

NEC Conference Report 2008

APPENDIX A: PROPOSITIONS CARRIED AND REMITTED AT THE 2007 CONFERENCE

PROPOSITIONS CARRIED

Proposition 2/07 Funding of public service broadcasting (composite AP8)

That this annual conference deplores the government's decision to award the BBC a less than inflation licence settlement, noting that this undermines public service broadcasting and will have repercussions across the whole media industry.

This conference supports the BBC division's efforts to oppose any measures the BBC tries to put in place to fund the licence fee deficit from staff remuneration and conditions.

This proposition was referred to the BBC divisional committee. It is consistent with the union's ongoing policy on PSB and the BBC.

Proposition 3/07 Payment on time (AP14)

That this annual conference calls on the NEC to lobby the Secretary of State for Trade and Industry, through all possible avenues including the TUC and Equity, to amend current employment law in order to stop employers delaying payments, by setting a time limit within which a worker/performer that works under a temporary contract of employment must be paid, supported by a regime of statutory fines and possibly interest charges on delinquent employers.

A similar motion was carried at the Equity Council. However, the NEC considered that there could be a wider impact on the whole freelance workforce who experience similar problems with being paid on time. The motion was referred to the London and Regional Production divisions for discussion and report back. The terms of this proposition were included in BECTU's response in May 2007 to the DTI (now DBERR) consultation on measures to protect vulnerable agency workers. Following recommendations from the London and Regional Production divisional committees in June 2007 the NEC also agreed at its meeting on 16 September 2007 to refer this matter to the union's Parliamentary Panel (see below).

Proposition 4/07 Payment on time (AP15)

That this annual conference calls on the NEC to lobby the Secretary of State for Trade and Industry, through all possible avenues including the TUC and Equity, to amend current Employment Agency Standards (EAS) regulations in order to give the worker/performer the choice of being paid within ten days by an employment agency/work-seeking service, instead of having to agree a longer term of payment.

The terms of this proposition were included in BECTU's response in May 2007 to the DTI (now DBERR) consultation on measures to protect vulnerable agency workers. Following recommendations from the London Production and Regional Production divisional committees in June 2007 the NEC also agreed at its meeting on 16 September 2007 to

refer this matter to the union's Parliamentary Panel. The Panel held its first meeting on 21 January 2008 and this subject was on the agenda among a wide range of important industrial issues. The London and Regional Production divisions have subsequently noted that the amended statutory framework called for is now largely in place.

Proposition 5/07 Bonding (AP13B)

That this annual conference should resolve that all UK and foreign production companies must be bonded.

Following recommendations from the London Production and Regional Production divisional committees in June 2007 the NEC agreed at its meeting on 16 September 2007 to refer this matter to the union's Parliamentary Panel, and to raise it with DBERR (formerly DTI) and DCMS. A meeting with then Culture secretary James Purnell was due to take place in January 2008, but the ministerial reshuffle following Peter Hain's resignation caused this to be cancelled. A meeting with the new Culture secretary, Andy Burnham, was due to be arranged at the time of writing.

Proposition 6/07 BBC Resources sell-off (AP9)

That this annual conference restates its opposition to the proposed BBC Resources sell-off, which is illogical both in public service and business terms, and will implement all appropriate action to oppose such a sell-off.

The BBC announced that it was inviting bids to acquire Resources on 14 August 2007. Though employment protection measures were offered BECTU immediately condemned the decision, and announced it would take whatever measures were necessary to safeguard jobs and pensions. The NEC considers the terms of the proposition have been met.

Proposition 7/07 Offshoring public services (AP10)

That this annual conference deplores the BBC's decision to award the contract for outsourced finance and accounting services to the Xansa/Siemens consortium, resulting in two thirds of the existing UK based jobs being moved overseas, despite a cheaper bid being available that would have kept the majority of jobs in the UK under the current provider.

This conference notes that the BBC misled the parliamentary committee of public accounts when questioned over the details of the tendering process for this contract.

This conference instructs the NEC to lobby the government to enforce stricter controls and greater accountability and transparency on public funded organisations awarding contracts which result in UK jobs being moved overseas. These controls should remain in place throughout the life of the contract and should include, but not be limited to, the following:

- 1 require the organisation to justify why the work could not reasonably be performed in the UK
- 2 require the organisation to provide an independent detailed social and economic analysis of the direct and indirect impact in the UK
- 3 guarantee overseas workers have comparable rights to those in the UK whilst working on any contract.

A letter in the terms of this proposition was sent to John Hutton MP at the DBERR by AGS Luke Crawley on 4 January 2008.

Proposition 11/07 BECTU and the environment (composite AP7)

That this annual conference recognises the importance that many companies and organisations are attaching to ethical environmental and energy-saving issues.

Conference instructs the NEC to undertake a 'green audit' to examine BECTU's credentials in this arena, focusing on paper usage and energy efficiency as examples, by asking members to receive mailings electronically where possible and without obligation or compulsion and for head office to recycle more and use energy less. The NEC should monitor energy, paper and postage costs before and after the scheme and report these findings to conference 2008.

At its meeting on 5 August 2007 the NEC endorsed NEC report 4157 from the General Secretary, David Cormack and Rebecca Wingate-Saul on how the union could meet the terms of this proposition. This included commissioning a 'green audit' and carbon reduction programme from Carbon Smart at a cost of around £3000. A report on this project is given in **Appendix D**.

Proposition 16/07 Workers' rights (AP1)

That this annual conference

- welcomes the new International Trade Union Confederation (ITUC) unifying the previously separate ICFTU and WCL;
- reaffirms its commitment to the UN Universal Declaration of Human Rights of 1948, with particular reference to Article 23; and
- congratulates the TUC on its initiative in launching the 'your company' website in August 2006.

In line with the constitution of the ITUC which pledges to struggle for 'the emancipation of working people and a world in which the dignity and rights of all human beings is assured...' and which recognises 'the urgent need to transform social, economic and political structures and relations which stand as obstacles to that vision...' and the need for 'democratic governance in the interests of labour, which it holds superior to those of capital,' and in line with the implications of the content of the TUC 'your company' website, which reveals the considerable discrepancy between the average profit created by, and average wages received by, the average UK worker,

Conference instructs the NEC to campaign nationally and internationally for universal fundamental reform of fiscal policy and of book-keeping and accountancy practice, as an inseparable part of the consolidation of the above developments into a Universal Declaration of Workers' Rights.

The union submitted a motion to the 2007 Trades Union Congress welcoming the new ITUC in the terms of this proposition and instructing the TUC General Council to sponsor and participate in a national and international campaign as outlined in the final paragraph. The motion was carried and the General Council is expected to announce its response in due course.

Proposition 18/07 Radio frequency auction (AP11)

That this annual conference calls on the NEC to make the strongest representations to the government against the proposed auction of the radio frequencies currently being used for programme making and special events. The loss of these frequencies, or a substantial increase in the licence fees for them, will have serious consequences for our members in broadcast, theatre, AV, and film production who work with radio microphones, in-ear monitoring systems, and radio talkback.

The union made a first submission to Ofcom's Digital Dividend Review in March 2007. In August 2007 it submitted a further response, on future spectrum access for programme-

making and special events (PMSE). The response made clear that BECTU remains opposed to any 'highest bidder takes all' auction of the digital interleave spectrum, preferring that this bandwidth should be gifted to the PMSE sector. BECTU believes that continuing access by PMSE users to the UHF spectrum is vital to the activities of the cultural industries affected by the review.

The response argued that if Ofcom believes the best long-term outcome of the review is that PMSE users migrate away from UHF 21-68, it should adopt this as a stated policy objective, and allow a sufficiently long timescale for manufacturers, owners and operators to adapt. Until such time as an orderly migration can be achieved, users should continue to have access to both analogue and digital interleave space. The campaign is continuing up to the date on which Ofcom announces its decision.

Proposition 19/07 Health and safety hotline (AP16)

That this annual conference instructs the NEC to discuss with the TUC General Council the feasibility of establishing a 24-hour hotline to provide health and safety advice to all union members.

The Health and Safety Executive provide a limited advice service, being only available Monday to Friday, 0800-1800, which does not take into account the unsociable hours worked in this industry and many other industries. Also the advice given by the HSE outside these hours is to contact the local police, who may not be competent or willing to give advice on a health and safety matter.

After the General Secretary wrote to the TUC General Secretary further to this proposition, he received the following advice dated 4 September 2007 from Hugh Robertson, the TUC's Senior Policy Officer, Health and Safety: 'As you are aware the TUC strongly supports the principle of 24-hour access to information and advice for safety representatives. We have discussed the HSE services with them recently but are aware that the body is currently undergoing a severe budgetary problem. They are likely to be notified of their financial settlement for the next three years by the end of the year [2007] and our view is that it may be appropriate to wait until the resources issue is clearer before raising the issue formally.'

Proposition 20/07 British National Party (AP20)

That this annual conference was appalled to hear of the case of Simone Clarke, the BNP advocate and Equity representative employed by English National Ballet. Conference states that any known member of the BNP or any other racist or fascist organisation is expelled from BECTU by the NEC under rules 13 and 24(a)(iii), as their policies and activities are incompatible with rule 5(l).

In May 2007 the DTI (now DBERR) opened consultation on changes to s.174 of the Trade Union and Labour Relations (Consolidation) Act 1992 required as a result of the successful ASLEF v UK case at the European Court of Human Rights in February 2007. The General Secretary submitted a response to the consultation on 19 July 2007, which argued that trade unions should have the freedom to determine who is admitted to or expelled from membership in accordance with their own rule book and with relevant TUC procedures. The government's limited amendment to s.174 did not go far enough; BECTU considered that s.174 is inconsistent with the European Convention on Human Rights, and should be repealed as a whole. This was a view shared by the TUC and the Institute of Employment Rights in their submissions.

In November 2007 the Government stated it did not accept this view, and as 'the safest

policy' would propose a limited change to s.174 to remove only the express reference to a special protected category of conduct relating to political party membership or activities. Its proposal was contained in the Employment Bill published on 7 December 2007.

Emergency Proposition 1/07: Alan Johnston

This conference recognises the plight of Alan Johnston and instructs the NEC to write to his family to express solidarity and support at this difficult time.

Furthermore we instruct the NEC to make all possible representations to appropriate media organisations to encourage them to campaign for his immediate release unharmed.

A letter of support was sent by the General Secretary on 16 May to the family of Alan Johnston. The General Secretary also wrote to the major broadcasters and the NUJ offering BECTU's support in any campaign leading to the immediate release of Alan Johnston. Alan was released unharmed on 4 July 2007 after 114 days of captivity.

PROPOSITIONS REMITTED

Proposition 1/07 Conference venues (AP3)

That this annual conference believes that locations beyond England should be sought as the possible venues for conference 2009 or beyond.

The projected costs for all affordable and suitable locations should be drawn up into a shortlist and communicated to members for discussion.

Timescales permitting, conference delegates should be able to express their preferred choice of venue which should be taken into consideration when the final decision is made.

At its meeting on 5 August 2007 the NEC considered NEC report 4158, which contained a detailed report from David Cormack on the West Park Centre, Dundee. This venue offered high quality student accommodation and conference facilities at an extremely competitive rate which the venue was prepared to hold until 2009. However the venue's location outside the town centre and the lack of social facilities were drawbacks, and together with the difficulty and expense of getting delegates to Dundee meant that the venue's offer regrettably could not be taken up. The NEC also heard that the De Vere Royal Bath Hotel in Bournemouth, where the 2007 had successfully been held, was offering a contract similar to 2007 with rates approximately 15% higher in 2009. The NEC agreed to book the De Vere Royal Bath Hotel for the last weekend in April 2009.

Proposition reinstated Members' services (RP1)

That this annual conference instructs the NEC to look at making the video editing facilities in the head office training room available to members who have taken a course or otherwise been sufficiently trained in the appropriate software - currently Final Cut Pro - either free or at minimum cost. This would include technical support and digitising facilities, subject to the recommendations of the training staff on their practicality and availability.

A meeting of representatives from the Writers Producers & Directors and Post Production

& Facilities branches was held on 12 June 2007. It was accepted that it was not proper for the union in effect to subsidise the commercial activities of some members. Related to this, at its meeting on 16 September 2007 the NEC adopted a protocol on the use of head office facilities including members' work in filming and editing union events. It established a Commissioning Committee to regulate such work in future. The Training Officer's recommendations on facilities are attached as **Appendix E**.

Proposition 15/07 Labour leadership (AP19)

That this annual conference urges the NEC to encourage candidates who are sympathetic to the aims of the trade union movement to stand for election in the forthcoming Labour leadership contest.

Gordon Brown was the only candidate nominated by the Parliamentary Labour Party for the position of Leader. BECTU did not nominate or declare support for any of the six candidates for the position of Deputy Leader, but drew the attention of political levy-payers to the TULO website which carried their election statements. British members contributing to BECTU's political fund were included among the 3 million trade union levy-payers balloted in June 2007 as part of the electoral college. BECTU was publicly critical of the Labour Party's requirement that levy-payers should affirm unconditional support for the Labour Party on their ballot paper. 2,717 BECTU members cast transferable votes for Deputy Leader. Their final choice was Hilary Benn, but in the full electoral college the transferable votes went to Harriet Harman, who thus became the Deputy Leader. The cost of BECTU's ballot, administered by Electoral Reform Services, was £12,703.66.
