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GENERAL

700

Liaison Meetings with CWU Group MPs

The first meeting with CWU Group MPs has now been arranged for the 2007 Parliamentary Session and, for your information, listed below is the date of that meeting and those nominated to attend:

20 February 2007

Maria Exall, Beryl Shepherd, Peter Keenleyside and a representative from the North West Regional Political Committee.

Billy Hayes

General Secretary

701

Equality & Diversity Mandatory Training for Branch Officials – Wales/North West

In line with Conference policy, we now require branches to submit applications for the following mandatory Equality & Diversity courses.

These courses are being held in the Wales Region:

Tuesday 20th February – Newport

Tuesday 13th February – Chester

Further dates and venues for other regions will be published in due course.

Nominations should be made on an application form for Union courses and returned as soon as possible to Trish Lavelle, Head of Education & Training, CWU Education & Training Centre, Alvescot Lodge, Alvescot, Bampton, Oxon OX18 2PY. Telephone:

01993 843373; Fax: **01993 840960**; email:

mtodd@cwu.org

EQUAL OPPORTUNITIES

702

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 reps 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 reps 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 reps 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 regarding this paragraph please contact Michèle Emerson at CWU HQ.

703 Mandatory Equality & Diversity Training

Branch secretaries are requested to ensure that any person in their branch who has CWU rep 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 either 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.

704 Equality Conference Audit

Branches will be aware that those of you who have not sent a delegate to any of the CWU Equality Conferences over a 3-year period have been written to asking for an explanation as to why this is the case.

The department thanks the many branch secretaries who have responded positively outlining plans to make progress in these areas. Those branch secretaries who have not replied to the letter will shortly be receiving a letter from the general secretary and we advise you all to get your replies in as soon as possible.

For your information the LGBT and Disability Conferences have been very well attended but there were still a considerable number of CWU branches who did not attend.

The Women's Conference and Black Workers' Conference have been advertised via LTBs and the *Voice* and we hope to see an marked increase in branches attending these conferences too.
Equal Opportunities Department.

705 Disability in Focus – November 2006

Attached to this BOB is a copy of the Disability and Special Needs Advisory Committee Newsletter.

We have already sent the Newsletter to our contact list. An electronic copy will be put on the CWU website. If you want us to send you further copies please let us know. Further copies can be ordered from the Equal Opportunities Department by phone, post or

by [email to \[acrisp@cwu.org\]\(mailto:emailtoacrisp@cwu.org\)](mailto:emailtoacrisp@cwu.org). Any enquiries on the above should be addressed to Michèle Emerson, Assistant Secretary, quoting reference No. 1.50.1

HEALTH AND SAFETY

706 HSE Tackles Back Pain with Supermarket Workout

The Health and Safety Executive recently launched a major initiative promoting the health benefits of an active lifestyle for back pain sufferers.

Tesco, the UK's leading private sector employer, is one of a huge number of organisations that is backing the HSE's Better Backs campaign. HSE and Tesco are taking the stay active message to the aisles, as they invite qualified exercise professionals to lead specially designed back-friendly exercise classes in stores across the UK.

A 'better backs' routine has been devised by Liz Prosser, a back health expert from the charity BackCare, and the in-store sessions will show staff and customers how everyday activities, including shopping, can help them manage backache.

The Health and Safety Executive state that back pain will affect as many as four out of five people in Britain, and results in 4.5 million days off work a year. Employers are losing up to £335 million a year, but the biggest losers are the millions of people who will have their lives blighted by the condition. Staying active is now accepted as being the best way to manage the problem in all but a few cases, whether that is achieved by the likes of cycling and swimming, or the kind of everyday exercises being demonstrated through this new initiative. According to the latest figures, one in every six working days lost due to ill-health is due to back pain, and eighty percent of Britons will suffer from it at some point in their lives. The HSE will highlight to employers how important it is for them to work with staff to help them return to work as part of a successful recovery programme. The CWU is working with Royal Mail to develop and open a nation-wide network of Rehabilitation Centres to provide a supportive recovery programme to help and assist staff to make a successful return to work.

Tesco stated that they are pleased to join HSE's Better Backs campaign to tackle this common health problem and take an active interest in the health of the workforce, but the sheer scale of the back pain problem in the UK means they felt it would be a good opportunity to send the message to customers as well. From the point of view of an employer, there are many surprisingly simple ways that staff can be helped to return to work with back pain, helping them manage their condition, and helping maintain consistent levels of customer service and quality.

The charity "BackCare", and co-author of The People's Guide to Active BackCare stated that the HSE's 'Better Backs campaign' recognises that back pain has to be dealt with in a holistic way, both inside and outside the workplace. In the vast majority of cases, staying active when you have back pain will help you recover, get you back to work more quickly and make it less likely that you'll suffer from back pain in the future.

To find out more about how to tackle back pain or when to visit the GP, go to "betterbacks.hse.gov.uk" or you can call the **HSE Infoline on 0845 345 0055**.

Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. P15.

707 Migrant Worker Health & Safety Research Published

New research revealing the risks faced by migrant workers in England and Wales was presented at a South East Region Trades Union Congress conference in London. It outlines the potential for exploitation of migrants and other workers in sectors where attention to health and safety is poor, and highlights the challenges to employers, HSE and other agencies in tackling the problems.

The research, Health and Safety and migrant workers in England and Wales, which was carried out by the London Metropolitan University on behalf of the Health and Safety Executive (HSE) can be found at:

www.hse.gov.uk/research/rrhtm/rr502.htm

The research was commissioned by HSE to assess whether risk of injury/ill health was greater for migrants. This followed the apparent rise in evidence of poor standards in migrant working conditions – such as the Morecambe Bay incident in February 2004 – that were not clearly reflected in an increase in complaints or reports to HSE under RIDDOR. In addition, incident rates in industries where migrant employment is highest, including the agriculture and construction sectors, failed to show the expected increase in incident numbers that could be attributed to the influx of a significant migrant worker population.

The report found that migrant workers may be experiencing higher levels of workplace accidents because they are more likely to work long hours, to work shifts and to have limited understanding of health and safety. Contributory factors also highlighted are communication difficulties and the fact migrants are more likely to take up work in sectors that they have not been trained or had experience working in. HSE believes that these factors are relevant to other vulnerable groups of workers as well, and is seeking to co-ordinate its efforts to ensure improved health and safety protection for all concerned.

To tackle the issues raised by the findings, the research has recommended better-targeted HSE/Local Authority inspection, enforcement

and supporting activity as well as greater provision of targeted health and safety advice and support for migrant workers and those who employ them.

The HSE has welcomed the research, and accepts the broad focus of the recommendations. The HSE stated that they are already taking action to implement the research's key findings, in particular continuing to target inspections and enforcement in sectors where migrant workers and other vulnerable workers are most likely to work, and are currently reviewing how best to reach these workers and their employers with key health and safety messages. In other areas where HSE involvement is recommended, planning is underway to consider further resourcing during the next year.

HSE state that they are also working with other government departments to stem the problem of illegal employment at source, by detecting and deterring those who, as employers, seek to evade regulation by Government. In addition, pilot initiatives such as those being carried out by the DTI have the potential to provide outreach to migrants' and other vulnerable groups, and reduce their vulnerability to exploitation at work. Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. EX5.

708 Buncefield Petroleum Storage Facility – Joint Task Group calls for Immediate Action

A joint Industry and COMAH (Control of Major Accident Hazards Regulations 1999) Competent Authority (CA) Task Group has called for industry to take immediate measures to implement eight key action points at major petroleum storage facilities. The actions to further improve safety and environmental standards can be found in the Buncefield Standards Task Group: Initial Report at: <http://www.hse.gov.uk/comah/alert.htm>

The actions provide a significant challenge to industry, and are in response to findings contained in the Buncefield Major Incident Investigation Board's (MIIB) initial report published in July. These recommendations, based on the latest information available, are believed to be precautionary and prudent to offer worthwhile additional public and environmental protection. The actions relate to:

- Pipeline transfers;
- Tank overfill prevention – operating safety margins and level alarms;
- Fire safe shut-off valves and remotely operated shut off valves;
- Containment – bunds and other measures; and
- Shift handover.

The CA are also reviewing the emerging outcomes from the safety and environmental reviews of fuel depots carried out by the Health

and Safety Executive (HSE), Environment Agency (EA) and Scottish Environment Protection Agency (SEPA) earlier this year. The CA will report their findings later this year. These may well include the need for industry to take further measures.

The Task Group recommends and the CA requires sites that have bulk tanks storing petroleum that could be overfilled leading to a significant vapour cloud to take immediate action. These sites will now have to implement the recommendations by the deadlines set out in the report. Industry representatives have agreed to complete them and the CA will be monitoring industry progress closely to ensure the enhanced safety standards are introduced on time.

Under the CA's direction, the Task Group set out to undertake a comprehensive and thorough review of facilities like Buncefield to ensure they operate correctly. The actions detailed above are the first results of this work. The Task Group will make final recommendations to industry aimed at enhancing safety and environmental standards by July 2007.

The CA acknowledged the commitment industry members of the Task Group have shown but stressed it is important that these changes to further improve safety are implemented by the deadlines stated. Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. EX5.

709 Gas Safety & Carbon Monoxide – The Silent Killer

The Health and Safety Executive (HSE) has recently issued a warning about the dangers of carbon monoxide (CO) poisoning. As the cold weather approaches, it has urged homeowners and landlords to ensure that their gas appliances are safe to use. The HSE statement said:

"Fuel gas is safe, but if appliances are not properly installed and adequately maintained by a competent CORGI-registered installer, the gas may not burn properly meaning CO fumes are released.

Approximately 20 people die each year from CO poisoning associated with gas appliances, a figure that could be reduced if people understood the risks and took sensible precautions.

You cannot see, smell or taste CO fumes leaving anyone exposed feeling unwell. In the worst situations, CO can kill without warning in just hours.

In addition to getting appliances checked, it is also important to ensure they are used correctly. When used, appliances must have access to a good supply of fresh air: CO is produced when there isn't enough air for complete burning of the fuel.

Moreover, never use a gas appliance if you think it's not working properly. Signs to look out

for on boilers, fires and cookers include:

- *yellow or orange flames (except for fuel-effect fires which display this colour flame);*
- *soot or stains around the appliance; and*
- *a pilot light that frequently blows out.*
- *approved CO detectors are strongly recommended, although these must not be used as a substitute for regular checks and servicing by a CORGI-registered installer.*

Symptoms of CO poisoning can include tiredness, drowsiness, headaches and breathlessness - If you believe CO may be causing you problems seek urgent medical advice."

At the recent gas safety stakeholder forum, hosted by the Health and Safety Executive (HSE), Health and Safety Minister Lord Hunt made clear that complacency on gas related carbon monoxide (CO) poisoning is not an option.

Research commissioned from University College London by HSE to inform its gas safety review highlights the dangers of CO poisoning in people's homes, coupled with a lack of public awareness of the risks. The early findings of the research include:

- 23% of homes had one or more defective gas appliance;
- 8% of homes were judged to be at risk of dangerous levels of CO;
- 45% of homes had received no information on the dangers of CO; and
- A higher prevalence of problem appliances was found in the homes of vulnerable people (young, old, those in receipt of benefits).

Health and Safety Minister Lord Hunt told delegates at the Gas Safety Forum to do what is necessary to raise awareness. He stated that the early findings of this research show there is no room for complacency. It is simply not right for the current situation to continue. It is critical that people are made more aware of the risks of CO poisoning and how to avoid the dangers. He added that it is essential that this lack of awareness is addressed. He called on gas safety stakeholders to work with HSE in the gas safety review to come up with a set of proposals that will put in place a modern and effective gas safety regime.

Dr Ben Croxford, of University College London presented the emerging key findings from the 'Gas Appliance Check Project'. Nearly 600 homes in South East England were visited and a large survey of gas appliances was carried out over the summer of 2006.

The problems were mainly associated with the way homeowners and occupiers used the appliances and how they used available ventilation. This is an area that falls outside the Gas Safety Installation and Use Regulations 1998 that HSE enforces, and is why increasing CO awareness is so important. A problem gas appliance is a health risk that can be avoided

with maintenance and awareness.

The Forum also received a presentation from 'Frontline', the consultants appointed to liaise with stakeholders and to develop a range of options for modernising the domestic gas safety regime. The Forum will encourage a full discussion on the options with the aim of agreeing the top priorities for action. Next steps in this process will be for the Health and Safety Commission to consider the options and agree recommendations to Ministers in the New Year.

Any enquiries should be addressed to Dave Joyce, National Health Safety & Environment Officer quoting reference No. EX5.

710 Health and Safety Commission Approves CDM Regulations

The Health and Safety Commission (HSC) has approved the proposed revised Construction (Design and Management) (CDM) Regulations and Approved Code of Practice (ACoP) for formal submission to the Minister.

The Regulations will revise and bring together provisions in the existing CDM Regulations 1994 and the Construction (Health Safety and Welfare) Regulations 1996 into a single regulatory package.

The HSE have stated that following the revised regulatory package being approved by the Health and Safety Commission (HSC), the Regulations remain on target to come into force in April 2007. Over the last four years the HSE has worked in partnership with the industry to simplify and add clarity to construction health and safety law so that risks on site can be properly managed. The HSE will continue to work together to make sure that the new provisions and ACoP improve standards of health and safety management in the industry.

At the open HSC meeting, Commission members discussed the effect of the Regulations on small and medium sized businesses (SMEs) – particularly small clients – in light of some stakeholders' concerns.

The Commission noted that the Regulations do not impose new duties on clients. They make explicit what clients should already be doing as a result of existing duties in the Health and Safety at Work etc Act 1974 (HSWA) and the Management of Health and Safety at Work Regulations 1999.

Clear, simple guidance for SMEs and clients is being developed by industry. This will be crucial in helping smaller clients, addressing misconceptions and alleviating concerns. The Health and Safety Executive (HSE) agreed to report back to the Health and Safety Commission in January 2007 on progress with these issues.

Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. EX5.

711 REACH (Registration, Evaluation and Authorisation of Chemicals) – Help Desk Launched

The Health and Safety Executive (HSE), now provides a helpdesk to support UK business in the run-up to the "Registration, Evaluation and Authorisation of Chemicals" (REACH) regulations coming into force.

The helpdesk can be contacted on **0845 408 9575** or via email at: **ukreachca@hse.gsi.gov.uk**

REACH is a new European regime for the regulation of chemicals, for which HSE will be the Competent Authority (CA), aimed at ensuring a high level of protection for human health and the environment from hazardous chemicals.

Once fully operational the CA, in addition to providing the helpdesk, will monitor compliance, evaluate substances of concern, as well as taking regulatory action as appropriate, coordinate UK enforcement of the regulations

The CA will work closely with the Department for Environment, Food and Rural Affairs (DEFRA), Environment agency, the devolved administrations and other government departments and liaise with the new European Chemicals Agency in Helsinki. Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. E1.

712 HSE Publishes Report on Lifting Tackle Components Following Investigation of Construction Worker Death

The Health and Safety Executive (HSE) has published a report on its investigation into the death of a construction worker killed by a falling load. HSE's findings raise an issue for those undertaking routine examination and inspection of lifting tackle in respect of components that are not visible unless dismantled.

The report presents key findings from HSE's extensive investigation into the death of a 21 year-old construction worker, at a Hertfordshire construction site in January 2002. The worker was fatally injured when a concrete beam that fell from a mobile crane struck him. The report is available on HSE's website at: **www.hse.gov.uk/construction/fatalinreport.pdf**

Forensic investigation by the Health and Safety Laboratory (HSL) established that a pin forming part of the lifting tackle had fractured in two places and become dislodged, causing one end of the lifting frame to drop. The HSE's Construction Division stated that the fundamental cause of the incident was the failure of the pin, which was defective. HSE's enquiries revealed that the South African-based manufacturer/supplier company was no longer trading and, therefore legal proceedings would not be possible.

The investigation findings however raise a wider issue for consideration by those

undertaking routine examination of lifting tackle and HSE is publishing this report with a view to raising awareness of the circumstances leading to the worker's death and, in particular, the implications.

HSE advise that where lifting tackle components are not visible, the competent person undertaking the examination should give careful consideration to the circumstances in which such components should be removed for examination or routinely replaced. Lifting equipment manufacturers and suppliers should provide information on this subject to their customers."

Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. EX13.

713 HSE Stresses Importance of Nuclear Industry Safety Standards Following Sellafield Sentencing

British Nuclear Group Sellafield Limited has been fined £500,000 plus costs of over £67,000 after pleading guilty to breaching health and safety law. The Health and Safety Executive (HSE) brought the prosecution following the discovery in April 2005 of a large leak of highly radioactive liquid within Sellafield's Thermal Oxide Reprocessing Plant (THORP).

An extensive investigation by the HSE's Nuclear Installations division, into the events in 'THORP' showed that British Nuclear Group Sellafield Limited fell significantly short of the required standards for a considerable period of time before the leak was discovered. Although HSE stressed that there was no evidence of any harm to workers or the public, the leak being contained within a stainless steel lined, heavily shielded cell, there had been a significant prolonged reduction in attention to the high standards demanded, something HSE said it was not prepared to tolerate.

'THORP' was Sellafield's flagship plant and built to high standards. The HSE said it must also be operated, maintained and managed to the high standards HSE insist on, and the public have a right to expect from the nuclear industry.

The HSE said that for the wider nuclear industry, the message is clear – high standards are demanded of the nuclear industry, this means continued vigilance and close attention to maintaining all the multiple physical and administrative barriers put in place to protect people and society from highly radioactive material.

HSE added that it is not acceptable to allow any of these barriers to degrade and weaken, relying on the existence of other barriers to secure continued protection. Industry must continue to embrace high standards of design, construction, operation and maintenance and vigorously strive to maintain them at all times. Any enquiries should be addressed Dave Joyce, National Health, Safety & Environment Officer, quoting reference EX5.

HSE Becomes Sole Electricity Safety Watchdog

The Health and Safety Executive (HSE) is to become the sole regulator for all safety issues associated with electricity transmission and distribution, following transfer of part of the Department for Trade and Industry (DTI) Engineering Inspectorate.

The move will implement a recommendation made in last year's Hampton report on regulation. HSE will become the thematic regulator dealing with both employee and public safety within this sector. Industry stakeholders have already been consulted and agree that a single regulator for safety matters would be advantageous.

Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer quoting reference No. EX5.

715

Company Fined £100,000 – Employees Suffered From Painful Allergic Dermatitis over Four Year Period

"Photo-Me International plc" has been fined a total of £100,000 and ordered to pay £30,000 costs for health and safety offences. The company pleaded guilty on 16 August at Bristol Magistrates' Court and was committed to the Crown Court for sentence. Photo-Me was fined £30,000 for breaching Section 2(1) of the Health and Safety at Work Act 1974, and £10,000 for 6 separate breaches of the Control of Substances Hazardous to Health (COSHH) Regulations for not making adequate risk assessments, not preventing or controlling exposure of employees to chemicals, and for not providing any 'health surveillance' of employees at-risk. They were also fined £10,000 for not reporting a case of the disease to the Health and Safety Executive (HSE), and were ordered to pay £30,000 costs.

Following the case the HSE stated that this is an important case. Allergic dermatitis is a painful skin disease that employers need to manage as effectively as the general safety of their workers. "Photo-Me International plc" knew of the risks to health that these chemicals posed, yet failed to assess those risks properly and provide proper systems of work and control measures, including correct personal protective equipment, to reduce the risk of harm. Controlling dermatitis is not difficult. It is as simple as A, P, C – Avoid contact with skin, by taking all the steps you can to modify the task or process; Protect the skin by implementing a good skin care regime; and Check for early signs of dermatitis to ensure that the control measures are working. The size of the penalty demonstrates the Court's approach to this type of failure in the workplace.

The case followed an HSE investigation that revealed significant failings in the company's management and control of exposure to chemicals. Its workers at its premises in Bristol were exposed to hazardous chemicals over

a four-year period leading to the onset of a disease called 'allergic contact dermatitis'. Stuart White, 37 from Cheltenham, suffered four years of his skin blistering, cracking, splitting and weeping because of this allergic dermatitis. Two other employees, Derek Corcoran, from Crumlin in Gwent, South Wales, and Barry Woolford, from Ipsden in Oxfordshire, also suffered the symptoms of allergic dermatitis. Mr Woolford's fingers and hands became so badly swollen and blistered that he could not do up his shirt buttons without his fingers splitting open. All three employees had been working with photographic chemicals. Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. EX5.

716

Mailstar Cycles – Crank Detachment

An incident was reported in September where a crank had come off of a Mailstar Cycle at Bridgwater DO due to the crank retaining screws coming loose. Further investigations found other cycles in the same condition and so the matter was raised and investigated nationally by Tim Shipley RM Asset Team Supply Manager.

The Fault Reports supplied by Bridgewater indicated that the problem affected new Mailstars recently delivered from Pashley and suggested that the cranks were loose on receipt. This was corroborated by information from two other Areas.

The problem was quickly tracked to a faulty torque wrench at the Pashley factory which was of course immediately replaced. This affected approximately 30% of the bikes delivered over a short period of time. Pashley offered to contact the offices affected to highlight the problem. The results of the investigation were confirmed to the three affected Areas on 12th September and the affected batch was rectified.

Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. C2.

717

Musculoskeletal Disorders (MSD) Risks from Manual Handling of TV Sets

It is now accepted that MSD risks from manual handling of TV sets during repair is a serious problem. This is borne out by the number of law suits brought by TV engineers for injuries suffered through lifting and carrying TV sets, and by a very vigorous campaign led by one engineer.

The TV repair industry has shrunk massively over the years but lifting and carrying of sets is still widespread. With the growth in large sets even more problems can arise and opinion generally in this country and elsewhere is that proper handling techniques are essential to prevent injury or progressive long-term damage, as for any MSD problem.

Recent years have seen a rapid change in

both the screen size and overall dimensions of televisions. Traditional CRT (cathode ray tube) televisions are becoming less popular than newer, slimmer plasma and LCD screens, but many of the CRTs still on the market are bigger than ever, both in size and weight. Not only are they heavy to handle, but their increased dimensions make them difficult to lift and move. As well as large CRTs there are a variety of rear projection televisions around which often are heavier and more bulky than CRTs. And while plasma and LCD screens are smaller and lighter than a CRT with the same screen size, they are still large and heavy.

More care than ever must be taken when handling, lifting or moving televisions, whether they are being purchased, moved at home or serviced. As well as more general advice on lifting and handling, the HSE has published some guidance on musculoskeletal disorders (MSD) risks from manual handling TV sets which describes some handling aids that are available.

Information is available at: http://www.hse.gov.uk/foi/internalops/sectors/cactus/5_04_14.pdf

All enquiries concerning the above should be addressed to Dave Joyce National Health, Safety & Environment Officer quoting ref P20

718

Young People at Work – New HSE Website: Getting Safely on the Road to Work. What do You Need to Know?

Young people, especially those new to the workplace, will encounter unfamiliar risks from the jobs they will be doing and from the working environment. Following last month's European Safety Week theme of young people's safety at work, the HSE has launched a new website dealing with key issues to take into account when assessing the risks to young people at work. The HSE Website states:

- All people are at particular risk of injury in the first six months of a job as they may be unaware of existing or potential risks. Young people will frequently be in this category.
- Young people may lack experience or maturity or may be unaware of how to raise concerns.
- They may not have reached physical maturity and therefore lack the strength demanded.
- They may be eager to impress or please people with whom they work.

Everyone involved in the employment of young people needs to understand:

- Young people and the law.
- Risks to young people at work.

Those who employ young people can help them to understand the importance of health and safety at work. It will serve them well not only in their working life, but in their everyday life as well. Sensible health and safety at work is about managing risks rather than expecting

them to be eliminated.

Periods of work experience and work-based learning will be the first time that most young people experience the work environment. Good preparation and organisation of placements is essential if these opportunities are to be rewarding and safe introductions to the world of work.

Work Experience should be taken to include reference to Work Based Learning. There is a wealth of guidance produced to help those employing young people or involved in work experience. This site provides guidelines for those involved with young people at work and on work experience. For authoritative information, follow the links in the text to the specific guidance and refer to the relevant legislation.

The new HSE legislation site provides information on the range of health and safety legislation that applies to workplaces in Great Britain: <http://www.hse.gov.uk/youngpeople/index.htm>

All enquiries concerning the above should be addressed to Dave Joyce National Health, Safety & Environment Officer.

719 UK Working Time Opt-out Stays

At its meeting last month, Ministers from European Union (EU) countries have been unable to agree an end to the UK opt-out from Europe's 48-hour working week ceiling. The TUC commented on the failure of the Social Affairs Council to resolve the issue, saying this was a missed opportunity to ensure that UK workers are properly protected against the dangers of overwork.

The trend in the UK is now towards a slow decline in long hours working. New legal rights would have speeded up that process without hitting economic success. Because the UK government would not support a compromise last month to phase out the UK's opt-out, it is now likely to face legal action on the way that on-call time is treated in UK law. But the government is not off the hook.

It is clear there is widespread ignorance of working time rights, extensive employer abuse of the opt-out and precious little enforcement of working time rules. The TUC intends to step up its campaign to bring the UK into line with existing EU law. Although the legal approach is not the only way to counter our long hours culture, the TUC will continue to press the UK government and employers to shift the culture of UK workplaces and attack the poor productivity and work organisation that long hours working covers up.

A TUC analysis of unpublished findings from the government's Labour Force Survey showed that removing the opt-out would have little economic effect. It revealed only 800,000 to 1 million UK employees would have had to make a serious change to their working patterns if the opt-out was ended, but many of these work excessively long hours with at least 130,000

regularly putting in more than 60 hours a week.

The European trade union confederation ETUC, issued a statement regretting that there was no progress in Council, as that this was yet another signal of Social Europe being stalled. The ETUC called for an agreement which takes on board trade unions concerns. ETUC emphasised the Working Time Directive is concerned with the protection of workers against the health and safety risks of long and irregular hours. It added it was 'surprised' nobody from the Council or the Commission has mentioned the word 'workers' at the meeting

All enquiries concerning the above should be addressed to Dave Joyce National Health, Safety & Environment Officer quoting ref: P12.

720 Danger, Cancer at Work – Hazards Magazine Wants your Feedback

Hazards magazine is campaigning for greater recognition of the occupational cancer risk. It says between 12,000 and 24,000 people in the UK could be killed by work cancers each year, at least twice and perhaps four times the official estimate. It needs evidence to add additional weight to its arguments and wants to hear about any cancer risks in your workplace, compensation payouts made to people developing occupational cancers, union guidance on the issue or union initiatives to remove or reduce workplace cancer risks.

Send information about occupational cancer risks, compensation and workplace initiatives to: **Hazards Magazine, PO Box 4042, Sheffield S8 2DG.**

All enquiries concerning the above should be addressed to Dave Joyce National Health, Safety & Environment Officer.

721 Gender Equality, Work and Health: A Review of the Evidence – WHO Publication

This "World Health Organisation" publication documents the relationship between gender inequality and health and safety problems. It reviews gender issues in research, policies and programmes on work and health, and highlights some specific issues for women, including the types of jobs they do, as well as their need to reconcile the demands of work and family. Biological differences between women and men also are considered in relation to hazards they face in the workplace. Implications of the findings and recommendations for legislation and policy are discussed.

Women will be more and more involved in the global workforce, in both formal and informal work. In ensuring economic survival for themselves and their families they employ a variety of strategies, some of which entail great danger for their health. This review highlights the necessity to strengthen and put in place more and better programmes and practices so as to ensure women's health and

safety at work, while facilitating their access to economic and social equality.

The Report can be accessed at: <http://www.who.int/gender/documents/Genderworkhealth.pdf>

All enquiries concerning the above should be addressed to Dave Joyce National Health, Safety & Environment Officer.

722 HSE Performance Report 2006

Further to the recently published Health and Safety statistics the Health and Safety Commission (HSC) today published a performance report detailing the wide range of work that it has overseen during the past year to reduce work-related fatalities, injuries and illness.

The HSE Performance Report gives a summary of the activities, initiatives and campaigns carried out by the Health and Safety Executive (HSE) and Local Authorities that have contributed to Great Britain's record of having the lowest fatal injury rate in Europe. The report estimates that over 5,000 lives have been saved since the 1974 Health and Safety at Work Act by health and safety improvements that have cut workplace accidents. The Report can be found at <http://www.hse.gov.uk/aboutus/hse/meetings/2006/020806/b66.pdf>

Announcing the publication of the report, HSC Chairman, Bill Callaghan, said: "As a society, we've come a long way since 1974 when the current health and safety law was introduced and 600 people were regularly killed at work each year. Our most recent fatal injury statistics show that the number has reached a record low of 212, this is encouraging, but we still need to do more. The changing economy and the increasing number of migrant workers are key challenges.

"As illustrated by this report, HSE and Local Authorities are doing a great deal of work, frequently in close partnership with businesses, health and safety groups, other government bodies and trade unions. This is an important strand of the Commission's strategy and shows that it is having tangible benefits for workers. The report also shows that the unique role and powers of health and safety inspectors to enforce the law continue to remain a vital part of our effort to drive up safety standards."

As well as offering examples of the various initiatives, campaigns and strategies that have been implemented in recent years to improve health and safety at work, the 19-page document also features information on HSE's work on regulating major hazards. In particular, it covers the on-going work into the Buncefield incident and HSE's contribution to the energy review.

Lord Hunt of Kings Heath, Minister for health and safety, commented: "I'm delighted by the work that the HSC/E, Local Authorities and all those who have an interest in improving workplace health and safety have done over the past year to improve standards for workers

in Great Britain. With over 5,000 lives saved by reductions in workplace accidents over the past 30 years, and as Britain enjoys the lowest rate of workplace fatalities in Europe, we clearly have much to be proud of. But the death toll, and numbers of serious injuries and ill-health caused by work shows we still have much to do."

Note: The Union has issued a critical response to the recently published HSE Health and Safety Statistics of which the comments equally apply to the publication of this report. All enquiries concerning the above should be addressed to Dave Joyce National Health, Safety & Environment Officer quoting ref: EX5

723 ERICA in SPDOs

ERICA (Electronic Reporting of Incidents for Collating & Analysis) – the new Royal Mail Group wide Electronic Accident Reporting system.

In respect of the above system of which the revised 'go live' target date is now 15 January (final confirmation awaited), queries have been raised in relation to how the ERICA system will work in SPDOs and we have sought an updated confirmation of the ERICA system arrangements for incident reporting in the 1500 rural SPDO offices across the country when Royal Mail introduce their new electronic reporting system in January.

Stephen Weston the Royal Mail "ERICA" Project Manager has confirmed to the CWU Health, Safety & Environment Department that SPDO accidents will be reported to the cluster DOM or the Delivery Office DOM that the SPDO is linked to as the DOM concerned will have electronic access to "ERICA". Mr Weston and Royal Mail see this as a positive move, because there will be a competent directly employed Royal Mail person dealing with the report and leading the investigation, supported by ERICA rather than a third party as at present in many locations.

All enquiries should be addressed to Dave Joyce National Health Safety & Environment Officer quoting reference No. A3.

724 York Container Cardboard Sleeves Withdrawal

I would draw your attention to Letter to Branches (LTB) 735/06 dated 3 November 2006. Following further discussions with Royal Mail HQ and further discussions and correspondence with Tony Fox Territorial Director and Chair of the Royal Mail National Safety Steering Group, he has responded that the agreed Policy to remove Cardboard Sleeves remains in place and Royal Mail will stick to its commitment that cardboard sleeved York Containers will no longer be routinely used for the distribution of packets within the Mail Centre network. He says this has taken longer than expected, but it's hoped to be able to confirm complete withdrawal very soon.

Previous LTBs are LTB 569/05 dated 21 November 2005 and LTB 601/05 dated 5 December 2005.

The grounds for withdrawal of Cardboard Sleeves were set out by Central Postal Control (CPC) in the instructions sent to Area General Managers (AGMs) and Mail Centre Managers (MCMs last year as follows:

- The use of Cardboard Sleeves for packet traffic was having an adverse affect on the network
- Safe Systems of Work were not being followed
- Increased York Container demands
- Reduced vehicle utilisation
- Large amounts of unwanted, waste cardboard requiring repatriation.

The instruction to AGMs and MCMs stated clearly that Cardboard Sleeves can only continue in use for the Amazon Book Contract and the QVC operation at Crewe and additionally for "emergency use" only which needs to be cleared by Central Postal Control (CPC) and would require the use of "false bases" and "cross member supports" to improve the lifting height of packets from the Sleeves and so reduce the risk of injury. The instruction to AGMs was issued by Mike Eady Royal Mail HQ Head of Central Postal Control (CPC) and Cathy Way Royal Mail HQ Head of Network Design.

Every Post Code Area throughout the UK is not "exempt" from the removal of Cardboard Sleeves and this false statement has cropped up on more than one occasion in more than one location. If this is what's being said to you then request the evidence in writing as it will not be found !

Clear instructions were given to MCMs not to purchase further Cardboard Sleeves and where MCMs have somehow purchased new cardboard sleeves and it has come to our attention, the matter has been raised with Royal Mail HQ. Unless new Cardboard Sleeves are purchased for use on Amazon Traffic then the MCM should be told to send them back to where they came from but what ever he/she does they should not be used inappropriately or unsafely. No Staff in Mail Centre or Delivery Offices should be forcibly put under pressure to use inappropriate equipment and work unsafely.

Any enquiries should be addressed to Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. C25.

725 RSC Misuse in Mail Centres & Delivery Offices

RSCs (Rigid Steel/Stackable Cage/ Containers) - were designed for Mailbags. However in certain places it appears that RSCs have become carrier of "all and sundry" if there's not enough Yorks. The RSCs SSOW states that RSCs with fully removable gates in good repair can be used for the following loads: Mail bags, Trays, Strapped bundles, Stackable, bulky light packets/parcels, Boxes. RSCs are unsuitable and not designed for sorting Loose Loaded Flats and Packets

from them. This results in bad Manual Handling practice. Royal Mail's own Ergonomists have concluded that RSCs are not suitable to sort loose items from.

Secondly, RSCs were not designed to go inside Mail Centres and Delivery Offices. Royal Mail CPC has issued instructions that RSCs must on no account be despatched to Delivery Offices and Mail Centres have been instructed to send RSCs back to the RDCs immediately they are emptied on the next available service and NOT hold on to them.

RSCs were designed for Royal Mail's Distribution Centres and warehouses where they do go inside. RSCs within Mail Centres and Delivery Offices environments crops up from time to time but the environment is generally unsuitable and would possibly lead to severe shortage of space, cramped working conditions, restricting safe access and egress from areas, blocked gangways and fire lanes on sorting office floors due to RSC encroachment and RSCs blocking wheeled container routes etc. RSCs are not normally supposed to go beyond the loading platform. Additionally, Royal Mail areas and Distribution halls where RSCs are used have additional Safe Systems of Work Requirements in respect of workplace transport hazards and crush hazards as they require FLT's to move them around. This also triggers the PPE Regulations and requirements for High Visibility clothing and Protective Footwear.

MCMs should not be arbitrarily deciding to put RSCs into the Mail Centre without a suitable and sufficient Risk Assessment (with ASR involvement) to meet Health and Safety at Work legislation.

It is important that Area Safety Reps keep a close eye on any changed working practices which may create new hazards. Any enquiries should be addressed Dave Joyce, National Health, Safety & Environment Officer, quoting reference No. C25.

TELECOMS

726 One IT – Data Centre Agility Roll-out

The Union requested that One IT formalise and document arrangements for members coming off shift and to set some ground rules on what would be reasonable in terms of travel/ location for those being reassigned to the proposed Data Centre posts. Set out below is how they propose to deal with these issues which will be addressed in Q&As for the preference exercise so that Data Centre staff are fully aware of the policy before setting out their preferences.

1. Compensation for loss of attendance-related payments

There are three possible scenarios which could arise:

- Where existing members move off shift work and assigned to other substantive duties which do not involve any form of shift working then compensation will be per the requisite notice period under the Newgrid Agreement. For further details click on: http://humanresources.intra.bt.com/reward/tmnewgrid/15806/tmembernewgrid_attendance_cfloapayments.htm .
- Where One IT moves someone from 7x24 hours to double day shift, the compensation payments will be reduced by the value of the new shift allowance
- Where a member is promoted, as a result of the Data Centre organisational restructuring, the compensation payments are reduced by the value of any promotion increase and the value of any call out payments associated with the new job.

2. Reasonable Travel/Location

One IT will seek to appoint Newgrid grades to C3 Data Centre Technician posts either within their current Data Centre or to one within a similar reasonable travelling distance from home. If this is not possible and the individual does not wish to seek promotion to a Reward Framework vacancy, One IT will endeavour to redeploy within OI, or assign them to the bench. Mobile Professionals will mainly work within a reasonable travelling distance of their headquarters but may, on occasions, be expected to assist in other areas for brief periods.

The Q&As for the preference exercise will be circulated to Branches as soon as they are available.

Brian Healy
Assistant Secretary

727 NTL/Telewest: Statement of Measures to Apply on TUPE of Install Members

Discussions with NTL/Telewest and through them with the third party vendors and in one case directly have continued. It has taken some time as some of the third party vendors were not sufficiently aware and experienced enough of their obligations and to be able to document precisely the terms that will apply. For 4 out of the 5 third party vendors this has been done and there are no outstanding issues.

The associated documentation is attached. It shows that TUPE will apply on the contractual elements and in most cases the new employers seek to offer the same non-contractual terms or replicate them in some way, but not in all cases.

It is the Union's understanding that there was due to be a senior management decision-making process on 6th December 2006 to decide whether at least for 4 out of the 5 purpose third party vendors, that the transfer takes place on the 11th December. The Union at the time of preparing this report has not been made aware of any decisions made.

It has been a difficult set of circumstances and could have been handled much better

by the companies in question. In terms of the Union's conference and opposition to the TUPE proposal, this again has been problematic. The totality of the workforce to be TUPE'd out was not the majority of the workforce in what is a substantially contracted out activity. In addition there were many calls for an alternative option which was for a voluntary redundancy option, when this was indeed belatedly made available the majority of the in-scope TUPE population did indeed take this course of action.

In balancing all the views and aspirations, what has taken place is the best possible outcome in terms of a negotiated way forward, which has been to document the TUPE arrangements that should apply. The Executive team would request that the appropriate Branches bring this to the attention of the affected members who are in no doubt having concerns over the lack of visibility of their future terms.

Brian Healy
Assistant Secretary

728 Accenture Learning – Voluntary Release

Accenture Learning are seeking to launch a Voluntary Release Programme in early December with leave dates expected in the third quarter of the financial year (March/April 2007). Numbers sought for release are relatively low and could be as low as nine posts. The rationale underpinning the programme is covered in the introduction of the Employee Guide which is attached but principally can be summarised as:

- the need to increase operational effectiveness with respect to the management of the 'peaks and troughs' in training demand
- the changing client demand profile and aligning skill sets against this demand
- servicing the client demand across different geographies.

The intent is to launch the programme on 8 December 2006. The launch will be via a conference call delivered by the unit leadership. All those employed within the 'in scope' population will be invited and the session will be recorded for anyone who cannot make the live call. Supervisors/line managers will be entrusted with ensuring that all their people are appraised of the programme and how to access the employee guide which will be loaded on the intranet. The 'in scope' units concerned are those which service the BT Core Learning Contract, ie:

Delivery Enablement,
Delivery Capability,
Delivery Management
Business Interlock.

'Out of scope' will be the Modern Apprentice Unit and anyone servicing the non BT client/multi-clients.

The maximum compensation under the programme will be 75 weeks excluding any PILON which will be paid where appropriate. The Union in discussion with management raised the issue of the maximum limit as this appeared to be following a mix and match of statutory guidelines on compulsory redundancy and Age Discrimination guidelines. The company has confirmed that this is indeed the case; this was challenged by the Union as the guidelines provide exemptions around voluntary arrangements.

In confirming their position Accenture has stated that the redundancy compensation was constructed with the new age discrimination in mind following legal advice. This advice recognised that the 'statutory exception' may not apply to voluntary redundancy; notwithstanding this possibility the advice provided was that the VR terms should be structured within the parameters of the 'statutory exception'. The rationale for this is 'should the statutory exception be held not to apply the employer will have a strong argument to show that any discriminatory effect of the VR terms can nonetheless be objectively justified as the terms closely mirror the calculation of statutory redundancy pay (which according to the government can be objectively justified)'.

In addition and irrespective of the above, the maximum number of week's compensation is more a by-product of budget and the age distribution of the in-scope population.

Any further developments will be reported to Branches.

Brian Healy
Assistant Secretary

729 BT Wholesale: Networks Accommodation Strategy

Attached for the information of Branches is a copy of the line managers' guidance documentation associated with the network accommodation strategy. This is document which the Union requested should be drawn up in regards to the briefing and treatment of our members who are impacted upon by the accommodation changes.

Contained within the documentation are indications of timelines for actions/briefings to the workforce affected.

Brian Healy
Assistant Secretary

730 Customer Services: CMC 24 Hour Rota Diagnostic Testing Officer Role

Management have given notice of intent that following a review of the above function, it is proposed to reband from D1 to C3. For the present incumbents Pay and Pension will apply and affects 35 people across two sites in Exeter and City Place Gatwick.

Background details as to how management have arrived at this position are in the

attached letter and further reports will be issued following discussions as indicated in the letter. The Executive will be seeking more robust evidence that there has been a transfer of those elements which attracted higher responsibilities outside normal hours.

Brian Healy
Assistant Secretary

POSTAL

731

Rural Collections

Following discussion at the national SPDO/Rural Delivery group and as a consequence of reports in the media concerning changes to collection times, reports are requested from branches regarding the situation in their areas.

We are particularly interested in knowing whether the frequency of rural collections has changed or if the final collection time has been brought forward.

It would be appreciated if reports could be forwarded to the Outdoor Department by 31st January, 2007.

Any enquiries to Bob Gibson's Department, Reference 535.17

EVENTS BULLETIN

October 2006 – June 2007: London Socialist Film Co-op Film Season.

Screenings held on second Sunday of the month from October to June 10.30 for 11 am. Screenings showing at Renoir Cinema, Brunswick Square, London WC1. Nearest tube Russell Square. Tickets cost £7.00, concessions £5.00. Discount to annual members £1.00. Tickets on sale from 10.30 am on day of screening. To book in advance tel **020 7837 1177** (12 noon to 8.00 pm) or go to www.curzoncinemas.com or visit the Box Office (12 noon to 8 pm).

Friday 5th January 2007: The AGM of the Eastern Region Retired Members. To be held in the ISTC Building, Grays Inn Road at 11am. Anyone wishing any further information should contact **Nobby Clark, Eastern Region Retired Members Secretary** on **07713 155575**.

Tuesday 23 January 2007: The Problem of Intimacy: Trade Unions and Labour Governments. 18.00. House of Commons, Portcullis House, Westminster. This seminar will look at the changing relationships between the trade union movement and post-war Labour governments. What can be learnt about union-government relations today? What are the prospects for tomorrow? Speakers: Nina Fishman (University of Westminster), Geoffrey Goodman, John Cole, Chair: Hywel Francis MP. The event is free to attend. For more information and to book a place email events@unions21.org.uk

Tuesday 23 January 2007: Speak Up for Public Services Lobby. The TUC are holding a rally and lobby of Parliament on January 23rd at Central Hall, Westminster, London. It's a chance for public service workers to join together and tell MPs that public servants want to serve the public, not shareholders or company owners. For more information visit <http://www.tuc.org.uk/speakup>

Monday 29 January 2007: Union Modernisation Fund Seminar. To be held at Congress House 9.30 - 13.30. Unions 21 in partnership with the TUC and the Union Ideas Network is putting together a one day seminar on the Union Modernisation Fund. Speakers include: Jim Fitzpatrick MP, Frances O'Grady (TUC), Diana Holland (T&G), David Yeandle (EEF), John Lloyd (Community/Unions 21). For more information contact **Matt Ball** on **020 7239 1224** or email info@unions21.org.uk

Saturday 3 February 2007: CWU Black Workers Conference. The conference will take place at the Novotel Bristol Hotel, Bristol BS1 6HY. There will be a social event at the Novotel Bristol Hotel on Friday 2 February 2007 details will be circulated nearer the time. For more information contact the **Equal Opportunities Department** quoting reference **1.50.2**, email dgittens@cwu.org

Thursday 28 February 2007: CWU Youth Conference. Will be held at CWU Headquarters. For more information contact **Carmel McCudden** at cmccudden@cwu.org

Thursday 8 March 2007 – Friday 9 March inclusive: Creating Opportunities, Building Futures. For the 15th year, 4Children's Annual Conference, Creating Opportunities, Building Futures once again promises to be a high quality pivotal event. This seminal two-day event considers key issues facing the sector during this period of unprecedented reform and rapid change. For more information contact **City Reach**, 5 Greenwich View Place, London E14 9NN. Tel: **020 7512 2112** Fax: **020 75376012** Email: Info@4Children.org.uk or visit <http://www.4children.org.uk/events/>

Thursday 8 March 2007: TUC International Women's Day Celebration. To be held at Congress House, Great Russell Street, London, WC1B 3LS. Each year, the TUC organises an evening reception to mark International Women's Day. The opportunity is used to remember our past achievements and reaffirm our commitment to go much further. The event is for trade unionists (women in particular, although men are welcome) and representatives from partner organisations. The reception is ideal for learning more about the global struggle for women's rights, networking and having fun. For more information contact **Aisha Latif**, Project Assistant, EU & International Relations Department – Tel: **020**

7467 1239; Fax: **020 7467 1343**; or alatif@tuc.org.uk

24 March – 7 April: 2007: Anti-Fascist Fortnight. Delivering Hope not Hate.

The CWU are pleased to bring to branches attention details of the Anti-Fascist Fortnight, which is a campaign to show our opposition to the BNP. The campaign is being orchestrated by Searchlight. For more information contact **Dionne Gittens** on **020 8971 7356** or dgittens@cwu.org

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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 1RX

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.

CWU 2007 Diary

Branches should now be in receipt of 2 order forms for the CWU 2007 Diary. The pocket diary is priced at £1.50 and the desk diary at £2.50.

For those branches that have already placed their order you should now be in receipt of your diaries. If you have not yet placed your order you can do so by sending it to Marcia Murray in the Communications Dept and ensuring to enclose a cheque or postal order made payable to 'CWU Diaries'. Branches wishing to pay through the branch rebate should indicate at the time of ordering. For more information contact **Marcia Murray** on **020 8971 7497** or mmurray@cwu.org