

# Why we must defend union democracy

**D**elegates to this year's Congress will be asked to decide on proposals to change the way members are represented on the National Executive and the way that key decisions are made in the union. You will also be asked to vote on arrangements for election of negotiators and procedures for putting final offers to members.

Given the unprecedented scale of the austerity assault, the cuts and privatisation that we face in post-16 education and more broadly in society, these are central questions for every member of the UCU.

Union democracy is an essential part of our ability to build a fighting union that is able to protect our members. As resistance grows against the governments of austerity both here and across Europe the debate about what kind of union UCU is to become is an urgent one.

Since last year's UCU Congress there has been a campaign by the general secretary to make far-reaching changes to our structures. These changes will not bring about a more member-led union, as we show below; her proposals will bring about a more passive and less participatory union.

The GS followed up her election campaign success earlier this year by immediately issuing an all-members survey asking three questions:

- 1) 'Do you think we should cut the size of your NEC to around 40 and use the money we will save to spend on legal services?'
- 2) 'Do you support members being balloted after an employer has given their final offer?'
- 3) 'Do you support national negotiators being elected by a full ballot of the membership?'

A large majority voted in favour of the GS's three questions. This is not really surprising. Not only because there was no real attempt to put any counter views to these proposals but also because they may seem, to most members, to be common sense.

The problem with this process was that the voting preceded debate on these changes in branches, regions, NEC and Congress. This was the wrong way round for going about any process of changing union structures. We should discuss first and vote second.

The first question about the size of the NEC was premised on the claim that we have an over-large NEC,

much larger than other unions who have a much larger membership, and this must be a waste of members' money. The second may seem sensible to most members since we ballot on final offers anyway. The third proposal also seems perfectly sensible and democratic at first sight.

However, behind the GS's survey and the campaign that was launched around it lies a much larger agenda, one which starts with a very different vision of democracy and the type of union we need than that which was negotiated five years ago with the merger of NATFHE and the AUT.

If we are to have an informed debate and make the right decisions for UCU's membership then we need to explain clearly what is at stake.

## Servicing and organising models: Two views of union democracy

There has been a debate within the trade union movement over many years about which kind of model is most appropriate and effective - a servicing or an organising model.

A servicing model is one that sees a trade union's main role being as a provider of services to members, such as legal services, workplace representation, even cheap holidays and insurance policies. It is inherent in this model of trade unionism that members are seen as passive consumers of a business that provides its customers with the services they require. We pay our subscriptions for individualised services provided by the paid staff of the union. This model therefore leads to a view of members as a set of individuals with a range of personalised problems that need to be catered for.

On the other hand a union based on an organising model has a very different starting point. It sees members of a trade union not as passive consumers of services but as active participants who by acting collectively can defend their conditions of service, their jobs and their pensions.

The organising model obviously also recognises that casework and legal services play an important part in that collective struggle but they are not ends in themselves. Members must be able to access individual support as quickly and effectively as possible, but what will determine the ability of individual representatives to do this successfully is the extent to which the union can mount national and local collective resistance to attacks on agreed conditions of service, jobs and pensions.

These are thus two very different and opposing views of trade unionism which lead to two very different understandings of what is meant by trade union democracy.

Because the servicing model sees members of a trade union as passive consumers of a service its supporters do not place any real emphasis on building democratic structures. Elected representatives at branch, regional and

national level are not important because their role is to provide a service not to debate policy and attempt to build collective action.

A general secretary in such a service union therefore acts more like a CEO in a company. This involves relating to members on an individual basis and using representatives as sounding boards to find out which particular service the members want so as to be able to provide these services to prevent the 'customers' going elsewhere for a better deal for their money.

Because the organising model starts with an understanding that it is through collective action that members' jobs and conditions of service are best protected its supporters understand that building democratic union structures is a necessity.

Building the confidence of members to take collective action takes explanation, discussion and debate. Therefore branches, regional structures and conferences are essential to a union based on an organising model. They are not a luxury. It is through these democratic structures that members' anger, worries, aspirations and doubts can be aired. They allow the best experiences and practice of members to be discussed and generalised.

## What kind of union is UCU?

UCU stands in the tradition of the organising model. But the GS and her supporters wish to take us away from this model and replace it with a servicing one.

Five years ago at the first National Executive meeting of the merged union the GS put forward a set of proposals that caused uproar amongst ex-NATFHE NEC members and staff. Rightly they saw these proposals as attempt by the newly elected GS and her supporters to impose the old AUT service-orientated model on the new union. Many saw it as a takeover rather than a merger. These proposals were for highly centralised structures that merged a number of different departments and got rid of regional structures.

Although UCU Left's preferred candidate was not successful in the GS election at that time we did succeed in gaining a sufficient number of NEC seats to allow us to stop this attempt at a takeover. It was UCU Left members who managed to negotiate a new constitution where compromises were made on both sides.

The outcome was a structure for the NEC designed to ensure that all sections of the union would be properly represented and that the NEC would not be dominated by any group or section. There would be representatives from pre- and post- 92 Higher Education, Further Education, the various regions, sections such as Academic Related staff, prison educators, land-based staff, hourly paid staff and others in addition to representatives from disabled members, women, LGBT and black members.

It is this carefully balanced outcome that is now in jeopardy. No-one is arguing that there should never

be adjustments to our representative and democratic structures, but everything hinges on what the premises and purposes for such changes are.

We are saying that if any restructuring of the NEC is entered into without careful and well-informed discussion the danger is that the influence which lay members now have on determining union policy will be seriously undermined. The GS's proposals are all about revisiting the negotiated settlement that this union is founded upon and the undeclared subtext of what she is attempting is to re-impose a service-orientated model onto UCU.

The proposal to put final offers to a ballot of members sounds non-contentious. What it obscures is the difficulty of deciding when a national pay offer is genuinely a final offer. Of course the employers will claim that the offer is a final offer. The FEC or HEC should decide, on the recommendation of the national negotiators, when the offer is a final offer, that is when it cannot be improved by negotiation. They should then recommend to members whether to accept or reject and go for industrial action to secure a better offer. The one circumstance in which it would not be appropriate to put the final offer to a ballot of members would be if the employers agreed 100% of our claim. This would be a good variant to be faced with.

Similarly the proposal that all the members in each sector elect the national negotiators sounds very democratic. What the GS is actually proposing is that all the members elect 50% of the national negotiators, because the other 50% would be ex-officio. This was a 'clarification' which emerged during the membership consultation exercise.

But think about this for a moment. Who would these lay negotiators elected by the membership report to? What would members know about the expertise and service record of the candidates in this election? At present lay negotiators are elected by Sector Conferences. This means they are elected on the basis of proven record and experience. They are elected by a democratic body which can hold them accountable. This is a much better democratic process than the change proposed by the GS.

The reality of her proposals, if implemented, is that there would be a clear A and B team among the national negotiators in each sector, with the real negotiating done by the A team of the Chair and Vice-Chairs of FEC or HEC plus the officials and the others playing a more marginal role.

## Leading and listening

The GS's justification for proposing these changes is that she feels that the elected representatives of the NEC are out of touch with the membership. In fact, the argument goes, they reflect the will of a minority within the union and her job is to ensure that the 'silent majority' are spoken for so as to keep in check the 'unrepresentative' decisions of the NEC.

Of course there is always a fine balance between the most active members of the union attempting to offer leadership to the members who elected them (and who have voted for action in ballots for example) and listening to less active or engaged members. This is why our branches, regional structures, special sector conferences and congresses are so important. It is through these structures that members' views can be clearly identified and expressed. The national leadership should then act upon them.

What should not happen is for the GS and her supporters to undermine such democratic outcomes and find ways of not implementing them (as we saw with the preparations for the May 10th TPS strike for example) simply because the GS and her supporters think they are misguided.

There is an increasingly worrying trend to use fundamentally anti-democratic arguments by the GS and her supporters to pursue their aims. These attempt to justify the growing use of e-surveys at branch and national level by arguing that only a small minority attend branch meetings therefore they are not representative of the whole membership's views. They then argue that such branch/national e-surveys are more democratic than the branch meetings/sector conferences or congress.

This is a dangerous and mistaken view. Of course e-surveys and other digital media can play an important role in disseminating information as well as gauging members' views on certain issues. However they should never be perceived of as being a more accurate way of assessing members' opinions, or, crucially, a better or more democratic way of reaching decisions.

Anyone who has had anything to do with designing or interpreting surveys knows how often the questions can be designed to reflect the opinions of those putting out the surveys and therefore are designed to get the answer that the initiators of the survey want.

Moreover, members' opinions are not formed in isolation. Hearing all sides of an argument is essential if we are to make informed judgements. This is why branch meetings and other face to face meetings are so important. They are the only real forums that allow all views to be put forward and debated.

Of course a member receiving an e-survey might be well informed about the issues that are put in front of them. However the pressure of work, deadlines and bullying managers are also part of informing an individual's opinion and therefore their decision on how they might vote for something. It is quite clear that in this atomised position a worker is much more likely to vote against taking industrial action than when they are part of a collective debate and amongst like minded individuals and away from the pressures of everyday work experience.

This is clearly understood by the enemies of trade unions. The Thatcher government of the early 1980s

passed trade union laws to make secondary picketing (i.e. solidarity strikes) and strike action without a ballot unlawful. The trade union movement rightly, but unsuccessfully, opposed these anti-working class measures. The Tories argued that their reforms would take back the unions from the 'left wing bully boys' and trade union barons and give them back to the ordinary members.

Sadly and ironically those Tory arguments are the same ones that the GS and her supporters parrot today to justify their assault on participatory democracy.

If they succeed the Congress or sector conferences will not be places where frank and open debate takes place and where delegates can change their minds depending on the weight of arguments they can participate in. Instead they will become passive forums where delegates merely sift through the results of surveys carried out by a secretariat (official machine).

Once we accept this approach there is only one logical conclusion - why have Congress at all? If the GS gets away with her proposals it is very likely that there will be calls to cut Congress to a biennial event - of course on the basis of saving money.

The NEC would not debate anything of real substance any longer. It would simply become a rubber stamp for the opinions of the Secretariat to be brought for implementation, reinforced by 'evidence based' surveys garnered from the membership. Another logical conclusion of this would be why only cut the NEC to forty members, why not twenty?

## **The general secretary knows best...**

There have been a number of examples over the last year that reveal the undemocratic practices of the model that the GS wishes to impose.

One good example was the way that the Institute for Learning (IFL) campaign in FE was conducted. The GS and other full time negotiators arrived at a deal with the IFL to cut the proposed annual fee from £68 to £38. This deal was not put to the elected FE officers nor the FEC itself. It was released by the employers and went straight out to the colleges. The first time that many of us heard about it was when members approached branch officers complaining about the deal that they had read on their college websites.

The GS has a particular take on these events. In her FAQ about her proposals she referred to the IFL situation;

*Aren't your proposals simply about reducing democracy in the union and making yourself less accountable?*

*No. I want to give members an increased say in how UCU is run. That means trusting members rather than assuming we know best. A good example is the ballot of members about the Institute for Learning. I*

*and colleagues negotiated hard to get what we thought was the best possible settlement, but then I insisted that the union ballot members. The result was that our members disagreed with me and asked us to go back and try for more - that's democracy!*

In fact her response only tells a fraction of the story. In contrast to the account above there were a number of interventions by the elected FEC reps without which the positive outcome of this campaign would not have happened. These interventions relied on an FEC having an active relationship with members via their branches, something which is now under assault in the present proposals.

As soon as FEC members became aware of the proposed deal, which the GS and the union's relevant national officers were in favour of, we acted quickly to ensure that the fury of the members was communicated. At this stage it was agreed to conduct an e-survey of the membership on whether to accept or reject the deal. The elected officers had to fight to allow a recommendation to be put out with the survey. The FEC recommendation was to reject the deal and FEC members wanted this call to reject included within the ballot.

Despite this democratically arrived at decision the ballot preamble was issued with conflicting and confusing alternative recommendations. Indeed, the GS's recommendation to accept also appeared in the preamble!

However, members voted by 90 % to reject and in the subsequent ballot then voted to boycott the IFL and we won. Fees will now be voluntary.

Here was an example of the GS attempting to use her position to bypass the elected representatives of the union because she thought that she knew better what the members wanted and that the FEC and its elected officers were out of touch and misrepresenting their views. She was thankfully proved wrong.

Throughout the TPS pensions dispute this approach has been adopted on a number of occasions. When the NEC makes a decision that the GS disagrees with she does very little to implement it. Not only is this undemocratic and makes a mockery of UCU's democratic structures it has serious consequences. It can and has had serious effects on the morale and confidence of members at critical junctures of the campaign as we saw on May 10th.

## **For a democratic fighting union**

Democracy within a union is not simply about fairness - it is much more important than that. The ability for a union to be able to defend its members rests on its ability to organised collective industrial action. To do this it must convince its members that despite the sacrifice that is involved with taking such action, be it at a national, regional or local level, they can make a difference. For this to happen there need to be active branches

and regions that provide opportunities for members to debate, discuss and assess the best strategies to stop the government's and employers' attacks.

For a genuinely member-led union to exist it must be one that is controlled from the bottom up and not top down. The proposals that the GS has put forward will not bring about a more member-led union - they will result in a far more centralised union where lay members' views are not listened to.

UCU's structures are not perfect but they are based on democratic foundations where lay members' voices, at local and national level, can be heard. UCU Left supporters are not opposed to changing and modifying the structures of the union but this must be on the basis that any changes will enhance and strengthen the union's ability to organise more effective collective action.

As the crisis within the economy unfolds and the Tory led coalition government continue their assault on post 16 education we need a union that has democratic structures that facilitate its ability to resist these attacks as robustly as possible. Having effective services for members is obviously important but we must not lose sight of the truth that we will not be able to casework our way out of this crisis.