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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,  
SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties to the Covenant concerning rights covered by articles 6 to 9, in accordance with the first stage of the programme established by the Economic and Social Council in its resolution 1988 (LX)

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND\*

[2 August 1984]

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\* The initial report concerning rights covered by articles 6 to 9 of the Covenant submitted by the Government of the United Kingdom of Great Britain and Northern Ireland is contained in documents E/1978/8/Add.9 and 30. The Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights considered document E/1978/8/Add.9 at its 1980 session (see E/1980/WG.1/SR.19) and document E/1978/8/Add.30 at its 1982 session (see E/1982/WG.1/SR.1).

The materials referred to in the present report as annexes and appendices are available for consultation in the files of the Secretariat in the original language as received from the Government of the United Kingdom (for a list of those materials, see the annex to the present report).

PART ONE. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

ARTICLE 6: THE RIGHT TO WORK

A. Principal laws

Trade Union and Labour Relations Act 1974 (annex 8A).

Employment Protection Act 1975 (annex 8C).

Trade Union and Labour Relation (Amendment) Act 1976 (annex 8B).

Employment Protection (Consolidation) Act 1978 (annex 7A).

Transfer of Undertakings (Protection of Employment) Act 1981 (annex 6K).

Employment Act 1982 (annex 8E).

B. Employment

B (1)

1. Section 16 of the Trade Union and Labour Relations Act 1974 provides that no court can compel an employee to do any work or attend at any place for the doing of any work by an order for the specific performance or specific implementation of a contract of employment or by an injunction or interdict restraining a breach or threatened breach of such a contract.

2. Details of the employment provisions of the Race Relations Act 1976 were given for the purpose of the earlier report (E/1978/8/Add.9). The Act, of course, only applies to Great Britain and does not cover language, religion, political opinion or social origin.

3. There are three ways in which it is unlawful for an employer to discriminate when recruiting employees:

(a) In the arrangements he makes for deciding who should be offered the job (e.g., in the instructions given to a personnel officer or to an employment agency);

(b) In relation to any terms offered (e.g., in relation to pay or holidays);

(c) By refusing or deliberately omitting to offer a person employment (e.g., by rejecting an applicant or by deliberately avoiding consideration of an application).

4. The Sex Discrimination Act 1975 makes discrimination on the grounds of sex unlawful in employment and training, education, housing and the provision of goods, facilities and services. In the field of employment and training, discrimination against married persons is also unlawful.

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5. The Race Relations Act 1976 makes racial discrimination unlawful in the same fields as sex discrimination. Racial discrimination means discrimination on the grounds of race, colour, nationality (including citizenship) or ethnic or national origins.
6. Under both Acts discrimination is a full civil wrong and victims are offered redress by direct access to the courts or, in employment cases, the industrial tribunals.
7. As well as offering individual remedies, the Acts have established public bodies with general powers.
8. The Sex Discrimination Act established the Equal Opportunities Commission which has the strategic role of working towards the elimination of discrimination and providing equality of opportunity between men and women. It has a duty to keep under review the Sex Discrimination Act and the Equal Pay Act, and to submit to the Government proposals for amending the Acts, when it thinks necessary.
9. The Commission for Racial Equality, established under the Race Relations Act, has the task of tackling racial discrimination, and promoting equality of opportunity and good relations between different racial groups. It has a duty to keep under review the Race Relations Act, and to submit to the Government proposals for amending the Act, when it thinks necessary.
10. Both Commissions have discretion to assist individuals who bring cases under the Acts, especially if a general principle of the law is in question. They can conduct normal investigations into alleged discriminatory practices, and issue "non-discrimination notices" requiring such practices to cease.
11. While neither Act permits "reverse discrimination" (i.e., the preferential treatment of one sex or a particular racial group because they have been discriminated against in the past), both Acts allow certain forms of "positive action" to give training or encouragement to members of a sex or racial group underrepresented in a particular area of employment.
12. Equal Opportunities Commission. Copies of the Equal Opportunities Commission's reports for 1980 and 1981 are contained in annexes 6A and 6B. These reports give a comprehensive survey of the Commission's activities since the last report (E/1978/8/Add.9).
13. Despite the Government's encouragement and the efforts of the Equal Opportunities Commission, there is still a ground-rock of traditional attitudes and prejudice not only amongst employers and trade unionists but also amongst women themselves. In a time of high unemployment, these attitudes are particularly difficult to eradicate. There has, for instance, been some pressure on Government to discourage the employment of married women in two-income families. This has been firmly resisted because the United Kingdom Government believes that in a free society everyone should be able to compete on equal terms for available work.

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14. The United Kingdom Government is firmly against discrimination in jobs on grounds of sex or marital status. It believes that in a free society both men and women should be able to choose whether to go out to work or to make an equally important contribution, crucial to the welfare of our society, at home and bringing up children. It does all in its power to make this freedom of choice a reality.

#### Child-care facilities

15. The United Kingdom Government is committed to the development of a wide range of facilities to meet the varying needs of mothers who go out to work or for families where the mother (or father) is at home looking after the children. These needs cannot, however, be met only by statutory authorities. The United Kingdom Government has drawn the attention of local authorities, who have the responsibility of actual provision and supervision of day-care services for the under fives in their area, to the importance of co-ordinating all services for under fives whether provided by the statutory authorities, voluntary agencies or the community itself so as to ensure that the maximum benefit is gained from all available resources. Examples of the range of services are given in annex 6C.

#### Action by employers and trade unions

16. Where work of an employee is done exclusively by men, or the numbers of women doing that work are comparatively small, the Sex Discrimination Act allows the employer to provide training or give encouragement specifically to women to take up that work. After a slow start there is evidence that interest is growing amongst employers. The Equal Opportunities Commission reports a number of initiatives by 10 major employers including local authorities. Several of these authorities now describe themselves as "equal opportunity employers" and provide positive action programmes specifically to promote the interests of women workers. The Commission has held three conferences, two in 1982 and one in 1983, to promote positive action amongst employers. A recent publicity leaflet issued by the Commission is contained in annex 6D.

17. The Sex Discrimination Act allows certain organizations, such as trade unions, employers' and professional organizations, to take positive action to ensure that members of both sexes are more evenly represented at various levels in the organizations. The first National Conference on Positive Action was organized for trade unionists by the Trades Union Congress (TUC) and held in November 1980. The TUC Women's Advisory Committee is particularly active in this field.

18. Both employers and trade unions are represented on Industrial Training Boards. The Engineering Industrial Training Board "Insight Programme" has been particularly popular. In 1980, 1981 and 1982, courses were run at nine universities catering for about 400 girls each year.

#### Action by central Government

19. A joint union-management committee was established in 1980 to examine the position of women in the Civil Service. This committee has recently reported and the Government is currently considering its response to the committee's report.

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Action, however, has already begun on two fronts. First, management have been asked to explore the possibility of expanding opportunities for part-time work, since it felt that part-time work can help bridge the gap between periods of full-time work and so enable more women to progress to more senior levels. Secondly, management are concerned about the committee's finding that there were differential rates of promotion between men and women and among certain groups of civil servants. It has been agreed that research should be commissioned to find out why women do not do as well as men, in the hope that this research will suggest action which may be taken to remedy the situation.

#### Workers' co-operatives

20. The government-funded National Co-operative Development Agency promotes co-operatives among all groups, including women's groups. It has made numerous contributions to the media, conferences and seminars providing encouragement to women to consider forming co-operatives of all types. The Agency has also provided practical advice to many groups of women who have subsequently gone on to form workers' or community co-operatives.

#### Action by training bodies

21. Under the Sex Discrimination Act, certain bodies may train or encourage women only to enter areas of work where they have been underrepresented in the previous year. They may also train for employment those who have a special need because they have been out of regular full-time employment because of their domestic or family responsibilities. The training bodies which can take advantage of these provisions are the Manpower Services Commission, which is part of the Government's Department of Employment Group, the Industrial Training Boards (see para. 18 above) and any body which is designated for this purpose by the Secretary of State for Employment. There have so far been 37 such designations. A list of these training bodies is given in annex 6E with a brief description of the purposes of the training provided. The number of applications for designation has been increasing recently as have the courses undertaken by training bodies whose designation has been established for some time.

#### B (2)

22. The policies of Her Majesty's Government are designed to promote full, productive and freely chosen employment. The development of employment in the United Kingdom has, however, been subject to a number of different influences, some of them outside the Government's control. Some have been of a cyclical nature, arising mainly from the world recession and from the United Kingdom economy's above-average dependence upon exports. Others have been structural in character, arising from the need for industrial and labour market adaptation in response to changes in the economic environment. Rises in the inflation rate, resulting partly from attempts by previous administrations to promote employment by artificially stimulating nominal domestic demand or through currency depreciations, have damaged industrial confidence and inhibited the structural changes needed to maintain a sustained growth of employment.

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23. Her Majesty's Government has therefore sought to use monetary and fiscal policy to restore price stability and thus to create the conditions necessary for sustained employment growth. The establishment of reduced inflationary expectations has been seen as an essential feature of this process, and it was recognized that in the interval before such expectations were established, financial pressures might lead to a transitional increase in unemployment. In the event, those pressures were exacerbated by the world recession and by upward movements of the exchange rate, and in the course of 1980 and 1981 there was an unexpectedly large increase in unemployment. Over the past year, the Government's policies have been successful in bringing down inflation. Output and productivity have also risen. In the immediate future, productivity is expected to grow more rapidly than output, producing a further reduction in employment; but in the longer term, this productivity growth is expected to stimulate a more rapid growth in output, producing a sustained growth in employment.

24. The Government has sought to mitigate the transitional unemployment problem which has been encountered by giving temporary assistance to industry and by introducing programmes designed to help hard-hit groups among the unemployed. The Government accepts the need for continued assistance to those worst affected to the maximum extent consistent with its policy of creating the conditions for sustained employment growth.

B (3)

Court decisions

25. Two judgements in the Employment Appeal Tribunal have influenced direct and indirect marital discrimination: Coleman v. Skyrail Oceanic and Hurley v. Mustoe. Details of these two cases are given in annex 6B, page 4.

26. Statistics of complaints under the Sex Discrimination Act to Industrial Tribunals for 1980-1981 are given in annex 6A, page 31, and annex 6B, page 28. Although the numbers are disappointingly small, they do not necessarily indicate the success rate for enforcement. For instance, the publicity given to industrial judgements such as those mentioned in paragraph 25 above alter discriminatory practices without the need for recourse to tribunals.

27. The effect of article 119 of the Treaty of Rome and of the European Communities equal pay and equal treatment directives on United Kingdom law is explained in annex 6B, pages 3 and 4.

B (4). TRAINING SERVICES

Preparing young people for work

Technical and vocational education initiative

28. A new Technical and Vocational Education Initiative has been launched for 14-18 year olds in the education system. It is a pilot scheme comprising a small number of projects in various parts of England and Wales. Each project offers a four-year course, starting at 14 years of age, of full-time general technical and

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vocational education including appropriate work experience. The purpose of each project and of the scheme as a whole is to test and explore methods of managing such programmes of education and the kinds of programmes, curricula and learning methods required for success.

29. The Manpower Services Commission works through local education authorities. At the Commission meeting of 24 March 1983, proposals from the following authorities were provisionally selected for funding: Barnsley, Bedfordshire, Birmingham, North Enfield, Braaford, Clwyd, Devon, Enfield, Hereford and Worcester, Hertfordshire, Leicestershire, Sandwell, Staffordshire, Wigan and Wirral.

#### Young training scheme

30. The Young Training Scheme (YTS) launched in April 1983 will be fully operational in September 1983 and replaces existing schemes for young people which have been supported by the Commission, including the Youth Opportunities Programme (YOP), the Unified Vocational Preparation Programme (UVP) and first-year apprenticeship support schemes.

31. The Scheme is a permanent programme that is intended in the long term to cover all young people aged 16 and 17 who have left full-time education in 1983/84; all unemployed 16 and 17 year old 1983 school-leavers, some 16 year old 1983 school-leavers in jobs and unemployed 18 year old 1983 school-leavers who are disabled will be eligible for the Scheme. An undertaking has been given to offer all unemployed 16 year old leavers who are eligible to a full year on YTS a suitable place on the Scheme no later than Christmas 1983. In addition, there will also be a commitment to offer a suitable place on the Scheme as soon as possible to those 16 year old leavers who are eligible only for the balance of a year on YTS. The placing agencies will take account of the paramount need to meet the terms of the undertaking by Christmas 1983. YTS places will also be offered first to those outside the undertaking group (provided this does not substantially damage the chances of the undertaking being met) and secondly, to 17 year old leavers and disabled 18 year olds.

32. The Scheme is operated by the Commission's Training Division. At national level, the Youth Training Board, comprising representatives of employers, trade unions, local authorities, the education and careers services and voluntary organizations, advises the Commission about the development of the Scheme.

33. The group of training professionals advises the Youth Training Board on the development of content and standards for the Scheme. Training proposals are examined and approved at local level and the network of 54 Area Manpower Boards assists the Commission with the delivery of the Scheme. Training Programmes are sponsored by a wide variety of organizations individually or in groups. Sponsors include employers, local authorities, voluntary organizations and training organizations. The majority of places will be provided by employers.

34. The Scheme provides young people with a period of high quality training and planned work experience, normally lasting for a year and including a minimum of 13 weeks off-the-job training or further education. This will help young people make the transition from school to working life and give employers a better trained and more highly motivated work-force.

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35. All training programmes must contain the following elements of programme design to ensure that they are offering broad-based foundation training:

Induction;

Assessment;

Off-the-job training/education;

Planned work experience;

Guidance and support;

Occupationally based training;

Core areas common to a wide variety of work, including number and its application, communication, problem solving, manual dexterity, introduction to computer literacy and information technology;

Record and review of progress and certification.

36. All training programmes should provide opportunities for young people to learn about the following:

Basic skills including core skills;

World of work (working to deadlines, role of trade unions etc.);

World outside employment (including trainee's interaction with the community);

Job specific and broadly related skills;

Personal effectiveness (e.g., planning and problem solving and interpersonal skills);

Skill transfer (including learning skills).

There are two modes of operation in YTS, modes A and B.

#### Mode A

37. Under mode A, managing agents are responsible for the complete 12-month programme. Some managing agents will provide full programmes within their own organizations; others will organize and co-ordinate the contribution of a variety of organizations, such as small employers and training establishments. Managing agents receive a block grant from the Manpower Services Commission. The block grant is designed to contribute towards the cost of the allowances paid to trainees and of the training. Disbursement of the block grant to other organizations participating in the programme is at the discretion of the Managing Agent. Managing Agents also receive a contribution to administrative costs, based on the number of trainees.

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38. The grant is payable for young people who would have been employed anyway if an employer takes on three additional trainees for every two recruited as part of his normal intake.

Mode B

39. The Commission arranges schemes of training and work experience with the sponsors of community projects, training workshops and information technology centres (mode B1). Under mode B2, the Commission funds linked schemes which offer periods of planned work experience integrated with periods of relevant off-the-job training/education.

Mode B1

40. Types of mode B1 provisions include:

(a) Community projects. These are designed to provide young people with a programme of planned work experience with training and/or education in activities of value to the community. Under YTs there will be particular emphasis on schemes providing experience and training which are realistic and of occupational relevance. Schemes encompass a wide variety of tasks such as environmental improvement, providing recreation facilities for public use or working in nurseries, hospitals or old people's homes. Schemes may also offer workshop opportunities;

(b) Training workshops. Young people will be given the opportunity to acquire practical experience in a range of adaptable skills by producing goods or providing services in the industrial training environment of a workshop. Activities include metalwork, pottery, new technology, catering and office skills;

(c) Information technology centres (ITeCs). These centres, which are partly funded by the Department of Industry, are based on the training workshop model. They offer young people basic training in areas such as data processing, micro-computing, electronics and word processing, and work experience in the development and manufacture of products based on new technology. Outside normal working hours centres are encouraged to promote open access to their facilities by interested groups, local businessmen, etc., to spread awareness of information technology and its uses within the community. The Manpower Services Commission pays staff salaries and operating costs (subject to a maximum) and trainee allowances.

Mode B2

41. Management of linked schemes (see para. 39 above) may be:

- (a) Contracted out to outside organizations;
- (b) Undertaken by the Commission's own staff; or
- (c) Shared between outside bodies and the Commission.

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Schemes should conform to YTS requirements and offer a minimum of 13 weeks off-the-job training with the balance of the year being spent in planned work experience with one or more employers.

42. The funding of linked schemes can be divided into three elements:
- (a) Trainee allowances;
  - (b) Negotiable fees for at least 13 weeks off-the-job training/education (based on the rates agreed by national negotiation);
  - (c) Where appropriate, a management fee per approved place.

#### Community industry

43. The Community Industry scheme aims to help particularly disadvantaged 16 to 19 year olds to find and keep work by providing them with temporary employment of benefit to the community. Most of the recruits have left school at the minimum age with no qualifications, and special emphasis is placed on the personally and socially disadvantaged.

44. The scheme has been run since 1972 under the auspices of the National Association of Youth Clubs (NAYC). It is funded by a grant from the Department of Employment, which is administered by the Manpower Services Commission, and paid to NAYC which employs the permanent adult staff and the young employees. Local authorities in the areas where Community Industry operates provide premises, transport and equipment. Local authorities and voluntary organizations sponsoring the work undertaken provide the necessary materials. Overall management of the scheme is delegated to a National Management Board comprising representatives of the Manpower Services Commission, the Confederation of British Industry, TUC and NAYC. Community Industry has a central office in London and 57 area offices in areas of high unemployment and in inner cities.

45. The young people on the scheme are employees of NAYC and as such receive weekly wages from which the normal deductions are made for national insurance and income tax. Their stay on average lasts some 39 weeks, and generally not longer than a year. However, participation can occasionally be extended at the discretion of the Community Industry. Employees are assigned to teams of 8 to 10, supervised by an adult who is often skilled in a particular trade. The Community Industry teams work on projects and in workshops; some placements in outside organizations, such as social care institutions, are also arranged. Work undertaken must benefit the community and must be work which would not otherwise have been done. The range of work provided includes project work - construction, painting and decorating, landscaping and other environment project work - and workshop activities, including carpentry, metalworking and printing. The scheme also includes provision for off-the-job training in social and life skills, and in literacy and numeracy.

46. In 1983/1984, Community Industry will continue to provide 7,000 filled places (for around 9,000 entrants a year). The net cost of the Community Industry to the Exchequer is estimated to be around half the gross cost. The Community Industry will not recruit young people for whom provision can be found under YTS.

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### Training for adults

47. In seeking to take forward the third objective of the New Training Initiative - the opening up of wider opportunities for adults to acquire, increase or update their skills and knowledge during the course of their working lives - the Manpower Services Commission published a discussion paper, entitled "Towards An Adult Training Strategy", in April 1983. The paper argued that the demands of industry for new and modified skills will not stand still and, consequently, individuals will need to be prepared to undertake education and training throughout their working lives as a continuing process. The training system, which is of course much wider than the Commission's own programmes, needs to be flexible enough to cope with these demands, and the paper invited views on how this flexibility could be achieved. Following the consultation period and after considering the responses, the Commission will put forward proposals for programmes to carry forward work on Objective 3. The Commission's existing programmes are described below.

### Training Opportunities Scheme

48. The Training Opportunities Scheme (TOPS) was introduced in 1972 and offers training to individuals in skills for which there is a labour market demand. The Scheme also provides a flexible way of responding to skill shortages quickly and can also assist technological change in industry. The entrance requirements for TOPS applicants and the content of courses are intended to ensure that the Scheme:

(a) Supplements, but does not supplant, the responsibility of employers to provide training for their own workers;

(b) Meets skill needs identified in the local labour market, thereby maximizing the chances of trainees progressing to appropriate employment.

49. TOPS courses are normally full-time and provide skills which are intended to lead directly to employment. They typically last for between four weeks and one year and are provided either in the Commission's own Skillcentres, colleges of further education, private colleges or employers' training establishments.

50. Courses are open to those aged 19 or over who have spent a total of two years away from full-time education (although these conditions are waived for disabled people). Additionally, specific age limits are set for certain courses (e.g., post-graduate courses have a minimum age of 27 years). Applicants must be unemployed or be prepared to give up their job in order to take a course and must intend to seek work in the relevant occupation after completing the course. Course fees are paid directly by the Commission and weekly training allowances are also given to trainees. The allowances are maintenance payments which are broadly related to a trainee's individual circumstances. Where appropriate, contributions may also be made by the Commission towards the cost of fares, midday meals and lodgings.

51. Continual efforts are made to relate the occupational training provided under TOPS to the needs of the labour market. The success of TOPS trainees in obtaining employment is measured by means of a postal questionnaire sent to all trainees three months after the completion of their course.

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Courses

52. Since 1978/79, when approximately 93,700 adults entered training, the overall scale of the TOPS programme has been reduced, partly as a result of the declining proportions of trainees finding employment, and reached its lowest level in 1981/82 when approximately 71,200 people entered training. An expansion chiefly in work preparation courses, has been made in the 1983/84 provision to a planned level of some 80,000 TOPS entrants, due to efficiency savings and the continued development of shorter, less expensive courses which have released resources for redeployment elsewhere.

Occupational training

53. Training for a wide range of skilled and semi-skilled occupations is available under TOPS. The proportion of the programme devoted to training for any particular occupation reflects the ever-changing demand for skills: for example, the number of trainees completing courses in technician and computer skills increased from 3,000 in 1978/79 to 7,000 in 1982/83 and the number of entrants to technician courses is planned to increase by an additional 7 per cent in 1983/84. In 1983/84 the numbers of entrants planned for occupational training courses are:

Engineering and automotive	14 300
Clerical and commercial	12 800
Technician and computer	9 100
Construction	7 300
Others	14 200
Operative	<u>3 000</u>
TOTAL	<u><u>60 700</u></u>

54. Approximately 17,700 people are expected to take upgrading or updating courses or to undergo training for which relevant experience or qualifications are required as a condition for entry. About one third of these will be redundant or unemployed craftsmen taking short, often individually designed, training modules in Skillcentres, known as "Skillplus".

Business training

55. One particular development within TOPS has been courses giving business training. The New Enterprise Programme (NEP) and Small Business Course (SBC), set up in 1977, provide training for people planning to set up small businesses. These courses cater both for individuals who wish to launch businesses with real potential for growth (NEP) and for people who plan to set up more modest ventures (SBC). In 1983/84 it is planned that around 200 people will participate in NEP and around 1,600 will take SBCs. Follow-up surveys have shown the success of these courses and it is estimated that by December 1983 those completing the courses had set up around 1,000 businesses employing some 4,000 people.

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56. A course for people who wish to become self-employed (as opposed to setting up a venture which will employ others) has been developed and is being run in the autumn. The course aims to update or adapt the skills of redundant skilled workers and offers a grounding in basic business practice. Trainees can combine these skills as a basis for earning their own living. The courses are to be developed and extended throughout the country during the coming year. Another new provision, the Management Extension Programme, involves the secondment of redundant executives to small firms with growth potential, in order to help devise and implement expansion plans. There are to be 500 or more places available in 1983. Additionally, a number of projects are being run to facilitate management development in small firms. Most of the projects are based on action-learning principles whereby the owners and managers of small firms meet on a regular basis to learn from one another's experiences.

Work preparation

57. In addition to training for occupational skills, TOPS also offers a variety of work preparation courses designed to assist adults in gaining access to employment and occupational training. In 1983/84 it is planned that around 19,000 adults will take work preparation courses, mostly in colleges of further education. The number of starts planned for 1983/84 for the various types of courses are:

Preparatory courses	6 100
Wider opportunities courses	1 000
Wider opportunities for women	600
Vocational assessment	4 500
Management-level work preparation	6 100
TOTAL	<u>18 300</u>

These courses are described below.

58. Preparatory courses are designed to help adults who lack basic work-related literacy and numeracy skills to reach a standard at which they are capable of gaining employment or further training. Just under a third of preparatory courses are for members of ethnic minorities for whom language problems cause obstacles in obtaining employment. Most of the English as a second language (ESL) courses are run in areas with high ethnic minority population, such as London and the Midlands. The Manpower Services Commission also funds a number of combined ESL and basic skills courses, and some experimental part-time language training courses.

59. Wider opportunities courses (WOCs) are designed for people who have been unemployed for some time or have been made redundant after a long period in the same job, and who need to assess their aptitude and ability for a range of work outside their previous field of employment. WOCs offer trainees three main ways of assessing their own employment potential:

(a) By sampling a range of tasks which will enable them to test their aptitudes for particular types of work;

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(b) By studying information about the various types of job or training available locally;

(c) By experiencing the working environment of particular types of employment through job rehearsals on employers' premises.

Training in such areas as job-search strategies and interview techniques (known as "social and life skills" training) also plays an important part in these courses.

60. Wider opportunities for women (WOW) courses assist women who have decided to return to work after a period of domestic responsibility. Courses are designed to meet those women's specific training needs: to help them overcome, for example, lack of confidence, obsolete skills, lack of knowledge of the labour market and job-getting techniques, and the difficulties of combining the demands of work and family. Their main target group is unskilled and unqualified women who can face the greatest problems when returning to supervisory or managerial work or employment in the field of new technology.

61. Vocational assessment courses help people assess their employment/training potential and contain structured elements which emphasize the development of job search and application/interview skills. Trainees are often undecided in their choice of training or employment and (as with WOCs) are perhaps long-term unemployed or redundant after a long period in the same job. At the end of these courses an employment assessment report is prepared which may recommend occupational training or be used by local Jobcentres or Employment Offices for placing.

62. Developments. The Manpower Services Commission is now looking at alternative ways of providing these types of work preparation, and is encouraging greater flexibility in the length of courses, hours of attendance, location, type of provider and syllabus content (including preparation for new technology employment or training, and self-employment). This should lead to greater cost-efficiency. Pilot initiatives are already under way and some of these, instead of paying a conventional training allowance, permit trainees to continue receiving unemployment or supplementary benefit while reimbursing some expenses such as travel costs.

63. Management-level work preparation. There are two types of work preparation for unemployed managers. These are:

(a) Career review and development courses (formerly known as transfer of employment courses), designed to assist professional and managerial unemployed people to re-enter employment. These two-week full-time courses help trainees to assess their management skills and aptitudes and to present themselves more effectively to employers. Around 1,300 starts are planned for 1983/84;

(b) Bridge courses have the same aims as career review development courses but are run over a longer period part-time. They involve a high degree of counselling and are relatively cheap to run. Around 4,800 starts are planned for 1983/84.

Services to employers

Other management courses

64. Training within industry: short courses (one day to one week) for supervisors and managers. The courses are organized so that they can be held either at a venue nominated by the Training Division of the Manpower Services Commission or on an employer's own premises. A range of standard courses in the broad areas of leadership, safety and instructional techniques, in which a supervisor must develop skills, is available. There are also courses on export/import procedures. Following assessment by trainers, training on a firm's own premises can be tailor-made to employers' requirements. Fees are charged for these courses.

Help for the disabled, ethnic minorities and women: TOPS and other training arrangements

65. The Manpower Services Commission encourages disabled people to train alongside the able-bodied on TOPS courses and seeks to ensure that access to training is maintained by making exceptions to TOPS rules and providing some priority of allocation to courses. Additional provision includes individual training with an employer for between four weeks and a year, after which the disabled person is employed for at least six months. Disabled people requiring special residential training are sponsored by the Commission at one of four residential colleges or at centres run by the Royal National Institute for the Blind, and the Royal National Institute for the Deaf.

66. In addition to the work preparation training provided under TOPS for members of ethnic minorities, the Industrial Language Training Service, funded by the Manpower Services Commission since 1978, works to improve the language and communication skills in English of workers from overseas in ways relevant to their particular work and work-place, and to provide supervisors, trade unionists and others with skills and information relevant to effective communication at work across the barriers of language and culture. The service is provided by local education authorities through local Industrial Language Training units in areas where ethnic minority groups are employed in significant numbers and where the greatest need for this kind of training has appeared. There are now 29 such units and in 1982/83 they trained 8,869 people.

67. Women represent about 31 per cent of TOPS trainees. Although women are now taking up a wider range of training opportunities, they continue to be underrepresented on a number of Manpower Services Commission courses, notably management and technician training and craft skills courses. In addition to the wider opportunities for women courses the Manpower Services Commission has a small programme of positive action designed to encourage women to train for jobs in non-traditional occupations such as higher management and craft skill occupations. The Manpower Services Commission recognizes that women continue to be underrepresented in certain sectors of the labour force and sponsors a number of schemes designed to encourage industry to expand women's opportunities to train for occupations which involve relatively high degrees of responsibility and/or skill.

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### Training institutions

68. TOPS courses are held in a number of types of institutions, described below. The figures in parentheses represent the proportion of entrants planned for 1983/84 in each type of institution.

(a) Skillcentres (35 per cent). Training is provided mainly in mechanical engineering, automotive engineering, fabrication and construction skills. About 5,900 people are expected to enter courses designed to update or extend existing craft skills. Some two thirds of trainees are adults receiving initial training under TOPS, while work preparation courses and courses for updating and extending craft skills are also provided in Skillcentres.

(b) Colleges of further education and private colleges (54 per cent). Training is provided for clerical and commercial, management, business, technician, computer and miscellaneous other occupations, and on preparatory courses in numeracy, literacy and English as a second language. Courses may be specifically designed for TOPS, or trainees may attend suitable existing courses.

(c) Employers' establishments (9 per cent). Training is provided for groups of trainees in a range of occupations, including management, computing, the construction trades, and in work preparation. Training of disabled people may also be arranged on an individual basis.

(d) Residential training establishments for disabled people (2 per cent). The centres are run by voluntary organizations with financial support from the Manpower Services Commission, and provide training to prepare disabled people for open employment. Courses range from commercial and business studies to industrial electronics and horticulture.

### Open Tech Programme

69. The Open Tech Programme was launched in the autumn of 1982 with the aim of offering additional opportunities to meet the training and retraining needs of adults at technician and supervisory levels of skill, through a range of collaborative projects over an initial four-year period. The Programme will be employment-led and consist of a limited number of major operational projects concerned with the production of open-learning materials and the setting up of open-learning systems. Other projects will be commissioned in areas such as staff training needs to provide support for those participating.

70. Twelve projects had been commissioned by the end of April 1983, comprising 10 operational and two support projects. Additional projects will be added in 1983/84.

### Grants to employers

71. Currently support is being offered mainly through industrial training organizations for a range of key skills, including computing training, and for sandwich placements.

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72. Support is also given to employers to encourage them to recruit and complete the training of redundant apprentices but the Manpower Services Commission is reviewing its policy to take effect from September 1983, that is, for the 1983/84 Training Year onwards. The need to review this policy has arisen because of the increase in the number of apprentices being made redundant, many of whom have been following training in skills no longer in demand or are situated in areas hit particularly hard by the recession. Under the proposed arrangements funds would be directed to support the adoption of redundant apprentices by employers in key skill areas, assist in their conversion if they had trained in a skill no longer in demand and, if necessary, help them move to where the jobs are through the use of mobility grants. This programme would be operated through the industrial training organizations and would take effect from 1 September 1983.

73. "Pump priming" support will continue to be made available to Group Training Associations in the 1983/84 year and a second and final year's programme of transitional support is being implemented for groups in sectors previously within the scope of Industrial Training Boards. General policy on group training is also under review.

74. In 1983/84 development funds will be available to help support specific projects which develop new or improved training arrangements in line with Manpower Services Commission priorities.

#### Skillcentre Training Agency

75. The Skillcentre Training Agency (STA), operating as a separate arm within the Manpower Services Commission, assumed financial and managerial control for all Skillcentre operations on 1 April 1983. The effect of this was to disengage the management control of Skillcentres from those parts of the Manpower Services Commission which commission training.

76. There are currently 68 Skillcentres throughout the United Kingdom, 20 of which have associated annexes. In 1982/83 they provided nearly 16,000 training places for adults on TOPS courses, young people undergoing YOP training, work preparation courses and courses for updating and extending craft skills.

77. STA operates under a trading account and aims at achieving full cost recovery while competing in the market with other providers of training. STA continues to provide an extensive range of skills training (currently over 70 trades are covered in the construction, engineering fabrication, plant and automotive, electrical and general servicing industries). A number of miscellaneous trades and courses for the disabled are also available.

78. As new technology is introduced into industry, the demand for traditional skills will decline and be replaced by a new demand for people who are trained to use and maintain new equipment such as computer numerically controlled (CNC) machinery and robots. The STA financial arrangements, coupled with the need to be competitive, will encourage the rapid development of new courses and new areas of training to keep pace with and meet industry's ever-changing demands.

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79. As their contribution to the New Training Initiative, Skillcentres are planning to increase their provision for young people in 1983/84, under the Youth Training Scheme, to around 20 per cent of their capacity. This is a natural follow-on to their contribution to the Youth Opportunities Programme.

#### Services to employers

80. Employers can also take advantage of the facilities and training expertise within the Skillcentre Training Agency in order to increase the knowledge and skills of their work-force. These facilities are available on a fee-paying basis designed to recover the full cost of the training given, except where priority training in certain craft skills is involved. Here, some reduction in fees is currently applied.

81. There are three broad types of training:

(a) Sponsored training, carried out in Skillcentres. Individual training packages are tailored to meet the particular requirements of an employer. By taking advantage of this service employers can have their staff trained in new processes or skills without tying up essential manpower and machinery required for production;

(b) Mobile instructor service, carried out on an employer's premises. There are occasions when it is more beneficial for training to be carried out using an employer's own equipment and machinery. In such circumstances arrangements can be made for a Skillcentre instructor to conduct a course on the employer's premises. All instructors used on this work are trained to recognize the essential skills involved in a process and produce an appropriate training package;

(c) Instructor training colleges. All Skillcentre instructors are trained in instructional techniques. These facilities are also available to employers who want their experienced workers to undertake instructional duties. Courses are run at the two instructor training colleges at Letchworth and Hillington (Glasgow) and at three other units within Skillcentres, and on firms' own premises.

#### Vocational advice for young people

82. As described in the previous United Kingdom report (E/1978/8/Add.9), the Employment and Training Act 1973 imposes on every local education authority (LEA) in England and Wales and education authority (EA) in Scotland a duty to provide a vocational guidance service for young people attending educational institutions other than universities, either full-time or part-time, and an employment service for those leaving such institutions. The same duty is placed on education authorities in Scotland by the Education (Scotland) Act 1980. These duties must be performed in accordance with "such guidance of a general character" as may be given by the Secretary of State for Employment (in England), and the Secretary of State for Scotland and the Secretary of State for Wales (for their respective countries).

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83. In November 1980 the Secretary of State for Employment (and the Secretary of State for Wales) revised the guidance attached to and referred to in the previous United Kingdom report (E/1978/8/Add.9), and in 1981 the Secretary of State for Scotland followed suit. New guidance issued in the form of memoranda identified the broad aim of the Careers Service as being "to help individuals leaving full-time education to make a satisfactory transition from school or college to work", with the following objectives:

(a) To seek to ensure that the pupils, students and staff of schools and colleges are fully aware of the demands that working life is likely to make on young people entering employment, and on the scope and range of opportunities available to them;

(b) To provide vocational guidance to pupils and students at appropriate stages during their educational life, in association with schools and colleges;

(c) To help young people leaving schools and colleges and those who are unemployed to find employment, education or training, or places on appropriate special schemes.

84. In support of this broad aim and the more particular objectives, each education authority should formulate clear policies covering the main Careers Service functions. These are identified as vocational guidance; employment work; liaison with schools and colleges, parents and employers; organization, management and staffing of the Service (including staff training and development).

#### Development of policy for giving vocational advice to young people

85. The Careers Service Advisory Council (CSAC) for England was set up to advise the Secretary of State for Employment on the conduct of local education authority careers services and on all subjects of relevance to these services in the light of the responsibilities placed on them by the Employment and Training Act 1973.

86. The Council has been reconstituted at three-yearly intervals and the membership for the period ending on 30 June 1983 is as follows:

- Chairman (Minister of State, Department of Employment);
- Three Local Authority Association representatives;
- Two members of the Careers Officers Association;
- Three employers;
- Three trade-unionists;
- Three teachers;
- One officer of the Manpower Services Commission (MSC);
- Four independent members.

(There is a similar council in Scotland but not in Wales.)

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87. As reported previously, the Employment and Training Act 1973 and the Education (Scotland) Act 1980 require authorities to provide the Secretaries of State with information about the way in which they are performing their functions. The responsible central government departments maintain Careers Service Inspectorates which, in addition to carrying out regular inspection programmes, undertake functional surveys and are available to advise authorities as necessary. In England, the Department of Employment (Careers Service Branch) has regionally based staff, and regular meetings with local authority Careers Service staff are held in all seven areas.

88. Central responsibility for Careers Service training rests with the Local Government Training Board (LGTB) under the direction of its Careers Service Training Council (CSTC) which includes representatives of the Careers Service Branch. In June 1982 the first meeting of a review group set up by LGTB was held to review all aspects of initial training for careers officers. The review group will make recommendations to CSTC on any changes which are felt to be required to the core training objectives; the assessment procedure; and the content of the probationary year which forms part of the course leading to the award of the Diploma in Careers Guidance - the professional qualifications which all newly appointed careers officers are required to have or obtain. At the regional level, staff of the Department also participate in the work of the Local Government Training Boards Regional In-Service Training Committees for Careers Service staff. (Similar arrangements apply in Wales and Scotland.)

89. Partly as a result of this close and continuing co-operation, the responsible central government departments are able to develop policies which reflect employment needs, opportunities and problems at both regional and national levels.

90. Various other means are used to issue departmental advice. Apart from official circulars which give detailed procedural guidance on various aspects of Careers Service work, a number of advisory booklets in the series "Approaches to Careers Service Practice" have been issued. A copy of each of the 11 booklets produced thus far is provided in annex 6F.

91. In July 1982 the Department of Employment published a report of a systematic assessment of 680 vocational guidance interviews undertaken by careers officers during 1980/81, entitled Vocational Guidance Interviews. This report indicated that where there was a careers education programme in schools more progress was made in the interviews, and the close involvement of careers officers in those programmes helped to make the subsequent interviewing more effective. In December of last year, another report, designed to complement the one published the previous July, was issued. This explored some of the training implications arising from the survey. The report, entitled Vocational Guidance Interviews Explored is provided in annex 6G.

92. In addition, a manual designed to measure the effectiveness of vocational guidance given by providing a systematic feedback on interviews based on the Students' Careers Interview Follow-up Forms (SCIFF) was issued in December 1980. Members of the Careers Service Inspectorate have been trained in the use of these follow-up forms and have also had a session interpreting the results.

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93. A series of reports on the Careers Service in England has been issued in recent years by the Department of Employment, to indicate the performance of the Service and help spread good practice. Copies of these reports are provided in annex 6H.

#### Co-ordination with the Public Employment Service for Adults

94. Young people (or adults) seeking employment through the local authority Careers Service may also (or instead) choose to use the services provided by the Manpower Services Commission Employment Division's network of Jobcentres or Employment Offices. There is no formal age division between clients of the Careers Service and the Manpower Services Commission Employment Division although, in practice, the majority of young people up to the age of about 18 generally use the Careers Service while those older than 18 years use the Employment Service.

95. As both provide placement services there are arrangements for co-operation/liaison between them at national and local levels. A copy of a guidance document issued in March 1983 ("Better co-operation between the Careers Service and the Employment Service") is provided in annex 6I.

96. In England interdepartmental liaison at the national level is maintained by the Careers Service Liaison Committee (CSLC). This Committee has representatives of the Department of Employment (DE), the Manpower Services Commission (MSC) and the Department of Education and Science (DES). Observers for the Scottish and Welsh Offices attend on behalf of their respective Secretaries of State with the effect that the Committee also serves to maintain formal liaison with the two Departments. The terms of reference of this Committee are as follows:

"To advise the Secretary of State about his statutory functions of exercising guidance and inspection of the Careers Service: to facilitate effective co-operation between the Careers Service, the Government Departments concerned with the Service and the MSC: and to keep abreast of all major policy issues whether originating in DE, MSC or DES which would significantly affect the operation of the Careers Service and advise in good time on relevant aspects".

97. Further liaison between the Careers Service and the Manpower Services Commission Employment Service is effected through ad hoc consultations between Head Offices of the Department of Employment and the Manpower Services Commission and by the Scottish and Welsh Offices. Locally, representatives of the Employment Division may attend Careers Advisory Committee meetings and often attend regional meetings of Principal Careers Officers organized by Careers Service Branch regional offices. In addition, other informal arrangements exist to maintain contact.

#### Current policies and programmes

98. The Government sees the present policy for the local authority Careers Service as having a major contribution to make to the success of the new Youth Training Scheme, particularly in the following areas:

(a) Providing information (both in general and relating to local provision) about the Scheme to young people, their parents, and teachers as part of the Careers Service's contribution to the development of careers education;

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(b) Where appropriate, making prompt submission of suitable young people to available places;

(c) Liaising with Manpower Services Commission staff in the planning process to establish the kind of provision needed locally;

(d) Monitoring progress towards meeting the undertaking given to certain young people;

(e) Being available to offer advice to sponsors and trainees on demand.

99. The Careers Service is currently being encouraged to improve its relationships with employers. The Careers Service Branch commissioned a research project into the local links between the Careers Service and employers. (The report, entitled Careers Service Liaison with Employers, was published in October 1982.) Continuing consideration is being given to further implementation of the report's recommendations.

100. During 1983 the Inspectorate will be drawing together the general lessons learned from the examination of management and organization issues in a number of authorities over the previous three years. Work with careers services included in the inspections programme during 1983 will provide an opportunity to monitor the changes taking place.

#### Computers and new technology in careers service work

101. The Careers Service Branch of the Department of Employment commissioned an independent research project into the increasing use of computers in the Careers Service, resulting in the publication of a systematic comprehensive report in October 1980. A copy of the report, which was written by Malcolm Ballantine, and a brief update of the original findings are provided in annex 6J.

102. Following the publication of the Ballantine report, a National Consultative Group on Computers in the Careers Service was set up. It is an informal consultative group representative of the various interests in the Careers Service, co-opting individual members to provide additional expert knowledge. The purpose of the Group is "to promote and keep under review developments in the application of computers in the work of the Careers Service, in the light of the Ballantine report". The Group has met on a number of occasions since its inception in June 1981. Sub-committees of the Group have been set up to deal with specific projects; for example, a Careers Service Computer Applications Handbook was issued in November 1982. This provides detailed practical and up-to-date information to help individual careers services tackle different aspects of computerization.

103. At the same time, the Government announced its decision to make £1 million available to authorities in Great Britain who are willing to make matching contributions towards the costs of installing approved microcomputers in careers offices. It is hoped that this will encourage the development of a standard programme for recording available opportunities and young people, with facilities to assist in placing and in administrative work. (As at August 1982 some

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18 authorities had already installed and were running a total of 32 microcomputers in their careers offices. Since then another 9 have installed microcomputers.) The National Consultative Group set up a Steering Committee to oversee this project.

The systems of vocational education and guidance available to young people

104. The Secretaries of State, in their revised guidance referred to in paragraph 83 above, emphasize that careers education is an essential framework for the vocational guidance provided for young people by the Careers Service and state that it should be the aim of the Service to:

"Pay regular, frequent visits to schools and colleges and contribute to the development of careers education in these institutions;

"Stimulate and sustain the interest of parents in the vocational decisions of their children;

"Establish good relationships with employers and their organizations, trade unions and training institutions, in order to build up detailed knowledge of occupations and working environments, employment opportunities and training schemes".

The Careers Service, therefore, provides vocational guidance but not vocational training itself (which is the responsibility of the Manpower Services Commission).

105. The first booklet in the series "Approaches to Careers Service Practice" (see para. 90 above) was entitled The Careers Officer's Contribution to Careers Education and published in February 1981. In the booklet, it was stated that careers education - the responsibility of the schools and colleges - aimed at preparing young people for the world of work and at providing them with a general understanding of its opportunities and challenges, with the objective of helping them to develop self-awareness, to broaden their horizons in thinking about possible careers and occupations, and to prepare them to make considered choices and decisions. It was also pointed out that Careers Officers were uniquely well placed to contribute to the achievement of those objectives, using their expert knowledge of general employment possibilities and of particular occupations, including those requiring special qualifications. That was in addition to their own constructive role in the provision of vocational guidance.

Vocational guidance services for disabled young people

106. In the revised guidance (see para. 83 above), it is stated that most handicapped school-leavers are able to take jobs and hold their own in employment but they often need more help and guidance in choosing their careers. Although all Careers Officers may deal with handicapped young people, in most areas the tendency is for one or more members of the Careers team to specialize in the problems of such pupils. At present there are some 150 specialist Careers Officers out of a total establishment of 2,750 Careers Officers in the 96 local authorities in England. In Scotland there are 43 specialists out of 336 generalists employed in 12 authorities and Wales has 9 out of 164 in its 8 local authorities.

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107. Arrangements continue for the Careers Service to be notified by the schools medical service of any health problems which might have a bearing on a young person's occupational choice. Where further advice in individual cases is required, it continues to be available from the Employment Medical Advisory Service of the Department of Employment.

108. The Specialist Careers Officers work in close liaison with the Manpower Services Commission Disablement Resettlement Officers and draw upon the expertise available from the Resettlement Service.

#### Co-operation between the Careers Service and employer/workers organizations

109. Employers and trade-unionists are associated with the Careers Service at the national level through the representation of the Confederation of British Industry (CBI) and the Trades Union Congress (TUC) on the Careers Service Advisory Council for England (CSAC) mentioned in paragraphs 85 and 86 above.

110. At the local level, liaison arrangements are left to each Local Education Authority. Some (but not all) authorities have Careers Advisory Committees on which employers and trade unions are represented. Other authorities adopt less formal approaches.

#### Supervision and enforcement of arrangements

111. As explained above (para. 82), the responsibility for the provision of a Careers Service rests locally with each Local Education Authority (LEA) and oversight of the provision rests nationally with the Secretary of State for Employment in England (and with the Secretaries of State for Scotland and Wales).

112. Authorities have a duty to provide the Secretary of State with information and with facilities to enable him to obtain, through his officers, information about the performance of their functions. Inspection is carried out by Careers Service Inspectors whose two main functions are:

(a) To obtain information for the Secretary of State about the activities and state of the Service;

(b) To help and encourage authorities to develop their Careers Service effectively.

113. Inspections in England are carried out on the Secretary of State's behalf by the Careers Service Branch of the Department of Employment. (Eleven Inspectors are based in the Department's seven English regions.) Inspections on behalf of the Secretaries of State for Wales and Scotland are carried out by one Inspector based in Wales and two based in Scotland.

114. The Careers Service Inspectorate discharges these functions mainly by conducting inspections of individual Career Services, by functional surveys of particular aspects of Careers Service work, by maintaining regular contacts with Principal Careers Officers, by liaison with Careers Officers and by contributing to the in-service training provided for Careers Officers and teachers.

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115. The information obtained by the Inspectorate is augmented by statistical returns relating to volume of work which are completed regularly by each local authority and rendered to the Department of Employment, the Scottish Office or the Welsh Office, as appropriate.

116. The Training Division of the Manpower Services Commission continues to liaise with the Health and Safety Executive on questions of training policy involving safety and health matters. The Health and Safety Executive considers that safety training is not a subject to be dealt with in isolation, but as an integral part of occupational training. The Health and Safety at Work Act places a duty on employers to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all their employees and this duty is extended in particular to the provision of information, instruction and training, as necessary. In compliance with the duty placed upon it by section 11 of the Act, the Health and Safety Commission encourages research and the provision of training and information in connection with health and safety purposes.

117. Particular attention has been paid to the safety training of young persons. Section 21 of the Factories Act 1961 requires that no young person may work on certain specified machines without adequate training in the dangers and the precautions to be observed; for example, the Woodworking Machine Regulations 1974 limit the employment of a young person on certain specified machines unless he has completed an approved course of training. Certain recognized courses have been approved for this purpose. The Health and Safety Executive also produces general guidance addressed to young persons beginning work.

B (5)

118. Most employees are entitled to a minimum period of notice of termination of employment, related to length of service, under the provisions of the Employment Protection (Consolidation) Act 1978. An employer is required to give an employee at least one week's notice after the employee has been continuously employed for one month or more, at least two weeks' notice after two years' continuous employment and a further week's notice for each further year of continuous employment up to a maximum of 12 weeks' notice if the employee has been continuously employed for 12 years or more. Employers and employees are free to agree on longer periods of notice if they wish to do so. Section 50 of the Act and schedule 3 to the Act also contain requirements regarding an employee's pay during the statutory notice period.

119. The Employment Protection (Consolidation) Act 1978 also gives most employees the right not to be unfairly dismissed. If an employer dismisses an employee, and if the employee complains to an industrial tribunal, the dismissal will be found to be unfair unless the employer can show that the dismissal was for a reason related to the employee's conduct, or that the employee was redundant, or that continued employment would contravene a statutory duty or restriction or that there is some other substantial reason justifying dismissal. Furthermore, under the Transfer of Undertakings (Protection of Employment) Regulations 1981 (annex 6K), when a business or part of a business is transferred, a dismissal would be unfair unless it was for an economic, technical or organizational reason associated with the transfer. In addition, the tribunal must be satisfied that the employer acted

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reasonably in the circumstances in treating the reason for dismissal as justifying dismissal. Dismissal on the grounds that an employee was taking part, or proposed to take part, at an appropriate time, in the activities of an independent trade union, or (except in certain circumstances where an approved union membership agreement is in force) was not a member of any trade union, or of a particular trade union, or of one of a number of particular trade unions, or had refused to become or remain a member or was selected for redundancy for any of those reasons, will be held to be unfair. Where a tribunal finds that a dismissal is unfair, it has power to order the reinstatement or re-engagement of the employee and/or to award compensation.

120. The maternity provisions of the 1978 Act further provide that for most women who are employees, dismissal on account of pregnancy or for a reason connected with pregnancy will be automatically unfair. However, such a dismissal may not be unfair if a woman's condition makes it impossible for her to do her job adequately or if it is against the law for her to do her particular job while pregnant, and, in either of those cases, the employer has no suitable alternative vacancy to offer her.

121. An employee who believes that he was wrongfully dismissed (i.e., dismissed in breach of his contract of employment) can sue for damages for breach of contract in the civil courts whether or not he has made a complaint of unfair dismissal to an industrial tribunal.

B (6)

122. See the reports on ILO Conventions Nos. 2 and 88 submitted to ILO by the Government of the United Kingdom of Great Britain and Northern Ireland under article 22 of the Constitution of ILO.

Northern Ireland

123. Each Jobmarket in Northern Ireland has a self-service facility whereby job vacancies are displayed and arrangements made for the interview of candidates by employers. When a person expresses interest in a job, an Officer of the Jobmarket supplies details and discusses his/her suitability for it. The object of the Jobmarket is to match suitable people with suitable jobs and those sent by Jobmarkets to employers have this degree of suitability. If, however, a person considered unsuitable by the Jobmarket wishes to present him/herself to the employer, no obstacle is put in that person's way, but he/she does not go forward to the employer on the Jobmarket list of suitable candidates.

B (3)

124. Measures are taken to ensure collection and analysis of employment statistics, include a triennial census covering Northern Ireland and a quarterly inquiry covering all employers with 25 workers or more.

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C. Statistical and other available information

125. The main measures taken to ensure collection and analysis of unemployment data is a monthly count of all persons claiming unemployment benefit, including the severely disabled. School-leavers are also counted.

Fire service

126. Members of the fire service, in common with other employees, enjoy the general benefits conferred by employment laws (e.g., the Employment Protection Act 1975) and, in addition, the protection of a statutory discipline code (Fire Services (Discipline) Regulations 1948 (SI 1948 No. 545)). Information on fire service discipline was supplied in response to an ILO questionnaire for the purposes of the third session of the Joint Committee on Public Service (November 1980).

Police service

127. The police service in England and Wales is governed by the Police Acts of 1964, 1972 and 1976 and the conditions of service of police officers are laid down in the Police Regulations 1979 (as amended) (annex 6L).

128. The Employment Protection Acts do not apply to members of the police service, but an undertaking has been given by the Minister of State to provide police officers with the benefit of any general improvements under the Acts subject to any necessary exceptions caused by their very special position. In all cases of dismissal on either medical or disciplinary grounds, police officers may appeal to their police authority in the first instance and, ultimately, to the Secretary of State. A police constable in his first two years of service, however, serves a probationary period during which time he may be dismissed if the chief officer of police considers that he is not fitted to perform the duties of that office, or is unlikely to be an efficient or well-conducted constable.

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ARTICLE 7: THE RIGHT TO JUST AND FAVOURABLE  
CONDITIONS OF WORK

A. Remuneration

A (1)

Employment Protection (Consolidation) Act 1978, as amended (annex 7A).

A (2)

1. In general, pay, in common with other terms and conditions of employment for workers in the United Kingdom, whether nationals or not, is a matter to be agreed between employers and employees (or their respective representatives) without statutory or other government intervention (see annex 7B for minimum wage fixing machinery).

2. Remuneration of non-industrial grades in the Civil Service is currently settled by free collective bargaining between the Council of Civil Service Unions representing the union side and Treasury officials representing the official side. Negotiations are in progress between the two sides with a view to agreeing on an ordered pay determination system based on the recommendations of the Megaw report. It is in the nature of an agreement of this kind that both sides have to accept some limitations on their freedom of action and both sides will no doubt seek safeguards from their respective points of view, including in the Government's case safeguards to the public purse and public policy.

A (3)

3. Section 1 of the Employment Protection (Consolidation) Act 1978 (annex 7A) requires that most employees must receive from their employer, within the first 13 weeks of starting work, a written statement of the main terms and conditions of employment. This statement must contain the scale or rate of remuneration, or the method of calculating it, and also the intervals at which remuneration is paid. In the event of a subsequent change, a further statement covering the change must be issued within a month of instruction of the change.

4. Section 8 of the 1978 Act requires that most employees shall receive from their employer, before or at the time of payment, a written itemized pay statement containing particulars relating to gross pay, deductions and net pay.

5. If an employer refuses to provide either a written statement of the main terms and conditions of employment or an itemized pay statement or provides one which the employee considers inadequate, the employee has the right to refer the matter to an industrial tribunal.

A (5)

Equal Pay Act

6. The information relating to the Equal Pay Act given under article 7, section A (5), 18-21, of the earlier report (E/1978/8/Add.9) is still valid. There

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may, however, be a significant change from 1 January 1984 if the Equal Pay (Amendment) Regulations 1983 which are currently before Parliament, are accepted.

7. These Regulations, like the Equal Pay Act, will apply to both men and women. They will, if accepted, amend the Equal Pay Act to provide that, from 1 January 1984, a woman, or a man, has the right to equal treatment in regard to pay and other terms of the contract of employment not only, as at present, when they are engaged on work which is the same or broadly similar to that of a person of the opposite sex, or on work, which, though different, has been given an equal value under a job evaluation, but also when they are engaged on work of equal value.

#### B. Safe and healthy working conditions

8. The Health and Safety at Work Act 1974 provides for a comprehensive and integrated system of law to deal with the health and safety of all people at work, with the exception of domestic servants in a private household. Some 7 million to 8 million people who were not previously covered by health and safety at work legislation were brought within its scope by the Act. The Act imposes broad general duties on employers, employees, the self-employed, designers and suppliers of substances and articles for use at work, and persons in control of premises over and above pre-existing health and safety at work legislation listed in annex 7C, to ensure that workplaces are safe and without risk to health. It also provides for the protection of the public where they may be affected by the activities of people at work. The Act also set up the Health and Safety Commission and its operational arm, the Health and Safety Executive, to administer the legislation and to provide a focus of initiative for all matters relating to health and safety at work.

9. The general duties under the Act are supplemented by regulations made under it (see list in annex 7D). The Act also provides for the Health and Safety Commission, with the consent of the Secretary of State, to give approval to codes of practice, which then have a statutory basis in setting standards for achieving compliance with health and safety requirements. A number of codes of practice have been approved in this way (see list in annex 7E) and, additionally, a substantial amount of guidance of a less formal nature has been published by both the Health and Safety Commission and the Health and Safety Executive.

10. As well as providing up-to-date control of health and safety hazards at work, regulations and approved codes of practice under the Act are gradually replacing the earlier legislation listed in annex 7C. In time this will lead to a more manageable body of law concerning health and safety at work.

11. Enforcement of the Health and Safety at Work Act 1974 and its relevant statutory provisions rests principally with inspectorates within the Health and Safety Executive. These are:

Her Majesty's Factory Inspectorate;

Her Majesty's Industrial Air Pollution Inspectorate (for England and Wales);

Her Majesty's Explosives Inspectorate;

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Her Majesty's Nuclear Installations Inspectorate;  
Her Majesty's Mines and Quarries Inspectorate;  
Her Majesty's Agricultural Inspectorate.

The inspectorates are supported in their enforcement role by the Medical Division and by the Research and Laboratory Services Division of the Health and Safety Executive.

12. In addition, the local authorities are responsible for enforcement of the Health and Safety at Work Act 1974 in a large number of premises. These are primarily in the non-industrial sector of employment and cover such places as offices, shops, hotels and banks. In this aspect of their work, the local authorities have a general responsibility to the Health and Safety Commission. The allocation of duties is covered in the Health and Safety (Enforcing Authority) Regulations 1977 (SI 1977 No. 746, as amended by SI 1980 No. 1744). Liaison is maintained between the Health and Safety Executive and local authorities both at national and local levels. The Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA), comprising representatives of the Health and Safety Executive headquarters and field staff and also of the four local authority associations, meets three times a year to discuss matters of mutual interest concerning the implementation and enforcement of the 1974 Act. The HELA Committee has three functional sub-committees which give more detailed attention to such matters as standards of compliance with the Act, including the preparation of guidance material for publication, training of inspectors, and health and safety statistics. At the local level, the Enforcement Liaison Service, consisting of one or more senior Health and Safety Executive inspectors in each area, maintains close links with the local authority enforcement officers in that area.

13. In 1982, the Health and Safety Executive and the local authorities established the Local Authority Unit (LAU). The aim of the Unit is to give increased attention to the preparation of published guidance on standards covering workplaces for which the local authorities have enforcement responsibility. In the course of its work, the Unit is building up close working relationships with national organizations representing employers and employees in these sectors.

14. In certain specialized areas, agreements made by the Health and Safety Commission give enforcement responsibilities to the Pipelines Inspectorate and the Petroleum Engineering Divisions of the Department of Energy, to the Railways Inspectorate of the Department of Transport and to Her Majesty's Industrial Pollution Inspectorate for Scotland, as agents of the Commission and the Executive.

15. The Health and Safety Executive Inspectorates are organized on a regional basis with a London headquarters. Inspectors visit the establishments with which they are concerned in their region and are also available to offer advice on safety and health problems. The frequency with which the Factory Inspectorate makes its visits is determined by a priority system based on Inspector's judgements assessed on (a) the quality of management; (b) the type of process and hazard involved; and (c) current performance as observed during an inspection.

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16. The Factory Inspectorate in the field is divided into groups with an industry basis, one for each group of industries being designated a National Industry Group. These are responsible for co-ordinating at the national level the safety standards within their group of industries. The inspectors in the field can, when necessary, call upon the technical expertise of specialist inspectors who are also based in the regions.

17. If an inspector of any of the inspectorates discovers a contravention of the Act or regulations concerning safety and health, he is empowered under the Health and Safety at Work Act 1974 to:

(a) Issue a prohibition notice where there is a risk of serious personal injury, to stop the activity giving rise to this risk until the remedial action specified in the notice has been taken;

(b) Issue an improvement notice where there is a legal contravention of any of the relevant statutory provisions, to remedy the fault within a specified time;

(c) Prosecute any person contravening a relevant statutory provision instead of, or in addition to, serving a notice.

18. In addition to the inspectorates, the Medical Division of the Health and Safety Executive at headquarters and the Employment Medical Advisory Service (EMAS) in the field provide an organization of doctors and nurses whose job is to give advice about occupational health. The service, set up in 1973 as part of the Department of Employment, was placed under the control of the Health and Safety Commission in 1979 and now serves as the medical arm of the Health and Safety Executive.

19. The legislation governing the Medical Division is the Health and Safety at Work Act 1974 and the Factories Act 1961, as amended by the Employment Medical Services Act 1972. Under certain health and safety regulations, EMAS also undertakes regular medical examinations of persons employed in processes or operations where these regulations apply. The regulations apply, notably, to activities involving lead, compressed air, diving, carcinogenic substances and ionizing radiations. The Health and Safety Executive can delegate doctors to undertake the necessary examinations. Under the Health and Safety (Fees for Medical Examinations) Regulations 1983, fees shall be payable to the Health and Safety Executive by an employer for the medical examination of any of his employees (see annex 7K).

20. As a further step in fostering the widest possible participation in setting standards for health and safety at work, and in achieving consensus agreement to these standards, the Health and Safety Commission has established a network of advisory committees covering major industries (Industry Advisory Committees). The Committees draw widely on the expertise available from both sides of industry and, where appropriate, from Government, the universities and the professions. Existing committees are:

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(a) Industry Advisory Committees for the following industries/services: agriculture, ceramics, construction, education, foundries, health, oil, paper and board, printing, railways and rubber;

(b) Subject Advisory Committees dealing with the following topics: dangerous substances, toxic substances, dangerous pathogens, major hazards, medical matters and nuclear installations.

21. The Health and Safety Commission is also advised by a number of other committees or councils set up with a more limited remit to meet their special needs in certain areas, for example in equipment approvals.

22. In both policy formulation and on the shop floor, the Government attaches importance to tripartite methods of improving and ensuring healthy and safe working conditions. Thus, both the Health and Safety Commission and the advisory committees are tripartite bodies. The Safety Representatives and Safety Committee Regulations came into effect on 1 October 1978; together with approved codes of practice, they provide a legal framework within which employers and trade unions can make arrangements for the functioning of the representatives and safety committees in the workplace.

23. Further, all but the smallest employers have a duty under section 2 of the Health and Safety at Work Act 1974 to inform their employees of their safety policy and arrangements for carrying out that policy. Employees have a duty under section 7 of that Act to take reasonable care for the health and safety of themselves and others who may be affected by their acts or omissions at work and also to co-operate with their employers. Thus the 1974 Act already brings employers and employees together to co-operate in the improvement of health and safety at the workplace.

24. Statistical details on accidents and disease rates are shown in annex 7F.

25. The Health and Safety at Work Act 1974 applies to the emergency and other disciplined services, including fire, defence, police and prisons. The health and safety of members of the fire service in operational and training situations is also the concern of the Central Fire Brigades Health Advisory Council constituted under the Fire Services Act 1947. The Health and Safety Executive is represented on certain sub-committees dealing with health and safety matters.

#### C. Equal opportunity for promotion

26. The Commission for Racial Equality has prepared a Code of Practice which aims at giving practical guidance to help employers, trade unions, employment agencies and employees to understand not only the employment provisions of the Race Relations Act and its implications, but also how best they can implement policies to eliminate racial discrimination and to enhance equality of opportunity. Subject to Parliamentary approval, the Code will come into effect on 1 April 1984.

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D. Rest, leisure, limitation of working hours and holidays with pay

27. In general, terms and conditions of employment relating to weekly rest, normal and overtime working hours, holidays with pay and remuneration for public holidays are matters to be agreed between employer and employee (or their respective representatives) without statutory or other government intervention. The agreed terms on these matters should appear in the written statement of the main terms and conditions to which most employees are entitled (see sect. A (3) above, paras. 3-5).

28. The annual leave allowances of most staff were increased following an arbitration award by the Civil Service Arbitration Tribunal (Award 509). Following agreement between the Treasury and the Council of Civil Service Unions earlier this year, overtime pay and weekend premium payments were extended to staff at Senior Executive Officer and equivalent level; and weekend premium payments and time off in lieu (TOIL) for weekend working were extended to staff at Principal and equivalent level.

Northern Ireland

29. The main legislation framework is provided by the Factories Act (Northern Ireland) 1965, the Offices and Shop Premises Act (Northern Ireland) 1966, the Quarries (Northern Ireland) Order 1983, the Agriculture (Safety, Health and Welfare Provisions) Act (Northern Ireland) 1959 and the Health and Safety at Work (Northern Ireland) Order 1978.

30. All other relevant aspects will be in line with the comments relating to Great Britain.

Fire service

(a) Remuneration

31. Legal responsibility for determining the pay and conditions of service of members of local authority fire brigades in the United Kingdom (41,000 whole-time and 18,900 part-time personnel) rests with individual fire authorities, but central negotiations are conducted, as for other categories of local authority employees, in National Joint Councils. The two sides of the National Joint Council for Local Authorities' Fire Brigades are the local authority associations and the Fire Authority for Northern Ireland, representing the employers, and the staff associations, representing the employees. Central Government is not represented on the Council.

32. Women members of the fire service receive equal pay for equal work and enjoy the same conditions of service as their male counterparts.

33. Information on pay and conditions of service was supplied in response to an International Labour Office questionnaire for the purposes of the third session of the Joint Committee on the Public Service (November 1980). Details of current pay scales are given in annex 7G.

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(b) Safe and healthy working conditions

34. The Health and Safety at Work Act 1974 applies to the fire service. The health and safety of members of the fire service in operational and training situations is also the concern of the Central Fire Brigades Advisory Council constituted under the Fire Services Act 1947 to advise the Secretary of State on all matters arising out of the 1947 Act except contractual conditions of service and discipline.

(c) Equal opportunity for promotion

35. The fire service has a single-class rank structure and promotion procedures are prescribed by the Fire Services (Appointments and Promotion) Regulations 1978, as amended.

(d) Rest, leisure, limitation of working hours and holidays with pay

36. The majority of members of the fire service work a 42-hour week. In most cases firemen have four consecutive days on duty followed by four days off. During night shifts personnel are normally allowed to sleep, provided they are ready to respond instantly to an alarm call.

Armed Forces pay

37. The pay and allowances of members of the Armed Forces up to and including the rank of brigadier (or equivalent) are determined on the recommendation of the independent Armed Forces Pay Review Body (AFPRB). Since its inception in 1971, AFPRB has reported annually to the Prime Minister. The Government is committed to accepting the Review Body's recommendations unless there are clear and compelling reasons to the contrary.

38. Members of the Armed Forces receive a comprehensive "military salary" out of which they are required to pay for food and accommodation, charges for which reflect civilian prices. Service personnel may also qualify for a wide range of allowances (e.g., local overseas allowances, travel and subsistence allowance) or forms of additional pay (e.g., flying/diving/submarine/parachute pay).

39. Basic salaries for the various ranks and trades in the Armed Forces are determined in the light of comparisons of job size (using job evaluation techniques) with earnings for jobs of comparable skill and responsibility in civil life, due allowance being made for other conditions of service. Basic pay is enhanced by an additional factor (the X-factor) which is designed to compensate for the balance of advantage and disadvantage between service and civilian life. The salaries of some 300,000 service personnel are fixed in this way.

40. On 1 April 1975, the Armed Forces came into line with the requirements of the Equal Pay Act 1970 by introducing equal basic pay for men and women. In 1982, AFPRB concluded that there were still differences in conditions of employment between servicemen and servicewomen (e.g., women do not serve at sea and although some are now trained to bear arms they are not employed in a combat role) and that there was continued justification for the differing X-factor payments to men

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(10 per cent of salary) and women (increased from 5 per cent to 7.5 per cent) in the Armed Forces. These differences are, in the view of AFPRB, justified in terms of section 7 of the Act as being "a distinction fairly attributable to differences between the obligations undertaken by men and those undertaken by women".

### Police service

#### (a) Remuneration

41. The Police Negotiating Board, established under the Police Negotiating Board Act 1980 (annex 7H) as the statutory negotiating body, considers all matters affecting the pay and negotiable conditions of service of all ranks in the police service. All Police Negotiating Board agreements have to be approved by the Secretary of State and, in most cases, have to be translated into Statutory Instruments before they can be implemented.

42. The established number of workers affected by decisions reached within the Police Negotiating Board is 121,912 (June 1983 figures). Revisions of wage levels are considered annually and, in addition, the following allowances which police officers may receive are regularly revised:

- Rent allowance;
- Uniform allowance;
- Plain clothes allowance;
- Detective duty allowance;
- Motor vehicle allowance;
- Allowance in respect of medical charges;
- Dog handler's allowance;
- Subsistence, refreshment and lodging allowance.

43. In addition, police officers working in London receive London weighting and London allowance (currently £762 and £1,011 a year, respectively).

44. The evolution of pay scales is shown in annex 7I.

45. There is equal pay for male and female police officers.

46. Members of police forces are not covered by the main provisions of the Health and Safety at Work Act 1974, but a recommendation has been issued to police authorities and chief officers of police that, wherever possible, the police should be given the benefits of improvements introduced by the Act.

#### (c) Equal opportunity for promotion

47. The promotion procedure for police forces in England and Wales is laid down by the Police (Promotion) Regulations 1979 (as amended) (annex 7J). All recruits to the police service have to join as constables. A constable qualifies for promotion to sergeant after serving two years' probation and passing an examination in police

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subjects. Before promotion to inspector, a sergeant must serve at least two years in the rank and have obtained a pass in a further qualifying examination. Passing these examinations does not bring automatic promotion but simply qualifies an officer for selection by his or her chief for promotion to the next rank. In the Metropolitan Police, a proportion of promotions to sergeant and inspector are carried out by competitive examination, for which all officers reported as fit for promotion are eligible to sit.

48. For promotion to ranks above inspector, there are no qualifying examinations; selection is on merit. All promotions to higher ranks are made from within the police service.

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ARTICLE 8: TRADE UNION RIGHTS

A. Principal laws

Trade Union and Labour Relations Acts 1974 and 1976  
(annexes 8A and 8B).

Employment Protection Act 1975 (annex 8C).

Employment Protection (Consolidation) Act 1978 (annex 7A).

Employment Acts 1980 and 1982 (annexes 8D and 8E).

B. Right to form and join trade unions

1. Reference is made to the reports furnished by the Government of the United Kingdom of Great Britain and Northern Ireland to the International Labour Organisation (ILO) under article 22 of the Constitution of ILO on ILO Conventions Nos. 87 and 98 for the period 1 July 1980 to 30 June 1982. Particular reference is made to paragraphs 2-11 of the reply (attached to the report on Convention No. 98) to the direct request for comments on the general observations in 1981 of the Committee of Experts concerning Convention No. 98. As regards paragraph 11 of that reply, it is to be noted that the proposed legislation therein referred to as the Employment Bill has now come into force in the form of the Employment Act 1982 (annex 8E).

C. Right of trade unions to federate

2. Reference is made to the corresponding paragraph in the initial report (E/1978/8/Add.9, art. 8, sect. C). No changes have occurred.

D. Right of trade unions to function freely

8. Reference is made to sections 13, 15, 16, 17 and 29 of the Trade Union and Labour Relations Acts 1974 and 1976, as amended by the Employment Acts 1980 and 1982. See also section E below.

E. Right to strike

4. Reference is made to the reports furnished by the Government to ILO under article 22 of the Constitution of ILO on ILO Conventions Nos. 87 and 98 for the period 1 July 1980 to 30 June 1982. Particular reference is made to the reply (attached to the report on Convention No. 87) to the direct request for comments on the general observations in 1981 of the Committee of Experts concerning Convention No. 87. As regards paragraph 7 of that reply, it is to be noted that the Employment Act 1982 has now come into force.

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5. The Government of the United Kingdom has recently published proposals for legislation under which, in cases where a trade union authorizes or endorses a strike or other industrial action, immunities from civil liability (see para. 2 of the reply to the direct request for comments on ILO Convention No. 87) would be conditional on the support of the trade union members concerned being tested in a secret ballot.

F. Any special restrictions imposed upon the exercise of the rights mentioned in sections B to E above by members of the armed forces, the police or the administration of the State

6. Reference is made to the reports furnished by the Government to ILO under article 22 of the Constitution of ILO on ILO Conventions Nos. 87 and 98 for the period 1 July 1980 to 30 June 1982.

Fire service

7. There are no restrictions on the right of members of the fire service to join a trade union and the organization and functions of fire service trade unions are not subject to specific legislative control. There are no legal restrictions on the right to strike.

Police service

8. It is an offence under section 47 of the Police Act 1964 for a police officer to become a member of any trade union or any association seeking to control or influence the pay, pensions or conditions of service of any police force. This does not, however, apply to membership of one of the officially recognized police representative bodies, namely:

The Association of Chief Police Officers of England and Wales;

The Police Superintendents' Association of England and Wales;

The Police Federation of England and Wales.

9. It is also an offence under the Police Act 1964 for any person to induce, attempt to induce or to commit any act calculated to induce a police officer to withhold his services. In addition, disobedience to orders is an offence under the Police Discipline Code.

Armed Forces

10. There are at present no plans for authorizing any form of collective representation within the service, nor is there any evidence that the idea commands any significant degree of support. Because of the particular constraints of military life, alternative arrangements have been developed for the purpose of protecting the interests of servicemen. These include the establishment of an independent pay review body; consultation procedures aimed at determining service opinion on such matters as pay and conditions of service; and a redress of grievance procedure for the handling of individual complaints.

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11. There is, however, no regulation barring individual servicemen from joining and subscribing to trade unions appropriate to their trades. Neither is there any objection to servicemen attending union as well as political meetings in their own time. However, as long as a serviceman remains in full-time service, he must not assume any obligation, other than his subscription, or hold any office in a trade union which would conflict with his military duties. The only case in which the Ministry of Defence would encourage a serviceman to seek trade-union membership would arise where a tradesman was nearing the end of his military service and membership might aid him in his civilian resettlement plans.

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## ARTICLE 9: RIGHT TO SOCIAL SECURITY

1. This report is submitted in accordance with article 16 of the International Covenant on Economic, Social and Cultural Rights. A report covering the period 1 July 1976 to 30 June 1980 has been submitted to ILO in accordance with article 22 of the Constitution of ILO. The present report will therefore only feature legislation enacted after 30 June 1980.

2. There have been no changes in the categories of the population covered or in the geographical coverage of the social security scheme. There were changes in contributions and increases in the rates of benefits in November 1981 and 1982. Details of these changes are shown in appendices 1-3.

### National insurance benefits

3. Benefits in general were increased for the week commencing 22 November 1982 by 11 per cent - a figure made up of an expected rise of 9 per cent in prices from November 1981 to November 1982, together with 2 per cent to make good an unintentional shortfall in the November 1981 upgrading.

4. In fact the true November to November increase in prices was 6.3 per cent and the overestimate will be taken into account when the amount by which benefits are to be increased in November 1983 is considered.

#### 2 (a) Medical care

5. In this connection, see the 14th Annual Report on the Application of Part II of the European Code of Social Security (annex 9A). Lists of main and subordinate legislation are reproduced in annex 9B and developments in financing the National Health Service are explained in the report entitled Health Care and its Costs (annex 9C).

#### 2 (b) Cash sickness benefits

#### Self-certification for incapacity benefits

6. The Social Security (Medical Evidence, Claims and Payments) Amendment Regulations 1982 (SI 1982 No. 699), which came into operation on 14 June 1982, introduced self-certification for spells of incapacity lasting seven days or less, and for the first seven days of longer spells, into the State system for the payment of sickness, injury, invalidity benefit and non-contributory invalidity pension. Before the regulations were made, they were considered by the Social Security Advisory Committee. The Committee presented its report on the regulations (Cmd. 8560) to the Secretary of State for Social Services in May 1982.

#### Statutory sick pay

7. Under the provisions of part 1 of the Social Security and Housing Benefits Act 1982, from 6 April 1983 an employee who is incapable of work for at least four days in succession will be entitled to receive sick pay from his or her employer at

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a guaranteed minimum level for up to eight weeks in a tax year. The tax year runs from 6 April of one year to 5 April of the next. During this period, State sickness benefit will not be payable.

8. Employers and employees can agree on "qualifying days" of sick absence for which statutory sick pay can be paid. It is expected that these will normally be the days on which the employee would otherwise have worked.

9. No statutory sick pay will be payable for the first three qualifying days in a spell of sickness, but for this purpose spells of sickness separated by not more than two weeks will count as one.

10. The majority of employees will be covered, but some groups will be excluded. Excluded employees will be able to make a claim for State sickness benefit, and will receive it if they satisfy the separate conditions for that benefit.

11. Excluded groups are:

(a) Employees who are over the minimum State pension age when they fall sick (60 for women, 65 for men);

(b) Employees who have a contract for a specified period of three months or less;

(c) Employees whose weekly earnings are less than the level at which national insurance contributions are payable (£32.50 a week at the time the scheme begins);

(d) Employees who fall sick not more than 57 days after a spell of sickness for which a State incapacity benefit or State maternity allowance was paid;

(e) Employees who have done no work for the employer when they fall sick;

(f) Employees who fall sick during a stoppage of work caused by a trade dispute in which they have participated or in which they have a direct interest;

(g) Employees who fall sick during the period of 18 weeks starting with the eleventh week before the one in which it is expected that they will give birth;

(h) Employees who have already been entitled to eight weeks of statutory sick pay from their employer in the tax year;

(i) Employees who fall sick while they are in legal custody;

(j) Employees who fall sick while they are outside the European Community (except for civil airmen and home trade mariners);

(k) Embassy staff;

(l) Employees whose employers are not resident or present in Great Britain.

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12. Statutory sick pay will be paid at one of three weekly rates, depending on the employee's average weekly earnings. The rates are £40.25 for those earning £65 or more; £33.75 for those earning at least £48.50 but less than £65; and £27.20 for those earning at least £32.50 but less than £48.50. The rates will be reviewed each November. New rates will come into effect from 6 April of each year based on the actual movement in prices in the year up to October of the previous year (if other factors, including the general state of the economy, permit it).

13. Employers will be responsible for deciding whether statutory sick pay is due and for paying it, but an employee who is dissatisfied will be able to go to the existing State benefit adjudication system for a formal binding decision. Appeal rights against such decisions are the same as for State sickness benefits except that the employer, too, can appeal.

14. Employers will be entitled to deduct the value of their statutory sickness payments from their payments of national insurance contributions.

#### Related legislation

15. Related legislation is as follows:

- (a) The Social Security and Housing Benefits Act 1982;
- (b) The Social Security and Housing Benefits Act 1982 (Commencement No. 1) Order 1982 (SI 1982 No. 893);
- (c) The Statutory Sick Pay (General) Regulations (SI 1982 No. 894);
- (d) The Statutory Sick Pay (Mariners, Airmen and Persons Abroad) Regulations 1982 (SI 1982 No. 1349);
- (e) The Statutory Sick Pay (Adjudication) Regulations 1982 (SI 1982 No. 1400);
- (f) Report to Parliament by the Secretary of State.

#### Abolition of earnings-related supplement

16. The supplement was introduced in 1966 and was paid in addition to sickness benefit and to unemployment, injury benefits and maternity allowance after that benefit had been in payment for 12 days. In 1981/82, the supplement was calculated as the claimant's weekly earnings between £19.50 and £135 and was payable at a maximum of £14 a week for a maximum of six months in any one period of interruption of employment.

17. Section 4 of the 1980 (No. 2) Act provided for the reduction and subsequent abolition of the supplement, the last payments being made on 30 June 1982. This decision was taken on the ground that, if cuts in social security expenditure had to be made, the abolition of the supplement would cause less hardship than other measures which would have to be taken instead. As far as sickness benefit was concerned, it was felt that the existing commitment of the large majority of employers (through their private contracts of service with their employees) to pay

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their employees full or part wages during sickness considerably diminished the financial significance of the supplement for most claimants.

2 (c) Maternity benefits

Maternity grant

18. Maternity grant was made payable on a non-contributory basis.

19. The lump sum maternity grant of £25 was made non-contributory for all confinements expected or taking place on or after 4 July 1982. The contribution conditions were replaced by a simple test of presence in the United Kingdom. In order to qualify, a claimant having a baby in the United Kingdom must have been present there for more than 182 days in the 52 weeks immediately before the confinement. Special rules help to prevent disqualification owing to periods of temporary absence abroad during the test period and/or for confinement abroad where the temporary absence is due to the employment abroad of the claimant or the claimant's husband.

20. The effect of the change is that the grant will be payable to some 60,000 mothers who would have been unable to qualify for it under the contribution rules; among them are some of the most vulnerable in the country.

21. The power for the change was provided by the Social Security Act 1980 (sect. 5); the Social Security (Maternity Grant) Regulations 1981 (SI 1981 No. 1157) provided for its implementation with effect from 1 April 1982.

2 (d) Invalidity benefit

22. As a consequence of the change in the sickness benefit arrangements, where there has been full entitlement to statutory sick pay (i.e. eight weeks of statutory sick pay in one tax year or in a period of incapacity spanning two tax years) and a sickness benefit follows either at once or within eight weeks, the number of qualifying days on sickness benefit for the succeeding incapacity benefit, or invalidity benefit, is reduced from 168 to 120 days.

Additional pension payable with invalidity benefit

23. Section 14 of the 1975 Pensions Act made provision for invalidity benefit to be increased in relation to Class 1 contributions paid on earnings (i.e., contributions paid as a person working for an employer (see appendix 2)). This means that to some extent the rate of invalidity benefit payable will relate to the amount of past earnings. The scheme applies equally to persons who paid contributions at the not-contracted-out and at the contracted-out rates.

24. The scheme came into effect on 6 April 1979 and the extra payments made on top of the invalidity pension, any age-related allowance and any increases for dependents, are called the additional pension (or component). From 6 April 1979 and for the 20 years following, for each complete tax year up to and including the tax year before the one in which invalidity benefit is claimed, the beneficiary is entitled to an additional pension of one eightieth of his earnings between the

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lower and upper earnings limit (see appendix 2) which, when divided by 52, gives the weekly rate of the additional pension. When the scheme has been running for more than 20 years (i.e. from 1998 onwards) the calculation of the additional pension will be made on the 20 best years of earnings since 1978.

25. At 6 April 1982, the maximum additional pension payable was £8.64 a week. Like other social security benefits the additional pension is increased each November in line with the estimated rise in prices. (The increased maximum weekly rate from November 1982 will be £9.95.)

2 (e) Old age benefits

26. See appendix 1 for rates of benefit payable.

Pensionable age

27. At present an old age pension can be paid from age 60 for a woman or age 65 for a man. The Government has a long-term aim to move towards a common pensionable age and to introduce flexibility in the age at which a person retires and becomes a pensioner. At present, the Government is studying the recommendations of a parliamentary committee on the age of retirement.

2 (f) Survivor's benefits

Death grant

28. A grant, normally £30, is payable on the death of anyone who meets a simple contribution condition. This has not kept pace with price rises and is worth only a fraction of what it was worth when it was introduced in 1948 at £20. The Government is reviewing the grant in the light of comments received on a consultative document on the future of the grant issued early in 1982.

Widows allowances: earnings-related addition

29. The earnings-related addition payable with widows allowance for the first 26 weeks after widowhood was abolished by the same legislation which dealt with the abolition of the earnings-related supplement payable with sickness, unemployment, injury benefits and maternity allowance.

2 (g) Employment injury benefits

30. The Social Security and Housing Benefits Act 1982 became law on 28 June 1982. Section 39 of this Act gives effect to two of the proposals in the White Paper entitled "Reform of the Industrial Injuries Scheme". From 6 April 1983, injury benefit is abolished and disablement benefit will commence after a waiting period of 90 days (15 weeks) rather than as now after 26 weeks or when incapacity for work ceases. Although injury benefit is abolished from 6 April 1983, provided statutory sick pay is not in payment, sickness benefit will be available without contribution conditions where incapacity stems from an industrial accident or prescribed disease.

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31. Finally, the permitted earnings limit for unemployability supplement (i.e., the amount of money a claimant can be allowed to earn for therapeutic purposes) was raised in November 1982 from £858 to £1,040 a year. This increase was greater than the rate of increases in benefits and is in line with the equivalent increase of earnings permitted from therapeutic work allowed for recipients of sickness benefit, invalidity benefit or non-contributory invalidity pension. This reflects a desire to enable disabled persons who are able to satisfy the therapeutic provisions, to earn a little more without going so far that the independent statutory authorities would feel unable to deem them incapable of work.

Industrial injuries scheme: occupational diseases

32. During 1982, legislation was brought in to include in the list of prescribed diseases occupational asthma in workers exposed to any of seven groups of sensitizing agents (SI 1982 No. 249 The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 1982). Legislation was also passed to extend the rights of appeal in pneumoconiosis and byssinosis cases (SI 1982 No. 566, Social Security (Industrial Injuries) (Prescribed Diseases) Amendment (No. 2) Regulations 1982).

33. The following reports by the Industrial Injuries Advisory Council were published:

(a) Occupational Deafness (Cmd. 8749), November 1982, recommending extension of the present cover for occupational deafness as a prescribed disease.

(b) Asbestos-related Diseases without Asbestosis (Cmd. 8750), November 1982, recommending prescription of certain asbestos-related diseases for asbestos workers who do not have detectable asbestosis.

34. Two further reports were produced by the Industrial Injuries Advisory Council but were not published. These recommended that Streptococcus Suis and extrinsic allergic alveolitis should be prescribed as industrial diseases.

Future trends in occupational diseases

35. All four reports referred to above are now being considered by the Government. The Government has accepted the Industrial Injuries Advisory Council's 1981 recommendations on the review of the Schedule of Prescribed Diseases. This is expected to be brought into operation later this year. It will include an extension to prescribe byssinosis as an industrial disease in weavers which was recommended by the Council in 1981 and which has also been accepted by the Government. The Government has accepted in principle the prescription of vibration white finger and this will come into effect when funds are available. The Government's response to the Council's recommendation on the introduction of a limited "proof" system is still awaited. The Council has begun investigations into a number of other conditions including radiation-induced diseases, occupational lung cancer and viral hepatitis. The Council expects to finalize its investigation of epicondylitis of the humerus and its review of neoplasm of the bladder shortly.

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2 (h) Unemployment benefits

Part-time and voluntary work

The Social Security (Unemployment, Sickness and Invalidity Benefit and Credits) Regulations 1982 (SI 1982 No. 96).

36. From 8 March 1982 it has been easier for unemployed people to do a certain amount of work - including voluntary work - without losing benefit; the subsidiary occupation earnings limit was raised from 75p to £2 a day and there was some relaxation of the availability condition, though the basic principle that, to be entitled to benefit, a claimant must be available for work was maintained.

Introduction of voluntary registration for work

37. From 18 October 1982 unemployed people over age 18 have no longer been required to register for work at a Jobcentre (or Employment Office) as a condition of entitlement to benefit. (Young people are still required to register, which they normally do at Careers Offices.) The essence of the test of availability for work has not been changed.

Rules for claiming unemployment benefit

The Social Security (Claims and Payments) Amendment No. 2 Regulations (SI 1982 No. 1344)

38. Where claims control procedures can be operated effectively, claimants whose employment is not terminated but temporarily stopped can be awarded benefit for up to 13 weeks without having to attend the benefit office after the claim is established. Such claimants formerly had to attend the benefit office each week. This change reduces administration for the benefit office and saves inconvenience for the claimant.

39. These changes came into effect on 19 October 1982 with other purely technical alterations.

Requirement for unemployment benefit claimants to attend for an interview with an unemployment review officer

The Social Security (Unemployment, Sickness and Invalidity Benefit) Amendment No. 2 Regulations 1982 (SI 1982 No. 1345).

40. From 18 October 1982 Unemployment Review Officers, who had hitherto worked with unemployed people claiming supplementary benefit, are now also working with people claiming unemployment benefit. The regulations were amended to provide for benefit to be disallowed if an unemployment benefit claimant failed without good cause to attend an interview with an Unemployment Review Officer in connection with obtaining employment. (Regulations already provided for disallowance of benefit where a claimant failed to attend such an interview at a Jobcentre.)

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2 (i) Family benefits

Change in qualifying conditions for payment of child benefit in respect of certain school-leavers

41. With the introduction, in November 1980, of the Child Benefit (General) Amendment Regulations 1980, child benefit became payable for school-leavers until the end of the school holidays following their last term at school, even if, in the meantime, the young person got a job or a place on a training course sponsored either by the Manpower Services Commission or by an employer.

42. With effect from 31 May the Child Benefit (General) Amendment Regulations 1982 provide for child benefit not to be paid for any week in which a young person is gainfully employed full-time or receiving an allowance under a Government training scheme or remuneration in excess of provision for fares, tools etc., from an employer. Payment of child benefit is restored if the young person becomes unemployed or leaves a sponsored training course before the end of the school holidays. During 1982, about 350,000 young people were affected by the change in legislation.

General progressions

Arrangements for paying social security benefits

The Child Benefit (Claims and Payments) Amendment Regulations 1981 (SI 1981 No. 1772); Social Security (Claims and Pensions) Amendment Regulations 1982 (SI 1981 No. 1241) and the Child Benefit (Claims and Payments) Amendment Regulations 1982 (SI 1982 No. 1242).

43. From 15 March 1982 the normal method of paying child benefit was switched from weekly to four-weekly payments. People who are in receipt of supplementary benefit or family income supplement, widows and other lone parents and people who experience hardship as a result of four-weekly payments are still able to choose weekly payment. In addition, everyone who was entitled to receive child benefit at the time of the switch on 15 March 1982 was able to choose to be paid four-weekly or to continue to be paid weekly. This change came into operation on 8 January 1982.

44. Regulations were also made to enable retirement and widow pensioners, mothers in receipt of child benefit and certain disabled beneficiaries to have their benefit paid directly into an account with a bank or building society if they wished. If a beneficiary chooses this method of payment, benefit will be paid four-weekly (with the choice of 13-weekly for retirement and widow pensioners) in arrears. The new facility was offered to retirement pensioners and widows from 4 October 1982. In 1983 the arrangements will be extended to persons in receipt of mobility allowance and child benefit and in 1984 to persons in receipt of attendance allowances. These changes came into operation on 4 October 1982.

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## Occupational pensions

### Terms for contracting-out

45. Employers may use good occupational pension schemes to contract their employees out of the State earnings-related retirement pension arrangements. In March 1982, following the first statutory review of contracting-out terms required by sections 28 and 46 of the Social Security Pensions Act 1975, the Government announced in a White Paper (Cmnd. 8518) the changes to take effect from 6 April 1983. These are, first, that, commensurate with longer average accrual periods, the extent by which National Insurance contributions in total are reduced in respect of contracted-out employment will be abated from 7 per cent to 6.25 per cent and, secondly, that the payments due when schemes hand back their earnings-related pension liabilities to the State scheme will be increased to more equitable levels.

### Invalid care allowance

The Social Security (Invalid Care Allowance) Regulations 1982 (SI No. 1493), effective from November 1982.

46. A person is entitled to invalid care allowance for any pay day in which he is caring for a severely disabled person if, among other things, he is not gainfully employed and earning a prescribed amount. The regulations increased the prescribed amount from £6 per week to £12 per week with effect from 22 November 1982. The previous limit had been effective since the commencement of the allowance in 1976 and the increase to £12 per week was in line with inflation.

### Mobility allowance

#### Invalid vehicles

The Mobility Allowance (Amendment) Regulations 1981 (SI 1981 No. 1817).

47. Regulations came into operation on 13 January 1982 which made an exception to the rule that mobility allowance was not payable to a person who had the use of an invalid vehicle provided under the National Health Service Act 1977 or the National Health Service (Scotland) Act 1978. Under the Mobility Allowance (Amendment) Regulations 1981 (SI 1981 No. 1817), the exception is that the Secretary of State certifies that he is not satisfied that the person intends during a specified period to acquire and learn to drive an ordinary car. This provision enables disabled people to retain their independent mobility during a transitional period.

#### Increase in the rate of benefit in 1982

Secretary of State's statement HC 393.

48. The Secretary of State is required by section 37A (4) of the Social Security Act 1975 to consider in each tax year whether the rate of mobility allowance should be increased. He is required to lay before Parliament a statement setting out his conclusions and reasons. As a result of this review the allowance was increased in November 1982 from £16.15 to £18.30 per week, an increase of nearly 11 per cent.

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Automatic award of contribution credits for incapacity and unemployment

49. With effect from 6 April 1983, for the purpose of title to all benefits, Class 1 contributions will be credited to men resident in the United Kingdom in the tax year they reach age 60 and four succeeding tax years, to the extent that they may be required to make the tax year in question a qualifying year. An exception to this will be for any tax year during which a person was self-employed. In these circumstances the regulations provide that a Class 1 credit will be awarded for each week for which there is no contribution liability and no credit is due under some other provisions of the Credits Regulations.

Research and new fields

50. The Department's research programme in 1982 included work by the in-house research team and surveys commissioned from universities and research organizations.

51. Studies completed during the year were:

Differential take-up of supplementary pensions (Edinburgh University);

A survey of users' reactions to a postal claim form for supplementary benefits (Research Institute for Consumer Affairs).

The internal research unit completed work on the study of a cohort of unemployed men; initial reports were made on studies of the out-of-hours services provided by local social security offices and social services departments and of users of re-establishment centres.

52. Work continued on:

(a) The series of studies monitoring the changes brought about by the 1980 reforms of the supplement scheme: the tapered earnings disregard for one parent families (Social Policy Research Unit, York University); changes in the legal structure and the effects of the pattern of Exceptional Needs Payments (national study, Policy Studies Institute; local study, Leeds University); and effects on other agencies particularly Social Services Departments (School of Advanced Urban Studies, Bristol University);

(b) Department of Health and Social Security local office liaison arrangements (London School of Economics and Political Science); the fourth sweep of the national child development study (National Children's Bureau); and the evaluation of training in the Department of Health and Social Security (University College, London).

53. New work was started on an evaluation of the up-graded facilities at Spur House re-establishment centre; and case studies in association with a study of the living standards of unemployed family men. The internal research unit began studies of the staff welfare service; and of a formula to assess entitlement to housing benefit supplement.

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54. The Social Survey Division of the Office of Population Censuses and Surveys was engaged during the year on a study of living standards of unemployed family men (for the Department of Health and Social Security); and of unemployment and disablement (for the Manpower Services Commission, with the Department of Health and Social Security interest).

Fire service

55. Reference should be made to the response to the ILO questionnaire: second session of the Joint Committee on the Public Service (25 November-5 December 1975) (Department of Employment reference 6/05 311/1974). Members of fire brigades are covered by national legislation as far as social security benefits are concerned, supplemented as appropriate by the Firemen's Pension Scheme which covers retirement and injury benefits.

Police service

56. Police officers have the same entitlement to health and social security benefits as other members of the community. In addition they are entitled to reimbursement of charges incurred under the National Health Service Act 1977 in respect of certain drugs, medicine and appliances and for dental treatment.

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PART TWO. NON-METROPOLITAN TERRITORIES

1. On 20 May 1976 the United Kingdom notified its extension of this Covenant to apply to the following Non-Metropolitan Territories: Belize, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands and Dependencies, Gibraltar, the Gilbert Islands, Hong Kong, the Pitcairn Group, St. Helena and Dependencies, the Solomon Islands, the Turks and Caicos Islands and Tuvalu.
2. Since then Belize, the Gilbert Islands, the Solomon Islands and Tuvalu have become independent States.
3. In respect of the remaining Non-Metropolitan Territories the Government of the United Kingdom has reserved the right to postpone the application of article 7, paragraph (a) (ii), in so far as it concerns the provision of equal pay to men and women for equal work in the private sector in Bermuda and Hong Kong.
4. The Government of the United Kingdom has reserved the right not to apply article 8, paragraph 1 (b), to Hong Kong.
5. The Government of the United Kingdom, while recognizing the right of everyone to social security in accordance with article 9, has reserved the right to postpone the implementation of the right in the Cayman Islands and the Falkland Islands because of shortage of resources in these Territories.
6. The schedules set forth below indicate recent reports and decisions relevant to the Covenant submitted to ILO by the Non-Metropolitan Territories to which the Covenant was extended and which have not yet achieved independence.

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BERMUDA

Recent reports and decisions submitted to ILO

<u>Article 6</u>		Article 22 reports: C29, 1981; C105, 1981; C82, 1982.
<u>Article 7</u>	Working conditions	Convention No. 133 applied without modification (27 August 1981).  Article 19 report: C138, 1980.  Article 22 reports: C94, 1982; C65, 1981; C115, 1982.
<u>Article 8</u>		Article 22 reports: C11, 1980 and 1982; C84, 1980 and 1982; C87, 1980 and 1982; C98, 1980 and 1982; C135, 1981.  Article 19 report on tripartite consultation (R152), 1981.
<u>Article 9</u>		Article 22 reports: C12, 1981; C42, 1981; C17, 1981; C8, 1982.

BRITISH VIRGIN ISLANDS

Recent reports and decisions submitted to ILO

<u>Article 6</u>		Article 22 report: C97, 1981.
<u>Article 7</u>	Wages	Article 22 reports: C26, 1981;
	Working conditions	C7, 1981; C50, 1981; C58, 1981; C85, 1981; C65, 1981; C86, 1981.
<u>Article 8</u>		Article 22 reports: C11, 1981; C84, 1981; C87, 1981; C98, 1981.  Article 19 report on tripartite consultation (R152), 1981.
<u>Article 9</u>		Article 22 report: C12, 1981.

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FALKLAND ISLANDS

Recent reports and decisions submitted to ILO

Article 7 Article 19 report on Convention  
No. 138, 1980.

Article 8 Article 19 report on tripartite  
consultation (R152), 1981.

The Falkland Islands have a small population and no unemployment or social problems within their own community. Trade unions exist and are allowed to operate in complete freedom.

The administration of the Falklands was seriously interrupted by the Argentine invasion in 1981, which created many ongoing problems. It is hoped that before long the Falkland Islands will be able to resume normal reporting on ILO Conventions.

GIBRALTAR

Recent reports and decisions submitted to ILO

Article 6 Article 22 reports:  
C2, 1981; C105, 1981; C44, 1982;  
C82, 1982.

Article 7 Wages Article 22 reports:  
C26, 1980; C94, 1982; C100, 1982.

Working conditions Convention No. 133 applied without  
modification (4 December 1981).

Article 19 report:  
C138, 1980.

Article 22 reports:  
C7, 1980; C15, 1980; C58, 1980;  
C45, 1981; C86, 1981; C150, 1982.

Article 8 Convention No. 150 applied without  
modification (11 August 1980).

Convention No. 151 applied without  
modification (11 August 1980).

Article 19 report on tripartite  
consultation (R152), 1981.

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Article 22 reports:  
C11, 1980 and 1982; C84, 1980 and 1982;  
C87, 1980 and 1982; C98, 1980 and 1982;  
C39, 1980; C35, 1980; C151, 1982.

Article 9

No. 42 Amended Insurance Regulation,  
submitted 1980.

Article 22 reports:  
C12, 1981; C17, 1981.

HONG KONG

Recent reports and decisions submitted to ILO

Article 6

Convention No. 2 applied without  
modification (25 June 1982).

Convention No. 22 applied without  
modification (30 March 1982).

Article 22 reports:  
C2, 1981; C29, 1981; C50, 1981;  
C105, 1981; C142, 1981.

See also the Hong Kong Labour Force  
Survey, passed to ILO in November 1980.

Article 7

Wages

Article 22 reports:  
C26, 1980; C94, 1980 and 1982; C95, 1980  
and 1982.

Working conditions

Convention No. 92 applied without  
modification (11 August 1980).

Convention No. 10 applied with  
modification (3 March 1980).

Convention No. 150 applied with  
modification (30 March 1981).

Convention No. 42 applied with  
modification (14 January 1981).

Convention No. 17 applied with  
modification (14 January 1981).

Convention No. 73 applied with  
modification (25 June 1982).

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Convention No. 147 applied with  
modification (26 July 1982).

Improved modification on Convention  
No. 59 (23 December 1980).

Improved modification on Convention  
No. 90 (11 August 1980).

Improved modification on Conventions  
Nos. 14, 90, 101 and 148 (9 April 1981).

Article 22 reports:  
C7, 1980; C10, 1980 and 1982; C15, 1980;  
C32, 1980; C58, 1980; C81, 1981;  
C45, 1981; C64, 1981; C86, 1981;  
C82, 1982; C115, 1982; C124, 1982;  
C8, 1982.

Working hours

Convention No. 14 applied with  
modification (11 February 1980).

Improved modification on Convention  
No. 14 (30 March 1983).

Article 22 reports:  
C14, 1980 and 1982.

Article 8

Convention No. 151 applied without  
modification (1981).

Article 19 report on tripartite  
consultation (R152), 1981.

Article 22 reports:  
C11, 1980 and 1982; C87, 1980 and 1982;  
C98, 1980 and 1982; C144, 1980 and 1982;  
C141, 1981.

Article 9

Convention No. 101 applied with  
modification (13 November 1979).

Convention No. 42 applied without  
modification (9 January 1981).

Improved modification on Convention  
No. 17 (1981).

Improved modification on Convention  
No. 101 (30 March 1983).

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Article 22 reports:  
C101, 1980 and 1982; C12, 1981;  
C17, 1981; C42, 1981; C32, 1982.

#### MONTSERRAT

##### Recent reports and decisions submitted to ILO

<u>Article 6</u>		Article 22 reports: C97, 1980; C29, 1981; C50, 1981; C105, 1981; C82, 1982; C97, 1982.
<u>Article 7</u>	Wages	Article 22 reports: C26, 1980; C95, 1982.
	Working conditions	Article 19 report: C138, 1980.
		Article 22 reports: C138, 1980; C64, 1981; C65, 1981; C85, 1981; C86, 1981;
	Working hours	C14, 1982.
<u>Article 8</u>		Article 19 report on tripartite consultation (R152), 1981.
		Article 22 reports: C11, 1980 and 1982; C87, 1980 and 1982; C84, 1980 and 1982; C98, 1980 and 1982.
<u>Article 9</u>		Article 22 reports: C17, 1981; C12, 1981; C42 1981; C8, 1982.

#### PITCAIRN ISLAND

The island is approximately two square miles in area with a population of 68 (1981). It has an island council which regulates the life of the community. Owing to its size, it is impractical to legislate for Pitcairn in the manner of a modern State.

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ST. HELENA

Recent reports and decisions submitted to ILO

- Article 6 Article 22 reports:  
C105, 1980 and 1981; C86, 1981;  
C29, 1981; C82, 1982.
- Article 7 Working conditions Article 22 reports:  
C5, 1980; C10, 1980 and 1982; C16, 1980;  
C85, 1980 and 1981; C59, 1980 (reply to  
direct request); C64, 1981; C65, 1981;  
C150, 1982.  
  
Convention No. 150 applied without  
modification (11 August 1980).
- Working hours Article 22 reports:  
C63, 1980; C14, 1982.
- Article 8 Convention No. 151 applied without  
modification (11 August 1980).  
  
Article 22 reports:  
C84, 1982; C98, 1982; C151, 1982.
- Article 9 Article 22 reports:  
C19, 1980; C17, 1980 (reply to direct  
request); C12, 1981; C8, 1982; C11, 1982.

TURKS AND CAICOS ISLANDS AND CAYMAN ISLANDS

These are small island communities which, owing to their size, are not asked to ratify ILO Conventions. Both have free trade unions and legislation to enforce minimum wages.

The Turks and Caicos Islands passed a Fair Labour Standards Ordinance in 1980 (see the annex below, part 2).

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Annex

LIST OF REFERENCE MATERIAL a/

PART ONE. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Article 6

Annex

- 6A Equal Opportunities Commission. Fifth Annual Report. 1980.
- 6B Equal Opportunities Commission. Sixth Annual Report. 1981.
- 6C Day Care Provision.
- 6D Equal Opportunities Commission. Positive action (publicity leaflet).
- 6E Designated orders signed by the Minister of State under section 47 of the Sex Discrimination Act 1975: list of training bodies.
- 6F Department of Employment, Careers Service Branch. Approaches to careers service practice, vols. 1-11.
- 6G Tol Bedford. Vocational guidance interviews explored: a model and some training implications. Department of Employment, Careers Service Branch. December 1982.
- 6H Careers bulletin: report on the Careers Service (England) 1981-1982.
- 6I Better co-operation between the Careers Service and the Employment Service. Document prepared by the Department of Employment Careers Service Branch in consultation with the Scottish Office and the Welsh Office and the MSC Employment Service Division. March 1983.
- 6J Malcolm Ballantine. The application of computers in the Careers Service. October 1980.
- 6K Transfer of Undertakings (Protection of Employment) Regulations 1981.
- 6L Police Regulations 1979 (as amended).

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a/ The reference material is available for consultation in the files of the Secretariat in the original language as received from the Government of the United Kingdom of Great Britain and Northern Ireland.

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Article 7

Annex

- 7A Employment Protection (Consolidation) Act 1978 (as amended).
- 7B Remuneration: minimum wage fixing machinery.
- 7C Acts specified in Schedule I of the Health and Safety at Work Act 1974 and instruments made under them still in force in July 1982 (replaces list on pp. 57-72 of document E/1978/8/Add.9).
- 7D Health and Safety at Work Act 1974: instruments made under parts I and IV relevant to HSC/R responsibilities (replaces list on pp. 50-56 of document E/1978/8/Add.9).
- 7E List of approved codes of practice issued under section 16 of the Health and Safety at Work Act 1974.
- 7F Statistical details of accidents and disease rates (replaces tables on pp. 40-49 of document E/1978/8/Add.9).
- 7G Scales of pay of fire service as at 1 April 1983.
- 7H Police Negotiating Board Act 1980.
- 7I Police pay scales 1946 to 1983.
- 7J Police (Promotion) Regulations 1979 (as amended).
- 7K The Health and Safety (Fees for Medical Examinations) Regulations 1979, 1981 and 1983.

Article 8

Annex

- 8A Trade Union and Labour Relations Act 1974.
- 8B Trade Union and Labour Relations (Amendment) Act 1976.
- 8C Employment Protection Act 1975.
- 8D Employment Act 1980.
- 8E Employment Act 1982.

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Article 9

Annex

- 9A 14th Annual Report on the Application of Part II of the European Code of Social Security (covering the period 1 July 1981-30 June 1982).
- 9B Lists of main and subordinate legislation concerning the application of the European Code of Social Security.
- 9C Department of Health and Social Security (1983). Health care and its costs.

Appendix

- 1 Rates of benefit as increased in November 1982.
- 2 Contribution rates on earnings from 6 April 1982.
- 3 Contribution rates on earnings from 6 April 1983.

PART TWO. NON-METROPOLITAN TERRITORIES

Annex. Fair Labour Standards Ordinance in 1980: Turks and Caicos Islands.

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