

15th June 2016

Dear Constituents,

Thank you for contacting me about the Trade Union Act.

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 Act is to rebalance the interest of employers, employees and the public with the freedom of trade unions to strike. It was previously the case that a small minority of union members could disrupt the lives of millions of commuters, parents, workers and employers at short notice and without clear support from the union's members. In view of the high impact on the normal life on 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.

I recognise the concerns raised by my constituents on a number of matters and I shall address each on in turn below.

Facility time

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.

Online balloting

I recognise that online ballots could be a useful tool to bring about change in the voting process. However, a key challenge is how to be sufficiently confident about both e-security and the confidentiality of the votes. Electoral Reform Services has acknowledged the challenges of the secrecy of the vote. For instance, it is potentially easier to gain access to huge quantities of electronic votes, which would be much harder to do with postal votes. There are also further issues around security and the significant risk of intimidation in the workplace, possible fraud by trade union officials and the risks of interception of PIN numbers/passwords.

The Open Rights Group has also 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."*

Follow Alok on Twitter: @AlokSharma_RDG

**Please reply to: Alok Sharma MP, House of Commons, London, SW1A 0AA
e: alok.sharma.mp@parliament.uk w: www.aloksharma.co.uk t: 0118 941 3803**

Alok Sharma, MP for Reading West

Rest assured, I will continue to follow the case for the electronic balloting closely. I am aware that the Government has agreed to commission an independent review to consider its case again and to ensure that the latest technology has been assessed.

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. The Government's analysis found that 7 out of 10 trade unions with political funds in Great Britain make no reference at all to the right to opt-out on their membership forms.

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. These principles already apply to corporate donations as shareholder consent is needed.

The measures requiring trade unionists to "opt-in" to the political fund will still be introduced, but over a 12 month period rather than the originally proposed three-month period. Current members will also be exempt from the changes.

Check-off

The widespread practice of 'check-off' in the public sector is outdated and unnecessary in the 21st century age of direct debits and digital payments. The collection of trade union subscriptions should be undertaken by the trade unions directly. Many unions have switched already.

Many trade union members are routinely misled when they join a trade union, such as the absence of information about the optional political levy. The practice of check-off compounds that misleading marketing by omission, as trade union subscriptions are buried in the corporate payslip. The state is complicit in such dubious practices if it is the collecting agency. Whereas, moving to direct debits gives workers the added consumer protection of the Direct Debit Guarantee.

The Government has, however, accepted the principle of allowing check-off to continue where the union meets the costs and where there is an agreement with the employer to do so. This would allow a public sector employer to make deductions from its workers' wages in respect of trade union subscriptions only if those workers have the option to pay their trade union subscriptions by other means, or if arrangements have been made for the union to make reasonable payments to the employer in respect of the making of the deductions.

Thank you again for taking the time to contact me.

Yours sincerely,



Alok Sharma MP

Follow Alok on Twitter: @AlokSharma_RDG

**Please reply to: Alok Sharma MP, House of Commons, London, SW1A 0AA
e: alok.sharma.mp@parliament.uk w: www.aloksharma.co.uk t: 0118 941 3803**