

GS/AH/EF

18 September 2013

Mr David Stewart MSP
Convenor
Public Petitions Committee
Scottish Parliament
Edinburgh
EH99 1SP

Dear Colleagues,

Consideration of Petition PE1481 (Blacklisting)

Thank you for your correspondence requesting views on the above petition and the Committee's discussion on this at its meeting of 11 June 2013.

The STUC is Scotland's trade union centre. Its purpose is to co-ordinate, develop and articulate the views and policies of the trade union movement in Scotland; reflecting the aspirations of trade unionists as workers and citizens.

The STUC represents over 620,000 working people and their families throughout Scotland. It speaks for trade union members in and out of work, in the community and in the workplace. Our affiliated organisations have interests in all sectors of the economy and our representative structures are constructed to take account of the specific views of women members, young members, Black/minority ethnic members, LGBT members, and members with a disability, as well as, retired and unemployed workers.



2.

We would endorse those contributions given by our affiliated trade unions, UNITE, GMB and UCATT, at the Public Petitions Committee meeting on 11th June. The extensive use of blacklisting across many industries has been detrimental to the living standards and basic human rights of many working people and their families.

We welcome the interest taken by Members of the Scottish Parliament, by Scottish Government, and by Members of Parliament at Westminster, including the current inquiry by the Scottish Affairs Select Committee.

With more discussion in the public domain, more cases are coming to light. The STUC would support the calls by our affiliated unions for an independent public inquiry in Scotland, which would assist in bringing to light the scale of the problem, and place contractors under a greater degree of public scrutiny. As the GMB indicated on 11 June, in their reference to the Information Commissioner Officer report, the figures reported to date are far lower than those working in the relevant industries believe them to be in reality. It would be beneficial to all concerned if more Scottish data was available, and policies and legislation could, therefore, be better informed.

Public procurement commits very significant sums of public money to projects across the country, and the STUC has welcomed the recent statements from the First Minister on 12 September, which indicate that the Scottish Government's Procurement Reform (Scotland) Bill now placed before Parliament will provide new powers to tackle companies that do not comply with their legal obligations, including blacklisting and employment law, going further than the welcome restrictions being considered in Wales.

The STUC and its affiliated unions have been involved this year in the meetings convened by Scottish Government, to consider the wording on a Public Procurement note which will outline the circumstances in which companies who engage in blacklisting can be excluded from public sector contracts.

3.

This includes exploring the provision for the inclusion of questions in the standard Pre-Qualification Questionnaire which will require suppliers to disclose if legislation has been breached. This drafting work is ongoing, and as the Public Procurement Reform (Scotland) Bill enters the legislative scrutiny process, the STUC looks forward to thorough public examination of all the options, with a view to ensuring the legislation is as effective as it can be in outlawing the unacceptable practice of blacklisting.

The Public Petitions Committee's interest in this matter is of great assistance.

Yours sincerely

Grahame Smith
General Secretary