

**GMB  
CONGRESS 2024**

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**BARBARA PLANT  
(National President)  
(In the Chair)**

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**Held in:  
The Bournemouth International Conference Centre  
Bournemouth**

**on:  
Sunday, 9<sup>th</sup> June 2024  
Monday, 10<sup>th</sup> June 2024  
Tuesday, 11<sup>th</sup> June 2024  
Wednesday, 12<sup>th</sup> June 2024  
-and-  
Thursday, 13<sup>th</sup> June 2024**

.....  
**PROCEEDINGS  
DAY THREE  
(Tuesday, 11th June 2024)**

.....  
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## **THIRD DAY'S PROCEEDINGS**

**TUESDAY, 11<sup>TH</sup> JUNE 2024**

### **MORNING SESSION**

*(Congress assembled at 9 a.m.)*

THE PRESIDENT: Could I call Congress to order. Thank you.

Before we start, I hope you had a good evening last night, whatever you were doing. At this stage, I would like to re-draw your attention to our Zero Tolerance policy, which is published at the beginning of the Congress Agenda. One of our core principles is the right for everyone to be treated with equality, dignity and fairness, including in GMB settings. This requires us to think carefully about the language we used and how it may be received by members of all backgrounds and communities. Sometimes we may need advice from colleagues on language where we are not sure if a word could be hurtful. In order to ensure a welcoming atmosphere for all, please can I remind all delegates to consider their language carefully when they are making speeches and ask for advice from colleagues if you are unsure. Thank you. *(Applause)*

### **REGIONAL CAMPAIGN VIDEOS (NEYH/NW&I)**

THE PRESIDENT: We will now play the regional campaign videos for North East, Yorkshire & Humber Region and North West & Irish Region.

Can I ask the speakers of Motions 166 and 168 to make themselves ready to speak.

*(Regional Campaign Videos played)*

THE PRESIDENT: Another two brilliant videos showing everything that is going on within the GMB led by our members and what a rousing way to start the morning.

### **STANDING ORDERS COMMITTEE REPORT NO. 5**

THE PRESIDENT: Can I ask Karen Dudley to give Standing Orders Report No. 5.

KAREN DUDLEY (Chair, Standing Orders Committee): President and Delegates, Standing Orders Committee Chair moving SOC Report No. 5.

Withdrawn Motions. The SOC has been informed that the following motions have been withdrawn: Motion 142: School Meals – Are Our Children Getting a Fair Deal? This is from North West & Irish Region. And Motion 143: No to Privatisation of School Kitchens from North East, Yorkshire & Humber Region.

Bucket collection. The amount collected yesterday by North East, Yorkshire & Humber for the Rob Burrows MND Charity was £389.15p. (*Applause*) The region has advised us that they will be rounding up the collection to £1,000. (*Applause and cheers*) President and Congress, I formally move SOC Report No. 5.

THE PRESIDENT: Is anybody speaking in opposition to Standing Orders Committee Report No. 5? (*No response*) No. In that case, I will put that to the vote. All those in favour, please show? Thank you. All those against? That is carried. In regard to the bucket collection, well done. That information will be sent out to all regions so that they can add to it, but it is their regional decision by their regional committee because it is their finances. But I am sure they will be very generous and add to that pot. Thank you.

*Standing Orders Report No. 5 was CARRIED.*

### **LAY LEADERSHIP PROGRAMME**

THE PRESIDENT: Congress, as you know everyone of us in this room is a union leader and we are proud to have launched our GMB academy of Leadership this year.

Already a cohort of new Regional Organisers and five cohorts of Lay Leaders have been through our first leadership programmes. In the room we have some of those leaders from Scotland, Wales & South West, North East, Yorkshire and Humber, London and Midlands who have attended our first ever lay leadership programme. Can they stand up, please, for a round of applause. (*Applause*) Don't sit down yet because I have been told to ask you if you can shout out the key skill of a leader.

THE ACTIVISTS: "Listening".

THE PRESIDENT: Do you want to shout that again.

THE ACTIVISTS: "Listening".

THE PRESIDENT: Listening. If all of those people standing up could hang back after this morning's session, Gary and I will be awarding you your certificates. Well done again, and thank you. (*Applause*)

## **INDUSTRIAL & ECONOMIC POLICY: PUBLIC SECTION**

THE PRESIDENT: We now move onto motions to be debated under Industrial and Economic Policy: Public Section. Can I ask the mover of Motion 166 to come to the rostrum, please.

### **A NATIONAL CAMPAIGN FOR AN INCREASE IN CENTRAL GOVERNMENT FUNDING FOR ALL COUNCILS AND DEVOLVED GOVERNMENTS IN THE UK MOTION 166**

#### **166. A NATIONAL CAMPAIGN FOR AN INCREASE IN CENTRAL GOVERNMENT FUNDING FOR ALL COUNCILS AND DEVOLVED GOVERNMENTS IN THE UK.**

We are calling on congress to adopt and launch a national campaign to increase central government funding for councils and devolved governments nationwide.

A large number of our members are education based and are extremely concerned about their LA's funding. They are worried about their assets - that they own - like schools, parks, leisure centres etc being sold off to private businesses that don't have their communities' best intentions at heart – profit over care, quality and wellbeing of workers and citizens. This ideology of austerity and private ownership over collective ownership and publicly owned assets is having a detrimental effect to the society we live in.

Our members in schools are seeing their terms and conditions being made a mockery of (that we have fought for in our council) by Academies. Academies also receive government funding and their own trust funds. LA's rely on central government funding that has been cut to dangerous levels by the current government. This clear advantage academies have in the market compared to LA maintained schools is definitive proof that an ideology is being pushed by the government, and they couldn't care less about whether its having a positive or negative effect.

Hamstringing the budgets to the assets we own and managing a decline of the assets; must not go on any longer, and the trade union movement must unite to stop this, before its too late and we lose ownership over everything.

Councils are being forced to either sell our assets, land, and in one case; their family silver, in order to balance the books, which they have a responsibility for. One in five council leaders fear section 114 notices.

It is also deeply disheartening that an incoming Labour Government hasn't committed to increasing council budgets. Whereas it's positive that they are aware of SEND budgets being dangerously inadequate and have committed to rectifying this and L10 thank them for committing to this. If we really want SEND pupils lives enriched, then a commitment to funding all the services they access, would help the communities that they live in.

Congress, please help us rectify an issue that has adversely effected generations for decades.

**L10 LEEDS SCHOOL SUPPORT STAFF  
North East, Yorkshire & Humber Region**

*(Carried)*

JAMES WILSON (North East, Yorkshire & Humber): Congress, I am moving Motion 166: A National Campaign for an Increase in Central Government Funding for all Councils and Devolved Governments in the UK. Possibly, that is the motion at this Congress with the longest title. If we do have a campaign around this subject, I think we'll need a better and snappier title. Congress, one in five council leaders fear section 114 notices. The majority of our councils are under section 188 notices. One-in-five council leaders fear bankruptcy. They have even, literally, sold the family silver in one council. This means redundancies or TUPE transfers to academies for our members in schools. The majority of academies, unfortunately, make a mockery of the hard-fought terms and conditions GMB has fought for throughout the years. Academies already receive DAG funds from central government to maintain their buildings and they have a nice trust fund to dip into whilst council-maintained schools have their budgets stripped by central government. Congress, we know this ideology has been pushed by the Tories through austerity and they couldn't care less if it's having a positive or negative effect just as long as their mates make money and the bosses fund their election campaigns. It's all good for the owning and political class but not for us, the working class, the many, not the few!

As one of the many, who is the future of this Union, I want to maintain and build upon those progressions previously mentioned, and I want my generation to have the same opportunities and rights that all generations had years back: the possibility of the right to own a home, the right that our public services function properly, the right to enjoy life and have a disposable income, the right to be treated with dignity and respect at work and the right to a fair day's pay for a fair day's work. Private markets are derailing that progress Congress. It's not just schools that will be sold off. It's our parks, leisure centres, care homes, refuse collection and also already some council buildings have been sold. The key word in that list is "our". They are our assets and we must not lose ownership of them.

We know here at Congress that the majority of these private companies do not have our communities' best intentions at heart as privatisation's main objective is private profit before anything, yet Government sits and scratches its head as to why there is a mental health crisis in the UK. It's because people don't feel they have ownership in their communities, ownership of their lives and constantly being dictated to by the boss and by a heartless Government.

The Tories, and especially Michael Gove, must be punished at this general election for robbing our members blind. Speaking of Mr Gove, when asked by our councillor for education why his mates in the DfE have created a system where

special education needs and disabilities in Leeds are the least funded in the whole country, his response was that our council waste money on funding for minorities in Leeds, the very pupils that that budget helps. The man has been a disaster and thank God he isn't standing in the up-coming general election on July 4<sup>th</sup>, and that's the best political decision he's ever made. Defunding councils doesn't economically make sense and it should not be the burden of everyday working people to plug the funding gap by raising their council tax, rents, care home fees and so on.

Labour's Preston Model proves this. For those who don't know, the Preston Model is basically a community-wealth programme. Invest in local government and our assets, return wealth in the community and stop it being shopped off to Jeff Bazos's back pocket and it will pay off in the long run. Community wealth needs to be at the forefront of Labour's economic policy and it is worrying that, when asked if they would increase budgets nationally, they gave our members word solid answers. It is a no-brainer for Labour nationally and they are already doing this on a local level with the Preston Model. Please, Labour, give our members and Congress some hope. I move. *(Applause)*

THE PRESIDENT: Thank you. Secunder?

CHRIS WINKS (North East, Yorkshire & Humber): Good morning, Congress and President. How are you doing? I am seconding Motion 166. In recent years cuts in local government funding have had a huge impact on local communities. We've had years and years of Tory austerity. They have made awful cuts to really important public services and stripped back opportunities for many young people. Local councils are on the frontline. They are going for the most vulnerable. They teach our kids. They pick up our bins, help the homeless, look after the elderly, fix our roads and do thousands of other things that keeps life running. The situation is really bad for our young people. They have lost so many opportunities because of these cuts. All too often they tell me that things seem hopeless, and we have a responsibility to fight for a better future for the next generation and all our communities. No matter what party is in power, we need to force change and progress. Congress, please support this motion, let's change the future for the better and let's get rid of the bloody Tory Government.

As a Yorkshire legend said: "In a world full of adversity, we must dare to dream but we should push further and force change". I second. *(Applause)*

THE PRESIDENT: Thank you. I call the mover of Motion 168. I remind everybody to go to the desk to get your credentials scanned otherwise your name won't appear on the screen.

**JOB EVALUATION IN LOCAL GOVERNMENT  
MOTION 168**

**168. JOB EVALUATION IN LOCAL GOVERNMENT**

We call upon the GMB Public services section to lobby the Local Government Association on the rerunning of Job Evaluation across all local authorities.

Job evaluation in most authorities has not been re visited for over 15 years, many jobs will have changed due to the 10 years of austerity faced in local government.

With fewer employees doing the work of those who's roles have been deleted, further due to the pandemic many practices in roles will have changed too.

Any Job Evaluation must cover all roles within the authority from the top to the bottom. It must include the Trade Union at every stage to ensure fair application of the scheme.

This will also be an opportunity to deal with job creep and the erosion of SCP's due to the national living wage, meaning that many supervisors are now paid the same as those they supervise.

This will also identify areas where equal Pay exists and allow us to both challenge and fix.

**S38 SHEFFIELD MUN AND LT.  
North East, Yorkshire & Humber Region**

*(Carried)*

CRAIG THOMPSON (North East, Yorkshire & Humber): Congress, none of our jobs are getting any easier. We now have a few doing the job of the many. Our parks and green spaces still need being maintained, our bins still need emptying and the demands of council tenants are still as complex and demanding as ever. The story has been repeated over and over again. Departments in my local authority and in other local authorities have been cut, cut and cut. There has not been a reduction in work or a reduction in stress. We all know that it is the complete opposite, more responsibility, more accountability, more tasks and pay that now does not reflect the extra tasks that have been added year on year.

Job evaluation, sometimes known as job manipulation, is intended to keep pay down. It is done to budgets and not roles. Arguably, in many authorities, this was rushed through years ago, done wrongly and created endless equal pay claims. That is why this needs to be looked at again. Trade unions must be involved with trained job-evaluation representatives in every step of the scheme with fairness and transparency. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Craig. Seconder?

ALEEKE ANDERSON (North East, Yorkshire & Humber): Congress, I am a first-time delegate and a second-time speaker. *(Applause)* The current Job Evaluation Scheme for local government is stealing money from our employees, which is there to build services and to manage for the people of this country. Too often employees are dumped with extra roles, jobs, tasks and responsibilities by management as the local government budgets are cut every single year as we are told.

We see support staff in schools saying that they could make much more money working at Aldi and Lidl but instead they choose to work in schools because they like working with the kids. They are the ones who are teaching our kids to become better for the future who, in the future, will run this country. We are tired of our members coming to asking for foodbank vouchers, for benefits and for extra shifts just to make ends meet in their home.

Congress, it is not right that employees are not paid well and rightfully what they deserve, yet local government depends on the goodwill of staff for their benefits, while their employees have to survive past their bottom lines and having to claim for benefits and food vouchers. Congress, we need to make a difference. Please support this motion. *(Applause)*

THE PRESIDENT: Well done. Does anyone want to speak in opposition? *(No response)* No. Then I can ask Penny Robinson from the CEC to respond, please.

PENNY ROBINSON (CEC, London): I am speaking on behalf of the CEC responding to Motions 166 and 168, which we are supporting with qualifications.

Motion 166 asks for the trade union Movement to unite and campaign together on increasing central Government funding for all councils and devolved governments. Our qualification is that Congress does not have the authority to deliver this. We can engage with sister trade unions within the public sector and encourage them to join us in the campaign. We are in support of the GMB campaign on funding for local authorities, councils and devolved nations.

On Motion 168 the CEC recognises that job evaluation is an issue for many working across local government, and this motion is in line with GMB policy and regional local campaigns.

To clarify, the Local Government Association does not have the authority to instruct local government employers to undertake the re-running of job evaluation across all local authorities as this is for local determination. Therefore, our qualification is that when running job evaluation campaigns we should



ensure that job evaluation and equality training is undertaken regionally. This is so we can continue to campaign for fair implementation of job evaluation that focuses on building a union and upskilling our reps. Therefore, the CEC is asking Congress to support Motions 166 and 168 with the qualifications set out. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Penny. Does North East, Yorkshire & Humber accept the qualifications on Motions 166 and 168? *(Agreed)* Yes. I will put that to the vote. All those in favour of Motion 166, please show? Thank you. Anyone against? That is carried. All those in favour of Motion 168, please show? Anyone against? That is carried.

*Motion 166 was CARRIED.*

*Motion 168 was CARRIED.*

## **INDUSTRIAL & ECONOMIC POLICY: PUBLIC SECTION**

THE PRESIDENT: Could the movers of Motions 144 and 145 come to the front. I am very impressed because delegates have come down before I have even called you.

### **TACKLING ABUSE OF SCHOOL SUPPORT STAFF MOTION 144**

#### **144. TACKLING ABUSE OF SCHOOL SUPPORT STAFF**

This Congress agrees to note the agreement that has been struck between staff and management at Oasis Academy on the Isle of Sheppey following three days of strike action.

An agreement has been reached to tackle unacceptable behaviour, including physical and verbal assaults.

The Academy have agreed to provide £500,000 for additional behaviour specialist staff, a minimum of 5 days' exclusion for assaults and threats against staff and a joint, ongoing safety working group between the unions and the trust.

Many GMB members dread entering their schools every morning fearing physical and verbal assaults from pupils. They love their jobs but not the abuse that they receive.

When they complain, as often as not, they are told that it is part of the job.

School managers tell them that they have a duty of care to the children but forget that they have a duty of care to their staff too.

We call upon the CEC to formulate a Schools Zero Tolerance strategy that can be adopted by regions which would include draft agreements to be agreed at schools, academy chains and trusts.

The strategy could be used as a necessary and effective tool for campaigning and organising in schools.

**B06 – GMB CAMPAIGNING BRANCH**  
**North East, Yorkshire & Humber Region**

*(Carried)*

JAMES WILTON (North East, Yorkshire & Humber): President, I am moving Motion 144: Tackling Abuse of School Support Staff.

Congress, when I say that the education system is broken, I mean it. The very fact that we need a motion like this to discuss how GMB members are regularly assaulted in schools shows just how broken the system is. We all know why pupils demonstrate physical unwanted behaviour. It's because they are struggling to communicate. However, no member of staff in any workplace should be subject to the amount of abuse our learning support members receive daily. Unfortunately, some head teachers in the majority of academies neglect their duty of care. I really want to stress that this motion isn't about painting pupils as dangerous children and young people. Scrutiny of assaults in schools by the trade unions and other exterior bodies are there to help the pupils. You have to be able to point an issue out and accept it is an issue before you take the necessary steps to help. Schools and academies that try to avoid this are not only failing in their duties as employers but they are failing the pupils. Academies avoid accountability by hiding behind their own internal complaints procedures and reporting of staff assault systems.

It's not like how the council works where reps in health and safety meetings can scrutinise assault forms. Academies are only accountable to regional directors. Remember when I said that the system is broken, no matter how much academies and some schools tell our learning support members that this is part of the job, it isn't. It's their duty of care that is part of their job.

Academies avoid setting up JCCs and consulting with GMB reps. They will do anything to avoid talking to us. That means we are doing a good job. But, still, it is better to talk and find a middle ground and good employers know this. GMB already has a Violence-in-Schools campaign, and we have a SEND Matters campaign in Leeds that addresses the issues as well. This motion goes further. We need Labour to listen to us when they set up the SSSNB, the School Support Staff Negotiating Body. It is a monumental achievement that GMB has got the SSSNB on Labour's New Deal for Workers. As I said, our concerns must not be ignored in that negotiating body. We need Labour to set up a new agreement for TA's via the SSSNB with all employees in schools including academies that will

help to hold bad employers to account, that think it is acceptable that teaching assistants should come to work to be assaulted. We also need Labour nationally to actually say the words "Teaching assistant". Unfortunately, Congress, there is a lot of work for Labour to do.

I would like to take this opportunity to thank GMB nationally for the continuous fight for the SSSNB and our members and reps in Leeds thank you as well. I ask Congress to support this motion and help learning support and pupils across the country get the justice they deserve. Thank you. *(Applause)*

THE VICE PRESIDENT: Thank you, colleague. Secunder?

SALLY RYAN (North East, Yorkshire & Humber): I'd like to say that I am a first-time delegate but a second-time speaker. *(Applause)*

I am seconding Motion 144: Tackling Abuse of School Support Staff. As we are all aware, all employers have a legal responsibility to tackle violence and aggression in the workplace as well as a duty of care towards their staff. We have seen year-on-year an increase in violent behaviour in schools towards support staff. We have a national campaign – Violence in Schools Guidance – and we also have our local SEND campaign which addresses these issues as well. A survey conducted this year by our comrades in Glasgow revealed that one-in-five members working in school support roles reported daily incidents of violence with 60% of these incidents going unrecorded. Academies have their own recording system so it is impossible to get a true figure of the actual assaults as they have their own internal processes with no oversight from external bodies.

If someone walked up to you in the street and physically or verbally assaulted you, would you do nothing? Probably not. You would more than likely ring the police and report it, but when the same happens to support staff they are generally told that that is a part of their job and discourage them from recording these incidents. However, this is not acceptable behaviour for anyone having to endure on a daily basis. Our members deserve better.

I am aware that the GMB has a zero-violence strategy but this is not enough. We should be ensuring that where schools employ our members they should be aware of this and they are encouraged to sign up to it.

Can I also say that this should not be just directed at schools. I support members who work in Children's Services working in residential settings who are experiencing similar issues. All our members deserve to be protected and we, as a union, should ensure this happens.

Delegates, this is an issue close to my heart and at times I feel that I am hitting a brick wall. I implore Congress to vote this motion through. Thank you.

*(Applause)*

THE VICE PRESIDENT: Thank you, Sally. Motion 145.

Colleagues, let me make an announcement. The names on the screen isn't working at the moment. They are trying to fix it. Could you make double-sure that you say your name clearly and your region. Thank you.

## **FAIR DEALS FOR RUN DOWN STATE SCHOOLS MOTION 145**

### **145. FAIR DEALS FOR RUN DOWN STATE SCHOOLS**

This Congress recommends that school buildings, which were given a 30 year design life in the 1950s through to 1970s, should be systematically replaced.

Recent structural issues about RAAC and HAC concrete failures amount to insurmountable critical structural problems from buildings that are unsustainable, costly to run and maintain and were never meant to exceed their design life, due to their low cost economical forms of 'short life' construction.

Following the post war baby boom the need for more and more school buildings, led to more demanding events, including the ROSLA (Raising Of School Leaving Age), which meant more short life economical facilities needed to be constructed. This was followed by the costly imposition of asbestos in schools, HAAC etc. Leaking temporary (modular) classrooms have replaced contemporary school buildings apparently indefinitely.

Recent escalations in school defects have left many state schools unfit for the purpose they were designed. Children wearing gloved hands and shivering while at school, as unearthed by the BBC Panorama programme on Tuesday 23rd January this year, in this wealthy country can only be seen as totally unacceptable.

I move.

### **W27 TOLPUDDLE BRANCH Southern Region**

*(Carried)*

CHRIS HIBBERD (Southern): Vice President and Congress: Fair Deals for Run Down State Schools. This Congress recommends that school buildings, which were given a 30-year design life in the 1950s through to the 1970s, should be systematically replaced.

Recently published structural issues about RAAC and HAC concrete failures amount to insurmountable critical structure problems from buildings that are unsustainable, costly to run and maintain and were never meant to exceed their design life, due to their low-cost economical forms of 'short life' construction. These places of learning are no longer fit for purpose in the modern age.

In the 1950s and '60s the immediate need for new schools fell largely to local authorities who, at that time, had their own architectural and building functions in house. Following the post-war baby boom, the ROSLA (Raising of School Leave Age) in the '70s led to more short-life economical buildings being constructed to meet demand. What followed was the costly imposition of dangerous asbestos removal, then yet more temporary modular classrooms to add to or replace traditional school buildings, apparently indefinitely.

To meet demand, several local authorities teamed up and designed short-life, low cost rapid school building construction solutions, tendered on a short-term fixed-price building contract. All buildings were of economical construction, lightweight, simple build and with a design life of 30 years. One such system was called SCOLA – the Second Consortium of Local Authorities – and the paper-thin steel box columns and structural cross-bracings were a feature of their low-cost, short-life design.

A SCOLA system school in Worcester was demolished in 2009. It exposed almost entirely corroded columns at ground-floor level. The structure was, apparently, supported only by the asbestos and metal cladding. Consequently, the Government commissioned a 'System Buildings Report' in 2013, which included recommendations to continue the structural inspections as undertaken in the report. This report is no longer available from the DfE.

Today, schools of the '60s, '70s and '80s are structurally failing through age and neglect. Increasingly, school structures have become dangerously unstable through the removal of essential structural elements, mainly from much-needed alteration works, driven by higher teaching standards.

Recently reported state school defects have left many schools unfit for the purpose for which they were designed. Children wearing gloved hands *and* shivering while at school, as unearthed by the *BBC Panorama* programme on Tuesday, 23<sup>rd</sup> January of this year, has become more typical, especially where all too-frequent leaky 'temporary' huts have been added to school buildings as sticking-plaster solutions to address inadequate accommodation.

How can anyone expect our children to become high achievers when being taught in such Dickensian conditions that have become permanent features of state school learning facilities? Such tawdry conditions in this wealthy country can only be described as totally unacceptable. The Government needs to get a grip of this ticking timebomb and replace the decrepit state school estate. I move. *(Applause)*

THE VICE PRESIDENT: Seconder?

FREYJA CHAPMAN (Southern): Congress, I'm a first-time delegate and first-time speaker. *(Applause)* Around 700,000 pupils attend schools that are poorly maintained and potentially unsafe. Short-term buildings look like permanent buildings so you could be working in one and not even realise. They have already been used for decades longer than they were designed for and do not have the structural integrity for long-term use. The Government have known about the short lifespan of these buildings since they were built but they have let them continue to be used with no serious or pro-active plan to deal with them. We all know the temporary blocks that get placed in most schools for years with leaks, little insulation and often no heating. We now have buildings that are not fit for purpose and are dangerous. Under these conditions, children are expected to learn effectively and school staff are expected to deliver quality education. These buildings are a major health and safety concern and could be a serious threat to life. The Government have not and still are not doing enough for schools that are, literally, falling apart around staff and pupils. It is unacceptable. Urgent action is needed. Congress, I second this motion. *(Applause)*

THE VICE PRESIDENT: Thank you, Freyja. I now call Anne Dean from the CEC to give the qualification.

ANNE DEAN (CEC): President and Congress, I am responding on behalf of the CEC to Motion 144, which we are supporting with a qualification. GMB has existing policy on violence in schools as set out in the Schools Special Report of 2018 and motions from Congress 2021.

This motion helpfully highlights the use of collective action in workplaces to enforce better working standards. Increased funding for building environments and specialist staff for school behaviour is very welcome and we do support this. Our qualification is that we do have, as mentioned, an existing zero-violence strategy and we should be utilising these key demands on pupil behaviour. This document can be found on the GMB website. Congress, therefore, the CEC position on Motion 144 is to support with a qualification. Thank you. *(Applause)*

THE VICE PRESIDENT: Thank you, Anne. Does North East, Yorkshire & Humber accept the qualification on Motion 144? (*Agreed*) Thank you. The CEC is supporting Motion 145. All those in favour of Motion 144, please show? Any against? That is carried. All those in favour of Motion 145, please show? Any against? That is carried.

*Motion 144 was CARRIED.*

*Motion 145 was CARRIED.*

## **CEC STATEMENT: SCHOOLS**

THE VICE PRESIDENT: Congress, we now move on to the CEC Statement on Schools. I hope you have had a chance to read it. Can I please ask Donna Spicer, and Barbara Plant to move and second the statement on behalf of the CEC. Then I will call one speaker from each region in the reverse order.

### **CEC STATEMENT: SCHOOLS**

**Introduction** GMB has been at the forefront of organising school support staff for more than 25 years. Over 100,000 members (a fifth of our membership) work in a school and are predominantly low paid women workers.

Through organising and bringing together school activists, we had got the previous Labour Government to commit to the Schools Support Staff Negotiating Body (SSSNB), only for it to be disbanded by the Coalition government in 2010. Ministers' refusal to recognise the hidden professionalism of support staff has led to more than a decade of low-pay, the growth of exploitative term-time only contracts, and drift in job descriptions. There will be a historic opportunity this year. The Labour Party have given commitments to reinstate the SSSNB if it wins power at next General Election. Through this body, we will seek to introduce and national terms and conditions, proper training and progression routes, and pay rates that recognise the value of school support staff. GMB – along with the other National Joint Council unions – have fought for support staff since the beginning. This Congress believes that it is essential that the SSSNB is reinstated, with school staff represented by the NJC unions.

#### **The School Support Staff Negotiating Body (SSSNB)**

The School Support Staff Negotiating Body will be the body which negotiates terms and conditions in schools in England. This is what GMB has been building for since the Coalition Government disbanded our first iteration. At the time, Michael Gove said that a fair deal for support staff did “not fit well with the Government’s priorities for greater deregulation of the pay and conditions arrangements for the school workforce.” National pay and terms and conditions remained in place for teachers, however. The laissez faire approach to managing and negotiating the workforce in schools who are not teachers or leaders has meant that low pay has persisted, funding has been tight, and job descriptions have not kept up with reality.

It is imperative that Labour establishes this body if it wins the next General Election. GMB was able to secure this commitment through the National Policy Forum:

*'Labour will value and recognise the professionalism of the entire school workforce and address recruitment and retention challenges by reinstating the School Support Staff Negotiating Body. This body will be tasked with establishing a national terms and conditions handbook, training, career progression routes, and fair pay rates for support staff.'*

GMB believes that the core work of the SSSNB should include establishing:

- National Standards
- National Job Descriptions
- National Terms & Conditions
- National Pay Scales

Job evaluation schemes have not kept up with the changing roles of school support staff, and we are recognising issues in local authorities around equal pay.

The issue of term time only contracts for school support staff remains important to resolve. These contracts have played a significant role in keeping overall pay low for school support staff. One GMB London survey found that 1 in 3 teaching assistants said they could be forced to rely on food banks. In 2024 the Low Pay Commission (LPC) reclassified school support staff roles as low-paying occupations. This is a significant and important inclusion which GMB has long campaigned for. Our schools' members have given direct testimony about their pay and working conditions to the LPC this year.

Congress fully supports our members in their demand for fairer contracts. We are committed to a full consultation with school support staff over term-time only contracts, which was a demand in GMB's national pay claim covering England, Wales, and Northern Ireland.

Our members will be at the forefront of campaigning for the design of any new contracts that provides time for training and development and ends the national scandal of poverty pay in our schools.

We also call on the Government to fully fund pay awards for school support staff.

### **School Support Staff delivering inclusive education**

Teaching Assistants - and other support staff – are essential to the delivery of an inclusive education. Schools have become increasingly dependent on our members' Special Educational Needs and Disabilities (SEND) expertise – but this expertise is not recognised or valued by employers.

Most of our classroom-based members work with SEND children, and many also provide English as an Additional Language (EAL) support. Parents recognise that our members are an essential part of an inclusive education: when asked, parents say that more teaching assistants are in their top three priorities, alongside SEND provision and free school meals.

Funding and support for these workers, as well as training, is essential if the professionalism of our members is to be recognised. That's why, in recent years, our members have called for a SEN allowance under NJC terms and conditions, and Congress supports these efforts. They also want their pay and job descriptions to reflect the work they do, which we will also work on through the SSSNB. Our members tell us that they have concerns over staff shortages and want recognition that schools cannot deliver the inclusive education that all children deserve without increased funding for SEND education.

GMB branches across the country have been campaigning for radical changes to SEND provisions. In Leeds, the School Support Staff Branch is working with parents' groups and campaigning for more coherent job descriptions and highlighting instances where Level 1 teaching assistants have been working above their grades to cover the shortfall in staff at higher grades. Congress expresses its full support for this campaign.

GMB will launch a National SEND campaign, which will learn from local and Regional campaigning on this issue. The fact of the matter is, SEND funding is falling short, and our members across the country need more support. We would look to include parents and SEND campaign groups where appropriate in our campaigning to aid our industrial aims.



High Needs Block Funding in England has increased over the last six years but SEND pupils, and the staff who work with them, are not feeling the benefit. Some private providers charge extortionate fees, and private equity is increasingly profiteering from SEND funding. Local authorities have spent almost half a billion to fight EHCP cases at tribunal, under an adversarial system that isn't working for pupils, families, or support staff. Much greater accountability and wholesale reform are needed as well as an increase in funding. 4

### **Staff Shortages**

A Freedom of Information exercise was carried out at the beginning of 2024 by GMB to ascertain the level of staff shortages in school support staff roles. From GMB analysis it can be estimated that there was a teaching assistant vacancy rate of 18 per cent in England, and turnover rates are also shockingly high. The National Foundation for Educational Research warned last year that 'the overwhelming majority of schools' are 'struggling to recruit TAs and other support staff. Large numbers of TA and other support staff vacancies remained vacant for more than two months, especially among special schools.'

### **Outsourcing of School Kitchens and Cleaners**

Kitchen staff and cleaners have felt the sharp edge of outsourcing and privatisation in schools. Since the start of the pandemic and cost of living crisis, the quality of school meals has garnered more attention. Companies such as Chartwells – in which GMB has many members – have been brought under media scrutiny, and Headteachers have been publicly criticising the quality of food and service these for-profit companies provide.

Workers are unable to actually cook the food they want to, due to poor products and cuts to hours. Slips, trips, and falls are caused by rushing to get meals out on time and causing stress. Members are telling us they are working overtime without pay to ensure that they can get the food cooked properly to serve it.

Due to the nature of outsourcing, our members can endure rounds and rounds of TUPE transfers. Workers such as cleaners are often subject to these changes. When unions like GMB are not present to assist in these transfers, workers can miss out on protecting their terms and conditions. It is essential therefore that school kitchen and cleaning staff are part of GMB.

If there is a change in government at this next election, GMB is committed to working to end outsourcing in the public sector. Our members want the Labour Party to include school kitchens as part of the public services that should be in public hands as part of 'the greatest wave of insourcing for a generation.'

GMB remains committed to campaigning for free school meals, as championed by GMB's Mary Turner so that our members in kitchens can serve quality food to the children in their care. 5

### **Activity Across the Devolved Nations**

The vast majority of issues our members face in schools are shared across the devolved nations. Outdated job evaluation schemes, low pay, inconsistencies of job descriptions, deficiencies in SEND funding, and outsourcing are found across the country as a whole. While the SSSNB will be in place for England alone, we will campaign to ensure that conditions are raised across each nation.

### **Wales**

In Wales the Education Workforce Council is seeing its funding being cut by the Welsh Government. This will mean all education staff will have to pay the full registration fee, which is currently subsidised. This is a flat fee of £46 for all education staff – meaning the lowest paid pay the same as the highest. This is unfair, and will affect our members the most. Like the proposed SSSNB in England, members in Wales want a Welsh equivalent. We will be working with the School Support Staff Task and Finish sub

group of the Schools Social Partnership Forum to address issues such as pay, deployment, access to training and professional development and standardisation of roles.

### **Scotland**

Members in Scotland have been campaigning to address the increased violence in schools. GMB members in Aberdeen City Council have been the union voice in rallies and consultations on the issue, which is spreading to other local authorities. School members have also been campaigning for job re-evaluations.

### **Northern Ireland**

Our school members in Northern Ireland have endured the consequences of political stalemate and have been part of the widespread public sector action in the last year. The Education Authority has faced enormous budget pressures culminating in 700 SEN pupils not having a school placed confirmed in September 2023. There was also the withdrawal of 'non-essential' services affecting after school and creative programmes, and the holiday hunger payment. While members did receive the £1,900 payment awarded through NJC pay negotiations, they have yet to see the pay and grading review that was promised, which has been a concern for a number of years. Like school members across the country, members in Northern Ireland have not had their jobs evaluated for more than 14 years. 6

### **Building on our Organising Strategy, Keeping Focus on Schools**

GMB has built a formidable membership base across UK schools through the work of dedicated activists and focused regional organising. This is because GMB prioritises visiting schools, listening to members, and campaigning on issues that mean something to them.

When GMB visits schools, we build our membership. School support staff are willing to join a union, they are engaged with the issues they face at work, and they care about the job that they do. Our reputation in schools is that we turn up, we talk about the issues, and that we want to make genuine progress on making work better.

We will have an updated Schools Recruitment and Organising policy, ready for activists to use. This will provide guidance on organising based on decades of knowledge and experience, as well as our foundational organising principles from GMB@Work.

We have always pushed back against the threats to our members jobs, and we have always seen the value in the work they bring to the schools they work in.

This is a pivotal time for GMB members in schools. The School Support Staff Negotiating Body is one of the most important industrial priorities of our time.

It will be imperative that our activists and members are campaigning and raising awareness around the SSSNB. We will be able to affect so much with a growing and informed schools' membership.

We have a chance to reshape the work of school support staff across the country as a whole, so that it is no longer an afterthought by employers and politicians.

We have always been proud to represent school support staff. This Statement sets out our commitment to better pay, better training, better job security, and better recognition of the valuable work our members do.

We will make work better for school support staff

*(Carried)*

DONNA SPICER (CEC): I move the CEC Statement on Schools. President and Congress, I was a proud Level 3 teaching assistant for 18 years and I am currently the Chair of the National Schools Committee. GMB has been the campaigning and organising union for school support staff for more than two decades. More

than 100,000 of our members work in a school, which is one-fifth of our membership.

When we were building our membership under the last coalition government we had won the recognition that our work was vital for the safeguarding, enrichment and wellbeing of all our children's lives. We had established the School Support Staff Negotiating Body in England. It was our body to negotiate our terms and conditions, distinguishing our members from other local government workers and recognising the new and distinct culture of our people that complements and enhances learning in every school in the land.

Despite this, the then Education Secretary of the Tory Government, Michael Gove, chose to dismiss this professionalism and care shown by our members and disbanded the SSSNB, and use the most patronising language to brand school support staff as no more than a 'Mum's Army'.

Labour has given the GMB a commitment to reinstate the Joint Negotiating Body that was destroyed immediately after the Tory and Lib-Dem Coalition came to power in 2010. We are committed to ensure that this happens and that the Negotiating Body has real power to protect and enhance the role of our members. The Low Pay Commission has graded school support staff as a low-paid role and members are forced to go to foodbanks and often have to take two or three jobs to make ends meet. Yet we are the very people who are providing a vital service in education and caring for the nation's children.

Often we are charged with looking after the most vulnerable, troubled and disadvantaged children and young people. We believe in doing it because we care for them. It is most definitely not for the money, but we do it without training. We do it without standards of pay that reflect the responsibility, the duty of care and professionalism that we must display in schools every day, and it is us who are marginalised, attacked, bitten, spat at or worse, injured! This in turn has a massive detrimental effect on the mental health of many of our members. This is leading to a recruitment and retention crisis across the UK. Our children suffer. Children with special education needs do not get the inclusive and supportive education that they are so rightly entitled to, and this is a total failure of the Tory Government.

The Statement sets out what we demand from a new Government, a Labour Government. We want national job descriptions, national standards, national terms and conditions and national pay scales. We want training which empowers us and that which benefits the children in our schools, for our members who work outside of the classroom in the kitchens, who feed our

children at breakfast clubs and after school clubs, who cook them a hot meal at lunch. They need dignity of time, the provision of qualitative food and an end to outsourcing. So do our cleaners and our caretakers. And we must have pay rises fully funded by the Government. School budgets are being cut to the bone and members should not be seen as the easy option for those cuts. The Statement reaffirms our priority for organising in schools.

School support staff can determine their aspirations for their working conditions through the GMB. Other organisations make them promises but they cannot deliver what we can because, Congress, GMB makes work better!

I would like to finish on this little saying that we say in GMB Greenwich: "Teachers are the cogs in schools but school support staff are the oil". Without the oil the cogs will grind to a halt. Congress, please support this Statement. Yes, our school support staff, you're wonderful! *(Cheers and applause)*

THE VICE PRESIDENT: Thank you, Donna. Barbara?

BARBARA PLANT (CEC): Vice President and Congress, I'm Barbara Plant, National President, seconding the CEC Statement on Schools. The Statement is clear. We are close to establishing one of the most important industrial negotiating bodies that our Union has seen in modern times. Through the work of our school activists we have kept this ambition alive, an absolute priority put to the Labour Party.

Our school support staff must be given the dignity of decent pay and respect for their professionalism after enduring the last 14 years of deteriorating conditions under the Tories. I am so proud of the work that our school activists do. They have not stopped even though the doors have been shut to them at Government level. I sat on the original School Support Staff Negotiating Body under the previous Labour Government, and we were so close to completing the work on job descriptions and job evaluations until the despicable Michael Gove pulled the plug on it saying it was a quango.

The Statement recognises the issues that our members are facing across the four nations. We are facing challenges to budgets everywhere; over-stretched, under-resourced staffing levels and experiencing violence! We will seek to learn from each other and support all our members across the nations.

In Northern Ireland our members have led historic strikes and our activists are directly negotiating with the Government. In Wales they are working to establish a similar body to the SSSNB in England, and they are fighting against the disproportionate charges that school support staff have to pay in registration

fees. Once again, the lowest paid forced to bear the highest cost of austerity. In Scotland our activists are challenging their councils over violence in schools.

Our priorities are clear. We will continue to organise and grow in schools because we are the Union for school support staff. Please support our Statement. I second.  
*(Applause)*

THE VICE PRESIDENT: Thank you, Barbara. I now call a speaker from GMB Wales & South West, please.

GEORGIA CHEDZY (GMB Wales & South West): Vice President and Congress, I am supporting the CEC Statement on Schools. For too long now school support staff have been exploited at work and have had to undertake roles and tasks well outside of their pay grade and job title. The issues that school support staff face at work around deployment and low pay was particularly amplified during Covid. I think it was then that we could really see the true extent of the exploitation our members face.

Our school support staff fear raising issues around pay and grading with their schools as it seems, when funding cuts are on the horizon, our school support staff are the first in the firing line.

Term-time only contracts and persistent low pay has been normalised by our school support staff and, quite frankly, that's a disgrace. The constant outsourcing of catering and cleaning staff see their terms and conditions eroded time and time again. We need to end outsourcing now. This was a Tory problem of Tory making. They created this situation with their continual agenda of austerity, lack of vision and an utter contempt for the modern-day worker.

But there is hope! I am optimistic that on 4<sup>th</sup> July a new Labour Government will be able to start making the changes that this country needs for working people. But, for the CEC report, we want the establishment of the School Support Staff Negotiating Body. This will enable the recognised NJCTUs to negotiate national standards, national job descriptions, national terms and conditions and national pay scales, giving a better, brighter and fairer future for thousands of GMB school support staff members.

What this Tory Government fails to recognise, with its persistent, consistent and brutal financial cuts to the public sector, is that educators cannot effectively support children and young people without our school support staff. School support staff have and continue to support and educate our children and young people to be the scholars, scientists, politicians, councillors, technicians and

doctors – the list goes on – in essence, our leaders of the future, who we will rely upon to make decisions for us and future generations to come. Please support the CEC Special Report. *(Applause)*

THE VICE PRESIDENT: Thank you, Georgia. Southern.

EMMA FAIR (Southern): Vice President and Congress, I am Emma Fair from Southern Region, a first-time delegate and first-time speaker. *(Applause)*

Southern Region supports the CEC Statement on Schools. We support staff have been neglected for far too long. The job is given new and complex challenges every day. We are getting on with it or, more accurately, we are just getting through it. Good quality training for support staff is disappearing and career progression just isn't available in most of our schools. Moral for our support staff is at an all-time low. This is especially true for our SEND support staff. The reintroduction of the School Support Staff Negotiating Body will give us back our voice.

I was very fortunate to be in the delegation that met with Catherine McKinnell, Shadow Schools Secretary and, dare I say it, I left Parliament with a feeling of hope. The future will be brighter for our school support staff with the GMB negotiating direct with this Government for better terms and conditions and better pay.

I am speaking on behalf of all of our wonderful support staff, but I would like to give a special mention to our members and my colleagues in the Royal Borough of Greenwich. They are campaigning to correct the unfairness of London Weighting in Greenwich. We have the leader of the Greenwich Council here today with us, so I would just like to send a little reminder, which is: London Weighting needs inflating! *(Applause and Cheers)* Congress, please support this Statement.

THE VICE PRESIDENT: Thank you, Emma. GMB Scotland.

DAVID WILLIS (GMB Scotland): Vice President and Congress, I am speaking in support of the CEC Statement. I'm a first-time speaker. *(Applause)*

Congress, while the Statement focuses primarily on schools in England, you will not be surprised to hear that our members in Scotland and, I understand, Wales and Northern Ireland, are experiencing the exact same issues: under-staffed, under-paid, under-valued and under-protected. Cleaning, catering, clerical, janitorial and pupil-support staff are always overlooked. However, without them

schools could not open. These key workers, to coin a phrase, often face an unmanageable workload for low pay that does not recognise just how vital they are and the responsibility they have in nourishing our young people. This recognition is absent from employers when it comes to pay. It is absent when it comes to respect and it is absent when it comes to the expectations on their workload.

In school kitchens it is a common theme from Kirkcaldy to Kilmarnock that staff are absent due to workplace stress, and those staff remaining are expected to pick up the slack as replacements are not available.

Likewise, in our classrooms, PSAs are subjected to frequent and increasing violence and abuse. From a survey of our members, one in five are subjected to violence daily. Three in five said that incidents of violence are not recorded by their employer, and 70% of our members said that incidents have increased in the past three years. GMB members in Aberdeen have been leading the change by organising protests, inviting sister unions and teachers. We are demanding more from the councils and from the Scottish Government, not just in protecting our members at work but also recognising and valuing them in their pay. Congress, please support the Statement. *(Applause)*

THE VICE PRESIDENT: Thank you, David. North West & Irish.

LINDA MERCER (North West & Irish): Congress, I am speaking in support of the CEC Statement on Schools. As you can see, I've no notes. It comes from my heart. Whatever I say comes from my heart. *(Applause)*

My mum was a kitchen worker. My auntie was a cook and I worked in the schools as a bursar and a secretary, and my daughter now is a Level 4 TA overcoming dyslexia. I am very proud of her. *(Applause)* Thank you.

From the very start when I became a branch secretary one of the first schools I went to was a special needs school, and I was horrified at some of the things that I was support staff, including the staff who were not TAs or anything like that, but the abuse that they were facing. We had a big fight with the local authority about the children who were going to this particular school because they wanted them to look after them, even though they were not disability but just naughty children. Just naughty children! "Do not throw things at the teachers. Don't pour Domestos in the teacher's face or in the TA's face". So the site went on.

Now it is getting even worse because most primary schools because the TAs are actually having to change nappies. These are young children. A 10 year-old who

kicks, bites and screams, and says "You are not changing my nappy. I have the right to have a soiled nappy if I want to". The language they suffer is terrible, yet they do it. If you have watched GMB News this morning, the Labour Party has come up with a wonderful idea. Teaching children how to brush their teeth. This is brilliant, isn't it? Yes. Then they start talking about how much the teachers have already got to do. I'm like, "In no way. It's not the teachers who will be doing that. It's the TAs or the SENDs". It won't be the teachers. They are paid less than the teachers. How many hours do some of these TAs put in the classrooms on their own? (Applause)

The teacher is at home. She has given them some paperwork to follow and sometimes she comes up on a screen and says, "How is everybody doing?" I wonder why she is not actually in the classroom where she should be, teaching the children, not the TA. (Applause) I support the CEC policy on schools. I hope that everybody else will also do. Our teaching staff, our TAs, need to get their heads around who does what and who's going to go where and they've got to be paid right, too. (Applause) Thank you.

THE VICE PRESIDENT: North East, Yorkshire & Humber.

JAMES WILTON (North East, Yorkshire & Humber): I've been up here too long, so I'm going to keep it really brief. I support the CEC Statement. Tomorrow we have a fringe meeting on schools. You have heard the heartfelt stories that delegates have said about teaching assistants. Please come and see what we all have to say and come and support it. Thank you. (Applause)

THE VICE PRESIDENT: Midlands.

SANDI JEAN VENNEL (Midlands): Good morning, Congress, President and Vice President. It is my privilege to be speaking in support of the CEC's Statement regarding schools. We all know the song *Children are our Future*. Yet our support staff within schools are not seen as an important cog in the education wheel. This is unacceptable. Support staff make up one-fifth of our membership and I know they are predominantly low-paid women workers. School support staff provide an amazing service supporting our children with learning and often emotional support as well. Yet these staff are underpaid and seen as unimportant. This is reflected by the shockingly high turnover rates. As an education branch secretary I will be fighting for these members and the vital services they provide.

Reports show that cleaning services within schools are often subject to TUPE victims of cost savings due to outsourcing dictated by budgets at schools. Documented in the CEC Statement, kitchen staff aren't able to provide the



standard of service they want for the children in the way of healthy meals, again due to cuts and cost savings. These excuses are not new.

I would like to share a memory with you from my teenage years many, many years ago. Our dinner ladies, as we knew them then, back in the day, were fighting for better pay. I recall being told by the headmaster that his hands were tied due to budgets. All the students went out on strike. We locked the gates and we stood with the dinner ladies. We marched to the city centre, to the council offices, in protest and supported the dismissive way they were being treated. School management did not consider the dinner ladies as a vital service in the school. At first our headmaster was very proud of the students standing up for the dinner ladies and the service they provided. Then came the negative publicity: "Kids don't really understand and shouldn't be out of school". We understood and we knew. The happy ending is that we won. They got their pay rise with the solidarity of the students and the dinner ladies together. I have seen this within GMB. We can win again. Why should these amazing staff who provide this valuable service be seen as a low-cast occupation? It's a disgrace. So for all the cleaning, kitchen and support staff we need to fight and show exactly how important they are, how we recognise their valuable services and contributions to our children and their future. Thank you. (*Applause*)

THE VICE PRESIDENT: Thank you, Sandi. London.

ABEDA UDDIN (London): Good morning. London Region supports this Statement. It highlights that term-time only contracts are unfair and are one of the biggest contributing factors as to why school support staff are low-paid workers. Currently, school support staff are employed on 39 week term-time only contracts. They are contracted to work 195 days per year. These contracts mean that for eight weeks a year they receive no pay at all. Teachers are also contracted to work 39 weeks or 195 school days per year but they do not have their salaries pro-rata'd and reduced. There is no reason for such unfairness and this situation has to change. In fact, the Low Pay Commission recently added teaching assistants to the low-paid occupations list. Our members are telling us how difficult it is to make 39 weeks' wages last for a full year and, sadly, the cost-of-living crisis has made this even harder. Some of my colleagues have ended up having to take two jobs just to make ends meet.

Many workers run out of money before they run out of month, but school support staff run out of paid weeks before they run out of the year. Not being paid for eight weeks per year does not only mean financial difficulties when working, but term-time contracts also mean pension poverty for thousands of women who have spent their working lives in our schools across the country. Ending term-

time contracts is the only way to ensure thousands of women workers receive the decent pay and pensions they deserve. Since 2010 our members in schools have dedicated themselves to supporting the country's children, constantly adapting to and accommodating changing needs but without any recognition for this.

Their job descriptions do not reflect the skilled work which they perform with the increasing numbers of pupils with SEND, and it is not recognised or valued that teaching assistants and other support staff are essential to the delivery of an inclusive education system. That is why it is so important for the next Labour Government to establish the SSSNB and start to address these critical issues. For years now the current Government has not provided additional funding to meet the costs of pay awards. This has seen schools make staff redundant to cover the cost of paying salary increases and this intolerable and untenable position must change and that GMB is calling for pay awards to be fully funded. Thank you.  
*(Applause)*

THE VICE PRESIDENT: Thank you, Abeda. Conference will now go to the vote. All those in favour of adopting the Statement, please show? Any against? That is carried.

*The CEC Statement: Schools was CARRIED.*

## **SOCIAL POLICY: EDUCATION AND TRAINING**

### **APPRENTICESHIP LEVY**

#### **MOTION 213**

#### **213. APPRENTICESHIP LEVY**

This Congress recognises the role of the Apprentice Levy but we would like to lobby our officials to explore the avenue of unused levy, to be utilised to promote apprenticeships to up-skill workforces within all industries. This is to give everyone the opportunity to develop within their workplace, creating flexibility and promoting self-worth to our members.

#### **R36 ROCESTER GENERAL BRANCH**

##### **Midlands Region**

*(Carried)*

DARREN McLARREN (Midlands): Congress, I'm speaking on Motion 213: Apprenticeship Levies. I'm a first-time delegate and a second-time speaker.  
*(Applause)*

The Apprenticeship Levy was introduced in 2015 by the then Chancellor, George Osborne. This came into effect in 2017 as a tax to fund apprentice training. It means that 0.5% of all companies with an annual pay bill of £3 million must pay into the fund. The bill is defined as the "earnings liable to Class 1 secondary National Insurance contributions". In England the Levy is the responsibility of the Department for Education and Skills Funding. In Scotland, the Skills Development Bank oversees the Levy.

We don't have an issue with the funding as this finances the future of our nation's workforce. However, we do believe that there is a shortfall in the remainder of the levy's funds and monies left over after fees are distributed. There are limitations to the levy. Apprenticeship programmes lacking the necessary equipment used in training and as a low-paid job, apprentices are forced to pay the current high cost of travel from their own pockets. Not being able to attend the workplace for training and not having current standard equipment to learn their trade is leaving these young people with the incorrect knowledge when entering full-time employment.

We ask for the CEC to seek relevant lobbying to alter the Levy spending rules. We don't wish to dilute the excellent work that has been achieved in this field but we are being advised by those at the coal face that a lack of real on-the-job training is not always available. We would like the remainder of this investment to be reallocated to promote the apprenticeship schemes. We want this investment to purchase correct equipment, not for production but for the training. We want the apprentices to learn their trade and offer a new and expanded skilled workforce. We would like this investment to offer tutors the ability to provide our future skilled workforce to create a lasting legacy for our nation. We do not wish to take anything away from our workforce but to enhance their training and abilities with the funds remaining in the Apprenticeship Levy to be distributed correctly and assisting in moulding the future of our skilled workforce. I move. *(Applause)*

THE PRESIDENT: Thank you, Darren. Well done. Secunder?

DAVID SADLER (Midlands): Congress, I did write a speech for this but I don't think I actually need it. I do not want to reiterate everything that Darren has already spoken about. A lot of us in this room, working people, were brought up working class and we were apprentices. I am sure you will agree that apprenticeships as we see it from our perspective now has changed radically in that time. We see that there is a massive shortfall in what the apprentice needs, especially as Darren has said, about equipment. He has also mentioned about the travel costs and so on. We need to start looking at our apprentices again because they are the future of this country. I was an apprentice at British Aerospace in Chester

thirty-odd years ago. It seems like yesterday. The values that were instilled in me as an apprentice by British Aerospace remain with me. I have the same work ethic today. There is a change. We don't see that work ethic instilled in people. At the end of the day, it's just a job now. There's nobody who cares with a passion. We need to back them with the monies that are left over for the Apprentice Levy, support them and make this nation a great manufacturing nation again. This is one of the campaigns that has been forwarded by the Midlands Manufacturing Committee, which me and Darren represent, and it is something, as I'm sure you can tell, that is very, very dear to me. I second. *(Applause)*

THE PRESIDENT: Thank you, David. I call the mover of Motion 214.

## **URGENT INCREASE IN FUNDING FOR SPECIAL EDUCATIONAL NEEDS (SEN) CHILDREN MOTION 214**

### **214. URGENT INCREASE IN FUNDING FOR SPECIAL EDUCATIONAL NEEDS (SEN) CHILDREN**

This Congress notes:

- the critical role of Special Educational Needs (SEN) provision in ensuring that all children have equal access to quality education and support.
- The prolonged period without a significant increase in funding for SEN children, resulting in financial strain on schools and an impact on the quality of education and support services they can provide.
- The increasing demands and complexities associated with supporting children with Special Educational Needs, which necessitate additional resources and expertise.

Congress believes that:

- Adequate funding is essential to ensure that schools have the resources and capacity to provide effective support and education for SEN children.
- The current level of funding for SEN is insufficient to meet the diverse and evolving needs of these children.

Congress Resolves:

- To call upon the relevant educational authorities to conduct an immediate review of the funding allocated for Special Educational Needs provision in schools.
- To advocate for a substantial increase in funding to address the current shortfall and to ensure that schools have the necessary resources to support SEN children effectively.
- To request that any additional funding is distributed in a manner that prioritises schools with higher proportions of SEN students and reflects the level of need within each institution.

Congress Mandates GMB National:

- to actively engage with educational authorities and relevant stakeholders to lobby for increased funding for SEN provision.
- to collaborate with advocacy groups, experts in special education, and other stakeholders to develop a comprehensive plan for utilising additional funding effectively.

**H37 HILLINGDON BRANCH**  
**London Region**

*(Carried)*

LUKE SIMCOCK (London): Congress, I am moving Motion 214: Urgent Increase in Funding for Special Educational Needs (SEN) Children. I have to start by saying solidarity to all my fellow support staff who work, and work tirelessly, with these children and getting hit, punched and spat at with no funding. They are heroes and absolutely amazing individuals and they are doing tireless work every day so solidarity to you all.

We must urgently need for increased funding for special educational needs provision in our schools. As someone who works in a school, I have seen first-hand the critical role that SEN provision plays in ensuring that all children have equal access to quality education and support. However, the prolonged period without significant increase in funding for SEN children has placed undue financial strain on schools, impacting the quality and education and support services that we can provide. Working closely with SEN students I have witnessed incredible potential in these children when they have received the right support. Yet increasing demands and complexities associated with supporting children with educational needs necessitate additional resources and schools do not have the money to provide these resources. The current level of funding is woefully insignificant for meeting the diverse and evolving needs of our children.

Therefore, Congress, we must take decisive action. We call upon the relevant education authorities to conduct an immediate review of the funding associated with special education needs. We advocate for a substantial increase in funding to address the current shortfall and to ensure that schools have the necessary resources to support SEN children effectively. Further, we request that any additional funding is distributed in a manner that priorities the higher proportions of SEN students and reflects the level of need within each institution.

Furthermore, Congress must mandate GMB National to actively engage with educational authorities and relevant stakeholders to lobby for increased funding for SEN provision. By taking these actions we demonstrate our unwavering commitment to ensure that every child, regardless of their educational need, receives support, resources and is able to thrive in our educational system. Together, we can ensure that every child has the opportunity to succeed which is their right. Thank you, Congress. Please support this motion. *(Applause)*

THE PRESIDENT: I call the seconder, please.

ABEDA UDDIN (London): Congress, I am seconding Motion 214 on Funding for SEN Children. Since the Tory Government has come to power funding for schools has been cut, which is affecting school budgets and having a knock-on effect on how schools spend their budgets. This, then, has an effect on how students are supported in schools. Schools are provided with additional money to provide support for children with SEN. This is called their 'delegated budget'. Each child within an EHCP, which is an educational healthcare plan, is entitled to receive up to £6,000 in funding from the Government per year. However, this has not been happening because funding has not been increased to provide support for students in their care. This could be for equipment to move around school buildings like a wheelchair, or for someone with a visual impairment to be provided with an i-Pad or paperwork which has the letters and sheets made larger or in a different colour for those who are dyslexic. I know firsthand that this is having an impact on how many teaching assistants are employed to support our more vulnerable students.

In my school, we have just been told that we are not allowed to employ any more TAs for the rest of the academic year, and we are short staffed as it is. We believe that the relevant authorities need to conduct an immediate review of funding allocated for special education needs provision in schools. The Government needs to increase funding to address the current shortfall in order to provide the necessary resources for students. The Government also needs to provide additional funding to schools which have a higher number of SEN students and respect the needs in each school. Please support this motion. (*Applause*)

THE PRESIDENT: Well done, Abeda. Thank you. I call the mover of Motion 215.

## **EMPLOYMENT LAW IN OUR SCHOOL CURRICULUM MOTION 215**

### **215. EMPLOYMENT LAW IN OUR SCHOOL CURRICULUM**

Congress, GMB London Security Branch believes that over the years there have been numerous reports of large international companies taking advantage of employees and their lack of knowledge regarding employment law. Examples include P&O dismissing 800 employees without notice, WHSmith, Marks and Spencer and Argos all failing to pay the minimum wage. Companies must know they're breaking laws, but the judicial system seems to be weak or ineffective.

Empowering all future employees of their rights will lead to less abuse of the system by large corporations. Even though there is information available to people, employees seem to have little knowledge unless they are involved with a trade union.

A reform of the national curriculum could highlight and inform future employees of their rights.

The current Labour Party pledge regarding the curriculum includes mandatory digital skills and reform of citizenship to include practical life skills such as such as pension planning, understanding credit scores, applying for a mortgage and understanding employment and rental contracts. There is nothing regarding employment law, which has an impact on the majority of people who will be leaving education to be either employees or employers.

GMB London Security Branch resolves that the school curriculum should include the mandatory education of employment law, (including health and safety laws), to all students in secondary school.

Works Cited in the motion:

- “National minimum wage: Are you being underpaid? [www.MoneySavingexpert.com](http://www.MoneySavingexpert.com) Rosie Hamilton 21 November 2023.
- “Labour would make sure every child leaves school job-ready and life-ready” Keir Starmer statement to Labour Party conference 26 September 2021

### **G43 LONDON SECURITY BRANCH** **London Region**

*(Carried)*

SIMEON DOHERTY (London): President and Congress, I am moving Motion 215 on Employment Law in our School Curriculum. The inclusion of employment law in school curricula is a matter of very great importance. For this compelling reason it is highly important that employment law should be taught in our schools. One; it will enact awareness and empowerment, educating students about employment law, which will help them to understand their rights and responsibilities as future employees empowering them to make informed decisions about their careers. Teaching students about employment law can help prevent discrimination based on various factors, such as race, gender, age, disability and religion. This fosters a culture of inclusivity and fairness.

Thirdly, the comprehension of contracts. Many students eventually enter into employment contracts providing them with knowledge about contract forms and terms, negotiating skills and legal obligations, which ensure that they are well prepared for the workforce.

Fourthly, promotion of fair treatment. Employment law addresses crucial issues like working hours, leave entitlement and employees’ rights. Understanding these regulations ensures fair treatment for workers and contributes to a harmonious working environment.

Fifthly, the effective handling of legal challenges. Students who are well versed in employment law are better equipped to navigate workplace disputes, understand their legal rights and seek appropriate remedies, just like all of us union reps.

In recent years there have been instances of major international companies exploiting employees due to their lack of knowledge about employment. We see that from the history of ASDA, Amazon, Argos and the like. It is crucial to empower all future employees with knowledge of their rights to prevent such abuses by large corporations. Many employees seem to have limited knowledge, unless they are actually affiliated with a trade union as great as GMB.

The National Curriculum reform should emphasise and educate future workers about their rights. The current Labour Party commitment to the curriculum involves compulsory digital skills and a revision of citizenship to cover practical life skills such as pension planning, credit score comprehension, more applications and understanding employment and rental agreements. Notably absent is any mention of employment laws, which significantly affects the majority of individuals transitioning from education to the workforce as employees or employer. The GMB London Security Branch proposes that secondary school students receive mandatory instruction on employment law (including health and safety regulations). I hereby move. (*Applause*)

THE PRESIDENT: I just need to clarify something. You were talking on Motion 215, weren't you?

SIMEON DOHERTY: Yes.

THE PRESIDENT: It showed up on the screen as Motion 214. So there is some confusion. I will now take the seconder of Motion 215.

OMOTAYO OBADINA (London): Congress, I am seconding Motion 215 on Employment Law in Schools. Following on from the mover, our children need to be fully equipped to enable them to understand their rights both in the workplace and in society. Under this Government children are leaving school unprepared for the world of work or life. The teaching of digital skills and navigating online platforms is out of step with the reality of young people's lives. One-in-four children, who face school closures, have left primary school unable to read to the required standard. What chance have these children got in the secondary school or in the world of work? One of the Labour Party's five key missions is to break down the barriers of opportunity. Children need a broader education and an opportunity to develop skills to equip them for the future so they leave school ready for life and ready for work.

The world of work is changing rapidly and the curriculum has failed to keep up with the pace of change. Children need better skills of life, such as



communication, teamwork and problem solving which will equip them for the workplace.

When the Labour Party is in power, we know that they will commission an expert-led review of curriculum and assessment and aim to deliver a curriculum which is rich and broad, inclusive, innovative and which develops children's knowledge and skills. GMB should ensure that any National Curriculum review should include teaching children about their employment rights as well as a curriculum that reflects the issues facing our society. It is not too late to come around. Please support this motion. *(Applause)*

THE PRESIDENT: Well done, Omotayo. I call the mover of Motion 216.

**SUPPORT IN PROMOTING TRADE SKILLS AND STEM EDUCATION FOR A GREENER FUTURE WITH EMPHASIS ON WAGE GROWTH  
MOTION 216**

**216. SUPPORT IN PROMOTING TRADE SKILLS AND STEM EDUCATION FOR A GREENER FUTURE WITH EMPHASIS ON WAGE GROWTH**

This congress we propose a motion to seek the union's support in advocating for increased emphasis on trade skills, construction, engineering, and vocational qualifications in STEM subjects for our children and students. This initiative aims to contribute to a fairer and greener future for our country.

To make these fields more attractive to students and school and college leavers, we suggest incorporating a campaign for higher wage growth in trade and STEM sectors. Competitive compensation not only reflects the value of these skills but also plays a pivotal role in encouraging individuals to pursue careers that contribute to the overall well-being of our society.

We kindly request the union's backing to champion this holistic approach, promoting the value of trade skills and STEM education while advocating for competitive wage growth to create a more equitable and environmentally sustainable future.

**S15 ENERGY BRANCH  
North East, Yorkshire & Humber Region**

*(Carried)*

PAUL HARGATE (North East, Yorkshire & Humber): President, I am from North East, Yorkshire & Humber Region, moving Motion 216. Working as an engineer for British Gas for the past 25 years I know the value of investment in skills. My apprenticeship has been the foundation of my career. This motion is a call to action, a call to prioritise trade skills and a call to prioritise science, technology, engineering and mathematics education, otherwise known as STEM education. In a changing world the demand for skilled workers in the fields of trade,

construction and engineering has never been greater. Yet despite this demand, there is a shortage of qualified individuals to fill these jobs.

Recent data reveals that more than 50% of employers fail to hire due to a lack of skilled workers in these fields of work. The shortage not only slows economic progress but also shows the need to invest in trade skills, skills which have a role in shaping a sustainable future for our country by giving young people the tools they need to succeed in these fields. We not only empower individuals to reach their full potential but also lay the groundwork for innovation, progress and prosperity. We must challenge the misconceptions that often surround trade careers. There is a stereotypical belief that they are hard, dirty, labour intensive and low-paid jobs. This could not be further from the truth.

For the last 45 years neo-liberal governments in this country, both Tory and New Labour, have championed the financial sector as a shining light of a modern economy. This has proved to be a short-sighted move as the financial crash of 2008 proved that having all your economic eggs in one basket is no good thing. Countries such as Germany which have retained a very broad ranged economy with STEM, trade and manufacturing jobs, have been as valued as the bankers, have been able to bounce back much quicker, while we were left crippled by debt for years after.

Modern trade and STEM careers are diverse, innovative and crucial to our advancement as a society. They offer great opportunities for people of all backgrounds. By breaking down these outdated views, we can open the doors for a broader, more inclusive workforce that reflects society today. We must argue for more focus on trade skills, construction, engineering and vocational qualifications. By promoting hands-on learning and real-world application we can inspire the next generation of innovators and problem-solvers. Secondly, we must recognise the value of these skills through competitive wages. Fair wages not only reflect the expertise of those who work in trade and STEM sectors but also provide a powerful incentive for individuals to pursue these careers. Finally, we must use the collective power of our union to champion this cause. By uniting behind this motion we send a clear message. We are committed to creating a future where opportunity is unlimited, where there is a just transition and where trade skills are valued as they should be. Together, let us pave the way for a workforce that is skilled, empowered and ready to tackle the challenges of tomorrow. Thank you. *(Applause)*

THE PRESIDENT: Well done, Paul. Thank you. The seconder, please.

JAMIE UTTLEY (North East, Yorkshire & Humber): Congress, I second the motion calling for supporting investment in trade skills and STEM education. Congress, if our economy is to grow and evolve then we must invest in the education and training to deliver. Far too often trade skills are seen by the political class as a second-class vocation, something that other people's children do. These views are not only outdated but also completely out of touch with the modern world of work. This motion is about the best of our movement's traditions, a tradition of investing in the skills of working people and appreciating how education can transform lives. We must evolve as the world of work evolves. We must ensure that our members are equipped to deal with the challenges of a changing labour market and we must raise the confidence of our members to demand better in their workplaces. High quality education and training play a vital role in this process. Let's unite together and deliver the skills for this century and the next. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Jamie. Does anyone wish to speak in opposition to any of those motions? *(No response)* No. Then I ask Mary Hutchinson to speak on behalf of the CEC.

MARY HUTCHINSON (CEC): Congress and President, I am Mary Hutchinson, North East, Yorkshire & Humber Region speaking on behalf of the CEC, responding to Motion 216.

Motion 216: Support in Promoting Trade Skills and STEM Education for a Greener Future with Emphasis on Wage Growth. The CEC is supporting Motion 216 with a qualification. GMB has long supported calls for the Government to increase funding for vocational training and trade-skills education and developing and encouraging those into manufacturing and other STEM industries, in particular, women workers. The CEC supports the motion with the qualification that its call for a GMB campaign for higher wage growth in trade and STEM sectors naturally covers many different industries. Therefore, where GMB is not already campaigning for this, it should be something our lay reps and members in those sectors consider.

The CEC position on Motion 216 is to support with the qualification. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Mary. Motions 213, 214 and 215 have the support of the CEC and as there has been no opposition I will take those in one batch. All those in favour, please show? Anyone against? They are carried. On Motion 216, does North East, Yorkshire & Humber accept the qualification? *(Agreed)* Thank you. All those in favour, please show? Anyone against? That is also carried.

*Motion 213 was CARRIED.*

*Motion 214 was CARRIED.*

*Motion 215 was CARRIED.*

*Motion 216 was CARRIED.*

THE PRESIDENT: We now move on to Industrial and Economic Policy: Public Section. I call the mover of Motion 158.

## **INDUSTRIAL AND ECONOMIC POLICY: PUBLIC SECTION**

### **UNIVERSITY GRANTS FOR ALL FOR FREE EDUCATION FOR NHS AND EMERGENCY SERVICES STUDENTS MOTION 158**

#### **158. UNIVERSITY GRANTS FOR ALL FOR FREE EDUCATION FOR NHS AND EMERGENCY SERVICES STUDENTS**

Congress notes that time and time again our emergency services and NHS staff have to dedicate their lives to serve their country in difficult and stressful situations day in and day out. Under staffing causes pressures on their mental health and workload.

When they are studying at university, they have to fund their own tuition and accommodation costs facing huge rental costs. During their placements (part of the course) they face having to go into work just to pass the degree course.

We note that there is a severe shortfall in the number of people wanting to join the NHS.

England is the only part of the UK where nursing and other healthcare students must currently pay for their own tuition (generally through student loan repayments). The governments of Wales, Scotland, and Northern Ireland fund the tuition fees for eligible students.

We are calling for the UK Government to fully invest in the future of the NHS workforce and ensure that all medical or dental students have FULL funding throughout their time at university.

This Government needs to show their recognition in the staffing and education of our health services with free tuition fees and writing off all student loans.

Education should be free to support the growth of our public services and NHS rather than making a long-term profit from those who dedicate and commit themselves to keeping us safe and alive.

### **B22 BRAINTREE & BOCKING BRANCH London Region**

*(Carried)*

ADRIAN STOHR (London): I am moving Motion 158 on University Grants. Our young adults' futures have reached a debt before they've even started their careers.

According to the NUS – National Union of Students – an average debt for an

undergraduate in England is £49,887; £45,595 for Wales; £27,775 for Scotland and £32,091 for Northern Ireland. Tuition fees are around £9,250 per year according to the gov website. What the Government has released in grants, they expect back, which is a whopping £4.8 billion. That was in 2023 and 2024 this year. They also go on to say that during that time there has been a reduction in students being able to afford this education, and that's by 4.5%. I could continue with more crushing figures. We have doctors, nurses, engineers, mechanics, plumbers, solicitors, builders and so many other skill sets. This covers every person who wishes to become a university student to achieve those skills to have their dream job. Not only do they study all their educational life to get into a university, they are facing a crippling debt before they even have a job to go to.

People need to live and enjoy the jobs they are in. Instead they are facing debts that are crippling them along with the high rents and energy bills. Congress, how is it fair for the students of today? Think of it this way. I will just choose one skillset being the NHS staff. My wonderful wife works in the NHS. A person leaves university, gets a job and you go in with a serious illness which is life threatening. If that member of staff, say a doctor, is the person who has worked hard through their school life and receives their degree or masters, that is the person who is saving your life. Then the same person who saves your life goes home to work out their figures to pay for their bills and struggles because their uni fees have already been deducted from their uni grants, Education should be free.

I realise that our motion identifies the NHS and dental students, as there is a shortage of these students, in reality. Congress, we need to scrap education fees for all. We must invest in the future with free education and opportunities to plug those skills gaps, making it inviting for students to want to come to their education and to want to achieve the dream job that we are all currently relying on.

This country was built on manufacturing and is supported by the public sector workers. So many industries created this great country. I support the CEC's request to support all students with the education they all deserve. Please support this motion and let's scrap tuition fees and have grants for all students, given free education. Thank you. (*Applause*)

THE PRESIDENT: Well done, Adrian. Perfect timing. Secunder, please.

ADAM WACLAWCZYK (London): Congress, I am a first-time delegate and a first-time speaker. (*Applause*) I was a fire-fighter in Poland. Currently, I am a volunteer fire-fighter in this country and a member of the Fire Rescue Service.

'Solidarity' is not just a word. It is something that my parents inspired in me from childhood. That is why I believe I am here in this Congress.

I am seconding. Public university for all students in countries like Sweden, Norway, Finland, Denmark, Germany, Austria, Poland, Czech and Slovenia, where education is free. I don't want to believe that the United Kingdom could not afford free education for all students.

I would like to share my life experience, and I believe that NHS and emergency service students deserve our full support. Preparing for this job is not easy. They often see human suffering or death of patients and the sadness of their families. They are often stressed, whether they are ready for this profession and additional problems, having to pay big funds for studies. This worry can only deepen distress or lead to them giving up their studies. Not everyone can study and work in such a profession, which is why must – I repeat – support free education for all.

I would like to say something that I didn't have prepared. In the 1940s the Soviet Union killed in Katyn 22,000 Polish officers and the intelligentsia. When people are uneducated they are very easy to manage. All you need to do is write some nonsense and empty promises in a cheap newspaper, like the *Sun*, to make them believe it, like the Tories do. Unfortunately, not every family can afford to pay for studies. We must help them so that our society is always aware of its choice. Again, free education for all. Congress, please support this motion. I second.  
(Applause)

THE PRESIDENT: Well done, Adam. I call the mover of Motion 159.

## **A JOINED-UP CAMPAIGN MOTION 159.**

### **159. A JOINED-UP CAMPAIGN**

This Congress notes there is a fundamental interdependent relationship between health and social care and the whole cannot thrive if just one of the constituent parts fails. In December 2023, average ambulance response times were more than double the 18-minute target for category two calls. That's calls for heart attacks and strokes taking on average greater than forty minutes. At the same time trolley waits of more than 12 hours, patients who have had a decision to admit but are waiting on trolleys in A&E departments for a bed to become available on a ward, numbered 44,000. In December 2011 they numbered only four. These numbers, although often increased during winter, increased exponentially during 2021 at the same time as an estimated 19,000 care staff left the profession as a direct result of the decision to make the covid vaccination compulsory for all staff in the care setting. These figures are just one example of the current ill health of our health and social care system and could be likened to a virus, infecting all its constituent parts and severely affecting its ability to function and achieve its goal.

This Congress believes only a joined up, cohesive and consistent approach will overcome the negative effects experienced by our members working in these areas and the people they care for. Only a joined-up campaign can act as the antibiotic for this septic health and social care system. The example of the problems faced by ambulances waiting to offload in hospital carparks or patients waiting on hospital trolleys for a bed, will not be resolved in isolation from the issues faced by our comrades in care.

This Congress resolves to prioritise and promote a joined-up campaign in health and social care. To task its national secretary and national officers to bring together key players from their different areas to plan, identify and prioritise key themes and areas to organise. To encourage and direct regions to build local campaigns, bringing together campaign groups from across the various disciplines to identify and address local issues. To lobby its MPs to support and promote the campaign, adding their political voice to the call for change from activists across the health and care sector as a whole. To report back to Congress next year on the strengths, weaknesses, opportunities and threats identified through their work.

## **A02 AMBULANCE BRANCH**

### **Midlands Region**

*(Carried)*

JACQUELINE MURPHY (Midlands): Congress, I am moving Motion 159: A Joined-Up Campaign. This Congress notes that there is a fundamental interdependent relationship between health and social care and the whole cannot thrive if just one of the constituent parts fails. In December 2023, average ambulance waiting times were more than double the 18-minute target for category two calls. That's calls for heart attacks and strokes took an average response time greater than 40 minutes. At the same time, 44,000 patients waited more than 12 hours in A&E departments after a doctor had made the decision to admit. Yet in December 2011 these waits numbered only four in total. These numbers began to increase exponentially during 2021 at the same time as an estimated 19,000 care staff left the profession as a direct result of the decision to make the Covid vaccination compulsory for all staff within the care setting. These figures are just one example of the mutually dependent relationship of our health and social care systems. The treatment of health and social care by successive Tory Governments has weakened the effectiveness and severely impacted its ability to function and achieve its goal. We will not experience quality healthcare without the provision of quality social care and vice-versa.

The health and wellbeing of our nation is intrinsically linked to the quality of these services combined. Where one fails, the other also falls.

This Congress believes that only a joined-up, cohesive and consistent approach will overcome the negative effects experienced by our members working in these areas and the people they care for. A joined-up campaign will act as the antibiotic to the septic health and social care system we currently have.

Examples of the problems faced by ambulances waiting to offload in hospital car parks or patients waiting on hospital trolleys will not be resolved in isolation from the issues faced by our comrades in care. We will never experience quality health and social care where the staff providing these services are treated as mere commodities, and their terms and conditions are consistently undermined and undervalued. Day to day our members in this arena of employment work together for the benefit of the people and the communities they serve. It is high time these GMB public services stood stronger together to benefit each other's working conditions. We have to highlight the benefit of a joined-up approach to the Government in power, building campaigns, lobbying MPs and calling for change across the health and social care sector as a whole. We need to work together to achieve our common goals and make our health and social care system great once again. Congress, please support this motion. Thank you. *(Applause)*

THE PRESIDENT: Well done, Jacqueline. Secunder of Motion 159? Could the movers of 251, 252, and 253, come to the front, please.

MOSES ALI (Midlands): Good morning, President, Vice President, Congress. I am a first time delegate and speaker. *(Applause)* Today, I wholeheartedly second this motion, 159, recognising the urgent need for a cohesive approach to address the challenges flagging our healthcare system. Last year I saw firsthand the dire consequence of our failing health and social care system. When I needed emergency ambulance service I was shocked to learn that the average waiting time was a staggering four hours. With no other option I had to rely on a taxi to reach emergency care I desperately needed. This personal experience underscores the gravity of the situation we face and what is present in this motion being a cry for a system in crisis, from inevitably long ambulance response times to unacceptable waits in A&E departments. It is clear that a fragmented approach will not suffice. We need a unified coordinated effort to address this systematic issue, only a joined up campaign can serve as an antibiotic for our septic health and social care system. I urge this Congress to prioritise and promote such a campaign. Let us bring together key stakeholders to identify and address the root causes of these challenges. Let us lobby MPs to support and promote this campaign amplifying our collective approach. In conclusion let us commit to working together to build a healthier, more stable healthcare system for all. Thank you, Congress. I second.

THE PRESIDENT: Well done, Moses. The mover of Motion 160, please?



**QUALIFICATIONS FOR CARE WORKERS – ONES THAT ARE VALUABLE AND RESPECTED BY ALL ACROSS THE SECTOR**  
**MOTION 160**

**160. QUALIFICATIONS FOR CARE WORKERS – ONES THAT ARE VALUABLE AND RESPECTED BY ALL ACROSS THE SECTOR**

This Congress believes that care workers should have more in-depth, valuable and meaningful training, leading to more recognisable qualifications that are reflective of the required knowledge and skill a care worker is required to have based on accountability. A care worker is a huge umbrella term used more widely as a general term but the role goes more deeper and covers specialist areas of the sector.

The current NVQ's, certificates and diplomas are basic and somewhat outdated and offensive and in no way reflect our skills and what work we do.

Our qualifications need to reflect all the specialities we do in our roles and be acknowledged by all employers across the sector, giving us the professionalised roles we deserve.

**C40 CARE BRANCH**  
**Midlands Region**

*(Carried)*

PAUL RYMER (Midlands) C40 Branch, a branch dedicated to giving great care. Morning, President, Congress. Care workers are valuable and respected in all sectors and across the sector. The motion seems just a natural step to giving great care. I can report, Congress, that the GMB finally have the focus on great care, supporting members, women, men, all over the nation to get their voices heard by providers that seem to be taking advantage of big hearts and compassion of our members and carers in general. Don't get me wrong, we are at the start of a long journey but I think we have a vision of the destination.

Under the direction of Natalie Grayson, the National Care Organiser, I would just like to take this opportunity to say that for the short time she has been in place she has made a wonderful impression. We will give her a hand. *(Applause)* I know she is in the building. She is already getting care right up on the agenda. Also, at the paramedics reunion and getting the resources is the National Care Committee and thank you for all those that have started that as well. *(Applause)* This starts to demonstrate that we need the resources of the union to make this profession great. The national recognised qualification is the next step, to build confidence for carers, recognise the skills that are required to deliver great care, asking the motion to be passed and asking the GMB resources, but I believe the structures are already in place using the knowledge of our Welsh colleagues and Scottish comrades that have already got that qualification in place. The care standards already require 15 requirements, which is know your role, your personal

development, duty of care, equality and diversity, working as a person's sense of care, communication, privacy and dignity, fluid and nutrition, aware of mental health, dementia, learning disabilities, safeguarding adults and children, basic life support, health, safety, handling of information, prevention of infection and control.

So, when I am in conversation with colleagues in the care sector and they are asked, "What do you do for a living," and they say, "I'm just a carer," my heart just sinks. Just a carer? There is so much more. The national qualification will build the confidence and give respect this profession requires. I am going to leave you with one last thought. If we go back to the nursing profession when they were just seen on the wards as being the dogsbodies, the moment we started to give them national qualifications, professional qualifications, it was then nurses working alongside doctors. I move. (*Applause*)

THE PRESIDENT: Thank you, Paul. Secunder?

DAWN LOVATT (Midlands): Good morning, Congress, President, Vice President. When I thought about this motion the first question I want to ask you people is, how many of you here have caring responsibilities for someone? Put up your hands, please. (*Show of hands*) That includes those of you who are parents as well. That is the majority. How many of you are unpaid carers? (*Show of hands*) You are saving this Government billions, absolute billions. (*Applause*) When I first started doing care work I worked for the Derbyshire County Council and the intensive training we were put into, we had to do bandaging because my responsibility was working from that age group to the elderly. So, we had things like bits of sticker stuck on our glasses so we knew what it was like, to have idea what it was like to have visual impairment. I had to deal with benefits, learn how to make fires, go out shopping, the lot. Then going through the years I have worked for institutions, those with learning disabilities, forensic, autism, you name it, I have done palliative care.

When you see that level I want to tell you this. You know the film, *The Good, the Bad, the Ugly*, well I have seen the ugly. Time does not allow me to tell you some of the things we have seen. We all know the sort. The NHS provides the care certificate and so it should to raise that standard. Isn't it finally brilliant, the GMB is now investing time and quality into also creating documents to make us not just qualified but registered, registered staff. We deserve it because we put a lot of hard work into care. It is not money. It is love for the people that we look after. Please support this motion. (*Applause*)

THE PRESIDENT: Well done, Dawn. Thank you. The mover of Motion 161?

## **GENDER PAY GAP IN PENSIONS IN THE CARE SECTOR MOTION 161**

### **161. GENDER PAY GAP IN PENSIONS IN THE CARE SECTOR**

#### **Notes**

This Congress acknowledges the number of vacant health care posts has increased by 52% in one year and is the highest rate since records began in 2012/2012. There are currently around 165,000 vacancies within the care sector.

The care sector needs an extra 480,000 people working within the care sector by 2035 to keep up with the demand and need for care staff.

The law sets a minimum level of contributions to be paid. All staff must receive minimum pension contributions of 8%. The total contribution is 5% of the workers earnings, with at least 3% coming from you, the employer.

The current retirement age (as of Jan 2024) is 66 and is expected to raise in future years.

The workforce is made up of 81% women and the average age of a carer is 44.6 years old, 29% of workers are aged over 55.

#### **Believes**

We know that the care industry is a heavy task focused job.

We know that the care sector has a high turnover rate and staff are likely to move around in the sector.

We know that GMB has been fighting for care workers and is making wins where possible.

#### **Resolves**

To politically campaign for private care sector companies to put a higher percentage of a pension in, no less than 5%

To work with care staff who are GMB members who need assistance in grouping Pension pots together to form one big pension pot at the end of their work life.

### **BOLTON 23 BRANCH North West & Irish Region**

*(Carried)*

RUTH PITCHFORD (North West & Irish): President, Congress – Hi ya, Gary – as a young worker I am not yet concerned about my pension even though my parents keep telling me I should be. My experience in adult social care has taught me the value of a secure and reliable retirement, a pension that offers financial stability, freedom from worry, and the ability to plan for the years to come. As chair of the National Care Committee and within my experience as a care worker I have seen

firsthand the impact that a lack of financial security can have on our members' lives, the stress, the anxiety, and the feelings of uncertainty about their future. It is this understanding that motivates us to demand the best from private care sector companies, a minimum pension contribution of 5% to ensure our members have a dignified and secure future.

At GMB we have been fighting for care workers and making wins where possible. We believe that it is not just about improving working conditions but also about ensuring that our members receive a fair and secure pension. We also recognise that many of our members may have fragmented pension pots making it difficult for them to manage their retirement plans. That is why we are asking for commitment from GMB to work with care staff and the GMB members to help them group their pension pots together at the end of their work life. We are not just asking for a handout or a favour, we are demanding a fair deal. We believe that a minimum pension contribution of 5% from employers is not only reasonable but also necessary to ensure that our members have a dignified future.

Comrades, we must demand better from private care sector companies and ensure that our members receive the fair treatment they deserve. We are not just asking for a better pension, we are asking for a better life, a life where our members can live with dignity, respect, and financial security, a life where they can plan for their future without worrying about their finances. Let us stand together and demand better from private care sector companies. Congress, I move. *(Applause)*

THE PRESIDENT: Well done, Ruth. Thank you. A seconder?

ALAN FLATLEY (North West & Irish): President, Congress, I stand here today as a retired member and I am sure we are all aware of the importance of a secure pension; that cannot be overstated. I worked hard for many years, some say different, to earn my pension and it has given me the freedom to enjoy my retirement without worrying about money but I know that not all care workers have been so fortunate. Many of them are still working, struggling to make ends meet, worrying about their financial security.

As a retired member, I know that a pension contribution of 5% may seem like a small thing but it can make a huge difference in the lives of our members. It can mean the difference between financial security and financial insecurity, between peace of mind and worry and stress. Let us stand together and demand better for our members. Let us give them the financial security they deserve and the peace of mind that comes with knowing they have worked hard to earn a secure

future. Let us stand together and demand better for our members. Let us give them the financial security they deserve and the peace of mind that comes with knowing they have worked hard to earn a secure future. I am repeating myself but it's worth repeating!

We owe it to our care workers, their colleagues, their families, to do better. Congress, we owe it to the people who have dedicated their lives to caring for others and they deserve to be cared for in return. Let us work together to ensure our members have a secure and reliable pension and can live their lives with dignity and respect. Please support this motion. (*Applause*)

THE PRESIDENT: Thank you, Alan.

ALAN FLATLEY (North West & Irish): Get the Tories out!

THE PRESIDENT: Anyone wishing to speak in opposition? No? In that case I will ask Amanda Burley to speak on behalf of the CEC, please.

AMANDA BURLEY (CEC): President, Congress, I am responding on behalf of the CEC on Motion 158, 159 and 160, which we are supporting with qualifications.

Motion 158 is built on existing GMB policy regarding students' tuition fees and grants on doing a registration. In that it calls for free tuition fees and the writing off of all student loans. Our qualification is that this should be amended to include all students and not just medical and dental students.

On Motion 159, the CEC supports solidarity and cross-sector organising amongst workers, which promotes the working conditions of four groups, not what is more beneficial to one group or another. Our qualification is that 95% of residents are cared for in private or voluntary sector care homes where funding arrangements and access to collective bargaining are very different to our NHS colleagues as in the CEC Special Report on Social Care for Congress 2023, which I delivered by the way.

On Motion 160, Congress has long supported a professional registration – that was a hard word, thanks for that – of the care sector. England does not have a registration process unlike that of the devolved nations in Scotland, Wales and Northern Ireland. GMB's National Care Committee members have discussed the campaign to implement professional registration and with that address the qualifications necessary and professional life support roles. It is the Committee's position that that registration has also brought up standards of care in those workplaces. The CEC qualification is that the GMB has little influence on the

creation of new social care qualifications. However, we can continue to campaign for registration and within that the qualifications which are recognised as industry standard and bring professionalization to the sector.

To sum up, the CEC is asking for Motions 158, 159 and 160 to be supported with the qualifications set out. Thank you, Congress. (*Applause*)

THE PRESIDENT: Thank you, Amanda. Does London Region support the qualification on Motion 158? (*Agreed*) Thank you. Does Midland support the qualification on 159 and 160? (*Agreed*) Thank you. Okay, I will put those to the vote. All those in favour of Motion 158 please show. Thank you. Anyone against? That is carried.

*Motion 158 was CARRIED.*

THE PRESIDENT: All those in favour of Motion 159 please show. Thank you. Anyone against? That is also carried.

*Motion 159 was CARRIED.*

THE PRESIDENT: All those in favour of Motion 160 please show. Thank you. Anyone against? That is carried.

*Motion 160 was CARRIED.*

THE PRESIDENT: The CEC are supporting Motion 161. All those in favour please show. Thank you. Anyone against? That is carried.

*Motion 161 was CARRIED.*

## **SOCIAL POLICY: WELFARE RIGHTS & SERVICES**

THE PRESIDENT: We now move on to Social Policy: Welfare Rights & Services. Could we have the mover of Motion 251 to the rostrum, please?

### **NEW GOVERNMENT FUNDED CHILDCARE SCHEME MOTION 251**

#### **251. NEW GOVERNMENT FUNDED CHILDCARE SCHEME**

This Congress welcomes the introduction by the Government of additional funded childcare scheme for parents. We remain concerned that the level of funding is still not good enough to cover the real needs of working parents who face this cost alongside general increases in their household budgets.

The introduction of the Scheme has created a number of barriers to accessing the Scheme, also the fact that childcare costs during school holidays are often not covered, even though working parents are not on “holiday” but working normally.

We are concerned to ensure that there is a smooth access to claiming the child cost entitlement for parents. Currently, in January 2024, childcare providers are signing people up and filling availability places, but providers are still unaware of how they can draw down the funds from the government. This in turn has created anxiety and uncertainty for parents, childcare staff and providers who are trying to plan places and funding. It is vital that the operation of the childcare entitlement is not so bureaucratic and complex that it is a deterrent to parents or providers from participating in the Scheme.

Also, the gradual increase in eligibility for funded childcare entitlement is too long.

We ask GMB to work with partner agencies to lobby for continued improvements in funding for childcare and to bring forward access to the 30 hours of Government funded Childcare earlier than September 2025 as currently planned.

In the event of a General Election, we urge GMB to work with the Labour Party to commit to a properly funded Childcare arrangements for all working parent/s and to extend and increase the eligibility and length of funded childcare available. This is vital if we are to empower lower paid employees to secure decent employment without the fear of childcare costs trapping them into short term, insecure employment options.

Affordable Childcare for parents will enable the economy to grow, help fill vacancies and address part of the in-work poverty trap many face.

## **Q22 MANCHESTER CENTRAL BRANCH North West & Irish Region**

*(Carried)*

KAY DOHERTY (North West & Irish): President, Congress, in Northern Ireland the importance of childcare to the state is, as a fact, that we have never had a childcare strategy since the Northern Ireland Assembly has functioned. We have heard for years the sound bites about how government would positively not impact the children’s development, parents’ ability to seek and engage in work, grow the economy, expand the childcare section of an employer and address part of the in-work poverty trap that many families struggle with.

Education Minister, Paul Gibbins, on 23<sup>rd</sup> May 2024 announced a £25m package of measures to support children, parents, and providers, with Early Learning and childcare in 2024 and 2025 that is welcomed. It was welcomed by parents, childcare providers, employers, trade unions, and other stakeholders who understand the vital role that childcare plays not only in women’s equality but also to their function in the economy and within society. There is no doubt that this is an important step towards the level of financial support directly to parents or other childcare supporters.

The outline of the subsidy scheme put forward by the Education Minister is as follows: it is initially for working parents based on tax-free childcare as eligibility with children below primary school age, it will provide a 15% subsidy towards the cost of childcare for all pre school age children whose parents are eligible for tax-free childcare on top of the 20% contribution from tax-free childcare. It will be paid directly to childcare providers. It will require the development of a new partnership with childcare providers but in reality it is only the first step in addressing childcare as a key priority to help tackle the affordability crisis with both families and the childcare sections. What this strategy needs is a plan to include all parents with children of all ages. We need an additional new Early Learning and childcare strategy with the focus on delivering affordable but also high quality Early Learning and childcare, with a workforce that is properly valued and properly paid. We and our members across the sector stand ready to provide the support needed to make this a reality recognising the clear benefits that investment in high quality Early Learning and childcare brings to our economy and society.

However, childcare and the provision is not the only issue. In 1970, at an inaugural meeting in Ruskin College, Oxford the women's liberation movement called in their list of demands for universal free childcare and that demand has never been met. The excuses from Government are always it is too costly or there is no demand for it but the reality is that they are ideologically opposed to it. This concerns the Conservative values, which is to maintain a woman's place in the home. It is interesting as we mark 80 years of D-Day that the Government in World War II were having the same ideological struggle, the provision of state nurseries went from 14 in 1940 to 1,343 by 1946 to allow women into the workforce and drive productivity for the War effort. Of course, after the War this childcare was deemed to be far too radical and so society returned to part-time work for women outside the home to accommodate the role within it.

I still think it is remarkable to see how quickly governments can and will move when required. A reassessment of the Second World 80 years on would be free universal childcare delivered by a workforce who are valued and properly paid in an economy and society that is failing and not surviving. Congress, I move.  
(Applause)

THE PRESIDENT: Well; done, Kay. Thank you. Could I have a seconder, please, for Motion 251?

MAREK KROLIK (North West & Irish): Congress, childcare costs have rocketed. That means for many low paid workers seeking to get back into work are held back by



those costs. In a household with one parent working full-time and one parent working part-time, 50% will go on childcare and 50% of women have said that they are held back from applying for a better job or for promotion in their existing workplace due to high childcare costs.

Congress, we welcome the improvements in childcare support but they are too narrow and it needs more resources, it needs to be improved, resources need to be funded. It looks like the Labour Party will be elected into power. We know they have a good track record on childcare and family support, something that the Tories were quick to destroy in their austerity cuts. It would take brave ideas and policies to help achieve this, but we can. Congress, our members want affordable childcare. Our children need families that care for them to work and to have good work to help them out of growing poverty. Affordable childcare is the key to do this. It has to have priority in the new parliament so that working parents is an essential campaign to win. Congress, I second and I ask you, please, to support motion 251. Thank you. (*Applause*)

THE PRESIDENT: Well done, Marek. Thank you. Could the mover of Motion 252, please

## **HOLIDAY VOUCHERS, FREE SCHOOL MEALS MOTION 252**

### **252. HOLIDAY VOUCHERS, FREE SCHOOL MEALS**

This Congress remembers fondly how our late, great, President, Mary Turner, campaigned relentlessly for free school meals for all children. This is a campaign that the GMB has been proud to continue, as making sure that children are not going hungry has to be a priority for us all.

This Congress notes that during the pandemic the Government introduced a scheme in which vouchers of £15 per week per child were paid to the parents of children receiving free school meals, during the School holidays. This massively helped with providing food for families whilst children were at home and not receiving the benefit of the School lunches. Unfortunately, the Government did not continue with funding this scheme, but instead has left it to the discretion of the Local Councils.

This Congress notes that although there are many Councils that have continued the scheme, the majority are no longer providing this help, leaving parents struggling hugely to feed their children during holidays.

GMB notes that there is no pattern of party political control behind this decision, with for example Conservative run Wiltshire Council is continuing to offer the vouchers while Labour run Stockton does not.

The Congress resolves to call for Labour Councils to pledge to continue the provision of these vouchers, and to reinstate them where they have already been withdrawn, providing much needed help for struggling families.

## **W15 THREE SHIRES BRANCH**

## Southern Region

*(Carried)*

ANDY NEWMAN (Southern): Congress, the provision of free school meals and a nutritious meal for every child have been a very deep-seated passion for this union because our much loved but no longer with us former President, Mary Turner, made it a life's mission of hers to campaign for that. I think it is important to understand how this works for individuals and I am going to talk about my stepdaughter, without her permission, to be honest. I live in a small rural town which is relevant because my stepdaughter has four children. I know it sounds like we live in a country music song, doesn't it. If you live in a small rural town there are not a lot of employment opportunities and if you also have school-age children. So, she worked very, very hard in a pub but she doesn't have a car, there are very, very few jobs in the town, money is tight. She does not live week to week, she does not live day to day, she lives hour to hour with her money. Feeding the children is actually something she has to worry about every day and during term-time that is sorted out because they get a nutritious meal at lunchtime. It means that if money is really hard they could have a sandwich in the evening. I know a lot of families do not think about feeding their children because it is just something, the money is there, but if you are on a tight budget then it is very difficult. Here is news for the Government. It is a general occurrence every day, not just in term-time. In fact, holidays can be even more difficult because they are at home, they are eating all day, their friends come round, they go through the cupboards like a plague of locusts and there is no food. The Government during Covid did bring in school holiday vouchers of £15 per child so that every child could be guaranteed a meal even during the holidays but, unfortunately, that was then taken away again at the end of the Covid emergency and it became at the discretion of councils. Where we live in Wiltshire we are actually lucky in that the councils still provide it so £15 a week for every child during the summer holidays and the other holidays, you get £60. It is a great scheme. You get a voucher, you can go to Sainsbury's, you can go to Aldi, it is all spent on food. It is a fantastic scheme, but it is a postcode lottery. If you live here in Bournemouth, Christchurch, and Poole, you also get it but if you live in Swindon you don't get it because the council doesn't provide it.

I would like to say that there is a party political pattern and it is the Labour councils that did it and it is the Tory councils that do not, but, no, Wiltshire is controlled by the Conservatives, and they give it. BCP as they call it here, is run by the LibDems, they give it. Labour controls Swindon and they do not give it. Now, there is a qualification being suggested by the CEC, to say yes, we do support this but it is down to government funding. Yes, it is down to government funding but

when councils are making what they call the difficult decisions actually feeding the children is not a difficult decision. I think that should be the top thing, you are right there. (*Applause*) The state has an obligation to provide food security for its citizens. Our children are citizens of this state. They deserve a nutritious meal and that should be a top government priority. It should not be a situation where rich and middle-class parents' children will definitely be fed but working class children or children of parents in genuine hardship may not be fed, that cannot be acceptable. I personally feel very disappointed that there are Labour councils that have not got this as their top priority. Comrades, let's end the postcode lottery and let's feed every child every day. (*Applause*)

THE PRESIDENT: Thank you, Andy. Seconder?

MARTHA DE BRUXELLES (Southern): Congress, Madam President, I can think of many reasons why a Labour government should guarantee an extension of the free school voucher system during the holiday period but I will highlight just three points today. First, inequality: free school meals during holiday reveal the gap between advantaged children and their peers. It promotes social equality ensuring all children have access to nutritional food regardless of the family situation giving children the same level playing field. Second, education impact: hunger affects concentration on learning so by providing meals children are better prepared to engage in education and activities during the holidays, enjoying the freedom, enjoying the summer time break without having to worry about, "What am I going to have to eat at home?" Third, community support: offering free meals demonstrates community support and compassion for a struggling family. It enforces a sense of solidarity and care within the community. After all, communities like to care for each other and for the most vulnerable. Congress, please, I urge you to support this motion. I second. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Martha. The mover of Motion 253, please, and also movers and seconders of Composite 2, Composite 4, and Motion 86, if they would like to come to the front.

## **GOVERNMENT'S NEW WELFARE REFORM ON DISABLED PEOPLE**

### **MOTION 253**

#### **253. GOVERNMENT'S NEW WELFARE REFORM ON DISABLED PEOPLE**

This Congress calls on the CEC to put pressure on the Labour Party to oppose the new welfare reform.

The Government has announced a new welfare reform to help disabled people. If this announcement goes ahead, it will make some disabled benefit claimants even more poor, and these changes could force disabled people to work when not well.

We are still faced with a cost-of-living crisis where low-income families, our elderly in our society, and disabled people must choose from heating their homes or putting food on the table.

Within this bill the DWP is looking at new powers to snoop through personal bank accounts. This is a complete breach of data protection and should not even be considered.

It also claims it is going to encourage more disabled people to work from home when many people live in inadequate facilities and the added cost in utility bills to keep warm and comfortable.

We therefore seek the CEC to put pressure on the shadow Government to oppose any such reforms going ahead.

**W87 WIGAN BRANCH**  
**North West & Irish Region**

*(Carried)*

JOE SMITH (North West & Irish): President, Congress, I hate the Tories. I absolutely hate the Tories. *(Applause)* Let's jog your memory. Just over 10 years ago the same government closed Remploy. Liz Sayce, CEO of RADAR, commissioned a report on Remploy that it was costing the government just, just, £22,700 a person to keep somebody in work, and these people were paying their tax and insurance. The outcome of that 5,200 people put on the scrap heap and claiming benefits.

Congress, let's move on 10 years. This same government can only do what they think best by targeting and disrupting disabled and the most vulnerable people by introducing a new welfare reform attacking disabled people to save £4bn in the welfare budget. For god's sake, look at the difference in 10 years – £23,700, now £4bn, and they put them on the scrap heap in the first place. The impact this would have on disabled people would be devastating, being forced back into employment when they are already suffering from visible and invisible disabilities. The government action is for work capability assessments to be abolished, disabled people's benefits could be scrapped and disabled people having to attend job centres and to be assessed by work coaches. Depending on the outcome, disabled people could lose their benefits and forced back into work. Ask yourself, what medical qualification does a work coach have when assessing disabled people? The Government also plans to breach data protection laws and bring in new power to snoop through personal bank accounts. The thought of this needs to be stopped. Since I wrote this motion again the Government are looking to make changes to the work capability assessment. The changes will mean more disabled claimants will either be required to work or engage in work related activities. This will particularly affect those who cannot reliably walk more than 50

metres, those whose physical and mental health will be a sustained risk, and they were required to undertake work related activities.

Congress, I call on the CEC to put pressure on the shadow government or our future government and oppose any such reforms to go ahead. I move. Please support. (*Applause*)

THE PRESIDENT: Thank you, Joe. A seconder?

WILLIAM PLIMLEY (North West & Irish): President, Congress, this Tory Government is planning a full-scale assault on disabled people. The new welfare proposals are dangerous and risk leaving disabled people destitute. In a cost-of-living crisis they are looking to slice PIP payments, which is a horrific proposal. Changes to the welfare reform will cost more for disabled people that aim to take away the lawmakers PIP provided for these people in first, £975 a month extra cost is not going to solve the problem in economic activity. Sanctions and ending claims will only heap more misery on the people at the sharp end of the cost-of-living crisis. Much of the current levels of inactivity are because the public services are crumbling. The quality of jobs is poor and the rate of poverty amongst disabled households is growing. Please support this motion. I second. (*Applause*)

THE PRESIDENT: Thank you, Bill. Does anyone wish to speak in opposition to any of those motions? No? I will ask Tracey Ashton on behalf of the CEC to respond.

TRACEY ASHTON (CEC): President, Congress, responding on behalf of the CEC on Motions 251, 252 and 253. The CEC is supporting these motions with qualifications.

Motion 251 points to where current government funded childcare provision can be improved. This can be incorporated in GMB's ongoing policy engagement with the Labour Party. The qualification is GMB's ability and capacity to influence this area of policy outside the Labour Party is limited. We would also need to consider whether any partner agency which the motion calls for GMB to work with in this area align with the union's aims and values.

Motion 252, rightly raises voucher schemes for those with children on free school meals during school holidays in the Covid pandemic should be reinstated. Our qualification is to reflect existing GMB policy and free school meals outside of term-time, that is, in calling for Labour councils to continue providing the holiday meal voucher scheme without central government funding but we should also call for this funding to be reinstated by central government.

On Motion 253, GMB has long opposed community sanctions in a welfare system. The CEC's qualification is that the issue raised in the motion refers to the proposal that it will be implemented by more than one piece of legislation. This affects when and how GMB can respond to them. Proposed welfare reforms that will make some claimants worse off will require new legislation to be brought to parliament after the general election, whereas the proposed powers to snoop on personal bank accounts are contained in a data protection and digital information bill which is currently being considered by the House of Lords.

To sum up, the CEC is asking for Motions 251, 252, and 253 to be supported with the qualifications. Thank you. (*Applause*)

THE PRESIDENT: Cheers, Tracey. Thank you. Does North West & Irish Region accept the qualification on 251? (*Agreed*) And on 253? (*Agreed*) Thank you. Does Southern accept the qualification on 252? (*Agreed*) Thank you. I will put those to the vote. All those in favour of Motion 251 please show. Thank you. Anyone against. That is carried.

*Motion 251 was CARRIED.*

THE PRESIDENT: All those in favour of Motion 252 please show. Thank you. Anyone against? That is carried.

*Motion 252 was CARRIED.*

THE PRESIDENT: All those in favour of Motion 253 please show. Thank you. Anyone against? That is also carried.

Motion 253 was CARRIED.

## **EMPLOYMENT POLICY: RIGHTS AT WORK**

THE PRESIDENT: We now move to Employment Policy Rights at Work, so could I have the mover of Composite 2, please, to the rostrum?

## **CAMPAIGN FOR PAID RELIGIOUS HOLIDAYS LEAVE TO BE STATUTORY LAW**

### **COMPOSITE 2**

*(Covering Motions 64 and 85)*

64 – Religious Holidays – North East, Yorkshire & Humber Region

85 – Campaign for Paid Religious Leave to be Statutory Law – Southern Region

## **CAMPAIGN FOR PAID RELIGIOUS HOLIDAYS LEAVE TO BE STATUTORY LAW**

This Congress believes that everyone should have the right to celebrate religious holidays without working during them.

Although the Equality Act 2010 does say that religions and beliefs are a protected characteristic it makes no guarantee that employers should give leave for religious holidays. It is not a legal requirement for employers to give leave for religious holidays let alone give it as a paid vacation.

We believe that as the country becomes more multicultural and less people each year are identifying themselves as Christian, that efforts should be made by the government to allow all people the security to celebrate religious holidays without the worry of working. It is the belief of this congress that staff should be given the legal right to have religious holidays as time off.

This is especially the case for school workers who are not entitled to any time off of their own. Local councils should have to amend their policies making it a legal requirement for schools to grant leave for religious holiday. We would like to put forward a motion that will help not just school support staff, but all employees in the country.

From a school support staff perspective, if support staff need time off, they must wait until the school holidays, or schedule appointments in after school.

The UK is a multicultural society and diverse workforce, yet our employment rights; relating to including people of different faiths, contradict the latter. As we are aware, life does not revolve around term time for school staff. And the multiple faiths that are part of British society celebrate religious holidays or festivals during term time. Yes, there are some provisions "in place" for this, but in schools, it all comes down to the "headteacher's discretion".

Members in our Region have personally asked to book two days off for Vaisakhi, a major religious holiday for Sikhs. Members have been told that they could have half a day, because it did not suit school having time off.

In some shocking circumstances a Member of our Region have been told by their employer that they were "lying and making it up". Heads will ask members of staff of various faiths to stand up in front of the school and talk about their religious holidays and festivals yet will deny them the opportunity to actively celebrate their faith. Another child, at a different school was told by a head that another religious holiday was "made up like pancake day, it's not really important". We are asking that we nationally campaign and work with other trade unions, for a campaign, for it to be recognised in statutory law, that employees can claim "paid religious leave" for religious festivals, holidays, and religious observance.

Regardless of when in the year, or whether the head teacher agrees or not. It can be used anytime of the year, either as a block, or as individual days, to allow our diverse multi faith members the freedom to organise their religious lives as they feel, not on the whim of management.

We implore Congress to back this cause and help our members to have more independence and say in their lives

We urge the government to uphold our British values and make the right choice to be inclusive and accepting to all members of the public no matter their faith or beliefs.

Thank You.

Moving Region: North East, Yorkshire and Humber  
Seconding Region: Southern

*(Referred)*

JAMES WILTON (North East, Yorkshire, & Humber): Back again. Congress, the UK is a multi-diverse country. The Office of National Statistics stated that out of a census of 52.1m people in the UK the following identified as follows: 27.5m people are Christian, 22.2m do not follow a religion, 3.9m are Muslim, 1m are Hindu, 524,000 are Sikhs, 373,000 are Buddhists, 271,000 are Jewish, and 348,000 follow other religions. Part of British values, the very values we teach our pupils in our schools in the UK, state tolerance and respect for those of different faiths and beliefs. Congress, there is a juxtaposition between our employment law and our British values, that being no employee in this country has the right to celebrate their faith's important festivals, no statutory requirements for an employer to respect their employees' religious rights.

Congress, members of our 10 branch in Leeds and now 26 in Richmond & Wandsworth, two very diverse and different regions, are asking for the same thing, and strongly feel that this flies in the face of the Equality Act and as trade unionists we must protect and encourage the ethos of this Act and make sure that religions and beliefs of all workers are protected characteristics in all aspects of employment law. The UK should not be talking about inclusivity. It should be demonstrating and leading the way through action and through law.

In Leeds there has been some frankly despicable action from employers towards their employees, especially in schools, and here are some examples of this: members of our region have asked for leave for two days to celebrate Vasakhi, a major religious holiday for Sikhs. Members have been told that they could have half a day because it did not suit school having time off. In some shocking circumstances, a member of our region who asked for leave to celebrate Vasakhi was told by their employer that they were lying and making it up. Head teachers will ask members of staff of various races to stand up in front of the school and talk about their religious holidays and festivals yet will deny them the opportunity to actively celebrate their faith. Another child at a different school was told by a head that another religious holiday was made up like Pancake Day and it is not really important. Congress, what else the 26 grounds are asking for is for it to be an employer's statutory requirement to give employees the right of up to five days full pay religious leave for religious observance and all celebrations. Currently, we are lacking on this front. 67% of the workforce in the UK follows a faith or denomination. The majority should be they decided for legislation. By not



backing this cause we are failing our members that are the subject of discrimination they receive from their employers.

Congress, we are a campaigning and solution focused union. Our campaigns offer solutions to big workplace issues. Business can work with our campaigning, for example, rather than the entire workforce wanting to book off the same week in December, people of different faiths have the opportunity to work through the Christmas period and have their family-focused religious celebration in their own period of the year.

However, Congress, I can hear the argument that will be resorted to in this motion, what about non-religious employees. Those employees should have the right to this leave too as they also have the right to celebrate their family culture and family traditions. The majority of people who are not religious in the UK are British born white centrists. I am myself part of this demographic. However, I would like it to be recognised in law that I can celebrate Christmas with my family. We are a forward thinking and progressive union and I am imploring delegates to vote for this motion for a national campaign for the inclusivity of our multi-faith workforce. Congress, I move. (*Applause*)

THE PRESIDENT: Well done, James. Thank you. A seconder?

CHARMAINE WESTON-PORTER (Southern): Madam President, Vice President, Congress, first time delegate, first time speaker. (*Applause*) I second Composite 2, paid religious holidays to be statutory law. Today I stand before you to advocate for a cause that transcends cultural boundaries and underscores the very essence of a harmonious inclusive society. Religious observance is a fundamental aspect of many people's lives providing spiritual nourishment and the strength of community. In a diverse multicultural society recognition of this cultural facet often falls short. Currently, many employees face a difficult choice between fulfilling their professional obligations and observing their religious practices. This is not merely a matter of inconvenience. It is a question of equity, respect, and human dignity. Paid religious leave will ensure that individuals are not forced to satisfy deeply held beliefs and religion, it will promote inclusivity and acknowledge the rich tapestry of faith that makes up our society; moreover, it fosters mutual respect and understanding among colleagues in the workplace and improves productivity. In conclusion, advocating for paid religious leave to become statutory law is not merely a call for legislative change, it is a call for compassion, respect, and equity. It is affirmation that society values the rich diversity of people and its communities and protecting the rights of individuals. Let's unite ensuring that everyone has the freedom of their faith without fear of financial penalties. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Charmaine. The mover of Composite 4, please?  
Midlands, the mover of Composite 4?

**AMAZON DISPUTE ROLE OF THE CENTRAL ARBITRATION COMMITTEE: CAC BANNING  
ANTI-UNION RECRUITMENT  
COMPOSITE MOTION 4**

*(Covering Motions 108 and 80)*

108 – Amazon Dispute Role of the Central Arbitration Committee – Midlands Region

80 – CAC Banning Anti-Union Recruitment – Midlands Region

**AMAZON DISPUTE ROLE OF THE CENTRAL ARBITRATION COMMITTEE: CAC BANNING  
ANTIUNION RECRUITMENT**

This Congress notes the repeated use by Amazon UK Service Ltd of a loophole in the statutory union recognition procedure that allows companies to take on extra workers after the process of applying for recognition has started.

This Congress believes that the GMB dispute and recognition campaign at the companies BHX4 warehouse in Coventry has exposed the fact that the current legal procedure for union recognition is broken beyond repair. We believe that the provision for union recognition if a majority of the workforce joins a union has been shown to be so full of loopholes that in practice it does not exist.

It cannot be right that a company can create thousands of bogus jobs to flood a workplace with non-union members in order to block statutory recognition but that is exactly what Amazon were allowed to do last year under the procedures presided over by the toothless Central Arbitration Committee. At Coventry Amazon, this has seen over 1,300 additional workers taken on to block GMB recognition. The jobs created are temporary, part time and insecure, many with no guaranteed hours, but they allow Amazon to play the system and rig the outcome. GMB have now started this process three times and every time we have done so, the company take on more workers so that we can't hit the 50% threshold for automatic recognition.

Instead of freezing the employee head count at the start of the recognition process, Amazon were given months to take on new workers (at a time of down-turn in demand and a cost of millions of pounds) simply to dilute the portion of GMB members in the total workforce. The fact a corporate giant like Amazon can buy their way out of union recognition shows that the CAC is simply not fit for purpose.

We believe that this is a preposterous system and that the law should be changed so that from the date a trade union starts the process of requesting recognition, then any new starters cannot be used by the company in the head count.

This Congress resolves to campaign for the next Labour Government to, as a matter of urgency, introduce a new recognition framework based on the following principles:

- Employer neutrality – the company cannot campaign against union recognition as it is a matter for the workers themselves.
- A statutory right of workers to time off to campaign for union recognition in the workplace in line with the provision of the ACAS code of practice that applies to recognised workplaces and union activities.

- A statutory Right of Access to the workplace for union organisers applicable to all companies irrespective of whether or not the union is recognised and not limited to the period of a recognition ballot.

- The proportion of the workforce in the union to trigger automatic recognition to be reduced to 40%.

We call on the next Labour government to ensure that legislation is brought in immediately to put this change into law and put an end to cynical union busting of this type.

Moving region: Midlands

Seconding region: Midlands

*(Referred)*

CEFERINA FLORESCA (Midlands): Madam President, Congress, first time delegate, second time speaker. *(Applause)* The situation at BHX4 is an indictment of their inherent weaknesses woven into the very fabric of our statutory recognition scheme. They have borne witness to the hiring spectacle of union busting, of concerted efforts to dismantle the very foundations of collective bargaining and solidarity. Never before have we encountered such brazen disregard for the principles of fairness and justice that lie at the heart of our Movement. Indeed, events at Amazon in Coventry serve as a poignant reminder of the glaring deficiencies of our recognition scheme. It is abundantly clear that the scales of justice have been tipped in favour of employers granting them undue advantages at the expense of workers' rights and dignity.

When we tried for statutory recognition in 2023 Amazon hired 1,300 associates. I heard that is a normal operation, not new, in order to change the portion of GMB members which in turn forced us to withdraw our application. At present while awaiting the day for the ballot for recognition we have been subjected to a daily set of information meetings, which we call, blame watching sessions. I see the only option is to convene and encourage members to vote against GMB recognition. The atmosphere of intimidation and coercion is very strong and my associates are scared and confused.

This Congress resolves to campaign for the next Labour government to produce a recognition framework that addresses the inherent flaws of the current system. It will prioritise employer neutralities ensuring that companies cannot campaign against union recognition as it is a matter for the workers. The commitment secured in the delayed New Deal for Working People promising to lower such a political decision and publish a rightful access for unions, also a ray of hope in an otherwise middle landscape. Moreover, one consideration is the proposed reduction of the threshold to 40%, a step in the right direction, undoubtedly, but it is the best we can achieve. Let us not lose sight of the ultimate goal, a future

where every worker is treated with dignity, respect, and fairness. Together united in our common parts we have the power to effect meaningful change to give a future where the rights of workers are upheld and the voices of the marginalised are heard. Congress, I respectfully move. (*Applause*)

THE PRESIDENT: Well done, Ceferina. A seconder, please?

GARFIELD HYLTON (Midlands): Good morning to the President, the table, delegates, and our guests. The Tories have left a legacy for the workers of the country and this one has been a ticking time bomb for the workers of this country. The Central Arbitration Committee have shown it is not fit for purpose. I second the motion and I am in full agreement.

I would like to share this with you before I leave the stage. I have two families, one is at home, Naomi, Eunice, Janice, Louisa, Percival, and Leonardo, and my second family is here, the GMB. (*Applause*) Yesterday at Congress it was my birthday and I had to share that event with my family members here. I have never had so many Happy Birthday songs sung to me and I feel proud at the age of 60 and I want to thank my extended family that is here today for that beautiful moment. (*Applause*)

THE PRESIDENT: Thank you, Garfield, and belated Happy Birthday. Could I ask the mover of Motion 86, please, and can I ask the movers and seconders of 79, 99, 100, 101, 102, to come down the front.

## **CARERS' LEAVE**

### **MOTION 86**

#### **86. CARER'S LEAVE**

This Congress notes the introduction of the Carer's Leave Act on 6 April 2024 giving the right to time off for those with caring responsibilities.

However, there is no right to paid leave in the Act and those with caring responsibilities are usually faced with higher living costs and there is often a negative impact on mental health.

We therefore call on the GMB:

1. To lobby the government for paid carer's leave
2. Develop a best practice model policy and training for reps to negotiate with employers for paid carer's leave and any other enhancements to the provision.

**B33 GMB@BMA/BMJ BRANCH**  
**London Region**

(Carried)

ABDI MOHAMED (London): President, Congress, first time speaker. (*Applause*) Congress, the charity, Carers UK, found as many as 7.7m people this year are juggling unpaid care responsibility and paid employment. There are many people in this room who are in that position. We need bold intervention to support carers. We are calling on paid carers' leave. Another proposal is a national care service. Rather optimistic that a national care service will be established in the future, hopefully built on the foundation of sectoral collective bargaining, promised by Labour for working people. In the immediate future the number of people with caring responsibilities has increased and the failure to provide paid carers' leave will negatively impact on workers and the person they are caring for. (*Applause*) Unpaid care work is work and as trade unionists we should strive to ensure that workers are appropriately remunerated. Let's be clear, we have also an equality issue and the burden of caring falls disproportionately on women and in the absence of paid carers' leave reduces their earnings. In April the BBC reported that the majority of women aged between 50 and 60 can be expected to spend 4.7 years of their life providing unpaid care. We acknowledge the CEC's qualification that the ability to support the calls for a best practice model and training is contingent on the demands facing unions. Given the great length that our union has rightly gone to supporting equal pay across multi-workplaces we are confident that we as a union can show similar determination when pursuing this issue of equality. Congress, there is a very real possibility that most of us in this room will depend on receiving unpaid care at some point in our future. Please support this motion for equality and dignity. Congress, I move. (*Applause*)

THE PRESIDENT: Well done, Abdi. A seconder?

GEORGE SHARKEY (London): We welcome the new Carers' Leave Act which came into force earlier this year, in April, and this is the first time that you have a right to time off caring responsibilities and also the right from day one. However, it falls short on two fronts. There is a lack of vision for this to be paid and the Act only allows for one week of carers' leave every 12 months. Congress, we have an army of unpaid carers who care for family or others, saving this Government and the NHS millions to get little in return. Many are working carers pulled in two directions, juggling work and care commitments. Many cannot afford to lose any income. This motion rightly calls for reasonable time off and for this to be paid and we should follow Carers UK and be asking for up to 10 days paid leave. To add insult to injury just last month there was a piece in the press that carers who provide 35 hours a week unpaid care must repay all their money for slipping a pound or two over the earning threshold of £151 a week. This Government is not only clawing back the money but also stopping them claiming the allowance in

the future, which is shocking. Please support our motion to lobby the incoming government to put this right. I second. (*Applause*)

THE PRESIDENT: Thank you, George. Does anyone wish to speak in opposition to any of those motions? No? In that case can I ask Gwylan Brinkworth of the CEC to respond.

GWYLAN BRINKWORTH (CEC): President, Congress, responding to Composite 2 and Composite 4 on behalf of the CEC. The CEC is asking that Composite 2 and Composite 4 be referred. On Composite 2 GMB is fully committed to campaigning for the rights of those 12 characteristics of the Equality Act 2010 of which religion is one. The motion raises an interesting issue worth consideration and the recommendation is to refer to allow research into the subject so as to develop policy and to formulate any demands of a new government. In the UK there is a wide range of religions which are followed and it might be beneficial that there is an overall number of holidays which could be used for a specific religious holiday by that individual. By law employers are not obliged to grant holiday leave for religious holidays. Obviously, in the UK the Christmas and Easter period contains bank holidays which employers usually go for but these have not necessarily needed to be booked off as annual leave. As the case law stands at present in relation to religious discrimination an employer can take into consideration the needs of other staff for the accommodation needs of one worker makes it harder for co-workers to plan holidays and potentially increase the cost and reliance on agency staff.

Composite 4, the situation at Amazon in Coventry has exposed a fundamental weakness in the staff recognition scheme. GMB has witnessed extreme union-busting on a scale we have not seen before. We further recognise that there are deficiencies in the original design of the scheme which has handed undue advantages to the employers. These flaws must be remedied as soon as possible. The solution proposed is to freeze the composition of the barriers at the date the union starts the process of recognition. The CEC's recommendation is to refer and to add to this proposal a wider view of the workings of the scheme so that a change would not operate in isolation to other measures needed for a statutory recognition scheme. Secondly, GMB and other unions have also secured important commitments that the barriers to statutory recognition will be lowered and the right of access will be established as part of the Labour Party's New Deal for Working People. The exact form those policies will take will be subject to consultation and we would like to be able to respond on the basis of this motion and other improvements to those schemes, and again any new facts of priority that may emerge with consideration on how those changes would affect other recognition campaigns. We would also need to look at whether the proposed

reduction of 40% is the best threshold that can be achieved. The extreme actions of Amazon have highlighted the ability of an aggressive union-busting employer to frustrate the objections to the scheme. The unions have argued against this unfairness in the scheme since its inception in 2000 but we have not seen anything on this scale before. This is achieved by flooding bargaining units with recruitment so the density of union membership fell to the extent the GMB would not be able to satisfy the initial assessment test of 10% membership and the majority likely to favour recognition as well as the 50% threshold for automatic recognition.

Therefore, Congress, the CEC is asking that Composite 2 and Composite 4 be referred. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Gwylan. Does North East, Yorkshire, & Humber, and Southern, agree to refer back Composite 2? (*Agreed*) Yes? Thank you. Does Midlands agree to refer back Composite 4? (*Agreed*) Thank you. I do not need to put those to the vote.

*Composite Motion 2 was REFERRED.  
Composite Motion 4 was REFERRED.*

THE PRESIDENT: Does London... I heard it in Abdi's speech. Do you accept the qualification. Thank you

I will take the vote on Motion 86. All those in favour please show. Thank you. Anyone against. That is carried.

*Motion 86 was CARRIED.*

## **EMPLOYMENT POLICY: RIGHTS AT WORK**

THE PRESIDENT: We carry on with Employment Policy Rights at Work. Could I have the mover of Motion 79 to the rostrum, please?

### **CAC BARRED PERIOD MOTION 79**

#### **79. CAC BARRING PERIOD**

This Congress notes that the current system in place for union recognition allows for a trade union to be barred for three years from making another application if its bid is not successful.

We believe that this puts an unfair obstacle in the place of securing recognition and is a piece of anti-union legislation.

Therefore, we resolve to campaign for a change in the law so that new bids for recognition are accepted after a gap of one year.

We call on the next Labour government to change the law to allow this.

**B43 BIRMINGHAM CITY GENERAL BRANCH**  
**Midlands Region**

*(Carried)*

ALI MURAD (London): Good morning, President, Vice President, Congress. I am a first time delegate, second time speaker. *(Applause)* Thank you. Today I proudly move in support of this Motion 79 addressing a critical issue concerning union recognition. The current system CAC barrier for unsuccessful union recognition bid is not just an obstacle, it is a barrier to workers' rights. It is stopping their voices and undermining workplace democracy. We must campaign for a change advocating for a reduction in the waiting period to just one year ensures workers have a fair chance of securing presentation. It is about justice, recognising the circumstances can change and workers should not be penalised for exercising their rights. The GMB has long argued for this change. We call on the next Labour government to amend the law accordingly. A one-year gap between a recognition bid fosters a fair and inclusive working environment. This motion aligns with the broader efforts to address anti-union legislation as well. The strong unions are right for getting fair wages, fair conditions and social justice. By removing barriers to recognition we promote a more equal society where every worker has a right. In conclusion, reducing the waiting period for union recognition to one year is crucial for strengthening workers' rights. Let's unite in our fight for fairness and justice in the workplace. Let's demand action from the next Labour government to change this unjust law. Thank you, Congress. This motion I move.

THE PRESIDENT: Thank you, Murad. Secunder?

STEPHEN ALEXANDER (Midlands): President, Congress, good morning. As you are all no doubt aware, the course of applying for a CAC recognition agreement is difficult and lengthy. It is cumbersome to use and is full of pitfalls, and the most difficult issue arises when you are not successful. This is because there is a three-year block on any further applications for recognition of the same bargaining group. This is essentially a bar upon reapplication. It is by its actions extremely anti-union in its legislation. It has to be ended and it should be ended. Congress, we must bring this to light and campaign for this to be changed. A one-year gap before a reapplication can be applied for would be the far more fair and workable



outcome. We should be taking this forward to our Labour contacts and pushing for it to be considered for correction within the first 100 days of a Labour election victory. This would bring it under the removal of anti-trade union legislation and that is where we should be pushing it. We cannot have this hanging on as it is. It is time to make a change. Please support the motion. I second. (*Applause*)

THE PRESIDENT: Thank you, Stephen. Thank you. The mover of Motion 99, please.

## **LODGING AN ET1 MOTION 99**

### **99. LODGING AN ET1**

This Congress recognises that current legislation requires that an ET1 for Employment Tribunal has to be lodged within 3 months less one day from the time of the incident/dismissal. Given the amount of people we support have English as a second language, it makes it difficult to explain the process and support through grievances, disciplinaries, etc. then to register with ACAS Early Conciliation, then on to completing an ET1. There are also long delays to have their cases assessed by UnionLine and that the courts themselves are backlogged.

We propose to lobby Labour MPs to extend to timeline of lodging ET1s to 6 months less one day, giving time for cases to be properly assessed before lodging an ET1 and this may also help to spread the load for Tribunal courts.

## **K19 SOUTH LONDON GENERAL Southern Region (Carried)**

ROBERT SOLAINI (Southern): Good morning, Congress, Madam President. First time speaker. (*Applause*) This motion is for the GMB to lobby Labour to extend the timing of lodging employment tribunals in G1, for six months less one day. Congress, the GMB is here fighting for the rights of workers but when things go wrong, as they often do, our members are put at detriment. Some employers may be fair and reasonable but others will try to gain the system, use sharp practice when dealing with our members, while others are openly hostile to their employees and people like us who support and represent them. Currently, the time limit for bringing a claim to tribunal is three months less one day and although there are some exceptions tribunals are generally bound by these timings despite the merits of the case. The last thing our members need is to hear the words, "The claim is brought out of time," and it is struck out. Some employers act with impunity and in ways which deny our members the rights they are entitled to, unlawful deduction of wages, unfair and wrongful dismissal, discrimination, victimisation, and harassment, to name a few. Employers often fail to follow their own policies, unable and/or unwilling to engage and resolve issues as they arise, whether this is through a lack of capacity, motivation, or resources.

Unscrupulous employers may, and do, deliberately run their own internal processes so slow as with the hopes of running a claim out of time. The impact of this leads to a more proactive approach where members are forced to lodge a claim early or lose the opportunity of doing so later. Congress, it is absolutely clear that a change in the law is not just necessary, it is essential. This change will benefit our members by allowing internal processes to be explored, resolved, before a claim can be made. It should reduce the workload of UnionLine freeing up more time for those who most need it. It should result in fewer claims being taken forward, bringing up court's time and for those who are still trapped in that system those claims can be progressed quicker and their hearing sooner. In some instances it might even lead to a better employer relationship. Finally, Congress, this timing is already in place for those brave men and women who serve in our Armed Forces. It makes absolute sense for this to be made available to all workers. Congress, I move. (*Applause*)

THE PRESIDENT: Well done, Robert. Secunder?

CHLOE BURKE (Southern): Good morning, President, Congress. First time delegate, first time speaker. (*Applause*) Thank you. The need for an increase in time frame for lodging an employment tribunal is of paramount importance and long overdue. There are many factors which lead to delays in lodging an employment tribunal claim, some of which include language barriers, and the need for translation and explanation. How much campaigning is done to support people living with neurodiversity, disabilities, and specific communication needs. We know that many members require extra support for information processing, formal writing and decision making, as well as experiencing a lack of active support from their management, not to mention the issues which have already been brought to our attention, with difficult and obstructive employers, as I am sure we all know a few by now.

Congress, by supporting this motion GMB should push for increasing the time line for lodging an employment tribunal to six months less one day which can make a huge difference to outcomes for our members and colleagues whilst making work better. Please support this motion. I second. (*Applause*)

THE PRESIDENT: Well done, Holly. Thank you. The mover of Motion 100?

## **DISCIPLINARY LIMITATION MOTION 100**

### **100. DISCIPLINARY LIMITATION**

This Congress recognise that there is a Limitation Act 1990 that is applicable in England and Wales. Act provides timescale within which action may be taken for breaches of law. Example – breaches of ordinary contract are actionable for 6 years, to bring claim against employer is 3 months minus one day, contract entered into by way of Deed – 12 year. Although law is very clear about limitation in court system, it seems that internal disciplinary system and employers are above the law.

There are no time limits imposed by law for any form of disciplinary by employer. An employer can choose to discipline an employee for any reasons or even no reasons at all and it can do so at any time it wishes to do so. Conceptually employee can be disciplined for things they done months or years ago – even in different workplace.

Congress recognise that reps can argue that this sort of behaviour is unreasonable and later in the process judge can also say that employer was unreasonable, but this does not change the fact that employers do have the green light to put employee through the process of disciplinary.

Congress understands that the law has to change and implement limitations on employer on how far back they can look before they decide to investigate and discipline worker.

## **M27 LB MERTON BRANCH**

### **Southern Region**

*(Referred)*

JOANNE MARSHALL (Southern): President, Congress, first time delegate and speaker. *(Applause)* Congress recognises that there is a Limitation Act 1980 that is applicable in England and Wales. The Act provides the time scale within which – Sorry. I can't. *(Applause)* – within which action may be taken for breaches of law. For example, an employer has six years to bring action for breaches against, like, ordinary contracts but an employee only has three months minus one day. It is not fair in any shape or form. Although the law is very clear in the court system it seems that internal disciplinary procedures and the employer, are above the law. There are no time limits imposed for a disciplinary from the employer, an employer can choose to discipline an employee for any reason or no reason at all, and they can do it – they can look at past employment, they can go back as long as they want. We have had experience of this with one of our members where they have taken back 10 years into the past and it led to her leaving her post that she was in. They said that she had put her work into disrepute but there was no disciplinary put on her. Then in that new job nine years down the line the new management took over and dug back, dug right back into her past and brought this up, and then brought it against her. It is not fair. It should not be allowed. It has to be stopped. Congress needs to recognise that this sort of behaviour by the employer is unjust, unfair, impacts on our members' lives, and wellbeing. As heard in the example just given, the employer meanwhile just has a green light to do what it wants to anyone it wants. Congress understands that the law must change and implement limitations on the employer on how far they can

investigate – Sorry, I have had it done to me as well. (*Applause*) – someone’s past and discipline the employee. Congress we are happy for this to be referred for further consideration. I move. Sorry. (*Applause*)

THE PRESIDENT: Well done, Joanne. Well done. We all remember what it is like to be a first time speaker and first time delegate. Well done. Secunder, please?

KIM MARSHALL (Southern): Well done, Jo. Congress, as you have just heard the Limitation Act 1980 needs to be changed. Let’s delve into the disparities between time limits for employers and employees when it comes to bringing a breach of contract claim. Employers have a six-years window to bring a breach of contract claim against an employee. This means that if an employee violates any terms of their employment contract the employer can take legal action within this extended period. In contrast employees face a significantly shorter time frame. They have only three months minus one day to bring a claim for breach of contract against their employer. This tight deadline applies from either the last day of your notice period, the day you resigned, if you did not provide notice. If an employee fails to initiate a claim within this limited window, they may lose their right to legal action. Congress, in conclusion, this disparity in time limits between employers and employees underscores the need for prompt action. While employers have a more extended period, employees must act swiftly to protect their rights. Ask yourself, is this fair. I support this motion. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Kim. Could I have the mover of Motion 101, please?

## **TRIBUNAL LIMITATION MOTION 101**

### **101. TRIBUNAL LIMITATION**

This Congress understands the need for time limits for submitting a tribunal claim. But 3 months minus one day is too short and some employers will exploit this.

We call upon the GMB union to campaign and lobby government to change the time limitation to at least 6 months minus one day for all claims to allow our members time to complete internal processes and prepare a comprehensive tribunal claim.

### **C11 CAMBRIDGE 2 BRANCH London Region**

(*Carried*)

MALCOLM DORAN (London): First time delegate, second time speaker but no less daunted. (*Applause*) Please do not adjust your sets, this is not quite a repeat. I

am pleased to have the chance to speak on this motion, on tribunal limitation: the time a person has to refer a case is far too short. Let's say you have a project and you have three months minus a day to complete it, plenty of time so you think, but you are reliant on other people and it is external suppliers who let you down. A week before a deadline you are nowhere near completing and panic sets in. The same applies to an employee facing issues with their employer. In many instances the employee will have faith in the company they work for to be fair and resolve issues quickly. Sadly, this is not always the case, in fact many employers knowing the procedures will use delaying tactics, such as meetings cancelled, information not available, whilst assuring the employee they are doing all they can to resolve the issue. The result is the employee runs out of time to lodge the case so it is a win for the employer. The current system is strongly biased towards the employer and not the employee, who is the one who actually has the most to lose. The tribunal system is already a complicated process. Employees need the extra time to make the right decision and to ensure they are able to exhaust all other avenues before making a claim. Currently, unequal pay, statutory redundancy, and certain claims have time limits of six months less a day. Our motion is to lobby the government of whichever flavour to get it extended to six months less a day for all claims. I move this motion. Please support. (*Applause*)

THE PRESIDENT: Thank you, Malcolm. Secunder?

STEPHEN STRATTON (London): President, Congress, three months less a day, sounds a while away, doesn't it; on the other hand, it seems like yesterday time has flown so fast. We all know that saying, where did the time go. That is without employers' or managers' tactical shenanigans. We all know what most of them are like. I am supporting this motion because I have experienced the policy and procedures of using this process, queries remaining unanswered while the time limit in the policy runs and managers putting off meetings for a week or two, putting off making decisions and then changing them again at the last minute, and possibly over the time limit for making a claim, it will expire, and will result in any court case with the judge being strict on the time limits and dismissing the claim. Fortunately, for our members we have been within the time limits for registering a claim but what if we were not, game, set, and match to the employer? We say game because for them sometimes it is a game. All they seem interested in is trying to get the upper hand, not in doing what is right and just for our members. In conclusion, three months less a day to register a claim is too short and unfair advantage is given to the employers. This motion is important to each and every one of us, and important to all of our members. Please support this motion. I second. (*Applause*)

THE PRESIDENT: Well done. The mover of Motion 102, please?

## **RESURRECTING EMPLOYMENT TRIBUNAL FEES MOTION 102**

### **102. RESURRECTING EMPLOYMENT TRIBUNAL FEES**

Congress notes that this government proposes to reintroduce fees for employment tribunal claims.

It was seven years ago that the Supreme court ruled unlawful, the previous charging fees to bring a case to the Employment tribunal.

On 29 January 2024, the Government introduced a consultation, where the Justice Minister is known to have said that the new charges will:

*“ensure that users are paying towards the running costs of the tribunal and put their users on the same footing as users of other courts and tribunals who already pay fees”.*

Congress notes that should this go through it will not only allow bad bosses to treat staff unfairly but also make it harder for workers to seek redress for discrimination, unfair dismissal and withheld wages.

Congress is called upon to:

1. Continue to fight to ensure that fees are not reintroduced for bringing a claim to the employment tribunal, regardless of how modest those fees may be.
2. To continue working alongside GMB member MPs, and other decision makers, to ensure that fees are not introduced in taking a claim to the employment tribunal.

### **E10 EALING BRANCH London Region**

*(Carried)*

TARANJIT CHANA (London): Congress, our Movement is geared towards achieving justice for workers. As trade unionists we are outraged that the Government has attempted to price working people out of obtaining justice. The Tories tried this before in 2013 and 2017 and thanks to our friends in Unison we were told it was unlawful because it tried to block workers out of access to justice and discrimination against women. In their continued attack on working people, and that includes with sabotaging the tribunal system by under-investing in it and they remain determined to make justice a luxury good, just as they have already done for healthcare and fees. The TUC have already pointed out the dire situation that many workers are facing. Average weekly earnings are still £12 an hour, some were in 2008, and 7.8m people from working households are officially in poverty and yet somehow this does not seem as appropriate to deny the opportunity to access justice to those who need it the most. All adding fees to tribunals will do is encourage bad employers to break the law when they are

confident workers cannot afford to challenge them. Although the tribunal system is not perfect, and employment law is already geared in favour of employers, each and every one of us will know of multiple examples of where a worker has only got what is fair because they were able to access an employment tribunal. When Labour is in power we are optimistic that they will implement this change. We know that as part of its New Deal for Working People it has promised to extend tribunal limitations from three months to six months. We have to be prepared, Congress, for the worst outcome, a Tory government. If this is the case, Congress, it is important and imperative that we continue to use every means at our disposal, including working with GMB member MPs and other decision makers to ensure that the fees are not reintroduced for bringing a claim to the employment tribunal regardless of how modest those fees may be. Congress, please support this motion and please, regardless of what this Government may think, you cannot put a price on justice. I move. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Taranjit. Secunder?

PAUL CULLEN (London): Good afternoon, President, Congress. Motion 102 is against the introduction of employment tribunal fees in the United Kingdom. This issue strikes at the very heart of justice and fairness in our society. Employment tribunals exist to protect workers' rights, to provide a crucial platform for addressing grievances such as unfair dismissal, discrimination, and wage disputes. Introducing fees for these tribunals is not merely financial. It is a direct attack on the principles of equality and justice. Bringing in employment tribunal fees would create an insurmountable barrier for many of our most vulnerable members. Low income workers already struggling to make ends meet would be effectively priced out of seeking justice. In 2013, we witnessed the disastrous effects of the introduction of tribunal fees, cases plummeted by 53% denying thousands their day in court. This move disproportionately affected women and marginalised groups exacerbating existing inequalities and undermining trust in our justice system. It took a Supreme Court ruling to abolish those fees recognising them as a violation of the fundamental rights to access justice. Reintroducing those fees now would be a backward step, ignoring the lessons of the past and repeating the same mistake. Justice must be accessible to all, not just to those who can afford it. Employment tribunal fees should reflect our commitment to a fair and equitable society. They should empower workers, not silence them. They should ensure that every one regardless of their financial situation has the opportunity to seek redress and hold bad employers accountable. Congress, help stop employment tribunal fees and support Motion 102. I second. (*Applause*)

THE PRESIDENT: Thank you, Paul. Does anyone wish to speak in opposition to those motions? No? Can I ask Alan Woodward on behalf of the CEC to respond, please.

ALAN WOODWARD (CEC): President, Congress, speaking on behalf of the CEC responding to Motion 100. The CEC is asking that this motion be referred. The motion is seeking to place a restriction on the actions of an employer being able to discipline members. This is an interesting idea and would need some consideration as to whether this would be appropriate in all cases. There may be a counter argument presented that that limitation should apply to grievances also. Therefore, the CEC is asking for Motion 100 to be referred. Thank you.  
(Applause)

THE PRESIDENT: Thank you, Alan. I think I heard it in a speech but can I ask London Region to confirm that that is acceptable, a reference back. (Agreed) Thank you. In that case the CEC are supporting 79, 99, 101, 102, I will take them all in one batch. All those in favour please show. Thank you. Anyone against? They are all carried.

*Motion 79 was CARRIED.*

*Motion 99 was CARRIED.*

*Motion 100 was REFERRED*

*Motion 101 was CARRIED.*

*Motion 102 was CARRIED.*

## **SCHOOLS ACTIVISTS**

THE PRESIDENT: I have been joined at the table by James Wilton and Kay Doherty. These are two incredibly dedicated School Support Staff activist from our North East, Yorkshire, & Humber and North West & Irish Regions. (Applause)

James and his branch have been running campaigns in Leeds to improve the state of Special Educational Needs in our schools and Kay has been leading the talks in Northern Ireland with the government over schools' pay and grading. They are going to address Congress, talking through their campaigns and, hopefully, Kay will be able to give us an update with their talks. Welcome, Kay.

KAY DOHERTY: President, Congress, I am here today to talk about our campaigns for our support workers. It is a pay and grading campaign that started back in 2019 for all support staff. The educating authority does not have delegated authority to negotiate the pay and grading. In March 2022, the Department of Education gave authority to the Educational Authority to engage with trade unions to agree a business case for pay and grading.



Our meeting started in May 2022 and concluded in December 2022. An agreed business case was sent to the Department of Education on 2<sup>nd</sup> February 2022 accepting as we had no government for the previous years, and our industrial action started in November 2023 with one day of action for all support staff. In January 2024, a massive day of industrial action coordinated by the Irish Congress of trade unions and involving 16 trade unions took place across education, health, transport, and civil servants. A massive turnout of 150,000 took part in the biggest rally seen in 50 years.

This led to government being in talks in February 2024 and formal pay offers being made by the Department of Finance Minister within days of Stormont functioning. The Executive set aside £588m to pay for public sector pay but did not take long for us to find out that there was no money for pay and grading. No money once again for hard working school support staff. GMB alongside sister unions then started lobbying local MPs and meetings took place with Education Ministers. Lay reps made sure the politicians were listening to the voice of us, the workers. Dealings with the Minister were constructed. The Education Minister sought full funding for the pay and grading but then more disappointment as no money would be available in the 2024/2025 allocation. This led to more industrial action in 2021, for the 20<sup>th</sup> and 21<sup>st</sup> May and 3<sup>rd</sup> and 4<sup>th</sup> June 2024.

The first two days of action on 20<sup>th</sup> and 21<sup>st</sup> May took place with great success. Our members right across the whole of Northern Ireland once again took to the picket lines. Then exams were starting and obstruction to schools was becoming more likely. A meeting was requested with the Minister and he asked how could we deal with that position. The trade unions then advised that a clear pathway was needed to implement the pay and grading review. A further meeting with senior officials took place on 31<sup>st</sup> May, days before another two days of strike action would take place. This meeting went on throughout the day and by the end I believe there was now a pathway that could be negotiated which allowed for Monday and Tuesday strike action to be cancelled. Further intense negotiations took place on 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> June and reconvened yesterday. I was not skiving or shopping, I was at the meeting. With another meeting scheduled for tomorrow morning I attended negotiations and I feel that I can stand here today and say that, hopefully, by this time tomorrow negotiations will be finished and all our support workers in the Education Authority will be told that finally pay and grading will be implemented. (*Applause*)

I would just like to say that if there is anyone out here who is thinking about taking a campaign then don't give up. This has taken us six years but our members got behind our campaign and hopefully will now look forward to the benefits of the pay and grading. Up the workers! Thank you. (*Applause*)

THE PRESIDENT: Thank you, Kay. Well done. Fingers crossed for those negotiations tomorrow. We hope we can bring the facts to you. Brilliant. Take our solidarity back to all the members that have been taking strike action. Thank you. James?

JAMES WILTON: Thank you, Congress. Good morning? Afternoon? I am an activist in Leeds schools and academies. I began working as a teaching assistant around 15 years ago and especially an inclusive learning centre which provided an education for children with a range of needs and all disabilities. I have worked with all ranges in my school, with children and young adults with some of the highest needs and disabilities. I have so much passion and care for this role. I feel as a nation we should always look after those who are less fortunate than ourselves and working in my role I got to do that every day. I always go above and beyond my role in school and pretty much volunteer to support the most challenging pupils not just in my school but with care work in the community. It is a broad job because you become a huge part of your pupils' lives but when you sincerely care about helping people, care about helping children who need extra support, children who need an individual plan, you get to change lives and I think that is pretty amazing.

I worked with one child with a severe attachment disorder. He used to rack up five grand worth of damage in the school yearly and he would literally speak big. Due to the work we did in and outside the school working alongside his parents, that little boy found his way and he is not so little now. Now he has a job and he chose to live in Leeds with a friend and leads a happy and full life. What a monumental achievement.

The bonds you create whilst working with SEN pupils lasts a lifetime. Still to this day when I am walking through the centre of Leeds I might bump into a pupil I worked with and it is still the same as it was in school, they are overwhelmed with happiness and remember the times we worked together. Parents, too, they respect and value our interventions and the hard work we put in. They trust us with the most precious thing in their life and we work together as a unit to give their child the best start in life and secure them with the best future. (*Applause*) Thank you.

I ran into a parent last week, we have not seen each other for years but even still he has invested in my life, my success and my growth and I know this because I

was a huge part of his child's life. I never gave up on him, even when it was challenging. We were grateful for each other because we went through the challenge together and here is this child who is not a child any more, living their life happy and content, and have all the tools to handle their own challenges.

I chose this job to support these children because I now with consistency and compassion they will make it and let me tell you, they make it. These children are amazing and they deserve staff like colleagues and myself. Knowing how we work and seeing the differences that have been made I genuinely believe that these children are all being supported in a specialist tradition. Recently I was elected by the members in school as their convenor, the first in 20 years, representing school support staff across Leeds. I started to visit members in mainstream settings and it was a shock to me visiting mainstream schools and hearing from our members that they were supporting children, children with high needs and complexities but with no real provision. So, these members that are involved in high levels of violent incidents and without the proper training, and sometimes they are missing a behaviour support worker, which is so important to give these children consistency. The lack of provision in mainstream setting is failing these children and it is failing our members. It is a catalyst for disaster and it is fair to say the system is broken.

By the current system any difficult or unwanted behaviour from a pupil is as problem but in reality these children are struggling to communicate. They are desperately seeking a place that allows them to be them. Sometimes we do not have a breakout place or a support staff work looking after four children who really need one to one support. I was sick of hearing the same story, the same systematic failures for staff and pupils and I wanted to do something about it. We needed to do something about it.

The schools support staff branch in Leeds started to have this honest chat about what it was really like out there and how it was not working for anyone and what we could do to force some change. Our SEND campaign was born from here. Even if we did not know it yet, it was called SEND. We knew that staffing levels were not safe, there was a recruitment and retention crisis and the budgets were dire meaning there is less and less of us on the ground every day. We knew that staff were being asked to do more, that their pay grade and their job description had not changed in ten years, but the work had, the pupils had, and we had just been adapting and reacting for a decade without the proper support. We knew that this was not working for pupils. SEN children were being failed because the system was not acknowledging their needs and even if it did it was not moving fast enough, and non-SEN children just did not have access to support staff because their priority was with those children with needs.

We knew that training was sub-standard, it was not enough, and sometimes staff were not confident in tackling the challenging behaviour because the risks were high. As a team we wanted to be the ones to place a safety net under education, save it for everyone before it hit the ground and split into a million pieces. That meant doing something bigger, something that could start to break through the narrative, something that would make politicians, governments, decision-makers and the media sit up and realise that this is a real crisis, a crisis that needed immediate action.

When scrawling through Twitter I tumbled upon a parents of SEN children campaign called, SEND Reform. I travelled down to London to attend their static protest outside Parliament. I made links with them. One thing I had noticed through the wave of strikes that had happened across the country in recent years is that third issue, parents, carers, grandparents, members of the wider community, and workers, were not linked in dispute. It was my aim to achieve this, and I did. I also met Clive Lewis, Labour MP, to talk about our members' issues in full to him, too.

I have to say, Congress, that I was so lucky to have Stacey Booth as my GMB organiser. She threw open the doors, she invited in everyone she thought could be a help with the campaign, members, our campaign scheme, parents, activists, allies, and together we created our four campaign aims. SEND, first staffing levels, I do not need to explain that; E, evaluate the fair pay, teachers with national profiles have not been reviewed in over ten years. N, nurture our future to highlight the important job TAs do for our pupils and D, develop our people. This addresses the training needs.

These four aims highlighted the big needs of our members in schools and academies. We went about making it happen and if you did not notice it is spelt out, SEND. We visited schools with SEND campaign posters to have linked to our social media campaign page and business card. The campaign was well received by TAs and members. We gained members and reps in schools, and an academy in Leeds, and our branch grew, and the reps we have recruited are hungry for change and I am so proud of the hard work our new and old reps in our branch do for our members in the campaign.

Once gain we then ramped up the campaign. We spoke to the media and organised a deputation and demonstration outside the council. We lobbied councillors in GMB, Labour Parliamentary candidates, we did presentations at CLPs, attended Labour functions where we talked to the Shadow Chancellor about the campaign and its aims. I was fortunate enough to do an interview with the

Mirror on Budget Day. When I talk about the importance of education sectors vital parts are economic growth. Congress, it is a bit mad when you open up a national newspaper on Budget Day and you see your face on a Budget Day article and to top it off the Mirror included my line, "Jeremy Hunt does not have a clue." (*Applause*) Thank you. I thanked GMB and Cat Fletcher for giving me the opportunity to express teaching assistants' views of Tory budgets from a teaching assistant's perspective. The Tories are consistent with their disgusting and despicable way they punish working class people economically.

We carried on the pressure and hard work, right up until the deputation and a demo outside Leeds City Council. On the day reps, parents of the pupils, Unite the Community, and other trade unions, and GMB staff turned up with flags and banners to make noise outside the council. Prior to the deputation, Becks and myself were interviewed by the Morning Star, the BBC, ITV, and the Oxford Evening Post, to expose all the issues within education. After the demo the deputation began. We spoke to a full council and the mayor about our campaign aims, the vital importance of teaching assistants and their struggles. Congress, to be fair to the council the response was overwhelming. When we finished our speech the full council stood up and gave us a round of applause. Most importantly, the council unanimously voted it through.

This is quite emotional, to be honest, because of the hard work everybody had put in to this campaign and finally instant success for TAs and actual recognition for their hard work. But the work does not stop there. Unfortunately, the council and relevant Directors for Education in Leeds still have not convened a meeting with us to discuss implementing our campaign aims. We will be applying pressure in the meantime. However, we have had a scattered success in individual schools and academies with regrades for our members and we are in the process of mapping those successes and then applying pressure to the schools and academies that have not. Again, I repeat, it would be helpful for the council to put pressure on the directors and to get round the table and some of those councillors are GMB members.

Finally, Congress, I would like to end on this. We are a campaigning union. Our campaigns do deliver results for our members and I want to directly encourage every delegate not to be afraid of running their own campaigns. It is hard work but the SEND campaign in Leeds has proved it is worth it and, most importantly, it demonstrates to the powers that be that our members know their worth. They know they are strongest together and as a union we will get up, stand up, and we will not give up the fight. Thank you, Congress. (*Standing ovation*) Thank you very much.

THE PRESIDENT: Thank you, James. Thank you for all the work you have put in on leading on that really important campaign and here's to the success; you will get a success, if you keep that pressure up. But you listened, you listened to our members, you listened to the children, and to their families so I think that was really important. I am sure it is a campaign that applies to all teaching assistants across the UK. Thank you.

Just before you go I have a few announcements. There is a fringe that was not advertised in the booklet. It is called, Striking for Safety Fringe, it is in Syndicate 2, starts at 12.45. If you are not going to any fringes or before the fringe starts, or after the fringe finishes, please go and visit the Exhibit stands in the hall, and also give generously to the bucket collection as we go out.

That concludes this morning's business. I will see you back here at 2 o'clock.

*Conference adjourned.*

## **AFTERNOON SESSION** **(Congress assembled at 2.00 pm)**

THE PRESIDENT: Delegates, can you take your seats, please. I call Congress to order. I understand that there is no SOC Report this afternoon. So we can move straight onto the business. However, before that, I would like to thank GMB Scotland for the Tunnock's Teacakes. We are getting very well fed up here on the top table this week. Thank you.

## **RETIRED MEMBERS' ASSOCIATION REPORT**

THE PRESIDENT: It is my pleasure to invite Jan Smith of the Retired Members' Association to address Congress.

JAN SMITH (RMT and London): Good afternoon, Congress, President and General Secretary. Jan Smith from the National Retired Members' Association, known as the RMA Secretary.

It gives me great pleasure addressing you all. On behalf of Margi Clarke and myself we give sincere thanks to Barbara and all who are concerned on the U-turn, thereby allowing us to use our national banner to take part in the Banner Parade on Sunday. Thank you. *(Applause)*

Congress, the RMA was formed many years ago and it was formed from a motion from the GMB Congress. I say to you that the RMA is important to the GMB and will

not be put down or classed as a drain on the GMB. We are an active group with many of us doing accompany-rep jobs, which otherwise would have to be done by the full-time paid regional organisers. Therefore, colleagues, we believe it is time that we are recognised within our own right as other strands within the GMB.

I can also report to you that last year we held an excellent conference. We will also be holding another conference this year which will take place on 15<sup>th</sup> October at Mary Turner House. Unfortunately, due to other commitments, Barbara, our President, can't be with us, but we will be having Gary, our General Secretary, plus other speakers.

For the regions, can I remind you that delegates, visitors and motions for this conference must be submitted to myself or to Pat Gannon at National Office no later than 1<sup>st</sup> August. After that time, they won't be accepted. We also encourage regional coordinators to attend, and by their attendance they give support to their delegates and visitors.

During the year, colleagues, I continually receive calls from members wishing to retain their membership, and that can be from any region. I can assure you that these are all passed on to the relevant region. If I am not sure, I forward them to my own London Region and they kindly pass them on on my behalf. So thank you for that, London Region.

I have also, recently, been having calls as a result of the last CEC ballots from widows saying "My husband is still receiving GMB mail. Can you, please, take him off your list?" I then have enquired as to when that person passed away, and in some instances it is two years on. They were not aware of notifying the office. They also were not aware that there is a funeral benefit that they could have claimed. This I think we need to do more about to make members aware and their next of kin that there is a benefit they can claim in the event of loss of their loved ones.

I will now give sincere thanks to Steve Kemp, who was our national coordinator. Steve came out of retirement, for which we were truly grateful. Sadly, Steve, for certain reasons, ceased being the coordinator and he sorely missed. I say to you, if allowed, we would welcome Steve back. He did a great job with us and he did a lot of work with us. So we would like to see him back, if it is possible.

To Charlotte Brumpton-Childs, she is the temporary coordinator at the moment. So thank you, Charlotte, for stepping into the brink. To Roger and John, who are manning our stall, and also to you who have bought raffle tickets and for those who have provided prizes, we thank you. We are truly grateful for this. I

understand that at the moment we have raised around £500. (*Applause*) But, colleagues, in some of the regions, on Sunday, a brown envelope was put out to all regions with some raffle tickets in. I was told at lunchtime that there are six envelopes to come back. Could I ask that if you have sold those raffle tickets could you get those envelopes back to our stall or pass them to myself and I will do so. In giving thanks to Pat Gannon from the National Office, she is an absolute star and nothing is too much trouble. To my own region, London, thank you all for the kind support that you give to me. I truly appreciate it. Thank you.

Congress, I ask you to join with me in sending our very best wishes to our Honorary President, Monica Smith. Colleagues and friends, I, sincerely, from the bottom of my heart and for as long as I have breath, will continue to fight for all our members as I have done since my early '20s. (*Applause*)

Finally, Congress, I am going to ask Malcolm Sage to come to the rostrum and join me, please. Colleagues, on Saturday at the pre-Banner Parade rehearsal, I was asked what I have got up my sleeve to bring out for this Congress. Well, here's one of them. Malcolm, on behalf of the RMA we wish you a long, happy and healthy retirement. (*Applause*) But don't forget we have the RMA and you are welcome to come and join us. That applies to all of our retired organisers. We need your experience and we need your knowledge. So don't be frightened if you have a few minutes to spare. Who knows, Malcolm, you could become one of our accompanying reps. (*Presentation made with applause*)

MALCOLM SAGE (Vice President): Thank you very much.

JAN SMITH: God bless you, Malcolm. Colleagues, I commend this report to you and continue to enjoy Congress and have a safe journey home. (*Applause*) God bless you all.

THE PRESIDENT: Thank you for your report, Jan, and thank you for all you do on behalf of retired members. Like I said to you at the conference, they may be retired from work but you have not retired from the fight. Thank you. (*Applause*)

## **INDUSTRIAL & ECONOMIC POLICY: PAY AND PENSIONS**

THE PRESIDENT: We now move onto motions for debate under Industrial and Economic Policy: Pay and Pensions. I call the mover of Motion 75 to come to the rostrum. Can the mover and seconder for Motions 76, 173 and 174 please make themselves ready. Well done. You are already ahead of me. I call the mover of Motion 75.



## **NATIONAL INSURANCE PENSION – STOP THE INCREASE IN PENSION AGE MOTION 75**

### **75. NATIONAL INSURANCE PENSION- STOP THE INCREASE IN PENSION AGE**

Congress, we must protect our state pension.

The National Insurance Act 1911 was introduced by the Liberal Democrats to create a national system of insurance to protect working people against loss of income relating to sickness or unemployment.

In March 1943 Winston Churchill committed the government to a system of National COMPULSORY insurance for all classes.

The UK ranked 16th on the pension break-even index in Europe. The full state pension is currently worth £203.85 a week but could increase by up to 8.5% if the triple lock is reinstated.

This was expanded by the Labour government in 1948. currently workers' pay contributions from the age of 16 years to the grave.

***National insurance contributions form a significant proportion of the UK government revenue, raising £145 Billion in 2019/ 2020, representing 17.5% of tax revenue,***

At present state pension age in the UK now stands at 66, from 65, people need 35 qualifying years to get the full state pension of £205.85 a week.

Following a review this year it has been confirmed the state pension age will increase to 67 for men and women between 2026 and 2028.

Another review is scheduled to take place within the next 2 years to determine when it will further rise to 68. However, it has been rumoured to be going up to the age of 70. For those in manual labour jobs, working until you are 68 or 70 will not live long enough to claim their hard-earned state pension.

We ask GMB to lobby and fight hard to stop this insanity on further increases to the retirement.

### **B22 BRAINTREE & BOCKING BRANCH London Region**

*(Carried)*

ADRIAN STOHR (London): Madam President and Congress, I am moving Motion 75. Thank you for allowing this motion to be heard. We must do everything we can to protect our state pension. Let me give you a history lesson. The National Insurance Act was introduced in 191 as a national system of insurance to protect working people against loss of income relating to sickness or unemployment.

For more than 80 years the Government moved to a system of compulsory national insurance for all classes, and National Insurance contributions are used to fund state benefits, such as sickness and pensions as well as contributions

towards your state pension. National Insurance contribution form a significant proportion of the UK Government's revenue, raising £145 billion in 2019 and 2020, representing 17.5% of tax revenue. Currently, workers pay National Insurance contributions from the age of 16 until retirement, so from the age when you start work you started paying your National Insurance from your income.

We have heard talk of the Government scrapping National Insurance but this would mean higher taxes and not even a record of how long you have contributed towards your pension. Protecting National Insurance is protecting your pension. Think of yourself nearing the promised retirement age only to be told that the Government is raising the retirement age further! One of the great things to look forward to is, after working hard all your life and contribution to this system, a decent retirement.

For those in manual labour jobs working till the age of 68 or 70 will, likely, not live long enough to claim the hard-earned state pension. If they do, they may well be disabled and in constant pain.

We ask the GMB to lobby and fight hard to stop this insanity on the increase of retirement age. I move. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Adrian. Secunder for Motion 75? *(No response)*  
Formally, then. Thank you. I call the mover of Motion 76.

## **CAMPAIGN TO GET PENSION TRANSFER RIGHTS INCLUDED INTO TUPE REGULATIONS MOTION 76**

### **76. CAMPAIGN TO GET PENSION TRANSFER RIGHTS INCLUDED INTO TUPE REGULATIONS**

This Conference is conscious that in this time of austerity we are seeing more and more TUPE transactions as organisations, particularly within Public Services as they seek to work more efficiently. We are also conscious that there is a lot of cynicism with younger workers refusing to sign up to pension savings because of the uncertainty of long-term work and the additional cost that it would put on personal finances.

Therefore, if the Government are sincere about us all saving towards our retirement one way of encouraging such saving would be to make it easier and encourage the practice of having a pension for life.

We ask the GMB to use its influence to lobby government to get a change to existing TUPE regulations so too recognise existing pension provisions and to have pensions fundamentally included into any TUPE transaction just as any other employment benefit, opposed to the existing obligation of only having to provide access to a comparable pension.

- We ask our Political Officers to lobby for a review and firming up of TUPE regulations to guarantee employees' existing pension on TUPE.

- To liaise with our pension department to see how best we can develop and campaign for a Workplace Lifetime Pension Savings Scheme that will transfer with an employee for their whole career's and that would have to be accepted by and contributed towards by new employers when changing jobs which are of similar value.

**R45 RHONDDA CYNON TAFF BRANCH**  
**Wales & South West Region**

*(Carried)*

MARK BOWLER (GMB Wales & South West): Colleagues, Motion 76 is calling for the GMB to lobby Government to get pension considerations into TUPE. Pensions are a fundamental part of employees' terms of employment, and to be subjected to a TUPE transfer later into your career with having much pension service is currently devastating as many employers won't take on your pension. It is wrong and unjustified that pensions do not get protection with TUPE. Therefore, we need the GMB to lobby and get this injustice addressed. Older workers have already been hit with the Government reneging on past commitments and shamefully moving the default age of retirement to 67. More security of pension savings and considerations of pensions with TUPE is essential to maintain what little credibility is left. We need to build confidence to build savings towards retirement.

The motion is also conscious of the fact that our young workers are not investing in pensions because there is insufficient trust with the Government ever changing the goal posts. So we are asking that the GMB look to work with our pension specialists to develop and lobby for a lifetime pensions saving scheme that would encourage more younger people to save for retirement. A long and happy retirement is everyone's ambition after a lifetime of toil in an ever-hostile working environment. Please support.

*(Applause)*

THE PRESIDENT: Thank you, Mark. Secunder?

WILLIAM BOND (GMB Wales & South West): Congress and President, I am a first-time delegate and first-time speaker. *(Applause)* I am seconding Motion 76: Campaign to get Pension Transfer Rights Included into TUPE Regulations. Colleagues, this action is long overdue. We need to build a trust and confidence in saving towards our pension. We have had a Government that seems to be doing the very opposite and eroding any confidence there is to make provision for retirement. As a full-time shop steward working within the public sector, I am pleased to say, despite the last decades of austerity, working with my employer, we have managed to keep working in-house. But that situation has recently

changed, and our adult care services are under attack of the TUPE. Luckily we have managed to get our council to underwrite the provisions of access to the in-house pensions as a stipulation of anyone taking on these contracts, but for how long this will last and what of the new starters? Further, what happens in the event of second-generation transfers? This is why we need the protection of getting our pension provision protected and included into the TUPE. I second. Please support.

*(Applause)*

THE PRESIDENT: Well done, William. I call the mover of Motion 173.

**INDUTRIAL & ECONOMIC POLICY: PAY  
UNITING RETAIL WORKERS FOR WAGE JUSTICE  
MOTION 173**

**173. UNITING RETAIL WORKERS FOR WAGE JUSTICE**

This Congress we make a call for the GMB to work with other retail unions to launch a sector wide campaign for minimum wage for all retail workers linked to the foundation living wage.

As you will be aware retail work regularly includes shift patterns, anti social hours and often includes heavy manual work.

We are front line service workers, providing essential services and it was not long ago we were classed as “Key workers” during the pandemic.

Allocated store wage hours have been cut back to unsustainable levels adding to the pressure on staff and morale in some stores is at all time low.

Several of Asda’s competitors have announced that they are raising their minimum pay to £12 an hour. We congratulate those workers who forced this change.

We therefore call on Congress to support our request to look to campaign with other unions where appropriate to launch a sector wide campaign for a minimum wage for all retail workers not below the foundation living wage.

**A13 – ASDA RETAIL  
North East, Yorkshire & Humber Region**

*(Carried)*

CRAIG NEIL (North East, Yorkshire & Humber): President, I’m a first-time delegate and a first-time speaker. *(Applause)* I am moving Motion 173: Uniting Retail Workers for Wage Justice.

Congress, I am moving this motion as a frontline retail workers. Like all of my colleagues, I work shift patterns, regular anti-social hours and do heavy manual work daily, all too often with faulty and dangerous equipment. As a sector we are completely under appreciated. It was only a few years ago during Covid that we proved ourselves to be frontline, key workers putting our health and, indeed, lives at risk every day to provide essentials to keep the country going during the pandemic. Today we are facing ever-decreasing staff hours and ever-increasing pressure. Staff moral is at an all-time low.

Yet despite the difficult environment we work in, it can be challenging to organise our workers. Many of our staff are young, often taking their first steps into the world of work. Unlike our colleagues in distribution, we are somewhat fragmented. It is difficult to get the union density to the level that we really need. As a branch we believe that we are always stronger when we stand shoulder to shoulder; that is shoulder to shoulder with our colleagues in stores, with GMB reps in other stores and with our fellow retail workers across the country. We celebrate those retail workers working for other big-name stores in winning a £12 an-hour minimum wage. Now is the time to build upon that win and demand a real living wage for all retail workers. All the big-name employers rely on the fact we, as workers, are so fragmented. Let's change that. By working with other unions to launch a cross-sector campaign with a decent wage for all, we can avoid their tactics of division. Our mantra is and always will be: "Stronger together". Let's put that into action and show these atrocious employers that the 'Times they are a changin', especially now with the Tories about to be kicked out on their arses. Congress, please support retail workers and support this motion. Thank you.  
(Applause)

THE PRESIDENT: Thank you, Craig. Seconder?

JOSHUA BLACKLOCK (North East, Yorkshire & Humber): Good afternoon, Congress and President. I am seconding Motion 173.

Congress, during Covid life turned upside down. Trapped at home, I felt a need to work, a need to support my community and a need to help those not as fortunate as myself. I joined the essential teams in retail, the teams that kept our economies going. I progressed to leadership and became a representative for the GMB where I currently developed my own fantastic team who support me, enabling me to community with leadership effectively, not only to deliver the business's needs but, more importantly, to deliver the needs of our members as swiftly as possible.

Since Covid retail giants across the country have been able to save profits en masse, majoritively on the back of dropping our pay margin closer and closer to the cost-of-living barrier. In the meanwhile, our colleagues, their colleagues, are having to go to food banks just to feed their children. It's disgraceful. Year on year I have watched motivation drop whether it be the increased cut in workforce hours with the demand of the same performances, whether it be the subtle removal of colleagues' benefits for extra pay<sup>7</sup>, to now be one of the least paid retailers out there this year, barely hitting £11.80 average an hour over the year and that is with the apparent pay rise this July coming.

Only by uniting all major retailers will they stop taking advantage of us. We are all doing the same job. We are all overworked, we are all understaffed and we are all underpaid. We demand fair pay for all retail colleagues and we demand that now! Congress, thank you for your time and support. United we are stronger, united we can change lives and united we can make work better. Thank you.  
*(Applause)*

THE PRESIDENT: Well done. Thank you. I call the mover of Motion 174.

## **MINIMUM WAGE MOTION 174**

### **174. MINIMUM WAGE**

This Congress believes that the value of an individual's work is not determined by their age, and that a packet of pasta costs the same whatever age you are.

In short, conference asserts that the UK's age-based minimum wage system is neither just nor logical, and call on GMB to:

1. Lobby against the tiering of minimum wage
2. Push for the adoption of a universal national living wage that is tied to the real living wage (as calculated by the Living Wage Foundation)

### **B33 GMB@BMA/BMJ BRANCH London Region**

*(Carried)*

ABDI MOHAMED (London): Good afternoon. I am moving Motion 174 on the Minimum Wage. Congress, a fair day's pay for a fair day's work. As trade unionists, we are all familiar with this principle. It is one we have all fought so hard for. However, it would appear that successive governments are not so keen on it. They dictate the minimum wage not based on work but based on age. If you are

21 you are entitled to £11.44, but if you are 20 you are only entitled to £8.60. This is discrimination plain and simple. It doesn't matter how they wrap it up, it's discrimination. Young people will start their working lives experiencing this. I believe this is fundamentally wrong, that one group of workers aren't given equal pay for equal work. After all, a packet of pasta, a can of milk or even filling up your car with petrol costs the same regardless of your age.

Congress, our union should continue to campaign against age tiering of the minimum wage and push for the adoption of a universal national living wage.

On the qualification, we welcome the CEC's qualification, which the region accepts. We agree that we need to be bolder and more ambitious and push for a real living wage which is a minimum of £15 an hour. This is the very least that is needed to start addressing the worst period of wage stagnation.

Congress, the minimum wage has been one of the most successful economic measures in British history but it is not perfect. We need to assert our collective strength and ensure that it becomes a real living wage and does not discriminate against people on their age but rewards people for their labour. Please support this motion. *(Applause)*

THE PRESIDENT: Thank you, Abdi. Secunder?

BISMILLA MOHAMED (London): Congress, I am seconding Motion 174 on Minimum Wage. Congress, why is the National Minimum Wage different for different ages? In the context of the question, younger people, through no fault of their own, have lower productivity through not reaching high education and lack of employment, training and experience. It is important, however, to consider the impact of different minimum wage rates. Generally, minimum wage is an example of market failure, so why is the young generation, who are starting out on their working lives, some of them who have the added burden of coming from impoverished backgrounds being penalised for these failings?

Congress, GMB needs to continue to lobby against any age tiering of the minimum wage and to push for the implementation of a truly universal minimum wage. We were pleased to see the Government recognising that this is wrong and making the minimum wage apply to workers over 21 as previously they had to be 23 to qualify, but more needs to be done.

Congress, my birthday is on 5<sup>th</sup> July and nothing would make me more happier than to wake up on my birthday morning to see the Tories defeated. *(Applause)*

Let's get Labour into government. In the New Deal for Workers, they have committed to removing discriminatory age bands. I second. (*Applause*)

THE PRESIDENT: Thank you, Bismilla. I wish you a very happy birthday on 5<sup>th</sup> July. Does anyone wish to speak in opposition to any of those motions? (*No response*) Then I call Gwylan Brinkworth to speak on behalf of the CEC, please.

GWYLAN BRINKWORTH (CEC): Congress, I am speaking on behalf of the CEC responding to Motions 76, 173 and 174.

The CEC is supporting Motions 76, 173 and 174 with qualifications. On Motion 76 the CEC is supporting this motion with a qualification. The CEC qualification is that aligning regulations and financial consequences of the transfer between all of these schemes is a mammoth task. It would require staff working on regulatory adjustment following consultation, actuarial advice and member choice. The caveat would be that no worker must be disadvantaged or penalised in the decision they make. This assumes a greater degree of financial and pensions knowledge than is currently evidenced and may lead to exploitation. There are a number of questions which would need to be asked, which the CEC's written stance outlines. All those questions would need to be answered and workers appropriately informed before implementing such a scheme over and above the existing provision of automatic enrolment, defined contribution and defined benefit schemes.

On Motion 173, the CEC's qualification is that bargaining for pay and conditions will always be in the hands of the relevant industrial negotiators and committees for those employers. Ultimately, the CEC believes that what the motion calls for should first be considered by the GMB's relevant industrial bargaining committees in retail, such as Asda.

Congress, as the supreme policy-making body of the union, it can, however, agree with important principles that officers should have regard to in negotiations.

Finally, on Motion 174, the CEC is seeking to support the motion with a qualification. The motion calls for a universal wage tied to the rate calculated by the Living Wage Foundation, but it falls short of the existing GMB policy. Our policy is to campaign for a real living wage of at least £15 an hour as stated in the CEC Statement on the Cost of Living, carried by Congress 2022. It is a long-standing GMB policy call for the abolition of lower-aged based rates or tiers in the National Minimum Wage. The CEC's qualification is to uphold existing policy on what GMB believes a real living wage should be.



To sum-up, the CEC is asking for Motions 76, 173 and 174 to be supported with the qualifications. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Gwylan. Motion 75 is being supported by the CEC. Does Wales & South West accept the qualification on Motion 76? (*Agreed*) Does North East, Yorkshire & Humber accept the qualification on Motion 173? (*Agreed*) I did hear it in your speech, Abdi, but just to confirm. Does the London Region accept the qualification on Motion 174? (*Agreed*) Thank you. I will put all those to the vote. There has been no opposition to any of them. All those in favour of Motions 75, 76, 173 and 174, please show? Anyone against? They are all carried.

*Motion 75 was CARRIED.*

*Motion 76 was CARRIED.*

*Motion 173 was CARRIED.*

*Motion 174 was CARRIED.*

## **SOCIAL POLICY: EQUALITY AND INCLUSION**

THE PRESIDENT: We move on to Social Policy: Equality and Inclusion. I call the mover of Motion 202.

### **INCREASING AWARENESS FOR DIAGNOSES OF HAEMOCHROMATOSIS MOTION 202**

#### **202. INCREASING AWARENESS FOR DIAGNOSES OF HAEMOCHROMATOSIS**

This Congress recognises that genetic haemochromatosis (iron overload) is the UK's most common genetic condition, with around 380,000 people directly affected (source; Haemochromatosis UK). People of Celtic heritage seem to be especially affected, with Northern Ireland having 1 in 10 people directly affected (Haemochromatosis UK).

The NHS has straightforward clinical guidelines for diagnosis and treatment which involves the removal of blood, which is usually OK to use for transfusions etc.

If left untreated, it can lead to serious liver damage or even liver cancer. Despite this, patients can find it difficult to get diagnosed. As an example, liver problems caused by the condition are sometimes misdiagnosed as being due to alcohol consumption.

As well, those who are diagnosed often experience difficulty in getting immediate family members tested, which is recommended in order to determine whether offspring may be at risk of developing the condition.

Congress, we ask GMB to work towards raising awareness about this genetic condition especially as it is a recognised disability under the 2010 Equality Act.

**B22 BRAINTREE & BOCKING BRANCH**  
**London Region**

*(Carried)*

ADRIAN STOHR (London): Madam President and Congress, I move Motion 202 on Haemochromatosis. Firstly, let me give you more information on this condition. You have probably heard about anemia, which is the lack of iron and leads to low levels of red blood cells. Well, haemochromatosis is the opposite. It is caused by a build up of iron over many years, so it's an iron overload. We suspect that many of you have never heard of this but it is actually the UK's most common genetic condition with around 380,000 who are directly affected according to the charity Haemochromatosis UK, which is also genetic. Haemochromatosis, or GH, qualifies as a disability under the Equality Act 2010.

People of Celtic heritage seem to be especially affected, with Northern Ireland having one-in-10 people directly affected. This excess iron is stored in the liver, heart and pancreas, giving symptoms of chronic fatigue, aching joints and stomach pains. If left untreated the condition can lead to serious liver damage or even liver cancer. There is no cure. Therefore, Congress, early diagnosis early diagnosis is vital. This can save lives and this can be done by simply a blood test checking for the GH genes, but as NHS services are patchy it is a post-code lottery. Congress, this is why patients find it difficult to get diagnosed. As an example, liver problems caused by the condition are sometimes misdiagnosed as being due to alcohol consumption. Also those who do get diagnosed, then often experience difficulty in getting immediate family members tested. However, this is recommended by the NHS in order to determine whether offsprings may be at risk of developing this condition.

Our motion is to ask GMB to work towards raising awareness about the genetic condition and to raise awareness of the need for improved diagnosis and testing of patients' close relatives. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Adrian. Secunder?

JAISUCLAL DARCI (London): Congress, I am seconding Motion 202. This motion is to raise awareness of this condition. People of Celtic heritage and Northern European heritage are more prone to this genetic condition. It is less common in people of black, Hispanic and Asian cultures. This is why we wanted to let you know that the symptoms of this condition can be wrongly diagnosed, so it is better to get yourself tested. If you are a part of the ethnic groups which are most affected, you should have your family tested. The Haemochromatosis Awareness Week is from 1<sup>st</sup> to 7<sup>th</sup> July. If you can support this condition, go back to your

workplaces and branches and speak about this illness or go onto our website and find out more. I second. Thank you. (*Applause*)

THE PRESIDENT: Well done. Thank you. I call the mover of Motion 203, please.

## **SICKLE CELL DISORDER**

### **MOTION 203**

#### **203. SICKLE CELL DISORDER**

Sickle Cell Disorder is an inherited illness particularly common in people with an African or Caribbean family background.

The symptoms can begin in children as young as 5mths old, beginning with attacks of pain, swelling in the hands and feet, bacterial infections and strokes.

Complications can be chronic pain, aseptic bone necrosis, gallstones, leg ulcers, pulmonary hypertension, vision and kidney problems.

Statistically those diagnosed with Sickle Cell Disorder also have a shorter life expectancy.

According to figures from the Sickle Cell Society there are approximately 15,000 people in the UK who have Sickle Cell Disorder with 1 in 79 babies born in the UK each year will carry the trait, with approximately 300 babies are born with Sickle Cell every year.

Whilst there are treatments available to relieve the symptoms, unfortunately there is no cure.

Individuals that have children or those that may be diagnosed in later life with the Disorder may have difficulty with their employer due to the time they are taking off from work for treatment therefore causing financial hardship.

We are asking that the GMB promote and work with support groups to help our members as we do with other disabilities.

Please support.

#### **P18 BRANCH**

##### **Wales & South West Region**

*(Carried)*

LORRAINE PARKER DELAZ AJETE (GMB Wales & South West): Congress, I am moving Motion 203: Sickle Cell Disorder. Congress, Sickle Cell Disorder is an inherited illness particularly common in people with an African or Caribbean family background. The symptoms can begin in children as young as five months old, beginning with attacks of pain, swelling in the hands and feet, bacterial infections and strokes.

Complications can be chronic pain, aseptic bone necrosis, gallstones, leg ulcers, pulmonary hypertension, vision and kidney problems. Statistically, those diagnosed with Sickle Cell Disorder also have a shorter life expectancy.

According to figures from the Sickle Cell Society there are approximately 15,000 people in the UK who have the disorder, with one-in-79 babies born in the UK each year will carry the trait. Currently, approximately 300 babies are born every year carrying Sickle Cell Disorder.

Whilst there are treatments available to relieve the symptoms, unfortunately, there is no cure. Individuals who have children or those that may have been diagnosed in later life with the Disorder may have difficulty with their employers due to the time they are taking off from work for treatments, which can be causing financial hardships.

We are, therefore, asking the GMB to promote and work with support groups to help our members as we do with other disabilities. Please support. (*Applause*)

THE PRESIDENT: Thank you, Lorraine. Secunder for Motion 203? (*Formally seconded*) Thank you. I call the mover of Motion 205.

## **ADDRESSING DYSLEXIA DIAGNOSIS PRACTICES BY LOCAL COUNCILS**

### **MOTION 205**

#### **205. ADDRESSING DYSLEXIA DIAGNOSIS PRACTICES BY LOCAL COUNCILS**

This Congress seeks to address concerning practices observed in some local councils, where individuals are diagnosed with 'literacy difficulties' rather than Dyslexia.

This practice may potentially circumvent the protections outlined in the Equality Act and we believe it adversely affects individuals struggling with Dyslexia, contradicting the principles of inclusivity and equal treatment.

The 2010 Equality Act guarantees individuals with disabilities, including Dyslexia, the right to reasonable adjustments and accommodations in both educational and workplace settings.

This Congress supports initiatives aimed at raising awareness and promoting education within local councils. These efforts should foster understanding and inclusivity for individuals affected by Dyslexia.

Dyslexia is a recognised neurodivergent condition that significantly impacts reading, writing, and spelling abilities and a precise diagnosis is essential for providing appropriate support.

We note that Educational Psychologists employed by local authorities will not diagnose Dyslexia but rather opt for 'literacy difficulties'. These children's parents have to pay for a private Chartered Psychologist to get the diagnosis for the authorities to recognise the condition.

It is wrong that these children have to wait longer, struggle more and have extra costs put on their parents just to get what the authorities employed Educational Psychologists could have diagnosed at the start.

It should not be assumed that parents know how to work the diagnosis system, as if they don't know their children are doomed to not be supported through school, undermining the rights and entitlements of individuals protected under the Equality Act.

This Congress calls for transparency and accountability throughout the diagnostic process. Individuals should receive clear and accurate information regarding their specific learning needs.

Therefore, it is resolved for this Congress to:

- Urge local councils to conduct a thorough review of their diagnostic practices. This review should aim to align with established best practices in the assessment and acknowledgment of Dyslexia.
- Ensure local councils are strongly encouraged to collaborate with relevant experts, advocacy groups, and organisations specialising in Dyslexia. This collaborative effort should ensure accurate and equitable assessments for individuals struggling with Dyslexia.

### **H37 HILLINGDON BRANCH** **London Region**

*(Carried)*

LUKE SIMCOCK (London): President and Congress, I am moving Motion 205: Addressing Dyslexia Diagnosis Practices by Local Councils. I want to address this deeply concerning practice in some local councils regarding the diagnosis of individuals with learning literacy difficulties rather than acknowledging dyslexia. This practice is potentially an attempt to circumvent the protections outlined by the Equality Act and also adversely affect individuals struggling with dyslexia, contradicting the principles of inclusivity and equal treatment.

As someone who works as a support worker in schools I have witnessed the profound impact of a proper diagnosis and the support that an individual with dyslexia can have. I have severe dyslexia myself and thanks to the support I received in school, from a Labour Government, I might add, I was able to learn and overcome my challenges. I have become a productive member of the workforce. My experience has shown me that it is important for an accurate diagnosis and the right support, which is why this is an issue for me personally.

The 2010 Equality Act guarantees individuals with disabilities, including dyslexia, the right to reasonable adjustments and accommodations in both educational and workplace settings. Therefore, this Congress must support the initiatives aimed at raising awareness and promoting education within local councils. These efforts should foster understanding and inclusivity for individuals with dyslexia.

Dyslexia is a recognised neurodivergent condition that significantly impacts reading, writing and spelling abilities. A precise diagnosis is essential for providing the appropriate support. However, some educational psychologists employed by local councils often label these children with 'literacy' difficulties rather than identifying dyslexia. Not only does this delay necessary support but it imposes an additional financial burden on families who must then go and seek privately chartered psychologists for proper diagnosis. It is wrong that children have to wait longer, struggle more and incur extra costs for a diagnosis that should have been provided by a local authority employed educational psychologist from the outset.

It is unjust to assume that parents inherently understand the diagnosis process. This assumption undermines the rights and entitlements of individuals protected under the Equality Acts. A lot of people do not realise that literacy difficulties and anything that affects you for 12 months actually falls under this Act. They just think that you need a diagnosis of something.

We call for transparency and accountability throughout the diagnosis process, which are imperative. Individuals should receive clear and accurate information regarding their specific learning need. Therefore, it is resolved for this Congress to conduct thorough reviews of their diagnostic practices, aiming to align with established best practices in the assessment and acknowledgement of dyslexia. Local councils must be made to co-operate with relevant experts, advocacy groups and organisations specialising in dyslexia. As someone who has walked this path and benefited from the right support, I know how transformative it can be to their lives. Together we can ensure that every individual with dyslexia receives recognition and the assistance they deserve to enable them to achieve their full potential. Thank you for listening to my, Congress. Thank you.  
*(Applause)*

THE PRESIDENT: Well done, Luke. Thank you. I call the seconder, please?

ELIZABETH BOOKER (London): Congress, I'm a first-time delegate and a first-time speaker. *(Applause)* I am seconding Motion 205: Addressing Dyslexia Diagnosis Practices by Local Councils.

My mother left school at 15. She hated school, because she knew she wasn't but she felt pretty stupid. When I was in primary school a perceptive substitute teacher suggested to my parents that they should look into a dyslexia diagnosis. They did but the local authority didn't recognise dyslexia and my parents couldn't afford a private assessment. I finally got a diagnosis in adulthood.

When I started going homework with my daughter I could tell that she was dyslexic. She was diagnosed for free through her school aged seven, and by the age of 10 she could spell better than I could. This learning disability runs through the women in my family but its impact has lessened with each generation, not because we have become more intelligent as the generations have gone on but because of diagnosis and intervention. Early intervention is essential. The earlier a child is diagnosed, the more effective educational intervention can be. If any local authority are mislabelling dyslexic children as having literacy difficulties, they are not only taking away the right of reasonable adjustment for these children but they are also denying them an important understanding of who they are, how they operate and what support they need to reach their full potential. A thorough review of this diagnostic practice and a line up with expert advice must be carried out by local authorities. I commend this motion to Congress.

*(Applause)*

THE PRESIDENT: Well done, Elizabeth. Does anyone wish to speak in opposition to those motions? *(No response)* No. Then I call on Donna Spicer to respond on behalf of the CEC to Motions 202, 203 and 205.

DONNA SPICER (CEC): Congress and President, I am responding on behalf of the CEC to Motions 202, 203 and 205. The CEC is supporting Motions 202, 203 and 205 with qualifications. We are pleased that branches bring attention and awareness to haemochromatosis and of Sickle Cell Disorder, which affects people with an African or Caribbean family background disproportionately.

With Motions 202 and 203 there are qualifications which apply to both. One is that workers living with either condition can benefit from existing regional and national workplace campaigns on unseen disabilities. It is also difficult at a national level for GMB to raise awareness of particular conditions and work with particular support groups as a high number of these requests are submitted. Another is that branches are encouraged to undertake local campaigns especially where awareness may be low amongst their membership. Lastly, national affiliations to specific organisations requiring financial donations must be submitted to the GMB Finance & General Purposes Committee.

Finally, on Motion 205, the CEC strongly supports neurodiversity inclusion and opposes outmoded attitudes and the rationing of services. All children and adults should have a route to independent and impartial assessment. The CEC's qualification is that local authorities have a statutory responsibility for children's SEND provision under the Children & Families Act 2014, but practice varies widely between local authorities.

We encourage regions and branches to draw on our *Thinking Differently at Work Campaign* resources and launch their own campaigns to improve attitudes and provisions. We also wish to note that services and assessment routes need to be improved for all neurodivergent conditions including dyslexia.

To sum up, the CEC is asking for Motions 202, 203 and 205 to be supported with qualifications. (*Applause*)

THE PRESIDENT: Thank you, Donna. Does London Region accept the qualification on Motion 202? (*Agreed*) Thank you. Does GMB Wales & South West accept the qualification on Motion 203? (*Agreed*) Does London accept the qualification on Motion 205? (*Agreed*) Thank you. I will put all of those to the vote as there has been no opposition to them. All those in favour of Motions 202, 203 and 205 please show? Anyone against? They are all carried.

*Motion 202 was CARRIED.*

*Motion 203 was CARRIED.*

*Motion 205 was CARRIED.*

## **EMPLOYMENT POLICY: HEALTH, SAFETY AND ENVIRONMENT**

THE PRESIDENT: We now move onto Employment Policy: Health, Safety and Environment. Could I have the mover of Motion 67.

### **PROTECTING SHOP WORKERS FROM VIOLENCE**

#### **MOTION 67**

##### **67. PROTECTING SHOP WORKERS FROM VIOLENCE**

This Congress notes that Shop Workers are at an increased risk of violence and abuse, with over 400 incidents reported every day in the UK, the COVID pandemic has exacerbated this problem, with retail workers facing increased hostility and aggression from customers; and Asda Workers have been particularly targeted for violence, with an average of 10 incidents reported every day; this violence and abuse has a devastating impact on shop workers, both physically and psychologically.

GMB Congress calls upon the government to: -

1. Introduce a standalone offence for assaulting or abusing a retail worker.
2. Work with retailers to implement effective measures to prevent violence and abuse in retail workplaces.
3. Support Asda Workers in their campaign to be protected from violence and abuse.

We call upon all GMB Members to stand in solidarity with shop workers and to speak out against violence and abuse.



**A56 ASDA BRANCH**  
**North West & Irish Region**

*(Carried)*

PATRICK TIMSON (North West & Irish): Congress, I am moving Motion 67: Protecting Shopworkers from Violence. I am moving a motion that is not just about the safety of our members but about the safety of all shopworkers across the UK. Shopworkers are the backbone of our communities and they provide the essential services that everyone relies on, from stocking shelves to serving customers. But too often we are subjected to violence and abuse. More than 1300 incidents of violence and abuse are reported every day in the UK retail sector, and these are just the incidents that are recorded. The true number is likely to be much higher.

In workplaces such as Asda, we are expected to enforce the law without any of the legal protections, according to the police. Checking IDs and that items have been paid for are common flashpoints for abuse. All too often workers are left to suffer in silence, all because time taken away speaking to the police is time taken away from the till or from the shelf edge. The austerity thrust upon us by TDR Capital has only exacerbated this problem. In the last three months I have spoken to countless store managers desperately diverting hours onto the security department because the company won't fund them. I know of some stores that have been waiting for more than a year for its CCTV to be repaired. I have also spoken to members who have been attacked with needles and felt compelled to go out and purchase their own stab vests, only to be told that they were breaching the uniform policy. Perhaps most shocking of all, I have heard from workers who, having been threatened with baseball bats, took time away from the business to deal with their trauma. Had it not been for the intervention of GMB, those colleagues would have gone unpaid by the company. You see, at Asda "Every day low cost" means "Every day abuse for the workforce". It shouldn't be this way. *(Applause)*

The reality is that we need a collaborative approach if we are to ensure the safety of our members. The Government, police, employers and our brilliant GMB reps all have a part to play. The decision by the Government to introduce tougher sentences for abuse of workers will amount to little if bosses continue to ignore their duty of care. Pushing for prosecution should be at the bedrock of any workplace policy pertaining to violence. Equally, the public must be informed upon entering a workplace that there will be genuine repercussions for their behaviour.

Violence and abuse have devastating impacts on shopworkers. It can lead to physical injury, emotional distress and PTSD. I have seen it force shopworkers out of their jobs and it has already led to lives being lost. We cannot stand by and let this happen. This is why I am calling on Congress to call on the Government to introduce a stand-alone offence for assaulting or abusing retail workers. We must urge the Government to work with retailers to implement effective measures to prevent violence and abuse in retail and, finally, we call on GMB members to stand in solidarity with workers to speak out against violence and abuse as and where it arises.

Congress, I know our union cares deeply about the welfare of our members and won't stand for violence in any form. Please support this motion. Thank you.  
(*Applause*)

THE PRESIDENT: Thank you, Patrick. Secunder?

MELISSA JOHNSON (North West & Irish): Good afternoon, Madam President and Congress. I'm a first-time delegate and a first-time speaker. (*Applause*)

I am here today to second the motion to protect retail workers from violence. Shopworkers are the unsung heroes of the community. We provide the essential services that we all rely on. We work long hours with low pay and often face difficult conditions. The reward we receive for such dedication is often violence and abuse.

The Covid pandemic only served to exacerbate the issue with retail workers facing increasing hostility and aggression. The statistics are shocking, with one-in-three Asda workers reporting incidents of violence every day, myself included. As an Asda worker I have personally experienced both verbal and physical abuse at work. I have witnessed and am a victim of verbal abuse on a daily basis from customers who have unreasonable demands and take it out on the retail staff when they cannot do the impossible. I have also been the victim of a physical assault. Why? Because I had the temerity to tell a customer that the store had closed 15 minutes ago and they really needed to go to the checkout.

Yet despite the frequency of these incidents, offenders rarely suffer from any real consequence. The police dropped my case due to lack of evidence. While the store advised me that the offender would be banned, if I did see them in the store I should just call security to ask them to leave. Experiences like these are why we must call on the Government to introduce a specific offence of assaulting or abusing a retail worker. We must urgently work with retailers to implement effective measures to prevent the violence and abuse and we must support Asda

workers in our campaign to be protected. We call on all GMB members to stand in solidarity with shopworkers and speak out against the violence and abuse. We must send a clear message to the Government, to retailers and to the public that violence against shopworkers will not be tolerated. Shopworkers deserve to be treated with respect. We deserve to be safe at work and we deserve to go to work without being attacked or have that fear. That is why I urge you to support this motion. *(Applause)*

THE PRESIDENT: Well done, Melissa. I call the mover of Motion 68.

## **VIOLENCE IN SCHOOLS/ACADEMIES**

### **MOTION 68**

#### **68. VIOLENCE IN SCHOOLS/ACADEMIES**

This congress calls on the General Secretary and the CEC to develop an app covering guidance and best practice on recording violence against members working in schools/academies.

Congress will be aware that unfortunately, in today's world organisations are more interested in the reputational damage than protecting their employees. A good example recently is the Post Office.

This leads to schools/academies having policies on violence, but not enforcing them as our members are often told "it's part of the job." This results in these assaults not being recorded. So, the real number of assaults is not known.

It is never part of the job to be assaulted either physically or verbally.

If members suffer physical or verbal assaults whilst working in a schools/educational environment, they need clear advice on what to do and how to raise the issues.

As Congress knows most members will have access to a smart phone, so an app developed to give advice to members, and allow them to record these assaults and submit them to their union is essential.

For example, if a member suffers a physical assault resulting in injury, a photograph of the injured area taken by the app could help in a personal injury claim.

For those members who do not have a smart phone, a hard copy of the guidance should be made available from the GMB.

#### **S40 - SHEFFIELD EDUCATION BRANCH**

##### **North East, Yorkshire & Humber Region**

*(Carried)*

JOHN STEVENSON (North East, Yorkshire & Humber): Congress, I move Motion 68: Violence in Schools/Academies. What a mouthful? It's a serious subject. It's frightening. Let's take a straw poll. How many people here deal with school

support staff? Stick your hands up. Come on. Brilliant. How many people deal with school support staff who get assaulted, and when they go to their employer, they don't want to know? Isn't it worrying? What do we do about it? You fill the form in. Great! "I've been assaulted. I've been verbally abused", and it gets filed in that little receptacle that sits on the floor. Nobody ever does anything. Well, it's about time we changed it. We need to do something.

This motion calls upon the GMB to create an app. You've got smart phones, haven't you? Let's have an app on it. It gives you advice on what to record. If you have been kicked, punched or bitten – that's only the minor ones – you can take a photograph of it and it can be submitted to the GMB and, potentially, there could be a claim. I am not a legal expert. I'm not saying that everything is going to get a claim, but a few do, and the more that do has an effect. Because one of the things that the employers – be they schools or academies. It also applies to the NHS, Ambulance Service and care workers – don't like is bad publicity and claims. It puts insurance premiums up. We have had some great motions this week. I've heard them all. We even had a CEC report on schools, which is great, but we need to tackle this problem.

Unfortunately, there is a downside that I have to come to. The CEC wants to support this motion but with qualification – I hate to criticise the CEC but on this one, I'm sorry, but I have to – and they have missed the mark. It says in the information that they have sent to us that the qualification relates to an app. This creates legal, technical and cost. Yes, there's bound to be cost. There's cost in everything we do. As to legal and technical? We fill forms in for legal assistance. I don't get it. There's no difference. It needs considering as part of the wider comms. Okay, maybe that's reasonable, but then it comes to the bit that I just cannot agree with, and I hope you can't agree with it as well. It says: "The GMB has published guidance on tackling violence in schools". True. "This includes a reporting form in the back of the guide which could, instead, be developed into a separate web page for members to report to their employers rather than the GMB". What is the point? If we are submitting forms already and they ignore them, does anyone think, in all honesty, that another form that's got "GMB" on it is going to make a great deal of difference? I don't. I think all they will do is throw it away. So what do we do? Let's get an app, let's get it used, let's prove it works and then let's expand it across the GMB to all the other sectors that need this kind of thing. Thank you. *(Applause)*

THE PRESIDENT: Thank you, John. Secunder?

LIAM OLDFIELD (North East, Yorkshire & Humber): Congress, I am seconding Motion 68. I'm a first-time delegate and a first-time speaker at Congress. *(Applause)*

Physical violence, abuse and aggression is dismissed as part of the job for workers up and down the country. I am sure you will all agree that it is fundamental for unions to protect workers while they work. This motion aims to address this situation. Another form that the employee fills in that gets sent to the employer isn't helpful. In this motion we aim to help protect workers from physical harm, injury and unsafe work practices. We are a general workers' union. We are a broad church, made up of key workers, frontline staff and many others that contribute in others ways. Regardless of what we do for a living, it is an absolute minimum that we can do that safely, in a safe working environment. This app is not about ticking boxes, corporate backside covering or paying lip service to inadequate training. As comrades have already stated, some of our members who earn the least are exposed to most risk in the workplace. We see shopworkers having to deal with brazen shoplifters, who seem to get more brazen by the day, health and social care staff experience violence when all they are trying to do is to care for people, and in schools staff are subjected to verbal abuse on a daily basis. This is where the app is needed. My time has gone really fast so I will get to the point.

Please support this motion and help protect workers who are doing a job that most of us would run in the opposite direction from. (*Applause*)

THE PRESIDENT: Thank you, Liam. Well done. Is anyone opposed to any of those motions? (*No response*) Then I ask John Warcup from the CEC to respond.

JOHN WARCUP (CEC): President and Congress, I am speaking on behalf of the CEC on Motions 67 and 68 which we are supporting with qualifications. On Motion 67, although there has been a long-standing policy on retail violence, it is undoubtedly true that violence has increased across all sectors of the UK since the beginning of the COVID-19 pandemic in 2020 and that the retail sector has seen particularly sharp increases in violence and aggression.

The British Retail Consortium published their annual violence in the retail sector survey in 2024. It identified that a 50% increase in levels of retail violence and abuse to 1300 incidents a day had occurred compared with 2023 figures. The cost of theft doubled to £1.8 billion in 2022-23 with over 45,000 incidents a day. 60 per cent of respondents said that the police response was poor or very poor.

GMB has committed itself to launching a new campaign tackling work-related violence at Congress 2024. This motion fits well with the new approach to violence. There are three qualifications however. The first is that our experiences from public services is that changes in the law through the Assaults on Emergency Workers Offences Act 2018 are only effective if the law is upheld and

enforced. The possibility of tougher sentences will not as a deterrent without better resourcing, co-ordination and determination on the part of the police and the Crown Prosecution Service. A change may be part of the answer but it must also be part of a co-ordinated strategy.

The second approach is that GMB is already campaigning for resources for in-store and the restoration of colleague hours onto shopfloor in store. It is not a coincidence that violence and aggression have increased as service provision has decreased and GMB is vigorously challenging these cuts.

Thirdly, the motion at point three calls for support for Asda Workers under the proposed National Violence Reduction Campaign. This will extend to all workers.

On Motion 68, the general points of the motion fit well with our intention to launch a general union-wide national campaign on work-related violence in Congress 2024. The qualification relates to the proposed app as this creates legal technology and cost issues that will have to be considered as part of the GMB's wider communication strategy. GMB has already published guidance in tackling violence in schools. This includes a reporting form in the back of the guide which could, instead, be developed into a separate web page for members to report to their employers rather than to GMB.

Therefore, the CEC is asking Congress to support Motions 67 and 68 with the qualifications set out. Thank you. (*Applause*)

THE PRESIDENT: Thank you, John. Does North West & Irish Region accept the qualification on Motion 67? (*Agreed*) I will put that one to the vote first. All those in favour of Motion 67, please show? Thank you. Anyone against? That is carried.

Does North East, Yorkshire & Humber accept the qualification on Motion 68? (*Call of "No"*) Is that the wish of the region? Thank you. I need that confirmed because otherwise it gets confusing. That means that the CEC stance changes to oppose. Obviously, you are voting how you want to. So all those in favour of Motion 68 please show? Anyone against? Let me do that again. Hands high up in the air. All those in favour of Motion 68? All those against? That is carried.

*Motion 67 was CARRIED.*

*Motion 68 was CARRIED.*

THE PRESIDENT: We now move on to Motion 70.

## **MENTAL HEALTH AND WELLBEING SUPPORT FOR SELF EMPLOYED MOTION 70**

### **70. MENTAL HEALTH AND WELLBEING SUPPORT FOR SELF EMPLOYED**

This Congress notes that suicides because of financial reasons, are on the increase.

We call on GMB Union to create policy for officials during restructures and negotiations to put pressure on gig economy platform app providers to establish an avenue or channel within their establishment to deal with drivers who suddenly find themselves out of a job and are not able to deal with the aftermath mentally and not to wait until someone takes his or her life.

### **G56 PROFESSIONAL DRIVERS BRANCH London Region**

*(Carried)*

SIMEON DOHERTY (London): Congress, I am moving Motion 70 on Mental Health and Wellbeing Support for Self Employed.

Congress, the surge in suicide rates amongst workers in the United Kingdom needs immediate attention. Employers, those who are self-employed, part-time staff, booked via an agency or via apps, must give precedence to the mental health requirement of their employees to effectively tackle this escalation. The data on death by suspected suicide in England shows that from the period December 2024 to February 2024 rates are higher for males compared with females and are highest at the ages of 24 to 44 and 45 to 64 compared to those under 24 and the over 65 age group. The proportion of deaths through hanging, strangulation and suffocation is the highest across all quarters. The proportion of deaths through drowning shows a continued increase across the whole reporting period.

There are a number of factors which contribute to the increase in suicide rates among workers. First, rising inflation and the cost of living has placed significant financial burdens on individuals resulting in heightening stress and anxiety. This financial strain can have a profound impact on the mental health fostering feelings of hopelessness and despondency.

Moreover, mental health concerns have become more widespread in society with the workplace being no exception. Many employees grapple with conditions like depression, anxiety and other mental disorders, which can be exacerbated by work-related stresses.

The absence of adequate support and resources for mental health in the workplace can lead to tragic outcomes. Additionally, one development which has become a growing issue in numerous industries, with workers facing overwhelming workloads, extended hours of work and a lack of work/life balance, is that of fatigue. This persistent state of fatigue can have severe repercussions on mental health, pushing individuals to their limit and heighten the risk of suicide. Given this troubling trend, it is quite crucial for the Congress to take action and propose measures. These proposals should call on the Government of the day to review policies of employers' support for employees' mental health. Such measures could include providing access to mental health services, implementing workplace wellbeing initiatives and fostering a culture of open communication and support. By prioritising the mental health needs of workers, employers can cultivate a healthier and more supportive work environment. These, in turn, can help alleviate the pressures and stresses that contribute to the surge in suicide rates among workers.

We call on the GMB Union to create policies for officials during restructures and negotiations to put pressure on gig economy platform application providers to establish an avenue or channel within their establishment to deal with drivers who suddenly find themselves out of a job and are not able to deal with the aftermath mentally and not to wait until someone takes his or her life. Please, support this motion. (*Applause*)

THE PRESIDENT: Well done, Simeon. Secunder?

NARINDER DWALIWAL (London): Congress, I'm a first-time delegate and a first-time speaker. (*Applause*) I am seconding Motion 70. All workers need to feel safe at work, regardless as to whether they are employed or self-employed, although some workers may be at more risk. From a study done two years ago workers in the UK building industry have higher rates of work-related ill health and non-fatal injuries than in most other industrial sectors. The study found that self-employed men working in the building industry were leaving with poor mental health and three times more likely to commit suicide.

As well as guidance for workers dealing with redundancy, job loss or other work pressures, we also need mental health to be covered by strong health and safety laws. In fact, we would argue that the self-employed men are more vulnerable and at risk. They are their own boss, so who do they report to? There should be a reporting process for mental ill health so that workers can get appropriate help and guidance.



This motion is in line with the CEC Report on Health and Safety which will look into changing how mental health is to be treated at work. Please support our motion.  
*(Applause)*

JAN SMITH (London): Thank you, colleague. I was here to give moral support because she was absolutely petrified. Please give her a big round of applause. *(A standing ovation)*

THE PRESIDENT: Well done. Your speech was really good. I call Motion 71.

## **ADVANCE THE CONDITIONS OF PEDAL CYCLE COURIERS MOTION 71**

### **71. ADVANCE THE CONDITIONS OF PEDDLE CYCLE COURIERS.**

This congress moves to advance measures and campaigns that improve active forms of transport including cycle infrastructure and cycle conditions. Carbon emissions and the climate crisis are a critical threat to our existence, yet cities we work and cycle in are built around emission emitting vehicles and do not empower green last-mile delivery.

Congress notes that this issue stems from historically predominant ways of thinking and associations that oppose active travel and the co-existence of transport modes.

Congress should be aware that we are running a campaign that is exemplary of this in York, the city centre is a complete dead zone for safe and active travel, bicycles are criminalized and subject to £50 fines, this punishes active travel, and forces those vulnerable onto un-safe, congested, and unintelligible road networks.

This can force couriers to walk unpaid for 25 minutes of every hour, or paranoically break the law to avoid failing delivery time targets and risk losing a day's earnings. Without this committed support, union activity and engagement will vary across the country and opportunities to advance pedal cycle courier conditions will be missed.

We therefore ask that Congress adopts as policy supporting active travel campaigns across the country that improve safety, efficiency, and life quality for its pedal cycle couriers.

### **Y10 YORK GENERAL North East, Yorkshire & Humber Region**

*(Carried)*

CHRISTIAN SANTABARBARA (North East, Yorkshire & Humber): Congress, I am a first-time delegate and third-time speaker. I am moving Motion 71. This motion is something really close to me because every day that I work I am at risk and criminalised simply because I use a bicycle as my mode of transport. Outdated traffic orders that are not fit for digitally empowered cities and towns penalise us and infrastructure built around cars promotes road traffic collisions, of which I

have been on the receiving end of four, all of which I have lost time working and suffered physical consequences.

In York, me and the amazing North East, Yorkshire & Humberside organisers are proving that it doesn't have to be this way. But there are courier cyclists all over the UK who don't know that they can help themselves. Beyond that, I cannot see any clear steer from the Union that supports organisers into taking the decision to support cycle infrastructure, fund its activities and invest its time and resources into it.

The only immediate ramifications for my job and my earning potential, this motion is in all of our best interests because, frankly, the planet is burning and, increasingly, we have authorities striving to net-zero carbon plans introducing stuff like ULEZ zones and all other types of things that, in some cases, punish people without supporting viable alternatives. In York, for instance, it is clear that net zero is not possible without bicycles, and bicycles are not possible without safe roads or safe infrastructure. Businesses and couriers do not want to transition to green modes of pedal-cycle transport because they are at risk of criminalisation in doing so, but why do members of society, like families and commuters, not want to cycle on unsafe infrastructure because they fear being injured or killed? More than 100 cyclists die a year. That's one-fifth of this room die per year on bicycles because of unsafe infrastructure.

That said, there are so many benefits to this motion. It sets a clear objective and direction for the union. It empowers precarious courier cyclists to improve their lot and, one day, you yourself may benefit from a safe-cycle infrastructure that cheapens your running costs, improves your health and it has a GMB logo stamped on it. Effective cycle jobs aren't possible in York if we are criminalised and forced to be inefficient. The same principle applies everywhere in the country.

Finally, the CEC's stance to refer and now oppose this motion stood on the grounds of me not listing out exactly where pedestrian cycle lanes are a challenge, but I think that is not the point. Cycle infrastructure and green modes of transport are needed everywhere and benefits much more than just cycle couriers. But as they require, here is a list of places that will definitely have couriers that are criminalised by the same injustices that will inevitably need our support as our membership increases in the on-demand sector. Here is the list CEC: Bath, Cambridge, Durham, York, Chester, Cardiff and Southampton. The following areas are pedestrianised but also allow cyclists: Oxford, Winchester and Portsmouth. Thanks to us, York will soon be on that second list.

So, Congress, now that the CEC asks you to oppose this motion on a technicality, please do not reject the notion of the union supporting safe cycle infrastructure for all. Let's do the right thing. Let's support for better safe infrastructure and vote for this motion. *(Applause)*

THE PRESIDENT: Thank you, Christian. Secunder?

NATHANIEL BELL (North East, Yorkshire & Humber): Congress, this is my second time on stage but I'm a first-time speaker. *(Applause)* I am the chair of the Avery National Committee and I am also the man inside the kangaroo suit. I am here today to support Christian in second Motion 71. Yes, Congress, that's correct. A professional delivery driver standing to support couriers operating on pedal cycles.

As couriers our members are working in precarious situations, and maybe, if we are lucky, earning 50 pence for delivering a parcel. Yet cities are increasingly being shut down to safe, green and sustainable transport, such as cycles, electric vans and parcel bikes. The increasing practice of asking couriers to park and walk is extending delivery times, lowering our average hourly earnings and making it harder to make a living in the gig economy. This motion is about the union stepping up and organising campaigns for how the world works today, a world where thousands are working in the gig economy, a world where there are multiple companies fighting for the packages business and a world where shopping is done by the click of a button. We have to respond to those challenges or customers will end up paying more for their deliveries and their food deliveries will arrive cold. Congress, to paraphrase: let the drivers and the cyclists of the world unite. For courier and customer rights, I second. *(Applause)*

THE PRESIDENT: Well done, Nathan. Thank you. I call the mover of Motion 72.

## **SAFETY IN THE WORKPLACE MOTION 72**

### **72. SAFETY IN THE WORKPLACE**

Many of our members are still working even though they are beyond the retirement age.

Both men and women are employed in many industries.

The most hazardous include construction & agriculture.

Colleagues, our working lives are getting longer, and older workers are an important resource and can provide invaluable expertise and experience to organisations. However, as with all employees they must be kept safe at work.

Sadly, HSE figures show that there has been an increase in the number of fatal injuries which occur to workers aged 60 and over, despite them making just over 10% of the workforce.

Whilst older workers are generally less likely than younger workers to have occupational accidents they are likely to result in more serious injuries, permanent disabilities or death.

Therefore, we ask congress to call on the government to ensure that all workers irrespective of age are kept safe at work and that the emphasis is placed on employers to ensure good health and safety management systems are adhered to.

Moreover those employers who abuse health and safety legislation are taken to task, named and shamed.

**S38 SHEFFIELD MUN AND LT.  
North East, Yorkshire & Humber Region**

*(Carried)*

CONNOR FOGGIN (North East, Yorkshire & Humber): Congress, I am moving Motion 72. I'm a first-time delegate and a second-time speaker for the North East, Yorkshire & Humber Region. *(Applause)*

I work in manufacturing and run an active and campaigning workplace with a branch that is growing daily. In the last three years, we have turned around the GMB's reputation at my own company, and we have done that through listening to workers and actively campaigning and keeping in touch with our membership. Often you hear stories of fathers recruiting their sons into the union. In that case, mine pushed me into joining the union and then I recruited him. He is here today. It is an honour to stand here today representing my region and my members.

Moving on to the motion, our members are working beyond their retirement age in various industries throughout our country, the most hazardous of which include the construction and agricultural industries. Our working lives are getting longer. Our thanks for this lies with the Tory Party, as has been a common theme throughout Congress. We can all be affected by this issue. Older workers can provide invaluable expertise and knowledge. However, as with every employee and employer it must be safe at work. This simply is not happening. HSE figures show an increase in fatal injuries to workers aged 60 and over, despite the fact they only make up 10% of the national workforce. Statistically, our older members are less likely to suffer from occupational accidents at work but they are, sadly, more likely to result in a serious injury, permanent disability or death. No worker should have to be at risk for any of these types of accidents, especially those who have worked their whole lives and contributed so much to their communities, employers, families and their trade unions.

As a region, we are asking Congress to call to the new government to ensure that all workers, no matter what age, are kept safe at work. Emphasis is placed upon employers to ensure good health and safety management systems are adhered to. As well as this, those employers who abuse the health and safety legislations are taken to task, named and shamed. That is provided that we, the GMB, do not do this for them.

Congress, on a personal note, I would like to thank anyone who has encouraged me and supported me within my short time within the union so far. I am particularly grateful to those who supported me in my bid to join the CEC. It would be a great honour to represent my branch, manufacturing, in the great North East, Yorkshire & Humber Region for the next four years. Thank you. *(Applause)*

THE PRESIDENT: Connor, thank you. Secunder?

JUDE BENG (North East, Yorkshire & Humber): Good afternoon, National President and Vice President, General Secretary and the Director of Health and Safety, Environment as well as Wellbeing and to the rest of the members on the top table. I am a first-time delegate and speaker. *(Applause)*

I am one of the first 10 graduates of the gas programme. I became an activist before I could even know and understand what the word "activist" meant in the English language. I have fought social and workplace injustices for most of my professional career, which transcends the UK. As a workplace GMB Union representative and a race ambassador, I strongly believe in our health and safety. It is leading to our wellbeing. Our health, safety and wellbeing, be it physical, psychological and/or social are inextricably linked or connected to the quality of our lives, more so when we have reached the retirement age and beyond. It is a stage in our lives when natural, biological and environmental processes make us more vulnerable.

Nowadays because of many forces beyond our control our working lives are getting longer and, consequently, an increasing number of disproportional fatal injuries are occurring to workers aged 60 or above. The health and especially the safety of our members, irrespective of their working age, is and must be a prerequisite to GMB trade union making work better, with a permanent help lines, as is clearly stated on our orange and black stripes union colours.

Also this becomes true concerning age-related discrimination when any employer fails to adequately meet the reasonable, statutory and safety needs of

the over-60s in work. I ask you all to vote for this motion that truly contributes to making work better for everyone still at work. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Jude. I call the mover of Motion 73.

## **H&S – WORKING TEMPERATURES MOTION 73**

### **73. H&S - WORKING TEMPERATURES**

The Approved Code of Practice on the Workplace (Health, Safety and Welfare) Regulations suggests the minimum temperature for working indoors should normally be at least 16°C or 13°C if much of the work involves rigorous physical effort.

There is no guidance on a maximum temperature and no baseline temperature for work with limited physicality.

Extreme temperatures at work can lead to heat stress, cold stress or dehydration.

The guidance is unpractical and unclear and is open to subjective interpretation by management. It's usually applied with a blanket approach to all with no measures in place to consider individuals' medical conditions which may be effected by extreme high or low temperatures.

Similarly, perimenopausal and menopausal employees could also find their conditions significantly worsened especially when adaptive uniform proves difficult to source when sourcing costs prioritises function.

This Congress we, therefore are asking GMB to lobby government to provide clear guidance on safe working temperatures.

### **A61 ASDA STORES North East, Yorkshire & Humber Region**

*(Carried)*

HANNAH BUTLER (North East, Yorkshire & Humber): Congress, I am moving Motion 73: Working Temperatures. We call for the GMB to lobby the Government to provide and adopt clear and mandatory guidance on working temperatures. In the workplaces that I cover members' health and safety is being put at risk by loose and impractical guidance. The legislation is open to interpretation, which allows unscrupulous employers to cut corners. For example, local councils, upon realising the benefits financially of home working, are not maintaining office premises, whilst staff continue to work remotely.

In retail, where fan heaters have been hardwired in under the tills, they have not only caught fire but set fire to the colleague operating that till. The opposite side of that, is those who are trying to keep warm are utilising woolly hats, coats and blankets and duvets over their knees. Conversely, the extreme heat following

faulty aircon and fear to utilise heat breaks, particularly on members who are pre-menopausal and menopausal, those with MS, fibromyalgia, epilepsy, to name but a few conditions, temperature extremes can directly impact upon those with underlying health conditions which, as we heard in the motions yesterday, leave members penalised by absence percentages.

Lastly, as the only temperature guidance of between 13 degrees and 16 degrees is based on physical roles, what then for those in offices, seated at desks and those seated at tills? There needs to be clear, definitive and mandatory regulation that employers must adhere to. Please support. *(Applause)*

THE PRESIDENT: Thank you, Hannah. Well done. The seconder for Motion 73.

JULIE SHAW (North East, Yorkshire, & Humber): All too often in the workplace reps we support are members with a variety of issues, the majority of which are health and safety related. The workplace temperatures in the workplaces I cover are controlled by head office in another section of the region. If it is warm there, we are all assured it is warm and vice-versa. When the air-conditioning overheats and breaks down more often than not, in an older building it can take weeks if not months to locate parts and contractors to fix it leaving our members vulnerable. Additionally, as employers I am told that if the workplace temperatures drop below 13 degrees then you must do this, or do that. Temperatures above 16 degrees you must do this, or must do that. They are choosing to tell employees to work quicker to warm up and then get a warm drink when they are cold. Congress, please support this motion. I second. *(Applause)*

THE PRESIDENT: Thank you, Julie. Anyone wish to speak in opposition to these motions? No? In that case can I ask Dean Gilligan to respond on behalf of the CEC, please?

DEAN GILLIGAN (CEC): I am responding to Motions 70 and 71, which we are supporting with qualifications. On Motion 70, GMB strongly believes that all workers should be able to perform their job roles without harming their mental or physical health. They have long called for a Mental Health at Work Act to provide a legal basis for this parity of approach. As such, we support the general intentions of this motion with two important qualifications. One, the duty of care established under the Health & Safety at Work Act 1974 only applies when employment relationship exists. As such, this would compel platform app providers to make provision for former drivers and we would have to investigate what existing policies might be extended or adapted. Two, this should be the case at all times not just during restructures or negotiations, and should be extended to all platform app sector workers. If successful outcomes can be

achieved in the platform economy there may be potential for wider adoption across all GMB workplaces over the longer term.

On Motion 71, the CEC is supportive of the campaign that is already under way in York where there is an acute issue for pedal couriers. Our qualifications are that this may not be a widespread issue for workers who rely on cycling due to town planning. Localised campaigning would be the most appropriate course of action in this case. Pedestrian safety is also very important to be mindful of when we campaign. We will support campaigns where they arise led by our members. Fundamentally, this is an issue about low wages and unrealistic targets which are putting our pedal couriers under immense strain. We will continue to place pressure on employers who suppress wages, especially for those working in the gig economy.

Therefore, the CEC is asking Congress to support Motions 70 and 71 with the qualifications set out. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Dean. Motions 72 and 73 the CEC are supporting those so I will take those as one. All those in favour of Motions 72 and 73 please show. Thank you. Anyone against? They are both carried.

*Motion 72 was CARRIED.*

*Motion 73 was CARRIED.*

THE PRESIDENT: London Region, do you agree to the qualification on Motion 70? (*Agreed*) Thank you. And North East, Yorkshire, & Humber do you accept the qualification on 71? (*Agreed*) That is the wishes of the region? (*Agreed*) Thank you. Brilliant. Thank you. I will put those both to the vote. Motion 70 and Motion 71, all those in favour please show. Thank you. Anyone against? They are both carried.

*Motion 70 was CARRIED.*

*Motion 71 was CARRIED.*

## **CEC REPORT: HEALTH AND SAFETY REPORT**

THE PRESIDENT: We now move on to the CEC Report: Health and Safety Report. I hope you have had a chance to read it. Once the Report has been moved, I will call each region to speak, this is the chance to speak for or against the Report on behalf of the delegation. I will then take the vote on the Report. Can I please ask Kevan Hensby and Lorraine Winson to move and second the Report on behalf of the CVC?



**GMB Congress  
Bournemouth 2024  
CEC Special Report on 50 Years of the Health and Safety at Work Act 1974**

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**List of acronyms**

AI	Artificial Intelligence
APPG	All Party Parliamentary Group
BEIS	Department for Business, Energy and Industrial Strategy
BSI	British Standards Institution
BSIF	British Safety Industry Federation
CSEW	Crime Survey of England and Wales
DWP	Department for Work and Pension
EEC	European Economic Community
EHO	Environmental Health Officer
EMAS	Employment Medical Advisory Service
EU	European Union
FOM	Faculty of Occupational Medicine
GP	General Practitioner
HSC	Health and Safety Commission
HSE	Health and Safety Executive
ILO	International Labour Organisation
IOSH	Institution of Occupational Safety and Health
LA	Local Authority
NAWIC	National Association of Women in Construction
NHS	National Health Service
OBE	Officer of the Most Excellent Order of the British Empire
OH	Occupational Health
PPE	Personal Protective Equipment
PUWER	Provision and Use of Work Equipment Regulations
RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
SEQOHS	Safe Effective Quality Occupational Health Service
SFAIRP	So Far As Is Reasonably Practicable
TCA	Trade and Co-Operation Agreement
TUC	Trades Union Congress
US	United States (of America)

## 1. Summary of policy positions adopted

1.1 As set out in this report, it is an important and longstanding principle that Congress does not seek to bind the hands of our negotiators. Our industrial negotiations will always be in the hands of our members.

1.2 This report commits the union through our policy and political work to campaign for a future Government to:

- Legislate for A Mental Health at Work Act, designed to complement the Health and Safety at Work Act 1974 in making explicit the approach and methods expected of all employers in managing mental health at work.
- Convert the voluntary HSE Stress Management Standards into regulations with legal force;
- Make it explicit that suicide risk is covered by the Health and Safety at Work Act; therefore requiring employers to proactively manage risks, and requiring HSE to investigate work-related suicide risks; and
- Either introduce specific legislation requiring the reporting of all cases of work-related stress, mental ill-health and suicide; or to add work-related stress, mental ill-health and suicide to the list of reportable conditions prescribed under the existing reporting regulations RIDDOR.
- Develop simple reporting measures to allow workers to report cases of mental ill-health directly to HSE, allowing for the true picture to be understood, and action quickly taken where needed.
- Amend the Health and Safety at Work Act 1974, to make it explicit that work-related violence is in scope of the Act;
- Create new regulations to detail the approach and methods expected of all employers in controlling violence risks at work.
- Create new reporting requirements for work-related violence, so that all instances of violence and aggression are recorded, allowing for identification of trends and hotspots.
- Enlarge the scope of Sections 2 and 3 of the Health and Safety Work Act to include discriminatory behaviours from managers, employers and third parties.
- Update the Personal Protective Equipment at Work Regulations 1992 to include specific references to inclusivity on gender grounds.
- Create a tripartite commission – Government, Employers and Trades Unions - specifically to consider the implications of AI and automation on worker health and safety, and to enact any regulations that are recommended by this commission.
- Restore to prominence a fully staffed Employment Medical Advisory Service, which can provide robust and independent occupational health advice and support to the HSE, with a view to the development of a longer term National Occupational Health Service;
- Implement new regulations to create far stronger requirements placed on employers to provide full occupational health services from day one of employment;
- Legislate for statutory recognition of the SEQOHS scheme operated by the Faculty of Occupational Medicine, to set a legal minimum standard for occupational health provision.
- Create binding guidance or regulation to ensure that employers cannot skimp on the provision of health and safety at work when the economy takes a downturn.
- Prevent any deregulation or deterioration of the rights, standards, and occupational health and safety protections for workers.
- Ensure that future trade agreements consider emerging hazards such as artificial intelligence and automation, and seek to minimise divergence from minimum standards set with workers in the room.
- Amend either the Health and Safety at Work Act 1974, or the Public Health (Control of Disease) Act 1984, or both, to give both clarity and legal certainty that during public health emergencies, occupational health regulators can apply any necessary provisions in workplace such as may be temporarily enacted by Governments.
- Restore the resources of the Health and Safety Executive and Local Authority Environmental Health Departments to Year 2000 levels, to once again provide these regulators with teeth and a clear

mandate for enforcement and inspection.

- Promote the reporting system for trade union members to report health and safety concerns, which should be for any union member to use for reporting, not just Safety Representatives.

## **2. Introduction**

2.1. 31st July 2024 will mark the 50th anniversary of the date that the Health and Safety at Work etc Act<sup>1</sup> received royal assent. This piece of legislation fundamentally changed how workplace health and safety would be managed in the UK, and this anniversary seems an appropriate time to consider how successful the Act has been, and the extent to which change is needed.

### **What was in place before 1974?**

2.2. The first workplace health and safety legislation in the UK was enacted in 1802, through the first Factories Act. The Factories Act passed in 1833 saw the introduction of Health and Safety Inspectors, 4 in total, all men<sup>2</sup>. The first female Health and Safety Inspectors would not be appointed until 1893<sup>3</sup>. In spite of these improvements, work in the 19<sup>th</sup> Century was still extremely dangerous, with life expectancy short and fatality rates savagely high.

2.3. It should always be remembered for the key part of the reason for the foundation of the GMB - and indeed the wider trade union movement - was the protection of workers' health and safety, because the legislation of the time was still completely inadequate and rarely enforced.

2.4. The 20<sup>th</sup> century saw a plethora of law enacted, but this was piecemeal and covered specific hazards in specialised industries. Most of the health and safety laws focused on manual labour in heavy and highly dangerous industries<sup>4</sup>. Laws were highly prescriptive, and each sector and law had its own Inspectorate – Factory Inspectorate; Mines and Quarries Inspectorate; Agriculture Safety Inspectors; Explosives Inspectorate; Alkali and Clean Air Inspectorate. Later the Nuclear Installations Inspectorate and Radiochemical Inspectors as these new technologies emerged.

2.5. Non-industrial workplaces such as offices and shops were not covered by health and safety law at all. In 1947, the Gowens Committee considered the issues in these workplaces, and recommended that legislation was appropriate, covering: cleanliness; sanitary facilities; fire safety systems; lighting, heating, and ventilation; first aid; and safety measures for hazardous substances and machinery.

2.6. Despite repeated demands from MPs, including Labour MP Alfred Robens in 1957<sup>5</sup>, legislation was not passed until the Offices, Shops and Railway Premises Act 1963. This eventually extended some level of protection to eight million workers for the first time.

2.7. It wasn't until 1961 that a comprehensive Factories Act was introduced, and even this was soon found to be inadequate.

2.8. The crucial events that created the pressure for a new way of tackling workplace health and safety occurred in the 1960s, primarily the tragedy at Aberfan, when the collapse of a coal slurry tip resulted in the loss of 116 schoolchildren and 28 adults.

2.9. That incident in particular brought sharp focus to the idea that work itself was not just inherently dangerous for workers, but had a wider public safety element that needed to be urgently addressed.

2.10. The response of the Wilson Government was initially to propose further sectoral legislation, though it was quickly realised that this would not go far enough.

2.11. The Wilson Government instead turned to the now Lord Robens, who had been Chair of the National Coal Board at the time of Aberfan, and who led the campaign to turn the Gowers Report in legislation, to lead a commission to consider widely how health and safety might be better regulated.

2.12. His commission featured business leaders, academics, trade unionists<sup>6</sup> and management consultants. Crucially, it was tripartite in nature, and sought to develop a consensus approach in tackling the question set by the government.

2.13. By the time the Robens committee reported in 1972, the Conservatives under Edward Heath were in power. Yet they pledged to legislate, and Robens' recommendations were almost entirely enacted, ultimately by the minority Labour Government in 1974.

2.14. The result was a far-reaching piece of law that has stood the test of time. Few pieces of legislation remain live on the statute book 50 years after they have been passed.

### **What was different about the Health and Safety at Work Act?**

2.15. Robens consulted widely in assembling and analysing the evidence for his report. His committee considered international approaches, seeking to learn and implement the best practice from wherever it was available.

2.16. His report ultimately had three key recommendations, which form the foundation of the Health and Safety at Work Act:

1. Replacing the prescriptive, detailed legal requirements of the previous laws with a generalised duty to reduce risks "as far as reasonably practicable". This set the goal for employers to achieve, but getting there would be determined through consultation with the workforce.

2. Integration of the workforce through Safety Representatives and Safety Committees, formally recognising that health and safety management was a shared interest.

3. Consolidation of the Inspectorates into a single body - the Health and Safety Executive – governed by a tripartite commission – Government, Employers and Trades Unions, with joint sectoral Industry Advisory Committees to consider hazards, standards, and the need for future regulations.

2.17. This created a framework for the development of a range of secondary legislation, which would add detail to the broad requirements of the 1974 Act<sup>7</sup>.

2.18. Beginning with the Safety Representatives and Safety Committees Regulations in 1977, a range of secondary law was passed, covering:

#### Management

- Management of Health and Safety Regulations;
- Workplace (Health, Safety and Welfare) Regulations 1992)

#### Hazards

- Control of Asbestos Regulations;
- Control of Lead at Work Regulations;
- Electricity at Work Regulations;

- Control of Substances Hazardous to Health Regulations;
- Display Screen Equipment Regulations;
- Gas Safety (Installation and Use) Regulations

#### Protective Equipment

- Personal Protective Equipment at Work Regulations; and

#### Incident reporting

- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

2.19. The combined effect of these regulations was to create a flexible framework, which placed the duty of reduce risk as far as achievable on employers, but provided detail on how to achieve this via the body of regulations.

2.20. It was a revolutionary approach. But was it effective?

### **3. Has the Health and Safety at Work Act been effective?**

3.1. There are a number of ways by which the effectiveness of the Health and Safety at Work Act can be measured.

3.2. In the most basic terms, workplace fatalities fell by 88% from 1974 to 2019/20, the last year that statistics were unaffected by Covid-19.

3.3. In 1974, 651 workplace deaths were recorded. In 2020, this figure had fallen to 111.

3.4. Source: <https://www.statista.com/statistics/292272/fatal-injuries-at-work-great-britain-by-employment-on-y/> reflecting HSE statistics.

3.5. Reported non-fatal injuries have also fallen dramatically, by more than seventy per cent. These are recorded using two sources – RIDDOR reporting and the UK Labour Force Survey - and both show a consistent downward trend over time.

Source: <https://www.historyofosh.org.uk/robens/what-difference-did-robens-make.html#section1-2>

3.6. But were these improvements genuine? Or merely the by-product of the shift in the UK economy from manufacturing the 1970s to a service based economy in the 2020s?

3.7. The late Alan Spence, former HSE Chief Statistician, performed exactly this analysis in a study to mark the 50th anniversary of the publication of the Robens Report in 2022<sup>8</sup>.

3.8. Spence concluded that even with the transition from the manufacturing to service economy in the UK, the regulatory framework had a positive impact on reducing workplace deaths.

3.9. Spence also concluded that the reduction in ill-health from 1987 to 2020 was primarily due to the effectiveness of regulation, rather than economic changes to the UK labour force.

3.10. This is not however the whole story.

3.11. Firstly, and most importantly, these are the official figures of people killed at work. They are not by any means the total of people killed and injured by work, from:

- Industrial lung disease,
- heart disease
- asbestos related cancers
- and Work-related suicide

which account for many thousand more deaths every year. Estimates range from a minimum of 20,000 to a maximum of more than 50,000 work-related deaths every year<sup>9</sup>.

3.12. These deaths are not on official statistics, and will never be in the official record, simply because most of them occur decades after the initial exposure at work, or the symptoms develop once the victim has retired.

3.13. We should always bear in mind with the true burden of health and safety failings in this country is far greater than the official statistics.

3.14. The nature of hazards has also changed, with the most prevalent injuries these days caused primarily to mental health, and the long tail of industrial diseases that take many decades from exposure for symptoms to occur.

3.15. So the Act has been effective, but the past decade has seen a flatlining of performance with official statistics remaining fairly static. Indeed, cases of industrial ill-health have risen sharply in the past decade, primarily due to the toxic effects of austerity.

3.16. The rest of this report will consider the hazards and areas that the Health and Safety at Work Act now needs to address, and how this can best be achieved.

#### **4. Mental Health**

4.1. GMB firmly believes that new legislation is needed on mental health at work. Our long-standing policy has been to call for the announcement of a Mental Health at Work act, which would go much further than the voluntary stress management standards, and place a mandatory legal framework on employers to proactively manage mental health work, and to ensure parity of esteem with physical health.

4.2. The Robens Committee actually explored this very point in the early 1970s. Specific investigations into work-related mental ill-health were undertaken, with a report provided by Dr Andrew Treacher<sup>10</sup>, a leading mental health academic. Ultimately, the final Robens Report made no clear recommendations on mental health, and only contained passing references to the subject.

4.3. When the draft Health and Safety at Work Bill was debated in the House of Commons in 1974, Secretary of State Michael Foot was challenged on this point, and his response was unequivocal:

*4.4. "We understand that mental distress or affliction arising from work will be as much covered as other items in the Bill." <sup>11</sup>*

4.5. Whilst Foot was clear, this did not become widely accepted, and while the Health and Safety at Work act refers only to "health". This has been interpreted as physical health for most of the past 50 years. Had mental health been given parity of esteem, decades of harm might have been prevented.

4.6. Governments from 1974 onwards did not prioritise work-related mental health, meaning there is not a single set of regulations on statute that address mental health at work. As a result, there is

absolutely no legal driver for employers to address work-related mental health at all, and no fear whatsoever or sanction or litigation for noncompliance.

4.7. The best effort from HSE has been the development of a voluntary set of Stress Management Standards, but even these are not widely used, though they were developed almost 20 years ago.

4.8. The result has been an explosion in mental ill-health in the UK. Austerity and the general state of the economy mean workers are having to do more work with less resources, and generally earning less compared to the overall cost of living.

4.9. In 2014, it was estimated that 1 in 6 people had experienced a mental ill-health condition.<sup>12</sup> By 2017, Mind estimated that had grown to 1 in 4 people.<sup>13</sup> The collective experience of the Covid-19 pandemic, and the worsening UK economy, mean this figure is likely to be closer to 1 in 3 when the next official statistics are published later in 2024.

4.10. The economic cost of this has been devastating for the UK economy.

4.11. The HSE estimates that the total burden to UK society of occupational ill-health and disease (including all mental ill health) is £20.2BN per year. Ill health cases constitute £13.1 billion and injuries £7.7 billion of these costs, with the majority borne by individuals.<sup>14</sup>

4.12. However, a March 2024 report from the Centre for Mental Health placed the cost of mental ill-health in the UK at a staggering £300BN per year. This is almost twice the annual budget of the entire NHS<sup>15</sup>.

4.13. There is an enormous discrepancy between these two figures. This is because there is no requirement to report case of mental ill-health to any Government regulator. Indeed, HSE guidance is explicit that stress is specifically excluded from reporting requirements:

***“Q. Are cases of occupational stress reportable as lost-time injuries?”***

***A. No.*** *For the purposes of RIDDOR reporting, an accident is considered to be something which causes physical injury. This is because stress-related conditions usually result from a prolonged period of pressure, often from many factors, rather than just one distinct event.<sup>16</sup>*

4.14. As such, figures are either self-reported to mental health charities; or picked up through GPs, hospitals and Mental Health services.

4.15. GMB believes that even the £300BN is likely to be an underestimate, given the productivity loss caused by presenteeism, where people are in work but not working productively due to their poor mental health.

4.16. And because there is no reporting requirement, and the majority of costs fall on individual workers and the state through the NHS, there is no reason for employers to take preventive measures.

4.17. This gap allows employers feign ignorance about how conditions can be managed and hazards prevented:

- because of the stigma associated with most mental health conditions;
- a perception that mental health is somehow too difficult to be addressed;

- And all too often a belief that these are personal individual matters that the worker alone should resolve or cope with.

4.18. The world of work in the 21st Century therefore actively creates poor mental health by design, especially for young, migrant and low-paid workers (and of course these groups are not mutually exclusive).

4.19. The days of full employment are long gone, replaced by an explosion in the use of Zero Hours Contracts and bogus self-employment, with this 'labour market flexibility' the 'new normal' in many sectors.

4.20. And it badly harms our members' mental health.

4.21. The most extreme manifestation of this is work-related suicide. A worker being driven to take their own life due to work-related factors is the ultimate failure of the employers' duty of care, yet work-related suicides are not reportable to the HSE, and any investigation is undertaken by the Coroner.

4.22. It is scandalous that this - possibly the ultimate failure of the employers' duty of care - is not in scope of existing laws.

4.23. Suicide is a reasonably foreseeable risk; in 2022, there were 5642 recorded in England and Wales<sup>17</sup>; 762 in Scotland<sup>18</sup>; and 203 in Northern Ireland<sup>19</sup>.

4.24. It is inconceivable that work was not a factor in more than 6500 deaths. Not all of these tragedies would have been work-related, but some undoubtedly were, which means opportunities for intervention and prevention are being missed.

4.25. This is not a new phenomenon. Hazards Magazine identified steep rises in work-related suicide in early 2008. GMB published guidance on mental health in 2012, and specifically on tackling work-related suicide in 2017.

4.26. And whilst UK Government published its 5-Year Strategy for Suicide Prevention in 2023<sup>20</sup>, there is no mention of HSE in it whatsoever.

4.27. Professor Sarah Waters from Leeds University, working with Hilda Palmer from the UK Hazards Campaign, performed a systematic analysis of UK suicide cases believed to have a work-related cause. Their report<sup>21</sup>, "Work-related suicide: a qualitative analysis of recent cases with recommendations for reform", identifies that there is no proactive legal duty on employers to prevent work-related suicide; and no requirement for provision of 'postvention' care if a suicide occurs at work.

4.28. Waters and Palmer make a number of recommendations for action, including:

- Making suicide reportable to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013; and
- Requiring HSE to investigate all work-related suicides under the Joint Protocol on Work-Related Death.

4.29. GMB believes that work-related suicide risk is an occupational health and safety issue, and therefore believes that as a minimum the next Government should:

- Legislate for A Mental Health at Work Act, designed to complement the Health and Safety at Work Act 1974 in making explicit the approach and methods expected of all employers in managing



mental health at work.

- Convert the voluntary HSE Stress Management Standards into regulations with legal force;
- Make it explicit that suicide risk is covered by the Health and Safety at Work Act; therefore requiring employers to proactively manage risks, and requiring HSE to investigate work-related suicide risks; and
- either introduce specific legislation requiring the reporting of all cases of work-related stress, mental ill-health and suicide; or to add work-related stress, mental ill-health and suicide to the list of reportable conditions prescribed under the existing reporting regulations RIDDOR.
- Develop simple reporting measures to allow workers to report cases of mental ill-health directly to HSE, allowing for the true picture to be understood, and action quickly taken where needed.

4.30. The bottom line is that these are occupational health and safety issues, and they should be treated as such by competent specialists. This is not just a societal issue – it is absolutely something that must be addressed in the workplace.

## **5. Violence:**

5.1. Work-related violence, much like mental health, is not explicitly referenced in the Health and safety at Work Act, and there are no explicit health and safety regulations on the management of violence risks.

5.2. This is largely because the Robens Committee did not consider violence at all. There are no references to violence in the Robens Report, and it was not mentioned in the Parliamentary debates when the Act was passed through the Commons and Lords. In 1974, violence was still considered to be a Police matter.

5.3. As a result, most instances of work-violence go unreported. The RIDDOR regulations only require a report to be made if a worker requires hospitalization for more than 24 hours, or is unable to perform their normal working duties for more than 7 days. This means that only the most serious incidents are reported, and few of these are investigated.

5.4. Official crime statistics for work-related incidents therefore come from the Crime Survey of England and Wales (CSEW), which is self-reported. Even with these limitations, for the most recent year for which statistics were produced (2019/20)<sup>22</sup>, a huge number of incidents were reported.

5.5. There were an estimated 688,000 recorded incidents of work-related violence, reported by 307,000 adult workers. 299,000 of these incidents were assaults.

Source: Health and Safety Executive. Figures derived from Crime Survey for England and Wales (CSEW) 2019/20.

5.6. Of these assaults, 38% (113,620) resulted in physical injury:

Source: Health and Safety Executive. Figures derived from Crime Survey for England and Wales (CSEW) 2019/20.

5.7. The majority of these injuries are bruising of some type, but more than 10% are classified as: *“puncture/stab wounds, broken bones, nose bleeds, broken nose, broken, lost or chipped teeth, dislocation, concussion or loss of consciousness, internal injuries, facial or head injuries or other injuries”*.

Source: Health and Safety Executive. Figures derived from Crime Survey for England and Wales (CSEW) 2019/20.

5.8. This would suggest that more than 11,000 serious and major injuries are going unreported and uninvestigated every year.

5.9. And there is strong suspicion that these figures are again a gross underestimate.

5.10. The 2024 British Retail Consortium Crime Survey<sup>23</sup> identified that 476,000 incidents of violence and aggression occurred in the retail in 2022/23. That equate to 1300 incidents every day.

Source: British Retail Consortium, Retail Crime Survey 2024.

5.11. The same survey discovered that only 36% of incidents were reported to the Police.

5.12. A GMB report to Congress 2023 identified that more than 9500 serious assaults had occurred to ambulance members in the period 2017/18 to 2021/22<sup>24</sup>. The report was produced in part because the NHS no longer publishes statistics on violence to workers. The collation of statistics ended when NHS Protect was scrapped in 2017. For the last year that statistics were produced, 2015/16, 70,555 incidents were recorded<sup>25</sup>, and it is inconceivable that numbers will have reduced since then, given the demands of the NHS, and the collective experience of the Covid-19 pandemic.

5.13. Whilst there are no explicit statistics on violent incidents in UK schools, exclusions can be used as a proxy. In April 2024, the Office for National Statistics published the most recent figures for the 2022/23 academic year for schools in England<sup>26</sup>. This identified that 1015 pupils had been permanently excluded from school for physically abusing staff; and 34,908 pupils had been excluded for one or more days. Whilst this is a crude estimate, and does not include incidents involving parents or guardians, it serves to illustrate the scale of violence risk in schools.

5.14. So it is clear that the official statistics are an under-representation of the prevalence of violence in the workplace.

5.15. It is all the more remarkable that this should be the case, as the UK Government signed ILO Convention 190 on Harassment and Violence in the Workplace in 2019, and attested that the convention had been brought into force by June 2022<sup>27</sup>.

5.16. Article 4(2) (d) of the Convention commits signatories to:  
*establishing or strengthening enforcement and monitoring mechanisms;*

5.17. This would usually require formal reporting systems and legal requirements, under RIDDOR.

5.18. Article 4(2)(h) requires:  
*ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.*

5.19. 'Labour inspectorates' here would refer to the HSE and Local Authority Environmental Health Departments.

5.20. In theory, violent incidents are reportable, but only if an extremely serious injury occurs. In theory, such an injury can be investigated, but this means that only the tip of an iceberg is being considered. The UK may meet its convention obligations on paper, but in practice it is falling badly short.

5.21. GMB organises in sectors where violence and aggression are daily realities for workers. From the care sector to the gig economy; from retail to hospitals; from schools to security, verbal and physical abuse is daily reality for workers, to the extent that most never consider to report incidents to their employers as it is simply an accepted part of the job.

5.22. This creates a permanent fear culture where the likelihood of being attacked is always a live possibility. This again can only damage mental health.

5.23. For decades we have seen this issue caught between two stools. It's a police issue when there's a serious incident, but when the violence is verbal or harassment, it's too trivial to warrant health and safety action. Because violence is not explicitly covered in legislation, employers have the false belief that they only have to act when a violent incident occurs, and the response in 99% of instances is either to involve the Police, or more likely to do nothing.

5.24. Rather than adopt the occupational health and safety approach recommended by the ILO<sup>28</sup>, the UK Government has instead opted to introduce, or commit to introducing, harsher sentencing guidelines when individuals are prosecuted post-incident.

5.25. The Scottish Government passed the Emergency Workers (Scotland) Act in 2005. It took 13 years for equivalent law to be introduced in England and Wales, as the Assaults Against Emergency Workers Act became law in 2018.

5.26. The Scottish Government passed the Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Act in 2021, as recently as April 2024, Prime Minister Rishi Sunak pledged to amend the Criminal Justice Bill to include a new offence of assaulting a retail worker<sup>29</sup>.

5.27. Whilst GMB supported the introduction of the 2005, 2018 and 2021 Acts, and is not opposed to new provisions regarding retail workers, the reality is that these measures are not preventative, and will do nothing to compel employers to reduce the number of assaults.

5.28. Research performed by Dr Catherine Weeks and Dr Trevor Broughton on the 2018 Act<sup>30</sup> and presented to the Royal College of Psychiatry<sup>31</sup> determined that:

- There is no reason to believe that the implementation of this new legislation has acted as any form of deterrent for violence towards emergency workers:
- Assaults rose 24% in the four weeks to 7th June 2020, compared with the same period in 2019 (coinciding with the COVID-19 pandemic).
- The average custodial sentence handed down is under 3 months.
- The average fine handed down is £181, 21% less than the average fine for Common Assault.
- In 2005 Scotland implemented similar legislation with the aim of "protecting emergency workers from the threat of assault".

Despite these efforts, statistics published in October 2020 showed a 6% rise in incidents in Scotland compared to the previous year, with a total rise of 16% over the past decade.

5.29. It is clear that the 2005 and 2018 Acts have not had the desired deterrent effect. Whilst it is too early to see the impact of the 2021 Act, it is unlikely that the approach to retail workers will be any more impactful.

5.30. So GMB strongly believes that regulations proactively requiring employers to manage violence risks, and to reduce them to the lowest possible level, is likely to be a more effective approach.

5.31. GMB unequivocally refutes the idea that any worker is there to be abused, to be punched, to be attacked. Violence at work is never part of the job; is not an accepted hazard of the work and even in the most challenging circumstances where those receiving care or education are known to have violent tendencies, there are always actions that can improve the situation and reduce risk.

5.32. Employers should not be able to hide behind ignorance of their duty of care, and we firmly believe that new regulations will provide a framework for management for the first time.

5.33. GMB therefore believes that as a minimum the next Government should:

- Amend the Health and Safety at Work Act 1974, to make it explicit that work-related violence is in scope of the Act;
- Create new regulations to detail the approach and methods expected of all employers in controlling violence risks at work.
- Create new reporting requirements for work-related violence, so that all instances of violence and aggression are recorded, allowing for identification of trends and hotspots.

## **6. Equalities and Discrimination**

6.1. The Health and Safety at Work Act 1974 is universal legislation: it applies to all employed workers, everywhere. This does not mean however that its provisions are equally effective to all members of society.

6.2. It's increasingly clear that racism, sexism, homophobia, transphobia, disability discrimination and other forms of inequality are health and safety issues. They damage our members mental health. That in turn impacts on our members physical health.

6.3. That makes these issues health and safety at work hazards.

6.4. In 2022, the TUC published a report titled *"Health, Safety & Racism in the Workplace"*<sup>32</sup>, which stems from the experiences of frontline workers during the Covid-19 pandemic. The report discusses the intersection of health, safety, and racism in the workplace, highlighting the disproportionate impact of racism on workers' well-being. It outlines various forms of discrimination faced by global majority workers, including bullying, harassment, and lack of opportunities for advancement. Additionally, the report emphasises the detrimental effects of racism on mental health and overall workplace culture. It calls for action to address systemic racism, improve diversity and inclusion policies, and provide adequate support for affected workers to ensure a safer and healthier work environment for all.

6.5. Remarkably, HSE itself had commissioned research on the same subject almost 20 years earlier. *"Ethnicity, Work Characteristics, Stress and Health"*<sup>33</sup>, published by HSE in 2005, was a joint study by researchers from Cardiff University and Queen Mary University of London. It concluded that: *"Tackling racial discrimination at work, by creating an inclusive, supportive and open workplace, would impact on work stress and reduce the potential for psychological damage."*

6.6. Yet HSE did nothing. Even today, searching the HSE website for the term 'racism' will only find a page dedicated to the various bodies that regulate Police activity<sup>34</sup>. HSE has clear guidance related to disabled workers, older workers and pregnant workers, yet racism as both a concept and a hazard is completely ignored.

6.7. This 'blind spot' has potentially resulted in thousands, if not millions, of workers suffering preventable harm. A blog published by STOP Hate UK<sup>35</sup> explains the impact of hate crime and discrimination on mental health. They say that discrimination can severely harm mental health and overall well-being, often leading to trauma, depression, anxiety, and diminished self-esteem. Such experiences can trigger social isolation, financial struggles, decreased confidence, and even thoughts of suicide.

6.8. 2022 research on the experiences of black midwives, nurses and healthcare assistants by Woodhead, Stoll et al<sup>36</sup> identified similar findings. It concluded that:

*“The hierarchy and pressurised environment also affected people’s ability and willingness to report and challenge experiences of discrimination, with fears of being labelled a troublemaker, negative effects on career progression, or of upsetting team dynamics (‘rocking the boat’).”*

6.9. This echoed a 2017 US study by Penn State University researchers<sup>37</sup>, which revealed that workers facing discrimination are less likely to report injuries and may continue working despite being hurt. The research focused on 89 Latino farm-workers in Texas, where 67 experienced unfair treatment, including being pressured to work despite injuries. Regardless of the specific work environment, if an individual feels discriminated against to the extent that they believe they must comply with unsafe work practices and remain silent about their grievances to retain their employment, it's understandable why many would choose not to disclose their injuries.

6.10. 2015 research by Tucker and Turner from the Universities of Regina and Manitoba, Canada<sup>38</sup>, identified that young workers often refrain from discussing safety concerns due to fear of hostility from superiors. Those uncomfortable with raising safety issues have higher injury rates than those who feel comfortable doing so. It highlights the importance of creating an inclusive environment where all workers feel valued and safe to voice their concerns.

6.11. Anti-discrimination efforts are crucial for maintaining a safe and inclusive work environment. The positive legal duty must be enforced to ensure that all employees consider these issues and reduce the risks from these hazards as part of their safety management system. So GMB believes that the scope of Sections 2 and 3 of the Health and Safety Work Act needs to be enlarged to include discriminatory behaviours from managers, employers and third parties.

6.12. Gender-based discrimination, particularly against women, nonbinary and trans people, has severe physical and mental effects in the workplace. Despite progress, gender discrimination persists, leading to negative impacts on safety and mental well-being. Research published in March 2024 by Hackett, Hunter & Jackson, a joint team from Kings College London and University College London<sup>39</sup>, studied more than 3000 women aged 52 and older over a six-year period. The study concluded that:  
*“Overall, those who perceived gender discrimination also reported more depressive symptoms, loneliness, and lower quality of life and life satisfaction. Over the six-year period between data collection, they were more likely to report declines in quality of life and life satisfaction, as well as increased loneliness.”*

6.13. Menopause symptoms in particular can greatly impact working women and trans workers<sup>40</sup>. These symptoms can negatively affect performance, attendance, and relationships with colleagues. 2023 Research from the Chartered Institute of Personnel and Development<sup>41</sup> indicates that two-thirds of working women aged 40-60 with menopause symptoms experience adverse effects at work. While menopause and perimenopause are not recognized as protected characteristics, employees experiencing symptoms may be protected by discrimination laws related to age, sex, disability, and gender reassignment.

6.14. The Health and Safety at Work Act 1974 mandates employers to ensure the health and safety of employees experiencing menopause symptoms. HSE’s policy position was clarified in an article published in IOSH Magazine<sup>42</sup> in 2023:

*“There are no specific legal requirements under health and safety law for those experiencing menopausal symptoms; however, we would expect employers to engage with workers and review risk*

*assessments when there is a change, such as the impact of menopause symptoms, that could mean the current risk assessment is no longer valid.”*

6.15. As well as Menopause, menstruation and conditions such as endometriosis and polycystic ovaries are health and safety issues. It is not good enough for these topics to be kept on the back burner because male health and safety managers are uncomfortable with discussing them and developing relevant policies and procedures. These issues should all be considered when risk assessing or making any changes to work. The vague assurances from HSE are simply inadequate. The certainty provided by regulation is sorely required.

6.16. These issues are exacerbated by poorly-fitting Personal Protective Equipment (PPE). The Personal Protective Equipment at Work Regulations 1992<sup>43</sup> require that all PPE provided must be “suitable”. This is defined in Regulation 4(3):

(a) it is appropriate for the risk or risks involved and the conditions at the place where exposure to the risk may occur;

(b) it takes account of ergonomic requirements and the state of health of the person or persons who may wear it;

(c) it is capable of fitting the wearer correctly, if necessary, after adjustments within the range for which it is designed;

6.17. Combined, these requirements simply mean that PPE provided must fit correctly to carry out the job it is designed to do. Yet for many women, non-binary, trans, pregnant or disabled workers, correctly fitting PPE is never provided.

6.18. In March 2024, Labour MP Emma Hardy secured a House of Commons debate on inclusive PPE<sup>44</sup>. Hardy referenced research published by NAWIC Yorkshire in 2023<sup>45</sup>, which established that almost 60% of female construction workers have to wear PPE designed for men.

6.19. Hardy explained that the increased risks of ill-fitting PPE include slips, trips and falls; entanglement; a limited range of motion; decreased dexterity from gloves; and impaired vision from safety glasses. This in turn can result in long-term health problems, including plantar fasciitis, Morton’s neuroma<sup>46</sup> and tendonitis from poorly-fitting safety boots; and injury from suspension trauma and circulation damage as a result of illfitting harnesses.

6.20. Responding for the Government, Minister for Health and Safety Mims Davies could offer little more than platitudes. The only positive announcement was that:

*“The British Safety Industry Federation is initiating a project with the British Standards Institution to look at how those industry standards can be better framed to ensure that PPE in particular is designed better and more appealingly for women.”*

6.21. The BSI had published a White Paper on the subject in 2019<sup>47</sup>. Five years later, the voluntary standards the Minister referenced have yet to appear.

6.22. It is completely wrong for all workers to only be provided with personal protective equipment designed for the average male height and shape. Separate well-designed, well-fitting, fit for purpose protective equipment for all workers is not the norm. It is not standard. It cannot be left to the market.

6.23. GMB therefore believes that the Personal Protective Equipment at Work Regulations 1992 should be updated to include specific references to inclusivity on gender grounds.

## 7. Automation and Artificial Intelligence

7.1. The world of work has dramatically changed since 1974. New technologies such as the Internet and Artificial Intelligence have emerged, with little regulation to date. Our Special Report to Congress 2022 on The Future of Work<sup>48</sup> identified a number of concerns, but was not focused on health and safety risks.

7.2. Widespread automation has become a reality, as anyone who has ever been forced to use a self-checkout machine will know. This creates opportunities, but also profound risks, and the challenges will be to create a legal framework for workplace health and safety that is fit for the next 50 years.

7.3. The Health and Safety at Work Act was designed to be 'future-proof' to an extent. The principles of the Act apply to all work activity, regardless of technological advances. As the Robens Report put it, "*The safety system must look to future possibilities as well as to past experience*".<sup>49</sup>

7.4. Though it remains the case that work equipment is clearly regulated, primarily through the Provision and Use of Work Equipment Regulations 1998 (PUWER). These regulations require all work equipment to be:

- suitable for the intended use
- safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate
- used only by people who have received adequate information, instruction and training
- accompanied by suitable health and safety measures, such as protective devices and controls. These will normally include guarding, emergency stop devices, adequate means of isolation from sources of energy, clearly visible markings and warning devices

7.5. These regulations apply to robots as much as hand tools. So why is there concern over automation, and particularly the use of artificial intelligence, if the existing law has it covered?

7.6. There are two major concerns:

- Automation may eliminate some hazards such as manual handling, but introduce new ones, such as a heavily increased pace of work.
- Reliance on automation and AI creates a false sense of security, which breeds complacency, and may result in catastrophic consequences if management of these hazards is automated.

7.7. Some specific examples include:

**7.8. Pick rates in the retail and logistics sectors being dramatically uprated as Just-in-Time efficiency improves due to automation.** The Manual Handling Operations Regulations 1992 only refers to "*a rate of work imposed by a process*"<sup>50</sup> in Schedule 1 of the Regulations. No limits are specified in terms of the overall rate. This has allowed some employers to impose increasingly punishing rates on the workforce, with no recourse to law to challenge them. The issue here is not the direct automation, but the consequences.

**7.9. The use of mobile apps to direct work activity.** Whilst recent court decisions<sup>51</sup> have helped to clarify the status of app employment, the whole sector remains in a legal grey area in terms of health and safety law. Concerns around pace of work, cumulative working hours, and provision of protective equipment can easily be dismissed on the grounds that workers are self-employed. Because these workers have no fixed workplace, incidents are individualised, meaning opportunities

to learn from incidents are often missed. A 2023 US Gig Workers Rising report identified that 31 app workers were murdered whilst working in 2022<sup>52</sup>. Such lessons must be heralded in the UK before incidents become more frequent.

#### 7.10. **The adoption of new technologies without full understanding of the health and safety risks.**

The best example of this is the recent spate of fires on electric buses. Three bus fires in the space of two weeks in South London in January 2024<sup>53</sup> led to the recall of more than 1750 buses. A fault with the Hispacold air conditioning system was identified on Alexander Dennis Enviro200 and 400 buses, and whilst no injuries were reported, these could have been fatal incidents had the fires occurred at peak times.

7.11. **Self-driving vehicles.** Since 2018, at least 29 people have been killed in collisions involving self-driving vehicles in the USA<sup>54</sup>. In spite of this, the UK Government has pressed ahead with their Automated Vehicles Bill<sup>55</sup>, which may have received Royal Assent by the time of Congress. Whilst this bill does include provisions for an Inspectorate, it is transport legislation, and does not at time of writing fall into the scope of, or reflect the provisions of, the Health and Safety at Work Act. As such, the precautionary approach required under health and safety law may not be followed, and technology may be widely deployed, especially in the use of self-driving trucks, before risks are fully understood.

7.12. Artificial Intelligence is potentially a greater risk. We already know of some companies offer AI to produce policies, procedures and risk assessments<sup>56</sup>; and predictive technology had advanced to the point where it can identify likely incidents before they occur in workplaces such as warehouses<sup>57</sup>. But these technologies are not proven, and not infallible – and complacency may create enormous risks, if hazards are assumed to be controlled, and unplanned events, such as technological failure occur. Under human control, the potential for fallibility is inherent, so vigilance is always a present consideration. Passing this responsibility to AI removes the element of conscience altogether. It is no surprise that a key concern identified in a 2024 Wales TUC Report on workers' experience of AI<sup>58</sup> is automation supplanting human judgement.

7.13. In theory, health and safety law does not allow for the wholesale automation of health and safety management. Regulation 7 of The Management of Health and Safety at Work Regulations 1999 places upon the employer the duty to appoint a 'competent' person, who has the necessary skills, experience and knowledge to manage health and safety. Whilst HSE have published their position on the use of AI<sup>59</sup>, this only confirms that employers must perform a risk assessment on the use of AI, not that human intelligence must control the health and safety management system.

7.14. Indeed, the UK does not currently have a single regulatory organisation or set of laws controlling the creation, application, or use of artificial intelligence. According to its most current White Paper on its suggested framework for regulating AI, "*A pro-innovation approach to AI regulation*", UK government seeks to put five principles into its approach:

- Safety, security and robustness
- Appropriate transparency and explainability
- Fairness;
- Accountability and governance, and
- Contestability and redress.

7.15. 'Safety' in this context relates primarily to personal/online and medical safety. Worker health and safety is not considered by the White Paper. Indeed, workers are not mentioned at all. The White Paper is explicit that:



*“We will not put these principles on a statutory footing initially. New rigid and onerous legislative requirements on businesses could hold back AI innovation and reduce our ability to respond quickly and in a proportionate way to future technological advances. Instead, the principles will be issued on a non-statutory basis and implemented by existing regulators.”*

7.16. This essentially means that we are reliant on those regulators to have the ability and resources to adapt to the new risks and challenges posed by AI.

7.17. GMB believes this approach does not reflect the precautionary approach required by health and safety legislation. We need a system that places the appropriate checks and balances on both technology and employers, and allows for innovation whilst safeguarding workers’ health and safety. That has to be at the heart of any approach to regulating these emergent technologies.

7.18. As such, GMB calls on the future Government to create a tripartite commission – Government, Employers and Trades Unions – specifically to consider the implications of AI and automation on worker health and safety, and to enact any regulations that are recommended by this commission.

## **8. Occupational Health**

8.1. Employers have a broad obligation under the UK’s Health and Safety at Work Act 1974 to safeguard the welfare, safety, and health of their workforce. Employers are required under the Management of Health and Safety at Work Regulations of 1999 to designate qualified individuals to carry out their legal obligations. Employers are not, however, provided with any additional guidelines to assist them in determining their needs for occupational health support.

8.2. This is in large part because the Employment Medical Advisory Service Act was going through Parliament as the Robens Committee was compiling its’ report in 1972, and the Robens Report as a result does not specify a role for EMAS directly, as its remit was already being set in separate legislation.

8.3. The Employment Medical Advisory Service was brought under the control of the Health and Safety Commission/Executive under Section 55 of the Health and Safety at Work Act 1974. This defined the functions of EMAS as:

- Securing that the Secretary of State, the Health and Safety Executive and others concerned with the health of employed persons or trainees are informed of and advised about matters relevant to the safeguarding and improvement of the health of employees and trainees;
- Giving employees and trainees relevant information and advice on health; and
- Other purposes of the Secretary of State’s functions relating to employment.

8.4. The Robens Committee had envisaged EMAS as a quasi-state national occupational health service, working in conjunction with the NHS. As the report stated:

*“The new Employment Medical Advisory Service, when fully operative, will represent a considerable extension of the state’s contribution to the promotion of occupational health.”<sup>60</sup>*

8.5. In reality, EMAS held only an advisory role, which has dwindled substantially over the past 50 years. By 2012, it employed only 2.2 occupational physicians in 2012 (full time equivalents); 20 years previously it employed <sup>60</sup>. Now, provision is so minimal that there is no way to directly contact EMAS. Anyone wishing to do so must write to their local HSE Office<sup>61</sup>, in the hope that an EMAS official will reply to them.

8.6. It should be noted that this denuding of the Employment Medical Advisory Service has had no democratic consent, and has not appeared in the manifesto of any political party. It is simply the result of decades of underinvestment in the Health and Safety Executive, especially the swingeing budget cuts of the period 2010-2024.

8.7. This vacuum has left employers reliant on private provision of occupational health services, which in turn has created widespread inequalities in access to occupational health provision. Research carried out for the UK Government by Ipsos MORI in 2023 confirmed this directly:

*“45% of all workers reported that Occupational Health services were available to them through their current job. 35% reported that they did not have OH access and 20% didn't know if they did”.*<sup>62</sup>

8.8. The distribution of provision is also badly skewed towards larger employers, who have the resources to either operate in-house occupational health services, or can contract them in. A 2021 research study for UK Government, again conducted by Ipsos MORI, determined that:

*1 in 5 employers offered OH services to their employees (21%) and this was more common amongst large (92%) than medium (49%) or small employers (18%)*<sup>63</sup>.

8.9. As a result, the majority of UK workers are not accessing occupational health services, either because their employers have no provision, or because they do not know how to access services. This leaves workers reliant on the NHS, primarily through GP services. The NHS is not set up to provide occupational health support, and GPs have limited knowledge of work-related conditions, which makes the current dearth of occupational health physicians a particular concern.

8.10. A 2016 report by the All Party Parliamentary Group on Occupational Health and Safety, ‘Occupational medical workforce crisis: The need for action to keep the UK workforce healthy’<sup>64</sup> identified that not only was provision patchy at best, but that the situation would worsen dramatically without government intervention as:

*“There is a deepening crisis of capability available in the UK. The occupational physician is the most critically and immediately endangered member of the multidisciplinary team. The age demographic of these trained and experienced professionals is increasing, and retirement exceeds retention, impacting not only access to care but also the capacity to train and supervise new doctors. Urgent measures are required to address the supply issue if the level of capacity of the occupational medicine workforce is to meet the nations' needs.”*<sup>65</sup>

8.11. The report made five recommendations<sup>66</sup>:

- Health Education England, and the equivalent bodies in the devolved administrations, must fund a model that meets the requirement for occupational medicine training posts to meet the level of demand now and in the future
- Government and insurers should explore how to best incentivise employers to provide workers with access to multi-disciplinary occupational health services
- Employers of occupational medicine specialists within the NHS and private sector should have incentives in place to retain existing occupational medicine professionals as they consider retirement
- The NHS in each of the nations within the UK must ensure that occupational medicine physician posts are part of safe, effective, quality assured multi-disciplinary occupational health teams
- The GMC and the Royal Colleges must ensure that occupational medicine forms part of the core curricula - so that all medical undergraduates and doctors in postgraduate training understand the importance of work as a clinical outcome

8.12. The UK Government took three years to respond, in the form of research to inform a consultation exercise. The interim research report,

*“Understanding Private Providers of Occupational Health Services”, determined that: 44% of Occupational Health providers had roles they were unable to fill. Most commonly, the unfilled roles were OH nurses or OH doctors. Providers felt that the main reason they were not able to fill these roles was a lack of clear routes into the sector in recent years, meaning the number of medical professionals with OH experience was decreasing.*

8.13. The Government’s consultation exercise, ‘*Health is Everyone’s Business*’, was launched in July 2019. Due to the Covid-19 pandemic, the Government did not publish its’ response until July 2021<sup>67</sup>. Even then, the proposals on occupational health provision only amounted to increasing subsidy levels for employers to contract private occupational health services. No consideration was given to addressing the capacity issues identified by the 2016 APPG Report beyond ‘stakeholder engagement’; and restoration of EMAS, or the introduction of a National Occupational Health Service, were not considered at all.

8.14. A further update consultation paper, “*Occupational Health: Working Better*” was published in July 2023. This contained proposals for a voluntary set of standards and accreditation governing occupational health support, rather than placing legal requirements on employers for provision.

8.15. GMB believes that this will do nothing to address the huge shortfall in provision. It also missed the opportunity to regulate the quality of provision of occupational health services.

8.16. At present, there is no regulatory body that directly oversees standards for occupational health services. The Faculty of Occupational Medicine<sup>68</sup> (FOM) operates the Safe, Effective, Quality Occupational Health Services (SEQOHS) scheme, and GMB National Health and Safety Officer Lynsey Mann sits on the FOM Board that sets these standards<sup>69</sup>. SEQOHS accreditation is not legally mandated however, meaning the quality of provision from an occupational health service is not assured.

8.17. GMB therefore calls upon the next Government to:

- Restore to prominence a fully staffed Employment Medical Advisory Service, which can provide robust and independent occupational health advice and support to the HSE, with a view to the development of a longer term National Occupational Health Service;
- Implement new regulations to create far stronger requirements placed on employers to provide full occupational health services from day one of employment; and
- Legislating for statutory recognition of the SEQOHS scheme operated by the Faculty of Occupational Medicine, to set a legal minimum standard for occupational health provision.

## **9. Challenges to the Legal Framework: Brexit, Covid and Austerity**

*“One of the coalition's new year resolutions is this: kill off the health and safety culture for good. I want 2012 to go down in history not just as Olympics year or diamond jubilee year, but the year we banished a lot of this pointless time-wasting from the economy and British life once and for all.”*

*Prime Minister David Cameron, London Evening Standard, 5th January 2012*

9.1. Speaking to the British Safety Council’s Safety Management Magazine to celebrate the 40th anniversary of the Health and Safety at Work Act in 2014, former HSC Chair Sir Bill Callaghan described the Act as: “*A legislative landmark that has stood the test of time.*”<sup>70</sup> Whilst this may be true of the act itself, the legal and policy framework that surrounds health and safety legislation has radically altered over the past 15 years. Three particular ‘system shocks’ – Austerity, Brexit and the Covid-19 pandemic – have profoundly affected the implementation of health and safety law, to the detriment of workers in almost every case.

9.2. The decision of the then UK Coalition government to enact a programme of austerity measures on taking power in 2010 had a seismic impact on the field of occupational health and safety. Then Prime Minister made repeated and unprecedented attacks on ‘the health and safety culture’<sup>71</sup>, and the Health and Safety Executive was subjected to both budget cuts and external reviews of their purpose and effectiveness (see the following chapter for further details).

9.3. This only served to undermine the standing of health and safety as a societal good, positioning it as a burden on business, rather than essential worker protection. It was neatly satirised by Daniel Craig’s James Bond in the 2012 film Skyfall, when Bond leaps into the driver’s carriage of a London Underground train and announces himself as “Health and Safety” – a deliberate play against type of the risk averse, clipboard holding and hard-hat wearing ‘jobsworth’.

9.4. Cameron’s comments had made it acceptable to no longer take health and safety seriously. This had real world impacts. As the UK economy, already badly shaken by the 2008 worldwide economic crash, began to contract, employer had a reason not to invest in new equipment; replace worn parts; cut back on maintenance; and skimp on protective equipment. Health and safety was no longer a prime consideration for many employers, and crucially, health and safety law itself allowed this to happen.

9.5. The very first active clause in the Health and Safety at Work Act 1974 says:

*“It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.”*

9.6. “So far as is reasonably practicable” (SFAIRP) essentially means that the employer must do as much as they can with the resources they have available to mitigate risks to the lowest level achievable. It brought into statute law the decision in the case of Edwards v National Coal Board 1949, which determined that:

*“Reasonably practicable is a narrower term than ‘physically possible’ and implies that a computation must be made... in which the quantum of risk is placed in one scale and the sacrifice involved in the measures necessary for averting the risk (whether in time, trouble or money) is placed in the other and that, if it be shown that there is a great disproportion between them – the risk being insignificant in relation to the sacrifice – the person upon whom the obligation is imposed discharges the onus which is upon him.”<sup>72</sup>*

9.7. This provision, when combined with the overarching view from a Prime Minister that health and safety was nothing more than a ‘burden’, effectively gave a green light to negligent employers to reduce protection levels and withdraw occupational health provisions, on the grounds that the money was no longer available. As the chapter of this report on occupational health shows, workers have paid for this with their health; their safety has been compromised; and the state has been left to pay the bill through the NHS.

9.8. This was evidenced by fatal accidents statistics in the UK. After years of falling, then plateauing fatal accident levels, the number of workplace fatalities rose on 2016/17, and again in 2017/8. Lawrence Waterman OBE, who had successfully led the health and safety management of the 2012 Olympic Games construction programme, where no worker was killed, identified austerity as a key reason for this rise:

*This increase in workplace deaths may be the first sign of the effect of years of budget austerity, although the government cuts to health and safety investment have been taking a while to impact on workers... In every aspect of life, you tend to get what you pay for and our government is paying less money and less attention to workplace safety year on year.<sup>73</sup>*

9.9. Too many employers have spent the past 14 years hiding behind “reasonable practicability” as a justification to reduce their health and safety provisions to cut costs. And whilst the fear of enforcement action and prosecution has historically been a powerful driver to not let standards slip, the reduced likelihood of being inspected, as the next chapter of this report shows, means the deterrent effect no longer exists.

9.10. GMB accepts that SFAIRP is a legal principle enshrined in UK law for 50 years, and one that has withstood legal challenge from the European Union.<sup>74</sup> We do not seek to see the concept removed from statute. The experience of GMB members over the past 14 years does however strongly indicate that binding guidance or regulation is required to ensure that employers cannot skimp on the provision of health and safety at work when the economy takes a downturn.

9.11. The status of health and safety law was further damaged by the decision to leave the European Union, as the result of the 2016 referendum. This report is not concerned with the political outcomes of that decision, but rather the precarious legal position that much of the body of UK health and safety law has been left in.

9.12. The United Kingdom joined the then European Economic Community in 1973, a decision upheld by a 1975 referendum. This bound the UK to enact all directives and regulations passed by the European Parliament and European Council. Directives operated in similar fashion to the Health and Safety At Work Act, in that they outlined the objectives to be achieved, but left it to the individual member state on how to legislate to achieve the outcome. EU regulations by contrast had to be implemented identically across the whole of the European Union.

9.13. In June 1989, the European Framework Directive on Occupational Safety and Health (EEC/391/1989) came into legal force. This required all members to introduce legislation to bring its requirement into force by 31st December 1992. This in turn resulted in the passing of the ‘six pack’ of health and safety regulations in 1992:

- Health and Safety (Display Screen Equipment) Regulations 1992
- Manual Handling Operations Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- Workplace (Health, Safety and Welfare) Regulations 1992
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Management of Health and Safety at Work Regulations 1999

9.14. Every major piece of health and safety legislation passed in the UK from 1992 until 11pm on 31 January 2020 was made under European law. This meant that the UK could not reduce standards or weaken its laws without challenge and potential sanction from the EU. That is no longer the case.

9.15. Since 1st February 2020, it has been the Secretary of State for Work and Pensions who has had ultimate jurisdiction over whether or not health and safety regulations are required. Whilst the Health and Safety at Work Act would require a fully debated parliamentary act to be repealed, regulations can be removed far more easily. Indeed, one prominently cited ‘Brexit Benefit’ was the ability to remove law from the statute book without fear of reprisal from the EU.

9.16. Indeed, the Conservative UK Government wasted little time in laying its Retained EU Law (Revocation and Reform) Bill 2023, which intended to remove large swathes of law, including health and safety provisions, from the body of UK law, through ‘sunsetting clauses’ that would see the

law automatically expire at the end of 2023. Whilst the Bill received royal assent and passed into law in June 2023, the majority of the health and safety regulations were not ultimately included, due to a combination of parliamentary debate and public opinion forcing the Government to drop the sunset approach. Critical in this was the trade agreement struck between the UK and the EU, the 2021 Trade and Co-Operation Agreement (TCA). Chapter 6 of the TCA concerns social protections, with Article 387 stating that:

*“A Party shall not weaken or reduce, in a manner affecting trade or investment between the Parties, its labour and social levels of protection below the levels in place at the end of the transition period, including by failing to effectively enforce its law and standards.”<sup>75</sup>*

9.17. 38 health and safety regulations were removed, but these were largely redundant pieces of law that had been either superseded or were life-expired<sup>76</sup>.

9.18. This whole experience should be considered a severe ‘near-miss’, which highlighted how vulnerable health and safety regulations now potentially are. The potential also remains for the UK to diverge from EU and international standards over time, weakening UK standards whilst other nations strengthen, and creating genuine trade barriers and business burdens.<sup>77</sup>

9.19. Whilst this report does not call for the UK to rejoin the EU, GMB is clear that a higher level of statutory safeguarding is needed to prevent a future government with a sizable majority simply arbitrarily repealing large swathes of crucial regulation.

9.20. The next UK Government should therefore legislate to:

- Prevent any deregulation or deterioration of the rights, standards, and occupational health and safety protections for workers.
- Ensure that future trade agreements consider emerging hazards such as artificial intelligence and automation, and seek to minimise divergence from minimum standards set with workers in the room.

9.21. Whilst the UK Government was seeking to disentangle itself from the European Union, the whole world was experiencing the Covid-19 pandemic.

9.22. The pandemic brought the two previous issues together, as the effects of austerity left the UK woefully underprepared to mobilise protective measures, particular in the supply of protective equipment; and the Government’s focus on Brexit negotiations meant that resources, attention and political capital were not solely directed on tackling Covid.

9.23. Nowhere was this more apparent than on the enforcement of workplace Covid safety standards. At time of writing, the UK Covid-19 Inquiry and Scottish Covid-19 are hearing evidence, so this report will not make detailed comment, so as not to prejudice either Inquiry.

9.24. There is one area however that neither Inquiry seems likely to investigate, which GMB believes must be addressed in future pandemic/crisis emergency response. We need clarity on the relationship between workplace health & safety and public health. Covid highlighted the inability of government to properly regulate workplaces at a time of public health crisis. The Coronavirus Act was not health and safety legislation, and Coronavirus regulations were made under public health law<sup>78</sup>, which meant they were not enforceable by either the HSE or Local Authority Environmental Health.

9.25. Responsibility for enforcing social distancing was instead placed with the Police<sup>79</sup>, who had no experience of regulating workplaces aside from investigating fatal accidents. This left HSE without a

clear role or remit for providing guidance and support to workplaces, because Covid-19 was narrowly conceived as a public health issues.

9.26. Indeed, when government guidance was produced, it came not from HSE, but from the then Department for Business, Energy and Industrial Strategy (BEIS)<sup>80</sup>. It is not clear why or how the business department was deemed to be competent to produce such guidance. GMB was critical of this approach at the time<sup>81</sup>, and nothing has changed more than 4 years later.

9.27. The lessons learned from the handling of the Covid pandemic will be determined and discussed when the two Inquiries report. What is critical for future pandemics is that the workplace regulators can set and enforce whatever temporary law is required. GMB therefore recommends that amendments are made to either the Health and Safety at Work Act 1974, or the Public Health (Control of Disease) Act 1984, or both, to give both clarity and legal certainty that during public health emergencies, occupational health regulators can apply any necessary provisions in workplace such as may be temporarily enacted by Governments.

## **10. Resources and Enforcement**

*“The Factory Inspectorate aims to carry out a general inspection of each workplace within scope of the Factories Act at least once in every four years.”*

Chapter 7, “The Inspectorates”, Cmnd. 5034 Safety and health at work. Report of the committee 1970-72 “The Robens Report”.<sup>82</sup>

10.1. The recommendations made in this Special Report are intended to address gaps and recommend improvements in the current system of health and safety regulation in the UK. But they will mean absolutely nothing without Inspectors who can inspect workplaces, enforce laws, and hold negligent employers to accounts.

10.2. Unfortunately, the story of the 21st Century has been a denuding of resources from health and safety regulators, begun by the Labour Government under Tony Blair, continued by Gordon Brown, then accelerated by the austerity policies of the Coalition and subsequent Conservative Governments.

10.3. Yet in 1999, the potential existed for a very different approach to regulating health and safety. At this time, workplace health and safety was a hot topic of political interest. Responsibility for HSE sat with the Department for Environment, Transport and the Regions, but Deputy Prime Minister John Prescott<sup>83</sup> held political stewardship of the policy area. As a result, a renewed focus was placed on improving health and safety performance, with the development of the “Revitalising Health and Safety Strategy”<sup>84</sup>.

10.4. This committed HSE to a 10-year strategy to:

- reduce the number of working days lost from work-related injury and ill health by 30% (a decrease of 7.5m working days).
- reduce the incidence of people suffering from work-related ill-health by 20% (80,000 fewer new cases).
- reduce the rate of fatal and major injury accidents by 10% (3,000 fewer cases)

10.5. To achieve this, HSE was provided with the necessary resources to ensure that it could inspect workplaces effectively, peaking in around 2003.

10.6. However, economic and budgetary pressures were already beginning to tell. From 2002, HSE’s budget had been delivered as a ‘flat cash settlement’, the same figure every year, regardless of inflation. This was a real terms budget cut.

10.7. The TUC were expressing concerns about this settlement as early as 2006, noting that: *“HSE will by 2008 have lost around 17% of the staff it had in 2002 when comparing like with like. On top of this, the pressure is set to get worse in this Autumn’s Comprehensive Spending Review if HSE’s parent department, the DWP, passes on its 5% year on year cut to HSE (not including the impact of rising inflation on the HSE budget).”*<sup>85</sup>

10.8. By 2003, HSE had a core workforce of around 4200. This excludes functions that were later transferred to other regulators, such as railways<sup>86</sup> and nuclear safety<sup>87</sup>.

10.9. Evidence provided to the Work and Pensions<sup>88</sup> select committee in 2008 showed the scale of resources lost in the period 2003-2007:

Source: Select Committee on Work and Pensions, Written Evidence: Memorandum submitted by the Department for Work and Pensions, November 2007<sup>89</sup>

10.10. This downward trend in HSE resourcing was turbocharged by the deregulatory approach taken by the Coalition Government from 2010.

10.11. A budgetary position that had already fallen to £286.5M per year spending by 2009/10 was savagely reduced to £164M, a 43% reduction in real terms.

Source: “HSE Under Pressure: A Perfect Storm”, Prospect Union, 2023

10.12. This has decimated the staffing position in HSE. Research from Prospect Union has identified that whilst HSE staff numbers had reduced from 4200 to 3700 in 2010, by 2023 this figure had tumbled to 2400:

Source: “HSE Under Pressure: A Perfect Storm”, Prospect Union, 2023

10.13. Inspectors were not immune from this collapse in resourcing. The same Prospect research showed that by 2022, Inspector levels had collapsed from 1651 to 974 over 20 years, a 41% reduction.

Source: “HSE Under Pressure: A Perfect Storm”, Prospect Union, 2023

10.14. It is unsurprising therefore that HSE’s regulatory activity dropped sharply over the period from 2010. Leading Health and Safety academics Andrew Moretta, Steve Tombs and David Whyte have charted the impact of these budget cuts on HSE’s performance<sup>90</sup>, and their findings are stark:

*“Between 2010 and 2020, total HSE Field Operations Directorate inspections fell by 72% (from 26,798 in 2009/10 to 7450 in 2019/20). Between 2010 and 2020, total enforcement notices issued by HSE fell by 27% (from 9727 in 2009/10 to 7075 in 2019/20) with the most serious, prohibition notices, falling by over 50% (from 3933 in 2009/10 to 1950 notices in 2019/20); meanwhile, there was a total of 885 offences Prosecuted by HSE in 2009/2010 leading to 730 convictions, whilst in 2019/20, 517 offences prosecuted by HSE led to 467 convictions in 2019/20— that is, 42% fewer prosecutions and 36% fewer convictions, respectively.”*

10.15. The situation was so severe that when then Prime Minister Boris Johnson determined that HSE would be responsible for Covid-19 workplace spot checks<sup>91</sup>, this function was primarily carried out by contracted-in temporary workers from two agencies better known for debt collection - Engage (Marston Holdings) and CDER<sup>92</sup>. Unsurprisingly, it was found that the spot checks had achieved little, and most employers had not been contacted.<sup>93</sup>

10.16. The situation in Local Authority Environmental Health Departments is even worse. In 2011, then Health and Safety Minister Chris Grayling directed local authorities to combine food safety inspections with health and safety inspections, effectively giving a green light to cease proactive H&S inspections altogether<sup>94</sup>. As Moretta, Tombs and Whyte explain:



*“The total number of health and safety visits by local authorities fell by 80% (from 196,200 in 2009/10 to 39,200 in 2019/20), of which 6816 were preventative visits, a 94% decline over the decade (there had been 118,000 preventative visits in 2009/10)”<sup>95</sup>.*

10.17. Correspondingly, enforcement levels also suffered a considerable and sustained drop: *“Total enforcement notices issued by local authorities fell by 67%, with the most serious, prohibition notices, falling by 42%. Total offences prosecuted by local authorities fell by 81%, with convictions falling by 78%<sup>96</sup>”.*

10.18. The combination of these cuts means that most workplaces are never likely to be inspected, or to be sanctioned for health and safety failings. Fear of enforcement action and prosecution has historically been a powerful driver to not let standards slip, but the reduced likelihood of being inspected - once in every 250 years<sup>97</sup>) means the deterrent effect no longer exists.

10.19. Reporting concerns to HSE has become more challenging, as the cuts have reduced methods of contacting HSE. It is no longer possible to call a local HSE office and speak directly to an Inspector, and HSE’s InfoLine was closed in 2011 as a cost-saving measure. As a result, the only way to raise concerns directly with HSE as a Safety Representative is to use a contact form buried on the HSE website.<sup>98</sup> Lack of contact gives a further reason to suppress HSE resources – if complaints and concerns from workers cannot be easily reported, then there is no need (in theory) to employ Inspectors to investigate and address these reports.

10.20. GMB therefore believes that the resources of the Health and Safety Executive and Local Authority Environmental Health Departments should be restored to Year 2000 levels, to once again provide these regulators with teeth and a clear mandate for enforcement and inspection.

10.21. Greater prominence should also be given to the reporting system for trade union members to report health and safety concerns, which should be for any union member to use for reporting, not just Safety Representatives.

## **11. Conclusions and Recommendations**

11.1. The world of work has transformed since 1974, but it is clear that part of that transformation has been the improvement in health and safety performance driven the Health and Safety at Work Act. As the analysis in this report shows, the Act has created the conditions for these improvements, which is why the Act and the regulations underneath it have stood the test of time.

11.2. That performance has slowed dramatically since 2010, and this is not coincidental. The imposition of austerity policies, and the denuding of the Health and Safety Executive, combined with uncertainty of Brexit and Covid-19, have undermined the value of health and safety as a social good.

11.3. This is particularly concerning given the scale of the challenges to come. Mental health, violence, automation/AI, and the toxic effects of discrimination, must all be addressed. What is needed is the political will to tackle the key hazards and issues that will dominate the next 50 years.

11.4. Developing new regulations on the areas outlined in this report – in consultation with the trade union movement; and enforced by regulators with resources and teeth – will go a long way to increasing protections, reducing injuries and illness, and creating workplaces where workers can do their jobs free from harm.

- 11.5. This report therefore recommends that GMB campaigns for future Governments to:
- 11.6. Legislate for A Mental Health at Work Act, designed to complement the Health and Safety at Work Act 1974 in making explicit the approach and methods expected of all employers in managing mental health at work.
- 11.7. Convert the voluntary HSE Stress Management Standards into regulations with legal force;
- 11.8. Make it explicit that suicide risk is covered by the Health and Safety at Work Act; therefore requiring employers to proactively manage risks, and requiring HSE to investigate work-related suicide risks; and
- 11.9. Either introduce specific legislation requiring the reporting of all cases of work-related stress, mental ill-health and suicide; or to add work-related stress, mental ill-health and suicide to the list of reportable conditions prescribed under the existing reporting regulations RIDDOR.
- 11.10. Develop simple reporting measures to allow workers to report cases of mental ill-health directly to HSE, allowing for the true picture to be understood, and action quickly taken where needed.
- 11.11. Amend the Health and Safety at Work Act 1974, to make it explicit that work-related violence is in scope of the Act;
- 11.12. Create new regulations to detail the approach and methods expected of all employers in controlling violence risks at work.
- 11.13. Create new reporting requirements for work-related violence, so that all instances of violence and aggression are recorded, allowing for identification of trends and hotspots.
- 11.14. Enlarge the scope of Sections 2 and 3 of the Health and Safety Work Act to include discriminatory behaviours from managers, employers and third parties.
- 11.15. Update the Personal Protective Equipment at Work Regulations 1992 to include specific references to inclusivity on gender grounds.
- 11.16. Create a tripartite commission – Government, Employers and Trades Unions - specifically to consider the implications of AI and automation on worker health and safety, and to enact any regulations that are recommended by this commission.
- 11.17. Restore to prominence a fully staffed Employment Medical Advisory Service, which can provide robust and independent occupational health advice and support to the HSE, with a view to the development of a longer term National Occupational Health Service;
- 11.18. Implement new regulations to create far stronger requirements placed on employers to provide full occupational health services from day one of employment;
- 11.19. Legislate for statutory recognition of the SEQOHS scheme operated by the Faculty of Occupational Medicine, to set a legal minimum standard for occupational health provision.
- 11.20. Create binding guidance or regulation to ensure that employers cannot skip on the provision of health and safety at work when the economy takes a downturn.

11.21. Prevent any deregulation or deterioration of the rights, standards, and occupational health and safety protections for workers.

11.22. Ensure that future trade agreements consider emerging hazards such as artificial intelligence and automation, and seek to minimise divergence from minimum standards set with workers in the room.

11.23. Amend either the Health and Safety at Work Act 1974, or the Public Health (Control of Disease) Act 1984, or both, to give both clarity and legal certainty that during public health emergencies, occupational health regulators can apply any necessary provisions in workplace such as may be temporarily enacted by Governments.

11.24. Restore the resources of the Health and Safety Executive and Local Authority Environmental Health Departments to Year 2000 levels, to once again provide these regulators with teeth and a clear mandate for enforcement and inspection.

11.25. Promote the reporting system for trade union members to report health and safety concerns, which should be for any union member to use for reporting, not just Safety Representatives.

<sup>1</sup> <https://www.legislation.gov.uk/ukpga/1974/37/contents>

<sup>2</sup> Leonard Horner; Thomas Jones Howells; Robert Rickards; Robert J Saunders.

<sup>3</sup> Mary Patterson and May Tennant (nee Abraham)

<sup>4</sup> See <https://www.historyofosh.org.uk/timeline.html> for a good introductory timeline on the development of UK health and safety legislation

<sup>5</sup> [https://hansard.parliament.uk/Commons/1957-06-25/debates/a33fd4ed-a708-44cd-8311-d2c105ed2600/ShopsAndNon-IndustrialEstablishments\(GowersReports\)](https://hansard.parliament.uk/Commons/1957-06-25/debates/a33fd4ed-a708-44cd-8311-d2c105ed2600/ShopsAndNon-IndustrialEstablishments(GowersReports))

<sup>6</sup> Trades Unions were represented by Sydney Robinson, General Secretary of the National Union of Boot and Shoe Operatives (NUBSO). By the time the Robens Report was published, NUBSO had merged to form the National Union of the Footwear, Leather and Allied Trades (NUFLAT), which is today part of Community.

<sup>7</sup> A basic introductory guide is at: <https://www.hse.gov.uk/pubns/hsc13.pdf>

<sup>8</sup> <https://www.historyofosh.org.uk/robens/what-difference-did-robens-make.html>

<sup>9</sup> <https://www.hazardscampaign.org.uk/wp-content/uploads/2024/03/The-Whole-story-2024.pdf>

<sup>10</sup> "Mental Health Problems in Industry", Dr Andrew Treacher, Bristol University, 1971; Committee on Safety and Health at Work.

<sup>11</sup> <https://hansard.parliament.uk/Commons/1974-04-03/debates/18364ad4-ae9e-4a2caeea-9a5e85478fb9/HealthAndSafetyAtWorkEtcBill?highlight=health%20safety%20work%20act#contribution-978b8604-d8e4-4a73-9903-aafa0a50d2b0>

<sup>12</sup> <https://researchbriefings.files.parliament.uk/documents/SN06988/SN06988.pdf>

<sup>13</sup> <https://www.mind.org.uk/information-support/types-of-mental-healthproblems/mental-health-facts-andstatistics/#:~:text=1%20in%204%20people%20will,week%20in%20England%20%5B2%5D.>

<sup>14</sup> See <https://www.hse.gov.uk/statistics/cost.htm>

<sup>15</sup> <https://www.centreformentalhealth.org.uk/news/item/mental-ill-health-costs-society-300-billion-every-year-according-to-new-centre-for-mental-health-economicanalysis/#:~:text=The%20overall%20costs%20of%20mental,having%20a%20pandemic%20evely%20year.>

<sup>16</sup> <https://www.hse.gov.uk/riddor/examples-reportable-incidents.htm>

<sup>17</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/de>

aths/bulletins/suicidesintheunitedkingdom/2022registrations#suicides-in-england-and-wales

<sup>18</sup> <https://www.nrscotland.gov.uk/files/statistics/probable-suicides/2022/suicides-22-report.pdf>

<sup>19</sup> <https://www.nisra.gov.uk/system/files/statistics/Suicide%20Statistics%202022%20Report.pdf>

<sup>20</sup> <https://www.gov.uk/government/publications/suicide-prevention-strategy-forengland-2023-to-2028/suicide-prevention-in-england-5-year-cross-sector-strategy>

<sup>21</sup> <https://ahc.leeds.ac.uk/languages/news/article/1866/work-related-suicides-are-uncounted>

<sup>22</sup> <https://www.hse.gov.uk/statistics/causinj/violence/index.htm>

<sup>23</sup> <https://brc.org.uk/news/operations/brc-crime-survey-2024/>

<sup>24</sup> <https://www.gmb.org.uk/news/ambulance-workers-suffer-least-9500-violent-attacks>

<sup>25</sup> See: <https://www.theguardian.com/society/2023/mar/16/nhs-staff-abuse-assault-data-steve-barclay-health-secretary>

<sup>26</sup> <https://explore-education-statistics.service.gov.uk/find-statistics/suspensions-and-permanent-exclusions-in-england#dataBlock-0c2121f0-bdea-44aa-803f-0affdd934ded-tables>

<sup>27</sup> [https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C190](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190)

<sup>28</sup> <https://www.ilo.org/resource/news/osh-measures-key-prevent-violence-and-harassment-world-work-says-ilo-report>

<sup>29</sup> <https://www.itv.com/news/2024-04-10/assaulting-shop-workers-to-become-specific-offence-in-new-legislation>

<sup>30</sup> <https://www.northumbriajournals.co.uk/index.php/ijmhcl/article/view/1358/1729>

<sup>31</sup> See [https://www.rcpsych.ac.uk/docs/default-source/events/2022-events/faculties/forensic/posters/dr-catherine-weeks.pdf?sfvrsn=e0a71ba3\\_2](https://www.rcpsych.ac.uk/docs/default-source/events/2022-events/faculties/forensic/posters/dr-catherine-weeks.pdf?sfvrsn=e0a71ba3_2)

<sup>32</sup> <https://www.tuc.org.uk/sites/default/files/2022-08/HealthSafetyRacism.pdf>

<sup>33</sup> <https://www.hse.gov.uk/Research/rrhtm/rr308.htm>

<sup>34</sup> <https://www.hse.gov.uk/services/police/organisation.htm>

<sup>35</sup> <https://www.stophateuk.org/2023/08/30/the-impact-of-hate-crime-and-discrimination-on-mental-health/>

<sup>36</sup> <https://onlinelibrary.wiley.com/doi/10.1111/1467-9566.13414>

<sup>37</sup> <https://www.tandfonline.com/doi/full/10.1080/1059924X.2016.1248307>

<sup>38</sup> [https://www.researchgate.net/publication/264988033\\_Sometimes\\_It\\_Hurts\\_When\\_Supervisors\\_Don%27t\\_Listen\\_The\\_Antecedents\\_and\\_Consequences\\_of\\_Safety\\_Voice\\_Among\\_Young\\_Workers](https://www.researchgate.net/publication/264988033_Sometimes_It_Hurts_When_Supervisors_Don%27t_Listen_The_Antecedents_and_Consequences_of_Safety_Voice_Among_Young_Workers)

<sup>39</sup> <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0299381>

<sup>40</sup> <https://hr.qmul.ac.uk/equality/menopause/who-can-experience-the-menopause>

<sup>41</sup> <https://www.cipd.org/globalassets/media/knowledge/knowledge-hub/reports/2023-pdfs/2023-menopause-report-8456.pdf>

<sup>42</sup> <https://www.ioshmagazine.com/2023/02/27/menopause-workplace>

<sup>43</sup> <https://www.legislation.gov.uk/uksi/1992/2966/contents/made>

<sup>44</sup> <https://hansard.parliament.uk/Commons/2024-03-12/debates/1D68E06A-19AC-4902-B99C-5306E3338292/InclusivePPE?highlight=ppe#contribution-8E351386-DE07-40AC-9165-638F992277D7>

<sup>45</sup> <https://www.nawicyorkshire.co.uk/campaigns/womens-ppe>

<sup>46</sup> A condition caused by thickening of tissue around a nerve in the foot. See <https://www.nhs.uk/conditions/mortons-neuroma/>

<sup>47</sup> <https://www.bsigroup.com/globalassets/documents/ppe/diversity-in-ppewhitepaper.pdf>

<sup>48</sup> <https://www.gmb.org.uk/assets/media/downloads/2159/the-future-of-work-specialreport>

pdf

<sup>49</sup> Para 19, Cmnd. 5034 Safety and health at work. Report of the committee 1970-72 “The Robens Report”.

<sup>50</sup> <https://www.legislation.gov.uk/ukxi/1992/2793/schedule/1>

<sup>51</sup> Such as Uber BV and others (Appellants) v Aslam and others (Respondents), for example

<sup>52</sup> [https://8585d5f5-3bf9-4ca9-81f2-](https://8585d5f5-3bf9-4ca9-81f2-26dce6d9e662.usfiles.com/ugd/8585d5_2f6deaabc40449eead61bca9db8d7827.pdf)

[26dce6d9e662.usfiles.com/ugd/8585d5\\_2f6deaabc40449eead61bca9db8d7827.pdf](https://8585d5f5-3bf9-4ca9-81f2-26dce6d9e662.usfiles.com/ugd/8585d5_2f6deaabc40449eead61bca9db8d7827.pdf)

<sup>53</sup> <https://www.independent.co.uk/news/uk/home-news/electric-bus-london-fireputney-capital-b2484622.html>

<sup>54</sup> See <https://www.theverge.com/2024/4/26/24141361/tesla-autopilot-fsd-nhtsainvestigation-report-crash-death>

<sup>55</sup> <https://bills.parliament.uk/bills/3506/publications>

<sup>56</sup> See <https://www.quentic.com/articles/ai-in-risk-and-safety-management/> for one such example.

<sup>57</sup> See <https://www.fyld.ai/> and <https://www.protex.ai/> for two leading examples.

<sup>58</sup> [https://www.tuc.org.uk/research-analysis/reports/snapshot-workers-walesunderstanding-and-experience-ai?page=7#section\\_header](https://www.tuc.org.uk/research-analysis/reports/snapshot-workers-walesunderstanding-and-experience-ai?page=7#section_header)

<sup>59</sup> [https://www.hse.gov.uk/news/hseai.](https://www.hse.gov.uk/news/hseai.htm?utm_source=hse.gov.uk&utm_medium=referral&utm_campaign=guidancepush&utm_term=ai&utm_content=news-page)

[htm?utm\\_source=hse.gov.uk&utm\\_medium=referral&utm\\_campaign=guidancepush&](https://www.hse.gov.uk/news/hseai.htm?utm_source=hse.gov.uk&utm_medium=referral&utm_campaign=guidancepush&utm_term=ai&utm_content=news-page)

[utm\\_term=ai&utm\\_content=news-page](https://www.hse.gov.uk/news/hseai.htm?utm_source=hse.gov.uk&utm_medium=referral&utm_campaign=guidancepush&utm_term=ai&utm_content=news-page)

<sup>60</sup> Para 373, Robens Report

<sup>61</sup> <https://www.hse.gov.uk/contact/maps/>

<sup>62</sup> <https://www.gov.uk/government/publications/employee-research-phase-1-and-2/employee-research-phase-1-sickness-absence-reasonable-adjustments-andoccupational-health#access-to-occupational-health-services>

<sup>63</sup> <https://www.gov.uk/government/publications/sickness-absence-and-health-in-theworkplace-understanding-employer-behaviour-and-practice/sickness-absence-andhealth-in-the-workplace-understanding-employer-behaviour-and-practicereport#employers-provision-of-occupational-health-services>

<sup>64</sup> [https://d3n8a8pro7vmtx.cloudfront.net/ianlavery/pages/150/attachments/original/1476691067/OM\\_Workforce\\_Crisis\\_2016\\_pdf.pdf?1476691067](https://d3n8a8pro7vmtx.cloudfront.net/ianlavery/pages/150/attachments/original/1476691067/OM_Workforce_Crisis_2016_pdf.pdf?1476691067)

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> <https://www.gov.uk/government/consultations/health-is-everyones-businessproposals-to-reduce-ill-health-related-job-loss/outcome/government-responsehealth-is-everyones-business#chapter-4-helping-employers-access-qualityoccupational-health-oh-support>

<sup>68</sup> <https://www.fom.ac.uk/>

<sup>69</sup> [https://www.seqohs.org/CMS\\_Documents/Scheme/OH/2023%20Standards/2023-SEQOHS-Standards-March-2023.pdf](https://www.seqohs.org/CMS_Documents/Scheme/OH/2023%20Standards/2023-SEQOHS-Standards-March-2023.pdf)

<sup>70</sup> [https://www.historyofosh.org.uk/resources/Safety\\_Management\\_July\\_HSWA\\_40.pdf](https://www.historyofosh.org.uk/resources/Safety_Management_July_HSWA_40.pdf)

<sup>71</sup> See <https://www.theguardian.com/uk/2012/jan/05/cameron-targets-health-and-safety-rules> for one such example

<sup>72</sup> [https://www.safetyphoto.co.uk/subsite/case%20e%20f%20g%20h/edwards\\_v\\_national\\_coal\\_board.htm](https://www.safetyphoto.co.uk/subsite/case%20e%20f%20g%20h/edwards_v_national_coal_board.htm)

<sup>73</sup> <https://www.highwaysmagazine.co.uk/Safety-boss-links-fatality-increase-to-austerityand-Brexit-paralysis/4232>

<sup>74</sup> [https://www.wired-gov.net/wg/wg-news-](https://www.wired-gov.net/wg/wg-news-1.nsf/0/EB673E9B57E5F27E802572FA00402F65?OpenDocument)

[1.nsf/0/EB673E9B57E5F27E802572FA00402F65?OpenDocument](https://www.wired-gov.net/wg/wg-news-1.nsf/0/EB673E9B57E5F27E802572FA00402F65?OpenDocument)

<sup>75</sup>[https://assets.publishing.service.gov.uk/media/608ae0c0d3bf7f0136332887/TS\\_8.2021\\_UK\\_EU\\_EAEC\\_Trade\\_and\\_Cooperation\\_Agreement.pdf](https://assets.publishing.service.gov.uk/media/608ae0c0d3bf7f0136332887/TS_8.2021_UK_EU_EAEC_Trade_and_Cooperation_Agreement.pdf), Article 387, Clause 2.

<sup>76</sup> The list can be viewed at

[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F6464d8790b72d3000c344670%2Fschedule\\_of\\_retained\\_eu\\_law\\_to\\_revoke\\_or\\_sunset.ods&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F6464d8790b72d3000c344670%2Fschedule_of_retained_eu_law_to_revoke_or_sunset.ods&wdOrigin=BROWSELINK), under the DWP tab.

<sup>77</sup> See <https://rse.org.uk/resources/resource/blog/the-divergence-devil-lies-in-the-detail/> for a good explainer from Joel Reland on the problem with international divergence.

<sup>78</sup> The Public Health (Control of Disease) Act 1984.

<sup>79</sup> <https://www.gov.uk/government/publications/full-guidance-on-staying-at-home-and-away-from-others/full-guidance-on-staying-at-home-and-away-from-others#:~:text=Key%20parts%20of%20the%20measures,through%20fines%20and%20dispersing%20gatherings>

<sup>80</sup> See

<https://assets.publishing.service.gov.uk/media/5eb97e7686650c278d4496ea/workingsafely-during-covid-19-offices-contact-centres-041120.pdf> for one example of such guidance.

<sup>81</sup> <https://www.gmb.org.uk/assets/components/pdf/govt-covid-workplace-guidancenot-fit-purpose.pdf>

<sup>82</sup> Para 202, Cmnd. 5034 Safety and health at work. Report of the committee 1970-72 “The Robens Report”.

<sup>83</sup> See <https://www.insurancetimes.co.uk/get-tough-plans-for-health-and-safety-lawbreakers/1356828.article>

<sup>84</sup> <https://www.corporateaccountability.org.uk/dl/strategy.pdf>

<sup>85</sup> <https://www.tuc.org.uk/research-analysis/reports/hse-resources-tuc-briefing>

<sup>86</sup> The Railways Inspectorate was transferred from HSE to the Office for Road and Rail in 2006.

<sup>87</sup> Nuclear Safety was transferred to the newly created Office of the Nuclear Regulator in 2011.

<sup>88</sup> HSE was transferred into DWP in 2002. See

<https://www.newcivilengineer.com/archive/hse-move-to-work-pensions-welcomed-08-08-2002/>

<sup>89</sup><https://publications.parliament.uk/pa/cm200708/cmselect/cmworpen/246/246we49.htm>

<sup>90</sup> Moretta, A.; Tombs, S.; Whyte, D. The Escalating Crisis of Health and Safety Law Enforcement in Great Britain: What Does Brexit Mean? *Int. J. Environ. Res. Public Health* 2022, 19, 3134. <https://doi.org/10.3390/ijerph19053134>

<sup>91</sup> <https://www.bbc.co.uk/news/uk-52626822>

<sup>92</sup> <https://www.constructionnews.co.uk/sections/long-reads/the-hse-in-the-pandemicastoundingly-invisible-or-making-a-difference-26-01-2021/>

<sup>93</sup> <https://www.ier.org.uk/news/most-workplaces-did-not-receive-promised-covid-19-spot-checks/>

<sup>94</sup> This decision was taken to enact a recommendation from a review conducted by Professor Ragnar Lofstedt, also in 2011. See

<https://assets.publishing.service.gov.uk/media/5a74c83fe5274a3f93b48c4d/lofstedtreport-response.pdf>

<sup>95</sup> Moretta, A.; Tombs, S.; Whyte, D. The Escalating Crisis of Health and Safety Law Enforcement in Great Britain: What Does Brexit Mean? *Int. J. Environ. Res. Public Health* 2022, 19, 3134. <https://doi.org/10.3390/ijerph19053134>

<sup>96</sup> Ibid.

<sup>97</sup> <https://labour.org.uk/wp-content/uploads/2022/10/New-Deal-for-Working-People-Green-Paper.pdf>

<sup>98</sup> <https://www.hse.gov.uk/involvement/hsrepresentatives.htm>

KEVAN HENSBY (CEC): President, Congress, speaking on behalf of the CEC and a serving Health & Safety practitioner proud to deliver this special report on the 50 years on the Health & Safety at Work Act. Question, this is a CEC report. Come on, be honest, hands up who has read it? I will repeat my question, who has read it? It is an excellent report that has been produced by the CEC. I urge you to read it because it is a very important document.

Right, here is the response. Congress, GMB has always existed in fighting for better, safe, and healthy working conditions for everyone. The world of work at the time of Eleanor Marx and Will Thorne meant life was nasty, brutal and short. The founding principles of the creation of the GMB in 1889 was the importance of fighting for better standard of health and safety within the workplace. Congress, there will be some venerable colleagues in this room today who remember what the world was like before 1974 and I know I might look young but I am not. I remember as an apprentice before 1974 the type of working conditions I was in. There were probably not many people tragically killed then but now the statistics are not getting any better. In 2022 to 2023, last year 123 people died. In 2021, 145 people died. So, there is still plenty of work to be done there. Other statistics are that 561,000 people last year alone had non-fatal injuries but some of them could have gone on to develop into different types. You must remember, colleagues, those that are old enough to, how difficult it was to bring employers to account and doing justice for our members who were hurt, seriously hurt, and killed. Remember how hard it was to argue that prevention was better than the cure.

Congress, this report bears testimony to that history and it is creating and explaining why the Health & Safety at Work Act was necessary in 1974. It outweighs the benefits that we have all gained from its implementation. The report covers the impact that new frameworks and new rights provided. It is clear that this crucial piece of legislation generally resulted in reductions of work-related deaths and ill health. If you think about what I said a minute ago, that is arguable. The report also makes crystal clear that there is much more that is needed to be done.

We have heard a lot in the past about the days of strike actions currently happening across the GMB and in almost every case these are about health and safety, standards at work. You have heard the reports about violence towards members of the public across the sector, many sectors, and in retail. We are also

aware of the burden that mental health has and is causing workers across the UK and the facts and figures, one in four people now, colleagues, are suffering from a mental health condition. It is clear that things have to change. Hopefully, the general election in a few short weeks will sort that out and it will bring change. Therefore, this report identifies exactly what targeted action is needed and it is a blue print to tackle these issues to further reduce harm and prevent deaths within the workplace.

Congress, I recommend that you read this report in full and urge you to support it. Congress, I recommend the report to you. I move. Thank you. (*Applause*)

THE PRESIDENT: Cheers, Kevan. Well done. Lorraine?

LORRAINE WINSON (CEC): President, Congress, in seconding the report I would like to highlight the specific recommendations that are made within it. As the report shows, there are a range of issues that the existing laws either have failed to address or which require further clarity in terms of the approach that employers must take and it is no coincidence that many of those topics are the same subjects that we have heard motions on and will hear more motions on this week, the hazards, from poor mental health, from work related violence, and from the threats of new technology being badly implemented. They are already very real and affect many thousands of GMB members, including those in this very room.

This report identifies how the law can be added to and improved upon to help employers to understand what they need to do to keep their workers safe and healthy. In many ways these recommendations are timely with a general election imminent and the commitment to improving workplace health and safety that we see in the Labour Party's New Deal for Working People. These recommendations are also long overdue as many of these issues are longstanding ones that we have been debating at Congress over the past decade. What is needed now is action and that action begins with changes in law and driven by political change. That political change can only happen if this Special Report is adopted in full so I urge you, please, read the report and support it here today. I second. (*Applause*)

THE PRESIDENT: Thank you, Lorraine. Can I have the first speaker from London Region, please?

TRACEY BEESON (London): London Region fully supports this comprehensive report and pleased to see a forward looking health and safety strategy, which includes AI and mental health. Health and safety at work legislation is there to protect workers from avoidable risks and to minimise the risk of harm. London Region is serious about ensuring the highest possible standards of health and safety



practices within all workplaces. Nobody should be harmed or injured at work or suffer long-term health problems because of their work. Members should feel confident and supported to raise any concerns they have about health and safety issues whether these are physical or mental health issues. We welcome the inclusion of workplace violence which many of our schools, ambulance, and retail members face on a daily basis. London Region fully supports the changes in the health and safety legislation and regulations. These are needed adequately to support our members and ensuring employers take responsibility for health and safety. It is about time the Health and Safety at Work Act is updated to better support the modern world, and the future, and not just the GMB members but all workers whether in this union or not. Importantly, the new government needs to make sure that there are sufficient funds and facilities for enforcement to hold unscrupulous employers to account. If we do that we will make work safer. *(Applause)*

THE PRESIDENT: Thank you, Tracey. Midlands?

BEN COOK (Midlands): Colleagues, I am proud to be the National Chair of the Health & Safety in Asda. Every day our national reps champion health and safety issues across the UK, Adam Wade of London Region, passionate commitment to improving fire safety is a real, and Patrick Simpson of the North West & Irish Region championing equal Health & Safety, and committed to tackling violence against shop workers. Sue Giles of North East, Yorkshire, & Humber Region, champions women's health and safety across Asda, and the safety of those in home shopping. Ian Jefferies of Wales & South West is passionate and committed to improving driver safety, and Graham Williams of the Southern Region champions safety for our night workers. Samantha Cannon in Scotland champions warehouse safety. Thank you for all you do for our members across Asda in the UK to keep our members safe at work. I just wanted to let Congress know this, and the deputies as well, Norah Bones, Michaela Bolton, Jeff Norris, S. Patel, Suzanne Burton, Mick Clegg, Melissa Johnson, and Eddie Pope, I am not finished yet. Lindsey is sat over there pulling a face. Thank you for all you do behind the scenes and your support is unreal. *(Applause)*

We tackle all the challenges outlined in the report in Asda, health and safety, and it is the worst it has ever been in Asda. This document is about the future and the work that we do as reps and we need a 21st century Act that represents the 21<sup>st</sup> century workplace, and one that includes equality in the heart of it. Please support the report. Thank you. *(Applause)*

THE PRESIDENT: Thank you, Ben. A speaker from North East, Yorkshire, & Humber?

CINDY GAVIN (North East, Yorkshire, & Humber): God's own region. Congress, my region welcomes this report and the proposed elements that this will complement, enhance, and support the existing health and safety legislation. The Health & Safety at Work Act has served us well in keeping the physical safety of the workforce a fundamental right for all workers. Other legislation and guidance also support this. Sadly, as we know all too well, many employers still refuse to recognise dangers within the workplace and continue to impose unsafe working practices. But, comrades, we know too well that mental health and wellbeing at work goes just beyond the physical. Just like seeking support for workplace injuries we should also be afforded the same for mental health issues. This push for the next government, cross fingers it is Labour, to legislate for a Mental Health at Work Act will direct employers to address these issues correctly, fairly and appropriately. Our workforce has changed dramatically in the last 50 years. Technology, increasing workloads, a faster pace of working, have added different types of workplace injuries that put our workers at risk every day. The mental and emotional pull at work has fast overtaken physical health. We need to push for this change with crucial additions to legislation that saves so many lives and can continue to do so. Sickness absence due to mental health has increased. Sadly, work related suicides have also increased. As reps we have to talk to the members more and more on this subject. Our mental health matters. Taking care of ourselves, our workforce, and their mental health, is not a luxury, it is a necessity and one as a union we should also be undertaking. Congress, I support. *(Applause)*

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

PATRICK TIMSON (North West & Irish): President, Congress, "It should be the duty of every employer to ensure so far as reasonably practicable the health, safety, and welfare at work of all employees." This simple sentence has resulted in successful prosecutions of more bad bosses than anything else within our legal system. The impact of the Health & Safety at Work Act cannot be overstated. It stands as testament not only to our Movement but to the multitude of lives lost in pursuit of safer working conditions. For all its success it has been too easy for employers to focus purely on the safety element operating cost benefit analysis whilst trying to avoid personal injury claims. This inevitably leaves health and welfare to take a back seat. It has been known since the Whitehall studies of the '60s that is the lowest paid amongst us who suffer the greatest with stress at work, yet 17.1m days lost last year due to stress, depression, or anxiety, the needs for the recommendations in this report have never been greater. The threats of violence within our workplaces only goes to exacerbate it creating a legal imperative for employers to act accordingly to reduce the risk of violence and will serve to ease the climate of fear that exists today. The recommendation for a tripartite

commission into AI will help to democratise technical change – as it stands AI is a boss's benefit – the greatest scrutiny of the workforce. As a health and safety rep I know the role enforcement agency plays and that is why we must expand funding to the HSE and ring-fence it within local authorities. The real cut to funding highlighted by this report will only work to imbed poor practices like those we have seen at Asda. A restoration of funding to the HSE founding levels is the least the Government can do. Congress, the genius of Wilson's Labour government was to create an enabling act that would not only serve his generation but serve all future generations willing to continue to fight for the living. Please let us continue that fight. Please support this report. Thank you. (*Applause*)

THE PRESIDENT: Thank you, Patrick. GMB Scotland?

GERALD MALLON (GMB Scotland): President, Congress, first time delegate, first time speaker. (*Applause*) Congress, health and safety is a phrase that many workers either dread or afraid of, but it is vital in our workplaces. Over the past 50 years the Act has protected so many and prevented countless from injury, ill health, and death without people ever knowing the impact it has had. Just as our economy has changed in these 50 years so have the dangers many of us face in the workplace. So, while the Act should be celebrated we must look to the present and future to protect members from harm.

The past 14 years have seen the impact of the Act, Tory austerity has cut the Health and Safety Executive, but it has also cut the public services encouraging management to cut corners and put greater pressure on the workforce. Cuts have also had an effect on pay, terms and conditions, leading to a strain on the workers' lives at home where people are overworked, underpaid, mistakes happen, and corners are cut leading to workplace accidents. In Scotland, the Scottish government passed legislation in 2005 to protect emergency workers from assault, passing seminal legislation in 2021 to protect green field workers. However, while they have attempted to attack us and abuse us their impact has been limited with attacks on both workforces rising. It is not enough for legislation to be passed by government, employers, or trade unions for them to just walk away. The legislation must be practical and monitored according to the rules. With responsibility for employers and trade unions alike laws must be built and institutions which will ultimately protect workers every day.

Finally, I would like to pay tribute to all the GMB health and safety reps across our union to keep our members safe every day. It is a difficult, technical, and vital role, often thankless, but one which I am sure all of us here today are grateful for. Congress, please support this Special Report. (*Applause*)

THE PRESIDENT: Thank you, Gerald. Southern?

ANGELA ROBINSON (Southern): Good afternoon, President, and Congress. First time delegate, first time speaker. (*Applause*) Southern Region welcomes the report on the Mental Health at Work Act, which is needed now more than ever. 18 million days are lost every year through mental health related sickness. 12% of the UK total sickness relates specifically to stress, depression, and anxiety, something I personally suffered myself. Legislation will help to guide employers as to what support they can offer their employees and be a lot more proactive in creating a better working environment. We are pleased to see a push for widening of incidents that will be reportable. We are sure that employers will be a lot more focused in how they support their employees who understand about their mental health, also at risk of suicide. Risk of violence at work is so much higher after years of government austerity and the stress and pressures this has placed across society. Employers must be compelled to put in measures that make sure violence in the workplace is not normalised and employees' welfare is paramount. Nobody comes to work to be abused and neither should they have to. Recommendation 11.20 will also make workplace safety more robust in times of financial difficulties.

The quick rise of Artificial Intelligence and its use by employers means that quick action is needed to make sure that safety is paramount and corners are not cut. We therefore welcome bringing together the Government, employers, and most important the trade unions to get a grip on this matter. Recommendation 11.22 is also helpful in this much needed regulation of AI.

The call for day one occupational health provisions are welcomed. It is so easy with our current employment legislation for employers to not deal with sickness during the first two years of employment. Let's make sure that employees are not thrown to the side when the proper support could help them flourish and add great value to their business. The Health and Safety Executive and Environmental Health Department in councils have also been on the harsh end of austerity and they can no longer provide the full range of services they used to. Health and Safety is just being paid lip service if the government does not fund its regulatory position. Let us work to get all these vital recommendations in from this Special Report. Thank you, Congress. (*Applause*)

THE PRESIDENT: Well done, Angela. Well done. Wales & South West?

ANDY MILLS (GMB Wales & South West): Congress, we stand on the shoulders of giants, 50 years ago Timothy (*unclear*) and Michael Foot introduced a landmark bill to Parliament, which changed countless lives in the UK. We cannot begin to

imagine what life would be without this legislation that has protected workers from accidents that could have left the company in tatters, or even on the coroner's table. We should remember what an important Act it was and the long-term GMB union win. But, Congress, we need to do more, even with this landmark legislation. As my fellow colleagues have already said, last year we had 155 workplace deaths in the UK which again is too many, with countless more accidents, and our understanding of health has changed. We are living through an epidemic of mental health issues, which are media, technology, modern ways of working, putting many of our members through anxiety and pain. It is time for us to update the rules and this Special Report outlines many ways in which we can create frameworks where our members can challenge employers over unfair stress and anguish. No longer must our members suffer in silence. It takes a strong stance on workplace violence and we are seeing that more and more every day. I see that within my workplace within the water industry with attacks on the employees, and we need to do something to help those employees, and other employees in all walks of industry.

Congress, we have done great work with our Protect Us campaign but the pandemic of attacks on our members in the NHS and retail, yes, Congress, even social care, must be stopped and it is important we have the legislation that empowers our members to protect themselves. Employers must work to reduce the risk and that stops members doing their job. It is their responsibility. The report demands that we modernise PPE so that regulations ensure it is gender inclusive. PPE is for everyone, not just for men. Again, I have seen it for myself first-hand when last year I had to change the stance on the companies I work for because they did not have the PPE for all kinds of gender and in this day and age again that is just not good enough.

It makes it clear that when the economy takes a downturn employers cannot do health and safety on the cheap to cut costs. Importantly, it calls for resource funding for the Health & Safety Executive and local authority environment health departments to the year 2000 levels. For too long these departments have been under-resourced leaving our members at risk. Congress, 50 years ago our long campaign for safety at work to produce a step forward, it was not a first, it is not going to be our sign-off, and the next thing, of course, is that we ask you to pass this motion today. Thank you, Congress. *(Applause)*

THE PRESIDENT: Thank you, Andy. Thank you to all those who have just spoken on the report. I will take the vote. All those in favour of adopting the report please show. Thank you. Anyone against? That is carried.

*The CEC Report: Health and Safety Report was ADOPTED.*

THE PRESIDENT: Just before we move on and just to make an announcement that anyone speaking on Motions 56, 57, 60, 62, and 63, I am afraid we will not be taking those this afternoon. They will be moved to tomorrow. I do apologise if you have geared yourself up to come up to the stage. We will take them tomorrow.

## **ASDA REPS**

THE PRESIDENT: Congress, from leading the largest private sector equal pay claim to leading the first ever wave of strike action across Asda stores GMB members in Asda are making history. We are now going to hear from the members and reps leading this wave of strike action and fighting to end the pay discrimination currently taking place across the retail sector. Asda is now under the ownership of private equity. This means that our members are on the sharp end of the wedge when it comes to cuts to hours on the shop floor, declining health and safety standards and worsening working conditions. The reps you are going to hear from are leading the fight against this asset stripping of their workplace and they are building the union in Asda. Please give Rachel Webber and Nick Wright, and Leha Patel, and Michelle Hunt, a warm welcome to the stage, followed by other GMB reps as well. An Asda video will play.

*(Video shown to Congress)*

RACHEL WEBBER: President, Congress, I am sure you know by now my name is Rachel Webber and I work for Asda Gosport store and I have worked there for almost 14 years. In 2021, I received a British Empire Medal. I had been nominated by Asda for services to the community in my role as Asda Community Champion. In February of this year I led the first ever strike in an Asda store (*Applause*) when we walked out over declining working conditions. I am the last person that you would have thought would be organising a strike against my employer. I am proud of the work I do on Asda's behalf and to be completely honest with you I never wanted to organise a strike against my employer but when our voice is not being heard it becomes time to stand together. I was just six months into my new role as a rep when our dispute started. Suffering with high anxiety and low self-esteem I knew this was going to be one of the biggest challenges of my life. What started as a local dispute in my store has lit a flame that has seen three more Asda stores walk out with many more to follow. (*Applause*) Asda workers deserve better and we are standing up to show that we will fight to win the dignity and the respect we deserve. Thank you. (*Applause*)

SALL: President, Congress, I am Sall one of the national reps for GMB London Region. First time speaker. (*Applause*) I and my fellow national reps, Jess, Adam,

and Nathan, cover GMB London Region supporting our members in day-to-day issues and health and safety. Earlier this year Michael, a national rep and a fantastic (*unclear*) and I oversaw the organisation of strike action within Asda Wisbech and Asda Lowestoft. You saw from the video that the strike was a success all due to the dedication of our GMB stewards. Dan, Donna, Jake, Darren, Duncan, and Chris. I would like you all here at Congress to say a big thank you to them for the success they have achieved for the members. (*Applause*) It has been such a privilege to make GMB history in Asda this year. Not only do we head into the second stage of our equal pay battle with a strong belief that we are going to win but we have an historic walkout to take place in four Asda stores.

Finally, retail workers in Asda are taking a stand against what we are seeing happening in our stores. Over eight million hours cut from the shop floor, health and safety standards getting worse, store standards declining, a point blank refusal to negotiate properly with our trade union and a determination from Asda to fight low paid women workers every step of the way in the pursuit of equal pay.

All of this because Asda has been saddled with billions of pounds of debt by private equity owners, TDR Capital. Private equity ownership of Asda may be shady and secretive obscuring their true goal for Asda, with opaque structures and questionable financial reporting, but GMB members will use their collective strength and our solidarity to shine a light on these practices. We are the backbone of our staff, we know our worth, we are organising, and we will win. (*Applause*)

NICK WRIGHT: President, Congress, my name is Nick and I am the rep for the Asda Hollingbury store in Brighton. On 24<sup>th</sup> May, I led the first ever strike in my store. (*Applause*) We had never been on strike before, let alone organise a strike. As a GMB steward I saw firsthand how my members were being treated and I really had to take a stand. I never imagined it would come to a point where Asda colleagues were taking strike action but that is exactly what happened this year. Walk around any Asda store and colleagues will tell you that Asda used to be a great place to work, they could have a laugh with each other, serve their customers well, and go home at the end of the day without taking work home with them. That is not the case any more.

I am having to do the job of two to three other colleagues. I am barely able to serve the customers in the way I would like and I know that stress is impacting so many of our members. So, with the sun shining on Brighton my members and I organised our first ever picket line, from young members who do the job to fund their studies, to Asda veterans who have worked on a shop store for nearly as long as I have been alive, we all stood together to show Asda that enough is enough. I

watched as our members stood together and grew 10 feet taller. I saw them take matters into our own hands, speaking to customers and turning away cars, and I felt what they feel, confidence and belief in collective action.

I know that ordinary working people coming together can go on to do such incredible things, make history, and that is what Asda workers are doing right now. We have exposed the lie that retail workers are too hard to organise, or are unwilling to take strike action. We are building a movement of Asda workers prepared to stand up to billionaire owners making our jobs harder. Thank you. (*Applause*)

MICHELLE HUNT: President, Congress, I have worked at Asda Skelton store in the North East for 11 years. I am a proud retail worker and I am fighting for equal pay, not just for Asda workers but all retail workers fighting to end the pay discrimination that means Asda pays me less than colleagues working in depots. Women workers are the backbone of Asda, we make up the majority of the shop floor workers. We take stock off the cages, we put it on the shelves, we serve the customers and we clean the stores and, yes, we are paid up to £2.80 an hour less than a depot worker.

Congress, GMB Asda members are about to change this. We are soon to win the second stage of our historical legal battle. For decades now the profits of the retail sector have been propped up by the underpaying and undervaluing of workers, women on the shop floor. Well, not any more. (*Applause*) Our historic struggle is about to smash the structures that have allowed this exploitation to go unchallenged for too many years. Through the GMB Asda retail workers will win equal pay. My worth will no longer be underpaid. I will no longer be undervalued. I know my worth. (*Applause*)

THE PRESIDENT: Thank you for coming to speak to us. You are all an inspiration. You are making history and you are going to win. Take our solidarity back to your branches and your stores. (*Applause*)

## **EMPLOYMENT POLICY: HARASSMENT AND ABUSE**

THE PRESIDENT: We move on to Employment Policy: Harassment and Abuse, so could I ask for the movers and seconders of Motions 65 and 66, please.

## **RISK TO FEMALE DRIVERS, COURIERS, AND CARERS MOTION 65**



## **65. RISK TO FEMALE DRIVERS, COURIERS AND CARERS**

This Congress demands the safety of all our workers, especially our vulnerable lone workers and female drivers.

Through our GMB backed local authorities, MPs Councillors and Assembly Members, we must negotiate with Licenced Operating Companies to protect our members.

Companies must do more to protect female workers and to prevent verbal and physical assault as well as unwanted sexual advances in many cases.

We demand that those who perpetrate such acts are denied further access to services. We further request a code of conduct from companies in this respect.

## **G56 PROFESSIONAL DRIVERS BRANCH**

### **London Region**

*(Carried)*

ELIZABETH GARELICK (London): Congress, thank you for allowing this motion to be debated. Our motion addresses the critical issue of the risks facing female drivers, couriers, and carers, in our society. This motion is not about industrial bargaining, it is a pressing concern that demands our attention and actions. First and foremost the safety and wellbeing of female workers in this profession is paramount. Far too often they encounter unsafe working conditions, harassment, and victimisation, simply because of their gender. We cannot turn a blind eye to these injustices. This is an opportunity to shine a spotlight on this issue, work through barriers and work for tangible solutions to ensure the safety and dignity of our workers. Furthermore, this motion sends a powerful message of solidarity and support to female couriers, riders, and carers, to demonstrate that we are committed to standing up for their rights and in other vocations meaningful change on their behalf. Our actions here today have the potential to make a very real difference in the lives of thousands of individuals who are so often marginalised and overlooked. Moreover, while we may argue that existing industry structures are better equipped to address this issue the truth is that the structures have been slow and insufficient. We need to use everything that is available to us to push for change and how developing power is possible. Let us come together to confront the changes for drivers, couriers, and carers, and work to a future where all workers are treated with dignity and respect and the safety they deserve. Let us be the catalyst for change. Let us stand together for the women in our society moving forward. I move. *(Applause)*

THE VICE PRESIDENT: Thank you, Elizabeth. Seconder? Seconder? Formally. Thank you. Mover of 66?

## **NAME AND SHAME**

### **MOTION 66**

#### **66. NAME AND SHAME**

This Congress believes all contractors and their supply chains should accept the right of any trade union that is a signatory to an appropriate national agreement, to appoint shop stewards and workplace health & safety representatives. It calls upon the CEC to 'name and shame' those employers who 'bully' their employees with anti-trade union activity and requests that any public procurement contracts be withdrawn from employers who exhibit these types of actions by a future Labour Government.

#### **W60 WELLINGTON BRANCH**

##### **Midlands Region**

*(Carried)*

MOSES ALI (Midlands): Good afternoon, Vice President, Congress, and dear comrades, I am a first time delegate, third time speaker. I am proud to move this Motion 66 as it resonates deeply with the values of kindness and justice in our workplaces. Workers' rights are not negotiable. They are the foundation of a fair and just society. This motion stands for the empowerment of workers ensuring their voices are heard and their safety is prioritised. By allowing trade unions to appoint shop stewards and health and safety representatives we are giving workers the tools they need to protect themselves and their colleagues. This is about more than just compliance. It is about creating a culture of respect and collaboration in the workplace. Accountability is equally important. Employers who engage in anti-trade union activities must be held responsible. That is why we call upon the CEC to name and shame these bullies. Additionally, we urge the next Labour government to withdraw procurement contracts from such employers. Let us stand together in solidarity with workers everywhere. Let us uphold their rights with dignity, and respect. Thank you, Congress, this motion I move. *(Applause)*

THE VICE PRESIDENT: Thank you, Moses. Secunder?

DOMINIC UNDERWOOD (Midlands): Vice President, Congress, first time speaker and first time at Congress. *(Applause)* I am proudly backing this motion as it embodies the true values and core values of our union, which is fairness and justice within our workplace. Workers' rights are fundamental and they are non-negotiable throughout all areas of our work. It embodies a fair and just society not only with working and living. This motion empowers workers further. It brings security to them and adds a voice to the safety and prioritisation of everything they do. Employers who engage in anti-union activity must be held responsible and we need to call upon the CEC to name and shame them. This starts a

fundamental re-shift in how we as a country look at the way – sorry, I am losing myself in my own speech. (*Applause*) We urge the next Labour government to withdraw all public contracts from such employers to uphold this core value and principle. Let us stand in solidarity together not as a union but as a country to stand up for rights and dignity of workers. It is time to name and shame these organisations.

I also would be completely silly if I did not take this opportunity to thank my region, Tracey, Carol, Karen, Alan, and Miles, for taking me under their wing and supporting me throughout this entire process, unbiased I truly have the most supportive region going. Thank you very much. (*Applause*)

THE VICE PRESIDENT: Thank you, Dominic. Margi Clarke to give the qualification from the CEC. While Margi is coming up could the movers of 90, 92, and 93, come down, please.

MARGI CLARKE (CEC): President, Congress, speaking on behalf of the CEC responding to Motions 65 and 66.

Turning, first, to Motion 65, risk to female drivers, couriers, and carers, the CEC are supporting Motion 65 with a qualification. The main principle of this motion, the safety of female workers, is supported. However, our qualification is that there are elements which are subject to local negotiations and which will need to be determined by the appropriate industrial negotiating committee. Congress does not have the authority to determine pay and conditions bargaining of which there elements are suggested in the motion.

Moving to Motion 66, name and shame, the CEC support Motion 66 with a qualification. GMB does exercise this tactic in most campaigns. This will continue as part of planned strategic campaigns. We will put pressure on the Labour Party to improve trade union access rights and representation should they get into power. The small qualification is that any campaigning like this must be determined by the members affected.

Congress, therefore, the CEC's position on Motion 65 and Motion 66 is to support with qualification. Thank you. (*Applause*)

THE VICE PRESIDENT: Thank you, Margi. Does London accept the qualification on 65? (*Agreed*) Thank you. Does London accept the qualification on 66? (*Agreed*) Thank you. Colleagues, both of these are being supported by the CEC. I will take them both together. All those in favour of 65 and 66 please show. Any against? They are carried.

Motion 65 was CARRIED.

Motion 66 was CARRIED.

THE VICE PRESIDENT: Can we have the mover of 90, please?

## **INEQUALITY IN COMPANY SICKNESS POLICIES SINCE HOME WORKING MOTION 90**

### **90. INEQUALITY IN COMPANY SICKNESS POLICIES SINCE HOME WORKING**

This Congress calls for the CEC to carry out a review of company sickness procedures to balance the unfairness given towards frontline employees who's core work can only be done by being in the workplace.

Since the pandemic, most office-based roles have retained a mixture of working from home and attending the office less frequently due to meetings commonly been held on-line via Teams or Zoom therefore this as allowed work to carry on with minimal impact, and whilst this benefits well-being and family life it is only tailored to office roles.

Hence why we now see employees who would normally be off sick in these office-based roles carrying on from home which is fine and would be seen as a reasonable adjustment.

However frontline employees are not afforded this luxury and are pulled into sickness meetings when triggering trigger points in these schemes.

We also ask that UnionLine take on cases where employees are dismissed as a result of this unfairness to bring to light the inequality.

## **I35 ISLINGTON & HARINGEY BRANCH London Region**

*(Referred)*

ALISON CUNNINGHAM (London): First time delegate, second time speaker.

*(Applause)* I am moving Motion 90. Since March 2020 when Covid 19 started and during this pandemic we saw workplaces were having to make adaptations to be able to function and still maintain their services that they provide for their customers. Can I just clarify that I am moving this motion from a local authority perspective.

Prior to the Covid pandemic most job roles were carried out in the office and working from home was a real rarity. Home working soon became the norm and people engaged and communicated through technology, holding meetings via Zoom and Teams, and other such platforms which enabled them to continue. Local authorities have benefited from this new way of working and have continued to maintain some of these adaptations going forward. Some of the

benefits are that the local authority now do not need as much office space and utilising existing buildings to their full capacity, cutbacks on energy, maintenance, and operational costs of these buildings, selling off or renting unneeded buildings and office space to help alleviate budget pressures that are placed upon them by government cuts to funding. Employees welcome the new ways of home working as it allows them more flexibility and for the organisation and local authorities it shows that they were promoting staff health and wellbeing in a balanced work/life balance.

It all sounds very good for the staff but what these new adaptations do not do is consider frontline staff, ie the refuse workers, caretakers, teachers, teaching assistants, park keepers, and many other roles that have to do their job by coming in to work and cannot do them from home. Without these jobs and job roles and staff are apparently coming to a standstill during the pandemic. Frontline employees are required to attend their place of work unless on annual leave or sick. Sickness is then recorded as an absence and local authorities would then start a sickness monitoring procedure which in our local authority consists of three levels of escalation, depending on how long the member of staff has taken off work sick and then this can lead up to dismissal. However, the same local authority staff that have the flexibility of working from home and feel unwell could continue to work if they wished to do so and not recording sickness absence or trigger any sickness monitoring.

We therefore ask that a study be completed to establish what adjustments can be implemented between frontline staff on an equal footing with their office-based colleagues. Local authority policies state that reasonable adjustments can be considered but this rarely applies for frontline staff. Organisations and local authorities should have tasks that frontline staff can complete from home for a reasonable period of time and they will require necessary training to complete them should they be ill in the future. Otherwise, cease home working for office space staff to eradicate a two-tier sickness policy that has been created.

In addition, we should look at any potential legal claims against individuals dismissed under the sickness monitoring procedure, whether there has been an unfair and inequality sickness standard. Congress, please support this motion. I move. *(Applause)*

THE VICE PRESIDENT: Thank you, Alison. Secunder?

MARK WATSON (London): President, Congress, a week ago a member of staff at my place of work in Dagenham, East London, came to me and gave me chapter and verse about this unfair sickness policy that Alison has just been telling you

about. She said it is unfair and then she said what will the GMB do about it; actually, she said to me what will *you* do about it. So, I am just here to reinforce what Alison was saying. This woman was a front of house worker at our museum and like all the other front of house workers, as Alison has said, librarians, café workers, gardeners, TAs, a whole range of people, they are the people that have to be there in order to do their jobs. If they are not there, then gradually or very quickly everything comes to a halt. The other group are managers but not just managers they are workers who can do their work without being physically present, mainly because they have computers. If one of these front of house workers went off sick, feels unwell, they have to decide are they too sick to work. If they are, they must take time off and they enter the sickness programme which monitors their sickness. Too much sickness in a short time leads to a series of reviews and many people find themselves facing a head of service and possible dismissal. However, a manager who feels unwell or has a minor injury can work from home until they recover. They never enter the sickness policy and they seem to be healthier.

This way of working is unfair and discriminatory. It makes one type of worker appear healthier than another and favours one type of worker over another. It also destroys statistics created by the sickness policy. Congress, please support this motion and help expose the inequalities in sickness policies that the postcode of error has created. I second. *(Applause)*

THE VICE PRESIDENT: Thank you, Mark. The mover of 92?

## **FLEXIBLE WORKING: A LEGAL RIGHT MOTION 92**

### **92. FLEXIBLE WORKING: A LEGAL RIGHT**

Congress notes that the Employment Relations (Flexible Working) Act 2023 (the Act), came into force in July 2023, the benefits of which are likely to be seen in 2024. The Act's intention is to give workers more flexibility over where and when they work.

The Act allows for the following:

- Requires employers to consult with their employees before they reject a request for flexible working.
- Employees can make two statutory requests in any 12-month period.
- Reduce the time for decisions on a request for flexible working from 3 months to two months.
- Removes the requirement that the employee must explain what effect, if any, the change applied for will have on the employer and how that effect might be dealt with.

Moreover, workers will have the right to request flexible working from day one of a new job.

Congress notes that the Act does not go far enough, as the right to request is not a legal right to work flexible from day one in the job. This means that many flexible requests can and will be rejected by employers.

Parents, carers, those with disability including those with long covid, and older workers are more likely to need flexibility to get into work, remain, and access progression opportunities.

Congress notes that flexible working is important for everyone to achieve better work life balance.

Congress notes that many will be deterred to mention flexible working during recruitment due to fears of discrimination or rejection, justifiably.

Congress is asked to:

1. To continue to campaign, raise awareness and highlight the benefits of the Act and unlock the flexibility in all jobs.
2. To continue to work alongside appropriate decision makers, MPs, and such like, in making flexible work a legal right from day one of the job.

## **E10 EALING BRANCH London Region**

*(Carried)*

THE VICE PRESIDENT: The mover of 92?

ALASTAIR BLUNDELL (London): My name is Alastair Blundell, that's my Sunday name. It is Ali Blundell. I am a second time speaker and not from the golf course, as with my trousers you may think. Moving Motion 92 on flexible working. Congress, the Flexible Working Act has been in force for nearly a year now and we are likely to see the benefits of this Act, touch wood, with our new Labour government in post. I would like to thank my brothers and sisters in the London Region for their support in this matter. The intentions are good to give workers much more flexibility over where and when they will work. The fact it applies from day one was a bit of a smoke screen put up by the Tory-let's-not-be-honest-party. The next speaker up after me is going to be my sister and comrade, Sarah Miller, who will inform you of some of the issues that she faced at work when she was asking for flexibility.

You all know it does not go far enough and employers being employers and being managers just like to say No anyway. We need proper flexibility. Why does it only allow two requests in a 12-month period set up for the management, not for the workers? Situations we all know can change and that is discriminatory. This motion highlights that parents, carers, those with a disability, seen and unseen, and I am in the unseen category, and those suffering from long-term Covid and, of course, I would be one of them as well, and the older brothers and sisters who are in the hall today, having this right from day one means that you have to ask

for this information using a selection process a wee bit and means you are going to be rejected or discriminated against.

Congress, we ask the GMB to continue to campaign to raise awareness. Employers need to be flexible too, with a change in flexibility, remote working patterns, and every job can have work flexibility, and however many other options are available. I see the light is about to change again so I will swiftly move on. We all hope that the Labour government will make work pay under the New Deal for Working People and that the new government in the first 100 days will change to this policy. Support this motion. I move. (*Applause*)

THE VICE PRESIDENT: Thank you, Ali. Secunder?

SARAH MILLER (London): First time delegate, second time speaking. (*Applause*) As my colleague, Alastair, stated the current policy is a flexible right to request flexible working. It is not the right to and, in my opinion, and experience the policy favours the employer. An employer can say No and have 10 listed grounds on which to manipulate their current situation to fall in line to refuse. I am having my first baby and nearing the end of my maternity leave, and the anxiety, stress and worry of how I, the only financial provider will navigate being a provider for my parents and parent to my child. While doing my keeping in touch day, sick day, I was told that if I did not return to my original shift of shift work I would lose my shift allowance of 25%. Not only that but my team leader role is a full-time position and must be in line with production runs. So, in short, without reducing my working hours I was looking at least a 30% pay cut just to amend my hours. Due to financial pressures this was not enough to support my family. I returned to work on shift full-time retaining my position much to the sacrifice of my wellbeing, work/life balance, and time with my first young child. I have since joined the GMB, become a steward, and advocated for myself, I am having a second child, and I now have a flexible working arrangement. However, the policy needs to move still more. I second this motion. Thank you. (*Applause*)

THE VICE PRESIDENT: Thank you, Sarah. The mover of 93?

## **RIGHT TO DISCONNECT MOTION 93**

### **93. RIGHT TO DISCONNECT**

This Congress notes that the demand from employers and managers for colleagues to “always be on” is more and more widespread. By always on we mean that outside of working hours we are expected to respond to e-mails, calls, and texts.



This demand may arise from staff shortages, increased workloads, budget cuts or unrealistic expectations.

Nonpaid time outside of work hours is your own free time.

We are sure Congress is aware of instances where work emails are responded to outside of work hours or calls and texts pertaining to the business are responded to.

Protocols around the sending of emails need to be developed. Senders need to give consideration to the timing of communications. If messages are sent outside of normal working hours a statement needs to be attached tempering the expectation of an immediate response.

Staff should not be expected to attend online meetings on their breaks or outside of working hours. Everyone should have the right to turn off their mobile phone unless they are on call or an agreement has been made.

Essentially though, a right to switch off policy implemented by the employer would encourage and support employees to have a better work life balance. It would also attract and retain staff and avoid the dangers of burn out and stress. It could go hand in hand with other policies like work time legislation, annual and sick leave as well as other health and safety considerations.

We believe that in order to promote health and wellbeing, to reduce stress and enable us to enjoy life outside work, a right to disconnect must exist. We ask that through our recognised employers, GMB ensures that this right is negotiated or agreed to be ignored if there is an emergency.

### **C30 CITY OF LONDON BRANCH** **London Region**

*(Carried)*

BEN CAMPBELL-WHITE (London): The right to disconnect is about the right of an employee not to have routinely perform work outside their normal working hours, the right not to be penalised for refusing to attend to work matters outside of normal working hours, the right to respect another's right to disconnect by not routinely emailing or calling outside normal working hours. Real time outside of work is your time. It is precious. We all work hard and more often than not under demanding and stressful conditions. Hours outside of work need to be respected. Rest time, quality time, family time, me time, should not be interrupted by technology, especially as this is time for which we are not being paid. Not being able to switch off is also clearly a health and safety concern. People are genuinely stressed by work be it through excessive demands and workloads, understaffing, or bullying. Who wants more work related stress outside of normal working hours brought to you courtesy of emails, Zoom, texts, or the phone. So, the right to disconnect should reduce stress and protect mental health. It will reduce what is often referred to as the second epidemic, burnout. Union support for basic rights since day one, post-Covid with the widespread practice of working from home being made available to many the work/life balance has

become less clear, and for the right to disconnect we draw a line in the sand. Businesses and respect will be won for those who do not see working night and day as a badge of honour. Thankfully, in the New Deal for Working People Labour pledge to introduce a new employment rights bill within 100 days of taking power from the current absolute shower of a failed Conservative government. So, provided Labour's feet are held to the fire the right to disconnect will be in legislation as part of this New Deal. According to grammarist.com and I did not know this before I looked it up, to hold someone's feet to the fire means to pressure someone to do something, to hold someone accountable, to force someone to comply and the idiom to hold someone's feet to the fire is derived from the trial by ordeal by the Inquisition in Medieval times. Congress, we need to hold Labour's feet to the fire over the right to disconnect and the New Deal for Working People in general. Please support this motion. I move. (*Applause*)

THE VICE PRESIDENT: Thank you, Ben. Secunder?

JAMIE WALKER (London): Ben has let you know what all the parts are that build on the needs for the right to disconnect, so how about – “Not now, boss, I'm at Congress. I put this in the diary.”

THE VICE PRESIDENT: £10 to charity!

JAMIE WALKER (London): Good grief. How familiar is that to everyone. Just taking your vote looks like it is work calling you. If I pick up, am I being rude to the people I am with and giving my attention to. If I do not pick up will my boss think and treat me differently because I am not part of the team because I am not always accessible. If I do not pick up am I going to be stressing wondering what the call was about on that bit there. So, we devote a huge portion of our lives to work. We get paid to work. It is usually a fair trade but we do not get paid for not being at work. The right to disconnect is as much a worker's right as workers' rights are. Our employers do not own us and we do not owe them any time outside these hours. They must not make us steal like we are doing something wrong and are somehow less by being able to separate our work life and our personal life. People are at their most productive when they take care of their mental health and that means being able to disconnect and just stop at the end of the day. It is very difficult to claim back that space when it has already begun to erode so right from the start of working life, Congress, we must make sure that our members understand the value of what is not work as well. Being able to disconnect, put it all down, leave it to one side, it is the foundation of a healthy relationship with our employers. It shows them that we give it all when we are at work but we are well rounded individuals who can manage our time and workload in line with our responsibilities and our managers should recognise this too and make sure we

disconnect from work properly. We owe it to ourselves to give this separation and our employers owe that to us.

Congress, the union must support our right to disconnect from work and help us work with those employers that overstep these bounds but also give us the power to negotiate and build a healthy, working, and non-working environment. Please support this motion. I second. Thank you. (*Applause*)

THE VICE PRESIDENT: Thank you, Jamie. I now call John Warcup to give the CEC qualification.

JOHN WARCUP (CEC): President, Congress, I am responding to Motions 90, 92 and 93. The CEC is asking that Motion 90 be referred and Motions 92 and 93 be supported with qualifications.

On Motion 90, the CEC is asking that the motion be referred. The two-tier approach to sickness absence management outlined in the motion has been anecdotally identified in some workplaces since the Covid 19 pandemic first arose in 2020. No official quantification exists on how widespread this approach is primarily because any form of policy on these lines will be discriminatory. Whilst GMB is sympathetic to the assertions in the motion there are several issues that need to be addressed and considered. It is unlikely that employers would publish an obvious discriminatory policy so a published review is unlikely to identify many. Given the many thousands of members who work within that we would do better to encourage activists and organisers to conduct a survey and feed back to relevant industrial committees. We also think that negotiations at local level are best placed to manage cases of sickness absence related to dismissal rather than employing comparative defences on absence levels as these are unlikely to be relevant under the Equality Act 2010.

GMB has a longstanding policy position opposing presenteeism, where workers who are ill are able to remain at home until they are recovered and are suitably paid for doing so. Many flexible working approaches that have been achieved should not be at the expense of workers' health. For these reasons we are asking for the motion to be referred.

On Motion 92, the CEC is supporting the motion with qualification. The CEC's qualification, rather than provide broad criteria by which requests could be refused all roles should be deemed suitable for flexible working unless, however, it can be shown that the unavailability of flexible working is a proportionate means of attaining the particular aim. This will reflect the objective justification as set out in the

Equality Act 2010 and be in line with TUC policy.

Finally, on Motion 93, the CEC is supporting the motion with a qualification. It is supporting disconnect from work and maintaining a healthy work/life balance. The CEC supports the motion with the qualification that the content of the individual terms are not mandated by Congress and that decision must be in the hands of the members in the relevant sectors and employers.

To sum up, the CEC is asking for Motion 90 to be referred and Motions 92 and 93 be supported with the qualifications. Thank you. (*Applause*)

THE VICE PRESIDENT: Thank you, John. Does London agree with reference back for Motion 90? (*Agreed*) Thank you. Does London also support the qualifications on 92? (*Agreed*) And 93? (*Agreed*) Colleagues, all these three are being supported by the CEC. I will take them all together. All those in favour of 90, 92 and 93, please show. Any against? They are carried.

*Motion 90 was REFERRED.*

*Motion 92 was CARRIED.*

*Motion 93 was CARRIED*

## **GRASP PROJECT**

THE PRESIDENT: Thank you, Malcolm. Congress, it is my absolute pleasure to welcome our GRASP 2023/2024 participants to the rostrum to give their presentation.

*Procession with banner.*

TYEHIMBA NOSAKHERE: Congress, President, Tyehimba Nosakhere, National Race Organiser and a GRASP cohort 2023/24. It is obviously a huge pleasure and privilege for me to be able to stand before you with the cohort having been able to ensure that we have completed the programme for this year, and as always there are many thanks that we have to give and never enough time for me to give those thanks. (*Applause*)

The hopes and dreams of all workers – of all workers – of every background are the same, to be treated with dignity, to be treated with respect, to be valued, to feel that they belong; from any background, from any industry, we dream the same dreams. This is a first for the GMB in terms of making a dream come true. We have here the product of our aspirations as a union to show we are committed to race equity and race justice. (*Applause*) There have been many

firsts in this Congress, courageous workers, members from every field of work who have come up here and spoken courageously about their experiences. I am not a first time speaker but this is a first time cohort for any union. (*Applause*) I am going to name them because I think it is important: Ambassador Allison, Ambassador Davina, Ambassador Jude, Ambassador Ali, Ambassador Kelvin, Ambassador Marguerite, Ambassador Hardy, Ambassador Mellie, Ambassador Murad, and Sister Rizwana. (*Applause*) They are all firsts.

The opportunity now is here for all of us to make the most of them because over the past six, seven, eight months I have given everything that I can to give them everything that they need to change our union in a way that will make a difference for every worker, for every industry. (*Applause*) We have taught them that the world within the GMB and the world outside of the GMB is not easy. It is not a walk in the park. It is a mountain to climb to fight equality and it is an even greater mountain to climb when you are fighting for race equality in institutions that are set against valuing people as equal. (*Applause*) Yes.

We have striven to be real with them, to be honest with them about the challenges ahead. So I need to be honest with you about the challenge for you because the challenge for you is to make the most of this first that this union, that any union, has attempted in terms of trying to make a difference. So, in the years, the months, the years to come we need to examine whether or not we are making the best of this opportunity, because as this is the first cohort the next cohort needs to have the confidence that they are going to be respected, they are going to be valued, and they are going to be given the opportunities to make the differences I know they can make. One of the major differences is that I can speak less and they can speak more. (*Applause*)

This cohort is representative of a number of regions and each region will be represented by one of those ambassadors from that region so that we can make it clear that this is work for us all. This is not a national thing, it is a GMB thing. Okay? This next cohort that we are about to select and recruit, we have ensured that this time we will take the best 10 applicants that we get but the next five applicants will be to ensure that we have participation from every single region of the GMB. (*Applause*) Every single region of the GMB, every workplace, every member, every industrial situation needs to be touched by the work that we have done and, therefore, I will introduce to you the first ambassador to speak, Allison.

ALLISON SIMON: Good afternoon, everybody. My name is Alison Simon and I am from the Southern Region. (*Applause*) GRASP, I can talk about GRASP for days, weeks, and months but I know we do not have the time so, GRASP has enabled me to understand the union from all experiences. I have seen the good, I have seen

the bad, and I have seen ugly, and for that I am so happy that GRASP has enabled me to see the ugly. It does not hide anything from us. It showed us what the union was in its entirety. GRASP allows us to look back where the union started, where it came from, from both the global majority outlook but also how it evolved, how it all started and it also showed us how we want it to look in the future. The future is bright. It looks amazing. (*Applause*)

We have had so many opportunities to show these other things that some of my brothers and sisters will tell you about. GRASP is there for us to learn but also for us to educate. It is not just for us to hold everything in. It is for us to educate others. It has given us the time and the space to learn. We as the sisters of GRASP are calling all global majority women, we are asking you to stand forward. We are asking you because it is time for us to come together. So, on 9<sup>th</sup> July we will be holding the session for all women of colour to come together so we can push activism. We are here to work together and make a new start.

I would like to say thank you to the GMB, to Tye, and everybody else for allowing us to have these opportunities to move forward. We are not here to be separate and move against each other. We are here to move forward as one and to work together as one. Thank you. (*Applause*)

KELVIN ENABULELE: Madam President, General Secretary, Congress, my name is Kelvin Enabulele. I am from the North West & Irish Region and I am proud of that. Listen to this. First time delegate, first time speaker. (*Applause*) I know a lot of you will be surprised here. It has been a long journey. I have been a member of this union for 11 years and I have been active for the last seven years, but finally I have my opportunity to say I am a first time delegate and I am a first time speaker. It has been a journey that GRASP has helped me with.

In Brighton Congress last year we had an announcement we are coming here. If any of you go back to YouTube and look at our video there was a lot going on inside me. I was a broken man. For years I have worked in workplaces where the union GMB is recognised and places where the union is not recognised. But I have always, always, struggled and worked twice as hard with my colleagues just to get recognition, and it was difficult. People get opportunities to go on training to progress in their career but for me it was always a struggle and when I became active in the union as a rep I was a good rep, even though I say that myself. (*Applause*) My colleagues were all white and I worked with them and they saw something in me to believe in me and they elected me as a rep.

But the journey for me was even harder because I lived up North, there was no more people that looked like me. I could not get support. Sometimes when I tried to raise the issues people think that I am troublesome and angry. I was not.

Finally, I got on this programme, GRASP. It changed my life. It helped me heal. *(Applause)* I have to say this. Just before I got on the programme last year I had the opportunity to do training at work. I did not get it. Then I went to my employer and it was like, "Hold on, mate, there is no requirement for that training, and everything, you can do it." I said, "I want to do it." What they told me was, like, I have to use 10 days annual leave to do that training, which I was, like, "Yes, I will do it." I went ahead to use my 10 days but two months later before I went on the GRASP programme my wife, Colleen, was having a child, and we were told that to be put on the programme to do it, it is not going to cost any of my annual leave. You have no idea how it made me feel.

So, when I came down to my region with my senior organiser, Dan Gow, to have a chat with me because I was broken, there was something that Dan said to me and I will never forget it. He said, "Kelvin, I have known you when you were a rep, I have known you for a long time, and when you used to go into every room you used to have that smile, you used to brighten up everything. Kelvin, I want to see that smile again."

I want to thank the GMB for this programme. Yes, it has been 20 years in the making that has been held back. A lot has happened in that time. A lot of people like me will suffer in workplaces where we could not get the answers we need, but we have to pay for what we are moving forward. We all can make this union better. *(Applause)* It is not about white. It is not about black. Together we can make this union better. Our colleague in Amazon is doing fantastic work and all because that region recognised the importance of supporting people that look like me. With God willing they will get that recognition.

So, GRASP is here to stay and I am going to urge every region, please, the next course is about to start, support anybody that looks like me to get on it so we can make this union better. There are so many workplaces there that are good and if you do not have the right people to go there to organise those places we will be behind you. Thank you very much and thank you for the opportunity. *(Applause)*

*Short video shown to Congress – Rizwana Limbada.*

JUDE BENG: That was Rizwana Limbada from the London Region. *(Applause)* I want to thank our National Race Organiser. I want to thank our dynamic Secretary General and the rest of the leadership team in GMB. *(Applause)* Thanks to them

we are a trail blazing union, there is no other union that has that and I can guarantee you they will be emanating it.

What has GRASP done for me? I will give you a few examples. I work with the Sheffield City Council local authority. Before GRASP came along I was an activist but when I heard there was a programme like that and I applied, they encouraged me to join GRASP and since I joined GRASP I had my first meeting with my Chief Executive who invited me back to discuss rates at Sheffield City Council. That is the power GRASP has given me. (*Applause*) The first meeting took place with all the executive management of Sheffield City Council in October last year when we just started GRASP and it was in December they invited me again and I took permission from our programme leader, our national lead coordinator, I went back again. My presence and opinion as a GRASP ambassador is highly valued at Sheffield City Council. That is how we are moving Sheffield City Council from an anti-racist organisation to an inclusive organisation. (*Applause*)

This morning I was called up by the Race Sharing Group and the Race Network of Sheffield City Council for a 2-minute phone call and they sent me an email and I will work on it tonight for the executive management. That is the power of GRASP. (*Applause*) When we come into this world we make sure for those who believe in God it does not matter it is a woman, like black, like white, like green, or from any part of the world to endow talent, knowledge and intelligence, in you. All of us here are affected in one way or another. Can you imagine that it was the brain of an oppressed black woman in America that sent the first spaceship into space, imagine if she was not oppressed, her brain was more mathematically successful than a computer. If our women, sisters, were not oppressed for the last 1,500 years I believe human civilisation could have been twice as evolved and progressed as we are today. (*Applause*) That is the consequence that we as a collective in one way pay when we do not value others because of one of their attributes. Now we have realised that and we are all moving as a collective, believe me, we have a bigger pool of talent to pull for and move this union miles and miles into the future. (*Applause*) I want to thank my region and my new Secretary General, Andy, and the rest of the management there for welcoming me and encouraging me. I thank you. And for the other regions, please, as the other ones have spoken, encourage people, especially from the global majority, to be part of this revolutionary and forward thinking journey. I want to thank all of you GMB. We are on the right path. (*Applause*)

TYEHIMBA NOSAKHERE: Congress, I meant what I said, I have little to say because they have said a lot and will continue to speak for equity, for justice, that we will achieve in every workplace and as importantly within the GMB member by member, branch by branch, workplace by workplace, region by region, until we



can all stand together and be seen as that black and orange dream vision of hope, of peace, and unity. Let the love run for ever. (*Standing ovation*)

THE PRESIDENT: Wow, what an emotional and proud moment in the history of our union. I am sorry, I do apologise for the fact that it took so long to get the Dr. Elizabeth Henry's recommendations put into practice. We still have things to put right but I know as race ambassadors you are going to help us get there. It was so moving to see that banner coming in. What a beautiful banner that has been produced. Thank you, Tye, and all the people who helped you put this course together. (*Applause*) Congratulation again to all those who took part on that first GRASP programme and just to reiterate, you have Gary's and my commitment that we will move forward on this and our union will become more inclusive, more diverse and, as Kelvin said, there is no going back. We are looking forward to a better union and getting into those workplaces and making work better for everybody. Thank you. (*Applause*)

Just to plug the book again, there is a book on the Bookmark stall, please go and buy it. It is a beautiful book as well that tells you the complete history of black activists in our union. Thank you. (*Applause*)

Just before the close I want to remind you that tomorrow we are suspending Congress for our campaigning afternoon and I will encourage you all to participate. Southern Region have organised a couple of sessions for you all to get stuck in with and the Regional Secretaries have all the details but we will also be sending out a full itinerary in the delegates' email and we will announce them to the hall tomorrow morning as a reminder. Also, I just add that there will be a photo on the beach after the fringes tomorrow so we encourage everybody at Congress to come down, visitors too, the more the merrier.

Delegates that concludes the afternoon session of Congress.

*Congress adjourned.*