

TSSA 2021 Annual Conference

Item 52 EC Report on TSSA Democracy

The EC proposes the following motion:

52 EC Report on TSSA Democracy

“That this Conference endorses the EC report”.

The closing date for amendments is midday on Wednesday 26 May 2021. Please follow the instructions in Circular 32 to submit any amendments. Each branch or SOG may submit one amendment to this motion.

The EC report is as follows.

EC Report: TSSA Democracy

Background	1
Following an inconclusive survey of branches, started at the end of 2017,	2
the Annual Conference in 2018 agreed the EC’s report on TSSA democracy	3
(Item E7) which called for the establishment of a working party consisting	4
of activists and supported by paid staff. The Working Party was asked to:	5
• Consider the proposals put forward by the EC and alongside the	6
various responses received;	7
• Instigate whatever further consultation they deemed necessary	8
before producing their recommendations.	9
• The proposals from the Working Party would then form the basis of	10
a report to Conference in 2019	11
• If agreed, that would subsequently be followed by a Special	12
Delegate Conference later that year to consider and agree any	13
necessary rule or guidance note changes that the EC would seek to	14
apply where possible from 1 st January 2020 and would be endorsed	15
at the outset of the 2020 Conference for authority.	16
Accordingly, the EC at its March 2019 meeting agreed to the Working	17
Party’s report attached at Appendix “B.” The matter was debated under	18
Item 57 (Minute 56) at the 2019 Conference where it was resolved that a	19
further consultation should take place prior to a further proposal being put	20
forward that took account of views expressed in the consultation.	21
Details of Item 57 appear in Appendix “A,” the Democracy Working Party’s	22
latest report. This latest report summarises the outcomes of the	23
consultation in September 2019 in which 15 branches, 2 SOGs and 1	24
Divisional Council participated.	25
Proposal	26
The Executive Committee having considered the Working party Report	27
feels that to continue with the Democracy Review would be futile	28
because:	29
• there is clearly little consensus about a way forward that could	30
enhance existing democratic arrangements;	31
• there was little to take account of in developing a detailed proposal	32
as called for by Conference;	33
• there is evidently little appetite to review TSSA’s democracy at the	34
current time.	35
The exception to this proposal is that the EC wishes to endorse the	36
continued development of IT related to Conference, as part of the	37
exercise to enhance our unions communications at all levels.	38

	APPENDIX "A"	39
<u>Report of the TSSA Democracy Working Party</u>		40
(2020)		41
Introduction		42
At TSSA's 2019 Annual Conference in Glasgow, the EC published its Democracy Review Report, prepared by a working party of EC members, TSSA activists and reps. The Report made a number of recommendations to broaden and enhance the Union's democratic structures.		43 44 45 46
The resolution (Item 57 (Minute 56)) associated with the Report and carried by Conference delegates stated:		47 48
<i>"That this Conference notes and welcomes the EC Report, but regrets that there has not been better consultation about these ideas. The Report contains some good proposals for addressing the important issues that need to be addressed, but some of these are controversial and some have significant resource implications. More discussion is needed before these ideas can be endorsed by Conference.</i>		49 50 51 52 53 54
<i>Conference calls on the EC and Working Party to adopt the following programme for taking these ideas forward:</i>		55 56
<i>a) urgently re-publish this Report to Branches, Divisional Councils and SOGs as a consultation document;</i>		57 58
<i>b) develop detailed proposals taking account of the consultation responses;</i>		59 60
<i>c) publish these proposals in late 2019 for further consultation;</i>		61
<i>d) reserve time at Annual Conference for a full debate on this issue;</i>		62
<i>e) taking account of consultation responses, publish a report and proposals for Annual Conference 2020. Each proposition should be in a separate motion."</i>		63 64 65
The consultation		66
In pursuance of the resolution, a copy of the Democracy Review Report was despatched to branches, SOGs and DCs on 11 th September 2019 via Circular 65/19 as part of a further consultation. A closing date was set for 4 th November 2019 by which time a total of nineteen responses had been received. Views were expressed by:		67 68 69 70 71
• Euston Branch		72
• Milton Keynes Branch		73
• Anglia South General (two responses)		74
• North West Divisional Council		75
• LU Mats & Operating Branch		76
• London & Southern Retired Members' Branch		77
• Lancs & Cumbria General Branch		78
• Midlands Retired Branch		79
• Crewe & Cheshire General Branch		80
• Retired Members' Group		81

• TfL Central Branch	82
• Belfast Branch	83
• Network Rail Midlands Branch	84
• Merseyside General Branch	85
• Disability Working Group	86
• Yorkshire General Branch	87
• London Bus & Rail Branch	88
• West of Scotland Branch	89
A summary of the views put forward by branches, SOGs and DCs include:	90
Democracy 1: Access by members to become the branch Conference delegate(s) and/or to propose motions to Conference.	91
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• Some branches focused their concerns on what they saw as a lack of clarity in this section or issues related to a reduction in the branch role, whilst others were supportive of the proposals and made suggestions about further improvements. Some respondents also stated that they already did most of what was being proposed, albeit at a local level (eg, by inviting members to submit motions by email).	93
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• The increased use of MyTSSA was seen as a key to enhance member access;	100
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Democracy 2: Enabling topic debates	102
• Those respondents who answered this question noted how some of the proposal was already part of the way SOC operates (including division of motions into subject areas). There were mixed views about actual topic debates with support from a few branches but concerns from others that a few motions may not be debated because of timing issues.	103
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• Opinion was also generally to oppose SOC's current role at Conference taking place away from Conference although one branch argued that it would allow time for a new delegates seminar.	109
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Democracy 3: Rep participation at Conference through Sectors.	112
• There was both support for, and opposition to, reps participating in Conference. In the former case, respondents wanted to enhance member democracy by allowing reps to have a recognised part in Conference, going beyond only being able to attend branch meetings (or Conference as a branch delegate); those who opposed this idea argued that it would further weaken branch involvement in Conference, seeing the branch as at the heart of TSSA democracy;	113
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• Some branches supported rep sectors to enable them to share experiences and work on common issues but others opposed this development because of concerns about rep involvement, a weakening of the branch role and the comparison with the perceived failure of company branches;	120
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<ul style="list-style-type: none"> • There were also differences of opinion about increasing the size of the EC and having rep specific seats. Some respondents opposed rep seats but supported seats for certain SOGs. Questions of additional cost were also raised; 	125 126 127 128
<p>Democracy 4: To enable Divisional Councils to exercise the option to adopt Irish organisational model for Conference participation.</p>	129 130
<ul style="list-style-type: none"> • Opinions varied with some branches opposing the suggestion on the grounds of the size of their geography whilst others offered qualified support because of considerations of equality and numbers in delegations. • Electronic voting also found a generally supportive response from most branches although it was usually qualified by considerations of cost and operation. • Branches that expressed a view about a Special Delegates' Conference opposed such an event. 	131 132 133 134 135 136 137 138 139
<p>Proposal by Democracy Review Working Party</p>	140
<p>The resolution from the 2019 Conference required the Working Party to “develop detailed proposals taking account of the consultation responses.”</p>	141 142
<p>When it met to consider those responses, however, what became apparent was that there was little consensus about a way forward that could enhance existing democratic arrangements. As such, there was nothing to take account of in developing a detailed proposal. Instead, based on the majority view from the eighteen branches participating in the consultation, there continues to be little appetite to review TSSA’s democracy at the current time.</p>	143 144 145 146 147 148 149
<p>On this basis, the Working Party’s recommendation to the EC iss that the matter is not progressed and branches, SOGs and DCs be advised accordingly. The exception to this is that TSSA will look to develop its IT provision in relation to democracy, including through a TSSA App.</p>	150 151 152 153

APPENDIX “B”

Report of the TSSA Democracy Working Party

(2019)

(Noted by 2019 Conference so no line numbers)

1. INTRODUCTION

Following an inconclusive survey of branches, started at the end of 2017, the Annual Conference in 2018 agreed the EC’s report on TSSA democracy (Item E7) which called for the establishment of a working party consisting of activists and supported by paid staff. The Working Party was asked to:

- Consider the proposals put forward by the EC and alongside the various responses received;
- Instigate whatever further consultation they deem necessary before producing their recommendations.
- The proposals from the Working Party will then form the basis of a report to Conference in 2019.
- If agreed, this would subsequently be followed by a Special Delegate Conference later that year to consider and agree any necessary rule or guidance note changes that the EC would seek to apply where possible from 1st January 2020 and would be endorsed at the outset of the 2020 Conference for authority.

This report reflects the discussions and conclusions reached by the TSSA Democracy Working Party which has met on several occasions. At the end of the report are four broad recommendations which at their heart are aspirational and intended to improve TSSA’s democracy.

2. TSSA DEMOCRACY WORKING PARTY’S INITIAL VIEWS

At the initial meeting we had a broad ranging discussion that not only looked at responses to the 2017 branch survey but then went on to highlight issues about:

- the lack of participation in TSSA elections (eg, to the EC);
- branches' role in democracy and the need for greater participation;
- online participation and the use of new and mobile technology;
- Conference participation by members and reps;
- reps having a role in TSSA democracy and the potential use of sector meetings.

3. TSSA DEMOCRACY WORKING PARTY'S SECOND MEETING

In the subsequent meeting, discussion continued on three broad areas:

- Structure of Conference
- Involving TSSA reps in the union's democracy
- Divisional Councils

3.1 Structure of Conference:

Issue: The nature of the bureaucracy is restrictive and hinders participation:

- There is nothing in the Rule Book or Guidance Notes about how branches should engage with members in terms of Conference motions or the nomination of delegates. Only those who are familiar with the process know how it works and have access to it.
- Instead, there is a need to explain how the process works to encourage participation in terms of:
 - how a member can produce a motion, submit it, the provision of templates, etc;
 - how a member can put their name forward to be a delegate;
 - how they can participate at a branch meeting deciding on motions and appointing delegates.

On all of these things, there should be better website guidance.

- Branches should also be obliged to
 - seek motions from members and publicise when they will be making decisions about which ones to adopt and who will be the delegate(s).
 - These processes could be done via the website.

Any changes need to recognise the ability of branches to be able to mandate delegates.

Issue: The time between submission of motions and when they are considered by Conference:

- Problem with length of time between consideration and submission of the branch motion and it actually being debated by Conference which can take six months! By that time, the issue may have been resolved, have changed or no longer be relevant because of a change in circumstances

Issue: TSSA democracy created for an earlier age:

- Recognition that the TSSA system was created when most members worked for a single employer (British Rail) and at a time when national bargaining meant decisions at Conference could change union policy. That system is now obsolete and means that Conference has little relevance for staff reps in their workplace or company. Instead, there should be the opportunity for reps to be able to take issues to Conference and for it to be able to demonstrate its support for industrial matters as well as set policy around collective matters in specific companies or across sectors;

- Despite the previous point, the current mechanism does enable a fair debate and is an opportunity to participate for those who understand it.

The role of Standing Orders Committee:

- Recognition that maintenance of the SOC's independence is vital;
- However, timings at Conference should be re-considered by slowing down the first day - eg, SOC meeting with delegates should take place in the weeks before Conference with its processes done online. By slowing down, there may be an opportunity for a new delegates seminar.

Procedures at Conference:

- The use of fluent debates and less formality as a way to encourage participation. This could be through the use of sector debates where motions are grouped together, debated and then individually voted upon. A summary of the position would then be written up;
- Less formality should also be utilised via discussion style Q&As prior to a debate;
- Aspiration for a paperless Conference;
- Use of technology to enable participation (eg, iPads/tablets) - and ability for it to be updated constantly. Process required to be able to do this.

3.2 Involving TSSA reps in the union's democracy:

Issue: There is a hole in TSSA's democracy which needs to be plugged by involving reps and activists.

- Whilst some Conference delegates also hold a position as a staff rep (eg, industrial, health and safety, learning, equality, etc), there is no formal mechanism that allows reps to attend in that capacity.
- Industrial issues should be on Conference's agenda. Reps should have rights at Conference and issues should be considered at Conference rather than only at branch meetings;
- Involving reps would give an opportunity for TSSA to back contemporary matters whether at a company level or across a sector. It would also mean that reps can be expressly involved in the union's policy formation and decisions about campaign in the areas that concern them.

How to involve reps?

- Reps should be divided into Sectors (eg, TOC, Infrastructure, etc) to determine industrial issues for Conference and through this model have a role in Conference which would then determine the policy/campaign to deal with the concern;
- In the month before Conference, motions regarding industrial issues should be submitted in order to give TSSA backing for contemporary matters. Matters could be company specific or across the Sector to determine/influence a national response;
- There would be one motion per Sector
- There would be a separate reps' debate like a staff side to determine the final version of industrial motions to be taken to Conference. To secure rep participation, consideration would be given to the use of technology (eg, Skype);

- Industrial motions from reps would be debated at Conference but, like the TUC's Equality Conference approach where motions are presented to Congress, they could not be amended;
- Consideration should also be given to enlarging the Executive Committee with 4 or 5 additional positions based on rep sectors;
- Process would be reviewed after two years.

3.3 Divisional Councils

It is generally recognised that a number of Divisional Councils (DC) are facing problems in terms of maintaining and developing a functioning branch structure which underpins TSSA's democracy. A consequence of the gradual closure of branches is that this situation is likely to worsen as areas covered by branches grow ever larger. DC's should be able to choose between the successful Irish model where Conference delegates are nominated by the Divisional Council or retaining an organisation whereby branches in the DC area send delegates.

Changes to the Rule Book and Guidance Notes would be required to enable other DCs to pursue this model (eg, around selection of delegates and motions).

4. Proposals

Following on from the above considerations, the Working Party has made the following series of proposals, each under separate headings:

Democracy 1:

Issue: Access by members to become the branch Conference delegate(s) and/or to propose motions to Conference.

- Proposal:
 1. Review the process for nominations and submission of motions to include through the TSSA website;
 2. However, the branch would retain the same status as now regarding decisions about delegates and motions in its name;
- Review to include consideration of potential changes to the Rule Book and Guidance Notes around:
 1. Changes to timescales associated with Conference delegates and submission of motions to allow for member participation via website;
 2. Reinforcing the democracy provisions for branches.

Democracy 2:

Issue: Enabling sector debates

- Proposal:
 1. Branch/SOG motions would be submitted as now;
 2. SOC would decide on subject areas in which to group motions.
 3. All motions would be asked to cooperate and composite via group discussions;
 4. SOC would facilitate changes;
 5. SOC business would be moved from Conference;
 6. Voting on each motion would be after the “sector” debate;
 7. Electronic voting could be used - it would also provide accountability.

Democracy 3:

Issue: Rep participation at Conference through Sectors.

- Proposal:

Bring forward changes to the Rule Book and Guidance Notes that would:

 1. Define Sectors in terms of groups covered (eg, Infrastructure, Operations, etc) and rights and responsibilities under Rule Book and Guidance Notes (akin to SOGs);
 2. Determine procedure for Sectoral Conferences where main issues would be chosen by consensus in month prior to Annual Conference (could be based on TSSA’s Network Rail’s Sector Conference);
 3. Propose number of reps from each Sector who can attend Conference;
 4. Introduce additional EC members based on sectors.

Democracy 4:

Issue: To enable Divisional Councils to exercise option to adopt Irish organisation model for Conference participation.

- Proposal:

EC to propose amendments to Rule Book and Guidance Notes to enable DCs to seek EC agreement to convert to Irish model. Criteria to be set ensure democratic participation in TSSA Conference.

-Ends-