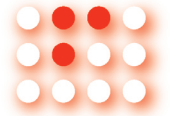
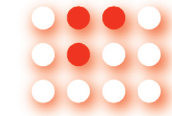


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Rise in childcare costs

Working parents are offered a brief respite from steeply rising childcare costs, as the 2016 Childcare Survey from the family and Childcare Trust shows average prices rose by just above inflation throughout Britain.

A part-time nursery place (25 hours) for a child under two rose by 1.1% last year against a 1.0% rise in retail price inflation, and is now on average £116.77 a week in Britain. However, in London, the most expensive region, prices for the same place rose by 2.2% in one year.

And, the cost of a part-time nursery (25 hours) for a child aged over two rose by 1.9% and now averages £111.88 a week.

In England, the cost of a part-time nursery place (25 hours) for a child under two rose by 0.7% last year, and is now on average £118.13 a week. The rise was much greater in Wales – 5.6% – taking the average cost to £110.16 a week. Meanwhile, in Scotland the rise was 1.0%, taking the average cost to £111.13 a week.

The combined price of a part-time nursery place for a child under two and an after-school club for a five year old is now £7,933 a year, the survey finds. This represents a third of the median gross salary of a nurse, and 22% of a soldier's.

This year there are 11 local authorities where the average cost for part-time childcare exceeds the Working Tax Credit support cap, leaving the poorest working parents having to pay an average of £81.53 a week, or £4,240 a year out of their own pocket.

In 2017, there will be an extension to free early education and the availability of childminders will be crucial. For the first time in its annual Childcare Survey, the Family and Childcare Trust has calculated the number of childminders per 1,000 children aged under five in each area in Britain. There are big differences between areas, with four childminders per 1,000 in Hull compared to 24 per 1,000 in Bromley.

Julia Margo, chief executive at the Family and Childcare Trust, voiced concern that “thousands of three year olds are missing out on existing entitlements before the expanded 30 hours of free childcare is even piloted”.

“Extra free childcare is of no use to working parents if they can't find a place for their child. To make childcare really work for parents, we want to see the right to an early education place brought in line with the right to a school place,” she said.

The Family and Childcare Trust is continuing to call for an end to short-termism and piecemeal childcare policy, and urges the UK government to start a comprehensive review of the childcare system so that it supports all working parents and delivers for employers and the economy.

LABOUR RESEARCH DEPARTMENT

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TUC general secretary Frances O'Grady said: "To create a childcare system that works for hard-pressed families, the government must properly fund local government to invest in childcare and in the training and salaries of low-paid childcare workers."

www.familyandchildcaretrust.org/childcare-survey-2016

Discriminatory adverts

Thousands of people could be at risk of being denied jobs and services each year due to unlawful, discriminatory adverts, the Equality and Human Rights Commission (EHCR) warns.

Complaints about adverts which discriminate against older workers or on the basis of sex appear the most common. However, people are also being prevented from having a fair shot at work opportunities because of their disability, ethnicity, sexual orientation and other characteristics, according to evidence gathered by the commission.

Scores of complaints about allegedly discriminatory advertisements reveal that many businesses are breaching laws designed to allow fair and open access to jobs and services – often without realising it. In a little over a year, the commission has received more than a hundred complaints that adverts were discriminatory.

These complaints included:

- sex or age discrimination by seeking "young" or female workers, where this was not a necessary requirement for the job. This included an advert for a "Saturday boy" to work in a garage, and a bar looking for a "part-time shot girl";
- age discrimination by a recruitment agency stating that those over 45s need not apply, and by a club advertising salsa classes "not suitable for people over 60" in a local paper;
- race discrimination by recruitment agencies advertising solely in foreign languages – such as vacancies for taxi drivers only advertised in Polish; or conversely restricting a general warehouse position to UK passport-holders;
- sexual orientation discrimination on the grounds of sexual orientation when casting agencies were asked to supply only homosexual applicants to work as extras in a television programme featuring a Gay Pride story. In reality, these roles should have been open to all; and
- disability discrimination by a hotel advertising that it would not offer accommodation to disabled people.

As a result, the EHCR has published a series of short guides and checklists for those who place and publish adverts to help them advertise in line with equality legislation. This is designed to dispel confusion and misunderstanding about the law.

The guidance covers situations where services may be targeted at particular groups. These include women only swimming sessions; membership of private members clubs; and the letting of accommodation. It explains the circumstances where targeted recruitment advertising may be allowed because the job genuinely requires it, such as the provision of intimate social care.

The guides also explain that the 2010 *Equality Act* applies to anyone who creates and places an advert and those who publish it in print, online or in local shops. Both advertiser and publisher are potentially liable if a discriminatory advert is published. Online publishing platforms can also be held liable if they fail to remove any discriminatory adverts once they are made aware of them.

Rebecca Hilsenrath, chief executive of the EHCR, said: "This clear and brief guidance answers the questions people often ask us and should help keep everybody on the right side of the law. It will also help ensure no-one is unfairly barred from job opportunities or from accessing services because of who they are.

"Tackling discrimination and ending confusion will not just help prevent businesses breaking the law – it will create more opportunities to unlock talent and help drive Britain's economic growth."

www.equalityhumanrights.com/unlawful-adverts-jeopardise-job-opportunities-says-commission

www.equalityhumanrights.com/publication/making-enquiry-about-discriminatory-advert-0

Commission ruling favours workers

Thousands of workers will now be able to claim commission previously denied them thanks to a successful ruling on a case brought by UNISON member Joe Lock.

The Employment Appeal Tribunal (EAT) handed down its decision in *British Gas Trading Limited v Mr Z J Lock & Secretary of State for Business, Innovation and Skills*.

Lock was employed by British Gas as a salesman and was represented by UNISON. His remuneration package included a basic salary plus commission that was based on the number and type of contracts he persuaded customers to enter into.

However, when he took periods of annual leave he would be paid just his basic pay, with no payment for commission. This was significantly less than his normal pay and was a disincentive to take annual leave.

Lock first challenged this injustice at an employment tribunal in April 2012. He is a member of the public service union UNISON, which has supported his claim, along with over 700 others that are currently lodged with the employment tribunal pending the outcome of his claim.

The case, initially started in an employment tribunal, was then referred to the Court of Justice of the European Union that ruled in favour of Lock. The case then was referred back to the employment tribunal, which again ruled in favour of Lock. British Gas again appealed.

However, the EAT found that that the domestic legislation could be interpreted in a way which conforms to the requirements of article 7 of the Working Time Directive. It upheld the similar decision of *Bear Scotland & Others v Fulton & Others [2015] ICR 221* that was recently determined.

Dave Prentis, general secretary of UNISON, said: "This case will have implications for thousands of workers across Europe who for years have been denied a fair deal.

"Until now some employees who rely upon commission and overtime have lost a significant amount of money. It's only fair that workers should receive their normal pay, including their regular commission, whenever they take their annual leave."

www.unison.org.uk/news/press-release/2016/02/unison-secures-holiday-pay-ruling-for-workers-earning-commission-at-employment-appeal-tribunal/
www.gov.uk/courts-tribunals/employment-appeal-tribunal

Public school tie still dominates in top jobs

The UK's top professions are still disproportionately populated by alumni of independent schools, according to the education charity the Sutton Trust, which has been tracking the educational backgrounds of Britain's elites for over 10 years.

The trust's report, *Leading people 2016*, charts the educational backgrounds of leading figures in 10 areas: the military, medicine, politics, civil service, journalism, business, law, music, film and Nobel Prizes.

Three-quarters (74%) of the country's top judges – High Court and Appeals Court – attended independent schools, while on the military side seven out of 10 (71%) of the top officers in the country – two-star generals and above – went to independent schools.

In journalism, over half (51%) of leading print journalists were educated privately and less than one in five went to comprehensives which educate 88% of the population today.

State school students are slightly better represented in medicine: of a sample of the country's top doctors, 61% were educated at independent schools, nearly one quarter at grammar schools (22%) and the remainder (16%) at comprehensives.

In business, a high proportion of FTSE 100 chief executives attended schools overseas, but of those who were UK educated, about a third (34%) went to private schools. In politics, nearly a third (32%) of MPs were privately educated. Half of the Conservative government's cabinet were privately educated, compared with 13% of the shadow cabinet.

www.suttontrust.com/wp-content/uploads/2016/02/Leading-People_Feb16.pdf

Trade Union Bill misinformation

The *Trade Union Bill* is currently in the committee stage in the House of Lords and some Lords on the Conservative benches are freely putting their biases into speech and print.

Take Lord Leigh of Hurley. Speaking in the House of Lords on 23 February, he said on union political funds: "... the suggestion is that there is a lack of transparency as to what they are The noble Lord invited me to look at the accounts on the Certification Officer's website, and I have done so. The total political funding is about £24 million. The largest fund is that of Unite, with £7.8 million of income. When one tries to understand the expenditure within that, one sees that it simply states that political fund expenditure was £1.17 million and that expenditure under Section 82 of the *Trade Union and Labour Relations (Consolidation) Act 1992* was £3.82 million. No further information is supplied,

other than the quite interesting information that Unite has in its balance sheet of the political fund £14.8 million. It is much the same for other unions – I have been through quite a few of them.”

Sadly, the noble Lord did not read the union's annual return thoroughly – the income was £7.7 million and the expenditure under section 82 was £3.68 million – and if Lord Leigh had carried on reading he would have been able to read the notes to the annual accounts. And he would have found note 2 which shows political affiliation fees, grants and donations paid out by the union in 2014.

That's transparent. Or, let's pick on a big, bogey union with a big, bogey general secretary, which just happens to be a big donor to the Labour Party and be economical with the actualité.

www.publications.parliament.uk/pa/ld201516/ldhansrd/text/160223-0001.htm#16022350000348

Threats to workers' rights from Brexit

The workers' rights in the UK which are underpinned by EU rules – and which would therefore be at risk if the UK votes to leave the EU are highlighted in a TUC report.

UK employment rights and the EU provides a comprehensive assessment of the employment rights that derive from the UK's membership of the European Union. And it considers the threat to these rights in the case of the UK voting to leave the EU.

These rights, which include paid annual leave, time off for antenatal appointments and fair treatment for part-time workers, are used every day by millions of workers. But if the UK votes to leave the EU, no-one can say what will happen to these rights.

Decisions on which rights to keep – and which to amend or drop altogether – would be left to the government as they reviewed all UK laws linked to the EU. And any changes could let employers cut the benefits and protections that UK workers currently have.

The EU-derived rights outlined in the TUC's report include:

- the right to 20 days' paid annual leave a year;
- the right to not be forced to work longer than 48 hours a week on average;
- the right to paid time off for antenatal appointments; and protections for pregnant women and new mothers in the workplace;
- the right to up to 18 weeks' parental leave per child and to time off for urgent family reasons;
- the right to equal pay for work of equal value between men and women; and
- the right to equal treatment for part-time, fixed-term and agency workers with other employees.

TUC general secretary Frances O'Grady said: “Working people have a huge stake in the referendum because workers' rights are on the line. It's the EU that guarantees workers their rights to paid holidays, parental leave, equal treatment for part-timers, and much more.

“These rights can't be taken for granted. There are no guarantees that any government will keep them if the UK leaves the EU. And without the back-up of EU laws, unscrupulous employers will have free rein to cut many of their workers' hard-won benefits and protections.

“The current government has already shown their appetite to attack workers' rights. Unions in Britain campaigned for these rights and we don't want them put in jeopardy. The question for everyone who works for a living is this: can you risk a leap into the unknown on workplace rights?”

www.tuc.org.uk/sites/default/files/UK%20employment%20rights%20and%20the%20EU.pdf

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