

NATIONAL AND INTERNATIONAL POLICY

1. RESPONSIBILITIES OF THE COMMITTEE

The Committee is responsible for:

Development and promotion of policy outside of Annual Conference on all matters which are beyond the authority of the Industrial Executive (with the exception of Health and Safety and Equal Opportunities policies); monitoring and responding to organisational and other changes in those industries in which the union is organised; determining the communications policy of the Union, relations with external organisations including the TUC, other trade unions and Union Network International (UNI).

2. COMMUNICATIONS POLICY

The CWU "Voice" has been published ten times mailed directly to members' home addresses. The N&IPC continues to keep all communications policy under review.

3. AFFILIATIONS

In 2001 the N&IPC recommended to the NEC affiliation to the following organisations;

Burma Campaign
European Federation for Retired and Elderly Pensioners
All Party Irish in Britain Parliamentary Group
Justice for Colombia
Palestine Solidarity Campaign

4. POSTAL COMPETITION

The regulator PostComm have published a number of consultation documents throughout the year on the introduction of competition. The CWU have made submissions on each of these and in addition continue to campaign to resist unfair competition.

5. SINGLE EUROPEAN MARKET FOR POSTAL SERVICES

The widespread liberalisation of Postal Services by the European Commission remains a threat. The CWU continues to campaign with colleagues from European unions and postal administrations to protect universal service and uniform tariffs.

6. REGULATION OF TELECOMMUNICATIONS

The N&IPC have prepared several submissions to Government during the year on the subject of regulation and other developments.

7. LABOUR PARTY ANNUAL CONFERENCE

The CWU was represented at the 2001 Annual Conference of the Labour Party. John Keggie was elected to the NEC of the Labour Party.

8. LABOUR PARTY CONFERENCE DELEGATION REPORT

The delegation report was circulated as a Special briefing recording the Delegations decisions on behalf of the CWU. Endorsement will be sought for these decisions and a motion will be submitted to Conference seeking endorsement.

9. TRADE UNION CONGRESS

The CWU was represented at the 2001 Trades Union Congress. Tony Young and Jeannie Drake continue to be members of the General Council and Tony was elected as President. The Congress was regrettably adjourned following the tragic events of 11th September.

10. TRADE UNION CONGRESS – DELEGATION REPORT

The delegation report was circulated as a Special Briefing, which recorded the delegation decisions on behalf of the CWU. Endorsement is now sought for these decision and a motion will be submitted to Conference seeking endorsement.

11. UNION NETWORK INTERNATIONAL

UNI held the first World Conference in Berlin in September 2001 and the CWU delegation fully participated in the proceedings.

12. DECISIONS OF ANNUAL CONFERENCE 2001

Progress on the propositions carried in the N&IPC section of Annual Conference has been published during the year.

13. CWU YOUTH ADVISORY COMMITTEE

At conference 2001, the first ever CWU Youth Advisory Committee was elected.

At its Inaugural Meeting on 18 October 2001, an ambitious programme of work was agreed. This was subsequently endorsed by the full NEC (meetings of which a member of the YAC now regularly attends).

So throughout the year, the YAC has been pursuing the following objectives:

13.1 CWU Conference

Target one young person per branch delegation; arrange a fringe meeting and a social event for CWU young members; make a 10-minute presentation to General Conference and arrange for a stall, staffed by YAC members, to raise profile of the committee

13.2 Workshop/Seminars

Pursue the model of TUC/STUC Regional Seminars but on a UNI/UK affiliates basis but if organised they must be fun.

13.3 Communications

Seek at least half a page in each and every edition of CWU Voice; have a CWU YAC Newsletter regularly produced, and a separate page on the CWU Website by, from and for CWU Youth members.

13.4 YAC Meetings

Rotate the venue wherever possible and invite local, young CWU members/activists to attend meetings or sessions after them. Work with and invite representatives from UNI, CWU Advisory Committees, TUC and the Labour Party.

13.5 Presence

It was generally felt that the CWU is not visible or has a presence in the minds of many young trade unionists. To counter this the YAC wishes to become involved in anything to constructively raise the profile and influence of the CWU in this area, including:

- local sponsorship of entertainment event
- festivals such as 'Respect', and for that involvement to be effective.
- becoming a resource which other organisations turn to, to provide stewards and support for events.

13.6 Benefits

To facilitate research to enable Union benefits to be targeted more effectively at young people, by developing an understanding of what under 30s read/watch/listen to.

13.7 Identifying Issues

There are a wide range of potential issues that the YAC may choose to champion or become involved in, but it was recognised we need to commission research or advice from advertisers on reaching out to young people and have an insert in a future edition of the Voice asking people to identify themselves and the issues that concern them to us.

In particular the YAC believes the following issues to be among those which merit attention:

- AIDS/Sexual Health
- Drugs
- Health
- AVCs/Pensions
- National Pricing Policies

13.8 School Students

In particular it was agreed to use the links already established with work placement students to approach local schools and to make contact with the TUC and other relevant organisations to become involved in talking to school students and to become a resource which can be drawn upon for the same.

13.9 Recruitment

Contribute to projects on making trade unionism more attractive to young people such as the TUC's 'Missing Millions' projects and the work of Unions 21, making it as easy as possible to join the CWU, including development of the facility to join online and the

incentivisation of branches to recruit young people by ensuring we have visibility of where our young membership is distributed.

FINANCE & ADMINISTRATION

1. RESPONSIBILITIES OF THE FINANCE & ADMINISTRATION COMMITTEE

The Terms of Reference of the Committee remain as follows:

To be responsible for:

- The finances of the Union in relation to budgets and control of Union income and expenditure.
- The control and administration of Union funds.
- The control and administration of Union investment and properties.
- The location and funding of Union Conferences.
- Overall strategic management responsibility for the operation of the Union's Headquarters.
- Overall strategic managerial responsibility for personnel issues within the Union.
- Membership Services.

2. UNION FINANCES

The 2001 financial year proved to be an extremely difficult one for the Union. The unprecedented problems and pressures in both our main industrial sectors created a demand for substantial additional expenditure and at the time of preparing this report it seems certain that a deficit will prove almost certain to the end of the financial year. This is a major problem for the Union as the industrial outlook appears likely to be tougher in the next 18 months than previously with consequent demands on spending. Branches have been repeatedly warned over the past few years that the Union cannot sustain the present upward pressures on spending on all fronts without facing a most serious financial crisis in the near future.

Union subscription income is likely to be, at best, flat during 2002 and the Executive has, therefore, been obliged to set Budgets for the new financial year which seek to cut expenditure by an average of 5% in order to bring the Union out of the red. It is the intention of the National Executive Council that a major communications exercise will take place between now and the June Annual Conference to explain to all Branches and members the financial challenges facing the Union. An extensive document will, therefore, be submitted to Branches setting out the Union's financial position and the steps needed to avoid major problems in the next two years.

3. MEMBERSHIP SERVICES

The Finance & Administration Committee is responsible for membership services which include insurance, personal loans, credit cards, travel, mortgages and financial planning, motor breakdown service, car leasing, cheaper gas and electricity bills and eye care. Many of these services were inherited from the merger partners at the time of the merger in 1995 and do not always appear to be compatible and in a number of cases, are evidently under utilised. The Committee continues to conduct a review of the services currently provided to members and would welcome feedback from

Birmingham No 1	Illness	500.00
Central Yorks Amal	Illness	500.00
Central Yorks Amal	Illness	400.00
Northern Ireland No 1	Bereavement	800.00
Cheshire & Mersey Amal	Illness	750.00
Dee Valley	Illness	600.00
London Postal Engineering	Bereavement	750.00
London Parcels East & Central	Illness	600.00
South East Anglia Engineering	Illness	800.00
London Reg Safety	Illness	800.00
North London	Domestic/Illness	350.00
Eastern Number 5	Domestic/Illness	200.00
South East London Postal	Domestic/Illness	250.00
Nottingham District	Illness	1,000.00
Leicester, Derby	Domestic	500.00
South West Middlesex	Illness	250.00
Leeds & Bradford	Illness	500.00
North East No 1	Illness	200.00
West London Postal	Illness	500.00
Eastern No 5	Illness	500.00
Cheshire & Mersey Amal	Illness	500.00
South West Middlesex	Illness	750.00
Kingston Area	Illness	750.00
South East No 5	Illness	300.00
City & North East London	Illness	350.00
Gwent Amal	Bereavement	750.00
Newcastle Amal	Bereavement	800.00
Dundee Clerical	Bereavement	700.00
East London Postal	Domestic	500.00
Leeds & Bradford Clerical	Illness	200.00
Cleveland Amal	Fire	500.00
Central Yorkshire	Illness	800.00
Scotland No 2	Illness	500.00
Swindon England	Bereavement	300.00
CWU Rail Stations and Trans Amal	Bereavement	800.00
Derbyshire Amal	Illness	500.00
HP Amal	Illness	500.00
Leeds & Bradford	Illness	200.00
South East branch	Illness	500.00
East Central Parcels London	Domestic	100.00
Essex Amal	Illness	800.00
South West Middlesex	Bereavement	750.00
South West Clerical	Illness	750.00
Essex	Bereavement	800.00
South West Exeter	Domestic	800.00
Cleveland Amal	Domestic	500.00

Parity donation	Donation	100.00
Central Yorkshire	Domestic	500.00
Isle of Man	Domestic	400.00
Worcester & Hereford	Illness	1,000.00
Newcastle Amal	Illness	500.00
Suffolk	Illness	800.00
HQ	Illness	1,000.00
HQ	Illness	1,000.00
HQ	Bereavement	800.00
Oxfordshire	Bereavement	500.00
Nottingham & District	Domestic	400.00
Liverpool Clerical	Domestic	700.00
London North Western	Bereavement	500.00
Suffolk	Illness	700.00
South East No 3	Domestic	500.00
North Lancs & Cumbria	Domestic	700.00
Leeds & Bradford	Illness	750.00
Gloucestershire Amal	Illness	500.00
Coventry	Domestic	400.00
Plymouth & East Cornwall	Domestic	500.00
Harrogate	Illness	500.00
Wigan Amal	Domestic	250.00
Somerset & West Wilts	Domestic	500.00
South West Middlesex	Domestic	500.00
Leicestershire	Illness	500.00
Gloucestershire Combined	Illness	400.00
Central Yorks Amal	Illness	800.00
Watford No 1	Illness	700.00
City & North East Clerical	Illness	700.00
Merseyside Amal	Illness	150.00
Swindon (E)	Bereavement	400.00
Greater Manchester Amal	Domestic	500.00
Dee Valley Combined	Illness	400.00
Bolton & Bury	Bereavement	800.00
Bolton & Bury	Fire	800.00
Glasgow & District	Fire	800.00
South East Wales Amal	Domestic	350.00
Shropshire & Mid Wales	Illness	500.00
Coventry Area	Illness	800.00
Lincolnshire	Illness	500.00
South East No 5	Bereavement	800.00
Romford Amal	Bereavement	800.00
Swindon Clerical	Illness	300.00
North East No 1	Illness	800.00
Mid Wales and The Marches	Illness	600.00
West of Scotland C	Illness	800.00

South West Clerical & Computing	Illness	500.00
Mount Pleasant	Illness	100.00
Cleveland Amal	Illness	400.00
Cheshire and Mersey Amal	Illness	600.00
Greater Manchester Amal	Illness	200.00
Nottingham & District Amal	Illness	500.00
Merseyside Amal	Domestic	800.00
Oxfordshire Postal	Breavement	500.00
Alliance & Leicester Giro South	Illness	300.00
Hereford & Mid Wales	Illness	750.00
Romford Amal	Illness	1000.00
Gloucester Amal	Illness	800.00
Northern Ireland West	Illness	500.00
Northern Ireland West	Illness	500.00
City & North East London Clerical	Illness	750.00
Cheshire No.1 Amal	Illness	600.00
Headquarters	Illness	1000.00
London South West Postal	Domestic	800.00
Cornwall Amal	Domestic	400.00
Gloucestershire Amal	Domestic	750.00
South West No.1	Domestic	800.00
Central Yorkshire Amal	Illness	600.00
Southdowns Amal	Illness	600.00
Northern Ireland West	Illness	500.00
	TOTAL	68,090

ORGANISATION AND TRAINING

1. RESPONSIBILITIES

The Committee is responsible for:

- Recruitment and Organising of members
- Membership records and communicating with Branches and Members
- Organisation of Union Conferences
- Organisation of Union Structure below Headquarters
- Training and Education
- Conduct of Ballots
- Award of Gold Badges
- Honorary Membership
- Retired Members

During the course of the year the Committee liaised as appropriate with other Officers, Committees and Advisory committees.

2. RECRUITMENT AND ORGANISING OF MEMBERS

During 2001 the O&TC have continued to focus on raising the profile of recruitment and organising throughout all of our constituent areas. A number of initiatives have been introduced aimed at increasing our recruitment and organising activity and many campaigns are being organised within both our traditional recruitment areas and the wider communications sector.

There has also been a number of recruitment and organising training events run throughout the year which were designed specifically to ensure that recruitment remains at the top of our agenda. The O&TC also produced a consultation paper on our Recruitment and Organising strategy. Responses were received from 8 of the Regional Committees and a number of individual branches also sent in comments. At the time of writing this report the O&TC are in the process of analysing these responses and it is planned to produce a conclusive strategic plan early in 2002.

The O&TC fully recognise and appreciate the amount of time and effort that Branch and Regional activists continue to put into recruitment and organising and would like to place on record their sincere thanks. The recruitment and organising challenges that our union face are considerable and they will only be overcome if we all continue to show this same high level of commitment.

3. MEMBERSHIP

Published below is the end of year figure for 2001:

Clerical	26,995
Engineering & PTS	58,379
Postal Operator and Ancillary	180,482
Retired	21,889

Total

287,745

4. ORGANISATION OF UNION CONFERENCES

The seventh Annual Conference of the CWU took place in Bournemouth 2001. The Union also organised a Special Parcelforce Conference which took place in Bournemouth 11/12 November 2001.

5. ORGANISATION OF STRUCTURE BELOW HEADQUARTERS

5.1 Regional Committees

In 2001, Regional Committees comprising of delegates from Branches from all the Union's constituencies were established in; Scotland, North West, North East, Midlands, Eastern, Wales & The Marches, South West, South East and London.

All of these Regional Committees are functioning well and to the terms of the Rules and Constitution agreed by Conference.

5.2 Branch Organisation

Branch mergers throughout 2001 have reduced the number of Branches to 220, of which 94 are Postal, Operator and Ancillary and 126 are Engineering, PTS and Clerical.

The O&TC are pleased with the progress made and will continue to support merges of Branches.

Assistance to Branches has been provided throughout the year on a wide range of issues.

Membership Information Transfer Trial

The Membership Information Transfer Trial (MITT) has progressed throughout the year with participating Branches from all constituencies.

6. TRAINING AND EDUCATION

During 2001 the following courses were held at the Unions' Education and Training centre the Elstead Hotel: Equal Opportunities (3), Treasurers (3), Postal Recruitment (8), Way Forward (3), Parcels (IR) (3), Women's' Schools (4), Employment Tribunals (2), Post Office Customer Management (IR) (5), Postal Indoor (8), Postal Technical Services (IR) (1), Induction (14), Health & Safety Stage I (6), Bullying and Harassment (1)

During 2001 the following courses were held at the Union's Education and Training Centre, Alvescot Lodge; Branch Officers Parts I and II training (1 x two week courses), Union Skills I (2), Union Skills II (2) and Union Skills III (2), Computing in the CWU (Basic) (1), Computing in the CWU (Intermediate) (2), Computing in the CWU (Advanced) (1), Computer Literacy And Information Technology (CLAIT) (4), Information

Business Technology (IBT2) (1), European Computer Driving Licence (ECDL) (5), Weekend Branch Computing course (1), Health & Safety Stage I (2), Health & Safety Stage II (3), Safety Forum (1), Handling Stress at Work (2), Equality & Diversity (2), Bullying and Harassment (2), Black Tutors Discussion Leaders (1), Union Learning Reps (1), IR Framework (1), Negotiating Skills (2), Trade Union and Labour Studies (5), TUC Certificate in Health & Safety (5), BSc Computer Degree Course (4), Industrial Relations & Labour Studies (Ruskin College) (2), Equal Opportunities (Ruskin College) (3), Special Training course for Vertex Members (1), Training for T&FSE members (2), Training the Trainers (1), Training course for the Lesbian & Gay Advisory Committee (1).

Integrated Education & Training Courses

All courses held at Alvescot Lodge are fully integrated, except for the occupational based, Branch Officers Training course

7. CWU SCHOLARSHIPS AWARDS

The Organising and Training Committee has widened the availability of Further Education to CWU members in partnership with Ruskin College, Oxford. Ruskin has provided two part-time first year degree courses for the CWU in Trade Union and Labour Studies and in Equal Opportunities. Thirty five CWU members are still participating in these courses. They have all successfully completed their first year (over eighteen months) and will move to their second year course early in 2002. The Union also awarded four places on the TUC National Youth Course and the WMA Summer School.

Tom Jackson Scholarship

The Organising Department arranged the programme for the 2001 Tom Jackson Scholarship. The NEC agreed that this would involve colleagues from India and Sri Lanka, six of whom visited the UK in January 2001. The return leg took place in March 2001 when three young CWU activists, Gareth Eales, Emma Forrest and Colin Medland together with CWU National President Andy Kerr visited India and Sri Lanka. Their reports were published on the CWU web site.

Life Long Learning

As part of the CWU's commitment to lifelong learning strategies the sixth cohort has been recruited on to the BSc Computer Science Degree course, in partnership with BT and in conjunction with the University of London (Queen Mary College). This course uses the Internet as the main course management and delivery method. This methodology was supplemented by a 1-week induction module and includes a one-week summer school.

The Union is very keen to encourage applications from members and employees who would not ordinarily be able to undertake full time degree level studies, because of family, financial or work commitments. The union particularly wanted to offer this opportunity to people whose traditional access routes into study at degree level had been seriously limited. Both the union and the employer consider it very important to be

able to offer this opportunity to individuals who have traditionally been under-represented in technological subject areas: women, members with special needs and ethnic minority members.

To date 150 applicants have successfully attended the Induction week. They have all continued to participate in the course and have all successfully completed their first assignments. Students who successfully complete the first two modules will be qualified to commence degree level studies in Computer Science. The Organising and Training committee based on the success of this partnership in *Life Long Learning*, hope to be extending this opportunity to other members in the CWU in the near future.

8. CONDUCT OF BALLOTS

Ballots were held during 2001 for Industrial Action, Elections and Consultative with regard to agreements made with various employers. We have continued to provide assistance to Branches with the elections of Branch Officers and Committees.

9. AWARD SCHEMES

The Committee has awarded Gold Badges throughout the year as have Regions and Branches.

10. HONORARY MEMBERSHIP

The NEC are currently examining the possibility of conferring National Honorary membership and it is their intention to submit a motion to Annual Conference.

11. RETIRED MEMBERS

Following the carriage of the Conference proposition to establish Retired Members Regional Committees, a constitution was prepared and subsequently agreed.

LEGAL SERVICES

The Committee wish to express their appreciation of the work of the staff of the Department and the help of the branches which is so important to the delivery of this vital service. They are also appreciative of the role of our Employment and Medical Tribunal panellists, key solicitors, employment law consultant and medical adviser in the delivery of the union's service for members.

1 RESPONSIBILITIES

The Committee is responsible for overseeing the work of the Department handling.

1.1 all Personal Injury claims and associated representations/schemes.

1.2 all Employment Law issues including Employment Tribunals.

2 MEMBERSHIP SERVICES

2.1 Total Compensation Received

We are able to report that the Department has recovered compensation for its members totalling £27,760,863.04 covering all aspects of the benefits/services available.

2.2 Claims For Damages/Accident On/Off Duty

There continues to be a high demand for this service. This year a total of 6056 new claims were received. During the year 6149 claims for damages were closed and compensation of £25,419,178.04 was recovered for our members.

2.3 Criminal Injuries Compensation Scheme

The Department received 271 new applications and settled/closed 256 claims whilst recovering £500,564.02 in compensation.

2.4 Personal Accident Benefit Scheme

The Department processed 4259 claims whilst recovering £1,816,797.68 in compensation.

2.5 Bandit Attack Scheme

We received 90 new claims and settled/closed 88 claims whilst recovering £7,888.71 in compensation.

2.6 III Health Retirement Scheme

During the year we received 246 applications and concluded 162.

2.6.1 Since the introduction of the new procedures, we have dealt with an increasing number of appeals, which in the main have been dealt with successfully. However, there are certain regions where delays are occurring in the processing of III Health Retirement Appeals which is due to administration difficulties within Consignia. The issue has been raised with the appropriate management and the scheme is being kept

under constant review at national level. The majority of appeals handled by the Department involve appeals for lump sum and pension in circumstances where the employer has only allowed Ill Health Retirement with lump sum only. Branches need to explain to their members that in order to receive Ill Health Retirement with lump sum and pension the appropriate supporting medical evidence has to be available.

2.7 Drivers Protection Scheme

During the year the Department has dealt with 112 cases and continues to provide Legal Representation for members who are involved in road traffic offences whilst on duty when a not-guilty plea is advised by our Solicitors.

3. MOTIONS ADOPTED AT ANNUAL CONFERENCE 2001

The following Motions against Section 4 of the Annual Report were discussed and accepted by Conference.

3.1 Motion 81

“This Conference instructs the incoming National Executive Council to improve free legal advice facilities for members. Conference is concerned at delays in the re-launch of the TUC Union Law scheme, and agrees that if there is no prospect of this scheme going live again, the Union will provide a network of law firms offering a service equivalent or better than Union Law.”

3.1.1 Branches will be aware that since the demise of the TUC Law scheme we have been attempting to negotiate an in-house scheme in order to provide the Union’s membership with free legal advice on non-work related issues.

3.1.2 The level of service currently available to Union members varies across the country in that we have a number of branches who have agreements with local firms of Solicitors who provide a range of services including free legal advice, conveyancing and will making services usually at discounted rates. In other parts of the country many of our members are without access to such service.

3.1.3 The Union’s aim has been to set up a national scheme whereby a minimum standard of service will be available to all our members irrespective of their location.

3.1.4 Lengthy discussions have taken place in an attempt to set up a national scheme which involved providing free legal advice via a Telephone Call Centre managed by a national firm of Solicitors. Unfortunately, we have not been able to finalise such a scheme.

3.1.5 Therefore, as an alternative we have been able to compile a register of legal firms who are prepared to provide a range of non-work related services to our members in line with Conference policy.

3.1.6 The national register will be published to branches during February 2002 and branches will be able to direct their members to a suitable firm accordingly. Branches

should make it clear to any member using this service that if any member subsequently engages a Solicitor to act on their behalf, this must be done on a private client basis, and CWU Headquarters will not be held responsible for any costs incurred.

3.1.7 The register is not exhaustive and it will be our aim to add additional firms of Solicitors to the register in order to provide as wider range of coverage as possible. In areas where branches have arrangements with local firms of Solicitors who provide a range of services to that branch membership, CWU Headquarters is happy for such agreements to remain in place.

3.1.8 The new service will be kept under constant review in order to ensure a consistent level of service is provided to the membership.

3.2 Motion 82

“This Conference believes that both the BT PAIS scheme and the Post Office PABS are discriminatory to women, both schemes prohibit a claim being made following death or disability from pregnancy or childbirth. Conference, therefore, instructs the National Executive Council to enter into negotiations with both employers to have this criteria removed.”

3.2.1 Following Conference we have instructed our Solicitors to deal with matter. At the time of writing this report we have received a response from Consignia and this was reported to the Legal Services Committee at its December meeting.

3.2.2 Consignia’s view is that as regards to pregnancy/childbirth exclusion, a pregnant woman who does not suffer injury at work, which causes her to suffer from a permanent disability, is outside the ambit of the Scheme. However, the implication is that were (say) a pregnant woman to suffer an accident at work which, because of her pregnancy, had particularly severe consequences, then in such cases could fall within the Scheme.

3.2.3 Thus if the immediate cause of the death or disablement is the accident at work and the pregnancy is an additional ‘complication’, then the member may be able to rely on the terms of the Scheme. It is their view that if the death or disablement which is caused by pregnancy or childbirth where there is no accident which are excluded from the Scheme. If the woman had an accident resulting in permanent disability which is caused by her pregnancy, in the sense that the accident would not have happened but for her pregnancy, then she ought still to be within the scope of the Scheme. The immediate cause of the disablement remains the accident at work.

3.2.4 Our Solicitors advise that in the absence of an individual member seeking to challenge one or more provisions of the scheme, it would be difficult to take the matter any further forward. However, it will be our intention to continue discussions with the administrators of the Scheme in order to ensure such an exclusion is not detrimental to those affected.

3.2.5 With regards to a formal response from BT, this is still awaited and our Solicitors are pressing for a formal response which will be reported to branches in due course.

3.3 Motion 85

“The National Executive Council recommend that detailed discussions take place with its Solicitors in order to reach agreements on a comprehensive package of legal services. This will enable the Legal Services Department and the panel of Solicitors to provide a consistent level of representation to all our members in every branch, whilst making maximum use of Union resources.”

3.3.1 Since Annual Conference I have had a number of meetings with both branches and Solicitors as part of the rationalisation of the Solicitors Panel. I can report that as a result of those discussions a number of changes have been made which has resulted in the reallocation of work to a number of firms. In all cases to date this has been by mutual agreement with this Headquarters.

3.3.2 There have been a number of incidences whereby existing firms on the Union's Panel have indicated they are unable to continue providing the Union with legal representation due to changes within their own organisation. As a consequence arrangements have been made for our members claims to be transferred to an alternative firm of Solicitors who are already on our panel. It is our intention to continue this process of rationalisation in order to improve the level of service to our members.

4 MAJOR CLAIMS UPDATE

Stafford Rail Crash

The CWU has been processing a claim for compensation on behalf of 18 Union members (including families of three deceased members) against 3 railway companies.

4.1.1 The accident occurred on the 8 March 1996. Our members were all Postmen working on a Travelling Post Office, which collided with the wreckage of a freight train that derailed.

4.1.2 Throughout the processing of this claim the Railway Companies, in particular Railtrack, have denied liability. A trial was convened in March 2001 and was due to last three weeks. On the first day of the trial two of the rail companies i.e., Railtrack and Engineering Link accepted full liability for the accident.

4.1.3 We were able to settle a number of the smaller claims immediately. However, due to the circumstances surrounding the claim it was not possible to finalise the levels of compensation on behalf of all our injured members and their Dependents until further medical evidence was available to the Courts. However, we were able to agree some interim payments, which was of great assistance to those concerned.

4.1.4 We duly appeared in the High Court on the 28 January 2002 with a trial set for 10 days. I am delighted to report that settlements were reached on behalf of all our members the amounts varying depending on the individual claimant's circumstances. The total level of compensation awarded was in excess of 1.4 Million Pounds.

4.1.5 I would like to place on record the Union's appreciation for the way our members and their Dependants have conducted themselves during this long legal process, and also our Solicitors, Simpson Millar and in particular Mr David Ross for his excellent work in bringing this matter to a satisfactory conclusion.

4.2 Acoustic Shock

Branches will be aware that we have been pursuing a number of claims on behalf of our members who have suffered injuries as a result of acoustic shocks.

4.2.1 We have been successful in settling some 30 claims against BT, however, they informed us that they were no longer in the position to settle any of the outstanding claims and therefore, we would need to pursue the matter via the courts.

4.2.2 The Union's Solicitors Simpson Millar have produced detailed reports and obtained medical evidence on behalf of the majority of our members and has sought the advise of leading Counsel who has selected a number of claims to act as test cases against BT. The Union was happy to authorise such action and as a result BT have now indicated their willingness to settle the claims outside of court proceedings and our Solicitors are currently considering our position.

4.2.3 Further reports will be given to branches as and when there are any further developments.

5. EDUCATION AND TRAINING

The Department has previously held residential training courses at its education centre in Bournemouth. Unfortunately, we were unable to run any courses in 2001 due to the high demand for industrial based courses. However, it is hoped Legal Services courses will be re-introduced during 2002. Regrettably these courses are not available to all constituencies of the CWU due to the different arrangements that exist within the Union's two educational centres. The Legal Department has requested that arrangements be put in place for fully integrated training courses, but this will be dependant on the appropriate CWU Headquarters Departments making the necessary arrangements.

EMPLOYMENT LAW DEPARTMENT

1. EMPLOYMENT TRIBUNAL CASES

1.1 As in previous years, the core work of this Department involved advising and assisting members and branches with the considerable number of existing and new Employment Tribunal applications arising from members' dismissals or discriminatory

treatment suffered. Nearly 1,000 cases* were handled, each requiring detailed attention (over 12 new cases every working week), usually involving considerable documentary evidence from internal conduct/grievance and appeal hearings. These cases have to be turned round in relation to very tight Tribunal time scales. Therefore, it is greatly appreciated when branches provide early and full documentation (as stipulated in periodic circulars). Unfair dismissal on conduct or capability grounds remains the most common type of case.

1.2 Attendance/Capability Cases

We continued to receive a large number of cases in which members were dismissed for frequent or lengthy sick absence records. Complaints of dismissal arising under the attendance procedures are particularly difficult to take successfully to Tribunals, if those procedures are followed to the letter by managers in accordance with the existing agreements. Long experience in Tribunals shows that the success rate is low, even where a mechanistic approach is adopted by managers in triggering the three stages of the procedure. Nonetheless we considered each case on its merits and where possible supported even difficult ones to highlight the harsh operation of the agreed procedures.

1.3 Conduct and Disability Cases

Following our Court of Appeal decision in *Foley –v- The Post Office* in 2000, the law as regards the role of managers and Tribunals in considering dismissal cases on the grounds of “reasonableness” was clarified following some uncertainty and much litigation. This decision authoritatively reinforced the law that managers do not need to prove that members accused of misconduct actually committed the offence in question. They merely have to ‘act reasonably’ and are permitted “a band or range of reasonable responses” after properly investigating the facts of a case. Similarly, it was restated that Tribunals cannot substitute their own views for that of managers. Provided the manager genuinely believed that the offence had been committed, and had genuine grounds for so believing following a proper investigation, the Tribunal would not challenge their decision. This decision has led to a tightening of the law that reinforces managerial discretion in all such cases and it is against that background that the Department has to consider all requests for representation in conduct cases.

1.3.1 Another case we fought to the Court of Appeal (*Jones –v- Consignia*) unfortunately extended those principles to all disability discrimination cases despite the union’s senior Counsel representation. Although these cases were ultimately lost, they highlight the union’s determination to use the law to the highest levels in support of members’ cases.

1.4 On a more positive note, we can report many successful Tribunal results in 2001, in which members often received high levels of compensation (£40,000 in one discrimination/harassment case). Although less than 2% of successful cases at Tribunals result in reinstatement orders, we can report a significantly higher proportion in both BT and the Post Office/Consignia despite the management’s reluctance to reinstate. These included two highly publicised London cases involving members sacked unfairly for off-duty charges of “football hooliganism”. In those cases, the

Tribunal totally exonerated one member's conduct as self defence at the UEFA Cup Final in Copenhagen 2000.

2. EMPLOYMENT LAW ADVICE

A growing number of enquiries and requests for advice were also dealt with verbally, in writing or e-mail, by the Department on the wide range of terms and conditions issues which now have an employment law aspect. These include contractual and statutory issues (e.g. Working Time Regulations etc) from everyone of the businesses where the union has members. These now include the Post Office/'Consignia' and all its divisions; British Telecom and the separate businesses it is now split into (BT Group, MMO₂ E-People Serve etc); Girobank/Alliance & Leicester; Manpower, Adecco and all the other agencies; Telewest, NTL and all the cable TV companies where we now have members.

2.1 We continued to stress the need for a union representation approach to these terms and conditions issues, rather than to substitute legal representation. We provide clarification of the law in these cases, primarily.

3. EMPLOYMENT LEGISLATION

We continued to advise and assist national officers and their committees in their efforts to improve employment legislation (EU as well as UK) and on the practical implications of the growing body of statutory and case law in this area (e.g. agency workers - Main Conference Motion 11 refers). A number of important issues were addressed by submissions to the government consultation documents, seeking to influence future legislation.

3.1 Employment Bill 2002

In July 2001 the Department of Trade & Industry issued a highly controversial consultation paper ('Routes to Dispute Resolution') aimed at drastically changing the Employment Tribunals by introducing charges and deposits for applicants. Whilst the union's initial focus was on lobbying the Ministers through the TUC and directly, to oppose these negative proposals, when they were withdrawn our submission (after consultation with Branches and Employment Tribunal panellists) concentrated on the more positive aspects. We particularly pressed to relax the strict three-month time limit that can prevent the merits of a late claim being even considered. With the publication of the Employment Bill in November, we were pleased to note some progress in this regard. We continued to monitor the progress of this Bill, which has major implications for how the union handles its members' cases internally as well as at Employment Tribunals, in its passage through Parliament and to make appropriate representations on the detailed provisions.

3.2 ACAS Voluntary Arbitration Scheme

We circulated details of this new alternative to Employment Tribunals in September, but little interest in the scheme seems to have developed, five cases only having been received by ACAS in 2001.

3.3 Transfer of Undertakings Regulations

Motion 10 from Main Annual Conference 2001, instructed the NEC as follows:

“This Conference instructs the incoming National Executive Council to campaign via the TUC and the Labour Party for improvements to the laws governing transfer of undertakings, to enhance protection of pay and conditions of service for staff involved in the transfer of a company to a new employer, and those joining the company after transfer takes place.”

3.3.1 Following the issue of a government consultation paper, both the Postal and FTS Executives expressed keen interest in responding comprehensively. We arranged a presentation by our lawyers, and a submission was made on behalf of all constituencies, which was circulated to branches in January 2002. The issue was also covered extensively in ‘The Voice’ in December 2001. We continue to monitor this situation carefully as Regulations are expected early in 2002 and further representations will be made in appropriate quarters to reinforce the submission.

3.4 Human Rights Act 1998

In response to main conference motion 83 which stated “The Conference instructs the incoming National Executive Council to publish plain guidance for representatives and members on the impact of the Human Rights Act on rights, entitlements and fairness at work, including rights under Article 6, Fair Hearing, Article 8, Privacy, Article 11, Trade Unions, and Article 10, discrimination.” A guidance note was circulated to branches in January 2002, following advice from Counsel.

3.5 Data Protection Act 1998 and Code of Practice 2002

This important law has been the subject of feverish employer and CBI lobbying, which the TUC has been seeking to counter to ensure an effective protection against employers abusing their position. We obtained Counsel’s opinion on the clause which Consignia want to introduce in all members’ contracts of employment to assist the negotiators in preventing such practices over managers’ handling of sensitive data. The Officer attended a conference in Manchester in January to assist in strengthening the Code of Practice then under consideration. A detailed guidance note was issued to branches early in 2002.

3.6 Employment Relations Act 1999 – Statutory Union Recognition

The government are reviewing aspects of this law on union recognition, especially the 40% threshold of workers required to vote “Yes” and the size of workforce (minimum 20), which a company needs to be covered by the legislation.

3.6.1 The TUC has made a comprehensive submission covering these and other points arising from the generally positive experience with the current provisions, which we entirely endorse.

3.6.2 As the Department responsible for statutory recognition applications, we have worked closely with the Recruitment and Organisation Officers in those areas e.g. Telewest, where the union is seeking recognition.

3.7 TUC Legal Officers' Network

Both officers attend regularly this working party of union legal officers, as views and experiences are exchanged and reports from the TUC Executive Committee commented upon. It is a most useful forum, particularly with this government, in which the TUC is regularly consulted about forthcoming employment legislation and other developments.

3.8 European Union Treaties and Directives – Information and Consultation Directive 2002

Employment legislation from this source is becoming of increasing importance to our members and the union and so the Department keeps abreast of all relevant enactments. After much deliberation an Information and Consultation Directive was agreed by the European Parliament in November 2001. This will give employers the right to regular information and consultation on economic and strategic developments within their company. The officer led a delegation on behalf of the NEC. On the ETUC demonstration at Brussels in December (the 'Laeken Summit'), a token of our growing awareness of the importance to our members of such EU lobbying. A report was circulated to branches in January.

4. EMPLOYMENT TRIBUNAL PANEL

To complement our professional legal team we continued to develop this unique panel of union legal representatives.

This cross-constituency team who represent an increasing number of members at Employment Tribunals meet regularly to discuss practical Tribunal practice and procedures in the light of developing legislation and case law. They are kept up-to-date on all major employment law developments through regular bulletins. The members of the Panel are developing in legal knowledge, investigative and advocacy skills and confidence and have the full backing of the NEC and Conference. In recognition of the commitment and hard work of the 20 or so lay representatives (retired and employed) in the investigation, preparation and presentation of cases at Tribunals, the NEC agreed to provide them with a three part residential advanced law course at Ruskin College, Oxford in 2002, which should lead to an accredited qualification.

4.1 Motion 86 from Main Annual Conference 2001 was accepted by the NEC. This stated "This Conference instructs the incoming National Executive Council to use all means at its disposal to ensure that more CWU and Trade Union Representatives are recruited to employment tribunal panels in the future.

4.2 These panellists will be encouraged to apply as the Unions priority nominees.

5. CLAIMS AGAINST THE UNION

5.1 Tribunal and Court Actions

One of the unfortunate downsides of all the employment rights legislation now on the statute books, is that individual members can more readily take legal actions against the union where they are dissatisfied with the service received by committees or officials at any level. This applies especially where there has been a failure to process Employment Tribunal claims within the very short time limit. Unfortunately, lawyers and Tribunals are all too ready to assume that unions are fully responsible in negligence or contract law for the quality of advice/service provided to members. These claims can give rise to large claims for compensation from union funds to individuals. A small but significant number of such cases reached the Department last year, which are extremely time consuming and potentially embarrassing for the union. Accordingly, we continue to issue circulars advising branches on the necessity for strict adherence to the procedures laid down for processing claims and branches attention is again drawn to Special Briefing 452/01 which was reissued in October 2001.

5.2 Certification Officer Complaints

The Department also has responsibility for complaints by members to the Certification Officer against the union, which now give rise to full hearings. Fortunately it has not been necessary to defend any such cases this year (unlike in 2000).

5.3 Branch and Field Officer Training

From the experience in dealing with this caseload and the constant legal need to ensure efficient and quality handling of members' applications, it was decided to include a series of induction training courses for new branch and field representatives on Tribunal application procedures at our Elstead and Alvescot Education Centres. This was based on our standard written guidance contained in CWU Special Briefing 452/01. We also hold seminars in regions to facilitate direct discussions with representatives on a range of issues or problems arising. The Officer and Senior Clerk also attend meetings on a regular basis in response to requests from branches, committees, or regions.

6. CONCLUSION

Although a new Department, it is already clear that Employment Law is a major growth area for the union. Integrating the legal approach with our traditional industrial relations collective approach poses new challenges for all of us at branch, regional and national levels. Litigation is never our first resort or sole approach to members' problems and Officers are always reminded of this. Nevertheless, the Legal Services Committee, NEC and senior Officers are aware that officials and committees increasingly see a role for legal advice and representation to augment their efforts in today's complex industrial scene.

6.1 Although the growing trend towards legal costs must be a very real consideration, we continue to develop and direct our legal team to respond promptly and effectively to these increased demands.

EQUAL OPPORTUNITIES

1. EQUAL OPPORTUNITIES COMMITTEE

1.1 Working Family Tax Credit

In CWU Briefing No 29, Paragraph No 325 details of the benefits of the of the Budget from the Government and the Working Family Tax Credit (WFTC) was published and are included on the Equality Department Web-site in the Parental Rights Pack.

1.2 Disabled Persons Tax Credit

In CWU Briefing No 29, Paragraph No 324 details of the benefits and the Disabled Person's Tax Credit (DPTC) was published.

1.3 Parental Leave The European Directive

Branches were advised via CWU Briefing CWU Briefing No20, Paragraph No 233 that the Government had accepted that the TUC were right about Parental Leave. Further information on this was published In CWU Briefing No 29, Paragraph No 323. Subsequently branches were advised via briefing that the improvements were implemented as of January 10 2002. Other improvements are due in 2003.

1.4 Future Changes To Parental Leave, Adoptive Leave And Maternity Leave

The Committee received a report that the Bill amending Maternity Law and providing for Paternity Leave and Adoptive Leave has now been published by the Department of Trade and Industry. It mainly consists of amendments to previous legislation including the Employment Rights Act 1996 and as is usual nowadays mainly consists of empowering the Secretary of State to introduce Regulations with all the detail.

The one clear change from the consultative document is the requirement for 28 days notice to qualify for Statutory Maternity or Paternity Pay. This seems a long time in the circumstances but as the Bill currently reads it also allows a shorter period "28 days before that date, or, if that is not reasonably practical as soon as is reasonably practical".

The Paternity provision is for two weeks in the Bill.

In respect of adoption the "Paternity Leave" is also two weeks. The Bill also makes provision for similar contract protection as Maternity Leave (i.e. terms and conditions excluding remuneration).

1.5 Working Party On Equality And Diversity

The Working Party agreed to recommend to the EOC and NEC:

"That a priority issue for Conference 2002 is to increase the diversity of representation at Conference. To this end it was agreed that in compliance with the report, branches be asked to "seek to reflect in their Conference delegations the make up of their branch in terms of gender, race and disability".

That in relation to Regional Strategy that a model equality strategy be produced and that this should be a priority issue for the Committee. The strategy should set out the minimum standards for the branches in each region and that regions should be asked to consider the strategy and adapt it to their particular circumstances.

In respect of CWU Headquarters It was agreed to write to the Head Office Joint Council.

It was also agreed to circulate the minutes of the Working Party to the Advisory Committees and Regional Secretaries.

1.6 Equality Proofing

In order to assist with Equality Proofing a first draft Equality Proofing document was presented to the Committee and the finalisation of that document is in hand.

1.7 Motion 88 Two Ticks Disability Symbol

Letters were sent to the employers seeking information on their commitment to the Two Ticks scheme. BT responded at a meeting and we are awaiting further details. Consignia have responded in writing and their response is due to be considered by the January DSNAC.

Companies represented by the Telecom GTAC committee have been approached and we expect a positive response from a number of them before conference.

As part of the investigation a session at the Disability Seminar in Warrington was concentrated on the "two ticks". The report that was produced is detailed below:

The Seminar was provided with information regarding the two ticks symbol and the undertakings, which employers made, in relation to the use of the symbol. The commitments were as follows:

Commitment 1

To interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities: The aim of this commitment is to encourage disabled people to apply for jobs by offering an assurance that should they meet the minimum criteria they will be given the opportunity to demonstrate their abilities at interview stage.

Commitment 2

Consulting employees with a disability: To ensure there is a mechanism in place to discuss at any time, but at least once a year, with disabled employees what you and they can do to make sure they can develop and use their abilities: The aim of this commitment is to ensure that disabled employees are getting the same opportunities as others to develop and progress within their job.

Commitment 3

Retaining people who become disabled: To make every effort when employees become disabled to make sure they stay in employment: The aim of this commitment is to make sure that employees know that, if they become disabled, they will have the employers support to enable them to continue in their current job or an alternative one. Retaining an employee who has become disabled means keeping their valuable skills and experience and save on the cost of recruiting a replacement.

Commitment 4

Developing Awareness: To take action to ensure that all employees develop the appropriate level of disability awareness needed to make your commitments work:

The aim of this commitment is to provide the appropriate level of disability awareness to all staff in order to improve the working environment.

Commitment 5

Reviewing progress and keeping people informed: Each year, to review the five commitments and what has been achieved, to plan ways to improve on them and to let employees and the Employment Service know about progress and future plans: The aim of this commitment is for the employer to monitor their own practices and achievements in meeting their symbol commitments, and to identify areas for further progress or good practice to share with others. The commitment also helps employers to plan how to let people know initially that the company has become a symbol user, and to keep them up to date with developments. The employer and the ES should discuss progress at the annual review.

We asked all the participants at the seminar, most of whom have a special interest in disability issues, whether they were aware of the symbol. About a quarter of those present said that they were aware of the symbol. However, when questioned more closely about what the symbol implied, very few of them had any knowledge of the detailed commitments undertaken by management in respect of the two ticks symbol.

The participants at the seminar were then divided into four groups and asked in their groups to discuss how they felt their particular business complied with the two ticks symbol. All the people at the seminar either came from Consignia or from British Telecom. Inevitably some of the discussion, which took place in the groups was of a general nature about how well individuals felt their employer dealt with people with disabilities. The groups did, however, discuss the five questions:

Commitment 1 - to interview all applicants with a disability who meet the minimum criteria for the job.

People from both Consignia and British Telecom felt that people were actually not getting the opportunity that they were entitled to under this commitment. People from British Telecom raised the issue of agency recruitment and the fact that if the agencies did not take on people with disabilities, there was no way that British Telecom could tell whether the commitment was being met.

BT employees also felt that the lack of visibility of jobs, as Job News no longer existed, was unhelpful to people with disabilities because they could not tell whether they were getting a fair chance to apply for jobs for which they had the minimum criteria.

People from Consignia felt that disabled people were not getting an opportunity for interview and that there was a deep reluctance on the part of many managers to spend money on reasonable adjustment.

Commitment 2 - to consult employees with a disability.

British Telecom do have a disability network, which is helpful although not all British Telecom members felt that there was a consistency in the way that disabled people were consulted. One disabled employee, who is an agency worker, felt that she had not been given the degree of encouragement and assistance that she would have expected and perhaps there is a difference in the way that agency workers are treated from permanent workers.

Employees from Consignia felt that there was no consultation at all with disabled members. Although all the people at the seminar were concerned with disability issues, none of them could pinpoint any consultation that went on in Consignia directly with disabled employees.

Commitment 3 - retaining people who become disabled.

BT employees felt that there were serious problems in finding ways of retaining disabled employees because of the lack of suitable jobs. A similar problem occurs in Consignia, particularly where someone is seriously physically disabled because so many of the jobs are of a physical nature.

A number of participants felt that the employer is more likely to comply with the commitment to retain people because they are concerned about breaching the DDA but that sometimes employees were retained at a lower grade.

Commitment 4 – developing awareness.

Employees from British Telecom did point out that there had been a suggestion from British Telecom that they intended to give disability awareness training and managers have been circulated with information on disability awareness. Nevertheless, BT employees felt that awareness was very patchy and that some managers showed very little awareness. One employee, who had passed a telephone interview but then found it extremely difficult because of mobility problems to get to the interview room, felt that the managers who had interviewed her showed a complete lack of awareness.

Employees from Consignia said that there had been some suggestion that there would be disability awareness training but unfortunately because of financial constraints, all

training budgets had been cut and there was a real lack of disability awareness in Consignia.

Commitment 5 was to a yearly review of the five commitments and what has been achieved and to plan ways of improving.

None of the people at the seminar were aware of any reviewing mechanism or any ongoing commitment to improve.

Both British Telecom and Consignia do undertake some good initiatives in relation to people with disabilities. Consignia have regular meetings on the implementation of the Disability Discrimination Act and produce excellent material although the extent to which this is made use of by local managers is perhaps limited. British Telecom have a disability network and try to work through them to make improvements for people with disabilities. In the case of both employers, there is often a lack of awareness at local level amongst local managers and it seems that there is no ongoing mechanism for ensuring that the two ticks disability symbol is effectively complied with.

While the Disability Discrimination Act has brought considerable improvements to disabled people, some of the two ticks commitments, in particular the right to a job interview if an individual meets the minimum requirements, are very valuable for anyone with a disability who might be excluded without even having an interview.

1.8 Disability Rights

A briefing was issued advising that the Government had announced the intention to extend the rights of disabled people with effect from 2004. Subsequently we were provided with the consultation document which was referred to the Disability and Special Needs Advisory Committee.

1.9 Nomination To The TUC Disability Committee

The Disability and Special Needs Advisory Committee advised that they would like Tony Sneddon nominated as the CWU candidate for the above Committee. Tony was elected to the Committee at the TUC Disability Conference in December 2001.

1.10 Equality Officers Seminar

The Annual 2001 Equality Officers Seminar took place on Tuesday 28 August at the University of London Union.

1.11 Respect Festival

Following a discussion with the General Secretary it was decided to organise a stall at the 21 July Respect Festival. The CWU was one of many Unions participating in the TUC organised "Respect" festival at Finsbury Park. This Anti Racist festival was attended by thousands of people from all over the UK as well as many Londoners. Well known musicians performed free so that everyone could enjoy the day and there were lots of other features for adults and children many of which were sponsored by Trade Unions.

The CWU helped to sponsor the “Kick Racism Out of Football” Marquee which included free football coaching for children. The stall had free CWU baseball hats, which soon became evident all over the festival site.

The CWU stall also featured face painting for children. Members of the Ethnic Minorities Advisory Committee, NEC members, the Equality Officer and CWU staff all helped to make the festival a great day.”

1.12 Motion 87 Annual Conference –Logging Of Racial Incidents

In discussing the implementation of Motion 87 the EOC concluded that the racial incidents we are being asked to log in a database are those covered by the MacPherson report definition.

“A racist incident is any incident which is perceived to be racist by the victim or any other person”.(CRE pamphlet on the Inquiry)

This definition is of course wider than the Race Relations Act definition of race discrimination, which is:

“*Discrimination* occurs when someone is treated less favourably because of that characteristic - in the case of racial discrimination because of their racial, national or ethnic origins.

Direct discrimination occurs when someone is treated less favourably on racial grounds than other people are, or would be, treated in similar circumstances.

Indirect discrimination occurs when a condition or requirement is applied equally to people of all racial groups, but many fewer people of a particular group are able to comply with it.” (CRE – *What is Discrimination*)

For the purposes of the law discrimination has to be proved on the balance of probabilities. No such requirement is made in respect of Motion 87 even in respect of a prima facie case.

The definition has to be clearly laid out when seeking the information.

It was also agreed that the sources of data include Branches, the Legal Services department and the Equal Opportunities Department. Other HQ departments need to be aware of the definition in case they perceive an incident where the Branch has not.

1.13 Briefing Human Rights Act

A briefing was produced on the Equality aspects of the Human Rights Act and is available from the Equality Department.

1.14 European Legislation

The Government has published the consultative document on the implementation of the Directives from the European Union outlawing discrimination on the ground of respectively race and in employment age, disability, religion and sexual orientation. The relevant parts have been provided to the appropriate Advisory Committee. A Briefing advising Branches of the consultation has been published.

1.15 TUC Women's Conference 2002

Information about this Conference was published in CWU Briefing No 38, Paragraph No 456.

1.16 Living Wills

TUC guidance on the subject of Living Wills was published to Branches as an attachment to CWU Briefing No 44, Paragraph No.546.

1.17 TUC Lesbian And Gay Conference 2002

Information about this Conference was published in CWU Briefing No 47, Paragraph No 587.

2. DISABILITY AND SPECIAL NEEDS ADVISORY COMMITTEE

2.1 Elections

Tony Sneddon was elected Chair and Steven Taylor was elected vice-Chair

2.2 Delegates To Trade Union Disability Alliance (TUDA)

Heather Lisboa, and Steven Taylor were elected.

2.3 Delegates to Rights Now

It was agreed the Chair and Vice Chair would attend.

2.4 Developments in the DDA Case Law

The Committee continued to receive reports on important case law in respect of Discrimination Law. The following two cases stand out in particular:

Jones v The Post Office at the Court of Appeal which unfortunately reinforced the previous decision that discrimination could be justified for Health and Safety reasons. Another case had previously been reported that came to similar conclusions. Though Equal Opportunities Review questioned the correctness of the decision it is of course the Court's decision that determines the law.

Better news was contained in Fu V London Borough of Camden dealing with medical retirement or dismissal for medical reasons as opposed to providing reasonable adjustment

The case makes it clear that the Employment Appeal Tribunal require Employment Tribunals to decide whether an employer has given full consideration to reasonable

adjustments when deciding whether an employee can be thus enabled to return to work. This consideration must precede any consideration of dismissal.

2.5 Draft TUC Action Plan For Unions

The Committee considered the detailed TUC Action plan and decided to keep the action plan in mind in respect of future events.

2.6 TUC Disability Conference

The Committee agreed that we should submit a motion on the two ticks disability issue for the above Conference in December 2001. This was agreed by the NEC and was carried by the Conference. The DSNAC proposed that Tony Sneddon be nominated for the TUC Disability Committee and this was agreed by the NEC. In due course Tony was elected.

One of the problems of the Conference was that it took place during "Christmas Pressure" for our members in Consignia. The TUC have carried out a consultation about these problems and the CWU made it clear that any Equality Conference in December would present the CWU with problems and even November would be an improvement on December.

2.7 Disability Awareness Week 5th – 9th November 2001

Following a discussion paper put forward by Steve Taylor it was agreed that to assist CWU members a disability help line would be established for a period of one week based in CWU HQ and staffed by members of the committee.

During the run up to Disability Awareness Week an article was placed in the Voice with a follow up to branches of a special branch circular and a poster prior to the 5th November commencement date.

After the Voice article publication and prior to Disability Awareness Week going live more than 50 telephone calls were received by the department requesting the booklet "Your questions Answered"

After initial domestic problems (room & telephones) the lines generated over 85 calls covering a wide range of subject and business units.

A large percentage of calls were resolved by sending a copy of the CWU booklet "Your Questions Answered", however a number of calls had to be passed over to the Equal Opportunities Department for referral to branches or taken on board by the department.

It was agreed by the help line members that as a follow up a letter would be sent to all those members who had made contact asking if they required further assistance and did they find the advice useful.

From the number of calls generated (before) and during the week it would appear that Disability Awareness Week has been an overwhelming success and consideration

should be given by the department to make it an annual event. Although problems were encountered they should not be taken out of context in what proved to be a very worthwhile exercise to the benefit of the members.

2.8 Disability Seminar

The Annual Disability Seminar took place in Warrington on November 3 2001. The General Secretary opened proceedings and then took part in a question and answer session which was welcomed by all those present. Helen Southwood MP for Warrington South also spoke and all the attendees found that very interesting. A brief introduction to Able2 the BT network was given by one of its members and a presentation was given on the latest developments on the DDA. A lengthy session on the "Two Ticks" is reported elsewhere. The hotel was found to be a reasonably good venue. In fact only two problems occurred. Firstly it turns out that Warrington Railway station is only accessible to wheelchairs on one side and two sign language interpreters were booked but were not required on the day to do any actual interpreting.

Investigating The Operation Of The DDA

A further attempt was made in to get information from Branches by way of a questionnaire seeking information about the implementation at local level of the Disability Discrimination Act. All Branches were asked to complete this questionnaire in order to assist the National Executive Committee in completing their report. This was done in CWU Briefing 16 paragraph 197. Insufficient replies were received to be useful in terms of a report.

3. ETHNIC MINORITIES ADVISORY COMMITTEE

3.1 Election Of Officers

Pav Alam was elected Chair and Amarjite Singh was elected Vice-Chair.

3.2 General Conference

The two motions selected by the Black Workers Conference were on Asylum and Reporting of Racist incidents. They were both carried. A successful reception was held for black delegates.

3.3 Training

During the year a number of the EMAC were given training to enable them to tutor union activists and discussions are in process to provide a brief for training of activists. All Branches can have a member of the EMAC for training courses organised on a local basis either as the main tutor or for part of any course.

The Committee agreed that a Special Seminar be set up to ensure that the EMAC devise a common training and presentation package for EMAC members attending Branch Meetings and Seminars. The General Secretary agreed this would be done.

The Committee received a report from Pav Alam on the meeting at Alvescott to discuss the training programme with Dave Ward and noted the letter from Dave Ward to Tony Young about the training strategy associated with the Equality and Diversity Report.

3.4 Priorities And Plans

- i. That all Union Representatives should receive race awareness training.
- ii. That the profile of the Committee be raised by producing a newsletter, seeking specific space in the Voice and a general leaflet. A working group is currently co-ordinating production of a leaflet and poster advertising the EMAC.
- iii. That Branches should be asked to have speakers from the EMAC at Branch meetings with hopefully where appropriate a focus on local issues.

3.5 DRUM

A special issue of Drum was produced for Annual Conference. All members are asked to assist with the production of Drum by writing articles or pieces that could be published. Nobody need worry if they are inexperienced in writing as the Editor can if required alter anything produced. The current contact list is 309 names.

3.6 Self Motivated Teams

The Committee discussed the potential problems with Self-Motivated Teams and entered into correspondence with Ian Cuthbert. The Committee noted that it appeared that a field trial was now the next step in respect of this issue.

3.7 Fascists

The Committee discussed the problem of the BNP both in the context of the election and in the context of the growing threat from the fascists particularly in North East England. Pav Alam attended a meeting in the North West designed to co-ordinate the response to the fascist threat.

3.8 Scottish TUC Black Workers' Conference

The STUC Black Workers' Conference still presents problems in fielding a delegation and only one delegate came from Scotland, Sophia Ghafoor of the Glasgow Engineering Branch. The other delegates were Manny Blake, Michele Emerson, Amarjite Singh, Sam Wines and Jenny Ainsley.

3.9 Religious Discrimination

In response to our representations neither Consignia nor BT are prepared at this stage to issue specific Codes of Practice dealing with Religious Discrimination. Further representations will be made. It is now clear from the Government that they are intending to implement the legislation with effect from 2003.

CWU Briefing No 5, Paragraph No 63 gave Branches advice on the legal position in respect of release for religious festival.

Separate discussions have taken place under the aegis of the Postal Executive designed to ensure that the management are aware of the need to provide release as appropriate for festivals and days of religious observance.

3.10 European Community Issues

The Committee received a report on the implementation of the draft Directives under Article 13 of the European Treaty making discrimination on grounds of race and, among other things, religion in employment unlawful. At the time of preparing this report the Committee is about to consider its response to the Government Consultative Document.

3.11 TUC Black Workers' Conference

The year 2001 Conference took place in Perth and a number of the EMAC were delegates. In addition a number of branches sent visitors to the Conference. The EMAC took part in formulating both our motions and policy. Manny Blake was once again elected a member of the TUC Race Relation Committee.

The CWU submitted the motions dealing with the rights of the Conference in respect of its motion to TUC Congress and Religious Discrimination: Both motions were carried and the first one was selected to go to Congress. Due to the early closure of Congress it was not reached.

For the 2002 TUC Black Workers Conference in Southport another motion dealing with the right to move the Congress motion and a motion on the growth of the fascist threat have been submitted to the TUC. Information on the Conference was published in CWU Briefing No 38, Paragraph No 457.

3.12 General Secretary

The new General Secretary, Billy Hayes addressed the EMAC about his commitment to Equal Opportunities and in particular his commitment tackling racial discrimination and racial disadvantage. He gave the Committee a brief history of his involvement in the past with various issues including tackling the problem of fascism and far right activity both in society and in the workplace. He indicated that the Committee should consider some "bullet points" they wanted him to address like to happen and if the points were feasible he would endeavour to action them. He indicated for instance that rather than trying to monitor the whole membership they might like to consider the feasibility of a MORI type survey. He assured the Committee of his future commitment to addressing the obvious problems that ethnic minorities faced.

3.13 CWU Black Workers Conference

A report on the 2001 Black Workers Conference was published as an attachment to CWU Briefing No 14, Paragraph No 165.

After some discussion it was felt that the Black Workers Conference should continue to meet in London for 2002 and it was agreed that the 2002 Conference would be in University of London Union on 16 February.

3.14 Discrimination Law

A short summary of Sidhu v ACT, a Court of Appeal decision that is both good news and bad news, was circulated. On the one hand the appeal court has found that an employer could be held liable for race discriminatory acts at a family day out organised by the employers even though this was not a straightforward work matter. On the other hand the Appeal Court found it perfectly legitimate that the victim of the racial abuse could be dismissed as no discrimination had taken place in exercising a policy of dismissing both parties in fighting cases.

3.15 National Assembly Against Racism

It was agreed to send Winston Vaughan, Sam Wines, Nick Rodrigues and Yvonne Robinson as delegates to the AGM on Saturday 24 November 2001. Amarjite Singh was in attendance from Wales. The CWU nominated Winston Vaughan for the Executive and he was elected. Amarjite Singh was elected from Wales.

3.16 Reporting Of Racists Incidents

Branches were asked to commence this initiative with effect from February 1 2002.

3.17 Other Initiatives:

In addition to the above report the CWU have also organised schools and seminars. A course was organised at the Elstead hotel for black members who were interested in becoming active in the Union or for activists who wished to become more active. The EMAC also discussed various papers from the TUC and the 2001 budget.

4. LESBIAN AND GAY ADVISORY COMMITTEE

4.1 Elections

Maria Legge was elected Chair and Laurie Smith was elected vice-Chair of the Committee.

4.2 Lesbian And Gay Tuc Conference 2001

The CWU Motion on partnership rights had been selected as the motion to go to Congress from the Lesbian and Gay TUC Conference. Unfortunately due to the early closure of Congress the motion was not reached.

A discussion of the Conference arrangements on the Committee revealed dissatisfaction in particular with the arrangements for the informal session and a number of ideas were floated for Maria Exall, CWU nominee to the TUC Lesbian and Gay Committee, to take back to the L & G TUC.

4.3 OUTTALK

The circulation list for OutTalk includes Branches, the 233 people on the Equality Officers contact list and 208 people on the Lesbian and Gay Contact List.

4.4 CWU Lesbian And Gay Seminar/Conference

The 2001 Seminar at Alvescot was a success with its usual mixture of outside speakers and seminar sessions. The Seminar was addressed on various topics including the fascists and health issues. As in previous years a number of lively discussions took place.

It was decided that consideration be given to moving towards a motion based Conference with the aim of achieving the same status as the Women's and Black Workers. It was agreed to organise a trial conference next year as a way of preparing for a motion based in the future. A bid was made for inclusion of the costs in the budget for 2002. At the January meeting the Committee decided to ask the NEC to submit a rule change to Annual Conference for a proper Motion based Conference in line with the Black Workers and Women in 2003.

4.5 Labour Campaign For Lesbian And Gay Rights Postcard Campaign

Members of the LGAC took part in the postcard campaign ("Come out and vote Labour") during the General Election and the Committee agreed to place on record its thanks to Dionne in the Equality Department for her work supporting the LCLGR.

4.6 Pride Events

It was agreed to seek support from the CWU Headquarters for a better resourced intervention in 2002. It would be very important in London as BT will be sponsoring the event and are planning a big presence. An allocation of funding was bid for in the budget.

4.7 CWU Conference Fringe Meeting

The Committee will be organising a fringe meeting at the CWU Annual Conference.

4.8 Transsexuals

The Committee discussed the problem posed at the TUC Lesbian and Gay Conference in deciding policy on Transsexuals and has decided to invite someone from Press For Change in order to discuss integrating the issues faced by Transsexuals into the work of the CWU and whether the LGAC was the appropriate vehicle.

4.9 Discrimination On The Grounds Of Sexual Orientation

The Government published its consultative document on the European Directive that outlaws discrimination in employment on the grounds of sexual orientation. The relevant sections of the consultation were provided to the LGAC.

The Committee felt that whilst they welcomed the improvement proposed they wanted to re-affirm the CWU policy on the need for comprehensive legislation to outlaw discrimination on the grounds of sexual orientation throughout society. The Committee were particularly concerned about the proposal to exclude partnership rights where the

difference of treatment was based on marriage and worried that this would also preclude rights to pensions. It was agreed to seek to include these points in our representations both directly and through the TUC.

4.10 Partnership Rights

The CWU has continued to pursue its policy for a change in the law on partnership rights and has been involved in the TUC working party on lesbian & gay partnership rights.

The TUC is concerned to influence the Government consultation on the issue of partnership rights and access to parental and family rights. It is not clear whether the Government will consider a register of partnerships for all or just lesbian and gay couples. The general feeling of affiliate union is to campaign in as politically broad a way as is possible for partnership rights for all irrespective of sexual orientation.

4.11 Kaleidoscope

BT have set up a Lesbian and Gay network called Kaleidoscope. The union gave publicity to this by way of the contact list and LGAC members are involved in the network.

5. WOMEN'S ADVISORY COMMITTEE

5.1 Officers

Katrina Quirke was elected Chair and Linda Keitz elected vice Chair of the Committee.

5.2 Regional Women's Committees

The Union's Regional Women's Committees are now functioning in all regions except Scotland. The Officer and the Chair of the WAC visited the Scottish Regional Committee to facilitate set up as quickly as possible. Scottish branches have raised a number of concerns that will, hopefully, be addressed in the near future.

The WAC have assisted in providing two seminars at the Elstead Hotel for the officers of the Regional Women's Committees. Issues discussed by the WAC in respect of Regional Women's Committees included organising, training, the role of women's safety officers, the funding of delegates and the Women Recruit Women campaign.

5.3 CWU WOMEN'S CONFERENCE 2001 MOTIONS

Motion 1

This motion dealt with *the need to introduce BT's policy on flexible working in all businesses.*

It was reported to the WAC that negotiations had been undertaken with Royal Mail Service Delivery and that a number of agreements have now been completed. These include a revised Maternity Agreement, provisions for Dependant's Leave and

provisions for Parental Leave. These work together with the Special Leave arrangements currently in force.

The WAC were also advised that a booklet for Royal Mail Service Delivery members had been prepared for the DGS (P) by Jenny Ainsley which pulled together all the Family Friendly Policies available in that Business and that it was ready for Annual Conference.

It was further reported that the CWU is preparing a Voice article for the Conference edition of the journal giving information to members about the new Family Friendly Policies.

Motion 2

This motion dealt with *the introduction of Newgrid and job share*. The motion was referred to the Equal Opportunities Department and the T&FS EOC. The T&FS EOC agreed that Job Share could best be dealt with under the Work/Life Balance discussions with BT.

Motion 3 and 4

These motions dealt with *the subject of the employers' failure to promote and recruit women in non traditional areas of employment such as engineering and the need for women only training* were referred to the Postal Executive and the T&FS EOC. Simon Alford was asked to have an article in the Voice.

Motion 5

This motion dealing with *the funding of Committee* was one of the two motions selected for submission to the 2001 Main CWU Annual Conference. This motion was overwhelmingly carried at General Conference.

Motion 6

This motion dealt with *the subject of Domestic Violence* –The motion was referred to the Women's Advisory Committee and it was agreed that the Officer would write to the General Secretary requesting that Barbara Easterling be invited to speak at the Conference on the UNI Campaign on Violence Against Women. It was further agreed that a fringe meeting at Conference would also be organised on Violence Against Women.

It was also agreed that material for Branches would be prepared for Conference by Vicki Cornelius and an article would also be prepared for the Voice. The Committee maintained its links with the Women's Aid Federation.

Motion 7

This motion dealt with *the Equality and Diversity Report and the need to implement Rule 2.1(d)*. It was referred to the National & International Policy Committee, requesting a report on the issue.

Motion 8

This motion dealt with *the implementation of quotas at the elections and was referred to Eric Lovett*, requesting the correct interpretation of the issue raised by the Motion.

Motion 9

This motion dealt with *health and safety issues associated with the privatisation of London Underground* -was referred to the National & International Policy Committee and it was further agreed that a message of support be sent from the WAC to RMT and ASLEF.

Motion 10

This motion dealt with *overnight stays for meetings* –It was referred to the Finance Committee.

Motion 11

This motion dealt with *expenses at Regional Women's Committees*. It was referred to the Finance Committee.

Motion 12

This motion dealt with *the rotation of Women's Conferences*. This has been achieved.

Motion 13

This motion dealt with *safety and health issues*. It was referred to Kevin Shaw and the National and International & Policy Committee. At the March meeting of the Women's Advisory Committee a useful discussion took place with Kevin Shaw.

The Women's Advisory Committee welcomed Kevin Shaw to discuss propositions from the Women's Conference. Kevin asked that, in future, if some discussion could take place regarding the propositions to the Women's Conference prior to the Conference, so that policy can be effectively developed. Kevin expressed a wish to develop women's involvement in safety through the Health & Safety Forums and told the Committee that he would be putting forward proposals to further this policy.

He advised the Committee that the Health & Safety Committee were preparing a website, which would include women's health issues and that the issues that the WAC wished to be included in respect of women's health, can be included in the materials on the website.

He also advised the Committee that there were financial constraints in the production of Women's Health Packs but that he was keen, in principle, to increase the material available.

The Committee expressed its thanks to Kevin for attending the Women's Advisory Committee and looked forward to keeping in touch with him on the development of policy in relation to women's health and safety.

Leaflets on ovarian cancer were made available at Annual Conference.

Motion 14

This motion dealt with *the CWU policy in respect of the National Abortion Campaign and a woman's right to choose*-It was referred to the National & International Policy Committee.

Motion 15 - was withdrawn.

Motion 16

This motion dealt with *the frequency of Women's Advisory Committee meetings*. It is expected that a full set of meetings will take place this year.

Motion 17

This motion was on the subject of *the need for weekday Conferences in recognition of the need for quality time with families*.

It was agreed that the WAC write to the Regional Women's Committees consulting them on whether a week day Conference would be easier for women to attend.

Motion 18

This motion dealing with *the prioritisation of Women's Conference Motions at Main Conference* was one of the two motions selected for submission to the 2001 Main CWU Annual Conference. Unfortunately this motion was not reached at General Conference

5.4 Other Items

Apart from the issues raised by the motions the WAC also discussed a number of other matters including: the Mary Macarthur Holiday Trust, Harassment Helpline, TUC Women's Conference, and motions STUC Women's Conference, the Women's National Commission, the National Abortion Campaign, the ICFTU Maternity Protection Campaign, the Government's Maternity and Parental Rights Review Group, the booklet on Women in British Trade Unions, the standards in Royal Mail Service Delivery on the provision of sanitary facilities, UNI Women's Conference, child care voucher schemes and the plight of Afghanistan women,

STRUCTURE AND RULES

1. RESPONSIBILITIES OF THE COMMITTEE

The Committee is responsible for:

- National Union Rules
- National Union Structure
- Conference Procedures
- Future Trade Union Mergers/Alliances

2. FUTURE STRUCTURE OF THE CWU

The Committee has not made any further progress on the future structure of the CWU.

3. NEC RECOMMENDATIONS ON GENERAL CONFERENCE MOTIONS

General Conference 2001 carried the following motion:

Motion 95

“Conference notes with concern the lack of publication of the National Executive Council Annual Report to General Conference in time to assist branches prior to the closing date for motions to General Conference.

Not only is this a clear breach of National Rules but raises serious concerns about the accountability of the NEC, the Sub Committee structure and the various Advisory committees whose work is detailed within the report.

Conference therefore instructs the NEC to ensure that in future years the Annual Report is produced and circulated in time for branches to formulate motions to conference.

The report should contain a record of the work carried out by the NEC and Sub Committee structure along with the policies adopted during the previous 12 months.”

The Annual Report has been re-instated.

Motion 96

“This Conference instructs the incoming National Executive Council that the NEC place the next Rules Revision Conference such amendments that are necessary to ensure that the membership of the T&FS Executive better reflects the diverse companies in which our members are employed.

Motion 97

“This Conference instructs the incoming National Executive Council that the NEC place before the next rules revision conference such amendments that are necessary to allow for the Assistant Secretary Equal Opportunities to be elected once every five years.”

The Committee will activate the terms of the decision and place appropriate amendments to the next Rules Revision Conference.

The terms of this motion have been adopted as policy.

4. RULE AMENDMENTS

General Conference 2001 carried rule amendments as follows:

“134 To delete Rules 3.4.4.2 to 3.4.4.49 inclusive, 3.4.4.11 and 3.5.3.4, and insert new Rule 3.3.

RETIRED MEMBERS

1. Full members of the Union may apply to become retired members of the Union provided that they meet the following criteria;
 - (i) Aged 60 or over and not in regular employment
 - (ii) Those aged between 50 and 60 whom Branches confirm have retired and do not intend to work again
 - (iii) Members medically retired
 - (iv) Retired eligible former employees of the Union
2. In addition the NEC may consider granting retired membership to members outside the aforementioned categories for exceptional reasons. Members applying for retired membership must complete their retired membership application form within 26 weeks of ceasing to be a fully paid up member. Applications for retired membership outside the 26 week timescale will only be considered for exceptional reasons, at the absolute discretion of the NEC providing that arrears of membership contributions are paid.
3. A fully paid up retired member shall be entitled to attend all Branch meetings and participate in discussions and be able to vote on non-occupational matters.
4. A fully paid up retired member shall be entitled to vote in elections for any non-occupational national officers.
5. Branches shall, when applicable, establish retired members' sections which would be entitled to elect a Section Committee to deal with retired members' problems. The Branch should appoint a member of the Branch Committee or an Officer of the Branch to service the retired members' section.
6. A retired members' section may elect from within their number one retired member to the Branch Committee to represent retired members' interests. The retired member should be entitled to participate in the Committee discussions and vote on non-occupational matters.

7. The Branch may appoint a retired member to represent it on organisations to which a Branch is affiliated.
8. A retired member shall not be entitled for nomination for or election to any Union office except as set out in paragraphs 6 and 7 or as determined by the NEC.
9. A retired member shall be entitled to receive a copy of the Union's journal and other appropriate publications.
10. A retired member shall be entitled to legal advice and a death benefit.

"135 Amend Rule 6.41

Line 1 delete "Each paragraph of each report" and substitute with "each amendment".

6.41.3(a) Delete all and substitute with "Each paragraph of part 1 of the Annual Report shall have a single recommendation from the Postal Executive "That this paragraph is noted" and each amendment submitted against recommendations relating to part 1 of the Annual Report will receive a "C" category".

6.41.3(b) Delete all and substitute with "Prior to the 21 April the Deputy General Secretary (Postal) shall notify the Standing Orders Committee (Postal) of the views of the Postal Executive as to the appropriate priority category for each amendment submitted against recommendations relating to part 2 of the Annual Report as aforesaid. The Standing Orders Committee (Postal) in consultation with the Deputy General Secretary (Postal) shall then divide the amendments into priority categories A, B & C. The priority categories thus determined shall be published in the Agenda of Conference on 21 April in accordance with these rules.

Consequently affected Rule 6.30.1 and 6.30.2 be amended accordingly"

The rule changes have been carried into the revised rule book which has been circulated to Branches.

5. FUTURE TRADE UNION MERGERS AND ALLIANCES

Annual Conference 2001 carried the following motion:

"This Conference instructs the NEC to enter into discussions with BECTU, Connect, GPMU and the NUJ to explore the feasibility of merger. To provide a report to branches before the 2002 General Conference"

Since July 2001 the General Secretary has sought to meet with a number of trade unions to establish closer working relations with those Unions who have members in similar sectors to ourselves.

The list of those Unions is as follows:

Connect	BECTU
GPMU	UNIFI
USDAW	NUJ
Equity	

The General Secretary has written to these Unions seeking to establish closer working relations on those matters where there is a common interest.

At the time of writing initial meetings have been held with GPMU, UNIFI and USDAW. Further meetings will be held as appropriate.

Developments will be reported in due course.

HEALTH, SAFETY & ENVIRONMENT

1. ANNUAL CONFERENCE 2001

1.1 Section 7 of the Health, Safety & Environment Committee at General Conference listed

Propositions 111-126. Whilst not all the Propositions were discussed at Conference the Committee has progressed all Propositions in line with Policy. These have been brought to the attention of the respective Employers and/ or outside bodies. Details/ further information will be made available to Branches.

1.2 At Conference 2001 for the first time ever, the Health, Safety & Environment Department had a Stand in the Foyer of the Conference Hall. This was staffed by the Departments secretarial support staff and publicised the work of the Department, specifically the launch of the Unions Website (highlighting the Health and Safety page) and the launch of the CWU Stress Survey and the Men's Health Pack. There was also a well attended Health & Safety Fringe Meeting with a speaker from the Suzy Lamplugh Trust.

1.3 Asbestos

Composite Motion 111 was carried at the 2001 Conference instructing the NEC to enter negotiations with Employers to ensure compliance with the Control of Asbestos at Work Regulations. The Motion called for each building to have a suitable Asbestos Register, which is available on site. That it is checked and updated annually and is compiled by a licensed and accredited Asbestos professional. All Asbestos remaining in situ to be encapsulated to the legal standard with warning notices displayed. The Motion was presented to both Consignia and BT and has been subject to ongoing discussions.

The NEC has additionally joined with the TUC and a lobby of other Trade Unions in pressing the Government and HSE to bring forward amendments to strengthen the Control of Asbestos at Work Regulations. Government ministers have responded that the Government is moving to deal effectively with the problems of Asbestos.

Meetings have taken place Government Health & Safety Minister Alan Whitehead and separately with Bill McDonald HSE Head of Asbestos Policy Unit.

During the last year the HSE launched two Guidance Manuals entitled "Introduction to Asbestos Essentials" for Managers and "Asbestos Essentials Task Manual" for workers in the buildings maintenance (Facilities Management) and allied trades. This was accompanied by training Video "How Are You Today". The Manuals are part of a HSE campaign to highlight the dangers of Asbestos and to provide guidance on how buildings maintenance work can be carried out safely. These were brought to the attention of Consignia and BT.

More importantly perhaps are the planned amendments to the Control of Asbestos at Work Regulations and Approved Code of Practice. The new legislation would introduce a new “Duty To Manage” and “Asbestos Register” requirement. This would place a new duty on employers, buildings owners, managing agents, occupiers and those responsible for buildings maintenance. The duty entails a requirement to register the whereabouts and condition of all Asbestos in the building and requires the passing of information on location and condition of asbestos-containing materials to “every person liable to disturb it”. The Legislation will also require suitable and sufficient Risk Assessments to be undertaken, A Plan setting out how the Asbestos is to be managed plus an implementation plan. It is also requires that all materials will be presumed to contain Asbestos unless there is strong evidence that they do not. Not surprisingly Employers and Building owners have called for a lead in period to enable them to come to grips with these more onerous obligations that will be placed on them. Bearing in mind that by 2020 the number of people who will die because of Asbestos is expected to peak at 10,000 a year, the NEC has welcomed the proposed new Legislation and has responded to the latest Consultation Document by calling for as short a lead in period as possible. The NEC has called upon employers where our members work to comply with the new requirements ahead of the amended Law’s introduction date.

1.4 Conference Motions

All Conference motions passed at last years Conference will be issued in the Conference Matrix.

2. JOINT CONSULTATIVE MEETINGS

2.1 The Committee is concerned to ensure that the CWU continues to raise the profile of Health and Safety issues and has a consistent policy on Health and Safety matters. Whilst the T&FS Health, Safety & Environment Sub- Committee has continued to work effectively for some time, the Officer sought, and got the agreement of the DGS (P) to establish a Postal Health, Safety & Environment Sub-Committee. The Postal Executive endorsed this and the inaugural meeting will be arranged in the near future.

Major Health and Safety issues in the Postal constituency / various Postal Businesses are as follows: -

2.2 Head of Health & Safety Post Office/ Consignia

Branches will be aware the Health, Safety & Environment Department campaigned for a number of years to establish this new position, which for the first time has responsibilities throughout the Corporation and had direct access to the Board. A good working relationship has been established with Malcolm Davison who has also attended Briefings for CWU Area Safety Representatives (ASR’s) in the various Postal Businesses. Conference Propositions/ Union Health & Safety Campaigns have been brought to his direct attention, and it is vital that issues are progressed on a corporate basis, rather than Business by Business approach. Such items include a Code of Practice for Accident Reporting and Investigation (including an agreed definition of an accident at work), Hazardous Substances, Serious & Imminent Risk, Foot & Mouth

outbreak, Anthrax Alert, and Stress and others. It is with regret that at the time of writing this Report we have been advised that Malcolm has tendered his resignation and intends leaving at the end of February 2002. Branches will be kept informed and advised.

2.3 Stress at Work:Post Office/Consignia

Following the publication of the CWU Stress Survey last year, this was raised formally at corporate level. We want a corporate wide approach to tackling stress at work, rather than by a fragmented business by business approach. This is an issue affecting all members, in all businesses across the post office.

Following our representation, a report has been drawn up by Malcolm Davison and presented to the PO Board on a suggested approach to the prevention and management of work related stress throughout Consignia. The report confirms that the CWU has raised the issue of stress on several occasions, and makes reference to our stress survey sent to a 20 000 cross section of our members. It outlines current Health & Safety Executive advice and enforcement background; work related stress as an issue; HSE guidance v Consignia practice; cost of stress claims; information on current activity in individual business units.

This issue is ongoing, and the report will be circulated to Branches.

2.4 Health & Safety Briefings for CWU Area Safety Representatives in Postal Businesses

Throughout the year Briefings have been held at the Elstead in Bournemouth for CWU ASR's in the various Postal Businesses. These have been specific to individual Businesses or Consignia/ Post Office wide Briefings. Briefings have been attended by Malcolm Davison and/ or the respective Head of Safety of the Business. The ASR's who have attended should report back to their colleagues and respective Forums. More Briefings will be arranged in the future.

2.5 Royal Mail Consultative Arrangements

Many of the Health and Safety issues of concern, and Conference issues in the Business have been raised either with the Head of Safety Adrian Warren or at corporate level where they have cross business implications. There are a range of issues ongoing which include discussions on the introduction of Cycle Safety Helmets, High Visibility Clothing for Delivery Staff, SPDO's, Safety Structure in the Business, Health & Safety Campaigns, Conference Issues, Vehicle Safety, Containerisation Issue and others. Branches and/or CWU ASR's will continue to be kept informed and advised either directly by the Health, Safety & Environment Department or via the Branch Officials Bulletin and the Website.

2.6 Parcelforce (Packages & Express) and Logistics Consultative Arrangements

Many of the health & safety issues have either been progressed with the Head of Safety Colin Shipton or at corporate level where they have Cross Business implications. The

Health, Safety & Environment Department is currently in dialogue with the Head of Safety as it is vital to determine the relationship between these newly formed Business Units particularly in relation to Health & Safety in the Workplace. A range of issues are ongoing which include Health & Safety Campaigns, New Equipment, Technology, New Vehicles, Containerisation, Safety Wear, and other issues. Branches and all CWU ASR's will continue to be kept informed and advised either directly by the Health & Safety Department or via the Branch Officials Bulletin and Website.

2.7 Post Office Limited Consultative Arrangements

Many of the Health & Safety issues have either been progressed with the Head of Safety Tony Hills or at corporate level where they have Cross Business implications. Since the formation of this New Business Unit the National Health and Safety Committee, National Safety Briefings for ASR's in the Business, and the Joint Conference in Luton have been held throughout the year. A range of Health & Safety issues have been progressed including Conference Issues and Branches and/or CWU ASR's will continue to be kept informed and advised either directly by the Department or via the Branch Officials Bulletin or the Website.

2.8 Cash Handling & Distribution Consultative Arrangements

Many of the Health & Safety Issues of concern in the Business have been raised with the Head of Safety Simon Eldridge directly or at corporate level where they have Cross Business implications. A number of meetings have been held with the Head of Safety of this new Business Unit on a range of issues. CHD is an amalgam of former POCL Cash Centres and RMSD Cashco. The Business is keen to establish Health & Safety Consultative Arrangements covering CHD. A National Committee has been established covering the Business where CWU Area Safety Representatives with members in CHD will attend. Branches and /or CWU ASR's will continue to be kept informed and advised either directly by the Health, Safety & Environment Department or via the Branch Officials Bulletin and the Website.

2.9 Consignia Customer Management (CM)

The seven new Regional Safety Representatives and substitutes have been elected in Customer Management (CM). A national joint meeting of all Area Safety Reps was arranged with the CM National Safety Manager and Dave Joyce Chair NEC Health, Safety & Environment Committee acting as convenors to launch the new Health & Safety consultative arrangements in CM. The main issues in CM being the application of the new HSE Guidance on Health, Safety and Environmental Standards and Working Practices in Call Centres. The CWU played a leading role in successfully arguing for a number of improvements to the guidelines, which strengthen them in a number of key areas. CM has restructured itself following the SCS Consignia re-organisation programme and the Business is now based on 10 major Call Centres (referred to as Contact Centres in CM). CWU HQ is confident that the new Health & Safety consultative arrangements set up will work well and produce improvements in Health & Safety for CM Members.

The other main area of concern in CM has been TV Licence Enquiry Officers (TVLEOs) Personal Safety and Violence at Work. With violent attacks against TVLEOs on the increase, CWU/HQ has been in discussions with CM and the HSE regarding risk management and personal safety. The HSE eventually took enforcement action against CM for failing to produce suitable and sufficient Risk Assessments and control measures. This action has encouraged progress and assisted us in our discussions with CM in these key areas. The situation has been further complicated by the loss of the TVL Contract to another Company "Capita" where approximately 2000 members will be TUPE transferred. The challenge for the Union will be to establish a dialogue and Agreements with Capita to maintain and improve Health & Safety standards.

2.10 RoMEC

The National Health & Safety Representation and Consultation Agreement is currently being re-negotiated in order to make improvements and to take account of RoMEC's new post SCS structure. CWU/HQ has been in discussions with RoMEC and the aim is to model the new Agreement on those agreed with Vehicle Services and Customer Management. RoMEC have agreed to support the Training of Safety Representatives through the TUC/CWU Staged training programme rather than use the Post Office T&DG in-house Safety Reps training course. A programme of one day CWU Health & Safety Reps induction courses run by CWU/HQ and supported by RoMEC have been set up and run on a Regional basis with good success in bringing forward new Safety Representatives to then follow the full Staged training programme.

2.11 Consignia Vehicle Services (VS)

This business like the others in Consignia was reorganised quite radically following SCS. The new Area Safety Representatives and substitutes have been elected in the 7 Geographical Constituencies along with a network of Workplace Safety Reps. A national joint Risk Assessment review forum is to be established and new Area Health & Safety Committees established. The Motor Vehicle Workshops are a hazardous, high risk working environment but the CWU has successfully worked with VS to develop and agree a new Safety Policy and range of specific Health & Safety Policies to significantly reduce the risk of injury through a jointly agreed Safety plan. Joint submissions have for the last two years running received ROSPA Gold Safety Awards to industry.

2.12 Post Office Property Holdings (POPH)

Post Office property holdings and the establishment of the "Help Desk" system of progressing Health and Safety related accommodation faults and remedial action from Safety Inspections and Reports has been subject to severe criticism from Safety Representatives from all parts of Consignia. The deficiencies in the system came to the attention of local authority and HSE enforcement officials with a very high number of Improvement and Prohibition Notices being served on Consignia. Following a very serious accident involving contractors both the Post Office and the POPH Managing Director as a named individual were prosecuted under the Health & Safety at Work Act. Additionally an investigation into the problems by CWU HQ produced a massive dossier on POPH and their inability to deal with issues referred to them for action. These issues were raised via the Consignia National Health & Safety JCC, directly with the POPH

Board and with the HSE and local Authorities via the "Synergy" project. Revised processes had to be drawn up by POPH to satisfy the authorities and avoid further prosecution. Issues continue to be raised with POPH and Consignia via improved lines of communication. A joint National POPH/Unions Health & Safety Committee is to be established. Discussions have also taken place on the subject of Asbestos in line with the 2001 Conference Policy.

2.13 HSE Synergy Project

The Health and Safety Executive have stated their intention to effect greater co-ordination between Post Office/Consignia, Enforcing Authorities (HSE/LA's), and the CWU, in order to raise health and safety standards. Whilst we have been disappointed at the progress, at the time of writing this report we can advise that the HSE have advised that progress has been made and a Synergy Website will be launched. Branches/ Area Safety Representatives will be kept advised and informed.

The major Health and Safety issues in the Telecom Constituency are as follows: -

2.14 Health and Safety Consultative arrangements within BT

Following the announcement of the setting up of autonomous Lines of Businesses the Sub-Committee regularly discussed the issue of the future health and safety consultative agreements and has this as a standing item on it's minutes. Meetings have been held with the Company and representatives from the Lines of Business and definitive proposals are awaited. Discussions on the future consultation are continuing and the Sub-Committee has committed to involving all safety activists. Meetings of National JCC's continue in Wholesale, CS Non-Field, CS Field and CS Divisional.

2.15 DSE

The T&FSE Health Safety and Environment Sub-Committee wrote to the Company immediately following Annual Conference to begin the progress of addressing propositions on DSE. The matter was also raised at meetings with the Company following Conference and a thorough review of the ISIS Documents, Health and Safety Handbook and CBT was conducted. Proposals from this review are awaited.

2.16 Work Related Stress

The Stress Working Party has met under the auspices of the National Health Safety and Environment Committee. Also, Correspondence has taken place with employers to progress the issue at a number of meetings. The professional stress survey that was commissioned using the Labour Research Department was presented to employers. The results of the Survey have proved an invaluable tool in negotiations. Currently, the Sub-Committee is in discussions with BT to produce a Risk Assessment tool for use in all BT workplaces. This has been trialled at a number of call centres and is being validated by external bodies. If successful the Tool Kit will be rolled out to all BT workplaces and could be proposed for use with other employers.

2.17 Harassment

The issue of violence to staff including physical and verbal abuse is being addressed. Health and Safety Officers and Executive members have visited workplaces including Call Centres to discuss with members and local Branches the problems being suffered. ISIS Documents on dealing with harassment by customers have been agreed and issued in the course of the year.

2.18 OHS in BT-BMI

The T&FSE Health Safety and Environment Sub-Committee asked Branches to send in to Head Office their experiences of dealings with BT's OHS and BMI.

As part of an ongoing review into problems our members are experiencing the Sub-Committee are compiling statistics on the problems our members' face and are using this evidence in dealing with the matter. Several meetings have been held and individual issues taken up as they are reported.

2.19 Fault Reporting to Monteray

The T&FSE Health Safety and Environment Sub-Committee have met with BT and Monteray on issues around the interface between USR's and Monteray.

Branches are thanked for sending the experiences of USR's dealings with Monteray and problems they have encountered.

2.20 Hazardous Areas

The T&FSE Health Safety and Environment Sub-Committee has been in correspondence with BT on this matter and has held several meetings. Strong representations have been made to the Company at these meetings. Proposed systems for dealing with this problem have been demonstrated to the Sub-Committee. The H&S Committee are somewhat disappointed with the company's progress on this issue and have held one meeting with the Health & Safety Executive and have requested further meetings to progress this issue. The committee would ask that all branches continue to send detailed accounts of their experiences to Headquarters.

2.21 Climbing Practices

Meetings to review the feedback from the Belt No11 trialists and also to progress the issue of the new belt have taken place throughout the past two years. At the last meeting agreement was given by the CWU for the introduction of the Belt No11 subject to the inspection process being agreed.

The CWU are now convinced of the suitability of the new belt and the reasons for the need to move to the Belt No11 which include:

The Health & Safety Executive's insistence that BT have a Fall Arrest System in place for all instances of free climbing.

The need for a Safety Harness and not just a work belt for our members who climb poles.

A successful trial having taken place.

The Belt No 8 becoming obsolete

From the outset CWU and BT have insisted that as wide a range of geography, type of work and size of trialists be used for the trial and that the company fully utilise CWU Safety Reps as a resource for the trials.

A partnership approach was adopted throughout this project and the CWU and BT management has worked closely throughout to achieve this result. The CWU's T&FS Executive Health Safety and Environment Sub-Committee congratulate all those trialists and USR's who contributed to making sure that the new Belt is both safe and fit for purpose.

2.22 Low Drop Wires

The T&FSE Health, Safety and Environment Sub-committee have received reports of incidents involving low drop wires and are continuing to meet with the Company to address the issues.

The Sub-Committee has advised members that they should always carry out a personal risk assessment when arriving at a job and before the commencement of work. This applies to working on low drop wires. BT's advice is that the person undertaking the work uses their training and experience to assess whether they can undertake the work safely. This is based on the prevailing conditions at the time that the work is expected to commence. This includes the local aspects but is affected by weather, traffic levels, conditions of plant, equipment required and the actual job in hand. Members have been advised that if the individual is in any way concerned for their own safety or that of any other person or persons their standing instruction is not to commence work, but to seek guidance and assistance from their manager. Also all low wires encountered must be recorded using the company's A1024 process and escalated via the local line management.

2.23 Safety Officers in NetworkBuild

The Officer responsible for Wholesale sought the views of the T&FSE Health Safety and Environment Sub-Committee. Detailed views to be sent to the Officer, Brian Healy, for use in negotiating the grade and responsibilities of Safety Officers in NetworkBuild.

2.24 Laptops

A Draft Risk Assessment has been received from BT and is currently the subject of consultation with BT Union Safety Co-ordinating Committees, USR's and Branches.

2.25 Cobra Road Breaker

Briefings have been issued on the Cobra Road Breaker. Following a visit to BT's Smallford site in October of Brian Healy's team to view the Cobra Road Breaker, BT have promised to provide the CWU with the Contractors specification and a risk assessment for the machine. These are both still awaited.

In the meantime members have been advised that they should conduct an individual risk assessment on the use of the Cobra Road Breaker. If following such an

assessment, a member feels that it is unsafe to use the machine, then they should inform their line manager as to the problems encountered explaining that following their individual assessment they will not be using the machine.

2.26 Call Centre Health and Safety

The Health & Safety Executive have issued important new Guidance on Safety Standards and Working Practices in Call Centres and the CWU played a leading role in successfully arguing for a number of improvements to the guidelines which strengthen them in a number of key areas. The Guidance document covers a wide range of issues such as Safety Representatives consultation, Workstations and furniture, Welfare provisions and personal facilities, Rest breaks, environmental issues and temperature, Acoustic Shock, Hearing and Eyesight safety, verbal abuse; Stress, Bullying and Harassment Policies, Personal Safety procedures, Job Design, Hot-Desking, Training and DSE.

The CWU's Health & Safety Department compiled the CWU submission to the HSE during the Consultative Document process, after consulting Branches. TUC HQ's head of Health & Safety Owen Tudor subsequently endorsed the submission. The HELA Guidance Document entitled "ADVICE REGARDING CALL CENTRE WORKING PRACTICES" (HELA DOC 94/1 (rev) is available from the HSE Web Site www.hse.gov.uk, the CWU Website www.cwu.org or HSE Books. This Guidance Document will serve as a very useful tool for our Safety Representatives in the growing Call Centre Industry

2.27 Alliance and Leicester National Health & Safety Forum

One meeting of the Alliance and Leicester National Health & Safety Forum took place in 2001. Issues discussed were:

- Roll Out of the Health & Safety Management System
- Employee Support; Review of Contract
- Co – ordination of Health & Safety Issues
- Health & Safety Reporting Structure
- Accidents to Employees at Work
- Accident Statistics
- Acoustic Shock
- Voice Loss
- Eye and Ear Tests
- Relationship between Night Workers and Breast Cancer
- Stress
- Health & Safety of 'Hot Desk' Locations
- Health and Safety in Call Centres
- Waiting Time to See Occupational Health Service

Further meetings are promised.

2.28 e-people serve

Discussions are taking place with CWU Lead Officers on Health and Safety arrangements within epeopleserve and the Sub Committee are being updated on developing Health and Safety Strategy in the Company.

2.29 MMO²

Discussions are taking place with CWU Lead Officers on Health and Safety arrangements within epeopleserve. Members of both Committees, Andrea Snowden, Harry Williams and Bernard Roome, are taking up issues and reporting back to the Sub-Committee on developments. In December the Sub-Committee helped arrange USR training for MMO² members.

2.30 Telewest

Members of the T&FSE Health and Safety Sub Committee have been assisting in Telewest where safety issues have been brought to the attention of senior management. The committee is involved in arranging the relevant training for reps to enable a Health and Safety Structure to be started within our membership.

2.31 Monteray

The T&FSE Health and Safety Sub Committee are discussing with Monteray issues of Health and Safety in the Company and the role of Monteray Safety Reps.

2.32 Other Employers with CWU Recognition

Members of the T&FSE Health and Safety Sub Committee also work on other Committees that represent members with employers where the CWU has recognition. Health and Safety advice is available to these Committees. On a number of occasions during the year Safety Reps working for these employers have sought advice from the T&FSE Health and Safety Sub Committee

3. SAFETY ORGANISATION WITHIN THE UNION

3.1 CWU Regional Health & Safety Forums

As agreed at Annual Conference, the development of the Forums has continued. The Forums are operational in all ten regions and funded by CWU Headquarters. At Conference 2001 the Constitution was updated in Proposition 122 with the establishment of Treasurers and Women Officers. The Committee continues to monitor progress and receives regular reports and copies of minutes. Members of the Committee have been allocated to Forums, and the Health, Safety & Environment Department makes every effort to attend all meetings.

3.2 Regional Forum Chairs & Secretaries Briefings

The Health, Safety & Environment Department has initiated and provides funding for two Briefings a year for Chairs and Secretaries of Forums which are held at CWU Headquarters. The last one was held on 18 September 2001. These Briefings have been well received and will continue to be supported.

3.3 Communication within the CWU on Health & Safety Issues

There are a number of sources of Health and Safety information to Branches/ Safety Representatives, which include: -

CWU Website (Dedicated Health & Safety Dept Page)
Branch Officials Bulletin (Dedicated Health & Safety Sections)
LTB (Formerly Special Briefings on specific H&S Issues)
Labour Research Dept (Safety Rep Newsletter to every Branch)
Communication Direct with Safety Reps and Forum Secretaries from the Health & Safety Department
Health & Safety Dept attendance at Regional Health & Safety Forums
National Briefings for Area Safety Representatives at the Elstead Bournemouth

4. HEALTH & SAFETY TRAINING

4.1 The Health, Safety & Environment Committee support General Conference mandates to progress integrated Health & Safety Training courses in the CWU. The Officer wrote to the Organising and Training Committee requesting progress and an Organising and Training Sub- Committee was established to deal with and progress this matter. It is vital progress is made on integrated Health & Safety Training Courses.

4.2 Integrated Health & Safety Training Courses have been running successfully at the Alvescot Training Centre throughout the year. Owing to a backlog of training in the Postal Constituency the Health Safety & Environment Department co-operated with the Organising Department and ran Stage 1 and Stage 2 Courses in conjunction with the TUC and these courses were run at the Elstead Bournemouth. The demand for places on the courses was overwhelming and whilst it was not possible to satisfy the high demand for these courses, the courses were well received and all those attending the courses commended the courses.

4.3 A Seminar for Health & Safety Telecom co-ordinators has also taken place. This Seminar was for Telecom Health & Safety Co-ordinators to discuss consultative arrangements within BT.

5. Health Issues

5.1 Stress Survey

Following a General Conference Mandate the Health Safety & Environment Department commissioned LRD to carry out a comprehensive Stress Survey of CWU Members throughout the various constituencies. This was launched at Annual Conference 2001, published to Branches and is available on the Website. It has been formally raised with the Employers and has proved an invaluable negotiating tool to highlight the need to tackle stress in the workplace, which affects all our members.

5.2 Foot & Mouth Outbreak

The Foot & Mouth outbreak, which impacted in rural areas throughout the UK also, affected CWU members in Postal/ Telecom constituencies. Both Postal Delivery Staff, Drivers, Telecom Field Engineers all have to work within a rural environment. The Health Safety & Environment Department liaised with MAFF/ Department of Health in ensuring Branches were updated and kept informed throughout the outbreak via Briefings, Branch Officials Bulletins.

5.3 Men's Health Pack

The Health, Safety & Environment Department in liaison with the Department for Health produced a Men's Health Pack, which was launched at Annual Conference 2001. Distributed to Branches, and available on the Website. The Department also funded its distribution to members directly via an insert in the Voice. It has been well received both within the Union and by external Organisations.

5.4 Women's Health Pack

This year the Department intends to produce a Women's Health Pack. This will be done in liaison with the Department of Health, the WAC, and the newly elected Women Officers from the Regional Forums. Supplies of the current Women's Health Pack, which was funded by the Health & Safety Department, have been exhausted.

5.5 European Health & Safety Week

European Health & Safety Week which commenced on 15 October was well supported by the Department. It was discussed in advance both at the Committee and with the Forum Chairs/ Secretaries and the Department circulated posters, leaflets, HSE Information Pack, to Branches throughout the Country encouraging participation and active involvement.

5.6 Anthrax Alert

The Anthrax Alert in the USA became a major issue in the UK predominately throughout the Postal Service (This issue also affected a number of BT Postrooms which handle bulk mail). The Health, Safety & Environment Department closely monitored developments here and abroad, and were in close liaison with the Post Office/ Consignia Management and Government Agencies.

The Department took the unprecedented step to write to all CWU Members in the Post Office in view of the understandable concerns of Postal Workers regarding the Anthrax scare. Members were continually informed via Branches, Safety Reps and the Website. This issue is ongoing with HSE Tests being undertaken at Mail Centres in the UK and a continuing dialogue with the DTI, Department of Health, Office of Government Science.

6. External Organisations

6.1 Trade Unions Congress (TUC)

The Health Safety & Environment Department has attended regular TUC Health & Safety Specialist Meetings. Members of the Committee and lay delegates/ Safety Reps

have attended a number of TUC Conferences and Seminars on Health and Safety issues throughout the year.

6.2 UNI

Members of the Committee have attended various Seminars and Health & Safety Meetings convened by the UNI. The Chair and Officer attended a Canadian & US UNI Seminar on a new approach on international Health & Safety Unions in Toronto.

6.3 Health and Safety Executive

The Department has established a good working relationship and has continued to liaise with both the HSC and HSE throughout the year.

POLITICAL FUND MANAGEMENT COMMITTEE

The PFMC noted the valuable contribution of Derek Bourn as the Union's Political Officer up until his retirement in November 2001 and wished him every happiness for the future.

1. RESPONSIBILITIES OF THE COMMITTEE

The Committee is responsible for:

All matters relating to expenditure from the Union's Political Fund;
all Labour Party matters whether national, regional or local;
all matters relating to Labour Party organisation and events.

There is co-ordination of the work of this Committee with that of the National & International Policy Committee. It is the responsibility of the Policy Committee, reporting to the full Executive, to decide the Union's policy on political questions, but the promulgation of that policy to the Labour Party is the prime responsibility of the PFMC.

Policy for the Labour Party Conferences is decided by the appropriate delegation on the basis of CWU Annual Conference policy.

2. POLITICAL FUND

The PFMC continues to monitor the overall operation of the Union's Political Fund. The PFMC at its meeting in November 2001 expressed its concern that a number of Branches, even after the expenditure of the General Election period, were still holding significant sums in their Branch Political Funds. In some cases there are a small number of Branches holding over a five figure sum. The PFMC was also concerned that many Branches are not using their Political Funds, as required by Rule, particularly in relation to electing Branch Political Officers, CLP affiliations and supporting election campaigns. This is why the PFMC wrote out in November 2001 requesting all Branches to make donations to the national centre in order to support CWU candidates standing in the May 2002 elections. The PFMC will continue to monitor these matters. The PFMC continues to encourage all Branches to donate to Regional Political Committee levies so as to maximise CWU influence at regional level.

3. POLITICAL LEVY 'OPT IN' CAMPAIGN

At the 2001 Annual Conference Motion 127 from Birmingham Internal & Power Branch was carried. This stated:

'This Conference notes that approximately 50,000 members or 1/6th of the membership of the union currently do not pay the political levy.'

Conference therefore instructs the incoming National Executive Council to embark on a sustained campaign amongst those not contributing to 'opt in' and join the political levy.'

The PFMC at its meetings in September and November 2001 agreed a programme of activity that set out a comprehensive approach to fulfilling the terms of the above Motion. This involves a carefully focused and timed campaign to encourage members to 'opt-in'. It will take the form of nationally published material circulated to Branches for activists to use in persuading members to 'opt-in'. In addition, arguments would also be deployed to explain the importance and relevance of maintaining the CWU's Political Fund in preparation for the forthcoming ballot on retaining the Union's Political Fund in 2004/5.

4. BRANCH AFFILIATIONS TO CONSTITUENCY LABOUR PARTIES

The concerns of the PFMC on Branch affiliation to CLPs have been referred to in paragraph 3. Branches were written to in January 2002 to remind them that CLP affiliations should form part of their AGM agendas and that by Rule they should at least affiliate to all CLPs that fall within their geographic boundaries. Headquarters continues to establish a central database of Branch CLP affiliations and the PFMC continues to encourage Branches to affiliate to all relevant CLPs to ensure that the profile of the Union is raised within the Labour Party at all levels across the country.

5. POLITICAL STRUCTURES BELOW NATIONAL LEVEL

The PFMC is pleased to report that all Regional Political Committees are functioning correctly and playing an active role in the life of the Union. As is standard practice, NEC members drawn from the PFMC have been allocated to each Regional Political Committee in order to assist with liaison and co-ordination between the national PFMC and Regional activities. The modifications to the Constitutions of the Regional Political Committees have been successfully incorporated over the last 12 months, with most Regional Committee Chairs performing the role of Regional Political Committee Chair.

6. POLITICAL EDUCATION

In preparation for the General Election 2001, the PFMC agreed not to hold a programme of schools for that year. The Scottish Political Forum held a weekend school at the end of November 2001 in which MPs, MSPs and a MEP participated.

The PFMC has considered that in order to expand upon the number of activists attending political schools, rather than holding nationally arranged schools at Alvescot or the Elstead, a programme of political schools should be arranged in each Region. These can also take the format of one day schools, rather than residential weekends to allow those members with personal/domestic commitments to attend. Regional Political Committees were written to in January 2002 encouraging them to consider venues and dates for the forthcoming year. In addition, the PFMC has agreed to support another programme of Computing for Labour courses to be held at Alvescot which are open to all Labour Party members for training purposes.

The political pages of the CWU website are now complete and fully operational.

7. PARLIAMENTARY ARRANGEMENTS

The CWU has continued to work with a very effective group of MPs representing Constituencies all over the country. This group includes in total the following MPs: Joe Benton (Bootle), Tony Clarke (Northampton S), Michael Connarty (Falkirk East), Peter Hain (Neath) , Kate Hoey (Vauxhall), Bob Laxton (Derby North), John McWilliam (Blaydon), Estelle Morris (Birmingham Yardley), Chris Smith (Islington South & Finsbury), Geraldine Smith (Morecambe & Lunesdale) and Claire Ward (Watford).

It is also noted that Paul Marsden (Shrewsbury & Atcham) joined the Liberal Democrats in Parliament in December 2001. The CWU will continue to support Shrewsbury & Atcham CLP through its present difficulties.

At the last Election, Judith Church (Dagenham) stepped down as a Labour MP and Claire Ward (Watford) was an addition to those candidates supported at the General Election.

Meetings with our Parliamentary Group have been reactivated and two meetings took place last year – one at the site of the Labour Party Annual Conference and the second in December with the PFMC. Meetings of the PFMC with the Parliamentary Group will continue to be held on at least a quarterly basis.

In the House of Lords the Union continues to work successfully with Lord Clarke of Hampstead, who the PFMC commended for his report into the riot in Burnley in the summer of 2001. The Union also has close working links with Brian Simpson (North West) and Mel Read (East Midlands) in the European Parliament.

In the Scottish Parliament the CWU works closely with Margaret Curran (Glasgow, Baillieston), Susan Deacon (Edinburgh East & Musselburgh) and Cathy Peattie (Falkirk East).

The PFMC is currently conducting a review of Constituency Development Plan Agreements. Regional Political Committees were written to November 2001 requesting their views on the present and future operation of such Agreements. The PFMC will be considering those views during 2002.

8. PARLIAMENTARY PANEL

A number of our Parliamentary Panellists were involved in selections for Labour Parliamentary candidates. These included Ricky Henderson, Kieran Quinn, Nigel Mason, Phil Graham, Ese Okonedo, Ian Wingfield and Jim Moher . Unfortunately none of our Panellists were selected as candidates, although Kieran Quinn and Ian Wingfield were runners-up in safe Labour seats. The Panel is now closed until the Labour Party has considered a new procedure in the light of the change in legislation affecting women-only shortlists at its 2002 Annual Conference.

9. ELECTIONS

The General Election predominated much of the PFMC's time during 2001. It is pleasing to report that CWU activists across the length and breadth of the country were

involved in many successful Constituency campaigns. Two CWU members stood as Parliamentary candidates in safe Tory seats - Gerry Ryan (Croydon South) and Brendan O'Brien (Solihull).

This was the first General Election held under the new legislation of the Political Parties, Elections and Referendums Act 2000. As part of the new legal requirements all donations made to political parties from January 2001 had to be publicly recorded on a quarterly basis. The CWU decided to make a significant contribution (£800,000) to the General Election campaign a month before the Election, unlike most other Unions who had made donations up to twelve months beforehand. In addition, a further £50,000 was ring fenced for donations towards CWU candidates and existing Constituency supported MPs. Over and above the direct financial contribution made by the Union at various levels, a substantial practical contribution was made by Union members and the PFMC thanks such members for this effort. Finally, at Wimbledon HQ a telephone bank was operated during the period of the campaign which gave significant assistance to many marginal Constituencies across the country.

Regional Political Committees were asked to submit reports on activities and donations which had occurred during the run up to the General Election campaign. It is estimated that at least £150,000 was donated by Regions and Branches of the Union during this period. This breaks down roughly as £90,000 donated by Regional Political Committees and £60,000 donated directly by Branches.

In common with other affiliated Unions, the CWU plays a prominent part in the Trade Union Labour Party Liaison organisation and in its contribution to the General Election campaign. The Union is represented on the National Committee by the General Secretary and on its Regional Committees by most Regional Political Committee Secretaries.

10. LABOUR PARTY CONFERENCE

There was another successful Conference for CWU delegates. Representatives from across the CWU's membership joined in many seminars and debates and made positive contributions on behalf of the Union. At Labour Party Conference the CWU delegation voted for an increase in Trades Union affiliation fees (a one-off 25p increase from 1 January 2002 and a review of a formula for future increases). The CWU had a stall on site at Conference that displayed the Union's publications and materials relevant to our industrial interests.

A review of the size and function of the Union's delegation to the Labour Party Annual Conference will be conducted in 2002.

The former General Secretary, Derek Hodgson, retired as the CWU representative on the Labour Party National Executive Committee and was successfully replaced by John Keggie, Deputy General Secretary – Postal. The CWU has also sent delegations to various Regional Policy Forums across the country.

The Union continued to be represented at the Labour Party National Policy Forum by the General Secretary, Derek Hodgson (until July 2001), Billy Hayes (from July 2001) and the Deputy General Secretary – Telecoms, Jeannie Drake. The DGS-T also sits as a member of one of the National Policy Commissions – Crime, Justice and Citizenship.

NATIONAL DISCIPLINE COMMITTEE

1. CASES DEALT WITH

1.1 NDC.2001/1

A Full Hearing took place. The Committee found the case against the charged member to be proven. The member was expelled from the Union.

1.2 NDC.2001/2

A Full Hearing took place. The Committee found the case against the charged member to be proven. The member was debarred from holding Union office for a period of 3 years.

1.3 NDC.2001/3

A Full Hearing took place. The Committee found the case against the charged member to be proven. The member was debarred from holding Union office for a period of 3 years.

1.4 NDC.2001/4

The Committee concluded that a valid reference to the General Secretary had not been made.

1.5 NDC.2001/5

A Full Hearing took place. The Committee found the case against the charged member to be proven. The member was censured.

1.6 NDC.2001/6

The Committee concluded that no prima facie case existed.

1.7 NDC.2001/7

No further action was taken on this case as the charges were withdrawn.

1.8 NDC.2001/8

The Committee resolved to write to both parties suggesting an alternative method of resolving their dispute, rather than progressing the charge, and to write to the Chair of the National Health, Safety and Environment Committee with a view to clarifying structural and training issues.

2. INDEPENDENT REVIEW BODY

The NEC member and Reserve member of the IRB are Mr A Furey and Ms A Snowden.

RETIRED MEMBERS ADVISORY COMMITTEE

The Committee has met during the period covered by this report. I would like to convey my thanks to Fred Jepson, who retired recently, for chairing our Committee and to the Committee for their help and enthusiasm.

1. MAJOR ISSUES

Pensions continue to be the biggest issue for the Retired Members Advisory Committee and the Campaign to Restore the Earnings Link for the basic State Pension continues working with both the Trades Union Congress and the National Pensioners Convention. The Government has not accepted the case for restoring the earnings link and continues to focus its attention on improving the lot of the poorest pensioners.

Last year the Government published its proposals to establish a new system called Pension Credit. This system will ensure that millions of pensioners who have saved for their retirement will be rewarded for their thrift and effort and there is no doubt that under the current system pensioners with a small pension or a small amount of savings are penalised. So there are gains to be made from the Pension Credit system. However, on the down-side, it will extend the means-tested approach to a bigger group of people.

The Government intends to reform the current means-testing approach by introducing a much simpler assessment process. They state that they want to make it much easier for pensioners to claim all their entitlements. In the past the system has been intrusive and bureaucratic and crucially pensioners do not like it. That system is going to end, instead at the point of the retirement they will work out how much Pension Credit pensioners are entitled too at the same time as they work out their basic State Pension. Once they reach 65 they will only need to reassess a pensioners award every five years, unless there is a major change in their lives (it will explain to all pensioners what this means in practice) or unless they report a fall in their income.

The Government also state that any pensioner who receives a guarantee part of the Pension Credit will be entitled to full housing benefit and council tax benefit. Nobody will lose housing benefit or council tax benefit as a result of the introduction of Pension Credit. It remains to be seen whether or not this new scheme will solve the problems of (a) the resentment by pensioners of a means-tested system and (b) the failure by many thousands of pensioners to claim their full entitlement.

The Union will continue its campaign to influence Government policy.

We have also been concerned with the continued drift from Defined Benefit Schemes to Defined Contribution Schemes where effectively the employer is transferring a significant part of the cost and risk of pension provision from employer to employee and that the newly introduced stakeholder scheme is also suffering from a low take up of those who previously had no occupational pension provision.

Again we will continue to make representation to the Government on this issue, both individually and as part of the TUC.

2. RETIRED MEMBERS SECTIONS

We continue to encourage our Branches to create Retired Members Sections and there has been a slow but gradual increase in the number of Retired Members Sections with Engineering and Clerical Branches totalling 37 and Postal Branches 29 Sections. However, there is still significant progress to be made before we can ensure that every Branch has a Retired Members Section. It is the view of the Retired Members Advisory Committee that Retired Members Sections do not have to be restricted by traditional Branch/Constituency boundaries. In some regions of the country there are both active Retired Members Sections and also Regional Structures.

3. RETIRED MEMBERS REGIONAL COMMITTEES

Annual Conference, last year, endorsed the concept of creating Retired Members Regional Committees. The Constitution for the Committee has now been prepared and we will be introducing the new Regional Committees early in the New Year.

This will be a significant step forward for our Retired Members organisation and it is hoped that the Retired Members Regional Committees will play an important role in encouraging both the creation of Retired Members Sections and also ensuring that Branches are active in recruiting retired members. In addition to this we hope they will be able to focus their attention on some of the key issues that concern pensioners in their region and also play a part in any national campaigns.

4. RETIRED MEMBERS NEWSHEET

Further editions of the newsheet 'The Link' have been published and it continues to be a popular publication. Our concern is that we need more contributions from retired members.

5. RETIRED MEMBERS CONFERENCE

Arrangements are well under way for our second Retired Members Conference which is due to take place at Head Office on 7th February. Branches have already submitted propositions for the Conference and a full report of the Conference will appear in the Voice and the next issue of 'The Link'.

6. PROSTATE CANCER

The resolution endorsed by Annual Conference has been sent to the relevant committee of the TUC so that we can gain their support in the campaign to ensure a national screening service for all men over 50.

NATIONAL EXECUTIVE COUNCIL SUB COMMITTEES

NATIONAL AND INTERNATIONAL POLICY

Billy Hayes (Principal Officer), Tony Young, Steve Baguley, Manny Blake, Maria Exall, Linda Hancock, Gary Jones, Cathy Leech, Tony O'Grady, George Robertson, Dave Ward, Harry Williams, Jerry Wines, Ian Wingfield, Spike Wood

FINANCE & ADMINISTRATION

Andy Furey (Chair)(Trustee), Phil Browne, Richard Bruce, Tom Doherty, Bill Fry, Andy Kerr, Noel McClean, John Moynihan (Trustee), Tony O'Grady, Jimmy Reid (Trustee), Phil Waker, Andrea Snowden, Linda Hancock (Trustee), David Norman (Principal Officer) (General Treasurer)

ORGANISATION AND TRAINING

Steve Baguley (Chair), Phil Browne, Colin O'Callaghan, John East , Michele Emerson, Andy Furey, Nigel Mason, Steve Richards, George Robertson, Bernard Roome, Mark Taggart, Phil Waker. Eric Lovett (Principal Officer and National Organising Secretary) and the Officers reporting to the Committee are Donald McDonald and Dave Ward. In addition Peter Dodd, Peter Metcalfe and Ray Walsh, Senior Clerks in the Organising Department attend the Committee

LEGAL SERVICES

Jim Moher (Officer Employment Law), Tony Rupa (Officer Personal Injuries), Spike Wood (Chair), Steve Baguley, Steve Catterall, Bobby Gibson, Dave Joyce, Brian Kenny, Chris Murphy, Colin O'Callaghan, Linda Roy, Ann Robertson, George Robertson, Sean Ryan.

EQUAL OPPORTUNITIES

Michele Emerson (Chair), Manny Blake, Carol Alcock, Pavel Alam (EMAC), Ann Robertson, Linda Roy, Katrina Quirke (WAC), Jenny Ainsley (Principal Officer), Harry Williams, Steve Richards, Maria Exall, Bob Gibson, George Robertson, Andrea Snowden, Tony O'Grady, Tony Sneddon (DSNAC), Maria Legge (LGAC), Noel McLean

STRUCTURE AND RULES

Andy Kerr (Chair), Carol Alcock, Davie Bowman, Richard Bruce, Tom Doherty, Andy Furey, Bob Gibson, Linda Hancock, John Holmes, Gary Jones, Brian Kenny, Cathy Leech, Chris Murphy, Sean Ryan, Mark Taggart, Dave Ward, Jerry Wines, Spike Wood. Principal Officers: the General Secretary and the Senior Deputy General Secretary assisted by John Baldwin and Simon Sapper.

HEALTH, SAFETY & ENVIRONMENT

Dave Joyce (Chair), Kevin Shaw (Principal Officer), Carol Alcock, Phil Browne, Steve Catterall, Gary Jones, Noel McClean, Steve Richards, Bernard Roome, Linda Roy, Sean Ryan, Andrea Snowden, Harry Williams. Mr S Mann and Mr G Harkin also attended

POLITICAL FUND MANAGEMENT COMMITTEE

Maria Exall (Chair), Carol Alcock, Manny Blake, Richard Bruce, Michele Emerson, Bill Fry, Andy Furey, Bobby Gibson, John Holmes, Brian Kenny, Andy Kerr, Cathy Leech, Nigel Mason, Chris Murphy, Tony O'Grady, Jimmy Reid, Steve Richards, Phil Waker, Derek Hodgson (to July 2001), Billy Hayes (from July 2001), Jeannie Drake, John Keggie, Derek Bourn (Political Officer until November 2001), Ian Wingfield (Political Officer (Acting) from November).

NATIONAL DISCIPLINE

Ann Robertson (Chair), Mark Taggart, Pat O'Hara, Grace Mitchell (Principal Officer).
Reserve Panel: Phil Browne, Nigel Mason, Jerry Wines

RETIRED MEMBERS ADVISORY COMMITTEE

F. Jepson (Chair retired December 01), A. Kerr (Chair), W. Blakely, J. Clarke, M. Emerson, M. Findley, B. Kenny, C. Love, C. McDonald, N. Nicholls, P. O'Hara, R. Parker, E. Purkis, L. Searle, S. Skinkis, H. Thomas, A. Trotter, T. Young – Senior Deputy General Secretary (Principal Officer), assisted by W. McClory, P. Bowerman, N. Cotgrove and E. Lovett

ADVISORY COMMITTEES

YOUTH ADVISORY

Aaron Shotton, Darren Brennan, Emma Forrest, Paul Andrews, Alan Dyer, Dave Westbrook, Richard Yarr, Peter Bartett, Beth Lamont, Sarah Stone, Donald McDonald, Jerry Wines, Linda Hancock, Nigel Mason, Noel McClean, Mike Sell, Kevin O'Neil, Peter Metcalfe, Dougie Rafferty, Julie Heselwood, Simon Sapper (Principal Officer)

DISABILITY AND SPECIAL NEEDS ADVISORY COMMITTEE

Andy Barber, Brian Booth, Willie Marshall, Tony Sneddon, Steven Taylor, Ann Robertson (NEC), Dave Curtis, Eric Jones, Elspeth Bettany, Marian Brain, Heather Lisboa, Billy Durkin, Viv Carter, Carol Alcock (NEC), Tony O'Grady (NEC), Gail Wright, Ed Hill, Phil Hughes

ETHNIC MINORITIES ADVISORY COMMITTEE

Pavel Alam (Chair), Presley Antoine, Colin Bell, Manny Blake (NEC), Vivien Carter, Ramon Corria, Michele Emerson (NEC), Bob Gibson (NEC), Jake Kharadi, Cyril Onyejekwe, Yvonne Robinson, Amarjite Singh (Vice-Chair), Jagbir Singh, Ian A Taylor, Winston Vaughan and Sam Wines

LESBIAN AND GAY ADVISORY COMMITTEE

Neil Cocks, Maria Exall (NEC), Paul Smith, Laurie Smith, Duncan Strivens, Caroline Thomas, Harry Williams (NEC), Maria Legge, Gary Williams, Neil Coleby, Robert Bryan, Noel McLean (NEC) and Steve Richards (NEC), Mark Collier (until January 2002), Alan Million (until January 2002), Ben Grimes (from January 2002), John Elsbury (from January 2002)

WOMEN'S ADVISORY COMMITTEE

Linda Kietz, Jane Loftus, Katrina Quirke, Vicki Cornelius, Sam Wines, Karen Kosianowska, Michele Marshall, Allie Pagent, Maria Legge, Pauline Buchanan, Sandra McMahon, Sue Davies, AnneTur, Dianne Hill, Tricia Clarke, Michele Emerson (NEC), Linda Roy (NEC), Andrea Snowden (NEC)