**TRADES UNION CONGRESS**

**SPECIAL CONGRESS**

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**Held at:**

**Congress House,**

**23-28 Great Russell Street,**

**London WC1B 3LS**

on:

**Saturday, 9th December 2023**

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***Congress President:***

**Matt Wrack**

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**PROCEEDINGS**

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SPECIAL CONGRESS: SATURDAY, 9TH DECEMBER 2023

 (*Congress Assembled at 9.30 a.m.*)

**The President:** I call Congress to order. Would you take your seats, please. Welcome, delegates, to Congress House. I am Matt Wrack, the General Secretary of the Fire Brigades Union and currently President of the TUC. I have great pleasure in opening this special TUC Congress to debate our response to the Government’s minimum service level legislation. It has been over 40 years since the Special Congress took place to fight Margaret Thatcher’s anti-union legislation in 1982 and here again is another right-wing Tory Government launching another attack on our movement. Today we meet in solidarity determined to resist that attack. *(Applause)*

Congress, I will start with some housekeeping. If there is an emergency, you will receive instructions from me. There are no fire alarm tests scheduled and if you hear the alarm, it is for real. Details of evacuation procedures can be found in your delegate briefing and the evacuation procedures are also displayed on the walls at the back hall entry and by the exit doors.

I would remind all delegates to comply and adhere to the TUC Code of Conduct in relation to respect to other delegates, visitors and to TUC staff. We will have a speech-to-text and a BSL interpreter for the duration of this Special Congress.

Delegates, I would like to pay tribute to our trade union colleagues who have died since Congress in September. The trade union movement sends its deepest condolences and solidarity to the families and friends of much respected colleagues who have all contributed so much to the trade union movement.

Michelle McCrossen, GMB Midlands. Michelle led the GMB fight against the pay discrimination facing working woman in Birmingham and across the Midlands. Her belief in the GMB and the fight for equal pay is what drove her.

Jane Loftus, the CWU President. Jane joined the Post Office in January 1982 and was an active member and union rep since 1983. Jane worked at Royal Mail representing administration members at local, divisional and national level. From 2002 she served on the National Executive and the Postal Executive. She was elected in 2007 as the first woman chair of the postal constituency and National President of the CWU. Jane was also a member of the TUC General Council from 2019 to 2023.

Christine Estev(?), who worked in the TUC press department from 1991 to 1998. Charles Diver, who was a bar manager in the National Education Centre from 1992 to 2000.

We will remember these colleagues formally at next year’s Congress, but for now can I ask you to join me a minute’s applause in memory of our colleagues. *(Applause)*

Thank you, Congress. Congress, as we have mentioned, it is 40 years since we held a Special Congress to tackle another attack on our movement. We face a huge threat through the minimum service level legislation, attacking the rights of workers to take collective action in defence of pay, jobs and conditions. And let’s remember that during the Covid pandemic this Government and its leaders clapped key workers and praised them and now the very same Government attacks the very same people, the very same group of workers. What a disgraceful attack on working people.

Why are we here? We are here, delegates, because Congress in September decided we should reconvene to defend and prepare our campaign in opposition to the minimum service level legislation. As President, I just want to remind ourselves of a couple of risks. There are risks - and I followed the debate at the Executive and at the General Council - there are risks in over-promising. Let’s remember that in 1982, sadly, we did not defeat Thatcher’s attacks.

And on the subject of that Government, I know there has been a bit of debate around the role of Margaret Thatcher recently. I will give my recollections. I was a young worker starting out in my life in the workplace and my recollection of that Government is of a viciously anti-working class Government led by a viciously *(Applause)* anti-working class Prime Minister whose policies devastated industries, entire communities and indeed entire regions, whose Government and policies attacked this movement explicitly and without relent. So let’s not forget that when we discuss that Government and its record.

There are also other risks facing our movement as we debate these issues today. There are risks of facility and meek compliance. It is not good enough simply to wait for political change. We all want political change, and that general election cannot come quick enough for any of us here in this room today, but if we simply acquiesce to these attacks, let’s be in no doubt whatsoever that those attacks will continue and this Government or its successors will bring further attack onto our movement.

I would like to remind Congress of some earlier Special Congresses which were somewhat more successful. On 5 June 1969, this Congress met in special session to discuss the then Labour Government’s “In Place of Strife” document, and we did force them back on that issue. On 18 March 1971, this Congress met in special session to discuss the then Industrial Relations Bill, and let’s remember what happened after that because mass action by working people - strike action, occupations - defeated the Industrial Relations Act. We should remember those victories as well as the setbacks we have had in the past.

While we accept that the world has changed, industries have changed, our movement has changed, and the workplace organisation and the shop stewards’ movement that existed in the 1970s may not be there in the same way as it was at that time, our task as a movement in unity is precisely to rebuild that type of movement for the challenges of the 21st century. Those are the tasks that we have to set ourselves today.

Let’s remind ourselves why we are here now. Why is it that this Government has acted now? They have acted because we acted. They have acted because our workers acted. They have acted because workers have taken strike action on a huge level over the past 18 months. In December 2022, some 829,000 days were lost due to strike action, and I say as President of the TUC we make no apologies for workers standing up and defending themselves in strike action. We are proud of the health workers, the rail workers, the teachers and other education workers, who took strike action to defend living standards. For many people that was their first experience of mass collective action and it will have been an exhilarating and uplifting experience to see the strength of themselves and their workmates standing up for themselves and resisting the attacks of the bosses, and out of that, we need to build a new generation of people who will fight for our future.

And why did workers fight? Workers fought because of the cost-of-living crisis, because while profits boomed and prices soared, workers struggled; because the Tory strategy is to make our people pay the price for others’ economic failures, and we resist that as well.

And we are here today to discuss our strategies and our tactics coming out of Congress in September. Yes, we will explore all routes and avenues to attack and defeat this legislation, but above all, for me, this has to be about building our own strength and our own confidence.

I will finish, as bit of a fan of the Wobblies, with a quote from the song: “Without our brain and muscle not a single wheel can turn”. And we were reminded of that again during the Covid pandemic. Without workers nothing happens. Schools and hospitals cannot function without workers. Without workers trains do not move and food is not picked and produced and processed and sold. Nothing happens without working people and when we have the ability to realise that collectively and then act collectively on the basis of that knowledge, we have an immense power in our hands; a power that can stop these attacks and actually can go much further and change things in this society and much wider. Those are the sorts of challenges that we need to discuss today. I am pleased to open this Congress. *(Applause)*
Right, Congress, let me explain how today’s business will take place. In a moment we will hear from our first panel of workers who are set to be affected by the minimum service level legislation. I will then invite the General Secretary to give his opening remarks. That will be followed by a second panel of workers. I will then invite Paddy Lillis to move a statement on behalf of the General Council, to be seconded by Christina McAnea. Finally, I will call the General Secretary to close the debate before moving to a vote on the General Council’s Statement. I hope that is clear.

I will now hand over to TUC Assistant General Secretary Kate Bell to introduce the first panel. But first, Congress, please let’s thank them for being here today with us. *(Applause)*

**The Assistant General Secretary:**  Thanks, President, and good morning Congress. Before we talk about what is next in our campaign against minimum service levels, we are really privileged to be hearing directly from the workers who the Government has targeted with their crackdown on the right to strike. Everyone on this panel and the panel we are going to hear from later works in a job and represents a union that will be directly hit by the Government’s plans. So we are going to get straight into it. Sarah, let’s hear from you first. Sarah Roda is a secondary school teacher and NEU rep. Sarah, you were involved in strike action last year; can you tell us a bit about that strike action and the impact it had?

**Sarah Roda** *(NEU):* Last year we were on strike basically for what would have constituted the 17th consecutive pay cut. Previously to that the last strike action we took was about - and do not quote me on it - about 15 years previously on pensions. We did not actually get what we wanted on that but we did win some concessions. The impact of that has been that we are primarily a very young workforce, to be honest, so there is not really very much collective memory of what it means to ballot and what it means to be on strike. Since then we have seen a huge increase in younger teachers becoming reps and we have seen a lot more local action, particularly this term, so the big question is what does the Minimum Service Level Bill mean for those actions going forward.

**The Assistant General Secretary:**  Brilliant. Thanks, Sarah, and it has been amazing to see so many young teachers on picket lines. *(Applause)*

Let’s hear from you, Simon. Simon Day is a paramedic, he is a GMB Branch Secretary in the West Midlands and, Simon, you have been on strike too. Can you tell us a bit about that experience and how the minimum service levels are going to affect ambulance workers?

**Simon Day** *(GMB):* Thanks. Just to start off, it is a great privilege to be here, but it is blooming frustrating to be here as well, isn’t it? I think strike within the Ambulance Service was very unexpected on one level. We have balloted before and never been successful, but I think that for that moment in time there was a surge and a wave of despondency amongst workers who wanted to see action. And strike gave us a platform to blow away the myths and the lies that Government had put out about the NHS, the broader NHS.

I remember sitting on an ambulance after our first day of strike action with Edna, a 93 year-old, waiting for hours on end outside a hospital and the conversation went along the lines of, “I’m really sorry you’ve waited so long for an ambulance. I’m really sorry you’re waiting for so long in an ambulance outside a hospital,” and Edna said, “It’s okay, Simon, because when you win, we win”.

And that was the point that ambulance service staff really brought home and strike gave them a powerful platform to bring home; that that their action was not just for them as individuals, not just for them collectively, but for the NHS as a whole, and that includes patients and employers. I sit here today in uniform because my employer does not want to have to deal with MSLs. They would much rather negotiate with us individually because we are an individual ambulance service in the West Midlands and national top-down parameters will not meet the needs of that ambulance service in that situation. We all operate differently across the trusts. It was a window into what we can do and a window into what we are going to lose if we lose the right to strike.

**The Assistant General Secretary:** Thanks so much, Simon and that “when you win, we win” is an amazing message for us to be taking throughout the Congress today. Maxine, let’s hear from you. Maxine Looby is a college lecturer and she is UCU’s President elect, so, Maxine, tell us a bit about the challenges facing college workers who are in dispute.

**Maxine Looby** *(UCU):* Thanks for that, Kate. To start with, in college further education, and that includes prisons and adult education, we have not seen a real terms pay rise in over ten years. There has been an erosion of 35% in real terms. Our workloads are unsafe. We are trying our best to make sure that our students get the service that they all need and progress on to the courses they need to and into employment, but constantly - constantly - the employer is pushing back against that. If this is introduced, and it is really hard for us to get people to come out on strike, we have done really well over the last couple of years, we have never seen a wave of strike action in further education in the longest time, if ever, and the same in universities as well. We have to keep pushing back against this because strike action is the only thing we have. It is the only power we have as workers to push back against employers. And what we do not want is for that to happen, for that to take place and workers to be afraid to take strike action because they may lose their jobs, so we have really got to push back against this in every way that we can.

**The Assistant General Secretary:**  Brilliant. Thank you so much, Maxine. We were hoping we were going to have Mark Boothroyd with us from Unite. Unfortunately, he is sick and I know all Congress will be sending a get well message to him today. So let’s turn to you, Pete. Pete Wright is a building security worker in Kent and President of his PCS branch, so Pete, tell us a bit about your recent strike action.

**Pete Wright** *(PCS):* Thanks, Kate. First of all, just to say that it was a significant piece of work to actually get the industrial action ballot over the 50% threshold and our members were so angered by the pay awards that they had had in previous years that not only did we meet the threshold but we well exceeded it. To put it into perspective, in 2021-22, our members received zero, absolutely nothing. The following year the most experienced officers, the ones that are checking passports and doing Customs work got a consolidated pay rise of £259. In the midst of a cost-of-living crisis that was £4 a week. After taking targeted action at both the airports and the maritime ports and also action within our Passport Office, we received an average pay rise of 8% and a £1,500 non-consolidated payment.

We have no doubt that that shift from zero and £4 a week to 8% came about as a result of our members taking industrial action. In the media, the Government would have you believe that the action that our members took at the ports and airports had absolutely no impact. It therefore seems really incredibly strange that they are now introducing legislation to stop our members from taking action despite the fact that there was no impact whatsoever. *(Applause)*

We have got to be clear on this, delegates, this is a direct attack on our fundamental human right to take industrial action, and we have got to fight back against this, because it is thanks to the industrial action that we took that our members got a reasonable pay rise. But the industrial action we took wasn’t just about pay rises, it was about the arbitrary cut in civil servants across the board of 91,000 jobs. It was also about the fact that they sought to cut the compensation terms for those that were going to lose their jobs, by a third.

Our action has got rid of the arbitrary staff cuts. It has also got an agreement that they will not breach the compensation terms within this current administration. We remain in dispute over pension contributions, which we are going to be fighting through legal action, but now the Government are trying to prevent our members from fighting for their rights and limiting the way in which we can actually fight for our members. We have got to fight this. *(Applause.)*

**The Assistant General Secretary:**  Thank you so much, Pete, and I think this whole Congress knows that it was your action that moved the Government and your action that scared the Government too. Last but by no means least let’s hear from Dawn. Dawn Stewart is a train driver. She is an ASLEF rep. Dawn, tell us about your ongoing dispute and the impact that minimum service levels might have on the railways.

**Dawn Stewart** *(ASLEF):* Obviously this week has been quite a good demonstration of the minimal service that we have been running due to us withdrawing our overtime. It is an excellent way of displaying if the Government want a 40% service, the safety implications that that is going to give us on platforms. Safety is paramount on the railways and if you are running a minimum service, you are pushing people to have overcrowded trains. That has an impact on everybody who is using those train services.

The Government want to run a 40% service and that is of all services. It is not a skeleton service, it is all services. To do that you need to use 60% to 70% of your workforce, so in doing that you are removing the right to strike from balloted members. People have balloted for strike action and you are removing that right to strike. This is going to have an impact in the workforce. There is no way of knowing how the companies are going to decide who has to come in, who does not have to come in, which is going to have an impact on morale as well. The main thing in our industry is the Bill that they are trying to bring in is unworkable. To put a rostered timetable in place in seven days is just not going to happen. It takes months to structure a timetable. The plans that they are doing just won’t work. The Rail Delivery Group don’t want that, the companies don’t want that, because they know that it is unworkable.

**The Assistant General Secretary:** Brilliant, thanks, Dawn, and I think you have set out really powerfully, as our whole panel has, why this legislation is unworkable as well, as undemocratic and unfair. Can you join me in giving a massive thanks to our panel and I will hand back to the President. *(Applause)*

**The President:** Congress, I will just allow our panellists to get off the stage. Thank you very much. It has been quite a first year of office for the TUC General Secretary to my left: a wave of industrial action, and an abhorrent Government determined to silence workers and weaken our unions. Paul, I now invite you to address Congress. *(Applause)*

**The General Secretary***:* Over the last year I have stood on dozens of picket lines with thousands of workers: decent people, hard-working people, people like you, like me, like millions of other working people out there up and down the country, forced to take strike action to get a decent pay rise, to pay the bills, to make ends meet. I want to start this Special Congress with a message to each and every one of those workers. To the physios at St Thomas’, the paramedics in Liverpool, Newcastle and Lewisham, the rail workers at King’s Cross, Lime Street and Piccadilly, the university lecturers, civil servants, teachers: today this movement resolves we will fight to defend your right to strike. *(Applause)*

Delegates, welcome to Congress House, the home of the trade union movement. This is a place where generations of trade unionists have gathered, not just to pass resolutions or debate points of law, but to set out in concrete terms what we can do to stand for working people. And here we are once again facing another set of laws designed to silence the voices of workers. The Strikes Act could, put simply, take away the right to strike from 5.5 million people; one in five British workers. It is unfair. It is undemocratic. Congress, it is unfit to be on the statute book.

The right to strike, to withdraw your labour, is a cornerstone of our democracy, of any democracy. No one wants to go on strike. It is something you are forced to do when your boss threatens your job, or your safety at work, or won’t give you a decent pay rise. Going on strike is a basic protection that working people have relied on for generations. But today we have got a Tory Government which feels threatened by that basic protection, threatened by the organised working class, threatened by workers having the temerity to stand up. And their response? Reach out for that old Thatcherite play book, slap more restrictions on unions, bully working people into keeping quiet. Congress, let us be clear: we won’t be quiet, we won’t be bullied and we won’t be intimidated by this Government. *(Applause)*

We are here today because successive Conservative Governments made our public services pick up the bill for the bankers’ crash. We are here today because they promised to build back better after the pandemic and then they stood by while millions suffered through a cost-of-living crisis. And we are here today because just last year this Tory Government crashed our economy and then told us it was the fault of workers wanting a pay rise.

Congress, no more lies, no more excuses, no more scapegoats. It is time for the Prime Minister to take responsibility, time for him to stand down and time to call a general election. *(Applause)*

In this movement everything we do is built on solidarity. Standing together is the only way we win, so let me be clear, I expect, you expect an incoming Labour Government to repeal this spiteful legislation. That is what the Leader and the Deputy Leader have said in private and in public. But we can’t just wait for an election. We have to decide what we are doing as a movement right now to fight this legislation. You wouldn’t expect me to talk tactics here in public where Ministers and employers and their lawyers can hear, so I won’t, but I will tell you this: if they come for one worker, if they come for one union; they will face us all. *(Applause)*

As a young trade union activist, one of the first things I learned was that you don’t cross a picket line, and no matter what laws they pass, or how they threaten us, this movement is not in the business of telling any worker to cross a picket line.  *(Applause)* As I said earlier, this year I have had the privilege of standing alongside thousands of workers all over the UK. I actually found myself standing on a picket line at my old secondary school with my former history teacher, proud NEU member Mr McCibbon(?). I’ll tell you what, not him, not one of the workers I talked to was glib about taking strike action, not least the clinical support workers I met on the Wirral, 700 of them, mainly women. Clinical support workers - they take your blood, they monitor your heart rate, they test your urine. Crucial work, NHS Band 3 work but for years paid as Band 2. They went on strike to end years of underpayment and they won. But something happened on one of those days on the picket line. Nearby, on the M53, there was a fatal coach crash, two people tragically died and, as one, those clinical support workers decided to leave the picket line because they knew they might be needed. Their first concern, their overriding concern, their only concern was keeping people safe. None of those workers needs a lesson in public safety from Conservative Ministers. *(Applause)*

Fire fighters, ambulance crew, nurses, rail staff, clinical support workers, on the Wirral and all over the country, they are the ones who know about public safely. They are the ones who care about public safety and they are the ones who keep the public safe. *(Applause)* That is their job. That is their vocation and when they are needed, it is trade union members, not Ministers in Whitehall who run to help.

So I say this to the Tory Government: if you don’t want strikes, you know what to do - pay us fairly, treat us fairly, invest in our public services and fix the mess that you’ve created. *(Applause)*

So Congress here today let’s resolve we will defy their ban on strikes. We will overturn this unjust law. And we will win for workers. Solidarity, Congress! *(Applause)* Thanks, Congress. Let’s have a fantastic day, Congress, thank you. *(Applause)*

**The President:**  Thank you, Paul, for that. We will now hear from our second panel of workers who are set to be affected by the legislation. Let’s start again by welcoming them to Congress. *(Applause)*  Again I will hand over to Kate Bell, Assistant General Secretary, to introduce the panel.

**The Assistant General Secretary:** Thanks, President, it is time to hear from another really fantastic set of workers who also are going to be hit by the Government’s unfair Minimum Service Level Bill. Sam, I am going to ask you to kick us off. Sam Collins Berry is a paramedic. He is Unison’s Ambulance Service Convener for Cheshire and Merseyside. Sam, you took strike action last year. Tell us a bit about the cover arrangements you put in place.

**Sam Collins Berry** *(Unison):* Good morning. Thank you, Kate, and thank you, Congress, for having us here today. I took strike action last year during the NHS dispute. My branch had not taken strike action since the Trade Union Act was passed in 2016 but in the midst of a cost-of-living crisis we overwhelmingly voted to take strike action for better pay and conditions and patient safety in the NHS. One of the reasons I don’t support introducing minimum service levels is because we already go above and beyond to provide emergency cover on strike days. Last year I was heavily involved in the emergency cover planning in my branch. We executed a plan which maintained emergency cover on our strike days. We encouraged striking colleagues to attend the picket lines and asked them if they were willing to attend to patients in emergencies. We stationed experienced reps in the control rooms in case emergencies came in and if the call volumes got too high, we asked striking call handlers and paramedics and technicians to respond to our most unwell patients from the picket lines. We went to great lengths to ensure that ambulances got to those who needed them on any strike day. We do this because we care. We are there to protect and to serve the public. The that is why we work in the NHS. We were successful as well. There were no patient incidents on our strike days. We were also successful because during our patient-protecting strike action we won a higher pay rise and a one-off bonus last year.

Minimum service levels in the Ambulance Service are not required and they are totally unnecessary. We already work with employers locally at great length to ensure emergency ambulance cover. I wish there were minimum service levels in the NHS on non-strike days. I wish the Government provided enough employees, sufficient funding and improved recruitment and retention of staff on non-strike days. These are the issues we are seeking to address when we take strike action. The pay rise we will now share will hopefully result in fewer NHS workers leaving their jobs this year. This is why I am opposed to minimum service levels. They will create more problems than they solve. They restrict our rights to strike therefore for better pay, better workings conditions and a better quality NHS. Thank you.

**The Assistant General Secretary:**  Thank you so much, Sam, and a really clear explanation of why we have to fight this legislation. So let’s hear from Ava next. Ava Verrier is a primary school teacher in Birmingham, a member of NASUWT. Ava, tell us why the right to strike is so important.

**Ava Verrier** *(NASUWT):* Thank you very much. The education profession is already experiencing minimum service levels. Services have been pared to the bone and education is in crisis. The Government have yet again failed to achieve their targets for teacher recruitment, with many employers finding it increasingly difficult to recruit into the profession. We have seen record numbers of teaching staff say they have considered leaving the teaching profession in the last year. This Bill is not going to address the crisis in education and it is not going to attract anybody into the profession.

Teachers do not want to go on strike. They want to be in the classroom and they want to be working with our children, but we want to work in workplaces that are safe, with no health and safety issues and where we are free from harassment and discrimination and with manageable workloads and on a salary that reflects our profession. And sometimes we have to strike to achieve this.

Teachers work in communities with some of the most disadvantaged and vulnerable families and this Bill has the potential to create significant damage in the relationship between schools and parents. Amanda Spielman has spoken about the “social contract” and this Bill is not going to help to solve that. It is going to undo all the valuable work that teachers and schools have invested and create a rift between schools and parents. Teachers want to continue to be valued by parents and the communities we work in.

Just put plainly, the Bill is awful, isn’t it, from an awful Government with no consideration for anyone but themselves? The Bill is unworkable. It is unworkable in education. Who decides which teacher is going to go on strike? Is it going to be the local authority, the CEO, the head teacher? If it is the head teacher, it could actually put the head teacher at a disadvantage and in a very vulnerable position. The Bill will not resolve a dispute. If anything, it will actually make it more protracted. The Bill is intended to pit worker against worker, union against union, and be in no doubt that is the outcome that this Tory Government want and they are hellbent on achieving it and they are expecting the trade union movement to do their dirty work for them, and we are not going to do it. *(Applause)*

**The Assistant General Secretary:** Brilliant, Ava. I think you can hear the response in the hall to that. Let’s bring in Jim. Jim Buchanan is a train driver, president of the regional council of his union, RMT. Jim, you can tell us a bit about the RMT’s disputes.

**Jim Buchanan** *(RMT):* Thanks very much. Neither of those things is true, by the way. I am actually a train guard from Bournemouth ---

**The Assistant General Secretary:** Sorry, Jim.

**Jim Buchanan:** And I am not president of the regional council. I chair the Dorset Rail Branch. You honour me way beyond my accomplishments but thank you anyway. I can’t remember a time when I ain’t been involved in a dispute. Over the last six years I have been involved in one dispute or another and taken almost 100 days of strike action. By the way, both of those disputes could have been resolved without DfT and Government interference, so perhaps the Government would be much better investing their time in keeping their beak out of industrial relations. They put their beak into industrial relations because they think they can generate political capital from them. In the process they demonise good honest working people in their quest to invent enemies. Ultimately, we beat those thresholds time and time again and won settlements and that’s the rub here, innit? It’s not because we are downtrodden weak union members. It’s because we are bloody effective at what we do. And when we are effective the ruling class respond as they have always responded. When we start winning and getting good at their game, they change the rules and they take the ball away. And why do they do that? It’s because they have got an ideological hatred and fear of organised labour and working-class solidarity.

So, what they are going to do is legislate against us and criminalise good decent people. MSL will be divisive. It is designed to ferment division and envy amongst our people and financial and moral devastation. This is pernicious delegated legislation which the employer does not want. I can tell you that. I meet with the directors and they don’t want this either. So, we have got to put pressure on them, but of course the danger with the railway is if they don’t do what the Government want, they will turn the taxpayer-funded tap off.

Speaking for my union, we are not victims. The RMT doesn’t do victims. The RMT does activism, the RMT does organisation and the RMT does participatory democracy. And this legislation ain’t fair. Well, life ain’t fair but it’s going to be a big ask. It’s going to be a big ask for that first member, whether they are us or ASLEF, who is given a work notice, to martyr themselves, so we are going to need the support of the movement.

We are also going to need to box a bit clever and, in my view, we are going to need to have a slightly more sophisticated approach than may not be contained within here, because I tell you now, if one of my people comes to me and says, “Jim, I’m under so much mental pressure because of emotional bullying, emotional coercion and emotional harassment”, I’m would have to ask them, “Are you fit for duty?” And the answer is probably not because you have got the safety of the public in mind, and if you want to withhold our green gauges(?), then do it, because that’s what I voted for in the first place.

Finally, what I would say to you all, brothers and sisters, is if we are talking about minimum levels, minimum service and public duty, let’s have a minimum threshold down there in the House of Commons, let’s have a minimum threshold in the House of Lords, because I’ve got an MP down in Poole called Robert Syms and we see more of Haley’s Comet than we have of that clown in the last ten years in Parliament. Thank you very much.

**The Assistant General Secretary:** Thank you, Jim. Thanks for setting me right and thanks for setting the Government right. Matt, it will be great to hear from you. Matt Church is, I think, a junior doctor working in a hospital in Manchester and a member of the HCSA. So Matt, tell us about the junior doctors’ strike and how MSLs could affect the NHS.

**Dr Matt Church** *(HCSA):* Yes, that’s correct. So, yes, junior doctors, any doctor, don’t want to be on strike. That’s not why we did five years in medical school. We would rather be treating our patients in hospitals across the country. We have been forced into strike action because the Government aren’t listening to what we are saying about the real terms pay cut we have had of around a third and what the implications of that are; the exodus of staff from the health service. I think overall in the NHS last year about 170,000 people, a 25% increase from the year before that. Recruitment and retention is in crisis because of the pay and conditions within the NHS. I think one in ten positions are vacant in the NHS at the minute. We are doing an eighth round of strike action in less than two weeks. We don’t want to be there. We are doing it because we are forced into it.

In terms of the MSLs, I genuinely think it will be unworkable within the health service. We could walk down the streets in London and we could walk into an A&E and we would see unsafe staffing levels. The amount of demand on the NHS is increasing year on year and, as we have been saying, the staffing isn’t there for it. If the MSLs are set in place, would that apply to normal days? I have been called at 10 pm at night asking me to cover a night shift because there’s not enough staff in the hospital and they have asked me to cover it. All doctors have been on shifts where there are gaps and it’s unsafe. Would that apply for the normal days as well? It is the admin involved as well in the MSL. Every hospital trust will have to define a service level and speak to their unions. That is a lot of red tape, it is a lot of bureaucracy. I thought Brexit was about trying to remove all that and this Government are pushing these service levels to do that, and I don’t see how it will work in real terms.

**The Assistant General Secretary:**  Brilliant, thanks so much, Matt, for reminding us this legislation is unworkable as well as unfair. I am going to turn to Izzy next. Izzy is a fire fighter and a rep for the FBU. Izzy.

**Izzy Goodwin** *(FBU):* Thank you. Just as a bit of context, since leaving training school about two and a half years ago, I have spent my career based at an extremely busy city centre fire station. I was fortunate enough to be placed with a very established crew who have themselves taken strike action through several different disputes such as pay and pensions. Last year we were offered a pathetic -- not even pathetic just a downright insulting 2% pay increase, whilst prices were sky rocketing. The work we do as fire fighters is dangerous. Every day we are going out and potentially putting our lives at risk yet we are only worth 2%? I know fire fighters who have had to resort to food banks to just put food on the table for their families.

We did everything we could in West Mids, and across the country for that matter, to get as high a turnout to vote for strike action as possible, to show that we are worth more than the 2%, and we did it. We smashed the Tory ballot thresholds. *(Applause)*  As a result, we rejected the 2%. They took that and they came back with 5% but we still knew we were worth more and as a result we finally agreed on an offer that put substantially more money in the pockets of hard-working fire fighters.

This is why we need to be clear that the Minimum Service Levels Act is the worse piece of anti-union legislation the Tories have ever tried to introduce, because for fire fighters in our industry the minimum service levels could become an effective ban on strike action. The Government is considering setting a service level as high as 90% which, let’s be honest, is a strike ban. Fire fighters ride five on a fire engine. The vast majority of fire fighters are FBU members. All five fire fighters could potentially vote for strike action and under the new proposals, four of those five fire fighters could be served a work notice, leaving only one fire fighter to strike when we all voted. Or, for example, take our control staff: at times we only have three people in a control room, and under this legislation it means those workers can never take strike action. This is a travesty for democracy.

As fire fighters we never take strike action without serious deliberation about the consequences, but faced with employers making damaging cuts or putting the public safety at risk or cutting our pay and pensions, sometimes we have to strike. At present, the FBU have active disputes across the country. If our members decide to vote for strike action, they are facing having their hands tied. We cannot just wait for lawyers or the next Labour Government to bin these laws. That is why the TUC and every affiliated union need to organise a vibrant, active visible campaign on this issue. We need to mobilise our members into activity. We need a national demonstration, not just for us but all fire fighters because we insist our employers refuse to impose work notices. We have to fight. We cannot and will not accept being held down like this. For fire fighters across the country we have no alternative.

**The Assistant General Secretary:**  Thanks, Izzy, for making it so clear once again that these are the people who are keeping the country safe. Finally, Diana, we would really love to hear from you now. Diana is assistant head teacher in a primary school and an NAHT member.

**Diana Ohene-Darko** *(NAHT):* MSLs for us in terms of education are yet another attempt by Government to silence a band of core professionals and workers without whom the country simply would not run. Their draconian attempt at a “put up or shut up” approach will not stand with us. It reinforces their utter distain for our profession and the professions that we see here united today. Unions, by their very nature, are a collective voice for change, for the people, and by the people. It is reprehensible that Government have even contemplated this in this day and age.

In education we do not want to deny children their right to a good-quality education under the UNCRC; however, we are also entitled to our right to strike. It is a clear message from Government that change is needed for the workers, by the workers. Strike action sends that clear message. Having received the mandate from school leaders back in the summer, Government were clearly ruffled. Introducing MSLs would be akin to removing a school council, taking away pupil voice in a school where we want to hear from them.

It is interesting, isn’t it, that in a statutory way in schools we are taught to teach the children British values, included in which are individual liberty and democracy, and yet this Government are taking away exactly that from us with the MSLs; removing the democratic process, taking it out our hands and putting in the hands of puppeteers who hold the strings. This would mean relations between education and Government would be completely destroyed, having already, if you like, got to an all-time low over the past few years.

The attrition of the credibility of our profession over the last 13 years proves that the education sector is no longer respected or valued by Government. Introducing MSLs would damage this beyond repair. We have been relentlessly reasonable and steadfast in our commitment to the children and communities we serve. There should always be a mechanism in place for collective voice to call for change and for strike action as a last resort where Government are failing key stakeholders.

From an equality point of view, I sit looking around here at the faces that are with us today. We know that in education many of our leaders are of an older generation, if you like, disproportionately disadvantaging them should these MSLs be put into place. Equally, there are more women in education, again unfairly disadvantaged with the MSLs. I seem to remember an Equality Act of 2010 - don’t you - with nine protected characteristics that our Government are failing to protect whilst also not valuing the British values that we are taught to teach in our schools. Colleagues, MSLs are draconian, they are unworkable and they have no place in today’s society.

**The Assistant General Secretary:**  Thank you so much, Diana, and I don’t think I can put it better than that. We have heard from 11 amazing trade unionists but they are representing 5.5 million workers who could have their right to strike taken away. I want you to join me in thanking the panellists and moving on to the debate about how we fight this unfair draconian law, thank you. *(Applause)*

**The President:** Thank you to Kate and to all the panellists in both sessions for those fantastic contributions. Congress, delegates have received a copy of the General Council’s Statement which we are now about to debate. I will invite Paddy Lillis to move the statement and Christina McAnea to second it. Unions have been asked to notify us in advance of speakers who wish to contribute to the debate. It is my intention to take all speakers and while I know these are hugely important and emotive issues, I would encourage speakers to please stick to time as far as possible, and that is three minutes for all speakers other than the mover. I will then ask Paul to respond to the debate. I now call Paddy Lillis, General Council Lead on Employment Rights, to move this statement on behalf of the General Council. *(Applause)*

**Paddy Lillis** *(USDAW, General Council)*moved the General Council’s Statement: “Our ongoing campaign against minimum service levels (MSLs)”. *He said:* Congress, this statement outlines the General Council’s proposals for a clear, comprehensive and decisive response from the trade union movement to the Tory Government’s latest vicious attack on workers’ rights. Colleagues, it follows on from the position we agreed at Congress in September. Then we agreed to build a mass opposition to minimum service levels. We resolved to use all means necessary to oppose them and we reaffirmed our solidarity with any trade union attacked by them.

Within this statement we have expanded on those commitments with a detailed plan; a plan to support our movement to challenge these restrictions, to make sure that every union member in every workplace has the support they need when their rights are under threat; a plan to resist this unjustifiable attack on our right to strike, and we will keep on fighting back in the courts both at home and internationally. In the workplace we will stand up against work notices, calling on employers to reject them, and if they are imposed, we will resist them.

Congress, every dispute is different and there will be no one-size-fits-all response. Unions will make their own decisions led by their members and democratic processes on how they fight back. But make no mistake, any member threatened with a work notice will feel the collective strength of the trade union movement, representing 5.5 million workers, standing with them in solidarity and support and unions will work together to deploy the most effective tactics possible. This statement sets out just some of the grounds which we will change the minimum service levels on: public safety, worker safety, data protection, contractual agreements and equalities.

Congress, the statement is also a plan to mobilise our moment in opposition. We will march alongside the sacked GCHQ workers in Cheltenham on 27 January and we will march again if and when a work notice is deployed and we will campaign together relentlessly to make the case against minimum service levels in the strongest possible terms, and we will make it at every opportunity.

Congress, whatever the Government might say, we know that these laws have not been introduced to protect public services. We know that these laws have been introduced to attack the trade union movement - our movement - creating unworkable, draconian and entirely unnecessary red tape to weaken us, to damage us and to undermine our members’ fundamental rights, so while we continue to fight for them to be repealed, we have a very welcome and solid commitment from the Labour Party to do just that. In the meantime we can expect the Government to use these laws to attack our members and our movement.

We must stand ready, and this statement makes it clear that the TUC will act swiftly when our affiliates are under attack. We will look at all the options for support, whether financial, political, industrial, practical or legal. We will make these decisions collectively through our TUC structures. Our solidarity will not be weakened and we will never allow this Tory Government to divide working people.

Congress, today, and every day, the entire trade union movement must stand together. We must stand together to protect the right to strike. We must stand together for all workers and we must stand together against this unnecessary, vindictive, unworkable legislation.
Congress, please support this General Council’s Statement. I move. Thank you. *(Applause)*
**The President:** Thank you Paddy. I now call Christina McAnea from Unison, Chair of the Public services Liaison Group to second the statement. Christina.

**Christina McAnea** *(Unison, Chair of the Public Services Liaison Group)* seconded the General Council’s Statement. *She said*: I am very proud to second this statement and commit the General Council and my union to fighting this, wherever we can, and on every level. This is a clear attack, as we have heard, on the right to strike. That lot in Westminster, they have a history, haven’t they, of introducing unworkable laws, laws that are just done as a knee-jerk reaction. It has not been thought through. They haven’t consulted anyone and most of them are probably going to be unworkable. This is precisely what this law is. It will be unworkable. It is not unnecessary. Nobody wants it and nobody needs it. It is purely punitive against trade unions and working people.

The right to withdraw our labour is a fundamental human right. We are not serfs. Working people are not serfs. We are not indentured labour. We have the right to say, “I don’t like what my employer’s doing. I think this is putting people at risk. I don’t think they are paying me properly for the job that I do”, and we have the right to say, “I will now withdraw my labour until you come back and talk to us and we get a settlement that is acceptable to everyone.” That is what the right to strike is all about. Removing that takes away an individual’s right to say, “I matter. What I do matters.”

And I’ll tell you what, Congress, let’s not make that happen on our watch. I know from the strikes that took place earlier this year that my union was involved in, and you heard from Sam from our union, you heard from the fantastic panel, what that actually meant in practice, going on strike. And for them, particularly in our health service membership and in our ambulance service membership, they spent weeks working with their employers to come up with safe plans to make sure the public were not put at risk. I visited loads of our picket lines during the strike days and there wasn’t a single ambulance picket line I visited where people didn’t come off the picket line, get into an ambulance and go out there and deal with the public and make sure that there was safety maintained. *(Applause)*

And these are the same people who during Covid were turning up to go in and look after the public - ambulance workers, health workers, people in schools, people in shops, people in all sorts of organisations. They were the ones that were still out there delivering essential services. Before we even knew there would be a vaccine they were putting their lives at risk and they are the very first ones this Tory Government is coming after.

I am really pleased that this statement makes clear our commitment to support any union, any group of workers affected by this, so the first ones affected by it we will mobilise to make sure we give them total support. Because it’s critical we do not let this Government pick us off one by one or union by union. And remember, employers don’t want this. Employers don’t need this. The country doesn’t need this. The public support us. When we take strike action and explain why we are doing this, we get fantastic support from the public. This is not something they have called for. It is unnecessary and it is unworkable. I hope when you read this statement you will see that we are planning a national demonstration on 27 January in Cheltenham and in my union, we have already started the work to try and get as good a turnout as possible. Congress, it is possible to have a national dispute outside of the M25 and it can still be successful, so please work towards it. Thank you. *(Applause)*
**The President:** Thank you, Christina. I will now call other speakers of which we have quite a number. I will let unions know when they are to be called. I will call you in batches. If speakers could come to the chairs at the front when I call your union, that would be appreciated. I will call other batches of speakers as we proceed with the debate. First of all, if I could invite Unite, the NEU, the RCN and GMB please to move to the front and Unite, please, to speak.

**Sharon Graham** *(Unite)* spoke in support of the General Council’s Statement. *She said:* Friends, let’s be really clear what this is about. This is about the right to strike. This Government want to stop workers putting a stake into in the ground; to stop workers defending their jobs, their pay and their conditions, like we have done for over 100 years. And make no mistake, this legislation puts this Government at war with workers. *(Applause)* And friends, we know that politicians very, very rarely lead the fight. It wasn’t politicians who gave us the Equal Pay Act. It was striking women workers at Ford Dagenham. It wasn’t politicians who gave us the Race Relations Act. It was the action of the Bristol bus boycott workers. And it certainly hasn’t been any politicians who have been driving up pay today. It is organised labour; the working class, through strike and struggle. We know that and they certainly know that. In my own union in the last two years, we have led over 1,000 disputes, putting £420 million back into the pockets of workers. So today let’s pay tribute from this hall to all of those striking workers across all our unions who have stood on the shoulders of giant, on reps and our members who fight for progress. We stand with you. Thank you for your bravery. Thank you for taking a stand. Solidarity to you all! *(Applause)*

And, conference, the easy part of today will be agreeing the statement. That will be the easy part because the hard part is going to be pushing back these attacks. The real decision - the real decision - will be the decision to act. We must not allow them to force workers to cross their own picket lines, to break their own strikes, to defeat their own resolve. In order for us to stop this happening, all of us, my union included, must be prepared to ask ourselves some very difficult questions. What does a real strategy for non-compliance look like? What are we really prepared to do? And will we help others when they need it? Because friends, one of us in this room, one group of our members in this room will be first. They will be tested. We must act together.

And friends, we have to face facts. Real solidarity to push this back may take us outside the law *(Applause)* and as it was said in 1921, it is better to break the law than break the poor and, friends, when the law itself is unlawful, we should show from our strength, find our inspiration, turn rhetoric into something real because we certainly just can’t wait for Labour - certainly not when they are channelling Margaret Thatcher for inspiration - or just turn to lawyers, because the fight is going to be right now. It will be what we do that counts, not the judges, not the politicians: what we do as a trade union movement.

To me that is the crux of where we are. Are we up for this fight? Because if we are, we are going to have to box clever. We are going to have to use our brains and our brawn. We are going to have to develop strike funds and think about who the critical workers are, co-ordinate our actions inside and outside the workplace. Who are the real decision-makers? Are they in Derby or are they in Detroit? Follow the money.

Friends, no matter what happens, Unite will be preparing for every eventuality. We have already changed our rule book to give us the option to work outside the law if necessary. Whatever this Government come up with, we are going to try and block them and on their recent threat to tax our strike pay I can tell them this: if you tax our strike pay we will add the tax on. Friends, this fight is a worthy one. The hand of history is on our shoulders. Dignity does not come by us being on our knees. So let’s lift up our heads as well as our banners. Let’s face this Government down. Let’s rise up together and defend workers with everything we have. I will see you on the picket line. Solidarity! *(Applause)*

**The President:** Thanks, Sharon. I call the NEU.

**Daniel Kebede** *(NEU, National Education Union)* spoke in support of the General Council’s Statement. *He said:* For the last 13 years we have all witnessed the decline in education. A minimum service level in education is something every teacher, every, leader and every support staff colleague dreams of. For every NEU member dreams of an education system where every child is taught by a qualified teacher, where every child is taught by a subject specialist. Our profession dreams of class sizes smaller than 30, where every child has access to the special needs support that they need. A minimum service level should be a contract between this Government and our children which allows every child to be educated in a fully funded, well-resourced school, free from crumbling concrete, where every child has a free warm nourishing lunch and lives a life free from the crushing life-limiting burden of poverty.

Yet instead of prioritising our young people, instead of investing in them, we have a failed Prime Minister; a Prime Minister who has never faced the public to seek a democratic mandate prioritising the greatest attack on our democratic freedoms in our lifetime. Gillian Keegan, too, has been open about the rationale - too many days lost last year to strike action. Strike days that they never thought that we would be able to mount or sustain. A union of half a million members breaking this Government’s anti-democratic strike thresholds not once but twice. But these were days of action that could have been avoided, days that would never have happened had this Government pulled its head out of the sand to deal with our concerns. This Government is tough on strikes but does nothing to address the fruitless funding, rocketing workloads or plummeting pay that lead to them. The reality is this is not about the protection of services; it is about the protection of this ruthless Government’s ability to underfund our services. The Government’s intention of 74% of children in schools on a strike day, every child in an exam year, every child with an EHCP, every child of a key worker, everybody child in a primary setting will require 100% of the staff team; the chilling reality being the complete outlawing of strike action in education.

To paraphrase MLK, if we lived in China or Russia or any totalitarian country, maybe we could understand some of this illegal legislation, maybe we could understand the denial of certain basic democratic freedoms because they haven’t committed themselves to that over there. But somewhere I read about the freedom of association, somewhere I read about the freedom of assembly, somewhere I read about the freedom of speech, and so just as we said we weren’t going to let anti-democratic strike thresholds turn us around, we are not going to let minimum service levels turn us around.

This Government really needs to understand that restrictions on the right to strike, coinciding with the continued decline in education, will only deepen the resentment, deepen the anger and deepen our resolve. And that anger, that resentment and that resolve remains, because since 1 September, the NEU has been forced to sanction a record number of workplace disputes. Since 1 September, we have begun a trajectory that will lead us to training a record number of reps this academic year. The NEU, a union of half a million teachers, school leaders and support staff, will not stand idly by whilst this Government limits the life chances of our children; a Government bereft of a moral compass. Our response to this legislation will be to deepen industrial action and whilst the arc of the moral universe might be long, it bends toward justice. *(Applause)*

**The President:** Thanks, Daniel. I call the RCM.

**Jo Walton** *(RCM, Royal College of Midwives)* spoke in support of the General Council’s Statement. *She said:* I am Jo Walton and I am the General Secretary of the Royal College of Midwives; a very proud midwife. Thank you for the opportunity to speak in support. This is our contribution to this debate with a focus on points 1, 6 and 9 of the General Council’s statement.

I want to begin by expressing our absolute indignation at the suggestion that midwives and maternity support workers would take strike action that endangers the safety of women and babies. That couldn’t be further from the minds of our members and how dare this Government suggest this. When we have taken strike action, for example, in England in 2014 and this year in Northern Ireland, we absolutely ensured that safety was never compromised. Local reps worked with managers to agree derogations to ensure that no women or babies had their care compromised. I was on that picket line in Northern Ireland and I saw midwives returning to the labour ward to care for women.

Our right to strike is accepted by our regulatory body, the Nursing & Midwifery Council, and members operate within their Code of Conduct. Striking midwives responded if an emergency arose, acting with professionalism and integrity. I can confirm that our tactical approach to non-compliance will be: in the event that we authorise industrial action in the future, we will continue with our existing practice of negotiating derogations at a local level action, ensuring our members comply with their professional codes and reassuring families receiving maternity care that their safety is always paramount.

Local voluntary derogations work. Local trade unions working with local managers - it works. There is no need for central Government to ham-fistedly control from Whitehall. Indeed, it would be a far better use of Government’s time and focus to deliver on improving midwife numbers so that care is better and safer every single day, not just those on those rare exceptional days when midwives are driven to taking industrial action. The irony is not lost on me that for safety of maternity services we are probably better staffed on strike days than on non-strike days.

Congress, the NHS in England is still short of 2,500 midwives with midwives working at least 100,000 extra hours a week unrecorded and unpaid, keeping women and babies safe. So perhaps this Government’s fixation with minimum service levels would also be better spent investing in our maternity services so that families could be guaranteed minimum safe service levels to allow them to have choice; choice of places of birth and staffing levels that make them feel safe across their whole care.

Our second focus will be the work with other NHS trade unions both at national and local level to call on NHS employers to reject this approach to managing industrial action and to continue to work with us to develop safe solutions we have always done. We know many employers have already committed to this and we will push for more.

Finally, we want to highlight that the development of this legislation fails to consider the impact on equality. In the consultation on MSLs in the NHS no equality impact assessment is published. With a midwifery workforce where women make up 99.7%, there is an argument therefore that MSLs applying to the hospital sector will have a disproportionate effect on women.

In summary, we add our support to the TUC campaign against minimum service levels. We will continue to ensure that if and when our members exercise their right to strike they will do so with professionalism and integrity and they have always shown that and we will seek to bargain away this divisive legislation with the employers we work with.

Finally, midwives are fabulous. On my way here this morning I heard my daughter had given birth to my grandson. *(Applause)*

**The President:** There’s big congratulations on that, Jo. Before I ask Barbara to speak, I am going to ask the NASUWT, ASLEF and PCS to make their way to the chairs at the front. GMB please.

**Barbara Plant** *(GMB)* spoke in support of the General Council’s Statement. *She said:* I stand here as a proud public sector worker. This wretched Government has run out of road. They are responsible for the degradation of our public services, not the workers. The Tories think that this despicable attack on workers’ rights will be easy pickings to help them limp into the next general election, but they are attacking the very people they need to keep our country running. Congress, we are not a threat to the safety net. We are the safety net.

For 13 years we had cuts, pay freezes and threats to our pensions and when we dare - when we dare to ask for a pay rise, they attack us with punitive legislation to practically ban our right to strike. Our members want nothing more than properly staffed departments and quality services. Members in the Ambulance Service will tell you that it is not strikes that threaten patient safety; it is years of underfunding and rising demand. In fact, official figures show that thanks to the unions, delays actually fell during national ambulance strike days, and just this week the Tories admitted to the GMB that the regulations were not based on service levels that were precise or calculated based on a proper model.

Our rights are under threat in nuclear decommissioning where our members work every day to keep the public safe. And in schools, Ministers can’t even come up with a ratio due to chronic support staff shortages. School support staff are among the lowest paid in the country. Perhaps if they were paid better they would not have to resort to potentially taking strike action. And for this reason GMB believes that the next Labour Government must implement trade union access rights to all workplaces ensure electronic balloting, negotiate decent pay awards and repeal all anti-trade union legislation. *(Applause)*

The Tories have lost all sense of reality (wilfully or not) when it comes to our public services, but trade union members cannot be the scapegoats for their abject failure. We must defeat this legislation and we must be united in doing so. Congress, solidarity with workers in the NHS, schools, nuclear decommissioning, transport, border security and beyond, let’s fight for our rights. Please support! *(Applause)*

**The President:** Thank you, Barbara, and I have to say you were spot on on time. I have been slightly lenient with that but there is a set of lights up there and I would urge people to try to pay attention to that. Thanks, Barbara. NASUWT.

**Rashida Din** *(NASUWT, The Teachers’ Union)* spoke in support of the General Council’s statement. *She said:* Congress, the NASUWT stands united with the entire trade union movement in campaigning to defeat the Strikes Act using all means at our disposal. “Give us justice or we will fight.” This was the rallying call to our union’s formation in 1919. Ordinary teachers doing extraordinary things. Nothing has changed. We are a room full of ordinary workers and we will do extraordinary things. *(Applause)*

This Tory Government are waging war on trade union members: working people. They are attacking our teachers and support staff instead of delivering the investment needed for our children. On our watch we have had year-on-year real-term cuts to the schools and college budgets, waiting lists for children’s mental health support rising to record levels, cuts to support for pupils with special educational needs. This is really close to my heart as a serving teacher working with the most vulnerable young people for over 25 years. School buildings at serious risk of collapse, hundreds and thousands of children missing from education. As a result, teacher shortages everywhere, the worst teacher recruitment and retention crisis in half a century. Teachers like me we did not cause this crisis. Cracks in our ceilings and cracks in our education system. This is a crisis made by the Tories in Westminster who have failed our children.

And if this Government genuinely wants to protect the right to education, I will tell you what, reverse the 13 years of chronic under funding, invest in the workforce, pack up and call for a general election. Rishi Sunak, if I had to grade your Government you’ve failed and, Keir, I’m sorry but you are heading towards that way. Thatcher? Please - no, no, no!

Congress, there are those of you who will say that our campaign of resistance is about law breaking by trade unions, but I say this: our movement is built on resistance. Give us justice or we will fight. No anti-trade union laws will ever stop us from taking action to protect our members’ rights. We defeated the anti-union ballot threshold when our members voted for industrial action. We defeated the unlawful strike-breaking agency worker regulations and we will defeat them again. Congress, when we fight, we win. In solidarity, I support. *(Applause)*

**The President:** ASLEF.

**Mick Whelan** *(ASLEF)* spoke in support of the General Council’s Statement. *He said:* I bring solidarity from the 16 disputes we had this week; 16 disputes that show minimum service levels will not work.  *(Applause)* We have the ability within this room, we have the tactics, we have the knowledge of our industries to show these people they cannot take away our right, and they won’t. I keep reading these bits of paper about trade unions and workers holding the country to ransom. Last time I looked we were the millions, we were the country and we were looking after each other. *(Applause)*

And if they want to take us on, let them, because we will win and we will prevail because they do not understand that ever since Thatcher’s term a “society of individuals”, it has never happened. Why don’t we deal with the real issues? Why don’t we deal with 13 years of economic ineptitude? Why don’t we deal with 13 years of austerity? Why don’t we deal with the decimation of our public services, our councils and the budgets? Why don’t we recognise that we are the first generation to leave the next generation worse off in history? Why aren’t we changing our world for the better? Because it isn’t the Government that is going to do it. The people that are going to do it are in this room and they will do it by standing together, protecting what they fought for in the past, the rights that we should have enshrined; the rights that our ours to take away our labour when we see it. And if we don’t do it together, they will pick us off one by one.

As previous speakers have said, they tried to demonise us and split us and that has failed. They have tried to take away our sense of community, but I look around this room and I don’t think there is a trade union where I haven’t been on the picket line or on a stage somewhere supporting their right to strike, supporting their claims for a better world or their claims for the workers that they look after. And no one else is going to do it for us.

But also it is a changing world, a changing narrative. I am not really keen on that word, but let’s look at it. I come from a union which traditionally has no public approval when we go on strike. There isn’t a household in this country that hasn’t been impacted by what this Government has done, that hasn’t had a teacher or a civil servant, or someone in the NHS, or someone in the private or public sector that’s been on strike or was impacted by the vile legislation (not just MSL) that that has been brought in by this Government. They condemned P&O and then tried to bring in agency workers and we beat them in the courts. We will not only campaign for our right to strike, we will campaign for every other bit of legislation that they put in in the last 30 years, repeal the lot, fight for a better future, fight for ourselves and fight for future generations. Because we don’t do this for ourselves. We do it for the future of our children and our grandchildren and a working-class movement that deserves respect and deserves this? Keep fighting! Solidarity!

**The President:** Thanks, Mick. Before PCS, could I ask the EIS, RMT and UCU to come to the seats at the front, please. PCS.

**Fran Heathcote** *(PCS)* spoke in support of the General Council’s Statement. *She said:* Forty years ago, 14 civil servants working in GCHQ lost their jobs. The reason? For being a member of a trade union. Margaret Thatcher enforced a ban on trade union membership in 1984, but 14 brave workers stood firm and refused to relinquish this fundamental human right. Their defiance cost them their jobs and what followed was one of the longest and most high-profile disputes in our movement’s history. After ten years of campaigning across the trade union movement, led by the late Mike Grindley, the ban was finally lifted in 1997. I am immensely proud that the GCHQ branch remains an important part of PCS, right to this day.

That such a campaign was needed to protect a basic right is shameful and, Congress, four decades on, here we are again, a rotten Tory Government taking a sledgehammer to our members’ rights. It is an unprecedented assault and we have got to fight it with everything that we have got. Despite what Government Ministers may say, this legislation has nothing to do with preventing disruption or protecting the services that the public relies on. Just one look at our crumbling schools, overstretched NHS and broken rail system puts paid to any notion that this Government has the best interests of the public at heart.

This legislation is about one thing and one thing only: restricting the right to strike and our members’ ability to fight back against low pay and bad bosses. If they were serious about heading off strike action, they could start by giving our members a fair pay rise. But I am not holding my breath and neither are PCS members in the Border Force. Instead they are bracing themselves for what are some of the most severe restrictions of the lot, as you may have heard from Pete during the panel discussion this morning.

Strikes are now required to have no impact on strike days, which to all intents and purposes is an outright ban on strike action, and the Government has said itself that three in four Border Force workers will be prevented from going on strike. Let’s not forget that they were the same workers lauded as heroes during the pandemic, clapped by the Prime Minister on the doorstep of No. 10. At the time, our members’ sacrifice was rewarded with an insulting pay rise equivalent to just £4 a week. Since then, though we have mounted the biggest wave of strike action in the history of PCS with the Border Force at the very forefront. The Tories’ game plan is clear: pay workers poverty wages and make it illegal for them to do anything about it. It is simply grotesque.

So, where do we go from here? Today is an important first step but victory in this campaign means more than words written on a page or spoken in this room. These are unprecedented times for our movement and they require radical, bold and innovative action. We need to discuss and share tactics to beat this legislation and, just as we showed at GCHQ all of those years ago, our strength is in our collective. As we leave here today and ready ourselves for this war on our movement, let us remember the words of Mike Grindley, “It’s been a mixture of tenseness, tiredness, excitement and endurance. We always knew in our heart of hearts that we would win our rights back.” So comrades, let’s join together to defend ourselves and defend our class. Solidarity!

**The President:** Thanks, Fran. Calling the EIS.

**Angela Bradley** *(EIS, Educational Institute of Scotland)* Bradley spoke in support of the General Council’s Statement. *She said:*The EIS on behalf of Scottish teachers and lecturers today stands shoulder to shoulder in total solidarity with their fellow trade unionists across the UK in opposition to this outrageous and frankly, sinister UK Government legislation designed to restrict our right to strike.

Recently EIS school-based members took the first strike action on pay in nearly four decades. Comrades, the people who teach our children are hardly militants determined to create disruption. Like the rest of our fellow public service colleagues, it goes against the grain of a teacher to be out on strike. They would much rather be in the classroom doing the job that they have dedicated their lives to. But Scotland’s teachers were driven to this, as they have been across the rest of the UK. In Scotland we had seen teacher pay eroded by 25% in real terms since 2008 and evidence of that fact was not met with shock or embarrassment by the Scottish Government and local authority employers, but with nonchalance and dissembling in negotiations. At the same time workload was (and still is) through the roof and most teachers are working an average a day’s unpaid overtime a week. Class sizes are 33 bursting at the seams with no additional resources and, in fact, fewer and fewer resources to support the 34% of children in mainstream classes who now have a recognised additional support need.

In our FE sector right now, lecturers have been waiting since September 2022 for a pay rise. And despite the promises of no public sector redundancies by the Scottish Government, the gateway to sacking lecturers through compulsory redundancy has been opened by college principals and only lately apprehended by Scottish Government as a result of strike action by EIS-FELA.

But rather than address the real causes of strike action like ours, the pathological contempt for ordinary citizens young and old by this Tory Government, which is hellbent on trying to strangle the power of our unions and our movement and paralysing us into acceptance of pay and conditions that are sub-standard, many already anti-human, is really what is at the root of this legislation. And we can’t and won’t let that happen.

The Tories claim that they want to minimise the disruption to public services, but what is more disruptive to learning than having an overworked underpaid teacher trying to teach a class of 33 young people, a third of them with unsupported additional support needs? What is more disruptive to learning than having a recruitment crisis where we can’t recruit teachers or keep the experienced ones that we have got because pay is so unattractive compared to other graduate professions? And what is more disruptive to learning than the rampant poverty and the associated mental health crisis that stops hundreds of thousands and millions of our young people across the UK because their parents and carers aren’t properly paid either and are worked to the bone for it?

This heinous anti-worker legislation has zero to do with protecting public services. It has everything to do with a right-wing Government led by millionaires and billionaires attacking the rights of working people to act collectively to defend their livelihoods and to protect the public services that we all cherish. It took eight days of strike action by EIS members, supported by sister unions, to finally force the Scottish Government and employers to make teachers a fair pay offer this year. Without that right to strike there is no way that we would have won the 14.6% cumulative pay rise that we did. We know that, you know that, and the Tories know that.

The EIS is unequivocal in our commitment to stand foursquare with the rest of the movement in the fight for our trade union lives against the anti-strike Act. We support the full terms of the General Council’s statement. We ask that in enacting its terms we are sure to hold the Scottish Government to its word in opposition to the Strikes Act because we know from experience that, when it comes to it, despite the worker-friendly rhetoric, the Scottish Government waives none of the requirements of the anti-trade union legislation that is already in place and neither do public sector employers in Scotland. They might talk a good game but closer examination of their real life industrial relations credentials when it comes to public sector trade disputes shows them wanting, which is why continued TUC collaboration with the Scottish TUC (which has been doing all the necessary early diplomacy in Scotland ahead of this fight for our trade union lives) is so critical.

Earlier this year Scotland’s teachers and college lecturers made an informed and ethical choice to exercise their right to strike. This is a hard-fought choice that we must all protect for ourselves and for our children who will e the next generation of workers behind us.

The EIS pledges today to stand alongside all of you and all who are prepared to fight back against this vicious Tory assault on our collective power to stand up for working people. As workers, as upholders of human rights, as democrats, as trade unionists, we will use that collective power, we will resist and we will win. Solidarity, colleagues! *(Applause)*
**The President:** Thank you, Angela. I call the RMT.

**Mick Lynch** *(RMT, National Union of Rail, Maritime and Transport Workers)* spoke in support of the General Council’s statement. *He said:* Now we are at a time here when the parliamentary struggle is over and the trade union struggle has to begin. Another election could be a year away yet and we have to do this ourselves. Defeating this law has to be done by trade unionists. We cannot rely on professional politicians of any stripe to look after workers’ interests and we can’t rely on employers. There has been a lot of talk in this room this morning about employers who are going to help us out somehow. Well I don’t believe that. I think employers will use every measure in this legislation to defeat trade union action, strikes and workers’ struggles.

The Congress statement is a starting point for that struggle to begin to defeat this law. It contains important commitments that we need to fulfil as a movement. If unions and workers are attacked by this law, they will have the full support of the TUC. It says we will equip workers to resist the legislation at the workplace. It means we will support unions financially, politically, industrially and practically if they are sanctioned by this legislation. We have to make that happen. It means we will have a concerted campaign against an employer or a public body who is stupid enough to try and use this legislation to block the right to strike or punish workers and unions that continue the struggles.

In rail and tube, the first step will be to formally demand - not request - of all employers and all public bodies who have oversight of services, such as the Scottish and Welsh Governments, and the London Mayor and the regional Mayors, that they will never issue a work notice on our union and our members. And we will tell them that if they issue a work notice they will permanently poison industrial relations and they will increase safety risks on the railway. They will encourage mass absence as people refuse to cross the picket lines and they will be in perpetual trade dispute with my union if they deploy work notices.

The only way to win is solidarity. Our brothers and sisters at ASLEF have a live dispute and the RMT will support them but we need that solidarity across our movement. We have had 40 years of anti-trade union laws. We need a Labour Government to repeal them and we call on Mr Starmer to do just that - in full - and give us a full set of worker and trade union rights. We want all of the laws repealed in the New Deal. His New Deal is a first step but again we need to fight these ourselves as an independent trade union and workers movement.

This Congress must give the message loud and clear to all that seek to do the trade unions down. We have heard about the Wobblies from Matt. He is copying my haircut and copying my thoughts these days. We have got to act as one big union. We will act together to defend our people. We will act together to defend our trade union rights and to defeat these minimum service level laws. We will build the solidarity. We will campaign in the workplace, in the courts and on the streets. We will never bow the head to the anti-trade union laws. We will never be cowed. We will stand in solidarity together. We will fight, we will strike and we will win for our people. Solidarity to you all! Let’s get out on the streets, let’s get on the picket lines and let’s bring this Government down! Thank you*. (Applause)*
**The President:** It’s a very good hairstyle Just before Jo starts, I will call four unions to the front please: CSP, NAHT, Nautilus and TSSA if you could come to the front. And over to Jo.

**Jo Grady** *(UCU, University and College Union)* spoke in support of the General Council’s Statement. *She said:* I speak here today as the representative of workers who have taken huge bouts of strike action in recent years. I stand here today as a representative of workers who have stood up against this Government and employers. I stand here as a representative of workers who are being targeted as part of a distractionary culture war by this Government. And I stand here as a representative of workers now targeted by minimum service levels. Minimum service levels? Rishi’s mob have some bloody cheek. Nowhere have they been seen when it comes to university workers’ pay, which has fallen by 25% as MP pay soars. No minimum standards there. Nowhere to be seen demanding the thresholds that the trade unions have in strike ballots for themselves. No minimum standards there. Silence as our college workers’ pay is over £9,000 less than teachers’ pay. No minimum standards there.

Our union has a long and established tradition of taking strike action. And let me be absolutely clear: we will never comply with legislation that would require one member to cross another on a picket line. Never! *(Applause)* The TUC’s statement is solid. It has actions, but we have to be honest with ourselves: when push comes to shove we are going to need proper solidarity. People on the streets, people outside workplaces and we are going to need money. The TUC has to be a central co-ordinating body that raises millions of pounds to defend members and defend workers. We need to be clear that it will support any union who refuses to comply with this legislation. And this means that we need to go mainstream. The discussion we are having today, the testimony from workers that we heard is so important but if you don’t read the *Mirror* or you weren’t planning to be here you possibly don’t know that we are having this discussion. And that isn’t because the public are not interested. The workers in this country are under more pressure than ever before. The workers of this country are the public of this country. We will have to lead them, we will have to inspire them and we will have to mobilise them, and I will end on these point. Our union, the UCU, will lead from the front. We need the whole movement to come together and the TUC unequivocally leading that. This Government is on the way out. Let’s give them a massive shove. We need Labour to do more, more than just commit to reversing these attacks; we need a revolution of workers’ rights. And we won’t win by sitting in rooms like this. We will win by getting into every single community and running a massive public-facing campaign. Solidarity! *(Applause)*

**The President:** Thank you, Jo. I call the CSP.

**Gill(?)** *(CSP, Chartered Society of Physiotherapists):* Congress, I am proud to have travelled down from Newcastle to stand before you today representing 64,000 brilliant physiotherapists, support workers and students. Every day we work with patients, their families and carers. We enable people to survive injury and ill-health. We support people to live fulfilling and active lives.

And this year our members (me included) took the momentous decision to strike for the first time ever on the issue of NHS pay and staff retention. We did this for our patients, for our families and communities, and for the survival of our NHS. It was the collective defence of members who saw the damage done to our beloved NHS by years and years of austerity, of staff who saw pressures building due to our workforce crisis. Considering the long waiting times, the over-stretched service, the exhausted staff struggling to make ends meet, it was our duty to act.

Not only would minimum service levels affect our members’ fundamental right to take industrial action, they would also undermine existing well-established systems that protect the public during healthcare strikes. The CSP has a long- established practice of having local arrangements with hospital employers, known as derogations, to ensure that patient care and safety is maintained during industrial action. Personally, I worked tirelessly in the lead-up to the strikes hand in hand with my employer to ensure patients were not at risk, acknowledging that our fight is not with our colleagues and patients but the Government. To negate this system with a draconian anti-democratic threat of work notices would break down the partnership working that keeps the NHS services safe during strikes. The Government’s own impact assessment suggests industrial disputes would likely become more protracted because of their introduction. And this breakdown would not be contained to strikes. It would corrode the local, regional and national partnership working that has up until now kept our NHS service on life support.

Workers kept the NHS running through austerity. Workers kept the NHS running through Covid-19, against all odds. To deprive workers of our democratic right now is unfair and, quite frankly, insulting. It is in itself a threat to our health service. You know, the one each and every one of you turns to in times of need. When you are sick, vulnerable and in need of help, we have been through all of it with you, even on strike days. We fully support the General Council’s Statement. *(Applause)*

**The President:** Thank you, Gill. I call the NAHT.

**Paul Whiteman** *(NAHT, National Association of Head Teachers)* spoke in support of the General Council’s Statement. *He said:* Matt and Mick, I know you have high standards of presentation so I am sorry I have allowed my hair to grow unkept. I shall find a barber as soon as I possibly can!

Congress, this Government thinks that working people are stupid. They must do if they think we are going to put up with this nonsense and the lie that there is a need to balance the fundamental right to withdraw your labour with an invented right of employers to keep operating whilst exploiting us. There is no balance. Make no mistake, this law is designed to stop us from sticking up for ourselves.

Workers all stood up, carried on and risked their lives to keep this country going during the pandemic. With determination and bravery workers kept turning up. Now we need to bring that same bravery and determination to defeat this attack on workers’ rights. In education we tried to explore with the Government what they meant by “minimum service levels”. Make no mistake, those talks were designed to fail by Government before they even started. Minimum service levels in schools meant 74% coverage and no action at all in primary school. That doesn’t feel very minimum to me. In fact I think the only children that weren’t on the list were children of trade unionists. It was clear that they thought strike action was something that workers did for fun rather than in desperation in response to the failure of Government. Apparently, generously, they will allow a few of us to take action and have our fun as long as there is no disruption.

Patronising, contemptuous of workers and unrealistic. It seems to me that they don’t understand why this is a fundamental right. Why when the employer holds workers in contempt, when the employer holds the power to hire, when the employer holds the power to fire, when the employer sets the terms, when the law is stacked against us and when the Government has no respect for workers, in the final analysis, what else do we have but the right to withdraw our labour and cause disruption and force change?

In education, pay has been depressed by about 20%. Hours are up to about 60 hours a week. Well-being is at an all-time low. No wonder NAHT members, relentlessly reasonable professionals, voted for action in the summer. But rather than deal with the cause of action, they want to remove the final shred of dignity that exhausted and exploited workers have: their right to say, “No more”.

So, I say to the Government and the Secretary of State for education, when you underpay us, when you overwork us, when you overregulate us to the point of tragedy, all we have left is the right to strike. Congress, this is all about worker dignity, to be treated fairly at work and not placed in danger. It is all about human dignity, to maintain a standard of living free from fear of financial stress and confident in maintaining a home. If employers refuse to treat us with dignity and choose to return us to Dickensian Britain, all we have left is the right to withdraw our labour. That is why it is a fundamental right and we must do everything to protect it.

Colleagues, my delegation was having a bit of fun with me earlier on and said would you make a fist and declare solidarity. It is not the normal way of the NAHT and not my personal style, but on this I can say with confidence, everybody, solidarity! *(Applause)*

**The President:** See, I told you we were going to make history today! Okay, Nautilus, please.

**Robert Meredith(?)** *(Nautilus International)*spoke in support of the General Council’s Statement. *He said:*Congress, on behalf of our members, this country’s maritime professionals, I bring a clear and simple message: we stand firmly in support of the General Council’s statement as a united trade union movement to oppose this pernicious legislation.

As has been reiterated already, the right to strike is a fundamental right in any decent democratic society. It is a critical tool for us as unions, as workers, to counteract the powerful: the Government, big business and bad bosses. Nautilus members know all about bad bosses. One name in particular will send shudders down the spine of our members. A man who proudly proclaimed before Parliament that he broke the law and would do so again. The worst boss in the world. I am referring of course to Mr Peter Hebblethwaite, CEO of P&O Ferries. The CEO who sacked 786 maritime professionals, Nautilus and RMT members, without consultation, without notice, via Zoom.  *(Cries of shame)* Shame is right.

17 March 2022, St Patrick’s Day, was a dark day in our country’s history. It exposed what decades of attacks on trade unions lead to: unbridled, unrestrained, unscrupulous actions in pursuit of profit over the rights, dignity and lives of working people. Thank you. *(Applause)* Colleagues, the 17 March should have been an epoch in industrial relations; a point where lessons were learned. Nautilus, the RMT, the TUC and others, ensuring that these lessons were learned, issued a complaint to the ILO and the Committee on the Freedom of Association. The Committee’s findings were a firm rebuke of the Government’s actions. The Committee called for the UK Government to ensure respect for collective bargaining and the rights of trade unions yet there is still no action.

Shockingly, but not unsurprisingly, the lessons were never learned. Instead this Government insists on yet more draconian and punitive legislation to silence workers and crush trade unions. And colleagues, one of the most worrying aspects about this legislation is the sweeping power it gives to the Secretary of State to include anyone. I am sure colleagues will join me in extending solidarity to Nautilus and RMT members at the Royal Fleet Auxiliary. They are being balloted for industrial action after 13 years of real terms pay cuts of up to 30%. *(Applause)* The RFA are vital to the UK’s naval capabilities yet they have faced pay cuts beyond the Armed Forces and other blue light services.

We know this legislation will probably be used by the Government to undermine any action. Yet again, rather than deal with the root of the problem over decades of cuts and pay restraint, they seek to silence us and crush us. We are here to say we won’t be silenced. Nautilus and the wider trade union movement will oppose this legislation. We will stand up for fairness and dignity for maritime professionals and all workers. Colleagues, *ní neart go cur le chéile*! In unity there is strength! Solidarity! Thank you.  *(Applause)*

**The President:**  Thank you for that, Robert. After TSSA there will be six more speakers and I will call the next batch which is the FBU, BDA and the Royal College of Podiatry. TSSA please.

**Maryam Eslamdoust** *(TSSA, Transport Salaried Staffs’ Association)* spoke in support of the Executive Statement. *She said:* Colleagues, I am Maryam Eslamdoust, the new General Secretary of TSSA. I want to begin by thanking the TUC for bringing us here today in special conference. The fact that a gathering such as this has not been held since the days of Thatcher tells us much about the severity of the situation and the fight we now face. Legislation on minimum service levels during strikes is now on the statute book despite our warnings and best efforts. This reckless Tory Government, bunkered in Westminster, has failed to listen once again. It failed to listen to us, to sister unions and to the wider union movement when we warned that yet more anti-strike laws would be counterproductive. We have been clear, this law was not needed and will lead to more, not fewer disputes. In passing this legislation, the Government have told us that our members, who were vital in a pandemic, are simply a thorn in their side. We all know that no worker takes strikes lightly, but it is a fundamental right, a crucial part of British democracy and society that they have the right to withdraw their labour.

We have been here many times before, yes, in recent years with anti-trade union laws of varying kinds, but for us on the railways this fight is as old as we are. I think back to the historic *Taff Vale* case which tried to end the right to strike, with unions being held liable for the costs of a walk-out. Our union fought this at the start of the 20th century and eventually won. That victory came about not only because we stood up across the railways and with our TUC comrades but because we had our Labour Party backing us in Parliament. So I say now to all colleagues, Labour affiliates or not, while we keep up the pressure through campaigning, we must all work together to make sure an incoming Labour Government fulfils its commitment to undoing minimum service levels legislation. It is in all our interests that we use the lessons of the past to shape not only the present but the future so workers in our country have the rights they deserve, including the right to strike. Solidarity with all workers! Thank you.

**The President:** Thanks, Maryam. I call on the FBU.

**Steve (?)** *(Fire Brigades Union)* spoke in support of the General Council’s Statement. *He said:* At the FBU we welcomed this Special Congress today. We called for this Congress and we will vote in support of the General Council’s statement. But we still have a number of concerns with it. We feel it could have gone further and would have liked the opportunity for delegates in this room to make amendments to it. In Congress given the scale of threat and damage this Act will do to our movement we have to fight and build a campaign to make the Act inoperable. That first and foremost means mobilising our members. Calling and asking nicely is not going to be enough. Those in power need to understand that we will never accept these laws.

I will start by reiterating that for us in the fire and rescue service, the minimum service levels could become an effective ban on all strike action. And let’s be clear, it was the threat of a fire strike last year and this year that moved our employers on our pay offer. That is why the TUC and all affiliated trade unions must organise a fighting campaign against this Act, which mobilises our members, mobilises our movement in each and every workplace. We need to make Ministers and employers realise that they have stirred up a hornets’ nest with the introduction of this legislation and if they do not back off they will be stung.

The TUC is right to pursue every political, every industrial and every legal channel available to hinder and limit the damage it will cause, but as a movement, we cannot rely on judges to rule in our favour or lawyers to defeat these laws. As Mick said, we must all hold the Labour Party to account on the pledges that they have made. We need to organise our own actions to defeat this legislation. No one is going to do that for us. We know the whole history of anti-trade union legislation. It is there to tie us down and to shackle us. We need a political and industrial focused campaign by each and every one of the unions that are represented here to defeat these laws. We need to build a mass opposition to minimum service levels now and aim to defeat them or they will continue to tie our hands.

And as Matt said earlier, our movement has defeated anti-trade union laws in the past. Matt also said we know things have changed. We know that industry has changed and we know our movement is now smaller. Nevertheless, that should not prevent us from being ambitious, comrades, by building and rebuilding powerful workplace organisation much like the mass shop stewards movement of the past. By doing that we can build the power to take action and to co-ordinate across workplaces. Such a movement is not there yet but it can be built. Such a movement could stop these laws in their tracks.

So, Congress, in closing, the scale of this threat demands a robust response. The primary legislation has been imposed but the fight is not yet over. The detail of individual minimum service levels in some industries is yet to be imposed. We still have many opportunities to push this back. The FBU is urging the TUC to rise, to resist and to reclaim our activist roots. We need more campaigning, more mobilisation and more action until we have smashed the Minimum Service Level Act to pieces. Congress, we have to fight. We have no alternative. *(Applause)*

**The President:** Thank you, Steve. BDA please.

**Annette Mansell-Green** *(BDA, British Dietetic Association)* spoke in support of the General Council’s Statement. *She said:* In supporting the General Council’s statement, I recognise that some might say this is the TUC getting off its knees.

BDA members, dieticians, what do they do? They work in the health service. They work in the community. They work in public health. They work in paediatrics, oncology, critical care. And during the pandemic, they joined colleagues from across the NHS donning that PPE (inadequate as it was to start with) to treat patients un critical care, putting their own lives at risk. This is a profession that I am told years ago was called the twin set and pearls profession - not a group of workers that you can easily imagine taking strike action, but it is a very different story today. They have suffered 13 years of pay cuts. They are working in a dwindling NHS. There are not enough of them to provide a safe service. Never mind minimum service levels, what we need is maximum service delivery in our public sector.

At the beginning of this year we achieved a first, a mandate for industrial action, and our members were fighting to get out on that picket line. Why did it take that threat of industrial action for the Secretary of State to open the door and say, “Come in to talks with us on pay”? We should not need to do that. Nobody takes it lightly. It was the last option open to them. As others have said, this is a fundamental right. The ILO says so. European Human Rights say so. And this legislation is nothing more than a cynical attack on workers’ rights and an existential threat to our movement; a movement born out of the struggle and, comrades, that struggle continues to this day. It is a spiteful, ideologically driven attack on trade unions and civil society, an attempt to win votes. And, comrades, it will fail. We will ensure that it fails. It is a disproportionate reaction to recent industrial action which, don’t forget, could have been avoided by good meaningful industrial relations.

The current Government and big business want to keep workers in their place with low pay, poor conditions, zero hours contracts, insecure employment and dreadful working conditions. They want us to go back to cap-in-hand pleading for pay rises and decent terms and conditions and then if we protest during industrial action they want to sack us, take the funds from our unions and generally beat us down. Well, we have fought before and we will fight again. We have won before and we will win again. We will work in solidarity. We will use all means necessary to fight for the rights of our members and end this draconian legislation. We will be there for the first and every worker sacked for going on strike and we will not cross a picket line.

Comrades, employers in the NHS do not want this and the public sector do not want this. In fact, many of them are trade union members as well. I am getting the red light but I will say our fundamental human rights cannot be swept away like this by an unelected PM and a Cabinet of the entitled. How dare they treat us with such contempt. We will not be silenced.

I will end on this. We have the right to withdraw our labour as a last resort and to remove that is, frankly, inhuman. A quote from a famous Socialist anthem, “We toilers from all fields united. Join hand in hand with all who work; The earth belongs to us, the workers, No room here for the shirk.” Comrades, solidarity! *(Applause)*

**The President:**  Before the next speaker, can I call the final three unions speakers: CWU, Napo and Equity. RCP.

**Anwar Ali** *(RCP, Royal College of Podiatry)* spoke in support of the General Council’s statement. *He said:* Colleagues, today we stand united to voice our collective concerns in relation to this proposed legislation. It has far-reaching consequences for our movement. It undermines the very foundation of workers’ rights, collective bargaining power and the right to protest. The crux of the matter is simple yet profound. By imposing MSL, the Government effectively weakens our ability to strike. The right to withdraw labour is not only a fundamental right of trade unionism, it is not merely about abstaining from work: it is a critical lever, a way for us to fight and achieve better conditions and fairer wages for our members.

With regards to the healthcare sector, the Government declares their intention is to uphold patient safety and protection, but let’s not be misled by these appearances, for beneath this veil of safeguarding lies a strategy that not only undermines the rights of healthcare workers but also imposes a significant threat to the essence of fair bargaining and the very efficacy of our healthcare system. It is a direct attack on our capacity to advocate for the necessary improvements that our healthcare system desperately needs. We are not just fighting for the rights of healthcare workers. We are fighting for the quality of care that every patient deserves. The Government would have us believe that the MSL legislation is there to protect patients, but if that was the case, we would see a fully funded NHS and safe levels of staffing every day.

It is worth remembering that within the NHS, within the healthcare sector we have a tradition of agreements between employers and unions (known as local derogations) so we ensure that “life and limb” services are respected so we do not need this legislation.

The MSL law attempts to shift the focus from the real issues which plague our healthcare system. Instead of addressing the root causes such as long waiting times, the lack of modern and efficient facilities, the critical strategies that we need to prevent things such as staff burnout, the Government is trying to sugarcoat and camouflage their attack. We must advocate for investment within our healthcare infrastructure, for policies which address staff shortages and burnout, and for a fair working environment where the rights of workers are upheld. By framing unions as disruptors, the Government seeks to erode any public sympathy and support for our movement. It is essential that we counter this sort of narrative and we highlight the importance of our fight for our members, not only for fair treatment but for decent wages and a safe working environment for them. We fully support the General Council’s statement on this matter and the issues in relation to data protection concerns the potential for biased algorithms enforcing the MSL.

MSL is not a solution. It is a hindrance. It is one which risks breaching international law. It must be challenged, it must be reevaluated and, ultimately, it must be repealed. We applaud the Labour Party’s commitment, the importance of their pledge, that in the first 100 days a New Deal for Working People. We must stand united with them. We must stand against this MSL legislation for the hard-fought rights which we have achieved. It not only undermines our ability to bargain collectively but our right to strike. Let us rally our members. Let us engage in meaningful dialogue with policymakers. Let us raise awareness amongst the public. We will not be silenced. Together and in solidarity! Thank you. *(Applause)*

**The President:** Thank you very much, Anwar. I call on the CWU.

**Dave Ward** *(CWU, Communication Workers’ Union)* spoke in support of the General Council’s Statement. *He said:*  We offer our full support of the General Council’s statement but want to talk a little bit more about what we are going to do about the actions that are set out in the statement.

Congress, when the pandemic ended, there should have been a change in the balance of forces in the world of work. What was laid bare to everybody was that without working-class people, society did not function. But it never happened. It never happened, not because of the Tories, not because of the Labour Party, but because we did not take the opportunity to bring all of the strength that we have collectively in here together. What happened instead was that our members - working-class people up and down the UK - had to suffer, through gross mismanagement by the Tories of the economy, the worst cost-of-living crisis in decades.

And we came and we fought back and every single trade union right across the board showed the courage, and our members right across the board showed the courage and the spirit that we have amongst us. If we are going to defeat this Bill now then we have to use the same courage, the same collectivism, but we have to go further than we have ever, ever gone before.

I am going to set out a few points about what the next steps should really be. Great words in the statement, great commitments in the statement, but it does not mean a single thing unless we can look each other in the eye in this room and say we are going to implement every single one of those bullet points*. (Applause)*

So, first of all, Paul, a challenge for you as the leader of the TUC: we expect you to hold every single union that votes for that statement to account. We expect you to ask every single union to come up individually with their action plan, whether you are in the front of this fight, or you are sitting behind because you are not directly affected at the start of it. We are all in the same boat here and we have all got to come up with a plan that we can share with each other, we can build strength with – and, Paul, that is your job and I know you are going to do it. Before January 27, that plan has to be debated with every single trade union and it has to be brought back together.

Secondly, a number of people have said about the thresholds and the fear that was in some people about how difficult it was to overcome those thresholds to take strike action. We have learned some fantastic lessons from each other there, haven't we? We smashed those ballot thresholds. Every single union got out and done the work, and what was key to that was engaging your members.

So, the second challenge for all of us is the energy, the time, the resources that we put into smashing those thresholds to get the right to strike have to now be done in exactly the same way in how we engage our members to defend the right to strike. (*Applause*)

Finally - finally ‑ we have to set this fight in the context of the need for a New Deal for Working People in the UK. And I echo all of those speakers who said you don't wait for the General Election to do that, you don't wait for the Labour Party to introduce that. We do that ourselves. We are the biggest power in this country and across the world, when we realise it. We have got it all here. We have got great leaders in our movement, courageous leaders, and you are going to take it on, we know that, but let’s do it this time in a way that really does harness our strength.

That New Deal for Workers, we should be out there now, we are going to come out and ask unions in our sectors - telecommunications, communications, postal, logistics - let's get together, as well as this fight, and get a common bargaining agenda that creates a race to the top in all sectors of the economy at the same time as having this fight.

So, Congress, we say to you today you have got to pledge to go further than we have ever gone before in collective solidarity. That is what that statement says and unless you are willing to do that, don’t vote for it. But you’re gonna to vote for it because you mean it, so let’s get the action plans, and where we will end up here, we will stand together, we will take this fight forward. We are going to kick the Tories out and we are going to bring the New Deal for Working People in. Thanks very much. (*Applause*)

**The President:** Thanks, Dave. Napo.

**Ian Lawrence** *(Napo)* spoke in support of the General Council’s Statement. *He said:* Well, President, Congress, it’s been a fascinating debate and a real privilege to hear about our sister unions and the valiant struggles in which you are engaged. In the Napo ‑ probation and family courts - we do not face the prospect of MSLs at the present time, but I’m not complacent about that, and nor should any other union be in a similar position.

Look, this campaign that we are signing up to, it has got to extend beyond defending the obvious fundamental right to withdraw one’s labour. It’s got to be an opportunity for this movement collectively and as Dave has just said, and others within our own unions, to assert the important role that unions have had and still do in UK society and the economy, as we pick up the challenge laid down by Paul Nowak and others to regalvanise our movement. In doing so, there is a need to raise awareness through this campaign to point out to the wider non‑aligned public just how valuable unions are and the achievements we have helped to secure over two centuries of organised struggle ‑ paid sick leave, paid holidays, flexible working, maternity and paternity leave. Equality legislation across our nine protected characteristic communities. The right to representation, the minimum wage campaigns, collective bargaining and national agreements across various sectors. The millions upon millions of pounds of public money we have saved by using the processes of resolution of disputes. Our support for international peace and development. And, as has been alluded to earlier, the furlough scheme, without which we may have seen millions of people queuing up for bread outside in our high streets. And the sacrifices of working people over those two centuries. You could go well back, couldn’t you ‑ the Diggers, the Levellers, the Tolpuddle Martyrs and others. The list is endless.

And why is it important? Because, we are facing the biggest existential threat to our very existence that we have ever known, waged by a vindictive and pernicious Government which wants to divide us, wants to set the public against us, and allow the public to ignore the benefits of organised trade unions and what we can bring, the positives that we can bring. That is all without question.

So, what are we going to do as part of this campaign? We have got to reach out to existing members, obviously. We have got to reach out to those workers who want to be in a trade union but don’t have that opportunity. We need to pressurise employers to agree recognition rights where we can. We need to engage with young workers, the lifeblood of our movement in the future, and crucially, those who have yet to even enter the jobs market, through our schools and colleges. And we need to use that to build a new cadre of representatives in our workplaces and communities.

Look, Napo does not have a policy to support a general strike, as some of our colleagues outside were calling for earlier on. But let me tell you what we have a policy on: to defend any worker who is impacted by an MSL; to engage with employers to get their commitment as soon as we can, they will have no truck with MSLs going forward; and to resist this corrupt and wretched Government while it still lasts. Napo will play a full part in that campaign to come. We will not stand by and see people picked off by this Government.

I will leave you with this. When it comes to the difference between this soon-to-be-history Government and what we in the movement stand for, I would offer this analogy from the world of sport. It goes something like: form is often temporary but class, especially our class and the principles on which it was founded, is very much a permanent fixture. Thank you, Congress. *(Applause)*

**The President:** Thank you, Ian. I call Equity.

**Sam Swann** *(Equity)* spoke in support of the General Council’s Statement. *He said:* Comrades, the members of Equity stand in full solidarity and full support with the General Council’s statement to resist these absurd and disgraceful minimum service levels. We know the Tories are fundamentally unserious full stop but they are unserious about public services so anything they say about minimum service levels being in order to strengthen public services we know this is nonsense. Everyone knows this is nonsense. As Sam from Unison - another Sam - said earlier on, why aren’t there minimum service levels for non-strike days if they care so much about this? While the Tories are fundamentally unserious about public services, they are very much serious about class war, about attacking the ability of workers to organise. The Tories have always been serious about this: it is their reason for being. While the minimum service levels do not affect us yet, to crudely paraphrase James Baldwin in his letter to Angela Davies, “If they come for you in the morning, they’ll be coming for the rest of us that night.”

Our members have been really inspired by the bravery and the steadfastness - is that a word - and strength of our comrades who have been engaged in industrial action over the last couple of years. We were very close to joining the waves of strike action in our negotiations for better pay and conditions on the West End which ended with a 16.7% pay increase for our member. This was totally --- *(Applause)* Thanks very much. I mean, in a way, you are applauding yourselves because this was absolutely down to the solidarity from the movement. You absolutely inspired us in our sector to fight and to increase our confidence. It was also due to the fear felt by employers, and we absolutely need to make sure, I was going to say make the employers scared again, but that has certain bad connotations, but it is true, we want to make employers scared again. Yes, that was definitely down to you and the way you inspired us. It will definitely inspire us again when we go into our pay negotiations for our new screen deal TV and film in the New Year. Our union is becoming more and more industrially focused and stronger every day which is why we feel so deeply that we cannot have our movement weakened by these disgraceful Tories.

This is an historic moment. As you know, we have not have a special Congress like this for over 40 years. At Equity we are proud to stand as part of this movement to resist and defeat minimum service levels and all attacks on our ability to organise as workers. We want to escalate from non-compliance to kicking them out of power and to holding the Labour Party to account; making then feel the pressure from our powerful movement. An injury to one is an injury to all. And as Paul said, if they come for one worker, they will face us all. Solidarity, comrades! Non-compliance can and will win. Thank you. *(Applause)*

**The President:**  Thank you very much and thanks to all the unions who have contributed to that debate. I will bring Paul in in one second. Thank you very much for everyone’s contribution, hearing such a range of views and experiences, and particularly thanks to those delegates who stuck to the time limits. I will just say you will find a slightly different Matt Wrack at Congress in September! With that, I will invite Paul to make some closing remarks.

**The General Secretary:** President, Congress, the President started the debate today by saying that nothing happens without the workers, so before I say anything else, could you just show your appreciation for all the TUC staff and stewards who have helped deliver today. *(Applause)*

This is not a precedent. Don’t say to us every single year, “Why have one Congress when you can have two?” This is a once-in-a-generation opportunity, comrades. Listen, thank you for the opportunity to stand together and express as one our opposition to the Government’s attack on the right to strike. Today we have heard directly from those workers at the sharp end of this legislation; from health professionals, fire fighters, border security staff, nuclear decommissioning staff, teachers and lecturers, and we have also heard from unions that are not yet in the Government’s firing line, from Napo, from the CWW, from Equity, Nautilus, USDAW, and many more representatives here today, all embodying that basic trade union principle that unity is strength. The solidarity has been inspirational. Thank you very much, Congress. *(Applause)*

Now our job is to turn that General Council’s Statement into action. So, here is what we will do next. Ministers will be desperate, if they can, to use their new powers to deprive workers of the right to strike, so we will be forcing and calling on employers across all the sectors affected to make it clear that they will not issue a single work notice to a union. *(Applause)* If those work notices are issued, our movement has to respond, not only naming and shaming every dodgy employer which issues a work notice, not only challenging every single work notice that is sent to a union. We will be asking our movement to demonstrate its solidarity, for people to get to those picket lines, to get to protests in numbers, just like we did when P&O illegally sacked over 700 workers over Zoom. We want to make sure we send that notice to every employer. You send a work notice to our unions, you threaten the right to strike, you should expect to find 48 unions ready to respond, ready to support and ready to win. *(Applause)*

In this movement we have got long memories. We have had mention of *Taff Vale* and “In Place of Strife”, the Industrial Relations Act, and we know this is just the latest chapter in the list of Tory attempts to shut down trade unionism. It has already been referenced, but in January it will be 40 years since Margaret Thatcher banned workers in GCHQ from being in a union, a despicable politically motivated decision. But those workers did not give up, they fought and they won, so remember our history: this movement has outlasted and outfought Tory Governments before and this time we will not be waiting 13 years for justice. We will kick that law off the statute book next year within the first 100 days of a Labour Government. *(Applause)*

So let’s come back after Christmas and New Year with even more resolve. Join us in Cheltenham in January. Let’s learn from the victories of our past. Let’s steel ourselves for the fight we are in today and let’s defeat these draconian laws. And my last thought is this: thinking back to GCHQ, the real enemies within in this country aren’t driving ambulances or working in train stations, they are not in our classrooms, they are not in our Civil Service; the real enemies within in this country sit round the Cabinet table. So let’s make sure 2024 is the year we kick them out of office and deliver that new deal for workers. Solidarity, Congress! *(Applause)*

**The President:** Thanks for those remarks, Paul. I am going to put the General Council’s Statement to the vote. I would urge you to vote clearly. Put your hands clearly up in the air. All those in favour, please show. Thank you. All those against, please show. Someone was slow taking their hand down there. Okay, that is carried. I am very pleased to announce that that carried. Well done, Congress. *(Applause)*

*The General Council’s statement was CARRIED*

**The President:** Congress, before we close I would like to remind you there will be some photographs taken with all delegates, please, if you can bear with us for a few minutes. If you can hold on for a few minutes, the banners are coming into the hall for the photos. Stewards will now bring those into the hall. If a union has brought a banner, you may need two volunteers to help to hold it up and then you will be directed about where to stand or sit for the photographs to be taken so please just bear with us.

*(Congress adjourned at 12.30 p.m.)*

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