

Report of NASS Executive Council to NASS 2010 Annual General Meeting

1. Introduction

This NASS Executive Committee Report covers the period from the 1st NASS AGM, September 2008 until 31 December 2009 for this the 2nd NASS Annual General Meeting.

Following the adoption of new NASS Rules at the last AGM, the new post of NASS President came into being and the post was subject to election by all NASS Full Members. This took place in December 2008. Following that there was an election for the Executive Council which was concluded in March 2009.

2. The NASS Governing Body

2.1 George McGrath was elected by the NASS Membership as NASS President against two other candidates.

2.2 Six candidates were elected to the Executive Council, along with the NASS President, in accordance with the new NASS Rules to represent Regions and separate interest groups. They are as follows:

Scobie Bedford :	South East (Epsom)
Jack Smith:	North West England (Middleham)
Stephen Freeman:	Scotland
Aimee Hockley:	East of England (Newmarket)
Lisa Kozak:	Central England (Lambourn)
Aoife Keane:	Southern Women's Seat

Aimee Hockley was elected Vice-President at the first Executive Council Meeting in accordance with the new NASS Rules.

2.3 The Executive Council has met on four occasions since being elected. It decided, as appropriate under the Rules, to make some amendments to the NASS Rules to assist the development of it between elections. These changes allowed Executive Council members to be substituted by a deputy in the event that they couldn't attend (this rule change is dealt with in the agenda for ratification by the AGM) and also to allow co-option for Regions and other groups unrepresented. More recently, the EC decided a rule change to increase the size of itself in advance of proposing a change in the structure of the EC to this AGM. This was to include a representative of the new membership category of fee-paying members. After these Rule changes the following NASS members have also recently served on the EC:

Fran Heape representing the West Midlands
Nick Payne representing NASS Fee-paying Members

2.4 The Executive Council held one of its meetings during a 2 day training conference to which Mailbox Representatives were invited. Outside speakers were invited to provide training on basic trade union issues for EC Members

and the Mailbox Representatives. The Executive Council believes that Mailbox Representatives are vital to the longer term development of NASS down to the Regions and this training opportunity proved worthwhile for all concerned and another one is planned for this spring.

3.0 Affiliations

- 3.1 NASS has been affiliated to the General Federation of Trades Council (GFTU) for sometime and its sister organisation the Educational Sports Forum. Jim Cornelius, NASS Chief Executive, was elected onto the GFTU Executive Council at its Bi-Annual General Meeting. NASS has benefitted from using the GFTU Education services.
- 3.2 Following the last AGM and the adoption of the EC Report which recommended it, NASS affiliated to the Trades Union Congress (TUC). This affiliation has opened up further opportunities to utilise the services of the Trade Union Movement and obtain potential support for the future.

4.0 Casework and Representation

This has always been seen as a priority area of work of the Association. It is a basic requirement of a Trade Union. The whole organisation is geared to ensuring that this is done speedily and effectively. The office responds to phone-calls, emails and messages left on our website. The office staff handle the case as far as they can including speaking to the employer under the guidance of the Chief Executive. When it requires a visit or representation then it is passed to the Chief Executive and either he or one of the 3 self-employed Consultants, will be lined up to carry the case on, depending on availability. The Chief Executive will deal with all cases possible to minimise the cost to the Association or if not available it will be handed to one of the Consultants with appropriate advice and they are located in the North, South and Central England to lower travelling costs. This is more cost-effective than employing permanent staff. Since August 2007 we have dealt with 780 cases and gained compensation of over £222,000 for Full and Associate Members.

We recently experimented with Regionally-based surgeries manned by the Consultants but this did not prove useful and was stopped. It was an attempt to further show the public face of NASS but with the modern means of communication this approach is not worthwhile and an alternative strategy has been developed to deal with this.

The Executive Council recently considered a paper prepared by the Chief Executive on NASS' Organisation. It was decided to adopt a new approach in regard to the Regions. It was felt that the approach to date of trying to organise NASS' Regions directly from Head Office wasn't working and that there needed to be a greater concentration of resources in the Regions themselves. It was decided to create a position, distinct from the existing use

of consultants on casework, of Regional Co-ordinator to be supported by Head Office. The following were appointed:

Tim Lyle - South East (Epsom) and Central England (Lambourn)
David Holland – North East (Malton) and North West England (Middleham)
Lynne Clarke – South West England

As there aren't enough people to employ on a free-lance basis for the 9 NASS Regions, Jim Cornelius is taking on 4 of the Regions: Newmarket, West Midlands, Wales and Scotland. As this is a costly exercise it was decided to experiment with it for 6 months commencing December 2009. The main tasks of the Regional Co-ordinators is to recruit members; recruit Mailbox Representatives; develop Regional Committees and generally be the public face of NASS in the Region.

5.0 Legal Representation

- 5.1 NASS' Solicitors, Morrish LLP, will report later on during the AGM themselves and here the Executive Council just wants to report on its overseeing of the legal service provided by NASS. We reported in the previous section on the way that cases are handled.
- 5.2 When there is a failure to resolve a legitimate local dispute over wages, employment, etc then the Chief Executive considers, based on his experience, as to whether the case merits being pursued beyond the workplace by the use of legal action. In potentially complex legal cases advice may already have been sought from the Solicitors.
- 5.3 Last year's AGM amended the NASS Rules in order to limit the amount spent by NASS on legal fees and to differentiate between the service we provide to Full Members and Associate Members (i.e. Stable Staff who have not joined NASS but for whom NASS is required under its funding arrangements to give advice, guidance and representation). In the event that the Chief Executive believes that a Full Members' case should be pursued legally beyond the workplace e.g. to an Employment Tribunal then the case will be referred to our Solicitors and they will either take the necessary action with NASS paying for it or advise that the case is not worth pursuing due to it not having much chance of success and thereby the Associations' money would be wasted.
- 5.4 For Associate Members' cases which it is thought might be beneficial for them to pursue it beyond the workplace, NASS offers the use of Morrish LLP on a "no win, no fee" basis. This means that NASS doesn't pay for the legal action but that Morrish LLP enters into an agreement with the individual in regard to their case and agree to waive their costs until a successful completion of it. This means that the criteria for pursuing such a case is more rigorous than when NASS is paying as the Solicitors need to ensure that the case has a greater potential for success in order for their costs to be met. The Associate Member is advised of their right to take the case themselves or to go to any other Solicitor but we recommend that they use Morrish LLP as they have

experience of Racing and the peculiarities of Stable Staff work and the nature of Trainers.

- 5.5 The above change is now beginning to show reduced legal costs for us whilst still providing a full service to members.
- 5.6 In addition, NASS has provided a personal injury legal scheme for both Full Members and Associate Members in the event that they suffer an injury at work. During last year (and publicised in the April 2009 NASS Newsletter) the Executive Council decided to extend this service to the relatives of NASS Full Members. Whilst extending the service to NASS Members this also provides additional funds to NASS when cases are successful.

6.0 Finances

- 6.1 There will be a separate item when the Association's finances can be considered in detail. Here the Executive Council is reporting on its activities to try to secure the Association's finances in the short and long term.
- 6.2 It is assumed that most delegates are knowledgeable of the way NASS is funded and the past problems over that funding, as it has been regularly reported in the NASS Newsletter, Stable Talk.
- 6.3 The BHA, responsible for the prize-money allocation to NASS, ceased their with-holding of it from January 2008 by making bi-monthly and then six-monthly funding allocations to NASS based on its development.
- 6.4 In May 2009, having received a report from the NASS Chief Executive that the new NASS Rules agreed at its AGM in September 2008 had been successfully implemented and that there was a functioning Executive Council and other requirements for its functioning had been met, decided to withdraw all funding restrictions. They agreed to the monthly prize-money being directly allocated to NASS, closed the separate Escrow Account where the prize-money had been lodged since the end of 2006 and allocated 50% of its residue to NASS. This amounted to an additional £70,000 on top of prize-money which was likely to be about £150 - £160 (it will be appreciated that it is higher during the flat/summer season and lower during the jumps/winter season).
- 6.5 This additional funding has enabled the Executive Council to attempt new activities on behalf of the Association's membership which we report on further below. It will also enable us to fund the new Regional Co-ordinators trial experiment.
- 6.6 The NASS Rules were amended at the last AGM to allow NASS Members leaving racing for a period and other categories of racing staff not eligible for free membership, to join NASS by paying a membership fee of £5 per month.

6.7 This new membership arrangement has taken sometime to develop primarily due to the NASS Direct Debit System taking a long time to be established. It is now completed and a leaflet has been produced publicising the fee-paying membership facility along with a direct debit form as well as the general membership form being adapted and re-printed to take account of it. It is hoped that in the longer term this additional financing will assist NASS' development.

7.0 NASS Charter Week May 2009

The Executive Council decided to embark on its first campaign in the lead up to the 2009 Pay Negotiations. It was felt more appropriate to use the NASS Charter for Stable Staff which had been devised the previous year by Jim Cornelius as the vehicle for this Campaign. Leaflets were produced with the Charter on one side and information about the Supporters of Stable Staff (SOSS – referred to later in this report) to try to attract members. The main strategy was to concentrate on leafleting the public at race meetings. Generally Racecourses were quite co-operative but it would have been better had we got more members to join us in doing it.

8.0 2009 Pay Claim and Pay Negotiations

8.1 The 2009 Pay Claim was the most comprehensive that NASS and its predecessor, the SLA, have ever presented. In trying to improve member's involvement in the whole exercise, a series of stable visits were done by the Consultants to explain the details and rationale of the Pay Claim, which covered far more than just pay as it was known that negotiations would be difficult.

8.2 Prior to this, the Chief Executive had produced an options paper for the Executive Council Meeting in April 2009 and a full discussion took place on those options and so the decisions on the final Pay Claim were very much decided by the EC on behalf of the membership. They included claims on subsistence and other payments; annual holidays; sickness payments and Pensions.

8.3 Shortly after submitting the Claim to the National Trainers Federation Representatives on the 1 July 2009, Jim Cornelius did a series of members meetings around the Country to explain the Claim. All members received a copy of the Claim in the July Newsletter mailing. Thus members and representatives had been fully involved in the production and presentation of the 2009 Pay Claim.

8.4 The Claim was left with the NTF to consult their members and representatives over the summer and negotiations re-commenced on 1 September 2009. A further National Joint Council meeting took place on 29 September 2009 and nothing was offered on the various claim items in addition to pay. On Pay, the NTF had offered a Pay Review, which had been part of the NASS Claim, and to re-open Pay Negotiations in March 2010 when the financial picture might

be clearer. Having secured these two important advances, the NASS Executive Council, who make up the NASS side of the Stable Staff National Joint Council, decided that of the options available it would be better to concentrate on a Pay Review and following that, in light of its findings, argue even more strongly for a significant pay increase in March 2010 so that it was agreed that there would be no pay increase in October 2009.

8.5 The first part of the Pay Review has started with a pay survey of all Trainers. There will be an update given at the Annual General Meeting.

8.6 In addition, the working hours project agreed as part of the 2008 Pay Settlement is still progressing albeit slowly. We will be hoping to have at least an interim or draft final report by the time that pay negotiations commences in March 2010.

9.0 Bill Adams, SLA ex-National Secretary

9.1 Bill Adams, former National Secretary of the Stable Lads Association, who resigned from his post in 2006, was tried on two charges of fraud of SLA funds. He was acquitted of the main charge and no verdict was returned on the lesser charge. The case was conducted by the Criminal Prosecution Service and NASS had no involvement with it except to co-operate with the police as required.

9.2 Following the “no verdict” decision, NASS had a responsibility to consider whether it should take its own legal action against Bill Adams as it was SLA money that was allegedly taken. NASS took legal advice and based on that advice, the Executive Council recently decided not to take any further action.

10.0 Trustees of NASS

10.1 During 2009 the two Honorary Trustees of NASS, Lord Oaksey and Jimmy Hill, resigned as they felt that they could not adequately fulfil the responsibilities of these positions. We wish them well and would acknowledge the role they played in the formation of the Stable Lads Association along with Viv Baldwin.

10.2 At the same time two new NASS Trustees were appointed to join Derek Thompson and Rishi Persad. They were Baroness Ann Mallallieu, who was a member of the Donoughue Commission and later Chair of the Stud and Stable Staff Steering Group of the British Horseracing Board and Laurie Bell, NASS' previous Trade Union Account Manager at Unity Trust Bank. They are both very useful appointments for NASS.

11.0 Stable Staff Facilities at Racecourses

11.1 NASS ceased carrying out routine inspections at Racecourses due to the high staffing costs to do that and once a racecourse is up to a reasonable standard any routine check will just confirm it once again.

- 11.2 Instead we carried out a survey of members on their views of each racecourse's facilities. The results of the best racecourses were publicised in a newsletter and the worst results were used to carry out visits during the past year or so. This has led to some further improvements although at a slow rate. Some of those are being monitored still.
- 11.3 About six months ago we worked with the RCA (Racecourse Association) on a follow-on survey of all Racecourses from one done 5 years previously on food costs and overnight accommodation facilities. Significant improvements had taken place since the previous survey and were welcomed and publicised in the NASS Newsletter. Jim Cornelius meets with the RCA Representatives regularly to work with them on continued improvements.
- 11.4 We now work on the basis of reacting speedily to complaints raised with the NASS Head Office either by phone, email or on the website. Generally Racecourses are responsive to complaints and agree to rectify them or ensure it doesn't happen again. Jim Cornelius maintains visits to those Racecourses we know need improving based on complaints, the survey and his own observations. Some share their development plans with NASS and we target new developments either in existing racecourses or new ones e.g. Great Leighs and Ffos Las. Information is regularly publicised in the Newsletter.

12.0 NTF/NASS Joint Agreement Drugs and Alcohol at Work

- 12.1 This issue was the subject of discussion within the Newmarket Partnership and who then raised it with some Stud and Stable Staff employers. A draft proposal was referred to the BHA's Welfare and Training Group which both NASS and the NTF sit on. There was clear pressure for a Policy agreement to be reached as has happened in other "risk occupations" but both NASS and the NTF were determined that anything that affected Stable Staff employment should be the subject of joint discussion between ourselves and determined by us.
- 12.2 There were some worrying features in the draft document which had been referred to the Welfare and Training Group and so NASS and the NTF agreed to establish a Working Party with themselves and the Newmarket Partnership Co-ordinator, Joe Carter on it. NASS was represented by Jim Cornelius, George McGrath and Janet Lancaster. A number of meetings took place and a somewhat different document with greater staff protection was agreed. The final document was approved by the NASS Executive Council and the NTF Council and has been circulated and displayed on the NASS website.

13.0 BHA Welfare and Training Group and NASS Welfare, Training and Horsecare Advisory

- 13.1 As referred to above, Jim Cornelius represents NASS on the BHA Welfare and Training Group (W&TG). The function of this group is to discuss all

issues affecting Staff within racing including Stable Staff, Stud Staff, Jockeys etc and all staff/employer representative organisations sit on it along with racing's charities and BHA Representatives.

- 13.2 The W&TG is looking at a number of important issues affecting Stable Staff and when agreement or consensus is reached on an issue a recommendation is made to the BHA Board to fund and/or implement it as appropriate. Issues under discussion at present include Staff Training; accommodation; pension's; Stable Staff pay and conditions of service; the Stud and Stable Staff Awards (more later).
- 13.3 The NASS Executive Council has decided to establish a NASS Welfare, Training and Horsecare Advisory to further involve NASS Members, particularly Mailbox Representatives, in the discussions that take place at the BHA and elsewhere. It is due to have its first meeting in February 2010.

14.0 NASS Staff Terms and Conditions of Service

- 14.1 One of the important functions of the NASS Executive Council is to be responsible for the NASS permanent staff. It has a responsibility as an employer to ensure that the staff members are treated as well as possible within the financial situation. It is very important that a trade union does not act in the same way that it criticises the employers of its own members of acting. It has to try to set a good example in order that it cannot be condemned as being hypocritical such as for seeking things it doesn't give its own Staff.
- 14.2 One of the recent tasks of the NASS Executive Council was to review all the NASS Staff Conditions of Service, where they existed, which wasn't always the case and bring them into line with other good employers. At the same time it had to make a balance between what are reasonable conditions of service and what NASS can afford. The NASS Executive Council gives a commitment to being a good and reasonable employer in order to maintain the employment of good staff on behalf of its members.

15.0 Relations with other Stable Staff Trades Unions and Associations

- 15.1 The Chief Executive, with the support of the Executive Council, is attempting to develop contact and relations with other Trade Unions and Associations representing Stable Staff in Europe. It is believed that an exchange of information as to how common problems are dealt with in other racing countries may assist NASS in its negotiations with the NTF and the BHA.
- 15.2 At no cost to the Association, Jim Cornelius has met with his counterparts in France and Ireland. Whilst the meeting with the French Representative of Stable Staff (the Union also represents Racecourse Staff, Jockeys, etc so were not keen on maintaining contact with a trade union that only represented one section of racing's staff) was amicable and useful, it has not developed much further.

- 15.3 Contact with representatives of the Irish Stable Staff Association (ISSA) was much more fruitful. The ISSA is not an independent Trade Union as NASS is and because their legislation is different to Britain they are able to regard all Irish Stable Staff (Ireland and Northern Ireland) as members. It is funded in a similar way to NASS and has made some significant improvements in conditions of service, particularly the working week, although racing in Ireland is going through some problems at the present time.
- 15.4 The Irish Stable Staff Association is keen to visit NASS and play us at football which could become part of a regular exchange. The NASS Executive Council is working on arrangements to invite them over some time in April/May 2010 and is in the process of organising a NASS Football Team to play them.
- 15.5 Jim will continue to foster further developments with other European Trade Unions and Associations without cost to NASS and in particular through the TUC.

16.0 NASS Credit Union

- 16.1 The Executive Council has approved initial expenditure on their decision to begin to plan a NASS Credit Union. If a successful NASS Credit Union is launched then all the start-up costs NASS will have incurred will be able to be obtained back from the Credit Union itself.
- 16.2 This could be the most important development that NASS has embarked upon and be very beneficial to Stable Staff. A Credit Union is for the members of an organisation to enable them to save and borrow money at preferential rates and without going through difficult arrangements as at a normal bank.
- 16.3 NASS is confident that if it can show support from NASS members for the concept of a Credit Union that it will be able to raise the necessary "start-up funding" as there is strong support for it from within racing. To this end, we have put a questionnaire in with the Christmas Newsletter with the encouragement of cash prizes as a good turn-out is important.
- 16.4 The aim is to establish the NASS Credit Union from 1 October 2010 but there is a lot of work involved. A Shadow Management Board has already been established which is necessary before the Credit Union can obtain a licence to operate. Further updates will be given in the Newsletter and letters to Members.

17.0 Supporters of Stable Staff (SOSS)

- 17.1 Just over a year ago NASS established a "sister organisation" called Supporters of Stable Staff. The aim of SOSS was to encourage support for the NASS Charter for Stable Staff from racing supporters and others outside of racing e.g. other trade union members.

- 17.2 There is a subscription rate to join SOSS both for individual and corporate membership and to date over £1000 has been raised to be used for the benefit of Stable Staff. A constitution for SOSS has recently been written and SOSS members have been invited to attend the NASS AGM and will be holding their own AGM at the end of it.
- 17.3 The other aim of forming SOSS was to try to build up a grouping of people who might show support for Stable Staff in NASS' attempt to improve the position of Stable Staff. SOSS has not advanced as much as was hoped which is partly due to the lack of resources NASS has to put into it with all the other things that need to be done.

18.0 Godolphin Stud and Stable Staff Awards 2010

- 18.1 The Godolphin-funded annual Stud and Stable Staff Awards were reviewed for 2010 to try to gather more nominees and the nominating process has been extended to assist that. Now it is not just confined to Trainers but also owners and work colleagues can make nominations. At the same time Godolphin have significantly increased the amount of their sponsorship money given to the event.
- 18.2 The most significant change for NASS was the decision to include a new Award, the NASS Merit Award. This is important recognition for NASS and reflects the effort put in by everyone to put NASS on the map. The Award is a payment of £5000 to a NASS Full Member. Hopefully, this will give a further boost to membership as well as justified recognition to a NASS Member.
- 18.3 NASS has already distributed a special printed nomination form to all members with the Christmas Newsletter and hopes that we receive a good number of nominations. The deadline for nominations is 19 February 2010 and the NASS Executive Council will meet on Sunday 21 February to determine the winner of the Award to be received on 1 March 2010 in London. In the event that any EC Member is nominated then they will not take part in the selection process and NASS is arranging for an independent person to be present to confirm that the procedure was fair as it involves a lot of money and prestige.

19.0 Agreement with the British Grooms Association

The NASS Executive Council recently approved a joint working agreement between NASS and the British Grooms Association (BGA) whereby we agree to recommend membership of each Association by the other. The BGA, which recruits within the whole of the Equine Industry/Sector, has agreed to a reduced membership fee for NASS Members.

20.0 Stable Talk: NASS Newsletter

- 20.1 We have tried to issue the NASS Newsletter every 2-3 months which is not easy with our limited resources. It would be very good to get feedback from members whether praising or criticising and also to get contributions and letters sent into it.
- 20.2 The next one will be issued shortly after this AGM and the plan is to expand it to 6 pages when we can. It will be relatively easy to fill that extra space with reports and pictures from the AGM but it will be harder in the following editions and it may not always be possible.

21.0 The NASS Website: www.naoss.co.uk

- 21.1. The NASS website has become a very important tool in the functioning of the Association. It is run by Toni Dean, NASS Head Office Services Manager, and is being expanded all the time. We are now developing a members section and NASS members can set up their own login to access the member's area.
- 21.2 Further support for NASS was demonstrated when the BHA Welfare and Training Group asked NASS to host the Feelgood Fodder information for Stable Staff nutrition on our website rather than establishing a separate site which was originally planned. This is welcomed but will involve extra work for the Office Staff.

22.0 NASS Self-Build Housing Project

- 22.1 The Executive Council have given approval for the Chief Executive to explore the possibility of establishing what will probably be a long-term project if it gets off the ground at all.
- 22.2 There are a number of Self-Build Housing Projects in Britain and other European Countries. Jim Cornelius has been exploring the possibility of establishing one for NASS Members who are interested. Last year members in the two biggest NASS Regions, Newmarket and Lambourn, were consulted by questionnaire on the potential interest for such a project. As well as expressing a wish to see more and better accommodation available for Stable Staff, a number of members said they would be interested in joining such a project.
- 22.3 Jim is in contact with an architect/developer who has been involved in a number of projects and he is keen to work with NASS. A lot of further work needs to be done before any scheme can get off the ground and there will be further reports as and when appropriate.

23.0 NASS Oral History Project

- 23.1 Jim Cornelius embarked on establishing a NASS Oral History Project shortly after he was elected Chief Executive. The Executive Council supports this project as it is important that both the conditions of the past are recorded along with the attempts to improve them.
- 23.2 Again, with NASS's limited resources, it has been difficult to do as much as we would like. However, a few past Stable Lads have been able to be interviewed and along with others involved in Racing. One of those was Fred Webb, Lambourn Racing Welfare worker and committed supporter of Stable Staff. His recent death makes us all the more aware of the need to put people's experiences to paper for future generations and will urge us to put further effort into this project. We are being assisted by an academic, Janet Miller, who is attempting to secure funding for the project.