

# Supplementary Agenda

Wednesday 10 February 2010 at 6pm in the Assembly Rooms, George Street, Edinburgh.



AGM 2010

## Item 5. Annual Report

A **Health & Safety Plan** is on page 4 of this Supplementary Agenda and will be taken under the Annual Report.

## Item 8. Election of Branch Officers

Some nominations were marked as provisional because there was a query about the wording of some of the Services for Communities Shop Stewards Committee nominations as we went to print. The Branch President has taken advice on this and is satisfied that these can be accepted as valid nominations and has accepted them as that. The later versions of the Annual Report on the website reflect this.

To avoid any confusion in the future, the branch will use a standard nomination form for next year's AGM

In addition, there was to be an election for the 5 Service Conditions Officer posts. But Tam McKirdy and Jim Quinn have decided to job-share so an election is not required.

## Item 10 Motions

### Composites

#### Motion 1 - Facing the challenges of 2010

See Page 2 for a Composite Motion to replace Motion 1

## Amendments

### Motion 3 - Domestic Abuse/Violence - Workplace Agreements

Remove point 1) & replace with a new point 1)  
To consider how the Refuge & Respect Toolkit could be used to enhance UNISON's model workplace agreement.

*Proposed: Luke Henderson (Services for Communities) Seconded: David Harrold (Services for Communities)*

### Motion 4 - See Me Campaign

Add at end

"This Branch notes that people with mental health problems often find it affects their work adversely.

This Branch instructs branch officers to approach the council to negotiate a specific policy to support people with mental health problems and to help them remain working with the council. In the same way that there is a policy to support people with alcohol problems."

*Submitted: Luke Henderson (Services for Communities) Seconded: Shauna Clarke (Services for Communities)*

## Emergency Motions

EM1 UNISON General Secretary Election

See Page 4

## Composite Motion 1 - Facing the challenges of 2010

### Comprises:

Motion 1, *Proposed by John Stevenson (Children & Families) and John Ross (Services for Communities)*

Amendment 1.1 *Proposed by Duncan Smith (Services for Communities) and Luke Henderson (Services for Communities)*

Emergency Amendment *Proposed by Kevin Duguid (Finance), Agnes Petkevicius (Children and Families)*

**NOTE:** To assist members, the changes from *Amendment 1.1* are in italics and the changes from the emergency amendment are underlined.

This Branch recognises that 2010 will bring the biggest challenges its members have ever faced. These include:-

- The possible imposition of an unfair 'Modernising Pay' scheme which will see thousands of members losing out, many of them women in lower paid jobs - exactly the opposite of what it was intended to do. This Branch deplores the fact that many groups of members will be among the lowest paid local authority staff in Scotland, with all that will mean for recruitment, workloads and safety, particularly in services like social care.
- The possible outsourcing or privatisation of key local services, based on cost rather than quality.
- Possible redundancies.
- Attacks on pay, terms and conditions and pensions in the Council and the spin-off for the Voluntary and Associated Sectors.

This Branch recognises that the legal complexities of equal pay and the financial reality of shortfalls in central government funding mean that traditional or single-tactic responses from the union and its members will not be enough to defend pay, jobs and services. It also recognises that the union cannot hope to defend members through these crises unless it is strong and has a sound membership base. Only that strength will bring the power to resist the attacks.

Accordingly, this Branch resolves to:-

1. Mount an immediate and far-reaching recruitment campaign, enlisting the support of Scottish and UK structures to further build on our membership. Each

steward should target the signing up of at least 10 members before the end of March.

**On 'Modernising Pay',** this Branch resolves to

2. Continue to reject the proposals as they stand.
3. Continue the strategy of trying to negotiate the best deal possible with the best protection possible, recognising that the complex legal restraints may lead to the Branch being unable to ballot for acceptance or rejection on any final proposals.
4. Continue the strategy of trying to separate conditions changes from job evaluation and seek further legal advice on whether we can ballot on the conditions aspects alone.
- ~~5. If the Council imposes, draw up a strategy of action for targeted groups to resist the worst excesses of the scheme.~~
5. Encourage members not to sign up to the new proposals voluntarily, should they remain largely unaltered, and issue a further newsletter with advice in advance of any approach by the Council to seek voluntary sign up by individual members of staff.
6. It has been agreed that the Council will not move to impose the Final Proposals until a Report has been approved by an appropriate Council Committee to proceed to imposition, we therefore instruct appropriate Branch Officers to engage with all Political parties to highlight any concerns we have prior to the Report being heard and seek their support.
7. If the Council does commence the imposition process of dismissal and re-engagement, the Branch must examine in

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in conjunction with stewards committees and members the most appropriate strategy to mitigate against the worst excesses for the affected members. All Options must be explored including legal avenues, appeals, lobbying, industrial action etc.

## **On outsourcing and privatisation, this Branch**

8. Agrees to continue engagement with the Council on any genuine attempts to seek real efficiencies and keep services in-house.
9. Resist all attempts to outsource or privatise and fight to ensure services remain democratically accountable to the people of Edinburgh, keeping jobs in Edinburgh and benefiting the local economy.
10. Ensure that any comparisons are based on 'like for like' including clear quality, service delivery and workforce rights (like pay, equality, health and safety and pensions) indicators.
11. Agrees to examine, in conjunction with UNISON Nationally and Regionally what resources and funds can be bid for and utilized in order to support the Branch in pursuing it's aims.

## **On pay, this Branch resolves to**

- i) Oppose any reductions in pay and conditions. It notes that media campaigns against the public sector use only selective comparators with the private sector. Public service workers do not get huge bonuses or cheap mortgages. The media does not take into account the previous years where local government pay not only fell well behind the private sector, but also other parts of the public sector

- ii) Oppose any attacks on public sector pensions. These pensions are deferred pay, they are not 'gilt-edged' and the campaign should be for fairer pensions in the private sector rather than attacking local government's contributory scheme.
- iii) Campaign to ensure that low paid public service workers do not pay the price for the failings of rich bankers.
- iv) Seek a joint campaign with the Council to demand that Holyrood and Westminster fund local government at a level that will allow it to build local economies out of the recession.
- v) *Publicise UNISON's national recovery budget which shows how £74billion could be raised without vicious cuts in vital public services*

In following this strategy, the Branch will develop a range of responses, including:-

- Lobbying, campaigning, demonstrations, joint campaigns with users and community groups and other trade unions, along with a planned media strategy
- *Organising a high profile public meeting about defending local services once the Council budget cuts are confirmed and inviting union members, service users and community groups to attend*
- Direct action, within UNISON's procedures, including various forms of industrial action that can be sustained and effective. This Branch recognises that any successful action will bring a response from the employer(s) and therefore it needs to be underpinned by a willingness from the beginning to take all-out strike action if necessary. Where possible we will seek to co-ordinate any action with our sister trades unions
- Reiterating its position to ballot all members in the event of compulsory redundancies.

## Emergency Motion 1 - UNISON General Secretary Election

This Branch notes that an election was announced on 20 January 2010 for the post of UNISON General Secretary and that Dave Prentis has announced his intention to stand for re-election.

This Branch notes that the announcement came after the deadline for motions to the AGM but believes that it would be appropriate for a decision on such an important issue to be made by an AGM open to all members.

This Branch notes believes that Dave Prentis has made an outstanding contribution to the post of General Secretary and has led the fight from the front against cuts in public services, speaking up for public service workers and criticising the cuts policies of all parties. It notes his action in 2009 in suspending constituency funds to Labour in protest at NHS privatisation plans.

It also notes his record in challenging racism and the BNP and on international issues like Palestine, Cuba and Venezuela.

It applauds the contribution he made in joining picket lines in Edinburgh to support workers during the pay strike, his support in the Scottish Parliament for our campaign for asylum seeker children and his direct intervention in the campaign for more resources for social work in Scotland.

This Branch believes that the union needs a General Secretary of Dave Prentis' experience and commitment to face the huge challenges in the coming years and therefore agrees to nominate him for the post.

*Proposed by John Stevenson (Services for Communities) Seconded by John Ross (Children and Families)*

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## UNISON City of Edinburgh Branch - Health and Safety Plan 2010

### Recruitment

Currently according to the records available to me we have 35 Safety Reps in the Branch. It's very hard to identify how many of these reps are active due to the fact that we don't have an effective communication structure. It appears that some of these reps are working effectively but in isolation however others may no longer be Safety Reps or may not be active. Either way 35 is insufficient to properly carry out Health and Safety activities in a Branch this size.

UNISON has started a campaign called Safety in Numbers. The aim of the campaign is to recruit more Safety Reps with a view to having one per workplace. I think that this target will be very difficult to achieve in our Branch but we do need to try. The campaign is supposed to feature a website and will run for one year from July 2009. I can't see any evidence that the website is up and

running.

In the absence of the website I would want to try to raise the profile of Safety issues through the Stewards Committee network and to try to encourage them to help recruit more Safety Reps in their Departments. We have a number of large workplaces who don't appear to have a Safety Rep in them and this is certainly an area that we need to change.

### Internal

At the moment communication amongst Safety Reps is patchy. As noted above it's clear that some of our Safety Reps are working effectively but the successes they are having are not being communicated well within the Safety Rep community so good practices aren't being spread.

For us to work effectively we have to have an improved communication structure. I have booked dates for monthly Safety Rep meetings over the course of the year. At the moment

the venue for all of them is the Branch Office but as the meetings become better attended we will probably need larger venues. Meetings will be open to all Safety Reps; if there is an issue that requires a vote to be taken it can be voted on by committee members only. At the moment the actual membership of the Branch Health and Safety sub committee isn't clear but for 2010 I would want to see each Steward's Committee appointing 2 members so that we will have a proper structure to work within.

Below Branch level we will also need to be organised at Divisional level. Health and Safety should have a structure that replicates the structure within the Branch so we need to have better communications between Safety Reps within each Division. This does not necessarily have to mean that all Divisions need to have a monthly  
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## UNISON City of Edinburgh Branch - Health and Safety Plan 2010 *continued*

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Health and Safety reps meeting, but that shouldn't be ruled out where that approach would be the best option within a Division.

I would also hope to use the Branch website more effectively to make up to date Health and Safety information to members.

Safety reps have also advised that they find workplace meetings are useful to spread information about how safety concerns have been tackled in other workplaces with similar safety issues.

### **External**

In the main there are two working relationships that we need to build externally to the Branch. The first is with the other unions representing staff in our workplaces. If we are going to negotiate effectively on Safety issues it's important that we have a united front when dealing with management. I've tried to make contact with GMB and Unite and will try to ensure that we liaise on Safety issues where appropriate to put pressure on management to make workplaces safer. The second relationship is with management and is covered below under Consultation.

### **Training**

The appropriate training for workplace Safety Reps is the first two stages of the TUC approved training (Health and Safety Stage 1 & Next Steps for Safety Reps). Each course lasts ten days and usually runs every term at Stevenson College. It's important that all Safety Reps undertake the training. Any Safety Reps who are active but haven't completed the training need to arrange to do so. Paid time off forms part of our industrial relations agreement with management and I

will take up any issues where staff are unreasonably refused time. It is recommended that Reps should leave one year between stages 1 and 2 but this is not mandatory and there will be occasions where Reps will be able to complete them in less time. Where Safety Reps have a more strategic role the appropriate training is the Stage 3 TUC Diploma in Occupational Health and Safety). The section on Consultation goes into more detail on what the role involves but it would be desirable for the Branch to have Safety Reps in each Division who have undertaken this training.

### **Consultation**

In March 2009 the Council signed off the new Health and Safety Policy which was agreed by the Unions. This committed it to setting up an overarching Council joint safety committee and to setting up committees within each Division. These committees are not yet functioning. The first Services for Communities meeting will take place in January 2010. I have advised the Council that I want the first full Council one to take place before the end of March 2010 which is a year since the publishing of the policy so shouldn't be an unrealistic target.

These Council and Divisional meetings should take place quarterly and represent a big challenge for the Branch. We will need to assemble a team to attend each committee. Some of our Safety Reps are already experienced at consultation from other roles Trade Union roles but others aren't and will only gain the experience required by attending the meetings. By the end of this year I would hope that each committee will have met at least 2 or 3 times and we

will be gaining experience in them. To help our Safety Reps I am trying to pursue agreement on a standard constitution and agenda for these committees. Health and safety is an area where we have a great deal of legislative power should we choose to exercise it and by standardising the format of meetings we can ensure that they are run in accordance with H&S law.

The committee structure is only part of the work we need to do as Safety Reps. We also need to ensure that risk assessments are being properly carried out and adequately reviewed, accident reporting and corrective action is taking place and that any other actions management should be taking to make workplaces safer are being done. Getting the committee structure up and running makes it easier to scrutinise what management are doing and easier to hold them to account.

Over the year health and safety work will become harder as more changes come in the way we work. Management intend to increase home working which will require careful risk assessment and monitoring, increased casualisation of the workforce usually means a decrease in training and a lower awareness of safety controls among workers and the risk of work being outsourced to private contractors makes consultation harder as it moves work out of the Council's framework as well as introducing the risks that always arise when companies try to make a profit out of providing a public service and cut corners.

*Dave McConnell  
Branch Health and Safety Officer  
6 January 2010*