

5th November 2015

Dear Constituents,

Thank you for contacting me about the Trade Union Bill.

I recognise that trade unions are valuable institutions in British society and dedicated trade unionists have a strong history of working hard to represent their members, campaigning for improved safety at work and giving support to their members when it is needed. I believe it is only fair, however, that the rights of unions are balanced with the rights of hardworking taxpayers who rely on key public services.

The aim of the Bill is to rebalance the interest of employers, employees and the public with the freedom of trade unions to strike. At present, it is the case that a small minority of union members can disrupt the lives of millions of commuters, parents, workers and employers at short notice and without clear support from the unions' members. Because of the high impact on the normal life of a large group of people, I believe it is completely sensible that such strikes only take place on the basis of a reasonable turnout and substantial vote in favour by those able to vote.

Of particular concern to the Government are high profile allegations of intimidation of non-striking workers and of new forms of aggressive campaigning in which families have been caught up in disputes and workers have suffered online abuse.

The Bill will make the key provisions of the Picketing Code legally binding and make trade unions more accountable for the conduct on picket lines to tackle the problem of intimidation of non-striking workers. The Government is not proposing to introduce new measures that are not already in the Picketing Code and most unions have followed this Code without difficulty for many years.

The Bill does not propose to stop "Facility Time", or time spent by an organisation's staff on trade union duties and activities during working hours. It will, however, ensure greater transparency by extending the requirements to publish information on the time and money spent on facility time that currently apply to the Civil Service and to the wider public sector. I believe it is right that the Government monitors the practice to ensure it is a sensible use of taxpayers' money and this will ensure levels of facility time remain appropriate.

I can confirm that the practice of state-run trade union subscriptions, or the "check off" process, is to be ended, removing the taxpayer-funded administrative burden on employers. I believe there is no reason, however, why a trade union with a good relationship with its members would lose out by asking them to pay by direct debit.

There are sectors in which industrial action has a wider impact on members of the public that I believe is disproportionate and unfair. Allowing agency workers to cover striking workers will ensure that businesses can continue to operate to some extent. As you may be aware, the

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Government has consulted on this issue and is currently analysing the views of a wide range of stakeholders. I am assured all responses will be considered in the context of wider industrial relations legislation and interests.

With regards to turnout at Parliamentary elections, it is worth noting that voting to take part in strike action and voting in a General Election are two completely different votes. Everyone can vote for their MP. Strikes affect everyone but members of the public affected by strikes have no opportunity to vote on whether the strike should take place. It is only fair that strikes should happen on a decent turnout.

I recognise that online ballots could be a useful tool to bring about change in the voting process. The Government's only objection to this, however, is for practical reasons. The Open Rights Group, for instance, has highlighted these difficulties in the past, stating: "*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.*" I do not believe, therefore, that the Government could authorise its use in something as important as a strike ballot.

Regarding political funding, it is important to ensure transparency around collecting party political contributions, and union members should be free to make such payments if they wish.

Northern Ireland has had opt-in since the 1920s and mainstream UK trade unions manage to successfully organise and operate under their rules. A political levy opt-in system merely requires the trade unions to raise their game and properly inform and communicate with their members so that they get a better deal as a result.

The Political Parties, Elections and Referendums Act already requires shareholder consent for corporate donations. I believe there is still more to do and think it is equally important that the Conservative Party has committed to seeking further agreement on a comprehensive package of party funding reform. The Prime Minister has been clear that he is in favour of a cap on donations to political parties, but at what level that cap should be set needs careful consideration as we must work to find the means least burdensome on the taxpayer. I look forward, however, to moving forward with this issue and hope cross-party consensus can be reached.

Rest assured, all measures included in the Bill will be debated and fully scrutinised by Parliament. Interested parties will also have plenty of opportunities to put their views forward.

Thank you again for taking the time to contact me.

Yours sincerely,



Alok Sharma MP