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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 14 September 2015

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

COMMUNITIES AND LOCAL GOVERNMENT

The Secretary of State was asked—

Devolution Deal

1. **Peter Heaton-Jones** (North Devon) (Con): What support his Department is providing to areas seeking a devolution deal. [901296]

The Secretary of State for Communities and Local Government (Greg Clark): May I wish Shanah Tovah to all Members, and to those in the wider community, who are celebrating the Jewish new year? May I also say how relieved I am to see that an Opposition Front Bench team willing to serve has turned up today?

This one-nation Government are determined to devolve power to every part of the country—town and country. In response to our invitation, 38 areas have submitted proposals for devolved powers and budgets. We will work with every area over the coming months to negotiate transformational devolution deals.

Peter Heaton-Jones: I thank the Secretary of State for his answer on this most auspicious day.

North Devon District Council and other local authorities in Devon and Somerset have submitted an expression of interest to the Government for combined authority status—a move that I welcome. Will the Secretary of State join me in welcoming it? Does he agree that granting greater regional powers is in the spirit of greater devolution for people in the south-west?

Greg Clark: I do welcome it. I read the proposals from councils and businesses in Devon and Somerset. One of the benefits of devolved funding would be that infrastructure decisions were increasingly made locally. I know that the north Devon link road is close to my hon. Friend's heart. In fact, I heard him talk about it on Radio Devon, and so confident is he that this investment will be made that he has invited Her Majesty the Queen to come and open it next year. That is the kind of positive thinking we need.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): On the devolution deal, does the Secretary of State take a view on what these new authorities should call themselves? "Combined west midlands authority" is rather a mouthful, and I would much rather have "Greater Birmingham".

Greg Clark: I think the nuance with which the hon. Lady asked her question answers it for her. It is better for local people to make these decisions rather than for

a Secretary of State to determine them. It is very good that the authorities across the west midlands are coming together and working so well.

Mrs Maria Miller (Basingstoke) (Con): The great county of Hampshire has submitted a compelling bid for devolution. Does the Secretary of State agree that further devolution could be pivotal in unlocking further economic potential in the southern powerhouse as well as the northern powerhouse?

Greg Clark: I do agree. "Powerhouse" is an apt description, because the economy of the south and the part of Hampshire that my right hon. Friend represents is really firing on all cylinders. I remember launching the growth deal there, where the new centre for 5G technology is up and running, creating many thousands of jobs.

Mr Dennis Skinner (Bolsover) (Lab): When the Minister brags about devolution proposals for local government, why does he not do the decent thing and say to local government that the coalition Government and this one have taken up to 40% off local authorities? Pay that money back, and then you can start work.

Greg Clark: During the recess I had a very cordial and constructive meeting with the leader of the hon. Gentleman's local authority in Derbyshire, and the one accord that we had is that the progress that the coalition Government made in transferring powers from London and Westminster to the regions has been one of the contributory factors to the revival of the regions.

Steve Double (St Austell and Newquay) (Con): Does my right hon. Friend agree that the recent announcement of the historic devolution deal for Cornwall is a clear demonstration of this Government's commitment not only to the devolution agenda but to a one-nation approach to our economy?

Greg Clark: It certainly is. I pay tribute to my hon. Friend and to his colleagues in Cornwall who were absolutely instrumental in securing that deal. I was delighted to travel down there with the Prime Minister to celebrate it, and indeed to do so over a pint of Tribute with him that very evening.

Jon Trickett (Hemsworth) (Lab): The right hon. Gentleman mentioned Opposition Front Benchers. Let me say this: we are ready, willing and able to take the fight to Ministers and eventually to drive them out of office.

The country is far too centralised, and there is clearly, because politics is not working, a political imperative on all of us to seek proper devolution. Devolution tied to spending cuts simply does not work.

It is great that the Government heeded, belatedly, the call to allow some more refugees into our country—we welcome that. Local government and devolved local government came up to the mark straight away, with over 60 councils immediately coming forward. What discussions has the Secretary of State had with local councils about how to deal with this incredibly important matter? Will the Government now hold the national summit that we have been calling for?

Greg Clark: I welcome the shadow Secretary of State to his post. Members will recall that he was once Parliamentary Private Secretary to Peter Mandelson, and Tony Blair once said that his project would not be complete until Labour learned to love Peter Mandelson. I wonder whether the hon. Gentleman will update us on how that is progressing.

I welcome the hon. Gentleman's support for devolution. I have found it possible to work on the most cordial terms with Labour authority leaders as well as Conservatives up and down the country, and I hope we will have a constructive working relationship.

The hon. Gentleman will know that the Home Secretary and I chaired a Cabinet Committee meeting on Syria at which the Local Government Association was represented. This morning I spoke to the head of the LGA and, indeed, the Labour leader of Blackpool Council, who told me that local government collectively was working very well with central Government to make sure that we deliver the commitment that has been given.

Jon Trickett: In terms of loving people, the Chancellor of the Exchequer has a long way to go to encourage people to love him.

When the Government indicated that funding would be made available to local councils to help refugees and resolve the refugee problems, it was clear that only a one-year financial deal was on offer. Will the Secretary of State guarantee that the Chancellor will provide enough money over the five years of this Parliament to help councils to deal with the crisis, because the current financial offer is simply inadequate?

Greg Clark: That is not the case. The one-year commitment is what is allowed under the official development assistance rules. The point of including our local government colleagues in the ministerial group designing the approach is to make sure that every aspect of the funding required is addressed. We will do that consensually with local government.

Brownfield Land

2. **Alex Chalk** (Cheltenham) (Con): What support his Department is providing to local authorities to encourage development of brownfield land. [901297]

9. **Andrew Stephenson** (Pendle) (Con): What support his Department is providing to local authorities to encourage development of brownfield land. [901304]

11. **Rebecca Harris** (Castle Point) (Con): What steps he is taking to encourage development on brownfield land. [901306]

15. **Pauline Latham** (Mid Derbyshire) (Con): What support his Department is providing to local authorities to encourage development of brownfield land. [901310]

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): We intend to create a fund to unlock homes on brownfield land for additional housing. We will continue to support the regeneration of brownfield land through a range of measures, including announcing up to £400 million to create housing zones.

Alex Chalk: Does my hon. Friend agree that it is particularly important to encourage investment in brownfield land where the site in question, such as Springbank shopping centre and the former Carlton Street post office in my constituency, is a local eyesore that attracts graffiti and other antisocial behaviour?

James Wharton: My hon. Friend makes an important point. We want brownfield land to be brought back into use and for homes to be built on it. I am sure that my hon. Friend, as a diligent constituency MP, will make the case for individual sites in his area. This Government are committed to delivering the houses needed in the right places across the country.

Andrew Stephenson: Greenfield sites across Pendle are under threat because the new Lib Dem and Labour administration of Pendle Borough Council has abandoned plans to spend the £1.5 million allocated for brownfield regeneration under the previous Administration. What more can the Department do to support the people of Pendle and to help fulfil their wish that brownfield is always developed ahead of greenfield?

James Wharton: The Government are setting up a brownfield fund, with £1 billion, and are introducing the brownfield register. We have an expectation that homes will be built, because the country needs them, and that they will be built in the right places, particularly on brownfield sites. My hon. Friend makes a very important point on behalf of individual sites in his constituency about the approach of his local authority. I am sure it will have heard him loud and clear on a matter that his constituents will be very keen to see resolved.

Rebecca Harris: I welcome the Government's redoubled commitment to support the development of brownfield sites. Does the Minister agree that, with the help of the Government's new measures and extra effort by local authorities, brownfield sites can be developed more quickly and easily than by leaving large areas of green belt to be developed by large-unit developers, whose business model is not resulting in many houses?

James Wharton: My hon. Friend makes an important point, informed by her own direct experience. It is important that local authorities do not just plan to deliver the future houses we need in the right places, but ensure that the plans are deliverable. There are examples of best practice across the country, with local authorities delivering completions and the new housing needed, and I know that other authorities will look to them to see what lessons can be learned and what they can do in their own areas.

Pauline Latham: In my constituency of Mid Derbyshire, a large brownfield site is being decontaminated and made ready for redevelopment, but it has been left out of Derby City Council's core strategy because the council states that the site will not be ready for development until 2028, despite the site manager saying that it will be sooner. Does the Minister agree that we must prioritise building on such brownfield sites?

James Wharton: With the brownfield fund and the accelerated powers we are giving local authorities for planning on suitable brownfield sites, the direction of

travel and the intention of Government are clear. Local authorities need to ensure that opportunities in their areas are deliverable and that they are delivered. I am sure that my hon. Friend's important comments regarding her constituency will have been heard today.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister knows that there is a national shortage of homes and a housing crisis for the people whom we represent. He will not get anywhere with the illusion that that can all be dealt with through brownfield land. Brownfield land is often very expensive and in the wrong place. This Government will not acknowledge that we must build on greenfield to provide the homes that we need, but they do not like it: they are terrified of their constituents.

James Wharton: Listening to our constituents and recognising their concerns is an important part of the planning process. We cannot just ignore local sites of beauty or the value of our environment. It should be recognised and protected and account taken of it in the national planning policy framework. That said, we need to deliver more homes, which is why, on top the measures I have mentioned, the Government are releasing significant amounts of public sector land to deliver another 150,000 homes on brownfield land during this Parliament, meeting our obligations in a way that our constituents recognise is appropriate.

Clive Efford (Eltham) (Lab): We must get developers to get on and build homes, but does the Minister accept that in a local authority area with sufficient land for building housing it would be inappropriate for a planning authority or the Planning Inspectorate to approve the building of houses on sports grounds when there is a need for them and users who want to open them as sports grounds?

James Wharton: The direction from Government is absolutely clear—we want to see more houses built in appropriate places. We want to facilitate and assist local authorities that want to build on brownfield sites to bring the sites back into use and to build the houses that are needed. I hear what the hon. Gentleman says and I am sure his local authority hears it, too.

Andrew Gwynne (Denton and Reddish) (Lab): The Minister's ambition to build more houses, in particular on brownfield land, might be good, but is he aware of a recent survey by the Federation of Master Builders that highlighted the fact that many in the construction industry are still struggling to secure finance and that raw materials and skills are in short supply? What is he doing to address those issues?

James Wharton: The hon. Gentleman raises a range of important points, including the skills agenda, which is part of our devolution discussions in many areas. While I am tempted to go down that route, it is important to focus on what the Government are doing on brownfield, which is very significant. I say again that we have the brownfield fund and the brownfield register, and we are working to accelerate planning on such sites to deliver them and to release public sector land. This Government are doing a lot to deliver housing on brownfield, not on the green fields that some Opposition Members seem to think should be the priority for building.

Alison Thewliss (Glasgow Central) (SNP): Will the Secretary of State or the Minister confirm the average cost per hectare of remediating brownfield land?

James Wharton: The hon. Lady asks for figures I do not have immediately available, but this Government are setting up a significant fund to deliver housing and to free up and make viable brownfield sites. That will make a real difference and will encourage development on the sites that we want developed. I am happy to write to her in due course with the specific figures for which she asks.

Alison Thewliss: I will help the Minister out here—I have some figures to hand. The cost of remediating brownfield land can range from £50,000 per hectare to over £1.7 million per hectare for the most contaminated land. Does he believe that the fund he proposes will be adequate to deal with brownfield land? The reason such land is brownfield, derelict and unused is that it can be difficult to remediate. In the east end of Glasgow, 350 hectares of brownfield land need remediation. How far will the fund go?

James Wharton: A range, of course, is not an average, although I recognise the hon. Lady's concern. She, like us, wants brownfield land to be regenerated and built on and housing delivered in the right places, and the £1 billion fund being established by the Government will go a long way to doing that. It will make a real difference. It will deliver houses where they are needed—and on brownfield land that has not been used and from which there has been no benefit for far too long.

Local Government Finance

4. **Judith Cummins** (Bradford South) (Lab): What assessment he has made of the effectiveness of the local government grant formula in directing funding to areas of need. [901299]

14. **Julie Cooper** (Burnley) (Lab): What assessment he has made of the effectiveness of the local government grant formula in directing funding to areas of need. [901309]

The Minister for Communities and Resilience (Mr Mark Francois): Councils facing the highest demand for services receive substantially more funding, including through formula grant. With the introduction of business rates retention in 2013-14, there has been a deliberate shift away from keeping authorities dependent on grants and towards providing councils with the tools and incentives they need to grow their local economies.

Judith Cummins: The Minister's implication that areas of need are being fairly treated by the local government grant formula is simply not proven by the evidence. Research by the Chartered Institute of Public Finance and Accountancy found that many councils serving the most in need have been worst hit by the cuts. Indeed, in the list of councils worst hit by the cuts, Bradford council came 353rd out of a possible 383. Surely he agrees this is not fair.

Mr Francois: Bradford has an area spending power of £2,295 per dwelling, which is 10% above the national average, and Bradford council also has £136 million in its reserves. It might want to deploy part of those reserves to address some of the challenges it faces.

Julie Cooper: Since 2010, funding to my constituency has been cut by a staggering 54%. Does the Minister agree that this cannot be acceptable given that during the same period some constituencies have benefited from a rise in funding? Does he realise that the funding formula is seriously flawed and in urgent need of review?

Mr Francois: I do not agree. Burnley has an area spending power of £2,112 per household, which remains above the national average. In 2013-14, 2014-15 and 2015-16, we provided Burnley council with a £1.9 million efficiency support grant—equivalent to more than 10% of its spending power—to support long-term changes to bring costs down while continuing to deliver the services that Burnley's citizens expect. That is nearly £6 million of additional resources, so, given what some other councils have done, the hon. Lady perhaps doth protest too much.

Mr Nigel Evans (Ribble Valley) (Con): Lancashire County Council tells me its grant is so inadequate that the discretion it used to have in assisting youngsters to go to schools of their choice has now been withdrawn. If a pupil passes a school to get to the school they want to attend, they will be asked to pay £550 for school transport. This is nothing other than a back-door means of raising council tax on hard-working families in Lancashire. Will the Minister look into what is going on, which is an abuse of the discretion system, and ensure that parents can get their youngsters into the school of their choice?

Mr Francois: I know that my hon. Friend has pursued this issue on several occasions, including in a Westminster Hall debate. It is a complicated issue, and local authorities have sometimes had to take difficult decisions on the prioritisation of school transport. There is no easy answer, but he will no doubt continue doggedly to pursue it in the House, as he has today.

Mr Steve Reed (Croydon North) (Lab): Child refugees orphaned or separated from their parents are arriving in Britain in unprecedented numbers because of the current crisis across the EU, but the Government have chosen to slash funding by 18% for gateway councils, such as Kent, Hillingdon and Croydon, which look after the highest numbers of them. What impact does he think this dreadful decision will have on the councils and, more importantly, the children affected?

Mr Francois: First, I am joined on the Front Bench by my hon. Friend the Member for Watford (Richard Harrington), whom the Prime Minister today appointed Minister for Refugees. He will sit on the Cabinet Sub-Committee looking to address these issues. I am sure the whole House will welcome his appointment.

Secondly, the hon. Gentleman attacked us over resources. I have a question to ask him about resources.

Lyn Brown (West Ham) (Lab): Answer the question. What about the funding?

Mr Francois: We are familiar with the issue in Kent, because of what happened in Calais and all that was attached to that, and with our colleagues in local government we are looking carefully at the likely cost.

That is one of the issues the Cabinet Sub-Committee will address, including with my right hon. Friend the Prime Minister.

Neighbourhood Planning and Community Rights

6. **Mark Menzies (Fylde) (Con):** What support his Department has provided to communities on neighbourhood planning and community rights since May 2010. [901301]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): Up to March 2015, we provided nearly £50 million to help communities undertake neighbourhood planning and to access community rights and associated initiatives. We are going further and invested another £32 million in April to help even more communities take up their rights.

Mark Menzies: Fylde communities such as Warton and Wrea Green in my constituency have submitted comprehensive local plans to the council. Does the Minister agree that it is important that when the council is finalising the local plan, it takes into account the neighbourhood plans and the wishes of my constituents?

Mr Jones: I concur completely with my hon. Friend's view. Our planning guidance is clear that local authorities should work in collaboration with neighbourhood planning groups when neighbourhood and local plans are being developed at the same time. Local plans are also subject to at least two opportunities for comment by any interested party.

Caroline Flint (Don Valley) (Lab): A common complaint I receive from residents and communities in Doncaster is about the blight of empty properties. Some 3,800 homes are empty and over 1,000 have been empty for more than a year. That attracts vandalism and antisocial behaviour, and is a blight on property prices. Despite the best efforts of councils, including Doncaster Council, it is hard to get the owners of such properties to get them up to standard and filled with people living in them. Will the Minister agree to review the rights and powers of communities to tackle the scandal of empty homes, without imposing a cost on the taxpayer for the neglect of owners and landlords?

Mr Jones: I thank the right hon. Lady for her question. She will be a loss to the shadow Front Bench. Local authorities already have significant powers to bring empty properties back into use. They are incentivised by receiving the new homes bonus to get long-term empty properties back into use. They also have the power to change the council tax regime to charge more council tax on properties that stand empty for a long period. I suggest that she contact her local authority and ask what it is doing about this.

23. [901318] **Amanda Milling (Cannock Chase) (Con):** Following a passionate local campaign, planning permission was recently rejected that would have seen the Ascot Tavern, a local pub in Cannock, demolished and replaced by yet another new supermarket. Local campaigners are looking at registering the pub as a community asset. What measures are the Government taking to assist and support communities who find themselves in that situation and similar ones?

Mr Jones: I welcome my hon. Friend's interest in this important subject. We have removed permitted development rights from pubs that are listed as assets of community value. As was promised in our manifesto, we are committing £1.5 million to a pub loan fund to support community groups in taking ownership of their local pub. The My Community advice service also offers important advice and support to local groups that are looking to take on their local.

Disabled Facilities Grant

7. **Mary Glendon** (North Tyneside) (Lab): If the Government will ensure that the statutory maximum for a disabled facilities grant increases in line with inflation. [901302]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): The Government have invested just over £1 billion in the disabled facilities grant since 2010. That has funded about 170,000 adaptations, helping thousands of disabled people to live safely at home.

Mary Glendon: I thank the Minister for that answer, but a report and survey by Muscular Dystrophy UK that will be launched in Parliament this week show that thousands of people are being forced into tens of thousands of pounds of debt because the disabled facilities grant has not been increased since 2008 and just does not cover the cost of adaptations. Will the Minister be kind enough to meet me and representatives of Muscular Dystrophy UK to look at the report and see what the Government can realistically do to help all the people who so desperately need adaptations?

Mr Jones: I am not sure about my diary for this week, but I undertake to meet the hon. Lady and representatives from Muscular Dystrophy UK on this important issue. The Government are providing £220 million for the disabled facilities grant this year, which is a 19% increase on 2014-15. Where the cost of adaptations exceeds £30,000, local authorities are in a position to provide top-up funding. I hear what the hon. Lady says. A spending review will take place in a few weeks and I will listen to her comments and those of other Members.

Mr Mark Prisk (Hertford and Stortford) (Con): The disabled facilities grant has done wonderful work to support our disabled ex-service personnel. May I encourage the Minister and his colleagues to ensure that that continues for the rest of this Parliament?

Mr Jones: It is extremely important that the Government continue to support our armed forces personnel. In this country we hold dearly the work done by our armed forces, and as my hon. Friend says, it is extremely important that we continue to support them. I will take that into account, as will my right hon. Friend the Secretary of State, in the up-and-coming spending review.

17. [901312] **Tulip Siddiq** (Hampstead and Kilburn) (Lab): Given the Government's dismal record of selling off council housing and extending it to housing associations, what steps is the Minister taking to ensure that our remaining council housing stock has adequate disabled provision and access for those who need it?

Mr Speaker: Order. This is in reference to the disabled facilities grant, but I feel sure that the dexterity of the hon. Gentleman is boundless.

Mr Jones: You are right, Mr Speaker—it is a rather tenuous link but I will do my best. As I have said, the Government are providing significant funding to local authorities to provide disabled facilities grants, and there is no reason why they cannot use that for current council housing stock, or support housing associations with their stock.

Affordable Homes

8. **Justin Madders** (Ellesmere Port and Neston) (Lab): What steps his Department is taking to promote the building of affordable homes through the planning system. [901303]

The Minister for Housing and Planning (Brandon Lewis): The national planning policy framework requires local planning authorities to meet their affordable housing needs for their area, and we are committed to delivering some 275,000 new affordable homes through to the end of this Parliament.

Justin Madders: In my constituency, over the past 18 months developer after developer has used the planning rules to get out of their obligations to build affordable homes, and more than 200 much needed affordable homes have been lost to my constituency during that period. When will the Minister get a grip and get developers to comply with their obligation to build affordable homes?

Mr Jones: The hon. Gentleman might wish to take up with his local authority the issue of the power to negotiate locally. We are delivering affordable homes at the fastest rate in just over two decades, and in his constituency the number of homes going forward has increased by 124% since 2010. He should be thanking the Government for the work we have done to support that industry.

John Redwood (Wokingham) (Con): Will the Minister assure me that councils are being encouraged to build more affordable homes for sale, because much more homeownership is the priority of the British people?

Mr Jones: My right hon. Friend makes a good point, and one key focus of our manifesto this year was the starter homes project. I am proud that the Government will take forward the delivery of some 200,000 starter homes for first-time buyers at a 20% discount.

Fiona Mactaggart (Slough) (Lab): But the increase in the definition of affordable homes is one reason why the Government can claim a massive increase in the building of such homes. In my constituency an affordable home requires people to be able to afford 80% of market rent, and people on average incomes cannot possibly afford that, even if they have a deposit.

Brandon Lewis: For good quality homes in the rental and ownership sectors the key is an increase in supply. I am pleased that in the hon. Lady's constituency the number of starter homes has increased by 45% since

2010, and completions are up by 100% since 2010. We must build more homes—it is a shame that the previous Labour Government did not build them and that we started in 2010 with the lowest rate of house building since about 1923, which is what Labour left.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Minister agree that the rural starter homes programme will provide much appreciated assistance to young people so that they can afford to live in the areas where they grew up?

Brandon Lewis: Yes, my hon. Friend makes a very good point. The need for starter homes and affordable homes for people to purchase is as important in rural areas as it is in urban areas, and I am delighted that we will be able to take that project forward and see 200,000 starter homes delivered for first-time buyers across the country.

Affordable Housing

12. **Steven Paterson** (Stirling) (SNP): What steps his Department has taken to stimulate the building of affordable housing; and what steps he is taking to help young people buy a home for the first time. [901307]

The Secretary of State for Communities and Local Government (Greg Clark): We have already allocated £1 billion to our commitment to deliver a further 275,000 affordable homes by 2020. Since 2010, Government schemes such as Help to Buy and the right to buy have helped more than 230,000 people buy a home. As my hon. Friend the Minister for Housing and Planning said, we will build 200,000 starter homes exclusively for first-time buyers.

Steven Paterson: In fact, the right-to-buy scheme has raised private rents and cut social housing supply, but the Government want to force housing associations to sell homes during a housing shortage. Should the Government not look at the example from north of the border and the Scottish Government? Scrapping the right to buy has seen nearly 35,000 social rented houses built since 2007.

Greg Clark: The residents of Scotland have the same aspirations as the residents in all parts of the United Kingdom. They want to own their own home, and the Government are committed to giving them the chance to realise that aspiration. We are doing that by extending the right to buy, and it is a matter of regret that in Scotland they are going the other way.

Tom Pursglove (Corby) (Con): What specific impact is the new homes bonus having on the building of homes across the country in order to meet local needs such as those of young people?

Greg Clark: First, the funds that come with the new homes bonus allow the financing of some of the infrastructure that is required—reasonably—when homes are built. Secondly, because of that, the plans that are coming forward for adoption by authorities have a significantly higher level of house building than was the case before the reforms were introduced.

Rough Sleeping

16. **Neil Coyle** (Bermondsey and Old Southwark) (Lab): What assessment he has made of the reasons for changes in the level of rough sleeping since 2010.

[901311]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): One person without a home is one too many. That is why since 2010 we have invested more than £500 million in local authorities and the voluntary sector to prevent and tackle homelessness in their areas.

Neil Coyle: I was intrigued to hear the Minister mention earlier how dearly the Government hold those who serve in our armed forces. Ex-forces rough sleeping in London has risen elevenfold since 2010. Homes 4 Heroes does a brilliant job in my constituency supporting the ex-forces, but what specific measures does the Department have to prevent those leaving our armed forces from ending up on the streets, and to intervene when they are identified as rough sleeping?

Mr Jones: As I said earlier, this is an extremely important issue. Ministerial work is going on in relation to the military covenant, and my hon. Friend the Minister for Housing and Planning is part of that ministerial group. We are also supporting local authorities with programmes to help them with rough sleepers, both to help rough sleepers on the street so that they do not spend a second night out—that has been especially useful in London—and to work with other housing groups so that rough sleeping does not become entrenched. We are helping people off the streets, especially those with mental health issues.

Andrew Bridgen (North West Leicestershire) (Con): Will the Minister confirm that statutory homelessness acceptances are now lower than they were under the previous Labour Government?

Mr Jones: My hon. Friend is right. Statutory homelessness is now lower than in 26 of the last 30 years and less than half of what it was at its peak under the last Labour Government.

20. [901315] **Kate Osamor** (Edmonton) (Lab/Co-op): Homeless people are 13 times more likely to be victims of crime than the general public and are more likely to suffer from serious health problems. Will the Minister explain his plans for the future of the homelessness prevention grant?

Mr Jones: I welcome the hon. Lady to the House. As she has identified, the homelessness prevention grant has been powerful in that councils have been able to use it to stop people becoming homeless. She will be glad to know that we are considering the future of the grant in the context of the upcoming spending review.

Stephen Hammond (Wimbledon) (Con): On 12 October, I and other Members will be taking part in sleep out night. The Government are rightly proud of the resources they put into such projects during the previous Parliament. Will the Minister confirm that to tackle rough sleeping he will be putting in money and continuing to support

the Homelessness Change and No Second Night Out projects, which do a huge amount to prevent rough sleeping?

Mr Jones: It is always good to see the interest my hon. Friend has in this particularly important issue. I can assure him that I realise the value of the No Second Night Out programme. In London, two thirds of rough sleepers come off the streets after a single night out as a result of the programme. As I said in the previous answer, the Government are currently undertaking a spending review. We are considering the merits of this important scheme as a part of that.

Lyn Brown (West Ham) (Lab): Under Labour, rough sleeping went down by 75%. Since 2010, rough sleeping by young people in London alone has gone up by 123% and is about to get worse. Is the Minister so weak that he cannot persuade his Department for Work and Pensions colleagues that taking housing benefit away from 18 to 21-year-olds will have a catastrophic effect on vulnerable young people, or does he not care?

Mr Jones: I have said to the hon. Lady before that this Government have taken a different approach—a more honest and open approach—where we are actually calculating the number of rough sleepers properly. That did not happen when the Labour party were in government. On the welfare changes that the hon. Lady mentions, it is important to say that we have made it very clear that our proposals would protect vulnerable people in particular. This Government are on the side of people who want to get on and who aspire. We do not want young people to be trapped in dependency, as several generations have been hitherto. Obviously, the hon. Lady thinks that that is a good thing.

Mr Speaker: I call Heidi Allen.

Heidi Allen (South Cambridgeshire) (Con): I am surprised. Number 18, Mr Speaker.

Mr Speaker: There is never any reason to be surprised in this place. We jog along as speedily as we can.

Urban and Rural Areas: Funding

18. **Heidi Allen (South Cambridgeshire) (Con):** What steps the Government are taking to reduce the difference in funding levels between urban and rural areas. [901313]

The Minister for Communities and Resilience (Mr Mark Francois): Our reforms give all authorities substantial scope to increase revenues through promoting growth. I accept that most rural authorities face challenges in delivering services that other authorities do not. Consecutive local government finance settlements have delivered a steady reduction in the gap in spending power levels between urban and rural authorities.

Heidi Allen: Still surprised, but delighted to be here. I thank the Minister for that answer. Cambridgeshire has a creative way for local authorities to look to bridge the funding gap. The level of economic growth is such that private investors now want to invest in our infrastructure and help us to build affordable housing. Will the Secretary

of State or Minister meet me and business leaders from Cambridge to hear our case, because we have an innovative solution?

Mr Francois: I will certainly consider a meeting. My hon. Friend talks about promoting economic growth. The business rates retention scheme provides a strong incentive to local councils to reap the rewards of economic growth. Councils now benefit from nearly £11 billion under the scheme, which should deliver a £10 billion boost to national GDP by 2020. If we meet, we can discuss these matters in more detail.

Graham Stuart (Beverley and Holderness) (Con): I welcome the Government's announcement of the rural productivity plan over the summer. In particular, I praise the identification of improved local government as important to the economic regeneration of rural areas. Does the Minister agree that closing that gap—the Government have set out on a path to do that, albeit at an incredibly slow pace—is an important part of improving local government in rural areas?

Mr Francois: My hon. Friend has campaigned tirelessly on this issue for some time. As a result, he will know that the previous Government delivered a steady reduction in the so-called urban-rural gap in spending power levels. Consecutive settlements have helped to address the gap, and between 2012-13 and 2015-16 it has been reduced by £205 million. A great deal has been done, but there is still more to do.

Weedon Bec

19. **Chris Heaton-Harris (Daventry) (Con):** If he will make an assessment of the performance of the Planning Inspectorate in applying planning guidelines in recent appeals in Weedon Bec. [901314]

The Minister for Housing and Planning (Brandon Lewis): Obviously, I cannot comment on specific planning appeals. However, the planning inspector will decide an appeal in accordance with the development plan and national planning policy, considering the evidence presented by all the parties in each specific case individually. The local decision is upheld in the majority of cases, with about two thirds of appeals being dismissed.

Chris Heaton-Harris: Although I understand that the Minister does not want to comment on the two planning appeals in Weedon, in which the same information was fed in only for there to be two different results, with one being allowed and one dismissed, will he let the Planning Inspectorate know that the people of Weedon in my constituency and the local council do not appreciate its varied decisions? They would also appreciate it if he could offer the Planning Inspectorate some strong guidance on implementing localism.

Brandon Lewis: I appreciate my hon. Friend's point on behalf of his community. There were two applications. I understand his point about their similarity, but every appeal has its own unique character, by definition. The planning inspectors need to consider them as individual cases. However, I appreciate his point about having consistent decisions.

Mr Peter Bone (Wellingborough) (Con): In Northamptonshire, the difference in decisions on appeal for very similar applications is remarkable. Is it not time we took a serious look at the Planning Inspectorate and did something about it?

Brandon Lewis: My hon. Friend is fighting hard for his constituents and planning is an emotive issue that people care passionately about. It shapes the future of the environments in which we live. Every planning application, no matter how silly it might seem, will have unique characteristics and will therefore potentially lead to different decisions.

Rogue Landlords

21. **Mike Freer** (Finchley and Golders Green) (Con): What steps his Department is taking to tackle rogue landlords. [901316]

The Minister for Housing and Planning (Brandon Lewis): We have provided £6.7 million thus far to crack down on rogue landlords and have legislated to protect tenants from retaliatory eviction. I am determined to go further. We have recently published plans to blacklist and ban rogue landlords and to enable councils to impose civil penalties and to seek rent repayment orders in more circumstances.

Mike Freer: Does my hon. Friend agree that the approach of creating a register will simply create bureaucracy and drive up rents for tenants?

Brandon Lewis: My hon. Friend makes an important point. Last time the Opposition costed their plans for a national register, it was, I think, about £40 million a year, a cost that would fall on the tenants. More regulation in that sense is simply not the answer; it drives down supply and, as a result, quality for tenants.

Topical Questions

Mr Speaker: I call Helen Goodman—not here.

T2. [901287] **Caroline Lucas** (Brighton, Pavilion) (Green): If he will make a statement on his departmental responsibilities.

The Secretary of State for Communities and Local Government (Greg Clark): I issued a written ministerial statement today to update the House on the main items of business undertaken by my Department over the summer. In the past eight weeks, we have introduced measures to boost house building and to support aspiring homeowners, including first-time buyers; our commitment to devolve powers from Whitehall to local people has prompted proposals across the country; and we have strengthened the planning system to tackle unauthorised development and ensure that all communities are treated equally. As the House has heard, the Home Secretary and I chaired a joint committee with local government to put in place the arrangements to settle Syrian refugees.

Caroline Lucas: Concerns have been raised that the changes to planning policy guidance for onshore wind will undermine the Government's community energy strategy. Will the Secretary of State tell us precisely

what assessment he has made of the impact of that announcement on proposed community energy schemes as well as those already in the system? Will he agree to meet community energy groups to hear their concerns?

Greg Clark: We have implemented faithfully and speedily a clear manifesto commitment that wind development should go ahead only with the consent of the local community. We have not hesitated in doing that, and it was one of the things we enacted over the summer.

T4. [901289] **Andrew Stephenson** (Pendle) (Con): Residents in Barrowford and Colne are keen to create neighbourhood plans for their area. Will my right hon. Friend say more about the support the Government are providing to local communities to ensure that their voices are heard in the completion of neighbourhood and local plans?

Greg Clark: Neighbourhood plans have been a huge success since they were introduced in the Localism Act 2011. They give local people more power to control the shape of development in their area but sometimes, across the country, local councils seem inclined to be tardy in giving the support that is required. In the forthcoming Bill, we will place a clearer responsibility on councils to support neighbourhoods in producing their plans.

John Healey (Wentworth and Dearne) (Lab): This is the first Commons Question Time since our Labour leadership election and I am proud to speak for the party with more than 325,000 members behind me, more than double the Conservative membership.

I want to ask the Secretary of State about his ex-boss, the Chancellor, who describes the recent decline in home ownership as “a tragedy”. I have new House of Commons figures showing that home ownership has gone down each and every year in the last five years. What does the Secretary of State say to the millions of middle England, middle-income young people and families who desperately want the chance to own their own home, but have no hope of ever being able to afford the escalating costs?

Greg Clark: I welcome the right hon. Gentleman to the Front Bench, but I have to say that I am very surprised to hear that line of questioning from him. In 2009, he said that

“home ownership has been dropping...And I'm not sure that's such a bad thing.”

For him to suggest to the House that his view is now the opposite is a turnaround. Since the coalition Government were elected, the number of first-time buyers has doubled—it collapsed under the Government of whom he was a member—but we want to go further, which is why we have extended right to buy and introduced Help to Buy. It is also why we are introducing the starter homes for first-time buyers.

John Healey: What the Secretary of State is saying and what he is doing are simply not working. People need affordable homes to rent and to buy so that they get the chance of a decent start in life. In the last five years, with Conservative Ministers in charge, the number

of people getting mortgages is down by over 10%. Last month, Shelter showed that families on the Chancellor's so-called living wage will find it impossible and unaffordable to buy in eight out of 326 local authority areas across England. *[Interruption.]* Yes, eight of 326 local authority areas in England. Let me give a warning to the Secretary of State and his Ministers. They spent the last Parliament blaming Labour. That will not wash now. You have a track record of your own, and we Opposition Members will—week in, week out—expose your failings and hold this Government to account.

Greg Clark: The right hon. Gentleman is not going to run away from his own record, because he was a Housing Minister in the last Government. In the manifesto on which he was elected in 2005, it said that his Government would

“create a million more homeowners”.

That was the commitment given when he was the Housing Minister. During that Parliament, home ownership fell by a quarter of a million—it actually fell. Under this Government, the number of first-time buyers has doubled, and under Help to Buy the figures published at the end of last week show that 120,000 people have been helped. That is working people who are being helped by this Government to achieve their dream of having a home for the first time. He should be supporting that, and doing so around the country, rather than seeking to hark back to a failed policy over which he, I am afraid, presided.

T5. [901290] **Mr Mark Prisk** (Hertford and Stortford) (Con): The new Leader of the Opposition is, I believe, a keen advocate of rent control—unlike some of his colleagues. Does the Secretary of State agree that every time we see rent controls introduced, all that happens is a fall in the supply of housing, making it harder for people to find their homes?

The Minister for Housing and Planning (Brandon Lewis): My hon. Friend makes a very good point. The reality is that the introduction of rent controls that the Labour party wants is another level of regulation. Evidence around the world shows that that drives prices up and supply down, which is bad for tenants. It is probably why the private rental sector dropped to just 9% of the market on the Labour Government's watch. I am proud that we have rebuilt it to 19%, and it is important to see that grow further. What matters is the work we are doing to ensure that the quality of protection is there for tenants. It has been proven that rent controls do not work.

T3. [901288] **Owen Thompson** (Midlothian) (SNP): Can the Secretary of State confirm the Government's continuing support for city deals and that he, together with colleagues in the Treasury, recognise the substantial opportunities offered to Midlothian and the Edinburgh city region by the excellent collaborative work of the region's six constituent councils? Will he make a statement on the progress of this city deal and produce a timetable for delivery?

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): The Government are indeed looking at the options for

city deals, working with local representatives right across the country. I had a meeting with the Under-Secretary of State for Scotland only last week to talk about the progress being made. Where we can find the right deals that will deliver the right things for local areas, we are keen to pursue them in collaboration.

Mr Speaker: I call Luke Hall. He is not in the Chamber, so I call Chi Onwurah.

T7. [901292] **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): As term starts, Newcastle will proudly welcome 57,000 university students. However, the Government have stopped compensating Newcastle City Council for the fact that students do not pay council tax, and have excluded student accommodation from the new homes bonus. Given that the council has already suffered over £100 million of cuts, will the Minister take into account the number of students and others who do not pay council tax when calculating what remains of the grant?

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): It is good to see some representation from the north-east on the Opposition Back Benches, given that the Front Bench has very little, or none. *[Interruption.]* Ah! The hon. Member for City of Durham (Dr Blackman-Woods) is on the Front Bench, so it has one.

I thank the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) for her question. Newcastle has a spending power far in excess of those of many other local authorities, and certainly in excess of the national average. As she knows, we are undertaking a spending review and we will listen to what she is saying, but I must say that her part of the world does not do badly in comparison with many other parts of our country.

Marcus Fysh (Yeovil) (Con): South Somerset District Council recently changed its approach to housing land supply, which means that despite spending £3 million on developing a local plan, it is now, after only five months of operation, likely to be considered out of date under the national planning policy framework. In situations of this kind, when serious questions need to be asked about the competence and/or motivations of a planning authority, what extra help can the Government give local communities?

Brandon Lewis: My hon. Friend has made a strong point about the importance of ensuring that local plans are up to date and appropriate. We do give support to local authorities, but I think we need to look at the information they are putting into their local plans to ensure that it is the core information that they need to have if they are to deliver good, fast and efficient local plans. I intend to say more about that later in the week.

T8. [901293] **Margaret Greenwood** (Wirral West) (Lab): Over the last Parliament, the local government funding settlement for Wirral Borough Council was reduced by 18% in real terms. If the Government cut that by a further 40% during the current Parliament, as they are considering doing, the council will have suffered a real-terms cut of 54% by 2020. How can it provide an adequate level of public services if its contribution from the Government is cut in half?

Mr Marcus Jones: I hear what the hon. Lady says, but I think she should note that the spending power per dwelling in her constituency is £2,240, which is 7% above the national average. So Wirral is doing reasonably well in comparison with many other areas.

Kevin Hollinrake (Thirsk and Malton) (Con): I am sure that Members on both sides of the House will welcome recent figures which show a 22% rise in the number of new home completions, but achieving the 200,000 homes per year that we need will require a revival of the small and medium-sized house builders whose number has been reduced by 75% over the last 30 years. What support can Ministers offer to ensure that that revival comes about?

Brandon Lewis: We agree that the growth of the small and medium-sized sector is an important part of delivering the housing that we need, and we want local authorities to do more to support it through local plans. In the Housing Bill, we intend to introduce a new fast-track process of establishing the principle of development for small sites. It will allow developers to obtain an earlier and more certain view from councils of whether sites are suitable for development, and will reduce their up-front costs.

T9. [901295] **Christina Rees** (Neath) (Lab): What are the Government's plans to extend to more than a one-off payment the use of funds from the international aid budget to help local authorities to assist refugees? Will authorities in Wales receive any moneys from that budget, now or in the future?

Greg Clark: As I said earlier, representatives of local government are participants on the ministerial committee that is putting those arrangements in place. We will take their advice to ensure that all the different costs that are incurred by authorities are sensibly addressed in the settlement that we provide.

John Glen (Salisbury) (Con): Rebecca Thursby has highlighted to me the lack of available specialist housing for children with severe disabilities in Wiltshire, including her daughter. Will the Minister ensure that councils are made aware that they need to provide this housing? It is a requirement of the NPPF, and it needs to be properly incorporated in core strategies and cannot be left to building regulations.

James Wharton: My hon. Friend raises an important point and I know he has written to the Minister for Housing and Planning with a constituent case related to this matter. We want more self-builds and for people to have the freedom to build appropriate properties for their needs. I know that the representations my hon. Friend is making on behalf of his constituent and the letters he has already sent to the Department will receive appropriate consideration. I hope we can find a solution that will resolve his constituent's concerns.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Since 2010 Tameside council has had to cut over £100 million from its budget and in the next two years it will have to take out a further £38 million. In Greater Manchester our local government is some of the most collaborative and innovative in the country, but what will have to go next is our citizens advice service, our adult services for people with special educational needs, our libraries and our civic buildings. Can the Government honestly say they believe that the level of funding for local government in the north-west of England is adequate?

Mr Marcus Jones: I thank the hon. Gentleman for his question. The spending power per authority in the north-west is on average considerably above the national average. That said, we are aware of the challenges. The Manchester devolution deal, which is bringing together things like health and social care so that those services work more collaboratively together, will help local authorities to realise the savings they need and to produce better services for the local people they serve.

John Howell (Henley) (Con): The Government's productivity plan said local plans should be radically shorter and simpler. Does the Minister agree that local plans can deliver? What is he doing to facilitate this?

Greg Clark: My hon. Friend was instrumental in helping us transform the planning guidance, taking 1,000 pages down to 50 in the NPPF, and I am delighted that he has agreed to serve on a group that will help to simplify local plans, which have become far too long. I believe his first meeting with the group is taking place tomorrow.

Speaker's Statement

3.32 pm

Mr Speaker: I have two short statements to make. The first is an announcement in relation to the management of the House.

On 22 January the House agreed to the recommendations of the Governance Committee chaired by Jack Straw. That included the appointment of a new post of director general of the House of Commons reporting to the Clerk of the House but with clearly delineated autonomous responsibilities for the delivery of services and with the task of chairing the Executive Committee. I am pleased to tell the House that, in line with the process of recruitment agreed by the House, Mr Ian Ailles has been appointed as the first director general of the House of Commons and will be joining the House service on 27 October. He brings a wealth of experience in the private and public sectors, notably in the travel industry, and I am sure will enable us to raise our game in the quality of services which we provide.

I also want to make a short statement that is relevant both to today's debate and much more widely, and which reflects discussions I have had with the other occupants of the Chair.

Colleagues, a very large number of Members have put in to speak in today's Second Reading debate—the last time I looked no fewer than 62 Members were seeking to catch the eye of the Chair. I shall try to accommodate as many as possible by setting a time limit on Back-Bench speeches, but I am afraid some will inevitably be disappointed.

This may be a good moment to remind Members, and particularly new Members, of the expectation that those called to speak must remain for at least the next two speeches and must return to hear the wind-ups. That is in addition to being here for the opening speeches. This is not just a matter of courtesy, although that is not to be disregarded: it is important to the quality of the debate in this House that Members listen, and respond, to each others' contributions, rather than merely offering their own opinions in isolation.

Stephen Barclay (North East Cambridgeshire) (Con): Very sensible.

Mr Speaker: It is always very reassuring to have a Government Whip say from a sedentary position, "Very sensible." [*Interruption.*] Mr Barclay it is on the record; you can't retract now, man.

Trade Union Bill

Second Reading

Mr Speaker: I inform the House that I have not selected the reasoned amendment.

3.35 pm

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): I beg to move, That the Bill be now read a Second time.

I see two or more new faces on the Opposition Front Bench this afternoon, and I want to begin my congratulating my new opposite number, the hon. Member for Wallasey (Ms Eagle), on her appointment. She is certainly no stranger to Westminster; when she was first elected, I was just out of university. I believe that today marks the first time that our paths have crossed at the Dispatch Box, but I have long admired her skills as a parliamentarian and I look forward to working with her in the months ahead. I wish her all the very best.

I also want to take this opportunity to pay tribute to the hon. Member for Streatham (Mr Umunna). We disagreed on many things, except our choice of haircut, but it was always a pleasure to debate with him and I am sure that he will continue to serve and represent his constituents with the passion and dedication that he repeatedly showed at the Dispatch Box.

I am also delighted to welcome the new Leader of the Opposition, the hon. Member for Islington North (Jeremy Corbyn), to the Front Bench. I congratulate him on his resounding victory in the election and wish him the very best of luck in his new role. He and I have two things in common, Mr Speaker. The first is that you will never catch either of us trying to eat a bacon sandwich. The second is that, like Members on both sides of the House, we both came into politics because we wanted to leave the world a better place than we found it. Obviously, you could put a rather large piece of cigarette paper between our ideas on how to achieve that, but his goal is the same as mine: a society that is fairer, more transparent and more just, in which the needs of the many are not outweighed by the wants of a few.

Jeremy Corbyn (Islington North) (Lab): He is going to withdraw the Bill.

Sajid Javid: That is wishful thinking by the new Leader of the Opposition.

Since the industrial revolution, Britain's trade unions have done much to help to deliver that fairer society that I was describing. They have helped to secure higher wages, safer workplaces and stronger employee rights. They have fought for social justice and campaigned for freedom and democracy, and they have supplied the House with some of its most eloquent and influential Members, including Leaders of the Opposition.

Unions helped my father when he first worked in the cotton mills. They helped him again when a whites-only policy threatened to block him from becoming a bus driver. Just as the workplace has evolved and improved since that time, so the trade unions and the laws that govern them have developed too. I hope that, in 2015, no one would argue for the return of the closed shop, the show-of-hands votes in dimly lit car parks or the wildcat walk-outs enforced by a handful of heavies.

[Sajid Javid]

That is why the Labour Government repealed not a single piece of union legislation during their 13 years in power. Now it is time for Britain's unions to take the next step, and the Bill will help to achieve just that.

Caroline Lucas (Brighton, Pavilion) (Green): The Secretary of State is pretending that the Bill is about democracy rather than being a vindictive attack on working people. If it is really about democracy and opening things up, why is he not lifting the ban on unions balloting online and in the workplace, which would be precisely the way to make a modern democracy work?

Sajid Javid: The hon. Lady will see that democracy and accountability are at the heart of the Bill—[*Interruption.*] She will see that a lot more clearly as I make progress with my opening remarks.

Despite what people may have read in some reports, this Bill is not a declaration of war on the trade union movement. It is not an attempt to ban industrial action. It is not an attack on the rights of working people. It will not force strikers to seek police approval for their slogans or their tweets. It is not a reprise of Prime Minister Clement Attlee sending in troops to break up perfectly legal stoppages. It is simply the latest stage in the long journey of modernisation and reform. It will put power in the hands of the mass membership; bring much-needed sunlight to dark corners of the movement; and protect the rights of everyone in this country—those who are union members and those who are not, and those hard-working men and women who are hit hardest by industrial action.

Mr Dennis Skinner (Bolsover) (Lab): If this Bill was to be supported by the workers generally, some trade unions would already have given it support. This Bill is opposed by all those unions affiliated to the Labour movement and all those not affiliated to the Labour movement—even the Royal College of Nursing has said no to this Bill. It is a travesty and an intrusion upon the democracy of the workplace—get rid of it!

Sajid Javid: I am glad the hon. Gentleman has been able to get that off his chest. He will know, first, that the British people voted for this Bill at the general election and, secondly, that opinion poll after opinion poll has shown broad support for the measures we are discussing today.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): If this is such a fair and reasonable Bill, why does the right hon. Gentleman's predecessor, Vince Cable, say that it is both "vindictive" and "unnecessary"?

Sajid Javid: There is a new Business Secretary in this Government and he is the one presenting this Bill.

Hon. Members from both sides of this House are, to some extent, insulated from the consequences of strike action. We are lucky enough to have generous travel expenses so that we can hire a car or a taxi when there is a transport strike. We have secure jobs, where we get paid whether we make it into the office or not. Even a Back Bencher is among the top 5% of UK earners, so

we can afford to deal with the childcare costs that might come with a school closure or some disruption. But what about the low-paid restaurant staff who miss a day's work and a day's pay because of a stoppage called by a handful of transport workers? What about the self-employed builder who has to turn down a week-long job because a strike by teachers means that his kids cannot go to school? What about the single mother who cannot afford to lose a day's pay by refusing to cross a picket line? Should she be subjected to abuse and harassment simply for going to work?

Dawn Butler (Brent Central) (Lab): The Secretary of State talks about women on low pay. Many of these women and men do not have bank accounts, yet he is still trying to get rid of check-off, which makes it easier for people to join trade unions. How is that helping people to defend their own rights?

Sajid Javid: There is absolutely no relationship between check-off and bank accounts. Anyone who is able to take advantage of check-off must have a bank account in order to receive their salary in the first place.

I also want to talk about the impact on taxpayers, who have to fund the salaries of public servants, only for those public servants to spend their time on trade union business. Do taxpayers not have a right at least to know what their taxes are being spent on? These are the people who are not represented in current trade union legislation, and by increasing transparency, fairness and democracy, they are the people that this Bill will protect. [*Interruption.*]

Grahame M. Morris (Easington) (Lab): That is outrageous. Have a bit of dignity.

On this issue of consistency, if the trade unions are going to have to pay for the enhanced services of the certification officer, does the Secretary of State believe that Members of Parliament should pay for the costs of our regulator, the Independent Parliamentary Standards Authority?

Sajid Javid: The hon. Gentleman will know that the certification officer is the regulator for trade unions, and it is perfectly usual for the regulator to be paid for by those whom they regulate.

John Redwood (Wokingham) (Con): Does the Secretary of State agree that modern unions are at their best when they work with employers to get more skills, better training, higher quality work and better paid jobs, and that strikes are deeply damaging to the interests of the employees as well as the employers?

Sajid Javid: My right hon. Friend is absolutely right. At the heart of this Bill is partnership—partnership between trade unions and employers and other stakeholders. A great example of that can be seen at Toyota in Britain. It has not had one day of industrial action in 20 years, and that is because of the partnership that it rightly has with its trade union.

Wes Streeting (Ilford North) (Lab): The Secretary of State is giving the House the impression that London commuters would somehow be protected by his threshold. Is he aware that the recent industrial action on the tube

would have passed those thresholds? He talks about partnership. Is it not the case that it is not the strikes and the ballots that are the problems, but the intransigent Mayor of London who is sitting behind him?

Sajid Javid: I am coming on to thresholds, but the hon. Gentleman's point proves that this is not some kind of ban on industrial action. Strike action can rightly still take place where there is clear support from the membership of the union.

Let me move on to thresholds. The whole point of strikes is to cause disruption, but the impact of industrial action on ordinary people—often the very working people whom unions were created to support—is such that it should ever be used only as a last resort. It should be taken only after the explicit backing of a majority of members. That is why this Bill sets a minimum turnout of 50% for industrial action ballots. If 1,000 union members are being asked to participate in a strike, at least 500 of them must vote for the ballot to be valid.

Several hon. Members *rose*—

Sajid Javid: I will give way in a moment. In addition, strikes in certain public services will need the support of 40% of those eligible to vote. In our hypothetical 1,000-strong union, a successful ballot will require at least 500 votes to be cast with at least 400 of those being in favour.

Mr David Winnick (Walsall North) (Lab): Despite the Secretary of State's fine words about the trade union movement at the beginning, does he not realise that what he is saying about what this Tory Government are doing is a continuous Tory vendetta against the trade union movement? He should be thoroughly ashamed that he is bringing in this Bill and, just as in 1927, it will be a future Labour Government who will ensure that this rubbish is destroyed and that trade unions are given back their basic freedoms.

Sajid Javid: There was a time when Labour used to be the party of working people. We have seen evidence already this afternoon that it has given up on ordinary, hard-working people.

David Rutley (Macclesfield) (Con): Has my right hon. Friend seen the words of Rob Williams from the National Shop Stewards Network? He said:

“The message must be simple—Cameron, we are going to take you down. If this goes into law, we want mass co-ordinated strike action.”

Does that further underline the importance of getting this Bill into place?

Sajid Javid: What that highlights is that, sadly, there are some trade union leaders who do not care about their members. They care about their own narrow interests and not the interests of their members or other hard-working people.

Several hon. Members *rose*—

Sajid Javid: I will give way in a moment. I also wish to highlight the additional requirement for ballots of staff in six key sectors: the health service, the fire service,

border security and nuclear decommissioning—because of the obvious risks to public safety and security—and education and transport. A ballot is required because of the massive disproportionate disruption that stoppages in those areas can cause.

Barry Gardiner (Brent North) (Lab): What is the appropriate word to describe it when a person who feels that they have been dealt with unjustly seeks to withdraw their labour and is forced to work against their will?

Sajid Javid: I have already addressed the hon. Gentleman's concern. This is not a ban on strike action. This is about ensuring that our rules are modern and right and fit for today's workplace.

We have consulted on which occupations within those sectors should be subject to the additional 40% support threshold. The consultation closed last week and we are now reviewing the results. We will publish the Government's response and details of the scope of the 40% threshold by the time the Bill is in Committee in the other place. As I have said, these measures will not make strikes illegal or impossible. If union leaders can make a genuine and compelling case to their members, they will have no problem securing the votes required. I believe that the vast majority of industrial action is unfortunate and unnecessary, but it is important that workers are able to go on strike. If union members truly want to do so, I will not stand in their way.

Ian Lavery (Wansbeck) (Lab): If the rules for thresholds set out in the Bill were applied to the election of MPs, can the right hon. Gentleman say whether he would be an MP?

Sajid Javid: First, as I hope the hon. Gentleman knows, in a general election the electorate do not face a binary choice. Secondly, everyone affected by the result of a general election has the right to vote. When a union votes on industrial action, only its members have the right to vote. Therefore, it is absolutely right that there should be a clear, effective mandate.

Stewart Malcolm McDonald (Glasgow South) (SNP): The right hon. Gentleman talks about having a mandate for this Bill. His party was wholly rejected in Scotland, so why does he not enter discussions with the Scottish Government to devolve trade union law to the Scottish Parliament?

Sajid Javid: First, as the hon. Gentleman will know, employment law and industrial relations are reserved matters. Secondly, as he is no doubt aware, the Conservative party won a majority at the United Kingdom general election.

Richard Fuller (Bedford) (Con): My right hon. Friend was absolutely right to have a consultation on the additional 40% hurdle. He has talked about it in reference to the emergency services and other important services, but does he not agree that there is another issue: if we compare changes in strike action in the public and private sectors since the end of the last century, we see that over that 15-year period the number of strike days in the private sector has halved, but in the public sector the number has doubled?

Sajid Javid: My hon. Friend, as usual, makes an excellent point. That goes to the heart of the Bill and why we need these changes.

Several hon. Members *rose*—

Sajid Javid: I will give way in a moment, but first I will make some progress, because many hon. Members wish to speak in the debate.

It is also important that any industrial action reflects the current will of union members. As things stand, that is not always the case. Union leaders can secure a mandate for industrial action and then keep using it for as long as they please. For example, in October 2013 the NASUWT justified a walk-out by citing a mandate acquired in November 2011, almost two years earlier. That is hardly a constructive approach to industrial relations.

Yasmin Qureshi (Bolton South East) (Lab): Does the right hon. Gentleman not recognise that the reason the Opposition object to the Bill is that when people choose to go on strike they get only a tiny bit of strike pay, not their proper pay? They have responsibilities and families to support, so nobody goes on strike just for the hell of it; they do so because they need to.

Sajid Javid: I think that the hon. Lady will therefore agree with the changes we are proposing today. She is right that strikes should always be a last resort—I think that is the point she is making. If union members wish to take strike action, they will vote for it and meet the proposed thresholds.

Chris Philp (Croydon South) (Con): The question of mandates was raised a few moments ago. Is the Secretary of State aware that when over 1,000 Londoners were polled by YouGov last month, 53% approved of these proposals and only 26% disapproved? Even among Labour voters the measures were approved of by 40 to 38.

Sajid Javid: My hon. Friend shows just how much support there is among the general public for these reforms.

Andrew Bridgen (North West Leicestershire) (Con): Does the Secretary of State agree that one of the problems with the unions using historical mandates is that, because time has elapsed, many of the employees who voted for strike action may have retired or moved employment in the meantime?

Sajid Javid: That is exactly the point I am coming on to.

When old mandates are used, it is not fair on union members. As my hon. Friend said, a two-year-old mandate is unlikely to reflect the latest negotiations and would fail to reflect changes in the workforce. To ensure that any industrial action is based on a current mandate from current members, the Bill provides a four-month validity period after a ballot result is announced.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Is my right hon. Friend not showing with this legislation, once again, that the Conservative Government are standing

up for people who want to work and against bullies who want to stop them. That is what fundamentally underlies his approach?

Sajid Javid: I thank my hon. Friend for highlighting how the Bill protects the rights of working people across the country when they are affected by strike action that has no proper mandate.

Several hon. Members *rose*—

Sajid Javid: I must plough on, but I will give way later.

The Bill provides that voting papers sent to union members and employers will state the details of the trade dispute, exactly what type of industrial action is proposed, and an indication of the time period in which that action will take place. This will ensure that members know exactly what they are voting for or against and allow them to make an informed decision.

One of the valuable roles performed by unions over the years has been to defend workers from abuse, bullying and harassment at the hands of managers. There is no place for such behaviour in the modern workplace, and I applaud anyone who stands up against it. But bosses are not the only culprits. The independent Carr report contained shocking accounts of appalling bullying and harassment directed at non-strikers by trade union members. There were threats that included details of where workers' children go to school, and abusive text messages warning, "We know where you live." Photographs of non-strikers were posted online in a bid to shame them. Workers who had failed to support industrial action reported being punished by colleagues who deliberately saddled them with antisocial shift patterns or isolated them in the workplace.

It is not acceptable for managers to harass and abuse trade union members who take lawful industrial action. Nor is it acceptable for strikers to treat those who choose to work in the same way. While such abuses are doubtless the actions of a tiny minority of trade unionists, they should never be allowed to happen without consequences. The Bill makes it clear that such intimidation has no place in the modern workplace.

Catherine West (Hornsey and Wood Green) (Lab): Is it not the case that this is just another instance of the Tory party no longer being on the side of people's rights? There are no more rights. There is no longer a right to social security, legal aid or access to employment tribunals. The Conservative party is becoming much more authoritarian and Labour Members do not like it. It is no longer the party of rights. It used to have a fine tradition of rights, but that is disappearing.

Sajid Javid: It is a case of a one nation Government standing up for all working people across the country.

Kevin Hollinrake (Thirsk and Malton) (Con): Why does the Minister think that since 2010 seven times as many strike days have been lost in the public sector as in the private sector, despite the fact that more people work in the private sector?

Sajid Javid: My hon. Friend highlights an important point. It reflects the fact that, unfortunately, public sector unions seem to have more leaders who do not want to represent the views of their members and will take strike action without a full and proper mandate.

Several hon. Members *rose*—

Sajid Javid: I must move on.

The code of practice on picketing, which is already followed without difficulty by many unions, requires the appointment of a picket supervisor. The Bill will make that a statutory obligation. It does not add any new requirement that is not already in the code. The supervisor must either attend the picket line or be readily contactable by the union and the police and able to attend at short notice, and he or she must wear an armband or other means to identify them in order to ensure that picketing is peaceful and lawful.

In addition, we consulted over the summer on other measures to tackle wider intimidation. The consultation closed last Wednesday and we are considering whether the Bill should contain further provisions. We will set out our views on that consultation in due course.

John Woodcock (Barrow and Furness) (Lab/Co-op): If the Secretary of State is so concerned about being even-handed in how he modernises strike law, why has he ruled out modernising how trade unions communicate and how strike ballots are sent out? Why is he focusing only on more punitive measures?

Sajid Javid: I assume the hon. Gentleman is referring to e-balloting, but I am concerned about fraud and that the identities of people voting in a secret ballot may be revealed. In fact, the Speaker's Commission on Digital Democracy, which looked at the use of digital apparatus in elections, also shared those concerns. I do not think it would have been appropriate to suggest such changes.

Let me turn to political funds. The introduction of ballot thresholds will help ensure that unions reflect the will of their whole membership and that the views of every member count. Another way we are going to achieve that is through changes to the way in which political funds are managed.

Ian Lavery: The Secretary of State discounts e-balloting because of potential fraud. How about considering an amendment to the Bill with regards to balloting in the workplace, where there cannot be any fraud whatsoever? It will be democratised and there will be a huge turnout on every occasion, which is surely what the Secretary of State is seeking to implement.

Sajid Javid: I have clearly set out my concerns and we propose to make no change to the way in which ballots are carried out.

On political funds, first we will increase transparency on the way in which political funds are spent, helping members to make an informed decision about whether or not they want to contribute. The Bill places a duty on unions to report in greater detail on what annual expenditure over £2,000 is useful, helping members decide whether or not they want to pay into the fund. After all, freedom to choose without having all the facts is no freedom at all.

Secondly, unions will need to obtain the active consent of members to deduct a political levy. At present, members can, in theory, opt out, although many unions do not even tell new members that the political levy exists, let alone about them having to pay for it.

Michael Ellis (Northampton North) (Con): Labour is in hoc to and funded by the unions—[*Interruption.*] That is why Labour Members are making howls of protest. Is not it a fundamental right that people's pay packets should not be interfered with, without them knowing exactly where the money and the dues are going? That is what this Bill seeks to achieve.

Sajid Javid: My hon. Friend is absolutely right. That money belongs to hard-working people. They should know exactly what is being done with it and that is at the heart of the proposal. In fact, in Northern Ireland, members have had an active choice for almost 90 years and their unions are still perfectly able to operate and to organise. The National Union of Rail, Maritime and Transport Workers and the Prison Officers Association still have more than four fifths of their members choosing to opt in. All we are asking is for a simple tick box on the same membership forms in England, Scotland and Wales.

Peter Kyle (Hove) (Lab): My union, Community, has used the political fund to challenge Governments of all colours and even took the last Labour Government to the European Court and won on behalf of its members. Does the Secretary of State accept that the political fund is not just about putting money into political parties, but about holding the Government of the day to account?

Sajid Javid: I therefore hope that the hon. Gentleman will agree with the changes, because they support union members and will introduce more transparency. They will still allow the unions to raise the funds, but they will just have to be more open about how they do so and what they do with them.

Richard Burden (Birmingham, Northfield) (Lab): The right hon. Member for Wokingham (John Redwood) said earlier that when unions and employers work together, results are achieved. That being the case, why does the Secretary of State want to overrule agreements made freely between unions and public sector employees about the appropriate amount of time that should be spent on union duties?

Sajid Javid: The hon. Gentleman has moved on to an issue that I will cover later in my remarks.

Oliver Dowden (Hertsmere) (Con): Does my right hon. Friend agree that this is a simple matter of transparency? If people want to give money to the Labour party as union members, they should choose to do so. Indeed, if they do not actually choose to do so, the danger is that the unions are arguably guilty of mis-selling, because people do not know what they are buying when they join up for membership of a trade union.

Sajid Javid: My hon. Friend puts it very eloquently. This is an issue of transparency. It is about ensuring that when people, rightly, give money to any political party, they know that they are doing so and do it with their eyes wide open.

Ian Lavery: I thank the Secretary of State for giving away again. If this is about transparency, what about the hedge funds and big business, which donate fortunes

[*Ian Lavery*]

to the Conservative party? Will legislation be put in place covering the need to ask shareholders and the workforce whether such donations can be made? That's transparency.

Sajid Javid: I think the hon. Gentleman actually agrees with the rules that apply to businesses. When businesses make a political donation to whatever party, they rightly have to declare it and must be open and transparent. They often need the votes of their shareholders. These rules are absolutely consistent with that. The hon. Gentleman is surely not saying that there should be no transparency here.

Dawn Butler: The Secretary of State is being very generous with his time. On the point of businesses being open and transparent, should 40% of shareholders have to agree before a business can donate to a political party?

Sajid Javid: The hon. Lady will know that businesses or individuals have to declare it when they make a donation. It has to be transparent. All businesses have to declare their donations and will often have to get the permission of their shareholders. In public companies, those shareholders will receive a vote. These changes are entirely consistent with that. We are saying that if someone is a union member, they should know that some of their money is going towards political purposes. It should be open and transparent. That is not the case in England, Scotland and Wales. It is the case in Northern Ireland. If it works in Northern Ireland, it can work in the rest of the United Kingdom.

Turning to check-off, as the Minister for the Cabinet Office and Paymaster General has announced, a proposed amendment to the Bill will seek to end the practice by which union subscriptions are processed through payroll in public sector organisations. The so-called check-off system was created in a time before direct debits existed and serves no purpose in the modern workplace. It has already been abolished across Whitehall. The amendment will extend this modernising step to the rest of the taxpayer-funded workforce.

I respect Britain's working men and women. I believe that they are perfectly capable of deciding for themselves whether they wish to support their union's political activity and they are perfectly capable of paying their union subscriptions themselves. To suggest otherwise is to say that Britain's union members are too lazy to set up a direct debit or too stupid to make a decision about politics. That is patronising in the extreme.

In the past few weeks, the Labour party has shown that it is possible actively to recruit hundreds of thousands of members to a support a cause and that it is possible to get hard-working men and women to hand over their hard-earned money to back an idea that they believe in. Not one of Labour's new members signed up by mistake because they failed to tick a box. Not one of the registered supporters was required to pay their £3 through their employer's payroll. Every new recruit to the Labour party made an active decision to participate. If the party born of the unions can achieve that, surely the unions themselves can do the same?

Alan Johnson (Kingston upon Hull West and Hessle) (Lab): Will the Secretary of State explain why the Secretary of State for Work and Pensions is pursuing auto-enrolment for contributions to pension funds?

Sajid Javid: This is an issue about check-off, not auto-enrolment. Several Whitehall Departments have already begun the process to remove check-off, and now we will apply that process to all parts of the public sector.

On facility time, the Government have a moral duty to ensure that taxpayers get maximum value for money out of every penny they provide the Exchequer. With that in mind, it is hard to justify paying a public servant to do a vital job, only for them to spend their day working for another employer. Yet this is exactly what is happening in the public sector today.

Angela Rayner (Ashton-under-Lyne) (Lab): Before I came to this place, I was a public sector worker—a home help—and an elected trade union official for a public service, after more than 200,000 members voted for me, and I can tell the Secretary of State that the work I did saved my local authority 10 times what I was paid in facility time. Does he agree that the Bill is anti-business and anti-working practice and that most employers that have trade unions recognise their value?

Sajid Javid: I wholeheartedly disagree with the hon. Lady. There is nothing wrong with an employee doing union work, but it should be open and transparent.

Angela Rayner: It is.

Sajid Javid: Then this will make it even more transparent. If the hon. Lady looks at the changes, she should be able to agree with them.

James Heappey (Wells) (Con): Is it not an outrage that union officials can conduct union business on public time? Will the Secretary of State confirm that the first year of the Government's controls on facility time in the civil service has seen a saving of £17 million?

Sajid Javid: I should emphasise that point: we are saving £17 million a year because of the transparency we have introduced into the civil service. It will no doubt have a similar impact on the rest of the public sector.

There are nurses, teachers and other public servants being paid a salary by the taxpayer while working for their union under the banner of facility time. There is no transparency around how much time they spend on union work and no controls in place to ensure that the taxpayer is getting value for money. It is a situation that most ordinary Britons, including many dedicated public servants I have spoken to, find absolutely baffling. That is why civil service Departments are already required to publish information about the use of facility time by their staff. The Bill allows the Government to make regulations extending that to all public sector employers. It will include information about an employer's spending on trade union duties and activities and about how many of its union representatives spend a specified percentage of their time on their union role. We have already made considerable savings for the taxpayer by requiring Departments to publish this information, as we have just heard from my hon. Friend the Member for Wells (James Heappey). However, if transparency alone

does not lead to further savings, the Bill also grants Ministers the power to set a cap on the time and money spent on facility time.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Will the Secretary of State agree with one of his own donors, JCB, which has people in facility full-time to encourage positive industrial relations? If it is good enough for the private sector, surely it is good enough for our public sector.

Sajid Javid: It is good enough for all sectors. There is nothing wrong with facility time—the Bill is clear about that—but it should be open and transparent, and the current rules do not ensure that.

Chris Stephens (Glasgow South West) (SNP): Why have the Government not consulted the devolved Administrations and local authorities across the UK about facility time? They would tell him about its benefits, because these employers and organisations see the benefits of facility time.

Sajid Javid: I am a bit baffled by the hon. Gentleman's question because there are three consultations that relate to the Bill. The main consultation is a nine-week consultation and it is open to every stakeholder in the United Kingdom, including those in Scotland.

Finally, the Bill enhances the role of the certification officer—a role that has served workers, unions and employers well over the past 40 years. It equips the certification officer with appropriate new powers for a modern regulator, such as allowing investigations to begin based on information from a variety of sources, without having to wait for specific complaints from union members.

For the first time, the certification officer will have the ability to impose financial penalties on unions that do not comply with statutory requirements—the very requirements that Parliament has deemed necessary. The Bill passes the cost of that regulation on to the unions. That is entirely in line with modern best practice. It is why banks fund the Financial Conduct Authority and why utility regulators are paid for by utility firms.

Rob Marris (Wolverhampton South West) (Lab): The right hon. Gentleman is being very generous in giving way. I understand what he is trying to do with the Bill, but it makes some of us rather uneasy. That is true of the provisions on the certification officer who, hitherto, has been seen by both sides—I speak as someone who was a partner in a law firm with 1,000 employees, so I do know a bit about this—as a neutral arbiter or referee. The Bill politicises the role and, to the trade union side, appears to put the certification officer on one side of the divide, rather than keeping them as a neutral arbiter.

Sajid Javid: The hon. Gentleman should be assured that if that were the case, we would not have brought these changes forward. The certification officer's role remains that of a neutral regulator, independent of Government—that will not change. What will change is the transparency, some of the powers that the officer has to carry out their duties and the way the officer is paid for. Just like other regulators, they will be paid for by the people they regulate and be independent.

In conclusion, in June 1966, Prime Minister Harold Wilson stood at this Dispatch Box and called union leaders of the day

“politically motivated men who...failed to secure acceptance of their views by the British electorate, but who are...forcing great hardship on the members of the union and their families, and endangering the security of the industry and the economic welfare of the nation.”—[*Official Report*, 20 June 1966; Vol. 730, c. 42-43.]

Since then, successive reforms have helped to modernise the union movement. Now, it is time to take the next step: to embrace the transparency that modern society demands of business and politics; to embrace the democracy that is at the heart of what makes Britain great; and to focus on the needs and demands of union members, rather than the views and ambitions of union leaders.

In our manifesto, we pledged to deliver further union reforms, and at the general election, that manifesto secured the clear acceptance of the British people. This is not about the Government versus the unions or the workers versus the bosses. It is about creating a modern legislative framework for modern industrial relations; about making unions partners in the workplace; and about ensuring that a handful of militants cannot force great hardship on their members and on the public, or endanger the economic welfare of the nation.

I started today by talking about how unions were instrumental in consigning the dark satanic mills to the history books, but the workplace of the 21st century is very different from that of the 18th century. The way in which union members work has changed. Now, it is time for the way in which trade unions work to change too. The Bill will make that change happen, and I commend it to the House.

Mr Speaker: I call the shadow Secretary of State for Business, Innovation and Skills, but not before we hear a point of order from Mr Jake Berry.

Jake Berry (Rossendale and Darwen) (Con): On a point of order, Mr Speaker. Before we proceed with this important debate, I wonder whether you will clarify the rules regarding Members declaring their interests. There have been many interventions by Members who have received significant donations from or are paid by trade unions. As the debate proceeds, people who are watching our proceedings will want to know the reason why people are taking part.

Mr Speaker: There should be no requirement for clarification because the hon. Gentleman is an experienced denizen of this House. He will know that there is an opportunity to declare in the register any relevant interests, and that it is the responsibility of each Member to declare in the way that he or she thinks is necessary for the House to be informed.

I call the shadow Secretary of State, Angela Eagle.

Clive Efford (Eltham) (Lab) *rose*—

Mr Speaker: Order. The hon. Gentleman must calm himself. I feel sure that this will be a separate point of order, as no further point of order is required. On that assumption, I will hear the hon. Gentleman.

Clive Efford: On a point of order, Mr Speaker. Since reference has been made to the funding of political parties, should Government Members who have a

[Clive Efford]

shareholding in a hedge fund or a company that has supplied resources to the Conservative party also make a declaration?

Mr Speaker: I fear that an undesirable trend has been started by the hon. Gentleman, no doubt with great innocence of public purpose, but we will not persist further. I stand by what I have said: the opportunity exists to make a declaration in the register, and Members must declare as they think appropriate, if and when they come to speak in the Chamber. There is nothing new about that; it is well established. I call Angela Eagle.

4.20 pm

Ms Angela Eagle (Wallasey) (Lab): Third time lucky, Mr Speaker.

I thank the Secretary of State for his gracious welcome, and especially for the timing of today's Second Reading debate on this Bill, which he has arranged for maximum convenience. I hope he will continue to be so accommodating as we go forward and I oppose him from the Dispatch Box.

Let me begin by drawing the attention of the House to my entries in the Register of Members' Financial Interests which, in the interests of transparency, I declared earlier than was technically necessary. I was especially pleased to win the nominations of Unison, the Union of Construction, Allied Trades and Technicians, the Communication Workers Union, the Transport Salaried Staffs Association and the recommendation of Unite in the recent contest to be deputy leader of the Labour party—hon. Members can see where that got me. As the register shows, my campaign was supported by donations in cash and kind from some of the unions affiliated to the Labour party.

I also want to make a second declaration: I am a lifelong and proud trade unionist. I believe in social partnership at work, and that the right of trade unions to exist and represent their members at work is a key liberty in any democracy. I am dismayed that we have a Government who believe in attacking trade unions, rather than working with them in the spirit of social partnership to improve economic efficiency and productivity in our country.

Geraint Davies (Swansea West) (Lab/Co-op): My hon. Friend will know that in recent years, the average trade unionist has been on strike for one day in 15 years. In sharp contrast, the export of goods last month was down to its lowest level since 2010. Does she agree that the focus should be on collaboration across industry and trade unions to raise productivity and wages, whereas the Bill will get people on the streets and force conflict?

Ms Eagle: I agree wholeheartedly with my hon. Friend's analysis of the effect of the Bill, despite the pantomime that we have just had from the Secretary of State at the Dispatch Box.

Dawn Butler: May I declare that I am a proud trade unionist and was a full-time trade union official for more than 10 years? Does my hon. Friend agree that the

Bill's real agenda is to stop public sector workers speaking out against this Government's attacks on their pay and conditions?

Ms Eagle: It is impossible not to agree with my hon. Friend, and it saddens me beyond words that we are here today dealing with the most significant sustained and partisan attack on 6 million trade union members and their workplace organisations that we have seen in this country in the past 30 years. With the number of days lost to strike action down 90% in the past 20 years, there is no need whatsoever to employ the law in this draconian way.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I welcome my hon. Friend to her new position. She says, rightly, that the number of days lost to strikes in the UK is at its lowest for 20 years. It is even more significant than that: we lose fewer days to strike action in the UK today than we did during the second world war. There is no problem here that needs fixing.

Ms Eagle: Again, I agree wholeheartedly with the comments of my hon. Friend.

John Redwood: Does the hon. Lady have a message for people in London trying to get to work or students trying to get to schools or colleges on the tube? Does she think each one of those strikes was right and necessary, and what is her advice to the travelling public?

Ms Eagle: My message is that the Mayor should start doing his job and help to respond to the dispute.

There is no necessity to employ the law in this draconian way, especially when this country already has the most restrictive trade union laws in Europe. The Chartered Institute of Personnel and Development, the trade group for the human resources sector, has criticised the Bill as an "outdated response" to today's challenges, commenting that the

"Government proposals seem to be targeting yesterday's problem instead of addressing the reality of modern workplaces".

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Does the hon. Lady not find it amazing that 99% of the time the Conservatives go on about regulation and red tape in business and the workplace? What are they trying to do now but introduce regulation and red tape unseen in Germany, Norway or other major economies of Europe? This is just a symptom of low-pay Britain.

Ms Eagle: I shall come on to the smothering of trade union administration in what I will call "blue tape" later in my speech. I agree with the hon. Gentleman and I hope that he will join us in the Lobby tonight to vote against the Bill.

Rob Marris (Wolverhampton South West) (Lab): I agree with my hon. Friend that trade unions are central to democracy and that we already have some of the most restrictive trade union legislation in the world—and the Bill will make it worse. Does she agree that the Government's proposals are a threat to the security of our country because they threaten democracy?

Ms Eagle: I will come on to aspects of that, but it is important that we do not discount the attacks on democracy contained in the Bill, including the sinister attack on freedoms that many of us have taken for granted, perhaps for too long.

Clive Lewis (Norwich South) (Lab): I declare my interests: I am sponsored by trade unions—the cleanest money in British politics and far cleaner than on the other side of the House. Does my hon. Friend agree that on Sky News yesterday the right hon. Member for Haltemprice and Howden (Mr Davis) described elements of the Bill as like something out of Franco’s dictatorship?

Ms Eagle: Great minds obviously think alike, and I may well come back to that issue later in my speech.

Emily Thornberry (Islington South and Finsbury) (Lab): I declare an interest: I am a proud member of Unite the union and I have been since the miners’ strike. Does my hon. Friend agree that it is remarkable that 77% of the public believe that trade unions defend important aspects of workers’ rights and that we need them?

Ms Eagle: It is wise to remember that trade unions defend not only their own members. Over the years, trade unions have created a process that has given us holidays, weekends and reasonable working hours. It is right that the benefits that trade unions bring to our society are recognised and extended to those who are not members of trade unions but happen to be at work. Any attack on those rights that weakens those powers threatens the progress made over many years in democracy at work.

Dr Rupa Huq (Ealing Central and Acton) (Lab): My hon. Friend mentioned the CIPD, and it is not only the usual suspects who oppose this Bill—there are some unlikely bedfellows because the Bill goes beyond party politics. As we have heard, the right hon. Member for Haltemprice and Howden (Mr Davis) called it redolent of Franco’s Spain. The Secretary of State pooh-poohed Vince Cable, the former Business Secretary, for calling it “vindictive”. A letter has been signed by 100 academics, mostly from business schools which are not usually seen as hotbeds of radicalism in our country. Will independent-minded Conservatives join us and our new leader in the Lobby tonight to oppose this draconian legislation?

Ms Eagle: I would like to live in a world in which the Tory party did not have this kind of blood lust against trade unions, but alas we are not there yet.

David Rutley: I congratulate the hon. Member for Wallasey (Ms Eagle) on her promotion. She works hard in the north-west.

It is interesting to note that the new shadow Chancellor has told trade unionists:

“We will support all demonstrations in Parliament or on the picket line”—

against the Bill—

“We will be with you at every stage. It is not often you have heard that from a Labour MP but you are hearing it now.”

Does the shadow Business Secretary agree with that?

Ms Eagle: I agree with the right to demonstrate. I thought we were living in a free country.

The Bill is draconian, vindictive and counterproductive. It is:

“very provocative, highly ideological and has no evidence base at all”.

Those are not my words; they are the words of Vince Cable, the right hon. Gentleman’s predecessor as Business Secretary in the previous Government. He has a very revealing insight into the mindset of the Conservative party, the people he was in coalition with for five years, which has concocted the Bill.

“When we were in government, the Tories were constantly pressing for more aggressive trade union legislation of the type we see...They see the trade unions and the Labour party as the enemy. The question then is how do you weaken them? That is their starting point.”

This is the prism through which we have to see the proposals before us today. Forget the blabber from the Secretary of State; this is the prism through which we have to judge these proposals.

Mike Kane (Wythenshawe and Sale East) (Lab): I, too, congratulate my hon. Friend on her elevation.

The Bill comes straight out of the right-wing playbook of the American Legislative Exchange Council. As Governor of Wisconsin, Scott Walker did exactly the same thing in 2011 and put industrial relations back in that state for a generation. Does my hon. Friend not agree?

Ms Eagle: More than that, I think the slightly shifty looks on the faces of many Government Members demonstrate that they know they have been found out. They have been rumbled.

It is abundantly clear that, whatever protestations we may have to the contrary, Vince Cable’s analysis explains what is really going on with this disgraceful piece of proposed legislation. Perhaps that is why so few people will defend it. Even Government Ministers will not defend it in public, as this tweet from “Murnaghan” revealed on Sunday:

“We asked the Government and the @Conservatives for an interview with any Minister/MP to defend the Trade Union Bill. No one was available.”

They do not want to be questioned about it. Like all authoritarians, they just want to do it as quickly as possible and brook no dissent.

The right to be part of a trade union to campaign for protection at work is a fundamental socioeconomic right. It is enshrined in the UN’s universal declaration of human rights and the international covenant on civil and political rights.

Chris Philp: Will the hon. Lady give way?

Ms Eagle: No. I have given way a lot of times and I am in the middle of the peroration.

Before I was so rudely interrupted, I was just about to say that the Bill rides roughshod over that right. It threatens the basic options that those at work have to safeguard their pay and conditions by standing together to win improvements. Liberty, Amnesty and the British Institute of Human Rights have all said that the Bill’s purpose is to

“undermine the rights of all working people”

and amounts to a

“major attack on civil liberties in the UK.”

That warning should not be dismissed lightly by the Conservative party. Workers’ rights to freedom of expression, freedom of assembly and freedom of association

[Ms Angela Eagle]

are all undermined by the Bill. For example, the requirement forcing workers to disclose media comments to the authorities a week in advance or face a fine and the requirement under clause 9 for picket supervisors to register with the police and wear identifying badges are a dangerous attack on basic liberties that would not be tolerated by the Conservative party if they were imposed on any other section of society.

Remember that it is now known that thousands of people in the building trade have had their livelihoods taken away and their lives ruined by illegal employer blacklisting, a scandal that this Government have failed either to pursue or remedy. The Bill has been criticised for being OTT, with parts of it resembling the dictatorship of General Franco. Those are not my words, either, but the words of that noted Marxist agitator, the Conservative right hon. Member for Haltemprice and Howden (Mr Davis).

That sinister intent needs to be added to other attempts by the Government to curb dissent in our country today. They have restricted access to justice by imposing fees to access the courts, which are causing the innocent to plead guilty. They want to scrap the Human Rights Act, which safeguards our basic freedoms. Their commitment to transparency in Government is in tatters with their plans to limit freedom of information powers. They have slashed legal aid and introduced employment tribunal fees, which deny women the chance to sue for equal pay or defend themselves against sexual harassment. They have limited the scope for judicial review and used their gagging law to bully charities into silence at the election, and now they are trying to silence the trade union voice through a tax on the existence of political funds, which finance general non-party political campaigning as well as the Labour party.

This is another gagging Bill, and those of us who care for the health of our democracy and civil society are united in opposing it. Clauses 2 and 3 are deliberately designed to undermine the bargaining power of trade unions by requiring minimum turnouts, thresholds and support before a strike ballot is valid. The new proposals demand a mandate for unions that breaks the democratic conventions of our society by counting votes not cast as essentially no votes.

More than half of the Cabinet would not have met that arbitrary threshold had it applied to their election to this House in May. Why do the Government have different standards for democracy and trade unions than anywhere else in our society? Clause 3 ensures that the 40% level of support restriction will apply to a much bigger list of sectors than the internationally recognised definition of “essential services” and, ominously, allows sectors to be added by secondary legislation that is as yet unpublished. From listening to the Secretary of State, it appears that the Government do not intend to publish it until the Bill is in the Lords.

If the Government are so worried about participation in ballots, why do they not allow e-balloting and secure workplace balloting, which are used routinely by many organisations? Clauses 4 to 6 might more usefully be described as the clauses that smother unions in “blue tape” and the hypocrisy of the Business Secretary in this respect is staggering. In July, he launched his drive to cut red tape, yet when it comes to unions he is

increasing the powers of the certification officer and deliberately placing additional information and reporting burdens on unions. Not content with doing that, the Government, through clauses 12 and 13, are reducing the ability of trade union officials to do their jobs with the introduction of new powers to restrict facility time.

It is not hard to come to the conclusion that these proposals have been written to be as unworkable and difficult to comply with as possible. They also create many more opportunities for ballots to be challenged by employers for minor technical reasons. Again, it is clear that the increased risk of employer challenge is an integral part of the Government’s intentions.

Mr David Anderson (Blaydon) (Lab): Does my hon. Friend recall that throughout the 1980s the working people of this country were lectured about giving managers the right to manage? Management in this country has agreed with trade unions at a local level who should have facility time and what they should do with it. Why should the Government have to intervene to destroy that partnership, which has worked for the benefit of all concerned?

Ms Eagle: Rather like Don Quixote, they are tilting at windmills, and legislating for an absurd caricature of the reality of industrial relations up and down the country, for partisan purposes. That is why we oppose the Bill.

Clauses 7 and 8 extend the notice requirements for any industrial actions and restrict the effect of any ballot for strike action to four months. These clauses are designed to narrow the effectiveness of any industrial action, even if it has reached the much higher requirements of turnout and support required for clauses 2 and 3. There is no sign of any evidence that could justify these changes and no sign of a clamour for employers to change the existing system. Indeed, these changes may intensify industrial dispute during the four-month period, and make things worse.

Lady Hermon (North Down) (Ind): I am grateful to the hon. Lady for allowing me—unlike the Secretary of State—to intervene. Everyone who heard the Secretary of State’s contribution will know that he cited the example of Northern Ireland, stating that what was good enough for Northern Ireland was good enough for the rest of the country. In particular regard to the political fund, trade union members in Northern Ireland have had to opt in, and that has been the case for over 60 years. Will the hon. Lady clarify what percentage of trade union members in Northern Ireland have opted in to the political fund?

Ms Eagle: I do not know; perhaps the hon. Lady wants to tell me.

Lady Hermon: I am most grateful to the hon. Lady. I have enormous regard for her and I congratulate her most sincerely on her appointment to the shadow Front Bench. The answer to the question—I am sure it must have slipped her mind, as she always does her homework before contributing to debates—is 39%. Let me add that it could be to do with the fact that the Labour party never fielded candidates in Northern Ireland. Perhaps under the new leadership, the party might think of rivalling its buddies in Sinn Féin.

Ms Eagle: Madam Deputy Speaker—*[Interruption.]*

Madam Deputy Speaker (Mrs Eleanor Laing): Order.

Ms Eagle: We will have to have a chat about whether the Labour party should organise in Northern Ireland. It is a long-standing issue within our party. I would be more than happy to talk to the hon. Lady about that, but I suspect Madam Deputy Speaker would stop me from doing so over the Dispatch Box.

We all know that this Government—barely with a majority—increasingly behave in a grossly partisan way, whether it is through individual electoral registration designed to disenfranchise voters, by introducing English votes for English laws, or now by making changes to party funding to try to hobble the main Opposition.

Chris Philp: Will the hon. Lady give way?

Ms Eagle: I suppose so—*[Interruption.]* The hon. Gentleman has melted my heart.

Chris Philp: That is something I thought I would be unable to do; I am grateful that my persistence has paid off. The motivation behind this Bill has nothing to do with the things that the hon. Lady has just mentioned; it is to do with protecting and helping ordinary hard-working people to go about their day-to-day lives and their work unimpeded by strike action, which sometimes has turnouts as low as 16%. It is reasonable to protect them, and I ask the hon. Lady to support that

Ms Eagle: Disillusion has set in very quickly, I am afraid, with the hon. Gentleman. All I can say is that I am a long-standing member of a trade union, so I know many trade unionists, and I know that very few of them would contemplate being silly enough to have industrial action with very low turnouts and very little support, because that simply does not work.

The Prime Minister used to say he wanted to reform party funding and would limit donations from all sources. Now, however, instead of addressing the big money in politics—and the big issues that are causing disillusionment from politics generally—with millionaire hedge-fund donors being treated to lunches and dinners with the Cabinet, this Government are, outrageously, focusing on curbing only trade union donations. There is an important issue about big money in politics, but it needs to be dealt with on a cross-party basis.

James Heappey: Will the hon. Lady give way?

Ms Eagle: No.

As I was saying, that issue needs to be dealt with on a cross-party basis to change our political system fairly, and not just with the partisan interests of the Tory party in mind.

As the Regulatory Policy Committee has noted, these proposals for changes are rushed, and have had nowhere near the level of consultation that they deserve. The Committee has described the impact assessment as “not fit for purpose”. There are serious questions about whether this Bill is compatible with the international legal obligations of the United Kingdom, as a member of the International Labour Organisation. The ILO has already criticised the UK on a number of occasions for

its constraints on the right to strike, and the United Nations special rapporteur on the rights to freedom of peaceful assembly and of association has called for more, not less, trade union freedom in Britain.

Peter Dowd (Bootle) (Lab): Will my hon. Friend give way?

Ms Eagle: I am winding up now.

Given the serious questions about its effect on fundamental rights, the Bill may be open to legal challenge on a number of fronts, including its impact on the devolution settlements, because it covers areas such as health and education that are clearly devolved. The Welsh Government, who have a substantially better record of working constructively with trade unions than this Administration, have objected to the proposals in strong terms, and are considering whether a legislative consent motion might be appropriate.

The Bill is a divisive piece of legislation which undermines the basic protections that trade unions provide for people at work. This is a partisan attack to undermine those unions, and the Labour party, but it will have substantial implications for more than 6 million workers by undermining unions’ ability to stop harassment in the workplace and ensure that the basic health and safety of workers is maintained. The Government are pushing through an agenda of attacking civil society, intimidating charities, threatening basic civil liberties, and undermining access to justice. These draconian measures must be stopped, and I urge the House to deny the Bill a Second Reading.

4.46 pm

Alec Shelbrooke (Elmet and Rothwell) (Con): I rise to support the Bill, but also to make a key recommendation to the Secretary of State for a later amendment on which I hope to speak in Committee.

In the time available to me today, I want to explain why I believe in the importance of workplace representation, and why faith needs to be built into it so that it can expand to help and support workers and move away from being a political plaything. I am a founding member of Unite, by virtue of the merger that caused my Manufacturing, Science and Finance union to become first Amicus and then Unite. I eventually resigned from Unite, because it stopped being a trade union and became a financial cash cow enabling misguided Marxists at the top to play with their members’ lives for their own political fun and games.

A trade union needs to be about much more than just strikes over pay, or Labour party politics. It should be proud of the achievements that it helped to bring about in health and safety law, and of the work that brilliant and dedicated shop stewards do to improve the wellbeing of their members. As a young worker some years ago, I was victimised in the workplace, and there was no union to turn to. I learnt a lot from that. Equally, I have seen shop stewards do fantastic work for those who have faced bullying and victimisation in the workplace. It is often the shop stewards who provide the best example of trade unionism—despite those at the top—but the common factor is frequently their lack of political ambitions, and it is political ambitions that have poisoned the workplace.

[Alec Shelbrooke]

Let us consider Grangemouth. Where was the collective bargaining then? There was an attempt to stitch up a Labour selection process caused by the violent actions of a Labour MP in Westminster who was expelled, while all the time the MP's constituents and the union's members were left to be exploited and have their pensions destroyed by an unsympathetic employer whom no one stood up to until it was too late.

As in the 1970s, today's unions use hard-working people, through either their money or their work, to try to cause pain to the democratically elected Government because they do not like the verdict of the people. That is a twisted abuse of trade unionism, in which the workers are merely pawns in a wider political game played by some power-crazed leaders whose purpose is usually to disrupt not only the Government but the leadership of the Opposition, against most of its MPs' will. They always want to call for strikes rather than sensible negotiations, even through those of us who have had normal backgrounds like everyone else, regardless of our party. [Interruption.] Well, I went to a comprehensive school. I know that Labour Members' new leader went to a public school, but I did not.

Even a founding member of the Labour movement, Robert Blatchford, said:

"A strike is at best a bitter, a painful and a costly thing and no substitute for political action."

Trade unionism did not start like that. By 1868, the many trade unions had formed the TUC, which had financial plans for sickness, accident and death payments based on contributions—literally the first social security. In his book "Speak for Britain", Martin Pugh commented:

"Prudent management of union funds won approval from contemporary politicians, but was criticised by socialists".

He went on to say:

"This was unfair as the Victorian TUC effectively pioneered a political role for workingmen."

In 1885, with £4 million in the bank, the TUC hesitated in funding 95 working-class MPs as it felt bound to be cautious about introducing political divisions in order properly and honestly to represent all working men. Pugh says:

"They felt incurably suspicious about overtures made by small unrepresentative socialist societies anxious to milk their funds to promote hopeless candidatures."

But today their funds built by hard-working people have been used for just that.

It is right that the Bill brings in protection for hard-working people who want proper workplace representation rather than just a cash cow to be milked by union leaders for their own political game.

Mr Kevan Jones (North Durham) (Lab): I am interested in the hon. Gentleman's history lesson, but it is completely wrong because the early trade unions supported the Liberal party rather than socialist candidates. Is he aware that many trade unions have political funds but donate not a single penny to the Labour party? The Minister spoke of union members not having a say, but a ballot on political funds has to be held every 10 years. People can opt out of paying the political levy at any time during their membership.

Alec Shelbrooke: I thank the hon. Gentleman for his comments. I will talk later about the opt-in and the opt-out, and I think he will listen carefully to what I have to say.

Without employer faith in trade unions we will end up in the situation that culminated in the Grunwick dispute of the late 1970s. I hope that the hon. Member for Birmingham, Erdington (Jack Dromey), for whom I have great respect, will comment on that dispute because I will be fascinated to hear his account of it.

If ever there was an example of where proper, pragmatic workplace representation was needed on both sides, it was in that dispute. There can be no doubt that George Ward exploited his workers and sacked those who spoke out. The problem was that the union movement had become so toxic in the 1970s that the dispute led to a digging in of the trenches and became a symbolic political argument rather than being based on the genuine concerns of workers who were treated like his property and had to work in stifling conditions, without canteen facilities, or the ability to turn down forced overtime.

Jack Dromey (Birmingham, Erdington) (Lab): At the heart of the Grunwick dispute was a bad employer, supported by the Conservative party, who refused to give recognition, despite a court of inquiry chaired by Lord Justice Scarman recommending recognition and reinstatement. That would not now happen because a Labour Government legislated to introduce the right to trade union recognition.

Alec Shelbrooke: I thank the hon. Gentleman for his comments, because I am coming on to that point. I was about to say that I do not agree with the position my party's leadership took then, nor the praise that was given to the strike breakers, but I give this warning: my opinions are couched in a life after the trade union reform the hon. Gentleman mentions. I was literally in nappies when the Grunwick affair took place. What it shows is that it is necessary to make sure that relations between workers who need support and the trade unions do not become part of a proxy political battle. I agree with the hon. Gentleman about the need for workplace representation, and I welcome that that rule was brought in.

The popularity among the public and leading politicians of strike breakers was a direct consequence of trade union militancy, using the power of strike action as a political tool, even under a rather left-wing Labour Government, rather than a tool of grievance, so that when strike action was genuinely needed—as I believe it was in that case—the cause and effect were lost in a wider political argument.

We must take this example into consideration, because there is a difference between a public and a private sector dispute. The free market dictates that private companies exist according to supply and demand: if the company sinks, the market will reshape and another company will fill the void, whereas the state is solely responsible for the delivery of key public services. When conditions in the private sector are so bad that a strike has been called, the striking workers will weigh up the consequences to their ongoing conditions. In comparison, a public sector striker will go back to work having lost the day's pay they were on strike for. They will not face a salary drop, probably will still get a pay rise and will have a very good pension. That is not the case in the

private sector, where it can literally mean job losses, unresolved disputes and sometimes worse pay than at the start. After the general strike of 1926, the miners' pay was worse than at the start. Those are heavy considerations for those in the private sector taking strike action, but those in the public sector do not have to worry about them. I therefore ask the Secretary of State to reconsider the proposals in the Bill to allow private sector companies to employ agency workers during strikes. There are key differences between the services provided by the private and public sectors, and that should be recognised in the Bill.

Public services are paid for by the taxpayer, and they often have terms and conditions of employment beyond the dreams of those working in the private sector. When those in the public sector strike, those in the private sector—whose taxes pay the wages of those on strike—often lose pay themselves owing to a lack of transport or childcare. That is why it is right that thresholds should be set. Such thresholds would not have made a difference to the recent tube strikes, but they would clearly indicate the strength of feeling involved. With the current ease of striking, and the consequences to members' livelihoods that that involves, it is no wonder that only 14% of those working in the private sector take up union membership, compared with more than 50% of those in the public sector.

Geraint Davies: Will the hon. Gentleman give way?

Alec Shelbrooke: No, I want to crack on. I have given way a couple of times, and a lot of people want to speak.

Above all else, the Bill will start the process of restoring faith in the trade union movement so that those in the private sector can feel that they have workplace representation without a militant tendency that could destroy their livelihoods or funding a political party that they do not agree with.

That brings me on to the question of opting into the political levy. How can unions offer independent workplace representation to people who desperately need their help if they are tied to the Labour party by funding it automatically? I accept that this does not apply to every union, but hard-working people's fees are often used in that way.

As I mentioned earlier, I was a founding member of Unite. I wanted to opt out of the political levy, but it was no easy task, with advice in short supply on how to do it. In the busy workplace, I never got to action this, as my requests were always forgotten or complicated. I helped to support the 2010 general election campaign of my hon. Friend the Member for Pudsey (Stuart Andrew), who stood against a Unite-funded lackey. That cannot be right, and it clearly goes against my political beliefs.

The opt-in will need to be closely monitored. Affiliated votes in the Labour leadership campaign accounted for about 200,000 of 4.3 million trade unionists. If 1 million people suddenly opt into the political levy, something is going on. To be blunt, I believe that that could involve intimidation. Such tactics were used only last week in my constituency. Members of a protest group called the People's NHS were knocking on doors and telling my constituents that the Government were selling off the NHS to an American company via the Transatlantic

Trade and Investment Partnership. We all know that that is tosh, especially as on 8 July 2015 the European Parliament voted by 436 to 241 to exclude public services from the scope of the TTIP deal. So these people knocking on the doors of the elderly and vulnerable in my constituency are scaremongering with lies. But who are they? Well guess what—they are funded by Unite. The trouble is, having parachuted a Unite candidate from London into my seat at the general election—giving me the largest ever Tory vote in my seat, for which I am grateful—the union is now trying to lie to people to get its own way.

But it is worse than that. My constituents know me well, so they are quick to contact me with their concerns. One constituent contacted me to say that she felt "intimidated to agree" and that people

"had no choice but to put up their propaganda signs, because they were told everyone else was doing it and they would be the only ones who didn't".

This constituent even found comments in her name reported in the local press, which she did not agree to. Not only are those people nasty, ill-informed bullies and a disgrace to trade unionism, but to top it all they then tried to get my constituents to join Unite. My right hon. Friend the Secretary of State will have to have to bring in mechanisms to ensure that the opt-in is not abused by union thugs bullying people into signing up. We received warnings about this only last weekend from the former Home Secretary, David Blunkett, who fears a return to the bullying and intimidation of the 1980s in the labour movement.

I believe that people should have workplace representation. I class myself as a trade unionist because I believe that a union of people in a trade can negotiate better with someone representing them as a group, so that those who simply do not have it in them to stand up and speak out publicly can have representatives who will. The TUC in the 19th century recognised this and wanted to support working-class MPs to enable them to represent workers politically. That is a long way from today's practice of using members for their leadership's own political games. The public are tired of it, and these reforms are now being demanded. I believe that there needs to be a distinction between the public and private sectors, but fundamentally I want all workers to be properly represented in the workplace, independent of party politics.

4.59 pm

Chris Stephens (Glasgow South West) (SNP): I rise in total opposition to this Bill. Let me declare my Unison membership and my 20 years of trade union activity before my election. In my maiden speech in this place, I said:

"The trade union movement gave me a political education and the confidence to stand for election, and I know that this experience is shared with other Members who did not have a privileged start in life."—[*Official Report*, 4 June 2015; Vol. 596, c. 832.]

I will never be ashamed of being a trade unionist.

The irony of this Bill is that it comes from a political party that believes the answer in today's world is to deregulate—except in the case of the trade union movement and trade union law. The unions are subjected to heavy regulation, which the Tories bitterly oppose in other circumstances. This is a timely reminder that this

[Chris Stephens]

Government fear the trade union movement and that this Government know they can be defeated. That is because the trade union movement is the largest group in civic society that stands up against exploitation. The Bill will lead to a deterioration of good industrial relations and it has no support within public opinion. It is designed to reduce civil liberties and human rights.

The Bill also displays a remarkable ignorance—we have heard about that from several speakers already. The Government attempt to justify this Bill by citing industrial action that actually meets the thresholds. The Bill seeks to introduce the 40% rule, but I think it is dangerous for this Government to introduce that rule because the last time a Government tried to introduce such a rule, which affected Scotland, they had a low majority and they ended up being kicked out in a vote of no confidence. We will have the situation where dead people will be described as “not supporting” industrial action. That is why the thresholds are dangerous.

Mr MacNeil: Does my hon. Friend not think it even stranger that the 40% threshold is demanded by a Government who got only 24% of the electorate overall and only 10.5% of the electorate in Scotland? They were rejected by 90% of the voters of Scotland.

Chris Stephens: Yes, I agree. In Scotland, at the last election, the Conservative party received its lowest share of the vote since universal suffrage began. If the Government are going to introduce thresholds, they need to consider securing workplace balloting, which could be easily sorted out by Electoral Reform Services, or online voting. Political parties use online voting when selecting their candidates, so the suggestion that there might be fraud is nonsense.

Angela Rayner *rose*—

Chris Stephens: I will give way to my Unison comrade and friend.

Angela Rayner: I thank the hon. Gentleman for giving way. Does he agree that some of the rhetoric we have heard from Conservative Members is offensive to public sector workers, who do not take strike action at the drop of a hat and who are dedicated public servants? I am talking about home carers, cleaners, cooks, social workers, bin men, bin women and all those other people who safeguard our public services today. They do not take strike action at the drop of a hat, and it is disgraceful that Conservative Members have been using this rhetoric today.

Chris Stephens: I agree completely, and I will give some examples confirming what the hon. Lady describes. Introducing online voting and securing workplace balloting would be modernisation. We keep hearing about modernisation from Conservative Members, and we will come on to deal with it.

The other danger about thresholds relates to issues of equality and, in particular, gender equality. We know that in some male-dominated trade union workplaces women who have young families are affected when there are shift changes, and thresholds would have an impact on the rights of women workers to pursue industrial action on that basis. That happened recently in the case of a fire brigade control service in Essex.

Justin Madders (Ellesmere Port and Neston) (Lab): We have heard rhetoric from Conservative Members about how the Bill will help hard-working people go about their business. Does the hon. Gentleman not therefore find it ironic that curtailing the rights of working people to organise collectively through trade unions, which is what this Bill is designed to do, will stop those people arguing for and bargaining for better working conditions?

Chris Stephens: Yes, I do. The Bill is designed to continue austerity—that is exactly what it is about. It is about trying to curb the largest organisation in the UK that is campaigning against austerity.

These issues of gender equality are very important, because recent trends have shown that what is on the increase is pregnant workers being dismissed and women workers coming back from maternity leave being made redundant. That is a recent phenomenon and this Parliament will need to address it. The Government have not taken any of those issues into account. As we heard earlier, 270 Conservative Members would not have been elected if those thresholds had been in place.

There is also the issue of the deadlines on ballot times. I was interested to hear the Secretary of State say that industrial action would not be curbed, but in actual fact it could be. Let us say that a large employer issued a 45-day redundancy notice. If the trade unions have to give 14 days' notice of a ballot and 14 days' notice to take industrial action, it will be very difficult for them to organise themselves within that timeframe, and it could well make industrial action impossible.

We oppose the changes on political funds. This is about not just party politics and attacking the Labour party, but the general campaigning that the trade unions fund as well. I am talking here about equal pay; stronger maternity leave; 50:50 gender representation; and giving money to organisations such as HOPE not hate and other anti-racist organisations, community groups, and international aid organisations such as Justice for Colombia and Medical Aid for Palestine.

Dawn Butler: On that point, the Bakers Union is campaigning for fair rights for fast food workers, and is trying to increase pay in America from \$7 to \$15 and in the UK to £10. Does the hon. Gentleman think that this measure is trying to restrict that kind of activity?

Chris Stephens: That is exactly what it is designed to do. This attack is to weaken the rights of trade union members. When it comes to political funds, it should be up to the trade union members to decide. If members have issues about who trade unions are funding, it is up to them to organise themselves and to take up the matter with their trade unions—just as I always do. When my union funds a campaign that I might not necessarily support, I am told, quite rightly, that it should be up to us to organise.

Mr Kevan Jones: Does the hon. Gentleman agree that this area is much regulated at the moment? Not only do union members have to vote every 10 years on whether they want a political fund, but individuals also have a right to opt out of a political fund at any time they want. All the accounts of a political fund must be not only validated by the internal accountants but published. How much more transparency can we get?

Chris Stephens: Yes, indeed. I think the system is transparent. In my own trade union, we had the choice to fund the affiliated political fund within Unison or the general political fund, or even to opt out of the political fund.

The other danger with this Bill is that it politicises the role of the certification officer. We are also concerned with the new proposals on picketing and providing names. Such measures can only result in a new blacklist. Anyone who is a picket might as well wear two armbands—“union picket” on one arm and “blacklist me” on the other. That sets a very dangerous precedent. It also does not take into account the fact that Scotland and England have different criminal laws. I believe that is why we have heard comparisons with Franco’s regime.

The other concern relates to agency workers who are not supported by the agencies themselves. That can lead only to distrust within a workplace between those who are agency workers and those who work for the employer. Any time an employer asks a trade union about bringing in agency workers, there will immediately be suspicions about what the employer is up to. It is a rogue employers’ charter and the Government must think again on the matter.

I want to talk about check-off and facility time, and the incredible statements we have heard from the Government in that regard. I submitted a written parliamentary question on check-off and received the following answer from the Cabinet Office:

“It is no longer appropriate for public sector employers to carry the administrative burden of providing a check off facility for those trade unions that have not yet modernised their subscription arrangements. Employers are under no obligation to offer this service. There would therefore be no cost associated with an employer not providing this service”.

That shows a lot of ignorance, because what the Government appear not to know—they seem blissfully unaware of this—is that in many instances trade unions pay for check-off and for workers on facility time.

Let me give some examples of the deductions that could be made from a worker’s salary: charities’ give-as-you-earn, season ticket loans, credit union payments, staff associations—under these proposals there can be deductions for staff associations, but not for trade unions—bicycle loans, council tax and rent. Those are just examples of what can be deducted from a worker’s salary, and the Government call removing check-off modernisation! What a ludicrous suggestion.

Chris Philp: First, all the examples that the hon. Gentleman has just given involve the employee opting in, rather than opting out, which is exactly what this legislation proposes. Secondly, of the 972 public bodies that do check-off fees, only 213—that is 22%—charge for the service; 78% do it for free.

Chris Stephens: The point is that they have chosen to provide the service for free. If there was a genuine consultation on this, many public bodies, including the Scottish and Welsh Governments, would say that they are not interested in removing check-off. Indeed, my former employer, Glasgow City Council, has today said that it is not interested and that it will ignore the request. The hon. Gentleman appears to suggest that people join trade unions automatically, but that is not the case. I signed a form and decided to tick my political fund arrangements on that basis.

Our view is that the Government have no right to interfere in the industrial relations of councils, health boards or devolved Administrations in the United Kingdom. Facility time improves industrial relations. It negates issues that would otherwise go to tribunal. If an employer has good facility time arrangements, disciplinary hearings and grievance hearings, for example, are conducted in a timeous fashion. If facility time is interfered with, those time scales will slip. Facility time is a good thing; it is good for industrial relations and it gets things done.

Geraint Davies: Do the hon. Gentleman’s points not illustrate that this Bill is causing division where there was harmony—between the nations, within organisations, between agency workers and workers, and between management and workers—and that it will therefore undermine productivity, cause conflict and protest and be contrary to its alleged objectives? In fact, it is just an ideological, mean-spirited measure that should be voted down by any sensible person.

Chris Stephens: I agree. The Bill is an ideological assault against the largest group in civic society that is standing up to the Government’s policies and to austerity.

Bill Esterson (Sefton Central) (Lab): Is the hon. Gentleman familiar with what the International Monetary Fund has said about the benefits of collective bargaining when it comes to economic success and prosperity? The Government are clearly either unaware of the IMF’s support for strong trade unions or not interested in having strong trade unions.

Chris Stephens: I agree, because what has happened to collective bargaining is tragic. In 1979, for example, 81% of workers in Scotland had their pay determined by collective bargaining, but that figure is now 23%. Collective bargaining should be encouraged across the board, because it leads to higher wages.

The Government should be going in the opposite direction. We need stronger trade union rights and stronger employment rights in this country. It cannot be right that an employer can issue a 45-day redundancy notice to a worker. That was one of the big mistakes of the previous Administration. We believe that trade unions have the right to bargain collectively. We believe that this Bill seeks to undermine the great work of the trade union movement. It is a 19th-century solution in a 21st-century world.

Martin John Docherty (West Dunbartonshire) (SNP): Does my hon. Friend agree that this Bill by the British Government is a real threat to the positive working relationships between the Scottish Government and the Scottish Trades Union Congress? The secretary-general of the STUC has said:

“The Westminster Government is essentially arguing, on the basis of an apparent desire to save ‘taxpayers money’ that the Scottish Government”

—a devolved Government in this United Kingdom—

“should not be allowed . . . to promote positive working relationships”.

Should not this Bill just be thrown out, because if we are “better together” it doesn’t bloody well feel like it?

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I think the hon. Gentleman might like to rephrase the last sentence of his intervention.

Martin John Docherty: I will rephrase it, Madam Deputy Speaker. It feels like murder. *[Interruption.]*

Chris Stephens: Murderopolis, indeed.

My hon. Friend is absolutely right. The TUC, the STUC and the TUC in Wales are having these discussions. The STUC and the Scottish Government oppose the Bill, and the TUC in Wales and the Welsh Government oppose it. Local authorities oppose it. Health boards oppose it. It has no support whatsoever across the public services.

Anne McLaughlin (Glasgow North East) (SNP): Will my hon. Friend give way?

Chris Stephens: I am just finishing.

The Bill is an attack on our civil liberties and our human rights. As such, it does not deserve a Second Reading.

5.16 pm

Robert Jenrick (Newark) (Con): I speak in support of the Bill but not against the trade union movement or its members. In fact, I hope to work with the Unite union to set up a taskforce for a business, Flowserve in Newark in my constituency, where Unite is representing my constituents powerfully and efficiently. I want to reach out to it in the days to come.

In my own family history, I see the trade union movement at its best—as an important voice for the expression and protection of working people faced by endemic low pay and appalling working conditions. My great-grandfather, James Barrett, was a leader of the general strike in Manchester. He was drawn to trade unionism by the plight of his wife, my great-grandmother, Mary Ridge, whose first husband, a trade unionist before the great war, was blacklisted, unable to work, and forced to emigrate to the United States. He was unable to afford a ticket for both of them, leaving my great-grandmother behind in Salford to look after their children, essentially to rebuild her life, before eventually finding out that her husband had died a broken man in the United States years afterwards. Men and women like these—there are many others in the history of this country—were driven by their concern for the condition of working people they saw around them, the most vulnerable in society. They were, as Harold Wilson liked to say about the Labour party, driven more by Methodism than Marxism.

It is in that spirit that I approach this Bill, asking myself and this House how we can best defend and enrich the rights and the working lives of all people, but particularly the most vulnerable working people in society. The imperative to represent the common good of all working people lies at the heart of this Bill. That is all the more important today, as membership of trade unions continues to decline. At least 79% of the working people of this country are not members of trade unions.

Lady Hermon: The hon. Gentleman will be well aware, I am sure, that a very high percentage of people who are trade union representatives and members are extremely concerned about this Bill's possible infringement

of their right and freedom to assemble, which is guaranteed by article 11 of the European convention on human rights. Whatever he and his colleagues think about it, that was the best decision the Labour party made when it brought it home in the Human Rights Act 1998. Where in this Bill can he point to the guarantee that there will not be an infringement of article 11 of the European convention?

Robert Jenrick: Nothing in this Bill infringes the right to strike. It asks trade union bosses to achieve a higher mandate for those strikes. That can only strengthen the position of those trade union leaders, who will have the power and authority to win a clear mandate from their members.

Christian Matheson (City of Chester) (Lab) rose—

Robert Jenrick: Let me continue. Today the majority of those in trade unions are not the working poor—53% of members are in professional, associate professional or managerial occupations. Only a minority are in lower skilled, invariably lower-paid occupations, such as caring, leisure, processing, plant and machine work. Today's trade unions predominantly serve middle-income workers. The figures show that those earning less than £250 a week—roughly the equivalent of a full-time job on the minimum wage—are the least likely to join a trade union. Just 13% of those workers are members, which is a smaller figure than the proportion of those earning more than £1,000 a week, who make up 22% of trade union members.

Grahame M. Morris rose—

Robert Jenrick: If I may continue, most working people in lower-skilled, lower-paid roles are not part of trade unions, and it is they who are most deeply impacted by the disruption of strikes, particularly in key public services, including education and transport. It is right that this House rebalances our trade union laws in favour of all working people. It seems entirely reasonable, therefore, that, among other sensible reforms and amendments, we introduce a 50% threshold for ballot turnout and a 40% support threshold for key public services.

Wes Streeting: The hon. Gentleman seems to be a reasonable man who has misunderstood the Bill. He says that he wants to help workers and defend their rights and that he supports the threshold, but what possible explanation could there be for Government Front Benchers to continue to tell us that they will not support electronic balloting? How can that possibly be reasonable in the 21st century?

Robert Jenrick: The hon. Gentleman will have heard my right hon. Friend the Secretary of State say that he is deeply concerned about fraud, which is in no way in the interests of fair strikes and the trade union movement.

Jo Stevens (Cardiff Central) (Lab) rose—

Robert Jenrick: Let me continue. Far from diminishing the voice of trade unions and, as I said in response to the hon. Member for North Down (Lady Hermon), achieving the thresholds would increase the legitimacy

of trade unions with management and shareholders and in the eyes of the general public. As we politicians know only too well, a strong mandate increases our legitimacy and the power and authority of our actions, and we have heard a lot over the past few days from the trade unions and their leaders about the value of a strong mandate.

As a result of this Bill, there may well be fewer strikes on less substantive matters that are not viewed by the unions' own members as sufficiently serious to justify putting their employer and thus their job in jeopardy or that seriously inconvenience customers and the general public. Those that do go ahead will have a greater mandate and higher legitimacy, and consequently will need to be taken much more seriously by everybody involved in the negotiation.

John Mann (Bassetlaw) (Lab): I thank my parliamentary neighbour for giving way. He will recall the mass demonstration in his constituency following the unofficial power workers strike, when 5,000 people marched. I spoke at the rally and it concluded a dispute that involved a lot of the hon. Gentleman's constituents. Is he aware that those constituents of his who participated would be criminalised by this Bill?

Robert Jenrick: The key issue is that trade union leaders should speak for their members and achieve a clear mandate from them.

Christian Matheson *rose—*

Robert Jenrick: Other Members want to speak, so let me come to the end of my remarks.

The only unions and leaders who need fear these reforms are those who do not believe that they can regularly convince their own members of the veracity of their arguments—those who have essentially lost touch with the high ideals of the founders of the trade union movement. I think back to my ancestor, Mary Ridge. What would she have thought of the union leader who last year called a strike of teachers based on ballots that were years out of date and in which fewer than a quarter of teachers voted? It closed a special school in Newark at which parents, already struggling with the demands of juggling jobs and caring for children with special educational needs, had to take time off work or seek specialist childcare at short notice. What would she have thought of the female city cleaner on a low income trudging home through the streets of London because trade union bosses had taken tube drivers, whose average starting salary is £50,000 a year for 36 hours a week, out on strikes.

Christian Matheson *rose—*

Catherine West *rose—*

Mhairi Black (Paisley and Renfrewshire South) (SNP) *rose—*

Robert Jenrick: I will not give way, because Madam Deputy Speaker wishes me to finish my remarks.

My ancestor would be surprised and ashamed by what some of the current trade union leaders have become.

In conclusion, there is unease among working people in this country about their economic lives and the economic situation around them. Much of that is to do with concentrations of power: the banks, the utility companies, and the housing market favouring existing owners. Organisations such as the CBI, the BBC or monopolistic companies such as BT Openreach speak loudly, but it is unclear whom they represent. Such organisations protect the interests of the privileged few. The Bill must be seen as part of a wider effort to move our economy and our society away from vested interests and the stifling effects of corporatism and back in favour of the common good of all working people in this country.

5.26 pm

Alan Johnson (Kingston upon Hull West and Hessle) (Lab): I draw to the House's attention my entry in the Register of Members' Financial Interests and my membership of the Communication Workers Union.

In no other country in Europe would a mainstream, right-of-centre party bring forward such a Bill. It is an attack upon the trade union movement that may as well be called the dark satanic mills Bill, because even dark satanic mill owners may have hesitated to introduce such measures. The first rule of any legislation should be that it is necessary and tackles a perceived and obvious problem. That cannot be the case when industrial action over the past five years has been the third lowest five-year aggregate period in the history of this country. It cannot be the case that this is a serious issue.

Let me tell Government Members that just as trade union officials, whether leaders, shop stewards or local representatives, resort to industrial action only as a last possible measure, this House should consider legislation only as a last possible measure. I have never heard such a weak argument from a Secretary of State to support a Bill or a paucity of arguments supporting it, many of which seem to say, "We support trade unions and their right to strike," but the only problem is that they have never supported a single strike in the whole history of the trade union movement.

Andrew Bridgen (North West Leicestershire) (Con): The right hon. Gentleman's opening argument is exactly the same as that made by the shadow Secretary of State, the hon. Member for Wallasey (Ms Eagle), who would not take an intervention from me. My counter is that if union action and days lost due to strikes are at their lowest-ever level, how does the right hon. Gentleman explain the 70% increase in days lost due to industrial action in 2014 compared with 2013? Was it down to his union bosses flexing their muscles ahead of a general election?

Alan Johnson: I suggest that we set a room aside with some crayons and colouring boards and perhaps a "Teletubbies" DVD for those who want to engage in that level of immaturity. We are seeing the lowest level of industrial action practically since records began. The wonder of the past five years is that there has not been more industrial action given the problems that workers have had to go through.

Huw Irranca-Davies (Ogmore) (Lab): Has my right hon. Friend taken note of the Regulatory Policy Committee's comment that the Government have singularly

[*Huw Irranca-Davies*]

failed to justify these measures and restrictions on the right to organise and protest? It has said clearly that no case has been made, so why are they doing this?

Alan Johnson: My hon. Friend is absolutely right. In fact, the RPC has said that the Bill is not fit for purpose. I will come to that in a second.

Richard Fuller: I hope I pass the “Teletubbies” hurdle for intellectual input. On the point about the numbers that strike, what consideration does the right hon. Gentleman give to the number of people impacted by strikes? When he was a Minister and subsequently, has that been a consideration in his thoughts about how unions’ right to strike should be regulated?

Alan Johnson: Of course industrial action has an impact, which is why, as I said, no trade unionist, trade union leader or trade union shop steward would ever contemplate industrial action unless it was as a last resort. When there was a protest in Parliament Square, as there frequently are, I was inconvenienced. The Hull fun run on Sunday was an enormous inconvenience. We do not attack democracy and democratic institutions on the basis that some people are inconvenienced by them. We either accept the right to strike, as the Secretary of State said he did, or we make facetious arguments about its having an effect on other people, in which, just like Mussolini and Hitler, whose first action it was, we ban free trade unions. But that is not what the Bill is about, as I understand it.

Richard Fuller *rose—*

Alan Johnson: No, I have given way to the hon. Gentleman once already, and he did not pass the “Teletubbies” test.

Grahame M. Morris: Is not the number of days lost in the UK to industrial action only half the EU average? Furthermore, are not 20 times more days lost owing to stress and depression, and might that not have something to do with the nature of this Government?

Alan Johnson: My hon. Friend, a good gas fitter in his time, makes a good point.

The hon. Member for Elmet and Rothwell (Alec Shelbrooke) is an exception, but many Government Members do not have sufficient experience of dealing with employers and trade unions and of needing a trade union to defend them. We know that the Lord Chancellor and Secretary of State for Justice was once on a National Union of Journalists picket line in Aberdeen, but I think the Red Gove period did not last very long. I think he is practically alone in the Cabinet in having that experience.

There are many aspects of the Bill that I hope will be dealt with in Committee. It deserves the scrutiny it will get from Opposition Members when it passes through Second Reading—I hope it does not get a Second Reading, but I fear the worst—but its primary purpose is to introduce stringent restrictions on trade unions’ ability to take industrial action, so the first question has to be why. As hon. Members have said, we have gone

from an average of 7.2 million days lost to industrial action each year in the ’80s to 647,000 since 2010. That is a spectacular reduction. On average, a unionised British worker will take strike action for one day every 15 years, and the duration of that action is likely to be one day.

Boris Johnson (Uxbridge and South Ruislip) (Con) *rose—*

Catherine West *rose—*

Alan Johnson: I give way to my hon. Friend.

Catherine West: Is my right hon. Friend aware that there is one exception to that? In London, under a leader who sits in this House and who has always refused to meet the trade unions or treat them like human beings, we have had three times as many strikes as during the previous eight years under a Labour Mayor?

Alan Johnson: It just so happens that that particular Member was trying to intervene on me. I gladly give way to him.

Boris Johnson: I am happy to inform the House that the previous Mayor met the leader of the RMT only once, reportedly called him a gangster and sacked him from the board of Transport for London. May I ask my right hon. Friend—and, for all I know, relative—to acknowledge that the reason the Government are bringing forward this serious and, in my view, sensible Bill is that we have too many wildcat strikes, particularly in the transport sector? He began by saying that no other country in Europe would bring forward such proposals. Can I tell him—[*Interruption.*]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Gentleman should receive the same courtesy as every other Member of the House while he makes a brief intervention.

Boris Johnson: I tell the right hon. Gentleman that not only do many European countries have restrictions and insist on minimum service requirements during strike action, but some countries ban strike action altogether, notably the United States, where 39 out of the 50 states ban mass transit workers from going on strike. He should also know that in Germany, which somebody mentioned earlier, there is a ballot threshold of 75%. These measures are entirely sensible and will prevent the abuse of working people.

Alan Johnson: I think that could be described as a wildcat intervention. Let me tell the hon. Gentleman that the result of this legislation will be more wildcat strikes. Yes, there are other countries where people are not allowed to strike. Postal workers in America, for instance, are not allowed to strike. In this country, prison officers and the police are not allowed to strike. In every single system like that, there is a process of employment relations and a process to air grievances that give a distinctive advantage to those industries in getting a result. According to the Secretary of State, the Bill does not say that there are industries in which strikes should not take place; it is an effort to affect

millions of trade unionists and inhibit their right to strike because of a dispute involving a few thousand people at London Underground. That is the truth of the matter.

Melanie Onn (Great Grimsby) (Lab): Does my right hon. Friend agree that the description of strikes as “wildcat” is wildly inaccurate, because there is a very detailed process that every organisation must go through in order to allow its members to take industrial action?

Alan Johnson: That is an extremely important point. Another important statistic is that one in five industrial action ballots does not lead to any industrial action being taken. That tells us, among other things, that trade unionists do not take industrial action when the support is lukewarm.

What is interesting to me is that there is nothing in this or any other Government Bill that is designed to improve industrial relations—nothing like the partnership fund or the union learning fund that we set up to encourage both sides to come together. I tell the hon. Member for Uxbridge and South Ruislip (Boris Johnson) that, as a junior Minister, I once presented the partnership prize, which was a substantial metal object, to the late, great Bob Crow. Two weeks later, I read in the *Evening Standard* that there had been a big row between the RMT and London Underground, and that the RMT rep had thrown something at the London Underground manager. I just hoped that it was not the partnership fund award that I had presented.

We took positive action to ensure that the industrial relations climate everywhere across the country was better. There is nothing in the Bill that attempts to do that. As 77 experts in the field said in a letter to *The Guardian*, the Bill will have the opposite effect. They said that instead of proceeding with this, to use their term, “perverse” Bill,

“the government should be looking more seriously at how to engage and involve the British workforce and its representatives in rebuilding the UK economy and raising productivity”.

I say to Government Members that the Department of Trade and Industry had a review of facility time in 2007. The officials in the Department for Business, Innovation and Skills at 1 Victoria Street are exactly the same officials who were at the DTI. There was wide consultation. The outcome was that facility time provided a net advantage to the employer and the country. It was also important in raising productivity—something that this Government have a serious problem with.

With no evidence as to its necessity, the Government have pressed ahead as if this were emergency legislation, scheduling Second Reading four days after the already compressed and laughably short consultation period. The aim seems to be to ensure that our debate coincides with the first day of the Trades Union Congress—a level of immaturity not seen since members of the Bullingdon club thought it would be fun to bare their bottoms outside a convent. Perhaps the Bill was drawn up by the Bullingdon club—perhaps the hon. Member for Uxbridge and South Ruislip can tell us—and it certainly could not have been constructed more maladroitly if it had been.

The Department from which this Bill emanates is under new management. I suppose we could describe the former Secretary of State as the artist formerly

known as Vince, and how we miss the worldly wise maturity of the former Member for Twickenham, who obviously managed to keep the padlock on the playpen in his years at 1 Victoria Street. He described the Bill as “vindictive, counterproductive and ideologically driven,”

and he has never spoken a truer word in his life.

The central feature of the Bill, which should be disturbing right hon. and hon. Members on the Government Benches, is that it is unprecedented, undemocratic and indefensible. Why? Because it gives a vote in trade union ballots to those who have, for whatever reason, decided not to cast their vote, and it classifies that vote in every circumstance as a “no” to industrial action. I honestly thought that the Secretary of State would give some examples of where such a measure is used. A golf club perhaps, or a local charity—anything where people who do not vote are classified as voting against. If, in a workplace of 1,000 people 499 workers vote in favour of industrial action and there is not a single vote against, that industrial action would be illegal. In the parlance of this Chamber, the noes would have it, the noes would have it.

The abstainers, the apathetic and the forgetful will have a no vote, as will those who miss the post—I love that as a former postman, but this is the only element of society where the only way that anything can be done is through the post. Communication Workers Union members are grateful, but they realise that this is not just about increasing their workload; it about attacking their rights.

If my hypothetical workplace fell under one of the six areas so far defined as important public services, a 79% yes vote on a 50% turnout would be illegal, as would a 64% yes vote on a 64% turnout. That cannot be defended. Someone could be the most rabid anti-trade union politician in the House—there may be some in the Chamber at the moment—but if their concern is for human rights and civil liberties they cannot defend that measure. It is literally indefensible.

We would not consider governing our debates in this House with such a practice. Why not govern our debates in that way if it is a democratic way to do it, so that those who do not vote are counted in the No Lobby? As the hon. Member for Glasgow South West (Chris Stephens) pointed out there is an issue about how we got our mandate on May 7, and the Secretary of State said, “Oh, but that is not a binary decision.” The European Union (Referendum) Bill that we debated last Monday is a binary decision, and we did not spend a second debating whether people who did not bother to vote should be counted as a no vote. Why not do that? If this is at all democratic, why is it not in that Bill?

Boris Johnson: Does the right hon. Gentleman accept that plenty of institutions in this country rely on the concept of a quorum before they take important decisions—particularly damaging decisions—about the lives of millions of people? It is only right that we should subject decisions by trade unions to a quorum.

Alan Johnson: I have been generous to fellow members of the Johnson clan, but the hon. Gentleman must understand the difference. In those organisations and countries where a 75% threshold is set for industrial action, it is 75% of those voting. Perhaps there should be thresholds in some of the constitutional referendums

[Alan Johnson]

that we have. Perhaps leaving the European Union should require a 75% yes vote because it is a major constitutional issue, but it would be 75% of those voting. That is the difference with this legislation.

Mr Kevan Jones: Does my right hon. Friend agree that some trade union rule books have the same provision—they need a certain percentage of those voting to take forward industrial action?

Alan Johnson: That is correct, and it should be something that we look at as part of a review of our democratic process, stretching from the other place to all the other aspects that Conservative Members have raised about the health of our democracy.

Chris Philp: Will the right hon. Gentleman give way?

Alan Johnson: No, I will not give way.

One thing that cannot be suggested is that the decision on the European Union is less important than the decision that union members take in industrial action ballots, but that is the only argument put forward for the introduction of this measure in the Bill. These are important issues, we are told, and the loss of important public services can have far-reaching effects on significant numbers of ordinary people. Well, so can the EU referendum. I suggest that Conservative Members should make the argument that people who do not vote should be recorded as voting no—

Chris Philp: Will the right hon. Gentleman give way?

Alan Johnson: No, I am not giving way to the hon. Gentleman. We have heard enough from him—[HON. MEMBERS: “Hear, hear.”] I seem to have made a popular decision.

Of course, the Government would make no such proposal, because it does not support democracy—indeed, it offends democracy. But we know nothing of the responses from all the institutions that may want us to take their views into account because the Bill was drawn up and put before the House even though the consultation closed only last Wednesday, five days ago. Incidentally, that breaches the Government’s own advice on how to consult on legislation.

As my hon. Friend the Member for Ogmore (Huw Irranca-Davies) mentioned, the Bill did go before the Regulatory Policy Committee, which was scathing about three aspects of the legislation it was asked to examine, including the thresholds for 40% and 50%. It gave a red card to all three, deeming them not fit for purpose and stating that the Government had not provided sufficient evidence of the likely impact of the proposals to support the consultation. The Regulatory Policy Committee is the Government’s own watchdog, and that is as damning an indictment of a piece of legislation as we are ever likely to see from it.

Another aspect of the Bill is the attempt to make processes involved in picketing part of criminal rather than civil law. It is designed to address allegations of picket line intimidation, but the Carr review, set up by the Conservatives under the coalition Government to investigate such allegations, specifically said that it could

find no evidence of intimidation. In response to the review, which was led by a Conservative, the Local Government Association said that its view was that

“there are no particular issues for local government in terms of alleged extreme tactics and the appropriateness of the legal framework to deal with inappropriate and intimidatory actions ...we...very rarely...hear of such alleged tactics”.

Through the Association of Chief Police Officers, the police said:

“In general the legislative framework is seen by the police as broadly fit for purpose and the range of criminal offences available to the police sufficient to deal with the situations encountered.”

This is a non-issue. It was examined by a committee that had to downgrade itself because there was no evidence.

The Government know little about the workplaces of Britain and understand less. They certainly have no comprehension of the role that free, independent trade unions play as an essential component of a mature democracy or the history of the struggle for workers’ rights in this country. Many Conservative Members probably think the Donovan commission was the backing group on “Mellow Yellow”.

John Mann: My right hon. Friend has substantive experience of these matters over many years. Does he think that when a grievance in the workplace is artificially blocked from expressing itself it tends to go away or does it fester in much worse ways for a much longer period of time, to the disadvantage of the employer as well as employees?

Alan Johnson: My hon. Friend raises the central point. I do not know about other trade union officials here, but I spent most of my time trying to stop strikes, trying to resolve them after they had happened and trying to find a formula to get people back to work. Try standing in front of 2,000 striking Liverpool postmen and telling them “I’ve got a deal.”

There is a complete fallacy which is shared by even the hon. Member for Elmet and Rothwell and his colleagues who are trade union members. They seem to miss the point that if unions cannot ballot legally, they lose the opportunity for leadership to hold the pressure cooker together and to conduct disputes in a civilised way with the employer. To lose or discourage that is asking for the kind of wildcat action mentioned by the hon. Member for Uxbridge and South Ruislip.

Madam Deputy Speaker, I can see you are looking at me. I will conclude my comments. Where the Government have consulted, the response is not known. Where they have put the Bill’s measures to its own Regulatory Policy Committee, they have been deemed not fit for purpose. The review commissioned to look at aspects of this proposed legislation was downgraded by its own Government-appointed chair. The major aspects of the Bill will breach the legally binding undertakings that UK Governments have signed up to through the International Labour Organisation. The greatest threat to workers and employees is not from balloted industrial action, which last year led to 155 stoppages in an economy of over 30 million workers, but from disruptive unofficial action that neither side of industry can control and that the Bill will make more likely. I am reminded of a Russian trade unionist—we all met them in our days as trade union officials before 1990—who said to me, “Of course industrial action is legal in Russia, as long

as it has been approved by the state.” All I can say is that the Russians would have been proud of this Bill. It is a bad Bill. It needs to be killed—now.

5.52 pm

Mr David Davis (Haltemprice and Howden) (Con): I will be a lot brisker than the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson). I hope I will be able to get through what I want to say in three or four minutes. If I do it briskly enough I will irritate everybody in this debate, because there are fallacies on all sides. I was not going to declare an interest, but the contribution by the hon. Member for Glasgow South West (Chris Stephens) has provoked me. I do not have a financial interest, but my grandfather was blacklisted.

Chris Stephens: I merely quoted the right hon. Gentleman’s comments about Franco.

Mr Davis: The reason those comments resonate with me is that my grandfather, who brought me up, was as a young man blacklisted and unemployed for 17 years because he was an organiser in the coalfields in the north-east. The House will understand that I am a little sensitive to some of the impingements on civil liberties that can come out of industrial relations.

It is a particular pleasure to follow the right hon. Member for Kingston upon Hull West and Hessle. I keep calling him my right hon. Friend. He was a fabulously good trade union leader. As we just heard, he is a great debater, but he and I have also served occasionally on the same side in negotiations. Every single time, we managed to get an outcome that was helpful to the workforce and to the companies we were dealing with. That does not mean, however, that he has everything right here.

I have been very helpful to the Labour party in some of the comments I have made, but I will say this: there is an issue when a monopoly—it does not matter whether it is a private or public sector monopoly—goes on strike. The victim is then the public. It is not the workforce, because they tend to get their money back in overtime, and it is certainly not the owners, because their market share does not go away and they do not lose anything. The public, however, have nowhere else to go. I have some sympathy with much of Labour Members’ criticisms of the Bill, but they have to address this issue: how do we deal with a problem where action by a trade union, without proper and sufficient support from its membership, discomferts the public very badly?

Mhairi Black: Will the right hon. Gentleman give way?

Mr Davis: No, I am going to be very brisk.

The word “discomfort” is a very soft word to use. Not being able to go to work, to hospital or to school is more than a discomfort.

I would like to come on to my primary criticisms of the Bill. The right hon. Gentleman referred to the proposals relating to picketing. I am particularly offended by the idea that a picket organiser needs to give his name to the police force. I have discussed this with the Minister and know that this provision has been included

in previous legislation. I am ashamed to say that I missed it last time, otherwise I would have voted against it. This is a serious restriction of freedom of association. It is not the same as getting the organiser of a big demonstration to give his name to the police. There is all the difference in the world between 500,000 people clogging up London and half a dozen pickets shivering around a brazier while trying to maintain a strike.

This issue is incredibly important, and we do not want to get on to a slippery slope. I say to the Minister that I will be seeking—and I am not alone—to alter the measure during the Bill’s progress. Doing that will improve the Bill; it will not make it worse or take away anything fundamental. It will, however, remove the suggestion, made time and again by the Opposition, that this is somehow a vindictive anti-union Bill. It is not. This should be a Bill for the people, not against the unions. That is what fits with our approach.

I also want to raise the issue—it is in consultation at the moment, but because the consultation has been fast it may turn up as a Government amendment later—of restricting the actions of unions on social media. This proposal strikes me as both impractical—how on earth would it be done?—and asking for judicial trouble. There will be judicial review if this line is pursued. It has been argued that the measure is there to stop bullying. Well, fine—then pass a law to stop bullying and intimidation, but make it affect everybody, not just trade unions. We already have quite a lot of laws to prevent intimidation.

They are two critical elements and weaknesses in the Bill. I say to the Minister that I will seek to prevent both of them making it through to Third Reading. I will vote for the Bill today, but I am afraid that if it still contains those measures on Third Reading, I will vote against it. I say again to him that I doubt I will be alone.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before I call the next speaker, it will be obvious to the House that although we have been having a lively debate and I have allowed speeches to go on to encourage genuine debate, a very large number of Members wish to speak. I will now have to impose a time limit of six minutes.

5.58 pm

Mr Iain Wright (Hartlepool) (Lab): I draw the attention of the House to my entry in the Register of Members’ Financial Interests.

In opening the debate, the Secretary of State mentioned one nation Government. Disraeli, the architect of one nation Toryism, passed the Conspiracy, and Protection of Property Act 1875, which decriminalised the work of trade unions and allowed for picketing. I think Disraeli will be turning in his grave at what a Conservative Government are doing tonight. The Bill runs contrary to a British sense of fair play and common sense. It will increase bureaucracy and burdens of regulation, and it will be counterproductive to the Government’s stated aims of improving efficiency and productivity. The Bill will not help us become more prosperous. If anything, it runs the risk of making industrial action more disruptive and the British economy less productive and less attractive to inward investment.

[Mr Iain Wright]

As several of my hon. Friends have already said, the level of industrial action in the UK is historically low. As my right hon. Friend the Member for Kingston upon Hull West and Hessle (Alan Johnson) said, the average number of working days lost to industrial action since 2010 has been 647,000, in stark contrast to the average in the 1980s of 7.213 million. The past 30 years have seen a historically low incidence of industrial action, as a consequence of the changing nature of the employment market, a reduction in union membership and legislation that, frankly, has restricted union power.

Mrs Anne Main (St Albans) (Con): The right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) suggested that such events were inconveniences when they happen. Surely the hon. Member for Hartlepool (Mr Wright) can accept that London is brought to its knees on a regular basis, with staff taking two or three hours to get to work and back again and with a great loss of employment and money. These are not inconveniences; they are serious and they need tackling.

Mr Wright: Britain has low levels of industrial disputes relative to our main economic rivals—half the EU average, as my hon. Friend the Member for Easington (Grahame M. Morris) said, and lower than the figures in the US, Korea and Canada. If industrial action acting as a material disruption to the running of the modern economy is the premise behind the Bill, that will not bear scrutiny of the evidence.

Clause 2, which introduces a 50% turnout requirement to authorise a ballot, has significant implications. It goes against the British value of common sense and fair play. No other part of the constitutional settlement or democratic engagement requires that threshold. Clause 3, requiring 40% support for action in “important public services” is equally sinister. Again, in no other part of important public services is that required. It is not a requirement for the important public service of electing a local councillor or a Member of Parliament.

The Government argue that a positive impact of the provisions in clauses 2 and 3 will be that unions will work harder to make the case for ballots for industrial action. However, it is far more likely that there will be greater disruption and use of leverage campaigns, such as withdrawal of good will, work-to-rule, protests, demonstrations and unofficial action. Paradoxically, the Bill might result in more working days lost to industrial action and a failure to address the pressing economic challenge of improving productivity. In a modern economy, surely the most appropriate approach is collaboration rather than confrontation.

When General Motors was restructuring its European operations in 2012, the Ellesmere Port car plant would probably have closed had it not been for the close working relationship between management and unions. The ability of Nissan to win the internal competition to build the new Juke earlier this month is testimony to continuous improvement, a drive towards efficiency and constantly rising quality levels, which are possible only through effective collaboration between management and unions.

The Bill pushes us towards a more adversarial relationship between management and the workforce. Does the Minister really think that deals such as those done on behalf of

the UK economy with GM or Nissan will be made easier through this Bill when its provisions lend themselves to mutual suspicion, acrimony, work-to-rule and more disruptive industrial relations? The ability of this country to land more inward investment is compromised through the Bill.

The Secretary of State has stated that one of the main themes of his leadership of the Department will be deregulation and we on the Select Committee on Business, Innovation and Skills will certainly want to consider the work of the Government to ensure that businesses are freed from unnecessary red tape, but why has the same approach to deregulation not been applied to the Bill? Under clause 6, the Bill imposes such burdensome regulation that it puts the EU banana straightening compliance team to shame. The extension of the roles and powers of the certification officer will impose additional administrative and financial pressures on unions. There will be a reporting requirement as to whether industrial action took place in the past 12 months, the nature of the dispute and the action that was taken. Unions might not collect such information centrally, so that will add additional bureaucracy. There is also something sinister about the state’s collecting information on what might be private disputes between the employer and workforce that could be resolved relatively early in the negotiation process.

In an economy that is becoming increasingly characterised by unequal, low-skilled and insecure employment with workers employed in small companies or often categorised as self-employed, the challenge of collective bargaining and how unions can work to play a positive role should be considered and encouraged, yet this petty and vindictive Bill does nothing to deal with that. It stops harmonious industrial relations and long-term prosperity. It should be killed by the House tonight.

6.4 pm

Andrew Bridgen (North West Leicestershire) (Con): I welcome many of the provisions in the Bill, which brings some much-needed modernisation and a little common sense back into trade union law. As we continue to rebalance the economy and reform the public sector, we cannot leave trade union law unreformed if we are to continue to compete in the global economy. The measures proposed today are both reasonable and moderate and will enhance our economic competitiveness while protecting the essential rights of trade union members.

Clause 2, with its turnout requirement, has provoked some opposition, with the argument being made that if it were applied to politicians they might not meet the threshold. I would argue that that tends to apply only in local government elections, where there is a lack of voter engagement. There is no greater engagement than deciding whether to go to work on a Monday morning or not, so if the union’s cause is strong enough meeting the turnout threshold should not pose a problem.

The need for the clause has been further supported by the comments made by union leaders today. The Labour party and union bosses are now effectively as one, and the Public and Commercial Services Union general secretary, Mark Serwotka, has said:

“We have the ability to stop austerity in its tracks, to topple this government and to ensure we get a fairer society.”

Those comments serve only to fuel concerns that union leaders, emboldened and unchallenged by the Labour party, will seek to use their members as pawns in some sort of cynical political power struggle.

Christian Matheson: Is the hon. Gentleman aware that PCS is not affiliated to the Labour party?

Andrew Bridgen: I think it probably will be now that Labour has a new leader—it seems to be very politically aligned.

It should be noted that according to the Office for National Statistics, 3 million working days have been lost in the past five years due to labour disputes, more than 80% in the public sector. That is simply unfair on the hard-working taxpayer, so, on their behalf, I welcome clause 2.

Mr Stewart Jackson (Peterborough) (Con): Does my hon. Friend agree that it is a bit of a cheek for the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) to question the constitutional propriety of the Bill, which has an election mandate behind it from the election four months ago, whereas, under the previous Labour Government, the unions effectively bought policy through the Warwick I and Warwick II agreements in exchange for large amounts of funding for the Labour party?

Andrew Bridgen: My hon. Friend makes a point that has been made often. I think we also saw the influence of the union movement in the recent Labour leadership elections and the selection of Front Benchers.

Other sensible measures in the Bill are clauses 7 and 8, which set an expiry date on industrial action ballot mandates and extend the notice period that unions must give employers from seven to 14 days. The latter will give more time to reach settlements, which can only be a good thing for all parties concerned, while giving those adversely affected, such as commuters and parents, time to make other arrangements, whereas the former is a common-sense measure given the present situation of having effectively rolling mandates that can last for years and might be ongoing long after the members who originally voted for them have left employment.

Clause 9, on picketing, has engendered a number of comments and I understand that there are concerns about the level of police involvement. There is, however, an issue of intimidation in the trade union movement. One needs only to think back to the incident with Unite officials at the Grangemouth oil refinery in 2013, in which a mob was sent to protest outside a family home with banners, flags and a giant inflatable rat, which led to a country pub and even a charity fun run being disrupted.

Mr David Davis: My hon. Friend makes a good point, but my simple question is: why not deal with that through a general anti-intimidation law rather than a specific union law?

Andrew Bridgen: My right hon. Friend has made that point and it is worthy of consideration. I am sure that he will bring his knowledge of the subject to our discussions of the Bill as we proceed.

That incident was linked to a Labour party candidate selection row and was perpetrated by union officials. That serves only to highlight how intimidation tactics have recently been employed by a limited number of trade union activists, and those tactics have no place in this country, as my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) agrees.

Jo Stevens rose—

Andrew Bridgen: I have already given way, and I am afraid I will not do so again on this occasion—I would love to, but I cannot.

That leads me neatly on to the political levy. I see no reason, other than self-interest, why there should be any objections to the notion of opting in to pay towards a political fund. Many people join trade unions to protect their rights, not to prop up the finances of the Labour party. We have evidence from Northern Ireland—it came out earlier in the debate—that, having been asked to choose, only 39% were in favour of paying this political levy. This clause should also be of particular interest to SNP Members, given that many of their supporters in Scotland are no doubt paying the political levy to finance support for the Labour party. Clause 10 will make the act of political donation one of free will, and I see no reason other than self-interest why it should not be supported.

I turn next to clause 12 and the issue of facility time. I believe that in an increasingly transparent world, with the publication by public bodies of items of expenditure over £500, it is only right that trade union activity, effectively subsidised by the taxpayers, is subject to the same scrutiny, particularly at a time of reduced budgets. I know that the vast majority of hard-working taxpayers in my constituency would be outraged if they knew their taxes were being used to support aggressive political campaigns.

I welcome the enhancement of the role of the certification officer, and it is again a common-sense reform for officers to be able to act on information or concerns they have received from a third party. In addition, I welcome the fact that they have specific investigatory powers to regulate trade unions in order to make this legislation workable.

In conclusion, I have been lobbied at great length regarding this Bill, but on close analysis I believe it to be both proportionate and necessary. Trade union members have the right to be protected from being exploited not only by their employer, but by their union bosses who seek to use them to further their own political aims. Given the make-up of the Labour leadership team, this Bill is vital to protect the rights of all working people who seek to go to work, to raise their family and to contribute to this country, free of politically motivated strikes, unnecessary disruption and threats from union officials to topple a democratically elected Government enacting the mandate given to them by the British people as recently as this May. I am therefore happy to endorse the Bill as another step forwards to greater economic prosperity for this country.

6.12 pm

Mr Ronnie Campbell (Blyth Valley) (Lab): We have listened to some good speeches from Members, from both those who disagree with the Bill and those who agree with it.

[Mr Ronnie Campbell]

I have been a trade unionist all my life, starting as a coalminer and member of the National Union of Mineworkers. Before anybody gets up to interrupt me, let me say that I have been on strike only three times in my life. The miners were never fond of going on strike, but when they did, they did.

I was always available to the manager when there was trouble at the pit. He would ring me and get out of bed—I do not know whether other colleagues have had the same experience—and say, “There’s trouble, can you come across to the pit?” We would get together the lads who were not working, get them back on their feet and digging coal again. I solved the problem—until the next morning. What we used to say was, “Work under protest; we will have a meeting with the manager tomorrow and solve the argument.” Nine times out of 10, we did. There were not many wildcat strikes in the coal mines, although we did have two or three big strikes.

It has been said many times that this Bill attacks trade unions rather than work with them. In my trade union work, I always found that I could work with the manager. We would have arguments many times, but we came up with an agreement in the end.

We have heard about wildcat strikes, but I am afraid that this Bill might bring them back big style. Once unions are shackled through the ballots and the thresholds, there could be more wildcat strikes, which are worse than organised strikes.

The check-off, the paying-in or the opt-out of the political levy is another issue. That has annoyed me more than anything. The hypocrisy of this Government in trying to stop trade unions paying into the political levy is obvious. The political levy goes not just to the Labour party but to a lot of organisations. It could be asked why the Government are doing this. Perhaps they are trying to stop trade unionists putting money into Labour; perhaps they want to crush the party by stopping its money.

I looked up some companies. I thought, if the Tories are stopping us getting money, what about Amazon, which gave £19 million to the Tories? Then there is the Dell corporation, which gives £7.3 million; Ford motor company, which gives £12 million; and Siemens, which gives £4.7 million—and these are only a few! These are big companies giving money to the Tories—it is their slush bucket.

Mrs Anne Main (St Albans) (Con): Will the hon. Gentleman give way?

Mr Campbell: No, I will not.

I sometimes wonder what the shareholders think of those companies. Have they got an opt-out? Have the shareholders got an “in” or “out” vote in the same way as is proposed for the trade unions? Let us be fair. I appreciate that these companies get a lot of money off the Government. I have the figures with me here, showing that these companies are getting subsidies worth £93 billion a year from the taxpayer. We have heard the Tories talking about the taxpayers—the poor taxpayers—but I can tell the poor taxpayers that they are getting diddled. The big companies are getting that much tax off them.

I had a look at the House of Lords.

Mr Iain Wright: You will be there soon, too!

Mr Campbell: Well, I will be next, but I will not be putting in the money these guys put in! Now we come on to the auction and the Tory slush bucket. Lord Ross has given the Tory party £200,000; Lord Davies, £160,000; Lord Griffin, £250,000—and I could go on and on and on. This is where the Tories get their money from. That is how it goes into the Tory slush bucket, and now they are attacking the trade unions in the check-off and opt-in votes.

Mrs Main: Give way!

Mr Campbell: No. That is the reality and the truth. That is the Tory party—hypocritical.

6.17 pm

William Wragg (Hazel Grove) (Con): I rise perhaps in the same spirit as my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) in that what I have to say may put me out of favour on both sides of the House. I rise as a seemingly rare thing—a Conservative who is a member of a trade union, in my case the teaching union ATL, the Association of Teachers and Lecturers. My reticence stems perhaps from the fact that many would not see the two sitting comfortably together. However, I see no contradiction in being both a Conservative and a member of a trade union. Indeed, although we get little credit for it, it was the Conservative party that first legislated to fully legalise trade unions under Benjamin Disraeli.

I want first to express a general opinion on trade unions before moving on to deal with two particular aspects of the Bill about which I have reservations. A trade union should be, I believe, a body that concerns itself with the rights and welfare of its members. It should be an organisation that strives to improve the working lives of people. It should always seek to work in partnership with employers, engaging in constructive dialogue and discussion. What a trade union should not be is a deliberately destructive force, seeking to hold back the economy of the country and unduly inconvenience, or—worse still—endanger other members of society. The ultimate power of calling a strike should always be the last resort, following exhaustive efforts to seek the resolution of disputes. Let me be clear: the withdrawal of labour is a fundamental right, but it is a right that must be tempered with responsibility.

The Bill contains a number of sensible measures: for example, the expiry of the mandate to strike four months after the date of the ballot, and the prevention of the unacceptable scenario of union bosses using ballots, sometimes years old, to call strikes when the issues at hand, and crucially the opinions of workers, might since have shifted. Also the two-week notice period for employers is welcome, so that proper planning can take place. Furthermore, I support the Government’s view that the political contributions of union members should constitute an act of free will, which is not the case under the current arrangements.

My first reservation about the Bill—and I am grateful for the Minister’s consideration of it—concerns “facility time”, which clause 12(8) defines as paid time in which union representatives can undertake unions duties and activities. I am concerned about the fact that “facility time” conflates trade union “duties” and trade union “activities”. It should be clear that such time should not

be used for political activities such as the organisation of strikes and political lobbying, but should meet the genuine need for union representatives to be involved in important HR issues between individual union members and employers.

I suggest to the Minister that seeking to reduce “facility time” by publicising it, which does not take account of its exact nature, poses a risk that genuine HR matters may be unfairly neglected. I think that the Bill should clarify the position by making a subtle but important distinction between the sub-types of facility time, which should be carried through to the point of publication that the Bill stipulates. Such a clarification would surely be in line with the spirit of a measure that is, after all, designed to promote transparency and public scrutiny of “facility time”.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Does the hon. Gentleman believe that the same argument should apply to the Bill’s provisions on health and safety regulations?

William Wragg: I consider health and safety to be a union duty rather than a union activity, so I agree with that.

Surely transparency can only be enhanced by the introduction of an additional layer of detail, rather than the conflation which I fear could arise from the Bill’s current wording.

My second concern relates to the possibility of the use of agency workers to cover striking workers. I agree with every word that was said about it by my hon. Friend the Member for Elmet and Rothwell (Alec Shelbrooke), and I urge the Government not to go down that path.

Having raised those issues that concern me, I should add that I am minded to support the Bill, because I believe that we have a Minister who listens and can consider fairly arguments that are put to him in the House. I look forward to further discussions with him.

Let me end by saying that, while the events of the weekend may have revealed the Labour party’s desire to step back into the 1970s and 1980s, thus making themselves a political irrelevance, we Conservatives must show ourselves to be beyond that. We must show ourselves to be reasonable, responsible and, above all, relevant to the needs of the country. Yes, that means reform of the trade unions; but we must be careful not to be seen to erode fundamental rights and liberties of workers who are the foundation of our economy. We must look at measures objectively, and not risk fighting the battles of the past.

6.22 pm

Ian Lavery (Wansbeck) (Lab): I have great experience of much of what is in the Bill. I have been on picket lines on countless occasions, and I have been assaulted on picket lines on numerous occasions. Like my hon. Friend the Member for Blyth Valley (Mr Campbell), I have taken part in strikes many, many times, as a representative and as a worker in the coal mines in Northumberland—and yes, those may not have been just day strikes; they may have lasted a lot longer. I have been probably been on strike more than any of the 649 other Members of Parliament, apart from my hon. Friend. I have been involved in the check-off system,

and I have been involved with certification officers. I have been hauled before them as a trade union representative, and I have defended people through them. I have vast experience of these matters.

This piece of proposed legislation is not really about picket lines, armbands and social media. In my view, it represents a savage industrial provocation that is rarely seen or experienced in any modern democracy. These measures are simply headline-catching bolt-ons, designed, like the proverbial three-card trick, to distract—in a very Tory tradition—those who show an interest from the true meaning of the legislation. Quite simply, the Bill seeks to crush the last vestiges of dissent against an increasingly authoritarian right-wing Government.

Let us look at the dubious record of the Prime Minister and his “compassionate” Conservatives during the last Parliament. It can be seen very clearly. It is a record of mass privatisation—of the Prison Service, the probation service and Royal Mail—and the carving up of the national health service to near destruction, the introduction of the bedroom tax, the butchering of council budgets in poorer areas, and the slashing of social security for the most vulnerable. And what happened to those who dared to stand up against the Tory agenda? They were gagged as a result of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014.

The Bill is an affront to democracy. It is simply part 2 of that gagging Act, and goodness knows what will happen in part 3. It is designed to tie the hands and close the mouths of trade unions and their members, and to slit the throats of the parliamentary Opposition while the Tories hack their way to a state shrunken by their crass and flawed ideology. It is designed to ease through swingeing cuts in the public sector with no organised opposition, to proliferate the low-wage economy, and to help the Tories’ friends and donors to make millions on the back of a disorganised, downtrodden and low-paid work force. Working people will risk criminal records simply to oppose this disgraceful Government.

I agree with the right hon. Member for Haltemprice and Howden (Mr Davis), who said that bits of the Bill were over the top—for instance, the requirement for pickets to give their names to the police. What is this, he asked—Franco’s Britain? No, it is Queen Elizabeth II’s Britain. I fully agree with that.

As for the issue of people attending picket lines and putting on armbands, numerous Members have said that it would be far better to put on a shirt that read “Blacklist me—I do not want further employment.” Why not put a target on the back, and then put on a big hat? And as for the issue of agency workers, I can see a problem with people on benefits who will be sanctioned if they do not agree to be bussed into places where there are disputes, and to break strikes.

The Bill is part of a jigsaw of legislation that the Government have forced through during more than one parliamentary term. They are extending the role of the certification officer in regulating trade unions, which includes the granting of a new power to impose fines. That simply means the introduction of a new trade union tax: the unions will have to pay for the investigatory powers of the certification officer. It is ludicrous, and it is against democracy.

[*Ian Lavery*]

I believe that the Government clearly understand that the Bill is in breach of the European convention on human rights. It is in breach of a number of European articles, and it is in breach of the International Labour Organisation convention. The Government realise that, but they believe that if they get the Bill through, appeal after appeal will mean that any decision will be made for years to come.

The Bill must be opposed. It seeks to destroy freedom of association, collective bargaining, and the right to hold a view in the workplace. It must be killed.

6.28 pm

Rishi Sunak (Richmond (Yorks)) (Con): I echo comments that have been made by Members on both sides of the House. Without our trade unions, Britain would not have become the strong nation that it is today. In securing legal representation for employees suffering discrimination and safer working conditions for their members, our nation's unions have much in their history of which to be proud.

In my own rural constituency, I work closely with the National Farmers Union to back British farmers effectively. I would not support a Bill that stopped trade unions playing any of those constructive roles, because I believe that they are a valuable part of our society. That, however, is not the Bill that is before us; it is quite the opposite. This Bill does not make our trade unions weaker; in the long term it will help them be stronger by making them more transparent, more legitimate and, most of all, more democratic. The greatest danger unions in this country face is not from the legislators of this House; it is from the loss of the public's trust. Unions have always been powerful advocates for their members' rights, but it is important that we find a balance between the right of union members to strike and the rights of millions of working people to access the vital public services they rely on and to go about their daily lives without disruption. When 450,000 teachers go on strike in England, more than 8 million children are affected—millions of working families where mums or dads have to take a day off work.

Hannah Bardell (Livingston) (SNP): Does the hon. Gentleman agree that the use of the terms “working families” and “working people” as if people who are involved in trade unions are not good working people is offensive—just as offensive as this Bill is?

Rishi Sunak: I completely reject those comments. There is nothing in this Bill that is offensive: it is a moderate Bill that is attempting to balance the rights—[*Interruption.*] Absolutely; it is a moderate Bill that is balancing the right to strike with the rights of people who are trying to earn a living in difficult circumstances, and trying to get to work or go about their daily business. When my constituents' lives are disrupted and they express that frustration to me, I want to be able to tell them, because they want to be able to be sure, that that disruption was genuinely a last resort and a serious matter supported by a strong and continuous mandate. I do not want to have to tell them that their lives were seriously inconvenienced by a strike supported by just 22% of members almost two years ago.

Unions were created to give the weak more power against the strong, yet too often we find that strike action can hit the most vulnerable the hardest. When vital public services are put out of action, it is not well-paid corporate executives who suffer; it is someone doing less well-paid shift work, because if they cannot make it to work, they will not get paid. That is who I am thinking of when I think about the provisions in this Bill.

Despite the scaremongering, this Bill does nothing to prohibit strike action. Instead it simply ensures that the right to strike is balanced with the rights of people who are affected by strikes and have no say in whether or not they will happen. It ensures that those strikes are the result of a clear and positive democratic mandate from members. To me, this balance appears reasonable, fair and necessary.

Suella Fernandes (Fareham) (Con): Does my hon. Friend agree that the context of this Bill is that it is intended to deal with the problem of a 77% increase in the loss of working days over recent times? Last year alone the number of days lost to industrial action was higher than the average of the 1990s and 2000s.

Rishi Sunak: I agree with my hon. Friend. In today's world, it is important that we maintain a competitive economy and increase employment, and having trade union legislation that is updated for that modern economy is vital if trade unions are to ensure their relevance in today's economy.

Kirsten Oswald (East Renfrewshire) (SNP): Will the hon. Gentleman give way?

Rishi Sunak: I am sorry, but I would like to make some progress.

I was proud to see that it was the original one nation Conservative Prime Minister Benjamin Disraeli who first legalised the picket line. That is a legacy that I, and I am sure my colleagues on the Front Bench, have no intention of turning away from. In fact I commend the majority of unions who work successfully with the police and other authorities to ensure safe, lawful and constructive picket lines. But if those picket lines become a means to intimidate non-striking workers and impact their families, something has gone wrong. Intimidation or harassment of individuals is simply not acceptable in today's Britain.

Liz McInnes (Heywood and Middleton) (Lab): Will the hon. Gentleman give way?

Rishi Sunak: I am sorry but I am keen to carry on.

Therefore it is right that key provisions in the existing picketing code become legally binding. It is right that unions are accountable for the behaviour of their picket lines, to tackle this problem of intimidation, otherwise I fear the reprehensible actions of a few—a tiny minority—will undermine the lawful, peaceful reputation of the vast majority of unions and their members.

In sum, this Bill ensures that unions can continue to play a valuable role, doing the work they do best while operating with the transparency, fairness and democracy they need to retain the public's confidence. This is not a Bill against trade unions; it is a moderate Bill that balances the rights of unions and people working across this country, and I commend it to the House.

6.35 pm

Alex Cunningham (Stockton North) (Lab) I have been a trade unionist since I was 18 and am currently a member of Unison. I have also spent six weeks on strike. My then young family suffered the consequences and we got into debt as a result. It took a while for us to recover, but recover we did, and we benefited in the longer term after the dispute was settled. Nobody wants to strike. I had two young boys and I went on strike not for the fun of it, nor in some bizarre attempt to damage my employer or his customers, but because my employer was being unjust and it took a walk-out for him to come to his senses and offer a fair wage settlement.

The law allowed us to strike, but only after we had cleared the hurdles or met the criteria laid down by the then new Thatcher Tory union legislation. We did not like Thatcher's restrictions but we worked within them. The Tories of the day thought they were balanced and provided protection for the employers and the wider public; I thought they were extreme. But now the current Tory Government want to impose more restrictions, which could see local unpaid trade unionists dragged into court for all manner of reasons including placing messages on Facebook or Twitter without giving the requisite notice demanded by the Government.

Andy McDonald (Middlesbrough) (Lab): Does my hon. Friend agree that every time the Tories come to Parliament to introduce these sorts of powers, which are ever-more draconian, they always say they are balanced and reasonable?

Alex Cunningham: They certainly do, and they have said the same of this legislation today.

The Tories have made a big thing about opposing identity cards, but now demand that trade unionists have them as well as armbands to help single them out, yet it is unclear how compliance with these and other requirements are connected to the prevention of intimidation of non-striking workers. Laws already exist which prevent that and unions must comply with a detailed statutory code of practice.

Peaceful protest is an important part of an open and democratic society, and there should be no place for a law that makes criminals of people making their voices heard in this way. But the Minister's eagerness to undermine the trades unions, and put limits on their members' rights to freedom of expression, makes me wonder exactly what it is that he is scared of. Perhaps this is just a mechanism to sting the unions in the pocket and to silence the inevitable protests that will come as the Government continue to erode the rights of workers and screw down pay, particularly in the public sector.

Let us not forget that public sector workers in particular are already under the cosh. The recently announced extension of pay restraint will hurt these workers for a further four years, with most having already been hit pretty hard with poorer deals on pensions, and many others now facing the prospect of losing their job as deeper cuts to the public sector continue to bite.

The ability of workers to withdraw labour is fundamental to our democracy and I am not aware of any democracy elsewhere in the world that imposes such severe restrictions on legitimate industrial action. It is worth remembering that the UK already has one of the most regulated systems of industrial action in the world.

The Bill dictates that industrial action, including strike action, will only be lawful if a minimum 50% turnout among those trade union members entitled to vote is achieved, while additionally requiring 40% of those members balloted to vote in favour of industrial action across what the Government term "important public services". This term is of great significance. The Tory manifesto, as well as the subsequent Queen's Speech briefings, stated that the 40% requirement would apply only to four "essential public services": health, fire, transport and education services. Yet the Government have now extended this list to include other sectors, such as border security, the decommissioning of nuclear installations and the management of radioactive waste.

I would also welcome any clarity the Minister can provide around how he intends to escape the inevitable confusion arising when attempting to ballot a workplace where some occupations are covered by the "important public services" provisions and others are not. Will the Minister give further details on the requirement for "reasonably detailed" information to be provided on ballot papers? If a failure to provide such information is to be a basis for legal action by employers against workers taking industrial action, it is crucial that the House should be informed in advance of how "reasonably detailed" is to be defined.

The Government also peddle the claim that the 40% requirement will legitimise any ballot outcome. Have they considered what that would have meant if applied to them in the ballots they faced just a few months ago? I have, and it is a fact that 16 of the 27 Ministers who attend Cabinet would never have been returned to Parliament if they had needed 40% of their total electorate to vote for them.

The Bill will create substantial legal and administrative costs for unions, which will be required to report annually to the certification officer on levels of industrial action and on how political funds have been used. This is on top of additional cost burdens elsewhere, should the changes to check-off procedures and facility time pass unamended. There is no parity under these rules with the functions of other civil society or campaign groups. If the political use of union funds has to be reported regularly and in detail, perhaps we should have a parallel system for those companies whose donations fund the Tory party. They, too, should be compelled to outline in similar detail to shareholders, at regular intervals, how they have spent their money funding their friends on the Government Benches.

In relation to modernisation, the last Tory-Lib Dem Government continued the good progress made by Labour to promote e-government and all manner of new ways of doing business more efficiently. Surely our unions should be able to do likewise, with online ballots to maximise participation and ensure a clear mandate for industrial action. Sadly, the Government do not appear to favour that. Will the Minister tell us why not?

The Government claim to be the party of working people, but threatening the right to take industrial action tilts the balance of power in the workplace too far in favour of employers. It will mean that workers are unable to stand up for decent services and safety at work, or to defend their jobs or pay. It is clear that the Government are not interested in encouraging workplace democracy. Instead, they are attempting to prevent midwives, firefighters, teachers and cleaners from protesting

[Alex Cunningham]

against cuts in jobs, pay and conditions. I find this unacceptable, and I very much hope that the Government will reconsider these calamitous proposals.

6.42 pm

Oliver Dowden (Hertsmere) (Con): Like my right hon. Friend the Member for Haltemprice and Howden (Mr Davis), I shall begin by declaring an interest. I also have a family link to trade unions: my grandfather was a trade union activist. He was known as Red Harry, and his obituary appeared in *Socialist Worker*. I mention him not only to declare an interest but to draw attention to what has changed in our industrial relations. When he was a trade union activist, during the first half of the last century, the principal conflict was between workers and capital. Much was achieved by the combined work of the Labour party and the trade unions in enhancing workers' rights, but Labour Members, some of whom tend to use rather over-the-top language, should recognise that things have changed quite a lot in the past 50 or 60 years.

When trade unions choose to go on strike, it is often other workers who are adversely affected by the industrial action. The Conservatives are a party of workers, which is why we have committed ourselves to introducing a national living wage, to increasing the tax allowance for the lowest earners so that they can earn money tax free, and to providing people with free childcare. As part of that commitment to workers, we also need to think about the impact of strikes on other workers.

Let me give the House an example from my constituency. If a teachers' strike is called, it is other workers who feel the consequences. The working lives of the mums and dads are disrupted. They have to pay for alternative childcare and go through the stress and hassle of not being able to pick up their children from school and not knowing who will do so. It is right that we should balance the interests of the two groups of workers.

Mhairi Black: Saying that strikes are disruptive is not an argument against trade unions. They are meant to cause some kind of disruption, in order to show how strongly people feel and the lengths they are prepared to go to.

Oliver Dowden: Of course strikes are intended to be disruptive, but one of the fallacies that has been put forward by Labour Members is that the Bill proposes to take away people's right to strike. It simply seeks to balance the interests of the workers in the trade union against those of other workers who are subjected to the effects of the strike.

Kirsten Oswald: Is the hon. Gentleman aware that the chief executive of the Chartered Institute of Personnel and Development has suggested that the Bill is dealing with problems of the past and has nothing to do with the current situation?

Oliver Dowden: The hon. Lady might say that, but recent analysis shows that in the past four years, 3 million days have been lost to strike action. I am not content with the impact of that on my constituents. Hertsmere is close to London, and when there is a tube strike or a

train strike, my constituents are massively adversely affected. I am not saying that that should never happen, but the Bill will rightly set a balance in three important respects.

First, the Bill states that if a strike is to be called, there will have to be a vote of at least 50% in favour of it. If the strike action is to be taken by those working in core public services, such as transport or education, four out of every 10 people in that union will have to vote in favour of it. Contrary to the assertions of Labour Members, this will not stop strikes happening. Indeed, the latest analysis shows that between 50% and 60% of strikes would still go ahead under the new legislation, but we must rebalance the interests of the workers who are trying to serve their communities with those who are going on strike.

The second important principle relates to workers in my constituency and elsewhere who are members of trade unions but who do not necessarily share the goals of the Labour party.

Grahame M. Morris: Many of the hon. Gentleman's colleagues have made that same point about strike ballots, using the transport strikes in London as an illustration. The truth is, however, that the legislation will not make any difference. The ballots held by ASLEF and the National Union of Rail, Maritime and Transport Workers have huge turnouts, and their members are expressing legitimate concerns about safety and manning levels that many of the travelling public share. I do not know whether the hon. Gentleman has used the tube recently, but the stations are being denuded of the human beings who used to be there to offer assistance. This measure will do nothing to help that position. In fact, it will make matters worse.

Oliver Dowden: Labour Members cannot have their cake and eat it. They cannot simultaneously say that this is an horrendous piece of legislation that will stop all strike action while also saying that it will have no effect. The hon. Gentleman should choose one line of argument or the other. Teachers would certainly be subject to the legislation, and their last strike would have been affected by measures such as these.

I was talking about people in my constituency who are members of trade unions. There are important reasons for being a member of a union. For people who are the subject of unfair dismissal, for example, a trade union can often be a good source of advice and information. People join unions for a variety of reasons, but they often do not wish to give money to the Labour party. There should be a simple principle that if a union wishes to give the party money, its members should be able actively to choose to do so, in much the same way as if they were making a direct donation to the party. I see no unfairness in that. I am simply saying that if people support the Labour party, they should be able to choose to give it money.

Thirdly, the Bill works to redress the balance between striking and non-striking workers through the proposals to minimise the disruption caused by strike action. It is perfectly sensible to require 14 days' notice of a strike. It would also be sensible, for example, that if the teachers at my daughter's school were to go on strike, agency workers could be brought in so that my children's education would not be disrupted. Similarly, it would be

sensible to bring in agency workers so that commuters from my constituency would not be disrupted by a transport strike. That would not be cost-free to the employer, who would have to pay high rates to employ agency workers at short notice. Interestingly, given where the Labour party is at this stage, Labour Members have a choice: are they going to embrace the modern world and be on the side of workers—people in their constituencies who go out to work every day and do not want to be disrupted—or are they going to go back to the same old arguments that we thought had been settled 20 or 30 years ago? Interestingly, the measures taken then have never been repealed by the Labour party. I am absolutely clear which side I am on and which side the Conservative party is on. We are on the side of ordinary, hard-working people, while maintaining the right to strike. That is why I shall be voting in favour of this legislation.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Just to try to ensure that everybody gets in, with 46 speakers still to come, we are going to have to work with four minutes each. If we can hold to that, we will be doing very well.

6.50 pm

Kirsten Oswald (East Renfrewshire) (SNP): Thank you, Mr Deputy Speaker, for calling me to take part in this important debate. It has been interesting listening to the contributions of other hon. Members and, in particular, to the excellent speech made by my hon. Friend the Member for Glasgow South West (Chris Stephens). I hope to make a contribution from a slightly different perspective from that of some of my colleagues today. Before being elected to this place, I spent all my career working in human resource management. In the interests of transparency, I should say that I am a member of the Chartered Institute of Personnel and Development. I worked for many years in a job where I sat as part of the management side in negotiations with trade unions, so I come to this debate with an outlook developed at least partly as a result of my professional background. I am contributing as someone who has had to make difficult decisions when dealing with challenging employment issues, including collective redundancy negotiations and industrial action.

I also come here, however, as someone who knows that the most challenging situations and all the difficult discussions were entirely more productive and more effective, and carried more weight, because they were dealt with in partnership with trade unions. I did not always agree with my trade union counterparts, and they certainly did not always agree with me, but that is surely the point: sometimes there will be different perspectives, and that is entirely healthy and appropriate. It is clear that when tough decisions have to be made, communication is the key to an effective and productive workplace culture. We do need to accept, however, that occasionally we will not agree, no matter how much discussion we have had—that is a fact of life—and no Bill will make employers and staff agree on everything.

What this Bill will do is: ensure that any disagreement is squashed by management, without any constructive dialogue; render any dialogue that there is futile; and ensure that the important and constructive voices of staff are lost, drowned in a welter of arguments about

minutiae of process or brushed aside. This Bill is a recipe for turning disagreement into conflict, and for escalating a short-term problem into a fundamental break in relationships in the workplace. Interfering in the employment relationship with this restrictive and provocative Bill is a backward step. It appears to be driven more by ideology, and by malice towards trade unions and their members, than by any desire to improve industrial relations.

We have already heard about the leading academics in industrial relations who wrote to the newspapers describing the proposals as “draconian” and “perverse”. They recognise the positive contributions of unions to performance, improvement and innovation in the workplace, and they decry the Government’s proposals as undermining the ability of unions to protect terms and conditions, and leading to the loss of employee voice. They are right to point out that this Bill will also have an impact on those who are not members of trade unions. They say that

“it will feed into the labour market by increasing endemic low pay and insecure terms and conditions of employment among non-unionised workers.”

Even the Chancellor is now persuaded that low pay is a problem that we have to grapple with, so we must wonder why the Government are so keen to introduce this Bill. If they were serious about looking at the relationships between employees and their representatives, they would focus on how to engage and involve employees and unions in increasing productivity, through fairer and supportive rights for workers. If we look at the current levels of industrial action, as summarised by the Library, we see that it is difficult to fathom what reasons, other than ideological ones, the Government can possibly have for seeking to make these changes. The Government sell themselves as being interested in productivity and business, but these proposals run entirely contrary to that ethos. The Bill introduces unnecessary new and complex bureaucracy: it will increase costs for unions and employers, as legal disputes develop; and it undermines social justice. If this Bill is passed, and I sincerely hope that it is not—

Mr Deputy Speaker: Order. I call Richard Fuller.

6.54 pm

Richard Fuller (Bedford) (Con): It is a great pleasure to follow the hon. Member for East Renfrewshire (Kirsten Oswald). I am delighted to have been able to sit through this debate, because once one gets over the bluster and extreme rhetoric one sees that points have been made by Members on both sides that will be helpful to the Minister in examining the Bill in detail as he takes it into Committee. We have heard about the Bill’s importance for union leadership, for union members and, most importantly, for the public as a whole, but I come to this House with a background in business, so I wish to make a couple of comments from its perspective.

The issues that affect people in a strike come from a breakdown in a partnership between those who operate businesses and the people who work within them. The most important criterion for business is that private sector businesses have benefited tremendously from a 30-year consensus on the way in which industrial relations have operated in this country. It is therefore important for business to hear from this House today that that consensus, on both sides of the House, both today and in the months ahead, is continuing as far as it can.

[Richard Fuller]

Secondly, it is important to point out the difference between what has occurred during that period of consensus in the private sector and what has happened in the public sector. In the last four years of the last millennium—1996 to 1999—there were 199,000 days lost from private sector strikes, compared with 278,000 from public sector strikes. In the past four years—2010 to 2014—the number for the private sector had more than halved, to 74,000, whereas the figure for the public sector had more than doubled, to 573,000. Something in this consensus is working in the private sector but not working so well in the public sector. A particular issue is that in three of the past five years one area of the public sector, education, accounted for more than 50% of public sector strikes.

I ask the Minister to consider some specific points. First, on the issue of the 40% additional threshold. I am pleased that the Government are looking at consultation, but the points made about the ability of the union leadership to control and minimise wildcat strikes do carry quite a weight. It would be interesting for the Minister to consider whether the notice period of 14 days before strike action will achieve most of the goals that are seen as required for that 40% threshold. May I encourage the Minister to include in clause 6(1), on information to the certification officer, a provision about the outcome of the industrial action? That information is useful for members, too. If they are asked to go on strike, they should know what the consequence of the strike was—what they achieved by it—so they can see whether such action is playing a good role.

There are extensive new roles for the certification officer, and business would like to be assured that this will not lead to additional disclosure requirements on business in the future. An industrial dispute still has two sides; one may be out on strike but the other side is dealing with that strike. We are placing information requirements on the trade union, but will there be a need for any similar information requirements on or disclosure by business?

Finally, on privacy and free speech, will the ministerial team listen carefully to the points that have been made, because we do not want trade unionists going about their business in towns across the country inadvertently finding themselves criminalised? I am sure that that, on its own, would undermine the consensus. I hope the Minister will examine those points carefully in Committee.

6.58 pm

Mr Michael Meacher (Oldham West and Royton) (Lab): This is a Bill of naked discrimination against the trade unions, designed to cut the funding of the Labour party severely and, thus, to entrench the Tory party in power, as well as to make it almost impossible to strike in certain industrial sectors. However, it is worth quoting the stated purposes of the Bill, which the Government pretend are their motives. The first is to “pursue our ambition to become the most prosperous major economy in the world by 2030”.

That is beyond satire. The truth is that after seven years of austerity following the great crash wages are still 6% below pre-crash levels, productivity is flat, the FTSE 100 companies are not investing and household debt is now tipping £2 trillion. The idea that after this Bill we will be overtaking Germany and the United States in the next 15 years is ludicrous.

The Government’s second “reason” for this Bill is to “ensure hardworking people are not disrupted by little-supported strike action”.

The best answer to that was that given by *The Times* commentator, Philip Collins, on the day the Bill was presented, on 15 July. He said:

“Strike action, fox hunting, the BBC, Europe, migrant benefits. The Tory ability to identify things that are not problems, then attack them.”

The truth is that the number of days lost to strike action now is less than one tenth of what it was in the 1980s. Of far greater importance to the state of the economy is the chronic underinvestment in skills. This Bill, while obnoxious, is utterly irrelevant to the key problems of this country. The tube workers aside, only teachers and firefighters have caused any real national concern since 2010, and even they normally did so only one day at a time. Even the resistance of the National Union of Rail, Maritime and Transport Workers to plans for keeping the underground open all night are not that unreasonable. Night shifts are unsociable, unhealthy and potentially dangerous as they lead to over-tiredness. But the central point here is not acknowledged in the Bill. The Government seem to believe that whenever a strike occurs, it is always the fault of the workers irrespective of what the employer has done.

It is true that most employers are probably decent and reasonable, but there are a distinct minority of them who are intransigent and who behave thoroughly unreasonably and badly. To penalise and intimidate workers in such cases, when it is the employer who has overwhelmingly caused the breakdown in industrial relations, is wholly unfair and wrong. The last thing that the workers want to do is to go on strike, but when they have genuine, reasonable and pressing demands over such essential issues such as job losses, safety problems and pay, and those demands are swept to one side, as they often are, with little or no negotiation, they have no alternative but to take industrial action. To blame and penalise them and not bad management, as the Tory party and its pals in the media automatically do, is a total charade. The conditions for industrial action are prohibitive. The net effect of all these measures is to make it impossible to strike.

7.2 pm

David Rutley (Macclesfield) (Con): I was there in the 1980s, studying at the London School of Economics—the so-called hotbed of socialism. I had the T-shirt that proclaimed, “The LSE is revolting”. Today, we see that those on the left are at it again. They love a revolution, but this time they could not even convince their Front-Bench Members—well, they are on the Front Bench now—to follow them. Saturday’s leadership election result underlined the fact that the policies of Labour’s new Front-Bench team are a clear threat not only to our national security but to our economic recovery. With the increase in union influence that will inevitably follow, this Trade Union Bill will be more relevant than ever before, and I commend the foresight of those Ministers who drafted it.

I understand that unions have an important role to play in the workplace for their regular members. That was clearly evident in Bosley, following a pretty tragic explosion on 17 July at Wood Treatment Ltd. Four people lost their lives and two others are still recovering from severe burns. Our thoughts and prayers continue

to be with them and their families and friends. The response from the emergency services has been professional and courageous. The local council has been proactive, which is greatly appreciated by many. The response from the community in Bosley and across Macclesfield has been absolutely top drawer, with more than £150,000 raised for those affected by the incident. It would be wrong if I did not also recognise the important work of the GMB in providing advice and support to those who have sadly lost their jobs. It has been greatly appreciated. The support underlines the good work that many unions are able to do on behalf of their members. The reforms before us will help and support regular union members who come up against the worst excesses of those on the left who put firebrand politics first.

We on the Conservative Benches pledged in our manifesto to tackle this issue, and I am pleased that the Conservative Government have put this Bill before the House so speedily. Clause 2 introduces a 50% voting threshold, which is essential to ensure that a small vocal minority is not able to exert undue influence in often quite tense industrial disputes. It is right that there is a second test, particularly in the more essential public services. Disproportionate disruption can be caused to people who have no say in the calling of that strike. It is important that we ensure that the rights of those who use the service—the public—are taken into account just as much as those who are calling the strike, particularly given the recent tube strikes. The right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) talked about inconvenience of the strike, but the truth was that there was massive disruption that cost tens, if not hundreds, of millions of pounds. Such things need to be borne in the mind and dealt with, which is what this Bill seeks to do.

We need to look at minimum service levels. I understand that the Government are looking at the experiences in Italy and Spain, and I encourage them to take that matter forward. It is positive too that we are looking to end the ban on using agency workers. We must ensure that public services are provided for those who have paid for them—the taxpayer. This Bill will help to take our economy forward, and for that reason it has my full support this evening.

7.6 pm

Andy McDonald (Middlesbrough) (Lab): I declare my interest as a member of Unite the union. The Bill exposes the Government's self-appointed title as the workers' party and their claim to be the party for working people as little more than empty rhetoric devised by the spin doctors at Tory HQ. It is a total misnomer to claim to be the party for working people while simultaneously steamrolling over those very workers' democratic rights and civil liberties.

Last year, Pope Francis said:

"Trade unions have been an essential force for social progress, without which a semblance of a decent and humane society is impossible under capitalism."

The trade union movement in the UK, independent of the Labour party and with the Labour party, is responsible for the fundamental gains of working people, many of which we now take for granted, including the weekend, maternity leave, the national health service and the national minimum wage.

The role of trade unions in society as a counterweight to the pressures of capital is essential for the protection of decent standards of living as well as a driver of economic growth. That was true in the 19th century and the 20th century and it is true now.

The Government are carrying out this attack on trade unions not for practical reasons supported by evidence, but out of their ideological commitment to fighting the battles of generations past and to pursuing their mission to weaken and destroy the labour and trade union movement. Let us make no mistake about it, the purpose of requiring union members to opt-in to political funds is to attack and damage the finances of the Labour party so as to make the Conservative party's financial advantage even greater than it already is. If this Bill passes, it would break a long-standing consensus in British politics that the Government should not introduce partisan legislation unfairly to disadvantage other political parties. Here in this House in 1948 Winston Churchill cautioned against taking such steps. He said:

"It has become a well-established custom that matters affecting the interests of rival parties should not be settled by the imposition of the will of one side over the other, but by an agreement reached either between the leaders of the main parties or by conferences under the impartial guidance of Mr. Speaker."—[*Official Report*, 16 February 1948; Vol. 447, c. 859.]

Even Margaret Thatcher, a Prime Minister whose term was defined by her opposition to the trade union movement, considered the proposals such as the ones set out in this Bill to be too extreme. She said that

"legislation on this subject, which would affect the funding of the Labour party, would create great unease and should not be entered into lightly."

She was not wrong. This Bill will create great unease and for once in my life I find myself in total agreement with Mrs T.

These proposals are so unreasonable and extreme that they will undoubtedly raise the serious prospect of legal challenge. The interference of the state in the affairs of trade unions is counter to article 11 of the European convention on human rights. We are signatories to the European social charter and as a nation we agreed in article 5 that our national laws would not restrict the freedom of workers to form and join organisations for the protection of their economic and social interests. The Bill directly contravenes our country's commitment under the charter.

Our rights were not handed down from above; they were fought for tooth and nail, often against Conservative Governments. Government Members should be aware that those rights will not be given up easily. If the Government continue with their authoritarian plan to abuse their time in office by attacking our democratic rights, they would be wise to remember that for every action there is a reaction. I hope that wiser counsel from their Back Benches will prevail in bringing their Front Benches back from the brink.

This is a vindictive Bill that is designed not to address a social, moral or economic priority, but to fundamentally damage political opposition. It is more than a step too far. If the Government do not reconsider—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Chris Philp.

7.10 pm

Chris Philp (Croydon South) (Con): It is a pleasure to follow that thoughtful speech from the hon. Member for Middlesbrough (Andy McDonald), particularly as he quoted Margaret Thatcher with approval.

The history of trade unions is an honourable one, arising in the late 19th century, when workers were suffering from widespread oppression. Throughout the late 19th and early 20th centuries, trade unions performed vital functions. It is worth remembering, of course, that many of those functions are now fulfilled by Parliament; it has legislated for a national minimum wage, provision for sickness and holiday payments, protection against unfair dismissal and so on. Therefore, many of the injustices that trade unions quite rightly fought against at the outset have now been dealt with by Parliament. I want to emphasise that the right to strike and the right for trade unions to operate are in no way threatened by the Bill. The right to strike will still exist, as it absolutely should.

The hon. Member for Middlesbrough and the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) both asked the question, “What is the purpose of this legislation?” Its principal purpose is to protect people who suffer when strikes take place. Let me quote a lady from Stoke-on-Trent who runs a hairdressing salon and has a child:

“It isn’t fair on parents, who could be missing out on a day’s pay by not working when teachers strike.”

Strikes have a profound effect on other members of society, which is why it is appropriate to put in place a reasonable threshold before strike action can be taken. For example, exactly a year ago Unison’s NHS staff voted for strike action on a turnout of 16% and with 11% of the membership voting in favour. I do not think that mandate is strong enough to merit inconveniencing tens of thousands of patients and potentially having operations postponed.

Furthermore, since 2008 there have been 26 strikes on the London underground—I am a London MP, and I have lived in this city all my life. Anyone who claims that the National Union of Rail, Maritime and Transport Workers does not strike lightly has not tried to travel in this city during one of those 26 strikes. I point out that 19 of those strikes would not have happened under this legislation.

Catherine West: But does the hon. Gentleman accept that those strikes have tripled since the Tories took over in London in 2008? It is an absolute disgrace that the Mayor of London has never sat down and met the trade unions and treated them as though they were equal partners or human being in the same race.

Chris Philp: I think that it is very unfortunate that the RMT has chosen to be so confrontational. As my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) pointed out earlier, even his predecessor, Ken Livingstone, met RMT officials only once, and he insulted them in the meeting.

Questions were asked earlier about the mandate for this legislation. I remind those Members who oppose the Bill that a YouGov poll conducted only four weeks ago found that 53% of Londoners are in favour of these measures and only 26% are opposed. Moreover, I challenge

the assertion made by some Opposition Members that union activity does not stoke excessive strike action. It is instructive to compare days lost due to strike action in the private sector, where union membership is relatively low, with days lost in the public sector, where union membership is more widespread. We find that last year the number was 40 times higher in the public sector than it was in the private sector, despite the fact that terms and conditions—pay, holidays and so on—are, if anything, slightly better in the public sector.

I would like briefly to address the issue of facility time. The TaxPayers Alliance—[*Interruption*]*—*which clearly commands widespread support on the Opposition Benches, has calculated that the effective subsidy to unions from the public purse as a result of facility time is £108 million every year. The unions do not necessarily need that money—they have plenty of money to make political donations with—and it is not reasonable for the public purse to fund what is often party political activity.

In conclusion, I think that the Bill is a reasonable, moderate measure that will protect people from the often very disruptive effects of strike action.

7.15 pm

Jo Stevens (Cardiff Central) (Lab): I draw the House’s attention to my entry in the Register of Members’ Financial Interests, and to the fact that I am a member of the GMB and Unison. This Bill is illegal, illiberal and illiterate: illegal because it contravenes international standards; illiberal because it takes a hatchet to civil liberties; and illiterate because it is badly drafted and will leave the law in a mess, creating uncertainty and cost not only for trade unions, but for employers. The reason it is so badly drafted is that it is a crudely partisan measure that the Conservative party is seeking to rush through for purely political ends.

Why are we debating the Bill today? Is there any urgency for these provisions, or any demand resulting from the parliamentary timetable? No, there is not. We all know why we are here today. We are here today because the Government deliberately timetabled the Bill’s Second Reading to coincide with the first full day of the Trades Union Congress, when those MPs who are proud trade unionists, as I am, would have been in Brighton talking with working people about the issues that really matter, such as low pay, zero-hours contracts, inequality and insecurity at work. Instead, we are here to discuss this shabby, shameful Bill. That shows the Government’s contempt not only for trade unions, but for democracy.

The Bill was published on 16 July. Consultations were scheduled to take place over the summer recess and closed only five days ago. This debate was scheduled for today even though the Bill is incomplete and the Government have accepted that it will require many amendments. The clearest example of that is on the deduction of union subscriptions. On 6 August the Minister for the Cabinet Office and Paymaster General announced the Government’s intention

“to abolish the practice of checkoff across all public sector organisations”.

He announced that those changes would be in the Bill, so where are they? Where are the proposals and the draft clauses? They are nowhere to be seen. There is neither a timetable for publication of those clauses, nor a commitment

to any period of consultation. The Bill is a disgraceful attack on the right of employers and unions to freely negotiate arrangements that best secure constructive industrial relations.

Before being elected to this House, I was a director of a significant private sector employer, responsible for industrial relations with around 1,000 members of staff. We recognised a trade union to represent our staff, to collectively bargain on their behalf, to represent their interests and to ensure that we could discuss with them any changes necessary for the continued success of the business in the best interests of staff. To do that, we had check-off and facility time in place. As we have heard from many Members today, deductions from payroll are a common way for employers to help employees with regular payments. Many Members make payments to charity through our payroll and the Independent Parliamentary Standards Authority. It is good enough for them, but it seems that it will not be good enough for trade union members. Check-off arrangements worked for us as an employer and for our staff, and it was freely agreed. Many employers in both the private and public sectors feel the same.

I will finish with a point about devolution and the inadequacies of the Bill. The Bill deals with public services that are devolved to Wales, including the way public sector bodies work with trade unions to ensure effective delivery of services to the public, including my constituents in Cardiff Central. Therefore, I ask the Secretary of State to heed the warning from my Labour colleague, the First Minister of Wales, that there are necessary and critically important changes that must be made to the Bill. But I would go further. It is an unnecessary, dangerous and flawed Bill.

Mr MacNeil: Will the hon. Lady give way?

Jo Stevens: I will not give way.

I urge the Government to listen not only to me and to my colleagues on the Opposition Benches, but to the business community, civil liberties organisations, respected academics, trade unions and, most importantly, the public—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Mr Alan Mak.

7.19 pm

Mr Alan Mak (Havant) (Con): I am grateful for the opportunity to speak in this important debate on reforming and modernising our trade unions and helping to secure Britain's economic recovery.

Trade unions have an incredibly important and constructive role to play in terms of industrial relations, helping their members, and as a part of wider civil society. For generations, trade unions have played an important role at the heart of their communities and in many workplaces, offering services from education and training to legal and financial assistance. For that reason, there are trade union members in all parts of the House, including my own.

However, trade unions are also powerful, well-funded organisations that must accept that power, wealth and influence come with responsibility and accountability. We must therefore balance their rights with those of

working people, communities and businesses that have the right to expect that the services they rely on day in, day out are not disrupted at short notice by strikes supported by only a small proportion of union members. Similarly, there must be clear and positive mandates for any disruptive union action, as well as reform of trade union practices such as funding, picketing and use of facility time. This Bill sets out those necessary reforms.

Equally importantly, these Government reforms strengthen Britain's economic competitiveness on the world stage. Britain is in a global race for success, engaged in a big fight not only with established economies in Europe and north America but fast-growing economies in Asia, Latin America and Africa. To build a strong and growing economy and, in turn, a more prosperous and fair society, we need employers that are open for business, schools and colleges that are not closed by strikes, and transport systems that let our commuters, visitors and shoppers go about their business.

Last-minute strikes and poor trade union practices hurt Britain's productivity and growth at home and hinder our competitiveness abroad. The reforms in this Bill are welcome, beginning with reform of balloting for strikes. Strikes should only ever be a last resort and held as a result of a clear, positive decision. I therefore welcome the measures in the Bill to provide more clarity and democracy. The Bill will improve trade union practices and increase transparency. I particularly commend three measures: first, time-limited mandates, which will improve clarity and democratic legitimacy; secondly, the requirement for clear description of the planned industrial action, which is fair and reasonable; and thirdly, the proposal for a new, transparent opt-in system for political subscriptions, which is welcome.

A poll by the Federation of Small Businesses found that last year's strike action on the London underground cost about £600 million in lost hours, lost business, and lost productivity. Across Britain this year, we have again seen the shut-down of the London underground, strikes on ferries in western Scotland, strikes on trains on the First Great Western network, and strikes on buses in Cardiff, with future strikes potentially affecting the rugby world cup.

Oliver Dowden: Does my hon. Friend agree that often it is not trade union members in general who cause these strikes to happen, but a very small, politically motivated number of union organisers, and that is why it is right to have the threshold in the Bill?

Mr Mak: I thank my hon. Friend for his positive intervention; I completely agree. It is members of trade unions, who are working people, that the Bill seeks to protect.

The cost of this last-minute, poorly supported industrial action is substantial. It hurts our economy at home and hinders our competitiveness on the world stage. If we are to run and win the global race for success in an increasingly competitive global market, we need our shops and businesses to be open, generating wealth; we need our students and apprentices at school or college learning and developing the skills to win; and we need our workers and communities on the move, not stuck at home. We simply cannot afford the lost wealth that poorly supported strikes cause.

[Mr Mak]

Trade unions have a constructive role to play, but like all organisations they must modernise, move with the times, and accept that with power and influence comes the need for more accountability and more transparency.

Ian Mearns (Gateshead) (Lab): Can the hon. Gentleman give some recent examples of “last-minute” industrial action?

Mr Mak: Anyone who has used the London underground will know that the trade unions strike on a whim and compromise the ability of shoppers, businesses and investors to go about their business. That is why it is right that the Bill brings in measures to make sure that that can never happen in future.

This Bill balances the rights of trade unions with those of working people, commuters and businesses. It also creates a new framework of industrial relations that allows Britain to grow at home and makes sure our economy is strong while competing and succeeding on the world stage. The Bill deserves the support of the whole House, and I commend it to all hon. Members.

7.24 pm

Kevin Barron (Rother Valley) (Lab): Over the course of history, the workplace has been the scene of many grave injustices: slavery, child labour, squalid and dangerous working conditions, and desperately low pay. A lot of that has been eradicated, although sadly not for all in the United Kingdom.

Even in the modern workplace, there still exists an imbalance of power between the employer, who can decide, often unilaterally, on terms, conditions and pay, and the employee, who is dependent on the employer for work. Individuals who want to negotiate with their employer to improve their lot may not have direct access to them or fear recriminations if they approach them alone. That is well known in this House, as it should be. In a world where there is always someone else available to do a job, potentially for less money, this power structure can lead to poor pay, unsafe conditions, discrimination, and exploitation.

In the UK, a lot of the bad things have been got rid of because of what the unions and other campaigning organisations have done. Even so, only a short time ago we were legislating against modern-day slavery. We have made changes in this House in relation to employment tribunals and unfair dismissals. The reintroduction of charges on individuals who want to claim for unfair dismissal has reduced the number of such claims by 70%.

Andy McDonald: Does my right hon. Friend share my concern that successive Conservative Members have praised trade unions and extolled their virtues and their value, and in the next breath said that they want to restrict their freedoms and abilities to function as trade unions? Does he find that that rings hollow?

Kevin Barron: It rings very hollow.

The Government would have us believe that they are impartial in passing legislation relating to the balance between employer and employee, but they are not impartial at all. In fact, in their capacity as an employer they have a significant vested interest in undermining the actions

and the future of trade unions. The state is a huge employer, and over 54% of public sector employees belong to a trade union. We should not be surprised that in some parts of this Bill the Government are looking particularly to attack public sector trade unions, because trade unionism now stands more in the public sector than in the private sector.

Over the past five years, the relationship between the Government and a number of public sector unions has been particularly difficult. It is called austerity. It is called having your income limited, perhaps when you have a partner and children at home and have to try to keep their heads above water. It is about being called “difficult” when perhaps some of your neighbours who work in the private sector are able to carry on getting their income increased and looking after themselves. That is why there is disgruntlement. I genuinely believe that this Bill is about the Government acting as an employer, not as somebody who is impartial to industrial relations in this country, to attack the public sector and its workforce.

There is little evidence—in fact, there is an overwhelming lack of evidence—that change in this area is needed. The Secretary of State mentioned the Carr review, which was set up in April 2014 and reported in October 2014. It looked at issues of intimidation. Frankly, it was right to do so. However, it found little evidence of intimidation. Nevertheless, on the basis of that report the Government have decided to introduce this legislation. The review said:

“I have reached the conclusion that it will simply not be possible for the review to put together a substantial enough body of evidence from which to provide a sound basis for making recommendations for change”.

Yet here we are, a few months later, with the Government attempting to legislate in this area. It is absolutely ridiculous.

Individually and cumulatively, these proposals will fundamentally damage the capacity of unions to organise strikes. Many of these are not needed, but having the right to go on strike is an important tool on the table when you are sat down negotiating on behalf of members. I did it in the coal industry for many years before I came here. I understand why trade unionism was right, and my father and his father understood it as well—it is because people used to get killed down the pits on a daily basis until the unions came in and fought for members. This Bill undermines that.

7.30 pm

Jeremy Lefroy (Stafford) (Con): Within a few months of starting as a foreman in a motor factory in the early 1980s, I managed to cause a walk-out. It only lasted half an hour and I subsequently discovered that it was a part of choreography between the management and the unions to settle a particular dispute. I think they settled on my shift as the one in which to do it because I was probably the most naive of the factory foremen.

I tell that story to show how far we have come since then in relationships between management and unions. I can think of one instance in my own constituency just a few years ago when an hon. Member, whose name I will not mention, helped to sort out a strike action that could have been very damaging. I understand the great importance of that kind of work.

I entirely agree with my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). There is a real need to protect the interests of the public and to ensure that they are as little inconvenienced as possible. I pay tribute to the Fire Brigades Union, which in my experience has always ensured, even when involved in ongoing strike action, that it is done in a responsible manner. That was particularly the case when the fire brigade had to attend a devastating and tragic fire—it led to the deaths of two people—in my constituency last October. It put all its concerns aside to attend to the needs of those who were in great difficulty.

Mr Jim Cunningham (Coventry South) (Lab): The hon. Gentleman has said that he has worked in industry as a foreman. Surely he agrees that it is far better in the private sector when major companies are prepared to deal with trade unions and give them time to go about their trade union duties. Does he agree that that is more enlightened employment than the stone-age stuff we are getting from the Government?

Jeremy Lefroy: I absolutely agree that it is extremely important to have time to conduct those duties in a responsible manner, but it is also extremely important to protect the interests of the public, particularly those who have to get to work and who need childcare. On the other hand, I do not think that we as a Parliament or a Government should be looking to interfere in the running of trade unions in some of the ways set out in the Bill.

I will mention three or four of those areas. First, I cannot see what the problem is with check-off, provided that the cost of it is paid for. The Staffordshire County Council representatives who operate check-off tell me that the union pays 2% for it, which is probably more than it costs the council to operate it. The same applies in other public services. I have no problem with that and I ask the Government to look again at the issue and perhaps not introduce that proposal.

I do not see the problem with electronic voting, either. It will eventually be introduced, and if we are to ask for higher turnouts, electronic voting is a must. I will not go into the picket line issues, because my right hon. Friend the Member for Haltemprice and Howden has already addressed them more eloquently than I ever could.

Finally, on the political fund, I believe that the right way forward is proper reform of political funding across the board. It is very difficult to do that without a comprehensive solution. I know it was tried in the last Parliament and it did not work, but I urge the Government and the Opposition to sit down and try to sort it out once and for all.

7.34 pm

Hannah Bardell (Livingston) (SNP): Thank you, Mr Deputy Speaker, for the opportunity to speak in this debate on a Bill that has, at its heart, substantial and ill-considered threats to some of our most fundamental freedoms.

As the SNP's spokesperson on fair work and employment, I rise to speak against this Bill, which does nothing to promote the concept of fair work in employment. It goes to the heart of destroying many rights that were long fought-for by our foremothers and forefathers. Were they to be lost, it would certainly take a very long time to regain them.

The SNP Scottish Government's Cabinet Secretary for Fair Work, Skills and Training, Roseanna Cunningham, said recently:

"Scotland is historically viewed as the birthplace of workers' rights".

The approach we take in Scotland is fundamentally respectful, acknowledging the overwhelming prevalence and importance of negotiation in trade union activity. That negotiation contributes to improved employment practice and improved outcomes for both the workforce and employers. I am not the first, and I will not be the last, to say this today, but the contrast could not be greater between the respectful and constructive approach taken in Scotland and in other parts of the UK and the draconian, intrusive, discriminatory, impractical and unnecessary measures the Tory Government have laid before us today.

Tony Benn once said:

"I think there are two ways in which people are controlled. First of all frighten people and secondly, demoralise them."

This Bill does both of those things and simultaneously undermines our place in the world as a progressive, democratic family of nations. Slowly but surely, this Tory Government are chipping away at our fundamental civil liberties and human rights.

James Heapey: Will the hon. Lady give way?

Hannah Bardell: No, I will not: I want to make some progress.

This Bill undermines a number of basic, fundamental human rights. As we all know, this Tory Government also seek to remove the Human Rights Act from the statute book altogether. As with their targets on child poverty, they will remove any aspirational standards that enable us to be a forward-thinking and progressive society.

This Tory Government are not just ideologically driven, but ruthlessly politically opportunistic. They claim to believe in a smaller state in relation to providing public services, but are happy for it to have a very long arm to interfere in the lives of its citizens, especially those who are less powerful or less fortunate.

The history of trade union legislation is probably the most politicised area of legislation. Liberty, one of the UK's leading civil liberties and human rights organisations, has said of the Bill:

"Ideological motivations of any Government are part and parcel of politics but should not imperil the protection of rights and freedoms of individuals. Yet this relatively short Bill has the potential to cause significant damage to fair and effective industrial relations in this country—and would set a dangerous precedent for the wider curtailment of freedom of assembly and association."

In essence, this Bill is about restrictions on fundamental freedoms. It introduces increased restrictions on the abilities of trade unions to ballot for strike action; reduces the amount of paid facility time; requires trade unions to become certified by the UK Government for legal protection; and introduces new investigatory powers against trade unions. The Bill introduces measures requiring a 50% threshold and 40% turnout for all ballots declaring strike action. That is the same undemocratic practice that the Conservatives used in the 1979 Scottish devolution referendum.

[Hannah Bardell]

This Bill is a fundamental attack on human rights and civil liberties, and a reminder that the Tories fear the trade union movement. This Government want to take away some of our most fundamental and basic rights, while shrinking the space for us to debate and protest. The SNP—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order.

7.38 pm

Huw Merriman (Bexhill and Battle) (Con): It is a pleasure to follow the hon. Member for Livingston (Hannah Bardell).

I was brought up by parents who were trade union stewards, one for the then National and Local Government Officers' Association and the other for the NASUWT. Like many of my Conservative colleagues, I am supportive of trade unions and what they do—I certainly feel that from a family perspective. The hon. Lady referred to the Bill as draconian and an ill-considered threat to our public freedoms. I have spent hours listening to the debate while simultaneously reading the Bill, and I cannot find in it anything that matches some of the rhetoric we have heard today.

This Bill gives added legitimacy and transparency not only to the public, but to trade unions. If transparency and legitimacy increase, surely trade unions will find it a much easier sell to both the public and their members and, indeed, to the employers they are seeking to persuade that their action should be taken seriously. To that extent, I welcome the new minimum threshold. Again, when it is met, one would assume that employers will actually take the threat seriously and the chances of resolution will be increased. When it is not met, however, the public can be reassured, as taxpayers who in many respects fund public services, that their lives will not be disrupted as a result. I am so minded by personal experience: when the National Union of Teachers was on strike in 2012, that had an impact on me as a parent. I certainly remember that the turnout was 27% of all members, so the impact on children and parents—my constituents—seemed completely disproportionate to the number who voted in favour of the strike.

On legitimacy, looking at the current labour market, a four-month limitation seems entirely proportionate with how labour and mobility change. That will make union legislation in tune with the current labour market and, again, it increases legitimacy. I also believe that opting in—members having to make a conscious decision to join a union—makes absolute sense. In every other walk of life, we would expect our constituents to have to join up to a party, not become members by default. On transparency, it can only be a good thing for members to have more clarity and information, so that they know what they are striking for. I echo the points made earlier about having the right balance on reporting information. It is important to show how much public money is being given to permit union activities, and that those activities are completely and correctly identified. I believe that will be addressed in Committee.

The Bill is ultimately sensible. It brings the legislation up to speed with the current employment market and increases legitimacy and transparency. All hon. Members who believe in such factors in relation to strikes should surely welcome the Bill.

7.42 pm

Grahame M. Morris (Easington) (Lab): I refer the House to my entry in the Register of Members' Financial Interests and declare that I am proud to be a trade union member. I am a member of Unite and of the Trade Union Group. I am delighted to show solidarity with the more than 6 million people who are part of the UK's largest voluntary organisation—the trade unions.

I do not share the analysis of the hon. Member for Bexhill and Battle (Huw Merriman) about the nature of the Bill, which attacks fundamental civil liberties and the democratic rights of trade union members. I believe that it is politically motivated. It will deepen the UK's anti-trade union laws, which are the most restrictive in the western world. The changes will worsen industrial relations and push us further down the path to a more confrontational labour-relations policy. I abhor the thought that it could potentially criminalise firefighters, nurses, teachers and other workers who are simply trying to defend a fair and safer workplace.

The Government are demanding a democratic standard in relation to balloting not sought by any other organisation, or by many Members of the House. I was disappointed by the Secretary of State's responses in the opening statements. If the Government want to enhance workplace democracy, I ask them to engage with trade unions on the introduction of e-balloting and secure workplace ballots, which would help to increase participation and turnout in trade union ballots.

Ian Lavery: Will my hon. Friend explain the benefits of e-balloting and workplace ballots?

Grahame M. Morris: There is a contradiction in the Government's position. E-balloting is accepted for the first stages of the election for the Conservative party mayoral candidate—it is secure enough for that—and for secure workplace balloting on recognition agreements, which is enshrined in legislation, but e-balloting is not accepted in the Bill.

Stephen Doughty: Is my hon. Friend aware that e-balloting is also used for the Royal National Institute of Blind People, the Institute of Chartered Accountants, the National Trust, the Magistrates Association, the Countryside Alliance and the Royal College of Surgeons?

Grahame M. Morris: Absolutely. I am grateful to my hon. Friend for his intervention. A plethora of organisations—[*Interruption.*]

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I am desperate to hear the hon. Gentleman, but I cannot hear him because there are too many conversations or too many interruptions. Whichever it is, I call Grahame M. Morris.

Grahame M. Morris: I am grateful, Mr Deputy Speaker. My hon. Friend's point was excellent and well made. In modern times, e-balloting is an accepted method of improving participation.

In truth, the Bill is a smokescreen to divert attention away from the Government's policies of austerity and to limit the response of working people to object to the assault on their pay, pensions and working conditions. My hon. Friend the Member for Blyth

Valley (Mr Campbell) and other hon. Members have made interesting comparisons with hedge funds, the banking system and the financial sector. Such organisations and institutions promoted the casino economy that brought Britain, and indeed the world, to the brink of financial disaster. Yet, they seem to be allowed to wield considerable and unfettered political influence, and there is no proposal for similar constraints or levels of transparency. Our recovery is being built on a private debt bubble, and as austerity fails to eradicate the deficit or to improve the income or living standards for ordinary people, it is more important than ever for them to have a trade union to represent their interests.

In addition to significant and unnecessary new burdens, trade unions will also be expected to pay a levy to fund the certification officers' new role. As we heard from the Secretary of State, the role will be much more proactive. They will have new powers to impose financial penalties and to scrutinise how unions use their political funds and for what purposes. Several Members have talked about the diverse reasons for which funds are used, but I hope that Government Members would agree that HOPE not hate and Bite the Ballot, as well as voter registration and improving public services, are all laudable aims that political funds support.

Unions must secure the continued consent of members to maintain a political fund, but that happens already as there must be a separate ballot every 10 years. Other Members, including the hon. Member for Stafford (Jeremy Lefroy), have mentioned that. Winston Churchill said:

"It has become a well-established custom that matters affecting the interests of rival parties should not be settled by the imposition of the will of one side over the other, but by an agreement reached...between the leaders of the main parties".—[*Official Report*, 16 February 1948; Vol. 447, c. 859-860.]

I ask all Members to vote against this most pernicious, partisan and overtly political Bill, which is one of the most objectionable that I have seen in my time in the House. I ask those with a genuine interest in enhancing workplace democracy and improving industrial relations to engage and work with trade unions, not to see them as an enemy. They aim to create safer, fairer workplaces for our constituents and address grievances in an amicable manner—

Mr Deputy Speaker: Order.

7.48 pm

Margaret Greenwood (Wirral West) (Lab): I would like to declare myself as a proud trade unionist all my working life. I am grateful for the support that I have received from the trade union movement.

I believe that this Bill is designed to restrict and undermine the role that trade unions play in our society by making it harder for working people to organise in the workplace. It seeks to do so by tying trade unions up in an excessive amount of red tape, by attacking facility time and by gagging them, thus curtailing their ability to speak out on behalf of working people.

It seems clear to me that, in putting forward this Bill, the Government fail to understand the value of trade unions' contribution to working practices, health and safety, productivity and the economy. The Government say that the aims of this Bill are to enable the UK to pursue an ambition to become the most prosperous major economy in the world by 2030, and to ensure that hard-working people are not disrupted by strike action.

I believe that, far from delivering those aims, the Bill is likely to work against them. Many colleagues have commented on the latter, so I will focus on the former.

Trade unions make a positive contribution to the lives of millions of working people in Britain: they champion the kind of fair, reasonable and safe working environments we all expect as the norm in a civilised society; they secure reasonable contracts of employment so that people can be healthy and productive in their workplaces; they promote equality so that people can be treated fairly regardless of race, religion, gender or politics; and they mediate between employers and employees when difficulties arise. Unions have been responsible for changes in legislation that have benefited all, regardless of union membership, such as the eight-hour day, paid holidays, equal pay for men and women—though we have a way to go on that one—and health and safety at work. This role of ensuring safe workplaces should not be underestimated. I recently met a nurse who told me why she joined a union more than 20 years ago. In her workplace, it had been common practice for nurses to mop up bodily fluids off the floor without wearing gloves. It was only the intervention of the union that led to this practice being stopped. She joined as a result and has never looked back.

I believe it is time for us to look for a more balanced and constructive approach to industrial relations in Britain, yet this Bill is an attack on the facility time of trade union representatives, which flies in the face of good industrial relations. The director general of the CBI said in 2009:

"Union reps constitute a major resource: there are approximately 2,000 workers who act as lay union representatives. We believe that modern representatives have lots to give their fellow employees and to the organisations that employ them."

In addition, unions have always done useful work in providing training and skills improvement in the workplace. Earlier this year, I visited Vauxhall Motors' plant in Ellesmere Port, where many of my constituents work. Vauxhall is a global success story. I saw at first hand the work done by Unite the union to develop education and training within the plant, upskilling the workforce and providing working people with the means to reach their potential. In Britain, we are seeing an increase in workplace insecurity, with the number of people on zero-hours contracts rising rapidly, and many of those on such contracts are employed in the health care and education sectors. It is highly unlikely they will receive skills training and education at work, which will add to the trend of ever decreasing pay and skills and the low pay, low skill economy, which as a nation we cannot afford.

If we want a more productive economy, the Government would do better to make investment in skills and technology a priority, rather than weakening the role of trade unions. The Bill is an unnecessary and vindictive attack on trade unions and undermines the democratic rights of working people, and I urge everybody in the House to vote against it.

7.52 pm

Owen Thompson (Midlothian) (SNP): For the record, I am not, and never have been, a member of a trade union. I want to bring to the debate my perspective as a former council leader at Midlothian council, where I worked closely with the local trade unions. In that role, essentially working between the management and the

[Owen Thompson]

unions, I saw the real benefits and genuine improvements, which we can never take away from, that trade unions can bring to their members and wider society.

I have always found that working together across disagreements and towards a common goal is the best way to achieve success, not the Dickensian-style sledgehammer proposed in the Bill. When even Conservative Members are referring to the Bill as “Franco-style”, we have to recognise that there is something seriously wrong. In Midlothian council, by working closely with our trade unions and negotiating between the unions and the management, and thanks to the SNP Administration, we were able to introduce a living wage—a genuine living wage, not the pretend one the Government are trying to palm off on people—within a few months of coming to office in May 2012.

That is not the only thing we managed. We worked closely with union representatives to deliver a non-compulsory redundancy policy that allowed further staff development. By doing so, we engaged the unions when it came to the difficult budget decisions necessary as a result of the Government’s austerity agenda. The Bill, by alienating trade unions and making it almost impossible for them to operate in a reasonable environment, would utterly threaten that approach and completely undermine the positive progress that is possible when people work together.

Only this afternoon, a group of scientists employed at the Centre for Ecology and Hydrology in Midlothian had to take the unprecedented step of strike action. These are members of the Prospect trade union who felt there was no choice left other than to take strike action. These are not the kind of people many Government Members have talked about—they have painted a picture of bully picket lines and monstrous picket actions—but workers who have tried all other possible measures and felt they needed to take strike action for the first time in over 30 years.

Mr MacNeil: My hon. Friend is indeed giving a different perspective from the other side of the table from the trade unions. Does he agree that in Scotland this law is not needed or wanted and is in fact an alien law that will create difficulties rather than help?

Owen Thompson: I absolutely agree with my hon. Friend. In fact, many of the issues raised could be dealt with through general legislation rather than a specific trade union Bill.

James Heapey: On the SNP’s trade union group website, there is a page entitled “Labour’s Levy”. Can we agree that the SNP would support our move towards greater transparency on the political levy that funds political parties and trade unions?

Owen Thompson: Whatever views there might be on the political levy, the Bill is most certainly not the way to deal with it. Members are perfectly entitled to withdraw their support from the Labour party, as I know many SNP members have done, but the Bill is not the way to deal with that.

As I mentioned, the strikers this afternoon were not involved in the sort of wildcat or intimidating protests mentioned by Government Members, but simply workers

with no other option. As others have pointed out, disorder is uncommon and can be dealt with by other means; there is no need for a specific trade union Bill. The Bill is absolutely wrong. I can think of no other way to put it. The Government need to take a step back, listen to the contributions of Opposition Members, think again and introduce something completely different that respects and moves the trade union movement forward, rather than using a sledgehammer to shut it down.

7.57 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I rise to oppose the Bill in the strongest terms on behalf of Plaid Cymru. As the son of a retired trade union shop steward and the representative of an area steeped in coal-mining history, I value the role the trade union movement has played in advancing the lives of working people since it was legalised in 1871. It should be remembered that a royal commission in 1867 advocated the legalisation of unions as it would benefit both employees and, crucially, employers. My party believes that instead of pursuing further draconian measures aimed at restricting trade union activity, a speedy inquiry on industrial relations and employee rights should be convened to look into the role trade unions should play in a modern economy and the challenges faced by working people, such as zero-hours contracts, low pay and the increasing lack of workplace rights.

If we are serious about creating a more socially just society, trade unions have a vital role to play. Instead of reducing their influence, I would like to see Government action to increase workplace democracy. In Germany, for instance, in an economy that has outperformed the UK’s over many decades and is more balanced both in terms of industrial sectors and geographical wealth, trade unions play a key economic role in formulating industrial strategy. In the German legal framework of co-determination, representatives also sit on company boards, giving workers a direct say on company strategy and the hiring of management. I would also add that Germany’s decentralist federal governance system has also greatly helped distribute its economic success more evenly geographically, unlike in the UK.

The Bill has been labelled the biggest attack on trade union activity for 30 years and follows a long line of anti-trade union laws brought in by Conservative Governments, most of which were not overturned by Labour Governments between 1997 and 2010.

Chris Stephens: Will the hon. Gentleman confirm that there are trade union traditions within many of the political parties, even the Conservative party, which has the equivalent of what can only be described as a “walk out”—a privilege denied to the trade union movement in this country?

Jonathan Edwards: I am grateful for that well-made point. I congratulate the hon. Gentleman on his excellent speech as the spokesman for the SNP.

By my counting, there were 10 Acts between 1980 and 1996 that attacked the trade unions. The coalition Government, much to their shame, tied in a further assault on trade unions with the issue of trust in politics in the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014.

The Bill aims to make it more difficult to take industrial action by forcing unions to give further notice before striking, introducing even higher thresholds for successful strike ballots and further restricting the right to picket. I note from elsewhere—that this is critical to how the Bill will work—that the Government are minded to allow employers to bring in agency workers in the event of a strike. They are consulting on that currently. The Bill will undermine facility time, which will reduce the ability of union officials to represent their Members at work.

The UK has some of the most restrictive trade union laws in the western world. It is a shame that an early priority for the new Government is to bring in another Bill at rapid speed, less than a week after three separate consultations on some of the measures in the Bill were completed. That raises the question of whether the consultations were valid exercises.

The Bill applies to Wales, Scotland and England. It does not apply to Northern Ireland, where employment law is a devolved issue. Regressive measures such as those in the Bill should make progressive politicians and individuals in Wales consider whether the responsibility for these issues should be devolved, instead of being held here in Westminster. I note that the Scottish Government are keen to press ahead with the devolution of employment rights. If these issues were devolved to Wales under a future Plaid Cymru Government, I suggest that there would be an alternative scenario to the one that we are faced with here today with this Bill—a scenario where the role of trade unions in the workplace and public life is enhanced, helping to shape economic and industrial strategy; one where trade unions play a pivotal role in the management structures of the public and private sectors; and one where the pay and conditions of employees are strengthened to resemble European norms.

8.1 pm

Jack Dromey (Birmingham, Erdington) (Lab): My dad came to this country from County Cork as an Irish navy. He came here to dig roads. He joined the British Army to fight Hitler and after the war he went to work at London Underground, first as a train guard and then as a train driver. He was a proud member of the National Union of Railwaymen. Why? Because he wanted himself and his family to get on.

The evidence is now, as it was then, that in those sectors of the economy where trade unions are organised, workers are more likely to be better paid, to enjoy better conditions and to have decent pensions; less likely to be discriminated against, bullied and unfairly sacked; and more likely to work in a safe workplace and to have their voice heard.

I have worked over the years with some outstanding employers. Jaguar Land Rover is but one example. At the Jaguar plant in my constituency, the leadership of the factory goes out of its way to praise the role that is played by trade unions. The trade unions have acted as an agent for change in the industry and have transformed the automotive sector into a world-beating sector of the economy.

I have also dealt with many bad employers. I remember the EMI agency factory that sacked three women—two because they were pregnant and the third because she had a sick child. We finally won the battle before the

employment tribunal. The women walked back in the following day and were treated as heroines. I saw a woman workforce with their backs straightened. They had a sense at last that because they could stand together in their trade union, they could answer back, be treated with respect and enjoy dignity in the world of work.

Trade unions, quite simply, are a force for good. They are a force for liberty in the workplace and a force for liberty in a democratic society. Now, the so-called party for working people wants to weaken working people. It is part of a wider agenda. This is a Government that brook no opposition; that seek to curb independent critical voices such as charities and the BBC. Now, they want not only to weaken working people, but to bankrupt the Labour party with their proposals on party finance.

I was treasurer of the Labour party for six years. I exposed the scandal of secret loans. That led to the Hayden Phillips process, which discussed a new settlement on party finance. It was put to me at the time, “If we were to have a cap of £5,000, it would bankrupt the Conservative party.” I said that it would be downright immoral if we sought to pitch the new arrangements in a way that would break the Tory party. We now have a Tory Government that seem to have no such moral compass.

Mr Anderson: My hon. Friend is making a strong case. From his years of experience in the trade union movement, what does he think the change to the political funding relationship with the Labour party will do to help the people the Conservative party says the Bill is about—the people who want to go to work when there is a tube strike and the people who want to take their children to school when there is a teachers’ strike? What on earth will changing the legislation about political fund ballots do to help those people?

Jack Dromey: The great Jack Jones once said that working people have two ways to access power: their union card and their right to vote. Of course we organise first and foremost in the workplace, but this is also about the ability to influence legislation here in this House. The Government are determined to weaken both.

On industrial action, in 2002 I led a million-strong strike in local government. We put in place arrangements to ensure that not one example was found of, for example, people in care homes or looked-after children being put at risk. Why? Because workers always enter into sensible arrangements in the public interest to protect those whom they serve.

Christian Matheson: I thank my hon. Friend for giving way. He used to be my boss, and a very good boss he was too. In his many years as a trade union official, can he remember any instance of a strike that was entirely politically motivated?

Jack Dromey: The idea of cabals of shop stewards who pursue nakedly party political or political agendas is a myth peddled by the Conservative party.

Of course sometimes, for example with London Underground, there will be disruption, but one cannot in a free society shackle the right of working people to withdraw their labour. Ballots before industrial action? Absolutely. Sensible measures to get turnout up? Without hesitation. There can be workplace balloting and e-balloting.

[Jack Dromey]

However, it is absolutely wrong to apply in this Bill a test that, were it to be applied in this place, would mean that very few people would come here.

Sue Hayman (Workington) (Lab): Clause 3 sets out the important public services for which 40% support will be required in ballots. Is my hon. Friend as surprised as I am that

“decommissioning of nuclear installations and management of radioactive waste and spent fuel”

is included in the list? Can he think of any instance when a strike at a nuclear decommissioning facility has put the public at risk?

Jack Dromey: No, and I dealt with the nuclear industry for 15 years. There were rarely disputes, there were very good dispute-resolution mechanisms and when there was the occasional dispute, workers and their trade unions went out of their way to protect vital and sensitive establishments.

I will deal with the other issues briefly in the time I have left. On picketing, I stood on a picket line in my constituency in 2011. Six careworkers from 10 to 22 years' service faced being sacked by a Conservative council. Under the Bill, they would have had to report to and give their names to the police. As one of them said to me last week, “Jack, we're not criminals.” As a police officer said to me last week in the west midlands, “Jack, this is not a police state.”

On agency workers, lasting damage would be done to industrial relations if workforces were divided in the way that is proposed. To cut back facility time would rob people of the ability to have a friend in the world of work that they can count on at a time of need.

Finally, to introduce the Bill on today of all days is a slap in the face that treats working people with contempt. This is arrogance that knows no bounds from a Government that are once again treating working people and trade unions as the enemy within.

8.8 pm

Richard Burgon (Leeds East) (Lab): I refer Members to my registered interests. I am a proud trade unionist and secretary of the GMB group of MPs.

What has disappointed and surprised me in this debate is the clear lack of understanding that is displayed by Government Members of what it is like to be an employee who needs a trade union. If there is one thing that they understand, it is that the trade unions stand between the Government and their plans for wage cuts, privatisation and attacks on terms and conditions. That is what the Bill is all about.

The Bill is a natural development, because it comes from the party that, in the last Government, introduced a law to make people pay to attempt to assert their workplace rights. I am, of course, talking about employment tribunal fees. The last Government made people pay to assert their right not to be unfairly sacked; pay to assert their right to have their wages paid; pay to assert their right not to be subjected to racist discrimination, sexual harassment or discrimination in respect of their religion in the workplace. It is a natural development. The Government now seek to clamp down on political opposition and leave workers defenceless against pay cuts and attacks on hard-won terms and conditions.

Chris Stephens: Will the hon. Gentleman confirm that this is not just an attack against one political party and that many organisations have benefited from trade union political funds?

Richard Burgon: That is right. One example is the anti-racist organisation HOPE not hate that I have enjoyed campaigning with over many years. The Government who say that they are against red tape and regulation now want the biggest voluntary member group in our country to drown in red tape and bureaucracy—or “blue tape”, as it should indeed be called. What is this obsession with things that could be done electronically being done on paper? Do we want to live in a society where supervisors must be appointed for picket lines, wear a badge or armband, and have to give their names to the police in advance? That is in clause 9.

Ian Mearns: It is an attack not just on freedom of association but on freedom of speech. People have to give notice of what they are going to put on a blog or on Twitter. That is inventing the concept of secondary tweeting, for goodness' sake. It is in the consultation document, and therefore can be enacted afterwards.

Richard Burgon: I agree that it is gravely concerning, and I will come on to that point. Indeed, clause 9 states that the police must be notified in advance of trade union plans to use the internet or social media. Do we want to live in a society where the result of a ballot can have 79% of votes in favour of strike action, but it would be illegal for that strike to go ahead? That is in clauses 2 and 3. Do we want a society where the Government seek to stop the funding of political campaigns they do not like, and even seek to cut off funding to the Opposition that is meant in a democratic society to hold the Government to account? That is in clauses 10 and 11. Do we want to live in a society with anti-trade union laws that the right hon. Member for Haltemprice and Howden (Mr Davis)—a distinguished Conservative politician who was once tipped for leadership of the Conservative party—described as laws that would meet the approval of General Franco?

The Conservative party logo used to be the torch of freedom, but this Bill is the antithesis of freedom. It seems to many people in the country that the Conservative torch that they view as the torch of freedom is being extinguished by the Bill. I call on Members from across the House who believe in freedom, liberty and civil society to do the right thing and oppose this Bill.

8.12 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): I declare an interest in this debate as a proud member of my trade union Unite.

The freedom to speak out against injustice and to campaign for economic equality and the rights and freedoms of workers, is underpinned by the European convention on human rights—rights that were bitterly fought for by the blood, sweat and tears of our ancestors. The Government claim that they are forced to amend those rights, and we are led to believe that that is because the number of strikes called in recent years is a threat to our economic wellbeing. The total number of days lost in the 12 months preceding April 2015 was

704,000, but before the House becomes hysterical about that, it is important to note that historically that figure was in the millions. In fact, we are experiencing an all-time low for strike action, and it is at its lowest level since before 1990. The simple truth is that workers do not take the decision to strike lightly, and they never have.

Is this Bill justified? The European convention clearly states in article 11 that a restriction on the right to strike would be judged by reference to whether it is “necessary in a democratic society”.

With strike action at an all-time low. I see no legal justification for such savage stripping of fundamental democratic rights.

Let us leave human rights to one side for a moment and examine the next strand of the Government’s argument, which is that trade union activity and the right to collectively bargain poses an economic threat. That is simply not the case. Evidence provided by the New Economics Foundation recently concluded that as a wage-led economy, the UK’s prosperity depends on a substantial share of the national income going to wages. If we look at wage equality over the last four decades, we see that while many employers are equitable, a substantial number are not. Those employers share less of the profit that they generate with workers, and they do not alternatively invest that money in future industrial strategy. It is therefore critical that organisations that champion collective bargaining are able to represent their workers, and that those workers have the right to bargain collectively for their share in company and national revenue.

Mr MacNeil: Will the hon. Lady give way?

Rebecca Long Bailey: I apologise but I must make progress. I am conscious that a lot of Members wish to speak.

I stress that such rights are not simply to improve workers’ living standards, but to enable the functioning of the economy as a whole. If wages continue to fall in real terms that implies a shrinking of the market. That inhibits profit and growth, and results in a vast reduction in the amounts recoverable in taxes by the Treasury. Indeed, proponents of the competitive market—including those on the Government Benches—would do well to understand that intrinsic to its very existence is not just the supply and demand of labour, but the freedom of labour to move and organise. Members who are fans of the free market mantras of Milton Friedman and co. will no doubt notice a real contradiction in terms. On the one hand, the Government advocate freedom and deregulation of company activity in their promotion of free market ideologies, but when it comes to the activity of workers it is a completely different story.

It is clear that the arguments in favour of this Bill do not stack up. This Bill is a clear breach of the European convention and poses a real and present danger to our economic viability as a nation. I call on Members to reject this Bill today. Failure to do so will open an economic and democratic Pandora’s box that unleashes something so pernicious that we will not be able to close the lid again.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the next speaker I am afraid that I must reduce the time limit to three minutes. I say to Members who have already spoken that interventions are preventing others from speaking later, and those who are hoping to speak are probably cutting into their own time. If interventions could be kept to a minimum, the Chamber would be grateful.

8.17 pm

Nick Thomas-Symonds (Torfaen) (Lab): I declare an interest as a proud member of the Unite union, and I draw attention to my relevant declaration in the Register of Members’ Financial Interests as I am a member of the trade union Unite group for Members of Parliament.

A fundamental principle is at stake in this Bill, which is the ability of working people to combine in the trade union movement for their collective benefit—a combining together that has brought higher wages, better working conditions and enhanced rights at work. The Secretary of State made a number of historical references in his opening speech. He quoted two Labour Prime Ministers—Harold Wilson and Clement Attlee—but he was somewhat selective in the history that he put before the House.

The fear of working people collecting together led to trade unions being illegal in this country for so long and to the Combination Acts, and only in 1871 was a limited right to picket peacefully introduced. The Conservative party’s history is to attack that right to collect together. The Secretary of State stood at the Dispatch Box and tried to present the concept of having to opt into the political levy as an act of modernisation. The Conservatives have tried that before. That is precisely what was in the Trade Disputes and Trade Unions Act 1927, and it was regarded as a highly vindictive act after the general strike, which led—or at least contributed to—their election defeat in 1929.

Interestingly, when he quoted Clement Attlee the Secretary of State did not mention that it was Attlee’s Labour Government in 1946 that reversed that necessity to opt in to the political levy, because that was regarded as taking away power and balancing it too far from workers in the workplace. Let us not present something that has been a previous historical failure as an act of modernisation in 2015. This Bill is based on two fundamental flaws.

Christina Rees (Neath) (Lab): Does my hon. Friend agree that local government and public services are completely devolved to Wales, and that therefore the measures in the Bill and the check-off could not possible apply in Wales?

Nick Thomas-Symonds: My hon. Friend is right to say that the Government have failed to take into account the views and positions of the devolved parts of the United Kingdom—and that is not all that they have failed to take into account.

Striking is not a first resort, it is a last resort, but unfortunately the Bill is based on that misconception. My father was on strike when I was born, in the steel strike of 1980. Conservative Members have no idea about the hardship caused to the families of strikers when they go out on strike. That is why it is always a last resort.

[Nick Thomas-Symonds]

The Bill is also based on a fundamental misunderstanding of the law as it stands. Nowhere is that better illustrated than in clause 9, which is the new set of requirements in relation to picketing. Conservative Members really must have little faith in the police and their ability to identify people on a picket line, given the number of requirements to be introduced. At the moment, only six people can picket at a time, but apparently not only will the picket supervisor's name be required, but they must have a letter to show to a police constable or

“any other person who reasonably asks to see it.”

I am not sure who that would be. Hopefully it will be the Secretary of State, because if he attended a picket line, he might be a bit better informed about this part of the Bill. In addition, the picket supervisor must be readily contactable at short notice and, worst of all,

“wear a badge, armband or other item that readily identifies the picket supervisor as such.”

What an absolute shame. It is a badge of shame that the Tory party is trying to attach to the trade union movement.

The Bill, the employment tribunal fees and the attack on the Human Rights Act are a combined attack on working people by a Government who have given up the mantle of one nation.

8.21 pm

Ruth Smeeth (Stoke-on-Trent North) (Lab): I direct the House to my entry in the Register of Members' Financial Interests. I am a proud member of the GMB and Unite trade unions and a board director of HOPE not hate. As a former trade union officer and a proud trade union MP, I am disgusted that the Government are prepared to undermine a vital component of British public life for the sake of narrow political self-interest. Let us be in no doubt that that is precisely what we are seeing here today. The Bill is not a measured approach to industrial relations; it is a vicious and unprovoked assault on the labour movement. What problem are the Secretary of State and the Prime Minister trying to fix? Have I missed a tsunami of strikes or an outbreak of trade union militancy? The answer is no.

As many of my colleagues have touched on the specific impact on industrial relations, I wish to talk about some of the wider ramifications of this legislation, in particular its impact on an issue that is close to my own heart—the vital work of challenging political extremism in British society and the role that the trade union movement has played, and continues to play, in that. It is pertinent to raise that issue now, because today marks Rosh Hashanah, when the Jewish community celebrates our new year. But for many Jews, this year's festivities are tinged with trepidation. A recent survey showed that six out of 10 are afraid to visit a synagogue on high holy days, for fear of violence and abuse.

Those fears are not unfounded. In the latest hate crime figures released by the Metropolitan police, the number of such offences against Jews in London had increased by 93% in the last 12 months, a trend confirmed by the statistics from the Community Security Trust. Those awful figures were mirrored by increases in hate crime across society, not least in the Muslim community which saw a 70% spike.

Wes Streeting: As someone who has campaigned with organisations such as HOPE not hate, is my hon. Friend as concerned as I am that the Bill will damage funding for those organisations and their vital anti-racist, anti-fascist activity?

Ruth Smeeth: I agree. There are few organisations that challenge the political fallout of those hates and fears, and I had the privilege of working for the best one—HOPE not hate. I am sure that both sides of the House would agree that the politics of hate and fear have no place in this House. But, if it were not for the work of my colleagues we may well have seen a neo-fascist British National party MP in 2010. We built broad community campaigns in areas as diverse as Barking and Dagenham, Burnley, Keighley and my city, Stoke-on-Trent, to oppose the politics of hate and celebrate the politics of hope—and we won. But the reality is that we would not have won without the financial and organisational support of the trade union movement.

Since long before the battle of Cable Street, trade unions in this country have played a part in supporting community cohesion alongside their traditional role as workplace advocates. In recent years, they have put their money, time and people on the front line to challenge extremists. It was the trade union movement that led the campaign to unseat Nick Griffin from the European Parliament. It was trade unionists who stood up to the English Defence League in Tower Hamlets and it was trade unionists who worked with faith leaders in Woolwich when Fusilier Lee Rigby was brutally murdered.

Under this legislation, all of that work is under threat. That is compounded by the horrendous gagging Act, and the resultant chill factor is unacceptable. Clause 10 would place severe restrictions on trade unions' ability to raise and maintain their political funds, because every restriction placed on trade union support for the Labour party applies equally to the wider community campaigns that the movement undertakes.

As I have said, today is Rosh Hashanah, the Jewish new year, and while I wish the House “L'shana tova”, I hope that the Secretary of State will take the opportunity of a clean start at the beginning of the year to think again and stop this abhorrent and unnecessary attack on the trade union and labour movements.

8.25 pm

Christian Matheson (City of Chester) (Lab): I draw the attention of the House to my declaration of interests, which includes membership of the GMB and Unite trade unions. For 15 years, I was an official with Unite, which gives me much more experience than some Conservative Members in dealing with industrial relations. That included dealing with some of the best managements in the country, such as at Vauxhall in Ellesmere Port. Twice I worked with local management to save that plant by winning new models for the workers to build—something at which they are excelling now. That was achieved by consent and on a partnership basis. I saw no evidence from any management I worked with of a desire within British industry to bring in such legislation.

Some of the proposals in the Bill are so bizarre that I cannot help but wonder if they were put in just so that they could be removed at a later point in the Bill's

passage to give a false impression of just how reasonable the Government are. Other hon. Members have mentioned the armbands provision and the provision on tweeting during industrial action. If I as a member of a trade union and a Member of Parliament tweet in support of an industrial dispute, would I face prosecution?

Stephen Doughty: My hon. Friend might be guilty of wildcat tweeting—[*Laughter.*]

Christian Matheson: That would be a terrible crime, and I would not wish to be accused of such a grave offence.

The Bill would be bad for the economy, because trade unions—yes, working with management—help to spread the wealth that the country creates. The richest countries are not the ones with the 1% wealthiest elite, but the ones with the highest average wages. The country with the highest average wages will win every time, but that runs contrary to Conservative philosophy.

I remember Prime Minister's questions just before the summer recess when the Prime Minister criticised tube drivers in London because they were well paid and did not need to go on strike. Well, they are well paid because they are members of a trade union.

The Bill is about power. It is about removing power from any form of organised opposition to the Conservatives' dominance. They know that individual people are stronger when they stand together and therefore opposition to the Conservatives will be weakened by removing that collectivism, as my hon. Friend the Member for Torfaen (Nick Thomas-Symonds) explained so eloquently. The Government realise this. In typically cynical and dishonest fashion, they cloak the Bill in the claim of protecting the public when in fact it does the opposite: it makes families and ordinary people much more insecure by taking away one of the few avenues of protection they have in their economic and working lives.

There is a sinister and dangerous authoritarianism to the Government's actions. Attacking the funding of the Labour party, as the Bill clearly and deliberately does, breaks many long-standing political conventions. It is part of a pattern that other hon. Members have identified: the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 taking away the ability of charities and unions to campaign in a general election, but not big businesses and newspapers; allowing local communities to decide on whether to have fracking in their local communities, but then, if they decide against it, the Government driving it through anyway; and the Human Rights Act 1998, which so many Conservative Members want to abolish, despite it being one of the few pieces of legislation that protects the rights of individuals against the state.

We live in a pluralistic democracy at present, but that pluralism and democracy will be eroded yet again in a manner that is sinister and troubling. Trade unions are an essential part of any democratic civil society and that is presumably why this unpleasant, authoritarian Government are attacking them tonight.

8.29 pm

Angela Crawley (Lanark and Hamilton East) (SNP): I rise to oppose the Bill. It is being a member of the Unite trade union and the daughter of former trade union shop stewards that underpins my advocacy of workers' rights.

The Bill is deeply damaging to workers' rights and is just the latest example of how out of touch the Government are with the hard-working people of this country. The Bill denies the important role that trade unions provide in protecting and enhancing workers' rights. As the Scottish National party's spokesperson for Equalities, Women and Children, I, along with colleagues across the Opposition Benches, recognise the important role that trade unions play in collective bargaining power that has benefited many women across my constituency to obtain fair pay for fair work in the recent equal pay dispute.

The SNP strongly opposes the proposed reforms, because they will erode democracy in the workplace. The Bill would restrict the power of devolved Administrations, local governments and other public bodies to determine their own industrial relations. Do Members on the Government Benches not see that good employment practices are key to economic competitiveness and social justice? Workers across the UK deserve the right to strike. It is an important outlet to promote social justice and improve employment conditions. The reforms would not allow social justice in the workplace to be pursued.

The UK Government's Trade Union Bill starts from the false premise that unions are bad and that our activities should be curtailed. The Scottish Government have actively sought to promote the very constructive role that unions play in the workplace, the wider economy and civil society.

I echo the sentiments of trade unions that rightly criticise the Bill for allowing

"businesses to behave badly by undermining the right to strike".

Trade unions helped to establish the Equality Act 2010, protecting thousands of individuals from discrimination on the basis of gender, race, religion or sexuality. Those protections in the workplace allow those with additional needs or physical barriers to make a significant contribution to the workplace. Perhaps the Government should consider the hypocritical rhetoric of helping people back into work on one hand, while gradually eroding the role of trade unions in the workplace on the other.

I close by reiterating the fundamental point outlined in article 11 of the European convention on human rights, which provides the qualified right to

"freedom of peaceful assembly...and to join trade unions for the protection of...interests".

Are the measures in the Bill necessary in a democratic society? I place the burden on the Government to justify them as proportional, and I implore the House to oppose this arbitrary Bill.

8.32 pm

Mr David Anderson (Blaydon) (Lab): I am proud and delighted to point Members to my declaration of interests. I joined the National Union of Mineworkers on 3 April 1969. Since then I have been a branch, regional and national trade union representative, president of the biggest trade union in Britain and a member of the general council of the TUC, so unlike Conservative Members I might know what I am talking about on this issue. I am really glad that the Chair of the Procedure Committee, the hon. Member for Broxbourne (Mr Walker), is here. I ask him to look into the naming of Bills in this House, because this Bill should really be called the

[Mr David Anderson]

“Deliberate Emasculation of Organised Labour and Abuse of Parliamentary Powers for Party Political Advantage Bill”.

Conservative Members do not understand the real world of work. They speak today as if every trade union member will be going to work tomorrow looking to create a strike and to bring people out time and time again. Trade unions talk to employers, and sit down with workers every day to deal with disciplinaries and grievances. They resolve disputes. They work through redundancies and reorganisations, and represent people at social security payment tribunals and industrial tribunals—genuine partnership. They develop policy on the national minimum wage and so on. They played a hugely important role in the peace process in Northern Ireland, and in the devolution programme across this country. They have also been involved in resisting, and why should they not when they are resisting job cuts, industrial decimation, attacks on individual members of staff, community devastation or discrimination driven mostly by a Government who want to have the upper hand?

This pathetic excuse for a Government does not have the statesmanship or the nous to understand that forcing their will on others in such a partisan way is simply wrong. Dressing it up as an extension of democracy is a joke. We all know that this is bad law made by political pygmies, and bad laws must be resisted. History teaches us that, if nothing else. The people of Selma, Alabama showed us that, the people of South Africa showed us that, the people in the shipyards at Gdansk showed us that and the people of this country who threw out the poll tax showed us that. People outside this House will take action to defend themselves against these disgraceful attacks and it is wrong to use the law of the land in this duplicitous way.

The Bill attempts to build on the disgraceful lobbying Act, the gerrymandering of constituency boundaries and the attacks on voter registration. It is an act of a weak, spiteful Government and it will be resisted and ultimately defeated. If people have to break a bad law to stop it, then so be it.

8.35 pm

Geraint Davies (Swansea West) (Lab/Co-op): It is sad that there are so few Tories here tonight when they are destroying the rights of trade unionists and democracy itself. Who are trade unionists? They are simply working people—6.5 million of them—with an insurance policy for tough times. There are not a lot of strikes at the moment, but this Bill will provoke more and more. In fact, only one in five ballots leads to a strike, and the statistics over previous years show that the average trade unionist will strike only one day in 15 years. There is no problem to be solved; this is an ideologically driven attack on people’s rights to democracy and collectively to stand up for their rights at work.

We have seen problems with productivity and exports in industry. Exports of goods are now down to the lowest level since 2010. We want co-operation and collaboration to boost productivity, not a recipe for further conflict, but instead we see a Bill that will provoke people on the streets, quite rightly, to stand up for their rights. That will be an ugly affair that we do not want to see.

We have heard that the Bill is in breach of article 11 of the European convention on human rights. Russian television approached me to talk about it, partly because I am a member of the Council of Europe, as it was thought to be such an appalling abuse of people’s rights. We have heard about democracy and the fact that abstentions would count as no votes; we would not expect that of a totalitarian regime or a dictatorship. We have heard from the Mayor of London, who chose to confuse a quorum, which involves turnout, with people not participating at all being counted as voting no. That is either mischievous or stupid.

Intimidation will now occur, and there will be surveillance of social media. Where are we going with this? We see attacks on trade unionists in undeveloped democracies, such as Colombia, and we saw them in pre-war Germany. This is reaching an awful level and we should all resist it vehemently. Agency workers will now be seen as scabs and not as trustworthy parts of the community. We have seen division between nations, with Wales and Scotland not being consulted, between management and workers and between workers themselves.

Aneurin Bevan said that poverty and property—by which he meant the Tories, of course—come into conflict in times of austerity, and that the Tories would respond by taking away democracy. This is another step towards eliminating our democratic rights, alongside the gerrymandering we will see in the boundary changes and the individual registration changes. This is a horrible time for Britain. People will resist the Bill and the Tories should think twice about moving forward with such an awful bit of legislation.

8.38 pm

Natalie McGarry (Glasgow East) (SNP): I would like to make it clear at the outset that I am proud of my previous membership of a trade union, but I am certainly not financed or sponsored by one. I come to the Chamber to speak today because it is right to oppose this ideological attack on workers, a Bill that will have widespread ramifications for workers’ ability to organise and take industrial action, which we on the Scottish National party Benches view as deeply pernicious. It can be no coincidence that any increase in public sector strike action coincides with Tory-imposed austerity on public sector services and the restriction of access to justice with the implementation of tribunal fees, especially for women. It will come as no surprise to anyone who has heard the Tories’ poisonous rhetoric towards trade unions that this Bill should seek to undermine workers’ rights. If anybody had yet to see through the Tories’ claim to be the “party of working people”, the Bill exposes that claim as the ridiculous and ludicrous lie that it is.

Trade unions are the very fabric of this society: we may not always like what they have to say or always agree with them, but they perform a vital role in protecting workers and strengthening their voice. We should protect their right to strike with every breath we have. It is important in matters such as pay, work and employment conditions that unions are the first point of support and advice to people across all types of professions. In attacking the trade unions, the UK Government are actively undermining their support and attacking the ability of workers to stand up for their own rights. Amnesty International has said this Bill is a major

attack on civil liberties. In looking at the potential impact of it, I would rather place my trust in Amnesty International than in the Conservative party.

This measure effectively treats abstentions as no votes, which warps the democratic process. Indeed, the 40% rule will be familiar to people in my Glasgow East constituency and in Scotland, as the same trick that saw the '79 devolution referendum overturned—with the abstention of even the dead yet to be removed from the electoral register counting as a no vote.

The hypocrisy is clear, with this coming from a majority Government who received the votes of just a quarter of the total electorate earlier this year. For his part, the Business Secretary received almost 54% of the vote in his constituency, but just 38% of the local electorate actively voted for him. Would he say that he did not win a decisive mandate in that election? It is utterly inexcusable that he seeks to hold trade union democracy to a completely different standard.

This Bill will damage workers' rights and impose undemocratic and hypocritical restrictions on the right to strike. Rather than de-legitimising last-resort industrial action, this Government should be working with trade unions and employers to create a better environment. That would be a far more ambitious and constructive approach to take if this Bill really were about progress.

8.41 pm

Liz McInnes (Heywood and Middleton) (Lab): I declare my membership of Unite and refer Members to my entry in the Register of Members' Financial Interests.

This Bill, the so-called Trade Union Bill, is in reality a threat to all our rights at work. The Conservatives claim to be the "party of working people", yet with this Bill they have committed the biggest attack on workers' rights in 30 years. No party can claim to be representative of workers when they attack the workers' very own institutions—the trade unions.

In the short time available, I want to focus specifically on the Bill's proposals for facility time and speak on the basis of my recent experience as an NHS employee and as a workplace rep for Unite in the NHS. For many years as a workplace rep and a clinical scientist, I struggled by on no facility time at all. I was trained by my trade union in negotiation skills, representation, health and safety and learning at work, and this training was frequently called upon by my employers to represent members in grievances and disciplinary hearings, to negotiate pay and working conditions, to consult over workplace restructuring or job losses and to promote learning new skills and training at work.

I believe that all those activities were beneficial to both my employer and the workers; and I know that they were infinitely preferable to my employer, who found it far more efficient and cost-effective to consult me as an elected representative of the workforce rather than having to consult each individual member of staff over every proposed change. Eventually, I was able to negotiate some part-time facility time, as it was recognised that there was a real need for union reps to be available to bring their skills, knowledge and experience to the workplace and to partnership working. There was also a real need for NHS trusts, like my own, that were seeking foundation trust status to be able to demonstrate

good industrial relations with staff. That could not be done without giving union reps reasonable time to perform their duties in the workplace.

I worked with management over many issues, including the complete overhaul of pay structures and terms and conditions in the NHS, known as "Agenda For Change". We worked tirelessly with management to influence and implement these new measures, which could not have been achieved without adequate facility time for representatives. Facility time is not a drain on the public purse.

Harry Harpham (Sheffield, Brightside and Hillsborough) (Lab): I am sure my hon. Friend is aware that the TUC estimates that union workplace representatives contribute to overall productivity gains worth between £4 billion and £12 billion. Does she agree that measures that have had such a positive effect on productivity should be welcomed and, indeed, promoted?

Liz McInnes: I thank my hon. Friend. I was hoping to be able to make that very point myself. He has given me another minute!

Facility time is not a drain on the public purse; in fact, it is linked to increased productivity, which, as we all know, is crucial to the delivery of high quality and cost-effective care in the NHS. There is a huge economic case for retaining the current arrangements. Capping facility time is an attempt to solve a problem that simply does not exist.

The Royal College of Nursing, which opposes the Bill, commissioned independent research. The resulting report shows that only 1.5% of public sector health care workplaces have a full-time union representative, and that those representatives are representing huge workforces consisting of some 2,500 people. They are dealing with employment issues every day, resolving conflicts before they escalate. The report also gives substantial evidence of close working between union reps and management, with managers reporting a high level of trust in their union colleagues.

The facility time proposals appear to have drawn up by people who know the price of everything and the value of nothing. I call for the provisions in this Bill to be rejected.

Jack Dromey: On a point of order, Madam Deputy Speaker. It is probably widely known that I am a former deputy general secretary of the Transport and General Workers Union and of Unite, but, for the avoidance of any doubt, I draw attention to my entry in the Register of Members' Financial Interests, of which I am very proud.

Madam Deputy Speaker (Natascha Engel): I thank the hon. Gentleman for his point of order, which is on the record.

8.46 pm

Justin Madders (Ellesmere Port and Neston) (Lab): I, too, draw the House's attention to my entry in the Register of Members' Financial Interests, and to my membership of Unite.

It seems to me that the Bill is an attempt to create easy headlines about the way in which the Government are clamping down on unions, playing to a rhetoric that is based not on fact but on prejudice—and boy, have we

[Justin Madders]

heard plenty of prejudice from the Government Benches today. It is a prejudice that is rooted in the outdated and offensive view that trade unions are the enemy within. Every one of us in this place will have constituents who are members of trade unions. They are not revolutionaries; they are not radicals; they are ordinary men and women who want to organise themselves collectively to strive for better working conditions.

I have been in this place for only a few months, but many Members with great experience have already told me about the contributions that trade unions have made in their constituencies. Today, several Members—including my hon. Friends the Members for City of Chester (Christian Matheson) and for Wirral West (Margaret Greenwood)—have pointed out that Unite, in conjunction with the management at Vauxhall, enabled the Ellesmere Port plant in my constituency to stay open, thus helping to secure thousands of jobs in the local economy and throughout the country. It is clear that trade unions can play a vital role, so why are enclaves of radicalism such as the British Medical Association, the Headmasters' and Headmistresses' Conference, the Royal College of Midwives, the Royal College of Nursing and the Society of Authors being attacked in this way?

Many individuals do not wish their employers to know that they belong to a union, because, sadly, victimisation of trade union members is still commonplace. Surely, in a free society, trade unions should be able to guarantee to their members that this information will not be disclosed except under the most stringent conditions. The age-old entitlement of lawyers to observe client confidentiality is threatened by the Bill, which puts trade union membership on a par with the activities of criminals and terrorists. Whatever happened to privacy and confidentiality?

But the Bill is not done with offending principles of natural justice. The cumulative impact of the new proposals would mean that the certification officer was responsible for making a complaint, investigating it, reaching a decision, and setting a punishment. Most bizarrely, the Bill allows any member of a union to enforce an order from the certification officer rather than the certification officer doing so himself. That is an outrageous outsourcing of justice, enabling private individuals to enforce state orders for their own ends. There appears to be no requirement for the union member to have any particular interest in the order. It is like saying to a Tesco Clubcard member, "You can collect a fine imposed by the Office of Fair Trading." What perceived problem is that provision intended to deal with? Is the certification officer not capable of enforcing his own orders? The Bill imposes a whole new layer of bureaucracy and burdens on trade unions. Whatever happened to the red tape challenge?

I had plenty more to say, but my time is very limited. Let me end by saying that there is absolutely nothing in the Bill that we can commend. There is nothing in it to tackle the industrial relations challenges that we face, and nothing to protect centuries-old principles of justice and confidentiality. Instead, we have been presented with a cynical and pernicious Bill that should be consigned to the dark recesses of prejudice whence it came.

8.49 pm

Clive Lewis (Norwich South) (Lab): Like many hon. Friends here tonight, I am proud to declare an interest as a long-standing trade unionist. I would run through the list, but I would probably run out of time as I only have three minutes. One of them is the National Union of Journalists, on whose ethics council I served and which stands up for the basic freedoms necessary for a healthy, functioning democracy.

It is through that prism that I look at the Bill, which cannot be considered in isolation, but must be seen in the context of so many other proposals from this and the previous Government. The list is depressing. Other members have mentioned the gagging Act but, as a former BBC journalist, I am also alarmed to see public broadcasting under attack in favour of its politicised, corporate-owned and Conservative-supporting rivals.

There are the devastating cuts to legal aid and the restrictions on judicial review, undermining the fundamental principle of universal access to the law. The snoopers charter is extending the power of the state to scrutinise us, while our powers to scrutinise the state are watered down by the freedom of information "review". There is the plan to repeal the Human Rights Act, a great achievement of the last Labour Government. Perhaps most perniciously, there are the fundamental attacks on our democracy: more appointments to the other place, millions disfranchised, and boundaries fixed in favour of this Government's own party. Quite simply, this Bill is part of the same agenda.

The rights to freedom of assembly, freedom of association, and freedom of expression are all enshrined in the convention on human rights, and all are undermined by this Bill. This goes beyond anything proposed in the modern democratic era even by Conservative standards—and they can go quite low. In 1947, Churchill, hardly a militant socialist, acknowledged that

"the right of individual labouring men and women to adjust their wages and conditions by collective bargaining, including the right to strike"

were "pillars" of British life, but today's Conservative party apparently wants to demolish those pillars. Those who seek justice at work will be tracked and treated like criminals, their social media monitored and their details shared with police. Those who protest will be forced to wear identifying marks and carry letters of authorisation.

Christian Matheson: It is sinister.

Clive Lewis: Yes, it is sinister.

This is an attack not just on workers' rights, but on our most basic and fundamental human rights. As Liberty has said:

"Applied to any type of protest these proposals would be a mark of an authoritarian and controlling Government."

Of course, this Bill does not only pick off individual trade unions; it also attacks the very existence of trade unions. Unsurprisingly, trade union political funding is at the centre of this attack, while the Tories' millionaire donors are rewarded with seats in the other place.

Not only does this Bill have the wrong answers, but it is not even asking the right questions. It shows the powerful now wish to hold the powerless to account.

I did not come to this House just to give voice to the voiceless, but also to let them have their own voice, and tonight I shall vote to do exactly that.

8.52 pm

Keir Starmer (Holborn and St Pancras) (Lab): Like many others, I am a proud member of my trade union and in my career as a barrister I acted for literally hundreds of trade unionists. When I was appointed as the Director of Public Prosecutions and head of the Crown Prosecution Service I joined the two staff trade unions to demonstrate to them my strength of feeling about trade unions. Over five difficult years they worked with me to resolve issues, rather than escalate them, which is a real asset in running a national public service such as the one that I was running. I pay tribute to them: that is what trade unionism is all about.

As other speakers have said, the right to join a trade union and the right of association and protest were won over a very long period. They are now entrenched in international law, not least article 11 of the European convention on human rights and the International Labour Organisation conventions. That means there are four rules that have to be applied to the restriction of trade union rights: first, the restriction must be necessary; secondly, it must be proportionate; thirdly, the Government bear the obligation of showing necessity and proportionality—the burden is on them; and, whatever else happens, the very essence must not be stripped away.

This Bill fails all four tests. The three clearest examples are: treating abstentions as no votes, which is clearly against the international standard and the international norm; putting greater restrictions on public services, a category drawn much more broadly than the international community would permit; and the unjustifiable restrictions on rights of protest both in picketing and away from picketing. So this is not only a blow for trade unions and trade unionism; it is also a blow for human rights and civil liberties, and that is why we must vote against it.

8.54 pm

Tommy Sheppard (Edinburgh East) (SNP): I must confess that, earlier this afternoon, I was almost touched by some of the contributions from Conservative Members. I had not realised until then that they had such a passionate commitment to the trade unions in this country. Some of the stories of their personal and familial involvement in the industrial disputes of yore were almost touching. Then, of course, I realised that it was all a charade, a fabrication concocted by the Conservative public relations machine to mask the true intent of these proposals. No matter how many crocodile anecdotes and weasel words they come up with, the truth is that this is an anti-trade union Bill.

Why the requirement for 40%, we might ask. That is simply the result of a calculation by the Government that, when opinion is divided, a union will have to have participation levels of 80% or more. They rightly think that that will be very difficult to obtain, and of course they are doing nothing to improve participation through e-balloting or other contemporary mechanisms. This is simply a ploy to prevent people from going on strike.

Given the way in which the Government talk about check-off and facility agreements, anyone would think that those were statutory requirements from which employers needed to be freed. They are, however, voluntary

arrangements that are freely entered into between employers and employees. If I am running a business, what right do this Government have to tell me how I should consult and involve my employees in that business? Then there is the four-month expiry of mandate clause. Let us be clear: that is nothing other than a licence for bad employers to sit it out and wait for the mandate to expire. They can watch the clock ticking down and in the meantime bring in agency labour to undermine the union that has gone on strike.

Every clause in the Bill has been designed to make it harder for ordinary people to organise themselves at work and to advance and defend their rights, and to make it harder for their national organisations to operate on their behalf. That is why Scottish National party Members oppose these proposals completely.

My final question is: why now? What great industrial crisis exists in Britain today that requires this Bill to be at the epicentre of the Government's legislative programme? There is none. The truth is that this is not about making Britain better or about running things better; it is about satisfying a blood lust inside the Conservative party. These are the most vindictive, narrow-minded and reactionary proposals that we have seen in this House, and we should reject them completely.

8.57 pm

Paula Sherriff (Dewsbury) (Lab): It has been a pleasure to listen to so many speeches today showing what trade unions really are. Rather than hearing ridiculous stereotypes about trade union barons or militants, we have heard about the millions of ordinary working people who elect their leaders and simply want a better, fairer life at work. I, too, must declare an interest in the debate. I am a proud trade union member, and I was a shop steward for years. And yes, I have been on strike. I was supported by my fellow trade unionists in all of that and in getting to this place, and I'll tell you something: I am proud of all those things. I am proud to stand shoulder to shoulder with fellow working people to get a better deal for those who slog their guts out just to get by and get on. I was also proud to represent fellow members when they had a problem at work, and to make sure they knew their rights and got access to justice when they were wronged.

Of course that meant standing up to unscrupulous bosses, but that often meant fewer days lost to sickness, happier staff and a lower staff turnover. It also meant that we had productive negotiations when an issue arose. And yes, I was proud to stand on the picket line with the Remploy workers who were shamefully abandoned by the previous Government, and with low-paid women workers fighting against downgrades. As a trade unionist, I knew that taking strike action was a last resort, and not one that any of us wanted to take, but when all else fails, that is what is left. Without it, the bad bosses would not want to negotiate in the first place. Quite simply, it allows working people to have some power over their lives. Throughout our history, working people have had to fight for what we have. Nothing has ever been gifted to us. Trade unionists fought for an end to child labour, as well as for an eight-hour day, paid annual leave, and maternity and paternity pay.

Jack Dromey: My hon. Friend is making a powerful case for the voice of working people to be heard, not just in the workplace, but in the corridors of power.

[Jack Dromey]

Does she agree therefore that it is fundamentally wrong that the Government should have an agenda that is designed, in effect, to bankrupt the Labour party and therefore break the voice of working people in Parliament?

Paula Sherriff: I thank my hon. Friend for his intervention and agree with everything he has just said.

The trade union movement also brought us the minimum wage and even the weekend, and the key to all that was an organised voice in politics. It is no secret that the affiliated trade unions have put many of us on these Benches, while Conservative Members rely on big businesses, corporations and wealthy individuals. For decades, there has been a consensus that any changes to political funding rules should be made on a cross-party basis. This Bill, like so many others, rips up the constitution in favour of a naked political attack. It is an attack on the ability of trade unions and their members to have a say in politics, just at the time when it has never been more important that working people have a voice.

At the moment, hundreds of thousands of working people pay just a few pence from the union subs to make their voices heard. I am talking about paramedics or cleaners, who do not have the luxury of a cosy dinner with the Chancellor; supermarket workers, who will not catch the Secretary of State in the veg aisle; and teaching assistants, who are not likely to bump into the Prime Minister on the street—indeed, we know that the last time someone did bump into him in west Yorkshire it did not end very well. Trade union members know whether their unions are affiliated to Labour and can opt out of making a contribution to the political fund, and every 10 years we are balloted on whether we want a political fund at all. There is no real wrong that this Bill is trying to right. It is not about high principle, just low politics.

I am not afraid to say that I am a working-class woman when there are too few in this House. I spent my life before I came here working on the front line of our public services, for the police, supporting victims of crime, and for our NHS, supporting all who needed care. When I walk around my constituency people say to me time and time again that they want to see more people like them in Parliament. I am not ashamed of the trade unions' political work. They are part of our democracy, not a barrier to it. Working people in my constituency need a voice more than ever—

Madam Deputy Speaker (Natascha Engel): Order. I call Rachael Maskell.

9.2 pm

Rachael Maskell (York Central) (Lab/Co-op): I refer the House to my entry in the Register of Members' Financial Interests. I am proud to declare that I am a trade unionist and was an official of Unite for 17 years before coming here. I rise to oppose this anti-trade union Bill. Should we be surprised by it, for have not the powerful always sought to take power from those people who get on and build our country? I refer to those people working in our services and in our public sector, and those who are in the engine room of driving up productivity and building our economy. The trade union movement has seen inequality throughout the past 200 years, and

today men and women experience it daily. Against this adversary—against the crushing hand of bad employers or the state—men and women have organised, and nothing will stop their spirit in fighting for justice and making sure that they have better rights for the future.

This Bill sets out to rob these people of those basic human rights, making it almost impossible for workers to exercise their right to take action, as detailed ballots are already so difficult to implement. From talking to so many employers, particularly in the public sector, I know how they struggle to implement the current legislation on industrial ballots. One employer has 250 workplaces and has to know the jobs taking place in them and the grades involved. Obviously, as they do not know where their staff are, they struggle with the legislation. The Government are now introducing more bureaucracy for employers, wasting more of the employers' resources. The advanced details that the Bill introduces deal with things such as the dispute plan, which interrupts industrial relations. That should be the subject we are debating today: how we create good industrial relations, and how we resolve the disputes and solve the real challenges facing workers at this time.

I wish to talk briefly about responsibility in industrial action. Last year, NHS staff raised a dispute about their pay, having experienced a 15% real-terms pay cut while managers had had an 11% pay increase over the past six years. The dispute was registered. Time and again, we wrote to the Secretary of State, asking him for a meeting. We had a string of solutions to offer, but he refused to meet us. He was spoiling for a ballot and industrial action when we could have resolved the issue around the table. Nine months later, after a day of action, he conceded. We have more days of strike action in the public sector, because the Government are using it as a tool against workers. But workers are responsible; they stand up for their rights and they always will. This piece of legislation should be ditched, so that it will not harm our members.

9.5 pm

Cat Smith (Lancaster and Fleetwood) (Lab): I draw the House's attention to my entry in the Register of Members' Financial Interests and declare that I, too, am a member of Unite the union and the GMB. I am also the daughter and granddaughter of two trade unionists. I am very well aware that I stand on the shoulders of giants from the generations that have gone before me and fought for my rights in the workplace—the rights for a weekend, for maternity pay and for sick pay. Those rights make workers more productive and happy. If those on the Government Benches are serious about protecting and growing our economy, they would take trade unions seriously as a partner and strengthen their rights, not remove them.

I am interested in seeing improvements to trade union rights in this country. Many colleagues have mentioned e-balloting. If we want more people to participate in a ballot, we should make it easier for them to do so.

The thresholds proposed in the Bill are a hypocrisy. Why should we apply a higher standard to working people who wish to organise unions in this country than we apply to ourselves? I would not be serving in this House today if I had been expected to meet the thresholds

that have been proposed for our trade unions. It is an attack on civil liberties. As has been mentioned, article 11 of the European convention on human rights states:

“Everyone has the right to freedom of peaceful assembly and to freedom of association, including the right to form and join trade unions”—

for the protection of their interests. This Bill puts a restriction on people’s rights, and I note that the briefing note sent to MPs from Liberty supports that view.

I wish to move now to a subject that has not been covered quite so much today. It is a sorry state of affairs that the Government cannot see the huge economic benefits of trade union membership and strong trade unions. Looking at the relationship between two major economic trends since the 1970s, namely declining union membership and a shrinking share of wages and salaries in national income, it becomes clear that the UK has paid a heavy economic price for years of labour market deregulation and anti-union policies. The UK is wages-led: it is wages, not profits, that drive growth in our economy. If profit shares go up, as has been the case for the past four decades, demand actually decreases. A 1% increase in the profit share leads to a 0.13% decrease in demand, which is a loss of £2.21 billion to the economy at today’s levels.

The role of trade unions in ensuring a successful economy must be recognised if the damaging decline in the portion of national income going to wages is to be reversed. It is for that reason that I will oppose this Bill this evening, and I urge Government Members to do the same.

9.8 pm

Wes Streeting (Ilford North) (Lab): I draw Members’ attention to my declaration in the Register of Members’ Financial Interests. On behalf of working people across my constituency and across the country, I rise to oppose this sinister, shabby and shameful piece of legislation, which goes against the best of British traditions in terms of the role that the trade union movement has played, particularly in the past century, in our democracy and civic life. I also make an appeal to the decent Conservatives on the Government Benches—at least to the ones who have bothered to show up today. This Bill goes against the best traditions of the Conservative party. If its members believe in free markets, they must surely believe in free labour. Perhaps that is why, in 1948, Winston Churchill opposed attempts to politicise the attacks on party political funding and the funding of a Labour party. Perhaps that is also why, in 1984, Margaret Thatcher said that the Conservative party should tread with caution before behaving in such a partisan way.

In 1998, John Major’s Government said that they had no problem with the funding of political parties by trade unions. This Bill does two things: it attacks the freedoms and liberties of working people and it makes a partisan attack on the funding of Her Majesty’s Opposition. Any decent democrat in this Chamber should be ashamed of themselves if they vote it through.

Look at the difference between the rhetoric and the reality in the Bill. The Government say that they want to give trade unions more democratic legitimacy, but this is, in fact, about delegitimising trade unions, increasing the threshold they need in order to go on strike but

resisting their modernising calls to introduce electronic ballots. There lies the hypocrisy. The Government pretend that commuters in Ilford North and across London will no longer be affected by tube strikes, but the transport unions do meet the threshold, so this is not an attack on tube drivers going on strike; it is an attack on midwives, dinnerladies and other low-paid public sector workers who have the temerity to take on this Government.

The Bill goes against the best traditions of the Conservative party, but it is just what we should expect from this Prime Minister, a Prime Minister who has sought to rig the Commons and pack the Lords with his special advisor Lobby fodder, who will vote but not speak in debates. This is the Prime Minister who gags civil society, presiding over a Government who would have police officers taking the names of people on the picket lines when they should be out arresting criminals. They are our bobbies on the beat, so maybe they should arrest the Secretary of State for Business, Innovation and Skills for wasting police time.

I want to congratulate the Prime Minister and the Secretary of State on uniting the Labour party after a summer of vigorous debate. They think that this is purely about the funding of our party, but it is not; it is about values and belief in democracy, equality, collectivism and social justice. Those are the values of the real party of the workers, and that is why I oppose this Bill.

9.11 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is important for me to speak in this debate, having been a Unite the union representative for 14 years in health. Trade unions are key social partners that play an important role in our society through effective democracy and by helping to ensure good employment practices, which directly promote economic competitiveness and social justice in wider society. Despite what some Members assert, the daily business of unions is not taken up with organising industrial action. They represent their members in many ways, ensuring healthy and safe workplaces, delivering learning opportunities and bargaining collectively to ensure that pay keeps pace with the cost of living, the benefits of which are also experienced by non-union members.

The Scottish Trades Union Congress reports that international evidence clearly indicates that where unions are able to negotiate collectively with employers, wages are fairer and, as a direct consequence, societies are more equal. Days lost to industrial action are down by 84% in Scotland since the Scottish National party came to power, lower than anywhere else in the UK. That has been built upon over time through true partnership and conciliation. However, the right to withdraw labour as a last resort is a fundamental human right and a hallmark of any free and democratic society. It is safeguarded by a wide range of international treaties, including the European social charter and the European convention on human rights.

There are profound concerns that the right to strike is being put at risk, as the new restrictions will make it so difficult to undertake efficient industrial action that it is, in effect, being legislated out of existence. The Bill would introduce a 50% turnout threshold in all industrial action ballots. In addition, for important public services

[Dr Lisa Cameron]

it would also impose a requirement that 40% of the entire membership must vote in favour, which amounts to 80% of those voting on a 50% turnout. Under those measures, nearly half of all strikes since 1997 would now be illegal.

The Bill proposes restrictions on picketing activities, even though, as highlighted by civil rights groups, pickets are already more regulated than any other kind of protest. The certification officer will be given powers to investigate unions and access membership lists, even if no one has complained about the union's activities. The SNP recognises that nobody wants strikes, but the way to avoid them is not to provoke confrontation—

Mr Speaker: Order. We are grateful to the hon. Lady. I call Melanie Onn.

9.14 pm

Melanie Onn (Great Grimsby) (Lab): I am speaking on behalf of Unison as a Unison member. Unison has over 1 million public sector workers, with low-paid, part-time women making up the majority of its membership. I welcome some of the comments I have heard from Conservative Members, particularly the right hon. Member for Haltemprice and Howden (Mr Davis) and the hon. Members for Stafford (Jeremy Lefroy) and for Hazel Grove (William Wragg), who are clearly sensible, reasonable Conservatives. I hope they succeed in convincing some of their colleagues that with the measures in this Bill they are grossly overreaching themselves.

The hon. Member for Bexhill and Battle (Huw Merriman), who is not in his place, seemed to have misunderstood some of the provisions in the Bill. He made the incorrect assumption that there is something along the lines of automatic registration for trade union membership or for political party membership as a result of that trade union membership. If someone opts into a political fund, check-off happens when they have already signed up to be a member of a trade union, and there is automatic payment through their salary. It is important that somebody who is going to contribute to a debate understands the fundamentals of what they are talking about.

As we have heard, trade union members are cleaners, carers and drivers who simply want to get on with their jobs safely without fear of discrimination and to be rightly rewarded for it. This Bill singles those people out with armbands and authorisation documents. They are the people who care for our elderly, keep our streets clean, and mend our roads, and do not want to take industrial action—it is always the last resort. They have benefited from years of striving for rights and freedoms, and it is right that they should feel free to belong to a trade union without fear of reprisals or judgments against their character. This is now under threat through demonising them and suggesting they are prone to criminal behaviour by virtue of their trade union membership.

Many Conservative Members have lectured Labour Members on their own trade union backgrounds, and their support for and understanding of working people and their lives. Nearly all their comments have been predicated on, “I support trade unions, but.” It is perverse to claim to support trade unions with one breath and then to support this regressive Bill with another. It is

already difficult to arrange a strike, with indicative ballots. My union has a 50-page document to guide people through the process of securing a ballot. I remind Conservative Members that the *Financial Times* says today that instead of restricting unions,

“more worker bargaining power would restore some overdue wage growth”.

9.17 pm

Harry Harpham (Sheffield, Brightside and Hillsborough) (Lab): I stand here as a proud trade unionist and member of Unite and the GMB. I draw Members' attention to my entry in the register.

The right to strike is one of the fundamental rights on which civil society is based. It encapsulates the rights of freedom of assembly and protest for which generations of men and women have fought and struggled. The establishment and defence of these rights is one of the most vital threads in our national story. By introducing this Bill, the Secretary of State has reminded us that that struggle is not confined to the history books. If the measures laid out in it are enacted, it will be an unprecedented blow to our civil liberties. It is a nakedly ideological attack on basic freedoms by Conservative Ministers whose aim is to silence opposition and secure political advantage. Reading the Bill, one might think that Britain was paralysed by industrial unrest, with strikes threatening to bring the economy to a grinding halt. Nothing could be further from the truth. Over the past five years, there has been a ninefold reduction in the number of days lost to industrial action since the 1980s.

Strikes are a symptom of poor industrial relations, not a cause. They are entered into only as a last resort, as I know from personal experience as a former miner forced on to the picket line in 1984 to defend jobs and communities against a Tory Government and National Coal Board determined to destroy both the industry and my union. I know the turmoil, the pain and the financial hardship that strikes can cause for those engaged in them. This is the price we pay for living in a free society, and compared with the alternative, it is a price worth paying.

Everyone knows there is no love lost between the Tory party and the trade union movement, but for the Government to play politics with some of the basic rights of those who have a difference of opinion with them, just because they can, is, frankly, an abuse of power. British industrial relations law is already among the most comprehensive and most restrictive in Europe. This Bill seeks to refashion that framework into a set of shackles, leaving unions unable to perform the functions for which they exist.

This Bill has been described as illiberal, pernicious, ridiculous, ludicrous and absurd. It represents nothing more or less than the curtailment of the civil rights of trade union members and the Government silencing those who oppose them. Britain's low strike rate shows that the current legal framework allows principles to be put into practice. I urge Conservative Members to think very carefully before they cast that aside for political gain.

9.20 pm

Kate Osamor (Edmonton) (Lab/Co-op): I, too, would like to declare that I am a proud trade unionist and a member of Unite.

To be perfectly honest, I am very disappointed that we have to have this debate. As others have noted, the ability to form a union and carry out industrial action are basic rights in a democratic society. I am very concerned that the Government have introduced a Bill that seeks to undermine such fundamental rights.

As a trade unionist, I know that, if passed, this Bill will make it much more difficult for workers to raise concerns over safety, working conditions and pay. I am particularly concerned about the impact it will have on women in the workplace. We already know that women are systematically discriminated against in the labour market. Women already comprise the majority of those on the minimum wage and are more likely to be in insecure and low-paid jobs such as catering, cleaning and clerical work. Women are, on average, paid less than men and are more likely to be in in-work poverty.

It is also important to remember that women have borne a higher share of the burden of this Government's austerity policies than men. Women have already suffered more from welfare cuts and pay freezes, and I am concerned that this Bill will make those inequalities much worse. The Government seem to be in denial about that. The Bill's impact assessment totally fails to account for the disproportionate effect the Bill will have on women workers. The reality is that trade unions are one of the best tools in the struggle for gender equality, and attacks on union rights will damage the struggle for equality in the workplace.

Indeed, Government statistics on trade union membership have found that women workers who are in a trade union have a pay premium of 30%. That is no surprise when one remembers that the very purpose of much industrial action is to achieve gender equality in the workplace. If the Government restrict the rights of workers to organise, that will clearly have a negative effect on the struggle for pay equality.

Unionised workplaces are also more likely to have good policies on flexible working and maternity pay, as well as better support for those returning to work after pregnancy. By making it harder for workers to organise at work, this Bill will have a negative impact on all those areas, leading to further discrimination against women in work.

The Bill's new strike ballot threshold will also affect women more than men.

Wes Streeting: On the increased threshold, I am sure my hon. Friend is as concerned as I am that it is not being made easier for workers to cast their votes through electronic balloting. Why does she think the Government will not agree to it?

Kate Osamor: I totally agree with my hon. Friend.

The Bill's higher ballot threshold for essential services will disproportionately affect women, as they are much more likely to be employed in those sectors. Research by the TUC suggests that nearly three quarters—73%—of the trade union members working in important public services are women. Do the Government not understand that reducing the rights of those women at work will only increase the gender pay gap and worsen discrimination in the workplace?

This is a regressive Bill that threatens to undermine basic civil rights and reverse progress in achieving workplace equality. I urge Members on both sides of the House who do not want to see that progress reversed to vote against the Bill.

Mr Speaker: Now that, after a short flight, the exotic bird has returned to its nest, I call Mr Boris Johnson.

9.24 pm

Boris Johnson (Uxbridge and South Ruislip) (Con): You are very kind, Mr Speaker. What the Bill in fact offers, contrary to what we have heard from Opposition Members, is a set of protections for two sets of working people: those who utterly depend on public services for their everyday lives and those who work in public services and find that they are often engaged in pointless, costly strike action because of the actions of a politically motivated minority.

I agree with everything in the Bill as proposed. It cannot be right that it is still possible to have a strike on the basis of a ballot that took place many months or, indeed, years ago. It is still technically possible to have a strike without a fresh ballot upon the removal of guards from the underground, a piece of modernisation that took place in the 1990s. It is utterly wrong that public workers should be subject to intimidation—sometimes reduced to tears—on the picket line or elsewhere. It is high time that that code of practice was put into law. Clauses 2 and 3 take us furthest and offer the greatest hope.

Ian Lavery *rose*—

Boris Johnson: If the hon. Gentleman will forgive me, I will not give way.

Some kind of disruptive industrial action, bad enough to wreck one's day, can take place on the basis of a tiny number of the workforce. To take a by no means untypical example, a strike was recently mooted upon the dismissal of an employee who had consistently failed to turn up for work, and a ballot was held by the National Union of Rail, Maritime and Transport Workers. Fifty-four people were balloted. Of those, only 14 could be bothered to vote. Five voted for a strike and nine for action short of a strike. Yet, as a result of the vote—26% of the relevant electorate—people's lives were disrupted during that day. People did not turn up to work. The London economy suffered. There was disruption.

Mr Skinner *rose*—

Boris Johnson: I will give way to the hon. Gentleman.

Mr Skinner: A member of the Bullingdon club, intimidating people.

Boris Johnson: I am grateful to the hon. Gentleman for the extra minute.

As a result of intimidatory behaviour, we have seen strikes triggered by a tiny minority that have caused far worse disruption, inconveniencing and causing misery for millions—[*Interruption.*]

Mr Skinner *rose*—

Mr Speaker: Order. The hon. Gentleman has the floor.

Boris Johnson: Only 24% of London bus drivers decided to vote in the dispute in 2014, yet there were two one-day strikes. The 2014 strikes over ticket office closures were triggered by a ballot that attracted only 40% interest and in which only 30% of the relevant workforce voted yes.

To those who say that we politicians have no cause to set thresholds, let me remind you that in America, the land of the free, 39 states have banned strikes by mass transit workers.

Mr Anderson: I thank the hon. Gentleman for giving way. He is being his normal, generous self. In his two jobs, how many people in Uxbridge did not vote for him and how many in London did not vote for him? How can he condemn anybody else?

Boris Johnson: The hon. Gentleman will be familiar with the concept of the quorum. We are seeing a tiny minority of workers taking decisions that inconvenience the lives of millions. He will know the huge economic cost of those decisions. He will also know that the European countries that have been alluded to constantly throughout this debate have all sorts of restrictions on the right to strike, not least in Spain—someone referred to Franco's Spain earlier—which has minimum service requirements to this day, and Germany, which has a 75% threshold. That, he should frankly put in his pipe and smoke.

This is an excellent Bill—a serious, sensible Bill. It has been striking that not a single Labour Member has stood up during this debate to condemn the strikes that are caused by a tiny minority of the workforce. Not a single one of them has condemned it. That tells us all we need to know about the Labour party. It no longer speaks for the working people of this country.

9.29 pm

Daniel Zeichner (Cambridge) (Lab): I draw attention to my entry in the Register of Members' Financial Interests and my membership of Unite.

Like many Members, I have had conversations with thousands—[*Interruption.*]

Mr Speaker: Order. The hon. Gentleman has the right to be heard by both sides. He must and will be heard.

Daniel Zeichner: Like many Members—although I am not sure about the previous speaker—I have had thousands of conversations with constituents over the past year, including, in my city of Cambridge, at 30 or 40 hustings during the general election, and to my recollection not once were the issues addressed in the Bill raised, not even by my opponents, including those who tried to paint my employment for Unison for a dozen years as something of which I should be ashamed. Well, I am not. I saw thousands of people working in hospitals and town halls up and down the country giving up their time and often their careers to help their colleagues through the inevitable disputes that arise in workplaces. I am talking not about political disputes, but the day-to-day stuff that happens everywhere.

Yes, sometimes they had facility time to do it, because pay-gradings, pensions, disciplinaries, the lot, take time to prepare for—that is why human resources allocates time to such matters. These people should be celebrated and praised, not denigrated.

I shall say a word about the provisions on political funds. In my job at Unison, I dealt with the political fund. Reading the Bill, I have a strong sense that those drafting it do not understand how the system works, and I urge Government Members to think through the unintended consequences. Thanks to previous Conservative legislation, unions have been forced to maintain political funds to carry out their mainstream functions. Unison's predecessor union, the National and Local Government Officers' Association, famously had to do that to campaign on behalf of its members just for public services—core union business. Yet the Bill muddles maintaining the political fund with links to the Labour party, and in attacking the latter muddies the waters still further.

The Bill will only add greater uncertainty to what can and cannot be done and, in my view, is likely to lead to greater politicisation, not less. I am not bothered about that, but Government Members might come to regret such a false move. They should also think hard about tearing up the long-held convention that we change the basis of financial support for political parties by agreement. The long battle involving Hayden Phillips is all too familiar to many of us, but Labour, as my hon. Friend the Member for Wallasey (Ms Eagle) said, would not impose a solution without agreement. The Government are now doing exactly that, legislating to party advantage, meaning that the next Government will feel they have the right to do the same. The country deserves better than such tit-for-tat playground politics. This is a mean-spirited Bill. The Conservative party won the election and took the spoils, but with this Bill it reveals its weakness, not its strength.

9.32 pm

Peter Dowd (Bootle) (Lab): I declare an interest as a member of Unison. [HON. MEMBERS: "Oh!"] Yes, and I am proud of it. As a former council leader, I know from experience that the role of trade unions has been nothing but positive and constructive, especially during this time of massive cuts in local government. The Government seem to have a morbid obsession with trade unions, a visceral hatred dressed up as a legislative virtue.

There is little, if any, evidence to back up the Government's claim that trade unions are so disruptive that more legislation is needed, but it is the reserve clause—clause 13—that is particularly odd. It gives power to the Secretary of State or a Minister to determine whether a union rep, say in Carlisle, has had too much facility time off. Does the Secretary of State not have anything better to do than check what some union rep in Carlisle is doing? At a time when the Secretary of State for Communities and Local Government is devolving power and responsibilities to the city regions, the Business Secretary and his Ministers are personally checking how much time a shop steward spends undertaking their union duties. This is how ridiculous it is. Can Members imagine the German, French, Spanish or Italian equivalent of the Secretary of State, sitting in Berlin for example, deciding whether a shop steward in Düsseldorf or Stuttgart has time off for union duties? That is how ridiculous it

is. That is the comparison to be made. Why is the Secretary of State wasting his time on petty legislation and score-settling?

Alan Johnson: Perhaps my hon. Friend will reflect on this. I tabled a question for the Secretary of State for Health, asking if he could tell me how many child and adolescent mental health in-patient facilities had closed. He referred me to NHS England. He does not know that, but he will know every fine detail of facility time throughout the NHS.

Peter Dowd: That is how petty this is. Should the Secretary of State not be spending his time and taxpayers' money dealing with issues such as productivity or investment in infrastructure?

I came down from my constituency today with three trade union representatives from the private sector who were on full facility time. That is the action of a sensible, reasonable and enlightened business, as opposed to the petty, anally retentive and obsessive Government, with a Secretary of State who has nothing better to do with his time.

9.36 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): May I declare my current membership of the GMB and draw the attention of the House to my declaration in the Register of Members' Financial Interests. I, like so many Members on this side of the House, have nothing to hide about my relationship with, and support for, trade unions. Whether it is campaigning locally to defend community services in the steel industry, nationally to defend shop workers facing violence and to stand up for the rights of poorly paid musicians, or globally to fight for a Robin Hood tax and efforts to tackle global poverty, I have been proud to stand alongside trade unionists as a trade unionist for my whole political career.

This has been an extraordinary debate on an extraordinary Bill. What has been most extraordinary among the numerous speeches by Government Whips' cronies, tying themselves in contortions trying to explain their workers credentials, while supporting the Bill, not to mention a mare of a speech by the hon. Member for Uxbridge and South Ruislip (Boris Johnson), has been the ream of Government Members lining up to oppose significant sections of the Bill and urge their Government to think again.

The hon. Member for Elmet and Rothwell (Alec Shelbrooke) urged a rethink on agency workers. The right hon. Member for Haltemprice and Howden (Mr Davis), who had already told us that parts of the Bill were reminiscent of Franco, rightly spoke about the serious restrictions on freedom of association and the risk of judicial review. The hon. Member for Hazel Grove (William Wragg), in an excellent speech, said that he had concerns about the provisions on agency workers and facility time. He told us clearly that we must not erode fundamental rights and liberties. The hon. Member for Bedford (Richard Fuller), in another excellent speech, raised concerns over the new notice periods, the role of the certification officer, which is set to expand massively, and the risk of inadvertent criminalisation.

The hon. Member for Stafford (Jeremy Lefroy), in yet another excellent speech, told us:

"I cannot see what the problem is with check-off".

He also pointed out that he cannot see the problem with electronic voting. He criticised the civil liberties aspects of the Bill and argued for a sensible, consensual and, if I may say so, Churchillian approach to political funding, which the Conservative party—at least, those on the Treasury Bench—seems to have abandoned.

We heard many excellent speeches from Opposition Members. My hon. Friend the Member for Dewsbury (Paula Sherriff) said that this was a Bill not of high principle, but of low politics. There was an excellent speech by my hon. Friend the Member for York Central (Rachael Maskell) about the role of trade unions in standing up for the rights of ordinary workers. My hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) described the attack on basic civil liberties. My hon. Friend the Member for Ilford North (Wes Streeting) spoke powerfully about the attacks on London's workers under the Mayor. My hon. Friend the Member for Great Grimsby (Melanie Onn) talked about her role working with trade unions.

There were excellent speeches by my hon. Friends the Members for Sheffield, Brightside and Hillsborough (Harry Harpham), for Edmonton (Kate Osamor), for Cambridge (Daniel Zeichner) and for Bootle (Peter Dowd). My hon. Friend the Member for Blaydon (Mr Anderson) suggested a good new title for the Bill. My hon. Friend the Member for Swansea West (Geraint Davies) gave an excellent speech and my hon. Friend the Member for Heywood and Middleton (Liz McInnes) spoke from her extensive experience as a workplace representative in the NHS about the importance of facility time.

We had excellent speeches from my hon. Friends the Members for Ellesmere Port and Neston (Justin Madders) and for Norwich South (Clive Lewis), and my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) spoke—as did other Members—about the Bill's potential contravention of International Labour Organisation conventions and of European and international law. My hon. Friend and neighbour the Member for Cardiff Central (Jo Stevens) put it in a nutshell when she described the Bill as "illegal, illiberal and illiterate", and my right hon. Friend the Member for Rother Valley (Kevin Barron) spoke about the importance of the principle of the right to strike.

My hon. Friend the Member for Easington (Grahame M. Morris) spoke powerfully about the importance of ensuring the possibility of e-balloting and secure workplace balloting, and I will return to that point. My hon. Friend the Member for Wirral West (Margaret Greenwood) spoke about her work and of the excellent work she has seen by Unite at the Vauxhall plant in her constituency. She also spoke powerfully about facility time. My hon. Friend the Member for Birmingham, Erdington (Jack Dromey) gave an excellent speech from his extraordinary wealth of experience and judgment on these matters. He painted a different approach to the one taken by some Conservative Members by describing trade unions as a force for good and for liberty in this country.

My hon. Friend the Member for Leeds East (Richard Burgon)—with an excellent intervention by my hon. Friend the Member for Gateshead (Ian Mearns)—mentioned the absurdity of the social media provisions

[Stephen Doughty]

proposed in the Government consultation, and my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey) spoke with powerful arguments about the role that trade unions play in driving productivity in our economy, and the role of good pay in doing that. My hon. Friend the Member for Torfaen (Nick Thomas-Symonds) gave an historical tour de force about the opt-in and industrial relations, and he spoke about the powerful issues around picketing and the complete impracticality of a number of provisions suggested by the Government.

My hon. Friend the Member for Stoke-on-Trent North (Ruth Smeeth) spoke powerfully about the role of organisations such as HOPE not hate, which I have seen active in my constituency doing incredible work on electoral registration and tackling extremism. She said how that will be put a risk by provisions in the Bill, and my hon. Friend the Member for City of Chester (Christian Matheson) also exposed many of those absurdities. There were many excellent speeches by Scottish National party Members, including an excellent speech by the hon. Member for East Renfrewshire (Kirsten Oswald) who spoke about the role of communication in industrial relations and finding constructive solutions. My hon. Friend the Member for Middlesbrough (Andy McDonald) called out the funding provisions in the Bill for what they are.

My hon. Friend the Member for Hartlepool (Mr Wright), Chair of the Business, Innovation and Skills Committee, said that Disraeli would be turning in his grave, and Conservative Members would do well to look at their own provisions—even their great Margaret Thatcher did not go this far, and they should think carefully about what they are saying. My hon. Friend the Member for Blyth Valley (Mr Campbell) made it clear that the Bill attacks what is, in his experience, the importance of working together to achieve agreement, which lies at the heart of good industrial relations. My hon. Friend the Member for Wansbeck (Ian Lavery) spoke of how the Bill could increase the threat of blacklisting, and he described the levies as a trade union tax and a potential breach of numerous legal conventions. My hon. Friend the Member for Stockton North (Alex Cunningham) spoke of his powerful personal experiences of being involved in strikes against injustice and the effect on his own family.

I am glad that we have the support of the hon. Member for Glasgow South West (Chris Stephens) because he spoke powerfully about how this Government claim that they seek to deregulate in every area except, it appears, the trade union movement, which they seem content to tie up in “blue tape”.

Many of us in the Chamber are, at times, prone to hyperbole and exaggeration, but this is not such an occasion. I have no hesitation in describing the Bill as one of the greatest threats to the activities of trade unions and ordinary working people up and down this country, and one of the greatest threats to hard-won and fundamental civil liberties in a generation. The Bill breaches long-established rights to strike, protest and to industrial action. It introduces pernicious measures and the potential for wide-ranging further restrictions and powers in secondary legislation that, as many hon. Members pointed out, we have yet to see.

The provisions on social media are simply absurd. Why on earth would we want the police to spend time establishing whether trade union members have said things two or three weeks in advance of action? The police have to spend enough time tackling extremists and criminals who are using social media. Importantly—I am a Welsh MP—we have heard that the Bill breaches the devolution settlement with far-reaching consequences for relationships and public policy in wholly devolved areas such as health and education, whether in Wales or Scotland, let alone at the level of local authorities in England or London. The Bill potentially puts the Government in breach of international conventions and European law. It breaches established conventions on the funding of political parties and political campaigning.

Geraint Davies: Does my hon. Friend agree that as the Bill is a fundamental attack on democracy, human rights and trade unions, it will boost Labour party membership by thousands more as people protest against this evil Bill?

Stephen Doughty: My hon. Friend makes an important point and he echoes thousands of people who have expressed their opposition to the Bill today and in the past few weeks.

My noble Friends in the other place may be interested to note that the Bill breaches a Conservative manifesto commitment to make provisions regarding only essential public services. “Essential” is the word used in International Labour Organisation conventions, and it has a very narrow definition. Instead, the Bill talks about “important” public services and draws its provisions so wide that as yet unseen powers could apply to nearly every area of publicly funded activity. The House should not take my word for it or the word of those who have spoken today. Let us listen to the independent Regulatory Policy Committee, which described the Bill as not fit for purpose; to Amnesty, Liberty and the British Institute of Human Rights, which described it as a major attack on civil liberties; and to the Chartered Institute for Personnel and Development, which said:

“We need to see more consultation and...engagement with, the workforce, rather than the introduction of mechanisms that reflect the industrial relations challenges of the 1980s.”

We should listen to recruiters who are fearful that their agency staff will be used as strike-breaking labour. The Recruitment Employment Federation said that it is “not convinced” by the Bill.

The Bill stands alone as a divisive and offensive piece of legislation, but when viewed alongside the Government’s wider agenda of scrapping the Human Rights Act, introducing fees denying women the chance to sue for equal pay, slashing legal aid, attempting to limit freedom of information and judicial review powers, disfranchising millions through ill-thought-out changes to electoral registration and the Act that has gagged charities and civil society organisations, it is deeply sinister and it should sound the alarm bell from town to town and city to city across this nation of hard-won liberties in the year we celebrate the anniversary of Magna Carta.

I return to the point made by my right hon. Friend the Member for Kingston upon Hull West and Hessle (Alan Johnson). What problem does the Bill seek to solve? This is not a Bill designed to increase democracy, transparency or the legitimacy of industrial action or

political funding. It is nothing more than a naked partisan attempt to prevent scrutiny of the Government and their agenda. Not since the 1970s have we seen such wide-ranging attempts to change industrial relations law, but today we see barely a hundredth of the level of industrial action of those days. The Bill seeks to solve a problem that simply does not exist. Instead, it seeks to drive a false wedge between Government, industry, employees and the public by restricting rights and, at worst, criminalising people making their views known about their pensions, pay, health and safety and many other issues.

If the Government are serious about democracy and increasing participation, why are they introducing so many barriers and restrictions while denying trade unions a debate about electronic balloting and secure workplace balloting? If the Government intend to proceed with the Bill, they must bring forward amendments to it. At the very least, if they are serious about improving democracy, they could introduce a statutory instrument on the powers in the 2004 Act.

The Minister without Portfolio, the right hon. Member for Harlow (Robert Halfon), said:

“When we bash the trade unions, the effect is not just to demonise militancy, but every trade union member, including doctors, nurses and teachers.”

Today, the *Financial Times* said:

“Britain does not have a problem with strikes”,
and that the Bill is
“out of proportion”
and contains
“alarming proposals”
that
“threaten basic rights.”

Will the Government listen to their Ministers, their Back Benchers, the voices of civil society, the *Financial Times* and so many others who have spoken out against the Bill? We will oppose the Bill every step of the way and we urge all those who care about our democracy and civil liberties to join us.

9.49 pm

The Minister for Skills (Nick Boles): This debate has not exactly been notable for its cross-party harmony. Speeches from the Labour Benches have at times sounded like an extended message from their sponsors.

I will start by acknowledging some important common ground between hon. Members in different parties. We all value the work of trade unions. My hon. Friend the Member for Elmet and Rothwell (Alec Shelbrooke) talked powerfully about the role shop stewards can play, and have played in his own life, in helping to protect people from bullying in the workplace. The hon. Member for Middlesbrough (Andy McDonald) quoted Pope Francis and I agree with every word that Pope Francis said. We applaud unions for helping people from ethnic minorities, such as my right hon. Friend the Secretary of State’s father, to overcome prejudice in the workplace and unlock their potential. We admire them for the decades of campaigning that led to the passage of the Equal Pay Act 1970 and the introduction of the national minimum wage. As Skills Minister, I would like to thank them for the work they do through Unionlearn to help thousands of working people to improve their

skills. I agree with the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) that that is a great example of partnership between unions, Government and working people. I want to work with unions to ensure that as many union members as possible benefit from our investment in 3 million new apprenticeships over the next five years.

Every 30 years or so, however, public institutions need to be modernised, to become more transparent, more accountable and more responsive. My hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) made the very important point that the biggest threat facing unions is not from the Bill or anything that this House might pass, but from a loss of public trust. It is modernisation that will help them regain it.

The Bill will give union members more information about what unions are doing with their money. It will ensure that diverting a union member’s hard-earned cash to a political cause is done only with their explicit assent. I agree with the hon. Member for Stoke-on-Trent North (Ruth Smeeth). I cannot think of a better cause than HOPE not hate and I have no doubt that union members will willingly opt into political funds that make HOPE not hate one of their main causes. The Bill will also ask unions to form a direct relationship with individual members as customers of their services by ending the practice of check-off.

The core purpose of the Bill, however, is bigger than that. The purpose is to strike a fairer balance between the rights of unions and their responsibilities towards the rest of society, especially other working people. It asks union leaders to weigh the costs and benefits of calling a strike ballot carefully and to make sure they win the arguments for action convincingly. It ensures that in future unions will only be able to disrupt other people’s lives if their cause has broad support. In British society, we all depend on public services in our daily lives. Parents rely on schools to be open. They cannot put their children into another one if their school is closed by a strike. Patients rely on hospitals to be open. They cannot go elsewhere for the appointment they have waited for anxiously. People rely on trains and buses to get them to work on time. They cannot use another train or bus company if their local service has been shut down by a strike. As the Mayor of London, my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) pointed out, most of the people travelling on public transport are paid much less and work much longer hours than those people driving it.

As my hon. Friend the Member for Hertsmere (Oliver Dowden) argued so powerfully, it is only reasonable to reassure his constituents, my constituents and those of every hon. Member that a strike that forces them to take a day off or to pay for expensive childcare, that makes them late for work or that makes them miss a long-awaited check-up was the result of a recent vote by a decent proportion of union members and not a vote taken several years ago in which only a small minority supported strike action. I have an example of that: the National Union of Teachers strike in 2014 that closed 1,500 schools and colleges was on a two-year-old ballot in which turnout was 27%. That was recent, it caused huge disruption and it was not democratic.

I would now like to answer some of the points made during the debate. The shadow Secretary of State, the hon. Member for Wallasey (Ms Eagle), who I welcome

[Nick Boles]

to her place, suggested that the Bill gives the Government powers to add new sectors to the ballot provisions by secondary legislation. That is not the case. There is a power to restrict within the existing sectors those groups of employees to whom the threshold should apply and we have consulted on which groups of employers within those six sectors it should apply to, but there is no power to expand it further.

My right hon. Friend the Member for Haltemprice and Howden (Mr Davis) raised some concerns about the picketing code, and those concerns were reflected in other speeches, too. I am a little puzzled by those concerns because the clauses in the Bill on picketing were taken directly, word for word, from the code on picketing, a statutory code that has existed since 1992, which the previous Labour Government made no attempt to amend and which no union has ever written to me to ask me to amend. The code talks about registering a supervisor and about picket supervisors wearing armbands or other identifiers. I am happy to discuss the detail of that code, but there is nothing in the Bill that was not already known.

My hon. Friend the Member for Stafford (Jeremy Lefroy) raised the question of e-balloting, and he is right that there is no in-principle objection to the idea of voting online. The objection is practical. In January 2015, the Open Rights Group—I think that it believes in open rights—gave evidence to your Commission on Digital Democracy, Mr Speaker, in which it said:

“Voting is a uniquely difficult question for computer science: the system must verify your eligibility to vote; know whether you have already voted; and allow for audits and recounts. Yet it must always preserve your anonymity and privacy. Currently, there are no practical solutions to this highly complex problem and existing systems are unacceptably flawed.”

If the Opposition can find a practical solution, I look forward to hearing it.

My hon. Friend the Member for Hazel Grove (William Wragg) made an important point, with which I entirely agree. In asking public sector bodies to measure the amount of money spent on facility time, we must distinguish between union duties, on which it is entirely proper for union members and union representatives to work, and union activities, in which case it might not be so proper for them to be paid while doing them.

Our debates in this place focus on the issues in the Order Paper but on some days they also reveal the deepest shifts in the political landscape. In the speeches from the Opposition, we have heard the last rites being read for Labour as a party of the modern world. This once great movement has become a left-wing sect in thrall to union leaders who have become ever more extreme while their membership declines. It falls to us as Conservatives to stand up for working people in every part of this great nation. It is this Conservative Government who are investing in apprenticeships, creating millions of jobs and ensuring that work always pays. It is this Conservative Government who are giving pay rises to millions of working people by introducing the national living wage. This Trade Union Bill will modernise trade unions to the benefit of everyone in society.

Question put, That the Bill be now read a Second time.

The House divided: Ayes 317, Noes 284.

Division No. 70]

[10 pm

AYES

Adams, Nigel	Dinenage, Caroline
Afriyie, Adam	Donaldson, rh Mr Jeffrey M.
Aldous, Peter	Donelan, Michelle
Allan, Lucy	Double, Steve
Allen, Heidi	Dowden, Oliver
Amess, Sir David	Doyle-Price, Jackie
Andrew, Stuart	Drax, Richard
Ansell, Caroline	Drummond, Mrs Flick
Argar, Edward	Duncan, rh Sir Alan
Atkins, Victoria	Duncan Smith, rh Mr Iain
Bacon, Mr Richard	Dunne, Mr Philip
Baker, Mr Steve	Ellis, Michael
Baldwin, Harriett	Ellison, Jane
Barclay, Stephen	Ellwood, Mr Tobias
Barwell, Gavin	Elphicke, Charlie
Bebb, Guto	Eustice, George
Bellingham, Mr Henry	Evans, Graham
Beresford, Sir Paul	Evans, Mr Nigel
Berry, Jake	Evennett, rh Mr David
Berry, James	Fabricant, Michael
Bingham, Andrew	Fernandes, Suella
Blackman, Bob	Field, rh Mark
Blunt, Crispin	Foster, Kevin
Boles, Nick	Fox, rh Dr Liam
Bone, Mr Peter	Francois, rh Mr Mark
Borwick, Victoria	Freeman, George
Bottomley, Sir Peter	Freer, Mike
Bradley, Karen	Fuller, Richard
Brady, Mr Graham	Fysh, Marcus
Brazier, Mr Julian	Gale, Sir Roger
Bridgen, Andrew	Garnier, rh Sir Edward
Brine, Steve	Garnier, Mark
Brokenshire, rh James	Gauke, Mr David
Bruce, Fiona	Ghani, Nusrat
Buckland, Robert	Gibb, Mr Nick
Burns, Conor	Gillan, rh Mrs Cheryl
Burns, rh Sir Simon	Glen, John
Burrowes, Mr David	Goldsmith, Zac
Burt, rh Alistair	Goodwill, Mr Robert
Cairns, Alun	Gove, rh Michael
Carmichael, Neil	Graham, Richard
Cartledge, James	Grant, Mrs Helen
Cash, Sir William	Gray, Mr James
Caulfield, Maria	Grayling, rh Chris
Chalk, Alex	Green, Chris
Chishti, Rehman	Green, rh Damian
Chope, Mr Christopher	Greening, rh Justice
Churchill, Jo	Grieve, rh Mr Dominic
Clark, rh Greg	Griffiths, Andrew
Clarke, rh Mr Kenneth	Gummer, Ben
Cleverly, James	Gyimah, Mr Sam
Clifton-Brown, Geoffrey	Halfon, rh Robert
Coffey, Dr Thérèse	Hall, Luke
Collins, Damian	Hammond, rh Mr Philip
Colville, Oliver	Hammond, Stephen
Costa, Alberto	Hancock, rh Matthew
Cox, Mr Geoffrey	Hands, rh Greg
Crabb, rh Stephen	Harper, rh Mr Mark
Crouch, Tracey	Harrington, Richard
Davies, Byron	Harris, Rebecca
Davies, Chris	Hart, Simon
Davies, David T. C.	Haselhurst, rh Sir Alan
Davies, Glyn	Hayes, rh Mr John
Davies, Dr James	Heald, Sir Oliver
Davies, Mims	Heappey, James
Davies, Philip	Heaton-Harris, Chris
Davis, rh Mr David	Heaton-Jones, Peter

Henderson, Gordon
 Herbert, rh Nick
 Hermon, Lady
 Hinds, Damian
 Hoare, Simon
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie

Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, Dr Andrew
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Opperman, Guy
 Osborne, rh Mr George
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Swire, rh Mr Hugo

Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben

Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Ayes:
George Hollingbery and
Margot James

NOES

Abbott, Ms Diane
 Abrahams, Debbie
 Ahmed-Sheikh, Ms Tasmina
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Arkless, Richard
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Bardell, Hannah
 Barron, rh Kevin
 Beckett, rh Margaret
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, Ian
 Blackman, Kirsty
 Blackman-Woods, Dr Roberta
 Blomfield, Paul
 Boswell, Philip
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Burnham, rh Andy
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Cameron, Dr Lisa
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Clwyd, rh Ann
 Coaker, Vernon
 Cooper, Julie
 Cooper, Rosie
 Cooper, rh Yvette
 Corbyn, Jeremy
 Cowan, Ronnie
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Crawley, Angela
 Creagh, Mary
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Cunningham, Mr Jim
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Docherty, Martin John
 Donaldson, rh Mr Jeffrey M.
 Donaldson, Stuart
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Durkan, Mark
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Eford, Clive
 Elliott, Julie
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Fellows, Marion
 Ferrier, Margaret
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Foxcroft, Vicky
 Gapes, Mike
 Gardiner, Barry

Gethins, Stephen
 Gibson, Patricia
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Griffith, Nia
 Gwynne, Andrew
 Haigh, Louise
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harpham, Harry
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hosie, Stewart
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Irranca-Davies, Huw
 Jarvis, Dan
 Johnson, rh Alan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Kerevan, George
 Kerr, Calum
 Khan, rh Sadiq
 Kinnock, Stephen
 Kyle, Peter
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewis, Clive
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 MacNeil, Mr Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael

Matheson, Christian
 Mc Nally, John
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stewart Malcolm
 McDonald, Stuart C.
 McDonnell, Dr Alasdair
 McDonnell, John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGinn, Conor
 McGovern, Alison
 McInnes, Liz
 McKinnell, Catherine
 McLaughlin, Anne
 Meacher, rh Mr Michael
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Carol
 Monaghan, Dr Paul
 Morden, Jessica
 Morris, Grahame M.
 Mullin, Roger
 Murray, Ian
 Newlands, Gavin
 Nicolson, John
 O'Hara, Brendan
 Onn, Melanie
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Albert
 Paterson, Steven
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Pound, Stephen
 Powell, Lucy
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Ritchie, Ms Margaret
 Robertson, Angus
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Salmond, rh Alex
 Saville Roberts, Liz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela

Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, Ms Gisela
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Thompson, Owen
 Thomson, Michelle
 Thornberry, Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek

Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 West, Catherine
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Williams, Hywel
 Williams, Mr Mark
 Wilson, Corri
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Ms Rosie
 Wishart, Pete
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Noes:
 Nic Dakin and
 Tom Blenkinsop

Question accordingly agreed to.

Bill read a Second time.

TRADE UNION BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Trade Union Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 27 October 2015.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—(*Guy Opperman.*)

Question agreed to.

TRADE UNION BILL (MONEY)

Queen's Recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Trade Union Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided.—(*Guy Opperman.*)

Question agreed to.

TRADE UNION BILL (WAYS AND MEANS)

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Trade Union Bill, it is expedient to authorise:

- (1) the charging of a levy payable to the Certification Officer by trade unions and employers' associations; and
- (2) the payment of sums into the Consolidated Fund.—(*Guy Opperman.*)

Question agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft National Minimum Wage (Amendment) Regulations 2015, which were laid before this House on 23 June, be approved.—(*Guy Opperman.*)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

PREVENTION AND SUPPRESSION OF TERRORISM

That the draft Counter-Terrorism and Security Act 2015 (Risk of Being Drawn into Terrorism) (Guidance) Regulations 2015, which were laid before this House on 16 July, be approved.—(*Guy Opperman.*)

Question agreed to.

BUSINESS OF THE HOUSE (15 SEPTEMBER)

Ordered,

That, at the sitting on Tuesday 15 September, the Speaker shall put the questions necessary to dispose of the motion in the name of Secretary Patrick McLoughlin relating to High Speed Rail (London - West Midlands) Bill: Instruction (No. 4) not later than 90 minutes after the start of proceedings on that motion; such questions shall include the questions on any amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Guy Opperman.*)

HUMAN RIGHTS (JOINT COMMITTEE)

Motion made,

That Fiona Bruce, Ms Karen Buck, Ms Harriet Harman, Jeremy Lefroy, Mark Pritchard and Amanda Solloway be members of the Joint Committee on Human Rights.—(*Mr Alan Campbell, on behalf of the Committee of Selection.*)

Hon. Members: Object.

British Airways (Pensions Uprating)

Motion made, and Question proposed, That this House do now adjourn.—(Guy Opperman.)

Mr Speaker: Order. Will those Members leaving the Chamber who, unaccountably, do not wish to hear the hon. Member for Stretford and Urmston (Kate Green), please do so quickly and quietly? That would be appreciated.

10.17 pm

Kate Green (Stretford and Urmston) (Lab): Thank you, Mr Speaker. I am grateful for the opportunity to raise this issue, which affects a substantial number of British Airways pensioners. There are two matters. One, regarding discretionary payments, is sub judice. The other arises in relation to British Airways pensions. Obviously, I shall not be discussing the matter that is before the courts. The focus of this debate is the decision by the trustees of BA's pension schemes to increase pensions by the consumer prices index rather than the retail prices index, as had been the case previously, following the emergency Budget in summer of 2010 which switched the increase in state benefits from RPI to CPI.

The change affects approximately 95,000 pensioners across two schemes: the airways pension scheme and the new airways pension scheme. I am grateful to Association of British Airways Pensioners and its representative, Captain Mike Post, to my constituent, Mr Len Jones, and to Nikki Jones of Unite—in which connection I draw the House's attention to my entry in the Register of Members' Financial Interests—for the briefing for this debate. I am sorry not to have had the benefit of any contact from British Airways.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I congratulate the hon. Lady on obtaining this Adjournment debate. She may be interested to know that several of my constituents are affected by these developments, and I hope that she will address the issue I have been contacted about: the inequity of the position in which they find themselves because of BA's behaviour. Once again, I hope she will reflect that and that we will hear from the Minister in a positive way.

Kate Green: I am grateful to the right hon. Lady for her intervention and I hope to do justice to the concerns of her constituents, my constituents and indeed, as is very evident from the turnout for this debate, those of right hon. and hon. Members from right across the House. I had intended to mention a number of the hon. Members who have approached me about this evening's debate, but I can see that so many are interested and so I will curtail that part of my speech.

As I have indicated, on 31 March 2014 there were 95,486 pensioners in two separate BA pension schemes—28,144 in APS and 67,342 in NAPS. The matter before us tonight therefore affects a substantial number of people, some on very modest pensions—the average pension in APS is about £14,000 per annum and in NAPS it is about £12,000 per annum—and has what Captain Post has described as a “complex history”, going back to 1948, when APS was established. That scheme contained several unique features, including a unilateral trustee power of amendment and a no-worsening clause.

[Kate Green]

Six trustees were appointed by the employer and six were elected by the members. Amendments required two thirds of trustees to ratify them; employer approval was not required.

In 1973, in return for substantial increases in contributions, members were invited to transfer to APS part 6 to enjoy unlimited inflation protection. In 1984, APS closed to new entrants, pending privatisation of BA, and NAPS was established.

Jim Shannon (Strangford) (DUP): The interest here in the House gives an indication of the interest among our constituents, too. Does the hon. Lady agree that given BA's financial position with its pension scheme, with liabilities of £29.2 billion and assets of £29.3 billion, a move to de-risking would have made more sense and may have provided a greater surplus for the company and for the pension?

Kate Green: The hon. Gentleman is absolutely right, and I shall be developing that point further in my speech.

As I say, in 1984, pending privatisation, APS was closed and NAPS was established. BA went to considerable trouble at that time to inform existing APS pensioners of their options. I have here a copy of a staff newsletter from January 1984, which my constituent Mr Jones, an APS pensioner, has given to me. The newsletter, which includes a personal statement from Colin Marshall, then chief executive of BA, describes the details of the new scheme compared with the existing APS. It explains that APS pensioners can either choose to join NAPS, and receive a cash payment or extra pensionable years if they choose to do so, or to remain in the existing scheme. It states that the two schemes will be independent of one another, will not subsidise one another and will each be governed by their own scheme rules. It then describes the differences between the two schemes in relation to contribution rates, pension age, pensionable pay and, crucially for this debate, index linking.

Henry Smith (Crawley) (Con): I congratulate the hon. Lady on securing this debate and on being appointed to the shadow Cabinet today. Many of my constituents are affected by this issue. Will she join me in calling on BA to play fair with those pensioners, be it in respect of those from 1984 or those from 2015?

Kate Green: I thank the hon. Gentleman and I very much hope that, seeing the strength of feeling around the House tonight, BA most certainly will realise that it must play fair.

Ruth Cadbury (Brentford and Isleworth) (Lab): I, too, congratulate my hon. Friend on securing this debate and on her new appointment today. Does she agree that as BA was controlled by the Conservative Government in 1984, when the undertaking was given, it is reasonable for BA pensioners, of whom I have a lot in my constituency, to expect some support from the current Conservative Government in order to ensure that undertakings given should be honoured? As she said, many of these people are on low incomes.

Kate Green: It is for Government—I am talking about any Government as this is not a party political matter—to honour commitments to these pensioners, and I will outline their obligations in this regard.

In relation to index linking, let me quote from the newsletter of January 1984. It says. The new scheme NAPS

“will be index linked in line with the cost of living index, up to a maximum of 5% in any one year. But it will not offer unlimited ‘inflation proofing’ like the present scheme”—

which is APS.

“If the rise in the cost of living index is below 5%, the pension will be raised by the actual amount, as it is under the existing scheme.”

Clearly, there is no specific reference there to which cost of living index was meant. But ABAP argues that it must have meant the retail prices index because the consumer prices index was not then in existence. Up to that point, it had indeed been the practice of the trustees to increase pensions in line with the annual review orders, which had adopted the RPI.

In any event, NAPS was set up, with approximately half of existing APS pensioners electing to move to the new scheme and the rest remaining in the APS. This must have disappointed BA, because Marshall openly acknowledged the existing scheme was an expensive one for the employer, though he also stated quite categorically that there would be no pressure on existing pensioners to move to the new scheme.

In 1996, a new attempt was made by BA to persuade APS members to transfer to NAPS. Interestingly, pensioners were told that their pension increase would be “broadly in line with RPI.” Then, in 1999 and 2000, attempts were made to merge the schemes, but that was overwhelmingly opposed by members, and the initial decision to do so was reversed by the trustees.

Meanwhile, a number of other changes to the trust deed governing the APS did take place, the most important being to replace so-called rule 13A with rule 34 in February 1986. This change, which was taken by an inquorate meeting of the trustees, dealt with the ability of trustees under Rule 13A to pay augmented pensions, provided that BA gave the trustees the necessary funding to do so within four weeks.

Rule 34, which later became clause 24, did away with the requirement for BA to fund such increases if in effect the actuary agreed the fund was in surplus. Apparently, the reason was to bring APS in line with NAPS. Despite the fact that this decision was taken at a meeting of the trustees that was not quorate, the company used the power obtained at that meeting to order a further £330 million to be paid from the emerging surplus without being required to provide the funding. As a result, BA enjoyed a substantial contribution holiday from 1999 to 2003.

The pattern of poor governance—between 1986 and 1990 at least 11 trust deed and rule amendments were made without a quorum of trustees being present according to ABAP, and the chair of trustees was frequently absent—is the backdrop to the situation in summer 2010 when we come to the emergency budget. Following the Chancellor's decision to increase state benefits in line with CPI rather than RPI, the trustees announced that they too would abandon RPI as the index by which pensions were uprated and switch to the CPI. In its

results statement on 25 Feb 2011, BA acknowledged that there would be a long-term gap of 0.5% between the two indices, amounting to £770 million. The benefit of this saving would accrue to BA's Spanish shareholders.

Suella Fernandes (Fareham) (Con): I thank the hon. Lady for securing this debate. I speak on behalf of British Airways APS pensioners in my constituency. What action can we take as individual Members of Parliament to urge British Airways to honour its clearly stated and express promise to pay RPI on these pensions every year? It is clear that CPI was not even invented when the original promise was made.

Kate Green: It is rare for so many Members to stay so late at night for an Adjournment debate on such a specialist subject. I very much hope that our presence here will be one of those steps that we can take collectively to put that pressure on British Airways.

Throughout the life of the pension schemes there had been regular revaluations of the pension fund, which consistently showed the APS to be in surplus, in contrast to the NAPS. In the triennial valuation that took place in 2012, one of the assumptions—it must in law have been agreed by British Airways—was stated to be that to allow for discretionary increases, pension increases were assumed to increase linearly from CPI in 2013 to RPI from 2023 onwards. ABAP argues that this demonstrates that British Airways has effectively recognised all along the force of its claim for RPI increases—it is the discretionary increases that are subject to the separate legal action.

In 2013 approximately 300 APS pensioners complained to the pensions ombudsman about the switch to CPI, while 25 pensioners launched action in the county courts claiming lost pension increases since CPI had been used to uprate their pensions in 2011. BA retaliated by elevating those cases to a test case in the High Court, the costs of which forced the claimants to withdraw their cases.

The result of all this is that British Airways pensioners today feel extremely and understandably aggrieved. They point to iniquitous decisions, broken promises and, most recently, the removal of the independent chair of trustees by the company. Moreover, the willingness to consider the interests of shareholders ahead of pensioners creates a deep worry that British Airways' long-term agenda might be to close its final salary schemes, to the benefit of shareholders. While they recognise, of course, that British Airways is now an independent company and no longer state-owned, they feel strongly, as my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) has suggested, that the Government have a responsibility to ensure that undertakings given before privatisation of the company and in connection with it are honoured.

Several hon. Members *rose*—

Kate Green: If hon. Members will forgive me, I will not give way, because time is tight and I have several questions to put to the Minister.

What discussions have Ministers had with British Airways since the emergency Budget? What is the Minister's view of British Airways' high-handed—some might say bullying—behaviour? What steps are the Government taking to ensure satisfactory governance of pension

schemes, including the British Airways schemes, in the light of this history of iniquitous decisions, the recent firing by the company of the chair of trustees, repeated non-attendance at trustee meetings by a previous chair and the interests of the company apparently being put before those of the pensioners?

Can the Minister explain the inconsistency in approach to uprating pensions in line with RPI or CPI in state and ex-nationalised bodies? The BBC, the National Coal Board, the Lloyds Bank part of Lloyds TSB and the Bank of England all continue to uprate pensions by RPI, but British Airways does not, and neither apparently does the TSB side of the former Lloyds TSB.

Does the Minister recognise that the Government have a moral responsibility to ensure that promises made at the time of the privatisation of former state bodies are honoured? Does he agree that it would be right to infer that the commitment to uprating given to pensioners in 1984 referred to RPI, since that was the index in existence at the time, the index that trustees had in effect been applying to increases previously, and the index used to arrive at the fund valuation in 2012?

Most importantly, what assessment has the Minister made of the impact of the broken promises, the governance failures and the betrayal of British Airways pensioners on public confidence in pensions regulation and pensions policy? In 2007 the noble Baroness Altmann gave a talk to ABAP called, "How safe is your pension?" She talked about the integrity of pension promises and expressed her concern that people had been lied to about the security of their pensions by Government.

The noble Baroness is now the Pensions Minister. She has been writing to APS pensioners recently stating that it is inappropriate for Ministers to comment on the running of a private pension scheme. Surely that is not correct, when it is the scheme of a former state-owned company, and when the Minister herself has pointed in the past to pensions security being Government business. Does the Minister here this evening now agree that it is the Government's business to ensure that undertakings given by what was at the time a Government-controlled company as part of a Government privatisation programme are properly honoured? Will he assure the House tonight that he will take steps to put pressure on British Airways to ensure that this is done in the case of the APS pensioners?

10.34 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): May I start by congratulating the hon. Member for Stretford and Urmston (Kate Green) on her promotion to the shadow Cabinet, which I am sure will bring her much excitement, as well as much busyness? I also congratulate her on securing this debate. It is clear from this evening's turnout, on both sides of the political divide, that this is certainly a popular issue, and one that affects many people, and therefore many Members of Parliament, in a wide variety of constituencies.

I trust that the hon. Lady, and colleagues throughout the Chamber, will appreciate that it is not appropriate for a Minister to comment on the running of individual schemes or individual trustee decisions. Moreover, I hope she will appreciate that it is not appropriate for me to comment on matters that are subject to ongoing legal

[Mr Shailesh Vara]

proceedings, as is the case here. She will be aware, as will other Members, that the case brought by British Airways against the trustees is scheduled for a hearing for 25 days in February next year.

Kate Green: As I explained, there are two separate matters. I am not discussing the matter that is before the courts—it would be wholly inappropriate to do so in this House tonight—but raising a separate matter that is not the subject of litigation.

Mr Vara: The trust and British Airways—the whole organisation—have been the hon. Lady's subject in this debate. Both are taking part in a debate concerning the trust that was originally set up in 1948. I think it is inappropriate to comment, because there is a huge overlap. She has been in the House for long enough to know, as have other Members, that in such a situation where there is pending litigation it is inappropriate and wrong for Ministers to comment. However, I can speak in a general way and, I hope, address some of the issues she has raised.

Dr Tania Mathias (Twickenham) (Con): I understand that the Minister is unable to comment directly, but does he accept that the High Court has described BA's behaviour as entirely unrealistic and unreasonable?

Mr Vara: My hon. Friend will be aware that the judiciary are completely independent of the Executive and, indeed, Parliament. It is not appropriate for me to comment on what the judiciary say because they are completely independent and entitled to say what they want in relation to court decisions.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Will the Minister give way?

Mr Vara: I will, but I have only 11 more minutes and hope that colleagues will be mindful of that.

Michael Tomlinson: I understand the comments that the Minister has made, but will he none the less accept the frustration felt by many people, including my constituents, at obtaining less than they had anticipated when saving for their retirement?

Mr Vara: I fully appreciate the frustration—indeed, anger—of people who were expecting something on their retirement but who will no longer receive it. I hope, however, that colleagues will recognise that the pension scheme was set up in 1948, at a time of nationalised industries when nationalisation was the norm, and we now live in a totally different climate with a totally different economy where the industry is not nationalised any more. We have to abide by the rules of the set-up of that pension scheme. As a trust, it is at arm's-length from anything that the Government can do. People here who know trust law will appreciate that.

Legislation provides for a minimum level of indexation that applies to certain pensions. Currently, schemes must increase defined-benefit pensions that are in payment and were accrued between April 1997 and March 2006 by inflation capped at 5%. Pensions accrued from April 2006 onwards must be increased by inflation capped at

2.5%. The exact measure of inflation is not defined in legislation. It is for the Secretary of State to make a judgment each year on the measure to be used from those available.

The rules of an occupational pension scheme may make more generous provision than is required in legislation, either regarding pre-1997 accruals or providing for increases above the level of the statutory minimum. However, these are matters for schemes and the trustees; the scheme will have met its obligations under pension law by paying the statutory minimum.

I understand that the APS rules provide for the rate of increase to be the same as those specified in orders issued under section 59 of the Social Security Pensions Act 1975, which provides for public sector pension increases. Every year, public service pension increases are set out in an order issued by Treasury Ministers under section 59, which requires the Treasury to provide the same level of increase as the additional state pension that is set out in the social security benefits uprating order made by the Secretary of State under the Social Security Administration Act 1992.

The legislation, however, does not specify a particular index as the appropriate measure of price increases. The increase in the general level of prices has always been a matter for the Secretary of State to decide every year, and to help him make that decision he will look at the various indices of price increases. However, he only has to choose a suitable index—he does not have to choose the index that gives the highest possible increase.

In the past, the Government used the retail prices index as the measure of inflation. However, as the hon. Member for Stretford and Urmston has said, in 2010 the Government decided that the consumer prices index is a more appropriate measure of changes in the cost of living than the RPI for public service pensions, certain state pensions and benefits, and the statutory minimum increases for occupational pensions. Therefore, if the Secretary of State decides to use CPI as the measure of the general increase in prices, as is currently the case and has been since 2010, any scheme whose rules required increases under section 59 would find itself making increases on the same basis. I must emphasise that any payments in addition to that level will depend on scheme rules and the powers available to the trustees.

James Berry (Kingston and Surbiton) (Con): Will the Minister give way?

Mr Vara: I will, but it will have to be brief and it will have to be the last intervention.

James Berry: Does the Minister agree that, while there is little the Government can do in a private trust matter that is currently before the High Court, there is much that British Airways could do for its 28,000 pensioners on the APS scheme, including my constituents, by facing up to either the letter or the spirit of its responsibilities?

Mr Vara: I am sure that British Airways is keeping a watchful eye on the Chamber and has noted the presence of not only those who have had the opportunity to speak, but the many others who support them.

Having explained the switch to CPI, I would like to return to the role of trustees in running pension schemes, including setting pension increases. I have explained that any increases above the statutory minimum are a matter for scheme rules and the trustees. In some cases, the increases will be at the discretion of the trustees; in others, the rate will be written into the rules. The House will appreciate, however, that in view of the issues in the ongoing High Court proceedings, I cannot comment on either the ambit or use of powers by the APS trustees.

Trustees of pension schemes are the same as those of any other trust, and much of what they do is governed by trust law. They have to act in line with the trust deed and scheme rules and they have to act impartially, prudently, responsibly and honestly, and in the best interests of beneficiaries. Those obligations apply regardless of whether trustees are nominated by the employer or by members. That means that trustees may have a potential conflict of interest, and the Pensions Regulator issues guidance on how trustees should manage them should they arise.

Trustees are also required, under pensions legislation, to undertake certain actions to ensure that the scheme is funded to meet its liabilities and that it can pay the right amount of benefits to the right people at the right time. Having set those parameters, the Government do not interfere in the running of individual schemes. Regulation of occupational schemes is undertaken by the Pensions Regulator. If it appears that trustees are not carrying out their duties correctly, the regulator may intervene. Alternatively, members may have recourse to the pensions ombudsman or the courts, which is the route being taken at present.

However, another party is involved: the sponsoring employer. The employer is ultimately responsible for putting enough money into the scheme to pay the benefits due under its rules, which is why it is essential

for trustees and sponsoring employers to work together when agreeing the level of employer contributions—even more so if the scheme is in deficit and the employer has to pay in extra contributions to make good the shortfall. Inevitably, employers and trustees sometimes cannot resolve disputes, so it falls to the courts to determine the outcome. Sadly, that is the case here.

Kate Green: Will the Minister comment on the appropriate balance between the responsibility to the interests of the company and the trustees' fiduciary responsibility to scheme members?

Mr Vara: It is a complex legal matter. There certainly are responsibilities, but they extend to trying to build a good working relationship with all concerned, as well as relationships that are in law. Having such a working relationship—it is not defined in law, but is common sense—is critical if we are to reach a proper solution. Sadly, that has not worked out in this instance, so we have this 25-day hearing, which is a significant amount of time. It is a very complex case about which much will clearly have to be said in due course. However, much has already been said.

I have but a few seconds in which to speak, so I simply say to the hon. Lady and colleagues that it is good to see so many Members in the Chamber for an Adjournment debate. Given that we were threatened with up to four votes, it is fortunate that we will all be able to get away this side of midnight. I commend the hon. Lady again for raising this matter. We await the result of the court case in due course.

Question put and agreed to.

10.46 pm

House adjourned.

Westminster Hall

Monday 14 September 2015

[VALERIE VAZ in the Chair]

NHS (Contracts and Conditions)

4.31 pm

Valerie Vaz (in the Chair): A digital debate took place on Twitter, ahead of today's debate. Mr Speaker has agreed that for this debate members of the public can use handheld electronic devices in the Public Gallery, provided that they are silent. Photos, however, must not be taken.

Helen Jones (Warrington North) (Lab): I beg to move,

That this House has considered the e-petition relating to contracts and conditions in the NHS.

It is a pleasure to serve under your chairmanship, Ms Vaz, and, in particular, to be debating the first petition to reach the debate stage under the new system of dealing with e-petitions. The original petition on the joint Government and Parliament website called for a vote of no confidence on the Secretary of State for Health. Fortunately for him—or unfortunately, depending on how people want to look at it—the Petitions Committee does not have the power to initiate a vote of no confidence, and so we decided that the debate should be on the issue underlying the petition, which was the contracts and conditions of NHS staff.

I might be joking about motions of no confidence in the Secretary of State, but the morale of NHS staff is not a joke. It is a long time since I last saw dedicated doctors, nurses and ancillary staff so demoralised and, sometimes, despairing. If we look at the current state of the NHS we can see why. A&E departments are in crisis and missed waiting time targets for the whole of last winter. GP services are struggling to cope, and patients find it harder and harder to get appointments. Last year, the deficit across trusts was nearly £1 billion; this year, that is predicted to double.

Yet despite all that, NHS staff work miracles every day. Who could not be proud of some of the achievements of our surgeons? Who could sit in an A&E department, as I unfortunately had to during the election, seeing the endless patience of NHS staff, and not be grateful to them? Who could watch paramedics dealing with an accident or reassuring a frail and confused elderly patient and not be ever grateful for the NHS? After the Olympic opening ceremony, I remember one American reporter said, "Oh, it's just like praising UnitedHealthcare." No, it is not. The NHS is not like UnitedHealthcare, thankfully, and that is why we value it.

NHS staff have been badly treated by this Government. Since 2010 pay increases have been deliberately kept low and last year we saw some staff being told that they could not have even a 1% increase if they were due to get an increment as well. The Government often talk about public services as if they were a drain on the economy, but they are not. Services such as the NHS are a huge contributor to our economy. It is completely

wrong that under this Government tax is cut for millionaires but dedicated NHS staff are not even entitled to a decent pay rise.

Indeed, in the previous Parliament the NHS was told to make £20 billion of what the Government call efficiency savings but the rest of us call cuts. That is due to rise to £30 billion by the end of this Parliament. The NHS is struggling to cope with fewer and fewer resources but more and more patients. Many of the difficulties being encountered are of the Government's own making. Ministers criticise spending on agency staff, but the Government's first act on coming into office in 2010 was to cut nurse training places by over 3,000 a year.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I of course recognise the great work that NHS staff do, not least in Dorset, but is the official policy of the official Opposition now to lift pay restraint in the NHS?

Helen Jones: We made our policy quite clear in the last Parliament. In particular, we opposed the Government's decision to curb 1% pay increases for NHS staff who were gaining increments. The hon. Gentleman really has to think about this: if there are fewer and fewer nurses in our hospitals—in particular, employment in the most senior grades is down by 3%—and we are spending millions on agency staff, something is going badly wrong. Hospitals are being forced to recruit nurses from abroad or spend on agency staff when we have thousands of people in this country who want to train as nurses but simply cannot get the training places that are available.

Maria Caulfield (Lewes) (Con): Will the hon. Lady give way?

Helen Jones: In a moment. I want to make a little progress and finish this point.

That is a false economy. I make no criticism of the skills of the nurses we recruit from abroad, but it—

Helen Whately (Faversham and Mid Kent) (Con): Will the hon. Lady give way?

Helen Jones: In a moment. The hon. Lady will have to curb her impatience for a little while.

I make no criticism at all of those nurses' skills, but it is much better to be employing people here in this country. The only people benefiting from the current situation are the companies that supply agency staff. Indeed, one, Independent Clinical Services, saw its profits more than double, from £6.2 million in 2010 to £16.5 million in 2013. In other words, what the Government have done is a textbook example of a false economy.

Helen Whately: Does the hon. Lady acknowledge that between May 2010 and May 2015 the number of qualified nursing, midwifery and health visiting staff increased by 2.1%, at 6,622 additional staff?

Helen Jones: I am grateful to the hon. Lady for reading that out, but I referred to nurses in hospital. The number of nurses working in hospitals has fallen under this Government, particularly in the top grades. The failure to train and recruit enough permanent staff

[Helen Jones]

is putting a great strain on those staff already in post, who are having to deal with agency staff all the time to make sure that they know how things work in a particular hospital or ward. That does not offer continuity of care for patients.

Maria Caulfield: I declare an interest as a former NHS nurse—in fact, I still work as a nurse. I do not want to be political about this, because I want progress to be made on supporting the NHS, and particularly staff, but one of the single biggest factors in demoralising nurses and leading many skilled nurses to leave the practice was the last Labour Government's change to the skill mix. That was crucial, because we were forced to cut our budgets, particularly on the wards, and junior nurses were left in charge of wards, instead of experienced senior staff nurses and sisters—

Valerie Vaz (in the Chair): Order. I remind Members that interventions should be brief.

Maria Caulfield: Can I just say that it is the change to the skill mix that has demoralised nurses, and that did not happen under this Government?

Helen Jones: I am afraid that I do not agree with the hon. Lady. What has demoralised most of the nurses I see is the cuts they have to cope with day in, day out, as well as the shortage of sometimes even basic equipment and the—

Mary Robinson (Cheadle) (Con): Will the hon. Lady give way?

Helen Jones: In a moment. I need to make a little progress, because other people want to speak.

There is also the fact that this Government, rather than valuing NHS staff, consistently appear to undervalue them. The Government are now introducing further ideas. They want seven-day working in the NHS. I will come in a moment to what that means for hospitals, but let me look first at what is happening with general practitioners. In principle, everyone agrees that more out-of-hours care is a good idea—not least NHS staff themselves. The question is how the Government will fund and staff the extra working hours. Currently, we are increasingly short of GPs. In Warrington—on the Government's own figures, before the hon. Member for Faversham and Mid Kent (Helen Whately) jumps up to read out her brief again—we have fewer GPs than we had—

Mary Robinson: Will the hon. Lady give way?

Helen Jones: No. I need to make a little progress, because other people want to speak.

In Warrington, we have fewer GPs than we had in 2010—those are the Government's own figures, not mine. Nationally, the number of unfilled GP posts quadrupled in the three years from 2010 to 2013. The Royal College of General Practitioners says there are severe shortages in some parts of the country and that in some areas—it quotes Kent, Yorkshire and the east midlands—we need at least 50% more GPs over the next five years just to cope with population increases. Now, when there are not enough GPs to ensure timely

access to appointments on weekdays, it is difficult to see how the Government are going to extend GPs' working hours without recruiting more staff.

Of course, the cost is also an issue. It is estimated that the costs of extending services beyond the current contract, with one in four surgeries open late in the evening and at weekends, would be £749 million. That would rise to £1.2 billion if one in two practices were open longer. That is far in excess of the money currently in the GP challenge fund. If the Government intend to proceed without recruiting more staff, that will simply increase the pressures on the staff working already, leading to more burn-out, and it will be a downward spiral. We already know that many GPs are thinking of retiring early.

The Secretary of State has now turned his attention to not only GPs, but hospital doctors and consultants, who he says do not work weekends. Well, I have two consultants in my family, and that is news to me, because they certainly do work weekends. In fact, the Secretary of State so provoked hospital doctors that they took to Twitter under the hashtag *iminworkJeremy*, posting pictures of themselves working at weekends, often after a 70-hour, five-day week.

Now, I reiterate that everybody accepts that out-of-hours care has to improve, but the Secretary of State needs to achieve that through consultation and by showing respect for the staff we already have. At the moment, he is guilty of muddled thinking; he has deliberately confused emergency care with elective care. Specialists in emergency care do work weekends; in fact, very few consultants opt out altogether—the figure is about 0.3%. Yet, the Government tell us that there are 6,000 extra deaths among people admitted at weekends. The Minister needs to publish the research on that and to go further, because correlation and causation are not the same thing.

Dr Sarah Wollaston (Totnes) (Con): May I recommend that the hon. Lady read last week's edition of the *British Medical Journal*, where the issue is set out very well by Professor Freemantle?

Helen Jones: Yes. I thank the hon. Lady for that useful suggestion. I will do so.

People who are admitted to hospitals at the weekend are much sicker than those admitted on weekdays, because we do not have elective admissions at the weekend.

Maria Caulfield: Does the hon. Lady have any suggestion as to why people are sicker at the weekend? Is it perhaps because they have been unable to get hold of their GP in the evenings or on previous weekends?

Helen Jones: I have just said the Government should publish their research and delve deeper into the figures. [Interruption.] Look, the hon. Lady knows that people admitted at weekend are, overwhelmingly, emergencies. That is the point. Their death rates cannot be compared to death rates on weekdays, when there is elective surgery—that is a basic point, which she needs to grasp.

If the Government really believe these things are happening, they need to find out why. As I understand it, death rates are taken over 30 days, so someone can be admitted on a Sunday and die 28 days later, on a

Thursday. The Government need to prove cause and effect before they can make the link between admissions at the weekend and death rates. So far, however, we have not seen that from them.

Helen Whately: Will the hon. Lady give way?

Helen Jones: No, I need to make some progress.

What, exactly, is the Secretary of State trying to do? If he is trying to bring about a seven-day fully elective service, he needs to say so. As far as I am aware, no major health system in the world has managed to do that. If he is not trying to do that, he needs to tell us clearly—perhaps the Minister will do so when he winds up—which services he thinks should operate at the weekend.

The Secretary of State also needs to recognise that, to have the service he proposes, he needs not only more doctors, consultants and nurses on the wards, but back-up staff. Doctors operate by leading teams. If they do not have the ancillary staff—the people to do the MRI scans, the radiology and the lab tests—they cannot operate properly. We need to hear how the Secretary of State will implement his proposals. Will he recruit more staff, or will he worsen the terms and conditions of staff who are already not well paid, to introduce weekend working?

It might help to improve morale in the NHS if the Secretary of State refrained from attacking staff for not working at weekends, when they do, and actually negotiated with them sensibly. Staff know what is happening at the frontline, and they can best suggest the changes that need to be made.

Dr Rupa Huq (Ealing Central and Acton) (Lab): We are discussing contracts and conditions. Does my hon. Friend agree that whistleblowing is another issue over which there tends to be silence? The last time there was a full debate on it in this place was 2009. It came up tangentially in 2013, in a debate on accountability and transparency, and it has appeared in statements—I think there was one last July and one earlier this year—but is it not time that we had a full and proper debate?

Helen Jones: Whistleblowing in the NHS, as in other areas, is an important issue. It is important to protect staff who blow the whistle to protect their patients, which is their duty. Perhaps my hon. Friend will initiate a debate on that; I am sure we would welcome that.

When the Secretary of State talks about NHS staff and doctors, let us remember that the starting salary for a junior hospital doctor is £22,636. It is not a huge amount when someone has spent years in medical school and works many hours, and often has to deal with seriously ill patients. However, the Secretary of State proposes to change their contracts to take away the extra payments for weekend working, which will effectively mean a huge pay cut. The Scottish Executive will not do that, and that will lead to the ridiculous situation in which two doctors doing exactly the same jobs in different hospitals either side of the border will be on two rates of pay.

As for consultants, I have heard complaints from the Government that Labour raised their pay rates. Yes, we did, and I am proud that we did. I will give the Minister the reason, which was set out very clearly by Frank Dobson,

who was formerly my right hon. Friend the Member for Holborn and St. Pancras. In the City there are people who probably messed about for most of their time at school and played noughts and crosses at the back of the class, and who can make millions. Across the road there will be someone who was probably the cleverest kid in their class and has worked for years in training—often someone who is at the cutting edge of medical development. Yes, those people deserve a decent rate of pay for their skills, training and responsibility.

The Government also forget that consultants' time is allocated in two blocks: direct clinical care and supporting professional activities. Those two together make up the 40-hour week. SPA time is for such things as mentoring, quality improvement and teaching. Some consultants go on to do more teaching and research, perhaps, but they are doing extra work on top of the 40-hour week, which increases their pay. Consultants' basic pay ranges from £70,249 to £101,451, so the Secretary of State needs to explain how he can tell us that consultants are paid £118,000 a year. How does he calculate that figure, and what is included in it?

If the Government really want more consultant time on the ward, they could look at some of the things that do not need to be done by doctors, but which doctors currently do because of lack of back-up staff. The Government always talk as if non-clinical staff in hospitals are somehow superfluous and an extravagance. That is not correct. Without the right staff, doctors and nurses are forced to take time from clinical care to do some of their jobs. For example, many doctors whom I have spoken to now collect their own data for audit and input it themselves. That is a job that a competent clerk should be doing—not a consultant. I found one hospital where there is one secretary to a group of 25 consultants. Writing letters takes consultants away from clinical care.

I found one place where the IT equipment is so old that it takes six minutes to boot up, and often collapses, with the loss of the data. If the Government really want more doctor time on the wards they should consider those issues as well, and think about the other staff. As an example, if an operating theatre does not have a full complement of staff, there is no one to send out with the patient who is in recovery, and a doctor must go with them. That slows the turnaround time for theatres, and staff are told that their turnaround time is not good enough.

I say again that it takes a team of people to run the NHS, not just doctors. Let us also remember that the NHS depends on many staff who earn very low salaries. As doctors would be the first to say, those people are an essential part of the team. The NHS Pay Review Body could see a case for some adjustments to unsocial hours pay—and I have not met any staff who do not see a case for that; but it noted that both the Department of Health and NHS employers said that the cost of unsocial hours premiums makes the delivery of seven-day services prohibitive. The Minister must tell us whether the Government will try to deliver seven-day services by cutting the pay of staff again. The review body said that that could risk the morale and motivation of staff.

Recently we have had a few soundbites from the Government, but no clear mechanism showing how they will set out to do what they say they will do. They have pledged an £8 billion increase in NHS funding by 2020. Even taking them at their word—and some of us are rather sceptical—that is the bare minimum to keep

[Helen Jones]

existing services going. [Interruption.] If the Minister's Parliamentary Private Secretary, the hon. Member for Winchester (Steve Brine), will stop chuntering from behind the Minister, I will wind up my remarks. [Interruption.] PPSs, as I told someone once before, are meant to be seen, not heard.

The Minister needs to make it clear what services the Government will run and what staffing arrangements they will put in place. They can put more doctors on the ward, but that will be useless without the back-up staff. It is not surprising that one surgeon in the #iminworkJeremy campaign posted a picture of himself mopping out his operating theatre at the end of the day. That was very good of him, but is it the best use of a consultant surgeon's time? Above all, the Secretary of State and his Ministers need to stop attacking the people who work in the NHS, and to try to work with them in a climate of mutual respect. It is not hospital doctors, GPs, nurses, lab technicians or cleaners who have caused staff shortages in the NHS; it is the Government. Those staff members did not introduce the disastrous Health and Social Care Act 2012. They are not the people requiring huge cuts in our hospitals and other services. Unless the Government are prepared to recruit more nurses, doctors and ancillary staff, more and more pressure will be put on existing staff, who will suffer burnout. It will be a downward spiral.

When I worked in teaching a wise old head teacher said to me, "People say that the first thing you have to do in a school is ensure that the children are happy; but no—the first thing you should do is ensure the staff are happy. If the staff are happy the children will be well taught." That is something that can be applied in many areas. I tell the Minister honestly that he needs to take note of the anger among staff that generated the petition, take it on board, stop denigrating them, and deal with them properly and sensibly, to achieve what the Government have set out to achieve.

4.58 pm

Dr Sarah Wollaston (Totnes) (Con): It is a pleasure to serve under your chairmanship, Ms Vaz, particularly as recently you were a fellow member of the Select Committee on Health. For the record, I am married to a full-time NHS forensic psychiatrist, although one might say that I do not have a dog in this fight, because he already works weekends.

It may help the House if I comment quickly on the background. I thank Professor Freemantle and his team for their excellent updating of the data following the last analysis of data in 2009-10. He and his colleagues carried out the exercise again based on data from 2013-14, and it may help if I put some of that in context. What he shows is that 1.8% of NHS patients will die within 30 days of admission. It is important that we look not only at the data relating to what happens within a few days, which he has also analysed, but at the longer-term data. He shows a very real effect: if someone is admitted to hospital on a Friday, there is a 2% increase in the risk that they will die within 30 days; if they are admitted on a Saturday, the increase is 10%; if they are admitted on a Sunday, the increase is 15%; and if they are admitted on a Monday, the increase is 5%. Those are relative, not absolute, statistics and are on a background rate of 1.8%, so it is important that we do not alarm people

unduly with those data. However, they mean, very importantly, that around 11,000 more people die if they are admitted between a Friday and a Monday, relative to what we would expect had they been admitted on a Wednesday.

That is extremely important, and the Secretary of State is absolutely right to take that very seriously, but we need to look at it in its wider context. Is it simply because a different group of people are being admitted in the middle of the week than are being admitted at weekends? Is it because they are a sicker group of people? Both of those are true, which is why it was important that Professor Freemantle made adjustments for those kinds of data. He showed that even if we take account of the fact that there genuinely are sicker people coming into our hospitals at the weekend, the effect was still present, but it was reduced. There was a 7% increase on a Saturday and a 10% increase on a Sunday, so it was still important. As for people admitted to hospital for routine procedures, it was shown that the nearer it gets to the weekend, the more their chances of mortality increase.

To go back to my earlier point, the Secretary of State is absolutely right to take this issue seriously. This is not just an effect in Britain; it is observed internationally, but it matters. Yes, those people are sicker, and yes, a different group of people is coming in, but there is also the issue of what we should do about it. We must not give the impression that all those 11,000 deaths are preventable. We have to be very careful not to rush into action that leads to a levelling down, rather than a levelling up. We want to bring the data up as far as we can, but when hospitals have done a deep analysis of the deaths that have occurred within 30 days of people being admitted at weekends, it is sometimes very difficult to say what could have happened differently.

We need to look at this issue, but it is not just about consultant presence. Senior supervision at weekends is undoubtedly part of it and is very important, but other issues are at stake. Is there access to diagnostic tests? We need to look beyond this being just about consultants; it is about nursing staff, too. We have to be careful not to shift resources into trying to sort out one part of the issue—consultant presence—because if that means a continuation of a worrying trend of shifting resources out of primary care, we could inadvertently end up with a sicker group of people coming into hospitals at weekends. In other words, we have to be very careful about the balance and potential unintended consequences of what we do.

Undoubtedly, at the root of all this—this issue would face whoever was sitting behind the Secretary of State's desk—are the issues of financing and resources for the NHS. I hope, as we come closer to the spending announcements, that as much as possible of the £8 billion announced will be front-loaded, so that some of these issues can be addressed. Resourcing and how we spread it across the wider NHS lies at the heart of this question, and it is important that we do not focus entirely on hospitals.

I want to talk more widely about the seven-day NHS. I hope that the Secretary of State will look carefully at what that is for. Is it about trying to reduce that excess weekend mortality? Yes, it should be about that. Should it be about reducing avoidable, unnecessary admissions to hospital? Absolutely. We know that people do not want to be in hospital. It is a dangerous place for

someone to be if they do not need to be there, particularly if they are frail and elderly and would be better looked after in the community, so yes—let us reduce avoidable admissions.

Should the seven-day NHS be about accessing the kind of specialist advice that makes a real difference to people's lives? I am very conscious that this House debated on Friday whether people should have the right to medical assistance in ending their life. It was a controversial debate. I think the House made the right decision, but there was absolute consensus within that debate about the need for greater access to specialist palliative care advice. I would include that kind of thing in a seven-day NHS, because people's quality of life at the end of their life has an extraordinary impact not only on them, but on their whole family. Seven-day services should be about addressing quality, and I would love the Minister to comment further on how we can bring about sustainable funding for specialist palliative care. That is absolutely part of what we should be doing on seven-day services.

However, there is another aspect, which is more difficult. When resources are very restricted, should we prioritise access to primary care out of hours for people who would prefer to be seen at the weekend than mid-week? I am sure we all understand that—in our busy lives, it is sometimes difficult to take time off work—but it might not be the priority when resources are tight. I speak as someone who, before I came to this House, was a clinician in rural Dartmoor in a two whole-time-equivalent practice. It was a very rural setting, and if we were to try to provide an 8-till-8 service on Saturdays and Sundays for routine GP appointments—if we were, as this is sometimes presented to the public, to enable people to see their doctor at any time—the cost would be enormous. There are extra costs involved in manning surgeries at those times, and there are also issues to do with staff availability.

I visited several practices in my area over the summer recess, and I see there genuine concern about not only the GP workforce, but the wider primary and community care workforce. We have to be very careful. If we prioritise issues such as making it possible to have a routine appointment from 8 till 8 on Saturdays and Sundays—much as I can see merit in that—it will take resources away from the other things on that list of four. We should focus on other priorities on this stage and be clear that there are other risks, such as undermining other out-of-hours services.

I would like the Secretary of State to be very clear about what he means by a seven-day NHS when it comes to primary care, and about how we will make those fair funding decisions and divide the cake, so that we get the very best for people. We absolutely have to address the excess mortality, but we have to look at the reasons behind the data to be realistic about what we can achieve. We have to make sure that we bring the quality up and that we do not inadvertently end up bringing it down by having sicker people coming into hospital, which is one of the drivers of the data that we are trying to address.

Many Members want to speak, and I, along with colleagues, have the opportunity to question the Secretary of State at the Health Committee tomorrow, so I will draw my remarks to an end. However, I hope that those points can be addressed.

5.9 pm

Paul Flynn (Newport West) (Lab): I will speak briefly, because unfortunately I cannot stay until the end of the debate. First, I thank those who signed the petition. It is a genuine vox pop, not something that any party brought to the House. A large number of people signed the petition because there was genuinely an explosion of anger. It is absolutely right that we listen to those voices and ensure that they are heard in the House, and that this debate should take place. It is the first debate of its kind—the first debate from the Petitions Committee. There is another one in a fortnight's time, on a subject that terrifies MPs. We hide our heads under the pillow to avoid talking about it, but the public are very happy to talk about it in great numbers. That subject is the idea of legalising cannabis so that people here can enjoy the benefits enjoyed in many other countries that do not have a neurotic policy that is self-defeating and actually increases cannabis harm. But that is the second debate, which is coming up. This is a great innovation by the House.

The two previous speakers in this debate made very illuminating speeches. I agree with almost every word that has been said. Of course, we genuflect before the expertise and good sense of the hon. Member for Totnes (Dr Wollaston). She is someone else who has come to the House as a candidate elected not so much by a party as by a popular vote. Let us hope that politics is changing.

The issue that I worry about greatly is how we behave as political parties. We seem to be indifferent to, or unconscious of, the effect of our words. The use of soundbites, scares and fearmongering is extremely damaging, and it happens so often with the health service. The *Daily Mail*, about a year ago, had three page 1 headlines all about the health service in Wales. There was no way in which news values, or the problems that arose, which were hugely exaggerated, justified those headlines, but they were there for a political purpose: to denigrate the health service in Wales, under Labour, and to boost the chances of the Conservative party getting votes in the election.

I believe that there is an element of that in this case. Many speeches by the Secretary of State contain valuable, intelligent thoughts about how to improve the health service. If there is some statistical blip that shows there is a problem somewhere—something that is unexpected—of course it should be followed up, but not by an hysterical headline that has one effect, which is to add greatly to the anxiety of patients who are about to go into hospital. As the hon. Lady said, that is a terrifying experience, and people suffer greatly from anxiety beforehand. If they are told that there is a 16% greater chance of dying at the weekend, that anxiety and fear is greatly multiplied.

The Government should not be out to win favour and get votes in—to win popularity—by the sensationalist way in which they introduce this subject. It has rebounded on them with this petition and the reaction from those involved. It is right that we in this House should be aware of what is written in tweets and blogs. The reaction was there, and it is right that this should be brought to the House. One doctor put his payslip online. Karan Kapoor posted a letter alongside the payslip on Facebook, and it has now received hundreds of comments of support and thousands of shares on the social network. He wrote:

[Paul Flynn]

“My on calls per month add approximately 120 hours of work in addition to my normal working week. This is made up of being on call one day per week and one weekend in 5—5pm on Friday to 8am on Monday. Simple maths says that works out as £2.61 per hour—significantly less than the minimum wage let alone the living wage.”

The evidence was there—and came out in great abundance—of anger at what the Secretary of State was saying, and the misguided and inaccurate picture that he was giving of life in the health service at weekends.

Another tabloid story suggested that we MPs get privileged treatment when we go to hospital. I was rather astonished by that, so I searched the story to find out which hospital gives us privileged treatment, and I discovered that it is St Thomas’s. Well, the only hospital that I have ever been in during the 80 years of my life is St Thomas’s, and I went there as an MP and there was certainly no privileged treatment. I was, quite rightly, treated the same as anyone else. I was stuck in a cubicle and waited there for hours and then stayed overnight in a ward, and rightly so. But the press will believe only negative stories about MPs. That goes on.

I would like to ask the Minister this. A long time ago there was, I recall, another gimmick that a Health Secretary used: he force-fed a beefburger to his young child, when we were all terrified of catching Creutzfeldt-Jakob disease from eating beef. That seemed a very unwise thing to do. It is not new for people to use fearmongering and gimmicks to advance political causes. The one question is a simple one. If we are to increase the services at weekends, where will the staff come from? Are we suddenly going to magic up special weekend surgeons? If we improve the service at weekends, we have to reduce the service in the week. Perhaps the Minister can explain that to us.

5.16 pm

Helen Whately (Faversham and Mid Kent) (Con): I welcome the fact that in this House we are talking about the NHS workforce, because that is one of my greatest concerns for the future of the NHS. In my role on the Health Committee, tomorrow and on other days I will be asking questions about the future of the workforce.

The hon. Member for Newport West (Paul Flynn) has just made a very important point: what is said in the House really matters; words matter. I want to talk briefly on the subject of confidence. What really matters for the NHS is patient confidence and public confidence in the NHS. I note that last year, public confidence in the NHS in England went up by 5%, and that is at a time when the NHS is more transparent than ever before about the standard of care. It is being incredibly open about things going wrong as well as things going right, so the public know that problems are no longer being swept under the carpet. In fact, that may be one reason why public confidence has gone up: problems are being investigated and sorted out.

I have to say that I was quite staggered that the hon. Member for Warrington North (Helen Jones) questioned the mortality figures so much and was questioning the value and importance of seven-day working. As we have heard and as the BMJ—

Helen Jones: What I said, if the hon. Lady was listening, was that the Government have to dig behind those figures and find out the reason for them. Correlation is not causation. That is a very basic principle when we are looking at things such as that, and I would be grateful if she did not attribute to me words that I have not said.

Helen Whately: The hon. Lady is correct to distinguish clearly between correlation and causation, but I did feel that the tone of her remarks seemed to question the evidence of increased mortality over weekends and out of hours. I will say that I agree with her on the need for increased investment in IT to enable the clinical workforce to spend more time on clinical work. I agree with her on that point.

I have observed over recent years that the Secretary of State has championed the NHS. He has fought for its budget to be protected at a time when many other budgets have been cut. He has secured the Chancellor’s commitment to an extra £8 billion of annual funding by 2020, and he has truly focused on patients and clinical quality over finances and structures. I wonder whether any other Secretary of State has spent as much time with his sleeves rolled up in hospitals, not just listening to the sound of bedpans but actually emptying them.

I am a supporter of the Care Quality Commission and observe that three years ago it was close to collapse, but it is now widely praised, particularly by the acute sector. I know that GPs are unhappy about the inspections, but 70% of providers say that the CQC’s inspections have given them information that has helped to improve their service. That has been supported by the Secretary of State.

Along with that focus on quality and transparency, the Secretary of State is to be applauded for trying to improve the culture of the NHS—to make it more open, supportive and connected and to ensure that NHS leaders are in touch with patients and staff.

Helen Hayes (Dulwich and West Norwood) (Lab): If the Secretary of State is doing the marvellous job that the hon. Lady suggests, why did so many of the front-line staff in our NHS, who work so hard day in, day out, take to Twitter to express their lack of confidence in him?

Helen Whately: I believe that the Secretary of State has done a good job of driving the NHS in the right direction, and I know that a large proportion of the workforce has been very supportive of him.

We are all in this room because we value the NHS, but we must not be complacent. We have to recognise when it lets people down. It is intolerable that if someone has the misfortune to get ill and be admitted to hospital at the weekend, they may be more likely to die. I am not going to repeat the statistics on that, because my hon. Friend the Member for Totnes (Dr Wollaston) helpfully updated us, and I suspect that my figures are not as recent as hers. She made a strong case, as have others, for why the NHS needs to have proper seven-day care, which must include the support services mentioned by the hon. Member for Warrington North.

The Royal College of Surgeons strongly supports seven-day care. It has said that one reason why outcomes are worse at weekends is that patients are less likely to

be seen by the right mix of junior and senior staff; that such patients experience reduced access to diagnostics; and that earlier senior consultant involvement is crucial. Research from the NHS National Health Research Institute shows that 3.6 more specialists attend acutely ill patients on Wednesdays than on Sundays. More senior doctors need to be available at weekends—not just on call, as many consultants are at the moment, but present in hospitals.

The changes should not be about getting doctors to work intolerable hours, and that is not what is being proposed. As has been mentioned, only a small proportion of consultants exercise their opt-out. One could argue that the changes to the workforce, and to the consultant contract in particular, are about bringing the contract into line with what is actually happening. Looking at the terms of the workforce gives us an opportunity to ensure that there is an appropriate package for doctors in A&E, where there are large numbers of vacancies. That is the case in hospitals in and around my constituency in Kent, which is an area with a high proportion of out-of-hours work. It also gives us an opportunity to ensure that clinicians are recognised and rewarded for taking on management and leadership responsibilities. We really need clinicians to step up and take on those responsibilities. It gives us an opportunity to make sure that consultants are treated as professionals who take responsibility for their patients, their team and the whole service that they provide.

The NHS faces an incredibly tough time over the next five years. It faces rising demand for its services and rising expectations, and even with an extra £8 billion on its way, things will have to change. Senior doctors, along with senior nurses and other health professionals, will have to lead those changes. When I worked in hospitals grappling with the challenges of transformation, ideas came from everyone: junior doctors, senior doctors and patients. When it comes down to it, consultants, matrons and senior staff have to lead from the front and make things happen. They often face opposition from colleagues, so they need to be courageous and put in extra hours.

To ensure that that happens, and to get the NHS from where it is now to where we want it to be in five years' time, there has to be a sense that we are all in it together. We cannot have a situation in which doctors blame managers and politicians, while politicians and managers point fingers at doctors. We absolutely have to move on and focus on doing what is best for patients, and what will achieve the best clinical outcomes. We have to build trust among all who are involved in healthcare and work out how we can have, and how we can afford, excellent care seven days a week, day and night. We have to support the healthcare professionals—consultants, nurses, managers and everyone else who is going to make that happen.

Dr Huq: Will the hon. Lady give way?

Helen Whately: I was just finishing.

Dr Huq: I just wanted to ask where the hon. Lady would place management consultants in that. The NHS in north-west London has spent, I think, £13 million this year alone on Saatchi and Saatchi, and various other groups. I just wondered where she would place that in that trajectory. Hopefully, it will be something we can all agree on.

Helen Whately: I want to make the important point that we in this House need to support the NHS in doing what it needs to do to make the substantial changes that it faces over the next five years. That means supporting managers, supporting doctors and supporting nurses. Let us not try to be divisive.

Mary Robinson: Will my hon. Friend give way?

Valerie Vaz (in the Chair): I believe that the hon. Lady had just finished.

5.24 pm

Paul Scully (Sutton and Cheam) (Con): It is a pleasure to serve under your stewardship, Ms Vaz. It is also a pleasure to follow two fellow members of the Petitions Committee, including the Chair, the hon. Member for Warrington North (Helen Jones). The Petitions Committee is a new Committee, and we are feeling our way. As hon. Members have heard, we cannot debate no-confidence motions; petitioners cannot seek a vote of no confidence in a Secretary of State or anybody else. Nonetheless, it is important that we reflect the views and concerns of people who raise substantive matters with us, and I am glad that we have the opportunity to do so today.

Confidence and good staff morale in the NHS are important. In my constituency, morale in our local hospital, St Helier, has been comparatively low for several decades, for a number of reasons. A reorganisation has been recommended in the past couple of years, which we have successfully fought off so far. The NHS clinicians wanted to move A&E, maternity services and children's services to St George's in Tooting. One of the reasons why they wanted to do so was the shortage of consultants in St Helier. They wanted to concentrate consultants' time in St George's, which is too far away for residents.

One of the big driving factors in that, to my mind, is the fact that over 20 or so years, our local hospital has been used as a political football. People have said, "St Helier hospital is due to close. We have got only a short time, and we have to save it. We have to fight for this, because it will close some time soon." I do not know about you, Ms Vaz, but if I was a consultant looking to work in the NHS, would I want to go and work in a hospital that is always apparently under threat of closure? No, I probably would not. I would probably go to St George's or one of the hospitals that are being talked up. I have seen at first hand how staff morale in the NHS can be fragile. The same thing has happened nationally as well. How many times have we heard that we have 24 hours to save the NHS? We keep seeing, hearing and reading that, time after time. It is important to build confidence.

We also have a manifesto commitment to deliver. We talked in our manifesto about having a seven-day NHS, and we have been elected as a Conservative Government, so it is important that we deliver our promises. We have to work with the profession to do that, however. Why do we want a 24-hour NHS? We have heard some of the arguments about safety and patient outcomes, and at the end of the day, patient outcomes are what it is all about. There is also an argument—although, as my hon. Friend the Member for Totnes (Dr Wollaston) described, it is a secondary priority, because we do not

[*Paul Scully*]

want to divert too many resources—for convenience and fitting in with people's lifestyles, which I will come back to in a moment.

The 2003 consultant contract made the seven-day move a lot more expensive to deliver, so we need to change things. Consultants, as we have heard, can refuse to work weekends, but it is quite apparent that a great many do not choose to opt out. We are not saying in a broad-brush way that every consultant opts out of such working. None the less, we need to have a degree of consistency if we are going to move towards a seven-day NHS, because we want to make sure that the healthcare in hospitals around the country is as consistent as possible. Removing the opt-out will leave a new limit of working a maximum of 13 weeks in a year—one in four weekends—which still gives plenty of opportunity for family life and for flexibility in rotas, while delivering better patient outcomes.

The changes also recognise the need for proper reward in areas such as A&E and obstetrics, with higher-performing consultants able to earn a bonus of up to £30,000 a year, and with faster pay progression for new consultants. The hon. Member for Warrington North talked about support services, which are crucial for front-line consultants, doctors and nurses. I am pleased to hear that diagnostic services will be moving in the same direction so that patients can have quicker access to information and advice about their conditions.

I have talked about convenience, and GP services cannot be boiled down to some sort of retail operation such as late-night shopping or Sunday opening. None the less, we need flexibility. The 2004 GP contract led 90% of GPs to stop providing out-of-hours care at night and at the weekend. That contract, in many cases, helped to break the personal link between patients and those responsible for their care, which has been especially hard on elderly people. Caving in to the unions at that point effectively restricted GP services to a five-day service, which created extra pressure on A&E.

I have had the misfortune of having to use my local hospital's A&E service four times in the past 18 months with my elderly mum and my wife. My wife stood on a six-inch spike in a park, and when she was writhing around in agony with a spike through her wellington boot, there were a lot of people in A&E who had experienced neither an accident nor an emergency. Either those people did not know where to go, they chose not to go to the GP, the appropriate care was not signposted clearly enough, or the GP simply was not open. We need to address those pressures, and a seven-day service will help.

The proposal is part of our wider NHS reforms, which since 2010 have moved to bring patient decisions closer to patients. We need to provide services that patients want, rather than a Henry Ford one-size-fits-all approach—we need greater flexibility. We have largely moved away from that, so we need to continue the move towards a seven-day service and towards greater flexibility. A seven-day service fits in with people's working practices, childcare and busy lives. There is also greater take-up of digital initiatives such as the NHS national information board, and people are being brought in to help support the greater use of technology.

Members have talked about the statistics on satisfaction with the NHS over the past few years. The Commonwealth Fund's report in 2014—four years after the Conservative-led Government took over—showed that, according to the fund's records, the NHS is the best-performing health service in 11 countries.

Andrew Gwynne (Denton and Reddish) (Lab): The hon. Gentleman has surely read the detail of that Commonwealth Fund report. Much of the data that were used date from the previous Labour Government.

Paul Scully: The hon. Gentleman will also find that the NHS improved over those years. We were second when the Labour Government were in power, so we have improved, and more data are still coming through. That is backed by public confidence, which has gone up by 5 percentage points to its second-highest level in the period covered by the report. The number of people in England who think that they are treated with dignity and respect increased from 63% in 2010 to 76% last year, according to Ipsos MORI. Record numbers say that their care is safe, and the number who think that the NHS is one of the best systems in the world has increased by 24 percentage points in the seven years since Mid Staffs. That is a great base from which to start, but we need to continue working with healthcare professionals to secure the seven-day NHS that we need and people want to see. Shouting and using the NHS as a political football will not get us very far.

Helen Hayes: The hon. Gentleman talks about the need to work with NHS staff. One of my constituents, who is a trainee anaesthetist, wrote to me in great detail with her concerns about the impact of the proposed contract change. At the end of her email, she said:

“As a final insult, Simon Stephens, Chief Executive of NHS England, has announced plans to pay for fitness classes for NHS workers, to improve our health and reduce absenteeism. NHS staff are screaming out to be cared for so we can care for others—by employing enough of us on fair contracts, with adequate resources to do our jobs well. Zumba will not achieve this.”

Although there is nothing wrong with employers investing in fitness classes for their employees, does the hon. Gentleman agree that, in a crisis situation, this is simply adding insult to injury?

Paul Scully: In his King's Fund speech, the Secretary of State talked about working with professionals, including the British Medical Association and other organisations, throughout September. That example is why we need to keep the dialogue going. I have seen nothing substantive in speeches by Ministers to pitch them into conflict with the vast majority of NHS staff. It is about change management. Change is always difficult, but change we must do. We can achieve much more together.

Maria Caulfield: Does my hon. Friend agree that staff morale has been an issue for decades? I worked in the hospital in his constituency during the previous Labour Government, and what demoralises staff most is the NHS being used as a political football. Opposition Members are screaming, “We have found data!” But it is not their data; it is patients' data and the staff's data. We need to work together. I commend my hon. Friend for saying that we need to work together and stop using the NHS as a political football.

Paul Scully: We can take every small initiative, such as the fitness classes, and find offence because the NHS has a limited budget. When staff look at whether there will be a pay increase and what that pay increase and the conditions might be, they tend to find such examples if they are not happy with what is on offer. Obviously, I cannot comment on that particular example.

Change management is always difficult, but we need to change. I believe that we can achieve such change under the calm, professional stewardship of the Secretary of State and his ministerial team.

5.36 pm

Jo Churchill (Bury St Edmunds) (Con): We have a wonderful resource in the national health service, but it cannot be preserved in *aspic*. I am lucky enough to have been treated by these wonderful consultants, which is why I am here. Society and medical technologies are changing at an alarming pace. The importance of the central asset of NHS staff cannot be overestimated, and the interest from my colleagues today shows how much Government Members value them. I am the daughter of a nurse, and I am the mother of a health professional. I get berated long and hard on how tough things were, as my hon. Friend the Member for Lewes (Maria Caulfield) alluded to, and how tough things are. That is a constant state, but let us be realistic: there will be a deficit this year of enormous proportions. Rather than throw in yet another figure, we know the deficit is large, and we know it is a problem.

Do I believe the premise of this petition? No. Important decisions have to be made if we are to focus on the primary need of patient outcomes. The question is how we treat people efficiently, effectively and with compassion. Hospital managers and consultants may say that the changes will deliver a 21st-century model of care that will safeguard both the patient interest and the cost-effectiveness of services, but that is quite wordy and is making everything the same problem. We do not all have the same problem. I completely concur with my hon. Friend the Member for Totnes (Dr Wollaston) on rural GPs. There are rural GPs in my constituency who are already feeling stretched, and asking them to deliver two more days of cover—seven days in total—with no more staff is not the answer. We must link training and recruitment, and we must work on a delivery mechanism that means not only the 5,000 extra GPs that we have promised but less box-ticking to free up their time, which would not go amiss. It has been said that we do not have enough GPs, but it takes five years to train a GP. Anyone who starts university now will not be qualified by the end of this Parliament. We are dealing with the legacy of the tail end of the Labour Government, which is one reason why we do not have enough doctors.

I am from a business background, and I ask simply how we can do more with less. Do I believe that the way to achieve better care in our hospital settings is not to have access to seven-day patient services? No, I do not. Do I think that if a child is knocked off their bike on a Saturday or a dad has a heart attack on a Sunday, doctors and nurses should struggle to deliver optimal service without the important back-up of diagnostic services? No, I do not. Why is it that, although an acute bed costs about £900 a night, patients in our hospitals cannot be admitted or discharged as easily on Saturdays and Sundays as on Mondays and Thursdays? One problem

is that we cannot discharge. It is not all about who is coming in the front door; it is also about who is going out the back door. It is a real strain.

Victoria Prentis (Banbury) (Con): My local trust, Oxford University Hospitals trust, has recently started a “perfect week” scheme, in which it makes all resources available to all those who work in the hospital system. It has discovered that one main barrier to discharge on Saturdays and Sundays is that pharmaceutical staff are not available at all hours of the day and night. Would it be possible to roll out that concept of a perfect week elsewhere?

Jo Churchill: It is a very good idea. The lack of pharmacy provision in hospitals is often cited as one obstacle to patient discharge. The cost of not discharging someone on a Friday, meaning that they use a bed on Friday, Saturday and Sunday, is £2,700, which is a lot of money.

Helen Jones: The hon. Lady was not in the House when we debated this Government’s change to local government finance, but at the time, many of us warned that it would hit social care and impact on our hospitals. Does she accept that hospitals are having great difficulty discharging patients, not only at weekends but during the week, because social care is not available for them?

Jo Churchill: I would say that it is a mixed picture. What I am picking up from care homes in my constituency is that some wards do it more effectively than others, with better services and things better locked together. Although I accept that there may be a problem, again, I look to the leadership.

I gave birth to some of my children on a Saturday and Sunday. Their entrance did not appear any less special to the obstetrician than those of my children who appeared midweek. I am not consultant-bashing; this is reality. The NHS has been delivering consultants and staff who provide outstanding service, but one cannot deny the statistic that patients’ chance of survival is less if they are admitted to a hospital at the weekend. Even if we extrapolate from those figures to account for the fact that the people admitted at the weekend are often very poorly, and often very elderly, they tell us that there is a problem. It would be remiss of this or any Government not to ask why or to investigate the situation and consider how to provide solutions.

I will not talk about people’s pay or anything else; we have done that. Instead, I shall focus on the petition, which in my view is neither constructive nor helpful. I would like the Government to learn from the best practice of consultants and their teams. Brilliant ideas are out there if we can only harness that best practice. For example, at the virtual fracture clinic at my West Suffolk hospital, a consultant told me that he has cut the number of times that patients must visit the hospital. Work can be done remotely; even discharges can be done on the phone, and those who need further specialist help can be sent on. We need to have honest conversations about the NHS. We need to use its finite resources, including staff, more sensibly if we are to survive.

We have 1.4 million great people working in our NHS, and 1.6 million people working in our social care sector. That is one tenth of this country’s population.

[Jo Churchill]

We all agree that a seamless pathway between the two is the best future, but I leave Members with this question. If we cannot discuss a way forward that allows us to accept change, understand and develop new ways of working, we may struggle to look after the burgeoning health population, and there may be more than contracts to think about.

5.44 pm

Maria Caulfield (Lewes) (Con): Thank you, Ms Vaz, for giving me the opportunity to speak in this debate. I am a passionate supporter of a seven-day-a-week national health service. That might take many formats; it is not a one-size-fits-all situation, so what works in my constituency might be different from what works in someone else's.

I will not repeat what many of my colleagues have already said, but I think that we need an honest debate. There are difficulties to get over; my hon. Friend the Member for Totnes (Dr Wollaston) in particular has described them. We will have to work together and compromise on certain things, but if we do not debate the issue and find a resolution, patients will die from lack of access to good out-of-hours care. We need to tackle it. To be 16% more likely to die just because of the day of the week one is admitted to hospital is not good enough in this day and age.

However, it is not just about the impact on patients and their relatives; it is also about the impact on staff. Tribute has rightly been paid in this debate to staff, senior consultants and doctors who work long hours and come in at weekends. Many of them do so unofficially because they are dedicated, but I want to represent staff who work out of hours because it is part of their contract. I have been a nurse for more than 20 years. I have worked in the community on weekends, when patients without access to a GP have needed painkillers or an urgent dressing and it is difficult to get hold of a doctor. I have been in charge of wards on weekends and nights, when patients tend to be sicker because as medicine has progressed, patients who are well are often discharged earlier, so those left in hospital are often sicker than they would have been a decade ago.

Along with the reduced skill mix that I highlighted earlier, the pressure on nurses, healthcare assistants and other ancillary staff is huge. Two or three staff on night duty with a poorly patient who is septic might have one doctor on call handling four or five other wards, who might have 10 admissions that night to see to first. The staff will have expanded their skills so that they can cannulate the patient, take their bloods and send them off to the labs, but that is the limit of what they can do. It is hugely stressful. I know from having been in charge of a team of nurses on nights how difficult it can be.

That cannot continue. It is not good for patients—we know that their mortality and morbidity rates get worse—and it is not good for staff or for their morale. I have seen nurses in tears after a busy night shift during which we could not care for a patient the way we should have, because we had no access to senior medical advice. Yes, it is possible to phone the consultant on call and have a chat with them, but nothing beats having the advice of an expert who can interpret an X-ray or blood results and who can help junior medical staff prescribe the right antibiotics.

A great example introduced in the past couple of years is the acute oncology service, which has transformed out-of-hours care for cancer patients. As a sister in a research unit not far down the road, I know what a difference that has made to my patients. For some reason, patients tend to get really poorly at half-past 4 on a Friday afternoon, come what may. I have been so pleased with that service, which is now available up and down the country and offers trained senior nurses, doctors and a whole team of people who can assess a patient and get treatment going. For conditions such as sepsis, it is life-saving. Those with spinal cord compression can have a scan urgently and be started on steroids straight away. That is the difference between a patient being able to walk during the last six months of their life and being bed-bound.

That is out-of-hours care at its best, but of course difficulties and contentious issues will arise when renegotiating contracts. It is not just about consultants and senior staff. Proper out-of-hours care will require support services such as radiologists, radiographers and pharmacists. My hon. Friend the Member for Banbury (Victoria Prentis) spoke about the perfect week; I could talk to hon. Members day in, day out about how many patients we kept in hospital over the weekend because we could not access drugs to send them home. That is not a great use of hospital resources, but more importantly that is not a great experience for patients and their relatives.

Support services make a huge difference, but my plea is that we do not use the debate as an opportunity to score political goals. We have to work together. If we do not work cross-party on this, we will be here in 10 years' time. Patients will lose out and their families will lose loved ones if we do not make a difference. It will not be easy. Nobody will be happy about working different hours. We are not asking people to work more than 40 hours a week; we are just asking people to work differently. We are not even just talking about how we work, but about a systems change in the culture of the NHS, so that the patient at half-past 4 on a Friday afternoon does not think, "What lies ahead for me this weekend?" I urge hon. Members on both sides of the House to be as constructive as possible.

Helen Jones: I am grateful to the hon. Lady; she has been most generous in giving way. She says that she is not expecting NHS staff to work more than 40 hours a week; did she mean to say that? Many of them already work more than 40 hours a week. Is it now Government policy that no one in the NHS should work more than 40 hours a week?

Maria Caulfield: The hon. Lady is being disingenuous.

Helen Jones: Answer the question.

Maria Caulfield: Of course. I have worked more than 40 hours a week; many staff do. We are not asking staff to work more hours—we have been very clear—but we are asking staff to work differently. I do not think that there is anything wrong with that if it provides a better service for the patient and takes the pressure off those front-line staff who are without radiology support, laboratory support and senior cover support. I ask the hon. Lady to support the measures and work with us, so that we can work with healthcare professionals to achieve that. They need senior support out of hours, because

they need someone to interpret test results, make decisions to discharge a patient and break bad news when results are not good, and they need senior expertise to refer to others to move the process forward. My plea is that is we all work together.

I welcome the debate this afternoon. It is good to have it. I am pleased that healthcare professionals flag up issues, because I do not want policies to be steamrollered in, as they have been in the past, and for us to sit here 10 years later reaping the results. I welcome the seven-day-a-week initiative and the move to change the culture and the system, so that ultimately patients see improvement in patient care.

5.52 pm

Will Quince (Colchester) (Con): Thank you, Ms Vaz; I missed the first few minutes of the debate due to a delegated legislation Committee, so I appreciate your calling me to speak. I speak not as a healthcare professional, but as a husband, father and proud supporter of our NHS. I am passionate about our NHS, because it has always been there for me and my family when we needed it. My daughter was born in Colchester general hospital and my son sadly passed away there in October last year. I cannot fault the care and compassion that the NHS gave me and my family, and I will never forget that. Yet, I am bombarded with criticism that, as I am a Conservative, I must somehow care less about the NHS than the Labour party does. The scaremongering and empty rhetoric is patronising and insulting. It has to stop.

I spent several months, as we all did, speaking with constituents in the run-up to the general election. The message I received was loud and clear: they care deeply about our NHS and want us to work together to address the underlying causes and challenges facing it—challenges like an ageing population and the rise in long-term health conditions like diabetes and dementia. They do not want cheap party political point scoring.

I am fortunate to represent a constituency with a large general hospital. The pressures on my own hospital are well known, as it is currently in special measures. Last year, we saw a major incident declared in relation to accident and emergency. I desperately want Colchester hospital to come out of special measures as soon as possible. However, I want it to happen only when the healthcare regulators feel that it has improved significantly enough to warrant it. Although I and many others were saddened to see Colchester receive an inadequate rating from the CQC, that close scrutiny is absolutely necessary. High standards at the trust are needed to address some of the deep-rooted issues facing the hospital. That is why I welcome the steps taken by the Secretary of State to introduce such a rigorous inspection regime, which puts patient safety at its heart.

I do not recognise the assertions of the petition we are debating today. The changes to contracts and conditions for workers in the NHS are absolutely vital to help us deliver the seven-day NHS that we all need. Diseases and illnesses do not strike only in the working week. Patients should get the same high-quality, safe care on a Saturday and Sunday as they do on a weekday. To take the case of my grandmother, who also sadly passed away last year, why can someone diagnosed with cancer at the beginning of the week have radiotherapy within two to three days, but someone diagnosed at the end of

the week has to wait until Monday? That is not acceptable, which is why we need better flexibility in NHS staff contracts, going hand in hand with recruiting more doctors, consultants and nurses to staff those enhanced services.

Colchester general hospital emergency department has undergone a major reform programme over the past six months, which has contributed significantly to a sustained improvement in performance. The trust invested in three rapid assessment and diagnostic units, which have increased the department's ability to assess and treat patients rapidly, resulting in shorter stays. In addition, there is now an action plan in place to address low staffing levels, which have improved significantly on every shift. The trust is welcoming a cohort of new substantive nurses, who are joining following a successful recruitment campaign. I sat on the recruitment panel for the new chief executive of the trust, Frank Sims, and I am very confident that he will be able to help turn the trust around. He has a strong record on staff engagement and working with partner organisations—two areas in which our trust desperately needs to improve.

I want to put on record the help and support that the Secretary of State has given Colchester general hospital. He has visited twice during the past year and has taken a genuine interest in our local healthcare. I also very much welcome the recent announcement about the success regime, which shows the determination of the Secretary of State to address the underlying issues facing the NHS in Essex and tackle them head on. Identifying problems, bringing in better leadership and helping our health and care systems to work better together is, in my view, the right approach.

NHS professionals tell us what is needed to address the underlying issues in the system: better self and family care; early diagnosis of illness and response; more focus on preventive healthcare; faster access to medication; community-based care where appropriate; and quicker discharge into community services. We can argue and debate about the process and the different ways of implementing the change our NHS needs. We can debate the funding. We could and should debate the future challenges. Make no mistake, our NHS will need to adapt over the next five years to keep pace with our changing demography and society, but let us make it a grown-up debate based on evidence and professional opinion, not conjecture and scaremongering.

5.58 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): I declare an interest: I am a doctor and member of the British Medical Association, and I still work in the hospital.

We are talking about data showing that people admitted at the weekend are more likely to die within 30 days than those admitted on weekdays. It is important to listen to what Bruce Keogh said, which is that it would be misleading to assume that all of those deaths could be prevented. We use terms as if the deaths were avoidable or talk about people “dying unnecessarily”, but we do not know. We must understand what the data show. There is nothing wrong with the data and nothing that can ever be bigger, because the NHS is the biggest single health service in the world. Professor Freemantle has done the work twice and the pattern is there, but it is not people dying on the weekend; it is important to realise

[Dr Philippa Whitford]

that his data show the reverse. They show fewer people dying on a Saturday or Sunday than dying on a Wednesday. What is higher is the number of people who are admitted, and we need to understand that. As the hon. Member for Totnes (Dr Wollaston) said, they are sicker people. On a Saturday, there are 25% more people in the most ill category and on a Sunday there are 35% more people in that category.

[MRS CHERYL GILLAN *in the Chair*]

It was said that there was an increased number of deaths among elective patients admitted on a Sunday, and people wondered why that was. As a surgeon with a Monday list, I can say that the norm now is that patients come in on the morning of surgery. So, for me to get permission for someone to come in on a Sunday, let alone a Saturday, that means that that person has complex co-morbidity. If we are simply looking at additional populations, we cannot simply use a broad sweep and assume that all of this can be changed, because it cannot be; these people are inherently more ill, whether they are elective patients or emergency patients. Those data are absolutely there and they remain when we re-analyse them or try to balance them, so this issue needs to be tackled.

There are a few myths going around, including the idea that the opt-out clause is a major barrier. The opt-out clause that was cited was for routine work. Consultants do not get to opt out of emergency work at night or at weekends if they work in an acute service. If a consultant works in a service where acute provision is at all relevant, that acute provision is part of what they do and they do not get to opt out of it. Nine out of 10 consultants work out of hours and the other 10% are engaged in specialties for which there is not an acute service.

There has been talk about getting people to work for only 40 hours. My colleagues who are still up the road holding it together work for 48 hours and they simply cannot work more than that because it is illegal under the European working time directive to do so. Most consultants within the acute system work 48 hours a week, and I am sure that those of us who are married to them or simply aware of them will be well aware of that fact; indeed, we will have been told that in no uncertain terms in the last few months.

It is important that we focus what we do on trying to save the lives of those among those 11,000 people who can be saved. When I was a junior doctor, I was aware that getting scans out of hours or at weekends was very difficult, and so patients hit “pause” for a few days. I do not think there is that much difference in services; I find it hard to believe that there is. In Scotland, the situation has been changing for five or 10 years, not by threatening or cajoling people but simply by evolving. Our consultant radiologists cover the entire weekend; our stroke patients get CTs; and our heart attack patients go straight to get angiography, will get an angioplasty there and then, and will go home after breakfast the next morning. So this idea that we have big tracts of medicine sitting home watching “Coronation Street” is not true.

The NHS will be cash-strapped; it has to save £22 billion per year in the next five years, which is a big challenge. So now is not the time to say, “We can provide GP

services eight to eight, seven days a week.” The pilots have not been successful. The uptake was 50% for Saturday and 12% for Sunday, and some of those pilots reported that there was great difficulty in covering the out-of-hours GP service, which people who feel unwell should be going to, because what was being talked about was totally routine.

Both in hospital and in primary care, we need to focus our attention on improving the access for people who feel unwell, which includes people being able to access a GP and not having to go to A&E with something that means they do not need to be there. That is recognised within the profession, but it is important for people to work together towards that aim rather than pulling out the pin and throwing a grenade at somebody, which is obviously how the profession regards what has happened during the summer. Like many people in Westminster Hall today, I was inundated by messages from colleagues, including from doctors south of the border who I do not know at all. They were very angry at the statement on 16 July that senior doctors do not work outside 9 to 5, which is patently not true.

We need to look at what we should do about these figures. One of the groups that shows the effect of this situation very strikingly is stroke patients. However, research by Bray looked at 103 stroke units, including units where there was seven-day consultant review through the day, and compared them. There was absolutely no difference between that seven-day service and units where there was a routine ward round and no ward rounds at the weekend. What made a significant difference was the ratio of fully trained registered nurses to patients. When that ratio was halved, so that there were twice as many nurses, the mortality was reduced by a third. So, before we go rushing into policy, even if we are working cross-party it is important to understand the data sufficiently to answer the question, “Do we need more doctors or do we actually need more nurses?” That is a pretty important question to answer before any moves are made.

It is also important to focus on the emergency side. People say, “Well, Tesco is open 24/7”. Actually, it is not open 24/7 totally. People will not find the fishmonger 24/7; the baker will not be making fresh bread; and there will not be a butcher producing fresh cuts of meat. It will be the basic system that is open 24/7, so let us not confuse matters. And frankly, we can generate a person to work in Tesco, stacking shelves or operating the till, an awful lot quicker than we can create a GP, which will take 10 years because there are five years of medical school and then five years of training, or a consultant, which requires five years of medical school and—in my time—about 15 or 16 years of training.

There is no quick fix for this situation and we cannot afford to take on extra staff, but actually the money would be the easiest bit because we do not have the extra staff. The Government talk about 5,000 extra GPs and yet the British Medical Association shows that we will lose 10,000 GPs in the next five years. That means that we would need 15,000 GPs, and we simply cannot produce that number. So we need to ensure that we hang on to all the doctors we have, including the junior doctors, because that partly comes down to what those junior doctors see, including how they see their seniors working and what they think of that as a career. I say that because junior doctors have always gone to places such as Australia but they used to come back; now they are not coming back.

This whole matter could have been handled better, but the issue is working with people. The Scottish Government are also working towards seven-day cover, but they have been very clear that what they are talking about—the priority within that system—is seven-day cover for people who are ill. That means expanding the out-of-hours service for GPs and expanding what is available to us as senior doctors inside hospitals. That is the route that must be followed, and not the use of a grenade.

After the Francis report and the increase in the number of nurses being taken on to try to get the figures that are sought, what we had at the beginning of the summer was that trusts that are struggling were being told, “Cut back. Don’t use agencies. Don’t replace people unless they’re absolutely crucial.” We need to give serious thought about whether it is actually more nurses that we need before we rush in to bring in a whole lot—

Maria Caulfield: I welcome the hon. Lady’s thoughts and agree with a lot of what she has said. On the issue of nurses, does she agree that it is not just the number of nurses that matters but the skills mix? Because of budget constraints, what has happened over the past two decades is that the skill of senior nurses has been cut back, and those senior nurses are now often not on duty at nights and weekends, which has made a crucial difference.

Dr Whitford: I made the point that Bray’s paper talked about registered nurses—so, degree nurses—and that reflects the skill mix.

We need to know what the actual problem is rather than just running in and throwing ideas and policies around, and attacking staff who work very hard and for really long hours is not very fruitful. We need the NHS staff to believe in the political decisions, the guidance and the direction being taken in the future, so I simply suggest that everyone in this House looks at the way forward.

Mrs Cheryl Gillan (in the Chair): When time permits, it is our practice in Westminster Hall that when a Member has been here for the opening speeches and then had to step out temporarily, we give them the opportunity to speak. So I call Andrea Jenkyns to speak.

6.8 pm

Andrea Jenkyns (Morley and Outwood) (Con): Thank you, Madam Chairman. I will be brief, but I wanted to make a few points that I feel are important. I am speaking in this debate because I truly support the NHS. I have worked in it for the past four years, through the charity sector, and my sister also works in it. The NHS is a vital national institution, and we must protect it and make sure that it is secure for the next generation. However, that does not mean that it is constituted in a way that is perfect. There are many flaws, which must be addressed to ensure that the service is in step with people’s lives in this rapidly changing world.

With more medical innovation comes more advanced treatment. Diseases that 20 years ago might have been a death sentence can now be easily treated, but only if we can provide people with the care that they need, when

they need it. Patients should not be worried about going into hospital on a weekend, thinking they might not be able to see a consultant to diagnose their complaint. That is why I fully support the Government’s plans for a truly seven-day NHS.

Let us not forget that the recommendations come from independent bodies that have reviewed the pay and conditions of senior managers in the NHS. The recommendations would bring about real change and ensure that people could access the treatment they needed, when they needed it. It is about ensuring that key decision-making staff are there to support people when they most need it. That will ensure that we start to treat people as soon as possible after their diagnosis. There should be no situation where consultants can demand extremely high fees to provide a service to patients out of hours. Other key public sector workers cannot do that.

The change is only possible through the Government’s investment of £10 billion in the NHS, and through the determination to ensure that the NHS provides the best possible services to patients and reassurance to families whose loved ones are unwell, and ensures better outcomes for all. The hon. Member for Warrington North (Helen Jones) mentioned the demoralisation of NHS staff. Trials of seven-day services have already taken place in such hospitals as Salford and Northumbria, and according to the Government’s statistics, those hospitals have increased patient care and staff morale.

I briefly turn to the substance of the petition that led to the debate. For the past four years, I have worked on health issues. Since I have been elected, I have become a member of the Health Committee and have set up an all-party group on patient safety. The Health Secretary has been attacked, with calls for a vote of no confidence, but since I have been elected, he has been absolutely fantastic. Throughout the work I have done, not only on the Health Committee, but in setting up the all-party group, he has been there to support me with help and guidance. I am planning a major national campaign on hand washing, and he has met with charity representatives. He is a person to lead our NHS. Every time I speak with him, I am hugely impressed by his compassion, knowledge and drive to make real improvements to the service and the lives of those who work in it. I have no doubt that he is the right man to drive through improvements to the health service, and I have every faith that he, as much as anyone else, wants to improve the NHS, to work closely with the staff and to ensure that the changes to how they work are well received and appropriate to their needs.

I return to the opening remarks of the hon. Member for Warrington North. She accused the Secretary of State of attacking NHS staff. She has said that the NHS is under threat from this Government. During the election campaign, Labour tried to weaponise the NHS, and she has continued that agenda today. The debate should, however, include a view of the NHS under Labour’s tenure. If we are looking at staff costs, we should look at the massive increase in agency costs that began under the last Labour Government. From 2007 to 2009, spending on agency staff increased by 60% and continued to rise in the five years of the previous Government because of the shackles placed on contracts by Labour. That situation is being addressed by the Secretary of State, with caps on costs for agency staff bringing down costs for trusts.

[*Andrea Jenkyns*]

While Labour is busy weaponising the NHS, the Secretary of State is trying to undo the damage done to the service under Labour.

My experience of the NHS has not always been good. Sometimes it has been fantastic; other times it has been not so great, such as when I lost my father to a hospital-acquired infection. I am encouraged by the work that is being done on improvements.

6.13 pm

Andrew Gwynne (Denton and Reddish) (Lab): It is a pleasure to see you in the Chair, Mrs Gillan. We have had a good debate, and it is a pleasure to speak in it, for a number of reasons. This opportunity comes with a number of pressures. I note that this is the first debate relating to an e-petition under the new system. As the shadow teams are still being put together, I am not sure whether this will be my last outing as a shadow Health Minister or as a shadow Minister altogether, but patience is a virtue and time will tell.

It is a particular pleasure to respond to my good friend the Member for Warrington North (Helen Jones), who opened the debate. From my slightly partisan perspective as the shadow Health Minister, I thought she made a devastating critique of the Government's record on the NHS. She will be an outstanding Chair of the Petitions Committee, which is, again, a parliamentary first. I declare an interest: in my first Parliament, from 2005 to 2010, I was a member of the Procedure Committee, and we looked at the practicalities of having a proper petitions facility and a petitions Committee to back that up in the House of Commons. The wheels of democracy take a long time to turn, but here we are 10 years later with the Petitions Committee, debating the first of the probably great number of petitions already lodged with the House of Commons. I welcome my hon. Friend to her post.

While I am making welcoming remarks, I welcome the promotion of my hon. Friend the Member for Lewisham East (Heidi Alexander) to the role of shadow Health Secretary today. She will be a doughty campaigner for the NHS in that role, as she has been for her constituency, not least because she cut her teeth on the Lewisham hospital issue.

I also pay tribute to my right hon. Friend the Member for Leigh (Andy Burnham), who has served diligently and excellently as the shadow Health Secretary for the past four years. I have been privileged to work under him. He has been committed to the national health service in his time as a Health Minister and as the Health Secretary, and in his time in opposition.

There was a need to adjust the terms of the debate to ensure that we addressed the issues and not the personalities, but we have all alluded to why we are here, what triggered the petition and the reasoning behind it. Government Members might want no challenge to their record and policies, but the fact is that while we agree on a large area of health policy—where we do, it is right that there is consensus—we will not avoid political debate just because it is uncomfortable for some Members. It is right that where the Opposition—whichever parties they may be—have differences of opinion with the Government of the day, we are able to raise them.

When it comes to the seven-day NHS, the Health Secretary has a habit of spinning the data to suit his purpose and to divert attention away from some of the Government's failures on the NHS. Of all his public pronouncements since the election, the most controversial—indeed, it inspired many people to sign the petition—was his suggestion that NHS staff are avoiding working at the weekend. As we heard from the hon. Member for Central Ayrshire (Dr Whitford), that is just not the case, and she speaks with a vast amount of experience. Let me reiterate: it is not true, and we know it is not true.

I want to place on record my appreciation and thanks to all who work in our NHS: the consultants, the doctors, the nurses, the support staff and the ancillary staff. They do a tremendous, often thankless job under difficult circumstances. The deluge of social media users sharing photos of themselves working at the weekend on wards and in surgeries demonstrated just how absurd the Health Secretary's claim was. Indeed, according to a series of freedom of information requests, only 1% of consultants in our health service actually opt out of weekend working.

The Health Secretary told consultants they needed to “get real”, but it is the Health Secretary who needs to get real. Rather than picking fights with hard-working NHS staff, he should be consulting with them on the best way to deliver seven-day services. If the Government are serious about delivering further weekend care, they have to stop coming out with speculation and conjecture, and must urgently define what they want to deliver and how they plan to pay for it. Demonising doctors who are already working evenings and weekends will get us nowhere.

A seven-day NHS is the aim of all those who want the best health service in the world—I include myself among them—but to achieve one, we have to listen to those on the frontline and address their concerns. Staff are rightly worried about losing their antisocial hours pay, the effect of which could be devastating for huge numbers of assistants and nurses. Working at night is as expensive as shifts get, with transport and childcare being more expensive or totally unavailable, and all the evidence shows that night shifts have a detrimental effect on people's health. It is only right that such shifts are appropriately compensated. I sincerely hope that the Minister, for whom I have a great deal of respect, will address that point in his reply.

We must not forget that the seven-day NHS pledge has been made many times before. It was in the 2010 Conservative manifesto. The Prime Minister repeated it in October 2013, and in September 2014, and of course it was also in the Conservatives' 2015 election manifesto. The question I am pondering is: if they promised it before and failed to deliver it, why on earth should anyone believe them this time? We would all welcome a seven-day service, but that must be matched by the funding necessary to recruit, support and, importantly, retain hard-working NHS staff. We have already heard that there is a shortage of nurses; there are fewer nurses per head of the population than in 2009-10. The head of Health Education England, Ian Cumming, said earlier this year that

“GP recruitment is what keeps me awake at night.”

The scale of the recruitment crisis is startling even to those of us who have been following the fortunes of the two Health Secretaries since 2010. The coalition

Government were wrong to cut training places as one of their first acts, and immigration policy is not joined up with the need for recruitment from abroad. If adequate numbers of staff are not being trained at home, the two policies do not make any sense together. As we have heard, retention is a big challenge; it is about not only the new staff coming through the system but the staff leaving at the other end.

My message to the Minister and the Health Secretary is this: if they want to deliver a seven-day NHS, we will work with them, but they will not achieve it by picking a fight with staff and, importantly, they will not achieve it unless it is properly funded. The Conservatives made many promises on the NHS before the election, many of which the Government have already dropped, and many more of which have not been funded. If the seven-day NHS promise is to be realised, I implore the Minister to work closely with the health service unions and actually go out and speak to the health professionals that keep our system going.

More broadly, we need a serious debate about how services are organised across the whole week, so that people can stay healthy in their own homes. The Minister and I have debated the concept of whole-person care on numerous occasions—in fact, we debated it at length both before and during the general election. There was a degree of consensus around the plans of my right hon. Friend the Member for Leigh. We desperately need to make sure that all parts of our health and care service work together to ensure that care focuses on the individual.

It is no good for Government Back Benchers to laud the ring fence for the NHS budget when, as we heard from my hon. Friend the Member for Warrington North, social care budgets have been ransacked. I should not need to remind Government Members, but the fact is that social care cuts are NHS cuts because of the pressure that they cause throughout the health system. Let us look carefully at the workforce issues that triggered the petition and this debate. Let us work with staff, because without them the NHS will not be transformed into that single health and social care service. For all of us who care about the NHS, ultimately that must be our goal.

6.24 pm

The Parliamentary Under-Secretary of State for Health (Ben Gummer): It is a great pleasure to serve under your chairmanship for the first time, Mrs Gillan, as it was to serve under the previous Chair, Ms Vaz.

This is an important and exciting day because we are responding to the first e-petition under the new system. The hon. Member for Denton and Reddish (Andrew Gwynne) is quite right that it should have happened some time earlier. I hope that through what are pretty modest forays into social media we can make more popular the debates that take place in Westminster Hall, because they are often far more thoughtful and certainly more nuanced than some of the debates that one hears just a few hundred yards away.

I am grateful to the Chairman of the Petitions Committee, the hon. Member for Warrington North (Helen Jones), for her introduction. Hers was a vigorous opening argument and certainly did what it should have done, which was to spur a good and, at many points, enlightening debate. There is much to which I would like to respond, but at times the debate turned into a

general critique of the NHS, so if I tried to answer every point, Mrs Gillan, I think we would be here beyond the 7.30 pm cut-off that you and, I imagine, other Members would not like me to reach.

The debate encompassed many of the issues and problems that confront the NHS, as do all discussions of seven-day services because they touch on contract reform and how we manage the NHS workforce. At the core of the debate was what we are trying to do: deliver exceptional, world-class care to every patient coming to an NHS institution, hospital, GP or community service in England and, by extension, the other nations of this country.

I, too, pay tribute to some shadow Front Benchers. I am grateful for the words of the hon. Member for Denton and Reddish. I almost wish he had not said what he did, because I wanted to say that I hope he keeps his Front-Bench position. He has always been a very reasonable defender of the Labour party's point of view and a strong interrogator of the Government's policies. That is exactly what opposition should provide. I should take the opportunity to say how much I will miss his colleague, the hon. Member for Copeland (Mr Reed), with whom I sat in this Chamber a couple of days ago for his last debate as a shadow Minister. I did not have the opportunity then—the moment escaped me, and I did not have knowledge or foresight about where he would be on Saturday—to wish him well and say how much I had, in my short time as a Minister, enjoyed debating important issues in the Chamber with him.

It is also entirely right to say that the right hon. Member for Leigh (Andy Burnham) has been Secretary of State for Health, a Health Minister before that, and a shadow Secretary of State for a long time. His contribution to debates about the NHS has been very important. It is clear from how he speaks that he cares passionately about the health service, and I very much hope that he delivers the same kind of force of argument in his new position as shadow Home Secretary.

It will be good to see what the new shadow Minister, the hon. Member for Lewisham East (Heidi Alexander), brings to her role. I hope that she will enter into arguments and debates on NHS reform with the spirit of openness and decency shown by the hon. Member for Central Ayrshire (Dr Whitford), who often attends these debates, bringing a great deal of personal experience from both this country and abroad, and who makes sure—no doubt because we often feel chastised if it goes any other way—that the debate is continued with a sense of decorum and a remembrance that our discussions are held in public. We must be aware of the fact that what turns people off political discourse more than anything is a silly repetition of party political positions with no meeting in the middle or discussion of the issues at hand.

It is in that spirit that I hope to address the central point of the presentation of the petition by the hon. Member for Warrington North. I am glad that we have these petitions, although perhaps a little less glad that this particular petition contains such stridency of language. Nevertheless, at the core, what concerns me is the point made very well by the hon. Lady: words matter. That was echoed by my hon. Friend the Member for Faversham and Mid Kent (Helen Whately). We must be very careful about the words we say—not only the manner in which we say them but how they might or might not be construed.

[*Ben Gummer*]

Hon. Members may not be surprised to hear that I have read—several times, as it happens—the Secretary of State’s speech on this matter. I have also seen the coverage on it, and there is dissonance between the two. At no point did he attack NHS staff or suggest that they are not working in conditions that are often heroic, and at no point did he suggest that we have ended up at this impasse because of a wilful wish on the part of NHS staff not to work at weekends. What was construed from that speech has unfortunately meant that our debate has been about a number of words and phrases that were not used, intended or even suggested.

Turning to the core of the speech, the Secretary of State began by saying that talking about seven-day services is not news to a large number of NHS staff, because nurses, porters, cleaners and many of those working under the “Agenda for Change” contract have, for the entirety of their professional lives, been working in seven-day services. His main contention was that, given the weight of evidence on excess mortality that can be attributed to differential working patterns at weekends and on weekdays, it is at least reasonable to ask what we are doing to ensure that if someone is admitted on a Saturday or a Sunday they can expect the same quality treatment and intensity of consultant and diagnostic support as they would receive on a Wednesday. That suggestion was not plucked out of the blue.

I have two points to make. Given that the petition is an ad hominem attack on the Secretary of State, it is right to say that I have never encountered anyone in a ministerial post who has acquitted himself with as much passion about a point on which he wishes to concentrate—patient safety—as the Secretary of State. The right hon. Member for Leigh recognised that when he was shadow Secretary of State, and it is recognised even by those who often oppose the Secretary of State in the BMA and other professional representation bodies. The fact is that the Secretary of State is passionate about patient safety. He cares deeply about it, which is why he takes an intense interest in gathering evidence about differential mortality rates.

I want to run through in detail where NHS England’s thinking comes from and why the Government have decided to act as they have. As the hon. Member for Central Ayrshire knows, there have been various academic papers from the United States and some from the United Kingdom on differential mortality, and they contain many of the questions and answers that have been alluded to today. It is certainly true that people are admitted sicker at weekends, which points in part to the need to do something about community and GP services at weekends. That is part of the reason why people are being admitted sicker. If somebody with a serious acute illness is seen on a Wednesday, they will receive a level of service—both diagnostic and consultant support—that they are unlikely to receive in many hospitals on a Saturday or Sunday.

Helen Jones: The Minister is making a sensible point, but could he enlighten us about exactly which services the Government foresee working seven days a week? Has the Department for Health assessed how many extra staff will be required to ensure that happens? NHS staff have got to have days off sometimes, so if

they are working at the weekend they will have to have a day off in the middle of the week. How many more staff will we need?

Ben Gummer: Those are very reasonable questions. If the hon. Lady will allow me to continue with what I was setting out, I will certainly answer them.

That assortment of academic research, together with the wide anecdotal evidence from people who have experienced poor care in good hospitals, either for themselves or for their relatives, led NHS England to conduct the Seven Days a Week forum in 2013, which gathered together clinicians to look at the challenge. It produced a clear strategy for dealing with differences in care quality at weekends, compared with the week, and set out 10 clinical standards that it believes hospitals must meet to eradicate the difference between weekday and weekend working. Many hospitals are implementing the 10 clinical standards on a variable basis during weekdays, so the work done for weekends was helpful in determining a standard clinical approach for maximising the ability to reduce avoidable deaths for weekend and weekday admittances. The product of that forum was taken forward by NHS England and incorporated into its five-year forward view, in which the NHS, separately from the Government, made a commitment to seven-day services. It did so not because of the benefits to patients—as my hon. Friend the Member for Sutton and Cheam (Paul Scully) said, that is a secondary reason for pursuing the agenda—but purely because of the need to reduce excess mortality where possible.

This is a challenge on the scale of infections in hospitals. It is our duty not only to find out precisely why excess deaths are happening—as the hon. Member for Central Ayrshire correctly said, further work is needed and the data must be understood—but to do what we can as quickly as possible to reduce them where we think they are preventable. That is why NHS England incorporated the seven-day service into its five-year forward view. NHS England asked for an additional £30 billion of spending between 2015 and 2020, of which it said £22 billion can be achieved through efficiencies within the service. It is important to point out to the hon. Member for Warrington North, who made that point, that they are not cuts but genuine efficiencies within the organisation. On top of the £22 billion of internal efficiencies through a better use of IT, to which she alluded, and better job rostering—I will turn to that in a minute—there will need to be an injection of £8 billion to make up the rest of the £30 billion. That package will implement the five-year forward view, which includes seven-day services and many other things of great importance and about which all parties agree, such as shifting resources from providers to primary care, social care and the community sector.

This programme was not invented by the Secretary of State in a speech given to annoy doctors and consultants, much as that might be the impression given by some people on Twitter. It is the policy response of a Government taking seriously the clinical evidence and advice of NHS England, led by Professor Sir Bruce Keogh. We are responding to give NHS England and the providers tools with which they can deliver a seven-day NHS service in hospitals and GP practices.

I turn to the changes in the contracts, which are at the heart of the petition and the speech of the hon. Member for Warrington North. The contract terms are based on

a review by the doctors' and dentists' pay review body, which identified a number of areas where contract reform is needed, including the systems of opt-out and on call. It asked a completely reasonable question: why should it be that some members of the workforce, who are expected to work at weekends as part of their normal shift patterns, do not have the option of an opt-out from their contract, while others—who tend, as it happens, to be far more highly paid than those who do not have the option of an opt-out—do? It proposed a series of changes, which in our view make up a far better contract for both junior doctors and consultants. On balance, we feel that it presents a real opportunity for consultants and doctors to improve not only their working conditions but, in some cases, their pay.

To take some salient examples from the consultants' contract, we want a far more equitable and reasonable distribution of clinical excellence awards—many consultants are privately critical of how they are awarded—within not a cut to the total consultant budget, but exactly the same existing pay framework.

Dr Whitford: To point out a slight difference, we do not have those awards in Scotland. We have local discretionary points, but the national clinical awards have been done away with for quite some time. Much as we also struggle with staff, we have not been haemorrhaging them south on that basis.

Ben Gummer: The hon. Lady points out that contractual differences already exist between NHS Scotland and NHS England. Officials have looked with interest at the experience of NHS Scotland—one of the pleasures of the devolved NHS system is that we can all learn things from one another. I hope that the new replacement of the clinical excellence award will be perceived as far fairer by clinicians and will reward those surgeons who are giving their utmost in academic research and the professional development of others. That is a tangible improvement to consultants' terms.

It is important to point out, as several of my hon. Friends have done, that we are talking about ensuring that, at most, consultants work no more than one weekend in every four. That is the basis on which they will be contracted to work in a seven-day NHS. We are not talking about seven days at a time, but about shift rotas and patterns, as many people in professional life already recognise, not least some of those who have spoken in this Chamber. We need to get to a situation in which NHS professionals at the top, as well as those at the bottom, are trusted to organise their life and work patterns according to the professionalism they hold so dear. Many consultants in the NHS want to move to contract reform so that they may express their professionalism in that way, and we need to ensure that it happens so as to bring them with us, rather than its being forced on them.

For that reason, I am delighted that the consultants committee of the BMA has agreed to rejoin negotiations. It has seen that there is a basis for reaching an agreement, which suggests—contrary to some of what has been said by Opposition Members—that things are being done with a sense of collaboration. We have wanted to enter the negotiations for some time. The BMA, for reasons no doubt connected with the election—probably understandably—decided to withdraw from negotiations,

but it has now come back. We and the consultants committee can reach a good position on the proposed contract.

The junior doctors' contract is a proposal of great strength, not least because we include a significant increase in basic pay rates, which should be welcomed across the board. The contract addresses one of the points made by the hon. Member for Warrington North and does something important for the way in which junior doctors are perceived by their management. Instead of offering, in effect, danger money for excess hours, which is surely not the way to manage a workforce, it gives junior doctors a right to a review of their hours, so that they may properly manage their work rotas and patterns. For the first time, that will be enshrined in their contract. They will have far more predictable work patterns; providers—employers—will be forced to think seriously about work-life balance when constructing the roster; and, on pay and on the offer to juniors for their working life, the proposed contract will produce a far happier outcome.

I had hoped that the juniors committee would already have agreed to come back to the table, and I remain hopeful. The committee is meeting imminently—in six minutes' time, in fact—and I hope that it is listening to the words in this Chamber, because hon. Members and others listening have heard nothing from both Government and Opposition Members but unalloyed praise for NHS staff and a real desire to work cross-party to secure the kinds of advances in quality that everyone wishes to see. With the juniors at the table, we could reach a constructive and reasonable resolution to the need to change their contract. That need was impressed on Ministers not only by the DDRB—the review body on doctors' and dentists' remuneration, but by the NHS's own independent pay review body, and many in the service, perhaps more quietly than those who have been most exercised on Twitter, know that it is necessary.

Helen Whately: Is the Minister aware that if we compare the number of staff in a particular NHS service with the demand for that service over time, we can see that demand is sometimes highest when staff numbers are at their lowest? Demand and staff numbers do not match well. Is there not an opportunity to look at changing staff shifts and rotas to ensure that there is the greatest number of staff when demand is greatest?

Ben Gummer: My hon. Friend is entirely right. The whole purpose of what we are doing through contract reform is to match the professionalism of doctors, consultants and those working on agenda for change contracts—nurses and so forth—with the demands of any particular hospital. That cannot be decided by me or NHS England, but has to be decided in each setting, because of the differences—sometimes subtle and sometimes wild—between hospitals. In a study of some 15 hospitals released a couple of years ago, it was noticeable that there was 3.6 times more consultant cover for acutely ill people on a Wednesday than on a Saturday, even though 3.6 times more people were not acutely ill on a Saturday. The comparison is roughly drawn, but it points to a mismatch between rostered staff and peak patient flows. Most hospital managers would not only accept that point, but offer it to you.

[Ben Gummer]

All that suggests that somehow no seven-day NHS working is going on at the moment. As the shadow Minister and other hon. Members have said, however, some hospitals are already delivering an exceptional seven-day service—sometimes at no extra cost at all, and sometimes with only a minimal cost increase. What is most noticeable is that care quality has improved. In some cases that is now measurable, which is very exciting, and we can see reductions in mortality attributed to changes to staff working patterns. The staff, when asked, “What difference has this made to your lives?” point, as the key difference, to the fact that this was led by enthusiastic members of the staff themselves. There we have a pointer as to where we need to go: we need to get staff buy-in at the beginning. When the change is done well, it gives staff far greater control over their working life, which has led in a couple of hospitals to appreciable improvements in staff satisfaction.

Those settings have achieved the trick that we want to see throughout the NHS, which is for contract reform to empower and help staff to deliver care with the professionalism that I and everyone in this Chamber know that they wish to, while delivering better, higher quality care and decreased mortality—all within tight spending constraints, despite the increases to the cash budget that the Government have pledged to the NHS. If we can achieve that, we will have done something very special: we will have dealt with the lack of a link that has existed for too long between patient quality and care, and restrictive contracts that do not reflect how many staff want to work, and certainly do not reflect how patients admit themselves to hospital.

There is one final thing that I would like to add—in fact, it is the penultimate thing, because I must answer the point made by the hon. Member for Warrington North about staff. She is right to say that, of course, seven-day services will, in some disciplines, have an effect on the staff numbers that might or might not be required. That is part of the plan being developed by NHS England, in close association with Health Education England. We are recruiting close to record numbers of nurses, doctors and consultants, and we are doing so in many of the diagnostic specialties as well.

However, this is a question of not just staff numbers, as the hon. Lady recognises, but much smarter rostering and rota-ing, so that we use staff and their time as effectively as they would like us to. It is also a question of the productive use of staff time. She rightly pointed to the bureaucracy that ties people down. In some hospitals—some quite near her constituency—that bureaucracy has been reduced to a very minimum, as a result of which staff have patient contact time of an order of magnitude different from that in hospitals just 50 or 60 miles away. If we can bring all levels of staff exposure to patients—the patients they want to care for, for the maximum period of time—up to the best level in the NHS, we will already have the productivity gains in the workforce that will make possible not just seven-day working but a whole series of other improvements in care quality.

My final point about the opportunity that contract reform gives us was touched on by the hon. Member for Ealing Central and Acton (Dr Huq), who spoke about whistleblowing. It is an important point. When people attack the Secretary of State they should remember that

he brought in freedom to speak up and the duty of candour, is bringing whistleblowing champions into the NHS, and has acted on some of the most difficult recommendations of the Francis report. It is this Secretary of State who said for the first time, “If you are employed by the NHS and feel that care is not being delivered in a way that is good for patients, we will prize your voice and listen to you above those who might stop you being heard.”

That kind of message to the system is new. It is so radical that I think many still do not quite believe it could be true, but I hope that the instigation, at some considerable cost, of whistleblowing champions, along with the framework for whistleblowing and the independent national officer, demonstrates to Members and the outside workforce that we are deadly serious about listening to staff, no matter where they work or who manages them, to make sure that we improve patient care wherever possible. We know that improving staff’s experience in their working lives is a crucial part of that.

Although this was not mentioned in the debate, I am conscious that far too many staff in the NHS suffer bullying and harassment. The numbers are almost unheard of in any other walk of life, including the Army and the police. NHS workers unfortunately can expect abuse from members of the public and bullying within management chains to a degree that is unique in the public sector and close to being so across the entire workforce. That is an historical problem that has led to the very high levels of staff sickness that the NHS has carried for decades. It will not be an easy problem to crack, but I have to tell Members that I and the Secretary of State are absolutely committed to doing something about it. NHS staff go to their place of work because they care about patients and about their vocation, but too often can get pushed back by poor management, abusive patients and poor performance management processes, and often feel belittled in what they are doing. If we can do something about their working conditions and improve their working lives, that will be very important, not just for staff but for patients. If we can improve the working practices and the working lives of the 1.3 million people devoted to our nation’s healthcare, we will do so much to help them produce even better care for the patients they serve.

I hope that Members on both sides of the House have come to a broad understanding that the changes anticipated by the contract reform are necessary. It is certainly true that we must take account of the data and listen carefully to the arguments of everyone involved in the provision of NHS services seven days a week, to make sure that changes are made as collaboratively as possible, so long as collaboration is made possible by all parties. We must also bind ourselves to the promise that we should all reflect correctly the words of politicians on both sides of the House, lest their misconstruction cause worry and fear in the outside world. In all that, we must ensure that the changes we make improve the quality of patient care and reduce the excess rate of mortality, which I know everyone, including all Members, would like to come down when and if possible.

Question put and agreed to.

Resolved,

That this House has considered the e-petition relating to contracts and conditions in the NHS.

6.55 pm

Sitting adjourned.

Written Statements

Monday 14 September 2015

TREASURY

Charter for Budget Responsibility (Autumn Update)

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): Today I have published a draft updated “Charter for Budget Responsibility”, a copy of which has been deposited in the Libraries of both Houses. Copies are also available in the Vote Office and Printed Paper Office. Alongside the new fiscal framework (announced at summer Budget 2015), the draft includes the updates to the charter recommended by the HM Treasury review of the Office for Budget Responsibility, led by Sir Dave Ramsden and clarifications on the operation of the welfare cap.

The draft charter includes modified guidance to the Office for Budget Responsibility and has been published in line with Section 6(4) of the Budget Responsibility and National Audit Act. This requires that if the Treasury proposes to modify the guidance to the Office for Budget Responsibility included in the charter, a draft of the modified guidance must be published at least 28 days before the modified charter is laid before Parliament. The updated charter will be laid before Parliament, and a debate and vote scheduled, later in the autumn of 2015.

Attachments can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-09-14/HCWS194>.

[HCWS194]

COMMUNITIES AND LOCAL GOVERNMENT

Work of the Department during Summer Recess

The Secretary of State for Communities and Local Government (Greg Clark): I would like to update hon. Members on the main items of business undertaken by my Department since the House rose on 21 July 2015.

Starter home boost to first-time buyers

On 10 August my Department launched a new £26 million fund to bring forward land for house builders to demonstrate a range of high-quality homes for first-time buyers.

In a further move to support aspiring homeowners my Department has also made available up to £10 million for local authorities to prepare more brownfield land for development of starter homes.

Careers in construction

The housebuilding industry was devastated by the 2008 economic crash, resulting in the loss of quarter of a million construction jobs. Today the sector is making progress thanks to Government efforts to get the country building.

The Government are committed to driving up the number of apprentices across the construction industry. Last year, saw the start of more than 15,500 new construction apprenticeships—a 14% increase on the previous year.

Rogue landlords

The Government are determined to crack down on the small number of rogue or criminal landlords who knowingly rent out unsafe and substandard accommodation.

On 3 August my Department announced a range of new proposed measures, including a blacklist of rogue landlords and letting agents, the introduction of banning orders for serious or repeat offenders, a tougher fit and proper person test, extending rent repayment orders and introducing civil penalties.

Fairness in the planning system

On 31 August new policy came into force from my Department that strengthens the hand of councils to tackle unauthorised development and ensure all communities are treated equally. The new planning policy will make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals.

The Government are particularly concerned about harm that is caused by intentional unauthorised development in the green belt. For this reason the Planning Inspectorate will monitor all appeal decisions involving unauthorised development in the green belt to enable direct Government oversight.

After six months we will review the situation to see whether it is delivering our objective of protecting land from intentional unauthorised development.

Coastal communities fund

On 22 August new figures released by my Department showed that thousands of new jobs, apprenticeships and training places have been delivered thanks to community-led regeneration efforts supported by the Government’s coastal communities fund.

The latest figures show there have been almost 3,000 jobs created, 860 sustained and 6,800 new training places and apprenticeships across the UK.

Over the past three years, the Government have invested some £120 million in projects across the UK to help seaside communities achieve their economic potential.

On 3 September, a £2 million grant from our coastal communities fund helped light up Blackpool’s illuminations. This funding will drive investment in the north and help seaside communities thrive.

Helping small businesses reach their full potential

In August my Department announced that local organisations working with small firms would be able to apply for a share of €3.6 billion (currently about £2.6 billion) funding from the latest round of the European regional development fund.

European regional development funds are for the first time being targeted at local enterprise partnership areas in a shift towards more localised spending decisions. The funding will support innovation, boost businesses and create jobs across local economies.

Enterprise zones have attracted thousands of new jobs

New figures released by my Department on 27 August show that enterprise zones are playing a vital role in growing the local and national economy and have attracted 19,000 jobs to sites across the country.

The 24 zones report that they have now attracted £2.2 billion of private investment and more than 500 new businesses across a range of key industries including the automotive, aerospace, pharmaceutical and renewable energy sectors.

Funding for child sexual exploitation outreach service

On 3 August my Department in conjunction with the Department for Education, the KPMG Foundation and Rotherham Borough Council announced £3.1 million of new funding to help children and young people in South Yorkshire who have been or who are at risk of being sexually exploited receive more support.

Victims of child sexual exploitation in Rotherham have been appallingly let down in the past. Through this funding, the children's charity Barnardo's—which has been working in Rotherham since September 2013—will employ a team of 15 specialist workers to help those who have been sexually exploited to rebuild their lives.

These new services will support victims as they seek justice through the courts against the perpetrators. We will also work with schools, families and communities to ensure that they are aware of and vigilant to possible signs of sexual exploitation.

New domestic abuse fund now open

Domestic violence and abuse is a devastating crime that shatters the lives of victims and families and this Government are committed to ensuring that we have a strong safety net for anyone who finds themselves in a situation where they are forced to leave their home.

On 24 August we opened bids for a £3.2 million fund announced in the Budget to provide specialist accommodation-based support to victims of domestic abuse.

The July Budget also announced a review of the full range of services currently available to victims of domestic abuse. Its findings will feed into the spending review and an updated violence against women and girls strategy to ensure that victims of domestic violence and their families have access to the support and services they need to keep safe.

Commemorating first world war heroes

On 21 August we marked the first year of the Victoria Cross paving stone ceremonies, in which communities honour local first world war heroes. The commemorative stones—laid in the servicemen's place of birth or where they lived following the war—provide a lasting legacy to their “most conspicuous bravery”.

Over a four year period, 469 stones will be laid in communities in England, Wales, Scotland and Northern Ireland. They enable residents of all ages and backgrounds to gain a greater understanding of the sacrifices made by local people during the first world war.

Community rights

On 24 July my Department announced that a further 250 communities across England are using the community rights programme to have a greater say on local issues like job creation, health priorities and new development.

Following the launch of the new support programme in February, Government funding is now helping people to apply their skills and local knowledge to making their communities better places to live and work.

Copies of the press notices and associated documents are being placed in the Library of the House.

[HCWS195]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Draft Plans to Improve Air Quality (Consultation)

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): A cleaner, healthier environment benefits people and the economy. Clean air is vital for people's health and the environment, essential for making sure our cities are welcoming places for people to live and work now and in the future, and to our prosperity. Our ambition is to make the UK a country with some of the very best air quality in the world.

Over recent decades, air quality has improved significantly thanks to concerted action at all levels, including investing some £2 billion since 2011 to increase the uptake of ultra low emission vehicles and cleaner transport, and supporting local authority action. Our environment has never been cleaner. Even in our busiest cities we have seen falls in harmful emissions, for example a 15% reduction in average roadside concentrations of nitrogen dioxide (NO₂) since 2010, but there is more we can do.

Tackling air pollution is a priority for Government. We will achieve this by exploiting new, clean technologies, such as electric and ultra low emission vehicles, to cut emissions and help our great cities function more smartly and efficiently to spur further innovation, we have opened up our data so that the whole country—people, businesses and the public sector—can use it to take better decisions and action. We will also work with our great cities to help them make the changes they need to become greater still. This could include putting in place clean air zones, improving their bus and taxi fleets, investing in cycling infrastructure and upgrading roads so they run more smoothly.

A key step is addressing reducing nitrogen dioxide in the air we breathe which will also enable us to meet the limit values laid out in the air quality directive¹. By 31 December 2015 we will submit a plan to the European Commission detailing the UK approach. The proposed plan sets out national and locally led measures to bring forward compliance with the limit values in all areas of the UK. On Saturday 12 September we published the “Draft plans to improve air quality” for consultation. I have placed this in the Library of both Houses.

Alternative proposals to those set out in the consultation, that achieve the same objectives, will be considered during the consultation and we encourage local authorities and the public to put forward their ideas.

¹ European Directive 2008/50/EC on ambient air quality and cleaner air for Europe. This sets maximum concentrations of key pollutants in ambient air, i.e. the air that we all breathe.

[HCWS193]

WORK AND PENSIONS

Cold Weather Payments Scheme 2015-16

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): My noble Friend The Minister of State, Department for Work and Pensions (Baroness Altmann) has made the following written statement.

I am pleased to announce that the Department for Work and Pensions intends to lay amendments to the cold weather payment scheme regulations by the end of September 2015. The changes detailed in these regulations will come into force on 1 November this year, in time for the beginning of the winter period.

This year the Met Office has recommended the replacement of two primary weather stations.

First, Tibenham airfield is proposed as a replacement for Norwich airport which is likely to have reduced availability. Tibenham airfield is a similarly representative station for the region and therefore a suitable replacement for Norwich airport both geographically and climatologically. As a direct weather station replacement all postcodes currently linked to Norwich airport will be moved to Tibenham.

Secondly, Llysdinam is proposed as a more suitable station for those areas currently covered by Sennybridge. Llysdinam is geographically and climatologically closer to the main populated areas of the region in and around Llandrindod Wells and Builth Wells. As a direct weather station replacement all the current postcode links will be transferred to this new station.

The regulations also make other minor changes to the alternative weather stations. This will ensure that the weather stations to postcode links are as representative as possible.

I will be writing to each Member whose constituency will be affected by the changes in the scheme, to make them aware of the advice from the Met Office.

Cold weather payments are separate from, and in addition to, winter fuel payments.

The amendments resulted from the Department's annual review of the cold weather payments scheme. The review drew on expert advice from the Met Office and took account of representations from benefit claimants and Members of Parliament.

For winter 2015-16 the cold weather payment rate will continue to be £25 for each seven day period of very cold weather.

[HCWS192]

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