

Congress Special

1. **Black Members' Standing Committee: Message from the Chair**
2. **Black Workers TUC 2011 Conference Report**
3. **The Public Sector Equality Duty**
4. **UCU Congress 2011**
5. **Regional Equality Networks**
6. **Events**

1. **Black Members' Standing Committee: Message from the Chair**

This newsletter comes at a watershed time. As a union we face the social, economic and political effects of an economic downturn. The crux this time is that it's a contrived downturn brought about by political ideology which has determined that the public sector will suffer to pay for the excesses of others - i.e. the excesses of elements within the private sector.

This ideologically enforced downturn and the attempt by the hegemony to create "headroom" will doubtlessly hasten the neo-liberal marketisation of all social provision. Obviously education at all levels will be effected. We will see the usual problematic: "restructuring"; realignment of conditions including pensions; stalled pay in times of growing inflation; redundancies.

The fallout from this induced downturn will impact on all UCU members but, yet again, it will doubtlessly be more pronounced for black UCU members. This scenario requires UCU black members to remember some very basic tenants the need to **build** on and **develop** the involvement and **influence** of UCU's cadre of 4000 plus black members to ensure their voices and their concerns are given credibility in our union the need to work with and support other black self organising networks within and beyond the UCU the need to heighten awareness throughout UCU regarding the dysfunctional race dynamic operating within and beyond all aspects of education.

Bill Gulam
Outgoing Chair of the Black Members' Standing Committee

***Thank You!** We would like to thank Bill Gulam for being Chair of the Black Members' Standing Committee. A new chair will be elected at the first meeting the standing committee post Congress in July 2011.*

2. **Black Workers TUC Conference Report**



TUC Black Workers' Conference was held April 8 – 10 at Congress House, London.

UCU Delegation from L to R: Bertha Ochieng, Mumtaz Khan, Harjinder Sehmi, Chris Nicholas, Maeve Landman, Reshad Suffee, Penny Charles, Alliya Stennett, Cecile Wright, Dave Muritu and Abdul Majothi, *Gargi Bhattacharyya and Dawn Livingston present but not shown.



**UCU Delegate
Dave Muritu**

The theme of this year's TUC Black Workers' conference was 'Protecting Public Services, Defending Black Communities'. It was reported that black workers have a bleak future in Britain with job losses in the public sector and a soaring unemployment rate for 18-24 year-olds from an ethnic minority background.

The unemployment rate for Black and Asian workers rose from 10.2 percent in October-December 2007 to 13 percent in the same period last year. For young people the picture is even bleaker. According to the TUC research the unemployment rate for 18-24 year-olds rose from 20.1 percent in 2007 to 30.5 percent in 2010.

Since 2007 the rate of unemployment among black women has ballooned to a massive 68 percent, and 24 percent among black males in just three years, and the TUC estimates that at least 127,000 Black and Asian workers will be unemployed as a result of the public sector cuts.

Sarah Guerra of the FDA (The Union of Choice for Senior Managers and Professionals in Public Service) chaired the main panel discussion on the impact of public spending cuts on black workers. The panel included the chief executive of Turning Point, Victor Adebowale; Sandra Kerr, director of Race for Opportunity; and Roger McKenzie, an assistant general secretary of Unison.

The UCU motion, '**Fighting cuts in further and higher education**': the impact on black communities was unanimously passed. In passing the motion Conference agreed to:

- **support education unions and student groups in the defence of education, including public protests;**
- **publicise the disproportionate impact of education cuts on black communities through community and trade union outlets;**
- **campaign against provocative and violent policing tactics designed to curtail public protest.**



**UCU Delegate,
Dawn Livingston**



The UCU delegation this year welcomed three members who were attending BWTUC for the first time Alliya Stennett, Abdul Majothi and Harjinder Sehmi.

Members of the UCU delegation contributed to all the debates and Gargi Bhattacharyya (pictured) proposed the UCU motion with her usual eloquence and fire. The motion was very well received and prompted the liveliest debate of the weekend. Gargi was also elected as the UCU representative on the TUC Race Relations Committee.

3. The Public Sector Equality Duty

The Equality Act 2010 (the Act) replaces the previous anti-discrimination laws with a single Act. The majority of the Act came into force on 1 October 2010. The Equality Duty aims to ensure that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. The **Public Sector Equality Duty** came into force on 5 April 2011. The Equality Duty is a duty on public bodies and others carrying out public functions. Public bodies must consider the needs of all individuals in their day to day work – in shaping policy, in delivering services, and in relation to their own employees.

The Equality Duty has three aims. It requires public bodies to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

Having **due regard** means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues **must** influence the decisions reached by public bodies – such as in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to **advance equality of opportunity** involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics;
- meet the needs of people with protected characteristics; and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law.

For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic – such as providing computer training to older people to help them access information and services.

Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The Equality Duty will be one of a number of factors that need to be considered. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed.

The following principles explain what is essential in order for the Equality Duty to be fulfilled. Public bodies should ensure:

Knowledge – those who exercise the public body's functions need to be aware of the requirements of the Equality Duty. Compliance with the Equality Duty involves a conscious approach and state of mind.

Timeliness – the Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken – that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.

Real consideration – consideration of the three aims of the Equality Duty must form an integral part of the decision-making process. The Equality Duty is not a matter of box-ticking; it must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.

Sufficient information – the decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the Equality Duty.

No delegation – public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the Equality Duty, are required to comply with it, and that they do so in practice. It is a duty that cannot be delegated.

Review – public bodies must have due regard to the aims of the Equality Duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed.

4. UCU Congress 2011



The annual UCU Congress will be held at the Harrogate International Centre, from **Saturday 28 May** to Monday **30 May 2011**. If you are attending Congress, please visit our stall and meet the team!

The Black Members' Standing Committee has submitted two motions on the following topics: '**Black workers, the current economic situation and restructuring**' and '**Black women and employment**'. To find out more about UCU Congress, visit <http://www.ucu.org.uk/index.cfm?articleid=5221#timetable>

Equality Fringe Meetings at Congress 2011

In addition to all the fringe events taking place at Congress, we have listed all the equality fringe events to be held at Congress

Saturday 28 May 2011
Women Member's Standing Committee
Theme: Work-life balance

Sunday 29 May 2011
Disabled Member's Standing Committee
Theme: The struggle for equal rights for disabled people

Black Member's Standing Committee and the Education Committee
Theme: Education and multiculturalism

Monday 30 May 2011
Equality Committee
Theme: Equality under attack

5. Regional Equality Networks

The purpose of regional equality networks are to act as a support mechanism for members who may feel isolated within their region. Highlighted in a Congress resolution in May 2008 below:

Regional Equality Networks

Congress believes that the organisation of regional equality networks can have an important role in promoting our equality agenda by contributing to overcoming isolation, involving more activists in equality work and supporting collective action on equality issues at the regional level.

Congress instructs the Equality Unit to work together with regional UCUS, and UCU Wales offices and regional, UCUS and UCU Wales Committees to set up regional equality networks of LGBT members, disabled members, BME members, women members and equality representatives. The networks will organise autonomously with support from the Equality Unit and Regional, UCUS and UCU Wales committees. With this support, the networks will organise one annual conference which brings together all the networks with the option of separate morning or afternoon sessions for each network.

A number of networks have already been established and are a good source of information sharing and networking. Please email eqadmin@ucu.org.uk if you would like to receive further information or advice on how to establish an equality network.

6. Events



Saturday 18 June 2011
Main Stage
Harbour Parade, Ramsgate, Kent

Get down to Ramsgate, Kent for the Love Music Hate Racism festival. A **FREE** event, the day will feature various stalls, face painting, and speakers from the trade union movement plus much more.

To find out more about this event, please contact info@kentlovemusichateracism.com

6 things you can do

- 1. Set up and/or join a black members network at your university, college or region**
- 2. Contact Chris Nicholas (cnicholas@ucu.org.uk) for information about training specifically for black members**
- 3. Get active in your branch / local association**
- 4. Survey your black members to identify issues that can be taken up collectively**
- 5. Attend UCU's National Annual Meeting for Black Members' held every autumn – use your right to be elected to the Black Members' Standing Committee**
- 6. Sign up to receive news and updates from UCU in relation to black members (email eqadmin@ucu.org.uk)**