



MINUTES AND RECORD
of the
EXECUTIVE COUNCIL
HELD AT UNITE HOUSE, HOLBORN, LONDON WC1
ON 19TH, 20TH, 21ST & 22ND SEPTEMBER 2016

PRESENT:

MEMBERS: Sis. L ADAMS, Bros. K AGYEMANG-PREMPEH, J ALLAM, R ALLDAY, Sis. T ASHWORTH, Bro. D BANKS, Sis. P BURR, Bros. C CADMAN, E CASSIDY, J COOPER, G DEMPSEY, Sis. J DOUGLAS, J ELLIOT, Bros. M FORBES, J GILL, Sis. W GILLIGAN, Bros. A GREEN, S HIBBERT, B HOLMES, A KHALIQ, B KNOWLES, S McGOVERN, Sis. J McLEOD, Bros. J MITCHELL, T MITCHELL, Sis. T MOLONEY, Bros. I MONCKTON, F MORRIS, Sis. S MUNA, Bro. T MURPHY, Sis. K OSBORNE, S OWENS, B PLEASANTS, Bro. S ROSENTHAL, Sis. M RYAN, J STILL, Bros. J STOREY, N STOTT, Sis. F SULLIVAN, Bro. M TAJ, Sis. J TAYLOR, Bro. M THOMAS, Sis. A TOLMIE, Bros. H TURNER, P WELSH, D WHITNALL, D WILLIAMS, D WILSON, F WOOD, M WOOD, T WOODHOUSE

EX OFFICIO: Bro. L McCLUSKEY (General Secretary)
Bro. T BURKE (Assistant General Secretary)
Sis. G CARTMAIL (Assistant General Secretary)
Sis. I DYKES (Head of Constitutional Administration)
Sis. D HOLLAND (Assistant General Secretary)
Bro. A MURRAY (Chief of Staff)
Bro. E SABISKY (Executive Director Finance, Property & Pensions)
Bro. S TURNER (Assistant General Secretary)
Bro. A WEIR (Assistant Chief of Staff)
Sis. M BRAMBLE (Observer, Gibraltar)
Sis. P BRENNAN (Observer, RTC&LRD)
Bro. T PEARSON (Observer, Metals Inc. Foundry)
Bro. B SIMPSON (Observer, Young Members)
Bro. P WISEMAN (Observer, Retired Members)

IN THE CHAIR: Bro. T WOODHOUSE

FIRST DAY, 19TH SEPTEMBER 2016

Minute
No.711

1. APOLOGIES AND LEAVE OF ABSENCE

Formal permission was requested to be absent from the sessions referred to for the reasons stated:

Name	Session	Circumstances
Kwasi Agyemang-Prempeh	Tuesday a.m	TU Business
Tracey Ashworth	Thursday a.m.	TU Business
Paula Burr	Mon pm & Tues a.m.	TU Business
Chris Cadman	Thursday	TU Business
Danny Coleman	All sessions	Family business
Ged Dempsey	Thursday	Family business
Jenny Douglas	Monday p.m.	Hospital Appt.
Jennifer Elliot	Weds pm & Thursday	TU Business
Phil Entwistle	All sessions	Illness
Andy Green	Thursday	TU Business
Steve Hibbert	Wednesday p.m.	TU Business
Brian Holmes	Wednesday	Hospital Appt.
Ansaar Khaliq	Wednesday p.m.	TU Business
Barry Knowles	Tuesday p.m.	TU Business
Mark Lyon	All sessions	Illness
Dawn McAllister	All sessions	Holiday
Sean McGovern	Wednesday p.m.	TU Business
Jackie McLeod	Mon pm & Tuesday	Family business
Steve Miller	All sessions	Family business
Therese Moloney	Thursday	TU Business
Jimmy Neill	All sessions	TU Business
Kate Osborne	Thursday	TU Business
Sharon Owens	Weds & Thursday	TU Business
Simon Rosenthal	Wednesday	TU Business
June Shepherd	All sessions	Holiday
Ken Smith	All sessions	TU Business
Jane Stewart	All sessions	TU Business
John Storey	Mon pm & Tues a.m.	TU Business
Nigel Stott	Tuesday p.m.	TU Business
Francesca Sullivan	Monday	Holiday
Jasmin Suraya	All sessions	Holiday
Jayne Taylor	Mon p.m. & Weds p.m.	Labour Party
Mark Thomas	Monday	TU Business
Dave Whitnall	Weds p.m. & Thursday	TU Business
Dave Williams	Tues pm & Wednesday	TU Business
Dennis Wilson	Tuesday & Weds a.m.	TU Business
Frank Wood	Thursday	TU Business

Having full appreciation of the circumstances as reported, the Council

RESOLVED: "That necessary leave of absence be facilitated."

Minute
No.712

2. ANNOUNCEMENTS

The General Secretary reported to the Council on the attack on him printed in The Guardian newspaper detailing arrangements for his accommodation in London in terms which have long been available to Unite officials. He addressed questions from members of the Council regarding the arrangements and the statement issued to The Guardian concerning it. The Chief of Staff further provided background.

At the conclusion of discussions, the Executive Council unanimously expressed its support for the General Secretary and its condemnation of The Guardian.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

3. EXECUTIVE COUNCIL MINUTES

**Minute
No.713**

3.1 Receipt of Minutes

The Minutes of the Meeting of the Executive Council held on 13th, 14th, 15th & 16th June 2016 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

RESOLVED: “That the Minutes of the Executive Council held on 13th, 14th, 15th & 16th June 2016 be adopted.”

**Minute
No.714**

3.2 Receipt of Minutes

The Minutes of the Special Meeting of the Executive Council held on 9th July 2016 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

RESOLVED: “That the Minutes of the Special Meeting of the Executive Council held on 9th July 2016 be adopted.”

**Minute
No.715**

3.3 Receipt of Minutes

The Minutes of the Special Meeting of the Executive Council held on 12th July 2016 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

RESOLVED: “That the Minutes of the Special Meeting of the Executive Council held on 12th July 2016 be adopted.”

4. FINANCE & GENERAL PURPOSES COMMITTEE

**Minute
No.716**

4.1 Receipt of Minutes

The Minutes of the Finance & General Purposes Committee held on 21st July 2016 were duly submitted.

At the close of consideration, the Council

RESOLVED: “That the Minutes of the Finance & General Purposes Committee held on 21st July 2016 be adopted.”

**Minute
No.717**

4.2 Receipt of Minutes

The Minutes of the Finance & General Purposes Committee held on 31st August 2016 were duly submitted.

At the close of consideration, the Council

RESOLVED: “That the Minutes of the Finance & General Purposes Committee held on 31st August 2016 be noted.”

5. REPORT OF THE GENERAL SECRETARY

Minute
No.718

5.1 Report

A document detailing the General Secretary's activities since the previous meeting had been circulated to the Council and was verbally supplemented.

The General Secretary referred to the Policy Conference and recorded his thanks to the Executive Council for the role they had played at the conference. He commented on the level of debate and the manner in which the conference had been conducted which had contributed to the success of the conference.

The General Secretary referred to his attendance at a rally in support of our members at Bromley Council where he had been a speaker.

The General Secretary reported that he had been invited to speak at the Teamsters Convention in America. The Teamsters have a close working relationship with Unite and he outlined the current problems they are experiencing with National Express. He also referred to the Charter for Corporate Bad Behaviour which has been adopted by the global federations and had been triggered for the first time by the Teamsters.

The General Secretary referred to his attendance at the funeral of Dave Hopper, General Secretary of the Durham Miners' Association and also the 20th anniversary of Show Racism the Red Card which had been celebrated in Unite House in Holborn.

Reference was made to the many meetings that had taken place in relation to the situation in the Labour Party and reiterated that Unite will accept and work together with whoever is Leader of the Labour Party.

The General Secretary referred to the number of meetings that take place within the administration of the Union and also meetings with other unions that cover various different issues.

The TUC annual congress had just taken place in Brighton and the General Secretary commented on the Unite delegation, the quality of the contributions of the speakers and the role played by Unite.

The General Secretary referred to discussions that had taken place following his challenge to the Irish Region to do something within the political arena. He outlined the background to this and advised the Council that they would be kept informed as the discussions progressed.

The General Secretary reported that he is in the process of visiting the Regions to meet with the Officers to have frank and open debate on how they view things, particularly since Brexit, what their experiences are and problems being encountered with companies. It is anticipated that this exercise will be completed by the end of November.

The General Secretary referred to a number of disputes that have been taking place and highlighted his visit to Port Talbot steel works, detailing the continuing situation within the steel industry. He further referred to the situation within HAL at Heathrow Airport where attempts have been made to resolve the issues and certain agreements have now been arrived at.

The General Secretary made reference to meetings that had taken place with convenors and representatives at Legal & General, Faslane and Coulport and also the new CEO of Marshalls.

The General Secretary referred to the recent announcement that there will be a union representative on the TfL board who will be from Unite and gave credit to the London & Eastern Region for their work in achieving this break through.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

5.2 UCATT Transfer of Engagements

**Minute
No.719**

5.2.1 Heads of Agreement

A document detailing the Heads of Agreement between Unite and UCATT had previously been circulated to the Council.

Questions and comments from members of the Council were responded to by the General Secretary and Chief of Staff.

At the close of consideration, the Council

RESOLVED: “That the report be accepted with agreement to return to the transfer of UCATT to Unite.”

**Minute
No.720**

5.2.2 Due Diligence

A document detailing due diligence that had been undertaken of UCATT had previously been circulated to the Council.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted with agreement to return to the transfer of UCATT to Unite.”

6. STRATEGY FOR GROWTH

**Minute
No.721**

6.1 Organising & Leverage Report

A written report on the work of the department had been circulated to the Council and was verbally supplemented by the Executive Officer, Sharon Graham.

The Executive Officer gave a very detailed update on the Broad Industrial Strategy, outlining the data that can be accessed on the system by shop stewards and the value of that data. A number of guides are also available on the system with new ones being added.

With reference to 100% Unite, analysis shows that it is producing sustainable significant net growth throughout campaign workplaces. As 100% Unite is moved into the Broad Industrial Strategy, plans for 2017 will be available in December with the anniversary dates that will be organised around. The challenge will be to sustain 20,000 new members net per year as organisers are taken into sectoral organising.

In relation to the Public Sector Growth campaign, prior to re-entry into sector organising, the department has targeted a specific number of public sector workplaces to grow density and membership. Delivery in these areas remains good with over 5,500 new Unite members to date, with an increase of 3,066 since the last EC meeting.

With reference to the Energy and Water campaign, the department will return to sector organising in the autumn. Preliminary workplace reconnaissance is complete and the target report will be delivered by the end of the month. The Energy and Water sectors are key components of our long-term strategy to build power and grow the Union in the critical areas of the economy.

The Executive Officer referred to leverage and highlighted the number of requests being received for leverage documents and discussions are taking place with the General Secretary as to how the demands can be met.

Questions and comments from members of the Council were responded to.

A very detailed document on the Bromley Council Action Report had previously been circulated to the Council and was verbally supplemented by the Executive Officer who explained the tactics and activities that have been undertaken.

Further questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

9. CONSTITUTION & ADMINISTRATION

9.2 Policy Conference 2016

**Minute
No.722**

9.2.1 Implementation Report

A detailed document listing the motions passed at Policy Conference and identifying the Officer and Department that will be responsible for carrying forward the work on a particular motion had previously been circulated to the Council for information purposes.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

**Minute
No.723**

9.2.2 Motions Remitted to the Executive Council

A detailed document listing remitted motions not passed by Conference with Executive Officer recommendations had previously been circulated to the Council.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

5. GENERAL SECRETARY’S REPORT continued/....

**Minute
No.724**

5.1 Report continued/....

The following resolutions were considered by the Council and the response verbally amplified.

Organising Regional & National Campaigns – The resolution was submitted by the Metals (inc. Foundry) NISC and called on the Union to endeavour to adopt the best practice to maintain the highest standards with regard to the representation of our members. In response, the Council supported the resolution.

Protection of the Durham Miners' Gala – The resolution was submitted by the NEY&H Regional Committee and called on the Union to ensure that Unite's constitutional timetable is amended to protect Unite's presence at the Durham Miners' Gala. In response, the Council agreed to remit the resolution.

Corporate Governance – The resolution was submitted by the London & Eastern Regional Committee and called on the Union to provide a worker voice in corporate governance and the introduction of meaningful worker participation structures. In response, the Council supported the resolution.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

SECOND DAY, 20TH SEPTEMBER 2016

IN THE CHAIR: Bro. T WOODHOUSE

5. GENERAL SECRETARY'S REPORT continued/.....

**Minute
No.725**

5.2 UCATT Transfer of Engagements continued/....

Following on from the earlier questions and answer discussion on the Transfer, Council members expressed their views on the proposal. There was unanimous appreciation of the great industrial benefits that the transfer would bring to construction workers throughout the country and recognition that administrative and financial concerns had been addressed in the responses of the General Secretary and other Executive Officers.

The Council agreed that the question of the endorsement of the Instrument of Transfer and the Heads of Agreement be voted on later in the course of the meeting. When it was so voted on, the Council endorsed both documents and the report of the General Secretary with the exception of Mark Thomas.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

7. INDUSTRIAL / EQUALITIES REPORTS

**Minute
No.726**

7.2 Industrial Report – Services Sector

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Gail Cartmail.

The Assistant General Secretary referred to: Construction Sector – Fawley Oil Refinery, Sellafeld, Hinkley Point; HS2; Higher Education; Finance Sector – Capita Life & Pensions, Prudential; Labour Local Government Trade Union Principles; Health Sector and Local Authorities.

The Assistant General Secretary also reported that the MoD & Government Departments sector would now be known as Government, Defence, Prisons & Contractors industrial sector.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

8. DEPARTMENTAL REPORTS

**Minute
No.727**

8.2 International Report

A detailed written report had previously been circulated to the Council and was verbally supplemented by the International Director, Simon Dubbins.

The International Director reported that the UK's vote to leave the European Union had been the defining international issue since the last meeting of the Council. In addition to the internal chaos and confusion as to what will happen now in the UK, there is no doubt that the EU as a whole now faces an existential crisis. Those welcoming the UK's decision are essentially all the far right populist parties, such as the National Front of Marine Le Pen in France, the Dutch Party of Freedom of Geert Wilders, and even Donald Trump in the US. The leaders of the three main EU countries – France, Germany and Italy – all met during August in order to begin preparing how the EU will respond to the UK once Article 50 has been triggered. A staunch French federalist, Michel Barnier, has been appointed to deal with the negotiations on behalf of the European Commission.

The vote to leave the European Union will have very serious implications for United members. A number of immediate effects are already visible including multinational companies indicating that investment and location decisions will be adversely affected, including Nissan, BMW, Siemens, HSBC etc. A sharp fall in the value of the pound, which although beneficial to exporters, is leading to price rises of imported products and a possible rise in inflation at a time when interest rates need to be kept low in order to support the economy. There has been a huge surge in racist attacks and hate crimes.

In highlighting the Global and European Trade Union Federations, the International Director referred to IndustriALL Europe; Workers Uniting and USW.

The International Director referred to the EWCs and multi national companies where there is concern as to what the impact of Brexit will be on both EWCs based in the UK and also the future involvement and representation of UK reps within these structures.

With reference to Solidarity Work, the situation in Turkey has deteriorated dramatically since the failed coup attempt and Turkey appears to be taking more direct military action in Syria against the Kurdish population.

With regard to Colombia, an historic peace agreement has been reached between the Colombian government and FARC guerrilla forces. It is hoped the deal will bring an end to the five decades long conflict and lead to land reform, release of political prisoners, amnesty for former guerrillas and the insertion of the FARC into the political process as a legitimate political party.

In Brazil, the left wing leader has been removed from office in what commentators are calling a ‘constitutional coup’ and the situation in Venezuela appears to be deteriorating sharply with the opposition forces ratcheting up their attempts to topple the government of Nicolas Maduro.

Questions and comments from members of the Council were responded to and the General Secretary placed on record his thanks to the International Director for the work undertaken in relation to the referendum campaign.

The following resolution was considered by the Council and the response verbally amplified.

European Works Councils – The resolution was submitted by the London & Eastern Regional Committee and called on the Union to ensure EWC delegates are communicated with, agree a plan on how to address the issue of EWCs and hold a conference on the impact of Brexit. In response, the Council supported the resolution.

At the close of consideration, the Council

RESOLVED: “That the report be accepted in line with the preamble to this Minute.”

**Minute
No.728**

8.3 Education Report

A written report had previously been circulated to the Council and in the absence of the Director of Education, questions and comments from members of the Council were responded to by the General Secretary.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

**Minute
No.729**

8.3.1 Minutes of the EC Education Sub-Committee

The Minutes of the EC Education Sub-Committee held on 28th July 2016 had previously been circulated to the Council.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the Minutes be noted.”

9. CONSTITUTION & ADMINISTRATION continued/...

**Minute
No.730**

9.1 Central Office Departments & Administration

A detailed written report had previously been circulated to the Council and was verbally supplemented by Chief of Staff, Andrew Murray.

The Chief of Staff sought the endorsement of the Council for the timetable for the Executive Council Elections for the Electoral Period 2017-2020. He also drew the Council's attention to an error in the guidance in respect to the age of candidates standing for the youth seat. The correct wording is: “A nominee for the Youth seat must be 27 years old or under at the date nominations close”. Representation had also been made that the change from 30 to 27 years of age should commence from 2018 and it was agreed to change the guidance to read “under 30”. The Council agreed to return to the clarification of the rule.

Reference was made to disciplinary hearings and appeals and the Chief of Staff reported that in relation to David Beaumont, as well as the Employment Tribunal hearing for unjustifiable discipline scheduled for October, there will be a Certification Officer hearing scheduled in relation to the challenge to the eligibility of the Vice-Chair of the Executive Council.

The Chief of Staff referred to the Campaigns & Communications Department, highlighting the importance of the work of the department in dealing with attacks in the media on the General Secretary and himself which will only grow in the next year.

Ratification of Officer Appointments

EC Appointment Panels had met to consider applications for the appointment of the following Officers for which the endorsement of the Council was sought:

South East

- Regional Coordinating Officer Ian Woodland

NEY&H

- Regional Officer Suzanne Reid

Scotland

- Regional Officer Lorna Glen (Glasgow)
James O'Connell (Glasgow)
Victor Fraser (Aberdeen)

Wales

- Regional Officer Jo Goodchild

North West

- Regional Officer Karen Craddock
Ross Quinn

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

THIRD DAY, 21st SEPTEMBER 2016

IN THE CHAIR: Bro. T WOODHOUSE

7. INDUSTRIAL / EQUALITIES REPORTS

**Minute
No.731**

7.4 Equalities Report

A written report for the Equalities Sector had previously been circulated to the Council and was verbally supplemented by Assistant General Secretary, Diana Holland.

The Assistant General Secretary referred to: EU Referendum; Policy Conference & Equalities; National Women's Week; International Transport Workers Women's Committee and Violence against Women; Women Workers Uniting; Migrant Workers; Migrant Domestic Workers; ESS Engineer Surveyor Sector and Labour Party Treasurer.

Questions and comments from members of the Council were responded to.

The following resolutions were considered by the Council and the responses verbally amplified.

Asylum Seekers – The resolution was submitted by the East Midlands Regional Committee and called on the Union to work with migrant rights groups and charities, encourage asylum seekers to become Community members and support any member who refuses to implement the Act. In response, the Council supported the resolution.

Repeal and Challenge the Prevent Strategy – The resolution was submitted by the National BAEM Committee and called on the Union to ensure members' interests are safeguarded and to lobby the government to repeal this duty. In response, the Council supported the resolution.

At the close of consideration, the Council

RESOLVED: “That the report be accepted in line with the preamble to this Minute.”

**Minute
No.732**

7.4.1 Disability Access in Unite

Following the decision of the Rules Conference 2015 to establish a National Access Fund, a document detailing the implementation of this was previously circulated to the Council.

Questions and comments from members of the Council were responded to together with the views and concerns expressed by the Disabled Members Representative.

At the close of consideration, the Council

RESOLVED: “That the report be adopted.”

**Minute
No.733**

7.3 Industrial Report – Transport & Food Sector

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Diana Holland.

The Assistant General Secretary referred to: Protecting Transport and Food Workers in UK & Ireland, across Europe and Worldwide; Automation & Digital Revolution; Fair Transport Petition; Policy Conference; Building a World Class Bus System for Britain; Meeting with Secretary of State for Transport; Logistics Organising – ITF – Industrial Hub; Petroleum Driver Passport; Hitchachi; Health & Safety Campaign against Glyphosate used in weedkiller; Gangmasters Licensing Authority ; Tolpuddle; Other important developments in Transport & Food.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

**Minute
No.734**

7.1 Industrial Report – Manufacturing Sector

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Tony Burke.

The Assistant General Secretary referred to: Manufacturing and the Economy; Manufacturing and Brexit; North Sea Dispute – Wood Group; Steel Industry; Government Industrial Strategy; Automotive Industry; and Aerospace.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

8. DEPARTMENTAL REPORTS continued/....

Minute
No.735

8.4 Report of AGS Steve Turner

A detailed written report had been circulated to the Council and was verbally supplemented by Assistant General Secretary, Steve Turner.

The Assistant General Secretary referred to: the first national agreement in Service Industries at Sodexo; recognition at Crown Plaza; Hotels & Hospitality – organising strategy; Young Members; Community – William Hill campaign; Bus campaign – Scotland; Housing; Right to Water in Ireland; Orgreave Campaign; Private Members Bills; and zero hour contracts.

The Assistant General Secretary also updated the Council on the situation with Sports Direct.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

Minute
No.736

8.1 Political Report

The Political Director was welcomed to the Council to give her first report as Unite Political Director.

A separate written report on political activities had been circulated to the Council and was verbally supplemented by Political Director, Anneliese Midgeley.

She reported on the vote to leave the European Union and its consequences; the attempts to remove Jeremy Corbyn as Labour Leader and the Union’s opposition to this; preparations for the Labour Party Conference and the initial moves of the new Prime Minister, Theresa May.

The General Secretary elaborated on the Union’s political work, in particular concerning the issue of the Labour Leadership. In response to a question from a member of the Council regarding Momentum, he agreed that the Union should review the possibilities of more closer working with this organisation.

Questions and comments from members of the Council were responded to.

The following resolutions were considered by the Council and the response verbally amplified.

Emergency Motion – The resolution was submitted by the Docks, Rail, Ferries & Waterways NISC and called on the Union that the manifesto provides a blueprint for policy on labour rights in the 2020 General Election. In response, the Council supported the resolution.

Neighbourhood & Infrastructure Bill – The resolution was submitted by the East Midlands Regional Committee and called on the Union to raise the matter with MPs and urge them to pressure the government to remove the measure from the Bill. In response, the Council supported the resolution.

At the close of consideration, the Council

RESOLVED: “That the report be accepted in line with the preamble to this Minute.”

FOURTH DAY, 22ND SEPTEMBER 2016

IN THE CHAIR: Bro. T WOODHOUSE

10. FINANCE**Minute
No.737****10.1 Finance Report**

The preliminary financial results for Unite overall in the second quarter of 2016 had been circulated to the Council and were verbally supplemented by the Executive Director, Finance, Property & Pensions, Ed Sabisky.

The financial results for Unite in the second quarter and first half of 2016 are satisfactory, better than last year primarily related to the extra spending on political activity in the same period 2015.

Total Income amounted to £84.2 million in the first half of 2016, up £1.8 million versus the same period a year ago. Contribution Income increased by £2.7 million as the increase in membership subscriptions implemented 1st September 2015 more than offset the loss of paying membership. As anticipated, due to the Jackson legislation, Legal Income has continued to fall, down £0.9 million year on year.

Total Recurring Expenditure totalled £71.2 million in the first half of 2016 which was £2.8 million lower than last year. Employment Costs excluding Organising were virtually static year on year. Taken together, Employment Costs excluding Organising and the National Organising Department amounted to 38.8% of Income.

As a consequence, Unite recorded a surplus before Investment Income and Non-Recurring Items of £13.0 million in the first half of 2016 – an improvement of £4.6 million versus last year.

Investment Income amounted to £0.8 million in the first half of 2016 – down £1.0 million versus last year due to the turbulence in the global stock markets. Non-Recurring Items (excluding Pension Deficit Reduction payments) amounted to a net expenditure of £2.7 million in the first half of 2016 comprised principally of the write-off of VAT on property refurbishment (£2.1 million) and employee severance of £0.3 million.

Pension deficit recovery contributions totalled £6.2 million in the first half of 2016 (50% of the £12.5 million scheduled for the year) – the same as last year.

Taking everything into account, Unite posted an overall surplus of £4.9 million for the first half of 2016 – a result which was £3.2 million better than last year.

Unite's liquid assets totalled £117.9 million as at 30th June 2016, were up £13 million from year end 2015. This increase was attributable to a £4.0 million increase in the market value of the Union's Marketable Securities which have rebounded strongly from being down by about 10% in early January plus a £9 million of extra cash as many property projects had been previously completed and spending on Birmingham was only just starting to ramp up.

From a balance of £34.2 million at the beginning of the year, the balance of the Dispute Fund has risen to £35.8 million as at 30th June 2016. This reflects inflows of £1,845,793 (the 2.5% diversion from Branch Administration) offset by Dispute Benefit payments totalling £193,601. Note that there has been no deduction of

expenses/costs reflecting the EC's previous endorsement of the General Secretary's recommendation to this effect.

Lay Member Expenses

Following a request by the Chair to investigate the issue in respect of the £50 per day International Allowance, effective immediately, it is recommended that the Council agree to change the policy on International Allowances to allow the £50 per day allowance to be paid irrespective of whether a receipt is provided by the member. To protect the Union, a sentence will be added to the Lay Member Expense Policy to ask members to attach international receipts to their claim when and if they have them.

Questions and comments from members of the Council were responded to.

The following resolutions were considered by the Council and the response verbally amplified.

Unite Subscription Rates for Education Sector – The resolution was submitted by the Education NISC and called on the Union to instigate a variable subscription rate that has small incremental shifts in cost upwards. In response, the Council rejected the resolution in light of the comments of the General Secretary who gave a commitment to investigate this issue further.

Unite's Campaign over EU Exit Negotiations – The resolution was submitted by the NEY&H Regional Committee and called on the Union to campaign to ensure all workers' rights currently in EU Law come into force in UK Law. In response, the Council supported the resolution.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

9. CONSTITUTION & ADMINISTRATION continued/....

**Minute
No.738**

9.1 Central Office Departments & Administration continued/...

As a consequence of the earlier discussion, the Chief of Staff reported to the Council on the EC Election Guidelines relating to the age limitation for candidates standing for the young members constituency. He drew attention to the corrected wording amending the guidance adopted by the EC in July to bring it into conformity with the wording included in Rule. He outlined the different ways in which the decision of the 2015 Rules Conference on this matter could be understood in relation to the 2017-2020 EC electoral cycle and said it was for the Council to determine whether it wished to alter the guidance approved in July.

Further discussion ensued in which different views were expressed.

At the close of consideration, the Council

RESOLVED: "That the guidance adopted previously be reaffirmed."

**Minute
No.739**

9.2 Executive Council Constituencies 2017-20

A document detailing the Executive Council constituencies for the 2017-20 electoral period had previously been circulated to the Council and was verbally supplemented by Chief of Staff, Andrew Murray.

The Chief of Staff outlined the proposal for additional seats for women and BAEM members to meet minimum proportionality and where these should be allocated together with the additional seats for UCATT.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be endorsed.”

11. LEGAL

**Minute
No.740**

11.1 Legal Report

A detailed report was submitted to the Council including updates on recent developments in various areas of the law. The report was verbally supplemented by the Executive Director of Legal & Affiliated Services and Membership, Howard Beckett.

The Executive Director updated the Council on the following areas:

- Audits
- Aerotoxic Syndrome
- Holiday Pay
- Update on Blacklisting cases
- Abolition of the Agricultural Wages Board: European Court of Human Rights
- Update on Legislation
- Regional Legal Officers' Report
- Unite Legal Services Website
- Legal Cases of significance
- Unite Legal Department Accounts 2016
- Industrial Dispute Report
- Repudiation Report

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

**Minute
No.741**

11.2 Affiliated Services Report

A written report had previously been circulated to the Council and was verbally supplemented by the Executive Director of Legal & Affiliated Services and Membership, Howard Beckett.

The Council were updated on the following:

- Retired Members Plus
- Long Term Lapsed Members
- Unite Home Insurance
- Unite Tax Refunds
- Vauxhall Partners Car Purchase Scheme
- New Products – Unite Property Services
- Benevolent Fund

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

Minute
No.742

11.3 Membership Report

A membership report had previously been circulated to the Council and was verbally supplemented by the Executive Director, Howard Beckett.

The Executive Director reported on: Workplaces and Regions; Low Pay; Membership lists; Retention Project; Hardy Evans Call Centre; New retention process; Section 24 Duty & Membership Audit Certificate (MAC); on-going work; and statistical trends.

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

Minute
No.743

11.4 EC Guidance to Rule 14 Amendment

A proposal to amend the EC Guidance to Rule 14 had previously been circulated to the Council and was verbally supplemented by the Executive Director.

The Executive Director outlined the background to this amendment, highlighting that it was intended for this EC term only and should be reviewed by future Executive Councils.

The proposal "To offer EC Guidance as to what is meant by Rule 14" was then put to the Council as follows:

"Rule 14.2.3 No current or former employee of the Union, nor any current employee of any other union, is eligible to stand for, or hold office on the Executive Council."

This guidance is intended for this EC term only. Each EC shall redefine guidance for this rule at the outset of its EC, having regard to the prevailing circumstances, failing which the guidance will fall away.

The words "any other union" should be given their normal meaning rather than intended to follow any statutory definition of "Trade Union" that may exist from time to time. The intended normal meaning of "any other union" is that of a union which competes with Unite (a "competing union"). The intention of this rule is to ensure that lay democracy of the Union remains independent of those employed by Unite or any other competing union. The intention of the wording is to prevent employees from "other union(s)" where those "other union(s)" actively recruit individual members within sectors, workplaces and industries (most likely by offering organisational branch structures, industrial representation and member benefits) in which Unite retains membership, or may seek in the future to grow membership (a competing union). The intention of the Rule is not to prevent (and was never intended to) those who work in the wider trade union and labour movement (including affiliate organisations or trade union federations) from participating within Unite. Organisations and federations that do not seek to organise workers in the workplace in the manner of Unite (or other such Trade Unions) by offering organisation structures, industrial representation and member benefits, are not a competing union and therefore not intended to be "any other union" for the purposes of this rule. An employee of such an organisation or federation sitting on the Unite Executive Council could not be said to be motivated, by reason of employment, to vote in a manner to damage the best interests of Unite and consequently are not intended to be in the employ of "any other union" for the purposes of Rule 14.2.3."

Questions and comments from members of the Council were responded to.

At the close of consideration, the Council

RESOLVED: “That the report be adopted in line with the preamble to this Minute.”

**Minute
No.744**

11.1 Legal Report continued/....

The following resolution was considered by the Council and the response verbally amplified.

Legal Services – The resolution was submitted by the West Midlands Regional Committee and called on the Union to establish the quality of legal services in the West Midlands, that a second legal firm be appointed to the panel. In response, following comments from the Executive Legal Director, the Council agreed to remit the resolution.

A Council member raised the importance of clearly communicating how resolutions approved by the Council were followed up at regional and national level. The Chief of Staff responded that this would be looked into as a priority.

The General Secretary referred to a paper he had circulated concerning the need to redesignate the Executive Director of Legal & Affiliated Services and Membership as an Assistant General Secretary, emphasising that this did not involve any change in pay but would clarify the status of the post internally and externally. This was necessary in view of the integral role the Union’s Legal Services was now playing in industrial and other areas of the Union’s work. The Council was supportive of the plan but took the view that since the Executive Director had not been appointed as an Officer of the Union, a presentation should be made first before confirmation of the redesignation and this should be done to the Council meeting in December.

At the close of consideration, the Council

RESOLVED: “That the report be accepted in line with the preamble to this Minute.”

**Minute
No.745**

Documentation

The Executive Council noted that all documents specified within the Minutes had been circulated to all members of the Council and were filed on the records of the Council.

**The Meeting of the Council
thereupon terminated**