

Report of NEC Meeting 25th January 2006

This is not an official or comprehensive report, but picks out issues that may be of particular interest to members in Health.

This report is written under guidelines for all NEC members on collective responsibility. Like other NEC members, I am now allowed to outline my own position in debates or votes only if I am specifically asked about my personal position.

I welcome questions on my personal position from members. Please feel free to contact me by phone: 020 7502 6905 (home) or by e-mail: gill@ghg.me.uk

‘Balls to Poverty’

The NEC watched a short video about one of the charities supported by Amicus – a project that supports teenagers from deprived areas of Nottingham in visiting South African townships and coaching South African children in football.

NHS

Under ‘Matters Arising’, an NEC member praised the very good work done by Amicus in building the campaign to defend the NHS. She particularly praised the successful lobby of Parliament, and the briefing material going out to reps. She reported that the Health Sector National Committee had recommended affiliation to the ‘Keep Our NHS Public’ campaign. It was agreed that Amicus would affiliate to the national ‘Keep Our NHS Public’ campaign, and that the Union would be represented at the campaign activists meeting called by ‘Keep Our NHS Public’ on 11th February.

Extension of NEC Term of Office

This issue probably caused the biggest debate of the meeting. The NEC elections were due to take place at the end of 2006, with a new NEC to take office in January 2007. The NEC voted to extend its term of office to 1st October 2008.

The rulebook allows the NEC to amend the rules by a resolution supported by not less than 75% of its members if, in the opinion of the NEC, there is an urgent need to do this. This provision was used to permit the rule change. It was also agreed that all NEC members would be given a vote, and that those NEC members not at the meeting would be consulted through a postal ballot. (In the event, the 75% majority was narrowly obtained without recourse to a postal ballot).

The General Secretary reported that there was a need for harmony and unity during the merger talks with the TGWU and the GMB. It would be damaging to break down into different groups such as Members First or the Gazette or MSF for Labour. We needed unity not tribalism. People who disagreed were either against the merger or wanted the merger on the T&G’s terms. It would also be a waste of money to spend money on an election when it is hoped that a merger will take place at the start of 2007. The NEC was in tune with members, and there was no turmoil or upheaval from members on the term of office of the NEC.

Questioning clarified that the date of 1st October 2008 had been chosen to signal that Amicus would remain within the law, which allows a maximum term of office of five years (due to expire in December 2008). It was hoped that an election would take place before October 2008.

The discussion on this issue became heated at times.

A small minority of NEC members spoke strongly against the extension to the NEC’s term of office. One said that the T&G was holding elections, and they were not being branded as against the merger. The use of the word ‘tribalism’ was unnecessary – there were differences of opinion and this was democracy. A postal ballot was undemocratic as it gave votes to NEC members who did not attend meetings. A second NEC member agreed, asking, ‘Why now?’. The NEC member felt that this was the wrong time to take a decision of such importance, when we did not have an agreed merger, the conclusion of negotiations, or a definitive timetable. Also there was no provision in NEC Standing Orders for a postal ballot, and we should not give a postal vote to an NEC member who had not attended the NEC since early 2004. It was right that it was difficult for the NEC to get a 75% majority and change the rules.

A third NEC member stressed the importance of democracy. He couldn't be the only NEC member getting questions about where we were with the merger. We could talk about tribalism, but part of democracy was looking at the traditions of all the unions and picking the best. Another pointed out that extending the term of office to October 2008 was not 'the few months' that some NEC members had talked about.

A large majority of NEC members supported the extension of the NEC's term of office, with many speaking in the debate. It was suggested that we had to run the union for members, not little political ideologies. Another NEC member felt that we were the biggest union, and we didn't want other unions coming over and dictating to the biggest union. Several NEC members said that their members had no problem with this, that they personally might feel a degree of discomfort with extending their own term of office, but the key question was not wasting the union's money on an election for people who might be in office only for a few months. Three NEC members said that the postal vote was correct – it was important that all NEC members had a say. Some would get a vote who should not, but larger numbers came to meetings regularly although they were absent from this meeting.

It was suggested that NEC members who opposed this had not consulted with the members who had put them there. Members were saying, 'You were part of the debates, you should see this through'. The point was made again that running an election would lead to different factions vying for electoral advantage, when we should be taking crucial decisions about the merger in the interests of our members.

The General Secretary summed up the debate, pointing out that the NEC was united, with only a small number breaking unity. He felt there was an agenda there. People who said they supported the merger only if criteria were met were trying to kill the merger. There were differences between Amicus and the other unions on issues like the degree of autonomy the unions had. The second issue was leadership and who was going to lead. There were people who were disaffected by his style of leadership, preferring an approach of breaking the law, in disputes such as Gate Gourmet and Wembley. They wanted to break unity. They were against the merger, but couldn't stop it, so they would damage it. They were moving towards the revolution whether this damaged the union or not. Those were the people who were against the rule change. There was no price on democracy, all members would have a say. Unity and money were the prime reasons. If that could be blocked by a few people, based on the non-attendance of others, that would be a travesty.

NEC members overwhelmingly supported the rule change to extend their term of office. A small number did not, and recorded their votes against. After this, all votes were recorded. NEC members who were not present will receive a postal vote.

Trustee Company

The NEC passed a rule change and resolution on the Trustee Company based on legal advice.

Branch Restructuring

The proposals for branch restructuring are a working document that the NEC will come back to. In the meantime, Regional Councils are encouraged to approve branch mergers where these are supported by the branches concerned and are felt to be sensible.

Membership System

An NEC member raised concerns about a new membership system that Amicus has just bought, apologising for not putting the concerns in writing but saying they had just come to light. They reported that the company (Siebel) was in trouble and due to merge with Oracle. Products would be merged into Oracle's product suite. Siebel did not have a membership system product as such. There was also a pre-existing partnership relationship between the consultancy that recommended purchase and Siebel. Was the selection neutral, what were the estimated costs not just upfront but on a recurring basis, who would bear future costs of migration to Oracle? The General Secretary reported that these were the best products for the new union, and there was future proofing built in. The product would be better than anything the T&G or the GMB had. The product was stable for at least a five year period. Two GPFC members who had seen a display of the product agreed. A demonstration of the system will be arranged for NEC members.

The first phase of the system is due to be up and running by September 2006. A new phone system and a new network are also now in place, reducing costs and improving communication.

Service Directive

The General Secretary reported on our continuing opposition to this. This is a dangerous proposal that would allow EU citizens to work in the UK without any requirement to pay the minimum wage or even adhere to health and safety legislation, as legislative requirements of their country of origin would apply. This means that workers from e.g. Eastern Europe could be employed in the UK on very poor terms and conditions, leading to the loss of jobs on decent pay rates, and eroding terms and conditions overall. This is relevant to many Amicus members - construction is the obvious example, but there is nothing to stop the same provision being used in Health.

CMA

The disagreements between Amicus and the CMA Executive continue, with legal action now looking more likely.

Merger

The General Secretary reported on merger talks. There was a greater degree of agreement between Amicus and the TGWU than there was with GMB. This was a sensitive period as the T&G NEC elections were taking place.

An NEC member proposed the following motion:

This NEC resolves to place any Instrument of Amalgamation for merger between Amicus and the TGWU and the GMB before a recall of the 2005 Policy Conference in advance of any submission to the membership for ballot approval. The Policy Conference shall have the right to submit the draft Instrument of Amalgamation to ballot with either a positive or negative recommendation, or to reject the draft Instrument without ballot. The NEC will only recommend support of the draft Instrument of Amalgamation to the Policy Conference if the following conditions are met in the draft Instrument:

- *The NEC of any merged Union shall be composed exclusively of lay members.*
- *The Union should be based and Regions and Industrial Sectors with the Sectors having autonomy subject to overall Union policy.*
- *The NEC should be based on 75% Industrial Sector representation, 25% Regional representation (with additional provision for representation from Women) with all NEC members elected by and from their constituencies.*
- *Full time officers should be elected.*
- *All full time officers should be responsible to the relevant lay committee.*
- *The Rules Commission to draw up a new rule book should be elected by Conferences of the constituent unions.*

A very similar motion was received from a London branch. There was little debate, as the issues had been dealt with in the earlier debate on extending the NEC's term of office. In the earlier discussion, the NEC member who moved this motion said that he would support the merger for the right reasons. The General Secretary had felt that supporting the merger subject to criteria was a clever way of killing the merger.

Both motions were overwhelmingly defeated, with a very small number of NEC members recording their votes in support.

Suspensions

An NEC member asked how many Staff or Officers had now been suspended, what stage we were at with the proceedings, and if the Staff Union took a position on this issue. The General Secretary reported that four people were involved; the process had stalled due to them lodging grievances and appeals against the outcome of the grievances; it wasn't clear if the Staff Union took a position one way or the other; Amicus was anxious to show that we had followed all procedures so that *should* there be dismissals and *should* people go to tribunal, they wouldn't be able to win on a technicality.

Childcare Expenses

A proposal for the payment of childcare expenses was placed before the NEC. This will reimburse carer expenses covering an hourly payment of £6 where the services of a registered childminder are used and a receipt is provided. One NEC member asked for the proposal to go to the National Women's Committee before approval; another raised concerns that the requirement for the use of registered childminders would exclude more common informal arrangements. Neither request was felt by the NEC to be necessary. The proposal was agreed on a trial basis, to be reviewed in six months.

Finance Report

The NEC approved the budget for 2006. Based on conservative assumptions about income, the budget is intended to result in a small budget surplus (£0.4 million) by the end of 2006. The production of budget 'templates' will allow more careful monitoring of the Union's finances. It was acknowledged that it was not ideal for the NEC to be approving the budget in the first month of the financial year, and that the budget had been produced within a very tight timeframe. The financial information presented to the NEC was noticeably clearer and more complete than that provided in the past.

Organising Report

Assistant General Secretary Paul Talbot reported that Amicus had recruited 85,000 new members in 2005 (although the net gain had been smaller). Three sectors doing particularly well were Finance, Health and Not for Profit – recruiting well, and recruiting a high proportion of women members. (Health recruited just short of 9000 members in 2005, with 75% of these being women). We were also recruiting more young members. There were implications in how to pitch our recruitment material.

Political & Campaign Reports

Deputy General Secretary Tony Dubbins gave a political report. Amicus has no position on the Government's proposed incapacity benefit or education reforms. Amicus is supporting (and is a major sponsor of) the Defend Council Housing lobby of Parliament on 8th February. Transport is being arranged from many regions. Regional Political Conferences are currently taking place. Amicus is working with Searchlight on tabloids to go into the local elections where the BNP is standing.

Amicus continues to be involved in many campaigning issues, including offshoring, anti-racism, equal pay and bullying. Involvement at Glastonbury and a proposed 'Battle of the Bands' is intended to raise the Union's profile amongst young people.

Conference Implementation Report

The NEC endorsed a report on the implementation of 2005 Policy Conference decisions. This is obviously quite a lengthy document – I am happy to answer questions on individual resolutions.

International

The NEC approved affiliation to several international organisations: the Labour Middle East Council, the Venezuelan Information Centre, Justice for Colombia, and Stamp Out Poverty.

The NEC rejected a motion from an NEC member asking for the Union to support the Stop the War Coalition demonstration on Iraq, due to take place in London on 18th March, by providing a speaker and seeking delegations from regions. However, members attending the demonstration may take Amicus banners or flags.

Correspondence

The NEC view was that it was premature to take a position on Government proposals to introduce id cards. Motions relating to current campaigns against privatisation and anti-union laws were supported. Motions on opposition to the Serious and Organised Crime and Police Act, to rescind affiliation to 'Abortion Rights UK' and to cease financing of the Labour Party were rejected. The NEC also rejected a motion from a London Health branch asking for a letter to be sent to Regional Council delegates who had never attended a meeting, asking them to pass their contact details to the Regional Chair if they wished to continue, or to resign if they no longer wished to remain as a delegate.

Gill George
4th February 2006