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www.gov.uk

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12 May 2023

Dear Dr Sahota,

Thank you for your letter dated 16 February 2023 regarding the Strikes (Minimum Service Levels) Bill.

I would like to begin by highlighting that this Government firmly believes that the ability to strike is an important part of industrial relations in the UK, rightly protected by law. This legislation does not seek to unduly impede this.

Industrial action is disruptive for everybody – for members of the public who rely on essential services to get to work or care for their family; for the NHS trying to get the backlog down or schools trying to recover lost learning after the pandemic; for local businesses whose sales and productivity suffer – and for striking workers themselves, who forfeit pay at a time when the costs of living are rising. We need to have confidence that essential services are available to people who work hard and expect the services they pay for to be there when they need them. People should have confidence that an ambulance will come in the event of a serious injury.

The public rightly expect the Government to act in circumstances where their rights and freedoms are being disproportionately impacted. This legislation therefore seeks to balance the ability to strike against the rights and freedoms of others to access vital services during strike action, to protect the lives and livelihoods of the public.

The Bill enables minimum service levels to be implemented via regulations, following consultation. We encourage everyone who may be interested in or potentially affected by minimum service levels to contribute to the consultation to ensure they are able to participate in the process of setting the minimum service level which may apply. On that basis, we have already published our consultations for ambulance, fire and rail services which are available to access on Gov.co.uk. The regulations must also be scrutinised and approved by both houses of Parliament before they come into effect.

Once regulations for minimum service levels are in force for a specified service, if the relevant trade union(s) give notice of strike action, the relevant employer(s) can issue a notice (known as a work notice) ahead of the strike(s) to specify the workforce required to achieve the minimum service level for that strike period. Thus, this legislation is not ending anyone's ability to strike, it is simply balancing the ability to strike only for those workers named in a work notice, who are required to work to enable a minimum service level to be achieved during strikes.

This is nothing new, indeed most major European countries have some version of minimum service levels for their key public services, all of whom are signed up to the relevant ILO conventions.

I hope the above addresses your concerns and clarifies what this Bill is seeking to achieve.

Yours ever,

A handwritten signature in black ink, appearing to read 'Kevin', with a stylized flourish at the end.

KEVIN HOLLINRAKE MP

Parliamentary Under Secretary of State – Department for Business and Trade