundation of the Trade Union Freedom Bill is the recognition and facilitation of a working person's right to withdraw his or her labour in a collective action. The notion of going on strike currently inspires fear and anxiety in many working people, trade unions must be emphatic as to the reasons why the right and ability to strike are an absolute necessity for working people. Strike action is the single most potent tool trade unions have with which to bargain with employers in protecting their members' interests. Wrath, persuasion, partnership, and appeasement, achieve limited outcomes.

Furthermore, the right and ability to withdraw labour is a critical marker as to the degree of personal liberty and personal dignity in any society. The Trade Union Freedom Bill must change the current status of strike action as a breach of contract from which one may enjoy certain immunities into an unqualified and fundamental right. This demand is hardly revolutionary, it is a right enjoyed by many workers in other European Union states. The right to strike is recognised by the Charter of Rights which would have and might still form part of the European Union Constitution.

The right to strike must not only be enshrined but facilitated by law. The Trade Union Freedom Bill must address and make provision on a number of points. Procedures and rules for initiating strike action must be simplified. They currently constitute a lethal obstacle course of notice periods and ballots that are open to legal challenge by employers on trivial, technical, and accidental grounds rendering unions liable to ruinous damages from employers. This pro-business bias must be replaced with a more equitable system. Workers must enjoy absolute legal protection from dismissal and other forms of reprisals during, after, and before lawful industrial action. Prohibitions against the use of agency staff during a dispute must be strengthened. This union's experience in Asda and JJB Sports demonstrates this. The right to strike and the definition of a trade dispute must be revised to allow workers to take solidarity or sympathy action on behalf of workers in other establishments. The necessity for this and the limitations of current legislation are both demonstrated by the recent Gate Gourmet dispute.

With less than three years to go to the next General Election the passage of this bill must be prioritised. This is a good time to remind the Government that they will need our help if they are going to win a fourth term. Congress expects all GMB MPs actively to campaign on behalf of and support this bill and instructs our leadership to make future support, financial or otherwise, conditional upon this.

More generally, it must be impressed upon the leadership of the Labour Party that our support is not a given. It is conditional upon repealing some of the most oppressive anti-trade union laws in the European Union. It is time government delivered on its promises, fairness not favours. The Trade Union Freedom Bill would deliver some long overdue equality between labour and capital. Please support this motion. I move.

THE PRESIDENT: Thank you. Morning, John.

BRO. J. McDONNELL (North West & Irish): It gets better every time I say it! What we are hoping for by seconding this resolution is that Gordon Brown when he comes to power repeals these draconian measures that the Labour Party took against our party. I myself have been involved in a number of strikes. In 1955 I was involved in the dockers' strike, and it is our right to strike without fear. It is our right to say to employers we are withdrawing our labour. It is a right that we demand and we demand of this Labour Government that they repeal this Act as soon as they get Gordon Brown into Number 10. I second. Thank you.

THE PRESIDENT: Midland & East Coast Region.

BRO. S. CLARKSON (Midland & East Coast): President, Congress, visitors, 10 years on, colleagues, but still as yet no way forward on the removal of all the legislation against our Movement brought in by the Thatcher Government. What do we have to be afraid of? Who is conning who? This Labour Government has not repealed any of the anti-trade union legislation and does not appear to be interested in doing so. Only yesterday our friend Mr. Johnson sounded just like Maggie when he said, and I quote, "We are not going back."

Colleagues, for those who are passionate about what we stand for recognise that we need our Government's support to campaign vigorously against all the unscrupulous employers out there who undermine and under-estimate the Trades Union Movement. Bringing back what is rightfully ours will give us all the strength to carry on with the struggle for fairness, justice, and equality for each and every one of our members. Colleagues, please support Composite 5.

THE PRESIDENT: London Region.

SIS. L. ELVIN (London): We ask Congress to instruct the GMB to fully support the campaign and lobbying for a Trade Union Freedom Bill which would restore our rights. Stopping strikes being banned and ballot irregularities, allowing us to take action alongside workmates who work for a different employer because of contracting and privatisation, the prevention of use of replacement labour during strike action, better protection for striking workers, this could help give employees a better chance of securing justice in their workplace and help make poverty history in the UK. These

are modest demands and are the norm in most of Europe. The current government has done little or nothing to reinstate the protection of striking workers which was fought for over many decades and removed during the Thatcher reign. All we are asking is give us back our basic rights. I hope you will support this motion. Sorry, President and Congress, I forget to welcome you.

THE PRESIDENT: Thank you. Well done. I am now calling Motions 79, 81, 82, and 83.

MOTION 79

TRADE UNION RECOGNITION

Congress recognises that the present trade union recognition legislation was only approved after substantial changes to satisfy the concerns of the CBI to ensure that it was as ineffective as possible.

In effect the legislation restricts trade union access to the workplace and workers and places the burden of proof upon unorganised workers.

Congress therefore calls for a major review of the current legislation.

The right to belong to a free and independent trade union is a basic human right. A right that Margaret Thatcher supported for Polish workers in Solidarity and one which a Labour Government should support for British workers.

NEWCASTLE CITY LA BRANCH
Northern Region

(Carried)

SIS. V. DAVISON (Northern Region): Congress, the current trade union recognition legislation is nothing short of a disgrace. Before the present government came to power they promised action to ensure that workers enjoyed proper protection at work. Remember the slogan, colleagues, “Things can only get better”? Well, not for trade unionists.

President, at its high point in 1979 trade union membership stood at 12 million, almost 50% of the entire workforce. Today membership of trade unions is 7.5 million, less than 30%. Colleagues, whilst trade union membership continues to slump there are literally hundreds of thousands of workers in unorganised workplaces who are desperate for our support. President, in May this year trade unions took their biggest fall in membership for nine years. Government statistics showed that 28.4% of UK workers are today members of a trade union, a fall of over 0.6% in 12 months. Congress, we know workers need trade unions, we know that employers exploit, and without a trade union workers are subject to the worst health and safety standards and the lowest pay.

President, Motion 79 simply calls on the Government to live up to its promises and to deliver on a reasonable demand and give British workers access to justice and fairness. Congress, I urge you to support the millions of unorganised workers who need our support and support Motion 79. I move.

THE PRESIDENT: Thank you. Secunder.

BRO. G. MAYFIELD (Northern): Congress, when the present Labour Government came to power in 1997 it promised to ensure that workers had the right to force their employer to recognise their trade union. After the election everything changed. The Government consulted on the new proposed legislation and we in the Trades Union Movement said the new proposed law was too weak. The CBI and the Institute of Directors, on the other hand, said the new laws were too strong, too pro-trade union. Who did the Government listen to? That is right, New Labour, Tony Blair, listened to the bosses.

Colleagues, I hope the CEC is listening to this. Our members do not pay union subs to support a party that supports the bosses. Our members want action from this Government and they want it now. We want proper effective recognition laws and if the bosses do not like it, tough.

Congress, let's make sure we have the tools to do the job. Support Motion 79. I second.

THE PRESIDENT: Thank you. 81, North West & Irish Region.

MOTION 81

IMPOSITION OF CONTRACTS

This Congress condemns those employers who seek to impose changes of contracts on our members by threatening to dismiss those members if the impositions are not accepted.

8 ASHTON BRANCH
North West & Irish Region

(Carried)

SIS. Y. CARTEY (North West & Irish): President, Congress, this is one of those motions, OK, we all agree with, it is like motherhood and apple pie, like democracy in the Trades Union Movement, yeah, we are all in favour of it, OK. We even had an Emergency Motion on it, didn't we, on Monday when we voted unanimously to support the people in Asda who are fighting against their employers trying to impose contracts on them that would get rid of their premium rates and bank holidays, and so on. We would not expect any of us to do any different.

This motion really is just seeking to reinforce that position and ensuring that employers cannot change anyone's contract, especially in these days of TUPE and single status which is an area that is a big issue for me in local government. Local government employers, you will find, are probably some of the best informed and worst intentioned employers you could come across. Along with this to that effect our core group asked Brian Strutton to confirm with us that the GMB's position earlier this year was that we would always fight to prevent people having contracts imposed upon them. We thank him for that because he reinforced it and said in response to the question as to what the GMB would do if employers, local authority employers, tried to impose contracts without agreement, "In short, we oppose as strongly as we possibly can. We'll throw the proverbial book at them." Great!

So, Congress, it just does us good to reinforce these issues now and again and therefore I ask you to support this motion. Thank you.

THE PRESIDENT: Secunder.

BRO. D. WILSON (North West & Irish): President, Congress, six years after the passing of legislation to introduce information and consultation some employers still keep to their bad old ways of introducing announcements on change without negotiation. In addition to Asda we have also seen other companies who you think would know better, Severn Trent Water announced 600 redundancies over its company intranet site and using their email, using the media, to announce changes to its pension scheme much to the bewilderment of its employees and unions concerned. Individual employees are still often put on the spot and pressurised to accept what they perceive to be unacceptable change to their terms and conditions, either on pay or on hours. It is no way to conduct industrial relations in the 21st century, to accept or face ultimate dismissal. The GMB is rightly contemptuous of all those employers who would wish arbitrarily to change conditions and terms without any serious attempt to negotiate, or at least explain the reason behind decisions.

Best employment practice is always to engage fully, update, inform, and consult with all its employees. With progressive change in the workplace our union must always be at the forefront of protecting employees, individual GMB members whose livelihoods may be put at risk by ignorance and uninformed bosses, and managers, intent only on getting their own way at the expense of everyone else. Congress, I second.

THE PRESIDENT: Thank you. Mover of 82, Southern.

MOTION 82

JOB SECURITY FOR EX PATS

Congress calls upon the Labour Party to ensure that employees working within the UK and in Brussels be it in local government posts, as parliamentary staff and in non-government agencies – have relevant and adequate contracts, a clear legal status and social security entitlements.

BRUSSELS B59 BRANCH
Southern Region

(Carried)

SIS. J. HALE (Southern): Speaking to Congress for the first time, moving Motion 82 on job security for UK workers in Brussels on behalf of GMB Brussels Branch.

President, Congress, the GMB is a pioneer among UK trade unions in offering structured support to UK workers in Brussels, and the union is badly needed. Our members are not Eurocrats with fat salaries. The majority are part of a younger workforce both employed temporarily to work in lobbying, journalism, and public affairs before returning to continue their careers in the UK. Our members representing the UK regions in Brussels and working as assistants to Euro MPs at the

Parliament, in lobbying consultancies and other non governmental agencies face a number of challenges.

They are plagued by job insecurity because of poor contracts and fundamental question marks about their legal status. Many have inadequate social security arrangements and often even no healthcare provision. Still others work under the constant fear of redundancy due to shifting co-funding arrangements in the local authorities back in the UK.

Members starting out on their careers and looking to escape a perpetual cycle of internship are particularly vulnerable to exploitation. Employers collude with the status quo presenting jobs as prestige posts for which the young employee should show their gratitude by accepting a situation that they would never agree to in the UK. Worse still, young interns are routinely working for little or no money just to get their foot in the door. Whilst many are glad of this first experience, it is simply unacceptable and discriminatory to force them to work without a living wage.

Congress, it is ironic that despite all the advantages of working mobility and privileges offered by EU membership our members working in the capital of Europe still face a legal minefield. All too often employers exploit the absence of clear guidelines on working abroad to avoid the heavier burden of the Belgian tax system but without bothering to post the workers officially from the UK. This means that UK employees are on UK contracts but in legal limbo. For example, it is often unclear whether their contracts are subject to UK or Belgian law, a distinction which is vital in determining their rights in the case of an industrial dispute. Also, as they are not paying tax in Belgium they cannot claim basic social security entitlements, including healthcare, but at the same time because they are living and working in Belgium what arguments should they give to defend their UK tax status if ever the Belgian taxman came knocking?

The employers faced with complex legal questions all too often shirk their responsibilities and on healthcare leave their employees uninsured and liable to foot the bills themselves. There is a culture of inadequate duty of care from employers when in reality it should be just the opposite, and that is before we come to pensions, considered an optional extra by many employers in Brussels, including cash-rich Euro MPs.

Congress, the GMB is organising in Brussels to tackle the poor working conditions of our members but our members also have many legal questions they need answering. They need to know: one, under which jurisdiction they come in employment disputes; two, what their entitlements are as posted workers; three, whether the rumoured tax agreement between the UK and Belgium so often cited by employers really exists and what it means for them; four, they need to know that they are not alone and can rely on the real support of a caring union that will fight for their rights “transnationally”. The GMB can and must provide these answers and I therefore ask senior organisers and the CEC to look into these questions and to lobby the Labour Government to ensure that clearer guidelines on practice are available and enforced.

Congress, please support this motion in recognition that our ex patriot workers, migrant workers, should enjoy the basic employment rights and working conditions that the European Union seeks to ensure. I move.

THE PRESIDENT: Congress, it is a delight for me to see Jacqui here at Congress. She is the Branch Secretary of the Brussels Branch and they do real sterling work. They have the most complicated system you have ever known. Paul and I went to meet them in Brussels and I promised Jacqui that we would come back and fight for their rights. They deserve it. They feel left out but I can assure Jacqui, and her branch, you are not left out. We are looking quite strongly to see you, our members, get your rights. *(Applause)*

BRO. B. BEAVEN (Southern): We have listened to motions all this week about migrant workers coming to the UK not having contracts, not having their rights upheld. It is unacceptable that we are still facing the situation that our UK residents are working in Europe and facing the same problems. I urge Congress to accept this motion and actually work towards real change. Thank you.

THE PRESIDENT: Thank you. Mover of 83, Insolvency, South Western Region, will the seconder please also come down?

MOTION 83

INSOLVENCY

Congress calls upon the CEC to put pressure on the Government's Insolvency Department to make sure that employees are paid their due entitlement when their company is put into administration and make it impossible for Administrators to use the Act to their advantage when setting classification of preferred and non preferred creditors and unjustly placing our members in the non preferred category even though they are aware that monies are owed to employees.

HENGOED ENGINEERING BRANCH
South Western Region

(Carried)

SIS. J. MARR (South Western): Many thousands of our members have suffered the painful consequences of company insolvency. Colleagues, we have to put pressure on the Government's Insolvency Department to make sure that employees are paid their due entitlement when their company is put into administration and make it impossible for administrators to use the Act to their advantage when setting classification of preferred on preferred creditors and unjustly placing our members in the non preferred category even though they are aware that monies are owed to employees. Now, Congress, I do not know about you but there is something seriously wrong here. For example, a preferred creditor is the Inland Revenue. Is this some joke? The Inland Revenue, a preferred creditor, and employees, our members, are classed as non preferred creditors. Congress, this is unjust and unfair. This situation should not continue. Please support.

THE PRESIDENT: Thank you. Seconder.

Motion 83 was formally seconded.

THE PRESIDENT: Thank you, Sheila. Does any Congress delegate wish to come in on the debate? Come forward.

BRO. T. FLANAGAN (London): Previous existence, chair of the chapel, Sunday Times, night machine chapel, Wapping, the good old days. I wish they did not have that camera on, Mary, because there are a few things I would like to say about the Metropolitan Police and certain politicians, Peter Hain for one, but we will pass on it.

Talking about secondary picketing, that is solidarity, secondary picketing. You agreed in all these motions here today that we will campaign, we will do this, that, and the other to get the right. Why don't we take some solidarity action to get the right we are entitled to? I remember the days, and we just celebrated it, when Arthur shut the mines down and they came down on behalf of Grunwick. In the Street we had some performances, shut the papers down and went over and supported the nurses. That is solidarity action.

Why don't we tell the lovely Gordon today, "If you don't give us our rights we will shut the whole bloody place down." (*Applause*) I think the day has come that we start to make a comeback. I watched six of them here yesterday; they were not exactly inspiring, were they? Mr. Johnson has just been done by his own union – good. Well done the postmen. Congratulations. I want to see this Movement stand up and start having a fight. Who have we got to fight with? It is the people who have been taking or extracting the urine out of us for the last 10 years. Let's get going. I am a member of the Labour Party, let's get stuck into this mob. Let's start today with Mr. Brown. He needs to get out of here with a kick up the ----

THE PRESIDENT: If you don't wind up you will be going to chapel (*Laughter*) and it won't have "push" on the door! (*Laughter*)

BRO. T. FLANAGAN: Mary, I know you are an ex print worker so you got the message. The message from me to the Congress is, let Mr. Brown go out of here knowing that there might be some grovelling unions about but the GMB is not one of them. (*Applause/Cheers*)

BRO. A. GOODFELLOW (Southern) speaking in support of Composite 5 said: President, Congress, we all know where the responsibility of the recognition of trade union rights lies, it lies with our Labour MPs. In the last 10 years they have not bothered to take any notice of what we have been saying. That is the truth of the matter.

When I stood for Parliament in 1997 and 2001 there is a process you have to go through. Now, when you get on the Labour Party, the panel, the candidates, you have to declare your interest. My interests were the constitution because I am a republican but that is something else, international development, and trade union rights. I have to say that only myself and three other candidates out of 600 flashed up trade union rights as an issue. Now, I thought the policy was that any supported trade union candidate has to declare that to begin with; evidently, not. So, I have a plan.

First, every candidate, and GMB can lead on this, declares trade union rights an issue. Secondly, when they get into Parliament they make a maiden speech - you are not stopped in a maiden speech – and declare trade union rights as an issue; thirdly, you get the General Secretary to look at the paperwork first because that will go down a bundle and when they say in the House of Lords they will not let it through, invoke the Parliament Act. They did it for the foxes, they can do it for trade unions. Thank you.

THE PRESIDENT: Can I say, Congress, George Goodfellow has never left us while his son is here and it just shows how well he brought him up. (*Applause*)

SIS. J. SMITH (London) supporting Motions 79 and 83 said: Congress, as regards the trade union recognition we need to bring back the closed shop. The closed shop ensured that we had our trade union recognitions. When that disappeared so did the recognition agreements. Management now do not want to encourage unions so please support this motion and also campaign for the return of a closed shop.

As to Motion 83, insolvency, this is very close to my heart. I compliment the branch in bringing this forward again. Last year I brought the same motion because this happened within my area and I gave classic examples of what happened to my members when (?)Cranthrohaugh in East Anglia closed down. That meant monies owed were wages and when they paid it they took back monies paid which was part of the insolvency payment and the members were worse off. This should not happen so please support these motions.

THE PRESIDENT: Thanks, Jan. Anyone else? (*No response*) No. Can I call Roy Dunnett to speak on behalf of the CEC on Composite 5, and Motion 83?

BRO. R. DUNNETT (CEC, Commercial Services): Colleagues, the CEC is supporting Motion 83 with a qualification, and supports Composite Motion 5 and I would like to make a statement supporting Composite Motion 5.

Firstly, on Motion 83, the CEC supports the intention of the motion and the qualification is that there should be changes in the legislation setting out a pecking order in which creditors of the insolvent company are paid out. The GMB would obviously wish to see employees who are owed wages by that insolvent company get top priority in the pecking order. The CEC asks you to support this motion with that qualification.

The CEC is supporting Composite Motion 5 with the following statement. The GMB are fully supporting the TUC call for a Trade Union Freedom Bill. Congress, in the last 10 years we have seen some improvements in trade union freedom but there is still a long, long way to go before we achieve the real independent trade unionism in this country. We feel the Trade Union Freedom Bill marks a step in the right direction and will create a minimum legal right for trade unions to act to protect the interests of those members and restore some of the balance of power in the industrial relations.

The bill contains five key principles:

one, fair protection for those taking lawful action;
two, better measures to prevent the use of agency workers in a dispute, a demand which was highlighted in the North West & Irish Region during last year's JJB dispute;
three, restrictions on the use of injunctions by employers;
four, extending the definition of a lawful strike and allowing solidarity action in some circumstances, that is (a) where two employers are associated employers, (b) where the second employer is covering the work of strikers, (c) where a particular customer or supplier dominates the industry concerned to such an extent that it influences the industrial relations of that employer;
further, the demand to change the definition of a lawful strike includes the repeal of section 12 of the Criminal Justice and Public Order Act 1994, which has a specific demand which the GMB insisted should be included in the bill and which Sheila Bearcroft, our TUC delegate, ensured was adopted as part of the TUC policy;
five, to simply industrial action ballots and the fight for 7-day notices which the union has to give the employer.

Congress, the law in Britain on trade union disputes today is far more restrictive than it was 100 years ago after the passing of the 1906 Trade Disputes Act. The Trades Union Movement throughout its history has had to campaign to sweep away restrictions imposed by the law in the courts. Our fight will continue. We will get those rights. Therefore, Congress, we ask you to unanimously support Composite Motion 5 to put the full weight of the GMB behind the Trade Union Freedom Bill and to support Motion 83 with that qualification. Thank you, Congress.

THE PRESIDENT: Thank you, Roy. Does the region accept the qualification? Speak to me. You were not gassed as well last night. (*Agreed*) OK. Can I now put Composite 4, Motions 72, 73, Composite 5, Motions 79, 81, 82, and 83 to the vote? All those in favour please show? Anyone against? That is carried.

Composite Motion 4 was carried.
Motion 72 was carried.
Motion 73 was carried.
Composite Motion 5 was carried.
Motion 79 was carried.
Motion 81 was carried.
Motion 82 was carried.
Motion 83 was carried.

THE PRESIDENT: Congress, can I now move to take Emergency Motion 2, which is the blue paper that you were given – now you will all tell me you do not have it! While I am asking GMB Scotland to come to the rostrum can I say the bucket collection for the Jimmy Knapp raised £559.06 and I say thank you very, very much indeed.

After long discussions with the General Secretary, for the North West & Irish Region's collection and for the Jimmy Knapp the CEC will double both collections. He agreed! (*Applause*)

I remind colleagues that at the Retired Members stall there is a bottle of whisky that will be signed by Gordon Brown when he gets here. Please give generously even if it is only to drink the scotch within it. Please visit the stalls. Thank you. Go ahead, colleague.

EMERGENCY MOTION 2

REMPLOY

This Congress condemns the announcement on the 22nd May 2007 by the Remploy Board that 43 Remploy factory sites are to close and 2,300 disabled workers along with over 700 non disabled workers will lose their jobs,

This Congress calls on the Government to stop the closures and set up a proper independent inquiry into the whole of supported employment including the Remploy Employment Services. The inquiry must look at the financial dealing of the Remploy Board of Directors and the investments made over the last 5 years.

Further, we call on the CEC to support our Remploy members in any legal actions that they decide to take including industrial action.

This GMB Congress also views with concern the intervention of the six charities into the Remploy closures and instructs the CEC to review all its dealings with these six charities and requests other affiliate unions and the TUC to do the same.

GMB Scotland

(Carried)

BRO. P. BRANNAN (GMB Scotland) a Remploy employee based at Remploy in Glasgow, moving Emergency Motion 2 said: To start with, colleagues, President, Congress, I received a phone call this morning from the shop steward at Remploy in Lanarkshire, one of the factories that are on the closure list. The local press had asked to come down to the factory, to go into the factory to speak to the members regarding their fears for the factory. The company had told the members in that factory that the press will not be allowed on site to speak to them. The shop steward then told them that in that case the membership would stamp out and meet the press outside the factory. Peter Harper, the business manager, responded by telling them in no uncertain terms that if they do that they will not be allowed to re-enter the factory for the rest of the day and they will be sent home without further pay for that day; an absolute disgrace. This man's job is not under threat. It is easy for this man to try and threaten people into silence. I have news for you, Peter. You don't frighten us, you don't threaten us, and we will totally disregard anything you say to us. *(Applause)*

On 22nd May, I was at the meeting in London with the senior stewards and the national officers when Bob Warner dropped his bombshell telling us that 32 factories would close, 11 factories would be amalgamated, 700 non disabled workers would face compulsory redundancy, and 2,300 disabled workers' jobs are under threat. We regularly received assurances from Bob Warner that our members whose jobs are under threat would not be told this via DVDs or videos. We immediately received phone calls after the meeting to say that in spite of the fact that a senior manager was

on every site up for closure they were told by DVD that their jobs are under threat, their factories are closing. The presentation started with the words, "Your factory is to close." Cowards, every single one of them. If he could sit there at that meeting and not go to the people and tell them face to face that he was closing his factory, he should resign now because he is nothing but cowardly scum, every single one of them. *(Applause)*

The contempt continued. A meeting was arranged for 3 o'clock in the afternoon with the trade unions to respond to Bob Warner in person to give him our worries and concerns, and our questions, but after arriving 40 minutes late Bob Warner stood up after 15 minutes to announce he had to leave because he had an interview to do. He then proceeded to walk out of the meeting room whilst the chair of the consortium was still telling him in no uncertain terms what he thought about his actions; again, absolute contempt for the workforce.

We received assurances that no letters would be circulated, no meetings would take place without the trade unions being informed previously to give us a chance to respond. We then discover that the criterion for redundancies was being circulated and the redundancy terms were being circulated as well. We had not even discussed these never mind agree to them; again, utter contempt for the workforce and their representatives.

Let me come to the charities. I was not going to name these people but let's name and shame them: Mencap, Radar, Scope, the Leonard Cheshire Trust, and the Royal National Institute for the Deaf. These people sent a letter to the Guardian on the Saturday before the announcement of the factory closures were made in collusion and cahoots with the company, not one of them approached the trade unions to ask us what our views were. I stand here today as an elected official of this union mandated to talk on behalf of my members. Who mandated these scabs? No one. *(Applause)*

Considering that not long ago Radar was under attack for spending 90% of its income supporting its own internal processes and wages, they have the brass neck to come and tell us that we are too expensive to stay in employment. Let's go to the disposal of £20,000 it costs to keep me in a job, where does that money go? It goes to the 500 managers, senior managers in Remploy, one for every 10 employees. We have company cars and car allowances in Remploy, 860 in total, a car or a car allowance for every six-and-a-half employees in Remploy; that is where the money goes, not on me, not on my wages, and not on my conditions. *(Applause)*

If I was standing here today under a Tory government it would be bad enough but to be standing here today under a Labour government and worse under a Minister, Anne Maguire, who proudly boasts of her GMB credentials, that she is still a GMB member, well, Anne, I have a question for you: if you were in this hall today, Anne, would you be voting for or against this motion? If your answer is yes, then why are you forcing these closures through? If the answer is yes, Anne, stop the closures, support the Emergency Motion, get a real independent inquiry into Remploy, especially its finances.

Grant Thornton, independent accountant, have looked at the trade union proposals. They say that the proposals are viable and cost effective. We can save £25m a year,

we can increase sales that would allow the factories to stay open, job numbers to be stabilised, the internal work part of Remploy to be financed, a genuine case of having your cake and eating it. Why are we going for closures when you could go down that road and save the jobs and save the factories? An utter disgrace, Anne. If you still have your trade union beliefs, and your trade union faith, either give up your post and join us at the barricades, or give up your membership of this union and follow your own way because you are an embarrassment to me as a GMB member and I presume to most members in this hall. (*Applause/Cheers*)

Remploy is not a drop-in centre. Remploy is not a sheltered workshop. Remploy, in spite of what you heard from some of the Deputy Leadership contenders yesterday, it is mainstream employment, they do not make paper baskets. For a sheltered employee they sacked 51 disabled members last year, the equivalent of closing down a factory. That is how sheltered Remploy is. There is more shelter swimming in the bay outside Sidney where the sharks are than there is in any Remploy bloody factory! (*Applause*) In fact there are more sharks in Remploy management than there is Sidney Bay.

Congress, we ask you to support this motion. I know I am pushing at an open door but please bring this fight to the attention of your families, your friends, your comrades, the whole community, because we are going to need the whole community to keep our factories open, to keep us in employment. We are not against disabled workers being employed outside the factories. We are not frightened of change. We have been arguing for change under the Labour Government for the last 10 years. The only people who are frightened of change the way we want it for some reason is Anne Maguire, the Labour Government, and the scumbags that employ Bob. Thank you. (*Standing ovation*)

THE PRESIDENT: Thank you, colleague. South Western Region.

BRO. K. SCOURFIELD (South Western): Proudly seconding the Remploy motion and joining the mover in condemning the recent announcement of 43 Remploy factory closures. How do I follow that? That is a hard one. Anyway, Congress, the Remploy board think they are going to close these factories. Well, let them think again. Paul Kenny said this week that he would stand shoulder to shoulder with our Remploy colleagues and he would fight all the way. Well, Paul, from me, move over because I will stand next to you and I will fight, and everybody in this hall will fight. We will not allow these closures to go on. (*Applause*)

Just over 60 years ago the Remploy organisation was founded. My father wounded in Arnhem came out of the Army and worked in a Remploy factory in Port Talbot making violins for schoolchildren to learn how to play musical instruments. What has changed? Have kids stopped going to school? Why can't we have procurement for these people to make profit, to have a sense of purpose, and to have a reason for living instead of putting them out paying them to sit at home? They do not want that. We do not want it. Let them work. Congress, I second. (*Applause*)

THE PRESIDENT: Can I just tell our Remploy members that I did pass a message on to the Government as I am a member of the NEC. I told them that a Labour government opened those factories in 1945 and I will be damned sure our new Labour

Government is not going to close them, so they got the message loud and clear. (*Applause*) I did not put it on a DVD, I told it to his face. (*Applause*)

Does anyone wish to speak on Emergency Motion 2? Hello, James.

BRO. J. STRIBLEY (Yorkshire & North Derbyshire) I am one of the Remploy workers. Remploy workers are being attacked day after day, the most vulnerable people in society. We are attacked by the management, the Labour Party, the charities, the board and management's plan to close 43 highly skilled units. These charities are RNID, Mencap, Mind, and Scope. Some of our unions give money to them, if it is not national level then regional or branch, and we call you now to stop this money.

We call the CEC to fully support this campaign and any facilities we need. This management have no regard for the trade unions and the Labour Party is attacking working people, and now they want to stick the knife in the back even further - 43 factories. If this campaign is going to be long, it is going to have to be tactically right. The Labour Party and the Remploy management are now public enemy number one. There is no agreement between the management and the trade unions for any factory closures, no factory closures. All the factories need to stick together, not individual factories selling out and taking redundancy, and taking other factories' work.

Our members were told by DVD, "You are sacked." The consortium had a meeting, only one meeting, yet the Chief Executive sent letters out, notices of redundancy. Only last week the business manager for furniture stood in Barnsley and said, "You are going to Sheffield but with no social work from elsewhere." We are asking for the choice of disabled people, we are asking for Remploy Free to be listened to. Thank you. (*Applause*)

BRO. J. DOLAN (GMB Scotland): Speaking in support of Phil and his colleagues from Remploy, I have been a member of the union since 1996/7 and I have never been as proud as I was this morning to hear Phil; superb. Colleagues, let's show some fight. This is the target. This is the fight that Gordon Brown and his colleagues know that we will not allow Remploy to shut any factory. They shut their minds. We sat back. We watched. We cannot allow our colleagues from Remploy to go the same way. Stand up. Let's fight. Let's show them we are not going to allow it. These guys need our support so let's give them it wholeheartedly. (*Applause*)

THE PRESIDENT: Anyone else? If anyone else wishes to, would they come down to the front?

BRO. J. McDONNELL (North West & Irish) speaking in support of Emergency Motion 2 said: I was privileged last Thursday to attend a meeting at the Mechanics Institute in Manchester along with our Regional Secretary, Paul McCarthy, Phil Davis, and Brian Derbyshire, all connected to Remploy. To be there was emotional, not through pity, it was emotional because these people were making a statement. They came from Birkenhead, they came from St. Helens, they came from Oldham, they came from Wales, they came from Scotland, and they were making the point, "We want to go to work. We want dignity. We want dignity at work." I used to represent the people in Wigan factory and I remember in 1990 when the Gulf War

started and the Lord Lieutenant of Manchester came down praising the Wigan people saying, "What a wonderful job you have done." These people also know the history of Remploy, when it was formed by Ernest Bevan, and that man now must be turning in his grave to know what these people are doing, throwing them out of work. It is a disgrace. I will stand shoulder to shoulder with them. It is what this Movement is all about. I was proud and privileged last year when the General Secretary led from the front. It was the proudest moment to stand there and picket the AA. That is what this Movement is all about. A few years ago I would have said, "Well, it will be a lot of hot air." But I know people are going to lead from the front and that our Regional Secretary, Paul, has stated that he will give as much assistance as he can to Remploy.

I would just like to conclude with something I read in the paper. I thought it was the Beano or the Dandy. It is from the Works & Pensions Secretary, John Hutton. He holds Bevan's job now; the great Ernest Bevan, he holds his job. This is what he said: "The nerve" – and I feel emotional about it – "and cheek to pretend" – he was saying it was for their own good that the factories were going to shut. Now, that is a department which he runs which lost £641m on an IT scheme. Now, if he had let the Remploy people run it he would have made a profit! (*Applause*) Somebody said it is about the fundamental principle that disabled people have the opportunity to work in mainstream employment. Well, I am saying to him now, I know there is a recall conference in Blackpool on June 11th and 12th. I will pay his fare if he will come down and address these Remploy workers and tell them it is in their interest for the factories to close. I support. Thank you.

BRO. R. GEORGE (Southern): Congress, just on a practical level, I wondered whether those at Remploy would consider whether they thought it was practical, if they are looking at closing the factories then a strike is a bit of a non starter, but what about the practicalities of an occupation? I do not know whether that is practical but if there was an occupation of those factories and then we built public support for that, that would be a way of bringing it into the public eye and also maybe building that sort of campaign. It is just a proposal.

BRO. K. FLANAGAN (North West & Irish): This is a disgrace, isn't it? They say it will be easier in the real world. I was appalled yesterday by the language from the top table because they talked about real jobs out there. Let's remind you, the people working at Remploy factories are already doing real jobs with real purpose, with real products, for real people. (*Applause*) The one thing you have forgotten is these are real people. Why have we got to treat them in this deplorable way? I work with charities, many of you know that. I think on this occasion I say to those charities who have been named, "You've got it wrong. Go back to the Government and refuse the blood money that will actually cost the jobs of our members and their livelihoods, and their futures. Go back and say, 'We will work in partnership with the existing factories to make sure the conditions are good, to make sure the training is good, and to make sure the products reach the marketplace.'"

Let's put the blame where it is. Where is the blame? Is it here? Is it with our workers? No, no. The blame is in extremely poor and bad management of that organisation. Do not take the real blame out on the livelihoods of our members. (*Applause*)

A final example, let's lead from the front. I could give you a good example. Twelve months ago I was asked to manage the Union Learning Fund in the North West & Irish Region. This is what is going on across this country. I was proud to do it in partnership for the new region and this is what makes me proud of GMB. With my colleagues in the charitable sector, we were able to identify the training needs in a couple of the factories in the North West, one in particular in the Oldham factory. The only thing that deplored me most was I went to that factory, met Bob and the others who were running it, and Dennis, and actually said to them, "Why is nobody in the training room?" The reason is that the colleges would not go there, the colleges had already turned their backs because it takes longer to train some of the employees there. That is what is going on in the real world.

What did we do? Every Wednesday we have sent four members of the Union Learning Fund project in there teaching numeracy and literacy when the colleges would not do it. That is the GMB taking real action from the front end. *(Applause)* And I had the privilege, I had the real, real privilege, and I nearly cry when I say this, of watching my team bringing them back into our centre to actually take the tests and six of them deeply proud because they passed. They passed. Colleges, be shamed in that. Get in there and offer the training and get the adult training right.

This is a disgrace. This is a matter for the whole of the country, not just for the Trades Union Movement, for so far as you treat the weakest in our society, there be it you treat yourselves. Let us be measured by what we do and fight these closures.

THE PRESIDENT: Thank you very much, Kevin. Come on, Jan.

SIS. J. SMITH (London): Congress, I am just going to give you two classic examples from attending a meeting in Saving Remploy factories within our area. Congress, there was a mother pleading, explaining the work of her son and the purpose this factory gave him in life, without Remploy she was absolutely petrified if it closed down as to what his life was going to be. It gave him a purpose in life and how to respond and to go out to work, a purpose to live. Another young lady gave examples of her life; she suffered very severe depression. Within her life she had tried to commit suicide two or three times. Eventually, a social worker recommended Remploy to her. She went to Remploy in Norwich and again it gave her a purpose in life. It turned her life around and she says if it closes it means her life ends again. Please support this resolution and I compliment the delegation of Remploy that have arrived here this morning. Some of those left at 4. a.m. to get here to seek our support. Please support.

THE PRESIDENT: Thank you, Jan. Could I ask the Remploy delegation that has arrived to stand, please, so Congress can acknowledge you? *(Standing ovation)*

Colleagues, I would like to thank everybody for that debate and I think it goes without saying that your Executive will stand shoulder to shoulder also with you and we will lead from the front on these closures. Thank you. *(Applause)*

Can I now take the vote? All those in favour of Emergency Motion 2 please show? Anyone against? That is carried unanimously. Thank you, colleagues, and good luck. *(Applause)*

(Emergency Motion 2 was carried.)

THE PRESIDENT: Colleagues, I am leaving the chair for a few minutes because I am speaking in the next debate. I just have a couple of announcements.

One, there is a fringe meeting at lunchtime in the East Wing, Hall B, for the North West & Irish Region. Please attend. For all meetings that are in that building this is what you have to do to get there: fringe meeting in the East Wing, delegates, have to leave by the back door, that makes a change, and go to the building next door through the front door. OK, you are as wise as me.

OK, I am asking Malcolm if he will take over for a couple of minutes. Cheers.

THE VICE PRESIDENT: All right, colleagues. We will now move on to item 4 on the agenda, Industrial & Economic Policy: Public Services Section. I will take Motion 156 in the name of North West & Irish Region.

INDUSTRIAL & ECONOMIC POLICY: PUBLIC SERVICES SECTION

MOTION 156

SCHOOL SUPPORT STAFF

Congress asks the CEC to pressurise the Government to put regulations in place that support school support staff to be treated equally with teachers when school Governors and head teachers are dealing with school redundancies and not as an easy option to reduce school costs.

NO 2 BRANCH
North West & Irish Region

(Carried)

BRO. D. SUTCLIFFE (North West & Irish Region): Just reflecting on the previous motion, if anyone is in any doubt, if they take on Remploy, they take on the GMB.

President, Congress, this motion deals with GMB support members in schools that are being sacrificed at the cost of school budgets. When it comes to setting school budgets our support staff are the first to be considered even though they are the lowest paid. In some cases to lose a teacher at the cost of our support staff is much more attractive to the schools. When they do lose a teacher it is our TAs that lose out again. They will then have to look after classes and they will have to do the PPA cover some teachers are employed to do at the moment.

Given the downturn in pupils that are entering our school system and add to this the funding of the school is on the backs of these children, the Government need to deal with this issue and look to the funding of education of these schools in a way that our members, our support staff members, will not be made redundant. Redeployment is not an option because all the other schools are in the same situation.

I would also state that any money that is put into the system should be new money, not money taken from another education pot. This only moves the problem to other

areas of education where redundancies need to take place. Congress demands the Government need to deal with this issue and put money where their mouth is. I am sure we all remember Tony Blair saying, Education, Education, Education. Gordon, you need to finish off, or if you have started I am not sure, what you promised, put that money where your mouth is. I move.

THE VICE PRESIDENT: Thank you, colleague. Secunder.

Motion 156 was formally seconded.

THE VICE PRESIDENT: Thank you. I now call on Motion 159, School Support Staff in the name of London Region.

MOTION 159

SCHOOL SUPPORT STAFF AND TERM TIME WORKING

Congress demands that all school support staff are moved from term time only contracts to 52 week permanent contracts. We ask the CEC to ensure that this issue is pursued with the Government

ESSEX PUBLIC SERVICES BRANCH
London Region

(Carried)

SIS. C. HOLLAND (London): I move Motion 159, the plight of the TA and other support staff.

This is my second Congress and once again I am here re-visiting the plight of our support staff and their salaries. In Essex where I have been a convenor for nearly 18 months I am still struck by the dedication of these people to do the very best job they can. I never heard them complain about the derisory salaries they receive. In fact, they are paid for only about 75% of the year when teachers, etc., are paid for 52 weeks and the teachers appear to be given more respect.

TAs at a minute's notice can cover for teachers who need PPA time and, in some cases, they cover for sickness at something like 30 pence extra per hour.

I urge the CEC to look at this matter with some urgency and, please, lobby the Government ferociously for changes in this long overdue issue of fairness for these hardworking and dedicated people who I admire intensely. I move, and good on you, Reploy. *(Applause)*

THE VICE PRESIDENT: Can I have a seconder?

SIS. B. BENHAM (London): I am seconding Motion 159. Vice President and Congress, I am sure all of us have welcomed the announcement by Alan Johnson and Jim Knight on 24th May that they were approving proposals to design a national pay and conditions framework for the schools support staff, and not before time.

For too long support staff have been used and abused by head teachers and boards of governors. One of the first things to be addressed in the new framework must be the issue of term-time only contracts. It is unfair that support staff have to make 46 weeks' wages or less last 52 weeks. Is it fair that support staff who are, in effect, being locked out during school holidays get no lay-off pay? No, of course it is not. Nor do they get a paid retainer. What is worse, although they are prevented from working they are unable to claim Job Seekers' Allowance and that, colleagues, is plain and simply down to the Government.

Colleagues, school support staff have joined this union in thousands seeking help. Yes, we have made significant improvements to some of their conditions and the new framework should improve them even further, but we must force the issue of year round pay.

A term-time only contract is a smokescreen which hides the true salary being paid. It gives a false impression of lengthy paid holidays and our members know that. If year round pay is good enough for teachers and head teachers, it is bloody good enough for our support staff because school support staff are not second class citizens.

Congress, we achieved year-round pay for nursery nurses. We must achieve it for our support staff. Please support.

MOTION 160

SCHOOL KITCHEN STAFF

Congress calls on National Officers to campaign to protect kitchen staff's hours and wages. With the "Jamie Oliver Effect", this entails longer hours and longer preparation of food. London Borough of Havering's response is to actually reduce hours stating the cuts are needed for staff training, new equipment and promotion of the service.

LONDON BOROUGH HAVERING BRANCH
London Region

(Carried)

BRO. C. KERR (London): I move Motion 160 – School Kitchen Staff.

Congress acknowledges the need for healthy and nutritious food for children, but with the "Jamie Oliver Healthy Options for Schools" now in place, this scheme entails longer preparation time and would in fact lead to an increase in kitchen hours.

In my own borough the response was actually to reduce the kitchen hours. When questioned the employers admitted that there would be an increase in workload but a cut in hours was needed for new equipment and the promotion of a new service.

More recently the dinner lady who helped pioneer Healthy Options with Jamie Oliver resigned from her job stating that she could no longer survive with the cuts in her hours. How many more authorities are expecting low paid, female workers to have their earnings cut and their workload increased to pay for the new equipment needed to do the job and to advertise the service which means increasing their workload even further?

I, therefore, call on Congress to instruct officers at national level to campaign to protect the hours and wages of our low paid female kitchen staff. Please support.

SIS. L. ELVIN (London): I second Motion 160. Congress, promoting a healthy diet for our school children began a long time ago before the Jamie Oliver effect, but as this Healthy Options effect is put into place the preparation time creates longer hours, not shorter hours, as some authorities are instigating. So we ask Congress to campaign for our dedicated kitchen staff to protect their hours and wages and not allow authorities to reduce them. We ask Congress to protect the most vulnerable, who are low paid and particularly female workers.

MOTION 161

FREE SCHOOL MEALS FOR ALL PRIMARY SCHOOL CHILDREN

Congress calls for the GMB Union to campaign throughout the United Kingdom for free school meals for all children at primary school.

Health and nutrition experts tell us that adult dietary patterns are learnt in childhood. Poor diet in children is linked to disease in later life.

Children eat only two of the five recommended portions of fresh fruit and vegetables a day; nutritious food at school improves cognition, attendance and classroom behaviour.

Children who are officially recognised as living in poverty are not currently getting the benefit of a free school meal. Twenty-three percent of children live in poverty yet only nineteen percent of school children are entitled to free school meals.

One in three children entitled to free school meals are not taking them because of the stigma associated with them.

Means testing inevitably undermines people's efforts to move out of poverty through work. Losing free school meals entitlement means losing the equivalent of up to £27 a week – a sum that can easily leave families no better off when they move into work.

NORTH LANARKSHIRE PUBLIC SERVICES BRANCH
GMB Scotland

(Carried)

SIS. L. MILLAR (GMB Scotland): The development of the Schools Meals Service in the 1950s created a platform which nutritional poverty affecting children could be tackled. Then in 1971 the then Education Secretary stopped free milk to primary school children. Do you remember her? Margaret Thatcher the milk snatcher.

Following that successive governments made sure that the entitlement to free school meals was restricted to families labelled “to be living in poverty”. Today let us reverse that disgraceful policy and go even further. According to the most widely accepted definition of “poverty”, there are about 2.8 million school children living in poverty in the UK despite only 1.8 million children having the entitlement to a free school meal.

There are 1 million school children labelled as living in poverty who are not entitled to free school meals. Over one-third of a million children – one in five – do not get the free school meals which they are entitled to. For many this means missing out on their main hot meal of the day as one in four children in the UK do not get a hot dinner in the evening. In some areas the rate of uptake is much worse. In some London boroughs over one-third of those secondary school children who have the entitlement miss their free school meals.

The secondary schools in the north-east of England show a rate of non take-up as high as 40%. Independent research carried out in Scotland shows that in some weeks almost a third of primary school children are not taking up their entitlement.

Congress, I have just given you statistics which you can find on the internet. I work in a school and see firsthand the facts behind the stats. The social stigma and poverty and free school meals is alive and well in 2007. Legislation in Scotland now makes it illegal to manage free school meals where children can be identified, but this misses the point. The social stigma is felt by the child because they are labelled “poor”. It makes no difference to that child whether I or you know that they receive free school meals. That child knows that they belong to a family who cannot afford to pay for their lunch. In 2007 that situation should be unacceptable to a society which claims to believe in social justice.

You may ask why we have universal free meals and why do we give free meals to better off families? Many of our children are becoming obese and unhealthy. Behavioural problems, poor academic achievement, diabetes and heart problems later in life – the list goes on – are all affected by poor nutrition, microwave dinners and fast foods for children who go home and their parents are still at work. If we are serious about boosting healthy eating, then the biggest incentive for eating healthily at school is to provide universal free, attractive and nutritious meals for all our children. This is not an extravagance we cannot afford. This is a practical course of action that can make a significant improvement to our children’s health and wellbeing.

The universal free meals policy should be adopted across England and Wales by the Westminster Government and by the Scottish Executive north of the border.

Conference, support our schools; support our families and, above all, support our children, all of them. I move.

SIS. J. JEFFREY (GMB Scotland): I am supporting Motion 161.

President and Congress, I would like to touch on a few things regarding free school meals. Many of our disabled children arrive at school with their lunch money in their school bag, and it has been known for children to return home with the money still in their bag. Why? Because the school support staff have failed to take the money out of their bag. Does the child get a lunch? Who knows?

Congress, people automatically assume that disabled children get free meals. This is not the case. Their families are also means tested. This is a disgrace and it is wrong. What about the children who have autistic spectrum disorder or ADHD? They need

food which is free from additives as this will increase the child's attention span and difficult to manage behaviour could be reduced.

Free school meals for all would stop individuals being stereotyped as "the benefit kids of that poor lot". Free school meals will enable pupils to raise their standard of living by not having to fork out lunch money. All children should receive a nutritious healthy lunch free of charge. Please support this motion.

MOTION 162

LOCAL GOVERNMENT

Congress supports the idea of more GMB members becoming involved in Local Government. This includes town and parish councils, district and county councils, along with school governing bodies. The election of GMB members will support GMB members employed by these schools or councils and prevent some of the poor and outdated approaches taken by some councils.

DUNGENESS ELECTRICITY D27 BRANCH
Southern Region

(Carried)

BRO. A. CIRKIT (Southern): Congress, recently you will see, and it was mentioned yesterday, that the Labour Party lost five hundred councillors at the last local elections, and this has been an on-going theme for a number of years. One of the consequences, of course, is that these councillors were replaced by Conservative councillors in many cases and although their leader may have changed you can guarantee that they have not. Once they get elected to power, after they have given themselves a pay rise, their next job is to set about changing the terms and conditions of employees.

If you get the press releases from the GMB you will see councils across the country are attacking the terms and conditions of the staff who work for them. One solution to this problem is that if we made more effort to get GMB members elected to these positions across the country we can try and prevent these abuses. Thank you.

(The motion was formally seconded)

MOTION 164

TIED ACCOMMODATION

Congress asks the CEC to address the issue of our members who live in tied accommodation, which is now reducing, but is still a big problem when they retire or face school closures. Due to LFM schools are less helpful in dealing with problems of re-housing staff as they have no control over housing and the Local Authority don't want to get involved.

NO 2 BRANCH
North West & Irish Region

(Carried)

BRO. D. SUTCLIFFE (North West & Irish): I move Motion 164.

President and Congress, this motion only comes out of the woodwork every so often, but when it does it causes more problems. Given that I spoke before about children entering the school system, the impact of that means that schools close whether it be primary schools or secondary schools. This creates a major problem and enhances the issue.

The number of caretakers who live in tied accommodation has reduced drastically, but because of the reduction, when it comes come, there is a problem. The problem is in rehousing these caretakers. There is a major problem. Local authorities have given council housing away. They have insufficient stock for their own housing lists let alone enough to consider this situation. So we are facing a major problem. The situation is a worry for our members. On many occasions caretakers have been living in their houses for thirty years. Their families have grown up in them and they have moved on. The tenants have come to a point in their lives when they should be settling down and having some stability, yet they find themselves, basically, being thrown out.

My authority, like many others, outsourced its housing stock to a housing association. Others have gone out to trusts. This means that our caretaker members who live in tied accommodation have to rely on being on the housing list. The local authorities say the right words and make the right promises and gestures, but in most cases they are worthless because they have no power. They cannot take any action because they have no power to give anybody a house. This is not only a school issue. The NHS and, I am sure, many other employers face this situation. The Government and Gordon Brown have to act to deal with these issues on behalf of our members.

I ask the CEC to do whatever it can. They must put pressure on employers and local authorities, and put pressure on the Government to do what it needs to do at whatever level. I ask you to support. Thank you.

(The motion was formally seconded)

SIS. C. HOLLAND (London): President, I have just been looking after a caretaker who was in this very difficult position. He has been financially embarrassed by having to pay for council accommodation for a year and the council would not let him not pay his school accommodation. So, therefore, he has been very financially embarrassed. Please support this motion.

MOTION 165

UNDERMINING THE GMB RECOGNITION RIGHTS

In the South Western Region, some Liberal Democrat Councils are now trying to undermine the role of the Trade Union Movement, by setting up employee 'focus' groups offering workers the opportunity to influence policy and decision making in the organisation. Whilst we are not against democracy we see this as a direct attack on our role as Trade Union Representatives and a ploy to divide the workforce. We have to stop this now!

Congress we ask you to support.

BRISTOL PUBLIC SERVICES BRANCH
South Western Region

(Carried)

SIS. A. LEADER (South Western): I move Motion 165. Consultation, participation and negotiation are all essential components of an inclusive workforce. The key to maintaining and increasing workers term and conditions and/or working conditions is to be organised. The most effective way to become organised is through the trade union Movement – the GMB. However, it would appear that in the South Western Region some local authorities get a little twitchy if the GMB is too challenging or stands up for their members' rights. One way of diluting any challenge is by setting up competing consultative work groups that enable workers who are not in a union to be consulted. As one HR manager stated, we have to ensure that everyone has a chance to participate. We totally agree. They should join the GMB.

Our concern is that the recognised consultative process will be sidelined by non-union staff participation. We have actually achieved some success on this issue as management have decided to invite participation from the trade unions, both in the compilation of questions, attendance and evaluation, thus resulting in a more inclusive process.

However, there is still the issue of bypassing the recognised consultative process, resulting in conflicting views from individuals with their own individual concerns, thus diluting the collective trade union policy. We need to ensure that more organisations do not try and adopt this bypass process.

We ask you to support.

(The Motion was formally seconded)

THE VICE PRESIDENT: Colleagues, I was hoping to open this part of the agenda to debate but owing to time it is impossible to do that. However, I have received one request to speak on this and one hijack. We have already taken the hijack. Bearing in mind I have taken the hijack, I think it is only fair to take the one request. I call Midland & East Coast.

SIS. L. DOBBS (Midland & East Coast): I am speaking in support of Motion 161 – Free School Meals for all Children.

I come from the City of Hull where, across the city for the past three years we have had free school meals but, unfortunately, the Liberals have taken control of our city and they are going to withdraw the free school meals. The free school meals have created many extra part-time jobs for women and extra hours to be spent in the kitchen. The University of Hull did a full study across the city on free school meals and the result in the class rooms was more concentration. I support.

THE VICE PRESIDENT: Colleagues, the CEC are supporting all of those motions, but they are asking to put a qualification in for Motions 160 and 165. So I will now call on Mary Turner to speak on Motions 160 and 165.

THE PRESIDENT: I would like to say a few words in relation to the free school meals issue. Just to remind Congress and the world outside, this union led the campaign on free school meals. Our policy is free school meals with full nutritional standards for all children, not just children on free school meals. (*Applause*) It is a disgrace when parents are looking for good schools that they look at how many free school meals are being served at particular schools, and the lower the number of free school meals, apparently the better the school. What an indictment of this country?

I am speaking to Motion 160 and I understand the problem in relation to the hours. The Government has done well in promoting healthy eating and they have brought in an expert. Unfortunately, they forgot to ask the real experts and they are the women and men who work in the school canteens and the mothers of the children. Where they were doing convenience foods, they are now serving, and quite rightly so, fresh foods, but what they have not done is to increase the hours of the staff. Those staff members are expected to prepare, serve, wash-up and keep the health and hygiene going with the same hours as they did for convenience foods. This has got to stop. The only way it is going to stop is when we stop the privatisation of our public services and it comes once again under local government control.

We support that motion with that qualification.

Jamie Oliver has done well but our women are paying a heavy price under the health and safety regime. I say to my colleagues: don't ask the National Officer to deal with it. We should all be dealing with those companies to make sure that they get less profit and the profit is put back into the schools in hours.

The CEC qualification on the LibDems. Well, what did you expect? They say one thing and mean another. They are setting up employee focus groups as part of an attack on the trade union reps. This Congress could not condemn those groups providing – providing – that they are with the consent of the trade unions. Where they will not listen to the trade unions, then it is our job to make sure that those elected onto those focus groups are trade union reps just as are the European Councils. It is in our hands but we support the sentiment. Thank you.

THE VICE PRESIDENT: Does London Region accept the qualification?

BRO. E. BLISSETT(London): Agreed.

THE VICE PRESIDENT: Does South Western Region accept the qualification?

BRO. A. GARLEY (South Western): Agreed.

THE VICE PRESIDENT: Colleagues, the CEC are recommending support on all the motions with those two qualifications. They are Motions 156, 159, 160, 161, 162, 164 and 165. I will now take the vote.

(Motion 156 was carried).

(Motion 159 was carried).

(Motion 160 was carried).

(Motion 161 was carried).

(Motion 162 was carried).

(Motion 164 was carried).

(Motion 165 was carried).

EMERGENCY MOTION 4

NHS

Congress is alarmed and concerned at an article from The Times on 1st June which reported that the incoming Prime Minister is planning on cutting the NHS adrift from democratic accountability by giving it so called "independence".

This Congress calls for urgent clarification that our NHS will remain in the public sector under public control.

The NHS will not be handed out for dissemination and profit making.

North West & Irish Region

(Carried)

BRO. D. HENRY (North West & Irish): President and Congress, I move Emergency Motion 4 on the NHS.

This happens to be the 60th birthday of the NHS which was formed in 1947. This key public service has gone through numerous changes in its history. I, personally, have known at least 13 Health Ministers overseeing the running of the NHS. In the days when I started working in the NHS, we used to have a hospital administrator, a hospital matron, a board of governors and a cat following the matron. There was no problem with the hospital. It worked and everybody was very happy with it.

I also remember having measles when I was a child, because I am a lot older than you. Up to 1947 you had to pay to go and see a doctor, and my mother could not save the half-crown, so she had to go to the chemist and pay 6d. to get something. That is how important the NHS is now. I know that people slag it off and the papers slag it off. But the NHS performs thousands, thousands and thousands of operations every day which work perfectly – but as soon as something goes wrong, we are all slagged off.

The GMB has been a long-standing campaigner to ensure that the NHS remains a public service, employing public sector workers to deliver healthcare free at the point of use, including a lot of our members. On 1st June *The Times* newspaper published an article stating that, according to Brian Edwards, an Emeritus Professor of Healthcare Development at the University of Sheffield: "The NHS should be no longer run by politicians but by healthcare professionals. The Government is well

used to establishing regulatory regimes” – I remember quangos – “which have failed to deliver. I do not want to see the NHS take this route.

“The NHS is a public service and must always remain a public service”, because you all pay for it like I pay for it out of my Income Tax.

“Mr. Edwards is calling for a public debate on the future governance of the NHS to debate how the NHS is run and continues to deliver for working people. This is important. However, we must be given an assurance that the NHS will remain a public service under public control.”

I am glad to see that the future Prime Minister is here because maybe he will be able to give us an answer on that.

An open debate is crucial to ensure that all views, particularly the views of the Labour hard working families, who would benefit most from the services in the NHS. This is an opportunity to debate and to be included in how the NHS will be run in the future.

We call on Gordon Brown in his new role as the incoming Prime Minister to think carefully about the depth of public feeling and the implications to any suggestion that the NHS leave public control. The NHS should not be given independence.

I call on our new Labour Prime Minister to clarify the Government’s position on the NHS and to give reassurance that the NHS will remain Labour’s flagship public service. Thank you. *(Applause)*

(The emergency motion was formally seconded)

THE PRESIDENT: Colleagues, does anyone wish to come in on the debate? *(No response)*

(Emergency Motion 4 was carried).

ADDRESS BY GORDON BROWN, CHANCELLOR OF THE EXCHEQUER AND THE INCOMING PRIME MINISTER:

THE PRESIDENT: Congress, it gives me great pleasure to invite today Gordon Brown, Chancellor of the Exchequer, and of course the incoming Prime Minister. Congratulations, Gordon. *(Applause)*

I would like Gordon to address Congress and inform delegates that following his address we will move to a question and answer session. I remind delegates that there are three microphones on the floor. Please make sure when I call you that you go to the rostrum.

Gordon, it is with pride that I ask you to address our Congress.

THE CHANCELLOR OF THE EXCHEQUER (The Rt. Hon. Gordon Brown): Let me say, first of all, what a pleasure it is for me to be at the GMB Congress. The first thing I want to do is to congratulate this union, which is now going from strength to

strength, with 600,000 members, 108 GMB Members of Parliament, which is twice as many as the Liberals have in Parliament – you will soon be as many as the Conservatives in Parliament – and I want to congratulate you on all of your campaigns. *(Applause)*

I want to congratulate your President, Mary, for what she has done. She is an incredibly courageous woman who has fought against illness, and long before the celebrity chefs came along she, like you, was leading the campaign for better school meals for all the children of our country. I congratulate you on that campaign. *(Applause)*

It has also been a great pleasure for me to work with Paul Kenny. Over the years Paul Kenny, who started as a shop steward, was the Assistant General Secretary, the London organiser and is now the General Secretary of the Union, at all times has been dedicated, campaigning, principled and it is a privilege to work with him as one of the great general secretaries in this country. *(Applause)*

I also want to thank Debbie Coulter because she represents this Union, like Mary, on the National Executive of the Labour Party. Let me congratulate you on one campaign, which is changing our country. In addition to what you are doing on school meals, on private equity and Remploy, you are also at the same time fighting the British National Party. It is our aim to get the British National Party out of every council chamber in this country. *(Applause)*

I want to thank you all for the nomination you made for me as Leader of the Labour Party. I want to thank you for your support, for your friendship, for the partnership we have had over many many decades where, from Scotland where I was first working in the trades union Movement, I have worked with the GMB during those years. Some of you, like me, joined the Labour Party as teenagers. I joined the Labour Party because I believed in the values of social justice and dignity for every individual. In my twenties I was a branch secretary, I was a political education officer, I was a constituency secretary, I was a trade union tutor and I worked for the WEA as a part-time tutor because I believed in the values of the Labour Party. They never let me be the treasurer of any branch, so it was quite a shock to me to become Chancellor of the Exchequer. *(Laughter)*

I have been a Member of Parliament for the past 20 years and it has been a privilege to work with this union in fighting the causes that we have fought. I went to my local school and I was lucky enough to be able to go to university. In my teenage years I had an accident playing rugby and I almost lost the sight of eyes but my sight was saved by the National Health Service. What I got, which was the best education and the best healthcare, was as a result of Labour Governments and what the trades union Movement and the labour Movement have achieved. I want for my children and for every child in every family in the country the best education and the best healthcare for everyone.

There is a story told that I was telling when I went to Stevenage on the first day of the leadership campaign, and it is a story told about the Swedish Prime Minister and a visit that he made to Ronald Reagan when he was President of the United States in the 1980s. The Swedish Prime Minister was a social democrat prime minister who was

campaigning for an end to poverty. Before he arrived in the White House Ronald Reagan turned to his officials and said, “What is this man for? Is he a communist?”, and his officials said, “No, Mr. President. He is an anti-communist”, and Ronald Reagan said, “I don’t care what kind of communist he is”. (*Laughter*)

Ronald Reagan asked the Swedish Prime Minister, “What do you believe? What are you in politics for?”, and he said to him, “Look, I want everyone, every single individual, every family, every working person, to have the chance to realise their potential to the full”. I think that is why we are all involved in the Labour Movement, so that everybody has the chance to realise their potential to the full.

Yes, we have new challenges ahead. Ten years ago our big challenges were to create a stable economy, to create jobs and we have created 2.5 million jobs, and to increase expenditure on our public services. We now have other big challenges ahead: terrorism and security, where people need the guarantee that there will be security for every person in this country. We have the challenge of the environment and climate change, and people now need to know that we will stand up against all the pollution that is taking place in the environment. Yes, we have got global economic competition from China, India and Asia, as well as America and Europe, and people need to know that we, the Labour Government, will stand up for their needs as working people for jobs, for decent conditions, for a higher minimum wage and for better public services.

Yes, we have to build stronger communities in this country because people are worried about what is happening to the British way of life, crime and some of the problems of anti-social behaviour. These are the challenges ahead. And you know that the only party which is capable of meeting these challenges and the only movement capable of meeting these challenges is our Movement. Yes, we have doubled expenditure on education but we can do a lot better in the years to come. I applaud the GMB for your work with teaching assistants and in the whole of the education system. I want in education every child to have the same kind of personal tuition that often is only available in private schools. I want it not just for 10% of the pupils but for 100% of the pupils in our education system. (*Applause*)

Yes, I want to help mothers and parents who are struggling to balance work and family life. Yes, we have created a million more childcare places. Yes, we have created the Child Tax Credit. Yes, there is now maternity pay and maternity leave at a level that did not exist before. However, I want every parent to know that we are on their side as they struggle every week and every year to meet the needs of their family.

Yes, also disabled people. I know there are six million people with disabilities in this country and I know that many are without jobs and many are worried about their jobs. What I want to do is to make sure that every person who is disabled, who wants a job and wants to be able to use their capabilities and capacities, will have the chance. I say to Remploy workers that every Remploy worker will have the guarantee of a job under proposals that I will put forward. (*Applause and cheers*)

At the same time, regarding pensioners, I know that there have been problems with pension schemes that have gone bust, with companies that have not contributed

enough. We have introduced the Winter Allowance, the Pension Credit, the free television licence, free national concessionary travel for pensioners and we are ready to link the pensions to earnings in the next Parliament. I want not just some pensioners in our country but every pensioner to have security and dignity in retirement. That is what we want to achieve.

Yes, thanks to working together we have created 2.5 million jobs in this country. Yes, long-term unemployment is down by 75%. Yes, more young people are able to get jobs and youth unemployment is down by 75% as a result of the New Deal. But I want everyone to have the chance to get a job and to get the skills for a job and I want, particularly, all young people to have the chance of either college or university or an apprenticeship that will give them the skills so that they, too, have a route to a career and to a job. I want to ensure that the jobs available in Britain are available for British workers who are looking for jobs.

I want to ensure that by working with employers in all sectors we can make sure that people have the skills and are given the help so that the jobs, when they come available, can go to those people in Britain who are registered and looking for jobs at the moment.

We have just signed agreements with the retail trade to provide one hundred thousand jobs over the next five years for people who are British workers looking for jobs, who can then get the skills for the jobs that are available.

We are about to sign agreements for the Olympics and the construction trade so that the jobs in London go to people who are trained-up here in Britain to get the jobs that are available. Yes, I want to extend it, too, to the hospitality trade, to construction and to the financial services, so I want over the next few years two hundred thousand people in Britain, who are inactive at the moment and looking for work, who are looking for work, people who need the skills and need to get the help to get into these jobs, that these jobs will go to British workers with skills that are given by us to enable them to get the jobs that are available.

Friends, this is the week also of the G8 Summit. Remember two years ago how this Union led the way on *Make Poverty History*. Remember how at that same time you campaigned for debt relief and how you campaigned also for a rise in our overseas aid commitments so that we could provide education and health to the poorest people of this country.

In the next two years there are two things that this generation which we are part of can achieve which have never been achieved by any generation before. I want us to work together in the international arena so that Britain can lead the way to ensure that these things happen. The first is that, for the first time, every child could have the chance of going to school. Today there are 80 million children round the world who are not going to school. Most of them are girls denied the basic right of education. I want us to be the generation, thanks to our efforts and Britain pushing for it, that makes sure that everyone of these children have got the chance to go to school, to get an education, to have the basic right to learn and to make the most of their talents.

The second thing I want to achieve, which I believe we can do together, is this. Five million children are dying every year from diphtheria, malaria, tuberculosis and polio. These are diseases which we can cure. There is no medical reason why we could not cure these diseases. The technology is there, the science is there and the drugs are there. It is possible to have the treatments available so that we can avoid unnecessary deaths.

I believe that we could be the first generation in history, if we have the political will, to use the medicine, the science and the technology so that we can eradicate some of the deadliest diseases and remove them from the world for ever more. (*Applause*)

If, friends, we could save the lives of a few children it would be worthwhile because every child is special, every child is precious and every child is unique. But just think: we could be the generation that saves not just thousands or hundreds of thousands but the lives of millions of children who needlessly today are suffering and so many of whom will die unless we take the action that is necessary.

So there are great causes left. They are causes that only our movement can address because we are the people with the values of social justice who respect the dignity of every individual and want to take action. I would say to this union today: have confidence that our values of social justice, belief in the dignity of every individual and fairness to all are genuinely the values of the British people. Also have confidence that we can make our values count with new policies that can make Britain and the world better in the future. Furthermore, have confidence that thanks to us working together in a united and disciplined way, we can go from this conference hall and we can not only win the next general election but build in our society, in our generation, in our times, a society in Britain, a community in Britain, of social justice that all of us can be proud to be part of. Thank you very much. (*Applause*)

THE PRESIDENT: Thank you, Gordon, for that. Now it is our members' turn to put you in the hot seat. It is like Question Time without the bias. I am going to take three questions at a time, so I ask Birmingham & West Midlands Region, Midland & East Coast Region and the North West & Irish Region to go to the microphones, please.

SIS. S. ELSON (Birmingham & West Midlands): Gordon, new council housing is a necessity. When you become Prime Minister can you reassure us that you will finally implement Labour Party resolutions regarding the Fourth Option?

SIS. E. BLACKMAN (Midland & East Coast): Gordon, let be clear. This is not a question about secondary action. Will you be changing the existing law to allow supportive action by related groups of workers in the same company when the trade union needs to take industrial action?

BRO. E. MARNELL (North West & Irish): Gordon, last year at Blackpool I asked Tony Blair a question. Tony Blair promised faithfully to reply to me personally. Low and behold, he has not. So I will ask you the same question. The Freedom of Information Act. I have tried from various government departments to gain all information regarding myself and others during the dispute at Cammell Laird in 1984 which resulted in 37 trade unionists being jailed. None of these have given me any

positive answers. All are to the negative. Could you tell me how I can access this information?

THE PRESIDENT: Gordon.

GORDON BROWN: I am ready to answer the third question by checking all the information and coming back to you. I do not know the case myself. I was involved in 1984 after the miners' strike in Scotland when the dismissed miners were returned to employment as a result of the campaign that was run by this union, other unions, the churches, faith groups and many other people. I do not know specifically about what happened in relation to Cammell Laird. I shall look at it and come back to you. Just to make sure that I do come back to you, I will get your Member of Parliament in and talk to him about it when I get back to London and then be in touch with you directly. *(Applause)*

On the issue of industrial relations reform, we will implement all that is in the Warwick Agreement. We came to an agreement before the last general election about what the right things to do were about unfair dismissal, holidays, all the different legislation governing pensions and on corporate manslaughter as well, and I know that people have questions about that. We are implementing stage by stage the Warwick Agreement. I do not believe that this proposal is in the Warwick Agreement that we came to before the last general election. I will check whether it is in, but we will implement every aspect of the Warwick Agreement. To have had a negotiated agreement on these issues and then to go beyond it at the moment would, in my view, not be the right thing to do but I will check what is in the Warwick Agreement and come back to you.

On housing, let us be clear that this is a huge problem for all of us. I have been going round the country during the past few weeks and I have been talking to people. We know that the Health Service is a huge issue for us and we have got to do better. We know that schooling, education and expenditure on that is a huge issue for us. We also know that law, order and anti-social behaviour and jobs are also major issues for us, and there will be questions about those subjects here.

As you know, housing is a huge issue for people. Since 1997 two million children have been taken out of overcrowded accommodation by the work that we have done as a Government. So our policy of renovating existing homes has been one which has yielded benefits to millions of people in this country, but particularly children. I know that we have to build more houses. We are not building enough houses to meet the increased number of families which are being created in this country as a result of many people becoming single, looking for single accommodation and as a result of the population changes in this country. So we will build more houses.

How will we do it? First of all, we will do it by building more owner-occupied housing and by creating more shared equity because I want to end the situation where so many young couples know that they cannot afford, with the house prices that exist at the moment, to buy the houses that they need. Then we will build more social housing. We have already increased the number of social houses that we are building and we will increase that more in the Spending Review. At the same time, as I have said in previous meetings, we will give help to councils by new means through which

they can build houses as well. So I want to have a big housing building programme in this country. I want affordable houses because it is wrong that we build so many houses that people with modest incomes and decent incomes cannot afford to buy. I want to build more houses not just for purchase but houses for rent. So I can assure you that over the next few months housing will be as it should be – a priority issue for this Government because people should have the opportunity and the right of decent housing in this country.

THE PRESIDENT: I call Yorkshire & North Derbyshire Region, Southern Region and then London Region.

BRO. J. STRIBLEY (Yorkshire & North Derbyshire): Gordon, will you commit to a moratorium on the closure of Remploy factories while there is a review of the social value of supported employment and the impact on workers if the closures proceed? Please, Gordon, will you give us a clear answer yes or no. No factory closures! (*Applause and cheers*)

SIS. J. HALE (Southern): Gordon, given the front page article in yesterday's *Financial Times* when Nicholas Ferguson, who is a leading figure in the UK private equity industry, stated both that he was paying less tax than a cleaner and that he did not believe that such a situation could be justified, what steps will you now be taking to address this glaring inequality in our tax regime?

SIS. C. HOLLAND (London): Gordon, during the last ten years the trade union Movement has supported the Labour Party. As a leader of the Labour Party, will you ensure that support of the unions by repealing anti-trades union laws and protecting pensioners who have had their company pensions snatched away from them when their companies go under?

GORDON BROWN: Let me deal first of all with pensions. When I arrived in Parliament in 1983 I was only 32 years old. Yet I picked up the newspaper on the Saturday when I arrived in Parliament and it said: "Gordon Brown, 56 years old..." Then I picked up the next newspaper, which was a London newspaper, and because I had come from Scotland I did not know much about it, which described me as "The veteran Labour MP". The next newspaper described me as a "stalwart Labour MP", and another newspaper had me as being born in 1926. So during my first weeks and months in Parliament everybody thought of me as being as old as I am now. Then I got a letter from a pension company saying, "You have started a new job late in life and will want to make provision for an early retirement". I am still here but pensions have always been a huge issue.

Let me just say that what we have tried to do as a government, and it is very difficult because you are dealing with so many different circumstances in which people find themselves – some people have broken earnings, some people have had to move between different jobs and move from one occupational scheme to another – so what we have tried to do is, first of all, to bring in in the Pensions Bill the right to link pensions to earnings again. Then for those people who have modest savings in modest occupational pensions, we have created the pensions credit which is mainly paid to widows in their 80s who have very few occupation pensions savings and very few savings of their own. Then we created the Pensions Protection Board. This is

for 700 companies which have gone bust and unfairly, when people lose their job, they have also lost their pension. We have created the Pensions Protection Board for the future so that no matter what happens to that company there will be protection for everyone who has saved through their pension scheme. The Tories never did it. This is the first time that we have now created a right that everyone will have to their pension irrespective of what happens to their company.

The second thing we have done is created the FAS, the Financial Assistance Scheme, and we have put £8 billion into this scheme in the next few years, and that is for people who were never protected under the old schemes to make sure that they receive some money as a result of the loss of their pensions through no fault of their own.

So, right across the board, we, the labour Movement, are recognising that nobody should go into retirement in poverty and without proper protection, and that is why -- whether it is the Winter Allowance, the TV licence, the Pensions Credit, free pensioner travel, what we have done on eye tests and on linking the pensions to earnings, as well as the protection for private pensions that people had saved in their own companies – we are trying to create a comprehensive cover so that you can feel secure that whatever happens to your company or the organisation in which you work, if it is in the public sector, you will always be guaranteed a pension.

We will build on this in the next Parliament but it is our duty as a labour Movement to those who have served the country all their lives to ensure that their pensions are protected and secure in retirement.

Then when it comes to private equity, and I know the survey that this Union has done that some of the companies where pensions have been lost are in private equity companies, we created in March a review into the very issue that was raised in the *Financial Times* yesterday. So just before the Budget we set up a review to look at the tax position of these arrangements, to find out what loopholes were being used and then to take action to deal with it. So we set up the Review in March, it will be reporting soon and we will deal with this very important issue. We will make sure that there is justice and equity in the treatment of the tax arrangements in that area.

I now come to Remploy. I have worked with the local Remploy factory that is in my constituency for all the 20 or more years that I have been a Member of Parliament. I appreciate what the workers of Remploy, most of them belong to this union, have done not only to build up their own company but for the contribution which they make to their country. That is why I say that my guarantee is that every person who is employed in Remploy will be guaranteed a job. Now, what I cannot do, and we are going to have to look at the proposals because they have not yet come to us as a government, because a period of consultation is taking place with the unions at the moment, is that every single factory will remain in existence at all times.

However, what I can do is, really, three things. One is to guarantee that everyone will have a job. Secondly, to guarantee that the conditions and terms of employment will be better or the same as before in all circumstances and, thirdly, I can guarantee that we will make available the money so that these guarantees are upheld.

At the moment we spend £111 million a year in supporting Remploy. Over five years we have set aside already £555 million, so we are making the money available. I tell you, honestly, here that I am prepared to provide more money to make sure that that guarantee is upheld. I know it is not everything that everybody wants here, but I am guaranteeing that everyone will have a job and we will make it possible for people to have that job. I have already been talking with employers right across the board so that they are prepared to offer jobs. I know that some people would want to take early retirement but at the same time for anybody who wants a job there will be a guarantee. I will make sure that the additional money is available, if necessary, to make sure that that guarantee is upheld.

THE PRESIDENT: I now call South Western Region, GMB Scotland and Northern Region.

SIS. R. HAYWARD (South Western): Gordon, will you give your full commitment and support to the implementation of the Corporate Manslaughter Bill during this Parliament, and to the introduction in a future Parliament of better legislation to establish specific legal duties on directors of companies for health and safety in the workplace?

THE PRESIDENT: Thank you, Rowena. GMB Scotland.

SIS. L. MILLER (GMB Scotland): If, as seems likely, there will be increased pressure for more powers for the Scottish Parliament and Welsh Assembly, how can that reality be managed and still ensure the integrity of the United Kingdom?

THE PRESIDENT: Northern Region.

BRO. J. A. WINTER (Northern): Gordon, we in the trade union Movement are concerned about the use of migrant workers being paid lower wages and with poor working conditions and benefits. Therefore, what steps will you take to ensure that the laws are changed to ensure the equal treatment and pay for migrant workers?

GORDON BROWN: First of all, on migrant and vulnerable workers, I should say two things. First of all, we have set up a forum with the trades union Movement on migrant and vulnerable workers so that we can discuss all the conditions that lead either to the exploitation or to the lack of protection of workers. We have set up two pilot schemes in London and Birmingham where we are working with the GMB and other unions so that we can see what more we can do to protect migrant and vulnerable workers.

The one thing we know as a starting point is that the minimum wage has got to be implemented and upheld. We are not going to have unscrupulous employers refusing to honour the commitment in law that we fought for as a Labour Party and the labour Movement for over a hundred years that there be a national minimum wage legally binding on all employers. That is why, in the Budget, I put aside more money so that we can make sure that the minimum wage is being properly implemented by inspection of these employers who may be unscrupulous so that everybody has the right to that decent minimum wage.

On Scotland let me say that my first memory is in 1962 I remember Scotland playing England at football. I remember that Scotland got beat 9 – 3. It sounds like a rugby score, but it was 9 – 3 to England. I remember that things were so bad that the Scotland goalkeeper, Frank Haffey, emigrated to Australia. I remember that Dennis Law, who was a famous Scottish footballer, 30 years later met him in Australia and Frank Haffey's(?) first question was: "Is it safe to come back?" (*Laughter*) Of course, it was not. Even after 30 years there is a football rivalry between Scotland and England, but the one thing that is absolutely clear, and the trade union Movement reflects it, is that what we have in common at the most basic level is our support for social justice, the connections that we have in the economy, our support for the same values that link Scotland, England and Wales together in a way that makes us part of the United Kingdom. Although there have been elections in Scotland where you have a minority SNP administration, two-thirds of people in Scotland voted for parties that are against separation and for remaining part of the United Kingdom.

So I believe that what is going to happen over the next few years is that people in Scotland are going to recognise and say that they do still want to be part of the Union with Britain and I believe myself that the Labour Party will show people that the model of devolution that we support for Scotland in the Scottish Parliament is best implemented in future by the Labour Party. So, yes, we will look at all the proposals that come forward, but I think the most important thing, and this was the decision that the labour Movement made a hundred years ago, is that we recognise the solidarity across borders, we recognise the common interest between people in Scotland, England and Wales, we recognise that we hold the same values in common and that is why we work together as a British Labour Party, a British labour Movement and as part of Great Britain.

On corporate manslaughter, let me just say this as well. It is the House of Lords that is holding back this Corporate Manslaughter Bill at the moment. We are determined to make it happen and to get it through Parliament. It is one of the commitments that we made in the Warwick Agreement and, obviously, we will look at the health and safety issues that you have raised, but I am determined that we honour the commitments that we made and there will be a Corporate Manslaughter Bill that will outlaw that unacceptable behaviour by unscrupulous employers. We are right to say that we have got to take action against that as soon as possible.

THE PRESIDENT: I call Birmingham & West Midlands Region, Midland & East Coast Region and the North West & Irish Region.

BRO. M. COGHLAN (Birmingham & West Midlands): Gordon, once you take office what will be your number 1 priority to reverse the decline and standards of morale in the NHS?

SIS. M. DAVEY (Midland & East Coast): Gordon, we are opposed to the increase in state pensionable age on workers when the benefits of longer life expectancy are not shared by rich and poor. Do you support this policy and, if so, what steps will you take to ensure that the workers do not fall through the pensions gap into poverty?

SIS. A. MURPHY (North West & Irish): Gordon, what assistance can we expect from you in enacting new legislation in respect of asbestos related claims for

mesothelioma? Also are you going to honour Tony Blair's promise to ensure that workers affected by asbestos related diseases are given adequate compensation even before the disease develops into full-blown mesothelioma?

GORDON BROWN: Angela, I have seen and known some friends of mine who have died from asbestos related diseases. I feel as strongly as you that we must take action to protect these workers. Yes, I will honour the promises that Tony Blair has made. If you would contact me afterwards, I will write to you about what we can do next on that issue. *(Applause)*

On pensions, let me say that what I want to do is to ensure that everyone has a decent pension as a matter of right. We introduced the Pension Credit because there were people with low savings and with low occupation pensions who would always be in poverty if we did not have the Pension Credit. But now we are able to build on that and to link pensions to earnings for the future.

Let me say for women, particularly, who have been pensioners, 30% of women do not get the full pension at the moment. It is totally unfair. Under our proposals we are increasing the numbers of people who will get that full pension based on the numbers of years of work and based on making allowance for time as carers and as time as mothers. We, at the same time, want to make sure that not only do we build these rights up for women but that they have a decent pension in future. That is why we are going to link the pension to earnings again.

What we have seen over the last ten years is this. The first duty we had was to get rid of pensioner poverty and to tackle it. That is why we did all the things we did from the Winter Allowance to the Pension Credit. We have taken more than a million pensioners out of poverty as a result of that. The main beneficiaries have been widows in their 80s who did not have, as I said, the savings or the occupational pensions of their own. But now we must build a system based on rights for everyone, so that nobody working in a company is denied a pension even if the company goes bust. So that the pension keeps rising linked to earnings. So that people who were never given a full pension because of the number of contributions that were made are now given new rights and, particularly for carers, there are new rights built into the new Pension Bill.

So what we are doing is moving from tackling pensioner poverty to making a system that is based on rights for the future where, as a result of what we do, no company going bust could actually make it possible for a pensioner never to have a pension. I believe that that is a major advance on anything that we had previously.

You, rightly, said that the National Health Service is a huge issue for us. I am very proud that the Labour Party created the National Health Service against the teeth of Conservative opposition. I am also proud that it has been one of the great civilising achievements of our country where healthcare, free at the point of need, exists in Britain where it does not exist in most countries round the world. I never want to have an American style healthcare system where people are checked for their wallet before they are checked for their pulse or for any injury they have when they go to hospital. That is why we must build on this fundamental achievement of previous

Labour Governments and the labour Movement of healthcare based on need, free at the point of use.

But I recognise, when going round the country, that there are problems that we have now to address in the National Health Service for future years. Yes, we have got waiting times down and, yes, waiting lists are down, and I think that is a major achievement compared with ten years ago. Yes, we are building new hospitals. About one hundred and ten new hospitals are being built, or actually have now been built, as a result of what we have done. We have employed more people in the National Health Service right across the board, from porters to ambulance men and women, to midwives, doctors, nurses and to people in all ranges of occupations in the health system.

But the two problems that I see are these. One is that people want to be sure that the Health Service is there when you need it. I was lucky. I got the best of healthcare, but people want to know that at the weekend or out-of-hours or when the GP is not consulting, there is something that is available for people. Of course, at the moment the number of accident and emergency patients has grown because there are other services that are not available, so we need to have a range of services at a local and community level from the GP opening more to walk-in centres for people and to NHS Direct that provide the services so nobody is left uncovered for their healthcare needs during the course of a weekend or at any point during a week.

I think the second thing we have to do is to work with the staff – there are many people here who work in the Health Service – from having been a patient on many occasions myself and having seen the Health Service at work, and I value the time, commitment and dedication that is made by staff way beyond the commitment in terms of hours. What we have to do is to make sure that in our hospitals people are satisfied that they are getting, as patients, the time, care and aftercare that they need, the cleanliness, food and the personal attention that they want, which are all issues for people. That is why during the next few months we have to make sure that these are the changes we are bringing in to make sure that people feel that the Health Service is for them at a hospital as well as at a GP level and is there for them when they need it.

I think the final thing I would say – this is as important to me as it will be to other people here – the world is making huge advances in medical cures. I looked the other day and there are now seven new drugs being tested for breast cancer alone, and it is important that we find a cure for this deadly disease. It is also important that we find cures for all the other conditions and diseases that mean people have shorter lives. I want Britain, just as we led the world in Penicillin, the treatment of tuberculosis and in other diseases a century and half-a-century ago, to lead in conquering the diseases which carry off too many people and cause grief and sickness to too many people now.

So in addition to the improvements at the GP level, in addition to health services, we are valuing the staff for what they do, let us from Britain say that we are going to conquer these diseases, we are going to make the investment in the cures which are necessary to do so, we are going to be leading the world in providing the best care and the best cure for people so that we have not only a National Health Service free at the point of need that we can be proud of but one that is seen round the world as one that

is best for care and best for cure and one that we can be proud of in the generation to come. (*Applause*)

THE PRESIDENT: Thank you, Gordon. Just to add my little question to that point, our members are very dedicated in the Health Service at all levels and they take a great pride in the job that they do. I am afraid that over the last ten years with the continuing out-sourcing of our contracts, no more can they stop and take pride in the job because the companies want to make profit instead of putting the money into health. So I am asking you now, please talk to the experts, and they are those who work in it, that we have to relook and rethink about the continuing privatisation in our public services because it has not given us value for money and it is not giving us a pride that we need to go back to. (*Applause*)

GORDON BROWN: Mary, you know the Health Service well and I know also that there are changes that we are going to have to make over the next period of time, and that is what we are looking at. In a few weeks time there will be the new London Review of the Health Service, and I hope that that will answer some of your questions. Let me just say that, as far as doctors, nurses and Health Service employees in the public service itself, there are hundreds of thousands more employees now than there were in 1997, and there are better facilities and we want to build even better facilities in the years to come. We want to combine the best care in our NHS hospitals with better services at the GP level with the investment in curing the diseases of the future.

I am dedicated as someone who has benefited from the National Health Service and knows how many millions of people rely upon it to making our National Health Services the best in the world and that is what we should aim for over these next few years.

THE PRESIDENT: Absolutely. Thank you. I now call Yorkshire & North Derbyshire Region, Southern Region and London Region. Then after that I will be calling South Western Region, GMB Scotland and Northern Region.

SIS. L. BROOK (Yorkshire & North Derbyshire): Gordon, why does the Government continually tell the public to save more for their retirement but not allow sections of employees, such as private contractors, to join an employer contribution pension scheme?

SIS. A. GENTILCORE (Southern): Chancellor, with PFI schemes being discredited by all who investigate them, why are they still the Government's main means of investment in the public services?

SIS. W. MITCHELL-MURRAY (London): Gordon, in what way will your leadership differ from Tony Blair's and how do you think you can do it better?

GORDON BROWN: Let me start with savings for retirement. The issue here about pension contributions made by private firms is this. Look, when we came into power one of the things which really worried me was that so many companies were taking pension holidays. One of the reasons why they had taken pension holidays was that the legislation under the Conservatives made it easy for them to do so. Now we have

seen the amount of pension contribution companies double over the last few years, so it is rising, but the guarantee that you have, and this is the very direct answer to your question, Lynn, is that under the Pensions Bill, for the first time, employers have got to make a percentage contribution to every employees' pension savings. So we are legislating not just to link the pensions to earnings and not just to guarantee that no pensioner or prospective pensioner will lose their pension if the company goes bust – if you give me your address I will send you all the details of this – but we are legislating that there is a requirement on employers to put 3% into every pension as a minimum. So that has been legislated in the Bill which is going through the House of Commons at the moment.

We are trying, as I said, to have the comprehensive protection as of right for pensioners which never existed in the past and I will send you the details of that proposal.

This is, truly, the answer to the third question, Wilhelmina, as well. I see the NHS as an immediate priority. I see education as vital to the future of our country. I see the new challenge as building houses for both sale and for rent so that people can get on to the housing ladder and that there is genuinely affordable housing for people. I see us creating a sustainable environment so that people can live without fear of climate change and also without fear of violence, vandalism and anti-social behaviour. I see us building trust in our political system by responding to people's concerns and aspirations. One area, clearly, where we have to act is in the National Health Service and on education.

When you ask about the Private Finance Initiative, let me explain. When we came into power there was a two-tier system and we have tried to get rid of that two-tier system in the treatment of employees. But there was always a problem in building hospitals and schools and any other public facility. In a hospital not far away from my constituency, private contractors always built the hospitals. They were never built by direct labour, but what happened was that the private contractors walked away, they took no responsibility for the faults and we ended up having to spend millions of pounds sorting out the faults because the contract had been ended and they had no responsibility for the future. What we have tried to do with PFI is to bind these contractors in so that they cannot walk away. They have to accept responsibility for their failings and if something goes wrong, they have to repair it and they have to take the responsibility that previously they could just walk away from.

What has been possible as a result of what we have done is under the Tory years hardly any new hospitals were built. If we had started just from ordinary public expenditure, we could have built, maybe, one or two hospitals a year, but because we did it the way that we are doing it, we have been able to start, build and complete 120 hospitals, or so, and at the same time we have modernised and built many of them from scratch, but we have modernised about 20,000 schools.

I know it is not the easiest way of financing things, but if we had not done it that way we might still be deciding whether to build half the hospitals that are now completed. If we had not done it that way we would not have been able to modernise all the schools that are now in most of our constituencies, at least one or two new schools, and many schools improved. But what we have also done is to bind these contractors

in so that they are responsible for the faults. What I have tried to do since we came into power is to get rid of the two-tier arrangements which were discriminatory against people and try to make sure that there are a set of conditions which apply to all employees, whether in the contract or in the public sector.

I know there have been great difficulties but I hope you will agree that we are trying to solve each problem one by one. Just remember, when you look at the hospitals and schools round the country, if we had not done in this way we could not have built or modernised as many as we are doing. I want to make sure that in every constituency of this country, when it comes to the next election and we look at the future of this country, we have new schools, modernised schools, new hospitals, modernised hospitals and, in addition to that, because many of you are involved in this as well, we have Sure Start Centres, a thousand children's centres, going up to 3,500. Yes, it is difficult and, yes, it has taken painful decisions sometimes and, yes, we have tried to correct some of the faults where there have been faults, but we have been the Government that has built more hospitals, more schools, modernised more hospitals and schools and are still building and modernising more in the years to come as a result of what we have done, and we will continue to build more schools and hospitals in this country.

THE PRESIDENT: South Western Region, GMB Scotland and then Northern Region.

SIS. A. LEADER (South Western): Gordon, following yesterday morning's *Guardian* poll of trade union and Labour Party members, are you in favour of the top rate of tax being raised to 50% for those earning over £100,000 per year?

BRO. F. ALEXANDER (GMB Scotland): Gordon, given the reality of the political landscape in Scotland, how do you plan on developing the relationship between yourself and the new First Minister? Lastly, who paid for the phone call? (*Laughter*)

BRO. G. MAYOR (Northern): Gordon, will you give this Conference a commitment to support a balanced energy policy, including the nuclear option?

GORDON BROWN: Let me say, on the balanced energy policy first, we are committed to making sure that the energy security of our country is intact. This is a very dangerous world and we do not know what is going to happen in the Middle East, we do not know what is going to happen in different parts of the oil producing and gas producing countries of the world and, therefore, it is important that we have a balanced energy policy that guarantees that whatever happens the lights will still be on, fuel will still be in supply, we will be able to go about our business, people will still be employed by companies and homes will still be properly sourced for energy. That is why we have got this balanced policy. That is why nuclear is an important part of it but it is not all of it, because we have got coal, oil, gas and, of course, we have a very big component now of renewable sources of energy from wind power to wave power and to all the different forms of micro generation that can actually create a balanced energy supply.

For those people who are working in the nuclear industry, and I know that the GMB represents them, it is important for us to say that our commitment is to have energy security through having a balanced policy that includes the nuclear element that we

have committed ourselves to in both the White Paper and in the proposals that we put forward. That will be true in the years to come as an important means by which we can guarantee not just energy but guarantee energy at affordable prices.

When it comes to Scotland, let me say that the difference between us and the Scottish National Party and why it will become clear over the next few years that it is Labour which holds the answers for Scotland, is that while they may be in power temporarily, it is the Labour Party which is the party of social justice. I have been watching the new SNP minority administration making their announcements. They have never mentioned poverty; they have never mentioned educational opportunity; they have never mentioned homelessness. All the issues where there should be social justice for everyone in Scotland they are not interested in in the way that we are because we are the party of social justice and they are not. Any party that says it is Scotland versus England or say that identity is more important than the ideals of social justice, or any party that is trying to get a conflict going and blaming Westminster and Whitehall all the time, does not see that the important issue in politics is whether you are fair to all people. That is why, if there is poverty, you need a policy and a party of social justice. If there is deprivation and unfairness you need a party of social justice and that is why I say to you that as the debate goes on in Scotland it will become very clear that it is the Labour Party which is the party of social justice and economic prosperity.

While I did pay for the telephone call with the new Scottish First Minister, it is clear to me that the people of Scotland do not want a separate Scotland. They want, as the trade union Movement wants, to be part of solidarity right across the United Kingdom.

Now I come to the issue of fairness and top rate of tax. We will stick to our manifesto promise, which is not to raise the top rate of tax, but what we have done is to create a fairer tax system. We will continue to do that as we have done in the past. When we paid for the National Health Service changes, to hire the doctors, nurses and staff in the National Health Service, we raised National Insurance. Instead of just raising National Insurance up to the ceiling, we raised National Insurance for every employee up to £100,000, £500,000 and £1 million. So we have created a fairer tax system as a result of what we have done.

The test for me is that we are fair to the working people of this country. All our proposals, whether it is the Tax Credit, where six million families are on the Children's Tax Credit, or whether it is the Pension Credit or whether it is raising the minimum wage and boosting that with the Working Tax Credit, our aim is to create a fair tax system in this country which is fair to the hardworking families of this country. I assure you that at every Budget the Labour Government will look at how it can be fairest for hardworking families in this country.

THE PRESIDENT: Thank you very much, Gordon. Colleagues, I do not have the time to go round once more.... All right, I will take a couple more.

GORDON BROWN: I will answer them quickly and we can get everybody in.

THE PRESIDENT: All right. Thanks, Gordon. Birmingham, Midlands, North West. As we have done before, but will all nine regions please start lining up for the next round of questions.

While we are waiting, Gordon, there is a lady in this hall at the back who we have honoured today who led the Grunwick Strike. She is at the back of the hall. Please say hello to Mrs. Desai.

GORDON BROWN: Hello, Mrs. Desai. It is very nice to see you. Perhaps you will come up and see me at the end. (*Applause*)

THE PRESIDENT: She led a campaign for the right to join a trade union.

A DELEGATE (No name given) (Birmingham & West Midlands): Gordon, how do you propose to restore the link between the Labour Party and the trade union Movement?

BRO. I. LOWES (North West & Irish): Gordon, you can find money to replace Trident and you can find money to continue occupying Iraq, but why can't you find money to pay public sector workers a decent pay rise? (*Applause and cheers*)

THE PRESIDENT: If Midland & East Coast Region does not have a speaker, I will call Yorkshire.

SIS. P. ROSS (Yorkshire & North Derbyshire): Gordon, you have met *this* lump of coal before in Brighton in 2001. What future role do you envisage for the UK coal industry and, in particular, if UK Coal Plc decides to close its last four deep mines, would you step in to maintain access to our reserves?

GORDON BROWN: On coal, we have just been looking at how we can work through carbon capture to develop new means of using coal as an energy source for the future, so I see clean coal as being one of the fuels of the future. I do not see it as being rejected as something of the past. I want to work with the coal industry so that we make sure that coal, and particularly, clean coal has a very big part to play in our future. I do not know about the individual mines themselves, but what I do know is that we will support and continue to support, and give more support, to clean coal as a technology which can make sure that we have the energy supplies of the future. I know it from my own constituency as well as from what you talk about in England.

On the question of the Trident and the expenditure on the military, can I just say that I have tried, when I have been Chancellor for these last ten years, to make sure that we keep inflation low and that we have generous public sector settlements where it is possible to do so. You will remember the old system. The old system was that at every point, when people were looking at what their wage settlements were going to be, inflation used to just sweep away any possible gains that you had. Either it was high inflation in the economy or it was high interest rates for people who had mortgages. What people gained in a wage settlement, they lost almost immediately because we had permanent inflation, you had interest rates at some point at 10% -- they even rose to 15% for a whole year -- under the previous Government, and people used to say that Britain was the stop-go economy of the world and therefore you were

always going to have recessions and family finances ruined. We saw what happened in the early 1990s when that happened.

What I have tried to do is to keep inflation low and to keep interest rates low to make sure that people can get the benefit of wage settlements that are available. I know it is not always the settlements that people want, but I hope that people do understand that the reason why we have had a strong economy over the last ten years and have been able to create two-and-a-half million jobs, and take large numbers of people out of poverty, which is what I have aimed to do, is because we have tried to manage the economy in a way that the Tories never did, and other countries have not managed to do it for much of these ten years. That is because there has been a recession in America, Germany, France and all the other countries, but we have managed, by the way that we have run the economy, to make sure that we have had the stability that enables us to have low inflation and low interest rates. I will continue to make sure that that is the fundamental foundation of our policy.

I cannot make promises about settlements this year or next year, but what I can say is that everything we have done in the past ten years to keep inflation and interest rates low is the best protection against people seeing their standards of living fall, and I will continue to pursue that policy.

One delegate asked how we spend our resources as a country, and these are really difficult question. Although Trident is an emotive issue, let me just say that in no year will Trident cost no more than 0.25%, a quarter of 1%, of our public expenditure. We have defence workers here and many of our other defence requirements, like our aircraft carriers or the Joint Strike fighters, in actual term, they cost as much or sometimes more per year than the expenditure on Trident.

Look, the reason why I am worried about defence and why I think we do need to have Trident is this. Twenty years ago you could say that if Britain disarmed and got rid of all its nuclear weapons, other countries might follow. That was the argument we put forward. Someone had to break the log jam. Now I look round the world and I see Iran trying to get nuclear weapons, I see North Korea trying to have nuclear weapons, I suspect that there are countries in Africa and other countries in the Middle East that if they could get their hands on nuclear weapons, and are probably trying to do so, they would have nuclear weapons, too.

I cannot see a situation where a unilateral gesture by Britain would make any difference to what any other countries do. Therefore, you would have a situation where we would have no weapons to use for a negotiation but other countries would be gaining them. If we are interested, as we are, in disarmament, then the best way is for us to say that as a nuclear power, recognised by the Test Ban Treaty, we are prepared to put our nuclear weapons into a negotiation so that we can reduce weapons round the world, but if you cannot gain anything by just unilaterally giving them up and it means that other countries are still going to amass them, you will find that countries that are less secure and you feel more fearful about are trying to get nuclear weapons, then I do not think the case for giving it up unilaterally holds. Therefore, I want to see a reduction in nuclear weapons but I want us to be part of that multi-lateral process to do so.

As far as public expenditure is concerned, I just say to you that it is a very small fraction of the amount of money we spend generally on what are the important public services of this country. You will have to have a defence budget, whichever way you allocate it, so that people, rightly, feel secure in this country about the protection which we can give them as individual citizens.

I do not deny that these are difficult decisions and you have to make a judgment, but I do not think the evidence is there that a unilateral act by Britain would make a difference. Look, we made a unilateral act on debt relief because we knew that other countries would follow. So I announced that Britain would unilaterally give debt relief to the poorest countries and then America followed, then France followed, but it would not happen in this case. We know from the evidence that we have that it would not happen. Therefore, I think it is better for us to be part of this multi-lateral process, which means that we can hope over the next few years that there will be a general reduction in nuclear weapons round the world.

Then I was asked about the Labour Party and its relation to the trades union Movement and how we can work well together. Every problem that we face, every challenge that this country faces, involves us all as individuals now. I said that you could not solve the problem of the environment without involving people in making decisions themselves about how they approach the use of resources, how they approach the use of energy and how they approach the purchase of products. You cannot solve the problem of the environment now without people accepting personal and social responsibility themselves. You cannot solve the problem of terrorism unless you win the battle of hearts of minds and persuade people to isolate the extremists who are practising or preaching violence in our country. You cannot solve the problem of global economic competition without us persuading young people, in particular, to get the skills which are necessary so that we have the industries and technologies of the future to succeed, and we cannot build communities in this country, as we know from our own experience, unless you involve people themselves in the building of communities.

That is why we, the Labour Party and we, the labour Movement, the party and movement of the people of this country, have got to be more involved in the communities in which we live. That is why the way ahead for the future is for us to have stronger links with all the different organisations in our own constituencies and communities and work with them to build better communities and to make the changes that we want to see.

I believe that we are into a new age of involvement and engagement that is simply more than just carrying a card for your trade union or party. If we want the real change we want to see, then we have got to be directly involved in the communities of the country. I want us, as a labour Movement, to have networks of support and connection with all the different organisations that exist in all the local areas of the country, and people can genuinely see that we speak for people's concerns and aspirations for the future.

I think we will find one thing when we do that. Yes, people want their aspirations met by better services, by more education expenditure, by being safe on the streets at night, but, yes, also people want to contribute to a better community in our country.

That is why most of us joined the Labour Party or a trade union because we believe that by working together with other people we can make a difference. That is really what spurs us on to come to conferences or to do the things that we do, that we believe collectively we can all make an improvement in our country if we work together.

My father, as some of you know, was a minister of the church, and he used to say to me when I was young, "How do you want to be thought about? How do you want people to think about you? If anything happened to you, how do you want people to remember what you did? What do you think people should think of what you are doing?" He used to say to me, "Look, it is not for power, money, status, titles or anything that you should be wanting to do things." He said, "What will make a difference and how will people think of you? How do you want that to be?" He used to say that is it not that you care for someone in need; that you helped a neighbour in distress; that you worked to build a better community in your own neighbourhood and area so that your communities were stronger and people felt better; that you believed in something bigger than just yourself; that you felt, however distantly, the pain of others; that you wanted to build not just a stronger family and community, but that you wanted to be part of building a stronger country so that you could say of your country, "When you look at the Health Service, education and all the public services, this is my country, I helped to build it, we made the contribution, and it is the hardworking families of this country who have built this country and we can make it better in the years to come".

That is why I am in politics and that is why I think we are all part of the labour Movement and we can make big improving changes in this country working together in the years to come. Thank you very much. (*Applause*)

THE PRESIDENT: Gordon, the last burning question to that young man *there*.

BRO. B. DAVIS: I have been a Remploy worker for 30 years and proud of it. (*Applause*) People keep telling me that they will get guarantees in our jobs. I have got a job. I work at Remploy. I do not want people to start feeling pity for us. We just want jobs. The jobs in Remploy are good. The reason why Remploy is in the mess it is in is because it is being run badly. Thank you. (*Applause*)

GORDON BROWN: I will look at the proposals that you, as a union, put forward. I will look at what you are saying about what needs to be done. We are in a consultation period at the moment. The Government has not yet made a decision about what is to be done, but I want you to be absolutely clear that there is a guarantee about jobs and there is a guarantee about terms and conditions, and there are, if necessary, other employers offering jobs which are available. I am saying to you that if it is necessary to keep these guarantees, the £555 million that we have put aside we will put additional money there to make sure that that happens.

I cannot give a guarantee about every single factory, but I give a guarantee that I will look at your proposals, I will talk to you about them and we will make sure that the guarantees that I am talking about are honoured, and I will make sure that I listen to what you are saying. I give you that promise. (*Applause*)

THE PRESIDENT: Gordon, can I say thank you, on behalf of Congress for coming and taking the questions. We are extremely proud and honoured that you have done so. You know that we, as a union, wish you all the wealth in the world. We thought that your new gift into your new office should be something that represents socialism and trade unionism. It is a plate made by our members and it says "GMB". *(Presentation made amidst applause)*

GORDON BROWN: Thank you very much.

THE PRESIDENT: You are always talking about "the glass being half full". Well, *these* are empty but they are made by our members in industry. We ask you to accept them with our thanks. So that we are not stingy and we have not got prudence but pride, *here* is a bottle of your favourite to go in the glass to fill it.

GORDON BROWN: I am very grateful. Thank you. Let me say that this is a great union. I have had the privilege of working with you for more than 30 years. You have got a great leadership. You are running important campaigns that everybody will listen to. You have got more members this year than last year and the year before. There are now a majority, for the first time, of women members in this union, and I congratulate you on achieving that as well. *(Applause)* At the same time, I look forward to working with you in the years ahead. I will listen, learn, involve and engage. Whatever the difficult decisions, I believe that the only party and the only movement that can solve the challenges which this country faces is the Labour Party and the Labour Movement. Let's work together for a common purpose. Thank you very much. *(Gordon Brown left the hall to a standing ovation)*

THE PRESIDENT: Congress, I am going to give you some leeway because you have been extremely good. We will return for 2.15.

(Lunch break)

AFTERNOON SESSION

(Congress reassembled at 2.15 p.m.)

THE PRESIDENT: Will Congress come to order, please? I would like to thank GMB Scotland for handing out the liveners, little bottles of whisky; thank you, Harry, thanks to the region. I have one. Where is he? Harry, thank you.

The winners of Monday's raffle, a bottle of champagne, was won by M. Cartwright, Nottingham General Branch. An umbrella from Liverpool & Victoria - umbrellas have been won by Katie Hopps of Leeds and Tony Winter from South Shields. Well done. Can you go and pick your prizes up from the stall?

Can I now, Congress, call Standing Orders Committee Report No. 3. Gerry Ferguson. Gerry?

STANDING ORDERS COMMITTEE REPORT NO. 3

BRO. G. FERGUSON (Chair, Standing Orders Committee): Congress, Emergency Motions: the SOC has ruled that the following additional Emergency Motion is in order for debate. Emergency Motion 5, Gas Distribution Pension, standing in the name of Birmingham & West Midlands Region, copies of this Emergency Motion will be distributed to delegates following the SOC Report No. 3. President, Congress, I move adoption of SOC Report No. 3.

THE PRESIDENT: Thank you, Gerry. Does Congress accept the report? (*Agreed*) Thank you. Before you go, Gerry and Barry, colleagues, the young man standing beside Gerry every day is our legal officer, Barry Smith, and I thank him for the work he is doing upstairs. (*Applause*)

(Standing Orders Committee Report No. 3 was adopted.)

THE PRESIDENT: Congress, we have an announcement to make, that Mr. Rane from Mumbai Port Trust, Dock and General Employees Union, who is with us at Congress, will be speaking on Thursday but, Congress, as you know the website and the television goes off by then and we have heard that his family are watching Congress by the web cast in Mumbai so we would like to welcome him on to the platform to wave and say hello to them. Where is he? (*Applause*) Say hello to the wife and children, quickly.

MR SHIRI V. V. RANE: Thank you very much, President, General Secretary, and Congress. I am going to speak in this Congress the day after tomorrow, on the 7th. This is, I think, just to honour my wife. I must thank the President and General Secretary, and Congress because if you like to be happy your wife must be happy. (*Applause*) On behalf of the working class, on behalf of all the workers from India, I am giving all the best wishes to the Congress and I will talk in detail on the 7th. Thank you very much. (*Applause*)

THE PRESIDENT: Now you can take that picture off the bed as she has now seen you live on camera! You are really here. Hi, family. You are going to work overtime now.

Congress, could I call on the Deputy General Secretary, Deborah Coulter, to move the CEC Report on Progress Equality Issues in the GMB. Can I remind delegates that you should have a copy of this report. Debbie Coulter to move and Paul Kenny to second. All right, Deb.

THE CEC REPORT ON PROGRESSING EQUALITY ISSUES IN THE GMB

CEC REPORT TO CONGRESS 2007

PROGRESSING EQUALITY ISSUES IN THE GMB

INTRODUCTION

1. GMB Congress 2006 passed the following composite motion:

C3 COVERING MOTIONS

35 *EQUALITY AND SELF ORGANISATION (London Region)*

36 *LGBT EQUALITY (Lancashire Region)*

EQUALITY AND SELF-ORGANISATION

This Annual Congress of the GMB welcomes the changes in legislation introduced by the Labour Government since 1997, providing legal protection and equal rights for lesbian, gay, bisexual and trans (LGBT) members of the GMB. However, Congress recognises that many LGBT members still feel isolated in the workplace and are unable to tackle the discrimination they face.

This Congress notes the success of the TUC LGBT Committee and how other unions organise around equality issues with self organised groups.

This GMB Congress further calls on the Central Executive Committee to review with the women, black and disabled members how their equality issues are progressed in the GMB and report back to Congress 2007 with any recommendations for further rule changes.

2. The review referred to in the composite motion, of how equality issues are progressed in the GMB, was conducted on behalf of the CEC by the Deputy General Secretary (DGS).

CONDUCTING THE REVIEW

3. The DGS consulted extensively whilst carrying out the review. Discussions were held with a wide range of activists and representatives, in addition to the Regional Officers that service and support their Regional Race and Equal Rights Committees, and also with the Senior Management Team and National Officials. There was also extensive consultation with the National Race Committee, National Equal Rights Committee, Shout! Forum and the Young Members Forum. Debates around the review also took place at the various Equality Conferences.

4. The consultation that took place was a two-way process in which all parties were able to express views and opinions, and to make suggestions and proposals for future action to improve the GMB's progression of equality and diversity issues.

5. These consultation meetings and discussions were supplemented by a review of the minutes of regular meetings held by the national bodies within the GMB structure that deal with equality issues, and also by examining the minutes, motions and reports to the various annual conferences.

THE CURRENT EQUALITY STRUCTURES

6. Appendix A lists the current GMB rulebook provisions relating to equality and diversity. The GMB structures for dealing with these issues are as follows:

- ***Equal Rights:*** Each Region has a Regional Equal Rights Committee which nominates one member to the National Equal Rights Committee. The Regional Equal Rights Committee is advisory to the Regional Committee and Regional Council. NERAC is comprised of one delegate per region (3 from NW Region) an NRC observer and currently one delegate from each of the seven sections.
- ***Race:*** Each Region has a Regional Race Committee which nominates one member to the National Race Committee. The Regional Race Committee is advisory to the Regional Committee and Regional Council. The National Race Committee is comprised of one delegate per region (3 from NW Region) and a NERAC observer.
- ***Lesbian, Gay, Bisexual and Trans (LGBT):*** The GMB has now established the National “Shout” Forum that has representatives from the majority but not all regions.
- ***Disability:*** The Disability Forum is a National body consisting of one delegate per Region, convened by Phil Davies, National Secretary.

7. Every GMB branch is required to appoint or elect an Equality Officer who is responsible for advancing the work of equal rights within the branch’s mainstream activities. The Branch Equality Officer holds one of the Branch Committee positions. Branches may also, but are not obliged to, appoint or elect a Race Officer. A Branch Race Officer is responsible for encouraging black and ethnic minority members and for advancing the work of race equality within the branch’s mainstream activities. However it has proved difficult to establish how many branches appoint to these positions and efforts to determine compliance with this rule have been thwarted by a lack of response from branches to a number of regional equality questionnaires.

8. The Union operates a system of Reserved Seats for certain elections. For elections to the CEC, each Region has a Women’s Reserved Seat, and there are a total of five national Race Reserved Seats. Each branch in a Region may nominate one candidate for the Women’s Reserved Seat and up to five candidates for the Race Reserved Seats. Each voting member may vote for one candidate for the Women’s Reserved Seat in their own Region, and for up to five candidates (from across all Regions) for the Race Reserved Seats.

9. For elections to Regional Councils, branches may nominate a woman to be a candidate for the Women’s Reserved Seat(s). The number of Women’s Reserved Seats on each Regional Council is proportionate (one-tenth), but additional to, the total number of places on that Regional Council. Only members of the Regional Race Committee are eligible for nomination by branches as candidates for the two Race Reserved Seats on each Regional Council. Of these two Race Reserved Seats, one is reserved for women, and only women members of the Regional Race Committee are eligible for nomination as candidates for this seat.

10. There are no similar systems for Disability Reserved Seats or LGBT Reserved Seats, neither for the CEC or Regional Councils. There are no reserved seats at all on Regional Committees.

11. In the CEC Special Report 2007, "*Progress update a framework for the future of the GMB: moving forward*", the CEC Task Group makes recommendations for the future composition of the CEC and Regional Councils. The Task Group's recommendations do not substantially alter the arrangements described above in relation to either Women's Reserved Seats or Race Reserved Seats on the CEC.

12. For Regional Councils, the Task Group recommends that 10% of members (rounded up) of each Section shall be Women's Reserved Seats, but with a guaranteed minimum of 1 Women's Reserved Seat per Section; and 5% of members (rounded up) shall be Race Reserved Seats, but with a guaranteed minimum of 1 Race Reserved Seat per Section, elected from members of racial groups defined by the CEC. These recommendations are proposed to take effect from the 2009 Regional Council elections, and are subject to consultation with Regional Councils before final recommendations are made to Congress 2008.

TACKLING INEQUALITY: THE LEGAL AND SOCIAL FRAMEWORK

13. To fully evaluate the GMB's performance on progressing equal rights, the review must take into account the social climate currently surrounding equality and diversity issues. This has changed considerably since the GMB's equalities structures were established, with progress in the last 10 years having been particularly significant.

14. The composite motion that originated this review rightly welcomed the changes in legislation introduced by the Labour Government since 1997, for providing legal protection and equal rights for lesbian, gay, bisexual and trans (LGBT) members of the GMB. However, there have been a number of equally significant changes that have increased legal protection and are aimed at tackling discrimination and achieving greater levels of equality for other social groupings.

15. In particular, a range of specific legal obligations have been introduced under the Disability Discrimination Act that is helping to tackle discrimination against disabled people. On gender equality, the Government established the *Women and Work Commission*, which included the DGS, to examine the barrier that prevent women achieving their full potential at work, and make recommendations on what the Government can do to close the gender pay gap and give women fair opportunities in the workplace. Also within the last five years we have seen the introduction of:

- anti-discrimination law on sexual orientation, religion or belief, and age;
- the Gender Reassignment Act;
- the Work and Families Act.
- and legislation to establish the Commission for Equality and Human Rights (CEHR); The Equality Act 2006 has gained royal assent, and this will eventually put expertise on equality, diversity and human rights all in one place. The Act establishes the Commission for Equality and Human Rights (CEHR) that will come into being in October 2007. The CEHR will bring together the expertise and resources to promote equality and tackle

discrimination in relation to gender, gender reassignment, disability, sexual orientation, religion or belief, age, race and promote human rights from October 2007.

16. Another major development was the introduction, from April 2007, of the Gender Equality Duty, whereby public authorities in England, Wales and Scotland must demonstrate that they are promoting equality for women and men and eliminating sexual discrimination and harassment. This will incorporate a requirement to undertake gender impact assessments, and will be underpinned by a duty to consult with stakeholders about gender equality issues and objectives. The valuable role that GMB Representatives could play in ensuring that employers comply with their duties by participating in these processes is obvious. However, this will require positive steps by public sector employers to ascribe Union Reps a key role in developing systems for tackling discrimination more effectively.

17. As equality and diversity issues rise ever more quickly up the social agenda, the workplace has increasingly become the focal point for addressing the discrimination and inequality that exists in our society more generally. However, a recent report published by ACAS (*“Back to basics. ACAS’ experience of equality and diversity in the workplace”*.) found widespread confusion over equality and diversity issues in the workplace. The equality and diversity debate and the language associated with it have become increasingly sophisticated over the past ten years, and the accompanying legislation is more complex. Employers and employees alike are struggling with the basic concepts surrounding discrimination, with employers often unable to grasp the intention behind the law and failing to implement the practical changes required.

18. It is clear that there is an increasingly important role for the Union, and our Representatives, to play in helping to demystify and promote the concepts around equality and diversity issues, and to exert influence and pressure upon employers to take meaningful action and meet their legal obligations. The next section of this report evaluates the GMB’s ability, under our current structures, to respond effectively to the challenges and opportunities that the new agenda for progressing equality and diversity issues presents.

HOW EFFECTIVE IS THE GMB AT PROGRESSING EQUALITIES ISSUES?

REGIONAL ACTIVITY

19. Regional Equality Officers are expected to convene meetings of the respective committees on a frequent, though undefined, basis. Traditionally these regional meetings, particularly Equal Rights and Race Committees have each met on at least a quarterly basis. In recent years, it is increasingly the case that meetings are held less frequently and often held jointly. The meetings appear to lack focus and are preoccupied with process e.g. planning for regional or national conferences etc.

20. On examination of regional reports to national conference and in discussion with activists and officers it is clear that there is little activity generated at regional level save for the limited involvement in anti-racist/fascist activity.

21. There is no evidence of any direct liaison between the equality bodies and the rest of the region in terms of involvement in campaigns or organising activity and few reporting lines between the equality bodies and the regional committees or branches.

22. All of the officers and activists I spoke to complained of the lack of resources available to allow them to be more effective and proactive. From officers, there were complaints that the equalities remit was an ‘add on’ to an already full worksheet. Only in one region did I hear of an officer whose normal workload had been reduced to allow them to focus more on race equality. In one other region a Senior Organiser had been given managerial responsibility to oversee Equality across the region. However, the perception is that industrial and organizing demands always take priority.

23. One very positive example of activity at regional level can be found in the various initiatives developed within some regions in relation to Migrant Workers Projects. Much of this activity is being funded by the Union Learning Fund and are proving to be successful not only by recruiting and assisting migrant workers but by developing a high profile for GMB as **the union** for migrant workers.

NATIONAL ACTIVITY

24. At National level, the National Officer with responsibility for Equalities* convenes meetings with NERAC, NRC, Regional Equal Rights Officers, Regional Race Officers and more recently Shout! Forum. Additionally there are several joint NERAC/NRC meetings held annually as well as joint meetings with these bodies and the Equality Officers. Therefore there are normally more than a dozen meetings held at national level in relation to the equality agenda. On examination of the minutes and reports the meetings are again largely process driven and there is little evidence of planned activity.

25. The National Equal Rights Conference is still currently biannual but there have been ‘Equality Events’ held in a number of the intervening years. The National Race Conference is organised along the same lines with events held in intervening years to coincide with Black History Month. The National Officer for Equalities represents the union on the TUC Women’s Committee.

26. A National Secretary/National Officer organise National Disability Forum meetings as and when and the Deputy General Secretary coordinates Young Member activity.

CONCLUSION AND RECOMMENDATIONS

27. The CEC recognised, following the Elizabeth Henry report that it needed to take some major steps towards making the GMB a more inclusive union. Assisted financially by the Government’s Union Modernisation Fund, some important measures have already been implemented, beginning with the delivery of the Union’s

first ever training programme for *all* GMB employees. This diversity awareness training is the first step towards creating a better understanding amongst the senior management, officers and staff of equality and diversity issues, and how these affect the way that they carry out their role on an everyday basis.

28. This training programme, whilst important, involves only GMB employees. The review allowed the opportunity to evaluate how the Union's equalities structures and arrangements enable the other key players – the activists – to work in conjunction with GMB officers in tackling discrimination, overcoming barriers to equality and diversity, and providing an effective and appropriate service to the GMB's diverse membership.

29. The special report '*For Justice and Equality*' was adopted at Congress 2006 and the report concluded by predicting that on completion of the project the GMB will be 'equipped with clear strategies for diversifying the union's profile and implementing equality and diversity in all our structures'.

I would argue that our current structures are not only ineffective and outdated but are incapable of delivering the support, guidance and direction required organisationally to deliver an ambitious equality programme that would set us apart from other unions.

30. The review revealed a widespread dissatisfaction with the way that equalities issues are currently progressed within the GMB. There is clearly scope to do much more to progress our equal opportunities and anti-discrimination agenda and pursue the Union's objectives as outlined in Rule 2.5. We must establish and promote clear policy objectives that will apply sustained pressure upon employers to meet their legal and social obligations and introduce the type of permanent and structured change that would help to guarantee equality for all.

31. The GMB's current equality structures are seen by the majority of those who were consulted during the review as being unproductive and outmoded. This majority viewpoint was reinforced by the evidence gained from the minutes and agendas of meetings held. Many meetings at Regional level are poorly attended and/or inquorate, or cancelled at short notice due to the number of apologies tendered in advance.

32. Decisive action is required to refresh and rejuvenate the GMB's equalities performance. We must build upon the equality and diversity training to maximise the opportunities that exist, and enhance our ability to make significant progress on the key equality and diversity issues that affect our members.

It is recommended that a working group consisting of Representatives from the CEC Organisation Sub-Committee, SMT, Equalities National Officer and lay officers from the respective Equality Committees meet at the earliest opportunity to consider the following options:

- 1. That the current separate equality bodies be replaced by a single equality body which will bring together GMB equality experts and act as a single source of information, advice and guidance, a single point of contact for all stakeholders**

2. **The newly-formed GMB National Equalities Forum will be responsible for driving the union's equality and diversity agenda and providing a powerful vision and a strategic direction to our organisation.**
3. **The National Equalities Forum will comprise of:-**
 - **2 representatives specialising on gender based equality issues**
 - **2 representatives specialising in race based issues**
 - **2 representatives specialising in LGBT issues**
 - **2 representatives specialising in young member issues**
 - **2 representatives specialising in disability issues**
 - **2 representatives specialising in migrant worker issues**
 - **1 National Officer specialising in Equality and Diversity**
4. **That the Regions to organize an annual Equalities event to profile the equalities work of the GMB and to elect representatives to attend National Conferences for each of the separate equality strands.**
5. **that the post of National Equality & Diversity officer is established to develop the function of the National Equalities Forum and to mainstream equalities throughout all sections of the GMB.**

The Working Group will present their report to the CEC at the earliest opportunity.

(Adopted)

THE DEPUTY GENERAL SECRETARY: Congress, I present to you the CEC Report, Progressing Equality Issues in the GMB. Congress, last year when we were in merger discussions with the T&G and Amicus one of the first basic principles that we agreed at our first meeting was that the principle of equality would be at the heart of everything we would do in the new union. Those of us that were involved in those negotiations were subsequently charged with comparing our respective structures to see which was the most effective in promoting equality and tackling discrimination.

Well, what me and Sheila Bearcroft, who were charged with this soon discovered was that on paper it appeared that the other unions had more committees, had more reserved seats, had more quota systems, had more resources, had more conferences, had more specialist journals, and more dedicated officers. But, guess what, when we compared performance, effectiveness, and delivery, we were streets ahead and our colleagues from the other unions were left scratching their heads.

As we know those discussions did not reach their conclusion. However, Congress 2006 gave us the opportunity to reconsider these issues anew when delegates endorsed a call for a review of how equality issues are progressing within the GMB. On behalf of the CEC I conducted a review and sought views and opinions from across the union. Let me just say from the outset, there is a tremendous amount of activity taking place throughout the union on equality and diversity. I mentioned on Sunday that having successfully completed our training we are now entering phase 2 of our UMF funded equality and diversity project. The campaign company who are our partners in this project are here this week conducting one to one interviews with equality reps.

In North West & Irish Region they are organising women's weekends to train, educate, and develop women members, which is hugely popular and successful. In Birmingham women in the region have developed a women's charter and held conferences which have forged links with women's groups across the region and have considerably raised the profile of the GMB. In South Western Region key women activists are at the heart of promoting equal rights. Rowena Hayward has been involved in the production of ground-breaking work with Bristol City Council and work life balance, and another of our key women activists works closely with the Welsh Assembly promoting equal rights and LGBT issues. In the Northern Region we have the most vibrant young member group and we heard in yesterday's debate they are at the forefront of the campaign to achieve equal pay in local government, and well done to the three first-time women speakers in that debate, you were excellent.

In GMB Scotland we play a full part in the STUC equality bodies and Cathy Murphy as chair of NERAC is an inspiration to us all for her dedication in representing women workers in Asda. In Midlands & East Coast Region a senior organiser has now been given specific management responsibility for overseeing equalities progression. In Yorkshire there has been continued involvement in anti-racist and anti-fascist activity.

In London Region also the commitment of activists in targeting the BNP in Barking and Dagenham has been amazing and has its commitments in championing LGBT activity and promoting Black History events. And last but not least in Southern Region we have witnessed active involvement in anti-racist activity and young member development but the establishment of a migrant workers branch, which now has over 200 members and is attracting nationwide attention, has placed the GMB on the map as being the union for migrant workers.

I am skimming the surface here but do not let it be said that the GMB is not actively involved in promoting equalities. We are. Furthermore, as was recognised by Gordon Brown this morning, we are recruiting more women into the union than ever before, more young members are joining and becoming active, record numbers of migrant workers are turning to the GMB. We are developing strategies and setting targets to recruit and involve more black and minority ethnic members.

However, this activity is taking place by and large outside of our existing equality structures so we need to take this opportunity to ensure that we have a new robust framework to build on our achievements and to continue to deliver our equalities agenda. The establishment of a single equalities body with representatives from each of the equalities strands supporting regional activity, providing a strategic direction to the union, service by a dedicated equality and diversity officer, would, I believe, enhance our equalities agenda.

What we are suggesting in the report is that a working group made up of members of the CEC, the senior management team, and each of the equality groups meet to discuss the details of these proposals, such as the organisational, financial, and rule book implications, and indeed take on board the motions that will be debated here

today. We will be reporting back to the CEC and all other stakeholders on the progress that we make throughout the coming year. Congress, I move the report.

THE PRESIDENT: Thank you, Debbie. Paul Kenny to formally second.

THE GENERAL SECRETARY: Formally.

THE PRESIDENT: Thank you. Can I call Motion 38, from the London Region, Equality and Diversity Issues, Composite 1, Motions 41 and 42, and then 43? Thank you. Will the movers and seconders please come to the platform, or wherever!

UNION ORGANISATION: EQUALITY & DIVERSITY

MOTION 38

EQUALITY AND DIVERSITY ISSUES

As a national trade union the GMB must aim as high as possible on all equality/diversity issues. Congress considers what follows to be reasonable aims and objectives. Congress moves that:-

1. GMB will adopt clear policies on all equalities issues.
2. GMB will be in a position to provide clear guidance and direction to lay reps and paid officials in line with those policies.
3. GMB will proactively push and promote those policies within all employing organisations.
4. Those policies to be based on seeking for all employers, regardless of which "sector" they fall within, to promote positively non-discriminatory measures in their employment practices and service provision across all diversity/equalities areas.
5. GMB will push proactively for the standards and practices adopted by employing organisations to be such that they are not merely gestures and tokenism but are forms of real positive action that allow for lasting and structural change.
6. GMB will provide full and proper training to lay reps and full time officers that equips them to challenge employers and to push and promote our agenda.
7. The GMB will follow the Henry Report and adopt employment, recruitment and election procedures that conform to the positive duties and responsibilities that come from Amendments to the Race Relations Act 2000.
8. The GMB will adopt employment, recruitment and election procedures that actively and positively promote non-discriminatory measures across all diversity/equalities areas.
9. The GMB will ensure that its mechanisms and systems of operation are such that they allow and encourage the widest range of members and activists.
10. The GMB will ensure that Diversity/Equality issues are a key element on all negotiating agendas and all GMB campaigns.
11. The GMB will push the TUC to adopt membership/affiliation criteria that requires the adoption of the measures covered in 7 & 8 herein.

12. The GMB will push the TUC to adopt more stringent audit processes in relation to the approach of consistent trade unions to equalities/diversity issues.

13. The GMB and other TUC affiliates will push government for the creation of amendments to all equalities legislation that requires employers to positively promote equality in employment practice and service delivery across all diversity areas.

14. The GMB will push proactively for standards, practices and provisions within this legislation to be considerably improved so that these non-discriminatory measures move employing organizations away from gestures and tokenism to real positive action that allows for lasting and structural change.

15. The GMB will ensure that it has the best possible workable and democratic processes that allow for full involvement of Race and Equality Rights Committees and other like groups (e.g. Shout!). Those committee and groups to also have workable and democratic mechanisms of operation.

16. The above steps will be introduced as a matter of urgency and not simply referred to other committees or sub-committees.

WESTMINSTER TUPS BRANCH
London Region

(Carried)

BRO. R. GILL (London): President, Congress, I welcome the comments made by Debbie on equality and diversity. I think what the motion talks about is a clear defined policy on equality issues and guidance to the lay rep and it talks about training, not only training of the fulltime officers, it talks about training of the lay representatives and the branch Race and Equality Officers. Now, since the Race Relations Act was introduced in 2000 we have moved on in terms of equality and diversity. I think we need to address the question of employment, recruitment, election procedure and also how we can advance that in terms of updating legislation.

What the motion also talks about is the implementation of Dr. Henry's report in full and asks that the Race and Equality Committees and other advisory committees are consulted in any process and updating of structure and clear guidelines. I think I am encouraged by some of the things that Debbie has said in terms of involvement. I think Race and Equality Committees and groups such as SHOUT need to be fully involved and I ask Congress to support this motion and thank you very much for listening. Thanks.

THE PRESIDENT: Thanks, Raj. Secunder?

Motion 38 was formally seconded.

THE PRESIDENT: Thank you. Composite 1, Equality Duties. South Western to move and Northern Region to second.

COMPOSITE MOTION 1

39 – Equality and Diversity – (Northern Region)

40 – Gender, Disability and Race Equalities Duties – (South Western Region)

EQUALITY DUTIES

Congress recognises that discrimination is widespread across the labour market in all sections of the economy and all sections of the workplace; that segregation by age, gender, race, sexual orientation and disability are also widespread.

As a modern union we must ensure our reps fully understand and are able to contribute to this decision making process in order to protect and ensure our members are not disadvantaged. The main thrust should be around positive action and increased consultation therefore we must ensure we have a stake in this.

Congress therefore calls for a major campaign to promote legislation to ensure statutory monitoring of equality and diversity in the workplace and to promote positive action.

We call upon congress to ensure our lay reps are adequately trained in the new equalities duty relating to race, disability and gender which is now required by all public sector organisations and contractors/agencies who undertake a public service. Each organisation is required to produce a specific equality scheme (Gender Equality Scheme (wef April 2007), Disability Equality Scheme (2006) and Race Equality Scheme 2003). These documents set out clearly the organisations action plan to tackle 'gaps' in the provision of service and employment.

Congress we ask you to support.

(Carried)

SIS. R. HAYWARD (South Western): Congress, the Equality Act 2006 placed a requirement on public authorities to have due regard to the need to, one, promote equality of opportunity, two, to eliminate unlawful discrimination and harassment covering gender, disability, race, sexual orientation, religion and belief, and age. This is known as a general duty and applies to all functions covering employment, service delivery, policy making, including services contracted out as well as to voluntary sector organisations providing functions for public authorities. To support the delivery of the general duty there are a number of specific items identified and implemented through schemes setting targets, timescales to identify gaps.

Colleagues, what does this really mean? For example, the British Deaf Association is asking local authorities across the UK to sign up to their charter for the British Sign Language. The charter sets out a number of key pledges to improve access and rights for deaf people who use sign language, to improve access for deaf people to local services and information, to give all deaf children the option of a bilingual education, BSL and English, to ensure all staff carrying out these duties are fully trained. Under the duty and individual schemes this now gives us the power to hold our public bodies to account and get them to demonstrate how they are going to tackle the inequality of opportunity which takes place and which many of our members experience all too frequently.

As a modern union we must ensure lay reps and officers fully understand and are able to contribute in this decision-making process in order to protect and ensure our

members are not disadvantaged. If changes are required in the way we deliver our services, we must ensure proper training and support is given, including paid time off to acquire these skills and proper recognition in the pay structure. The main thrust is around positive action, elimination of unlawful discrimination, and increased consultation. We must ensure we have a stake in this. Congress, we ask you to support.

THE PRESIDENT: Thank you, Rowena. Secunder?

BRO. T. EARL (Northern): Congress, a very nervous Tommy Earl from Northern Region.

THE PRESIDENT: Tommy, can I say just relax and don't worry. All right?

BRO. T. EARL: Seconding Composite 1. Congress, the GMB has a proud record of working for equality and opposing discrimination. We were the first trade union in the UK to appoint a national officer especially to work on equality issues. The GMB is the first to have a National Equality Rights Department and an Equality Officer in every region and every branch. Equality at work is one of the mainstreams of the GMB work programme, not a side or secondary issue but right there at the top of the agenda.

Composite 1, colleagues, simply seeks to enhance our equality at work, to call for improved training and support, to ensure that our reps at every level have the skills and tools to get the job done. Congress, I urge you to ensure that the GMB stays ahead of the game and remains the UK's leading trade union on equality. I support Composite 1.

THE PRESIDENT: Well done. The mover and seconder of Motion 41, Birmingham & West Midlands.

MOTION 41

LGBT (SHOUT)

This Congress recognises the particular issues faced by Lesbian, Gay, Bisexual and Tran's members in both the workplace and in our society, in combating prejudice, discrimination, harassment and even violence. This conference reaffirms its commitment to equality and diversity across the strands and welcome the revitalised National GMB Shout! Forum in supporting LGBT members.

Congress believes that there should be an LGBT forum, GMB Shout in every region as well as the national committee and these should be supported by an officer responsible for LGBT issues along with training programme.

This Congress therefore believes that the Central Executive Committee must:

Encourage the formation of GMB Shout Forums in every region working with the National GMB Shout group.

Develop with GMB Shout, a training programme for LGBT members and for shop stewards and full time employees.

Hold a national conference for LGBT members along similar lines to the race conference.

Provide resources for the day to day running of the national GMB Shout group.

Sponsor London and regional prides.

Include GMB Shout in any further work required on reviewing equalities structures within the GMB.

B01 – BIRMINGHAM FORWARD BRANCH
Birmingham & West Midlands Region

(Carried)

SIS. L. BRITAIN (Birmingham & West Midlands): President, Congress, Lesbian Gay Bisexual and Tran’s members, and prospective members, still face discrimination in both the workplace and society at large. Education is essential if the GMB at large are to fully move to understand an acceptance of LGBT people and dispel any fear of difference and encourage full participation in trade union life. This could be achieved by having an officer with responsibility for LGBT issues on an LGBT SHOUT forum in every region together with a training programme to raise awareness. This would be a driving force in bringing forward equality in this area. In sponsoring the London Region Pride events this would also further highlight the GMB as a union that welcomes and embraces the one in 10 of the population that identify as LGBT. I move.

THE PRESIDENT: Thank you very much. Could we have a seconder?

Motion 41 was formally seconded.

THE PRESIDENT: Thank you. Motion 42 to be moved by the London Region.

MOTION 42

GMB COMMITMENT TO EQUALITY

This Congress recognises the particular issues faced by Lesbian, gay, bisexual and trans members in both the workplace and in our society, in combating prejudice, discrimination, harassment and even violence. This conference reaffirms its commitment to equality and diversity across the strands, and welcomes the revitalised National GMB Shout! Forum in supporting LGBT members.

Congress believes that there should be an LGBT forum, GMB Shout! in every Region as well as the National Committee, and these should be supported by an Officer responsible for LGBT issues along with a training programme.

This Congress therefore instructs the CEC to:

Encourage the formation of GMB Shout! Forums in every Region working with the National GMB Shout! Group.

Develop with GMB Shout! A training programme for LGBT members and Shop Stewards and full time employees.

Hold a National Conference for LGBT members on similar lines as the race conference.

Provide recourses for the day to day running of the National GMB Shout! Group.

Sponsor London Pride each year by at least £1000 along with other unions under the TUC sponsorship.

Bring rule amendments to the 2008 GMB Congress to create seats on Regional and National committees.

Include GMB Shout! In any further work required on reviewing equalities structures in the GMB

GMB@PCS BRANCH
London Region

(Referred)

BRO. B. SHAW (London): Congress, this motion is almost identical to Motion 41, the difference is this motion calls for the CEC to bring rule amendments to Congress 2008 to allow for reserve seats at regional and national level for Lesbian, Gay, Bisexual, and Transgender members. Most estimates of the population suggest that 10% of the UK population identifies as LGBT.

Congress, reserved seats ensures that the union reflects the membership we represent. Reserved seats also ensure that the issues that members face in equality areas are raised at regional and national level and that campaign is going to be developed by the members that the issues affect. The specialism that is identified in the equality review is needed on those committees. As you welcome the equality review in lots of ways it gives us a national officer on equality, it gives us training, and it gives a whole agenda to go forward. I am glad that basically we are going to have a working party, including all the areas, and are actually taking those issues forward so that we actually get it right for the future, and that I think is important.

Congress, there appears to be a settled will across the Trades Union Movement that there are reserved seats for black members, GMB goes further and rightly provides reserved seats for women members at regional level and national level. Indeed, the TUC now have reserved seats for the General Council for all the equality areas and David Lassells, GMB member, was successful in being elected to be TUC LGBT reserved seat for many years. If reserved seats are right for black and women members, then it is right for LGBT members as well. This motion allows the Central Executive Committee to consult regions and SHOUT to determine how this can be achieved. If all amendments are passed next year we can elect regional committees in 2009 and the Central Executive Committee in 2011. The CEC has asked for this motion to be referred to the CEC and on the basis there is a debate I can agree that that can happen. I was going to finish with the words of a song to the CEC, which was, *Every breath you take, every move you make, I will be watching you*, but after Paul's speech yesterday I conclude, Paul, on the Central Executive Committee you asked for Trust, well, I am giving you that trust to deliver for LGBT members of the GMB. I move.

THE PRESIDENT: Thank you. You need an oxygen cylinder to catch me, I am telling you. Secunder?

Motion 42 was formally seconded.

THE PRESIDENT: Thank you. Motion 43, North West & Irish Region to move.

MOTION 43

GMB SHOUT FORUMS

This Conference recognises the particular issues faced by lesbian, gay, bisexual and trans members in both the workplace and in our society, in combating prejudice, discrimination, harassment and even violence. This Conference reaffirms its commitment to equality and diversity across the strands and welcomes the revitalised national GMB Shout Forum in supporting LGBT members.

Conference believes that there should be an LGBT Forum, GMB Shout in every region as well as the National Committee and these should be supported by an Officer responsible for LGBT, along with a training programme.

This Conference therefore instructs the CEC to:

Encourage the formation of GMB Shout Forums in every region working with the National GMB Shout Group.

Develop with GMB Shout a training programme for LGBT members and for shop stewards and full time employees.

Hold a National Conference for LGBT members on similar lines as the Race Conference

Provide resources for the day to day running of the National GMB Shout Group.

Sponsor London Pride each year by at least £1,000 along with other unions under the TUC sponsorship.

Bring rule amendments to the 2008 GMB Congress to create seats on Regional and National Committees.

Include GMB Shout in any further work required on reviewing equalities structures in the GMB.

177 TYLDESLEY BRANCH
North West & Irish Region

(Referred)

BRO. P. McCARTHY (North West & Irish): Agree to refer, Mary.

THE PRESIDENT: Congress agree? *(Agreed)*

(Motion 43 was referred.)

THE PRESIDENT: Thank you. Does the region agree on 42, reference? *(Agreed)*

(Motion 42 was referred.)

THE PRESIDENT: Can I call Elaine Daley on Motions 38 and 41, because 43 is now referred back.

SIS. E. DALEY (CEC, Commercial Services): President, Congress, the CEC supports Motions 38 and 41 with qualifications that I am about to make. In addition, the CEC is asking Congress to refer Motion 43.

In Motion 38 point 13 seeks to commit other trade unions to actions that the GMB cannot guarantee. Points 15 and 16 restrict the union to specific arrangements when these may not be the most appropriate means to achieve the goals that this motion and the CEC wish to see.

Motion 41 pre-empts the CEC commissioned report that examines the current equality structures that are being discussed at this Congress. This report, along with the staffing and financial implications of the framework outlined in this motion, also need to be given consideration.

The CEC is asking Congress to refer Motion 43 on the grounds that this will be better reflected in the discussion of the CEC commissioned equalities review. This motion would require further discussion as there may be repercussions for the CEC Task Group Report and the Finance Committee. Also, it would require amendments to the rule book which may be better considered as part of the review of the Regional Council composition.

The CEC are requesting that Congress supports Motions 38 and 41, subject to the qualifications I have just outlined, and refer Motion 43.

THE PRESIDENT: Thank you, Elaine. Does Birmingham & West Midlands accept the qualification? (*Agreed*) You do. Thank you. Can I now put the CEC Report on Progressing Equality Issues to the vote? All those in favour please show? Anyone against? That is carried.

(The CEC Report on progressing Equality Issues in the GMB was adopted.)

THE PRESIDENT: Does anyone wish to come and speak on those resolutions? I am sorry, I have done it backwards.

BRO. DAY (Southern): Supporting the motions raised and also wishing to relate these to the CEC Report on Progressing Equality Issues in the GMB. I would like to thank Debbie for her hard work in conducting the review. I know she spent a lot of time meeting the equality strands and considering the work they do in progressing the GMB's equality agenda. It is extremely positive to see the review considers the role of migrant workers within the GMB's equality structures and I welcome such a move to give these brothers and sisters proper representation.

The report states the current structures have issues that need to be addressed to make sure that the GMB's equality structures are fit for purpose. In doing this, however, we must make sure that any changes reflect the commitment and support that each region has given to progressing the agenda. It is important that the equality strands are involved in more joined-up working where common issues need to be campaigned on

and the report does suggest we do this. It is a pity that only one option has been tabled for consideration, however, as a way forward. I urge Debbie to consider different options to put forward to the working party which could incorporate improvements to the current structures or have the suggested national equalities forum as a body above the current structure to encourage more joined-up working between the equal rights, race, disability, and SHOUT bodies.

We welcome the setting up of the working group and are positive they will come up with a structure that complements the GMB's strengths in campaigning for equalities in which we know we are a leader. Thank you.

THE PRESIDENT: Thank you. Anyone else?

BRO. B. SHAW (London): Thanks, President, for calling me. I am supporting Motion 41. Congress, yesterday Paul Kenny proudly told Congress the progress made on the organising agenda which has seen membership grow. I am proud to be part of an organising and campaigning union and believe strongly that equality areas totally embrace that agenda. The GMB SHOUT certainly has, building networks for Lesbian, Gay, Bisexual and Tran's members in London, Southern, Birmingham and West Midlands, as well as the North West & Irish; more on the way, I hope. Those networks are outward facing campaigning and organising LGBT workers, and most recently over the right not to be discriminated against in the areas of goods and services. No longer can I be turned away from a hotel because I am gay, and I think my Regional Secretary, Ed Blissett, wrote to GMB sponsored MPs and the Minister, Ruth Kelly, on this issue as did Debbie Coulter, Deputy General Secretary, from the National Office, ensuring the regulations could not be watered down.

Just as important is reaching out to the LGBT workers showing the GMB take LGBT equality seriously. At London Pride last year we had two rainbow arches with GMB balloons and about 10 GMB banners. For the first time ever I have been clapped on a march, many GMB members proud to see our union present at Pride but many other non members who we sought to recruit to the GMB. This motion does not ask for a blank cheque, just ask Ed. We have costed what we want to do with a clear focus of recruiting and organising, and SHOUT is extremely grateful for the support and encouragement that Ed and the London Regional Council have provided.

This motion calls for regions and for the CEC to support the work of SHOUT. Paul Kenny, we will provide the enthusiastic hard-working LGBT members to help build this campaigning, recruiting, organising union. I support.

THE PRESIDENT: Thank you, Brian. Anyone else? Can I now move to the vote on Motions 38 and 41? All those in favour please show? Anyone against? They are carried.

(Motion 38 was carried.)

(Motion 41 was carried.)

THE PRESIDENT: Colleagues, before I move on to the next I would like to make this announcement.

We have Vaughan Gething with the South Western delegation and I just want to let you know that Vaughan is the first black Vice President of Wales TUC, and he is also a GMB member. So give Vaughan our regards and best wishes. (*Applause*) Thank you.

Can I now move to Motions 45 and 49? I will be calling both down now to move and second. Sorry, Jan. Naughty Mary! Colleagues, I did not put Composite 1 to the vote. All those in favour please show? Anyone against? That is carried. Don't do that again, Mary! No, I won't. All right. Jan, over to you; sorry.

(Composite Motion 1 was carried.)

MOTION 45

EQUAL RIGHTS AND RACE RELATIONS COMMITTEE

Congress calls on the CEC to investigate funding for the Equal Rights and Race Relations activities. Congress says if Race Relations is to be viable and successful it needs to be funded. It will not be able to hold events like the Black History Event if it hasn't got any funds.

Congress says the Equal Rights and Race Relations cannot be dependant on donations which may not be forthcoming.

EAST DEREHAM BRANCH
London Region

(Carried)

SIS. J. SMITH (London): Congress, this Committee was founded through many Congresses requesting that we have an equality meeting and from that we progressed to a Race Relations Committee. These two committees are now combined as to when they have their annual conferences but out of these committees they do some very good work and they also have events to promote what they are all about. Within that we have the Black History event, there is SHOUT, we have all equality issues, and the LGBT, all these have various events and therefore they need funding. Congress, it is very embarrassing when you turn up at the conferences and find that the monies that had been promised were not forthcoming and therefore there is a deficit. So, Congress, please support this resolution and, Paul, I am requesting that you release some of the purse strings to allow the CEC to look into ways to fund these very valuable committees because without them we cannot go forward. I move.

THE PRESIDENT: Thanks, Jan. Secunder?

BRO. T. BAILLIE (London): Mary, before I actually second this can I actually approach, please?

THE PRESIDENT: Why?

BRO. T. BAILLIE: I think I have been a naughty boy.

THE PRESIDENT: You have been a naughty boy. You owe me a tenner. Thank you.

BRO. T. BAILLIE: An honest naughty boy, Mary! (*Laughter*)

THE PRESIDENT: Ooh, I don't like honest naughty boys, Tom. Get off! Thank you.

BRO. T. BAILLIE (London): Congress, this motion is self-explanatory. It is seeking resources to be provided for the day-to-day running of a national committee and regional committee for all the individual groups within the Equalities and Race Committee. We have within the Committee groups like LGBT (Lesbian Gay Bisexual and Transgender Group) – watch them teeth, Tom – SHOUT, BEM (Black and Ethnic Minorities), the Young Members Group, and all these areas, these groups, are looking to be properly funded, independent groups not all to be lumped together like a stew pot and dished up as some kind of hotpot.

We all take pride in our own individuality and these groups are no different. LGBT SHOUT wish to promote London Gay Pride and other events along those lines. They need the proper funding to be able to do these things. The BEM wish to promote Black History and many other events in that arena; they also need funding and resources to be made available to do these things.

Our Young Members wish to promote what the young members wish to promote. It is so long ago since I was one that I cannot really remember. What was it, all those sort of youthful ideological aims, a new world order and free beer for all; that is the young members.

In all these areas we are actively recruiting members with the aid of members of these committees. We are only able to do this because of the participation in the events mentioned beforehand. If these groups do not get proper funding and are accepted as stand alone groups in their own right, and of course they will need the proper guidance from both national and regional officers, then we are liable to lose out in the field of recruitment and could also lose members in these areas if they feel they are not being catered for.

I for one do not wish to see this happen and to be honest about it we cannot ask for these events to be put on without them being properly funded, and not as they are as of now looking for donations from all over the place. They are here and there, constantly running around with a begging bowl every time they wish to organise an event. I ask for your support.

THE PRESIDENT: Thank you, Tom. Mover of 49, Midland & East Coast Region.

MOTION 49

NATIONAL RACE CONFERENCE

Congress agrees that the frequency of the National Race Conference be held on an annual basis.

GOOLE BRANCH
Midland & East Coast Region

(Referred)

BRO. C. GUNTER (Midland & East Coast): President, congress, in recent years there has been a serious concern that as a result of the GMB financial situation there has been a reduced effort to maintain our race structure and focus. In particular, the movement from an annual race conference, which has had a knock-on effect with the regional race conferences, has put us out of kilter with the annual conferences that continue elsewhere, i.e. the Black Workers Conference.

Whilst it is acknowledged that changes were necessary to manage our way through difficult times, it is now time for us to re-energise our affairs in terms of restoring our race structure and key events. By ensuring that the National Race Conference is held annually we will alleviate the significant concerns of our many activists who have propelled the race agenda throughout difficult times, and will inject confidence and direction back into the region. I move.

THE PRESIDENT: Thank you. Secunder?

SIS. D. MILLS (Midland & East Coast): President, Congress, whilst we have been through difficult times and we have had to tighten our belts, we are now as a result of that facing a far better future. Unfortunately, whilst we have had to tighten our belts the issues with regard to race have been expanding in terms of their seriousness and their impact on our membership. We are all aware of the huge issues regarding migrant workers and the massive impact that the influx of many people from different backgrounds into workplaces is having on our membership and our agreements at the workplace. We also see an emboldened BNP that, although in certain areas fail to progress in the local elections, has been galvanised by the increasing propaganda about immigration. To combat these areas of concern we must have a structure that is able to respond on an early basis to ensure that we the GMB are at the forefront and on the front line of the fight against racism. I second this motion. Please support. Thank you.

THE PRESIDENT: Thank you, Dorothy. Can I call Debbie Coulter to respond on Motion 49 and also 45?

THE DEPUTY GENERAL SECRETARY: Thanks, President. The CEC is supporting Motion 45 but I think it is appropriate that I just comment on some of the issues that came up in the speeches and give you an assurance that it is simply not the case that the Equalities Department does not have a budget. I am the budget holder and unlike all the other sections I sit down with the Equal Rights Officer at the start of the year and ask her what she needs in terms of conferences and campaign budgets. It is not the case to say that every other part of the union has a budget and Equal Rights has basically to go round conducting raffles to organise its own conferences.

I think maybe the misapprehension here is that a couple of years ago the National Race Committee, and it was an initiative of theirs, said that they would like to organise a Black History Month's event which would be self-financing, and they very successfully raised a lot of funds to put on that event. In actual fact they did not raise sufficient funds so the union was able to assist them. It was not the case that they were ever embarrassed or indeed that there was a deficit. A lot of that activity

actually takes place within the regions now, and Birmingham Region this year is hosting the Black History Month's event.

This is just a point of reassurance, really, on that. Nonetheless, the CEC is happy to look at and investigate maybe ways that we can make these arrangements more transparent so people are aware of how we arrive at our campaigns and conferencing budgets for Equalities.

Motion 49 calls for the return of an annual National Race Conference. We are suggesting that the movers of the motion refer. It is clearly one of the issues we would be looking at in terms of the Equalities Review. One of the things that the Equal Rights Committees and the Race Committees, and now the Young Members Committees, have to do is to sit down once a year and work out motions and delegates to external conferences like the TUC Conference and the Black Workers Conference, and now the TUC Young Members Conference. We do need mechanisms whereby we can bring people together and talk about policy. I would ask if we can refer that to the Equalities Review Working Group, which is a title I have just made up off the top of my head but it looks like it is being given life today.

I would also reiterate the fact, really, please do not get lost with this misconception that in order to drive through equalities activities you need a national conference. You do not. A lot of the activity that you spoke about, the campaigns on recruiting and organising migrant workers and our campaigns fighting the BNP, are happening already and are happening with a great deal of success, and a great deal of inter-regional and national input and activity. It is one of the areas that we will look at.

Finally, a comment to the colleague in Southern Region about the paper being rather short on options, I think one of the things that we said from the onset of the review is that if anybody had any ideas they were very welcome to submit them either in terms of reforming or strengthening existing structures, or looking at alternative models. In actual fact the only one that came up and consistently came up, and indeed was a motion to both equality conferences from South Western Region, was the idea of a single equalities body. There was a distinct absence of any other options that have come forward. However, we will be sitting and reviewing all of this for the next year so if your branch, your region, does have any further suggestions we would be happy to receive them. Thank you.

THE PRESIDENT: Thank you, Debbie. Does Midland & East Coast accept reference in favour of the Equalities Review Report? (*Agreed*) Thank you. I thought the gas was working! Does Congress accept? (*Agreed*) Thank you.

(Motion 49 was referred.)

THE PRESIDENT: Can I now move to the vote on 45; with Debbie's comments the CEC is supporting. All those in favour? Anyone against? That is carried. Thank you, Deb.

(Motion 45 was carried.)

THE PRESIDENT: Can I now move to Composite 2, Young Members, CEC support, London Region to move, Birmingham & West Midlands Region to second.

COMPOSITE MOTION 2

50 – Young GMB Members Representation – (London Region)

51 – Young Members Section – (Birmingham & West Midlands Region)

YOUNG MEMBERS

We call upon this Congress to address the present decline in our Young Members Section.

In order for our Union to grow and develop we need to become more attractive to those workers under the age of 30 who have probably never been a member of a trade union in their working lives, and for whom current legislation is unfair.

This Congress recognises the issues faced by young members in both the workplace and in our society, in gaining representation, and the low density and general lack of awareness of employment rights of people under the age of 27.

One of the ways to access this group would be to utilise our ties with the labour party who we are led to believe have a very active Young Members section. We would ask that joint meetings are set up with our Young Members section and the labour party to strengthen the link, and hopefully encourage young labour party activists to become trade union activists who after all are seeking to remedy the same inequalities.

Also this Congress recognises a greater democratic voice and input into decision making processes should be given to young members' representatives who are the future lifeblood of the union. This Congress recognises that the national young members' conference held on 4th and 5th November 2006 was a major step forward into reinvigorating young members' structures nationally and regionally and needs to continue developing.

Congress believes that despite recent good work to date the regions should increase their efforts, and look at ways of identifying key activists in an effort to set up regional youth committees.

This Congress therefore calls on the Central Executive Committee to:

- Provide extra resources and encourage the re-establishment of regional youth committees.
- Recognise young member issues not just as equalities, but as an organisational issue.
- Develop with GMB national office and regional youth officers along with key young member activists to develop a training and recruitment programme for young members, shop stewards and officials.
- Include GMB young members' representatives in work on reviewing internal and equalities structures within the GMB.

(Carried)

BRO. C. WHITMORE (London): President, Congress, comrades, it is a pleasure to stand here and speak on this vital issue against a backdrop of good news. Before I go on I will just point to some of the challenges that we have. On this occasion, and possibly only this occasion, I am prepared to be wrong. I think that I am the youngest delegate in the London Region and I am knocking 40!

THE PRESIDENT: Wrong. I am 21! *(Laughter)*

BRO. C. WHITMORE: Can I say it in public, wrong again. As Paul Kenny said on Monday, the myth that young people do not join unions is being well and truly blown to bits across all the regions of the GMB. I welcome the work being done in our regions and congratulate the SMT and the CEC on the leadership they have shown. The question that this composite addresses is how we guarantee that we can all benefit from the voice and commitment of new young members.

With CEC support, and I sense wide support in the hall, I simply emphasise two points. The first is to underline the simple truth that organising costs money and that we must ensure that young members have a fully resourced structure at local, regional, and national level. On the second issue, that of young members and the equalities agenda, I warmly welcome the fact that only a few minutes ago the CEC Special Report on Progressing Equalities got there first and that young members will have a guaranteed role and a new national equalities forum. With young members choosing the GMB in droves, I would ask for your support for Composite 2 to ensure that the choice they make is a choice for life. I move.

THE PRESIDENT: Thank you. Secunder?

SIS. J. INGLEBY (Birmingham & West Midlands): It is imperative for our future as a relevant and effective movement that this union recognise and act upon the issues that young people face in the workplace. We ask Congress to strengthen our ties with the Young Members Section of the Labour Party, to encourage joint meetings to strengthen these links, and to encourage young Labour Party activists to become the next generation of trade union activists.

Congress, young people are joining our union and in order for our union's continuous growth the GMB needs to continue to become more attractive to our young people who will carry us forward in the 21st century as a modern and progressive union. I second.

THE PRESIDENT: Thank you, Jackie. Does anyone wish to come in on the debate? (*No response*) Congress, before I take the vote I would just like to inform you that last year you awarded the Congress Young Members Award to Russell Fraser, and it was then forwarded on to the TUC, and you will be proud to know that our Young Member has won the TUC's Gold Award for Youth. (*Applause*)

Can I move Composite 2, Young Members, to the vote, please? All those in favour? Anyone against? That is carried.

(*Composite Motion 2 was carried.*)

THE PRESIDENT: Can I now ask Jo Batke, GMB Young Member, to address Congress. Before you do, Jo, could I say that although Jo has been suffering from rheumatoid arthritis since the age of 11, this has not stopped her doing a lot of things in life. She joined the GMB at the end of November 2005 and is a member of the Bournemouth B40 Branch. She became a Union Learning Rep and Youth Officer in early 2006. She has worked at the new Asda store in Poole since August 2004. Congress, I ask Jo to address Congress. (*Applause*)

JO BATKE, GMB YOUNG MEMBER, ADDRESS TO CONGRESS

SIS. J. BATKE: Thank you, President. Thank you, Congress. As you all know, I am Jo Batke of the B40 Branch in Bournemouth. Firstly, I would like to say thank you to everyone who has invited me here, especially, I understand, Paul Kenny. Thank you very much for the opportunity.

Right, to give you a bit of a background, I am 20-something but, unfortunately, ladies never give their age, not correctly. As you have heard, I am registered disabled, which has never stopped me getting on in life until starting work with Asda. I became partly involved by accident due to my mother's involvement with the GMB as we were having problems where I work in Asda in Poole. Basically, I was frogmarched to a branch meeting following the membership being put into my hand and being given many for other staff members.

All our branch members who are joining are being sent to Bournemouth, Southampton, and the Weymouth stores so please can we get this dealt with. We are getting members of the Asda store asking for their partners, who have now moved to McDonald's and Somerfields, to stay with the GMB. I would like to say no more on Asda as most of you already know the many problems we have, e.g. little or no health and safety. An example in our store was a member being asked by a manager to water a plant which was on top of a fridge, and from what I know electric and water do not mix; being off sick and returning to work to discover that it has been changed to annual leave; having to book all your year's leave during the first month of the annual leave calendar; locker searches when members of staff are not present, management or security open the lockers.

We are now to be asked to sign new contracts without the union being involved, which in effect will mean staff lose out big time. The agreement between the GMB and Asda is so old that it needs updating fast to protect the workers - not being able to have a steward unless we have 75 members or more. I might have an update to take back with me after this week. I could in effect send you all to sleep or get you so cross about the lack of help Asda gives to our staff. This has led me further into the GMB as we did not have enough members to get a steward, nor can we get a health and safety rep in the Poole store.

I can help, hopefully, as I become a ULR rep. That way we can help the learning needs, especially with all the migrant workers we have and their learning needs. But again as the store manager will not agree to any meetings with the union we know where we stand. My officer, Ann Chandler, did make arrangements to meet the store manager but nothing, the store cancelled on us. I nearly got Asda to one short paragraph, and even with Asda and its problems I would like to be invited again.

I was elected, or should I say volunteered, GMB style as a youth officer in April 2006. The branch has not had one since 2002 as there seemed to be no one young enough. This was in time for the Young Members National Conference in London in November of last year, which highlighted where the GMB seems to be lagging behind the other unions for young members. Many of us were afraid to talk to start with as

the word “union” is another world from our lives; it is for the oldies, not the youngsters.

This has provided a turning point with the help of the Bournemouth and Christchurch Trade Councils of the South West TUC at their annual conference at Croyde Bay where the NUS, as one of the guest speakers, suggested that the union started in early education before the students start work as many are unable to afford to study otherwise and have no working right protection, or are on low pay.

The GMB is for everyone. You do not have to be a government worker, in the public sector, a fireman, or a worker of the water or gas board. The GMB is for all walks of life, all types of employer or jobs, from the lowest to the highest, managing director or chief executive, and that is what we have to get across to the young workforce. If you think even lower in the hierarchy of the working life what about the paper boy or girl, they are working even though at school? Maybe if we start in the schools this could get the children interested in their own safety. Maybe that is one place to start, especially when we hear about local children being knocked off their bikes and being injured.

I would like to thank you for listening to me. Hopefully, in the future months we can find a way forward to recruit and help young members and - I will use that word again - start to improve the quality of working life for Asda staff. I would also like to thank the B40 Branch for all their help over the past couple of years with my ULR and youth officer’s work, and in their assistance and advice to Asda staff. Thank you. *(Standing ovation)*

THE PRESIDENT: Congress, Jo’s mum is in the hall. Where is Jo’s mum? Can I say on behalf of Congress and the union, thank you for getting this little one involved and thank you for the time that you give up to make sure that she can participate. Thanks a million. *(Applause)*

OK, Congress, we move on to Social Policy and Criminal Justice. Could the movers of 205, Prostitution, Birmingham & West Midlands to move, and 206, ASBOs, Birmingham & West Midlands to move. Thank you. Can I remind delegates that Motion 207 has been withdrawn in the SOC Report No. 2. OK, colleagues, carry on.

SOCIAL POLICY: CRIMINAL JUSTICE

MOTION 205

PROSTITUTION

Congress calls on the CEC to lobby Government to call for the legalisation of prostitution in order to provide a safer working environment for this section of the sex industry.

R35 – ROCESTER JCB BRANCH
Birmingham & West Midlands Region

(Carried)

BRO. G. RICHARDSON (Birmingham & West Midlands): In 2003 Congress was held at Blackpool where I was a lay visitor. I heard a very emotional speech by Anna

Lopez which set the cameras clicking and the audience buzzing. She was undoubtedly the beautiful face of the sex industry. I met Anna at National College a few times and found her very dedicated to the cause and her phone messages were unbelievable. Yet her dedication was only the front of one particular side of the sex industry, chat lines and dance clubs, sometimes sanitized and mostly well policed and relatively safe. There is, however, another seedier and sinister side to this, the oldest profession in the world, that of prostitution.

Ironically, last year Portman Road, the Ipswich town home, became infamous because of the tragic deaths of the Ipswich prostitutes murdered at the hands of a punter well known in the area. I ask the question to all of us present, and I have heard the plight of the security men, how many of us go to work with the threat of injury, rape, robbery, or even death to contend with every day? How many of us would take a beating from our supervisors or be sold on to another unscrupulous pimp if they did not do what they said? There is no health and safety risk assessments, you must be joking. Health checks, you are having a laugh.

What we have in a lot of cases is modern-day gangmasters, human trafficking, and low payment to cover drug dependency; need I say more. Some women and men are going onto the streets to ply their trade not knowing whether they will get paid, or in some cases whether they will come home at all. What can we do? I believe it is time to launch a campaign to legalise prostitution like many of our European counterparts. It provides a much safer policed environment to work in. Let's take the trade away from the alleyways and the street corners into organised work areas because this is an employment issue.

On a purely health and safety prospectus it has to be an advantage with a provision of health and safety checks, and surveillances, economically to move trade from the black economy and allow maybe the payment of tax, and how we could all move to a sanitized environment. Morally, the gangmasters, traffickers, pimps, call them what you wish, will be struggling to enforce their control more than they do now but, unfortunately, they have downsized this proposal because unscrupulous work practices and unscrupulous employers do not want to lose their possessions, and their lucrative income. So a move to stop prostitution going on even more must happen in conjunction with the equally sinister drug trade. Do not for one minute let us believe that prostitutes all work for job satisfaction.

When statistics are published counting the terrible numbers of deaths in employment, there are no accounts of murdered prostitutes on those. Death by strangulation, beating, forced overdosing, choking to death, these figures are not included in any of the Taylor statistics.

Congress, I call on the CEC to lobby government to call for legalisation of prostitution to provide safety for this vulnerable section of the sex industry. If it saves any lives it is worth it, after all we have been told we are the party for social justice. I move.

THE PRESIDENT: Thank you. Secunder?

BRO. W. JUSS (Birmingham & West Midlands): I am a first-time delegate speaker so I hope you will bear with me, President.

THE PRESIDENT: Welcome. Yes.

BRO. W. JUSS: Congress, the sex trade now rivals drugs as the prime revenue source for organised crime. 95% of street prostitutes work to fund an addiction to heroin or crack cocaine, and every day they face danger. In the past 10 years at least 60 prostitutes have been murdered. A survey carried out by the British Medical Journal revealed that in the previous six months more than a third of the prostitutes had been attacked but only 34% of them had reported this to the police.

At the moment, the law punishes the women but not the men who exploit them. Magistrates complain that they fine hundreds of prostitutes every week but very few pimps because it is so difficult to prove that a man is living off immoral earnings. They fine the prostitutes who then have to go back onto the streets to pay back the fines. This is the reason why the Magistrates Association, which is traditionally a conservative body, is calling for Britain to follow the example of Holland and Germany where the sex industry is legal but regulated.

There are other reasons to legalise prostitution. The BMA say that 70% of all sexually transmitted diseases and infections occur among prostitutes and their clients. Legalising prostitution would reduce the spread of sexual diseases by half and save the NHS £330m a year. Regular testing of sex workers would halt a dramatic rise in HIV cases in Britain.

Congress, the GMB showed foresight, innovation, and confirmed that it was a progressive union when it recruited sex workers into its membership but we need to go further. We are a campaigning union and we have been reminded of this enough times this week. We now need to campaign for the legalisation and regulation of prostitution. I support this motion.

THE PRESIDENT: Thank you, colleague. Well done. 206, ASBOs.

MOTION 206

ASBO'S

Congress is called upon to campaign against anti social behaviour orders (ASBO), as it is obvious the majority of them are not working. Offenders often see an ASBO as a trophy or badge of pride. There are more effective options available like tagging and community service, which would shame these offenders. It is all too often the victim who suffers more than the offender; it is time this was reversed.

C80 - DUDLEY BRANCH
Birmingham & West Midlands Region

(Lost)

BRO. S. HORTON (Birmingham & West Midlands): Congress, this motion is not asking for ASBOs to be scrapped, it is asking for the law around ASBOs to be strengthened. Day after day the media are reporting on troublemakers from all over

the country who have been given ASBOs. This means they have been banned from entering a certain area after a certain point. All this does is to move the troublemakers on to someone else's doorstep. Victims are scared to go out after dark for fear of being attacked or abused by these huge gangs of youths wreaking havoc outside their properties.

Many of the younger offenders know that because they are under age the law cannot touch them but if they are old enough to have received an ASBO they are old enough to take the punishment that goes with one. Sending troublemakers to prison is not really an option as our prisons are already overcrowded, neither will heavily fining these people as many have no jobs or low income. For first-time and under-age offenders some form of community service in the area they have been terrorising may embarrass them into changing their ways, especially if this is coupled with a public apology in the local media. For older and more persistent offenders maybe some form of National Service would be appropriate. This would instil a bit of discipline and respect for others. Just ask anyone who has done National Service.

As I said earlier, this motion is not asking for ASBOs to be scrapped but for the law around ASBOs to be strengthened and, as this motion says, it is all too often the victim who suffers more than the offender. It is time it was reversed and the punishment made to fit the crime. I move.

THE PRESIDENT: Thank you, colleague. Secunder?

BRO. G. HARVEY (Birmingham & West Midlands): The reason that I agreed to second this was because the CEC is going to oppose it, or so I have been told, and I am used to being up here when they are opposing it, and if they are it is only going to be the second time this week; they are having such an easy ride.

Having agreed to do it, the next day, on Thursday the 20TH we had our meeting and on Friday the 30th – nobody is going to be able to read *that* but I bet everyone one of you read it in all the daily papers about ASBOs, lawless thugs taking no notice of ASBOs. The worst region was Durham with 74%, the best was London with 40%, and ministers still insist that ASBOs are effective as long as there is 50% working.

I would just like to say to you that if they think that is right, just remember, if we do not do something about it – if they had offered us reference back we would have accepted it. If they are going to say that they are going to turn this down on a technicality, just remember that it will not hurt you to support this but it might hurt you if you do not. I second.

THE PRESIDENT: Thank you, colleague. Does anyone wish to come in on the debate? Come on, then. Anyone else?

BRO. I. KEMP (Yorkshire & North Derbyshire) speaking in support of Motion 205 said: President, Congress, I have had to think long and hard about whether actually to speak on this motion. You just have to look at that banner, 120 years ago Will Thorne set up this union to provide a voice for those who worked and had no voice, so I put my head above the parapet.

Colleagues, I am admitting to my second family something that my blood family does not know. One of my best friends actually is a prostitute. She works in the relative safety of an establishment so she is not a street walker. She is more typical of any girl who works in a factory, shop, whatever. She is doing what the rest of us are doing, trying to provide a good home with nice things, and a holiday every year for the kids. In short, she is just an ordinary working girl like we work.

However, she is in a twilight world where there is no legal recognition or legal protection. Having said that, she rung me up last week. Apparently, several establishments in Sheffield are being visited by the Inland Revenue giving the girls packages and wanting their names and National Insurance number so they could register as self-employed. It seems strange that the Government is keeping prostitution illegal but they still want a pound of flesh via tax. (*Applause*)

Colleagues, no matter what you think about the morality of prostitution, surely the biggest immorality is the lack of legal status and protection for these young women who are involved in it. Some of these young women have actually assisted the police in breaking the trafficking rings and some, as we know, were tragically involved in the abhorrent incident in Ipswich.

Just like Will Thorne and our founding fathers, support the powerless and exploited. Congress, please support Motion 205.

THE PRESIDENT: Thank you. Anyone else? (*No response*) No. I call Brenda Fraser.

SIS. B. FRASER (CEC, Manufacturing) replying to Motion 206 on behalf of the CEC said: President, Congress, the CEC is opposing Motion 206. In regard to this motion the CEC acknowledges and is very sympathetic to the spirit of the motion. We agree that ASBOs are a blunt and largely ineffective tool for addressing social problems and as the motion specifically points out are seen as a badge of honour by many recipients. We also agree that victims of crime and antisocial behaviour should be treated with respect and dignity and the rights of the victim should be taken into account when sentencing.

However, as well as dealing effectively with the consequences of crime the CEC believes we should also support the Government in tackling the causes of crime in our society, one of which is poverty. As trade unionists we work hard to achieve higher wages, better working conditions, and dignity at work for our members because we know it improves the quality of life for those members, their families, and their communities. But the CEC cannot support Motion 206 because it only calls on Congress to campaign against ASBOs without calling on Congress also to campaign with the Government to address the cause of crime in our society, such as poverty. Therefore, colleagues, the CEC is asking Congress to oppose Motion 206. Thank you.

THE PRESIDENT: Thank you, Brenda, very much indeed. Does Birmingham & West Midlands wish to reply? Come on, then.

BRO. S. HORTON (Birmingham & West Midlands): I am speaking with full support of my region and thank you very much. Gordon Brown mentioned this morning a number of times about antisocial behaviour in his speech and it seems to me it is quite high on Labour's agenda. I think it should be put quite high on the GMB agenda as well. This motion is for all the victims of antisocial behaviour and all those who are afraid to go out at night for fear of attack or damage to their properties. I urge you to support this motion.

THE PRESIDENT: Thank you, colleague. Can I put Motion 205 to the vote? The CEC is supporting. All those in favour please show? Anyone against? That is carried.

(Motion 205 was carried.)

THE PRESIDENT: Can I now put Motion 206, ASBOs, to the vote? The CEC is asking you to oppose. All in favour please show? Those against? That is lost. Thank you. *(Calls for a card vote)* A card vote! You will get your cards, never mind a vote! Yes, you will get an ASBO, don't worry about it.

(Motion 206 was lost.)

THE PRESIDENT: Can I remind Congress, and I know you do not have very long the delegates coming up, in a couple of minutes I am returning to the business that we could not do yesterday, Migrant Workers, that would be Motion 61, Composite 8, Motion 102, Motion 104, 105, and Composite 22. If you have left your speeches in the hotel, well, what can I do? Can I ask Allan Garley to move his report. Allan?

REGIONAL SECRETARY'S REPORT: SOUTH WESTERN REGION (pages 172-179)

SOUTH WESTERN REGION

1 MEMBERSHIP & RECRUITMENT

Financial membership	45,386
Section Financial Membership (by each Section):	
COMMERCIAL SERVICES SECTION	12,434
MANUFACTURING SECTION	11,737
PUBLIC SERVICES SECTION	21,215
Grade 1 members	31,947
Grade 2 members	9,268
Retired, Reduced Rate and others	4,171
Male Membership	26,065
Female Membership	19,321
Total number recruited 1.1.2006 - 31.12.2006	5,789
Increase/Decrease 1.1.2006 - 31.12.2006	+5,116
Membership on Check-off	32,189

Membership on Direct Debit	7,761
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The South Western Region continues to fully appreciate the hard work and endeavours of Branch Officials, Shop Stewards, Staff Representatives, Activists, Full Time Officials and Regional Staff. Thanks to the efforts of all, the Region has again been able to consolidate its financial membership and produce a break even budget.

The Regions' Workplace Representatives continue to be highly valued and the Union could not function without the army of voluntary representatives which make up our great Union.

The protection of our members' health in the workplace, the fight for equality, better pay, decent pensions and challenging unfair practices which some employers' continue to attempt to impose must continue to be the priority for the GMB. The Region will continue to offer support and assistance in the challenges ahead, including further resources being made available in the area of education and training to build on what already is a first class provision. The South Western Region has always been rightly proud of its education provision and Bro. Clive James, Regional Education Officer, has again developed a Training and Education Programme that is "second to none" for Regional Activists.

Following the Central Executive Councils decision to restructure the regional boundaries of the GMB nationally, the Region was pleased to welcome our colleagues from North Wales, as the changes to the regional boundaries result in the creation of a GMB South Western Region that includes the whole of Wales.

The good news is through a lot of hard work and strategic planning, the Region produced excellent recruitment figures for 2006.

It's clear for everyone to see the GMB has really changed itself during the period of Paul Kenny, the General Secretary's leadership into a campaigning Union. Delegates may recall the 2005 Congress told us to become a campaigning Union, and we have!!! Just ask ASDA, the AA, Morrisons, Remploy, Burberry or any of the hundreds of workplaces where the Union have and are challenging injustice and inequality.

The success or failure of the Union rests on our belief in its core values. We all know that organising can be very difficult. New challenges face many of us as the economy is shifting at an alarming rate. One point two million manufacturing jobs lost since 1997 – three million service sector jobs created in the same period.

Campaigning

GMB members and activists were out in force campaigning on March 18th 2006 protesting against the Governments attacks on the Local Government Pension Scheme.

The strength of feeling displayed by South Western GMB members was influential in persuading the Government and the Employers to concede further negotiations on the future of the scheme, with a commitment to recycle savings towards protection and benefit improvement provisions.

The GMB had fantastic news regarding ASDA. The Region won its battle for union recognition and bargaining rights in ASDA Chepstow, winning more than 90% of the votes in a secrete ballot. Congratulations to all those who strived long and hard trying to bring about this result.

A Remploy Rally took place in the City of Cardiff. Demonstrators congregated outside Cardiff City Hall and marched through the Cardiff Queen Street shopping precinct, culminating in a rally outside City Hall. The Rally was addressed by National and Regional speakers.

The GMB South Western Region is committed to fighting for every job being held at present and also to ensure that there will be future employment under the umbrella of Remploy for future disabled workers, to provide people with disabilities the dignity that useful employment will bring to their lives and that of their families. The message from GMB South Western Region is Remploy jobs are not for sale.

In September 2006 Burberry, the last major clothing manufacturer in Wales of any considerable size, announced they would cease manufacturing with the loss of 300 jobs.

The campaign to keep Burberry British, lead by the GMB, the workforce and elected Representatives, attracted international coverage. The GMB co-ordinated demonstrations in London, Paris, Strasburg, New York, Chicago and Las Vegas. The response of the workforce took on a global dimension following the companies own globalisation moves.

Support was given by celebrities including Tom Jones, Sir Alex Ferguson, Ioan Gruffed, Charlotte Church, Emma Thompson, Rhys Ifans, Bryn Terfel, Tanni Grey Thompson and many others.

The clear message from the GMB South Western Region is – Stop Globalisation becoming Global-exploitation.

The Region continues on the campaign train with regard to the Special Report “GMB at Work,” adopted by last years Congress. The report recognised the overriding different strategy on recruitment and organisation in order to ensure the growth and prosperity of our union into the future. Fundamental to the report was recognition that the development of a more effective organising culture must become a top priority and that membership growth has to become the measure of every aspect of our work.

The “GMB at Work” campaign will involve the need to re-build the link between recruitment, representing and retaining members and will be focused upon the objective of creating effective, active and strong levels of organisation in every workplace where the GMB has a presence.

It is a fact that four out of every five GMB members first joined our union because a GMB representative where they worked asked them to. It follows quite logically then that we must ensure that they are trained, supported and given the resources that they require to recruit, organise and represent members.

The South Western Region has an organising team which determines the optimum methods by which the GMB might grow in every workplace. An integral part of its strategy is to achieve stronger workplace organisation in areas where our membership is weak, but where the GMB is recognised. The role that lay representatives can play in realising our aims cannot be over-emphasised. The Region's education training programme – which is second to none amongst

the trade union movement in Wales and the South West, will be reshaped to ensure that representatives are mobilised, trained and supported to use existing recognition and facilities agreements to recruit and organise new members. The focus will be upon improving communication, campaigning, influencing and research skills, thereby giving representatives the wherewithal to create an effective, sustainable recruitment and organising culture at their places of work.

These are challenging but exciting times for the GMB as we set about the tasks of reversing past trends of membership decline and of making sure that the GMB is seen as a positive, active and vibrant union which takes its future into its own hands.

I promise you this; the GMB will go where the people work. We will organise, and we will fight for better pay, conditions, justice, equality and respect. That's our business and we will continue to keep the GMB flag flying!

GENERAL ORGANISATION

Regional Senior Organisers	2
Membership Development Officers	2
Regional Organisers	11
Organising Officers	0
No. of Branches	177
New Branches	2
Branch Equality Officers	35
Branch Youth Officers	0

BENEFITS

Dispute	15,300.00
Total Disablement	Nil
Working Accident	2,352.70
Occupational Fatal Accident	3,870.00
Non-occupational Fatal Accident	1,100.00
Funeral	8,581.00

4 JOURNALS & PUBLICITY

The Region has maintained its established contact with all areas of the media through press releases, interviews, newspaper articles and appearances in radio and television. The Region has sustained its focus, through the TUC, Labour Party and the National Welsh Assembly for Wales, on the need to retain manufacturing within Wales and the South West. The Region endeavours to ensure, via various publicity routes that Public Services and all other regional issues affecting GMB members are given full exposure via the media as and when possible. The Region has been extremely active in the affairs and business of the Wales TUC and the Wales Labour Party. Similarly, the Region maintains its activity in the business of the South West TUC and South West Labour Party.

The Region continues to produce its bi-annual Regional Magazine which is always well received our members. NEXUS is a well balanced journal covering topics of interest to our

members such as equal rights, legal and health and safety issues, along with news from the branches. The magazine which is now into its fifth year is delivered to all members within the Region and also used extensively as a recruitment tool.

Sponsorship

The Region has maintained its policy of using determining factors with regard to sponsorship being granted, the main factor for sponsorship requests are publicity for the Union and the promotion of Union membership. The Region has continued with a reduced budget for sponsorship.

5 LEGAL SERVICES

(a) Occupational Accidents and Diseases (including Criminal Injuries)

Applications for Legal Assistance	Legal Assistance Granted
632	626

Cases in which Outcome became known

Total	Withdrawn	Lost in Court	Settled	Won in Court	Total Compensation
650	282	3	365 £	£	£1,969,107.32
Cases outstanding at 31.12. 2006			946		

(b) Employment Tribunals (notified to Legal Department)

Claims supported by Union	145
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Cases in which the outcome became known

Total	Withdrawn	Lost in Tribunal	Settled	Won in Court	Total Compensation
120	71	4	45 £173,991.82		£173,991.82
Cases outstanding at 31.12. 2006		126			

(c) Other Employment Law Cases

Supported by Union	Unsuccessful	Damages/ Compensation	Cases outstanding at 31.12.2006
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(d) Social Security Cases

Supported by Union	Successful	Cases outstanding at 31.12.2006

6 EQUAL RIGHTS

Since the South Western Regions report to Congress 2006, the Regional Equal Rights Advisory Committee and Race Advisory Committee has continued its practise to hold joint meetings as we believe that this is both beneficial and the way forward to progress all equality issues within the Region.

The Region has always encouraged Equal Rights and Race Branch Officers, along with Committee members to become involved in the wider aspect of equalities and a lot of our efforts have been channelled through regional projects and issues. We have several committee members serving on the Wales TUC, South West TUC, Labour South West and the Wales Labour Party and this allows us to be at the heart of these projects. We continue to encourage new shop stewards to attend various regional conferences, one in particular being the Wales TUC Women's Conference where it is always a good venue for new delegates to be encouraged to speak to debates and motions in a welcoming environment.

Through the Women's Committee of the Wales TUC, where three of our Committee sit as members, the GMB has been involved in several pieces of work undertaken in 2006. Jill Richards the Region's National Equal Rights Representative did a piece of research and produced a paper on Domestic Abuse Issues in Wales which was initially presented to the Wales TUC. This included the issues surrounding various barriers and cost implications for working women when trying to obtain injunctions and non-molestation orders and the lack of core funding available for Women's Aid special child workers. Although money has been made available to implement a Wales Domestic Abuse Strategy, the majority of funds allocated were being utilised to roll out perpetrator programmes. This paper was circulated to all our MPs and Welsh Assembly Members and we are pleased to say that we received many positive replies with offers to take those concerns on board and Jill must be congratulated for the hard work she had put into this piece of work for the Region.

With regards to other areas of equality in the Region, we carried out an extensive survey of our representatives in line with the Race and Diversity Project and we received a better than average response to this survey which has provided us with an overview of the make-up of our representatives. The result was much as we had expected as within this Region and Wales in particular the percentage of Black and Ethnic Minority groups are on average three per cent of the population and this is reflected in our branch representation, but we will continue to encourage a better participation within the branch structure.

As with the Equal Rights Committee, the Race Committee continued to participate in regional events and we sent a good delegation to the Wales TUC Challenging Racism Conference held in October 2006 in Swansea, Mick Rix was invited to be part of our delegation and he took participated in the debate on combating the BNP.

We have Committee members involved in the Race Committees of the Wales TUC and the

South West TUC and the GMB continues to hold the Black and Ethnic Minorities seat on the Wales TUC General Council and we are pleased to report that our representative Vaughan Gething has now been elected as the first Black and Ethnic Minorities member to sit on the Wales TUC Executive Committee.

We also have members of the Committee on the Race Equality First Committee and have involvement in an initiative, VALRAC, covering three of the main valleys in South Wales.

The South Western Region sent a delegate to the TUC LGBT Conference in June 2006 and he prepared an in-depth report on the Conference which was circulated to members of the Race and Equal Rights Committee.

The South Western Region Equalities structure will continue to support all equality events within the Region and raise the profile of the GMB.

Regional Equal Rights Committee has 11 members:

8 Female and 3 Male

Regional Race Advisory Committee has 16 members:

10 Male – 2 of ethnic minority

6 Female – 1 of ethnic minority

7 YOUTH

There is a requirement for a positive relationship between young people and the Union.

Union structures need to provide for a defined role for young people. How best this can be achieved is a matter for continuing debate, but will only be achieved when young people are integrated in the process.

There is little doubt issues exist that young people would wish to be connected with, for example, inequality in wage rates, discrimination on grounds of race, gender or sexual orientation, victimisation or bullying are all issues that young people care passionately about, and are issues that effect young people on a daily basis. The Union has to find a way of reaching out and involving young people in truly progressive policies.

8 TRAINING

(a) GMB Courses Basic Training					
	No. of Courses	Male	Female	Total	Total Student Days
Introduction to GMB (10 days)	4	30	18	48	480
GMB/TUC Induction (5 days)					
Branch Officers (please specify subject)					

(b) On Site Courses (please specify subjects)					
	No. of				Total

	Courses	Male	Female	Total	Student Days
2 Day RTC Grievance and Disciplinary	1	8	3	11	22
2 Day Drain Aid	1	9	3	12	24

(c) Health & Safety Courses (please specify subjects)

	No. of Courses	Male	Female	Total	Total Student Days
5 Day Health & Safety	2	12	9	21	105

(d) Other Courses (please specify subjects / weekdays/
weekends)

	No. of Courses	Male	Female	Total	Total Student Days
2 Day Grievance and Disciplinary	1	10		10	20
3 Day Representing Members	2	14	8	22	66
5 Day Employment Law	4	35	16	51	255
3 Day Risk Assessment	2	13	6	21	63
3 Day Asbestos Awareness	1	10	4	14	42

(e) TUC (STUC & ICTU) Courses

	No. of Courses	Male	Female	Total	Total Student Days
TUC Various	8	36	12	48	480

The South Western Region prides itself in continuing to provide a valued health and safety service to our Representatives and members.

The Region also continues and strives to improve our close working relationship with our education providers, regularly meeting to update our teaching materials which ensures at all times that the GMB message is maintained.

The Region have successfully encouraged our Health and Safety Representatives to train to a very high standard which has resulted in an even higher increase in attendance at IOSH and NEBOSH courses than the success we achieved in 2005/06.

Workplace visits supporting our Representatives and Officers have certainly achieved the Regions objective of raising our workplace profile which has resulted in assisting recruitment campaigns.

The Regional Health and Safety Officers continue to play an active roll in supporting the Regional Organising Team in all recruitment initiatives.

(Adopted)

BRO. A. GARLEY (South Western): Formally.

Regional Secretary's Report: South Western Region (pages 172-179) was formally moved and seconded.

THE PRESIDENT: Thank you. Pages 172, 173, 174, 175, 176, 177, 178, and 179. Agree to accept the report, colleagues? *(Agreed)* Thank you very much.

(Regional Secretary's Report: South Western Region (pages 172-179) was adopted.)

THE PRESIDENT: Can I now ask the mover of Motion 61, Health & Safety – Agency and Migrant Workers. I believe it is Midland & East Coast Region. I will then call Composite 8 to be moved by GMB Scotland and Northern Region to second, 102 to be moved by Midland & East Coast again, 104, Foreign Labour, Northern Region, 105, Migrant workers, North West & Irish Region. I will then call Composite 22, London Region to move and Southern Region to second. Could I ask the movers of all those and the seconders to come down the front, please? Carry on.

EMPLOYMENT POLICY: MIGRANT WORKERS

MOTION 61

HEALTH & SAFETY – AGENCY AND MIGRANT WORKERS

Congress,

Agency and Migrant Workers must have an understanding (written and verbal) on Health and Safety instructions, and to act promptly in an emergency situation.

NOTTINGHAM 5 BRANCH
Midland & East Coast Region

(Carried)

BRO. D. GREEN (Midland & East Coast): President, Congress, agency and migrant workers must have an understanding of both verbal and written health and safety instructions and be able to act properly and appropriately in an emergency situation. It makes commonsense but is it happening? Employers have a duty of care to their employees, they should carry out risk assessments. The bottom line is if any worker cannot understand basic yet essential safety procedures, instructions, and signage, they will put themselves and their colleagues at risk.

Communication is the key to the driving force behind integration so to fully integrate migrant workers into both working and social communities we need to assist them and provide opportunity for learning basic English language skills. Bearing all this in mind, I find it bizarre that the Government now want to restrict free English speaking courses for migrant workers. It is important to ensure that all workers understand health and safety instruction and understand what to do in an emergency so I call on

Congress to endorse this motion and the CEC to bring pressure on the Government to resolve this issue. I move.

THE PRESIDENT: Thank you. Secunder?

BRO. V. RABBETTS (Midland & East Coast): President, Congress, lots of companies use agency and migrant workers but they do not always check that they understand the health and safety issues. All that the companies do is ensure the workers do the job they are employed to do. The company I work for employs a lot of migrant workers directly and through an agency. One of the issues the Health & Safety Committee has raised through health and safety meetings is the migrant workers' understanding of health and safety issues. The company assured us that all migrant workers have a minimal understanding of English so they can understand health and safety issues and what to do in an emergency, but not all companies are the same. All they do is employ workers and do not care if they understand health and safety issues, that is, if they even tell them what they are. Please support this motion.

THE PRESIDENT: Thank you. Composite 8, Migrant Labour, to be moved by GMB Scotland.

COMPOSITE MOTION 8

101 – Migrant Workers – (GMB Scotland)

103 – Immigrant Labour – (Northern Region)

MIGRANT LABOUR

Congress recognises the major positive contribution that immigrant labour has made to improving economic output and prosperity of the UK economy and notes the benefit to all UK communities brought to both rural and urban by Migrant Workers.

Congress also recognises the issues faced by Migrant Workers relating to the exploitation of these workers by unscrupulous agencies and employers and notes that notwithstanding the best efforts by the Government the exploitation of migrant workers continues across the UK.

However Congress is concerned that alongside the legitimate economy there are too many unscrupulous employers who are prepared to exploit immigrant workers, in many cases paying below the national minimum wage and neglecting health and safety.

Congress therefore calls:

- for further improved legislation to regulate the activities of "gang masters" and employers who employ immigrant labour to ensure that UK employment and health and safety regulations are properly enforced;
- on the GMB to support the recruitment of migrant workers including;
 - to publicise the benefits that migrant workers bring to the national and local economy;
 - to expose the exploitation of migrant workers by naming and shaming bad employers and agencies.

Congress calls on the above to assist in the facilitation and integration of migrant workers into the UK and recognise their contribution culturally, socially and economically.

(Carried)

SIS. M. BOYD (GMB Scotland): Congress notes the benefit to all UK communities brought to both rural and urban by migrant workers. Congress also recognises the issues faced by migrant workers relating to the exploitation of these workers by unscrupulous agencies and employers. Migrant workers are used extensively in the food industry, catering, hotels, and cleaning, they work long and often antisocial hours, including nights, early mornings, and late evenings. Many migrant workers need more than one job to get by rather than being a burden on the state as some commentators try to suggest. Figures from the Institute for Public Policy think-tank say that for every £100 contributed by a UK-born worker from 2003 a migrant worker contributed £112 yet the reality is that these workers are used by employers to reduce the pay and conditions of all workers.

It is no surprise that employers continue to use this as a method of dividing the workforce. What many migrant workers face daily going out to work is exploitation, firstly from recruitment agencies, then the employer, working in dangerous conditions or employment far below their skills level. All workers should be treated with respect, treated equally, and paid a decent living wage; that way nobody loses out. There are two words in equality, “equal” and “quality”, and that is what these workers produce, quality work from quality people, and to be treated equally and valued isn’t that what we all aim for in our workplace? Gangmasters, unregulated recruitment agencies, and employers, all guilty of exploitation, unsafe workplaces, and low pay. GMB has already had some significant recognised wins in workplaces with mainly migrant workers, not least at NCP Enfield and World Flowers, Basingstoke.

Trade unions need to be more vigorous in their campaigns and recruitment. Migrant workers will join unions if we are prepared to put forward stronger policies, campaign them, and show the determination to win. Congress therefore calls on the GMB to support the recruitment of migrant workers, publicise the benefits that migrant workers bring to the national and local economy, and expose the exploitation of migrant workers by naming and shaming recruitment agencies, and bad employers. I move this motion. Thank you.

THE PRESIDENT: Thank you, colleague. Northern Region.

BRO. G. MURRAY (Northern): President, Congress, Composite 8 in its opening paragraph recognises the major possible contributions that immigration has had on the UK economy. It makes a statement, colleagues, and the statement is true. Over 1% of the wealth of our nation which is currently enjoyed by all of us is directly attributable to the contribution made by immigrants to the UK. That statement is true, colleagues, but I have to ask you, is that common knowledge on the street? The sad truth is that it is not.

We know, we are in the workplaces, we have heard the comments. The reality is that too often the views of the racist and the so-called nationalists prevail. Too many people believe that immigrants take out more than they give back to the economy when in reality the opposite is the case. Congress, the GMB has a responsibility on this issue. Trade unions have a unique position in that we have the ability to speak directly to the working people. Our reps are workplace leaders with huge influence.

Composite 8 calls for improved legislation to protect immigrant workers and to stop exploitation but, colleagues, let us not forget our own responsibilities. Support Composite 8. I second.

THE PRESIDENT: Thank you, colleague. Can I have the mover of 102, Midland & East Coast Region?

MOTION 102

MIGRANT WORKERS

Congress agrees to use all its influence in the Labour and Trade Union Movement to halt the exploitation of migrant workers by campaigning to:

Prevent any deductions from workers on minimum wage in respect of travel and accommodation.

Agencies presently pay for the flights of those workers they recruit from Eastern Europe and elsewhere. Where such individuals become unemployed and wish to return home, or have to return home for any other domestic reason, then the Agency must be compelled to also fund such flights if the worker requests this.

To seek amendments to the Posted Workers Directive, ensuring that any migrant workers who work in industrial sectors where there are negotiated recognised rates of pay for UK workers, have such rates applied to Agency workers of all nationality.

GMB to issue a negotiating protocol to all of its Officers, ensuring that Recognition Agreements are amended to include recognition of any Agency company, including access to the Agency workforce for recruitment purposes.

GOOLE BRANCH
Midland & East Coast Region

(Carried)

SIS. C. CLARKSON (Midland & East Coast): President, Congress, what this motion calls for is an equal playing field for all. Migrant workers and our British workers have no problem working together, the problem is the gangmasters who are undercutting our workforce, not providing PPE and flouting our health and safety rules. All too often migrant workers have serious deductions taken from their wages, £70, £80, and even £90 for travel and accommodation. Travel is more often a non worthy, non taxed vehicle, and the accommodation is all too often a bedsit or a room accommodating several workers sleeping on shift and working on shift, in cramped conditions, sharing beds with several strangers. That is enough about Congress, not our hotel.

But, seriously, far too often migrant workers cannot escape from such conditions as their passports have been confiscated in the first days of them coming into our country. Yes, colleagues, slavery is still alive and kicking in Great Britain. All too often migrant workers are denied the rights at work that we all take for granted. Colleagues, migrant workers have all the same needs as us, they also have the same hopes and dreams for their families as we do. Believe me, these are workers just like us, they are not the faceless enemy that the newspapers would like you to believe.

What we as trade unions want and need to strive for is to unite all workers, give all workers decent pay and conditions.

Can I say that these agencies, or should I say gangmasters, just put a faceless body to a task and they just do not care. We as trade unionists need to put faces and personalities to these migrant workers. It is vital that we seek recognition agreements to include our fellow migrant workers. We must lobby our Members of Parliament to stop the exploitation of what are fellow workers in Europe. We need to give the European laws to our European neighbours, let's protect them and recruit our fellow workers. I move.

THE PRESIDENT: Thank you, colleague. Seconder?

BRO. C. GUNTER (Midland & East Coast): President, Congress, in the Lincolnshire area where I live the growth of migrant workers has been a welcome boost to the local community and infrastructure. The diversity and cultural change has not always been welcomed in certain areas, from being disadvantaged coming to a new country, not having English as a first language, but most of all being exploited by unscrupulous employers who pay low wages and make unlawful deductions for accommodation and transportation. When these workers need to return to their country of origin for whatever reason they find themselves alone with no help. These migrant workers more than any worker need the help of the GMB, we need to recruit and organise these workers to protect our members' terms and conditions. We need a level playing field for all our workers, our comrades, across Europe. I second.

THE PRESIDENT: Thank you. Can I have Northern Region to move 104, Foreign Labour?

MOTION 104

FOREIGN LABOUR

Congress expresses concern at the foreign labour which is being used in this country through agencies paying reduced rates of pay at the expense of our members who are unemployed.

SOUTH SHIELDS 1 ENGINEERING BRANCH
Northern Region

(Carried)

BRO. M. BAKER (Northern): Congress, clearly the UK economy has grown enormously and benefited from the skills of foreign workers. Official statistics show that at last 1% of growth has been directly as a result of foreign workers and the benefit they bring to the general economy. However, colleagues, there is another side to the story.

The job of the trade unions is to protect the wages and rights of our members, to ensure that our members' jobs and living standards are safe. Unfortunately, and this is not the fault of foreign workers, their employers are all too willing to use these workers to undermine and reduce our members' wages. Congress, Motion 104 is not racist. In the North East of England most of the foreign workers are European, from Poland and countries that have recently joined the European Union. Motion 104 is

about the good old-fashioned trade union value of fighting to protect our members. Congress, our members' jobs and wages are under threat from unscrupulous employers who are exploiting the weak and vulnerable. It is our job to protest, to fight back, and to ensure that our members are defended.

Congress, our members need your support. I urge you to support our members and support Motion 104. I move.

THE VICE PRESIDENT: Thank you, colleague. Secunder?

BRO. K. BUCK (Northern): Congress, as the mover of the motion has clearly said, the UK economy has benefited enormously from the skills and talents that foreign workers have been able to bring to Britain. Across the whole economy, the health service, manufacturing, the service sector, the private and public sector, all have benefited, and the wealth of the country and our members generally all have improved.

But, colleagues, despite the general improvement in living standards, despite the general good, some of our members are suffering. In workplaces across the country employers are using the availability of cheap labour to drive down wages. Our members' wages are reduced and in many cases our members cannot afford to work for the wages that employers offer. Congress, our members' lose and vulnerable foreign workers are exploited.

President, Motion 104 condemns such practices. I urge you to support our members and support exploited foreign workers, support Motion 104. I second.

THE VICE PRESIDENT: Thank you, colleague. Motion 105, Migrant Workers, North West & Irish Region.

MOTION 105

MIGRANT WORKERS

Congress calls upon the Government and Driving Standards Agency to ensure that stringent checks are made upon bus companies to ensure drivers of a foreign nationality are totally compliant with the British Highway Code and have a level of English to be able to read and understand these signs, rather than these companies exploiting foreign workers and when tragic accidents happen, leave them out on their own, as seen in 2006 with certain companies in the North West.

14 BRANCH
North West & Irish Region

(Carried)

BRO. P. PERRY (North West & Irish): Congress calls upon the Government and driving agencies to ensure stringent checks are made upon the bus companies and private hire companies to ensure that drivers of a foreign nationality are complying with the British Highway Code and have a level of English to be able to read and understand the signs on our roads. These drivers should also have a CRB and child protection clearance before taking up employment because they are dealing mainly

with the public and children. We have these companies exploiting the foreign employees and when tragedies happen the employers leave these personnel on their own, as seen with employers in our region working for certain companies. If these checks and rules had been carried out it would have prevented the loss of a life of a young married man with a family. Luckily enough, the company no longer exists or can operate anywhere in the North West but why should a life have to be lost before action is taken by companies that employ these buses and allow them to operate on our roads. I move.

THE PRESIDENT: Thank you. Secunder?

Motion 105 was formally seconded.

THE PRESIDENT: Thank you very much.

COMPOSITE MOTION 22

217 – ESOL (English for Speakers of Other Languages) Funding – (Southern Region)

218 – Changes to ESOL (English for Speakers of Other Languages) Funding (London Region)

ESOL (ENGLISH FOR SPEAKERS OF OTHER LANGUAGES) FUNDING

Congress is appalled at the government's decision to cut funding for ESOL (English for Speakers of Other Languages) training for migrant workers and refugees.

The Government has announced the following changes

from August 2007:

- Withdrawal of eligibility from asylum seekers to access Further Education
- Withdrawal of automatic fee remission from ESOL course, with eligibility for full fee remission being available to those on income related benefits

Congress recognises that the changes mean that for many people with ESOL needs, the cost of paying for courses will shift from the public purse to individuals, unless employers make a contribution. While we want to encourage employers to do that, the reality is that these cuts in funding are most likely to impact, GMB members, or potential members, who need ESOL and who are vulnerable workers in low paid unorganised workplaces. In these circumstances the employer is happy to have workforce whose lack of English makes it more difficult for them to fight for their basic rights as workers.

Restricting access to ESOL runs counter to the government's efforts to promote greater community cohesion and potentially prevent black and minority ethnic communities from integrating and meeting the new standard test for citizenship.

Free English language training ensures that members can access their rights and fully integrate into not only their workplace but also the wider community.

We also know that exploitation arises when workers do not understand their rights and cannot

communicate effectively or access support.

There are serious implications for unions in supporting vulnerable workers, including the work of the union learning representatives.

As trade unionists we are fully aware of how important it is for migrant workers and refugees to be able to read, write and speak English to ensure that they can integrate, be aware of their rights and make a full contribution to society.

Congress recognises the urgent need to support our members with ESOL needs if they are to play a full role within the workplace, union and society. Congress pledges GMB support in the national campaign to oppose these changes.

We have many examples of where ESOL has been provided to our members and this has led to improvements in health and safety, increased trade union membership and activity amongst migrant workers, solidarity between workers as well as benefits for the individuals.

Congress calls upon the GMB to campaign through the TUC, the Learning and Skills Council and national government to restore and extend funding for ESOL training for all.

(Carried)

BRO. H. VAIDYA (London): Congress, I am moving Composite Motion 22 – ESOL Funding for English for Speakers of Other Languages.

I am sorry if I break any rules or regulations of this Congress, but I apologise because it probably concerns a difference in language. If you see at the back of the hall, there is my shop steward and my two injured workers. They are classic examples of differences in language. *(Applause)*

At Park Royal in west London I have visited more than 300 companies in the last three years and language in each and every one of those companies is an issue, and now our Labour Government is planning to cut ESOL funding.

With a heavy heart – I do not have any further words – I would like to convince you, my kindred brothers and sisters, you have this classic example. Please campaign for ESOL funding and support this motion.

BRO. A. GENTILCORE (Southern): I am seconding Composite 22.

President and Comrades, this country is justly proud of the English language, which is the primary language for business and culture. People come to this country from all over the world to work and the Government welcomes them and seeks to integrate them into society. Trade unions also actively seek to organise these people.

Wiltshire has a large number of migrant workers and we are using English for speakers of second language courses as a means to recruit and organise them. Some employers do help with funds and facilities but many do not and actively put barriers in place to prevent their workers taking advantage of these courses. Wiltshire GMB is fighting against this attitude and, to this end, it has appointed a full-time project workers to provide educational opportunities, including ESOL courses. This has

resulted in migrant workers becoming GMB activists fighting for our members' rights and challenging the lies put to them by their employers.

The Government wishes to restrict ESOL funding and go to a form of means testing for its provision. This is a system which has worked so well for Family Tax Credits. They are also asking employers to make up the difference but without the legal compulsion to do so, many will not.

The Government say they are doing this to help the poorest migrant workers, but without this training they will all be poor, without any access to honest information in a language that they can understand.

I ask Congress to support this motion and I formally second it.

THE PRESIDENT: Do any delegates wish to come in on the debate?

SIS. L. PARKER (Southern): I am speaking against Motion 104. There is clear documented evidence that foreign labour, to quote the motion, selling their labour in the UK jobs market, does indeed result in bringing the hourly rate of pay for indigenous workers being driven down, but the wording of this motion is unhelpful -- indeed, it is dangerous -- as it may lead many to conclude that foreign workers are the cause of this problem. This is the sort of xenophobic headline we see regularly in the *Daily Mail* and *The Sun*. We all know that the cause of the problem of reduced rates of pay lies squarely at the door of the exploitative, capitalist employers who seek to increase profit at any cost.

The motion also talks about foreign labour impacting on the pay of members but, surely, the foreign workers are GMB members, too. If not, why not? Here, sisters and brothers, lies the key. The one sure fire way of stopping both the exploitation of foreign workers and the reduction of hourly rates of pay for all workers is to make sure that they are all recruited into the GMB. Then, collectively, you organise to make sure that everyone is on the same rate of pay and terms and conditions. In GMB language, it is called fairness, justice and equality for all.

The labels that keep being banded around are "foreign workers" and "migrant workers" There is one recurring word which is very important, and that is "workers". What does the GMB do for these workers? We recruit them, we organise them and try to enhance their lives. It is what we have always done and what we will always do.

So, sisters and brothers, I urge you to reject and oppose this motion.

THE PRESIDENT: Thank you, Lorraine. Anyone else? (*No response*)

Does Northern Region wish to come back on the points that were made. (*No response*) If not, I call Ron Waugh.

BRO. R. WAUGH (CEC, Manufacturing): I am speaking on behalf of the CEC in support of Motion 102 and moving the following statement.

First of all, Congress, let me say that Motion 102 is an excellent motion. To start with, I might sound a bit negative on Motion 102 but I can assure you it does get better. To seek amendments to the Posted Workers Directive is very difficult because, actually, the Posted Workers Directive is silent on pay. So that is a problem in terms of amending that.

However, as was mentioned yesterday, I think, by Kathleen Walker Shaw, there are a few on-going court cases. If the results go the right way, they will go some way to help. We have also got Kathleen on the case in Europe, and you could not ask for anybody better to be on the case, I can assure you of that.

But one of our biggest problems, Congress, is that both in Europe and nationally this UK Government is doing as much as it can to block legislation. We are one of the biggest movers of blocking legislation in Europe to stop the equalisation of pay for agency and temporary workers. Also we experienced the disgraceful spectacle of one of the Deputy Leadership candidates talking out a Private Member's Bill in Parliament in terms of equal pay for temporary and agency workers. Who was that? Harriet Harman. She went round and organised it to make sure that it was talked out so that the Private Member's Bill would not come on the statute book. How disgraceful is that? And that was after our support.

I am coming to the good bit now. It is nice to know that the GMB is actually ahead of what the motion calls for. We are ahead of the game because we are leading the way in migrant worker organisation. It is being led by a great team from the GMB. It is consisting of officers, activists and the migrant workers themselves. Also Martin Smith is going to produce a report which will be forwarded to the CEC. It is talking about a specific policy framework which will meet the needs of migrant workers, which is included in the motion.

But we have heard somebody speaking against Motion 104 today, and that also concerned me because I have heard numerous comments, not only in the GMB but through other unions as well, where people are actually blaming the workers themselves, not the bosses. This has got to stop, Congress. We have got to take a good look at ourselves in the mirror.

Ed has stolen my thunder a bit because he mentioned Shelley. There is one good principle which was written by a great Scottish socialist called Robbie Burns. You may not understand this, so you might have to ask the Scottish Region for a translation. Robbie Burns once wrote: "We are all Jock Thompson's bairns". So we are all equal. So I ask you to support Motion 102 and support the Statement. Thank you.

THE PRESIDENT: Does Midland & East Coast Region accept the statement?

BRO. A. WORTH (Midland & East Coast): Yes.

THE PRESIDENT: Thank you. I now put Motion 61, Composite 8, Motion 102, Motion 104, Motion 105 and Composite 22 to the vote.

(Motion 61 was carried).

(Composite Motion 8 was carried).

(Motion 102 was carried).

(Motion 104 was carried).

(Motion 105 was carried).

(Composite Motion 22 was carried).

THE PRESIDENT: I thank the delegates for being so helpful in such short notice that they came in on yesterday's business.

Congress, I move to the next business which is the Health and Safety at Work debate. However, before I do that, I would like to say that we have in the hall today Anthea and Peter Dennis. As this Congress will be aware, their son, Daniel, died tragically and unnecessarily, and we will later on commemorate him today with the presentation of the Health and Safety Award. Welcome to Congress. *(Applause)*

EMPLOYMENT POLICY

HEALTH & SAFETY AT WORK

COMPOSITE MOTION 3

53 – Asbestos – (Northern Region)

54 – Compensation for Asbestos Sufferers (South Western Region)

ASBESTOS COMPENSATION

Congress applauds the intervention of the Prime Minister following his commitment at Congress 2006 to reinstate compensation in full for all victims of asbestos related diseases.

Congress firmly agrees that action should be taken for the reinstatement of compensation for all asbestos related diseases such as pleural plaque and supports a petition which will be submitted to Parliament when this matter is debated between the 25th June and 2nd July 2007.

Congress believes it is immoral for Insurance Companies to insist sufferers must have full blown asbestoses before compensation is paid.

Congress calls on the CEC to campaign to ensure that all victims are made aware of their entitlements and are encouraged and supported by GMB trade union legal services.

(Carried)

BRO. A. HARDY (Northern): Congress, I am a first-time speaker.

President, as trade unionists we know that work kills. We know that on average 300 workers are killed in accidents at work every year and that an estimated further 20,000 die prematurely from work-related cancers and diseases. We also know, colleagues, that employers and insurance companies do not give a damn.

The record of employers and insurance companies on the issue of asbestos is a disgrace. In the clear and certain knowledge that asbestos kills, they continue to expose thousands of workers to the lethal fibres, and they spend millions on fancy, slick lawyers to evade their responsibilities to the families.

President, in the Northern Region a couple of years ago we held a conference in the City Centre Hotel to highlight the issues of asbestos. As we were arriving the receptionist at the hotel called us over. She wanted to thank the GMB for winning legal claims for compensation on behalf of her mother, father and two uncles, all of whom had worked in the asbestos factory in Washington, County Durham.

Colleagues, imagine four members of one family! If a gunman had burst into a home and killed four members of one family, the news would have been broadcast across the world. Reporters from across the world would, within minutes, have been camped on the grass opposite the house. Yet an employer knowing exposes four members of one family to lethal poison. Not only does it go unreported, colleagues, but those who commit the crime deny responsibility. Congress, it is our job to ensure that the voice of those hundreds of thousands of silent victims are heard and that they employers and their insurance companies pay for their crimes.

I urge you to support Composite 3. I move.

BRO. K. JENKINS (South Western): I am seconding Composite 3.

President and Congress, a few years ago one of my branch's shop stewards died of mesothelioma at the age of 43, leaving a wife and two young children. The timescale from symptoms to death was very short, and he died without knowing the level of financial compensation his family would receive. It was an extremely distressing time for all concerned. Others were to follow.

There are no cures for asbestos-related diseases. Once symptoms appear the clocks tick more loudly. Sooner than expected you become acutely aware of your own mortality, as do your loved ones. At times like these, assurances are needed that your family will have a secure future. This is where insurance companies must act in a morally responsible way. Any claim for asbestos-related disease is unlikely to be fraudulent, but it is vital that claims are processed efficiently and speedily with consideration being given to interim payments as the illness progresses.

In situations where our members' lives have been shattered, they deserve nothing less. Thank you.

MOTION 55

ASBESTOS WASTE DISPOSAL

Congress recognises that when asbestos waste is not properly disposed of it presents a serious health hazard to our communities. Illegal tipping and dumping of this waste also seriously threatens the health of GMB members employed in the waste industry.

Congress therefore calls upon the Environment Agency and the Health & Safety Executive to work

together on this issue, and to produce and then vigorously enforce clear guidance on the rules and regulations governing the correct disposal of asbestos.

DERBYSHIRE COMMUNITY BRANCH
Midland & East Coast Region

(Carried)

BRO. P. EYRE (Midland & East Coast): I move Motion 55 – Asbestos Waste Disposal.

President and Congress, the Control of Asbestos Regulation 2006 coupled with the Waste Transport Regulations 2005 have made the asbestos industry better able to protect both its own workforce and third parties. They have, however, provided an opportunity for unlicensed and unprincipled contractors to exploit the general public. This is done by under-cutting the legitimate contractor who has high overheads and insurance costs by ignoring the law.

Fly-tipping asbestos waste in the form of asbestos cement, sheeting from sheds and garages, asbestos containing wall panels and even pipes with asbestos still on them regularly appears in hedgerows, ditches and even housing estates and is a real and potential danger to our members' health. It is usually the local authorities which have to clear up the dumped materials and it is our members who do that job.

Not all local councils have fully trained and competent workers able to safely handle asbestos waste. This results in them and the community being exposed to potential danger. The waste is often ignored or broken up and disturbed by children who know no better.

The EU's Landfill Directive has further clarified the position of mixed waste disposal, resulting in a large reduction of waste disposal sites. We were promised that there would be a significant reduction in the cost of administration by making the waste producer responsible for much of the paperwork. These savings would be directed into controlling producers of waste, carrying out enforcement notices and prosecutions if illegal practices are identified.

The Environment Agency has predicted that a shortage of sites will lead to greatly increased illegal fly-tipping and the mismanagement of hazardous waste. They also warn that it will use all its powers to prosecute those believed to be guilty of breaking the law.

The Health & Safety Executive has said that the strongest efforts will be made to promote joined-up working between the Environment Agency and the HSE to resolve some of the outstanding problems caused, particularly to the asbestos removal industry and our members employed in it.

Years of successful campaigning by the GMB, often on our own, has brought about changes in many rules and regulations governing asbestos usage. What we now need is to see strict implementation of these regulations.

Congress demands that the HSE and the Environment Agency issue clear guidelines for the disposal of asbestos and that they work together vigorously to enforce the rules already enacted. The result will be greater protection to our members and their communities. Thank you.

BRO. J. EVANS (Midland & East Coast): President and Congress, it is estimated that over 130,000 people in the UK will die during the next 40 years as a result of asbestos related illnesses. Earlier we heard Gordon Brown state that he will honour Tony Blair's promise to Congress last year of compensation to those affected, but is this enough? The GMB was a key player in the formulation of the Asbestos at Work and the Disposal of Asbestos Waste Regulations.

Surely, we now owe it to ourselves, our families, our members and our communities at large to ensure the effective enforcement of these regulations and strive to eliminate this stealth-like killer. I suppose.

MOTION 56

HEALTH AND SAFETY

Congress calls upon the CEC to lobby the Government for greater funding and resources for the HSE. It is getting harder and harder to get an inspector into the workplace now due to cut backs. The workload of individual inspectors has increased due to fewer and fewer on the ground.

W99 – WOLVERHAMPTON BRANCH
Birmingham & West Midlands Region

(Carried)

SIS. V. SMART (Birmingham & West Midlands): I move Motion 56.

President and Congress, since the Labour Government came to power in 1997 we have seen the creation of more than two million jobs. However, I must point out that these jobs are not in manufacturing. Many of these jobs have been created in the service industry and the jobs which have been created are predominantly by small employers. These employers do not welcome the trade unions into their workplaces and it is no secret that where workplaces are organised by trade unions work-related accidents are more than 50% less likely to happen. This is due to having trained union safety reps. You would think that having created two million more jobs that there would be more health and safety inspectors. The sad fact is that there are not more, but we have seen a decline.

On receiving the latest edition of the *Corporate Law Update* over a six month period there were more than 60 fatal accidents recorded. This situation, Congress, is totally unacceptable. These figures are more like the statistics of a war zone and not the workplace. The GMB, as a modern trade union, represents workers in nearly all of the industries in this country. We are also renowned for being a campaigning union. Let us make this one of our campaigning strategies to highlight the need for more health and safety inspectors.

I ask for the support of the CEC and this union to lobby the Government for greater funding and resources for the HSE to ensure that unscrupulous employers do not get away with flaunting the law on health and safety. I move.

BRO. S. HORTON (Birmingham & West Midlands): I am speaking in support of Motion 56. Since our last visit to Congress there have been three major work-related fatalities within a ten mile radius of my own home: Clampsey's of Craigleigh; Corus Steel of Woburn and a local council depot in Dudley.

I, myself, am employed by the latter, which, until last October, had a good safety record until one of our supervisors was crushed by a 30 tonnes plus loading shovel. I was on annual leave the day it happened but to receive a phone call from one of the workforce explaining what had happened is an experience I never want to go through again. Picking up the pieces after was even worse, knowing that not only had we lost a work colleague but we had lost a friend.

Every worker in the country has a right to feel safe in the workplace knowing that when they clock in at the start of the shift they are going to clock out at the end of it. Health and safety legislation is being introduced and up-dated all the time: "You can't manual handle this"; "You can't do that any more"; "You must produce an up-to-date risk assessment". All of these developments can only be a good thing for health and safety. The main concern is who is policing all of this new legislation?

The HSE is finding that it has an increased workload and not enough inspectors on the ground to inspect. This is why we need to lobby the Government for more funding for the HSE to employ more inspectors, and for this reason we should fully support this motion.

MOTION 57

OCCUPATIONAL AND ENVIRONMENTAL CANCERS

Congress seeks support for a campaign aimed at highlighting the under-reporting of occupational and environmental cancers. The aim is to tackle exposures to carcinogens and focus on prevention and precaution which is contrary to much UK policy. There should be no obstacles to campaigning on occupational cancers and looking beyond a narrow health promotion perspective.

There is under-reporting of occupational illness amongst women who work in traditionally male-orientated establishments. The issue of female cancers needs to be urgently addressed. For common cancers, like breast cancer, the evidence for involvement of chemicals is not clear. A systematic review of female breast cancer and occupation should be commissioned.

Toxics Use Reduction legislation should be introduced to encourage the use of the safest suitable substances and processes. The precautionary principle should be applied to suspect human carcinogens.

A national occupational health records system should be developed to adequately record workplace exposures to toxic substances. A duty to inform workers of exposure to known or suspect occupational cancer risks and carcinogens should be strictly enforced on employers. Prevention through economic penalties requires government action to recover, in full, costs of occupational diseases, including occupational cancer, from employers. There should be effective environmental monitoring of industries and workplaces using and emitting carcinogens.

The Government should implement effectively European Union Legislation which requires workers to have access to occupational health services, industrial Injuries Benefit Scheme should be revised and extended to include a wider range of occupational cancers within its scope. There should be greater governmental and Local Authority support for victims of occupational cancer through welfare rights advice and access to social services.

Prevention of occupational cancers must be recognised by the government as an important public health priority and should be allocated resources accordingly. A national occupational cancer and carcinogens awareness campaign should be launched as a matter of urgency. In order to assist this aim the HSE should convene a tripartite working party which includes representatives of trade unions, hazards organisations and occupational disease victims' organisations to review its occupational cancer strategy.

In order to take the above matter forward Trade Unions and key stakeholders should mount a campaign in the workplace and through the media in support of the Hazards programme for action through the formation of a National Cancer at Work coalition.

DUMBARTON 2 BRANCH
GMB Scotland

(Carried)

BRO. C. ROBERTSON (GMB Scotland): I move Motion 57 on Occupational and Environmental Cancers.

Congress, we do not hear much about occupational cancers, but we hear about cancer as a tragedy for the individual, cancer as a challenge for the medical profession and cancer from smoking and bad diet. But at least one in every ten cancers is the result of preventable and predictable workplace exposures.

“Cancer” is a word that is all too commonly used in modern society. However, there is not much discussion on occupational and environmental cancers, even though it is estimated that these account for up to one in ten of all cancers. Dozens of substances known to cause cancer are used in industrial quantities in many workplaces, frequently with little or no control over how they are used or how workers are exposed.

GMB Scotland seeks support from Congress for a campaign aimed at highlighting the under-reporting of occupational and environmental cancers. The aim is to tackle exposures to carcinogens and focus on prevention and precaution, which is contrary to much of the UK policy. Cancers usually take a long time to develop in the human body. Most substances to which we are exposed today will take, perhaps, two decades before the sufferer becomes aware of the disease.

The issue of female cancers needs to be urgently addressed. They are often defined as common cancers, such as lung and breast cancer. This may be due to exposure to dusty atmospheres. Common cancers are subject to inadequate studies as most research takes place in large industrial workplaces which may exclude smaller and potentially more hazardous workplaces or, indeed, workplaces where women have the dominant presence.

Congress, this motion calls for toxic use reduction legislation, a national occupational health records system and the implementation of European Union legislation to allow workers to have access to occupational health services and an industrial injuries benefit scheme. In essence, workplace exposure to chemical, physical or biological agents puts workers at risk.

Congress, these are commonsense recommendations. There should be no obstacle to campaigning on occupational and environmental cancers. There is good reason for occupational and environmental cancers to be a priority, and that reason is that it is a cause of death worldwide killing one person every 32 seconds. Please support this motion.

BRO. F. ALEXANDER (GMB Scotland): I second Motion 57 of Occupational and Environmental Cancers.

Congress, this motion is one of the most comprehensive and detailed motions that I have ever been asked to speak to, and I note that the CEC is supporting this motion. So I hope we will get plenty of money to back up the actual motion itself.

It calls for three campaigns; first, highlighting the under reporting of occupational and environmental cancers; second, raising the awareness of occupational cancers and carcinogens and, third, a trade union and key stakeholders' hazards programme through the formation of a National Cancer at Work coalition.

In addition, colleagues, it calls for Government action in implementing existing European Union legislation and revising the Industrial Injuries Benefit Scheme. There should also be greater governmental and local authority support for victims of occupational cancer through welfare rights advice and access to social services.

Lastly, we call for the introduction of toxics use reduction legislation coupled with a national occupational health records system and a duty of care to inform workers of exposure.

Colleagues, this motion impacts on all sections and departments of this Union; the European office, the Political Department, the Legal Department and the Health & Environment Department. It affects all of our members in every section of this union. Every one of us here today is affected by *this*.

A healthy workplace with members' health and the prevention of illness at the forefront of this campaign is the way forward.

GMB at Work means GMB at the workplace. A safe and healthy workplace. I second.

THE PRESIDENT: Thank you, Frank. It is nice to see you at Congress.

MOTION 58

CORPORATE MANSLAUGHTER

Congress welcomes the proposed corporate manslaughter bill. However, while it does raise awareness and makes it easier to prosecute organisations it will still not deal with the negligent directors or senior managers. Congress therefore calls upon the GMB to campaign for new legislation which will specify director's duties for health and safety and make it clear that their negligence will not go unpunished.

CAMBRIDGE 2 BRANCH
London Region

(Carried)

BRO. K. ROBERTS (London): I move Motion 58. Congress, welcome to the proposed Corporate Manslaughter Bill. Gordon Brown said that he was determined to get this legislation pushed through. Yesterday, we heard from six of the Deputy Leadership candidates actually endorsing this Bill, but what Gordon Brown did not say was that he would put in the legislation about the actual and specific duties of directors for health and safety. Yes, this Bill makes it easier to prosecute organisations, but why is it still allowed that directors and senior managers, who are highly paid, get away with corporate manslaughter through their negligence? This is unacceptable. These people should be held accountable for their actions or non-actions, as the case may be.

What has happened to these people's duty of care? If these people were held accountable, it should reduce the unnecessary deaths in the workplaces. Yes, at the moment Great Britain has the lowest rate of fatal injuries in the European Member States, but in the first six months of this year 124 deaths have been recorded in Britain alone. This situation is so unacceptable. This Bill needs to be passed so that the figure of deaths reduce and that we see a continuing improvement in health and safety in the workplace.

This is, therefore, why Congress calls upon the GMB to campaign for new legislation which will specify directors' duties of health and safety. We must not let this tragic and unnecessary loss of life go unpunished. Please support this motion.

SIS. W. MITCHELL-MURRAY (London): I am speaking in support of Motion 58.

Congress, we all remember the horror we felt when we watched our televisions in the aftermath of the Herald of Free Enterprise, Piper Alpha and the Southall and Paddington rail disasters, to name but a few. They were all reported as tragic accidents. Indeed, they were tragic, but they were not accidents. If it was preventable, it is not an accident.

The Corporate Manslaughter & Homicide Bill, which may or may not be passed, is welcome but, sadly, it does not go far enough. It does not make the directors and senior management legally accountable for their negligence. We have waited ten years for this Bill and it is shameful that a Labour Government, in its third term of office, could not introduce a Bill which could have sent a clear message to directors and senior management that they will be prosecuted if found guilty of negligence.

The Labour Party may be confused about their priorities, but we do not have such problems in the GMB. We will continue to campaign for justice for bereaved families.

We will not betray those families and the memories of our dead colleagues. The Labour Government said that it wants to reconnect with and listen to the people of Britain. Yesterday, we had five out of the six candidates for Deputy Leader agree with the GMB that the Bill does not go far enough. That is a third of the Cabinet, by the way. Five of them could not persuade the rest of their colleagues that this Bill was wrong.

If this Government want to reconnect with the people of Britain, it can start by sending a clear message to all the country that no one is above the law and that justice is not the prerogative of the few. The Labour Government said it wanted to be tough on crime and tough on the causes of crime. Well, start with the directors and senior management and make the punishment fit the crime. Please support this motion.

MOTION 59

ASSAULTS ON AIRPORT WORKERS

Congress demands that members of the public who either verbally or physically assault airport workers should be banned by the relevant airport authorities from ever using the airport again.

STANSTED AIRPORT BRANCH
London Region

(Carried)

BRO. D. PARMENTER (London): I move Motion 59 – Assaults on Airport Workers.

Over recent years there has been an increase in both verbal and physical assaults on our airport workers. A recent GMB survey of workers at London Stansted Airport revealed that 88% of our members had suffered verbal abuse and 8% had suffered physical abuse. Yet although many of these incidents are reported, airport authorities and many airlines will not ban these abusive passengers. Instead, they could be directed to the ticket desk to purchase another ticket so that they could possibly travel on the next available flight and, consequently, abuse more of our members at ticket desks, check-ins, security searches, terminal shops, restaurants, boarding staff and airline crew.

Can you imagine being 35,000 ft in the sky and an abusive passenger is on your aircraft or, even worse, next to you. Some airlines would ban a passenger like that for life but many do not because of profits. This is because the service providers, the handling agent, will take the abuse and have little protection.

Congress, please support this motion because, perhaps one day, anyone who assaults our members at our airports will be banned for life and, thus, give our members a safer working environment. Please support my motion.

BRO. C. KERR (London): I am seconding Motion 59 – Assaults on Airport Workers.

The growing number of physical and verbal attacks on our members at Stansted is totally unacceptable. Violence and threats are causing our members pain, distress, anxiety and stress resulting in low morale.

An organisation like BAA has a duty of care to their staff. Our members have the right to carry out their duties without fear of violence and intimidation. The message must be sent out loud and clear that the GMB will not tolerate such behaviour from members of the public who vent their anger against them. Please support Motion 59.

MOTION 62

WORKING HOURS IN SAFETY CRITICAL JOBS

Congress instructs the Union to campaign for a maximum of four hours work, followed by a break, for all workers in safety critical jobs.

NOTTINGHAM COMMUNITY BRANCH
Midland & East Coast Region

(Carried)

BRO. M. WIDDISON (Midland & East Coast): I move Motion 62 – Working Hours in Safety Critical Jobs.

President and Congress, in asking for your support of this motion I am asking you to help improve the working life and safety of thousands of people in all walks of life. In my industry, which is tram operations, we can work up to six hours a break in certain circumstances. Would you like to be a passenger on such a vehicle with the driver not able to concentrate due to exhaustion? Many work days are eight hours long, so four hours maximum work is more than long enough without a break.

All research proves that the longer we work, tiredness sets in and we become more and more unsafe.

Motoring organisations, including our friends at the AA, tell us to have a break after two hours driving for safety reasons, so a break after four hours is not too much to ask for. Members deserve to have decent hours of work and decent breaks. We are a campaigning union so let us support this motion. Help reduce accidents; help improve welfare; campaign for a decent work-life balance. The health, safety and welfare of our members comes before profit and the unsafe working practices that still exist in the 21st Century. Thank you.

BRO. T. OWEN (Midland & East Coast): I second Motion 62 – Working Hours in Safety Critical Jobs.

President and Congress, accident rates plummet if workers get to take regular breaks. This was part of a report written for *The Lancet* in 2003. The report goes on to say: “After reviewing accident records at a car assembly part, a team of UK academics found accidents rates would double in the last half-hour of a continuous 2 hour work stint compared with the first half-hour.” They found that the risk of an accident rose significantly for workers as time went on. Regular rest breaks seem to be an effective way to control the accumulation of risk in industrial shift work.

This study was focusing on repetitive and machine-paced work, but I think I would be safe in saying that regular breaks would also be an effective way of controlling the

accumulation of risk and reduce accidents in jobs where safety is critical for the protection of our members and the public alike.

As time goes on we cannot rely on employers to do the right thing and put the employees' safety before profit because the latest figures for workplace fatalities stand at 124 in the six months from April to September 2006, and if this trend continues this will be rise of 17% on 2005/2006. This situation shows that the Government's reliance on employers to self-regulate is misguided and does not work, and that tighter legislation and more vigorous enforcement is required to protect our workers. Please support.

THE PRESIDENT: Does anyone wish to come in on the debate?

BRO. P. GOODACRE (Southern): I am speaking in support of Motion 58, Corporate Manslaughter.

This year is the 20th anniversary of the Zeebrugge ferry disaster in which nearly 200 people lost their lives. The name of the vessel involved in that disaster gives a clue to its cause: *The Herald of Free Enterprise*. That was free enterprise at its worst. Profits before all else.

The official inquiry identified a disease of sloppiness that went right to the top. Culpability and negligence were identified at senior management levels, yet no successful prosecutions followed. How many have since lost their lives due to negligence and cavalier indifference by senior management? How many will do so in the future. These same figures are quick enough to accept responsibility for generating profits and justifying their salaries and bonuses, so the law must be amended in order to make senior figures accountable and punish them accordingly when they fail.

Please support this motion.

SIS. A. MURPHY (North West & Irish): I am supporting Composite Motion 3. As you all heard this morning, Gordon Brown agreed to honour Tony Blair's promise at last year's conference. He has promised to contact me direct. I will be delighted if he keeps his promise and even more delighted if he ensures that compensation is available to sufferers of pleural plaque, pleural sickening and asbestosis. Let's hope this promise is kept. I support.

A DELEGATE: Colleagues, in relation to Motion 56, for many years anybody here who has been involved in health and safety have known that the number of inspectors has been going down and down. Not enough are in post. In fact, at last year's Hazards Conference, as anyone who was there will know, promises were made that there would be increases in the number of inspectors and more funding. In fact, we said that we had ready-made inspectors available, and they are yourselves. Still nothing has happened.

We have heard some very good rallying calls during the past three days, and I believe that this is a rallying call where we should be using the powers of the GMB to get our MPs actually to get this issue off the ground. We are fed-up with the present situation

which means that you will only have one inspection every seven years. Is that good enough? No, it is not. I ask you to support Motion 56. Thank you.

BRO. J. BALLANGER (Southern): I want to speak to Motion 58, the Corporate Manslaughter Bill. I work for a company called Lafarge Cement which last year had 20 deaths worldwide. One death was in England. Every time there is a tragedy it is brushed under the carpet. This Bill should be pushed through and pushed through fast. Thank you.

SIS. A. POULTON (London): I am speaking in support of Motions 56 and 58. Although I have heard people speak of "six months ago", I am not. A worker in Milton Keynes, at a meat processing factory, was decapitated when cleaning a machine. Management put the blame on the worker saying, "The machine was on and she put her head too far in." If that was the case, where was her health and safety training and where was the HSE? There is no funding for the HSE. There is less HSE going in. So support Motions 56 and 58.

THE PRESIDENT: Colleagues, is that everyone? *(No response)* I now move to the vote. I am taking the votes on Composite Motion 3, Motions 55, 56, 57, 58, 59 and 62. The CEC are supporting all of them.

(Composite Motion 3 was carried)

(Motion 55 was carried)

(Motion 56 was carried)

(Motion 57 was carried)

(Motion 58 was carried)

(Motion 59 was carried)

(Motion 62 was carried)

CEC Special Report: Corporate Manslaughter & Homicide Bill

SPECIAL CEC REPORT TO CONGRESS 2007: CORPORATE MANSLAUGHTER AND CORPORATE HOMICIDE BILL.

INTRODUCTION

It has always seemed a moral and legal contradiction that the law concerning workplace deaths in the UK did not extend to the prosecution of either organisations or individuals, except where an organisation was small enough to specify a "controlling" mind. An individual worker could be prosecuted however for something as trivial as stealing a pen from the workplace!

Trade unions, including GMB have for many years sought to rectify this position but it was not until the manifesto commitment of the incoming Labour government of 1997 that we held out any real hope of a Corporate Manslaughter Bill being enacted. This position was restated as part of the Warwick agreement before the last election. Shamefully it has taken almost 10 years for this to be debated, with a view to enactment, in parliament.

HISTORICAL BACKGROUND

Since the introduction of the Health and Safety at Work Act (1974) there has been a general improvement in workplace deaths from over 500 per year to 212 in 2005/6. Indeed these were the best recorded figures ever. However this reduction is not entirely due to improvements in workplace approaches to health, safety and welfare. Certainly the emphasis on a risk assessment based approach has helped but so has the changing nature of British industry.

In the 1970's the UK was a very different place industrially. There was a greater emphasis on manufacturing and heavy industry such as shipbuilding. Obviously more hazardous work often results in more serious injuries and deaths. The paradox in this is that those injuries and deaths are more transparent and recordable as they occur in actual workplaces. Contrast that with the growth in road traffic and the estimation that a third of all road traffic deaths involves someone driving for a living. This is over 1,000 people a year! This is almost certainly an historical high number but of course they are not recorded as workplace deaths and so the bottom line figure will become distorted.

Interestingly there have been prosecutions for negligence for employers who have enforced a long hours culture within the road haulage industry but it is still not registered as a workplace death. Some industries where the work would still be categorised as heavy, such as construction, agriculture or waste collection still have a disproportionate number of deaths and serious injuries. The safety culture within these sectors still leaves much to be desired and there is no doubt that this record indicates that negligence leading to workplace deaths continues to happen.

A recent, horrific, example of such a negligent death happened to the son of a GMB member. Daniel Dennis, from Bridgend, South Wales, was only 17 when he fell through a skylight while working for North Eastern Roofing. His father, Peter, had warned the employer that his son had no experience of working at heights. The company sent him onto the roof without training, with no harness or other protective equipment and no fenced off safety area.

If the devastation from the news of Daniels death had not been enough for the family the decision of the Crown Prosecution Service not to prosecute the company was seen as perverse. Particularly as the inquest jury had only, rightly, taken ten minutes to agree an unlawful killing verdict. The family, with support from GMB, took a judicial review to the High Court in an attempt to overturn this and force the CPS to reconsider. For only the second time in history the CPS were instructed to reconsider their original decision.

There are times when the state does not give enough protection and a trade union may be the only support a member can get. This case also serves to illustrate the need for a comprehensive Corporate Manslaughter Bill on the statute books, where an employers' negligence is fully investigated and prosecuted and the feelings of the family are paramount.

THE CONSULTATIVE PROCESS

The Home Office issued a Consultative Document on the proposed Corporate Manslaughter Bill in the summer of 2005. (Initially the Scottish Executive was to consult and publish their own Bill, titled Corporate Homicide. Perhaps due to the much stronger direction it appeared to be going in terms of definitions and sanctions it was decided that as this related to health and safety matters that this was not a devolved issue and would therefore be legislated from Westminster).

GMB, as previously reported to Congress, submitted its' views on the best way forward for the legislation. These are a matter of public record as contained in the Written Evidence of the Home Affairs and Work and Pensions Committees report published in October 2005. The areas of concern raised by GMB were as follows-

- Ensuring that senior managers and directors could be prosecuted and imprisoned for negligence following death

- Clarification on the definition of senior managers

- The imposition of corporate probation with a requirement to improve H&S management systems and practices

Other sanctions on offenders, including disqualification from directorship, suspension from office and negative impact orders (effectively "name & shame")

The imposition of fines commensurate with the seriousness of the offence

The removal of Crown Immunity for public bodies being exempt from the legislation

The legislation should apply in some circumstances where offences are committed abroad by UK based companies

Many other respondents, including other trade unions, broadly agreed with much of this submission but it was not surprising that organisations representing employers, such as CBI, IoD and EEF, disagreed fundamentally with the proposal to prosecute directors or senior managers.

GOVERNMENT PROPOSALS

The government published its' draft Bill in March 2005. The two select committees (Home Affairs and Work and Pensions) published their response after taking oral evidence, in December, the same year. Perhaps surprisingly they were closer to the trade union perspective than the government on issues such as secondary liability, the range of extension into the public sector and the sanctions that should be imposed after an offence.

The government proposals were greeted with a mixed reception.

- *Fundamentally there was to be no individual prosecution for directors or senior managers.*
- *There was a change in that it would be no longer necessary to highlight an individual or controlling mind to prosecute a corporation or an organization.*
- *There would not be prosecutions for offences committed abroad.*
- *There would be an extension of liability into areas controlled by the crown.*
- *Unincorporated bodies such as trade unions would still be outside the scope of the law.*
- *There would not be secondary liability for "aiding and abetting" on individuals.*

From the GMB point of view a mixed bag of proposals with the lack of proposed prosecution for individual directors particularly disappointing.

LEGISLATIVE PROGRESS

As the legislation progressed through both Houses of Parliament it was clear that there was much consensus though many sticking points remained. A cynical viewpoint has been expressed that the opposition parties have largely been supportive in the House of Commons but that there will be wrecking amendments laid down in the Lords. This is currently the position with regard to the proposal to include "Deaths in Custody" within this Bill. GMB do not disagree with the sentiment behind this and the devastating effects such a death can have on families, but would have to agree with the government that this might be better under other legislation and not in a Bill dealing principally with deaths at work. As might be expected the Home Office is currently stating that if the Lords persist with this amendment then the whole Bill will fall.

As this Bill has been carried over from the previous parliamentary session and must receive royal assent by July 1st this year it is not covered by the Parliamentary Bill where the Commons can overturn any final decision of the Lords. **Therefore if these events continue to follow the same path there may be no Bill, no matter how flawed it is!**

GMB and other trade unions, and trade union solicitors have been involved with meetings with ministers and Home Office staff during the legislative process. This has undoubtedly resulted in some (minor) improvements.

Unincorporated bodies will now be covered by the provisions of the Bill.

There will be remedial orders and some form of corporate probation. Details of these may have to await the McCrory report on sentencing guidelines.

There has been a better definition of the senior management test.

CONCLUSION

The proposed Bill is something of a compromise as far as GMB is concerned. Our principal objective has always been the pursuit of justice for the families of victims who suffered an unnecessary death at work by ensuring that senior individuals and organisations took health and safety matters seriously in the workplace. Long before the advent of this Labour government it was a matter for great debate within GMB. To have taken this long, ten years and counting, since the Labour party came to power, perhaps summarises the different priorities between ourselves and politicians.

However the Bill can be viewed as a real step forward in the campaign to ensure better justice and higher standards. It is important that this Bill gets onto the statute book and the concept of prosecuting organisations and corporations without the need to identify an individual is an important one. Already it could be argued that the debate around the Bill has made large organisations more safety conscious. The inclusion of a majority of the public sector and the introduction of remedial sentences are also useful.

It is important that we do not let it end here. Assuming that the Bill is passed in some form GMB should use its provisions as a starting point. In the future there will be an opportunity to lobby and campaign for directors' duties, either through an amendment to the Health and Safety at Work Act or as a separate law on directors after this Bill becomes legislation. GMB will always seek to get improvements in health, safety and welfare for our members and other workers as it remains one of the prime reasons why we operate in the first place.

(Adopted)

BRO. G. DOOLAN (CEC, Public Services): I move the CEC Special Report on Corporate Manslaughter and Homicide Bill.

Colleagues, the issue of corporate manslaughter has been debated many times before previous Congresses and the GMB's position has not changed much in that time. There may be new delegates here today, perhaps one or two, who may have missed previous debates and do not understand the strength of feeling felt by working people about this necessary piece of legislation.

To reinforce the argument, perhaps if I reveal what might be termed as a "roll call from hell", which involves recent deaths at work and subsequent punishment that was handed out to respective organisations by the courts. These are all taken from the June edition of the *Hazards* magazine and they are right up-to-date. Guy Leasing Company was fined £8,000 for the death of a 48 year old man by electrocution; Balfour Beatty, rail infrastructure, fined £180,000 and costs of £73,000 following the fatal electrocution of a contract rail workers; British Waterways, fined £100,000 following the drowning of a 41 year old man and his 19 year old son; SJF, fined £15,000 and £7,500 costs after a worker was paralysed after being lifted by an excavator and, finally, Just Granite Limited, fined £10,000 and costs of under £5,000 after a driver was crushed for unloading granite slabs. I could go on but what is the point? It would make you more angry.

You will, however, notice some common features in all of these cases. The only punishment in each case was a financial penalty, a simple fine. Even when some of the fines did not amount to very much, certainly not much more for a human being with the life crushed out of it. Contrast this with a recent fine handed out by the Financial Services Authority to NatWest Bank following the loss of a laptop with personal financial information on it. How much do you think the fine was? Was it

£10,000; £20,000; £100,000? No. It was £980,000! That is almost £1 million and, to the best of our knowledge, no one was killed, not even the poor bugger who lost the laptop. Perhaps someone with a better knowledge of the justice system can answer me why the loss of financial information, not even the money, can justify this huge fine, yet in one case involving death at work, even bearing in mind that legal guidelines state the need to take into account the assets of the organisation concerned, come anywhere near the fine implemented in the bank case?

For far too long deaths at work seem to be accepted as a necessary evil, a price we have to pay for accepting growth in our economy.

As our manufacturing economy shrinks, as the effect of health and safety at work changed attitudes since the mid 1970s, deaths at work have been falling, or at least until last year. In 2005/2006 the Health & Safety Executive was quick to inform us of the lowest level of deaths ever recorded – 212 in all. Some of this may have been down to a reaction to the horrific deaths of the Chinese cockle pickers in Morecambe Bay, with employers perhaps being extra vigilant for a short period of time.

Perhaps something else concentrated their minds. In the summer of 2005 the Government published its proposed Corporate Manslaughter Bill. There was much talk from the employers on how unfair it would be to single out individual directors for punishment in the event of a death. Well, they need not have worried. They will still get off scot-free as individuals and the short-term consequence of this change is that deaths for the first half of last year are up: 124 for the first six months, which if it continues in the same way will result in 30 more deaths than last year. That is 30 more circles of families and friends whose lives will be devastated by the unnecessary death of a loved one.

The unfortunate answer is that until there is a complete Corporate Manslaughter Bill, unnecessary deaths will continue amongst British workers. It is the Government's primary duty to protect its citizens lives. That is what we were told when we went to war in Iraq and we are told that that is why we need to replace Trident. So why, then, is this Government so reluctant, and failing so miserably, in protecting citizens' lives from rogue companies who kill thousands of people every single year in work-related incidents.

New laws have been announced to enable negligent pet owners to be jailed for ill-treating animals. Surely, humans deserve at least the same respect! The GMB will continue to campaign until this unjust wrong is put right and irresponsible directors are personally held to account. Please support the CEC's Special Report on Corporate Manslaughter.

SIS. S. BEARCROFT (CEC, Manufacturing): President and Congress, I second the CEC's Special Report on the Corporate Manslaughter and Homicide Bill.

Colleagues, we all know the grief and loss when a loved one passes away, but when this happens suddenly and unexpectedly, it can make things even worse. It is very difficult to image what the families and friends feel when that loss is not only final but is, essentially, criminal, as in the case of Daniel Dennis, when that criminality is disregarded and ignored. How did they feel? Not just the grief and distress but the

anger over the loss of a precious son. Conference, I have always spoken straight to you. I can tell you that the anger they feel is to watch this particular employer day in and day out drive passed their house in his now brand new van, with his ladders on the top. Shall I tell you how Anthea and Peter Dennis feel – like setting fire to his bloody van and sticking the ladders up his arse! That’s how they feel. *(Applause)*

If ever a situation was designed to make working people stand up and take notice, not just of Daniel’s death but of the families of the unfortunate workers who, like him, have lost their lives due to the corporate greed and negligence, and the way his family has been treated, following this unnecessary death, this is it. This clearly demonstrates the need for a comprehensive Corporate Manslaughter Bill.

The Bill as proposed is not good enough, but it is a marker that can be improved upon once it is on the statute book. There are some welcome points and we can be proud that the GMB has played and continues to play a full part in making sure that some of these essential points have been written into the Bill.

Malcolm, can you turn up the lights, please. We have campaigned before and we can do it again. We must continue this fight to bring individual directors and senior managers to account with not just the threat of imprisonment but actually placing them behind bars where they will pay for their criminal acts which a good law in this country will find them guilty of. Fines to a multi-million pound company is peanuts to the profits they make, risking the lives of our members. The fines for the death of a worker averages £30,000. This is worth less than a week’s wage for some of our sporting superstars. Never forget, that Daniel’s life was taken at the tragically young age of 17.

It is an unfortunate realism of life that sometimes the only real way to effect change is by threats. Colleagues, it is true that overall workplace deaths have fallen in the last 25 years, but why can’t we have a target of zero deaths at work? Why not? The GMB welcomes the progress so far but we see this as an evolving issue.

However, even as we debate this important issue today, it is again being discussed in the House of Commons. The Government is not accepting the latest amendment from the Lords but it has promised to legislate on deaths in custody in the future and, hopefully, this will be accepted by the Lords and the Bill can finally be passed.

Congress, not only have Anthea and Peter suffered emotionally, but also financially. Anthea has given up a well paid job to carry on the fight for this Bill. The effects are being felt now and will carry on being felt in the future when they become pensioners. Money will never replace Daniel and they are not looking for financial reward. But I can assure you that Anthea and Peter Dennis will never give up the fight until they have achieved justice for Daniel. The GMB will support them and fight with them until we accomplish this goal and put an end to the insidious corporate manslaughter. Please support the Bill. *(Applause)*

THE PRESIDENT: Congress, I will go round the regions in a little while. I think this must be very hard for the guests on our rostrum to sit here for all this time. I would like Daniel’s mum to address Congress. *(Applause)*

MRS. ANTHEA DENNIS: On April 8th 2003 our lives changed for ever. Our young son, Daniel, was killed when he fell through a skylight in the first week of his first real job. He was just 17. Daniel was at the beginning of his adult life. To us he was our baby. He was a 6ft.4 athlete who dream from a young boy was to join the Armed Forces. His choice was the Marines. He passed his medical, fitness test and interview, but we felt he was too young and persuaded him to wait. I even spoke to the recruitment officer because I was concerned of the fact that the war in Iraq had just broken out. Little did we know that Daniel would be killed three weeks later, not by war but by work.

There are no words to describe the shock, grief and panic you feel when you lose your child. We realise that a big part of our souls left with Daniel on that awful day and a very different family came home without him.

From the beginning the police gave us very little information. From the first time that the word “manslaughter” was mentioned, we never knew how important it was to have good legal representation. How would we? We were in a state of shock and grief. The police and the Health & Safety Executive assured us that no stone would be unturned. That was not to be the case. A few weeks after Daniel’s death we spoke to Sheila Bearcroft who told us how important it was to get good legal advice and with her help we found the GMB and Mick Anthonou, who helped us deal with the police and the health and safety.

Two years later in March 2005 Daniel’s inquest was held, and although we knew how difficult it would be to get an unlawful killing verdict, we were shocked that even the Coroner did not seem to know the law in this area. This day was always going to be a nightmare but to have to fight for the right verdict is unbelievable. Once again Mick and the barrister he appointed, Richard Turner, were fantastic. When the jury came back with the verdict of unlawful killing we were so relieved, but we knew that without Mick and Richard we would never have had this verdict. We thought that this verdict would add weight to the CPS’s decision to prosecute for gross negligent manslaughter. Unfortunately, this was not to be the case.

The fight with the Gwent CPS has been one of the most frustrating and demanding of our lives. All we wanted was justice for our son. Mick constantly badgered them, but they did not want to communicate at all. Eventually, they informed us that they would not be prosecuting North Eastern Roofing, the company who employed Daniel. Neither would they prosecute the two other companies involved. The reason they gave us left us reeling. They had taken Daniel’s employer’s word that Dan had been told not to go on to the roof, even though they had both been on the roof at the same time many times before. There were no safety nets, the skylight was not cordoned off Daniel had received no safety equipment or training. Also he was not wearing a safety harness.

We then took the decision to seek a judicial review and we were granted that right. On 29th November 2006 we went to the High Court in London and then we realised what my family and I had thought all along, that the Gwent CPS did not consider all of the evidence, most importantly the HSE report.

On 29th November Lord Justice Waller and Mr. Justice Lloyd Jones agreed with Richard Turner, Mick Anthonou and my family that the CPS breached their own code and forced them to look at the evidence again, this time with an independent counsel. Mick still had to fight to get any information. His letters at first were ignored and it was only with the threat of legal action that they answered and we still await that decision.

We feel that the CPS does not investigate death at work with the same importance and any other possible manslaughter investigation. As a family, we feel that we were treated with contempt by them as if we had no right to question their decision but we did. Daniel was unimportant to them, just another case, but he was our son, our life, and without him we have no real life.

Since the Zebrugge ferry disaster 21 years ago there have been calls for tougher legislation on companies which have breached health and safety regulations to such an extent that people are killed or seriously injured. Yet all these years later companies are still putting profits before safety. People like our son died, fines are pathetic and prosecutions are rare. The only way to make these rogue companies to take any notice is to bring forth a strong corporate manslaughter law because at the present time these companies are getting away with murder and the real price is paid by people like Daniel and the families like us who have had their lives torn apart.

Without the backing of the GMB my family and I would not have been able to do any of this and we thank you for your support, and Mick for his support and tireless work on our behalf. The last four years have been a nightmare. Losing Daniel alone has been very hard to cope with, but the stress and pain of fighting every step of the way has been an ordeal in itself and certainly has taken its toll. Yet we are grateful to you all for letting us have this opportunity. Thank you. (*Standing ovation*)

THE PRESIDENT: Anthea, thank you very much indeed for addressing the Conference. You know our thoughts are with you and your husband.

THE PRESIDENT: Congress, this year is the first time that we will be presenting this award, and we will continue to keep the memory of Daniel alive through the Daniel Dennis Health & Safety Award, which I will be telling you who is going to receive it after I have been round the regions.

I now move on the Report and ask regions which wish to come into the debate to do so. I will start with GMB Scotland.

BRO. F. ALEXANDER (GMB Scotland): I am speaking in support of the CEC's Special Report on the Corporate Manslaughter and Homicide Bill.

Colleagues, the health and safety publication *Statistics of Fatal Injuries* records, as was previously mentioned by the proposer of the Special Report, 212 workers killed in work-related accidents over the reporting period of 2005/2006. The situation is much worse than that. In addition, a further 384 members of the public were also killed in work-place settings during the same period. That is a total of 596 men, women and children. Put another way, that is everyone in this hall today.

The vast majority of all of these deaths were preventable, and due to management failures when employers fail to identify hazards, fail to assess risks and fail to develop safe systems of work. The pursuit of justice for the families of victims who suffer an unnecessary death within the workplace and workplace setting is one of the main reasons why we exist as a trade union today. Only if companies large and small know, and more importantly individual directors within these companies know, that they can be held legally responsible for their failures will we get the changes required to prevent hundreds of deaths every year.

President and Congress, from this rostrum I would like to send two messages. The first is to the House of Lords. Do not obstruct the final passage of this Bill which, although not perfect, is a step change in improving workplace safety. The second is to the Labour Government. Companies and individual directors through their actions or non-actions should be held to account. Make it so. GMB Scotland supports.

BRO. W. JUSS (Birmingham & West Midlands): Listening to Daniel's mother, I find it very hard to speak about the positive aspects of the Bill, which is what I was partly going to talk about. As a parent myself, I can only begin to understand how she must feel. It is something that is quite tragic, and it is tragic that after ten years of a Labour Government, we still do not have a Corporate Manslaughter Act. Hopefully, we will get there soon. The question we must be asking ourselves now is will the Bill make a difference?

The CEC Special Report says that it is something of a compromise, and it is certainly that. It is not going to send individuals to prison, as has already been highlighted. But where senior management has been grossly negligent and that results in a death at work, then the company will be guilty of corporate manslaughter. We will still have as the main penalty an unlimited fine but the Government has introduced two further penalties. We have got remedial orders and publicity orders.

The remedial order will allow the court to order the company to take whatever action it thinks is necessary for the company to prevent similar accidents from occurring in the future. The publicity order is a naming and shaming clause. It can order a company to place adverts publicising their conviction and giving details of how they caused the accident and the steps that they are taking to avoid future accidents. If the company does not comply with that order, then the court can impose further penalties.

The new Bill will also apply to unincorporated bodies such as partnerships and employer associations. It also results in the lifting of Crown Immunity, which are positive steps. This will mean that the public and private sectors will be on an equal footing. So in most situations government bodies causing the death of employees will be liable to prosecution.

The new Bill does not give us everything that we have asked for. As has already been highlighted with a lot of passion, it does not deal with the issue of liability of directors. But it is a step forward, a platform upon which we can campaign further. I need to emphasise that the union can make a difference. The GMB played an instrumental part in making constructive representations directly to MPs and to Government Ministers because, in its original form, the Bill was very weak. It has been significantly strengthened. As ever the GMB must continue to campaign. The

Government has given a commitment to look at the issue of making directors personally liable, and we must concentrate on this now. We must campaign for that. Once the directors become personally liable, that is when we will really make a difference.

BRO. B. HIBBS (Northern): I am speaking in support of the CEC Special Report on the Corporate Manslaughter and Homicide Bill. As we all know, even with good health and safety laws in place, sadly, it is a fact of life that people still get killed in the workplace, usually through companies skimping on their adherence to the health and safety legislation. Since the implementation of the Health & Safety at Safety at Work Act in 1974, workplace deaths have been more than halved, but when something does go wrong and a worker gets killed, there has been nowhere to go to prosecute the company responsible for the incident that led to the death.

The Bill goes some way to putting that right. After significant consultation the Government has come forward with proposals that we feel are acceptable. They do not give us everything we wanted, but they are a workable compromise. The lack of being able to take out individual prosecutions for company directors is regrettable and it is something that we should be pushing for in further legislation.

However, there are good things in the legislation that we should support. For example, unincorporated bodies will now be part of the Bill. Congress, Northern Region supports this Special Report as anything that puts pressure on companies to adhere to health and safety legislation. Making the workplace safer for our members and, in extreme cases, saving our members' lives must be something we support and encourage. Thank you.

SIS. R. BENNETT (South Western): I am speaking in support of the CEC Special Report: Corporate Manslaughter and Homicide Bill.

Congress, every year around 220 men and women are killed in the workplace, and some 15-20 of these tragic cases occur in Wales. In addition to those deaths are the deaths of literally hundreds of Welsh workers who die each year as the result of industrial diseases, such as asbestosis and pneumoconiosis, a tragic legacy to our industrial past. In nearly all cases involving deaths due to workplace accidents, subsequent investigations reveal that the accident was the result of negligence, and had some relatively simple safety measures been taken or a risk being properly assessed and with safety concerns by workers being listened to, many of the deaths would not have occurred and precious lives would have been saved.

What causes most families stress and anger is the failure of the legal system properly to hold employers accountable. To the families it seems that there are two laws; one for the workers and another for the employers and company directors.

Congress, after numerous public tragedies such as the rail crashes at Hatfield, Paddington and Ladbroke Grove, the Marchioness accident, the Avon Bridge accident which killed four men, including Geoff Williams from Newport when a gantry came off the rail and threw men 60 ft. to their deaths and the Port Talbot Steelworks blast which killed three men, the Government has eventually acted. In response to the demands from the unions, the TUC and the public, the Government has introduced a

Corporate Manslaughter Bill which will create a new law of corporate manslaughter. Although this is not as strong as we would have liked, it is a step in the right direction and it must become part of our legislation.

So, Congress, is the tide of health and safety really turning? Are more companies putting safety before profit? Will families such as Peter and Anthea feel that the campaign *Justice for Daniel* has borne fruit? Congress, we will only know when we have seen fewer and fewer deaths and serious injuries at work.

Let me say one thing to the men in the House of Lords. Please pass this Bill. Everyone, please support this Report.

BRO. G. FRASER (London): I am speaking to the CEC Special Report on the Corporate Manslaughter and Homicide Bill.

President and Congress, London Region shares the CDC's dismay at the length of time that it has taken to bring this Bill to the statute book but hopes, at last, that it comes into being this month. London Region also, colleagues, has lost members to corporate manslaughter very recently.

Keith Webb was working for the firm called Acclaim unloading sugar at Tate & Lyle on the Thames. The sugar had to be unloaded from a boat into a bogey and lifted across the Thames to the dock by train. The sugar was stacked so high and steeply it could not be reached by a ladder, so the company, quite illegally, lifted Keith into the bogey, over the Thames to the boat. The hook snapped. The bogey and Keith fell into the Thames and Keith drowned.

Colin Ricketts worked for National Grid Transco repairing gas leaks. One day the company sent him down a hole to repair a leak. The hole was far too small. Colin dies of asphyxiation. Those are dreadful examples, colleagues. We share the frustration of the CEC and other regions that the law does not at the moment provide justice for victims of this crime and, indeed, their families.

We know that the Bill as it stands is far from ideal. Just why are directors and senior managers free from prosecution? It makes no sense and to a large extent it defeats the object of the Bill. How can you jail a Plc for 15 years? But we agree that the first priority is to get legislation in place and then do everything possible to improve it.

But there is a big danger that the Lords will block the Bill. That would be outrageous, colleagues. It would be an affront to democracy and a stain on the memory of every victim of corporate manslaughter. Should that happen, London Region would expect the CEC to name and shame every peer responsible and publicise fully any link between these peers and big business which, naturally, does not want to see this legislation enacted.

London Region supports the Special Report. Thank you.

BRO. J. MCDONNELL (North West & Irish): I am speaking in support of the CEC's Special Report. To Mrs. Dennis, as a father of three grown-up children, to have the

courage to come here today and to speak like you did is very emotional, but I will try and get through what I want to say.

One of the many promises that New Labour made was the promise of a Bill that would address the issue of the responsibility of employers who cause the death of its employee/employees. Not surprisingly because of the stranglehold that the CBI, the IOD and the EEF have on New Labour, their promises are hollow.

President, why should a company or employers not be liable for their mistakes or ignorance that leads to a death? Why should the families of victims not be given justice and fairness? Why should we have to accept deaths at work as a risk and as a gamble that we have to endure? The only way to remove the risk is to make employers liable for the deaths at work by corporate responsibility. If they know that they may have to answer to the law, you can be certain that they will make sure that they undertake every step to protect themselves personally.

President, there are many recent examples of tragic events on building sites, in factories, on roads, at sea and on the railways. As we know, Network Rail took up ownership of the British Rail infrastructure in the year 2002. As the result of a number of health and safety blunders, it caused the collision of two trains at Paddington. This led to the deaths of 31 people and injuring 400 others. The company was fined £4 million. To add insult to injury, the fine was paid with taxpayers' money. None of the executives have ever faced prosecution for negligence. What we must not forget is the pain and anguish that we have just witnessed and heard of the families and relatives who have to suffer. No amount of money can bring a loved one back.

But what might help the people left behind and help put back a child's life which has been destroyed by the death of a mother or father at work is a sense of justice, to know that the person or persons responsible for their loss are paying their personal price through the law of the land.

To conclude, President, the Bill looks like it has been delayed because of the wrecking amendments in the House of Lords by its unaccountable and non-elected peers and also because of a lack of general consensus. But our union has continued to pressurise the Ministers and Home Office staff involved. As a result we have ended up with a watered down version of the proper law. But the fight goes on until we get justice for Daniel and all people like him. Thank you.

BRO. K. ROBERTS (Southern): President, Congress and Mr. and Mrs. Dennis, I am responding on behalf of the Southern Region to the CEC Special Report on Corporate Manslaughter.

Death is the overriding subject of this Bill. Let us never, ever forget that. The Report makes it very clear that the Bill is a weak and watered down piece of legislation. However, it is all we are likely to get at this time so we must be thankful for at least having that. This Bill is just the start along the road enabling us to bring the people ultimately responsible for death in the workplace to justice. We can repair and replace machines but we cannot repair a dead human being.

Nearly two years ago I addressed the Special Congress in London and mentioned that I was a former serving police officer. Congress, on too many occasions as a police officer I have had to tell families that a loved one is never returning home because of an act of criminal negligence by their employer. I earnestly wish that I could have visited those same families and said to them, "Your loved one will be coming home today because the GMB has made their employer improve safety in the workplace".

When I carried out my initial training for the police force, I was taught that the primary duty of a police officer was the protection of life and property. Congress, through our health and safety activities we are by definition the workplace police. We strive day by day to improve health and safety and through these efforts we protect the lives of our colleagues in the workplace.

As thin as this Bill is, we at least have the opportunity to bring irresponsible employers and organisations to answer for their criminal negligence. However, we must make sure we use it as a tool to improve further health and safety in the workplace in order to prevent these deaths occurring in the first place. Thank you.

SIS. E. BLACKMAN (Midland & East Coast): President, Congress and Mr. and Mrs. Dennis, I am supporting the CEC's document on Corporate Manslaughter and Homicide.

In supporting this report my region agrees that although the proposed Bill is in its present form a compromise as far as the GMB principles are concerned, it is important that it gets upon the statute book now because the intent of taking legal action against organisations and corporations without identifying individuals is an important principle. Equally, the inclusion of the public sector on the introduction of remedial sentences to those who fail to adhere to health and safety legislation is an important step forward. Notwithstanding this, our support for this report believes it would be remiss if we did not express our concern about the following points. First, in the five years leading up to 2004 there were 2,157 deaths at work in the United Kingdom. Fact. From 2003-2004 alone there were 233 fatal injuries which is an increase of 4% on the previous years.

As a mother and a grandmother I was deeply moved by Mrs. Dennis's account of what happened to her son, but as a trade unionist I am bloody angry. I ask you, colleagues, how many more deaths, such as that of this boy, will it take before punitive action is taken against the failure of management to implement health and safety practices?

My region believes that without individual penalties against senior management or company directors very little will be done to improve health and safety at work, especially in those companies which are not union organised. However, for us the most blatant omission from the Bill is the failure of the Government to include causing serious injury as a result of gross negligence by the management as an offence, as the Bill is limited to breaches of health and safety legislation leading to deaths. This omission is beyond belief given that between 2003-2004 more than 160,000 people were injured at work. It is my region's belief that the Bill sends out completely the wrong message to company directors, which is why we wholeheartedly support the statement which is inherent in the report, that we should

use this Bill once it becomes law as a starting point for a separate Bill or an amendment to the Health and Safety at Work Act covering directors' and senior management's responsibility.

Colleagues and Mr. and Mrs. Dennis, our prime objective is to protect our membership but in terms of health, safety and welfare, the GMB has a proud tradition of extending that protection to all our citizens and we will continue to support you. Thank you.

SIS. M. TAYLOR (Yorkshire & North Derbyshire): I am speaking on the Corporate Manslaughter and Homicide Bill Report.

Colleagues, there may be more important debates this week but I doubt it. This report is a matter of life and death, the working lives of our members and the shocking workplace deaths of which there are far too many. A statistic in this report chills the blood, that since 1974 the number of workplace deaths has gone from 500 to 212, and that figure of 212 is the best recorded figure ever. Colleagues, that is not progress. The death at work of 212 people is a national scandal and it is right that the GMB is saying so loudly and often, because most, if not all of the deaths, could and should have been avoided, could and should have been foreseen and could and should have been prevented, and it is simply not acceptable that no one is to blame. It is essential that companies, large and small, take health, safety and risk seriously.

In large companies it is all too easy for those who take the big decisions and, consequently, the big pay packets, to hide when it comes to decisions which lead to accidents and death. Employers will only start to act to ensure that our members are safe at work if senior managers and directors as individuals are held to account. I can guarantee you that the choice between profit and safety would be a real no-brainer for any director who knows that he could end up in jail if he gets it wrong.

Congress, we pay tribute to the legion of trade union safety representatives who have made and continue to make a real difference to safety standards at work. We pay tribute to our National Health and Safety Department for its leading support and, on this issue in particular, the lobbying and campaigning for justice to be allowed to be done. We support this Special Report.

THE PRESIDENT: Does that complete all the speakers? *(No response)*
Colleagues, I put the Report to Congress.

(The CEC Special Report: Corporate Manslaughter & Homicide Bill was carried)

PRESENTATION OF THE DANIEL DENNIS HEALTH & SAFETY AWARD 2007

THE PRESIDENT: Colleagues, it is now the time that we name the recipient of the Daniel Dennis Award. It gives me great pleasure to announce that the winner of the Daniel Dennis Health & Safety Award and Safety Representative of the year for the GMB is Elizabeth Jeffrey from Northern Region. *(Applause and cheers)*

Elizabeth is the Branch Secretary of North Cumbria General and is also a shop steward, safety rep, Union Learning Rep and a Regional Council delegate.

Elizabeth is our sole safety rep in the Asda Carlisle store. She has been successful in gaining health and safety improvements and has successfully put the case for providing safety footwear provided for the petrol station attendants in Asda.

Through hard work and perseverance she has increased from 12 to over 140 members in her store. She produces an excellent monthly newsletter for her members in South Cumbria and Kendal. She has recruited members using health and safety issues to interest and encourage them. When her manager failed to act on the information and photographs she provided on bad health and safety practices such as blocked fire exits, food and clothing rails and pallets in passageways, she contacted the Health and Safety Executive who are investigating the matter. Good on you, girl. She also used the photographs to highlight the problems to members and potential members emphasising that they are safer in the GMB.

Colleagues, I would like Mr. and Mrs. Dennis and myself to present Elizabeth with the trophy. (*Presentation made amidst applause*)

SIS. E. JEFFREY (Northern): President and Congress, when I was told that I had won this award, the first thing I said was “Why me?” I am only doing the things that I think are right. After the initial shock I realised that I am extremely honoured to receive this award. I also realised that this award is to recognise me along with my fellow health and safety reps, especially in Asda, who have to continually endure hostility within the workplace while trying to enforce health and safety issues. But if fighting for good health and safety at work means putting up with the hostility and the ignorance of management to ensure that we save a life or prevent an injury, then I say bring it on, because I won’t give up. (*Applause*)

THE PRESIDENT: Congress, we also have a Highly Commended Silver Badge for another outstanding safety rep who was a very close second, and this goes to Jan McCann from Birmingham & West Midlands Region.

Jane McCann works for Worcester County Council in Children’s Services where, as a GMB safety rep she has negotiated a risk assessment review with council safety officers and set-up a GMB website on the Council’s intranet. She has set-up a working party to promote new health and safety reps in schools. She is the joint union secretary for corporate health and safety group where she has increased the GMB’s profile.

Jane uses health and safety as an organising tool, which has helped the consolidation of GMB membership in the authority where membership has grown from 70 members to 700. Her tenacity and drive are remarkable and she has dealt with personal attacks. For example, when she was only 21 she was left to work alone in an unmanned building with a sex offender who made a complaint against her leading to her arrest. Luckily, the GMB solicitor resolved the issue. Jane is a model health and safety rep who deals with members’ issues in a professional manner.

Jane, it gives us great pride to present you with the badge. I ask Anthea and Peter Dennis together with myself to present the Silver Badge to you. (*Presentation made amidst applause*)

SIS. J. McCANN (Birmingham & West Midlands): First of all, congratulations to Elizabeth. I would like to echo what Elizabeth has said. Working for the local authority within Children's Services, I have unexpectedly found myself a health and safety statistic in that I was assaulted by a services user. No health and safety procedures were in place; no risks assessments, nothing. Later as the new health and safety representative, trying to ensure that no one else would have to go through a similar experience, like Elizabeth and like all of our GMB health and safety representatives, it has been a struggle but one which I believe may have been worth the bruises. Our health and safety procedures are now in place.

So I would like to thank you, Congress – this is my first visit – for this award which I am accepting on behalf of myself and my colleagues at Worcestershire County Council, which is a great honour.

A special thanks go also to the officers of Birmingham & West Midlands Region, especially Roger Jenkins and Wayne Powell. Thank you. (*Applause*)

THE PRESIDENT: Congress, let me say that I am very proud to have participated in presenting those awards. Do you know what makes me prouder still? It is the fact that two women have won our first and ever honour in this field. (*Applause*) You have seen it, you have heard it, now do something about it out *there* because if these two girls can do it, you can do it. In ten years I never thought I would ever see health and safety so high up the agenda with individuals, and I am proud to be party today with this award.

I am also very proud to thank Mr. and Mrs. Dennis for coming to our Congress. It has been an endurance for them today and personally an endurance every day, every morning when they wake up. Let me say to you both, on behalf of myself, the Executive and the Congress, we will do everything in your power to see that you and your family get justice. Thank you very much. (*Applause*)

Congress is closed until 9.30 tomorrow morning.

Congress adjourned