

Written evidence submitted by Unite the Union Parliamentary Staff Branch

The Unite the Union Parliamentary staff branch is grateful to be invited at this early stage to submit views to the Modernisation Committee on its priorities for its upcoming workplan. We would like to thank the Leader of the House and the members of the committee for giving us the opportunity to attend an in-person session to present our priorities, and to thank the clerks for their support and helping us to engage with this process.

Unite has represented MP's staff in Parliament since 1984, and holds a mixture of recognition agreements and memorandums of understanding with the various bodies responsible for the terms and conditions of MPs staff employment – including the Parliamentary Labour Party, IPSA, and the House. Over the last four decades, our branch has been instrumental in standardising and improving workers' rights for MPs staff – from negotiating the first standard employment contract, to automatic pay annual pay increases, to pay reviews and benchmarking exercises, to the upcoming plans for recognition of past service.

The below submission is a result of this work and collective consultation with our Executive Committee, reps and members.

Employment relations

We believe that the Modernisation Committee should prioritise a review of the employment relations of MP staff as a fundamental prerequisite to hitting each of the strategic aims set out in the Leader's memorandum.

Despite many previous committees and reviews that touch on working culture and practices for MP staffers, serious violations of basic standards and employment rights still prevail as a result of our unique employment relations, with different bodies responsible for decisions relating to the employment and conditions of MPs staff.

Our employment relations are complex and – while most MPs are fair and diligent employers – there is no accountability or oversight for bad practise and staff are left without recourse to basic rights, protections or safeguards. There is little to no recognition that the fundamental terms and conditions of employment of MPs staff are set collectively, and no recognition that we have a right to a formally recognised voice in those decisions.

The continued treatment of the employment of MPs staff as 650 small businesses – without recognition that the vast majority of decisions relating to our pay, terms and conditions are de facto centrally made and set by IPSA – has left MP's staff without the recourse to uphold basic employment rights and standards, and completely without a voice in our workplace. This is an abuse of our situation, it causes a significant and destructive churn in staff, and it drives down pay and conditions – all to the detriment of the work we do for our MP employers and the communities we serve.

A central employer seems like a welcome and obvious consideration in light of these arguments, such as examples in Australia and the European Parliament, among others. But we would need to scrutinise any proposals thoroughly to consider any potential risks in the detail. In particular, we are concerned about the suggestion of a 'pool' of employees that may reduce the flexibility of MPs and staff to choose who they hire or work for, and which would likely have significant ramifications for social mobility and diversity across the staff team.

Example

IPSA consider their primary role as the regulator of MPs expenditure, and they also manage the payroll for MPs staff, while MPs are our legal employers. However, IPSA de facto set collective pay, terms and conditions for MPs staff, including contract changes and automatic annual pay uplifts – using a loophole where MPs as the legal employers are technically able to opt-out. IPSA refuses to formally recognise any staff union or engage in formal negotiations.

In the most recent IPSA annual consultation, they consulted on a 37-page proposal that included a recommendation to move from a 'rules-based' approach to a 'principles-based' approach to regulation, aiming to 'reduce the day-to-day burden of the regulatory system on MPs and their staff.' This includes implications for MPs spend on staff salaries and benefits, however there was no detail on what these changes will practically mean for us and we had limited time and opportunity to engage meaningfully with these potential changes and what they could mean.

Unite believes this is an inadequate and unproductive way to make decisions that impact staff. We are staff, not expenses, and should be recognised and valued as such.

Parliament has chronically failed to standardise pay, terms and conditions for MPs staff – as evidenced by several reports since IPSA was created. As such, increased flexibility should not be the primary motivation for changes in regulation. Doing this fails to recognise the longstanding and documented concerns regarding MP's management of staff, as set out in the 2018 Dame Laura Cox report among others. Any changes must be driven by the desire to implement previous recommendations that seek to strengthen the rights and employment relations of MPs staff, and strive to uphold basic minimum standards.

We believe that the Modernisation Committee is uniquely placed to examine these shortcomings and assess the failings of the current system of employment for MPs staff, and to look at alternatives that would give MPs staff greater security, career and pay progression, and better benchmark our pay and conditions against other sectors to stop the high churn in staff. This would significantly drive up standards, as well as improve culture and working practices.

Example

Currently there is no equalities data on pay and progression for MPs staff. There are around 4,000 staff working for MPs, with pay and conditions de facto collectively set. Organisations with 250 employees or more are required to report their gender pay gap annually. It is unthinkable that any other employer would escape significant criticism for ducking its obligations in such a way. IPSA is in a unique position as the payroll provider to collect and analyse this data and Unite has called on them to begin the process of collecting and analysing this data. The fact this isn't already being done is a clear example of the flaws in our employment relations and demonstrates how easily basic legal protections – let alone best practice – fall through the gaps of the existing system.

Employment rights

We believe that the Modernisation Committee should consider how to upgrade the workplace rights of MPs staff and bring them into the 21st century, including in relation to the upcoming new deal for working people.

While much has been done in recent years by IPSA, the House and the Speakers Commission to upgrade MPs staff rights to bring them in line with those of House staff, as well as to give us some form of a voice in the decisions that affect us, we have much further to go.

Parliament should strive to be a gold standard employer, one that upholds basic workers' rights as standard practise, and holds poor employers to account. From collecting data and acting on equalities pay gaps, to tackling abuses of power that can lead at worst to bullying, harassment and grave misconduct, to clarifying employment relations and implementing formal union recognition agreements – Parliament has much more to do to uphold basic rights and strive for best practise for the employment of MPs staff.

Example

In IPSA's recent consultation, we received welcome proposals to implement recognition of past service for staff who move from working for one MP to another. This is a major step forward in the ongoing work to overcome the barriers to good employment practices that result from our unique employment relations. It is another clear example of the recognition of the collective nature of our employment.

However, we still have significant concerns about the exclusion of sick pay entitlements from these changes. Unite has previously made the case for sick pay to be included in recognition of past service, following serious cases such as that outlined in written evidence submitted to the Speaker's Conference by Charlotte Nichols MP in which a long-term member of staff switched to work for another MP and soon discovered they had a serious medical condition. They were not deemed to have built up enough continuous employment to qualify for paid sick leave, despite having worked at the same location in the same role for years (see also Speaker's Conference recommendations 162 and 163). While there are complex issues that need to be considered around whether sick pay should be included if staff move to work from one MP to another, the current system

undoubtedly leaves staff who fall sick, develop chronic health problems, or who are disabled all at risk from the insecure working arrangements that come with working for an MP. Especially because MPs staff are not currently covered by End of Life or Medical Retirement policies.

We also have significant concerns about the ability of MPs to opt out of recognising past service. It creates a two-tier system for the rights and protections of MPs staff across offices, pressuring staff to forfeit their accrued rights to appear more employable. It risks facilitating a race to the bottom where experienced staff members may be deemed less employable than newer staff who do not bring with them the perceived financial burden associated with accrued service.

Sick pay entitlements are a basic legal right, yet there is ample evidence that under the current conditions MPs staff are not sufficiently protected. This is just one example of how the insecure nature of our employment and our unique employment relations leave us vulnerable, and this is particularly detrimental from an equalities perspective. While work is being undertaken by IPSA, there are still significant barriers to even upholding these basic rights, and the consequences as we have previously documented can be devastating – and beyond the control of both IPSA and the MPs. The Modernisation Committee is in a unique position to examine these issues in the round and to make recommendations for how we can move forward and drive up standards and improve working practises and cultures.

Existing work

We point to the literature review and annexe in the report from the recent Speakers Conference as the most recent and thorough body of evidence that underpin the concepts in this submission. We strongly suggest that the recommendations from the extensive body of existing reviews – referenced in the Speakers Conference Report – are considered, updated and built on.

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