



**MINUTES AND RECORD**

**of the**

**EXECUTIVE COUNCIL**

**HELD AT THE EASTSIDE ROOMS, BIRMINGHAM**

**AND VIA ZOOM VIDEO CONFERENCE**

**ON 6<sup>TH</sup>, 7<sup>TH</sup>, 8<sup>TH</sup> & 9<sup>TH</sup> DECEMBER 2021**

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**PRESENT:**

**MEMBERS:** Susanne ABACHOR, David AGBLEY, Julian ALLAM, Dave ALLAN, Richard ALLDAY, Nigel ATKINSON, Debi BELL, Cliff BOWEN, Gary BUCHAN, Chris CADMAN, Mary CALLAGHAN, Mick CASEY, Eddie CASSIDY, John COOPER, Mick DARLINGTON, Patricia DAVIS, Jenny DOUGLAS, Ken DRURY, Andy DYER, Hayley GARNER, Noel GIBSON, Jas GILL, Wendy GILLIGAN, Jacob GODDARD, Matt GOULD, Ruth HAYES, Steve HIBBERT, Zimeon JONES, Trudi LANIGAN, Lesley MANSELL, James MASON, Susan MATTHEWS, Helen McFARLANE, Tam MITCHELL, Therese MOLONEY, Frank MORRIS, Tom MURPHY, Kerry OWENS, Tony PEARSON, Howard PERCIVAL, Simon ROSENTHAL, Maggie RYAN, Tony SEAMAN, June SHEPHERD, Ken SMITH, Kathy SMITH, Michelle SMITH, Monica SORICE, Jane STEWART, Nigel STOTT, Fiona TATEM, Jayne TAYLOR, Steve THOMPSON, Nick WAREING, Dave WILLIAMS, Phil WISEMAN, Tony WOODHOUSE, Chris YOUNG

**EX OFFICIO:** Sharon GRAHAM (General Secretary)  
Tony BURKE (Assistant General Secretary)  
Simon COX (Researcher)  
Irene DYKES (Head of Constitutional Administration)  
Diana HOLLAND (Assistant General Secretary)  
Amy JACKSON (Executive Officer, Political & Policy)  
Rob MacGREGOR (National Officer)  
Steve TURNER (Assistant General Secretary)  
Colin WARNER (Interim Director of Finance)  
Chistian DUO (Observer, Gibraltar)

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**FIRST DAY, 6<sup>TH</sup> DECEMBER 2021**

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**IN THE CHAIR: Tony WOODHOUSE**

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**Minute  
No.367**

**1. APOLOGIES AND LEAVE OF ABSENCE**

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

| <b>Name</b>     | <b>Session</b>         | <b>Circumstances</b> |
|-----------------|------------------------|----------------------|
| Mick Casey      | Tuesday p.m.           | TU Business          |
| Eddy Cassidy    | Wednesday              | TU Business          |
| Lisa Colquoran  | All sessions           | Personal             |
| Jenny Douglas   | Monday                 | Personal             |
| Noel Gibson     | Monday a.m.            | TU Business          |
| Jas Gill        | Thursday               | Personal             |
| Andy Green      | All sessions           | Work related         |
| Ruth Hayes      | Wednesday and Thursday | TU Business          |
| Zimeon Jones    | Tuesday and Thursday   | Personal and Work    |
| Trudi Lanigan   | Monday and Thursday    | Work related         |
| Lesley Mansell  | Monday and Thursday    | Work related         |
| James Mason     | Thursday               | Personal             |
| Simon Rosenthal | Thursday a.m.          | Work related         |
| Ken Smith       | Monday                 | Work related         |
| Nigel Stott     | Monday                 | Work related         |
| Jayne Taylor    | Monday                 | Personal             |
| Steve Thompson  | Wednesday p.m.         | Work related         |
| Nick Wareing    | All sessions           | Personal             |
| Chris Young     | Thursday               | Personal             |

Having full appreciation of the circumstances as reported, the Council

**RESOLVED:** “That necessary leave of absence be facilitated.”

**2. ANNOUNCEMENTS**

There were no announcements to report to the Council

**3. EXECUTIVE COUNCIL MINUTES**

**Minute  
No.368**

**3.1 Receipt of Minutes**

The Minutes of the Meeting of the Executive Council held on 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> September 2021 were duly submitted.

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

**RESOLVED:** “That the Minutes of the Executive Council held on 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> September 2021 be adopted.”

**Minute  
No.369**

### **3.2 Receipt of Minutes**

The Minutes of the Special Meeting of the Executive Council held on 17<sup>th</sup> October 2021 were duly submitted.

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

**RESOLVED:** “That the Minutes of the Special Meeting of the Executive Council held on 17<sup>th</sup> October 2021 be adopted.”

## **4. FINANCE & GENERAL PURPOSES COMMITTEE**

**Minute  
No.370**

### **4.1 Receipt of Minutes**

The Minutes of the Finance & General Purposes Committee held on 14<sup>th</sup> October 2021 were duly submitted.

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

**RESOLVED:** “That the Minutes of the Finance & General Purposes Committee held on 14<sup>th</sup> October 2021 be noted.”

**Minute  
No.371**

### **4.2 Receipt of Minutes**

The Minutes of the Finance & General Purposes Committee held on 11<sup>th</sup> November 2021 were duly submitted.

**RESOLVED:** “That the Minutes of the Finance & General Purpose Committee held on 11<sup>th</sup> November 2021 be noted.”

## **5. GENERAL SECRETARY’S REPORT**

**Minute  
No.372**

### **5.1 Report of General Secretary, Sharon Graham**

The General Secretary addressed the Council and explained the rationale behind the changes that have been made to the Agenda. All of the things that affect our membership have been placed at the top and there is also an insertion of cross sector issues including union funded membership, furloughed membership and stand downs. The General Secretary further explained that there is a need for guidance from the Council on important issues that affect our union overall. The intention with forthcoming agendas is to ensure that the Council has the time needed to allow for consideration of these matters.

Today marked the 100<sup>th</sup> day that the General Secretary has been in office. Within her first eight weeks there had been a meeting of the Executive Council, the Labour Party Conference, the Unite Policy Conference and a TUC Conference. The General Secretary explained that what she has tried to do in addition to the calendar events is to make sure that we are beginning to drive forward through the commitments that she was elected on. There is a deeper focus on jobs, terms and conditions and it is important for workers to see that Unite is the vehicle for change.

The General Secretary spoke of the importance of Multinationals. Although more work is being done on figures and agreements we do know that most of the companies we deal with are a part of a multinational. We need to ensure that the union is developed in a way that we do not have accidental barriers that prevent our ability to push forward terms and conditions of our members.

Inflation is also an extremely important issue that needs discussion over the coming months. RPI is up at 6% although people generally talk about CPI or CPIH which at one point was running at almost 2% less. The Government has plans to take away RPI and it is the General Secretary's intention that Unite will begin to track RPI and the real cost of living. She hopes to bring the team in to the Executive at the appropriate time to talk this through.

AGS reports have been asked to ensure that the front of their reports contain a list of the following:

- Key Industrial Issues
- Current Industrial Disputes
- Recent Bargaining Wins
- Report on attacks on Shop Stewards and Reps
- National Pay Deals
- New Recognition Agreements
- Closures and potential closures
- Covid impacts
- Automation
- Member Growth
- Membership fall out
- Upcoming Pay Bargaining

These bullet points are not exhaustive but have been chosen as they give a broad view of patterns of what is happening across sectors.

The General Secretary spoke about the Interim Disputes Unit and the important work that has been done. It is her intention to bring to the Council information on all of the industrial disputes that the union is currently engaged in. We need to learn from all wins and losses in order to improve and make things better.

The General Secretary touched on forensic accounts and threat papers that have been provided by the Interim Disputes Unit which have been very helpful. Forensic accounts are not basic Companies House accounts but take a deeper look at where companies are investing their money and can give a real feel of the company's domestic and international operations. Threat papers give Stewards and Officers information about the company that they may not have known.

The General Secretary then spoke of membership and the need to deal with the real membership situation in order to affect and feel our industrial strength. Membership is an important issue and, as member contributions account for 96% of our income, we need to support our members and ensure that they feel us in their workplace.

Union Funded membership comes out of the Strike Fund and we are going to propose that we remove Union Funded membership but maintain Strike Pay at £70 per day. Furlough rates were not amended when furlough finished in September as some companies are still paying furlough rates of pay. The Council will need to give guidance on what they would like to see happen with these reduced membership rates.

The General Secretary spoke of the positive shift in some member pay rises. She gave Stagecoach as an example. We are looking at every dispute across the union in order that we are able to try to co-ordinate disputes happening within single employers to try to get a better deal. The flow of information back to members is hugely important in how any dispute result is perceived as they are not always as straightforward as simply being able to achieve a large pay increase.

In Equalities the gender pay gap and the introduction of Development Centres are areas that are currently being looked at. It is hugely important to see how we can remove barriers to involvement in our union.

In the TUC Congress, which took place online, the General Secretary moved the fire and rehire motion. In the New Year she intends to have a meeting with Frances O'Grady to discuss what Unite gets for the £4,000,000 yearly fee. She would like to see what happens with the motions that were passed at Congress and what connection there is with other trade unions. Meetings will also take place with General Secretaries of other trade unions to see if this can be bolstered industrially.

The General Secretary spoke of the conversation that took place in a meeting with Keir Starmer. She told him that there are important things that she feels he should be doing such as coming out for workers, communities and the need for him to give clarity on these areas to ensure that support for the Party is not lost. There is going to be a worker's manifesto based on views gathered essentially through the combines of what we are demanding from politicians. She told Keir why Unite opposed the removal of one member one vote (OMOV) and is pleased to report that her defence of OMOV was ultimately successful.

The General Secretary also met with Saddiq Khan, the Labour Mayor of London and had conversations on the Woolwich Ferry dispute where TFL are not moving on pay and the potential remote sign-on issue for the buses. Regardless of the outcome of the research that has been conducted around remote sign-on unite will not be supporting this and the General Secretary made it clear that there will be action as our members feel very strongly on this issue.

The General Secretary mentioned the Unite Policy Conference and understands that an issue around expenses has arisen. She expressed her intention to look at that and bring it back to the Council to see what could be resolved on the issue.

Staying with the Unite Policy Conference the General Secretary spoke about the implementation of motions and how we need to show what we are doing on this by allocating each of the action points in relation to the motions.

With regard to the root and branch review of Operations the General Secretary spoke of her intention to review all of the operations within Unite to ensure that we are getting value for money and that our focus is on jobs, pay and conditions.

Substantial meetings have been held with Regional Secretaries and Departmental Directors. Regional Secretaries are currently being managed directly by the General Secretary and she will be working with them industrially to ensure that they have everything that they need. One thing that became apparent is that resources within countries and regions need to be looked at to ensure a fair balance of resources.

The General Secretary informed the Council on some changes to staff. Jim Mowatt, Director of Education, is going to go down to a 2 day working week and will be coming out of Education to work in other areas of the Union. Tony Burke, AGS, will be working one day a week for a year.

The General Secretary Hotline that has been set up is essentially to ensure accessibility to the General Secretary. Any complaints received are being passed on in line with the existing complaints procedure. One problem is that complaints can be time consuming for our Officers' to deal with. This is something that will need to be looked at in the future.

The General Secretary gave an update on the legal representation on the Blacklisting Collusion Inquiry. We are taking this onto the next stage and to avoid any perceived conflict of interest, Thompsons will no longer have control over what evidence from Unite is included in the inquiry. Another organisation outside of Thompsons will monitor this aspect of the work but Thompsons will continue to take the verbal reports from blacklisted workers.

Attacks on Unite Reps is something that the General Secretary felt needed to be addressed. Therefore, Unite Reps who needs legal representation to defend themselves on employment issues will now have the legal representation that they need so long as they have not done anything abhorrent which Unite would not defend. Effectively this means the so called "50/50" Rule will be removed in such cases. There will be a need for further discussion with the Legal Team and Equalities is another area which will be reviewed in terms of improving support from legal representation.

The search for a Finance Director continues and it is hoped that the second round of interviews will be finished in January. Colin Warner will be with us until the end of December and there will cover provided by Gush Uppal who is currently working with Colin, to cover until we have a permanent Finance Director in place.

The General Secretary hopes that we can enhance the highly successful Christmas Appeal by also supporting some of the initiatives led by Unite branches around the country.

As previously reported Andrew Murray and Adrian Weir are moving on and will be saying goodbye to the Council today.

Finally The General Secretary spoke of issues around Officer Recruitment. The Council's involvement is critical to the recruitment of Officers and she would like to devote a half day at the next meeting of the Executive Council to talk through this in more detail.

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

At the close of consideration, the Council

**RESOLVED:** "That the report be accepted."

#### **FAREWELL TO ANDREW MURRAY AND ADRIAN WEIR**

The Chair handed over to the General Secretary who gave thanks for everything that they had done for the movement. She further expressed her personal thanks for their help and guidance which helped her to move into the role of General Secretary with ease. She advised the Council that there will be a formal presentation in March. The General Secretary handed over to Andrew Murray and Adrian Weir and invited them to say a few words.

#### **ADRIAN WEIR**

Adrian thanked the General Secretary for her introduction. He addressed the Council and spoke of his many years' experience as both a long standing member and as an employee of the union. He expressed his gratitude for the trade union movement for many opportunities particularly the award of a bursary to attend the London School of Economics. Adrian spoke of the unremitting battle against neo-liberalism that the trade union movement had faced for over 40 years and expressed his confidence in the Council's ability to fight back under the leadership of the new General Secretary.

#### **ANDREW MURRAY**

Andrew expressed his gratitude to two of the most remarkable General Secretaries with whom he has worked, Tony Woodley and Len McCluskey. Andrew also expressed his thanks to Gail Cartmail who had been an Acting General Secretary. He further asked to record his gratitude to members of staff with whom he had worked closely, Adrian Weir, Vicky Bartlett, Cathy Pearce, Liane Groves, Linda Addy and Irene Dykes. Finally he expressed his gratitude to the Council and is certain that they will extend their full support to both Rob MacGregor and the new General Secretary.

The Council gave a standing ovation to Adrian and Andrew.

The Chair also put on record his thanks to Andrew and Adrian for their hard work over the years and all the support that they have given him.

**Minute  
No.373**

## **5.2 Membership Report**

A membership report had previously been circulated to the Council and was verbally supplemented by Rob MacGregor from the General Secretary's transition team.

Rob MacGregor advised members of the Council that the intention is to look at developing a new way of reporting the membership data and present the information in a clearer way. Members of the Council were invited to pass any ideas of what they would like to see and how they would like the information to be presented in the report onto him.

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

At the close of consideration, the Council

**RESOLVED:** "That the report be accepted."

**Minute  
No.374**

## **Union Funded Membership**

The General Secretary proposed to the Council that members who are currently on union funded membership should be advised that this rate will be coming to an end although we will honour the two years and the Regional Membership Units should be trying to retain as many of these members as possible. **Agreed.**

**Minute  
No.375**

## **Furlough and Temporary Low Pay Membership**

The General Secretary suggested to the Council that we leave the members who are currently on furlough membership rates where they are for now. It would then be her intention, if the Council agreed, to conduct a review of all rates in order to find a system that the Council would be happy with and a full conversation should be had on how we manage this in future. **Agreed.**

**Minute  
No.376**

## **Strike Pay**

The General Secretary proposed that the strike pay should be maintained at £70 for one more year and then a review shall take place. **Agreed.**

**Minute  
No.377**

## **Stand-down Officers**

The General Secretary raised the issue of Stand-down Officer recruitment and proposed to bring information on the issue of Stand-down Officer and Officer recruitment to the Council in March meeting to enable a full discussion. **Agreed.**

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**SECOND DAY, 7<sup>TH</sup> DECEMBER 2021**

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**IN THE CHAIR: Tony WOODHOUSE**

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**Minute  
No.378**

**6. REPORT OF INTERIM DIRECTOR OF FINANCE, COLIN WARNER**

**Finance Report**

Rob MacGregor, introduced the Interim Director of Finance, Colin Warner, to the Council and gave an update on the position with regard to the position of Finance Director. The current Interim Director of Finance will be with Unite until the end of December and for reasons of continuity whilst recruitment of a permanent Director of Finance continues Gush Uppal, who has been working closely with Colin Warner, will take over as Interim Finance Director.

Rob MacGregor further advised the Council that he himself would be talking to them with regard to the Unite Pension fund.

A written report had previously been circulated to the Council and was verbally supplemented by the current Interim Director of Finance, Colin Warner.

The Interim Director of Finance gave the Council a brief resume of his experience in working with membership based organisations. The priority of management within these organisations is to deliver value for the members who pay subscriptions.

The Council were updated on the following:

- Current financial position
- The impact of Union Funded Membership on our membership and income
- Expenditure
- Employment costs
- Unite properties

Rob MacGregor, spoke to the Council regarding the Unite Pension Scheme. He declared a personal interest as a member of the scheme and further advised the Council of a potential conflict of interest as he is now the General Secretary's representative on the Trustee Board. He recorded an apology for the amount of time it has taken for a comprehensive report to be given to the Council. Although the Council need time to consider the report in full it would be helpful to reach an agreement in principal on how best to proceed. A further report will be tabled at the meeting of the Council in March.

Rob MacGregor advised the Council that the Unite Pension Scheme is currently going through a triennial valuation based on a valuation date of 30<sup>th</sup> September 2020. It is proposed that letters are written to the regulator from Unite (as the employer) and from the Trustees to seek an extension of the sign off deadline of 31<sup>st</sup> December 2021. This would enable time for talks to continue on how to manage the deficit and for formal consultations to take place with the bargaining unit representatives.

Mr MacGregor concluded by advising the Council that the proposal is not to agree to any of the options outlined in the written report but rather to enter into discussions with the bargaining units. The objective will be to meet the deficit and secure an agreement from both the employer and employees on affordable future service contributions and

benefits. It was acknowledged that additional pension costs would have to be looked at as part of overall staff costs and that this should be taken into consideration in the upcoming pay round.

Questions and comments from the Council were responded to.

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

*Unite support for the National Pensioners Convention* – The resolution was submitted by the National Retired Members Committee and asks that the NPC National Council can be held free of charge at the Unite Birmingham conference centre. In response the Council agreed to support the resolution.

*Unite Lincoln Office* – The resolution was submitted by the East Midlands Regional Committee and called on the union to proceed with the new Lincoln Office. In response the Council agreed to support the resolution.

At the close of consideration, the Council

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

## **7. REPORT OF ASSISTANT GENERAL SECRETARY, DIANA HOLLAND**

**Minute  
No.379**

### **7.2 Transport and Food Sector**

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

The Assistant General Secretary referred to: Current wins; Covid and the on-going crisis within aviation; The impact of redundancies on membership figures; New recognition agreements; Driver shortages; Freeports; Transport Working Group; ITF Extraordinary Congress; Trips Waiver.

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

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

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**IN THE CHAIR: Susan MATTHEWS**

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**Minute  
No.380**

### **7.1 Equalities**

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

The Assistant General Secretary referred to: the Unite Policy Conference with regard to the strong motions passed and the fringe meetings; the template union Equality Representative agreement; key Equality dates – additional dates include 1<sup>st</sup> December International HIV/AIDs day; 3<sup>rd</sup> December International day of Disabled People; Priorities in Equalities and how they fit in with the Generals Secretary’s Manifesto commitments; Top ten workplaces for Unite women, Unite BAEM, Unite Disabled

Members and Unite LGBT+; Getting involved and Building Involvement sessions; Unite Childcare and Carer's support; TUC, STUC and Labour Party and Equalities.

The Assistant General Secretary further informed the Council that the Labour Women's Committee has been re-established and that Ruth Hayes has been elected as Chair. It is hoped that the Unite National Women's Week will be held in person next year. The Assistant General Secretary paid tribute to two people who have recently passed away. Jan Bastable who made such a difference for women in equality as well as her work in other areas of the union and Chris Russell, former Deputy Regional Secretary who did some pioneering work in organising.

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

At the close of consideration, the Council

**RESOLVED:** "That the report be accepted."

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### THIRD DAY, 8<sup>TH</sup> DECEMBER

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#### IN THE CHAIR: Tony WOODHOUSE

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The Chair handed over to the General Secretary who gave the Council an update on Gail Cartmail, Assistant General Secretary. Gail is feeling much better and wanted to send a message of solidarity to the Council and will be looking forward to coming back soon.

The Chair extended the best wishes of the Council to the Assistant General Secretary, Gail Cartmail.

#### 9. REPORT OF ASSISTANT GENERAL SECRETARY, GAIL CARTMAIL

Minute  
No.381

##### Public Services, Energy, Construction, Finance & Legal

A detailed written report had been circulated to the Council and was verbally supplemented by National Officer, Dominic Hook.

National Officer, Dominic Hook addressed the Council. He recorded an apology for an item that should have been included in the report which concerned the win at Sheffield University for the Cleaner's pay.

National Officer, Dominic Hook referred to: Money and Pension Advice Service; Public Health England – has become in part the UK Health Security Agency and Unite has gained full recognition; Mega Lab opened in July and will employ up to 1500 people- there are plans for Unite to organise this site; LA in Scotland pay negotiations for 2021 have ended – lowest paid employees will receive a 5.8% pay increase with smaller increases for higher pay; NI - Local Government Industrial Action ballot; Schofield Fuels; Lloyds, Barclays and Natwest – Unite are trying to organise in Contact Centres, Barclays, Lloyds and HSBC have all moved to minimum starting pay of £20,000 which equates to a 12.8% pay rise for the starting rate; banking apps and impact on staffing.

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

A discussion on the issues regarding Rule 7 Industrial/Occupational/Professional Sectors ensued. It was asked whether Unite is within rule to have construction workers employed by local authorities sit in the construction sector. If not this would be a problem for the forthcoming elections. A connected issue arose as to whether this was fair and whether the Council could unilaterally move workers from one sector to another.

### **Rule 7 (7.1-7.3)**

#### *INDUSTRIAL/OCCUPATIONAL/PROFESSIONAL SECTORS*

*7.1 Members in employment shall be allocated to the Industrial Sector in which they are employed. The term 'Industrial Sector' is a generic term including occupational and professional sectors.*

*7.2 There shall be organisation and representation of union members at both regional and national level by reference to their Industrial Sector.*

*7.3 These Industrial Sectors shall be determined by the Executive Council, which shall and after full consultation and approval of sectors can amalgamate existing sectors as seem expedient on the basis of industrial logic and developing patterns of membership organisation (see appendix for full current list).*

*7.3.1. Prior to the transfer of a workplace, company or occupation from an existing sector to an alternative sector, the Executive Council shall consult the National Industrial Sector Committee.*

The Council was informed by the General Secretary that advice given by the Legal Department is that the Unite Rule Book allows the Executive Council to determine the parameters of sectors, as it did when UCCAT came into Unite. However, it does not allow the Council to move unilaterally groups of members from one sector to another without consultation. Moving a group of members between sectors would firstly require consultation with the NISC and then a specific decision of the Council to move the membership wholesale. Furthermore, there is historic and established practise to not only consult, as set out in 7.3.1 but also agree with the relevant sectors before workers are moved. The legal advice is clear that the current composition of Unite's sectors are therefore within rule. This does not preclude a change of rule at the next Rules Conference.

The Council agreed that Neil Gillam could address this matter later in proceedings I order to elaborate and answer questions on Unite's legal position on the rule.

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

*Covid-19 Health & Safety Measures:* Calls for LA employers to keep current Covid-19 H&S measures in place until May 2022 at earliest. The Council agreed to support.

*NHS – Pension Scheme – Judicial Review:* Calls on Unite to join this judicial review. The Council have heard the resolution and it has been agreed.

At the close of consideration, the Council

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

## **8. REPORT OF ASSISTANT GENERAL SECRETARY, STEVE TURNER**

### **8.1 Manufacturing report**

A detailed report was submitted to the Council and was verbally supplemented by Assistant General Secretary, Steve Turner.

The Assistant General Secretary recorded his thanks to all of the Officers, Stewards and Activists who have worked so hard over the last year. He then updated the Council on the following areas:

- The continuing impact of Covid
- Global supply chains
- Short time working provision
- Banked Hour Agreement
- Climate Crisis
- The need to repurpose plants to produce items that will be required in the UK in future
- Trade and Legacy Trade Agreements
- Energy prices and the huge cost to industry
- The role of the Government to support UK manufacturing industries
- The New Deal

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

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

**Minute  
No.383**

## **8.2 Community, Retired Members UiS and UoD**

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

The Council were updated on the following:

- Retired Members Committee
- Pensions
- Political involvement
- Unite Community Members
- Community Campaigning
- Bus passes
- Free prescriptions
- Updated benefits guide

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

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

## **11. DEPARTMENTAL DIRECTOR’S REPORTS**

**Minute  
No.384**

### **11.1 Report of the Director of Executive Policy, Amy Jackson**

A Political Report had previously been circulated to the Council and was verbally supplemented by Director of Executive Policy, Amy Jackson.

The Director of Executive Policy reported on: Political Context; Unite in Parliament; Fire and Rehire; Private Members Bill; Current Legislation and Bills that are going through Parliament – Political to produce a briefing to be sent to the Council; Political Campaigns i.e. Get me home safely Campaign and NHS Bill Campaign; Labour Party Conference; Employment Rights Green Paper; Unite Policy and the Labour Party Manifesto; Political Strategy update; The role of Unite in the Labour Party rule changes regarding one member one vote (OMOV); £15 per hour minimum wage; Triggers and Selections; Future Leaders Courses

The Director of Executive Policy recorded an apology for a mistake in her report for a heading which reads South West Yorkshire Mayoral Selection, this should read South Yorkshire Mayoral Selection. Lewis Blake Dagnall was endorsed and has been shortlisted so Unite will be offering him every support possible.

The Director finished by mentioning the Truth about Zane Campaign and informed the Council of a request by the campaign for financial support from Unite to help them publish a book as part of their fight to overturn a huge miscarriage of justice

The General Secretary added a point about the panel for the 'Future Leaders' Course. It is important that people who are put through have the necessary experience of representing workers and that it has proper consideration for equalities issues. The proposal is for a Chair, two Vice Chairs, two members of the Political team and two Industrial Lay Members from the Council. The election should be conducted at an appropriate time if the Council are happy with the proposal. The Council agreed to the panel and Lay member elections to be conducted at a later stage of the meeting of the Council.

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

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

*Collective Grievances:* Calls on Unite to campaign for legal amendments to appropriate employment legislation and lobby the Labour Party. The Council agreed to support.

*Threat to the Human Rights Act from the Government's Current Review:* Calls on EC to campaign to bring pressure on Parliament to preserve the Human Rights Act in its' current form. The Council agreed to support.

*Labour Party Expulsions:* This motion was withdrawn.

At the close of consideration, the Council

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

#### **NATIONAL EMPLOYMENT SOLICITOR, NEIL GILLAM**

**Minute  
No.385**

#### **Unite Legal Interpretation of Rule 7**

Neil Gillam addressed the Council on Rule 7 and whether we are in breach of the Unite Rule book regarding sectors prior to upcoming elections. He advised that we are not in breach of Rule and that he would be comfortable in defending this to the Certification Officer should he need to do so. In contrast the wholesale lifting of members from one sector to another without having consultation or agreement with the relevant NISC would be out of Rule.

The Executive Council had decided previously to place members into the sectors that they are now in, which means that we are in Rule. The next question is whether the Council would like to change those sectors in the future. If so this would require engagement with the relevant NISC.

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

At the close of consideration a vote was taken on whether the Executive Council agreed to accept this interpretation of Rule 7:

**For**

S Abachor  
D Agbley  
J Allam  
R Allday  
N Atkinson  
D Bell  
C Bowen  
G Buchan  
M Callaghan  
M Casey  
E Cassidy  
J Cooper  
P Davis  
J Douglas  
K Drury  
A Dyer  
H Garner  
N Gibson  
W Gilligan  
J Gill  
J Goddard  
M Gould  
S Hibbert  
Z Jones  
T Lanigan  
L Mansell  
S Matthews  
J Mason  
T Moloney  
T Murphy  
K Owens  
T Pearson  
H Percival  
M Ryan  
S Rosenthal  
J Shepherd  
Ken Smith  
M Smith  
M Sorice  
N Stott  
F Tatem  
J Taylor  
S Thompson  
D Williams  
P Wiseman  
C Young

**Against**

C Cadman  
M Darlington  
H McFarlane  
T Mitchell  
F Morris  
T Seaman  
Kathy Smith  
J Stewart

**Absent**

L Colquoran  
A Green  
R Hayes  
N Waring

**RESOLVED:** "That the interpretation was carried."

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**FOURTH DAY, 9<sup>TH</sup> DECEMBER**

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**IN THE CHAIR: Tony WOODHOUSE**

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**13. LEGAL REPORT/AFFILIATED SERVICES REPORT, INDUSTRIAL & OTHER MEMBERSHIP REPORT****Minute  
No.386****13.1 Legal**

A written report had previously been circulated to the Council and were verbally supplemented by National Employment Solicitor, Neil Gillam.

The Council were updated on legal cover for elected representatives. There are a variety of reasons that sometimes it might appear that adequate legal support has not been given to elected representatives. The Council were advised that the General Secretary has asked the Legal Team to look at this area and in future there will be a different approach. If an elected representative is in a dispute and has a legal case then the case should be supported. If an elected representative is under attack and then the so called 50/50 rule will not be applied in the first instance. All cases will be referred to a panel of solicitors for full advice. Any cases of concern will be referred to the General Secretary's Office where it will be overseen by her office, a member of the Council and someone from the Legal Team and a decision will be made. This procedure may require future amendment or change but has been brought in immediately for all cases and all of our Panel Solicitors have been made aware of it.

The Council were further updated on *Kostal UK Limited v Dunkley* and others. This was a case of huge importance and a major victory for Unite. The Supreme Court judgement means that employers must always comply with, and complete, agreed union bargaining procedures in good faith. The way that the judgement has been written means that the focus will now be on collective bargaining procedures. All agreed bargaining resolution processes will need to be looked at to ensure that employers do not have the opportunity to terminate them early at any point. There are many other cases that have been stalled whilst awaiting the Supreme Court judgement and they will now be reviewed to see where we now stand.

The Council were updated on a response from the Government with regard to the NHS judicial review which gives the Legal Team confidence that they have a credible argument. The case will be launched before Christmas.

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

The General Secretary advised the Council that there are plans to look at legal support in Equalities to ensure that there are proper processes in place.

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

*Senior Representatives access to membership data:* Requesting access to membership data pertinent to bargaining units for senior representatives. The Council agreed to support and will be looked at with regard to ensuring GDPR compliance.

At the close of consideration, the Council

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

Minute  
No.387

## 10. STRATEGY FOR GROWTH, ORGANISING & LEVERAGE REPORT

A written report had previously been circulated to the Council and was verbally supplemented by Senior Organiser, Derek Thomson.

The Council's attention was directed to: Hybrid approach to working and Organising techniques; National Disputes Unit; Cross Regional work; The Weetabix campaign; Combines; Local Government and Education; Leonardo's Pension dispute;

The Council was further advised of the Forth Ports dispute. Cross regional support was given which ensured that all sites were brought together and this support helped to successfully increase the pay offer from 0% which had originally been on the table;

Unite have successfully secured recognition with DHL Parcels. This has been a huge success for Unite over an incredibly with National Bargaining Units spread across forty-seven sites.

The Amazon campaign has continued to highlight the many bad practices of the company. The General Secretary is looking at transnational work on this campaign and on a national level many newspaper articles and local media outlets have ran stories about the Action on Amazon Campaign.

The General Secretary highlighted the importance of Organising and the cross regional approach. She gave the DHL parcels dispute as an example of the importance her industrial focus. She gave appreciation to Derek and all of the organisers involved in the hugely successful work that they had carried out in securing recognition for members with an extremely hostile employer.

The General Secretary gave the Council a further update on the Amazon campaign. Unite are involved in a very long and difficult job of trying to bring Amazon to heel by working with the Germans and Americans to ensure a neutrality agreement.

Remote Organising training is available and interested members should contact Derek Thomson who will be happy to arrange this for them.

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

At the close of consideration, the Council

**RESOLVED:** "That the report be accepted."

## 12. CONSTITUTION & ADMINISTRATION

Minute  
No.388

### 12.1 Central Office Departments & Administration

A detailed written report had previously been circulated to the Council and was verbally supplemented by Simon Cox from the General Secretary's Office.

Simon Cox drew the attention of the Council to the two upcoming by-elections in the South East in Energy & Utilities, both of which he has been informed will be contested. There are also the triannual Workplace Representatives and branch officials' elections due to take place in the first quarter of 2022. The necessary guidance on holding the conferences and meetings has now been sent to regions.

#### **Ratification of Officer Appointments**

EC Appointment Panels had met to consider applications for the following appointments for which the endorsement of the Council was sought.

West Midlands

- Regional Co-ordinating Officer Frank Keogh

## North West

- Regional Officer Lee Brennan
- Regional Officer Thomas Bell

## Scotland

- Regional Officer Graham McNabb

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

The General Secretary was advised of a clash between the March meeting of the Council and Women's TUC. She advised the Council that she would be happy to look at moving the meeting to 14 March 2022 and to look at another venue. The Council supported this.

A request was made for a small working group to be set up to look at the current ICT systems for lay members with a view to improving and increasing efficiency. The General Secretary supported this.

*National Branch for Co-op Bank:* Requests approval for the creation of national branch for the 861 Co-op Bank members. The Council agreed to support.

*How the Pandemic has changed the future of work:* Calls on Unite to adapt to the new way that workplaces work as a result of the pandemic utilising technology to support, engage, recruit, organise and remain relevant as a union.

At the close of consideration, the Council

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

**12.2 Report of Decisions taken at the 6<sup>th</sup> Policy Conference 18 – 22 October 2021, ACC, Liverpool**

**12.3 Actions from Motions – Unite National Policy Conference**

**12.4 6<sup>th</sup> Policy Conference 2021 Actions from Motions remitted to the Executive Council**

**Minute  
No.389**

Detailed written reports had previously been circulated to the Council and were verbally supplemented by Simon Cox.

The first report, 12.2, gives the Council a completely full account of all motions and decisions taken at the 6<sup>th</sup> Unite Policy Conference.

The Council's attention was drawn to report 12.3 which has been presented in a slightly different way than previously. Rather than allocate whole motions or composites that were carried at Policy Conference to one or two individuals, the General Secretary now wishes to assign each of the actions within a motion to the appropriate role or function within the union. The people in those roles will then have a clear list of all the actions for which they have responsibility and progress reports can be given to the Council of each action rather than an overarching report on the whole motion or composite.

The Council's attention was further drawn to a small error in report 12.3 in which actions from motion 54 which fell. This will be corrected in the final version and the actions will not be carried forward.

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

The General Secretary gave members of the Council further clarification of how actions will be reported back to them going forward. Each of the relevant reports that are presented to the Council should have the actions that have been completed in them. The rationale behind this is that this should make it easier for actions on motions and composites to be reported back to the membership.

At the close of consideration, the Council

**RESOLVED:** “That reports 12.2, 12.3 and 12.4 be accepted.”

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**IN THE CHAIR: Susan MATTHEWS**

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**11. DEPARTMENTAL DIRECTORS REPORTS continued/....**

**Minute  
No.390**

**11.3 Report of Director of Unite Education Department, Jim Mowatt**

A written report on the work of the department had been circulated to the Council and was verbally supplemented by the Director of Education, Jim Mowatt.

The Director of Education referred to the following; Shrewsbury 24; Hillsborough; COP 26; Just Transition; Collective bargaining environmental issues; Bespoke Education Courses and the work in the Education Department to provide what members require in and out of the classroom.

The Learn with Unite Team have delivered for the membership throughout very difficult times, especially apparent throughout redundancy situations. The National Education Centre in Birmingham needs only a few finishing touches to make it a world class facility. Everything that is done in Education is to ensure that Unite Policies are actioned and to develop the members and representatives to ensure that they win in the workplace.

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

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

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**IN THE CHAIR: Tony WOODHOUSE**

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**Minute  
No.391**

**11.2 Report of the Director of International, Simon Dubbins**

A written report on the work of the department had been circulated to the Council and was verbally supplemented by the Director of International, Simon Dubbins.

The Director of International referred to COP 26 and its' failure to seriously address the challenges of climate change; COVID crisis and the increase of restrictions across Europe; Brexit; The German parliamentary elections; President Biden's investment package; Middle East; NI Protocol – if revoked the EU will likely suspend the whole of the EU/UK Trade Agreement; TUC is reducing the affiliation to the ETUC by 50% which is a TU mirror of the Brexit process and will be seen as a negative move by our

European colleagues; Multinational Companies – IAG have thrown out the UK representatives out of the EWC even though the BA section represents 60% of the work force; Transnational Combines; Rolls Royce, GE and Westinghouse and strategic/combine opportunity; Pension battle with GE; IndustriAll Congress has now taken place – Unite played a full role with a group of trade unions in pushing for changes to the focus and structure of the organisation; Workers Uniting and the crisis in steel; Palestine; Columbia; Solidarity work; In India the government have stepped away from passing a law that would be detrimental to farmers.

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

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

### **13. LEGAL REPORT/AFFILIATED SERVICES REPORT, INDUSTRIAL & OTHER MEMBERSHIP REPORT Cont/....**

#### **13.3 Industrial and Other Group Membership Reports**

**Minute  
No.392**

A detailed written report had previously been circulated to the Council and was verbally supplemented by National Officer Tony Devlin.

The National Officer referred to membership growth and fall out; Women in CPPT; Regional membership figures; Essar Stanlow Oil Refinery; GSK; BOC recognition agreement; COVID impact.

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

Members of the Council gave updates on the ‘Get me home safe’ campaign and also the Gibraltar Report.

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

#### **13.2 Affiliated Services Report**

**Minute  
No.393**

A detailed written report had previously been circulated to the Council and was verbally supplemented by Simon Cox.

The Council were advised that Unite Home Insurance services were going to propose new ways of going forward. The Council were assured that no decisions were going to be taken on this prior to the next EC.

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

At the close of consideration, the Council

**RESOLVED:** “That the report be accepted.”

### **12. CONSTITUTIONAL & ADMINISTRATION Cont/...**

#### **12.5 Irish Policy Conference 2022**

**Minute  
No.394**

A document detailing the proposed timetable had previously been circulated to the Council.

Members of the Council were invited to email Simon Cox should they wish to be involved.

**RESOLVED:** "That the document be accepted."

**14. ANY OTHER BUSINESS**  
**Election of Director for Blackhorse Board**

**Minute  
No.395**

Nominations were received for the position of Director for Blackhorse Board, Howard Percival and David Williams. A vote was taken.

| <u>Surname</u> | <u>Forename</u> | <u>Voted For</u> |
|----------------|-----------------|------------------|
| Abachor        | Suzanne         | Howard Percival  |
| Agbley         | David           | Howard Percival  |
| Allam          | Julian          | Howard Percival  |
| Allan          | Dave            | Howard Percival  |
| Allday         | Richard         | Dave Williams    |
| Atkinson       | Nigel           | Dave Williams    |
| Bell           | Debi            | Howard Percival  |
| Bowen          | Cliff           | Howard Percival  |
| Buchan         | Gary            | Howard Percival  |
| Cadman         | Chris           | Howard Percival  |
| Callaghan      | Mary            | Dave Williams    |
| Casey          | Mick            | Dave Williams    |
| Cassidy        | Eddie           | Howard Percival  |
| Colquhoun      | Lisa            | Not present      |
| Cooper         | John            | Dave Williams    |
| Darlington     | Mick            | Howard Percival  |
| Davis          | Patricia        | Howard Percival  |
| Douglas        | Jenny           | Howard Percival  |
| Drury          | Ken             | Howard Percival  |
| Dyer           | Andrew          | Howard Percival  |
| Garner         | Hayley          | Howard Percival  |
| Gibson         | Noel            | Howard Percival  |
| Gill           | Jas             | Not present      |
| Gilligan       | Wendy           | Howard Percival  |
| Goddard        | Jacob           | Howard Percival  |
| Gould          | Matt            | Howard Percival  |
| Green          | Andy            | not present      |
| Hayes          | Ruth            | Howard Percival  |
| Hibbert        | Steve           | Abstained        |
| Jones          | Zimeon          | not present      |
| Lanigan        | Trudi           | Dave Williams    |
| Maloney        | Therese         | Dave Williams    |
| Mansell        | Lesley          | Not present      |
| Mason          | James           | not present      |
| Matthews       | Susan           | Howard Percival  |
| McFarlane      | Helen           | Dave Williams    |
| Mitchell       | Tam             | Dave Williams    |
| Morris         | Frank           | Not present      |
| Murphy         | Tom             | Howard Percival  |
| Owens          | Kerry           | Dave Williams    |
| Pearson        | Tony            | Howard Percival  |
| Percival       | Howard          | Howard Percival  |
| Rosenthal      | Simon           | Dave Williams    |
| Ryan           | Maggie          | Howard Percival  |
| Seaman         | Tony            | Not present      |
| Shepherd       | June            | Howard Percival  |
| Smith          | Kathleen        | Dave Williams    |
| Smith          | Kenneth         | Howard Percival  |

|           |          |                 |
|-----------|----------|-----------------|
| Smith     | Michelle | Howard Percival |
| Sorice    | Monica   | Howard Percival |
| Stewart   | Jane     | Dave Williams   |
| Stott     | Nigel    | Not present     |
| Tatam     | Fiona    | Howard Percival |
| Taylor    | Jayne    | Howard Percival |
| Thompson  | Steve    | Howard Percival |
| Wareing   | Nick     | Not present     |
| Williams  | Dave     | Dave Williams   |
| Wiseman   | Phil     | Abstained       |
| Woodhouse | Tony     | Chair           |
| Young     | Chris    | Not present     |

**RESOLVED:** “That Howard Percival is duly elected.”

**Election for two members for the Future Leaders Panel**

Julian Allam and Zimeon Jones were nominated and seconded for the Future Leaders Panel. They were uncontested.

**RESOLVED:** “That Julian Allam and Zimeon Jones are duly elected.”

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

The Chair thanked the Council for their support over the year and for the work that they have all done on behalf of the union. He further recorded his thanks the Council’s families and wished everyone a safe journey home.

**The Meeting of the Council  
thereupon terminated**