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307

Harassment Complaints Database: Union Policy

Branches are again reminded of the need to fill in the Harassment Complaints Database (HCD) forms, as illustrated in LTB 450/04.

Please ensure that all representatives have a copy of LTB 450/04 as it contains useful guidance as well as the form itself.

Branches may also find LTB 289/04 useful which contains information on the Harassment Helpline and the Harassment Advice Network as well as the HCD. The completion of the HCD forms is part of our agreement with the Equal Opportunities Commission and is, therefore, CWU policy (the full agreement can be found in LTB 292/04).

The Equal Opportunities Commission has raised concerns with us regarding the completion rate, which we need to address, otherwise we will fall foul of the agreement. Therefore, please ensure that any complaint raised with branch representatives by members that involves possible harassment should be notified to HQ via these forms.

We appreciate that this will add to an already busy work schedule for those representatives that have the responsibility for completing them, but there is no scope for non-compliance. We must accept that this will become an accepted culture in terms of harassment reporting. The data that will come through to HQ will be vital in enabling us to analyse and identify any obvious patterns where problems exist.

We extend our appreciation to all those branches already complying with the policy and look forward to the co-operation of all branches in this matter.

Any enquiries about this paragraph should be addressed to **Linda Roy**, Equality Officer.

308

Mandatory Equality & Diversity Training

Branch secretaries are requested to ensure that any person in their branch who has CWU representative responsibilities and has not yet completed their mandatory equality & diversity training are enrolled in the courses that are planned throughout the regions in the forthcoming months. All reps must do the training – this includes divisional reps, area reps, unit reps and branch officers.

For clarification on dates please contact your regional secretary. The training has been running now for over three years and there are still a substantial number of reps who have not completed the training. Your co-operation in this matter is greatly appreciated. Equal Opportunities Department.

309

HSE Signs Contract with Capita to run

The New Gas Safety and Gas Installer Registration Scheme, Replacing CORGI from 1st April 2009

On 8 September 2008, HSE awarded a 10-year contract to the Capita Group Plc to provide and run the new Gas Safety and Registration Scheme for gas installers from **1 April 2009**, replacing the CORGI Group who have run the current scheme for 17 years.

The HSE conducted a review and extensive consultations in 2006 involving gas industry including gas installers, their representatives and consumer groups which identified a strong case for change. The new scheme is aimed at delivering improvements to gas safety and added value for consumers and gas installers.

The HSE/Capita contract sets out commitments to deliver:

- New rules of registration agreed with HSE and then made freely available to installers.
- Competence criteria for registration in consultation with the awarding bodies and the agreement of HSE.
- New identity cards.
- A new system to receive and disseminate safety alerts and to provide technical information to installers.
- A contact centre accessible to installers and gas consumers accessible through web, telephone or post.
- Installers and businesses will receive a monthly magazine to keep them up to date with important news, technical information and gas safety.
- Strengthened scheme management arrangements.
- Greater longer term investment for the benefit of gas consumers and installers.
- Raising consumer awareness of domestic gas safety risks.
- Improved public assurance about the competence of registered gas installers and the safety of gas work.
- Focus on gas safety and promoting the competence of registered installers.
- An independently verified complaints mechanism if things should go wrong and independent appeals procedures for gas consumers to complain about unsafe gas work; and for installers to complain about the service they receive from Capita or decisions taken against them by the provider.
- New approaches to inspection targeting unsafe and unregistered gas work.
- HSE will appoint a contract manager to oversee the day to day relations and management of the contract scheme.
- Capita's success in delivering this will be measured on an annual basis and there will be contractual and financial penalties should Capita fail to deliver.

Dave Joyce
National, Health, Safety & Environment Officer

310

HSE Consultation CD219 – Removing Forms and Record Keeping Requirements

This consultation is relevant to those who employ anyone in an office, shop, factory or certain railway premises in Great Britain.

HSE propose to abolish the requirement for employers to fill out a form and notify HSE or their local authority of their premises. Factory employers also have to keep a record called the “general register”. HSE think these requirements are obsolete and can be removed with no loss of health and safety protection. The consultation closes on **14 November 2008**.

This consultation covers proposals to remove several legislative form filling requirements that apply to most businesses operating from a factory, office or shop in Great Britain. HSE are considering two areas:

- Premises notification – employers are currently required to fill out a form to notify HSE or their local authority of any factory, office or shop premises, and certain railway premises, where employees work.
- The general register – factory employers are required to keep a set of records and forms called the general register.

HSE are proposing to abolish the requirements because:

- the premises notification requirement is redundant – HSE obtains information on factory premises using a range of more reliable and efficient information sources and strategies, as do many local authorities on offices and shops; and
- it seems clear the general register is obsolete – modern legislation has overtaken the original purpose of this requirement.

To achieve this HSE would repeal the notification and general register requirements of the Factories Act 1961 and the Offices, Shops and Railway Premises Act 1963.

HSE are confident that this proposal would result in no loss of current health and safety protection.

- View the HSE consultation document for these proposals: <http://consultations.hse.gov.uk/inovem/gf2.ti/f/6530/185285.1/pdf/-/cd219.pdf>
- Respond to the HSE consultation using the online questionnaire: <http://consultations.hse.gov.uk/inovem/gf2.ti/f/6530/186501.1/dot-/CD219%20response%20form.DOC>

Responses should be sent to:

Peter McKerrow
Legislative Framework Team
Cross Cutting Interventions Division
Health and Safety Executive

5NW Rose Court
2 Southwark Bridge
London SE1 9HS
Tel: **020 7717 6977**
Fax: **020 7717 6690**
Email: enforcementpolicy@hse.gsi.gov.uk
to arrive no later than **14 November 2008**.

Dave Joyce
National, Health, Safety & Environment Officer

311 HSE Report and Statement of Forthcoming Regulations in 2008/2009 and Consultations

Introduction

The Health and Safety Executive (HSE) states that is committed to helping business and other stakeholders adapt to changes in occupational health and safety law and practice. In February 2005, HSE decided to implement changes that arise from within the UK on only two dates each year. HSE has extended this to legislation arising from Europe, wherever it is in their control to do so. HSE issues periodic statements listing the regulations that commence during the forthcoming year which they update it every six months, covering a rolling 12-month period.

The two 'common commencement dates' are:

- 6 April (the start of the tax year); and
- 1 October

By harmonising commencement dates HSE hope that those affected (i.e. businesses/employers, safety representatives and individuals) will be more aware of forthcoming changes and better able to plan for and implement new measures effectively.

Commencement dates could change following consultation with stakeholders or consideration by the health and safety executive board and ministers.

This statement details changes to occupational health and safety law and practice that are due to commence over the next twelve months. The statement has three sections:

Section A – Changes due to commence on 1 October 2008

• The 2nd Adaptation to Technical Progress (ATP) to the Dangerous Preparations Directive (DPD)

The 2nd ATP adjusts the 'rules' for classifying and labelling preparations (mixtures) of chemicals based on the classification of the constituent substances and their concentrations in the preparation. It was due to enter into legal effect in EU member states on 1 March 2007. For technical reasons HSE

were unable to meet this deadline. HSE have recently completed a public consultation on proposals to implement the directive through amendments to the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002. It is expected that the new regulations will come into force on **1 October 2008**.

Section B – Changes due to commence on 6 April 2009

• Health and Safety (Miscellaneous Amendments and Revocations) Regulations

These regulations are intended to correct issues that have arisen since the new regulations on the manufacture and storage of explosives came into force in April 2005. They also take the opportunity to reduce the administrative burden resulting from explosives legislation by extending the maximum periods of validity of explosives certificates and storage licences. They will also revoke redundant and outdated local mining regulations and correct an omission in the Control of Noise at Work Regulations.

• Factories Act 1961 and Offices, Shops and Railway Premises Act 1963 (Repeals and Modifications) Regulations

HSE are consulting on these proposed regulations. They would remove several legislative form filling requirements that currently apply to most businesses operating from a factory, office or shop (and certain railway premises) in Great Britain. The regulations would introduce no new requirements. HSE are considering two areas:

- Premises notification – employers are currently required to fill out a form to notify HSE or their local authority of any factory, office or shop premises, and certain railway premises, where employees work.
- The general register – factory employers are also required to keep a set of records and forms called the general register.

HSE think these requirements are no longer needed and could be removed without detriment to current health and safety protection.

• The Health and Safety Information (Amendment) Regulations

The 1989 Regulations require employers to provide health and safety information, including the contact details for the local health and safety enforcing authority office and Employment Medical Advisory Service (EMAS) office, to their employees by displaying in the workplace the approved poster or giving each employee the approved leaflet. The

amendments will allow HSE to approve and publish new posters and leaflets which do not require the addition or updating of enforcing authority and EMAS contact information by businesses displaying them.

Section C – Regulations arising from Europe where it has not been possible to align with either of the common commencement dates

• Globally Harmonised System of Classification & Labelling of Chemicals

The European Council and European Parliament have reached an informal agreement on the text of a regulation to implement the United Nations Globally Harmonised System for the classification and labelling of chemicals (GHS) in the EU. It is anticipated that the regulation will be formally adopted by the European Parliament in September 2008, and will enter into force around the end of 2008. The GHS aims to provide world-wide harmonised criteria for classifying substances and mixtures according to their health, environmental and physical hazards; and world-wide harmonised hazard communication elements, including requirements for labelling and data safety sheets. This will be a direct acting EU regulation which, once adopted, will apply in member states.

Current HSE consultations

• Consultation letter – European Commission proposal on dichloromethane based paint strippers

The European Commission has made a proposal for a decision of the European Parliament and of the Council to amend the Marketing and Use Directive (76/769/EEC) to restrict the sale and use of paint strippers containing dichloromethane (DCM) to consumers and professional users. This is currently under negotiation in the Parliament and in a Council Working Group. The consultation is open for six weeks and closes on **26 September 2008**.

• CD219 – Removing forms and record keeping requirements

This consultation is relevant to those who employ anyone in an office, shop, factory or certain railway premises in Great Britain. HSE propose to abolish the requirement for employers to fill out a form and notify HSE or their local authority of their premises. Factory employers also have to keep a record called the "general register". HSE think these requirements are obsolete and can be removed with no loss of health and safety protection. The consultation is open for 14 weeks and closes on **14 November 2008**.

Consultations and discussions that ended during 2008

• CD218 – A consultative document on proposals for amending the Health and Safety Information for Employees Regulations 1989 (HSIER)

HSE consultation on proposed amendments to the HSIER to allow HSE to approve and publish new posters and leaflets which do not require the addition or updating of information by businesses displaying them. The closing date for this consultation was 11 August 2008.

• Guidance on controlling the health risks associated with working with UV tanning equipment

HSE consultation on revising the guidance leaflet INDG209.
Consultation ended 17 July 2008.

• CD216 – Equality Scheme Framework: Race equality scheme

HSE reviewed its existing race equality scheme and have developed a new agenda for action for the next three years. Comments from external stakeholders on the priorities which impact on HSE's interface with them as regulators and their race action plan priorities were sought and on how HSE will meet its duties to promote race equality. Consultation ended 14 July 2008.

• CD217 – A consultative document on proposals for new amending Regulations about the classification, packaging and labelling of chemicals: CHIP 3.2

The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (CHIP) need to be amended because Great Britain must implement into domestic legislation the 2nd Adaptation to Technical Progress (2nd ATP) of the European Community's Dangerous Preparations Directive. This consultative document explained the proposals and sought views. Consultation ended 4 July 2008.

• Adventure activities licence fee – Proposals to increase the existing fee from 1 October 2008 and review the fee structure

This paper set out HSE's proposals to:

1. Increase the licence fee to £715 with effect from **1 October 2008**; and
2. Review the fees scheme to inform further changes from **1 October 2009**.

Consultation ended 29 February 2008.

• CD214 – A consultation document on

proposals to amend regulations on explosives; to revoke obsolete local mining regulations; and to correct an omission in the Control of Noise at Work Regulations 2005

This consultation sought comments on proposed – The Health and Safety (Miscellaneous Amendments and Revocations) Regulations. The regulations cover:

1. Amendments to explosives legislation intended to reduce paperwork for police and holders of explosives certificates and to address issues in the Manufacture and Storage of Explosives Regulations that have come to light since the regulations came into force in 2005.
2. The revocation of 224 sets of local mining regulations.
3. An amendment to address an omission in the Control of Noise at Work Regulations 2005.

Consultation ended 1 February 2008

Dave Joyce
National, Health, Safety & Environment Officer

TELECOMS

312 BT Operate: Change and Knowledge Management

Notification has been given that management is proposing to merge Change Management and Knowledge Management functions which are based in OI. The key drivers for the change are predominately a decrease in five systems to one and redistributing the work more fairly across the two teams. There are no resource reductions as a result of the merger of the functions but there will be a number of new opportunities:

- 1x C3 team leader Out of Scope Support – To be advertised
- 1x C3 team leader Incident Management Support – To be advertised
- 1x E2E Change/Knowledge Management – Role to be evaluated and advertised
- 1x E2E Desktop Support Manager – Role to be evaluated and advertised
- 1x E2E Access and Password Support Manager – Role to be evaluated and advertised

Attached are a set of slides which set out the proposals in more detail.

Whilst the union has no comments to make on the nature of the merger, we have commented upon the job descriptions as follows:

The Incident Management Support team leader mandates that this roles also covers for the first line manager. This is not in keeping with Newgrid and indeed BT's policy of

determining at any given point in time who might be the most appropriate person to provide the cover. This is often the case when assessing people's potential and as part of personal development plan.

Interestingly, there is no requirement placed upon the Out of Scope team leader. However, for this role they:

- Support the team members' performance, motivate and drive the team to achieve their objective and organisational targets
- Oversee the day to day workings of the change implementation team
- Report on team performance and activity to line management
- Act as a leader, role model and initial point of support for members of the team.

That being the case and in line with the normal arrangements, the union believes that they should also draw the LSA as should the Incident Management Support team leader as they carry out the following:

- Conduct quality checks on a regular (weekly) basis to ensure accurate application of required updates/ amendments to Incident Management content
- Provide guidance, direction and support to all members of the E2E Incident Management team to ensure effective running of the team on a day to day basis.

Management's response will be reported upon in due course.

Brian Healy
Assistant Secretary

313 BT Operate: Ex-National Field Engineering Technical Helpdesk

The union has been advised that management will pilot a new way of delivering the helpdesk service which is operated by the Diagnostic Testing Officers (DTOs). Currently the DTOs provide a helpdesk facility that provides support to engineers who turn up at a job and need technical help or assistance to complete the fix.

Management state that this service is currently being abused and engineers are ringing up requesting building access, checking if the job is still needed when only just issued. The helpdesk was only set up to answer technical questions not provide a general information service. The CSTC DTOs primary role is to perform diagnostic testing and to work with the customer in order to determine how to resolve the problem.

Management are going to trial directing all Co-op calls to the PUNA team who will provide a front line response and either transfer technical calls straight back to the DTO officers or direct other queries to the right place. The aim is to make it more difficult for field

engineers to misuse the technical helpdesk facilities and to free up time for DTOs, so they can do the technical work they are employed to do. The issue is therefore how best to manage the circa 25% of calls which require routing and records information, access details etc. Management want to trial answering these calls with the existing resource (PUNA team) to improve the call answering speed, reduce the number of abandoned calls in Croydon and allow the DTOs to focus on technical work with fewer interruptions. Management have given assurances that no technical work will be done by the PUNA team: it will all be passed straight back to the UK.

There is no increased headcount at PUNA as management is ceasing some other work they are doing and there are no efficiencies being made with the DTOs. This is purely a support intervention to free up time to allow them to do the work they are employed

Attached for the information of branches is a spreadsheet showing the volume of calls per hour which are relatively low.

Brian Healy
Assistant Secretary

EVENTS BULLETIN

Saturday 20 September 2008: Love Music Hate Racism Jam 'it Festival. Hanley Central Forest Park, Stoke on Trent. 12pm til 7pm.

Saturday 20th Sept 2008: Stop the Fascist BNP – Peace and Unity Vigil. Assembling 10am at car park of NORSACA (North Staffordshire African Caribbean Association) Centre, Lindsay Annexe, Canon Place, Hanley, Stoke-on-Trent ST1 4EP.
For more information and transport details contact **Unite Against Fascism 020 7833 4916/unite@ucu.org.uk**

Sunday 21 September 2008: Peace Day. On Peace Day this year, we will return to London's Royal Albert Hall for our annual celebration. The evening festivities will include a gala screening of a new film, *The Day After Peace*, and performances by Annie Lennox and Bryan Adams. Jude Law will, once again, be a key speaker alongside a host of other guests. Also on Peace Day, 2008, people all over the world will be playing football as part of our 'One Day One Goal' campaign. Through 'One Day One Goal' we hope to see football matches take place in all 192 United Nations member states. Each 'One Day One Goal' match will celebrate cooperation, unity and the power of football to bring people together on Peace Day. You can find out more about this exciting initiative at www.peaceoneday.org/football.aspx Whether you plan to play football, attend a Peace Day celebration, say sorry to a friend, or anything else, whatever commitment you make for Peace Day 2008 please be sure to log it on our Peace Wall at www.peaceoneday.org/commitment.aspx

Saturday 21 September 2008 – Wednesday 24 September 2008: Labour Party Conference. Manchester.

Saturday 4 October 2008: Keep the Promise: End Child Poverty. One in three children live in poverty in the UK today. We can see the damage that poverty does to our society and are demanding a better future for all our children. The government have made the promise of a generation – to end child poverty. Let's hold them to it. Join thousands of us at Keep the Promise in London on Saturday October 4th – the UK's biggest ever event to end child poverty. 11.30 Assemble on Millbank, near Lambeth Bridge, for more details see website. 12.30 march through Westminster to Trafalgar Square – 14.00. Followed by family fun and speakers in Trafalgar Square. For more information visit the [End Child Poverty website](http://www.endchildpoverty.org.uk/promise) at www.endchildpoverty.org.uk/promise

Tuesday 7 October 2008: World Day for Decent Work. On October 7 2008 the trade union movement is organising a World Day for Decent Work. This is an unparalleled opportunity for trade unions and organisations interested in decent work all around the world to join a broad global mobilisation involving a large number of people and a wide range of activities. A successful day will focus attention on the urgent need for a new globalisation, and also provide a basis for the trade union movement in every continent to join in a common action. For more information or to register online visit www.tuc.org.uk/wddw

Friday 10 October 2008: National Youth Education Event 2008. Start 6pm Friday and ends lunchtime Sunday. This year's National Youth Education Event has been set to take place over the weekend of 10-12 October at the Jury's Inn Hotel in Brighton. Branches are therefore asked to consider advertising this event to their young members and encouraging them to attend – it is the primary youth event run by the CWU. It brings together young (under the age of 30) activists over the course of a weekend in which they gain knowledge, skills and confidence about their role in the union and the union's work in general. For more information or an application form please contact **Jo Thair** on **020 8971 7487** or jthair@cwu.org

Tuesday 14 October 2008: TUC Organising Academy – Building Stronger Unions: Organising the Future. To be held at TUC, Congress House, Great Russell Street, London WC1B 3LS. Celebrating 10 years of the TUC Organising Academy, this event will be looking at the development of the academy over the last 10, successes, new initiatives and discussions around organising the future. This free event is open to everyone involved in the union movement and guest speakers

confirmed include Frances O'Grady, TUC Deputy General Secretary and Paul Mason, Newsnight journalist and author of "Live Working : Die Fighting".

To register for attendance and to receive further details of this event please contact **Joanne Adams** on **020 7467 1361** or email jadams@tuc.org.uk

Thursday 16 October 2008: Demonstration Outside the European Parliament in Brussels. Organised by the European Transport Workers Federation. The European Socialist Party have organised a seminar on this subject in the morning of the same day. The intention is to lobby politicians in the morning and this will be followed by a formal demonstration outside the European Parliament in Brussels at midday. The intention is to publicise the continued problem of social dumping and the morally indefensible discriminatory practices that continue within the European Shipping Industry. It is for the demonstration that we are seeking to really maximise trade union attendance but if trade unionists can also lobby their own MEPs that would be welcome. If you need any further information please contact **Steve Yandell** at the RMT on **020 7529 8819** or at s.yandell@rmt.org.uk RMT will in particular be highlighting the detrimental impact of the EU Maritime Regulations which have now forced the tendering of the Clyde and Hebrides ferry services, as condemned in Congress resolutions in the past. The majority of RMT members are travelling to Brussels on the 08.05 Eurostar train so they can participate in the demonstration, and are due to return on the 16.05, arrival at St Pancras International 17.03.

Wednesday 22 October 2008: Update on Equality Law: Are we catching up? To be held at the Adelphi Hotel, Liverpool from 10.30 - 4.15. A critical look at the role of the new Equalities Commission, the equalities legislation and best practice solutions in the workplace. An informed and sympathetic understanding of the latest developments in equality legislation. Speakers include: Professor Aileen McColgan, Kings College, London; Dr Lucy Vickers, Oxford Brooks University; Sally Brett, TUC; Vicky Philips, Thompsons Solicitors and others to be confirmed. IER Subscribers £75, Trade Unions £90 and Commercial £220. For more information contact Carolyn Jones at the **Institute of Employment Rights (IER)** at The People's Centre, 50-54 Mount Pleasant, Liverpool, L3 5SD or telephone **0151 702 6925**.

Saturday 25th October 2008: CWU Disability & Special Needs Conference. The conference will take place at the Jurys Inn Hotel, 245 Broad Street, Birmingham B1 2HQ. There will be a social event the night before on Friday 24th October 2008 at the Jurys Inn Hotel. For more information contact **Linda Roy** **020 8971 7238**.

Wednesday 12 November 2008:
Employment Law Update: Fairness at Work. To be held at the Adelphi Hotel, Liverpool. We intend Employment Law Update to be an annual event to review existing legislation and look at new legislative proposals. Speakers to include: Thompsons Solicitors, leading north west barristers; NW TUC and others. IER Subscribers £75, Trade

Unions £90 and Commercial £220. For more information telephone **0151 702 6925**.

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If you have anything for the events bulletin page please send your contribution to:

Marcia Murray
CWU Communication Department
150 The Broadway

Wimbledon SW19 IRX
Tel: **020 8971 7497**
Email: **mmurray@cwu.org**

Details must arrive nine days before publication and must include a contact phone number, brief summary of the event, email and website address. Listings are free, but inclusion is not guaranteed.