

**East Kilbride Revenue & Customs Branch
Annual General Meeting - 2nd March 2017
Agenda**

- **Opening Remarks**

- **Election of Tellers**

- **Branch Nominations** – The following members have been elected as your Branch Representatives for the coming year:

Branch President	Bob Farmer(QH)
Branch Vice President	John Davidson(PT)
Branch Secretary	Kris Hendry(PT)
Branch Organiser	Scott Clark(PT)
Branch Treasurer	Nikki McCann(QH)
Branch Learning Coordinator	Paul Rolwich(PT)
Branch Health & Safety Chair	Derek Peace(PT)
Branch Equality & Diversity Officer	Craig Lundie(QH)
Branch Young Member's Officer	Rebecca Borland(PT)
Branch Women's Officer	Pauline Johnston(QH)
Branch LGBT Officer	Kris Hendry(PT)
Branch Disabled Members Officer	Barbra Farmer(PT)
Branch BAME Members Officer	Timothy Dales (QH)

Women's Advisory Committee – Pauline Johnston(QH), Julia McMurray(PT), Catherine Cranston(PT), Sandra Muir(PT), Angela Stewart(QH), *Vacant(1)*

Young Member's Committee – Hannah Goldie(PT), Rebecca Borland(PT), *Vacant(4)*

Branch Auditors – Stuart Roney(QH), Abdul Haq(QH)

Conference Delegates

Group: Scott Clark(PT), Craig Lundie(QH), Kris Hendry(PT), Julia McMurray(PT)

National: Scott Clark(PT), Craig Lundie(QH), Kris Hendry(PT), Niall McInnes(QH)

- **Group Nominations** - The following nominations were received for the 2017/18 Group Executive Committee elections and HMRC Group Conference election positions

Group President (1) - Lorna Merry

Deputy President (1) - Hector Wesley

Deputy Group Secretary (1) - John Davidson

Assistant Group Secretary (8) - Clive Bryant, Barney Lawn, Ian Lawther, Mark Leopard, Margo McCabe, Marianne Owens, Colette Smith, John Smith

Group Treasurer (1) - Hamish Drummond

Group Executive Committee member (19) - Laura Bee, Tracy Boyce, Harvey Crane, Scott Clark, Cathy Darcan, Mark Emmerson, Barbra Farmer, Dave Hansford, Amjad Ismail, Sharon Jeffrey, Andy Lord, Mo Lumb, Alex Morgan, Kevin McHugh, Alan Runswick, Peter Tinley, Lee Vernon, Paul Wolfe, Bobby Young

Group Standing Orders Committee (3) – Niall McInnes

Group Auditors (2)

Group Editorial Board (3)

Group Environmental Advisory Committee (6)

Group Black Members' Advisory Committee (8)

Group Disabled Members' Advisory Committee (8)
Group LGBT Advisory Committee (8) – Kris Hendry
Group Women's Advisory Committee (8)
Group Young Members' Advisory Committee (8)

- **National Nominations** - The following nominations were received for the 2017/18 National Executive Committee elections and PCS Annual Delegate Conference elected positions

National President (1) - Janice Godrich

Deputy/Vice Presidents (4) - Paula Brown, Fran Heathcote, Zita Holbourne, Kevin McHugh

Ordinary NEC Member (30) - Ian Albert, Mark Baker, Clive Bryant, Martin Cavanagh, Harvey Crane, Alan Dennis, Lawrence Dunne, Mary Ferguson, Angela Grant, Jackie Green, Sam Hall, Austin Harney, John Jamieson, Mark Leopard, Neil License, Marion Lloyd, Dominic McFadden, John McNally, John Maguire, Lorna Merry, Chris Morrison, Marianne Owens, Clara Paillard, Ian Pope, Alison Roder, Candy Udwin, Karen Watts, Hector Wesley, Katrine Williams, Paul Williams

Member Trustees (1)

Editorial Board(5)

Trades Union Congress Delegate (6)

TUC Women's Conference Delegate (3)

TUC Youth Conference Delegate* (2)

Scottish Trades Union Congress Delegate (4) – Kris Hendry

STUC Women's Conference Delegate (2)

STUC Youth Conference Delegate (2)**

Wales Trades Union Conference Delegate (3)

- **Branch Annual Report /Q&A**

- **Motions** - Motions shall be decided by simple majority excluding proposed rule changes which shall require two thirds majority to carry. In event of an even split, the Chair shall have the casting vote.

Motions to Branch

1. **That this AGM** agrees to amend Rule 3 of the Branch Constitution to read:

“All members employed at HMRC sites within the geographical location of East Kilbride shall be deemed to be members of the Branch.”

2. **That this AGM** agrees to amend Rule 16 (d) to read:

“The BEC as defined in rule 16 (a) will consist of a minimum of 8 members from Queensway House and 8 members from Plaza Tower. There will be a maximum of 25 members.”

3. **That this AGM** agrees to the creation of a new rule that reads:

“All local representatives will be required to report their facility times to the Branch Secretary each month as required by the employer. Any representative who fails to submit three consecutive months shall be deemed to have resigned their position. Where mitigation is provided at a later date, the BEC shall be authorised to decide on reinstatement of the representative.”

That this rule shall be inserted as Rule 25 with all subsequent rules amended accordingly.

Motions to Group Conference

1. That this conference supports the work of Scottish R&C branches over BoF. Conference notes that Dundee Branch has already won a great victory in ensuring that members facing redundancy in Caledonian House now have the option of transferring to Sidlaw House to avoid redundancy. Additionally, conference notes that Scottish branches have done a great deal of work to increase membership levels & the organising capacity of PCS within Scotland, as well as building up strong political links at both Westminster and Holyrood levels and using local authorities to produce detailed reports of the economic impact that closures will have within local communities.

Conference agrees that the hub model and organising strategy agreed by the GEC shortly after GDC 2016 has worked well for Scotland as it has allowed Scottish branches to organise collectively, taking into account the differences in the political situation in Scotland with the rest of the UK, especially in the context of devolution. Thus conference notes changes to the funding arrangements in the Scottish Government budget, whereby devolved tax-raising powers will now have a direct impact on the Scottish budget (including the ability to record a surplus or deficit against the comparative UK budget), which is a marked change from the block grant funding mechanism that has been in operation since the Scottish Parliament was first established.

Conference notes that whilst these tax raising powers have been devolved, this tax will still be collected by HMRC, which makes the Scottish Government a serious stakeholder in the BoF programme. Conference notes that very rough estimates of the Scottish share of the tax gap for the devolved taxes (per government figures) amount to around £700m, which if collected, could mitigate all local authority cuts across Scotland. However, neither government (Westminster or Holyrood), nor HMRC have investigated the true extent of this figure. Similarly, conference notes a recent NAO report which highlighted HMRC's failure to identify 420,000 potential Scottish taxpayers. Conference agrees that this error could have had huge implications for the Scottish Rate of Income Tax, given that this failure potentially affected around 13% of the Scottish Income Tax paying population. Conference agrees that with HMRC's BoF programme and digitalisation agenda, these errors are likely to get worse as time goes on.

Consequently, conference condemns the position taken by the Scottish Government's Finance Secretary, Derek Mackay MSP, who in response to questions about the BoF programme stated that he had been "informed that staff moves would not impact on the collection of Scottish income tax," adding that "how HMRC deploys its resources is its own decision." Conference agrees that this position is dangerously negligent and calls on the Scottish Government to take seriously its duty to protect the Scottish economy by properly scrutinising the information being provided to it by HMRC and by doing everything in its power to support PCS' campaign against the damage that the BoF programme will do to the economy.

Conference also recognises the similarities faced by branches and members in Scotland when compared to the rest of the UK - including the negative impact that closures will have on local economies and serious concerns over the impact BoF will have on the diversity profile of HMRC offices - and agrees that a Scottish Campaign can best be supported by PCS in the context of a wider group campaign.

Conference notes that Scottish branches have structured campaigning activities around the following key principles...

- No compulsory redundancies or forced redeployments beyond RDT
- Implementation of a tax collection regime which supports both the new devolved tax arrangements as well as HMRC's wider obligations to UK taxpayers
- Local & national socioeconomic responsibility
- Development of an alternative vision of tax collection by using the skills and experience of tax workers for service design

Conference notes that in relation to the last point, PCS has taken advantage of monies made available through the Scottish Union Modernisation Fund (UMF) to facilitate this work, which has increased PCS' ability to map out our alternative to BoF. UMF has allowed PCS to take direct feedback from members about the specific barriers and constraints they face in doing their jobs (with particular reference to BoF), as well as looking at solutions. In effect, this work allows PCS to put

forward an alternative vision, based on the skills and experience of staff who actually understand the work, which lies in stark contrast to HMRC's discredited top-down approach.

Finally, conference notes extant PCS policy to support individual branches in the pursuit of industrial action, where this is possible. As such, conference instructs the GEC to fully support Scottish branches in the advancement of this campaign, as well as supporting any outcomes of UMF-related work where they can support the further development of the campaign against BoF in both Scotland and the wider UK.

2. That this Conference recognises that the Reasonable Adjustment Support Team(RAST) have been providing managers with advice regarding reasonable adjustments for staff with protected characteristics for several years. As personal caseworkers, reps often find that the advice given is done so informally ie not in writing, without any record of the details discussed between RAST and the manager. Given the proposed moves to the Regional Centres, ensuring reasonable adjustments are processed correctly and not in a mechanistic fashion will become even more important.

This Conference instructs the GEC to negotiate with RAST management to develop a more transparent process whereby staff and caseworkers can constructively challenge the advice given to managers by RAST and facilitate challenges to management about the information given to AST upon which any advice is then given and/or how the approach has been made to RAST.

3. That Conference recognises HR15006 'Probation: probationer appeals' incorrectly omits the probationer's right to appeal action taken under the new Attendance Management policy. This has led to probationers, upon submitting appeals, being declined the right to appeal based on advice from HR to the manager; HR's advice being that the probationer does not have the right to appeal action taken under the Attendance Management policy.

Conference agrees that this contradicts HR27002 'Attendance management: Policy' which clearly states "This policy applies to all jobholders including...probationers."* HR seems to be ignoring this clear policy statement, resulting in a detriment to our members undergoing probation.

Conference acknowledges our formal disagreement with management over the new Attendance Management policy but agrees action must be taken to ensure probationers are able to exercise their right of appeal under the new policy, Conference therefore instructs the GEC to request the probationers right to appeal guidance set out under HR15006 is updated immediately to reflect the probationers right to appeal a warning under the Attendance Management policy as set out in HR27002.

Please note grammatical error is accurate quotation from HR guidance

4. That this Conference recognises the work done through the years in improving Maternity Rights. However Conference notes its concern that members returning from maternity leave, of all grades, are not being given structured retraining and/or offered the opportunity to return to work on a phased basis in order to ease themselves back into work as well as beginning to spend time away from their new child which can prove stressful for many parents.

Conference acknowledges that this has led to numerous cases whereby many new mothers, already stressed at having to leave their child after completing their maternity leave, have ended up going off work sick due to stress through lack of support upon their return to the workplace.

Conference agrees that an opportunity of agreeing a phased return to work or offering a temporary reduction in working hours alongside a structured training plan for new mothers prior to returning to work should be introduced to current Departmental policy. Conference recognises that this would benefit both the member by reducing their risk of stress and anxiety at a difficult time, particularly in cases where additional issues such as post natal depression are involved, as well as the business by helping to contribute towards reducing employee sickness rates and therefore reducing resources require in managing sick absence as per the new Department Attendance Management policy.

Conference therefore instructs the GEC to enter into negotiations with the employer with a view to securing the introduction of agreed phased and structured return to work procedures as well as appropriate job training plans for those returning from maternity leave, tailored to suit each individuals

needs. Conference also instructs the GEC to ensure that any new proposals make clear that any such actions must be agreed by both the manager and jobholder prior to the return to work date. Conference agrees that the GEC shall be required to report back on negotiations no later than the opening of Group Conference 2018.

Motions to PCS National Conference

1. That this Conference is concerned over the service and financial benefit that Baxter Hoare provides to reps and members and therefore our Union.

Conference recognises that Baxter Hoare have on several occasions presented invoices a number of weeks late following an initial booking. In the HMRC Group alone, this resulted in issues that required the Group to approach the NEC for additional funding in order to function as normal on behalf of members.

In addition, Conference recognises that there have been several instances where Baxter Hoare have failed to purchase the cheapest tickets available, for example open return tickets when cheaper advance fares were available that had been identified as suitable by the individuals travelling.

This Conference acknowledges that Baxter Hoare charges our Union for each ticket they purchase on behalf of members and that the actions described within this motion are clearly not a cost effective use of our members funds.

This Conference therefore instructs the NEC to discontinue outsourcing of booking travel arrangements and instead that PCS staff should be granted the ability to carry out this function to ensure the best value for money is achieved on behalf of our members and that costs are able to be managed in a timely and more efficient manner.

2. That this Conference agrees for rule 5.20 to be amended to read:

“The NEC shall establish an Equality, Health and Safety Department and such bodies as it considers necessary to represent the interests of women members, black members, young members, members identifying as having non-heterosexual sexual orientations and/or a gender different to that as assigned to them at birth, and disabled members.”

3. That this Conference recognises the ‘Transgender Report’ from the Westminster Government’s Women and Equalities Committee and condemns the response thus far from the UK Government.

This Conference recognises the huge weight the Gender Recognition Act 2004 places upon members who wish to transition from the gender they were assigned at birth to one they truly identify with. Conference agrees that the current process, which requires a large amount of evidence and forces the individual to live in limbo for two years.

Conference agrees that this is both unnecessary and harmful to the health and wellbeing of those forced to go through this procedure.

This Conference also agrees that all members should expect to receive the same legal protections from discrimination and harassment under the Equality Act 2010. Conference therefore recognises that the Women and Equalities Committee report highlights an area of concern in relation to gender identity, whereby the legislation only protects those who intend to undergo, are currently undergoing or have undergone gender reassignment. This leaves many who do not want or need to transition - perhaps because they identify as neither male or female, or perhaps because they identify as both - open to the threat of bullying, discrimination or harassment with the risk of being unable to access legal recourse due to the narrow definition within the Equality Act 2010.

This Conference believes that all members should be protected from this threat and therefore agrees the Committee recommendation that the Equality Act 2010 should be amended to afford protection on the grounds of gender identity in place of gender reassignment.

This Conference therefore calls on the NEC, in collaboration with Proud as the representative group for PCS' LGBT members, to campaign for the full implementation of the 'Transgender Report' recommendations as soon as possible by the UK Government.

4. That this Conference recognises that European Health and Safety Week is one of the more important events in our calendar.

Conference further notes that this is one of the few opportunities that health and safety reps have to raise the profile of issues affecting the health, safety and welfare of our members as well as current rights and legislation, protections which are likely to come under attack in the coming period.

Conference acknowledges that although a link to an external website exists on PCS' health and safety web pages (currently a broken link) this does not accord the prominence that experienced health and safety reps would like to see this important event given.

Conference therefore instructs the NEC to ensure that our web administrators raise the profile of and produce specific pages on European Health & Safety Week as well as prominent graphic banners which link to this page in the run up to the week of events, as we do with other important campaigns.

- **Additional Q&A (time permitting)**