



Library Note

Trade Union Bill (HL Bill 74 of 2015–16)

The Trade Union Bill seeks to reform several elements of trade union administration, including but not limited to:

- The introduction of turnout thresholds for industrial action ballots.
- The introduction of additional requirements for the setting up of lawful pickets.
- The extension of the powers of the Certification Officer.
- The replacement of the current ‘opt-out’ system for trade union political funds with an ‘opt-in’ system.
- The establishment of a regulation making power through which requirements would be placed upon some or all public sector employers to publish information relating to facility time.
- The introduction of a prohibition on certain public sector employers providing a “check-off” service to their employees.

The [Conservative Party’s 2015 manifesto](#) included a number of commitments including plans to introduce thresholds for ballots, an opt-in process for trade union political funds, changes to facility time, and to reform the role of the Certification Officer. The Bill’s provisions on check-off were added during the Commons committee stage, and did not feature in the manifesto. The [Government is also currently consulting](#) on provisions to allow employers to hire agency staff during strikes but such provisions do not feature in the Bill. The Government has also recently concluded a [consultation on “tackling intimidation of non-striking workers”](#). During the Bill’s report stage in the House of Commons, on 11 November 2015, four amendments were divided upon, and three Government amendments were agreed without division. The Government amendments related to the Bill’s picketing provisions.

This Library Note provides a brief overview of the Bill’s main provisions and then provides a summary of the debate on the Bill’s report stage and third reading in the House of Commons. It also provides brief statistics on the number of hours lost to industrial action. Following the Bill’s passage through the House of Commons, the Bill was given a first reading in the House of Lords on 11 November 2015. The Bill’s second reading in the House of Lords is expected shortly.

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Selected Relevant Documents

Title	Date	Notes	QR Code*
Trade Union Bill, HL Bill 74 of session 2015–16	11 November 2015	-	
Explanatory Notes , Trade Union Bill, HL Bill 74 of session 2015–16	11 November 2015	-	
House of Commons Library, Trade Union Bill , CBP 7295	7 September 2015	This House of Commons briefing summarises the Bill's second reading and also provides background. It also includes information on the development of trade union legislation and other subjects such as picketing, political funds and check-off	
House of Commons Library, Trade Union Bill—Committee Stage Report , CBP 7369	5 November 2015	This House of Commons briefing summarises the Bill's committee stage	

* QR Codes are graphical representations of hyperlinks which can be read by barcode or QR code scanning applications on smartphones and tablets which are equipped with a camera. The links are read automatically by the device and will download the relevant PDF of the report.

I. Introduction and Background

The Trade Union Bill implements a number of the Conservatives manifesto commitments on trade unions and strike action, including:

[...] legislate to ensure trade unions use a transparent opt-in process for union subscriptions; tighten the rules around taxpayer-funded paid 'facility time' for union representatives; and reform the role of the Certification Officer.¹

The Bill was introduced in the House of Commons on 15 July 2015, and passed at third reading by 305 votes to 271.

Amongst its provisions, the Bill would:

- Establish a minimum turnout threshold of 50 percent in industrial action ballots. In certain specified public services 40 percent of those entitled to vote must vote in favour of the ballot.
- Require trade unions to include additional information on the ballot paper, including detailed information on the nature of the dispute in question. The Bill would also define what information must be provided to union members and the Certification Officer following a dispute.
- Extend the period of notice given before strike action is taken from seven days to fourteen days. The Bill would also provide that the mandate for industrial action would expire after four months, beyond which time a new ballot would be required.
- Introduce additional requirements that unions would have to meet when establishing a lawful picket. This would include the appointment of a picket supervisor who must be provided with an approval letter from the union stating that the picket is approved by the union.
- Replace the current 'opt-out' system for trade union political funds with an 'opt-in' system, renewable every five years. Unions would also have additional requirements placed upon them to publish more detailed information on their political fund expenditure in their annual returns to the Certification Officer.
- Establish regulation making powers, through which requirements would be placed upon some or all public sector employers to publish information relating to time taken by union representatives for union duties and activities (known as facility time). The Bill would also create a reserve power to make regulations which would allow Ministers to place limits on facility time.
- Prohibit the deduction of union subscriptions directly from the pay of specified public sector employees by employers, on the behalf of unions, a system known as 'check-off'. This was a new clause added to the Bill during its committee stage in the House of Commons.

¹ Conservative Party, [Conservative Party Manifesto 2015](#), 2015, p 19.

- Provide the Certification Officer with new investigatory powers and sanctions. It would also establish the power for the imposition of a levy on trade unions and employers associations to fund the Certification Officer's costs.²

The House of Commons Library also published an extensive briefing to support the second reading of the Bill in the House of Commons.³ This provides background information on the current legislation governing trade unions. This Library Note provides a summary of the Bill's report stage and third reading in the House of Commons.

2. Second Reading and Committee Stage

Second Reading

In his introductory comments at second reading, the Secretary of State for Business, Innovation and Skills, Sajid Javid, asserted that the Bill was:

[...] 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.⁴

In responding to the Bill on behalf of the Opposition, Angela Eagle (Labour MP for Wallasey) described the Bill as:

[...] 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.⁵

Chris Stephens (SNP MP for Glasgow South West) said he rose "in total opposition to this bill".⁶ He went on to argue that "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".⁷

Committee Stage

Committee stage in the Commons took place over ten sittings between 13 and 27 October 2015. A number of pieces of written evidence were submitted to the committee which can be seen on the Trade Union Bill's '[Bills Before Parliament](#)' webpage. Several technical amendments

² Further details of the Bill's provisions can be found in its explanatory notes: [Explanatory Notes](#) to the Trade Union Bill.

³ House of Commons Library, [Trade Union Bill](#), 8 September 2015, CBP 7295.

⁴ HC *Hansard*, 14 September 2015, [col 772](#).

⁵ *ibid*, [col 780](#).

⁶ *ibid*, [col 784](#).

⁷ *ibid*, [col 785](#).

were made by the Government without division.⁸ The only substantive amendment made was the addition of the Bill's provisions on check-off, now clause 14.⁹

3. Report Stage

During the Bill's report stage in the House of Commons, on 11 November 2015, four amendments were divided upon, and three Government amendments were agreed without division. This section outlines what these amendments were and provides a brief summary of debate upon them. The Government amendments related to the Bill's picketing provisions, whilst the Labour and Scottish National Party's (SNP) amendments sought to address what they argued were concerns about the Bill's territorial extent; the inability of unions to use electronic balloting for strike ballots; the Bill's approach to the issue of 'check-off'; and its picketing provisions.

3.1 Opposition Amendments

Electronic Balloting

Workplace ballots and electronic balloting (e-balloting) were the subject of some discussion at report stage. The SNP's new clause 2 sought to allow both workplace and electronic balloting to be used for trade union elections; industrial action; political resolutions; and for the approval of amalgamations between unions.¹⁰

Chris Stephens (SNP MP for Glasgow South West) said that new clause 2 would modernise the law around trade unions by allowing them to use e-balloting in cases of industrial action, as well as for elections. He stated that:

Currently, all ballots and elections must be conducted on a fully postal basis. Unlike major companies and other membership organisations—including political parties—trade union members are not allowed to vote online. The Government have consistently described the Bill as an attempt to “modernise” trade unions, but to date they have not allowed trade unions to modernise into the 21st century by using electronic and workplace balloting.¹¹

Mr Stephens asserted that the Government's argument that the Bill's threshold provisions would improve the validity of strike action was counter to its opposition to e-balloting, because “if the Government were committed to boosting workplace democracy, they would allow secure workplace balloting and balloting by electronic means, as our amendment suggests”.¹²

Mr Stephens also argued that:

New clause 2 would ensure that employers have a duty to ensure that union members can vote without fear of interference or constraint. That same duty is imposed on

⁸ These amendments can most easily be seen by referring to the 'track changes' version of the Bill available on the Trade Union Bill's ['Bills Before Parliament'](#) webpage.

⁹ The provision was announced in a press release ahead of the committee stage: GOV.UK, ['New Steps to Tackle Taxpayer-funded Support to Trade Unions'](#), 6 August 2015.

¹⁰ House of Commons, [Consideration of Bill \(Report Stage\)](#), New Clause 2: Workplace Ballots and Ballots by Electronic Means, S(2).

¹¹ HC *Hansard*, 10 November 2015, [col 265](#).

¹² *ibid*, [col 266](#).

unions, and it is about what happens when an employer fails to comply with those duties by intercepting voting papers or emails relating to the ballot.¹³

Kevin Brennan, the Shadow Minister for Business, Innovation and Skills, supported the SNP amendment, saying that—given the time available—if pushed to a vote the Labour Party would support new clause 2 in lieu of its own amendments.¹⁴ Mr Brennan referenced a number of organisations which he said had used online balloting:

Online balloting can be as safe and secure as any other form of balloting, and is already used for a variety of purposes in the public and private sectors, including at J. P. Morgan Asset Management, Lloyd’s of London, Chevron and, of course, the Conservative party itself, which recently selected its London mayoral candidate by e-balloting.¹⁵

Nick Boles, Minister for Skills at the Department for Business, Innovation and Skills, responded to the calls for the introduction of e-balloting by stating that the Government did not object in principle to the introduction of e-balloting, however it had reservations about security. He argued that:

[...] there are practical objections, and the Opposition cannot just dismiss them. The onus is on them, in proposing new forms of voting, to show that the objections can be overcome.¹⁶

Mr Boles quoted from an article in the *Guardian*, [‘Should Britain Introduce Electronic Voting?’](#) (26 February 2015), in which the executive director of the Open Rights Group expressed concerns about online balloting, saying that:

Accountability in most software systems means a clear audit trail of who did what, which of course would violate the basic question of secrecy [...] You have the complexity of making sure that internet systems are secure, that the voting equipment can be trusted despite being attached to the internet, and that every voter’s machine is not being tampered with. Given the vast numbers of machines that are infected by criminally controlled malware and the temptation for someone to interfere in an election, internet voting is a bad idea.¹⁷

Earlier in the debate, Kevin Brennan had argued that:

[...] the Open Rights Group’s evidence [to the Speaker’s Commission on Digital Democracy] was based on comparison between general election voting in polling stations and online voting; it made no comment on the safety and security of wider forms of online voting. In any case, the commission’s report concluded that e-balloting should be available for all electors by 2020. The Minister could easily have allowed for the option for regulations to be laid within this legislation, which would permit e-balloting to commence when any concerns he had were satisfied.¹⁸

New clause 2 was defeated by 301 votes to 268.¹⁹

¹³ *ibid*, [col 265](#).

¹⁴ *ibid*, [col 284](#).

¹⁵ *ibid*, [col 274](#).

¹⁶ *ibid*, [col 298](#).

¹⁷ *ibid*, cols [298–9](#).

¹⁸ *ibid*, cols [275–6](#).

¹⁹ *ibid*, [col 299–304](#).

Territorial Extent and the Devolved Administrations, London and Local Authorities

The SNP moved an amendment (new clause 10) with regard to the Bill's territorial extent and its implications for the existing devolution settlements. The SNP described new clause 10 as a “catch-all” amendment, which sought to prevent the Bill from applying to the public sector in the UK without the consent of the Scottish Parliament, the Welsh Assembly, the Northern Ireland Assembly, the Mayor of London and other public bodies and local authorities in England.²⁰

Chris Stephens (SNP MP for Glasgow South West) explained that the SNP wished to protect its “approach of working in partnership with unions” in Scotland and therefore believed that Scotland should be excluded from the Bill in its entirety.²¹ He went on to say, however, that following representations from other political parties the SNP now wanted to “restrict the extent of the Bill from applying without the consent of each devolved institution or authority which will be impacted by the changes”.²²

The new clause was aimed at several aspects of the Bill. The SNP—and Labour—argued that it constituted the Government involving itself in the private arrangements between public sector workers and their employers. Raising concerns about the Bill's potential impact on the devolution settlements, Mr Stephens asserted that:

The Bill potentially cuts across devolved areas and could lead to confusion and a conflict of interests in its application to existing and new contracts, owing to the ongoing local government reforms in other areas. During the evidence sessions, Dave Prentis, the general secretary of Unison, commented that the new combined authorities in England will have a lot of extensions of powers, except the power to determine check-off and facility time arrangements.²³

Kevin Brennan argued that the Bill undermined “the devolution settlement and conflict[ed] with the Government's own professed localism agenda”.²⁴

Nick Boles responded to new clause 10 by arguing that the Bill was only extending the arrangements to facility time that already existed in the civil service.²⁵ He also said that it was the Government's view that the Bill need not cut across the “positive relationships that we have heard about between unions and Government in Scotland and Wales”.²⁶ Specifically in relation to territorial extent, the Minister said that:

[...] employment and industrial relations law are clearly reserved matters under the Scottish and Welsh devolution settlements. It is entirely in order for the Government to propose that the Bill applies to the whole of Great Britain and does not require the consent of the devolved Governments or any local authorities.²⁷

²⁰ *ibid*, [col 259](#).

²¹ *ibid*.

²² *ibid*.

²³ *ibid*, [col 260](#).

²⁴ *ibid*, [col 277](#).

²⁵ *ibid*, [col 297](#).

²⁶ *ibid*.

²⁷ *ibid*.

Mr Boles also asserted that “employers do not see boundaries when engaging staff”²⁸, and that:

Many employers have employees in all three countries, in London and in various English authorities. Having different employment laws applying would produce a complex situation, involving much confusion and cost for business.²⁹

Whilst speaking in regard to the role of the Certification Officer, the Minister argued that the union regulator should mirror the “geographical extent of the unions themselves”, and that it would be disruptive to have one regulator having to work across different regimes in England, Wales and Scotland.³⁰ Mr Boles also stated that currently:

[...] the certification officer may appoint an assistant certification officer for Scotland, and may delegate to that assistant certification officer such functions as he thinks appropriate in relation to unions based in Scotland.³¹

New clause 10 was defeated by 306 votes to 267.³²

Check-off

Clause 14 was added to the Bill during its committee stage in the House of Commons and would prohibit public sector employers from providing a “check-off” service to their employees.³³ The revised explanatory notes for the Bill, prepared for its consideration in the House of Lords, explains that check-off “involves the employer deducting trade union subscriptions from a union member’s pay on behalf of that union and transferring the money deducted to the union”.³⁴

Through clause 14, the Bill would introduce a regulation-making power, subject to the affirmative resolution procedure, that allows the Government to define which bodies would be considered as public authorities under the provisions. The explanatory notes state that:

These would include central government bodies such as Civil Service departments including non-ministerial departments and their executive agencies, Non-Departmental Public Bodies, local government bodies such as councils, fire and rescue authorities and Transport for London. They would also include NHS bodies (including trusts), state-funded schools (including academies and free schools) and public corporations such as the BBC.³⁵

Clause 14 was the subject of much debate during report stage. Labour introduced amendment 9 which sought to ensure that clause 14 would not apply to those services which were wholly or partly devolved. Both Labour and SNP Members expressed concern about clause 14 prohibiting employers and employees in the public sector mutually agreeing to a

²⁸ *ibid.*

²⁹ *ibid.*

³⁰ *ibid.*, [col 298](#).

³¹ *ibid.*

³² *ibid.*, [cols 330–5](#).

³³ Further details of this amendment can be found in the House of Commons Library’s briefing paper on the Trade Union Bill’s committee stage.

³⁴ [Explanatory Notes](#), p 9.

³⁵ *ibid.*, p 10.

check-off arrangement being put in place. On the issue of check-off, Kevin Brennan, the Shadow Minister for Business, Innovation and Skills, argued that the Government:

[...] should not be interfering in this kind of voluntary transaction, which is entered into freely by all the parties concerned and which is neither illegal nor immoral. What is wrong with an employer in the private or public sectors voluntarily agreeing to help to collect trade union subscriptions, as part of an attempt to maintain good relations with its employees, in exchange for an administrative payment? In what other field would a Conservative Government legislate to ban a simple, mutually beneficial transaction of this kind?³⁶

Tommy Shepard (SNP MP for Edinburgh East) asked why check-off arrangements in local authorities or health boards were to be prohibited “when the same facility can be used by the National Trust or any charity or insurance scheme”.³⁷ He went on to describe the provision as “punitive”.³⁸ Similarly, Jo Stevens (Labour MP for Cardiff Central) argued that the Bill would retrospectively affect “private agreements between consenting parties in order to undo them”.³⁹ However, Lucy Frazer (Conservative MP for South East Cambridgeshire) argued that an employment contract is also an agreement between an employer and an employee to the effect that “the employee will turn up for work and will not engage with others to disrupt the employment” and that “the unions’ power to engage in collective activity is an exception to that principle—an exception that must be exercised only in circumstances in which it is justifiable and legitimate”.⁴⁰ Jeremy Lefroy (Conservative MP for Stafford) argued that:

Some councils actually make money from check-off arrangements. One or two examples have been given to me of councils not only repaying the costs of check-off but getting extra funding that supports council services.⁴¹

Mr Lefroy had tabled an amendment (amendment 5) to the effect that the prohibition on check-off in the public sector would not apply when an agreement exists between an employer and a trade union, in which the employer deducts the union subscription in return for a payment for providing this service. Mr Lefroy did not push his amendment to division.

Specifically in response to amendment 5, the Minister said that the Government’s understanding is that the payment of fees to employers, by trade unions, to cover the cost of provision “relates to only 22 percent of check-off arrangements in the public sector”.⁴² He went on to say that whilst he understood Mr Lefroy’s concern:

[...] the choice would be made by the employer and the union, not the individual members. I have not yet been persuaded by his arguments, and will resist his amendment, if he pushes it, but I hope I can reassure him that we absolutely do not intend the measure to be a way of making life difficult for unions or of reducing their membership.⁴³

³⁶ HC *Hansard*, 10 November 2015, [col 283](#).

³⁷ *ibid*, [col 295](#).

³⁸ *ibid*.

³⁹ *ibid*, [col 280](#).

⁴⁰ *ibid*.

⁴¹ *ibid*, [col 283](#).

⁴² *ibid*, [col 325](#).

⁴³ *ibid*.

The Minister responded more broadly to concerns regarding check-off by stating that the Government’s intention was not to undermine the representation of trade unions in the public sector:

[...] but to create a direct relationship between members and their trade unions by enabling them to make an active choice about which union will best represent them. We have heard from other unions that this has enabled them to compete for the membership of some in the civil service, and to form a more direct relationship with their members.⁴⁴

Amendment 9 was defeated by 304 votes to 269.⁴⁵

Picketing

Clause 9 of the Trade Union Bill would make changes to how pickets are currently organised. These include a number of additional requirements which must be met in order for the action to continue to receive protection from specific tort liabilities—these being “inducing another [...] person to break or interfere with a contract, or threatening that a contract will be broken or interfered with”.⁴⁶ These additional requirements include:⁴⁷

- The appointment of a person to supervise the picketing.
- The union or the picket supervisor must take reasonable steps to inform the police of the supervisor’s name and contact details and the picket’s proposed location.
- The union must provide the supervisor with a letter of authorisation stating that the picketing is approved by the union.
- The picket supervisor must wear a badge, arm band or other item that can be used to identify them as the supervisor.

However, it should be noted that the Government made three amendments to clause 9 during the report stage. These are discussed in more detail in section 3.2 of this Note.

During report stage, Labour moved amendment 6, the effect of which would be to remove clause 9 from the Bill. Speaking to the amendment, Kevin Brennan argued that the Government had not shown why the picketing provisions were justified.⁴⁸ He expressed concern that:

[...] failure to comply with these over-prescriptive requirements will expose trade unions to legal challenges. Employers will be able to apply to court for an injunction preventing, or imposing restrictions on, a picket or even for damages for failing to wear an armband on a picket line.⁴⁹

Chris Stephens (SNP MP for Glasgow South West) also raised concerns that the provisions could lead to increased blacklisting of trade union activists, a view that was shared by

⁴⁴ *ibid.*

⁴⁵ *ibid.*, [cols 335–9](#).

⁴⁶ [Explanatory Notes](#), p 6.

⁴⁷ Trade Union Bill, [HL Bill 74 of Session 2015–16](#). For full details see subsections (2) to (8) of new section 220A, which Clause 9 inserts into the Trade Union and Labour Relations (Consolidation) Act 1992.

⁴⁸ HC *Hansard*, 10 November 2015, [col 308](#).

⁴⁹ *ibid.*

Mr Brennan.⁵⁰ Jim Cunningham (Labour MP for Coventry South) expressed concerns about “[...] stewards having to register with the police and wear armbands just as they did in the 1930s in the occupied territories in Europe”.⁵¹

However, speaking later in the debate, Victoria Prentis (Conservative MP for Banbury) argued that she did not think the wearing of armbands was “onerous”⁵², having noted that Article 11 of the European Convention on Human Rights—the freedom of assembly and association—is a qualified right. Victoria Prentis argued that as such:

The European Court of Human Rights has repeatedly acknowledged, as recently as last year, that it is legitimate under article 11 for the Government to legislate to impose conditions on the right to strike where there is evidence that that is justified.⁵³

She argued that the requirement to wear an arm band would fall within this margin of appreciation, and that:

[...] it is something that unions widely do already as part of the code on picketing, which actually says that everybody should wear an armband.⁵⁴

Nick Boles responded to these concerns by asserting that none of the measures contained within clause 9 were new, as they “reflect key aspects of the picketing code, which have been in existence since 1992; most unions have been very happy to comply with it in almost all cases”.⁵⁵

Amendment 6 was defeated by 304 votes to 271.⁵⁶

3.2 Government Amendments

The Government made a number of amendments to the Bill’s picketing provisions, which were agreed to without division. These sought to allay concerns regarding the need for the picket organiser to provide a letter of authorisation on demand to a police constable or “to any other person who reasonably asks to see it”.⁵⁷ For example, at second reading David Davis (Conservative MP for Haltemprice and Howden) had argued that the picket supervisor having to provide their name to the police was a “serious restriction of freedom of association”.⁵⁸ As a result, Government amendment 2 sought to:

[...] make clear that the purpose of the letter from the union, held by picket supervisor, is to confirm that the picketing has been approved by the union. Approval of the picketing would require the union to supervise the picketing in accordance with the requirements inserted by clause 9.⁵⁹

⁵⁰ *ibid*, [col 309](#).

⁵¹ *ibid*, [col 265](#).

⁵² *ibid*, [col 316](#).

⁵³ *ibid*.

⁵⁴ *ibid*.

⁵⁵ *ibid*, [cols 323–4](#).

⁵⁶ *ibid*, [cols 326–30](#).

⁵⁷ Trade Union Bill, [Bill 86 of Session 2015–16](#), Section 9, 220A Union supervision of picketing, (6)(b).

⁵⁸ HC *Hansard*, 14 September 2015, [col 800](#).

⁵⁹ House of Commons, [Consideration of Bill \(Report Stage\)](#), p10.

Amendment 3 sought to:

[...] oblige the picket supervisor to show the approval letter as soon as reasonably practicable if requested to do so, and also specifies that such a request can be made only by the employer or someone acting on the employer's behalf.⁶⁰

Amendment 4 defined the terms used in amendment 3. Kevin Brennan described amendments 2, 3 and 4 as “minor concessions” because “clause 9 will still impose significant new restrictions on the ability of trade unions and their members to picket and protest peacefully, thereby undermining their civil liberties”.⁶¹ However, the Minister explained that:

It is clear that there has been some confusion about the purpose of the letter of authorisation, its content with regard to the picket supervisor, and the entitlement to be shown it. I would like to state for the record that there was never any intention of having the personal details of the picket supervisor set out in the letter of authorisation, but given that there continues to be uncertainty about how the requirement will work in practice, we are clarifying that the purpose of the letter is to record the union's approval of a picket related to a particular dispute.⁶²

Mr Boles also said that the Government takes matters relating to data protection very seriously, which was why amendment 3 states that “the entitlement to see the letter of authorisation is restricted to the employer at whose workplace picketing is taking place, or the employer's agent”⁶³. He added:

To remove any scope for the misunderstanding that the picket supervisor is required to supply their name during picketing, we have removed the reference to the constable from the clause.⁶⁴

4. Third Reading

At the Bill's third reading, Nick Boles, Minister for Skills at the Department for Business, Innovation and Skills, said that he would be happy to speak to Jeremy Lefroy (Conservative MP for Stafford) regarding his amendment to the Bill's prohibition on check-off as the Bill proceeded through the House of Lords. At third reading, Mr Boles also stated that:

I look forward to engaging with Members of the upper House, alongside my noble Friend Baroness Neville-Rolfe, and we will listen carefully to any concerns they may have. I hope that I have demonstrated through amendments to the provisions on the picketing supervisor and the letter of authorisation that the Government are willing to hear persuasive arguments and to respond.⁶⁵

Responding at third reading on behalf of the Opposition—and in relation to e-balloting—Angela Eagle (Labour MP for Wallasey) said that trade unions must “be allowed to modernise and bring balloting into the 21st century, and I very much hope that my noble Friends in the other place will pick up on that”.⁶⁶

⁶⁰ *ibid.*

⁶¹ *ibid.*, [col 309](#).

⁶² *ibid.*, [col 324](#).

⁶³ *ibid.*

⁶⁴ *ibid.*

⁶⁵ HC *Hansard*, 10 November 2015, [col 341](#).

⁶⁶ *ibid.*

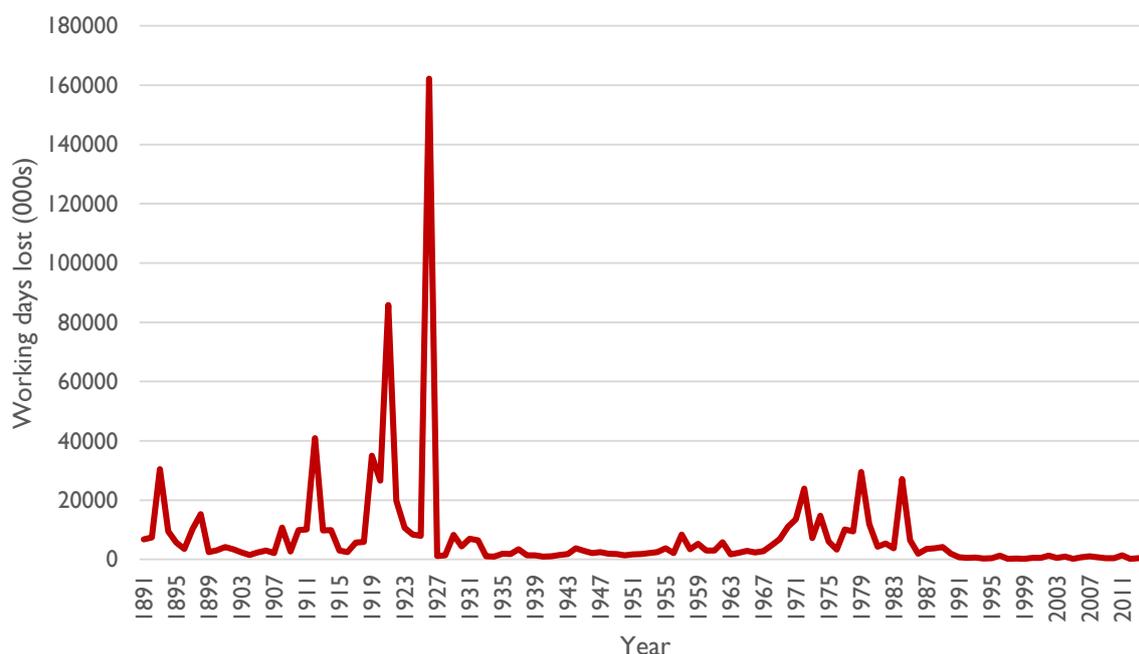
The Trade Union Bill passed its House of Commons third reading by 305 votes to 271.⁶⁷

5. Statistics on Industrial Action

On 21 September 2015, the Office for National Statistics (ONS) published data on the estimated number of working days lost to industrial action since 1891. The ONS have produced an interactive visualisation of this data which can be accessed from the following hyperlink: <http://visual.ons.gov.uk/the-history-of-strikes-in-britain/>.

These figures are reproduced in the chart below.

Chart I: Estimated Number of Working Days Lost to Labour Disputes, 1891–2014



Further statistics on industrial action are available from the ONS's [UK Labour Market, November 2015](#) (11 November 2015). The ONS explain that:

Since monthly records began in December 1931:

- The highest cumulative 12 month estimate for working days lost was 32.2 million for the 12 months to April 1980; and
- The lowest cumulative 12 month estimate for working days lost was 143,000 for the 12 months to March 2011.⁶⁸

The ONS also write that “working days lost are at historically low levels when looking at the longer run time series back to the 1930s”.⁶⁹

⁶⁷ *ibid*, cols 345–9.

⁶⁸ ONS, [UK Labour Market, November 2015](#), 11 November 2015, p 20.

⁶⁹ *ibid*.