

**sertuc**

the London  
living wage

a working guide for trade unions



## foreword

London has built a solid record of success in recent years. I am clear that maintaining and building upon this success means taking effective action in three linked areas. It means making sure our economy remains strong. It means making sure that success is sustainable, and that we face challenges like climate change. It also means making sure that the fruits of the capital's success are enjoyed by all Londoners.

Our city needs a skilled and committed workforce if we are to succeed in addressing this agenda. This is too often seen in terms only of highly-paid brokers, bankers or lawyers. The people who provide all the services without which the capital would soon grind to a halt are too frequently overlooked.

The most fundamental way in which their importance should be recognised is in the amount they are paid. It is simply unacceptable that one in seven of London's full-time workers, and almost half our part-time workers, are paid at a rate that keeps them in or near poverty. It was to help tackle this situation that I made a manifesto commitment in 2004 to work in partnership with trade unions and London citizens to campaign against poverty pay.

Our first step was to establish a Living Wage Unit within the Greater London Authority Economics Unit at City Hall. This unit monitors the cost of living and wage and salary levels in London. It has developed a rigorous and systematic methodology to identify a living wage rate that would keep London's workers out of poverty – a figure that is calculated and published each year.

This year saw the third annual report of the Living Wage Unit. Publication of these reports has become a much-awaited yearly event, and I am delighted at the way they have increasingly informed and supported real economic change in the capital's economy. A very significant sign of the practical impact of our work can be seen in the way the London Living Wage is increasingly used by trades unions and employers in wage negotiations.

This year's report applies the systematic approach used in previous reports to calculate a Living Wage for London. It shows that someone earning less than about £6.25 an hour will be on the threshold of poverty, even after benefits and tax credits are taken into account. This means that largely because of the higher housing costs in London, workers here need an hourly wage almost 20% above the National Minimum Wage rate of £5.35 just to take them above the poverty level. This, however, provides no margin to deal with the kind of challenges better paid people can shrug off, but which can mean disaster for those on low wages. A margin of 15% is added to the poverty threshold wage to cover this. The result is a London Living Wage of £7.20 – up 2.1% on last year's figure and a 7.5% increase over the two years since these figures have been published.

In 2004 I pledged that the GLA Group would set an example, and this year's report describes what we are doing as employers and as purchasers of goods and services to implement living wage policies. We welcome the fact that London employers in the public

and private sectors have taken up this challenge. But there remains much to do if we are to tackle the standing reproach of low pay in London.

I very much welcome this toolkit, which will provide a valuable resource to trades unions fighting to ensure their members are paid a living wage. Addressing low pay in the capital is vital to ensuring that all Londoners share in their city's success, and to helping it retain its edge in the world economy, as this toolkit makes clear, paying a living wage makes sound business sense. Trades unions have a key role to play in making sure this happens by securing real improvements in the workplace for low-paid workers, and I would strongly advise all London workers to join one. I look forward to continuing the valuable partnership with the trade union movement, working together to make London a world-class city for all its workers.

Ken Livingstone  
*Mayor of London*

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## intro

The campaign for a living wage for London's low paid workforce has become increasingly high profile and successful.

The trade union movement, community organisations, academia and the Mayor of London have joined forces to map the scale of low pay in the capital and to identify and articulate the needs of the quarter of London's workforce that suffers from low pay, poor employment practices and all too often lacks a voice in this city.

Increasingly, this progressive alliance has begun to secure victories for workers. From Canary Wharf to the City, from universities to hospitals, new deals providing living wages, pensions, holiday and sick pay have been negotiated for cleaners and other low paid workers. And trade union organisation has grown as a result.

The industrial landscape of London is complex and those areas of low paid work pose serious challenges as well as opportunities for unions looking to organise and win living wage agreements for workers. Many low paid workers are employed by businesses in complex supply chains of multi-tiered sub-contracts, often providing services to public sector organisations.

For this reason, a range of strategies is

necessary to address low pay and poor employment practices. Union organisation in the workplace is integral to this. But other means are important too. Lobbying the large employers that sub-contract the services is one element and is particularly potent in the context of 'corporate social responsibility'. Addressing the nature of public sector procurement is another area, something that the Mayor of London has looked at through the contracts let by the Greater London Authority group.

This booklet provides trade unions with information necessary to conduct successful campaigns and negotiations around the concept of the London Living Wage:

- We look at the case for the living wage, highlighting how supporting the living wage is not just a moral issue but one that has a solid business case behind it for private sector and public sector employers alike.
- We then focus on the methodology employed by GLA Economics when calculating the London Living Wage, confirming that the figures are a result of rigorous research based on the reality of income and the cost of living in London.
- Many public sector employers are wary of the legal foundation for inserting living wage clauses into their contracts for services so we have provided useful guidance on the legal position of the living wage.
- Finally we look at how reps might go about launching a living wage campaign by describing the successes already achieved by political bodies like the Greater London Authority and by trade unions through negotiating with employers and contractors.

This booklet is aimed at providing the information and examples that will help all trade unions in their organising, campaigning and negotiating around low pay issues in London and we hope that it is useful for this purpose.

Megan Dobney  
*SERTUC Regional Secretary*

# the case for a living wage in london

## Work and poverty in London

Before the 1997 election Tony Blair said: "If the next Labour government has not raised the living standards of the poorest by the end of its time in office, it will have failed". The government made clear that it saw the primary and preferred route out of poverty as through work, and not through increased levels of social benefits.

However, the gap between the richest and poorest sections of society has continued to grow. And despite the decline in unemployment and the increase of in-work benefits for low income workers, poverty pay remains prevalent. Around 14% of full-time workers and almost half of part-time earners earn less than the 2007 living wage rate of £7.20 per hour.<sup>1</sup> The table below shows the percentages of workers in London on low pay.

Figures published by the Department for Work and Pensions indicate that around half of those households earning less than 60%

of median income in the UK include a working adult. And according to the Rowntree Foundation almost half of all children living in poverty in London live in households where someone is in paid work.<sup>2</sup> Put simply, the problem is for millions of workers in the UK that work does not pay a living wage.

The joint Association of London Government and Mayor of London report *Closing the Gap, combating the causes of child poverty in London* (February 2006) explicitly links low pay to child poverty and states "While earnings are generally higher in London, the gap between the highest and lowest paid has increased significantly in the last 20 years. This unequal distribution of earnings and the high costs of living in the capital have also had an impact on family incomes". The report goes on to highlight that child poverty is particularly a problem for disadvantaged groups such as those from Black and Ethnic Minority communities. Part of the reason for this lies in the

Table 1: Percentage of employees in London earning less than various wage levels

	Males	Females	Total employees
<i>Full time earning</i>			
less than £5.35 per hour	4.8	6.0	5.3
less than £7.05 per hour	12.0	15.3	13.4
less than £7.20 per hour	12.8	16.1	14.2
<i>Part-time earning</i>			
less than £5.35 per hour	32.9	18.5	22.1
less than £7.05 per hour	55.3	40.2	44.0
less than £7.20 per hour	58.4	42.3	46.3

source: Annual Population Survey (APS) 2005

changing nature of the labour market. Jobs that were once full-time, in-house and reasonably paid have increasingly been replaced by casual, temporary posts, working for contractors or agencies at arm's length from the main employer. Instead of collectively bargained pay and conditions, workers on these contracts receive the bare minimum required by law. Without unions to bargain on their behalf, they are often powerless to improve their situation.

Low paid workers can be found in many sectors of London's economy. Workers earning less than £7.20 per hour can be found in retail, hotels, leisure, restaurants and building services but also in some clerical areas and in museums and galleries.

Trade unions have consistently argued that workers should be paid at a rate which provides a 'living wage', that is, sufficient income to secure an adequate living standard. Over the years unions, along with community organisations, have campaigned to convince employers that paying a living wage is not just the right thing to do but is actually a sensible policy from a business perspective.

## How much is a living wage?

The government has resisted calls to research the amount needed to meet a 'minimum income standard', using instead the figure of 60% of median earnings as the official poverty threshold. A completely different approach is taken by the Family Budget Unit at York University. Along with colleagues from Loughborough University Centre for Research in Social Policy, they have embarked on a major research project funded by the Joseph Rowntree Foundation to determine the level of income needed to provide an acceptable standard of living in Britain?<sup>3</sup>

The method calculates the minimum income needed by a family or individual to ensure good health, adequate child development and social inclusion. Variants of this method

have produced figures far in excess of the current adult national minimum wage of £5.35 an hour (to rise to £5.52 on 1.10.07).

In May 2007 the Greater London Authority's Living Wage Unit produced its annual report saying that a worker in London, taking advantage of their full entitlement to tax credits and benefits, would need to earn £7.20 an hour to avoid poverty.

More detail on the methodology behind these calculations is provided later in this booklet.

## Employers reluctant to pay

For many employers, the barriers to adopting a living wage policy are largely to do with accountability and cost. The attraction of outsourcing services is that it frees an organisation from the day-to-day management of large sectors of their workforce. Implementing a living wage policy requires management to re-think their procurement regime and to police the employment practices of their contractors. Having 'washed their hands' of their contract staff, many employers would rather not take back this responsibility.

Similarly, employers are reluctant to forego the costs savings associated with low wage contract labour, particularly if they are under pressure to trim budgets or increase profits. To consider raising these costs again, employers need to be convinced that the living wage has 'something in it for them'.

So what are the advantages to employers and the wider community of implementing a living wage policy?

## Efficiency and productivity

Paying a living wage helps employers to combat the recruitment and retention problems that traditionally bedevil low paying private contractors. The Chartered Institute of Personnel and Development (CIPD) put the average turnover in private

services at 22.9% in 2005.<sup>4</sup>

Turnover represents a significant cost to contractors and their clients. The CIPD calculates the average cost of labour turnover in 2005 to be £8,200 per leaver. The median cost for replacing a manual or craft worker is £2,000 when all turnover costs (including vacancy cover, redundancy costs, recruitment/selection, training and induction costs) are taken into consideration.

According to the CIPD it takes an average of 5.3 weeks to fill a manual/craft vacancy. During that time remaining workers will often be called on to cover the duties of those who have left.

Employers themselves acknowledge the relationship between improved pay and their ability to meet performance targets.

In 2004, Barclays Bank, under pressure from unions and community organisations, set a specification for its cleaning contract with Rentokil Initial that provided the cleaners moving to Barclays' new headquarters at Canary Wharf with an hourly rate of £6 and 28 days' holiday. The new pay and benefits package included pension contributions, sick pay, bonuses, an increased holiday entitlement and training to an industry-recognised standard.

"When we set up the deal we wanted to ensure that we could recruit and retain quality people, in the same way that we try to do with directly employed staff", John Cotton, Barclays' Canary Wharf programme director explained at the time.<sup>5</sup> "Clearly there are some cost consequences of what we've done but they for us are completely commercially viable because they provide us with a quality of employee and a commitment of employee which we believe will actually give us a better cleaned building."<sup>6</sup>

The new policy resulted in a dramatic drop in absenteeism and turnover, from 30% to 4%, along with rising performance and customer satisfaction levels.

In 2007 Barclays announced that it would pay all its cleaners in the City and Canary Wharf a minimum rate of £7.50 per hour.

Like Barclays, KPMG also found that its turnover rate was halved after it introduced a living wage policy for all its in-house and contract staff. "No one abused the new sick pay scheme", said Head of Corporate Services Guy Stallard, "and absenteeism is very low. We get the benefit of reduced training costs and increased staff continuity. It is a much more motivated workforce."<sup>7</sup>

## Protecting and enhancing the reputation of the institution in the wider community

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Private companies and public institutions are conscious of their 'brand' image, but high-minded mission statements mean little if the public becomes aware that they hide the exploitation of low paid staff. As multinational clothing firms like Gap and Nike discovered to their cost, it doesn't help sales to be associated with sweatshop labour. Similar embarrassment lies in store for publicly funded institutions whose employment policies are found wanting. One top university, widely known for its dedication "to improving society through the study of poverty issues and the analysis of inequalities" was warned that its "wider reputation as an institution for the betterment of society" would be tarnished if it did nothing to improve the pay of contract cleaners who received "the lowest hourly wage in real terms of any legally employed adult workers in the UK".<sup>8</sup>

Private firms are becoming increasingly aware that commitment to corporate responsibility is essential to their public image. As an American business ethics journal points out:

"Traditionally, firms have been judged on how well they serve stockholders. But in the 21st century – a new era of ecological limits, corporate ethics crises, and rising societal

expectations – this traditional focus offers too narrow a definition of success. Firms rely upon healthy relations with many stockholders. That means not only creating healthy returns for shareholders but emphasising good jobs for employees, a clean environment, responsible relations with the community, and reliable products for consumers.”<sup>9</sup>

“Good corporate governance”, they note, “can be as effective a marketing tool as a good quarter.”<sup>10</sup>

## Fulfilling responsibility to the community

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For publicly funded institutions with responsibility for the health and well-being of their communities, the importance of a living wage policy goes beyond good publicity. Local authorities, for example, are required to have a community plan, which sets out how the council will tackle racism, unemployment and poverty, while building social cohesion and encouraging local economic development. It would appear contradictory for an authority to adopt employment policies that condemn large numbers of their own staff (whether directly or indirectly employed) to exactly the conditions they were attempting to eradicate.

Pay that falls below a living wage level detracts from the quality of life of individual workers and has a detrimental effect on the whole community. Wage levels have been shown to have a direct consequence on all aspects of wellbeing, most obviously health, sport and leisure activities and educational achievement.

A wide range of studies on the impact of poverty have shown that people are faced with impossible choices when income will not go far enough to buy food or heat the house, feed the children or pay the rent. The result can be spiralling debt, constant anxiety and long-term health problems. When the

adults in the family have to work long hours or do two or three jobs to pay the bills, they are unlikely to have time to spend with their family, much less to help out at their children's school, join a tenants' association or participate in community activities.

According to Martyn Vesey, director general of the Cleaning and Support Services Association which represents many cleaning contractors, two thirds of cleaning jobs are part-time. “The average hours a week a cleaner works in the UK is only 15. And 15 times £5 doesn't make a living wage”, he says. “A lot of people, who want to make a living from cleaning, might have as many as three jobs.”<sup>11</sup>

## Positive benefits from paying a living wage

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By contrast, the benefits derived from paying a living wage are significant and measurable. A 2005 study of low-paid contract cleaners at the Royal London Hospital found that earning a living wage made a dramatic difference to the ability of workers to support their families. A joint community-union living wage campaign had succeeded in raising wages for this group of private contract staff from £5.25 in 2004 to full NHS rates (£7.48 with London Weighting) in January 2006.

Researchers asked workers what difference the new pay rate made to their ability to pay for food, clothing, housing, child-related expenses and holidays. Less than half of the workers surveyed said that they had been able to afford adequate food on their previous salary. Once they received a living wage 85% were able to pay for the food their family needed. The living wage had a similar impact on workers' ability to pay for other necessities for themselves, and most importantly, for their children.<sup>12</sup>

It is not surprising that higher levels of pay reduce sickness absence levels. A study published in April 2007 by Marco Ercolani,

from Birmingham University, and Martin Robson, from Durham University found that the introduction of the National Minimum Wage boosted the productivity of lower paid workers. The study found that the direct cost of sick leave to the UK economy was more than £11bn a year, about 1% of the country's gross domestic product. It also concluded that a one percentage point rise in wages cuts the rate of sickness absence by about 0.05%. The report says: "the analysis suggests that minimum wage legislation can lead to beneficial productivity effects for firms and public sector organisations that employ significant numbers of low-wage employees".<sup>13</sup>

Better paid workers also boost local economies by spending their money in their neighbourhood businesses. A study by Staffordshire Business School calculated the economic impact on Stoke-on-Trent of contracting out their home care service. The study concluded that for every £1 an hour more paid to a public sector care worker, £1.63 was injected into the local economy. On an annual basis, this would have provided Stoke-on-Trent with £1.5 million in additional income.<sup>14</sup>

## Practical implementation of living wage is growing

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A growing number of leading companies have incorporated the living wage into their procurement policies.

This includes:

- HSBC
- Morgan Stanley
- Lehman Brothers
- CitiGroup
- Deutsche Bank
- Royal Bank of Scotland
- KPMG
- Lovells
- Credit Suisse
- Macquarie.

Public sector organisations involved include:

- Greater London Authority
- London Fire and Emergency Planning Authority
- four East London health trusts
- Queen Mary University
- London School of Economics.

A growing group of Third Sector organisations have also adopted living wage policies, including:

- Big Issue
- Child Poverty Action Group
- ACEVO
- IPPR.

While the exact terms offered differ from employer to employer, all have signed up to a basic charter for socially responsible contracting, which stipulates that all staff, including contract staff, are: paid no less than a living wage as set annually by the GLA (£7.20 in March 2007); eligible for 20 days paid holiday plus bank holidays; eligible for 10 days full sick pay per year; allowed free and unfettered access to a trade union.

For more information on the implementation of the London Living Wage among businesses and organisations in London see the report published by Incomes Data Services (*IDS Pay Report 980*).

## Conclusion

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Living wage policies can offer concrete benefits to both employers and the wider community. To make this work, government needs to research and adopt a minimum income standard and encourage public authorities to use their procurement regimes to achieve social justice, as well as efficiency and high quality services.

## Good practice model: KPMG

In 2006 KPMG decided to implement a living wage policy for all directly and indirectly employed staff. It required its contractors ISS and Eurest to pay the London Living Wage on its London contracts and a minimum of £6 an hour on contracts outside of London.

KPMG applied the living wage to differentials as well as the minimum rate, giving supervisors the equivalent increase to those on the bottom rates. Because the London living wage figure is announced in March and salaries of most KPMG staff rise in October, the company decided to pay all staff the new LW rate in October, plus the increase in RPI from March.

KPMG advises companies to look for service efficiencies to finance the extra costs of implementing the living wage. For example, they reviewed their own practices and decided to remove bins from under desks. Instead staff were asked to bring rubbish to central collection points. This helped increase recycling as well as saving time for cleaners. The efficiency saving was reinvested in higher pay rates.

KPMG found that after it introduced a living wage policy for all of its in-house and contract staff, its turnover rate was halved. "No one abused the new sick pay scheme", said Head of Corporate Services Guy Stallard, "and absenteeism is very low. We get the benefit of reduced training costs and increased staff continuity. It is a much more motivated workforce".<sup>15</sup> The company has also introduced measures to reduce the divide between in-house staff and those of 'on-site suppliers' by including the latter in KPMG induction programmes and making them eligible for reward schemes. KPMG are also looking to merge the uniforms or 'business attire' of the two groups with the aim of increasing the identification of contract staff with the company it serves.

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# methodology behind the london living wage

This section looks at how the Living Wage Unit at GLA Economics calculated the 2007 London Living Wage figure of £7.20 per hour.

The two main approaches that have been used to help determine a living wage for London are the **Basic Living Costs** approach and the **Income Distribution** approach.

## Basic Living Costs approach

The Basic Living Costs approach was developed by the Family Budget Unit (FBU). The FBU calculated the expenditure required to achieve what it defines as a “Low Cost but Acceptable” (LCA) standard of living, for a range of ‘typical’ families. Depending on the working patterns of the different family types, this expenditure, or budget, can be converted into a wage level.

This is not the same as a minimum wage. It is defined by the FBU as a wage that achieves

an adequate level of warmth and shelter, a healthy palatable diet, social integration and avoidance of chronic stress for earners and their dependents.

In the GLA Living Wage Unit model, the basic living costs (also called the LCA budget) estimates were based on four model families:

- a two adult household with two children aged 10 and four
- a one adult household with two children aged 10 and four
- a couple without children
- a single person without children.

Basic living costs are considered under the following headings:

- Housing
- Council tax
- Transport
- Childcare
- All other costs (a ‘regular shopping basket’).

**Table 2: Basic Living Costs for typical families living in London (£ per week 2005)**

	Couple				Single parent		Single, no children	
	2ft	1ft 1pt	1ft	1pt	ft	pt	ft	pt
Shopping basket costs	183.52	183.52	183.52	183.52	139.63	139.63	83.04	83.04
Housing	84.00	84.00	84.00	84.00	84.00	84.00	79.00	79.00
Council Tax	23.35	23.35	23.35	23.35	17.51	17.51	17.51	17.51
Total transport costs	48.60	48.60	24.30	24.30	24.30	24.30	24.30	24.30
Childcare costs	203.72	98.09	0.00	0.00	203.72	98.09	0.00	0.00
Total costs	543.18	437.55	315.17	315.17	469.16	363.53	203.85	203.85

ft = full time, pt = part time

source: GLA Economics based on various data sources; see Appendix A

**Table 3: Hourly wage required to meet basic living costs for different households**

Earners	Couple with two children		Lone parent		Couple with no children		Single no ch.	Weighted		
	2ft	1ft 1pt	1ft	ft	pt	2ft	1ft 1pt		1ft	ft
Number of people ('000s)	455	364	173	75	42	425	340	162	802	
Wage level including all the relevant benefits	5.35*	5.35*	5.35*	5.35*	7.5	5.35*	7.0	10.5	6.4	6.15
Wage level excluding means tested benefits	8.5	8.9	9.6	>15	>15	5.35*	7.0	10.5	6.4	7.75

ft = full time, pt = part time

\* NMW sufficient to meet basic living costs (LCA budget standard)

The number of people in different household groups was derived from Census 2001

All figures rounded to one decimal place (or 10 pence)

The NMW (of £5.35) has been used as a lower limit for the wage when calculating the weighted average wage as it is generally illegal to pay wages below the NMW.

For the first four items in table 2, cost estimates are based on direct data for London. For the fifth item, a comparison of regional price differentials produced by the Office for National Statistics was used.

Using basic living costs as a target income level, it is possible (through iteration of the tax and benefit model established for this exercise) to calculate the wage required for each household to cover its basic living costs. Table 3 shows the wage required for each household type to meet its basic living costs.

From table 3, we can see that the weighted average wage required to meet basic living costs is £6.15 assuming all benefits are claimed, compared to £7.75 if means-tested benefits are not claimed.

Assuming all relevant benefits and tax credits are claimed, more than half of the working households considered in this analysis would achieve their basic living costs, or LCA standard of living, at the minimum wage. At the wage of £6.25 per hour around 80% of

the working households considered would achieve their basic living costs.

## The Income Distribution approach

This approach considers what wage is required to move a household to a certain point on the income distribution scale.

The Department for Work and Pensions (DWP) provides indicators on the average income of households in the UK. This measure uses household disposable incomes, adjusted for household size and composition, as a proxy for material living standards or, more precisely, for the level of consumption of goods and services that people could attain given the disposable income of the household in which they live.

DWP provides two measures of disposable income: before and after housing costs. This report only considers the disposable income after housing costs. The disposable income

after housing costs represents earnings, all social security benefits, pensions, maintenance payments, educational grants, and cash value of payments in kind such as free school meals for all members of the household less income tax (including national insurance, pension contributions) and maintenance or support payments made to people outside the household. It deducts rent, mortgage interest payments, water charges and structural insurance premiums.

Based on this measure, household median income in 2004-5 was £304 per week. This figure is for a household consisting of a couple with no children.

Table 4 illustrates the median income at different percentages of median income for the different household types identified earlier.

Table 5 shows the approximate wage required to achieve the level of disposable income that would place each household within 60, 65 and 70 per cent of median income (including all relevant benefits). The government's poverty threshold is 60% of median income. Hence, we focus on the wage required to meet this income level.

This illustrates that less than 20% of the working households considered here would attain 60% of median income at the minimum wage (assuming all relevant benefits were claimed). The weighted average wage (assuming all relevant benefits are claimed) required to achieve 60% of median income is around £6.35. At this wage almost three quarters of the households considered would achieve the 60% median income threshold.

**Table 4: Disposable income thresholds for different types of households (£ per week)**

	Couple with children	Lone parent with children	Couple with no children	Single person, no children
Median	428.64	291.84	304.00	167.20
70% of median	300.05	204.29	212.80	117.04
65% of median	278.62	189.70	197.60	108.68
60% of median	257.18	175.10	182.40	100.32

source: GLA Economics based on DWP data for 2004-5

**Table 5: Approximate hourly wage required to reach a certain percentage of median income for different households**

Earnings	Couple with two children			Lone parent		Couple with no children			Single no ch.	Weighted
	2ft	1ft 1pt	1ft	ft	pt	2ft	1ft 1pt	1ft	ft	
Including all relevant benefits										
60% of median income	5.35*	5.4	8.7	5.35*	9.0	5.4	7.6	12.3	5.6	6.35
65%	5.4	6.6	10.6	5.9	11.8	5.7	8.0	12.9	6.5	7.05
70%	6.3	7.7	12.4	7.2	14.7	6.0	8.3	13.5	6.8	7.75

## Comparing the two approaches

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The Basic Living Costs and Income Distribution approaches find that at the minimum wage, assuming all relevant benefits and tax credits are claimed, almost 40% of the households considered in this analysis would cover their basic living costs, and 20% would attain 60% of median income.

The weighted average wage from the Basic Living Costs approach is £6.15 per hour compared to £6.35 from the Income Distribution approach. The two approaches deviate somewhat in producing the wage required to move above, or at least to, the poverty threshold. Taking the average of these two derived figures yields a wage of £6.25.

A wage of around £6.25 allows most households, on average, to move above, or at least to, what might be considered the poverty threshold. Increasing the wage above this level increases a household's disposable income net of basic living costs and moves them closer to median income.

In addition to this, an additional 15% is added which is viewed as a safety zone that eliminated other contingent costs and provides a barrier between a living wage and the poverty line.

Once the 15% margin against poverty is added to £6.25 per hour, this yields a living wage, to the nearest five pence, of £7.20 per hour.

The London Living Wage figure of £7.20 per hour would have a direct beneficial effect on the incomes of almost 20% of full time and almost half of part time workers in London.

There is a more detailed study of the methodology on the calculation of a London Living Wage in the GLA Economics report *A Fairer London – the Living Wage in London* (May 2006).

# a checklist for **action**

This section considers how you might go about launching a living wage campaign with your employer and through your union branch.

Let us assume that you have identified that there are a number of workers in your branch or under contract to your employer that are currently receiving less than £7.20 per hour. And that you intend to launch a campaign through your union branch with the aim of winning a new pay deal for directly employed or contracted workers to bring them in line with the London Living Wage.

A successful campaign depends on a range of related factors. Ultimately you should be aiming to build a campaign on the following principles:

- Collating a strong evidence base of existing workers' pay and conditions to inform your arguments, including the impact of low pay on their current lifestyles.
- Building a solid alliance between your branch, your full time union officials, low paid workers, and community organisations where appropriate.
- Employing a range of strategies, from direct negotiations with your employer to external campaigns with partner organisations and the local press.
- Ensuring your branch members are involved in decision making and activities involved with every part of the campaign.

Opposite is a 13-point checklist that identifies those actions you should be taking when embarking on a Living Wage campaign.

**1** Think carefully and identify the right employer and the right time for the campaign. What is the status of the employer, is it a public or private sector organisation? What is the particular business case or motivation for change with that employer?

**2** Contact your full time union officials to ensure that your campaign is supported with the full use of resources that the union can provide. And to ensure that the union is able to respond to your campaign in a coordinated and constructive way.

**3** To plan your campaign effectively, map the workplace. Get a strong idea of workforce characteristics, pay and conditions, and contract history. Gather information on the pay and conditions of the workers you have targeted and the impact low pay has on their lives.

**4** Find and develop workforce leaders and activists. Put as much time as possible in the early stages of a campaign into short one-to-one meetings with people from the workforce to identify potential activists.

**5** Pull together a diverse and representative campaign team who meet regularly to review progress, to make key decisions collectively and to share out the work in moving the campaign forward.

**6** Carry out a 'power analysis' to help you think systematically about your strengths and weaknesses, who your allies are and what obstacles and problems stand in the way of achieving victory for your campaign.

**7** Organise actions that will build support, raise awareness of your campaign and get a reaction from the employer. Build in some social events too to keep up campaign morale.

**8** Build community support for your campaign. Many of your members will have links with local community organisations. Build on those connections to involve community groups and service users in making the case for a living wage.

**9** Develop strong, imaginative campaign materials. If appropriate, make materials available in languages other than English so that you get your message out as widely as possible.

**10** Involve other branches of your own union as well as your local trades council and other labour movement partners in your local area. In workplaces with more than one union, ensure that the other unions in your workplace are also on board with your campaign to maximise your strength.

**11** The strength of the campaign will depend on the level of membership support. Use the new leaders and the high profile generated by the campaign to recruit new members.

**12** Organise a publicity strategy and develop relationships with journalists in the local press. Journalists are particularly interested in human interest stories so think of individual members who might wish to volunteer as case studies to highlight the plight of low paid workers.

**13** Let everyone know about your successes. Examples of victories add weight to all other campaigns.

This list is a basic checklist of things for you to consider. If you feel that a campaign might be possible in your workplace, contact your full time union officials for additional advice and guidance.

Build on the examples of campaign successes on the next pages that show that while living wage campaigns are never straightforward, victory is possible with the right kind of campaign.

# the legal opinion

When negotiating with public sector organisations for the implementation of living wage policies through supply chains, one argument that unions often face is “it’s contrary to public procurement legislation”.

It’s often reported by council officers and elected members that there’s nothing they can do about putting a living wage threshold in contracts – this is simply not the case as the Greater London Authority is illustrating.

There is no definitive legal opinion on this subject as no case has been brought to court and therefore no legal precedent has been set. However, below we list the key points that support the case for public sector organisations putting living wage clauses into their procurement strategies.

**1** On 12 March 2001 the Labour government amended section 17 of the Local Government Act 1988. The new regulations (Local Government Best Value [Exclusion of Non-commercial Considerations] Order 2001 Statutory Instrument 909, and DETR Circular 02/2001) allows local authorities to take employment issues, such as terms and conditions, staff training and management practices into account when contracting out their services.

**2** All local government contracts in force after March 2003 are covered by the Best Value Code of Practice on Workforce Matters. The Code applies to all forms of contracting out and re-tendered contracts. Under the Code, Councils have to ensure that contractors employ new staff working alongside transferred staff on local authority contracts on “fair and reasonable terms and conditions which are overall no less favourable than those of transferred employees”.

**3** In addition to the above Code, guidance indicates that there is no legal barrier to employers using the contracting out process as a means of “encouraging the pursuit of social objectives”. The European Commission’s Interpretive Communication makes it clear that “relevant social and employment issues can be included as contract conditions provided that they are non-discriminatory and included in the contract notice or contract documents”.

**4** Recital 33 of the EU Procurement Directive on Public Services and Utilities states that procurement should take place on the basis of either lowest cost or “the most economically advantageous tender”, which is decided “from the point of view of the contracting authority”, thereby providing additional flexibility for the contracting authority to decide criteria upon which the term “most economically advantageous” is based.

**5** A public sector organisation can adopt a living wage policy stipulating that quality and good value depend on good employment practices. Choice of bidder should not be based on lowest price alone. Bidders should be evaluated on terms and conditions, training, industrial relations, union recognition, health and safety and social impact. Under EU rules, contracts can be awarded on the basis of “most economically advantageous tender”, not just the lowest price. The European Court of Justice in the Helsinki Concordia Bus case (c-513199) decided that “factors which are not purely economic may influence the value of a tender from the point of view of the contracting authority”.

# learning from success

This section gives some examples of what trade unions and public bodies have achieved through their campaigning and procurement strategies.

## The Greater London Authority

In 2002 the Mayor of London, following legal advice, required the Greater London Authority (GLA) to promote fair employment terms through its procurement strategy.

Organisations tendering for contracts with the GLA were asked to indicate in their tenders whether they would be willing to consider the insertion of fair employment clauses into their contracts which would require them to provide terms and conditions of employment to their staff that were no less favourable than those of a GLA employee of a similar level. Terms and conditions included salary, hours, benefit entitlement, and holiday and pension rights. Subsequent indications from contractors were included as part of the tender evaluation process.

Further to this groundbreaking work, the GLA has begun to look at ways of promoting a living wage through its procurement strategy.

Following the publication of the living wage, the GLA group has begun a rolling implementation programme. In implementing the living wage, a key consideration has been to avoid the danger of employers compromising other terms and conditions of employment in order to achieve the living wage.

The first step has been to ensure that all direct employees of the GLA group are being paid above the living wage rate (making allowance for the lower rate for apprentices). Whilst the great majority of direct GLA group

employees were already being paid at above living wage rates, all now receive the living wage. The small number of young apprentices at Transport for London (TfL) have been brought above the apprentice rate during the course of the year to the living wage, and TfL will be ensuring that future apprentices are paid above the living wage level.

The next stage has been to develop a programme to roll out the living wage to GLA group contracts within a wider programme to take forward sustainable procurement addressing the delivery of economic, social and environmental objectives through procurement strategies and processes generally.

Following the determination of the London Living Wage the appropriate GLA contracts were reviewed, and it was found one contract was paying below the LLW. Action has been taken and this contract was brought in line with the London Living Wage in January 2006, directly benefiting 14 staff.

In January 2006 the GLA let a new catering contract for City Hall. During the competitive process, tenderers' attention was drawn to the GLA's London Living Wage Policy and appropriate contractual provisions were incorporated into the proposed service contract.

Whilst offering staff pay rates above the London Living Wage, and an attractive package of additional benefits, the successful tender was evaluated as offering good value for money and was not the most expensive tender received.

It was recognised during the early stages of formulating the Living Wage Policy that GLA itself had a limited number of appropriate contracts offering opportunity for implementation. Significant opportunities for

implementation lie in other organisations within the GLA group, especially Transport for London and the London Development Agency (LDA) where the Mayor has powers of direction.

In phasing the roll out of the policy across the GLA group, the early focus of the implementation programme has therefore centred on TfL and the LDA alongside the GLA. TfL, with its substantial procurement programme, offered particularly strong potential for achieving large-scale policy impact. Initial implementation at TfL will focus on a small number of specific contracts to be taken through a competitive tendering process.

### GLA group implementation

In April 2005 a living wage implementation group was formed to help coordinate plans to roll out the policy across the GLA group. Progress on implementing the living wage since has included:

- The uplift of 10 TfL apprentices' wages to living wage level;
- Review and confirmation by LDA, TfL, GLA, the London Fire & Emergency Planning Authority (LFEPA) and the Metropolitan Police Service (MPS) that all their direct employees are now at the minimum paid at the living wage of £7.20. All contracted staff at LDA, TfL and the GLA are paid the living wage;
- Development of a structured GLA/LDA/TfL analysis of the issues arising from rolling out the living wage across their contracts, advising on how best to take implementation forward having regard to practicality, cost and the relevant legal frameworks. This has highlighted that implementation needs to be taken forward on a contract-by-contract basis;
- Strengthening of the policy and legal framework regarding sustainable procurement, including the living wage, by the adoption of a GLA group Sustainable Procurement Policy (signed up to by the GLA,

TfL, LDA, LFEPA and the Metropolitan Police Authority as well as the MPS) coupled with a delegation and direction from the Mayor to LDA and TfL to proceed with implementation of the policy;

- In the past 12 months TfL has implemented the living wage to two cleaning contracts (Cleaning of Bus Stations and On-Bus Cleaning, and Victoria Coach Station Cleaning and Toilet Attendants) within TfL's Surface Transport business unit. These were identified as likely to include a significant proportion of low-income earners and thus likely to have a significant impact and deliver the greatest social benefit;
- LFEPA included the living wage in the Provision of Cleaning Services contract, let June 2007, which led to nearly 200 cleaners receiving the living wage.

A copy of the GLA Sustainable Procurement Policy can be downloaded here:

<http://www.london.gov.uk/gla/tenders/docs/sustainable-procurement.pdf>

## Preston Borough Council

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Whilst not directly concerned with promoting a living wage, Preston Council has committed itself to ensuring that its procurement strategy is used to promote fair employment and wider social and equalities objectives and, as such, Preston Council is a leading local authority on progressive procurement.

The following text is taken directly from Preston Council's policy statement *Fairness and Equality in Procurement*, September 2006.

### Vision

The Council's vision is to deliver significantly better quality public services that meet the needs of all local citizens.

### Aims

To deliver the vision by promoting effective procurement throughout the Council.

## Introduction

Procurement is the process of acquiring goods, works and services from a third party to achieve the optimum combination of costs and benefits to meet the needs of the Council and its stakeholders. As a public body, the Council must discharge its duties in a legal, responsible and non-discriminatory way.

Getting procurement right is essential to securing the delivery of efficient, quality services in Preston and its communities. How effectively we procure will have considerable influence on the successful achievement of Council priorities and towards making a lasting difference to the services we provide.

## Objectives

Two of the Council's procurement objectives are:

- To ensure that the procurement activities reflect the Council's approach to equality;
- To fulfil the Council's duty of 'Best Value'.

The Council aims to fulfil those objectives by:

- Promoting equality and fairness through its procurement processes and practices;
- Striving to ensure equal opportunities for all, when procuring goods, works or services;
- Purchasing works and services from contractors who can demonstrate a commitment to making sure that their employees and their customers are not discriminated against because of age, sex or sexuality as well as race, colour, ethnic origin or religion;
- Securing fair employment terms and conditions for comparable employees when purchasing works or services;
- Securing compliance with our duty to provide works and services that demonstrate Best Value, whilst ensuring that our policies support diversity and do not lead to unfair discrimination or social exclusion;
- Recognising the connection between service quality and the management of

workforce issues. Good quality works/ services depend on appropriately skilled and motivated workforces. Neglecting relevant workforce matters in order to drive down costs could have adverse effects on the desired quality and value for money;

- Undertaking transparent, open and fair procurement.

## Policy Review

This policy will be reviewed annually by the Procurement Manager. Monitoring of the policy as applied in individual contract situations will be the responsibility of the individual contract manager.

## Trade union strategies

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Many trade unions have used the London Living Wage as a foundation on which to structure successful campaigns to increase the terms and conditions of their members – as well as to win new members and increase union organisation and strength in the workplace.

Below are listed some of the key factors in their campaigns.

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**Unite/T&G Justice for Cleaners** campaign – many members had to take two and even three jobs to survive in one of the most expensive cities in the world because there is no question of being able to make ends meet on the National Minimum Wage in London – let alone raise a family.

- the London Living Wage is the consistent and core demand around which they have been able to unite with community groups such as London Citizens, MPs, and members of the public;
- every campaign leaflet, press release, pay claim has had the London Living Wage up front (cleaning contractors know what the T&G wants and what they will settle for, members are clear what the demand is, and clients can afford it);

- as the LLW is set and researched independently, it provides an objective mechanism on which to peg a legitimate claim; it has real credibility with employers;
- the demand for the London Living Wage was combined with demands for a pension, sick pay, 28 days holiday and the right to respect at work including recognising the union;
- the London Living Wage is seen as a floor, not a ceiling, and because it rises every year, ensures that a pay breakthrough one year does not become stale the next;
- an emphasis on strong workplace organisation to make sure that pay continues to rise.

Companies like Goldman Sachs, Linklaters, and Slaughter & May in the City are all paying the London Living Wage at the time of writing, and many others are close behind. Most recently the T&G has signed recognition agreements with seven of the major cleaning contractors in the City.

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**Unison** *Parity for hospital domestics, porters, catering and security staff* – research revealed that hospital domestics, porters, catering and security staff employed by private contractors ISS Mediclean and Medirest (Compass) were paid little more than the national minimum wage. More alarmingly, workers not previously working in the NHS received minimal overtime rates, and no London Weighting, sick pay, or company pension. Most had only the legal minimum of 20 days holiday a year (including bank holidays). Long hours were common and many workers were compelled to take second, or even third, jobs to support their families.

- during the first two years of the campaign Unison's four East London health branches worked with The East London Citizen's Organisation to recruit and organise private contract staff into the union;

- organisers met workers, listened to their stories, encouraged them to get involved; recruitment soared, with more than 400 new members joining the union;

- workers were involved in campaign activities – collecting signatures on petitions, speaking at rallies and organising public meetings, thus building confidence and developing skills. Many came forward to be stewards, and the union put on special training for the group;

- Unison submitted a claim to the contractors at East London's hospitals seeking immediate improvements in pay and conditions, with the ultimate aim of achieving full parity with NHS terms. Launched with a demonstration at Whipps Cross Hospital, and supported by joint union and community lobbies of Trust boards, the claim featured on the BBC television news and in the local press;

- NHS Trusts and contractors delayed negotiations so the union responded by balloting for strike action. Contract workers at Homerton Hospital and Tower Hamlets Healthcare Trust accepted improved pay offers as they were due to strike at the end of May 2003. Workers at Whipps Cross, however, rejected their offer and took five days of strike action in May and June. They were set to embark on a third round of strikes when ISS offered them an acceptable deal. In a deal brokered by the North East London Strategic Health Authority, both contractors agreed to make interim improvements in pay and conditions and to raise all staff to full NHS terms and conditions by 1 April 2006. Private contract staff had shown they were prepared to organise and fight for a living wage;

- despite their victory in 2003, workers at Whipps Cross Hospital had to take strike action yet again to make the deal stick. The NHS Trust brought in a new contractor, Initial Hospital Services, in 2004. The agreement to phase in improvements in pay and conditions was at first honoured by the new contractor,

but in April 2006 Initial advised the union and the NHS Trust that it could not afford the final stage which would bring in parity with agreed NHS terms and conditions;

■ Unison sought to resolve the matter by negotiation, only to encounter the Trust claiming it was Initial's responsibility as the employer to honour the agreement, and Initial blaming the Trust for awarding the contract at too low a price. This standoff only served to strengthen the determination of the workers to fight for their rights for a second time. By June over 90% of Initial staff at Whipps Cross had joined the union, and the vast majority again voted to take strike action. 270 cleaning and domestic staff took part in eight separate days of strike action over the summer and by September Initial and the Trust agreed to jointly enter into negotiations with the union brokered by ACAS, the Advisory, Conciliation and Arbitration Service.

Negotiations resulted in further improvements on the original agreement: full NHS terms and conditions were implemented, including annual leave and sick pay, a minimum pay rate of £7.47 an hour, backdated to 1 April 2006.

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**RMT** *The Cleaners' Charter* has been well-received by members and the key demands of the charter have been incorporated into pay negotiations with all cleaning companies:

■ the London Living Wage, a pay increase each year; a proper career path; a decent pension; free travel on the railways; additional payments for unsociable hours and bank holidays; 20 days minimum annual leave plus eight bank holidays; a fair sick pay scheme; a 35 hour week without loss of pay; clean and properly equipped mess rooms; regular provision of uniforms and safety wear; full employment rights – no 'third party' sackings; direct employment; freedom from discrimination

■ one branch was nominated as a dedicated branch for cleaners enabling the RMT to better organise and support members working for cleaning companies;

■ RMT cleaners continue to campaign vigorously for improved pay and conditions. Most recently, cleaners from both the underground and overground lobbied City Hall, calling for their right to a living wage, 28 days minimum holiday, and direct employment. An earlier campaign in December involved lobbying Network Rail headquarters, ATOC headquarters, and Metronet headquarters, with cleaners singing their very own Cleaners' Christmas Carol.

In addition to campaigning for a living wage for cleaning members, the RMT is also campaigning for catering members who also often face extremely low pay and poor working conditions. The RMT's most recent campaign is to organise members at Rail Gourmet, one of the largest catering companies on the railway.

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**Unison** *London Living Wage for non-academic university staff* – substantial minimum pay rates are being established for non-academic staff in London's universities (both directly employed and contracted staff) following successful negotiating campaigns by unions and workers using new equal pay frameworks and Mayoral support for the London Living Wage.

■ university non-academic staff are subject to a nationally agreed pay spine, but the requirement to introduce the Higher Education Regrading Agreement (HERA), an equality proofed pay and grading scheme, on an employer by employer basis opened up opportunities for the public sector union Unison to successfully negotiate deletion of lower pay points to ensure that minimum pay rates are higher than the recognised London Living Wage;

In 2007, minimum hourly pay rates secured

in six London higher education institutions significantly exceeded the London Living Wage rate of £7.20 per hour:

Royal College of Art	£7.58
University College London	£7.80
Brunel University	£8.13
Birbeck College	£8.35
University of the Arts	£9.11
Royal College of Music	£9.66

Similar successful minimum hourly rates have been secured for private contracting staff on higher education sites too:

Catering Staff, Royal College of Music	£7.72
Cleaners, University of the Arts	£9.11
Kingston University Services	£7.36
	rising to £7.50 on 1 Feb 08
	and £7.80 on 1 Feb 09

# more information

The following references provide links to other sources of information that you might find useful:

- GLA Economics: for more information on the work of the GLA's Living Wage Unit and to access the 2007 Living Wage report *A Fairer London* go to:  
[http://www.london.gov.uk/mayor/economic\\_unit/workstreams/living-wage.jsp](http://www.london.gov.uk/mayor/economic_unit/workstreams/living-wage.jsp)
- *London Divided*: this report is a comprehensive analysis of income poverty and inequality in London produced by the Mayor of London. It can be accessed at:  
[http://www.london.gov.uk/mayor/economy/london\\_divided.jsp](http://www.london.gov.uk/mayor/economy/london_divided.jsp)
- Joseph Rowntree Foundation: The Joseph Rowntree Foundation is one of the largest social research and development charities in the UK. They publish a range of research papers on poverty, low pay and inequality. Of particular interest is their *Monitoring Poverty and Social Exclusion 2006* report that identifies the scale of in-work poverty in the UK. <http://www.jrf.org.uk/bookshop/details.asp?pubID=842>
- Incomes Data Services: IDS is an independent research organisation that provides information on pay, conditions, employment law, pensions and personnel policy and practice. Their pay report no.980 features analysis of the London Living Wage. [www.incomesdata.co.uk](http://www.incomesdata.co.uk)
- Queen Mary College, London University: The Geography Department of Queen Mary London University has conducted a range of research into the Living Wage campaigns in London that can be accessed here:  
[www.geog.qmul.ac.uk/livingwage](http://www.geog.qmul.ac.uk/livingwage)

The following trade unions have been involved with Living Wage campaigns in London and their websites can be accessed at:

- Unison: [www.unison.co.uk](http://www.unison.co.uk)
- Unite/T&G: [www.tgwu.org.uk](http://www.tgwu.org.uk)
- GMB: [www.gmb.org.uk](http://www.gmb.org.uk)
- PCS: [www.pcs.org.uk](http://www.pcs.org.uk)
- RMT: [www.rmt.org.uk](http://www.rmt.org.uk)
- Usdaw: [www.usdaw.org.uk](http://www.usdaw.org.uk)
- SERTUC: the Southern & Eastern Region of the TUC, is the TUC in London, the South East and Eastern Region.  
[www.tuc.org.uk/sertuc](http://www.tuc.org.uk/sertuc)

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