



BAKERS' UNION PARLIAMENTARY GROUP

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

REPORT SEPT 2008 – JAN 2009



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EXECUTIVE SUMMARY

This report covers the activities of the Bakers' Union Parliamentary Group during September 2008 – January 2009.

The 2007-08 parliamentary session began on 6th November 2007 [*Christmas Recess 18th December – 7th January; Easter Recess 3rd April – 21st April; Whitsun 22 May 2008 - 2 June 2008; Summer 22 July 2008 - 6 October 2008;*] and ended on 27th November 2008.

The new 2008/09 parliamentary session commenced with the Queen's Speech on 3rd December 2008 [Christmas Recess 18th December 08 – 12th January 09]

Meetings:

The group has hosted the following meetings in parliament:

- Inaugural Group Meeting 28th October 2008
- Group Meeting 21st January 2009

The Group will be hosting its next Group meeting on 3rd March 2009

Letters:

The Group has written to:

- Letter to General Secretaries 1st October 2008 **Re: Lyndale Campaign**
- Pat McFadden MP Minister of State for Employment Relations, **Re: Below Cost Selling / Maximum Working Temperature** 17th December 2009
- Pat McFadden MP Minister of State for Employment Relations **Re: Lyndale Dispute**
- 28th January 2009
- Gordon Brown **Re: Workers' Memorial Campaign** 28th January 09
- Hilary Benn MP Secretary of State for Environment, Food & Rural Affairs **Re: Below Cost selling** 28th January 09



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- Hilary Benn MP Secretary of State for Environment, Food & Rural Affairs
Re: Below Cost selling 28th January 09
- Lord McKenzie of Luton Parliamentary Under Secretary of State (Lords)
Re: Maximum Workplace Temperature 28th January 09

Written Parliamentary Questions

Questions for written answer are used by Members of Parliament to try and extract more detailed information from the Government. Oral questions are questions asked and answered on the floor of the House of Commons during individual department question times which are organised into a rota by the government. Oral questions can lead to a mini-debate on the floor of the Chamber and are useful in gaining publicity and putting the Government on the spot.

Approximately 20 parliamentary questions have been answered on issues relating to the Group in this period.

Early Day Motions (EDMs)

EDMs are parliamentary motions tabled by backbench MPs to publicise particular issues. They are never debated or voted upon but are signed up to by other MPs. They are used to demonstrate a level of support among MPs for a particular cause or point of view.

The following EDMs have been tabled on issues relating to the Group:

<i>Parliamentary Session 2007 /08</i>		
EDM 1971	LYNDALE FOODS LIMITED AND SAYERS THE BAKERS LIMITED	28
<i>Parliamentary Session 2008 / 09</i>		
EDM 72	GENETICALLY MODIFIED CROPS	32
EDM 79	COUNTRY OF ORIGIN FOOD LABELLING	72
EDM 217	SUPERMARKET LABELLING OF MEAT	50
EDM 376	SUPERMARKET REGULATOR	42
EDM 482	MAXIMUM WORKPLACE TEMPERATURE	33
EDM 483	BELOW COST SELLING	38
EDM 560	GROCERY MARKET OMBUDSMAN	31



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Parliamentary Group

Bakers' Union Parliamentary Group was launched on the 28th October 2008 raising the profile of BFAWU and the issues affecting its members within parliament - enabling politicians to work alongside the trade union in a systematic and co-ordinated way in areas of mutual interest.

Overview: The Formation and Role of the Parliamentary Group

In September in advance of the new Parliamentary session we contacted a large number of Labour MPs who had connections with the industry or a trade union background to inform them of the planned launch of the new BFAWU Parliamentary Group and invite them to join. The subsequent replies resulted in the current membership of the group of approximately 30 Labour MPs covering a wide spread both geographically and politically. This is a good number for a trade union parliamentary group and includes some MPs who can be relied upon to be really active in Parliament in support of the union.

In advance of the inaugural meeting, approaches were made to a number of MPs to take on roles as officers of the group. John McDonnell, MP for Hayes and Harlington, agreed to be Chair of the new group, and Linda Riordan, MP for Halifax, and Dave Crausby, MP for Bolton North East, agreed to act as Vice-Chairs.

The intention of setting up such a Parliamentary Group is to enable the union to bring together a number of supportive and interested MPs to work in a concerted and effective way with the union to increase awareness in Parliament and beyond on our issues of concern and ultimately to influence Government policy. The work of the parliamentary group can not act as a replacement for the union's other campaigning activity but is rather a supplement to everything-else and aims to ensure that MPs are always 'up to speed' and comprehensively briefed on all the issues that concern the membership.

Whilst there is no guarantee that Government will concede to our demands, we can at least be confident that whenever a statement on issues affecting the Baking Industry is made by a Government Minister, MPs will have the detailed information necessary at their disposal to hold the Government effectively to



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account. If we can help create a climate of opinion at Westminster which is supportive of our concerns then ultimately Government will need to take that into account as it formulates its policies.

Whatever the membership of any parliamentary group, the principal work is invariably done by an active core of up to a dozen MPs who can take forward the unions' campaigns. The providing of detailed briefing material is therefore critical and on that basis MPs from a wide range can be encouraged to use all the parliamentary mechanisms available to them to raise the perspectives of the group. These include:

Early Day Motions (EDMs). Hundreds of these are tabled each session. These motions are never debated or voted upon but are open and available for other MPs to sign up to in support. They are thus a barometer of opinion in the House and are the traditional means by which backbench MPs are able to draw the attention of other MPs to their concerns. They also provide an invaluable focus for extra-parliamentary campaigning activity and lobbying for parliamentary support. Although some EDMs may be time-limited, since the issue highlighted has a specific contemporary relevance, as a rough rule of thumb an EDM that achieves 50 signatures has done well and those that reach over 100 signatures have been a great success. Government Ministers will be aware of all EDMs tabled that deal with issues affecting their department.

By tradition, the Speaker, MPs on the Government payroll, and often Chairs of Select Committees, do not sign EDMs. Only the names of the first six signatures of an EDM, known as the 'top 6', are always printed with the EDM each time it is reprinted. So when tabling an EDM and having agreed the wording with all concerned, we will try to ensure that the key sponsoring signatures are the officers of the group and other MPs directly affected or who have shown a keen interest.

Parliamentary Questions (PQs)

(a) Written

Written questions are a means of backbench MPs finding out detailed information from the Government. They must be information based requests and not argumentative or point-scoring, and each Government department will only answer questions covering issues that are their direct responsibility. Written parliamentary questions are a means of ensuring that detailed



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information is formally placed in the public domain and the answers can form part of the unions' subsequent briefing and campaigning material. They are also another means of raising the profile of an issue by making the Government aware that MPs are taking it up. Questions that pose difficulties for the Government however can often lie unanswered for a considerable period of time and sometimes never get answered at all.

(b) Oral

Once a month, while the House is sitting, every Government Department must orally answer questions, for up to an hour at most, on the floor of the House. A backbench MP is able to submit a question for oral answer and must do so several days in advance with the exact wording of the intended question. A private ballot is then held by the Speaker and a number of questions are then selected for answer. Often, fewer than the first 10 questions are reached in the allotted time.

The initial reply to an oral question is often very predictable, but the questioning MP is allowed a follow-up supplementary question which is unscripted, and is where the real substance lies. If he chooses the Speaker may then allow further MPs from all parties to 'get in' on the debate.

Oral questions therefore put Government Ministers on the spot to in front of the House to explain the Government's position, and can often be used to secure the agreement of the Minister concerned to meet with a delegation from a parliamentary group to consider the issue in more detail, or at any rate undertake further consultation.

So each month in advance of the departmental question time that most concerns the Group, the Parliamentary Group will put in for questions, draft suggested supplementaries and coordinate MPs' availabilities. Tabled questions and answers will be included in the written report, although there is never any certainty that the questions submitted by our MPs will be drawn in the ballot.

All tabled questions both written and oral and the answers provided are recorded verbatim in Hansard, the official record of all of Parliament's proceedings.



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Adjournment Debates

These are debates granted to backbenchers who submit in advance to the Speaker a request and title of an issue for debate. A ballot is then conducted by the Speaker and the result announced every Thursday while the House is sitting. No more than 15 MPs from the whole House are selected. The debates may last for either 30 or 90 minutes and are held in the Chamber at the end of business, or in Westminster Hall respectively. No votes are taken at the end of these debates but the Government Minister responsible for the issue discussed must answer to the debate. As with PQs the subject of an adjournment debate may only deal with an issue of direct Governmental responsibility.

A 90 minute debate in Westminster Hall can be an extremely effective means of raising the parliamentary profile of an issue, and even those MPs unable to attend in person are able to follow the debate on their parliamentary monitors or read the full account in the next day's Hansard.

Statements & Parliamentary Interventions

Nowadays Ministerial Statements are often made with very little advance warning, often as little as two hours and increasingly the practice of written statements is being employed, both of which present the Parliamentary Group with a difficult task in organising a response. However whenever possible we try to ensure that those MPs available to respond on behalf of the group, whether in the Chamber or to the media, are alerted to the forthcoming statement and are fully briefed and up to speed on the union's concerns.

Meetings with Ministers, Select Committees, and Outside Bodies

Part of the routine parliamentary lobbying work for the group is the drafting, signing and dispatching of letters seeking a detailed response to our concerns in detail or the soliciting of a meeting with the Minister or other body concerned. Sometimes a less formal approach may be adopted and the issue may simply require an off the record word in the lobbies.

Reports of all meetings held are included in the written report, although sometimes it will be agreed to hold the meeting 'off the record' to facilitate more open discussion. These meetings can often take a considerable time to be agreed and MPs going in to meet Ministers on behalf of the union will require a good briefing in advance.



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The formation of the parliamentary group and the development of a base of sustained and informed support at Westminster is a new venture for BFAWU, and will have been noted around Westminster. The new BFAWU Parliamentary Group can not achieve all of the union's campaigning objectives but it will ensure that MPs and Peers are fully briefed and prepared and able to speak up on the union's behalf.

Launch Meeting 28th October 2008

The launch meeting was well attended by Labour MPs across the UK. Joe Marino, General Secretary of BFAWU provided MPs with a brief history of the Bakers' Union from its formation in 1847 in Manchester, as a group of journeyman bakers came together to improve wages and living standards to the present day whereby the union has grown in numbers and strength, as well as gathering experience in assisting and protecting workers in the food industry.

He explained that whilst BFAWU has previously worked with a wide range of Members of Parliament and members of the House of Lords on these and many other issues of mutual concern, it was felt in the past this has been an ad hoc arrangement which has made the relationships difficult to build on and sustain in a constructive and dynamic way. He argued that formation of Parliamentary Group will enable the union and MPs together to take many of the important issues of concern BFAWU members and the wider trade union movement.

Many MPs present asked numerous questions regarding the organisational structure of BFAWU, and in particular Linda Riordan MP, Joan Humble MP and David Crausby MP asked to be put in touch with BFAWU regional representatives. The Group has since circulated details of regional BFAWU representative to the MPs and will be attempting to ensure that MPs have to opportunity to get in contact with BFAWU branches and members in the constituencies if they should so wish. Joe Marino and Ian Hodson offered to organise tours of local bakeries to all the MPs.

Joe Marino also introduced the MPs to the key issues and values of BFAWU, explaining and providing information about the different campaigns of importance to the union – both politically and industrially.



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Joe informed MPs that the debate about healthy food, food safety, nutrition and food technology is an important issue for the union and that BFAWU seeks to broaden its campaigns in these and related issues in cooperation and partnership with members of Parliament. In particular he outlined the key priorities for the coming period:

*Training and Education for Shop Stewards, Branch Officers, Health & Safety reps and Learning reps.

*Food Safety-areas of concern are the confusion on food labelling and the need to be transparent in relation to additives and ingredients. The debate on healthy eating, obesity and the effects of food standards and additives on children are of particular concern.

*Genetically Modified Foods - a need to ensure this debate covers all aspects of safe science in relation to producers i.e. farmers; process workers; consumers.

*Below cost selling - the effects of the monopoly position of major retailers on the price of food against the issue of choice to consumers and workers in the industry.

*European Union - the need for a dramatic reform of the Common Agricultural Policy and its effect on both producers and consumers in the European Union and beyond.

*Fair Trade - the effects of food production and food supply on an international level. The role played by overseas aid in developing countries and the effects of issues such as bio diversity on international and local food production.

* the role of union representatives and their ability to represent members under the most draconian labour laws in the advanced economies, given the power of multi national capitalism and the ease with which UK workers can be dismissed.



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* Wider political values such as trade union freedom, privatisation of public services, education, civil liberties, racism (including anti BNP campaign), sexism and disability discrimination.

The Group's Membership at present consists of 30 Labour MP:

Chair:

John McDonnell MP (Hayes & Harlington)

Vice-Chairs:

David Crausby MP (Bolton North East)

Linda Riordan MP (Halifax)

David Anderson MP (Blaydon)

John Austin MP (Erith & Thamesmead)

Joe Benton MP (Bootle)

Colin Burgon MP (Elmet)

Mick Clapham MP (Barnsley West & Penistone)

Katy Clark MP (Ayrshire North & Arran)

Harry Cohen MP (Leyton & Wanstead)

Frank Cook MP (Stockton North)

Jeremy Corbyn MP (Islington North)

Mary Creagh MP (Wakefield)

Ann Cryer MP (Keighley)

Andrew Dismore MP (Hendon)

David Drew MP (Stroud)

Neil Gerrard MP (Walthamstow)

David Hamilton MP (Midlothian)

Kate Hoey MP (Vauxhall)

Kelvin Hopkins MP (Luton North)

Joan Humble MP (Blackpool North & Fleetwood)

Gordon Marsden MP (Blackpool South)

Eric Martlew MP (Carlisle)

Austin Mitchell MP (Great Grimsby)

Julie Morgan MP (Cardiff North)

Gordon Prentice MP (Pendle)

Ken Purchase MP (Wolverhampton North East)

David Taylor MP (Leicestershire North West)

Simeon Andrews

Co-ordinator, Bakers' Union Parliamentary Group



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**Paul Truswell MP (Pudsey)
Robert Wareing MP (Liverpool West Derby)
Mike Wood MP (Batley & Spen)**

Group Meetings:

Inaugural Meeting
2pm
28th October 08

AGENDA

1. Election of Officers
 - Chair
 - Vice Chairs
2. Welcome and Apologies
3. Operational Arrangements for the Group
4. Overview of BFAWU
 - History, Membership and Structure
5. Current Issues
 - The Lyndale dispute, protection for workers and The Employment Bill
 - Health and Safety
 - Below Cost Selling
 - Common Agricultural Policy
 - Genetically Modified Foods



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Bakers' Union
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Group Meeting

2 pm
Wednesday 21st January 09
Room W1

AGENDA

1. Below Cost Selling
2. Maximum Temperature
3. Lyndale Dispute Update
4. Worker's Memorial Day
5. Labelling
6. Any Other Business



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Campaigns

Below Cost Selling

During the inaugural group meeting on 28th October 2008, one of the key issues raised was concern at the practice of persistent below cost selling by large retailers.

Joe Marino informed the Group of the long campaigning history of BFAWU in challenging the power of the retailers to use their strength to demand high levels of discounting disproportionate to production cost shifting the cost from the retailer to the producer.

The practice of persistent below-cost selling is widespread in the UK retail grocery sector. The Competition Commission Groceries Market Investigation Final Report (published in April 2008) stated that nine grocery retailers (Aldi, Asda, Lidl, Morrisons, Netto, Sainsbury's, Somerfield, Tesco and Waitrose) revealed that they engaged in below-cost selling to varying extents. For each of these parties, revenue from goods sold below cost represented, for the period between January 2005 and June 2006, up to 3 per cent of total revenue. Such practices clearly favour low-cost operations with a negative impact on the quality of the products, reduction in working conditions and narrowing of consumer choice.

Some of these issues were touched upon during a debate instigated by Liberal Democrat MP Mark Hunter (Cheadle) with his question [233453] to the Department for Environment, Food and Rural Affairs regarding the pricing of goods in supermarkets on 6th November 2008.

Mark Hunter MP called for an investigation arguing that

'that the practices currently employed by some supermarkets, including Tesco, which are deliberately delaying payments to suppliers, are having a detrimental effect on UK food prices and availability'.



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The answering minister Jane Kennedy's response was far from positive stating that the government does *'not discuss prices offered by supermarket as (they) believe that they are for the market to determine within the constraints of competition law'*.

She did however argue that *'organisations such as Tesco and Asda have regular and good communications with their suppliers, and farmers can come to local forums. That is the way forward to sustain the food supply chain right across the piece.'*

Whilst much of this debate (and subsequent parliamentary questions) have largely focussed on the specifics of the relationship farmers' and supermarkets, the number of cross-party interventions demonstrates a level of parliamentary scrutiny and interest regarding the role of supermarkets that the Bakers' Union Parliamentary Group can build upon.

For full text of the debate

<http://pubs1.tso.parliament.uk/pa/cm200708/cmhansrd/cm081106/debtext/81106-0002.htm#08110631000024>

The Group has begun work to raise the profile of arguments regarding persistent below cost selling and the power of supermarkets by circulating extensive information on behalf of the union. Jeremy Corbyn MP tabled EDM 483 Below Cost Selling calling for greater regulation and has already gathered 38 cross-party signatures to date (see Annex One) reflecting a sizable body of MPs interested in the issue. A detailed briefing note outlining specifics of the situation and promoting the EDM was prepared and distributed to all MPs. The Group will be continuing to build signatures.

The Group has written to Pat McFadden MP (Department for Business, Enterprise & Regulatory Reform) and Rt Hon Hilary Benn MP (Secretary of State for Environment, Food & Rural Affairs) arguing that amendments could be made to legislation in the UK – as in the USA or Germany - where below cost selling is regulated in a way to stop unfair advantages to retailers and the driving out of business of small and diverse growers. We also argued that the Supermarket Code of Practice could be strengthened to prohibit predatory below cost selling, and enable complaints against code breaches to be made under an entirely independent mechanism with strict confidentiality or through



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trade associations, thereby protecting the complainant from any adverse reaction from powerful retailers. (See Annex Two)

The Group has yet to receive a response to these letters but will continue to attempt to create a constructive dialogue with ministers regarding this matter. The Group will also use any parliamentary mechanism available in order to push this issue to the forefront of the parliamentary agenda.

Having discussed the best way to take this campaign forward at the Group meeting on 21st January, the Group plans to host a strategy meeting between MPs and representatives from other supportive unions and stakeholders (including USDAW, UNITE, GMB) to discuss how to build a strong platform to argue for legislative change to protect suppliers. Tim Page from the TUC has already confirmed that he will attend the next Group meeting on 3rd March 2009.

The Group will continue to highlight the detrimental effects of below cost selling for wider society and will work with BFAWU to take the campaign forward both within and outside parliament.

Working Temperature

During the inaugural group meeting on 28th October 2008, the General Secretary informed the Group that temperature is a major factor determining comfort in the workplace – particularly in bakeries. During the group meeting on 21st January 2009, Ronnie Draper followed this up by explaining that conditions in workplaces are often unsatisfactory and result in harmful health effects for workers. In the 2006 TUC Safety Representatives Survey, one in three (34 per cent) safety representatives cited high or low temperatures as one of their top concerns. Whilst there is a legal minimum indoor temperature, under UK law there is no clear legal maximum workplace temperature at which control measures must be introduced.

Whilst some employers do take measures to ensure a 'reasonable' working temperature as they are required to do, this can vary greatly from employer to employer leading to an ad-hoc approach across the UK.



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During the Group meeting (21st January 2009) David Crausby MP was initially cautious in his response to the issue – he queried whether it would be unfeasible for a number of industries to stop working if the heat past 27-30 degrees (maximum temperature suggested by the TUC). Ronnie Draper clarified BFAWU's position by explaining that the maximum temperature would simply be the position at which control measures should be put in place to manage the heat not necessarily that work across the board should cease.

The Group also wrote to Pat McFadden MP (Department for Business, Enterprise & Regulatory Reform) and Lord McKenzie of Luton (Department for Work and Pensions) requesting a meeting to discuss the possibility of legislative changes (see Annex Two).

Kevin Hopkins MPs tabled EDM 482 MAXIMUM WORKPLACE TEMPERATURE which has since gathered 33 signatures and the Group has circulated extensive information on behalf of the union.

A detailed briefing note outlining specifics of the situation and promoting the EDM was prepared and distributed to all MPs. MPs are responsive on this issue and there is real potential to build a broad alliance for the introduction of a maximum working temperature.

The Group will be hosting a strategy meeting between MPs and representatives from other supportive unions and stakeholders (including USDAW, UNITE, GMB, TUC) to discuss how to build a strong and broad platform to argue for legislative change regarding heat in the workplace. There has been some political support from government through the "Warwick" discussions last year and a number of unions are supporting petitions to number 10 on the issue.

Overall the Group will continue to highlight the detrimental effects of persistent high temperatures on workers.

In the meantime, the Group has table a number of written questions regarding government enforcement of Health and Safety Regulations regarding temperature waiting to be answered.



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Workers' Memorial Day

The trade union movement has had a long standing campaign to get Workers' Memorial Day recognised as a national remembrance day. Last parliamentary session over 110 MP signed up to EDM 2025 Workers' Memorial Day on 28th April tabled by Mick Clapham MP.

At the Group meeting on 21st January 2009 BFAWU brought to the attention of members of the GROUP that despite the fact every year more people are killed at work than in war, Workers Memorial Day - an internationally recognised day (28th April) on which workers and trade unionists conduct events, demonstrations, vigils and a whole host of other activities to commemorate those who have died, been seriously injured, or made seriously ill by their work diseases – is not officially recognised by the UK Government.

According to the Health and Safety Executive in 2007/08 2.1 million people were suffering from an illness (long-standing as well as new cases) they believed was caused or made worse by their current or past work, 229 workers were killed at work, thousands of people died of mesothelioma and other occupational cancers and lung diseases and 299 000 reportable injuries at work occurred.

Many MPs will support the call of BFAWU (and the TUC) for official recognition because it honors ordinary people who have died or been injured simply as a result of carrying out their day to day employment – invariably as a result of failings by employers to ensure adequate health and safety measures – and is an opportunity to raise awareness about the right of all workers to work in safe and healthy workplaces and reflect on how to prevent further deaths and harm by improving enforcement of health and safety measures in all workplaces.

The Group wrote to the Prime Minister Gordon Brown (CC - *Pat McFadden MP, Department for Business, Enterprise & Regulatory Reform, Lord McKenzie of Luton, Department for Work and Pensions*) *welcoming the* government's commitment to tackling workplace ill-health, injury and death, and supporting the TUC in its call for the Government to take the next step in officially recognising Workers' Memorial Day (28th April) as a national day of remembrance.



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John McDonnell MP has tabled EDM 695 Workers' Memorial Day on behalf of the Group and has tabled a number of written questions regarding government enforcement of Health and Safety Regulations waiting to be answered.

As with some of the other campaigns the Group, there is real scope for the Group to develop support around this issue and develop a wider campaign in the future linking it to a range of issues affecting health and safety in the work place.

The Lyndale Dispute

At the end of June 2008, MPs were made aware of the redundancies of 450 bakery workers in the North West, formerly employed by Lyndale Group, which went into liquidation on 9th June 2008.

MPs were informed that on 9th June 2008 Lyndale Foods Limited (which included two production facilities - Hampsons Bakery in Bolton and Sayers Bakery in Liverpool) went into administration. It appears that the Chairman and Chief Executive of Lyndale Foods established another company, Sayers the Bakers Limited, on 1st May 2008 to which the profitable assets of Lyndale Foods were sold. Around 450 workers of Lyndale have been made redundant in this process, with the company owners have evaded their responsibilities – leaving the state to make redundancy payments to the workforce. BFAWU have provided evidence to suggest that Lyndale have been planning this restructure for at least three years and have additional concerns that BDO Stoy Hayward LLP who acted as business restructuring consultants to Lyndale just prior to administration, acted as administrators subsequently after.

Many MPs have been extremely concerned an employer has been able to plan a company restructure without consultation with the trade unions and lay off hundreds of workers whilst avoiding its responsibilities such as redundancy payments.

A campaign in response to this situation was put into action before the Summer, including the tabling of an EDM, the securing of an adjournment debate in parliament, and meeting with government ministers. However, since the union has faced difficulties in taking forward concerns with the administrator



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BDO, who have responded to questions by asking for details that the union clearly can not provide - such as minutes of board meetings.

Following on from the short campaign, the Baker's Union Parliamentary Group have sought to take forward a more comprehensive campaign to change legislation as it soon became clear that the circumstances surrounding the liquidation raised concerns about the propriety of the directors and wider issues about loopholes in company law.

On the 1st October the Group wrote to every trade union General Secretary (following the resolution proposed by BAFWU was passed at TUC Congress 2008) requesting assistance and information as to whether members of other unions have suffered difficulties as a result of similar or related incidences. The Group has received comeback from a few unions, including an extensive document from the National Union of Journalists and is currently in the process of chasing further answers and compiling the information. In due course, the Group will be writing to Brendan Barber, General Secretary of the TUC to request that the TUC commissions an investigation into the legislative loopholes that currently exist.

The Group has been circulating information from BFAWU outlining the development of the dispute to MPs to maximise the high level of engagement secured in June 2008. Ian Hodson provided an update at the Group meeting on 21st January 2009.

On the 13th November 2008 BDO Stoy Hayward LLP wrote to BFAWU stating that a Directors Conduct Report was due to be submitted to 'the Department for Trade and Industry' in December 2008 which would contain any irregularities regarding payments or transfers made from the Group's old bank account or the Group's trading activities if they should exist.

Regarding the role BDO played - by acting as restructuring consultants prior to administration and then subsequently as administrators - the letter claims that whilst BDO did attend a number of meetings prior to their appointment with Directors and secured creditors, restructuring advice was provided by 'external advisors'. It confirms that BDO 'have disclosed (their) involvement with the Group **to the satisfaction of the minister of the state, Mr Mcfadden**'. Overall the letter (*please find copy attached*) states that many aspects surrounding this



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restructuring and administration are not *'uncommon'*, which emphasises our previously expressed concern that there are a number of legislation loopholes relating to the situation.

David Crausby MP and Gordon Marsden MP were particularly concerned that BDO were implying that the minister had sanctioned the administrator's actions. Therefore, the Group has written to Pat MacFadden enquiring as to whether he has received the report and whether or not it indicates whether there has been any irregularity in the actions of the Lyndale Group. The letter asked for greater clarity over the details which *'satisfied'* the minister with regards to the arrangement since many MPs remained concerned about the conflict of interest that may have arisen regarding the role of BDO Stoy Hayward LLP. (See Annex Two)

Overall BDO's letter states that many aspects surrounding this restructuring and administration are not *'uncommon'*, which emphasises our previously expressed concern that there are a number of legislation loopholes relating to directors' duties, declarations of holdings, change of ownership and the role of administrators that has led to this unfortunate situation. The Bakers' Union Parliamentary Group will continue to develop a campaign to raise the profile of these arguments and the issues affecting BAFWU members.



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Other Campaigns

Public Services Not Private Profit Campaign

BFAWU is an important part of the campaign right across the public sector to defend public services in the face of the Government's ongoing privatisation strategy. The aim of the campaign is to highlight the threat of privatisation and commercialisation running throughout the Government's policy proposals for the public services, and to promote the value of public services. Sixteen public sector trade unions initiated the campaign, supported by a number of campaigning organisations, such as Defend Council Housing, Health Emergency, and the National Pensioners' Convention.

Website

The website www.publicnotprivate.org.uk was overhauled earlier this year and is continuing provide a good focus for the campaign. It now includes reports of local rallies in order to link together various trade union campaigns right across the public sector. Hits on the website have increased significantly, as more people are using the site for information and to make contact with the campaign.

Local Rallies

At a grassroots level the PSNPP campaign is gaining new momentum, with numbers of requests for meetings from local activists (often based on Trades Councils) getting in contact via the website. Therefore the campaign has hosted many '*Public Services Not Private Profit*' local rallies which have connected up local concerns and ad-hoc community campaigns with the co-ordinated national campaign against privatisation. Since July 08 there have been well attended rallies in Barrow (3rd July) Bristol (23rd July), Nottingham (16th September), Manchester (9th October), Lambeth (14th October), Bolton (16th October), Birmingham (3rd November), Islington (11th November), Hatfield (19th November), JUSTICE UNDER STRESS LOCAL RALLY - Southampton (11th Dec), JUSTICE UNDER STRESS LOCAL RALLY – Liverpool (11th Dec).

Youth Rally



Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

There was also a PSNPP Youth Rally on 17th October (co- hosted by the Socialist Youth Network – the youth caucus of the LRC). The meeting was well attended by young workers and students and was addressed by Tracey Edward (PCS Young member) who spoke on the cut-back in the civil service and Government's attacks on the welfare state in the context of the national economic uncertainty. Other speakers included Ross Marshall (RMT Young Member), Hazel Rees (NUT Young Member) and Rory MacQueen (GMB Young Member).

Future Meetings

The next PSNPP meeting is in Tower Hamlets on the 4th March 2009. Speakers' include Billy Hayes (General Secretary, CWU), John McNally (Vice President, PCS) Jon Rogers (UNISON Executive PERSONAL CAPACITY), Matt Wrack (General Secretary, FBU)

Other future PSNPP events planned include meetings in Cardiff, Manchester Newcastle, Southampton, Wandsworth, Wrexham and York.

Trade Union Freedom Bill & Employment Bill

BFAWU have been prominent in the campaign to promote the Trade Union Freedom Bill. EDM 1604 'Trade Union Freedom Bill Campaign' was tabled by John McDonnell in May 2008, and by the end of the 2007/08 parliamentary session had been supported by 145 MPs (see Annex 1 for full details).

The Employment Bill opened up the opportunity for amendments drawn from the Trade Union Freedom Bill to be tabled. Following consultation with the bill clerks, it was discovered that Clauses 1, 2 and 4 from the Trade Union Freedom Bill could be tabled:

- Protection of those participating in lawful industrial action or a lawful strike;
- Employer's duties in relation to industrial action ballots; and
- Agency Labour replacing those taking lawful industrial action



Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

At the Bill's second reading debate on 14th July 2008, both John McDonnell and Katy Clark made contributions making the case for stronger trade union and employment rights.

These were tabled as New Clauses 1, 2 and 3 to the Bill in October 2008 – for debate at report stage on 4th November 2008. The amendments were tabled with a top six of John McDonnell, Andrew Dismore, Kelvin Hopkins, Dennis Skinner, Michael Connarty and Ian Stewart, representing the Parliamentary Groups of RMT, PCS, FBU, BFAWU, GMB, Unison, CWU, and Unite. Prior to the debate around 40 MPs signed up to the amendments.

In advance of the debate, meetings were held with all supportive unions and TULO – convened by the United Campaign and the Institute of Employment Rights – to discuss campaigning and parliamentary tactics. There was a consensus that the issue with regard to balloting was the most important for unions – and that if any issue could be pushed to a vote it should be that.

As the Minister gave no indication of any concessions or any further consultation, John pushed New Clause 2 '*Employer's duties in relation to industrial action ballots*' to a vote.

55 MPs voted for New Clause 2, including 45 Labour MPs. They were: Richard Burden, Ronnie Campbell, Mick Clapham, Katy Clark, Frank Cook, Jeremy Corbyn, Jim Cousins, Jon Cruddas, John Cummings, Andrew Dismore, David Drew, Bill Etherington, Mark Fisher, Paul Flynn, Neil Gerrard, Ian Gibson, Roger Godsiff, Dai Havard, Kate Hoey, Brian Iddon, Eric Illsley, Glenda Jackson, Brian Jenkins, Lynne Jones, Andrew Mackinlay, Gordon Marsden, Bob Marshall-Andrews, Chris McCafferty, John McDonnell, Michael Meacher, Andrew Miller, Austin Mitchell, Doug Naysmith, Nick Palmer, Gwyn Prosser, Linda Riordan, Jim Sheridan, Alan Simpson, Marsha Singh, Dennis Skinner, Ian Stewart, David Taylor, Paul Truswell, David Winnick, and Anthony Wright.

The non-Labour MPs who supported New Clause 2 were: Dai Davies (Ind Lab), George Galloway (Respect), Paul Holmes (Lib Dem), John Leech (Lib Dem), Elfyn Llwyd (PC), Andrew Pelling (Ind Con), Adam Price (PC), Richard Taylor (Ind), Bob Wareing (Ind Lab), Hywel Williams (PC).



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

For full text go to

<http://pubs1.tso.parliament.uk/pa/cm200708/cmhansrd/cm081104/debtext/81104-0009.htm#08110438000002>

In addition, Tony Lloyd MP tabled New Clause 6 to allow unions to protect themselves of the influences of racism and fascism by having the right to expel extremists to protect right to expel extremists. This amendment was supported by the trade union movement and a wide range of MPs. The Group circulated information from BFAWU urging MPs to support the amendment however Tony Lloyd MP did not pushed the amendment to a vote

Although the Employment Bill route was not successful in reversing the anti-trade union laws maintained by New Labour, the new parliamentary session may provide other opportunities to advance our campaign against the anti-trade union laws.

Trade Union Coordinating Group (TUCG)

The TUCG was launched in September at a meeting at the TUC Congress by originally PCS, FBU, PCS and RMT with the objective of coordinating our campaigning activities on many of the key issues facing our members and giving our unions a new and stronger representative voice in Parliament to supplement the work of existing individual union parliamentary groups. POA, NAPO have since become full members and the Bakers Union also immediately declared their willingness to join.

At the meeting the General Secretaries of all four founding unions signed a declaration committing them to campaign together in the TUCG on a range of key issues including low pay, defense of the welfare state, trade union rights, privatisation and public ownership, equalities, the environment and internationalism.

The TUCG hosted a Parliamentary Reception in on the 21st January 200 which was attended by around 25 MPs. The reception provided the TUCG with an important launch-pad within Parliament and an opportunity to develop the unions profile among politicians.



Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

The MPs & Peers who attended were:

Name	Salutation	Constituency	Party	HoC or HoL
Baroness Gibson of Market Rasen	Anne		Labour	House of Lords
Baroness Howe of Idlicote	Baroness Howe		Cross Bencher	House of Lords
Clark MP	Katy	Ayrshire North & Arran	Labour	House of Commons
Corbyn MP	Jeremy	Islington North	Labour	House of Commons
Cousins MP	Jim	Newcastle-upon-Tyne Central	Labour	House of Commons
Crausby MP	David	Bolton North East	Labour	House of Commons
Dobbin MP	Jim	Heywood & Middleton	Labour	House of Commons
Engle MP	Natascha	North East Derbyshire	Labour	House of Commons
Ennis MP	Jeff	Barnsley East & Mexborough	Labour	House of Commons
Garnier MP	Edward	Harborough	Conservative	House of Commons
George MP	Andrew	St Ives	Liberal Democrat	House of Commons
Gerrard MP	Neil	Walthamstow	Labour	House of Commons
Kennedy MP	Charles	Ross, Skye & Lochaber	Liberal Democrat	House of Commons
Lord Wedderburn of Charlton	Bill		Labour	House of Lords
O'Hara MP	Eddie	Knowsley South	Labour	House of Commons
Õpik MP	Lembit	Montgomeryshire	Liberal	House of



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Name	Salutation	Constituency	Party	HoC or HoL
			Democrat	Commons
Riordan MP	Linda	Halifax	Labour	House of Commons
Russell MP	Bob	Colchester	Liberal Democrat	House of Commons
Truswell MP	Paul	Pudsey	Labour	House of Commons
Wareing MP	Robert	Liverpool West Derby	Labour	House of Commons
Weir MP	Michael	Angus	SNP	House of Commons
Williams MP	Betty	Conwy	Labour	House of Commons
Wood MP	Mike	Batley & Spen	Labour	House of Commons
Wright MP	Iain	Hartlepool	Labour	House of Commons

It is intended that the TUCG should now develop a well respected and authoritative profile amongst MPs and produce regular parliamentary briefings with the full support of all the union members covering a range of issues and in particular focusing upon major Bills which Parliament is currently considering. Subsequent to the reception the TUCG researched, prepared and distributed to MPs a detailed briefing detailing our concerns with regards to the Welfare Reform Bill, currently before Parliament. This legislation contains some of the most reactionary measures imaginable including workfare proposals and benefit sanctions for the unemployed, the poor, loan parents, the disabled and drug users.

In liaison with PCS, the union whose members are most directly affected by the provisions of the Bill, the TUCG is currently arranging briefing meetings with MPs to discuss possible amendments to the Bill which will be tabled when the Bill reaches its final stages in early March. The TUCG will then mount a



**BAKERS' UNION
PARLIAMENTARY
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coordinated campaign to build support amongst MPs for the amendments and then to oppose the Bill at third Reading.

On all similar occasions, as legislation arises which has major implications for trade unionists, the TUCG will play a critical role in coordinating parliamentary activity that can unite the unions and build as broad a base of support as possible within Parliament and outside.



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Annex One

Early Day Motions

2007/08 Parliamentary Sessions

EDM 1971

**LYNDALE FOODS LIMITED AND SAYERS THE
BAKERS LIMITED**

07.07.2008

McDonnell, John

28 signatures

Campbell, Ronnie

Caton, Martin

Clark, Katy

Corbyn, Jeremy

Crausby, David

Cryer, Ann

Dean, Janet

Dismore, Andrew

Drew, David

Etherington, Bill

Hancock, Mike

Hopkins, Kelvin

Hoyle, Lindsay

Humble, Joan

Iddon, Brian

Illsley, Eric

Jenkins, Brian

Jones, Lynne

Marsden, Gordon

Meale, Alan

Pope, Greg

Riordan, Linda

Rogerson, Daniel

Russell, Bob

Simpson, Alan

Vis, Rudi

Wareing, Robert N

That this House notes that on 9th June Lyndale Foods Limited was placed into administration; further notes that the Lyndale Chairman and Chief Executive then bought



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Sayers the Bakers Limited, which was only established on 1st May 2008, and to whom the profitable parts of Lyndale Foods Limited had been sold; is concerned that 450 workers have lost their jobs in this process, and another 250 at Peter Hunts remain at risk, who will have to wait six weeks for redundancy payments, which will now be paid by Government; is further concerned by the apparent conflict of interest of BDO Stoy Hayward LLP which acted both as business restructuring consultants to Lyndale and as administrators when Lyndale was deliberately put into administration; and therefore calls on the Government to close the loophole in the law that allows employers to evade their legal duties to consult and to abandon their financial responsibilities to their staff and to defraud the taxpayer in this way.

2008 / 09 Parliamentary Session

EDM 72

GENETICALLY MODIFIED CROPS

03.12.2008

Ainsworth, Peter

32 signatures

Brooke, Annette

Burns, Simon

Caton, Martin

Conway, Derek

Cook, Frank

Corbyn, Jeremy

Dismore, Andrew

Drew, David

Duddridge, James

Durkan, Mark

Foster, Michael Jabez

George, Andrew

Gerrard, Neil

Gray, James

Hancock, Mike

Heath, David

Hughes, Simon

Leech, John

Lewis, Julian

Maclean, David

McDonnell, John

McIntosh, Anne

Paice, James

Pelling, Andrew



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Pugh, John

Stunell, Andrew

Vis, Rudi

Watkinson, Angela

Wiggin, Bill

Williams, Hywel

Williams, Mark

That this House understands the public concern caused by the development of genetically modified organisms; believes that consumers have the right to choose non-GM foods and that all foods containing GM material should be clearly labelled as such; further notes that it is scientifically established that the presence of GM can be traced down to, or close to 0.1 per cent. and believes that this should be the trigger point for GM labelling; and calls on the Government to ban any commercial planting of GM crops until or unless science shows that this would be safe for people and the environment, and until or unless issues of liability and crop segregation are resolved.

EDM 79

COUNTRY OF ORIGIN FOOD LABELLING

03.12.2008

Paice, James [R]

72 signatures

Ainsworth, Peter

Amess, David

Atkinson, Peter

Baldry, Tony

Bottomley, Peter

Breed, Colin

Brooke, Annette

Burns, Simon

Campbell, Gregory

Caton, Martin

Cawsey, Ian

Conway, Derek

Cook, Frank

Corbyn, Jeremy

Cryer, Ann



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Davies, Philip	Dean, Janet	Devine, Jim
Drew, David	Duddridge, James	Foster, Michael Jabez
<i>George, Andrew</i>	Gidley, Sandra	Gray, James
Hamilton, David	Hancock, Mike	Harris, Evan
Harvey, Nick	Heath, David	Holmes, Paul
Hopkins, Kelvin	Horam, John	Hughes, Simon
Hunter, Mark	Iddon, Brian	Jenkins, Brian
Jones, Lynne	Knight, Greg	Leech, John
Lewis, Julian	Llwyd, Elfyn	Loughton, Tim
Luff, Peter	Maclean, David	McCrea, Dr William
McDonnell, John	<i>McIntosh, Anne [R]</i>	Moss, Malcolm
Owen, Albert	Pelling, Andrew	Penning, Mike
Price, Adam	Pugh, John	Rogerson, Daniel
Rowen, Paul	Russell, Bob	Sanders, Adrian
Singh, Marsha	Soames, Nicholas	<i>Spink, Bob</i>
Swinson, Jo	Taylor, David	Truswell, Paul
Vis, Rudi	Watkinson, Angela	<i>Wiggin, Bill</i>



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Williams, Hywel

Williams, Roger

Wilshire, David

Winterton, Ann

Winterton, Nicholas

That this House believes that British consumers are entitled to know exactly how and where the food they are eating is produced, and that clear and unambiguous labelling stating the country of origin of the major ingredients is required to achieve this; and further believes that this will level the playing field for British farmers and enable British consumers to show their preference for home-grown food which is produced to high standards of animal welfare, health and safety and environmental protection.

EDM 217

SUPERMARKET LABELLING OF MEAT

09.12.2008

Farron, Timothy

50 signatures

Baker, Norman

Bottomley, Peter

Breed, Colin

Brooke, Annette

Bruce, Malcolm

Burstow, Paul

Campbell, Menzies

Caton, Martin

Cawsey, Ian

Cook, Frank

Cryer, Ann

Davey, Edward

Davies, Philip

Dean, Janet

Devine, Jim

Dobbin, Jim

Dodds, Nigel

Drew, David

Foster, Don

Gray, James

Hamilton, David



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Hancock, Mike	Harvey, Nick	Holmes, Paul
Hoyle, Lindsay	Hunter, Mark	Illsley, Eric
<i>Jones, Lynne</i>	Key, Robert	Leech, John
Mulholland, Greg	Opik, Lembit	Pope, Greg
Rennie, Willie	Riordan, Linda	Rowen, Paul
Simpson, Alan	Singh, Marsha	Smith, Robert
Spink, Bob	Stunell, Andrew	Swinson, Jo
<i>Taylor, David</i>	Vis, Rudi	Walter, Robert
Williams, Betty	<i>Williams, Roger</i>	<i>Williams, Stephen</i>
Wright, David		

That this House notes that currently most fresh meat produce is labelled to include its source of origin; expresses concern that similar standards of labelling are not as strictly enforced in the case of ready meals which include processed meat; further notes that it is permissible for meat and other products to be produced overseas, imported into the United Kingdom and processed then labelled as British; further notes that actual British meat is of a very high standard, and that British animal welfare standards are some of the best in the world; regrets that those purchasing products containing processed meat may be misled by incorrect labelling into purchasing an inferior product; calls upon the Government to close this loophole; and further calls upon supermarkets and other retailers to exceed minimum legal requirements by ensuring that only produce that has been produced in the United Kingdom is labelled as British.



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

EDM 376

SUPERMARKET REGULATOR

12.01.2009

Farron, Timothy

42 signatures

Anderson, Janet	<i>Bottomley, Peter</i>	Brooke, Annette
Burt, Lorely	Caton, Martin	Corbyn, Jeremy
Cryer, Ann	Davey, Edward	Dean, Janet
Drew, David	<i>Durkan, Mark</i>	Gidley, Sandra
Hamilton, David	Hancock, Mike	Harris, Evan
Harvey, Nick	Hemming, John	Howells, Kim
<i>Hoyle, Lindsay</i>	<i>Jones, Lynne</i>	Leech, John
Llwyd, Elfyn	McCrea, Dr William	McDonnell, Alasdair
Oaten, Mark	Price, Adam	Pugh, John
Rowen, Paul	<i>Russell, Bob</i>	Simpson, Alan
Singh, Marsha	Smith, Robert	Spink, Bob
Stunell, Andrew	Taylor, David	Truswell, Paul
Williams, Hywel	Williams, Mark	Williams, Roger
Williams, Stephen	Willott, Jenny	



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

That this House recognises the vital role that farmers play in supplying high quality produce through retailers across the country; notes with concern that discussions between supermarkets and the Competition Commission over the regulation of the supply chain between farmers and retailers have stalled; expresses concern about the growing uncertainty this has caused within the farming industry; is frustrated at the Government's reluctance to persuade supermarket retailers to commit to the introduction of a supermarket ombudsman; recognises that a report by Cardiff University estimates the annual cost of an ombudsman is £6 million; and calls on the Government to introduce an independent supermarket regulator to ensure that the supply chain from farms to supermarkets is properly monitored and that fair prices are paid to farmers for their produce.

EDM 482

MAXIMUM WORKPLACE TEMPERATURE

15.01.2009

Hopkins, Kelvin

33 signatures

Bottomley, Peter

Caton, Martin

Clapham, Michael

Cook, Frank

Corbyn, Jeremy

Cryer, Ann

Dean, Janet

Devine, Jim

Dismore, Andrew

Drew, David

Durkan, Mark

Etherington, Bill

Foster, Michael Jabez

Gerrard, Neil

Gibson, Ian

Hamilton, David

Hancock, Mike

Havard, Dai

Hoyle, Lindsay

Jenkins, Brian

Jones, Lynne



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

<i>Marsden, Gordon</i>	McCafferty, Chris	Meale, Alan
Prentice, Gordon	<i>Riordan, Linda</i>	<i>Rowen, Paul</i>
Simpson, Alan	<i>Strang, Gavin</i>	<i>Taylor, David</i>
Vis, Rudi	Williams, Betty	

That this House notes that whilst there is a legal minimum workplace indoor temperature, there is no clear legal maximum workplace temperature so that conditions can vary greatly from employer to employer; further notes that many employees, particularly those working in bakeries, are often subjected to very high temperatures which can impact seriously on their health and well-being with effects ranging from discomfort, stress, irritability and headaches, to extra strain on the heart and lungs, dizziness and fainting and heat cramps due to loss of water and salt; and urges the Government to provide clear and coherent guidelines to employers about how to combat heat in the workplace, and to introduce a maximum working workplace temperature of 30C (86F) and of 27C (81F) for those doing strenuous work.

EDM 483

BELOW COST SELLING

15.01.2009

Corbyn, Jeremy

38 signatures

Austin, John	Breed, Colin	Campbell, Gregory
Caton, Martin	<i>Cook, Frank</i>	Cryer, Ann
Davies, Dai	Dean, Janet	Devine, Jim
Dismore, Andrew	Dowd, Jim	Drew, David
Durkan, Mark	Etherington, Bill	Evans, Nigel [R]



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

George, Andrew	<i>Gerrard, Neil</i>	Gibson, Ian
Hancock, Mike	Havard, Dai	<i>Hopkins, Kelvin</i>
Jenkins, Brian	Jones, Lynne	Kilfoyle, Peter
Leech, John	Lepper, David	MacNeil, Angus
Marsden, Gordon	Meale, Alan	<i>Riordan, Linda</i>
Rowen, Paul	Russell, Bob	Simpson, Alan
<i>Taylor, David</i>	Vis, Rudi	Wareing, Robert N
Williams, Betty		

That this House notes the negative impact of below cost selling in the food industry on a whole range of issues, from employment conditions and consumer choice to animal welfare and the maintenance of our producer base; is concerned at retailers demanding high levels of discounting disproportionate to production costs and attempting to shift costs to manufacturers and growers both locally and internationally; and therefore supports the Bakers, Food and Allied Workers Union, representing many of those working in the food industry in the UK, in its call for greater regulation to tackle the unfair advantages of big retailers in order to protect employment conditions within the food industry and the diversity of small manufacturers and producers.

EDM 560

GROCERY MARKET OMBUDSMAN

22.01.2009

George, Andrew

31 signatures

Borrow, David S	<i>Bottomley, Peter</i>	<i>Breed, Colin</i>
Brooke, Annette	Burt, Lorely	Caton, Martin



**BAKERS' UNION
PARLIAMENTARY
GROUP**

Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Corbyn, Jeremy	Cryer, Ann	Dean, Janet
Dismore, Andrew	<i>Drew, David</i>	Durkan, Mark
Field, Frank	Hancock, Mike	Harvey, Nick
Holmes, Paul	Hoyle, Lindsay	Hunter, Mark
Jones, Lynne	<i>Kawczynski, Daniel</i>	Leech, John
McDonnell, John	Russell, Bob	Sanders, Adrian
Simpson, Alan	Spink, Bob	Taylor, David
<i>Williams, Hywel</i>	Williams, Stephen	Winterton, Nicholas

That this House welcomes the recommendations of the Competition Commission's Grocery Market Inquiry that a strengthened Grocery Supply Code of Practice (GSCOP) monitored and enforced by an independent Ombudsman should be established; notes that the Commission found supermarket practices which 'transfer excessive risk' to suppliers, such as retrospective unilateral changes to the terms of supply agreements, charges for loss or damage to goods after delivery and withholding payment without cause could have 'an adverse effect on investment and innovation in the supply chain, and ultimately on consumers'; believes that the current recession has increased pressure on suppliers but further notes that United Kingdom supermarkets continue to report healthy profits from their grocery business; recognises that fair treatment of primary producers is crucial to achieving United Kingdom commitments to eradicating poverty in the developing world and guaranteeing food security for the United Kingdom; hopes that supermarkets will recognise that the establishment of an Ombudsman offers the opportunity for independent verification of their commitment to the principles of fair trading and that they will agree undertakings with the Commission; urges the Commission to implement its recommendation to give primary producers and other suppliers to intermediaries the right to submit complaints to the Ombudsman regarding the conduct of grocery retailers; and calls upon the Government to respect the considered recommendations of the Competition Commission and to confirm that it is prepared to introduce the necessary legislation to establish the proposed



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Ombudsman if a voluntary agreement cannot be achieved between the Commission, supermarkets and suppliers.

EDM 695

WORKERS' MEMORIAL DAY

04.02.2009

McDonnell, John

13 signatures

Anderson, David

Clark, Katy

Clelland, David

Cohen, Harry

Creagh, Mary

Dismore, Andrew

Durkan, Mark

Etherington, Bill

Hopkins, Kelvin

Illsley, Eric

Morgan, Julie

Prosser, Gwyn

That this House recognises that Workers' Memorial Day is an internationally recognised day, 28 April, on which workers and trades unionists conduct events, demonstrations, vigils and a whole host of other activities to commemorate those who have died, been seriously injured, or made seriously ill by their work diseases; notes with regret that according to the UK Health and Safety Executive during 2007-08 2.1 million people were suffering from a long-standing or new case of illness they believed was caused or made worse by their current or past work, 229 workers were killed at work, that thousands of people died of mesothelioma and other occupational cancers and lung diseases, and that 299,000 reportable injuries at work occurred; reaffirms the right of all workers to work in a safe and healthy workplace; and calls on the Government to officially recognise Workers' Memorial Day as a day of national remembrance.



Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Annex Two

Letters

Dear xxxx

I am writing to seek your support.

You will be aware from the resolution passed at TUC Congress earlier this year (please find enclosed) that hundreds of my members are facing redundancy and severe hardship with little or no financial liability employer, as a result of a bankruptcy manoeuvre by the Lyndale Group. I believe that this particular case highlights a number of inadequacies within the legislative framework relating to directors' duties; declarations of holdings and change of ownership; and the role of administrators.

I am therefore requesting at the TUC commissions an investigation into the legislative loopholes that currently exist. It would greatly assist me if you have any information as to whether members of your union have suffered difficulties as a result of similar or related incidences as laid out below.

On 9th June 2008 Lyndale Foods Limited (which included two production facilities - Hampsons Bakery in Bolton and Sayers Bakery in Liverpool) went into administration. It appears that the Chairman and Chief Executive of Lyndale Foods established another company, Sayers the Bakers Limited, on 1st May 2008 to which the profitable assets of Lyndale Foods were sold. Around 450 workers of Lyndale have been made redundant in this process, and we are concerned that the company owners have evaded their responsibilities – leaving the state to make redundancy payments to the workforce. We have evidence to suggest that Lyndale have been planning this restructure for at least three years and have additional concerns that BDO Stoy Hayward LLP who acted as business restructuring consultants to Lyndale just prior to administration, acted as administrators subsequently after.

We have put into action a campaign in response to this situation, including the tabling of an EDM, the securing of an adjournment debate in parliament, and meeting with government ministers. However, we have faced difficulties in taking forward our concerns with the administrator BDO, who have responded to our questions by asking for details that we clearly can not provide - such as minutes of board meetings.



**BAKERS' UNION
PARLIAMENTARY
GROUP**

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Vice-Chairs: David Crausby MP, Linda Riordan MP

As you will see this incidence has shown that an employer has been able to plan a company restructure without consultation with the trade unions and lay off hundreds of workers whilst avoiding its responsibilities such as redundancy payments. It is clear that the circumstances surrounding this liquidation raise concerns about the propriety of the directors and wider issues about loopholes in company and employment law.

I would be most grateful for any assistance and support that you may be able to offer.

Yours sincerely,

Joe Marino, General Secretary, BFAWU

Pat McFadden MP
Minister of State for Employment Relations and Postal Services
Department for Business, Enterprise and Regulatory Reform
1 Victoria Street
London SW1H 0ET

17th December 2008

Dear Pat,

Meeting with the Bakers' Union Parliamentary Group

I am writing on behalf of the Bakers' Union Parliamentary Group to ask for a meeting to discuss issues affecting the food industry including 'below-cost' selling and the absence of a maximum working temperature.

As you may be aware, The Bakers' Union Parliamentary Group consists of around 30 Labour MPs and meets regularly along with the Bakers' and Allied Food Workers' Union (BFAWU) – the largest independent food workers union in the British Isles, covering England, Scotland, Wales, Northern Ireland and the Republic of Ireland, with members throughout the food sector from production to retail - regarding issues effecting the food industry.

Below Cost Selling

Simeon Andrews
Co-ordinator, Bakers' Union Parliamentary Group



Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

In particular the Group is concerned at the practice of persistent below-cost selling, particularly of bread and other staple food items, that is widespread in the UK retail grocery sector. Whilst we recognise that promotional pricing is generally accepted as a part of the competitive process, we are concerned that persistent and long term below cost selling can disrupt production schedules and drives down the price of the product at the point of purchase from the supplier.

Both of these effects can have seriously damaging consequences since the 'cost' of paying for the discount is usually transferred to the supplier, inevitably resulting in low-cost operations with a negative impact on the quality of the products and a reduction in working conditions. In the longer term this also increases the pressure upon the profitability and even viability of smaller outlets / suppliers.

We believe that amendments could be made to legislation in the UK – as in the USA or Germany - where below cost selling is regulated in a way to stop unfair advantages to retailers and the driving out of business of small and diverse growers. We also believe that the Supermarket Code of Practice could be strengthened to prohibit predatory below cost selling, and enable complaints against code breaches to be made under an entirely independent mechanism with strict confidentiality or through trade associations, thereby protecting the complainant from any adverse reaction from powerful retailers.

Maximum Working Temperatures

Another issue of concern for the Group is that many BFAWU members working in bakeries are being subjected to very high temperatures which can have very serious effects ranging from discomfort, stress, irritability and headaches, to even causing extra strain on the heart and lungs, dizziness and fainting and heat cramps due to loss of water and salt. As you will be aware temperature is a major factor determining comfort in the workplace and in the 2006 TUC Safety Representatives' Survey, one in three (34 per cent) safety representatives cited high or low temperatures as one of their top concerns.

BFAWU have informed us that whilst some employers do take measures to ensure a 'reasonable' working temperature (as required by Regulation 7 of the Workplace (Health, Safety and Welfare) Regulations - 1992), this can vary greatly from employer to employer leading to an ad-hoc approach across the UK. Therefore the Group believe that government should provide clearer and more coherent guidelines to employers about how to combat heat in the workplace - including the introduction of a



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maximum working temperature of around 30°C (86°F) – and 27°C (81°F) for those doing strenuous work.

The Bakers' Union Parliamentary Group would therefore welcome the opportunity to discuss these and other issues with you directly and would like to invite you to meet with us at your earliest convenience. Our group meetings are informal and would provide for a constructive dialogue and exchange of views with members of the Group and officers of the union.

I would be grateful if your office would liaise with our parliamentary co-ordinator, Simeon Andrews on 0207 219 1626 who will make whatever arrangements are necessary for such a meeting.

Yours sincerely

JOHN MCDONNELL MP
Chair, BFAWU Group

Rt Hon Hilary Benn MP
Secretary of State for Environment, Food & Rural Affairs
Defra
Nobel House
17 Smith Square
London SW1P 3JR
28th January 2009

Dear Hilary Benn

Below Cost Selling

I am writing to on behalf of the Bakers' Union Parliamentary Group to ask for a meeting to discuss issues affecting the food industry including 'below-cost' selling and the absence of a maximum working temperature.

Simeon Andrews
Co-ordinator, Bakers' Union Parliamentary Group



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As you may be aware, The Bakers' Union Parliamentary Group consists of around 30 Labour MPs and meets regularly along with the Bakers' and Allied Food Workers' Union (BAFU) – the largest independent food workers union in the British Isles, covering England, Scotland, Wales, Northern Ireland and the Republic of Ireland, with members throughout the food sector from production to retail - regarding issues effecting the food industry.

In particular the Group is concerned at the practice of persistent below-cost selling, particularly of bread and other staple food items, that is widespread in the UK retail grocery sector. Whilst we recognise that promotional pricing is generally accepted as a part of the competitive process, we are concerned that persistent and long term below cost selling can disrupt production schedules and drives down the price of the product at the point of purchase from the supplier.

Both of these effects can have seriously damaging consequences since the 'cost' of paying for the discount is usually transferred to the supplier, inevitably resulting in low-cost operations with a negative impact on the quality of the products and a reduction in working conditions. In the longer term this also increases the pressure upon the profitability and even viability of smaller outlets / suppliers.

We believe that amendments could be made to legislation in the UK – as in the USA or Germany - where below cost selling is regulated in a way to stop unfair advantages to retailers and the driving out of business of small and diverse growers. We also agree with the TUC that the Supermarket Code of Practice could be strengthened to prohibit predatory below cost selling, and enable complaints against code breaches to be made under an entirely independent mechanism with strict confidentiality or through trade associations, thereby protecting the complainant from any adverse reaction from powerful retailers.

The Bakers' Union Parliamentary Group would therefore welcome the opportunity to discuss these and other issues with you directly and would like to invite you to meet with us at your earliest convenience. Our group meetings are informal and would provide for a constructive dialogue and exchange of views with members of the Group and officers of the union.

The Group understands that some aspects of this matter may fall under the other departmental remits and therefore have contacted The Department for Business Enterprise and Regulatory Reform (BERR) as well.



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I would be grateful if your office would liaise with our parliamentary co-ordinator, Simeon Andrews on 0207 219 1626 who will make whatever arrangements are necessary for such a meeting.

Yours sincerely

JOHN MCDONNELL MP
Chair, BFAWU Group

Lord McKenzie of Luton
Department for Work and Pensions
Caxton House
Tothill Street
London
SW1H 9DA

28th January 2009

Dear Lord McKenzie

Maximum Working Temperature

I am writing to on behalf of the Bakers' Union Parliamentary Group to ask for a meeting to discuss issues the absence of a maximum working temperature.

As you may be aware, The Bakers' Union Parliamentary Group consists of around 30 Labour MPs and meets regularly along with the Bakers' and Allied Food Workers' Union (BFAWU) – the largest independent food workers union in the British Isles, covering England, Scotland, Wales, Northern Ireland and the Republic of Ireland, with members throughout the food sector from production to retail - regarding issues effecting the food industry.

Maximum Working Temperatures is an issue of concern for the Group in that many BFAWU members working in bakeries are being subjected to very high temperatures which can have very serous effects ranging from discomfort, stress, irritability and

Simeon Andrews
Co-ordinator, Bakers' Union Parliamentary Group



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headaches, to even causing extra strain on the heart and lungs, dizziness and fainting and heat cramps due to loss of water and salt. As you will be aware temperature is a major factor determining comfort in the workplace and in the 2006 TUC Safety Representatives' Survey, one in three (34 per cent) safety representatives cited high or low temperatures as one of their top concerns.

BFAWU have informed us that whilst some employers do take measures to ensure a 'reasonable' working temperature (as required by Regulation 7 of the WorkPlace (Health, Safety and Welfare) Regulations - 1992), this can vary greatly from employer to employer leading to an ad-hoc approach across the UK.

Therefore the Group supports BFAWU supported by the TUC in their call for the government to provide clearer, more coherent and enforceable guidelines to employers about how to combat heat in the workplace - including the introduction of a maximum working temperature of around 30°C (86°F) as the point at which control measures to manage the heat must be implemented.

The Bakers' Union Parliamentary Group would therefore welcome the opportunity to discuss these and other issues with you directly and would like to invite you to meet with us at your earliest convenience. Our group meetings are informal and would provide for a constructive dialogue and exchange of views with members of the Group and officers of the union.

I would be grateful if your office would liaise with our parliamentary co-ordinator, Simeon Andrews on 0207 219 1626 who will make whatever arrangements are necessary for such a meeting.

Yours sincerely

JOHN MCDONNELL MP
Chair, BFAWU Group



Chair: John McDonnell MP

Vice-Chairs: David Crausby MP, Linda Riordan MP

Gordon Brown MP
Prime Minister
10 Downing Street

*Cc - Pat McFadden MP, Department for Business, Enterprise & Regulatory Reform
1 Victoria Street London SW1H 0ET*

*Cc - Lord McKenzie of Luton, Department for Work and Pensions
Caxton House, Tothill Street London, SW1H 9DA*

28th January 2009

Dear Gordon

Workers Memorial Day

We are writing on behalf of the Bakers' Union Parliamentary Group to ask the Government to officially recognise Workers Memorial Day (28th April) as a national day of remembrance.

The Bakers' Union Parliamentary Group consists of around 30 Labour MPs and meets regularly along with the Bakers, Food and Allied Workers Union (BFAWU) – the largest independent food workers union in the British Isles, covering England, Scotland, Wales, Northern Ireland and the Republic of Ireland, with members throughout the food sector from production to retail - regarding issues effecting the food industry.

It has been brought to the attention of the Group by BFAWU that despite the fact every year more people are killed at work than in war, Workers Memorial Day - an internationally recognised day (28th April) on which workers and trade unionists conduct events, demonstrations, vigils and a whole host of other activities to commemorate those who have died, been seriously injured, or made seriously ill by their work diseases – is not officially recognised by the UK Government.

As you may be aware, according to the Health and Safety Executive in 2007/08 2.1 million people were suffering from an illness (long-standing as well as new cases) they believed was caused or made worse by their current or past work, 229 workers were killed at work, thousands of people died of mesothelioma and other occupational cancers and lung diseases and 299 000 reportable injuries at work occurred.



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We feel that Workers Memorial Day is important because it honors ordinary people who have died or been injured simply as a result of carrying out their day to day employment – invariably as a result of failings by employers to ensure adequate health and safety measures. This Memorial Day is an opportunity to raise awareness about right of all workers to work in safe and healthy workplace and reflect on how to prevent further deaths and harm by improving enforcement of health and safety measures in all workplaces.

We welcome the government's commitment to tackling workplace ill-health, injury and death, and would like to support the TUC in its call for the Government to take the next step in officially recognising Workers' Memorial Day (28th April) as a national day of remembrance.

We would be grateful if your office could send any reply to our parliamentary co-ordinator, Simeon Andrews (details below).

We look forward to hearing from you.

Warm Regards,

John McDonnell MP
(Hayes & Harlington)



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Vice-Chairs: David Crausby MP, Linda Riordan MP

Pat McFadden MP
Department for Business, Enterprise & Regulatory Reform
1 Victoria Street
London
SW1H 0ET

28th January 2009

Dear Pat,

Lyndale Dispute

We are writing on behalf of the Bakers' Union Parliamentary Group to request a meeting to discuss our ongoing concern at the situation of many members of the Bakers, Food and Allied Workers Union (BFAWU) previously employed by Lyndale Foods Limited and Sayers the Bakers.

As you will remember, on 22nd July 2008 a delegation of MPs and BFAWU representatives met with you to discuss the actions of the Lyndale Group last summer - that the Chairman and Chief Executive of Lyndale Foods established another company, Sayers the Bakers Limited, on 1st May 2008 to which the profitable assets of Lyndale Foods were sold. Lyndale Foods Limited was then placed into administration on 9th June 2009, with around 600 workers made redundant and the company owners evading their responsibilities by leaving the state to make redundancy payments to the workforce.

The Bakers' Union Parliamentary Group has since been established consisting of around 30 Labour MPs. The actions of Lyndale Group Limited continue to cause considerable concern among MPs of the Parliamentary Group. In particular BFAWU have faced difficulties in taking forward their concerns with the administrator BDO Stoy Hayward LLP, who have responded to questions by asking for details that the union clearly can not provide - such as minutes of board meetings.

A recent correspondence from BDO dated 13th November 2008 states that a Directors Conduct Report was due to be submitted to 'the Department for Trade and Industry' in December 2008 which would contain any irregularities regarding payments or transfers made from the Group's old bank account or the Group's trading activities if they should exist. Whilst we understand that such a document is confidential we would like to enquire as to whether you have received such a report and whether or not it indicates if there has been any irregularity in the actions of the Lyndale Group.



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Regarding the role the BDO Stoy Hayward LLP played - by acting as restructuring consultants prior to administration and then administrators subsequently - the letter claims that whilst BDO did attend a number of meetings prior to their appointment with Directors and secured creditors, restructuring advice was provided by '*external advisors*'. It confirms that BDO '*have disclosed (their) involvement with the Group to the satisfaction of the minister of the state, Mr Mcfadden*'. We would be extremely grateful if you could clarify the details which '*satisfied*' you with regards to the arrangement since we still have concerns about the conflict of interest that may have arisen regarding the role of BDO Stoy Hayward LLP .

Overall the letter (*please find copy attached*) states that many aspects surrounding this restructuring and administration are not '*uncommon*', which emphasises our previously expressed concern that there are a number of legislation loopholes relating to directors' duties, declarations of holdings, change of ownership and the role of administrators that has led to this unfortunate situation. We would welcome your opinion on how this can best be addressed.

We feel extremely concerned that hundreds of workers have suffered redundancy with little or no financial liability on the employer, as a result of this what seems to be a calculated bankruptcy manoeuvre by the Lyndale Group. We would like further clarification as to whether or not the actions of the Lyndale Group are indeed '*uncommon*', as we feel that this would reflect the inadequacies of the current laws that protect workers from facing the ongoing hardship that many of the Lyndale workers now face.

We would therefore like to invite you to meet with a small delegation from the Group or for you to attend a full Group meeting if you would prefer. Such a meeting would we hope be informal and would provide for a constructive dialogue and exchange of views with members of the Group and officers of the union.

In the meantime we would like to follow up the previous offer of your department to provide an outline of the regulatory and legal frameworks as they relate to:

- The body(ies) which regulate the actions of the administrators with relation to mis- or under-selling; and how concerns can be investigated;
- The obligations on directors of the company going into administration in terms of consultation with the recognised unions;
- To whom evidence can be submitted where there are concerns about the actions of directors both prior to administration, and following the management



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buy-out.

We would be grateful if your office could send any reply to our parliamentary co-ordinator, Simeon Andrews (details below) who will make whatever arrangements are necessary for such a meeting.

Warm Regards,

John McDonnell MP
(Hayes & Harlington)

Gordon Marsden MP
(Blackpool South)



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Annex Three

Parliamentary Briefings

Bakers' Union Parliamentary Group Briefing:

Below Cost Selling

The Bakers' and Allied Workers' Union (BAFU) is the largest independent food workers union in the British Isles, covering England, Scotland, Wales, Northern Ireland and the Republic of Ireland. We have members throughout the food sector from production to retail.

BAFU has long campaigned against the power of the retailers to use their strength to demand high levels of discounting disproportionate to production cost shifting the cost from the retailer to the manufacturer / producer / grower.

What is 'below-cost' selling?

'Below-cost' selling is goods being sold with a negative net margin - the pricing of the goods falls below its full economic cost in respect to the cost of purchase from the suppliers.

It is important to also recognise that there are significant different economic effects between short-term or temporary discounts (which may well act as a promotion) and persistent or constant below-cost selling (which distorts the market).

The extent of persistent 'below-cost' selling

The practice of persistent below-cost selling is widespread in the UK retail grocery sector.

The types of goods that are sold as short-term promotions at 'below-cost' levels tend to be well known brands whereas persistent and constant cases of 'below-cost' selling tend to be budget / economy own label lines - particularly bread and other staple food items.



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The Competition Commission Groceries Market Investigation Final Report (published in April 2008) stated that nine grocery retailers (Aldi, Asda, Lidl, Morrisons, Netto, Sainsbury's, Somerfield, Tesco and Waitrose) revealed that they engaged in below-cost selling to varying extents. For each of these parties, revenue from goods sold below cost represented, for the period between January 2005 and June 2006, up to 3 per cent of total revenue.

Why do retailers sell products 'below cost'?

- Promotional pricing – build up a customer base via temporary short-term price offers. In particular grocery retailers might use some products as loss leaders to tempt customers into the store at certain times of the year, such as Christmas, or for events such as the World Cup.
- Competitive price discrimination – retailers seek to build a reputation as the 'consumer's champion' by offering low prices for Known Value Items (KVI) but compensate by higher prices for non-KVI.
- Predatory Pricing – large retailers use constant cross-subsidisation to undermine small / specialist stores
- Bargaining leverage over suppliers

Effects on 'below cost selling' on suppliers

Promotional pricing is generally accepted as a part of the competitive process and providing consumer satisfaction. BFAWU is not against 'discounting' but insists that pricing of the goods below its full economic cost should not affect the price of the product when purchased from supplier.

However, BFAWU believe that the practice of long term below cost selling can disrupt production schedules and drives down the price of the product at the point of purchase from the supplier. Therefore the 'cost' of paying for the discounting is shifted from the retailer to the supplier. Such a system favours low-cost operations with a negative impact on the quality of the products and reduction in working conditions.

The longer-term effects mean that increased bargaining leverage of large companies has significant and detrimental effects on the profitability and even viability of smaller outlets / suppliers. There is also overall concern at the role of supermarkets whereby larger retailers are using their overwhelming power to drive out competitors and create near monopolies where any short term consumer gain on price is soon lost through



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less choice and long term price increases. The TUC believes that there is sufficient evidence to suggest that the buying power of the major retailers in relation to that of smaller competitors is distorting competition. The inadequate provisions of the Supermarket Code of Practice have prevented many suppliers from coming forward to offer evidence about possible breaches.

'Below-cost' selling therefore affects not only jobs in the food industry but also has a long term impact on consumer choice and on producer base. The Association of Convenience Stores (ACS) has argued that the largest retailers may be obtaining prices 10% cheaper from suppliers than the rest of the convenience sector, whilst even the OFT has estimated that prices could be up to 7% cheaper for major retailers. The Competition Commission (2000) and Office of Fair Trading (OFT) (2006) have found evidence of below-cost selling within the grocery supply chain and concluded that this can be viewed as detrimental to competition and the public interest. The OFT (2006) estimates that 3% of grocery product lines are sold at below cost by the major retailers, illustrating that this is a significant problem.

"Below cost selling and price flexing – also provide reasonable grounds for suspecting that competition is being distorted...The strength of buyer power of the supermarkets might distort competition...where suppliers are in a weak position relative to supermarkets, their incentive to invest or innovate in new products might be distorted if...supermarkets used their buyer power to reduce the prices paid to them"
The Grocery Market, OFT, May 2006

The greater consolidation of the leading multiples and large-scale supermarket entry into the convenience sector mean, that below-cost selling is arguably having an even greater effect now at distorting the food industry chain.

What we want...

BFAWU is not against discounting itself but campaigns for similar legislation in the UK as in the USA or Germany, where below cost selling is regulated in a way to stop unfair advantages to retailers and the driving out of business of small and diverse growers.

The current the Supermarket Code of Practice is ill equipped to deal with current imbalances between retailer and supplier and therefore we also recommend that the Government strengthens the Supermarket Code of Practice through:

1. Making provision for prohibition on predatory below cost selling



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2. Making provision to enable confidential complaints against code breaches under an entirely independent mechanism
3. Making specific provision to enable suppliers to complain collectively through trade associations.

We recognise that this issue has international effects and therefore support an overall international campaign for fair trade and equal treatment for growers and workers outside the European Union.

Bakers' Union Parliamentary Group Briefing:

Maximum Working Temperature

Overview - Health and Safety

The Bakers' and Allied Workers' Union (BFAWU) is the largest independent food workers union in the British Isles, covering England, Scotland, Wales, Northern Ireland and the Republic of Ireland. We have members throughout the food sector from production to retail.

BFAWU has a strong record for campaigning on health and safety issues, the outlawing of cellar baking to the setting of maximum exposure limits to flour, from the recognition of Bakers Asthma as an industrial disease to the campaign for a maximum working temperature, we have been at the forefront of protecting workers from situations and substances that can damage their health.

Temperature

Temperature is a major factor determining comfort in the workplace – particularly in bakeries. Yet conditions in workplaces are often unsatisfactory and result in harmful health effects for workers.

In the 2006 TUC safety representatives survey, one in three (34 per cent) safety representatives cited high or low temperatures as one of their top concerns.



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Whilst there is a legal minimum indoor temperature is normally 16°C (61°F) or 13°C (55°F) for those doing strenuous work, 16°C (61°F), under UK law there is no clear legal maximum workplace temperature.

According to Regulation 7 of the WorkPlace (Health, Safety and Welfare) Regulations (1992) during working hours, a 'reasonable' temperature must be maintained inside buildings and a sufficient number of thermometers must be provided to enable workers to determine the temperature in any workplace inside a building.

Therefore what is 'reasonable' is interpreted differently by different companies and likewise the measures to tackle the heat vary massively. Some bakeries are well ventilated and air conditioned whereas in others workers stand in containers of cold water as a means cooling them down.

Effect of soaring Temperatures

Many BFAWU members working in bakeries are subjected to very high temperatures.

The effects of high temperatures on employees are very serious. It can cause great discomfort, stress, irritability, headaches and lack of concentration leading to nasty accidents (with slips and trips causing injury).

Particularly for those doing manual work, high temperature can even have very severe physical effects - fatigue, extra strain on the heart and lungs, dizziness and fainting, heat cramps due to loss of water and salt. Hot, dry air can increase the risk of eye and throat infections, and breathing problems such as asthma and rhinitis.

What we want...

Whilst some employers do take measures to ensure a 'reasonable' working temperature, BFAWU feel that this can vary greatly from employer to employer leading to an ad-hoc approach across the UK.

BFAWU (and the TUC) wants the government to provide clear, coherent and enforceable requirements for employers about how to combat heat in the workplace - including the introduction of a maximum working temperature of around 30°C (86°F) – and 27°C (81°F) for those doing strenuous work. When the heat hits the maximum, employers should reduce the temperature by fans or air conditioning. Workers whose exposure to heat cannot be reduced could be provided with adequate breaks and offered job rotation.



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Once the temperature reaches the maximum limit, then control measures must be implemented to reduce the heat and the effect of the heat on the employee by introducing air conditioning or distributing fans, providing plentiful amounts of cold drinking water, moving staff away from windows or allowing them to dress down.