

nipsa

The Leading Public Service Union

NIPSA Annual Delegate Conference

**Slieve Donard Hotel
Newcastle**

Agenda 2008

**Wednesday 28th May -
Friday 30th May 2008**

E-Mail: info@nipsa.org.uk

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TIME-TABLE

Wednesday 28 May 2008

10.30 am - 1.00 pm	Opening of Conference President's Address Appointment of Scrutineers and Tellers Adoption of Standing Orders Presentation and Adoption of Annual Report Presentation and Adoption of Financial Statement Public Services
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2.30 pm - 5.00 pm	Public Services (continued) Constitutional Amendment 1 Public Policy 1
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Thursday 29 May 2008

10.00 am - 1.00 pm	Public Policy 1 (continued) Constitutional Amendment 2 Organisation and Administration
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2.30 pm - 5.00 pm	Employment Terms and Conditions Public Policy 2 Guest Speaker
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Friday 30 May 2008

10.30 am - 1.00 pm	Health and Safety Trade Union Issues Guillotined Motions Close of Conference
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SPECIAL NOTICE TO DELEGATES

The Standing Orders and Standing Orders Committee Report No 1 should be read in conjunction with the list of motions. In accordance with Standing Order 38, Branches wishing to move reference back to Standing Orders Report No 1 or at any part of it, should notify their intention to do so in writing to the Secretary, NIPSA Standing Orders Committee, Harkin House, 54 Wellington Park, Belfast, BT9 6DP not later than **11.00 am, Tuesday 20 May 2008**.

Those branches who have so notified their intention to move reference back of Report No 1 will be required to meet the Standing Orders Committee prior to Conference on **Thursday 22 May 2008**.

Only those branches who have complied with Standing Order 38 will be permitted to move reference back of Standing Orders Committee Report No 1.

Branches should note that reference back of Standing Orders 1 to 44, or any amendment to them, is not permissible. This rule does not apply to any additional Standing Orders included in Standing Orders Committee Report No 1.

STANDING ORDERS FOR CONFERENCES

1. These standing orders will apply to General and Group Conferences until they are amended or rescinded by a motion adopted by an annual Delegate General Conference. If any such motion is adopted it shall not come into effect until the conclusion of the conference at which it is adopted.

Reports of Standing Orders Committee

2. Subject to the provisions of these standing orders, the Standing Orders Committee will draw up reports for each conference, setting out its recommendations on the timetable, agenda and such other matters as it considers necessary for the business of the conference. The reports of the Standing Orders Committee will be presented to the conference for consideration and decision.
3. The Standing Orders Committee may, if it considers it necessary recommend **additional standing orders** on matters not covered in these standing orders. Such additional standing orders shall apply only to the conference at which they are adopted.
4. The first report of the Standing Orders Committee to an Annual Conference hereinafter referred to as "**Report No 1**", shall comprise the agenda, which shall contain all the motions received in accordance with these standing orders and the Committee's recommendation on the timetable and other matters.

The Agenda

5. The Standing Orders Committee will include in a **primary agenda** those motions which require a decision by conference and will place the remaining motions in a secondary agenda.
6. In each section of the primary agenda any motions which relate to pay and conditions of service shall be placed at the beginning of the section.
7. The **secondary agenda** will include the following categories:-
 - (a) Category A - motions which are covered by a composite or comprehensive motion on the primary agenda.
 - (b) Category B - motions which restate existing union policy.

- (c) Category C - motions which can be dealt with by correspondence with Union Headquarters.

- (d) Category D - motions which are competent to be dealt with by a body established under rule 6.9(a) of the rules of the Union and which are to be remitted to the General Council for reference to that body.

- (e) Category X - motions which the President has ruled are out of order.

8. **Composite motions** will be used whenever possible to cover a number of motions directed at the same issue. The motion selected as a composite is the one which, in the opinion of the Standing Orders Committee, incorporates the points made in motions covered by it.

9. **Comprehensive motions** will whenever possible be constructed by the Standing Orders Committee to cover motions, when although directed on the same issue, contain a number of diverse points. The Standing Orders Committee will recommend who should move a comprehensive motion.

10. The passage of a **composite or comprehensive motion** does not imply acceptance of the detailed variants in the motions which they cover.

11. Motions which seek to **amend the rules of the Union or the annexes to them or which would require an amendment to the rules of the Union or the annexes to them** will be out of order, unless they are presented in a form which sets out clearly the wording of the amendment(s) necessary.

12. An emergency motion shall deal only with urgent business which has arisen since the final date for the submission of motions to conference and shall require a decision by conference. The Standing Orders Committee shall include in Report No 1, the procedure for dealing with emergency motions.

13. The Standing Orders Committee shall have the sole authority to decide whether or not a motion is competent for consideration as a matter of urgency. It shall publish those motions which it considers to be emergency motions in a report which shall also include provisions for their discussion.

The Timetable

14. The Standing Orders Committee will arrange motions in the primary agenda into sections and specify periods of time for the discussion of each section and for other conference business. If alterations to the timetable become necessary during the course of a conference the Standing Orders Committee shall submit recommendations to the conference. For such an alteration it is not necessary to resort to the procedure set out in Standing Order No 35.
15. The time allotted to each section of the agenda shall be adhered to as far as possible.
16. The Standing Orders Committee may recommend an opportunity, before motions in a section of the agenda are discussed, for the General Council to place before the delegates any **factual material necessary to bring up-to-date the annual report** in respect of subjects to which the section relates. The time allocated for this purpose to a speaker for the General Council shall be limited to 4 minutes, subject to the President's discretion in exceptional circumstances.
17. Motions shall be taken in the order in which they appear on the agenda. The time allotted to each motion shall be at the discretion of the President.
18. In order to make the maximum use of conference time for the discussion of motions on which there may be differing opinions, the General Council will indicate which **motions, if any, on the primary agenda it is willing to have adopted without discussion**. These motions will be listed in a report of the Standing Orders Committee and by adopting the report the conference will carry the motions.
19. **Motions which are not taken because of lack of time** shall be dealt with as if they had been remitted by conference to the General Council.
23. Each **speaker shall announce his or her name** and Branch or, in the case of a person speaking on behalf of the General Council or the Standing Orders Committee, his or her name and office before speaking on any point.
24. Speeches by movers of motions shall be limited to **4 minutes** and other speeches to **3 minutes**, but these times may be varied at the discretion of the President.
25. The mover of a motion on the agenda shall have the **right of reply** at the close of the debate upon the motion, if anyone has expressed opposition to the motion.
26. Immediately before the mover of a motion on the agenda exercises his or her right of reply or before the vote is taken if there is no right of reply or it is waived, a **speaker on behalf of the General Council** will be afforded the opportunity of addressing conference.
27. A **motion may be withdrawn** only by the proposers with the approval of conference.
28. No one other than a delegate or a member of the Standing Orders Committee may address conference unless authorised by the General Council.
29. Speakers must on all occasions confine themselves strictly to the matter under discussion.
30. **Points of information** shall be allowed only at the discretion of the President.
31. If the President, rises **to call a member to order**, or for any purpose connected with the proceedings, the member speaking shall thereon resume his or her seat and no other member shall rise until the chair is resumed.
32. **The ruling of the President** on any question under standing orders or on points of order or explanation, shall be final unless challenged by not less than 10 delegates. In the event of such a challenge the President shall vacate the chair. The Vice-President, failing whom a member of the General Council, shall then take the chair and shall put it to the vote that the ruling of the President be upheld. Unless two-thirds of the delegates present and voting vote against the motion that the ruling of the President be upheld, the ruling of the President shall stand. When the result of the vote has been declared, the President shall resume the chair and proceed in accordance with the result of the vote.

Conduct of Debates

20. At the beginning of each item of business the **conference doors shall be closed** and no one will be permitted to enter or leave until the item (including any vote thereon) has been concluded.
21. It shall **not be necessary to second motions** or emergency motions included in a Standing Orders Committee report which has been adopted by conference.
22. If the **mover of any motion is not present** when it is called, the President may invite a Branch or the General Council, to move the motion. If the motion is not moved, it will be deemed to have fallen.
33. Subject to the rules of the union, a **card vote** may be taken. Card votes for, against or abstaining on the motion under debate will be collected simultaneously.

34. No question which has not been included in Report No 1 of the Standing Orders Committee and no emergency motion shall be decided on a card vote.

Procedural Motions

35. Motions on procedural matters must be moved **and** seconded by delegates or members of the General Council. The mover of a procedural motion may speak on the motion only once and no other speeches shall be allowed save as provided elsewhere in these standing orders.

36. **These standing orders** or any part of them or any provision of a Standing Orders Committee report made under them shall be **suspended** if a motion to that effect is supported by two-thirds of the delegates present and voting. The mover of such a motion shall be allowed by the President sufficient time to explain the purpose of the proposed suspension within the time limit for speeches then applying. If the motion is seconded the President shall similarly allow the Standing Orders Committee to reply before taking the vote.

37. When the motion to adopt a report of the Standing Orders Committee has been moved the President may call any Branch or the General Council, which wishes to move reference back to vary or delete a part of the report. The Standing Orders Committee may reply to such a **reference back** before it is voted upon. If subsequently the motion to adopt the report is carried, the report shall have effect as amended by any reference back accepted by the conference.

38. Reference back of Report No 1 of the Standing Orders Committee or any part of it, must be notified to the Committee in writing at least one week before the start of conference and should be discussed with the Committee before the conference. The Standing Orders Committee shall announce arrangements for such discussions.

39. A debate shall be closed if:-

- (a) A motion “**that the vote now be taken**” is carried but such a motion cannot be put to Conference until the opportunity to oppose the motion under debate has been given. Then if such a motion is moved and seconded it shall be put to the vote without discussion. Such a motion shall not be moved or seconded by a delegate who has previously spoken in the debate. If such a motion is carried the mover of the motion under debate shall, before the motion is put exercise any right of reply that s/he may have but no other speeches shall be allowed.

- (b) A motion “**that conference proceed to next business**” is carried but such a motion cannot be put to Conference until the opportunity to oppose the motion under debate has been given. Then if such a motion is moved and seconded it shall not be moved or seconded by a delegate who has previously spoken in the debate. If such a motion is carried, conference shall proceed forthwith to the next item on the agenda.

40. A motion “**that this motion be remitted to the General Council**” may be moved and seconded by delegates or members of the General Council. The debate on the original motion may continue after the motion to remit it to the General Council has been proposed and seconded, unless the President decides otherwise. At the conclusion of the debate the mover of the original motion shall exercise his or her right of reply, following which the President shall immediately put to conference the proposal that the motion be remitted to the General Council. If the motion to remit is carried, conference shall proceed forthwith to the next item on the agenda, otherwise the original motion will be put to conference.

Miscellaneous

41. In the **absence of the President** the Vice-President shall preside at conference. In the absence of both the President and Vice-President, the General Council shall elect a member of the Council to preside. The use of the term “President” in these standing orders shall be construed to include the person, other than the President, who presides at conference in accordance with this standing order.

42. Delegates must give one week’s notice in writing to the General Secretary of their intention to ask any question on **the annual report** or the **financial statement**.

43. Delegates must give one week’s notice in writing to the General Secretary of their intention to move a **reference back** of part of the **annual report** and **financial statement** specifying which section(s) they propose to refer back. A motion to refer back the annual report or financial statement must be moved and seconded by delegates. The mover of the motion may speak on the motion only once and no other speeches shall be allowed, save that a speaker on behalf of the General Council will be afforded the opportunity of addressing Conference.

44. During conference **smoking** will not be permitted.

STANDING ORDERS REPORT NO. 1

1. A Primary and Secondary Agenda have been devised in accordance with Standing Orders 5, 6 and 7.
2. Composite and Comprehensive Motions have been used in accordance with Standing Orders 8 and 9.
3. Delegates representing Branches whose motions are covered by Composite or Comprehensive Motions which their Branch is not due to propose shall be afforded an opportunity to speak to the relevant Composite or Comprehensive Motion.

The Composite and Comprehensive Motions which have been prepared and the Motions they cover are as follows:-

Motions	Motions Covered By It
Composite Motion No 1	74
Comprehensive Motion No 4	75 - 79
Comprehensive Motion No 5	80 - 84
Comprehensive Motion No 20	85 - 86
Composite Motion No 34	87
Comprehensive Motion No 35	88 - 91
Comprehensive Motion No 64	92 - 94

4. Motion No 15 will fall if Motion No 14 is carried.
5. In order to expedite Conference business, Standing Orders Committee recommend that delegates wishing to speak to a Motion once it has been moved, occupy seats reserved for such persons at the front of the Conference Hall. Only those delegates who comply with this procedure may be called upon to address Conference.
6. In accordance with Standing Order 12. Branches are hereby informed that Notice of Emergency Motions must be submitted in writing to the Standing Orders Committee at Harkin House not later than **12 noon on Thursday 22 May 2008**. Such submission must be signed by two Branch Officers and indicate the date of the General Meeting at which the Emergency Motions were adopted by the Branch.

Signed Michael Herron (Chairperson)
 Wright Holland
 Barbara Lynn
 John McCloskey

2008 ANNUAL DELEGATE CONFERENCE

PRIMARY AGENDA

All motions in this Agenda are due to be discussed

- **PUBLIC SERVICES**

Composite Motion No 1 (To be moved by the General Council)

Conference is deeply concerned that the NI Executive's first Programme for Government, the 2008-2011 Budget and Investment Strategy are predicated on more cuts to public services, reforms and privatisation plus cuts to public service staff levels. Conference is further concerned to note that the terms of reference for the Varney II review calls for evidence to support further private sector involvement in delivering public services.

Conference believes that NIPSA must take a leading role in defending public services in Northern Ireland against all such attacks. Conference therefore calls on the General Council to give top priority to actions under the NIPSA 'Public Services Defence Campaign' to include:-

- building membership support, generally and in sectors, for all necessary action, including strike action where appropriate, to defend against specific attacks on services and jobs
- co-operating with other public sector trade unions and ICTU to ensure the widest possible trade union support and action where appropriate
- more intensive lobbying of NI Assembly Committees and members
- stepping up NIPSA's public campaigning work to secure widespread support for the campaign objectives and action.

Motion No 2 (Branch 5)

Conference condemns the cuts in jobs and services under the Governments Comprehensive Spending Review. Conference demands that NIPSA takes whatever action is necessary, including Industrial Action, to defend jobs and services.

Motion No 3 (Branch 27)

Conference is extremely alarmed about the NI Executive's "Programme for Government" and especially how it will affect the Public Services. Conference believes that the cuts in budgets for all areas of the Public Service will have a savage and detrimental effect on all employees and the service delivered.

If this wasn't bad enough Conference is horrified at the continuing increase in the use of public funds in the appointment of Private Consultants.

Conference instructs the incoming General Council to:

1. continue to oppose these current and future decreases in Public Funding;
2. closely monitor all proposed expenditure on Private Consultants and to challenge Management at every opportunity of the waste of this public money being channelled towards the private sector; and
3. continue to lobby, whoever & wherever it deems necessary, for properly funded and staffed Public Services.

Comprehensive Motion No 4 (To be moved by General Council)

Conference acknowledges the decisions taken by the Executive Ministers for Health and Local Government to undertake reviews in their sectors of the previous decisions by Direct Rule Ministers on the implementation of the Review of Public Administration (RPA). Conference deplores the Minister of Education's refusal to reconsider and review the retention of the five Education and Library Boards under RPA.

Conference also deplores the failure of Executive Ministers to provide a guarantee of no compulsory redundancies to all public service staff affected by future RPA implementation.

Conference reaffirms its demands for full protection of members' jobs, pay, pensions, terms and conditions of employment. Conference also demands the NI Executive, Government Departments and all public service employers negotiate and consult fully with trade unions on all aspects of RPA implementation.

Conference acknowledges the lessons that need to be learned from the health sector experience and to strategically plan for the implementation of RPA within other sectors to ensure members are better protected and represented.

Conference calls on the General Council to initiate an urgent and thorough consultation with Branches and members on future action to include improved communications and to secure implementation of the above principles in each sector affected by further RPA changes.

Conference commits to debunking the myth that RPA is about reform, modernisation lessening bureaucracy etc and that savings made are to be put into frontline services. It is being issued to make savings in the public sector and any future campaign of opposition should include industrial action and engaging with MLA's, media etc as appropriate.

Comprehensive Motion No 5 (To be moved by the General Council)

This Conference notes with deep concern that housing waiting lists in Northern Ireland are at their highest levels since the 1970s with a 13% increase in the past year. This Conference further notes that to meet the identified housing demand the NI Housing Executive assessed a need for additional capital funding of approximately £600m for the next 3 years. Conference restates the human right of every person to live in a good quality home.

Conference welcomes the announcement by the Executive Minister for Social Development on 25 February 2008 to start addressing the crisis of the chronic shortage of affordable social housing in Northern Ireland.

Conference calls on the General Council to maintain pressure, through the Irish Congress of Trade Unions and to lobby the NI Assembly to ensure:-

- additional capital and revenue funding is secured for the provision of social housing to meet all identified needs;
- the Housing Executive is maintained as the single public housing authority for Northern Ireland;
- opposition to the continued sell off of social housing which flies in the face of the Minister's proposals and that the Housing Executive resumes responsibility for the direct provision of new build social housing;
- legislation to ensure that private developers must make provision for affordable social housing and communal space before being given permission to construct private dwellings; and
- legislation covering 'buy to let' properties to further alleviate the hardship caused to low paid workers by extortionate rents.

Motion No 6 (Branch 503)

Conference deplores the projected job losses in the Northern Ireland Housing Executive and the resultant cut in housing services to those dependent on no profit making public sector housing. Conference calls on the General Council to campaign for the protection of jobs and services in this vital area of the public service.

Motion No 7 (Branch 501)

Conference calls on the N.I. Assembly's public accounts committee to investigate the effectiveness and efficiency of housing associations in delivering the provision of social housing against the background of affordability issues and the length of the current waiting lists.

Motion No 8 (Branch 501)

Conference calls on the N.I. Assembly to review the numbers and structures of housing associations and integrate their staff and services into the Northern Ireland Housing Executive to provide a single regional housing authority.

Motion No 9 (Branch 15)

Conference is concerned at the re-appearance of Sir David Varney in Northern Ireland to conduct a further review on the local economy. His reported comments on the apparent “crowding out” of the private sector by the public sector are economically illiterate and damaging. His intention to identify public services to privatise is clear, for example, from his expressed “concern” that vehicle testing is still conducted by the public sector here. Conference notes that because it is done within the public sector and not in private garages, vehicle testing here is not compromised by the opportunity for profit, is objective, led by public safety considerations alone and operates at full cost recovery at less cost per test. Conference instructs the CS Executive to challenge the assumptions made by Sir David Varney in support of a privatisation agenda and to resist any plans for particular privatisations that may arise.

Motion No 10 (Branch 517)

Conference recognises that the return of the Stormont Assembly represents a significant challenge for the trade union movement.

The Assembly has adopted anti public service, pro big business economic policies that jeopardise services to the public and threaten jobs and terms and condition. Conference recognises that the struggle to defend public services will include engaging with the Assembly and political representatives. Conference therefore calls on the General Council to ensure that NIPSA is not involved in secret deals or partnership with the Assembly or political representatives.

(Motion Nos 11 - 13 unallocated)

• **CONSTITUTIONAL AMENDMENT 1**

Motion No 14 (General Council)

ADOPTION OF POLITICAL FUND BALLOT RULES AND POLITICAL FUND RULES

It is hereby resolved, pursuant to Article 66 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended):

- (a) That the rules of NIPSA be altered by the addition of the rules, set out below, for a ballot on a resolution approving the furtherance of political objects within the meaning of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended) as an object of the union;
- (b) That, subject to the approval of those rules by the Certification Officer, a ballot be taken in accordance with them; and
- (c) That, if the resolution is passed by a majority of the members of the union voting in that ballot, the rules of the union be further altered by adding the rules for the NIPSA Political Fund, and that application then be made for the approval of such rules by the Certification Officer under the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended).

(PARTIAL ALTERATION OF RULES)

Add the following Section to the NIPSA Constitution

SECTION 17: POLITICAL FUND

17.1. The objects of NIPSA shall include the furtherance of the political objects to which Article 46 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended) hereinafter called (the Order) applies, that is to say the expenditure of money

- (a) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
- (b) on the provision of any service or property for use by or on behalf of any political party;
- (c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
- (d) on the maintenance of any holder of a political office;
- (e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
- (f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (e) above be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those

paragraphs no account shall be taken of the ordinary administrative expenses of the union.

In these objects

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at any election to a political office;

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture; and

“political office” means the office of member of the Assembly, member of Parliament, member of the European Parliament or member of a district council or any position within a political party.

- 17.2. Any payments in the furtherance of such political objects shall be made out of a separate fund of NIPSA (hereinafter called the political fund).
- 17.3. As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of NIPSA the General Council shall ensure that a notice in the following form is given to all members of the union in accordance with this rule:

Trade Union and Labour Relations (Northern Ireland) Order 1995:

“A resolution approving the furtherance of political objects within the meaning of the above Order as an object of NIPSA has been adopted by a ballot under the Order. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of NIPSA.

A member who is willing to contribute to that fund must give the union notice in writing to that effect. No member is required to contribute to the fund unless he/she has given the union such notice.

A member who, having sent a notice that he/she wishes to contribute to the political fund, subsequently decides to cease contributing must send the union a written notice of withdrawal. A notice of withdrawal will take effect from the next 1st January after it is given.

Both a notice and a notice of withdrawal may be given by being delivered to NIPSA Headquarters personally or by an authorised agent or by post.”

The notice shall be published to members by such methods as are customarily used by NIPSA to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in NIPSA News which is circulated to members. A copy of the notice shall be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members, at the office or meeting place of each NIPSA Branch. Each Branch Secretary shall also take steps to secure that every member of the branch, so far as is reasonably practicable, receives a copy of the notice, and shall supply a copy to any member on request. The General Council shall provide

the Branch Secretary with a number of copies of the notice sufficient for these purposes.

17.4 Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended) no member of NIPSA shall be required to make any contribution to the NIPSA Political Fund unless they have delivered, as provided in Rule 17.7 at NIPSA Headquarters, a notice in writing, in the form set out in Rule 17.5, of their willingness to contribute to that Fund, and have not withdrawn the notice in the manner provided in Rule 17.6. Every member of the Union who has not delivered such a notice or who, having delivered such a notice, has withdrawn it in the manner provided in Rule 17.6 is to be deemed for the purpose of these rules to be a member who is exempt from the obligation to contribute to the NIPSA Political Fund.

17.5 The form of willingness to contribute to the NIPSA Political Fund is as follows:

POLITICAL FUND CONTRIBUTION NOTICE – NORTHERN IRELAND	
I HEREBY give notice that I am willing, and agree, to contribute to the Political Fund of the Northern Ireland Public Service Alliance, and I understand that I shall, in consequence, be liable to contribute to that Fund and shall continue to be so liable, unless I deliver to NIPSA Headquarters, a written notice of withdrawal. I also understand that after delivering such a notice of withdrawal I shall still continue to be liable to contribute to the Political Fund until the next 1st January after it is given.	
Name:
Address:
Membership Number:
..... day of Year

17.6 If at any time a member of NIPSA who has delivered such a notice as is provided in Rules 17.4 and 17.5, gives notice of withdrawal thereof, delivered, as provided in Rule 17.7, to NIPSA Headquarters, they shall be deemed to have withdrawn the notice as from the first day of January next after the delivery of the notice of withdrawal.

17.7 The notices referred to in Rules 17.4 and 17.6 may be delivered personally by the member or by any authorised agent of the member, and any notice shall be deemed to have been delivered to NIPSA Headquarters if it has been sent by post properly addressed to that office. The General Secretary shall send such member an acknowledgement of receipt of notification.

17.8 The General Council shall give effect to the statutory exemption of Northern Ireland members to contribute to the NIPSA Political Fund by making a separate levy of contributions to that fund from the members of NIPSA who are not exempt, namely 10p per month from all non-exempt members who pay their general subscription monthly. No levy shall come into force as respects a new member until the expiration of one month from that member being supplied with a copy of these rules.

17.9 Members who are statutorily exempt from the obligation to contribute to the NIPSA Political Fund shall not be excluded from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the Political Fund) by reason of their being exempt.

- 17.10 Contribution to the NIPSA Political Fund shall not be made a condition for admission to the Union.
- 17.11 If any member alleges that they are aggrieved by a breach of any of the rules made pursuant to Article 57 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 they may complain to the Northern Ireland Certification Officer, 10-12 Gordon Street, Belfast, BT1 2LG, under Article 57(2) to (4) of that Order. If after making such enquiries as he/she sees fit and after giving the applicant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Under Article 70, paragraph 4(b) of the Industrial Relations (Northern Ireland) Order 1992 (as amended) an appeal against any decision of the Certification Officer may be made to the court of Appeal on a question of law.
- 17.12 Any member may withdraw his or her notice of exemption on notifying his or her desire to that effect to the General Secretary, who shall thereupon send such member an acknowledgement of receipt of the notification.
- 17.13 The General Council shall cause to be printed, as soon as practicable after the approval of these rules for the political fund, a number of copies thereof having at the end a copy of the certification of approval sufficient for the members of NIPSA and further number for new members. The General Secretary shall take steps to secure that every member of NIPSA so far as practicable, receives a copy of these rules. Any member shall be supplied with a copy of these rules by application either to the General Secretary or any Branch Secretary. A copy thereof shall also be supplied forthwith to every new member on admission to NIPSA.

RULE FOR A BALLOT TO ESTABLISH A POLITICAL FUND

PARTIAL ALTERATION OF RULES

Rules for a ballot under Article 48 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended).

General

17.14

- (1) The General Council shall be responsible to the union for securing that the ballot which is held to establish a political fund is conducted in accordance with these rules. This overall responsibility cannot be delegated, even where the responsibility for carrying out a particular duty falls upon a person not subject to the rules of the union. Administrative tasks for the conduct of such a ballot may be delegated in accordance with the rules or practice of the union.

Interpretation

- (2) In these ballot rules, unless the context otherwise requires:

“the Order” means the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended);

“the Certification Officer” means the Northern Ireland Certification Officer for Northern Ireland;

“dispatch envelope” means the envelope (in the form required by these rules) in which the voting paper and return envelope are dispatched to the member;

“General Council” means the principal committee of the union exercising executive functions;

“independent person” means the person or persons appointed to act as the independent person or persons in respect of the ballot under the provisions of Article 52 of the Order and these rules;

“person” in relation to the position of an independent person or a scrutineer, includes an unincorporated or incorporated body of persons;

“proper address” in relation to any member means his/her home address or other address which he/she has requested the union in writing to treat as his/her postal address under Article 51 (4)(a) of the Order;

“return envelope” means an envelope in the form required by these rules;

“scrutineer” means the independent person appointed by the union to that position in relation to the ballot under Article 49 of the Order and these rules;

“the period specified before disposal” means the end of the period of one year beginning with the day of the announcement by the union of the result of the ballot or, if within that period an application is made under Article 54 (complaint of failure to comply with the ballot rules) of the Order, until the Certification Officer or the High Court authorises disposal by the scrutineer;

“voting paper” or “ballot paper” means a voting paper in the form required by these rules.

Purpose of these Rules

- (3) These rules are adopted for the purposes of a ballot under Article 47 of the Order and apply only to such a ballot.

Copies of these Rules to be available to Members

- (4) The General Council shall ensure that a copy of these rules is supplied, free of charge or on payment of a reasonable charge to any member of the union who requests a copy.

Appointment of a Scrutineer where the Scrutineer acts as the independent person

- (5) Before the ballot is held, a scrutineer shall be appointed to carry out the functions in relation to the ballot as are required under the Order, to act as the independent person both (under Article 49(1) of the Order) in relation to the ballot and to carry out such additional functions as are specified in the appointment.
- (6) A person is eligible for appointment as scrutineer if:
- (a) the person satisfies the conditions which are for the time being specified by the Department pursuant to Article 49(2) of the Order or is a person specified in an order made under that section.
 - (b) there are no grounds for believing that the person in question will carry out any function conferred on him/her in relation to the ballot otherwise than competently; or that his/her independence in relation to the union or in relation to the ballot might reasonably be called into question.

Terms of the Appointment

- (7) The terms of the appointment shall require the scrutineer:
- (a) to supervise the production of the voting papers and to undertake the storage and distribution of the voting papers and the counting of votes cast;
 - (b) to be the person to whom the voting papers are returned by those voting;
 - (c) to inspect the register of names and addresses of members of the union or to examine the copy of the register as at the relevant date which is supplied to him/her in accordance with Article 49(9)(a) of the Order whenever it appears to him/her appropriate to do so and in particular where the conditions specified in Article 49(4) of the Order are satisfied;
 - (d) take such steps as appear to be appropriate to the scrutineer for the purpose of enabling him/her to make a report under these rules;
 - (e) to make that report to the union as soon as is reasonably practicable after the last date for the return of voting papers;
 - (f) to retain custody of and keep secure in a safe place all voting papers returned for the purposes of the ballot together with the relevant copy of the register of names and addresses of members entitled to vote and supplied to him/her by the union for the period specified before disposal, as defined in Rule 17.14(2);
 - (g) to carry out such other functions in relation to the ballot as are required of him/her under these rules or otherwise, as the General Council considers appropriate;
 - (h) to store in a secure place any unused voting papers or voting papers which are returned undelivered until disposal;
 - (i) to respect the duty of confidentiality in respect of the register; and
 - (j) to carry out these tasks in a manner which minimises the risk of any contravention of requirements imposed by or under any enactment or these rules or the occurrence of any unfairness or malpractice.

Notice of Appointment

- (8) Before the scrutineer begins to carry out any of these functions either:
- (a) a notice stating the name of the scrutineer shall be sent to every member of the union to whom it is reasonably practicable to send such a notice; or
 - (b) all such other steps shall be taken for notifying members of the union of the name of the scrutineer as it is the practice of the union to take when matters of general interest to all its members need to be brought to their attention. Such notice or notification may invite members to inform the union of any change of address and advise members of the dates between which the ballot will be held.

Union's Duty Towards the Scrutineer

- (9) Nothing in the terms of the scrutineer's appointment (including any additional functions specified in the appointment) shall be such as to make it reasonable for any person to call into question the scrutineer's independence in relation to the union.
- (10) The union shall ensure that there is no interference with the scrutineer in carrying out the functions imposed on him/her by the terms of the appointment which would make it reasonable for any person to call into question the scrutineer's independence in relation to the union.

- (11) All reasonable requests made to the union by the scrutineer for the purpose of or in connection with the carrying out of the functions of the scrutineer shall be complied with.

Dispatch envelopes

- (12) The dispatch envelope:
- (a) shall be addressed to the member entitled to vote;
 - (b) shall state that if the envelope is undelivered to the member it should be returned to the scrutineer and give his/ her name and address;
 - (c) shall bear a postage stamp or other stamp or mark allowing it to be delivered at no cost to the member; and
 - (d) in the event of the envelope containing material other than the material relating to the ballot, the envelope shall have printed on it prominently the words "ballot paper" or "voting paper".

Voting Papers

- (13) Every voting paper shall be in or substantially in accordance with the form set out in appendix 1 to these rules and:
- (a) shall clearly specify the name of the scrutineer, the address to which, and the date by which, it is to be returned;
 - (b) shall be marked with one of a series of consecutive whole numbers, everyone of which is used in giving a different number (in that series) to each voting paper printed or otherwise produced for the purposes of the ballot;
 - (c) may have printed on it the logo or emblem of the union;
 - (d) may have printed on it or attached to it an explanatory statement.

Return Envelopes

- (14) Every return envelope:
- (a) shall be capable of being sealed;
 - (b) shall be addressed to the scrutineer;
 - (c) shall bear a postage stamp or other stamp or mark showing that the envelope may be returned to the scrutineer by post without direct cost to the voter; and
 - (d) may have printed on it:
 - (i) the name of the union;
 - (ii) the logo or emblem of the union; and
 - (iii) the words "voting paper" or "ballot paper".

Date of Ballot

- (15) The General Council shall determine the date:
- (a) by which the voting papers shall be sent to members, which shall be a date not less than three weeks before the last date on which voting papers may be returned to the scrutineer;
 - (b) of the last date for receipt of completed voting papers by the scrutineer; and
 - (c) on which the counting of votes is to commence.

Conduct of the Ballot

- (16) Entitlement to vote in the ballot shall be accorded equally to all members.
- (17) The ballot shall be conducted so as to secure that, so far as is reasonably practicable, those voting do so in secret.
- (18) So far as is reasonably practicable, every member who is entitled to vote in the ballot shall, in accordance with these rules:
 - (a) be sent a voting paper by post in such time as to be received on or before the opening day of the ballot; and
 - (b) be given a convenient opportunity to vote by post.
- (19) Every member who is entitled to vote in the ballot shall:
 - (a) be allowed to vote without interference from, or constraint imposed by, the union or any of its members, officials or employees; and
 - (b) so far as is reasonably practicable be able to do so without incurring any direct cost to the member.
- (20) Every member who is entitled to vote in the ballot shall have sent to him/her in a sealed dispatch envelope, at his/her proper address, by post:
 - (a) a voting paper; and
 - (b) a return envelope addressed to the scrutineer.
- (21) When it is not practicable for a particular member to be sent a voting paper and return envelope by the date determined in accordance with these rules, a voting paper and return envelope may be sent to that member as soon as is reasonably practicable after that date, so as to give that member a convenient opportunity to vote by post.
- (22) The name of each member to whom a voting paper is sent shall be recorded in some form or record of members but not so as to make it reasonable for any person to call into question the secrecy of the ballot. This record shall be kept by the scrutineer for the period specified before disposal, as defined in rule 17.14(2).

Manner of Voting

- (23) Every member who wishes to vote must return his/her voting paper to arrive at the address of the scrutineer on or before the date determined in accordance with these rules.
- (24) The scrutineer shall store in a secure place any voting papers returned to him/her undelivered and shall keep a record of any voting paper so returned.
- (25) The scrutineer shall be responsible for the safe custody and security of all returned envelopes and voting papers during the period of the ballot and for the period specified before disposal, as defined in rule 17.14(2). The scrutineer shall at all times take all reasonable steps to secure their safe custody so as to minimise the risk of any contravention of the requirements imposed by or under any enactment or these rules or the occurrence of any unfairness or malpractice.

Counting of the Ballot

- (26) The ballot shall be conducted so as to secure that the votes are fairly and accurately counted by the scrutineer. Any inaccuracy in counting is to be disregarded for the purpose of this rule if it is accidental or on a scale which could not affect the results of the ballot.
- (27) The scrutineer shall before counting begins:
- (a) place the unused voting papers in a secure place; and
 - (b) keep a record of the number of voting papers so stored and a record of any voting papers issued under rule 17.14(21).
- (28) No person may be present at the count other than:
- (a) the scrutineer;
 - (b) those acting under the supervision of the scrutineer; and
 - (c) those present with the consent of the scrutineer.
- (29) At the date appointed for the commencement of the counting of the votes, the scrutineer shall undertake the opening of the return envelopes received and the counting of votes.
- (30) The scrutineer or if more than one of them the majority of them shall decide whether any voting paper shall be rejected as being invalid and shall mark each such voting paper "rejected".
- (31) Those voting papers which are not rejected shall be counted.
- (32) After the count the scrutineer shall retain custody of all of the voting papers returned for the purpose of the ballot for the period specified before disposal, as defined in rule 17.14(2).

Scrutineer's report

- (33) As soon as is reasonably practicable after the last date for the return of voting papers the scrutineer shall make a report ("the scrutineer's report") to the union in accordance with these rules. The scrutineer's report shall state:
- (a) the number of voting papers distributed for the purposes of the ballot;
 - (b) the number of voting papers returned to the scrutineer by the members;
 - (c) the number of valid votes cast in the ballot for and the number of valid votes cast against the resolution;
 - (d) the number of spoiled or otherwise invalid voting papers returned;
 - (e) the fact that the scrutineer was appointed as the independent person or persons;
 - (f) whether the scrutineer:
 - (i) is satisfied that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment or these rules in relation to the ballot;
 - (ii) is satisfied that the arrangements made (whether by him/her or another person) with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for counting the votes, included all such security arrangements as were reasonably practicable for the purpose of minimising the risk that any interference or malpractice might occur;

- (iii) is satisfied that the he/she has been able to carry out his/her functions without any interference as would make it reasonable for any person to call his/her independence in relation to the union into question; and
 - (iv) has inspected the register of names and addresses of members of the union or has examined a copy of the register supplied to him/her under these rules.
- (34) If the scrutineer has inspected the register in accordance with these rules or has been requested to do so by a member, the report shall state:
- (a) whether the register has been inspected; in the case of each inspection whether it was at the request of a member of the union or at his/her own instance, and say, if appropriate, whether he/she declined to act on such a request; and
 - (b) whether any inspection of the register or any examination or copy of the register reveals any matters which he/she considers should be drawn to the attention of the union in order to assist in securing that the register is accurate and up-to-date, but shall not state the name of any member who has requested this inspection or examination.

Copy of the Scrutineer's Report to be sent to the Certification Officer

- (35) A copy of the scrutineer's report shall be sent by the union to the Certification Officer as soon as is reasonably practicable.

Publicising the Result of the Ballot

- (36) The result of the ballot shall not be published until the union has received the scrutineer's report.
- (37) Within three months from the date on which the union receives the scrutineer's report the General Council shall:
- (a) send a copy of the report to every member to whom it is reasonably practicable to send such a copy; or
 - (b) take all such other steps for notifying the contents of the report to the members whether by publishing the report or otherwise as it is the practice of the union to take when matters of general interest to all its members need to be brought to their attention.
- (38) The union shall ensure that any notification given under rule 17.14(37)(b) is accompanied by a statement that the union will on request supply the member with a copy of the report either:
- (a) free of charge; or
 - (b) on payment of such reasonable fee as may be specified in the notification, and ensure that a member who makes such a request to the union is supplied with a copy on payment of such a fee (if any) as has been notified to him/her.

Appendix 1

VOTING PAPER ON ESTABLISHMENT OF POLITICAL FUND

Ballot paper number:[]

NIPSA

THE RESOLUTION is that the political objects set out in Article 46 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended) (reproduced overleaf) be approved as an object of the Union

Do you vote in favour of the Resolution?

YES

NO

You must place a cross on one, and only one, of the boxes provided.

Place the voting paper in the addressed envelope (no stamp required) and return it to the Scrutineer to arrive before the A voting paper received after this date will not be counted.

Please do not sign or make any other mark on the paper [or include anything else with your voting paper]

Name of Scrutineer: Electoral Reform Ballot Services Ltd
Address to which voting paper is to be sent 33 Clarendon Road,
London N8 0NW.

Appendix 1 (reverse of the voting paper)

Article 46 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 (as amended):

This section applies to the following political objects:

The expenditure of money -

- (a) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
- (b) on the provision of any service or property for use by or on behalf of any political party;
- (c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
- (d) on the maintenance of any holder of a political office;
- (e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
- (f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the union.

In these objects -

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at any election to a political office;

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture; and

“political office” means the office of member of the Assembly, member of Parliament, member of the European Parliament or member of a district council or any position within a political party.

Motion No 15 (Branch 15) (Falls if Motion No 14 is carried)

Conference is concerned at the proposal that NIPSA embrace a Political Fund. This will mean that those members contributing (however small in number) can, in the name of this union, under the political objects required, produce literature etc – *“to persuade people to vote for a political party or candidate or to persuade people not to vote for a political party or candidate.”* They can also contribute funds “directly or indirectly” to a political party.

This will compromise NIPSA’s long held stance of political neutrality at election times, which has meant that our members are respected for serving all communities in Northern Ireland. It has also protected our members from any politically motivated mischief and kept them safe in circumstances where an overt party political stance could have put them in danger. Accordingly conference rejects this attempt to bring party politics to our union.

Motion No 16 (General Council)

ELECTION OF DEPUTY GENERAL SECRETARY ASSISTANT GENERAL SECRETARIES ASSISTANT SECRETARIES (NEGOTIATIONS)

In **Section 7: Officers and Staff** of the NIPSA Constitution the following new rules shall be inserted before the existing rule 7.5.

- “7.5 The Full Time Officer posts of Deputy General Secretary, Assistant General Secretary and Assistant Secretary (Negotiations) shall be filled by an election in the event of a vacancy. A person so elected shall serve for a period of five years, subject to not having reached their normal retirement date (as specified under their contract of employment). Where a person’s term of office is due to expire within 5 years of their normal retirement date that person may remain in post until their normal retirement date.
- 7.6 The vacancies shall be open to all members and employees of the Union. The procedures for the election shall be those currently in use for the election of the General Council subject to the provisions below.

Deputy General Secretary and Assistant General Secretary (Public Officers Group)

- 7.7 The Deputy General Secretary post and the Assistant General Secretary (Public Officers Group) post shall be subject to election by the members of the NIPSA Public Officers Group. Candidates for election must be nominated by a Branch or by the Public Officers’ Group Executive Committee.

Assistant General Secretary (Civil Service Group)

- 7.8 The Assistant General Secretary (Civil Service Group) post shall be subject to election by the members of the Civil Service Group. Candidates for election must be nominated by a Branch or the Civil Service Group Executive Committee.

Assistant Secretaries (Negotiations)

- 7.9 Assistant Secretary (Negotiations) posts responsible for negotiations within the Civil Service and Public Officers Groups shall be subject to election by those members of the Branch(es), Panels, Departmental/ Section Committees within the Assistant Secretary post’s principal areas of responsibility. Candidates for election must be nominated by a Branch or by a Panel or Departmental/Section Committee.

Nomination and Election Procedures

- 7.10 The General Council shall determine and publish to Branches, procedures and regulations.
- 7.11 The ballot paper shall list candidates in alphabetical order and shall indicate forenames or the name by which they are commonly known and surnames.
- 7.12 Candidates may submit a personal statement not exceeding 500 words.
- 7.13 The responsibilities of all elected Full Time Officers shall be to carry out and discharge under the direction of the General Secretary such union duties as they may be required to perform.”

The existing Rules 7.5 to 7.16 shall be renumbered to become Rules 7.14 to 7.25.

(Motion Nos 17 - 19 unallocated)

• **PUBLIC POLICY 1**

Comprehensive Motion No 20 (To be moved by the General Council)

Conference endorses the General Council's decision to engage Mr David Hall, University of Greenwich to provide supporting evidence for NIPSA's submissions to the Independent Water Review Panel. Conference welcomes the following key points incorporated in the Review Panel's Strand 1 report:-

- **Privatisation ruled out**
- **No metering**
- **No standing charges**
- **The public is paying for water through their regional rates**
- **No separate collection or billing system.**

Conference is concerned however that the Review Panel's Strand 2 report does not alter the status of NI Water Limited as a Government Company. It is also noted the NI Executive has not determined its full response to the Review Panel's recommendations including the future collection of water charges through the regional rate system.

Conference therefore calls on the General Council to continue to campaign strongly:-

- **to ensure the NI Executive accepts the key points in the Review Panel's Strand 1 report set out above;**
- **for the governance arrangements for NI Water Limited to be changed to guarantee no future privatisation and subject to democratic control as a public service;**
- **the public's continuing contribution towards the costs of household water charges is incorporated fully in the regional rate collection system including full assistance under housing benefit and rate relief systems; and**
- **in light of the fact that the Northern Ireland Water Service is proposing an increase in water bills, a year before they have even been introduced, Conference calls upon the incoming General Council to re-activate the "Coalition against water charges" campaign opposed to water charges.**

Motion No 21 (Branch 517)

Conference reiterates NIPSA's complete opposition to the introduction of water charges. Conference calls on the incoming General Council to publicly call on the Northern Ireland Assembly Executive to drop all plans to impose water charges. NIPSA remains completely opposed to the water service operating as a private company. Conference calls on the incoming General Council to campaign to bring the water service fully back in to public ownership and run democratically by regularly elected representatives of water service workers, trade unions, and the community.

Motion No 22 (Branch 200)

Conference is deeply concerned at the cavalier attitude NI Waters senior management have toward its handling of public money and agrees that NIPSA should use all available opportunities and options to highlight this problem.

Motion No 23 (Branch 27)

As the Cuban people prepare to celebrate the 50th anniversary of their revolution Conference condemns all forms of USA aggression towards Cuba designed to undermine, destabilise and collapse the revolutionary movement. Conference congratulates Cuba on the social and economic achievements of the revolution over the past 50 years and looks forward to strengthening our links with Cuba's labour movements in the future.

Conference commits itself to resisting any extraterritorial imposition of the blockade of Cuba by USA companies operating in Northern Ireland and reasserts the principal that all USA companies operating overseas must respect the national laws of the country within which they are operating.

Conference instructs the General Council to call for an immediate cessation of the economic, financial and commercial blockade imposed by the United States of America against Cuba and to remind the USA of their duty to adhere to United Nations policy which also in totally against this same blockade.

Motion No 24 (Branch 734)

This conference supports the Derry Antiwar Coalition and the Raytheon 9. Members of the Coalition occupied the Raytheon plant at Springtown, Derry, on 9th August, 2006, following the terrible aggressive onslaught on Lebanon by Israeli armed forces. On 30th July the Israelis bombed Qana and murdered 28 civilians sheltering in the basement of an apartment block. Mostly women and children were killed. The 'bunker buster bomb' was made by Raytheon.

Resisting War Crimes is Not a Crime. This conference defends the Raytheon 9 and calls for the charges against them to be dropped.

Motion No 25 (Branch 28)

Conference notes the public consultation exercise arising from the “Gibbons” review into the Dispute Resolution Regulations which were given force in Northern Ireland through the Employment (N.I.) Order 2003 (Dispute Resolution) Regulations (N.I.) 2004. Conference endorses the general conclusion of the review that the regulations have failed to provide for better employment related dispute resolution and failed to reduce or simplify industrial tribunal references. Conference instructs the General Council to submit a formal response to the public consultation process which includes the following elements,

- Welcome amendments to the 2004 Regulations, believing that problems have outweighed positives with informal resolution being the main cost. Concern over the replacement of the Statutory Procedures (1, 2, 3) as we believe this makes sense. We believe that the main problem is the link between statutory procedures and the acceptance or defence of the claim.
- Welcome enhancements to the Conciliation Service or to the services provided by the LRA either in the form of conciliation and/or arbitration and/or mediation to settle monetary disputes without the need for a tribunal hearing
- Welcome for the proposal to simplify the tribunal application process and provide helpline advice on alternatives
- Welcome the need to provide for a strengthened, early dispute resolution service including mediation prior to lodging tribunal claims
- Recommend that any new work or developing areas of dispute resolution are placed within the statutory role of the Labour Relations Agency as the only public body appropriate for such work.

(Motion Nos 26 - 28 unallocated)

• CONSTITUTIONAL AMENDMENT 2

Motion No 29 (General Council)

BRANCH FUNDS: Constitutional Amendment

In **Section 9: Funds of the Union** of the NIPSA Constitution the following new rules shall be inserted after the existing rule 9.11.

“9.12 Each Branch at its Annual General Meeting, shall elect 2 branch members to act as auditors and who shall not be members of the Branch Committee, to audit the Branch Accounts.

9.13 The Branch Treasurer shall present to a general meeting, within two months of the 31st December each year a financial report.

9.14 A copy of the financial report shall be sent to the General Secretary as soon as possible and in any case not later than 31 March each year. Branch Accounts shall be kept available for inspection for 6 years following the last date to which they related.

9.15 The Branch Treasurer will make available to the NIPSA auditors all books, receipts and details of all financial transactions.

9.16 The General Council shall make payments to each branch annually on application. The level of payment shall be based on a set rate per member. This amount will be determined by the General Council annually. The General Council may take account of special circumstances affecting branches in determining the amount available.

9.17 Payments to Branches may be varied by the General Council to reflect the balance of branch funds at the end of the previous financial year.

9.18 Payments to Branches shall be used solely to meet expenditure that the General Council considers to be in conformity with the union's policies.

9.19 The arrangements relating to the use of banking of branch funds shall be determined by the General Council and notified to Branches.”

The existing Rules 9.12 to 9.25 shall be renumbered to become Rules 9.20 to 9.33.

In addition the following consequential rule changes shall be made:-

Amend existing Rule 4.3 to include an additional provision as Rule 4.3(m)

“consideration of the financial report from the branch treasurer”.

Amend existing Rule 4.5(f) by inserting in the first line the word ***“audited”*** before the word ***“account”***.

Amend existing Rule 10.3 by inserting in line 8 the following words ***“including those of branches if required”*** after the word ***“union”***.

Amend existing paragraph 5 of Annex A: Duties of Branch Officers of the NIPSA Constitution by adding the following:-

“S/he is also responsible for the presentation of the annual Financial Report on branch funds to the general meeting of the branch, maintaining accurate records of all transactions and ensuring the records are available to the branch auditors.”

Motion No 30 (General Council)

In **Section 2: Membership** of the NIPSA constitution the following new rule shall be added to the existing Rule 2.20:-

“(g) Ordinary members ceasing for any reason to be ordinary members, will forfeit any right to receive or continue to receive benefits or privileges of membership and shall forfeit all that s/he has paid to the Union.”

(Motion Nos 31 - 33 unallocated)

• ORGANISATION AND ADMINISTRATION

Composite Motion No 34 (To be moved by Branch 28)

Conference notes that despite the continuing growth of the union's membership there has not been a proportional growth in levels of activism or participation. Conference is alarmed that rather than a proportional growth, activism and participation in clearly in decline. This has been evidenced in several ways,

- A year on year decline in participation in General Council ballot elections culminating in a level of less than 12.5% participation in 2008, representing the lowest return yet
- A continuing absence of willing candidates to stand for the General Council or Executive Committees from significant organisational areas of the union, leaving those areas without a voice at the highest level
- A reduction in attendance at the annual conferences when this is considered proportionally to the membership increases
- An especially concerning diminution in the number of branches submitting motions to the annual delegate conference as the primary method for influencing union policy. This meant that in 2007, only 14 branches, from over 200, had motions on the primary agenda of the General Conference

This situation constitutes a crisis in activity and participation within NIPSA and conference instructs the General Council to conduct a comprehensive consultation and evaluation of participation in the foregoing activities by actively meeting with, and engaging branches, departmental/section committees, and panels as well as Executive Committees to form a strategy to correct the crisis. The strategy should be reported back to the 2009 General Delegate Conference and contain a motion to enable corrective measures.

Comprehensive Motion No 35 (To be moved by Branch 730)

Conference calls on the incoming General Council to review the infrastructure needed to promote recruitment to NIPSA as the public service union of choice. Conference calls on the incoming council to support the work of both executive committees in putting in place strategies to deal with perceived blockages to the recruitment of workers, such as indemnity insurance.

In addition it calls on the General Council to prepare a report on ways to encourage greater trade union membership in particular of individuals under 26 years of age. This could cover a range of options such as:-

- **discounted membership rate to those earning less than £15,000;**
- **free fixed term membership; and**
- **nominal fees and corporate gifts bearing the NIPSA logo.**

It should also include recommendations for any constitutional amendments.

Motion No 36 (Branch 312)

Conference acknowledges that the Office of the Industrial Tribunal and Fair Employment Tribunal is an important recourse for members seeking resolution of disputes with the employer. However the Tribunal which was envisaged as a place where employees could seek recourse without the costs of legal representation has evolved and members now regularly face legal professionals representing the employer. This has produced an unfair situation for members and their union representatives to face. Conference calls on the General Council to consider the appropriate representation for members taking such cases and produce guidelines on accessing legal advice and representation for Tribunal cases.

Motion 37 (Branch 516)

Conference welcomes the fact that NIPSA has begun a new training program for members. However conference believes this could be greatly enhanced by NIPSA tapping into the trade union learning fund and working closely with other bodies such as WEA to provide life long learning opportunities to all NIPSA members. Conference instructs NIPSA to avail of the trade union learning fund and provide a more varied and enhanced programme of training for all members.

Motion No 38 (Branch 521)

In view of the bad publicity NIPSA has received in recent times Conference urges General Council to give serious consideration to buying in professional PR services as and when required.

Motion No 39 (Branch 733)

Conference is concerned with the amount of paper work in circulation especially within NIPSA and the effects this continues to have on the Environment. Nowadays we are being asked to reduce our carbon footprint in an effort to save the environment. With this in mind Conference calls on the General Council to establish the effect we are currently having on our carbon footprint and to bring forward proposals to reduce the amount of paperwork NIPSA has in circulation and other proposals that will help to reduce our carbon footprint.

Motion No 40 (Branch 8)

Conference expresses concern that Motion 59 of Conference 2001 was ignored in the 2008 General Council Elections and instructs the incoming General Council to ensure that the terms of Motion 59 of Conference 2001 are fully implemented in the elections for General Council 2009 and subsequent General Council elections in the years following.

Motion No 41 (Branch 9)

Conference instructs the incoming General Council to ensure that the name of NIPSA is legally protected from any misuse by spurious groupings such as NIPSA Unity.

(Motion Nos 42 - 44 unallocated)

- **EMPLOYMENT TERMS AND CONDITIONS**

Motion No 45 (Branch 517)

Conference notes that employers have used discrimination as a means to depress wages and divide workers. An end to inequality remains an unfulfilled aspiration of our movement. Conference therefore calls on the General Council to ensure that inequality in pay and terms and conditions must be eliminated by levelling up not levelling down and that any members who face inequality have a right to the resources of the union to seek immediate remedy.

Motion No 46 (Branch 518)

Conference notes that staff have been discriminated against by lack of access to training for career development because of stringent financial cuts in training budgets. In order to prepare for the challenges and opportunities in the new structures and authorities we call on the General Council to exert pressure on those employers for the immediate re-instatement of training budgets as a priority.

(Motion Nos 47 - 49 unallocated)

• PUBLIC POLICY 2

Motion No 50 (Branch 28)

Conference notes that in Northern Ireland the cruel sports of hunting hares, foxes and deer with dogs are still legal. Hunting with dogs was banned in Scotland in 2002 and in England and Wales in 2004. However, in Northern Ireland there are still 18 active hunts each year and coursing live hares also continues to be prevalent.

The legislative position does not reflect the feelings of the majority of the Northern Irish public. The Millward Brown Poll conducted in March 2006 showed that 79% of the people surveyed in Northern Ireland were opposed to cruelty being inflicted upon animals under the name of "sport".

Hunting is a horrific practice masquerading as a sport. It allows an animal to be chased for hours to the point of exhaustion, before being ripped apart by hounds for human entertainment. It is cruel and unnecessary.

Conference feels that NIPSA should lobby MLAs and campaign for the introduction of legislation through the Northern Ireland Assembly that will consign this barbaric sport which has no place in the 21st century to the dustbin of history.

Motion No 51 (Branch 28)

Conference notes with concern that the overwhelming consensus of scientific opinion and research is that global warming and climate change represent one of the greatest risks to life on our planet.

Conference acknowledges the widespread concern that current policy initiatives will not enable the UK government to reach its carbon reduction targets.

Conference notes that whilst international solutions are required to tackle a global problem our government should take a lead in tackling the causes of climate change.

Conference resolves to call upon the Government to pass legislation that will force all public bodies and private employers to undertake carbon audits within workplaces each year and to provide incentives for significant carbon reductions.

Conference does not accept that any case has been made for new nuclear capacity in terms of UK energy needs, especially in the continuing absence of an agreed strategy for the long-term, safe disposal and management of nuclear waste. Nor has any case been made to warrant the further use of public funds for a nuclear power programme.

Conference notes the absence of a UK wide Environmental Protection Agency and calls on the General Council to lobby the UK Government on the introduction of such a body.

Motion No 52 (Branch 70)

Conference calls on GC to bring pressure to bear on N.I. single public transport company, Translink, to take a joined up thinking approach to how fares are charged on their bus and rail services.

Motion No 53 (Branch 503)

Conference calls on the General Council to take whatever steps necessary to increase awareness of mental health issues in the workplace so that those who suffer from mental health problems feel able to ask for help and are supported by employers.

Motion No 54 (Branch 517)

Conference notes that key economic indicators point towards a slow-down or recession in the economy. Conference recognises that as economic problems deepen, the employers and the Government will try to make workers pay for this crisis by further cutting back on pay and public services. Already the Government has been forced into taking emergency measures, including nationalisation of Northern Rock, to prop up the economy and protect profits whilst, in stark contrast, the policy of selling off lucrative parts of the public services continues.

Conference instructs the General Council to campaign to;

- expose the naked capitalism of the government and the assembly,
- espouse the case for the nationalisation of all the major finance houses so that they can be run under democratic control and for the benefit of the working class
- vigorously oppose any further privatisation or cuts in services, jobs or living standards.

Motion No 55 (Branch 517)

This conference is concerned that given its appalling record on human rights, that China is hosting the 2008 Olympic and Para Olympic games.

The line taken by the apologists for this despicable decision is, that by awarding this prestigious event, China would be encouraged to improve their human rights record.

Conference calls on the General Council to add NIPSA's voice to all suitable campaigns calling for China to live up to the standards expected including the call for workers rights and the formation of free and independent Trade Unions.

Motion No 56 (Branch 734)

Conference stands in total opposition to the continued occupation of Iraq and Afghanistan. We also oppose any warmongering moves to invade Iran.

Five years after the invasion of Iraq 1 million Iraqis are dead, and several million displaced both within Iraq and surrounding countries. There are over 5,000 U.S. military deaths and 30,000 wounded, 250 U.K. military deaths and countless suicides. The cost of the war to tax payers in the U.K. this year is estimated to be £3.3 billion, double the cost of 2007.

Only a full withdrawal of 'invader' troops will allow Iraqis to begin the long and difficult struggle to overcome the invasion driven sectarian violence and begin to rebuild their country.

This conference condemns the stance of the Irish Government who have allowed 1 million U.S. troops to pass through Shannon on their way to this illegal war. NIPSA stands united with the Anti-War movement in Ireland and the U.K. and calls on the ICTU to offer similar support. NOT IN OUR NAME.

(Motion Nos 57 - 59 unallocated)

• **HEALTH AND SAFETY**

Motion No 60 (Branch 8)

Conference acknowledges that Health and Safety Legislation can be used to the benefit of the members. To take but one example, a high percentage of sickness figures at the Department of Social Development can be attributed to a flagrant disregard by management to implement basic Health and Safety legislation, by denying staff a 5-10 minute break every hour for those who work at computers. If this practice was implemented sick absences could be halved.

Conference therefore calls upon the incoming General Council to take measures to ensure that Health and Safety matters are afforded the time and resources they deserve, and that all of the Union's governing bodies should use the available legislation to benefit members.

(Motion Nos 61 - 63 unallocated)

• **TRADE UNION ISSUES**

Comprehensive Motion No 64 (To be moved by the General Council)

Conference applauds and congratulates the magnificent stand, courage and integrity shown by NIPSA Classroom Assistants in their fight to secure fair pay/grading and to defend their terms and conditions of employment. Conference fully endorses the General Council's decisions to provide financial support for Classroom Assistants through an unprecedented 17 days of strike action. Conference records its appreciation to all who supported the Classroom Assistants in their struggle and to all trade unionists who refused to cross NIPSA picket lines. It made us all proud to call ourselves trade unionists.

Conference deplores the actions of the Minister, Assembly, the Department and unscrupulous employers in colluding to deprive Classroom Assistants of their pay and employment rights.

Conference further deplores those actions by other trade unions – ATL, GMB, Unison - that undermined the struggle of Classroom Assistants and culminated with the wholly undemocratic decision by the Joint Negotiating Council to impose a collective bargaining agreement attacking Classroom Assistants' contractual rights. Conference is appalled that Classroom Assistants face a future of lower rates of pay and loss of pension benefits.

Conference calls on the General Council to continue to do all in its power to challenge the actions of other trade unions and to ensure for the future that such an agreement cannot be imposed on any other NIPSA members covered by multi trade union collective bargaining structures. Conference further demands that any decisions by trade unions to fight, negotiate or accept any employers' proposals to change terms and conditions of employment are under the democratic control of the members' affected.

Conference calls on the General Council to continue to give all possible support to Classroom Assistants to win fairness and justice.

Conference recognises that the trade union movement must learn the lessons from this dispute if we are to face down further attacks by the employers. Conference commits to making the necessary organisational preparation for future struggles.

Motion No 65 (Branch 516)

Conference commends the classroom assistants for the hard work in carrying out a strong campaign of opposition to the unfair job evaluation and supports and commends their continuing fight of opposition to the undemocratic implementation of the collective agreement reached by the JNC.

However conference is deeply concerned with other issues brought to light by this campaign

1. Classroom assistants are treated differently from teachers when it comes to representation in cases where a child has made an allegation against a member of staff as teachers unions seem to have more support to offer where the case may have to go to trial.
2. The differences in the terms and conditions of a classroom assistants contract of employment seems to vary between staff who are all doing the same job in the same school e.g. you could have a school with 12 classroom assistants and have 6 different variations of the same contract, and half of them could be in temporary posts for anything up to 12 years

Conference calls upon the general council to continue to give their full support and financial assistance to this ongoing campaign by classroom assistants.

Conference also calls upon general council to look at their support network and work alongside other trade union bodies to enable them to better support their members in cases of allegations which may need to go to court.

Conference also calls upon general council to revisit and review the collective agreement on contracts for classroom assistants and identify ways in which the contracts would all be the same and no more temporary posts lasting more than 4 years as per normal rules and recommendations.

Motion No 66 (General Council)

Conference deplores the Government's decision to table amendments to the Criminal Justice and Immigration Bill to introduce reserve statutory restrictions on the right of prison officers to take industrial action. Conference calls on the General Council to support the Prison Officers Association's campaign to prevent these legislative changes being implemented.

Conference also reaffirms the human right of all workers to take industrial action including strike action to defend their employment rights, jobs, terms and conditions of employment. Conference calls on the General Council to:-

- (a) continue to support the campaign for a Trade Union Freedom Bill including the right to strike; and
- (b) campaign for the right to strike to be incorporated in the Northern Ireland Bill of Rights.

Motion No 67 (Branch 8)

Conference is alarmed at the growth of “Union-Busting” companies in the United Kingdom, as employers’ strive to safeguard their business from the effects of the Employment Relations Act of 2000 which guaranteed union recognition wherever a majority of employees are in favour.

Conference calls upon the incoming General Council to support the TUC in their campaign to thwart employer efforts to demonise trade unions and prevent employees from joining up.

Motion No 68 (Branch 70)

Conference calls on the General Council to capitalise on the expertise gained through participation in the Lift Project by putting in place such mechanisms & processes that will facilitate as broad a benefit as possible to NIPSA representatives. Such processes should factor this learning into the development of a training programme which can ensure that momentum is not lost.

Motion No 69 (Branch 517)

Whilst Conference recognises that a strong, united trade union movement is essential to protect the interests of workers against the combined onslaught of employers and political parties, conference notes that the Irish Congress of Trade Unions has again failed to assist NIPSA members in their recent struggles to protect their living standards.

Conference notes that whilst NIPSA’s financial contribution to the Irish Congress of Trade Unions continues to rise the return on our contribution continues to fall.

Conference calls on the General Council to review NIPSA’s relationship with the ICTU with particular emphasis on ensuring that the interests of NIPSA members are protected and strengthening of ICTU’s ability to oppose attacks on the jobs and living standards of all workers.

Motion No 70 (Branch 730)

Conference recognises the key importance of ICTU as a vehicle for the promotion of the interests of working people and the interests of Trade Unionism generally, Conference further acknowledges NIPSA’s proud record in supporting the work of Congress. Conference calls on NIPSA representatives to promote the democratisation of ICTU structures, to help ensure this record is not further damaged by any future repetition of the types of shameful behaviour seen from some affiliates in the recent class room assistants dispute.

(Motion Nos 71 - 73 unallocated)

SECONDARY AGENDA

**Motions in this Agenda are
not to be discussed**

SECONDARY AGENDA

Motions in this Agenda are not to be discussed

CATEGORY A

Motions covered by Composite or Comprehensive Motions in the Primary Agenda

Composite Motion No 1

Motion No 74 (Branch 5)

Conference condemns the continuing attacks by Government against the public sector. Conference welcomes the establishment of the Public Service Defence Campaign and calls upon NIPSA to undertake whatever action is necessary, including industrial action, to defend jobs and services.

Comprehensive Motion No 4

Motion No 75 (General Council)

Conference acknowledges the decisions taken by the Executive Ministers for Health and Local Government to undertake reviews in their sectors of the previous decisions by Direct Rule Ministers on the implementation of the Review of Public Administration (RPA). Conference deplores the Minister of Education's refusal to reconsider and review the retention of the five Education and Library Boards under RPA.

Conference also deplores the failure of Executive Ministers to provide a guarantee of no compulsory redundancies to all public service staff affected by future RPA implementation.

Conference reaffirms its demands for full protection of members' jobs, pay, pensions, terms and conditions of employment. Conference also demands the NI Executive, Government Departments and all public service employers negotiate and consult fully with trade unions on all aspects of RPA implementation.

Conference calls on the General Council to initiate an urgent and thorough consultation with Branches and members on future action, to secure implementation of the above principles in each sector affected by further RPA changes.

Motion No 76 (Branch 730)

Conference notes that the Review of Public Administration continues to be implemented across Northern Ireland within the Health Sector. Conference also notes proposals for RPA to be implemented in other sectors of public service such as local councils.

Conference believes that the implementation of RPA within the Health Service has been a disaster, which has seriously impacted both on public services and staff working in the Health Service.

Conference also notes that rather than seeing money redirected into frontline services which was the premise of the review, RPA will have meant thousands of job losses across the public sector on top of those already lost through "vacancy controls". Job losses on this scale go hand in hand with severe cuts in health and other public sector service provision.

Conference believes Nipsa as the main trade union for representing members in public services must learn lessons from the disaster that had been RPA in the Health side of the Union. Conference therefore calls on the General Council to:

1. Critically analyse Nipsa's role in effectively representing its members in the Health side of the union since RPA commenced.
2. Re-affirm it's commitment to oppose cutbacks and job losses within Health and other public Services and to put forward a strategy to deal with same.
3. To strategically plan for the implementation of RPA within other sectors of the Union membership to ensure members are more effectively represented than NIPSA members have been to date.
4. To evaluate what resources are available presently and what may be required in the future to ensure members in different sections of the Union are effectively represented.

Motion No 77 (Branch 734)

RPA is undoubtedly the greatest threat to Public Services and jobs that most public service employees will face in their working lives.

To date the main focus of RPA has been cutbacks in the Health Service. If the experience in health is anything to go by the future implications for public services impacted by RPA are grim. Next in the firing line is Education. NIPSA as an organisation needs to learn the lessons from the health sector experience and not allow out attention to be diverted by the toothless quango, the Public Service Commission, and the futile attempts to engage with employers in meaningless consultation.

Instead we call upon NIPSA to draw up a detailed strategy to resist RPA by: improving communication both within NIPSA and the various public services affected, insisting on transparency, devising and developing a co-ordinated campaign to include raising public awareness. This conference demands that NIPSA once and for all debunks the myth that RPA is about lessening bureaucracy and that the savings made are to be put into front line services. NIPSA must clearly establish their position of total opposition to RPA. This campaign of opposition should include engaging with MLA's, using the media and organising a campaign of industrial action across all affected areas.

Motion No 78 (Branch 733)

Conference strongly opposes the Review of Public Administration in the public sector. It is an attack on the workforce and is being used to make savings in the public sector. This reorganisation was sold as reform, modernisation, and a way of providing better services to the public but so far it has been an exercise to downsize the public sector, which will inevitably lead to a second class service to service users. Conference calls upon General Council to do everything in its power to protect staff levels and rights and to ensure proper consultation with staff side takes place.

Motion No 79 (Branch 733)

Conference commits NIPSA to protecting the jobs of its members in the public sector and the essential services they provide in face of the savage financial cutbacks which all our members in the Public Officers Group are facing. Our members in the Health Service are currently experiencing this within the Comprehensive Spending review. All of these cutbacks will put more pressure on staff already struggling with under resourced departments to deliver services to the public. We call on the General Council to take any actions necessary to protect jobs and services in the public sector.

Comprehensive Motion No 5

Motion No 80 (General Council)

This Conference notes with deep concern that housing waiting lists in Northern Ireland are at their highest levels since the 1970s with a 13% increase in the past year. This Conference further notes that to meet the identified housing demand the NI Housing Executive assessed a need for additional capital funding of approximately £600m for the next 3 years. Conference restates the human right of every person to live in a good quality home.

Conference welcomes the announcement by the Executive Minister for Social Development on 25 February 2008 to start addressing the crisis of the chronic shortage of affordable social housing in Northern Ireland.

Conference calls on the General Council to maintain pressure, through the Irish Congress of Trade Unions and to lobby the NI Assembly to ensure:-

- additional capital and revenue funding is secured for the provision of social housing to meet all identified needs;
- the Housing Executive is maintained as the single public housing authority for Northern Ireland;
- opposition to the continued sell off of social housing which flies in the face of the Minister's proposals and that the Housing Executive resumes responsibility for the direct provision of new build social housing;
- legislation to ensure that private developers must make provision for affordable social housing and communal space before being given permission to construct private dwellings; and
- legislation covering 'buy to let' properties to further alleviate the hardship caused to low paid workers by extortionate rents.

Motion No 81 (Branch 8)

Whilst recognising and applauding Minister Richie's attempts to address the social housing issue with the resources allocated to her Conference calls on NIPSA to lobby for introduction of social housing legislation covering 'Buy to Let' properties to further alleviate the hardship caused to low paid workers by extortionate rents.

Motion No 82 (Branch 70)

Conference calls on the General Council to lobby for legislation to ensure that private developers must make provision for affordable/social housing and communal space before being given permission to construct private dwelling.

Motion No 83 (Branch 503)

Conference condemns the continued lack of funding for social housing and the inadequate projection of the level of social housing required by the Minister Margaret Ritchie.

Conference reiterates its opposition to the continued sell off of social housing which flies in the face of the proposals made by the Minister and calls on the General Council to lobby the assembly to put in place a realistic programme for the provision of social housing by those in need and for that housing to be provided by the N.I. Housing Executive.

Motion No 84 (Branch 501)

Conference calls on the N.I. Assembly to have all new social housing designed, delivered and managed by the Northern Ireland Housing Executive.

Comprehensive Motion No 20

Motion No 85 (General Council)

Conference endorses the General Council's decision to engage Mr David Hall, University of Greenwich to provide supporting evidence for NIPSA's submissions to the Independent Water Review Panel. Conference welcomes the following key points incorporated in the Review Panel's Strand 1 report:-

- Privatisation ruled out
- No metering
- No standing charges
- The public is paying for water through their regional rates
- No separate collection or billing system.

Conference is concerned however that the Review Panel's Strand 2 report does not alter the status of NI Water Limited as a Government Company. It is also noted the NI Executive has not determined its full response to the Review Panel's recommendations including the future collection of water charges through the regional rate system.

Conference therefore calls on the General Council to continue to campaign strongly:-

- to ensure the NI Executive accepts the key points in the Review Panel's Strand 1 report set out above,
- for the governance arrangements for NI Water Limited to be changed to guarantee no future privatisation and subject to democratic control as a public service,
- the public's continuing contribution towards the costs of household water charges is incorporated fully in the regional rate collection system including full assistance under housing benefit and rate relief systems.

Motion No 86 (Branch 8)

In light of the fact that the Northern Ireland Water Service is proposing an increase in water bills, a year before they have even been introduced, Conference calls upon the incoming General Council to re-activate the "Coalition against water charges" campaign opposed to water charges.

Composite Motion No 34

Motion No 87 (Branch 8)

Conference expresses its dismay at the low number of votes cast in the recent General Council election.

In light of this Conference calls upon all activists to make strenuous efforts to engage with their immediate workforce, in an attempt to invigorate a somewhat disillusioned and disinterested membership.

Given the very real threat to public services and public service jobs, it is incumbent of every branch official to revitalise the union to combat the erosion of these vital services.

Comprehensive Motion No 35

Motion No 88 (Branch 730)

Conference calls on the incoming General Council to review the infrastructure needed to promote recruitment to NIPSA as the public service union of choice. Conference calls on the incoming council to support the work of both executive committees in putting in place strategies to deal with perceived blockages to the recruitment of workers, such as indemnity insurance, so that the NIPSA's growth into the public sector union of choice continues.

Motion No 89 (Branch 70)

Conference calls on the General Council to prepare a report on ways to encourage greater trade union membership in particular of individuals under 26 years of age. This could consider a range of options such as free fixed term membership, nominal fees & corporate gifts bearing the NIPSA logo. It should also include recommendations for any necessary constitutional amendments.

Motion 90 (Branch 516)

Conference is concerned at the underrepresentation of Youth within NIPSA membership. Memberships figs show NIPSA having 44170 members with only 1480 of these in the under 26 yr bracket. Conference instructs NIPSA to work proactively to formulate a youth recruitment campaign to further strengthen NIPSA's numbers among the under 26 yr old bracket.

Motion No 91 (Branch 312)

Conference is aware that the lowest paid workers are obviously those least able to afford, yet can benefit the most, from NIPSA membership. Conference instructs the incoming General Council to Launch a recruitment exercise targeting these workers and highlighting the benefits of union membership. As part of such a campaign Conference asks the General Council to consider offering a discounted membership rate to those earning less than £15,000 p.a.

Comprehensive Motion No 64

Motion No 92 (General Council)

Conference applauds and congratulates the magnificent stand taken by NIPSA Classroom Assistants in their fight to secure fair pay/grading and to defend their terms and conditions of employment. Conference fully endorses the General Council's decisions to provide financial support for Classroom Assistants through an unprecedented 17 days of strike action. Conference records its appreciation to all who supported the Classroom Assistants in their struggle and to all trade unionists who refused to cross NIPSA picket lines.

Conference deplores the actions of the Minister, Department and employers in colluding to deprive Classroom Assistants of their pay and employment rights.

Conference further deplores those actions by other trade unions – ATL, GMB, Unison - that undermined the struggle of Classroom Assistants and culminated with the wholly undemocratic decision by the Joint Negotiating Council to impose a collective bargaining agreement attacking Classroom Assistants' contractual rights. Conference is appalled that Classroom Assistants face a future of lower rates of pay and loss of pension benefits.

Conference calls on the General Council to continue to do all in its power to challenge the actions of other trade unions and to ensure for the future that such an agreement cannot be imposed on any other NIPSA members covered by multi trade union collective bargaining structures. Conference further demands that any decisions by trade unions to fight, negotiate or accept any employers' proposals to change terms and conditions of employment are under the democratic control of the members' affected.

Conference calls on the General Council to continue to give all possible support to Classroom Assistants to win fairness and justice.

Motion No 93 (Branch 8)

Conference commends the integrity and courage shown by the Classroom assistants in their recent, ongoing pay dispute.

The dignity shown by this group of workers in the face of harsh attacks by an intransigent Minister, unscrupulous management and some sections of the trade union movement, made us all proud to call ourselves trade unionists.

Conference calls upon the incoming General Council to intensify their efforts to obtain a just settlement for the classroom assistants.

Motion No 94 (Branch 517)

Conference salutes the struggle by Classroom Assistants for equality, justice and union democracy.

Classroom Assistants faced a brutal assault on their terms and conditions by the combined forces of the employers and the Northern Ireland Assembly. Throughout the dispute the employers and Assembly employed tactics that aped Maggie Thatcher. Classroom Assistants recognised that challenging both the employers and the Assembly was a significant undertaking and that the dispute was always going to be difficult to win but the concessions forced from the employers by strike action indicated that they could be forced to reach a fair settlement.

It was only when the leaders of the trade unions joined the side of the employers and Assembly that the strike action became unsustainable. The repeated interventions of the leadership of the ATL, GMB and UNISON in particular were designed to break the strike. Their attacks culminated in the November JNC meeting where GMB and UNISON leaders openly scabbed and voted with Management to impose a disgraceful agreement against the wishes of the majority of Classroom Assistant trade union members. It was this shameful action by the trade union officials that caused the real damage to the struggle for justice.

These trade union officials would like to sweep this episode under the carpet and return to business as usual but conference recognises that the trade union movement must learn the lessons of this dispute if we are to face down further attacks by employers.

Conference therefore calls on the General Council to take the necessary steps to ensure that

- All trade union and negotiating structures involving NIPSA are democratically controlled by union members
- NIPSA offers active solidarity to workers in struggle
- NIPSA makes the necessary organisational preparation for future struggles

Conference records its pride in the achievements of the Classroom Assistants during the strike campaign and its confidence that Classroom Assistants will continue the fight for equality, justice and union democracy.

(Motion Nos 95 - 97 unallocated)

CATEGORY B

Motions which restate NIPSA policy and therefore do not require a conference decision

Motion No 98 (Branch 303)

Conference is concerned at the greater use throughout the NI public service of agency staff to fill posts on a regular basis. There are two main problems with this growing trend, one is the denial of proper permanent public sector jobs to the unemployed and the poor working conditions that the agency staff endure, with low minimal pay, little holiday leave and uncertain future. The financial impact of employing these staff costs the public purse as much as permanent staff with a sizeable amount of money funding the profits of agency staff firms. Conference calls on the General Council to fully talk with management side across the NI public service and to fill as a priority all jobs permanently and ensure that any agency worker has the same pay and conditions rights as any permanent PS worker.

Motion No 99 (Branch 518)

The Public Library service in Northern Ireland has been experiencing unprecedented cuts in budget, staffing and services. We call on conference to maintain a publicity campaign about these cuts in line with that involving other Public Service cuts and to organise a rally against any future reductions in services.

Motion No 100 (Branch 521)

Conference calls on NIPSA to strenuously campaign to ensure that lone working in places where there is open public access such as libraries becomes a thing of the past.

Motion No 101 (Branch 521)

Conference calls on NIPSA to put in place some mechanism whereby other sections of the union can publicly demonstrate their solidarity with any group within the union which is involved in industrial action.

Motion No 102 (Branch 551)

Conference notes the growing "Agentisation" of the public sector workforce and calls on the incoming General Council to investigate, and put in place, the appropriate structures to allow agency workers to become members of NIPSA.

(Motion Nos 103 - 105 unallocated)

CATEGORY X

Motions which the Chairperson has ruled out of order

Motion No 106 is ruled out of order as it conflicts with Rules 6.1, 6.9, Sections 9, 10 & 11 of the NIPSA Constitution and Standing Order No 11.

Motion No 106 (Branch 8)

Conference calls upon Rule 5.1 currently reading “The Annual General Conference shall determine the principles and policies of the Union” to be amended to include the following sentence “and enjoy the full powers of General Council while Conference is in session”. The new rule 5.1 would therefore read “5.1: The Annual General Conference shall determine the principles and policies of the union, and enjoy the full powers of General Council while conference is in session.”

Motion No 107 is ruled out of order as it conflicts with Rule 6.1, Sections 9, 10 & 11 of the NIPSA Constitution and Standing Order No 11.

Motion No 107 (Branch 8)

Conference calls upon rule 6.9 to be amended to include the following sentence at the end of the specified rule; “when acting in the stead of Annual Delegate Conference between meetings of the Delegate Conference and thereby assuming the responsibility to determine the principles and policies of the union, granted to the Annual General Conference under rule 5.1”

6.9 would then read as follows;

The Council shall in particular but without limiting its general or other powers under these rules have power:-

- (a) Subject to these rules and to consultation with those concerned, to organise, open amalgamate, sub-divide or close Branches, Sections, Panels, Departmental Committees or other bodies of the Union comprising members in the same occupation or performing similar functions, or employed by the same employer or in the same branch, section or department of an employer or in the same geographical area.
- (b) Except as specifically provided for elsewhere in these rules, to make, vary, suspend or rescind regulations and by-laws for the conduct of the business of the Union and all committees, or bodies of the Union.
- (c) To fill any vacancy in any office filled by election for which no other provision is made in these rules.
- (d) To co-opt one or more additional members on to the Council or its Committees, but such members shall be without voting powers.
- (e) To invite to its meetings one or more persons to act in an advisory capacity in respect of matters regarding which they possess special knowledge or competence, but such persons shall be without voting powers.
- (f) To invite to its meetings observers from the executives of affiliated organisations.
- (g) To engage and discharge officers and staff of the Union, determine their pay and terms and conditions of employment, and enter into any agreement with them as it considers appropriate, subject to these rules.
- (h) To make levies in addition to subscriptions if it considers necessary.
- (i) To appoint Committees of the Council for the conduct of Union business with all decisions of such Committees being subject to ratification by the Council.

- (j) To appoint Advisory Committees which may include members who are not members of the Council.
- (k) To call conferences of any group or section of members or officers for the purposes of consultation.
- (l) To require the attendance of any member or employee of the Union at any meeting of the Council or of its Committees.
- (m) To establish, subject to these rules, an Equal Opportunities Committee. The Equal Opportunities Committee will be elected by ballot vote at the NIPSA Annual Delegate Conference. The Committee shall comprise 12 members and shall include at least two members from the Public Officers' Group and two members from the Civil Service Group.
- (n) To establish, subject to these rules a NIPSA News Editorial Committee. The Editorial Committee will be elected by ballot vote at the NIPSA Annual Delegate Conference. The Committee shall comprise 5 members and shall include at least one member from the Public Officers' Group and one member from the Civil Service Group.
- (o) To establish, subject to these rules, a Global Solidarity Committee. The Global Solidarity Committee will be partly elected by ballot vote at the NIPSA Annual Delegate Conference and partly by NIPSA General Council. The Committee shall comprise ten members. Six members will be elected at NIPSA Annual Delegate Conference and shall include at least two members from the Public Officer Group and two members from the Civil Service Group. Four members will be elected from members of the NIPSA General Council to be elected at the first General Council meeting after the NIPSA Annual Delegate Conference.

when acting in the stead of Annual Delegate Conference between meetings of the Delegate Conference and thereby assuming the responsibility to determine the principles and policies of the union, granted to the Annual General Conference under rule 5.1”

Motion No 108 is ruled out of order as it conflicts with Rules 5.13, 5.14, 6.1 and 6.9 of the NIPSA Constitution.

Motion No 108 (Branch 8)

As Rule 5.1 of the constitution states that Annual General Conference shall determine the principles and policies of the Union, and given that these powers are delegated to General Council when Conference is not in session under rule 6.1 which states “Between meetings of the Delegate Conference, the general management and control of the Union and the handling of the whole affairs shall be vested in the General Council (hereinafter referred to as “the Council”). The Council shall conduct its affairs in accordance with these rules, and with the principles and policies of the Union as determined by the Delegate Conference.”,

Conference therefore calls upon the incoming General Council by virtue of using rules 5.13 and 5.14 which state

5.13 Conferences shall be attended by officials employed by the union, and such staff and other personnel as the General Secretary may authorise. Trustees shall also attend the Conferences.

5.14 The General Council shall have power to invite visitors to Conferences at the expense of the union.

to set aside the provision for those seconded to perform full-time NIPSA duties, to have access to the conference debate, in a viewing capacity such as that of guests, should they not be attending conference in any other capacity.

This will inform them in their jobs insofar as they are employed to enact NIPSA policy for each coming year and will cater for those limited in small branches who unfairly miss out.

Conference urges the incoming General Council to be pragmatic in adopting this policy as it can only aid and enhance the business and effectiveness of NIPSA.

Motion No 109 is ruled out of order as it is not sufficiently clear as a means of determining policy.

Motion No 109 (Branch 8)

With the advent of the Single Equality Bill due to be introduced in the Queen's speech this autumn, Conference calls upon the incoming General Council to intensify the battle to obtain equality for all by studying this legislation and applying it to the workplace in personal cases and grievances.

The Bill will have a single requirement that all employees are to be treated fairly, and is an opportunity to obtain equality for women and others which is long overdue.

Motion No 110 is ruled out of order as it is not in proper motion form as a Constitutional Amendment.

Motion No 110 (Branch 28)

"Conference notes the absence of a strategy to develop and nurture new branch activists in the key skills of conference participation. Conference recognises that informal mentoring is a proven system for development of this kind but is denied to the smallest branches due to the constitutional limitation to one delegate for those branches. Conference therefore endorses the following constitutional amendment to Section 5.16 in pursuance of the aim of improving participation;

"Conference Representation

5.16 Representation at General and Group Conferences shall be from branches on the basis of fully paid up branch membership on 31 December preceding Conference. The number of delegates to be selected shall be as follows:-

- Branches with up to 200 ordinary members – 2 delegates.
- Branches with 201-300 ordinary members – 3 delegates.
- With one additional delegate for each complete 100 ordinary members thereafter."

Motion No 111 is ruled out of order as it is not in proper motion form and conflicts with Rules 6.1, 6.9(g) and 7.4(f) of the NIPSA Constitution.

Motion No 111 (Branch 121)

NIPSA to move forward with the times and the way that the media is used to spin the government message. NIPSA needs to have its voice heard in the same way. A press office that can not only respond to government policy but to get the message out to the public about how many of the public services are being done away with or moved to different departments, how will this affect every person in the country. In these times it is no longer useful to have the general secretary and team deal with all media statements. We need a media friendly team to show that NIPSA is fighting for Public Services as well as for the rights of its members.

Motion No 112 is ruled out of order as it conflicts with Rules 7.8 and 7.14 of the NIPSA Constitution.

Motion No 112 (Branch 213)

Conference condemns the NIPSA's failure to deal appropriately with the introduction of PPP into Roads Service and notes that the concern expressed by Roads Service branches at conference in the past have now been realised in the £400 Million has been lost to PPP and the remaining Roads Programme as described in the Regional Transport Strategy is now threatened by the ongoing running costs of PPP

Conference notes that NIPSA Roads Group's efforts to highlight this problem and monitor the implementation of PPP into the Roads programme and to ensure that the legal and financial implications were fully examined by NIPSA. This support totally failed to materialise and attempts to raise concerns at the handling of this matter by the Departmental Secretariat with the General Secretary and the General Council were largely ignored.

Conference abhors this cavalier treatment of a component part of NIPSA and calls for an investigation of the role senior officials, the General Council and the Departmental Secretariat.

Motion No 113 is ruled out of order as it conflicts with Rules 7.8 and 7.14 of the NIPSA Constitution.

Motion 113 (Branch 214)

Conference condemns NIPSA's failure to deal appropriately with the introduction of PPP into Roads Service and notes the concern expressed by Roads Service branches at previous conferences have now been realised in that £400 Million has been lost to PPP, resulting in the remaining Roads Programme as described in the Regional Transport Strategy being threatened by the ongoing running costs of PPP.

Conference notes the Roads Group's efforts to highlight this problem and monitor the implementation of PPP into the Roads programme and to ensure that the legal and financial implications were fully examined by NIPSA. However, this support totally failed to materialise and attempts to raise concerns at the handling of this matter by the Departmental Secretariat with the General Secretary and the General Council were largely ignored.

Conference condemns this cavalier treatment of a component part of NIPSA and calls for an investigation of the roles of Senior NIPSA Officials, The General Council and the Department Secretariat in this matter.

Motion No 114 is ruled out of order as it conflicts with Rules 6.1, 6.9(g) and 7.4(f) of the NIPSA Constitution.

Motion No 114 (Branch 303)

Conference is concerned about the huge change in work pension provision for public sector workers in the recent past, these changes provide for an unknown future for the public sector pension schemes. In the NICS we have had many changes to the schemes in the last few years. The information coming from pensions branch has been in many cases confusing especially the recent new rules on partial retirement. We call on the General Council to appoint a full time NIPSA officer to deal with pensions issues and make provisions to deliver more information on these changes for our members in a straightforward format.

Motion No 115 is ruled out of order as it conflicts with Rules 6.1, 6.9 and 7.4(f) of the NIPSA Constitution.

Motion No 115 (Branch 501)

Conference calls on NIPSA to provide support (by way of a dedicated officer in headquarters) to Health and Safety Representatives in both the Civil Service and Public Officers groups remits. Headquarters should also ensure that there is a H+S resource on NIPSA's web-site.

Motion No 116 is ruled out of order as it conflicts with Rules 6.9 and 7.4 of the NIPSA Constitution.

Motion No 116 (Branch 501)

Conference calls on NIPSA to address the ever-growing frequency of suicide in young people. Combine with this the ongoing ever-present issue of domestic violence, there are opportunities (within the general public with whom our members work and within their own personal contacts) for properly-trained staff to recognise the dangers and intervene.

While there are ICTU courses, Conference calls on headquarters to establish dedicated NIPSA courses on suicide awareness and domestic violence.

Motion No 117 is ruled out of order as an insufficient means of determining policy.

Motion No 117 (Branch 730)

Conference re affirms its beliefs in inter Union solidarity and the importance of collective union action in advancing the interests of workers across the public services and restates its commitment to promoting positive fraternal relationships with trade unionists in all organisations. However Conference calls on NIPSA to recognise the inter union tensions that are affecting our members interests across the Public Sector. Conference calls on NIPSA not to let political agendas of other unions leaderships to deflect NIPSA from its primary function of representing members and to this end on the incoming executive to.

1. Examine whether NIPSA should continue to be part of any regional structures that seem to be put the political agenda of partnership above the material interests of members.
2. Mandates the executive to reject any initiatives or processes that emerge from these structures that impact on our members' best interests even if this means stepping outside existing collective bargaining.

Motion No 118 is ruled out of order as it is not factually accurate.

Motion No 118 (Branch 730)

Conference notes the recent offer of a no strike deal to the health minister by the staffside of the health service. Conference acknowledges that NIPSA's democratic structures mean that attempts to introduce deals of this kind cannot be done unless approved by members. Conference calls on NIPSA to continue to provide clear opposition to secret deals in all areas of the public sector that impact on members interests.

Northern Ireland Public Service Alliance ANNUAL DELEGATE CONFERENCE 2008

The following candidates have been nominated for election at Annual Delegate Conference 2008:-

Candidate's Name

Candidates's Name

PRESIDENT (1 VOTE)

Moore, B

Morgan, M

VICE-PRESIDENT (1 VOTE)

Donaghy, P

Murdock, J

HONORARY TREASURER (1 VOTE)

Allaway, A

Killen, T

STANDING ORDERS COMMITTEE (1 VOTE)

<i>Candidate's Name</i>	<i>Branch No</i>	<i>Candidate's Name</i>	<i>Branch No</i>
Holmes, J	1	White, B	5
Ruddell, P	517	Wright, T	28

EQUAL OPPORTUNITIES COMMITTEE (12 VOTES)

<i>Candidate's Name</i>	<i>Branch No</i>	<i>Candidate's Name</i>	<i>Branch No</i>
Captain, E	70	Mewha, J	510
Collins, L	6	Morgan, M	6
Crawford, B	6	Morrison, J	503
Dummigan, M	38	Toal, J	6
Fenton, M	516	Topping, D	8
Lilley, J	27	Wilson, R	8
McCloskey, J	6		

NIPSA NEWS EDITORIAL COMMITTEE (4 VOTES)

<i>Candidate's Name</i>	<i>Branch No</i>	<i>Candidate's Name</i>	<i>Branch No</i>
Bannon, D	15	McGinley, P	8
Collins, L	6	*Mulholland, P	517
Crawford, B	6	Robinson, M	15

GLOBAL SOLIDARITY COMMITTEE (6 VOTES)

<i>Candidate's Name</i>	<i>Branch No</i>	<i>Candidate's Name</i>	<i>Branch No</i>
Burch, K	8	McNulty, J	21
Crawford, B	6	Mossman, S	219
Dummigan, M	38	Robinson, M	15
Flanagan, C	8	Somerville, J	15
Hughes, S	8	Smyth, T	27
McCloskey, J	6	Wilson, R	8

* Elected by virtue of Rule 6.9(n) of the NIPSA Constitution

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