



Department for
Business, Energy
& Industrial Strategy

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Darren Jones MP
Chair, Business, Energy and Industrial Strategy Committee
House of Commons
London
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10 January 2023

STRIKES (MINIMUM SERVICE LEVELS) BILL

Dear Darren,

I am writing to update you on the Government's proposals to legislate for minimum service levels legislation. The Strikes (Minimum Service Levels) Bill will be introduced to Parliament this afternoon. This legislation will introduce new laws to ensure a basic level of service in some of our most crucial sectors when strikes take place.

This Government firmly believes that the ability to strike is an important part of industrial relations in the UK, rightly protected by law, and understands that an element of disruption is inherent to any strike. But the Government also has a duty to the public to ensure their safety, protect their access to vital public services and to help them go about their daily lives. That is why we are introducing new legislation to restore this balance – to protect the ability to strike, balanced with the public's right to life and livelihoods.

The Bill provides for powers to ensure that services vital to the public will have to maintain a basic function and deliver minimum service levels during strikes. The legislation will allow regulation to be made to ensure that specified services cannot shut down completely when workers strike, in order to maintain critical and in many cases life-saving services. The relevant services specified in the legislation include:

- health services;
- fire and rescue services;
- education services;
- transport services;
- decommissioning of nuclear installations and management of radioactive waste and spent fuel;
- border security.

As with the 2016 Trade Union Act, the specific services within each of those sectors will be set out in regulations to follow the primary legislation. Regulations will also set the level of service that must be provided in a relevant service during strike action. The Bill requires the Government to consult to establish the necessary evidence base before regulations are made and they will be subject to the affirmative procedure.

During Bill passage, Government expects to consult on the adequate level of coverage from ambulance, rail, fire and border security services that should be guaranteed during a strike. For the other sectors covered in the Bill, the Government expects to continue to reach voluntary agreements where needed. The Government may choose not

to use the regulation making powers in the Bill if adequate voluntary agreements are already in place between employers in a relevant sector and relevant unions.

This package of measures will see the UK align with many countries across the world such as France and Spain that already have minimum service levels in place, to prevent large swathes of their economies being ground to a halt by industrial action.

The Government believes that introducing the safety net of statutory minimum service levels, to ensure that the public are not put at risk during strike action, is the best way of meeting its obligations to unionised workers and to the wider public. This new legislation will allow the Government, NHS and other services to plan properly for the running of services in times of strike – and ensure that striking workers are not inadvertently putting the public at risk.

I would be happy to meet with you to discuss the Bill, please reach out to Minister.Hollinrake@beis.gov.uk should you wish to meet. I look forward to engaging with you and the Committee as the Bill progresses through Parliament.

Yours ever,

A handwritten signature in black ink, reading "Kevin Hollinrake". The signature is fluid and cursive, with the first name "Kevin" and last name "Hollinrake" clearly distinguishable.

KEVIN HOLLINRAKE MP

Minister for Enterprise, Markets and Small Business