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From the Private Secretary

8 October 1979

Industrial Relations in the Civil Service

The Prime Minister was grateful for the Lord President's minute of 3 October in which he reported the conclusions of the meeting on that day of the Ministerial Sub-Committee on Industrial Relations in the Civil Service.

The Prime Minister has noted the position which has so far been reached on the question of the status of civil servants; she has noted the Committee's views on the recent action at the child benefit centre in Newcastle; and she fully supports the line which the Secretary of State is taking in relation to the DHSS local office at Breckfield - and which the Committee endorsed.

I am sending copies of this letter to the Private Secretaries to members of E(CS) and to Martin Vile (Cabinet Office).

TPL

Jim Buckley, Esq.,
Lord President's Office.

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~~in the Wilson~~
Mr James

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Prime Minister 4 2

To note - especially
the robust line being

Structure taken in respect of the
no DHSS office at Brookfield
(which must be right).

PRIME MINISTER

INDUSTRIAL RELATIONS IN THE CIVIL SERVICE

R
3/10

1. I should like to report to you the conclusions of a meeting today of the new Ministerial sub-Committee on Industrial Relations in the Civil Service.

The Status of Civil Servants

2. We considered legal advice from the Attorney General and the Lord Advocate on the actions that can be taken in the event of industrial action by civil servants. It seems clear that staff can be "temporarily relieved of duty" (TRD), and sent home without pay if their actions are such that they are in substantial breach of their contracts. This confirms earlier advice, and some cases of this kind are already current. But we have now asked the Official Committee to produce a paper setting out how this procedure can be carried into effect in a consistent manner in the different employing Departments.

3. It also seems clear that we cannot lay-off without pay non-industrial civil servants who are "innocent" of a breach of their conditions of employment, even if they have no work because others are striking. For industrial civil servants a practice of lay-offs has been established by past usage and can continue. We have therefore asked the Official Committee to examine what steps might be needed in order to change this situation for the non-industrials. In addition they will examine the industrials' case to see how the conditions of contract differ, if at all, and how the custom of lay-offs was established in the first place.

The Child Benefit Centre, Newcastle

4. We looked at a paper by Patrick Jenkin, to see whether any lessons can be learnt from the experience of the Child Benefit Centre case. We agreed that it was too late now to consider rescinding the decision. But there is a risk that the union will threaten the same action again and DHSS will prepare a contingency plan to cover that eventuality.



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We agreed that if there was time it would be valuable, for ensuring consistency, if Ministers could bring such plans to the sub-Committee. If time pressure prevented this they should at least consult me as Chairman. We also commissioned work from officials on how we might make our administrative system less vulnerable to local action of this kind.

Breckfield - DHSS Local Office

5. Patrick Jenkin did alert us to a case with which he is currently dealing. CPSA staff at the Breckfield DHSS local office on Merseyside have been conducting a campaign since August of what they call resistance to "work-sharing"; in protest against the Government's proposals for manpower cuts. This has included a refusal to handle mail that has not arrived that day - with the result that sometimes staff are idle, and sometimes mail is left without attention. After due warning last week 6 staff were temporarily relieved of duty on Friday and another 1 on Monday. There were protest "walk-outs" by CPSA members at Breckfield on Friday and Monday. They have returned on Tuesday, and walked out again today after lobbying from staff from another office at Kirby. There was a one-day walk out at about a dozen other offices on Merseyside, other isolated offices (Aberystwyth, Oxford, Leeds), and at a Department of Employment computer at Runcorn. In addition a local Unemployment Benefit Office at Kirby is said to be striking "until the staff are reinstated," and is picketing their building which causes other staff to refuse to enter.

6. In the main these seem to be token actions and as far as we know the Union is not supporting them financially.

7. The work at Breckfield is still disrupted, and the next step will be to instruct the next grade of staff, (CO's rather than CA's), to do the work of handling the mail, normally undertaken by the staff relieved of duty. If they refuse they too will be subject to TRD.



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8. The sub-Committee felt that this was a clear case where TRD applied, and where management could not allow the staff to dictate to them. We recognised the risk that ultimately this office could close down temporarily, and that there could be more widespread token action elsewhere. The office pays out supplementary benefit to local people, and so some of them may well suffer hardship, although they could turn to the Social Services Department of the local authority for help.

9. The sub-Committee endorsed Patrick Jenkin's proposed course of action. They emphasised the importance of handling the publicity well, and suggested that in this, as in other cases the Paymaster General should be kept closely informed.

I am copying this minute to members of E(CS) and to Sir John Hunt.

S.

3rd - October 1979

LORD SOAMES

3 OCT 1979

