



Unite Executive Council Report March 2021

Previous Executive Council Minutes from December 2020: Read and Adopted

Matters Arising

- a) The Chief of Staff had reported that he has reported to the Irish Executive about the election irregularities in the EC election last year. The Irish Executive had declined to endorse the report. He advised the Council that a number of questions had been received from Irish Executive members which had all been answered and that the Irish Regional Secretary regarded the matter as closed. It was agreed to leave open the possibility of a further investigation into the matter by EC members should the matter continue to be regarded as unresolved.
- b) The repayment of branch administration funds would be brought forward so that all funds would be repaid by the end of March. Similarly the 1% funds would be restored to regions.

Special Executive Council 29th January 2021: Read and Adopted

FGPC minutes from 14th January: Read and Adopted

FGPC minutes from 18th February: Read and Adopted

General Secretary's Report:

Administrative and Organisational Issues

- Zoom meetings with the Regional Secretaries; CoS Andrew Murray and DoHR Barbara Kielim, re: Road Map & Reshaping Unite.
- Reps Update Meeting.
- Meeting with Andrew Murray, CoS and Jim Mowatt, DoE re: Unite History Report.
- Meeting with Howard Beckett, AGS; Sharon Graham, EO and Ritchie James, RS re: Go Ahead North West.
- Meeting with Andrew Murray, CoS and Steve Turner, AGS.
- Meeting with AGS, Steve Turner; AGS Howard Beckett and EO Sharon Graham.
- Special EC preparation meeting with CoS Andrew Murray and AGS Howard Beckett
- Telephone call with Frank Morris EC and Tony Seaman EC regarding Construction Sector.
- Special EC pre-meeting via zoom.
- Special EC meeting regarding the Birmingham project.



- Meeting with Amy Jackson, DoEPP; Pauline Doyle, DoC; Jennie Walsh, Comms and Andrew Murray, CoS to discuss the forthcoming Gordon Brown event.
- Meeting with the JUNSC via zoom.
- Meeting via zoom with AGS Gail Cartmail; NO Ian Woodland and NO Jerry Swain to discuss the Construction Sector.
- Site visit to Birmingham project.
- Meeting with the ONC via zoom.
- Meeting with the Regional Secretaries via zoom.
- Meeting via zoom with Tommy Murphy, EC; Zimeon Jones, EC; Jayne Taylor, EC and Monica Sorice, EC to discuss the current situation.
- Several meetings with CoS Andrew Murray; DoEPP Amy Jackson; DoC Pauline Doyle and Jennie Walsh COMMS on various issues.
- Meeting with DoC Pauline Doyle over media issues.
- Meeting via zoom with Construction activists.
- Meetings via zoom of the F&GPC.

Industrial

- Zoom meeting with Xavier Chereau, CEO PSA; David Connell HRD PSA and John Cooper EC.
- Joined meeting via zoom with BASSA & MFU reps and NO Oliver Richardson

Political, International and Inter-Trade Union Matters

- Meeting with DoEPP Amy Jackson; AGS Howard Beckett; AGS Steve Turner and EO Sharon Graham re political strategy.
- Several meetings with the Labour Party.
- Meeting with Dave Ward, CWU GS.
- Launch of the Peace and Justice Project.
- Meeting via zoom with Yannis Varoufakos.

Video

- Solidarity message - Rolls Royce Barnoldswick.

Meetings with Journalists

- Met with Alex Nunns, Journalist

Organising Report

Lockdown – Remote Organising

Throughout the pandemic the work of the Organising Department has been significant to growth. The Union's decision to retain focus on growth through



workplace campaigns has delivered. Despite the obvious and inevitable challenges, in the form of lockdown, access to sites and the usual churn of new workers coming into the workplace being far less, still over 109,000 new members have joined our Union. 80% of those coming in are in clusters of more than 5 new members in a single workplace.

There has been a slowdown in regional '100% recruitment' as the regions understandably are dealing with redundancies, the challenges created by Covid and the fact that a number of usual 100% areas are currently on furlough.

As a Department we have been heavily engaged in 'Remote Organising' and the 'swarm' (Organisers working remotely in a number of different campaigns). Remote organising, which we have only previously used in hostile campaigns, has been very successful in lockdown, particularly where access to workplaces is either impossible or severely restricted. This work has also included supporting workers through 'crisis leverage' campaigns. Both have had a clear and positive impact on the number of workers joining the Union and has undoubtedly helped boost the numbers recorded. For example, over two thousands BA new members joined, as a result of the combined campaign in BA, which had a direct impact on membership gains by sector and region.

There is no doubt that remote campaigns combined with crisis leverage, in defence of our members moves growth.

Manufacturing Report

The major issues affecting manufacturing remain as in my last report; Covid-19, post-brexite trade and the challenges of climate change. Although we ended the transition period with the European Union with an agreement, saving us from the disaster that would have been a no-deal departure, many challenges remain in its application.

At the time of writing we remain in a third period of lockdown due to Covid-19 and despite the wonderful work of our (publically owned and controlled) NHS in rolling out available vaccines at a record pace, the lockdown of aviation, hospitality and tourism coupled with an on-going lack of consumer confidence, continues to



subdue demand. Supplier issues continue to impact negatively our manufacturing sectors as stocks built up in preparation for leaving the EU decline and global supply challenges continue to disrupt just in time operations.

The decline in output and demand is most graphically demonstrated in the automotive sector where sales continue to decline and January saw the lowest new vehicle registration for the month since 1970. In aerospace the continued restrictions on aviation travel and the grounding of thousands of aircraft is impacting on both new aircraft sales and scheduled maintenance, repair and overhaul work on those in service while in printing the forced closure of hospitality, arts and entertainment has collapsed demand leading to serious challenges in the fight for jobs.

⇒ Nationally, some 3.8 million workers were on furlough (13 percent) at the end of December 2020. This is an increase of five percent since my last report and follows the introduction of a third lockdown. The overall figure betrays the damage being done to sectors such as hospitality, the arts and entertainment whose furlough figures still sit at 47 and 41 percent respectively. Over one million workers remain on furlough in the Hospitality sector.

The overall figures of course fail to reflect the growing number of workers dismissed or made redundant as the impact of on-going closures of whole economic sectors takes effect. As is the case with so many government actions throughout this pandemic, the November extension of the furlough scheme came too late for too many working people. I have been in active discussions with the Treasury since early January, and have written to the Prime Minister directly with the support of the three largest industry federations, to secure a further, long term extension of the scheme beyond April 2021. This, coupled with additional measures to support sectors of the economy disproportionately impacted by government actions are essential to protect jobs in the immediate and medium term.

In manufacturing specifically we've seen a return to rising numbers of employees on furlough with 42 percent of employers now utilising furlough, employee numbers on furlough have risen from 213,000 (nine percent) to 270,000 (13 percent) at year end 2020. Some 54 percent of those on full time furlough, despite short time working options, we remain deeply concerned about our ability to recover and rebuild from Covid-19, address the challenges of post Brexit trade and



make the necessary investments to transition and repurpose to protect our environment.

⇒ In this environment it's our shop stewards and officers who are negotiating the deals that are protecting thousands of jobs on a daily basis, from short time working at Airbus to a secure manufacturing future at Barnoldswick (Rolls Royce). I want to place on record my thanks and solidarity with every one of them.

⇒ In particular I want to thank our entire team at Barnoldswick (Rolls Royce). Led by Mark Porter our convenor and Ross Quinn, our local officer they won the most remarkable victory following a nine week strike. A secure 10 year guarantee of manufacturing on the site, a two year no compulsory redundancy agreement, a guaranteed minimum headcount and new green tech product. In addition, the agreement provides for the building of a world class 'centre of excellence' training school on-site to train the next generation of designers and engineers.

⇒ Deals like the one struck at Barnoldswick that protect investment in plants, tooling and product alongside the jobs, skills and knowledge are key to our plans to recover and rebuild from the pandemic. As is our ability to design, engineer and manufacture the products necessary to realise the opportunities of new trading agreements and climate change. These are the number one challenge for manufacturing right now. Made made all the harder in the absence of a willingness to intervene, invest, plan or even develop a clear industrial strategy from government.

The devastation being wreaked on our manufacturing industries and wider economy is unprecedented, the latest proposed closure being GKN Automotives last manufacturing facility in Birmingham. Proposals to close the site, sacking 519 workers and transferring production of drive and prop shafts to Europe, is completely unacceptable and like with Rolls Royce at Barnoldswick, will be fought with no stone being left unturned.

The UK has suffered the largest drop in GDP of any developed nation over the past year and the failure of successive governments to diversify our economy and address its unhealthy over reliance on service industries, has led to a deeper and more damaging recession than elsewhere. Our recovery must look to rebalance the structure of our economy and we continue to work with our members, industry



federations and corporations as well as our shadow team in Labour, to build this case with government at every level.

⇒ As the vaccination of millions across the UK gives us hope, we can be incredibly proud of our NHS. We should also be rightly proud of our members at the heart of the development and manufacture of the Oxford/AstraZeneca vaccine which remains the only vaccine being distributed at cost across the globe.

Across manufacturing we continue to find new ways of communicating with stewards, developing combines and building confidence in our case for a new deal for working people. With our competitors in Europe investing heavily, global corporations are already determining where next generation products will be manufactured, with UK plants being left to simply 'see out their time'.

A plan to recover and rebuild post Covid-19 is desperately needed and the failure of government to rise to the challenge is a gross dereliction of duty. ⇒ We continue to work with industry federations, our shadow Labour team and both opposition and backbench Tory MPs to raise the arguments with government to intervene, invest and protect jobs, skills and apprenticeships across the sector.

⇒ We continue to pursue the case for a 'National Council for Recovery' and the urgent need for a 'jobs guarantee scheme' and 'recovery and diversification plan' to level up our regions and transition our industrial heartlands.

⇒ We lead discussions in our movement and with government for a 'green new deal' to meet the challenges of the climate emergency that places workers and our communities at the heart of a discussion on the just transition of our economy.

⇒ I am very proud to hold the only union seat on the West Midlands Green Manufacturing Commission, putting the case for working people and the region to remain at the heart of our manufacturing recovery and transition to a green economy.

⇒ We have developed and submitted to the Chancellor our 'Magnificent Seven' shovel ready projects for public investment in jobs and technology as we recover and rebuild our economy.

⇒ Our manufacturing sectors continue to work with ministers and government departments on specific longer-term proposals for 'transition support' and



‘infrastructure projects’ to kick start the economy and create a million new jobs directly and indirectly producing the products we require, here in the UK.

⇒ We used the 2021 National Apprenticeship Week to promote world class apprenticeship programmes across the economy, arguing the case for trade union involvement in their development and reform of the apprenticeship levy to put the money currently held in Treasury coffers to good work. Protecting and upskilling the current workforce and offering thousands of apprenticeships to coming generations to address a growing skills crisis.

⇒ Our ‘Manufacturing Matters’ and SOS4Jobs strategies continues to roll out across our nations, making the case for an urgent action now and a longer-term industrial strategy and plan to deliver it. Putting procurement plans centre stage to Build Local/Buy UK when spending public money. Creating local, resilient supply chains, reshoring our component manufacturing and designing, engineering and manufacturing here in the UK what we need to power a new economy.

⇒ Industrial democracy and collective bargaining and a redistribution of the common wealth we create are firmly on our industrial agenda as we face growing challenges to the future of work from automation, artificial intelligence and digital technology. The challenges before us provide opportunities for us to take; shorter working time, early retirement and shared work - a new economy and an opportunity to fulfill our true potential as human beings.

We have a great team in manufacturing doing a difficult job in very challenging circumstances and we will continue to support every one of them with both the argument and resources they need to remain strong and confident in the fights ahead.

ROLLS ROYCE BARNOLDWICK

After a nine week of strike the battle at Barnoldswick to save the future of the site was successful. An imaginative campaign mounted by the workforce and shop stewards and supported by the local community made a real difference and created the opportunity for convenors and full-time officials to work towards an agreement that gives the site a new lease of life. The national strike fund set up a few years ago by Rolls Royce convenors was utilised for the first time to great effect and meant our members suffered no loss of pay due to them withdrawing their labour.



This effective combination allowed site convenor Mark Porter and the Shop Stewards to enter into discussions with the company, which resulted in proposals that became the blueprint for the offer that was accepted overwhelmingly by members in January.

The deal provides an opportunity for the site to retain some fan blade work and repair, creates a world class training centre for new advanced technologies with scope to manufacture products that will assist in the road to a net zero carbon economy.

The main details of the deal are:

- A ten-year manufacturing guarantee for the site
- A guaranteed minimum headcount of 350 workers
- The creation of a 'centre of excellence' training school supporting the development and manufacturer of zero carbon technologies and advanced manufacturing
- A guarantee of a two year no compulsory redundancy agreement

The proposals put forward by Rolls Royce in late summer 2020 put the future of Barnoldswick at serious risk of closure. This is a factory and community steeped in a history that produce the WW2 Lancaster Bomber and was the home of the Frank Whittle jet engine and our members in the finest of trade union traditions decided they were not going without a fight. Their resistance and determination made the difference and they can be proud that they have delivered a future for a next generation of workers.

Services Report

Construction Industry Joint Council (CIJC)

Following the refusal of the employer to make any offer in respect of the 2020 wage claim, an exercise to identify members employed under the CIJC agreement



has been carried out with the help of lead officers. Having done this all members were emailed advising them of the employer's response.

The trade union side, following consultation, will shortly be submitting the 2021 claim. Once a draft agreement is prepared it is the intention to call a conference of activists to endorse/amend the claim and look at how we can begin to mount a campaign.

Unite will also write to members we have identified as working under the CIJC agreement outlining the claim. Regions will be encouraged to engage around the claim.

NAECI/Engineering Construction

Our members were balloted on a 1 year wage freeze which resulted in our members rejecting the Employers position by 4-1. The employers have told the joint unions that they won't speak to us on the 2020 pay but will start discussion with us for the 2022 year.

Negotiations took place in the late summer where we successfully halted the employers attacking shift and overtime allowances. The Employers have demanded a pay freeze which joint unions have rejected.

The Joint Unions are conducting an Indicative ballot for industrial action strating from 8th February until 1st March. Campaigning will continue to bring employers to the table.

Work on NAECI sites remains at a low level. The NECC will continue to campaign to ensure NAECI work is registered and discussions are on-going with employers on up and coming projects.

COMMUNITY YOUTH AND NOT FOR PROFIT

Pay Campaigning

The CYNFP Sector NISC has held a wide ranging discussion regarding the need to coordinate pay campaigning across the not for profit sector in the face of the Government attack on public sector pay and are promoting the TUC fair pay for key workers campaign. The sector has also promoted the TUC heart union week. The Not for Profit NISC seek to ensure pay claims coordinate with relevant public sector



pay claims and ensure our members wages and conditions are fair and equitable to relevant public sector comparators. The NISC are currently updating our pay campaigning materials for the housing and charitable sector.

EDUCATION

Unite has raised the need for a TUC led campaign to oppose the public sector pay freeze which will be rolled out over the next three months with the Slogan: “Time to Care for Key Workers”. The Campaign aims stop and reverse decision, Stop the division of public / private sector, Talk about key workers, and talk about the impact on economic recovery

- End the pay freeze
- Fund public sector so outsourced workers get a pay rise
- Raise NMW to £10 an hour

Media Campaign, social media campaign, political lobbying / ‘Red Wall’ seats / event 5th March (date not confirmed), 1st anniversary of clap for carers, COP26 mass mobilisation.

ENERGY & UTILITIES

EDF Energy

Pensions Discussions ongoing with the Company after they announced their intention to close their DB scheme to future accrual except for those staff that are protected persons or have a contractual right to no detriment. The 60 day consultation concluded on the 31st January 2021. We are awaiting the Company’s final decision which we will receive late February.

FINANCE & LEGAL

NatWest

Unite members voted overwhelmingly in favour of the 2021 pay deal which guaranteed £400 underpin payments to the lowest paid and non-consolidated cash awards to employees above the maximum of their range. Despite continuing to pay staff throughout the pandemic, problems continue to mount with the application of BAU policies to manage emergency absence and childcare concerns. Job losses are continuing across the group with the closure of the Stone Data Centre, the TUPE of part of Trust Management and the offshoring of a number of IT jobs. Unite



and its sister-union in Ireland, the FSU will be meeting the employer in March to discuss a new base pay system for the group (including Ulster Bank).

Lloyds Bank

Negotiations between the Unite NCC and the bank over revisions to JSA protection arrangements broke down at the end of January. Despite securing the maintenance of severance terms until 2023 the two sides could not agree to the windown of salary protection arrangements when it emerged that the majority of current employees were protected-rather than a small heritage population as indicated by the employer. Job losses continue with announcements across Retail, Commercial and also the Isle of Man. Members voted to support the pay offer from LBG which provided a guaranteed payment of £400 for the lowest paid and a 1.19% budget. The NCC are to review the bank's decision not to award a bonus in 2021 and a campaign is being proposed. At the time of writing the union and the employer are due to meet over the future of the mortgage concession, the defence of which was subject to a high profile Unite campaign. To assist with virtual recruitment, the NCC has commissioned a new membership video which will be provided to new entrants to the bank as part of their induction.

Health

NHS Pay

- The General Secretary wrote to the Prime Minister in December to submit our pay claim an early and significant pay rise of £3,000 or 15% or whatever is greater.
- We have continued to campaign on our pay claim with new materials to that have been shared online in November and a joint online Pay rally in December with the GMB. More activity is planned to the run up to the budget in March.
- We used the results from a survey to Health members in England and Northern Ireland to support our submission NHS Health pay review body (PRB) on 18th January 2021 following the release of the UK Government pay remit on 18th December.
- Unite also contributed to the NHS Staff side unions response to the PRB submitted at the same time.

Scotland

- On 30th November, the Scottish Government declared they would give all Scottish Health and Social Care workers a £500 lump sum thank you payment



before the end of the tax year. This has been beset with difficulties regarding who is eligible and about workers on state benefit. The Scottish Government has now said workers can refuse the payment if they prefer. This has been condemned by Unite.

- The Scottish Parliament announced its budget in January and public sector pay policy for 2021. This will be 3% or £750 below £25000 and between £25000 and £80000 it will be 1% with a £800 cap. For Scottish Health Trade Unions this is a starting point.
- Prior to this Trade Unions reject a payment on account proposal from the Government and Unite has been leading the way to in order for Scottish Trade Unions to present a joint pay claim by proposing a substantial and significant pay claim and not putting a figure on the pay claim since different unions have different positions on the figure. This would be the key to unlocking the door to get pay talks in Scotland started.

Wales

- Welsh Government have sent a pay remit to the Pay Review Body (PRB) in January.
- Welsh Staff Side have written to the PRB and to the Welsh Health minister with regards to this. Unite have had discussions informally with the Ministers' office and will be writing formally.
- Following a survey of Unite in Health Welsh members, a Unite Welsh specific response was sent to the pay review body in February.

Northern Ireland

- On 27th January, the Northern Ireland Government announced their own £500 lump sum thank you payment for Health and Social care staff. Northern Irish trade unions will be working hard to ensure the mistakes in Scotland are not repeated.
- There will be a Unite Northern Irish submission to the PRB following the Government's remit letter in January.

Transport and Food Sector

Unite Transport and Food Workers – taking the strain, but ready for the challenge



The pressure on transport and food workers at the end of 2020 and beginning of 2021 has been described as the “3 C’s” – Covid, Christmas and customs. The renewed Covid-19 lockdown restrictions and the introduction of new customs arrangements at the end of the Brexit transition period, combined with the usual increased demands for Christmas have all been taking their toll. As National Officers’ reports confirm, this has had a major impact in ports and for drivers, alongside the continuing devastating impact of travel restrictions throughout aviation, and the pressures on workers in passenger and rail transport and in food, drink & agriculture. Meetings that had been suspended with government departments and ministers are being reinstated, and we have been involved in a sectoral health and safety initiative in the food industry with Shelly Asquith at the TUC and other food sector unions.

While BA negotiations have concluded with changed terms and conditions based on existing contracts and agreement, there is evidence that ‘fire and rehire’ is extending its damaging and divisive reach. Disputes in Heathrow airport and Go Northwest continue, and throughout the following reports, it is clear our members are facing major threats to jobs, pay, terms and conditions, as some employers are prepared to use Covid-19 as cover for unacceptable threats and actions.

In spite of all that they are facing, however, Unite transport and food members, shop stewards and reps, national and regional officers with organisers and staff are doing all they can to respond to the exceptional pressures they are facing, and they are achieving breakthroughs, large and small, against all the odds, including : Welsh government support for Welsh Taxis, membership growth in Jet 2 and some consolidation of agency working in Ryanair, conversion of temporary to permanent contracts at Kraft-Heinz, bereavement leave policies in First Bus, pay deal increase in Co-op Logistics, provision of free fem care products throughout Tesco logistics sites as a result of Unite’s period dignity campaign, Port of Leith regeneration with renewables, Unite representation on the Food & Drink Sector Council, establishment of Rail Industry Recovery group with Unite representation, prevented threatened derecognition at Avara Foods Newent site, Wincanton positive developments on mental health and Unity over Division.

Freeports, Trade Deals, Post-Brexit, Sustainability

These have been key issues for transport and food sectors in the last quarter, (including the key issue of working time and relaxation of drivers hours), and will



continue to be during this year, working with Unite research, International, Global Union Federations and European Federations. I attended the RTCWL Sector Committee met with the Livia Spera General Secretary and Frank Moreels President of the ETF to discuss this, and we also met twice in the lead up to the Brexit 'deal' announcement with the Shadow Transport Secretary Jim McMahon MP, the Shadow Front Bench Teams for Transport and Brexit, and the LGA.

Unite Campaigning for Aviation

The Unite campaign for aviation continues, and we are further developing our campaigning with Unite research and campaigns. Following the recent travel restrictions announcements, without accompanying support for the sector and for aviation workers, we made urgent contact with the Minister Robert Courts MP and met with him. We have also worked with the TUC and other aviation unions to take forward joint campaigning including with aviation sector bodies, and to reinstate meetings with the Department for Transport, which it has now been confirmed will take place. I also met with Regional CAT Officers to update them on the campaign, and discuss key aviation developments across Unite regions/nations.

Unite has also attended a number of meetings with different government departments to discuss key issues facing aircraft engineering apprentices, highlighting the important skills retention and demographic issues, and that BA apprentices include those from Monarch and Thomas Cook who were taken on by BA. The AGS also attended the DfT webinar discussion with the Minister for Aviation on the developing Aviation Skills Retention Platform.

Other Industrial Developments in Transport & Food have included :

- **KNDL** meeting with shop stewards and NO Joe Clarke and then with Sharon Rosher and Chris Kingshott from the company in relation to an issue of major importance to our members.
- **Downstream Oil Distribution Forum** attended special meeting with Unite lay leadership and NO Tony Devlin, as well as with the DODF as a whole, to discuss key issues on the passport refresher and renewal under Covid-19 restrictions and safety procedures
- **Rail Supply** Group Council meeting
- **Sainsbury's** discussions regarding a number of key issues for the membership in relation to job security, structures, and dignity and respect with NO Bev Clarkson, Adrian Weir, Paresh Patel



- **KNDL-XPO** meeting with NOs Joe Clarke and Matt Draper to discuss XPO acquiring KNDL
- **Sainsbury's Distribution** discussion with NOs RTCWL and FDA in relation to regions/sectors
- **Arla** ongoing inter-union issue with BFAWU resulting from in-sourcing
- **ITF GB Ireland Inspectorate Review** meetings with ITF, Nautilus, RMT and follow up with NO Bobby Morton and Richard Crease Chair DRFW NISC
- **ITF Road Transport Due Diligence project** initial positive meeting with Michael Chambers and Lynn Brown of Gist with NO Matt Draper with a view to this being piloted in the UK in relation to modern slavery, anti-trafficking and ensuring decent standards throughout the supply chain
- **Food & Drink National Skills Academy** I attended a follow-up the meeting of the Board and discussed key issues with NO Bev Clarkson
- **Food & Drink Federation Awards 2020** these were held virtually and postponed to early 2021, but included celebrating the important role of food and drink workers during 2020

Equalities Report

UNITE and EQUALITY 2021

Building on the important new Unite equality developments in 2020, bringing together so many to act against the underlying inequality so shamefully exposed by the disproportionate impact of Covid19. The reports that follow on Unite Women, Unite BAEM, Unite Disabled, Unite LGBT+ Members, powerfully highlight the issues we need to change through workplace representation, collective bargaining, and wider campaigning.

UNITE NATIONAL EQUALITIES CONFERENCES 2021 – Women, BAEM, Disabled

Members, LGBT+ Plans are underway for the conferences to take place safely in May as planned, and we are working closely with the conference unit to make this possible. I have met and discussed plans with each of the four National Equalities Committees in February, to ensure that all concerns raised can be included, and to reassure everyone about the seriousness with which we are proceeding, both in terms of Covid-safety and union democracy. Delegates have now been nominated and motions put forward to the respective conferences.



UNITE EQUALITY WORKING GROUP

This meeting took place in February, bringing together the Equalities Chairs, vice-chairs and Executive Representatives with AGS and NOs, and agreed : to develop a survey to identify bargaining achievements on Equality during Covid-19; National Equalities Conferences plans for 2021; coordination of Unite Equalities activities during 2021 regionally/nationally learning from 2020 positive experiences; plans for TUC Equality Conferences 2021; update on Labour Equalities structures and Policy Commissions. Updates were given on Unite Equality Education and Research and the Unite response to the 2020 TUC 4-year Equality Audit of Collective Bargaining up to January 2020.

UNITE RULES CONFERENCE EQUALITY TASK GROUP – SECOND MEETING

Following the full report of the first meeting to the March 2020 Executive Council, while a number of the agreed actions were able to be implemented, a number were affected by Covid-19 developments. The Task Group reviewed progress, including the development of Getting Involved and Building Involvement workshops organised across regions in 2020 to prepare for the forthcoming triennial elections. At the meeting, it was confirmed that : Monitoring of minimum proportionality of women and BAEM members on constitutional committees to be reported to 2021 Policy Conference will also include information on disabled members and LGBT+ members, as previously agreed. Additionally, action will be taken to include information on action to tackle underrepresentation and ensure involvement in non-constitutional committees, and on RISCs and AACs.

TUC AND LABOUR PARTY EQUALITIES

I have attended the TUC Women's Committee to discuss key issues facing working women (sexual harassment, violence against women, campaigning for pregnant women, TUC support for unions to establish Women's Advocates with enhanced training, Campaigning for women over 50, Brexit and women), as well as plans for the forthcoming TUC Women's Conference "Our Future, Our Fight", which alongside the TUC Black Workers, TUC Disabled Workers and TUC LGBT+ Conferences will be entirely online. Unite plans for each conference are included in the reports which follow. Gail Cartmail as this year's TUC President will be addressing all the conferences, and Jane Stewart will be this year's TUC Women's Conference chair.



I have also chaired Labour Work, Pensions & Equality Policy Commission meetings, including an evidence session on the disproportionate impact of Covid-19, attended the Labour NEC Equalities Committee, NEC Women's sub-committee and Labour Women's CAC and our union is fully involved in development of Labour's equalities structures and the online Labour Women's Conference being planned for the summer. Jayne Taylor is NEC Equalities Committee vice-chair for Women with Ann Black. Siobhan Endean spoke at the TULO online event "Finding women a home in the trade union movement" following on from Labour Women Connected. There was also a special NEC Equalities meeting and a special NEC meeting I attended to discuss and agree the Labour Party Action Plan response to the Equality & Human Rights Commission report on its Investigation into complaints about allegations of antisemitism in the Labour Party. Additionally, I have attended training on sexual harassment as part of the Labour Party's sexual harassment complaints process.

INTERNATIONAL MIGRANTS DAY 18 DECEMBER AND RESTORE THE OVERSEAS DOMESTIC WORKERS VISA CAMPAIGN

Following the launch of the latest phase of this campaign reported to the last EC meeting, I am delighted to report that the 10,000 signatures needed for the petition have been achieved within the timeframe, and a number of follow-up activities have been taking place. On 18 December, International Migrants Day, I attended the great event "A Night with Migrant Domestic Workers".

THE EU SETTLEMENT SCHEME AND SUPPORTING EU WORKERS

It is vital that all are made aware of the process and deadlines. There is great concern across the TU movement about how the processes, in spite of what is claimed, could lead to serious adverse consequences such as: risks of losing legal status, increased risk of discrimination and dismissal, as well as the overall inaccessibility of the process. The TUC has produced a very helpful and accessible document setting out the key points for reps and for our movement, and we are linking up with Rosa Crawford on key issues. Link to the document <https://www.tuc.org.uk/sites/default/files/2020-12/Guide%20for%20reps%20settled%20status%20Dec%202020.pdf>

KEY EQUALITIES ACTIVITIES SINCE THE LAST EC HAVE INCLUDED :



- Unite events for Disability History Month : National Disabled Members Committee it was a great honour to take part in this groundbreaking event, and thank you to all involved. Quinn Roach from the TUC presented a powerful presentation exposing the disability pay gap, and highlighting specific pay gap issues for disabled women and BAEM disabled people. I was also honoured to take part in a joint NEYH and NW Disability History Month Event highlighting 10 years since the Equality Act 2020 and disability rights, and the L&E and Unite Community Disability History Month Event which began with Richard Rieser of UKDHM presenting a fascinating history of disabled people's rights and lives. All these events paid special tributes to Sean McGovern, and I have also been involved in providing background information to assist in the development of a booklet.
- Unite Equalities Education I held a very useful meeting with Jim Mowatt and the Education Department to discuss key issues for Unite Equalities Education in 2021, and the planned event to launch the booklet about Betty Gallacher, which I have also discussed with Betty. Thank you to all involved. Following referral from Education, I also met with Paula Hamilton, Siobhan Endean and Harish Patel to discuss a number of proposals for building women in leadership and more diverse leadership in our movement. Additionally, we met with Laura Pidcock and RWEU Sue Pollard to discuss Women's Regional Political Schools and linking up with Equalities.
- Unite Mental Health Task Force I attended two meetings of the Task Force and welcome positive plans to ensure Unite support is updated and includes all that has been developed around Mental Health and Covid-19 as well as Mental Health First Aid courses. During this time, I also attended the Unite mental health support workshop for people working for the union, which was informative and supportive. Thank you. ☞ Unite History Project I have had some welcome discussions with Mary Davis about the project in relation to equalities.

POLITICAL REPORT

Parliamentary Update

We have been working closely with the Unite group of MPs, in particular Grahame Morris as the group's Chair, to advance our industrial and political campaigns in Parliament. We have circulated regular briefings, drafted speeches, letters,



parliamentary questions, Early Day Motions and more on behalf of our members, and written regularly to MPs and Peers – including a weekly “week ahead” email – keeping them informed of the union’s campaigns. These range from community issues to industrial disputes.

British Airways

Although pressure from Unite had forced British Airways to withdraw its “fire and rehire” threats against the vast majority of the 30,000 workers originally targeted, around 850 cargo staff based at Heathrow were still in the firing line and facing pay cuts of up to 25%. In early December they secured a massive 98% Yes vote in favour of industrial action and nine days 3 of strike action were announced, starting on Christmas Day. Despite political pressure from MPs to stop the threats by BA management and help find a resolution, the nine days of strike action started on Christmas Day with an outpouring of support from MPs on social media. When Parliament returned in the new year, Ian Byrne raised the dispute (6 January) condemned “the pernicious use of fire and rehire by British Airways” on staff, insisting that “the government must step in to fight for them and outlaw this pernicious practice, which drives people into destitution”.

As with the Rolls Royce dispute, BA was mentioned many times in Parliament, with Unite MPs using all opportunities they could to intervene defend BA workers, including raising the issue directly with the BEIS Minister.

We were delighted to see that the dispute was eventually resolved and the threat of fire and rehire was removed.

Heathrow

Unite MPs have been giving continuous support both inside and outside Parliament to the workers at Heathrow who are on strike against being fired and rehired on up to 25% less pay. Local MPs John McDonnell, James Murray and Seema Malhotra joined the car rally held on the second day of strike action, which was well-publicised by MPs, and on the following day Andy McDonald told MPs that Heathrow was among the flagship companies that “have used abusive fire and rehire tactics to cut the pay and conditions of their loyal work forces” at BEIS Questions. MPs also attended a “virtual picket”, hearing directly from striking Unite members on the picket line and making speeches in solidarity with them.



MPs continue to raise the dispute in Parliament and give support and solidarity to the striking members as their dispute continues. We are keeping them updated on its progress.

On February 11th, we were informed that Labour Leader Keir Starmer was visiting Heathrow, and so used the opportunity to facilitate a successful meeting between him, Shadow Home Secretary Nick Thomas Symonds and the Heathrow reps, at which he agreed to write to HAL regarding the treatment of the workers, tweeted in support of them and recommitted to outlawing fire and rehire.

More Fire and Rehire (including Go North West and Tesco)

Labour secured an opposition day debate on “fire and rehire” (25 January) at which MPs would vote on a motion that “calls on the Government to set out to Parliament by the end of January 2021 a timetable to introduce legislation to end fire and re-hire tactics”. Key industrial disputes involving this shameful practice were raised during the debate, including Heathrow, British Airways, Tesco and Go North West.

Andy McDonald reminded MPs that “the Leader of the Opposition was right to call for fire and rehire tactics to be outlawed, saying: ‘These tactics punish good employers, hit working people hard and harm our economy. After a decade of pay restraint – that’s the last thing working people need, and in the middle of a deep recession – it’s the last thing our economy needs.’” He added that “Fire and rehire is a dreadful abuse and allows bad employers to exploit their power and undercut good employers by depressing wages and taking demand out of the economy. It is all the more galling when those very companies have had public funds to help them to get through the pandemic.” In response, newly appointed BEIS Secretary Kwasi Kwarteng insisted that he considered these tactics “unacceptable”, a claim made previously by other senior Cabinet members.

Many other Labour MPs weighed into the debate, condemning the practice and highlighting examples of where it was occurring.

Labour pushed the motion to a vote and the government dropped its wrecking amendment at the last minute, instead whipping Tory MPs to abstain – its new tactic having realised that voters don’t like politicians openly voting against providing free school meals for hungry children. However, this meant that the



House of Commons voted unanimously to ban fire and rehire – albeit non-binding on the government.

In a later debate, three major Unite disputes were raised at BEIS Questions (9 February) in the context of fire and rehire – Go North West, Heathrow and Tesco.

Unite will continue to push for this shameful practice to be outlawed as a matter of urgency and anticipates providing evidence for the ACAS review and any relevant inquiries, and then ensuring that ministers implement its recommendations.

Defend Employment Rights

Despite Boris Johnson's promise to use the UK withdrawal from the EU as an opportunity to start "improving" rather than lowering workers' rights, reports in the Financial Times suggested that the post-Brexit review of UK employment law launched by Business Secretary Kwasi Kwarteng would look at taking away protections on working hours and rest breaks and undermining overtime and holiday pay entitlements. Although nothing in the Brexit deal requires the government to attack laws protecting workers in the UK, the Tories' track record suggest they will make the political choice to trigger a race to the bottom on pay and conditions. Boris Johnson was said to have consulted a group of 250 business leaders over the future of regulations post-Brexit and appointed a hand-picked panel to oversee the plans.

As soon as the news broke that the government were considering a review to water down workers rights, we immediately engaged with TULO and asked them to call a joint meeting of the affiliated unions. We had a very good response and within 4 hours were in a meeting with all affiliated unions, Ed Miliband and Andy McDonald, including forcing an opposition day debate to hold the government to account on the matter.

Clearly feeling the pressure of responding to the opposition day debate (22 January), Kwarteng issued a point-blank denial that there would be any reduction in workers' rights. Andy McDonald and Ed Miliband were both strong in their opposition to the rumoured Tory plans, and Unite Group MPs including Ian Lavery, Afzal Khan, John McDonnell, James Murray, Richard Burgon, Charlotte Nichols, Beth Winter and Margaret Greenwood all condemned the proposals, along with the failure to combat the shameful practice of "fire and rehire".



Thankfully, the government was forced to announce just days later that their planned Review would not be going ahead. However, we know we cannot trust the Tories with workers' rights, and we will remain alert to the proposals being brought back at a future date.

Commonwealth War Graves Commission

After Unite members working for the Commonwealth War Graves Commission in France and Belgium were told to choose between relocating to Britain with scant notice or facing huge pay cuts after the EU transition period came to an end, Rachel Hopkins raised the issue at Defence Questions.

Secretary of State Ben Wallace appeared not to know about the dispute but said he "would be delighted to meet her to discuss it, and then we can discuss it with the Department and the commission".

The commission then increased its offer of a one-off payment to cover accommodation, but not significantly. Grahame Morris tabled EDM 1257, Treatment of Workers at the Commonwealth War Graves Commission, while Hopkins secured a Westminster Hall debate the following week (15 December) after both held an emotive Zoom meeting with visibly distressed workers.

At the debate, Hopkins spoke from the heart as she described her personal experiences visiting the graves of her relatives, and added: "I have spoken virtually to some of the staff, and it is heart-breaking to hear how they have been treated after dedicating so many years to caring for the cemeteries." Hopkins met Wallace the following day, and he promised to investigate the matter and give a full response, which she is still waiting for. The issue received generous media coverage, including in The Daily Mirror, The Sun, The Times, Daily Mail, Daily Express and on Forces News TV, as well as strong support for staff on social media. Hopkins and the other MPs stand ready to escalate the dispute depending on Wallace's response, and have been enlisting the support of ex-military parliamentarians for the battles ahead.

HMNB Clyde

The perils of further subcontracting at Faslane were raised by both the Labour and SNP front benches at a Westminster Hall debate on Defence Procurement and



Supply Chains (1 December), with shadow defence minister Stephen Morgan revealing that “there is also continued concern about the splitting up of service contracts at our bases – the ongoing dispute at Her Majesty’s Naval Base, Clyde is an example.”

Local MP Martin Docherty-Hughes, who sits on the Defence Select Committee, raised the dispute at the following Defence Questions (1 February), asking: “Will the minister advise what the Ministry of Defence is doing to ensure that these efficiency savings are not simply an excuse to drive down working conditions and increase profits for private companies?”

At a backbench debate on the Integrated Review (9 February), John Spellar highlighted the potential risks involved: “We must also value the work and commitment of the support personnel and cut out the pernicious dogma that private provision is always best.”

Mick Whitley raised the dispute at the end of a powerful speech, telling MPs: “In Faslane this week, members of Unite the union are balloting for industrial action over the future maritime support programme contract process”, adding that splintering contracts “risks undermining collective bargaining arrangements as well as the delivery of the project”.

We will continue to work closely with the officers and members to support them in this dispute.

Defence Procurement

A Westminster Hall debate on Defence Procurement and Supply Chains (1 December) secured by Mick Whitley was the perfect opportunity for MPs to raise the importance of building and buying British. Whitley addressed this in his opening speech by saying: “My argument is simple – defence procurement has a vital role to play in helping British industry to survive the current crisis. The demand for British manufacturing has slumped, but the need for high-tech cutting-edge defence projects remains as pressing as ever, and British suppliers are well placed to meet the demand.” He highlighted how important it was to build the new Fleet Solid Support ships in Britain, which the government has still not committed to.



Grahame Morris, Chair of the Unite Group of MPs, explained that “defence contracts represent an excellent opportunity for the UK economy and for job creation and retention in Britain” and highlighted the importance of “maintaining jobs and the skills base in the UK”, devoting the rest of his speech to the Rolls-Royce Barnoldswick strike. Several other Labour MPs also intervened in the debate on behalf of Unite members.

Wrapping up for Labour, shadow minister Stephen Morgan posed three questions for Minister Quin, who failed to answer any of them:

Stephen Morgan: First, when will the Government publish the defence and security industrial strategy and the associated integrated review? Will the new defence and security industrial strategy place the rights of staff, who are indispensable to day-to-day defence and security operations, at the very centre of Government procurement, or will it continue the trend of undercutting them, threatening to undermine the operation of vital defence and security assets? Finally, will the strategy make an unambiguous commitment to spending on, and building, all platforms and assets in the UK to help build British jobs? I look forward to the response from the Minister.

RAF Leeming

Emma Hardy raised this dispute at Defence Questions (1 February), telling MPs that “Babcock International aerospace staff at RAF Leeming are currently on strike over a £5,000 pay disparity with colleagues performing the same duties at other bases”. She asked: “Does the Secretary of State agree that this pay injustice is wrong, and will he join me in calling for Babcock to engage meaningfully with Unite the union to resolve this dispute and end the disruption to training flight schedules?”

Minister Quin replied: “I am not aware of the details of that case, and it would be unwise to comment without learning more, but I will look into it and write to the hon. Lady.”

Hardy has followed up her question with a letter drafted with Unite and awaits a response to her further questions. The dispute will continue to be raised at every available opportunity.

GKN Birmingham



We are working closely with the West Midlands region and MPs to ensure we do everything possible to prevent the closure of this plant.

The issue was raised at BEIS Questions (9 February) by John Spellar, who told MPs: “When asset-stripper Melrose was allowed to take over GKN, the then Secretary of State said that Melrose had to honour its commitments to stay UK-based”, asking: “Now that it has torn that up with its disgraceful behaviour and decision to close Birmingham’s GKN Driveline, with the loss of 500 skilled engineering jobs, what is the Secretary of State going to do about it?”

Secretary Kwasi Kwarteng replied that he was happy to meet with concerned MPs regarding the closure, which is currently being arranged.

Additional pressure will be placed on Melrose if its executives give evidence at the BEIS Select Committee on 23 February. They are currently refusing to attend. It is anticipated that Unite will also be called as a witness.

Further work is planned to build political pressure on the government and the company to keep the plant open and save the 519 jobs.

Help for Hospitality During questions about appointing a minister for tourism (3 February), Baroness Blower pointed out that “the hospitality industry is worth £150 billion a year to the UK economy” and “could play a major role in the start of a recovery”, asking: “Will the government consider establishing a forum with employers and unions to help secure the future of the sector and a bargaining council composed of Unite the union and industry representatives to find sectorwide solutions?” Minister Lord Callanan displayed typical Tory contempt for unions when he replied: “I very much suspect that only a small minority of workers in the industry is actually represented by Unite in particular.” At BEIS Questions (9 February), Rachel Hopkins also raised Unite’s recovery plan:

Rachel Hopkins: It is Heart Unions Week, and I am pleased that Unite the union has published a hospitality and tourism recovery plan that outlines how the Government could safeguard jobs, protect working standards and rescue the sector. Does the Minister agree that it is important that the Government should work closely with trade unions and hospitality businesses to create a sector recovery strategy and that extending the job retention scheme, introducing rapid testing for hospitality staff and creating a hospitality



commission to retrain workers would provide the sector with certainty to help bounce back better?

In his reply, Minister Scully was less dismissive than his counterpart in the Upper House, assuring MPs that “we work with the sector and also with trade unions – I am in constant discussions with them about their various sectors. Yes, it is important that we work together with the hospitality sector on reopening it, allowing it to recover and growing its resilience.” Supportive MPs will hold him to this spirit of partnership as the sector seeks to rebuild.

Union Learning Fund

Given the extent of unemployment and uncertainty in the jobs market, the need for the Union Learning Fund, which encourages members to access training and develop their skills, has never been greater. It beggars belief, then, that Education Secretary Gavin Williamson would choose the height of a public health crisis to announce the government is to pull the plug on the scheme’s funding. This is clearly a politically motivated attack on unions that will only harm people’s life chances and compound social inequality.

Despite huge support from Labour and even some Tories to save Unionlearn, the government appears to be digging in to defend the plans. We are still supporting the work of the TUC and Education Department to try and force a U-turn from the government on this issue.

Covert Human Intelligence Sources (Criminal Conduct) Bill

As the Bill (widely dubbed the “Spycops” Bill in the press) went into its Lords stages, Unite supported Shami Chakrabarti in moving a substantial amendment that would have denied state agents and informers authorisation to commit crimes under immunity from criminal prosecution. This would ensure that the Bill did not do more than put existing arrangements on the statute book – which the Labour leadership claimed was their objective.

The Unite political department contacted the Leader and Chief Whip of the Labour Lords requesting a meeting on the issue, but no reply was received despite our numerous attempts to secure a meeting,

We were extremely disappointed that the Labour frontbench in the Lords abstained on this amendment and on the requirement for prior judicial



authorisation. The Lords did pass some amendments, including the specific exclusion of crimes such as torture, murder and rape. However, the Tories used their Commons majority to remove this amendment, and Labour again took a disappointing decision and whipped to abstain on it in the “ping pong” stage back in the Lords – although 18 Peers broke the whip after Unite lobbied in support of this key measure to defend human rights.

International Report

International political situation

The international situation remains dominated by efforts around the globe to deal with the Covid19 pandemic. Poorer and developing countries are being disadvantaged in gaining access to vaccines and many governments, such as those of Israel, India, Myanmar, Colombia, and Turkey are using the situation to increase attacks and political repression or launch military offensives. In the US Joe Biden has finally managed to take office but Trump supporters launched an insurrection that was marked by the absence of police and army units taking any restraining action for many hours. In Europe, the UK and EU reached a Free Trade Agreement that is now in force, but major repercussions are already visible on the island of Ireland, at ports and docks where many problems are being encountered, and in many sectors that are struggling to deal with new trading conditions. The provisions to protect labour standards and maintain a level playing field with the EU have been heavily criticised by the European trade union movement as too weak, cumbersome, and inaccessible.

Multinational Companies

The effects of Brexit are already clearly visible in relation to Unite’s work around multinational companies and numerous examples already exist of companies trying to exclude UK from participation in current or future EWC structures.

Restructurings are taking place in a huge number of multinationals as they seek to adjust to the impact of Covid19 and the impact of Brexit. In many cases these restructurings appear to disproportionately affect UK workers compared to their European counterparts, such as in the cases of IAG, GE and Safran. This is due to the job protection schemes in other countries often being more far reaching and effective, and Brexit negatively impacting on future investment and production



plans in the UK. Amongst others the International Department has provided support to officers and reps in GE, Siemens Energy, Siemens AG, Amcor, Alstom/Bombardier, Safran, RSA, Nissan, Google, Stellantis, and Engie. A conference for all Unite EWC reps and officers will be held in February 2021.

Global and European Federations

The work of the European and Global trade union federations remains focused upon dealing with the Covid19 crisis in the specific manner that their sectors require. European federations are also dealing with responses and inputs to recovery and transition proposals of the EU as well as dealing with the implications of Brexit. All organisations continue to make excellent use of the new videoconferencing facilities with a significant demand for trade union coordination meetings in relation to the boom in company restructurings.

Workers Uniting

The efforts of the USW remained firmly focused on supporting and influencing the presidential transition in the US as well as supporting the Democrat candidates in the Georgia Senate run-off elections – both of which were won. The new administration has taken a number of trade unionists into senior and influential positions, including the USW's Jim Fredricks as the Occupational Health and Safety spokesperson. Preparations for a future steering committee of Workers Uniting are underway as well as preparations for a further Workers Uniting Black Lives Matter event in the aftermath of the Biden victory.

Solidarity Work

Solidarity work has been intense in recent months due to the impact of the Covid19 crisis with many repressive governments launching renewed crackdowns and attacks or discriminating heavily in their handling of the Covid19 crisis. Work concerning Palestine has covered solidarity actions on Covid19 and defending free speech on Palestine in the Labour Party, while serious efforts have been made in relation to Kurdish solidarity against the increasing attacks of the Turkish government on Kurds in the entire region. In Colombia violence against human and social rights activists as well as former FARC guerrillas is soaring as the government continues to undermine the peace agreement reached in 2016.

UK based EWC's post Brexit and the Trade and Cooperation Agreement:



Further to the implementation of the TCA the EWC Directive 2009/38/EC no longer applies to UK employees. The UK law on governing EWC's has been transferred into domestic national legislation and only applies to pre-Brexit UK based EWC's. Many companies including HP Inc and HSBC are refusing to accept the UK law still applies and have transferred their representative agent unilaterally to Ireland. Other companies have requested that EWC representatives agree to amend their EWC agreements in order to 'opt' out of the UK legislation. UNITE is strongly advising against this, especially as case law in the UK has now significantly benefited EWC's and their representatives. In regards to companies that believe they can simply unilaterally transfer their EWC's to another member state without the agreement of the reps or EWC, these will be legally challenged.

In addition to UK-based EWC's and their continued operation under UK law, there is also a question concerning the continued application of the directive to UK employees and their EWC representatives in non-UK based EWC's due to the terms of the TCA. Chapter r of the TCA states:

- a) '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.'
- b) For the purposes of this Chapter, "labour and social levels of protections" means the levels of protection provided overall in a Party's law and standards in the area of "Information and consultation rights at a company level".'

At the end of the transition period UK employees' information and consultation rights at a company level were terminated. UNITE is already working with the European colleagues on how to address this situation.

Irish EWC legislation:

The European Commission has advised all pre-UK based EWCs that they need to nominate a Member State to domicile their EWC agreement. Many companies have decided to nominate Ireland as the representative agent. After a further analysis of the Irish transposition law of the EWC directive it appears there are a significant number of deficiencies in the transposition, especially in the area of



enforcement. UNITE international department will be working with the Irish region to look at avenues by which to influence and amend the transposition law.

Education Report

STATISTICAL RETURNS – ANNUAL AND QUARTERLY

The statistical returns for our education courses clinically reinforce the economic reality. The annual fall in the number of courses which we organised fell from:

1168 courses in **2019** to **563** courses in **2020**

The number of students attending fell from:

12454 students in **2019** to **5661** students in **2020**

and the real measure of educational activity 'number of teaching hours' (number of students X number of hours being taught) fell from:

55986 teaching hours in **2019** to **22686** teaching hours in **2020**

The corresponding statistics for the fourth quarter of 2019 compared to those recorded in 2020 show a similar decline, though we experienced a wee uplift in the fourth quarter to marginally above 50% if the 2019 figures whereas the ANNUAL figures are below 50% of the previous year.

This we attribute to the reluctance at the beginning of the first tranche of lockdowns to apply for 'virtual' courses in the expectation that the normal classroom – based courses would be reinstated in the near future. Therefore, hundreds of UNITE reps postponed their applications through Spring and Summer. With the recognition (and our official announcement) that there would be NO immediate return to the classroom, a wee avalanche of applications were processed on our courses in the last quarter of 2020 October to December courses. Hence the statistical upturn. We anticipate with this recognition of the reality of the pandemic lockdown, we will experience an extrapolation of this trend in the first quarter of 2021.

LEARN WITH UNITE (LwU) PLATFORM

A presentation to the Executive Council detailing the LwU platform in particular the practicalities of the Platform and the benefits that it provides our members.



- The Platform uses a variety of partnerships which brings together their offer to the Unite Platform for the benefit of our members and is undoubtedly a recruitment tool. Local facilities to the member's region/nation are married to the site as is the educational offer of local colleges, local government and social services are clearly promoted such as the benefits system for individuals who have lost their jobs.
- The tools of how to regain employment is provided such as a job research service which is updated throughout the day. Individuals can update their CV with the assistance of trained advisers employed as Union Learning Representatives (ULR). They are guided to learning skills that will assist, enhance and provide a new learning avenue whatever the need maybe.
- Employers engage with the processes offered by LwU. Sessions are provided on site or via a virtual digital application or a mixture of both approaches (hybrid approach).
- Learning Hubs are a key offer of the Platform. The learning hubs provide a service for the Community. There is now a learning hub at Heathrow which opened on the 10th February and is already a resounding success overnight Heathrow received 15,000 hits in first 24 hours of opening.
- John McDonnell the MP for Hayes and Harlington said of the Heathrow Hub launch:

"This is a massively helpful initiative from Unite. Working with the colleges, this will give local union members and their families real opportunities to gain access to the training and skills people will need for the future. "With the current employment challenges people in our community are facing, it comes just at the right time."

- Central Government are also utilising the services of the Platform, for example, via the Skills Network services. This enables the engagement of under 25 year olds. Yet it seems unbelievable that the Government are removing the funding of 1.6 million in England to the Union Learning Project.
- The platform is so much more than a Learning Platform. It has a person to person element to it which is provided by the ULR.



- If there are any questions or queries concerning courses they are handled effectively by the professionally trained administrator.
- ULR have multiple skill sets, they are tutors, advisers, negotiators, recruiters, organisers, technology savvy and knowledgeable concerning the field of education.
- ULRs are a front line worker for UNITE and members.
- New partnerships have been negotiated with Future Learn and Open Learn (the Open University).

Various Resolutions received on the subject of Union Learning Fund - The resolutions requested that Unite continue to support Learn with Unite and it was left on the table in light of a proposal by the General Secretary to provide information to June meeting about costs of taking over running Learn with Unite. Interim position is to continue funding for 3 months.

CENTRAL OFFICE DEPARTMENTS AND ADMINISTRATION REPORT

ADMINISTRATION AND CONSTITUTIONAL ISSUES

MEMBERSHIP OF THE COUNCIL

As previously reported at the close of nominations in the Ireland Region EC by-election there was only one eligible candidate, Therese Moloney, who was duly declared elected.

CONSTITUTIONAL ELECTIONS 2021

Elections for the electoral period 2021 – 2023 were postponed at the December 2020 Council meeting and given the current ongoing situation with lockdown it was agreed to postpone them for a further 3 months. In the meantime the administration agreed to issue a letter regarding the postponement of the elections which could be posted in workplaces advising members of the situation. It was agreed that a timetable re-setting the constitutional timetable for elections would be prepared for discussion at the Council's June meeting.

NATIONAL CONSTITUTIONAL CONFERENCES

6th Policy Conference 2021



Arrangements for the policy conference to take place in July 2021 are in hand. The preliminary agenda has been distributed to branches and fulltime officials with responsibility for constitutional committees inviting them to submit amendments. The deadline for receipt of amendments is 26th March 2021. Regions have been advised about the arrangements for delegates and are in the process of confirming availability or where necessary seeking replacement delegates. The deadline for providing and updating information about delegates is 26th March.

National Equalities Conferences 2021

Arrangements are in place to hold the National Equalities Conferences on 25, 26 & 27 May 2021. As the current lockdown continues and it is not possible to plan for a physical, live conference without proper government guidance on what will be possible in May it has been agreed that these conference will go ahead in a virtual format.

The deadline for receipt of motions is past and we are proceeding with arrangements to prepare the conference agendas. The Standing Orders Committee (SOC) for these conferences should have been elected at the conferences in 2020, however, due to the extraordinary situation over the past year which caused the cancellation of those conferences this was not possible. It will therefore be necessary to extend the period of office of the SOC elected for the 2020 conferences until the end of this year's event. Should any replacements be required the appropriate National Committee will be consulted where appropriate.

7th National Industrial Sector Conferences 2021

The National Industrial Sector Conferences will be held in the Unite Birmingham Conference Centre, during the week 15 – 19 November, because of the current Covid-19 lockdown it hasn't been possible to do a proper viewing of the centre and determine the schedule for these conferences. This will be provided as soon as possible.

A document setting out distribution of delegates will be circulated separately. EC members may be elected as delegates to their conference but where they are not a delegate they will be invited to attend the conference for their sector as an observer. This includes territorial and Equalities EC representatives. Each conference will be chaired by the chair of the relevant National Industrial Sector



Committee (NISC), where that person is not elected as a delegate to the conference they will be invited to attend in an ex-officio capacity.

The Standing Orders for these conferences will also be circulated prior to your meeting.

Finance Report

Total Income amounted to £172.5 million in the year, very slightly up by £0.1 million versus 2019. Contribution Income was £166.2 million in the year, the same as in 2019. Other income also remained relatively static when compared to the same period in 2019.

Total Recurring Expenditure amounted to £136.9 million in the year which was £22.3 million lower than in 2019. Spending is still reduced as a result of the cessation of many normal Union activities during the year due to the ongoing COVID-19 pandemic.

Employment Costs excluding Organising of £63.3 million were up £0.9 million versus 2019, as a result of the 2020 Pay Award being implemented. Taken together, Employment Costs including Organising amounted to 41.9% of Income in the year, up from last year's comparative figure of 41.0%.

Investment Income, from dividends and interest amounted to £1.4 million in the year, down versus 2019. 2020 saw Global Stock Markets and Worldwide Economies remain extremely volatile during the Covid-19 pandemic and as such any future income from dividends is expected to be extremely low until the markets have recovered fully.

Property Update

- Derby – Refurbishment project has begun, and is expected to complete in Spring 2021.



- Bradford – Refurbishment has commenced and should be complete for occupation by Autumn 2021.
- Aberdeen –Refurbishment work is under way, with a target completion date of spring 2021.
- Birmingham – Offices and hotel/ conference centre are now operational, although office staff work mostly from home due to the ongoing lockdown. The hotel and conference centre will open to the public as soon as Covid regulations allow.
- Birmingham 2 – Progress has been limited since the last report. Dialogue continues with the Council to try to get an agreement in place for the construction of a multi-storey car park and second hotel close to the new office, hotel and conference centre complex
- Belfast High Street - Discussions are expected to get underway in the next few weeks to provide a timeline for the works to be done in order to refurbish and re-open the High Street office. Revised plans and costings will follow.
- Lincoln – Planning consent for the new Lincoln office has now been granted, and the purchase of the vacant land has been completed. Plans for construction of the new Lincoln office are currently on hold whilst the Union undertakes a full review, and the district office in the High Street will be maintained for the time being.
- Esher – At the time of writing this report Esther has not had its planning permission granted. The buyer is moving forward to appeal. The buyer has asked for an extension for completion, currently scheduled for May 2021. We have responded saying we will consider an extension but the £500k deposit was due in December 2020 and needs to be paid forthwith and we would want an extension to the overage clause currently in the contract to maximise our chances of additional funds from the sale.

Legal Report



Covid-19 PI Claims

Unite Legal Services have established a specialist team to advise members and family members who have contracted Covid-19. Members who seek advice relating to a potential Covid-19 PI claim will be directed to call the specialist Unite legal team on: 0208 799 4023. The service is being advertised in the Regions and on the main Unite and Legal Services websites.

We are aware there have been issues with workplaces not carrying out risk assessments, not reorganising work processes, not providing ppe, and not enforcing social distancing leading to members contracting Covid-19.

There are examples of members who have tragically lost family members as a result of contracting Covid-19.

Presently, there are over 80 claims for members and family members being investigated. These cover different Regions and Sectors. 18 of the claims relate to Covid-19 fatalities.

The Legal Department is monitoring the number of claims being submitted by members and taking strategic decisions as to future conduct.

Asbestos Report

Asbestos Register

At the end of December 2020, the number of members on the Unite Asbestos Register was 15,878, an increase of 14 from the previous quarter.

Asbestos Awareness

Unite has long been concerned that members and former members are unaware of the legal services provided by Unite in supporting those who have been diagnosed with an asbestos related condition.

Unfortunately, some members have instructed non-Unite panel solicitors to pursue their asbestos claim. This can ultimately lead to a poor service for the member and a deduction from their compensation to pay for the private solicitors' legal fees.



By bringing their asbestos claim with Unite Legal Services, the member will have their claim dealt with by an asbestos specialist, who will have access to the Unite asbestos database to provide the best chance of securing compensation. And of course, the member will keep 100% of any compensation awarded. There are no deductions for legal or other fees.

TOXIC CABIN AIR

A. Background & Legal Strategy

1. The background to Unite's campaign to confront the airline industry workplace health and safety issue of 'toxic cabin air' (TCA) is covered in previous Legal Services' reports.

2. Thompsons Solicitors are instructed by Unite Legal Services to conduct the TCA litigation. Thompsons' dedicated legal team work full-time on the TCA litigation alongside Leading Counsel and 2 junior counsel.

B. Litigation Update

3. High Court proceedings have been issued and served on behalf of Unite-backed cabin crew and pilots in over 50 cases against 5 airline employer defendants. Details of the numbers of additional claims currently held in abeyance pending the trial of lead cases are summarised in Section F below. Due to the wide-ranging impacts of Covid-related travel restrictions on the air travel industry, and mass redundancies, no new cases have been received since the last update.

4. Following on from previous reports, BA's application to the Court to determine whether other airline defendants should be added to the lead case group is awaited. Furloughing of staff at the airlines and their insurers has caused difficulty for the airline defendants, impeding any significant progress.

5. Unite's legal team have served questions on BA aimed at clarifying their position on document disclosure. A response is awaited. Unite's legal team plan to revisit their strategy in relation to this issue once matters relating to the recoverability of common costs have been resolved.

6. Unite's legal team have made progress with investigations into proving medical causation of members' injuries and liability. The individual experts have been



considered with leading counsel. Proposals for progressing these avenues of enquiry will be discussed with Unite Legal Services.

7. Significant progress has been made in interviewing Aircraft Maintenance Technicians. A conference has been held with the team of counsel, and a strategy is being developed as to how this evidence will be presented.

8. Professor Dieter Scholz has been instructed to provide an expert opinion on the failings within aircraft design which lead to toxic substances entering the aircraft cabin. Whilst a supportive preliminary opinion has been received, Professor Scholz's final report is awaited.

9. Notification of the next hearing before the trial judge, to deal with ongoing procedural matters and timetabling, is still awaited. The restrictions on the civil justice system due to Covid-19 have caused significant delay. It is expected that any such hearing will be combined with BA's application (above).

C. Health & Safety Conference

10. The conference will be rearranged when circumstances permit in due course.

D. Insurance Position

11. Confirmation has now been obtained that the defendant airlines have Employer's Liability insurance that covers the vast majority of members' relevant periods of employment.

E. Other issues

12. Unite's legal team are aware that the European civil aviation regulator (EASA) are tendering for an in-depth scientific study into cabin air quality. EASA expect the study to take 3 years.

13. A small number of members who were made redundant, and signed Settlement Agreements, have withdrawn their claims because they feared losing their staff travel benefits if they continued with their personal injury claims.

F. Current Claims

14. The current numbers of Unite members who have presented personal injury enquiries relating to exposure to toxic cabin air:



a) Total number of current cases 225

GRENFELL TOWER DISASTER

Unite Legal Support for Survivors and Families

Public Inquiry – since the last report of 26 November 2020, there has not been a great deal of development in the evidence given to the Inquiry. It closed down early on 9 December 2020 as one of the Inquiry staff went down with Covid-19 and all had to self-isolate. The live hearings were to recommence on 11 January 2021 but the increased risk from the pandemic and the increased restrictions in the London lockdown at the start of this year made travel to the hearing centre in Paddington impossible. The Inquiry team then set about arranging for remote hearings outside of the hearing centre and the Inquiry commenced taking live evidence again on Monday 8 February 2021 from a witness based in Dubai for Kingspan who supplied some of the insulation put upon the outside envelope of the Tower.

The scandal of the French witnesses from Arconic, the cladding manufacturers, refusing to give evidence and hiding behind the protection of the French Blocking Statute has continued. Three key witnesses refuse to assist the Inquiry. One other Arconic witness is to give evidence remotely and is timetabled to appear as a live witness for 4 days. This is a very unsatisfactory situation and in spite of government and Inquiry pressure to secure the remote attendance of the other 3, they continue to refuse to cooperate. Counsel to the Inquiry now intends to put to the one attending witness, all the questions that would have been put to the 3 missing witnesses. We suspect he will simply say he is unable to answer for the others. This part of the evidence will be difficult in any event as it is to be given through an interpreter with all documents being translated to and from French.

On behalf of the Unite supported clients we have prepared a presentation of the questions we would have wanted put to the missing witnesses and the evidence we would have taken them to in the disclosure documents. If the witness who does appear gives evasive or inadequate evidence, we will press the Inquiry to allow the BSR core participants to put the presentation to the Inquiry panel.



We are now back on Module 2 witnesses and will be starting to deal with Module 3 witnesses towards the end of March. The key theme of our questioning in Module 3 will be the incompetence and mendacity of the Tenant Management Organisation and in particular their high-handed manner when interacting with residents and tenant representative groups. Meaningful engagement with residents by Landlords will be an important outcome we will be seeking in the recommendations of the Inquiry.

US civil litigation – no recent developments as an appeal is outstanding.

UK civil litigation – the approach of 31 December 2020 with a no deal Brexit posed a real possibility that proposed legal action against European domiciled defendants – Arconic (cladding) in France, Kingspan (insulation) in Ireland and Whirlpool (manufacturer of the fridge freezer that caused the initial kitchen fire) in Poland – would leave claimants with the inability to enforce judgments in Europe unless legal proceedings were issued in the UK courts on or before 31 December. On 23 December, we lodged protective legal proceedings on behalf of 61 claimants against 23 defendants. We obtained anonymity orders to protect the identities of children (minors under 18) and protected the addresses of all clients, as we wanted to ensure the press would not approach traumatised clients about their damages claims. We are now completing the structure for ADR discussions to take place. All defendants will be in the tent with the defendant negotiators led by lawyers for the Royal Borough of Kensington and Chelsea/Tenant Management Organisation. Parallel to the ADR process we are also looking to set up a restorative justice scheme to provide space for a wider range of outcomes to those available under the damages claims in the civil proceedings. Whilst ADR is being set up the civil proceedings are to be stayed to allow (a) relevant evidence to emerge from the Inquiry, and (b) for the ADR negotiations to take place towards a scheme for damages payments for all. The negotiations are likely to be challenging in terms of the current law on secondary victims ie victims who suffered no physical but pure psychiatric injury when they themselves were not physically endangered. The leading case is *Alcock v Chief Constable of South Yorkshire* that came out of the Hillsborough disaster 30 years ago. Much has moved on since then, not least, instant access to live events on social media/mobile phones/tablets/laptops etc; the ability to communicate by mobile phone with video calling as well as audio, with loved ones in peril (the phone calls to those trapped in the Tower as the fire encroached on people in their flat are extremely upsetting as are the calls with



emergency responders); and the nature of 'close ties of love and affection' with the sense of community being enhanced in some areas including Grenfell. We are developing expert evidence around each of these issues.

UPDATE ON BLACKLISTING CASES

Crossrail

Following further pre-action correspondence with Crossrail, NG Bailey, Skanska, Costain and T. Clark, High Court proceedings have now been prepared by Counsel on behalf of a prominent activist and will be issued shortly. The claims are for blacklisting and breaches of the Data Protection Act. The claims relate to a 'vetting process' and 'industrial relations reports' uncovered through subject access requests.

Further proceedings are being considered for another activist whose replies to subject access requests disclose the operation of the same vetting process by these companies.

Further claim

A further claim is being pursued by Legal Services on behalf of another prominent activist against the agency Emico in relation to work on the HS2 project. That claim was due to be heard by the Employment Tribunal in January, but the hearing was postponed. Further pre-action correspondence has been sent on behalf of the same activist with a view to possible High Court litigation.

High Court litigation

Legal Services will be administering the £230,000 training fund secured as part of the settlement of the High Court proceedings.

STRATEGIC REVIEW ON UNDERCOVER POLICING INQUIRY

An Undercover Police Inquiry (UCPI) procedural hearing was held on Tuesday 26 January 2021 to discuss how the phase 2 tranche 1 hearing would be managed and the rest of the Inquiry more generally. Unite Legal Services contributed to the submissions that were drafted by a team of counsel. The purpose of the hearing was for there to be a chance for the Inquiry and the Core Participant teams to learn from the many mistakes of the November 2020 Phase 1 Tranche 1 hearing. It was welcomed by many Non Police Non State Core Participants (NPNSCP) as an opportunity to make clear how things could be improved.



The next set of evidence hearings (Tranche 1, Phases 2 and 3, covering the Special Demonstration Squad activities 1973-82) are currently set to be heard in April and July, so it was important these issues were addressed. There were submissions from both police and NPNSCPs' representatives, plus a Note from Counsel to the Inquiry.

The most significant revelation of this procedural hearing was that the majority of the pre-1995 files did not come from Metropolitan Police Service's Special Branch (which had overseen the Special Demonstration Squad). This raises the question as to whether they came from MI5 or elsewhere.

The Order following the hearing is still awaited because the Chair requested further written submissions on the issue of the equality impact assessment and the desire to have live streaming (to ensure that there is better public and press access to the Inquiry, especially during lockdown). These submissions were filed on 2 February. We should shortly receive the Inquiry's Order.

There is a meeting of the legal teams on 8 February where counsel representation is to be discussed further as standing counsel for the NPNSCP is having to take a period of absence. The decision on the selection of counsel will be for the legal teams of all NPNSCPs as a collective and it is proposed that there will be an interview process due to the demanding nature of the role and the anticipated longevity.

Thereafter, on 17 February, there will be a meeting with the Inquiry Team and the legal teams for the NPNSCPs. This will seek to deal with the issue of disclosure and preparing the release of the bundle for the April hearings. Once we have the Inquiry Order Unite Legal Services will consider next steps, including whether a further application for funding from the Inquiry is appropriate.

UPDATE ON LEGISLATION

Covert Human Intelligence Sources (Criminal Conduct) Bill

Following the last report, there were a number of amendments put forward in the Lords, which would undoubtedly have improved the legislation. Some of the



amendments were carried and the Bill returned to the Commons on 27 January. The Government objected to all the amendments, including:

- Amendment 1, which would have required those authorising the criminal conduct to have “a reasonable belief” that it was necessary and proportionate
- Amendment 2, which would have imposed limits on the nature of the conduct permitted so as to rule out murder, serious sexual assault and torture
- Amendment 4 that provided safeguards for juveniles.

The only Government acceptance of Lords amendments to date was to further amend provision adding additional ex post facto scrutiny (Amendment 5).

So the Bill contains no protection for trade unions against infiltration and indeed the recruitment of those involved in the union to engage in criminal activity on behalf of state organisations concerned about ‘disorder’ or activity they consider may be adverse to the ‘economic well-being’ of the UK.

Meanwhile, the Scottish Parliament has decided that the legislation will not apply there.

Human Rights Act Review

On 7 December it was announced that Sir Peter Gross was heading an independent review of the Human Rights Act “to see if it is still working correctly”. It is to report next in the summer. It is said there are no preconceived plans for change, but that did not stop the Daily Mail pointing to the 2019 Tory manifesto commitment to update the law to make sure “there is a proper balance between the rights of individuals, our vital national security and effective government”. The Mail suggests that “one of the outcomes of the review could be limiting the power of judges to block the deportation of serious foreign criminals”, as just a week before the Home Office was “blocked from deporting 23 serious criminals to Jamaica after 11th-hour legal challenges backed by Labour MPs and celebrities”.

Working Time Regulations and workers’ rights post Brexit

Under a headline “UK workers’ rights at risk in plans to rip up EU labour market rules” the Financial Times reported on 14 January about “plans being drawn up by



the government” (<https://www.ft.com/content/55588f86-a4f8-4cf3-aecb-38723b787569>). The FT cites “people familiar with the matter” specifically on plans being drawn up at BEIS with the approval of Downing Street in relation to rights derived from the EU Working Time Directive. There are proposals to end the 48 hour working week, change rules on rest breaks, taking overtime out of the equation for calculating holiday pay and ending the requirement on employers to report on working hours.

When confronted the Business Secretary, Kwasi Kwarteng, initially denied any plans to reduce workers' rights, but did not say whether the specific reports were true. Days later he was forced to admit that the government was looking to review workers' rights, but then, having felt the fury of Unite and across the labour movement, he announced in a media interview that he would not be doing so after all. Nevertheless, we will be keeping a close eye on the situation.

We had reported before that Working Time rights could well be first in line for attack after Brexit.

Coronavirus and employment rights

Covid-19 has obviously given rise to a number of issues related to work and one such relates to the right to leave work without suffering detriment when there is a “serious and imminent” danger under Section 44 of the Employment Rights Act 1996 and under Section 100 any related dismissal is automatically unfair (and such rights apply from day one of employment). This issue along with such other health and safety rights, which are only available to “employees” under UK law and not to all “workers” was considered in a High Court judgment given on 13 November 2019 (<https://www.bailii.org/ew/cases/EWHC/Admin/2020/3050.html>). In his judgment Mr Justice Chamberlain concludes that rights derived from the Health and Safety Framework Directive 89/391/EC and in the particular case the PPE Directive should have been applied to all workers in the UK (and not just to employees). It appears to follow from the line of argument and conclusion that workers should be covered by ss 44 and 100.

Exclusivity Clauses in employment contracts and Non-Compete clauses post employment There are currently 2 consultations by BEIS due for response by 26 February on:



- Post-termination non-compete clauses in contracts of employment and
- Exclusivity clauses in contracts of employment, which Unite is working on.

In the former they are looking at 2 things. Firstly, altering the law so that post-termination restrictive covenants are only enforceable if the employer continues paying remuneration during the restricted period. Secondly, banning post-termination restrictive covenants completely.

In the latter the government is seeking views on a specific proposal to extend the ban on exclusivity clauses beyond zero hours contracts, to contracts where the workers' guaranteed weekly income is less than the Lower Earnings Limit, currently £120 a week. They say the intention is to allow lowincome workers who are not able to secure the number of hours they would like from their current employer to seek additional work elsewhere.