

The Labour-Union link - a question of transparency

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Since the Cash-for-Access scandal in March this year, there has been a renewed emphasis on reforming party funding, leading to talks between the three major parties. One issue to arise as a result is the affiliation fees members of certain trade unions pay to the Labour Party. In light of this, we have looked at the joining forms of these affiliated trade unions, to see how explicitly they these fees and their relationship with Labour is described.

Summary

Of the 15 unions currently affiliated to Labour...

- just 1 (UNISON) mentions affiliating to the Labour Party.
- UNISON is also the only union to allow new members to choose whether to affiliate to Labour or not on their membership form.
- only 2 others (the Musicians' Union and USDAW) mention the existence of a political fund at all (but do not mention the Labour party).
- 6 affiliated trade unions - including the largest (Unite) and third largest (GMB) - don't mention the Labour Party at all anywhere on either the front page, "about us" or membership page of their website.
- 2 (the mining unions NUM and NACODS) do not publish any details about joining on their websites.

The 2010 Labour leadership election suggests that most trade union members do not strongly identify themselves with the Labour party:

- Turnout among Constituency Labour Party members was 72%; turnout among trade union members was less than 9%.
- 15% of trade union members spoiled their ballots. In most cases this was due to failing to assert on the ballot paper that they agreed with the aims and values of the Labour Party.

Unlock Democracy believes that trade union affiliation fees to the Labour Party should be regarded as a collection of individual members' contributions and thus not be subject to an annual cap on donations to political parties. The involvement of civic society organisations such as the trade unions in the political life of this country should be welcomed and celebrated, particularly at a time when other forms of participation are in decline. However, affiliation needs to be made more explicit. At a minimum, trade unions must:

- Inform their members of affiliation to the Labour party at the time they joined and have the opportunity to opt out at that stage if they wish.
- Keep public records of the number of members of each trade union who have affiliated to the Labour Party, regardless of the number who the union wishes to affiliate in any given year according to the party's internal rules.
- Provide the Labour with the contact details of new members and allow the party to contact them directly, subject to the data protection rights of the individuals concerned.

Existing legislation requiring trade unions to hold a ballot on whether to have a political fund every ten years is meaningless, a waste of resources and should be scrapped.

Background

On 25 March 2012, Conservative Treasurer Peter Cruddas resigned from his position after being embroiled in the Cash for Access scandal, in which he was secretly filmed offering access to Prime Minister David Cameron and influence over policy in exchange for donations to his party. These revelations led to renewed calls for changes in the way we fund our political parties and led to talks between Conservative, Labour and Lib Dem party representatives on how best to move forward.

The issues being discussed include spending limits, the distribution of state funding and a cap on donations to political parties. The latter would prevent the financially powerful donating large sums in the hope of gaining influence, whilst allowing some donations without the need for more money from the state. However, there are various points of disagreement over how the cap should be applied. In particular, donations from trade unions present a delicate challenge, as some are directly from the unions and others from political levies, paid by individual members.

The Conservatives have argued for a £50,000 a year cap on donations, including all donations from trade unions. Labour leader Ed Miliband has recently suggested a much lower level of £5,000, which would cover direct donations from unions, but exempt affiliation fees, as they are the sum of many small donations from thousands of individuals.

Trade unions are already subject to regulations regarding their political funding, including the requirement allow their members to [vote every 10 years on whether to continue the political fund](http://en.wikipedia.org/wiki/Trade_Union_Act_1984) [http://en.wikipedia.org/wiki/Trade_Union_Act_1984]. This is a pointless and expensive burden on the unions; no political fund ballot has ever been defeated, as you would expect since trade unions are primarily political campaigning organisations.

Unlock Democracy welcomes Ed Miliband's position and supports the relationship between the Labour Party and the trade union movement. We do however argue that if contributions from trade unions are to be regarded as a collection of individual members' affiliation fees, unions' links to Labour need to be made explicit. We believe the debate around whether union members should have to "opt in" to affiliate or "opt out" is a red herring; what is crucial is that members are informed of the union's affiliation to the Labour Party, able to opt out, and that the number of members who wish to affiliate should be a matter of public record. We published our proposals for how this might work in practice in our 2007 report *Party Funding: Supporting the Grassroots* [<http://bit.ly/PjiXgG> - pdf].

How upfront are trade unions about the Labour link?

Some make the case that anyone joining a trade union must be well aware of the relationship, as Labour was born out of the trade union movement. As background to our 2007 report, we looked at how clear this relationship is made to anyone who wishes to become a part of a union. We've now repeated this research to see if it has changed.

Factor	Unions which comply out of 15
Any mention of Labour support or affiliation on front page of website.	2: Community and UNISON
Any mention at all of Labour Party on	4: Community, CWU, UNISON, Unity

front page of website.	
Any mention of Labour support or affiliation on "about us" page of website. ¹	5: ASLEF, BECTU, CWU, UCATT, UNISON (not applicable to: BFAWU, Community, NACODS, NUM)
Mentions Political Fund on membership form.	3: Musicians Union, UNISON, USDAW (not applicable to: NACODS, NUM)
Mentions Labour Party link on membership form.	1: UNISON (not applicable to: NACODS, NUM)
Mention on membership form is prominent.	2: UNISON, USDAW (not applicable to: NACODS, NUM)
Mentions Political Fund on membership webpage.	1: Musicians Union (not applicable to: NACODS, NUM)
Mentions Labour Party link on membership webpage.	0 (not applicable to: NACODS, NUM)

Full dataset: <http://bit.ly/Nte39M>

We have seen no progress from 2007. **Of the 15 unions currently listed by the Trade Union and Labour Party Liaison Organisation (TULO) as affiliated to Labour, only 3 make any mention of the political levies on their membership forms** (note: two unions² do not have membership information on their websites). 2 of them make a brief reference to it, before roughly outlining the process for opting out. Crucially, neither of them actually mention affiliating to the Labour Party itself:

- **The Musicians' Union** detail on their forms: *"Political Fund: Trade union members need a political voice. Politicians make decisions that affect the lives of union members at work and at home. Unions need to be able to influence those decisions. For that they have to have a Political Fund. If you don't want to contribute to the MU Political Fund, however, you don't have to - you have the right to opt in or out of paying the levy whenever you want. For further details please contact the Union."*
- **The Union of Shop, Distributive and Allied Workers'** form explains that *"Every member of the Union who does not object to contribute to the separate fund for payments in furtherance of political objects within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992, will contribute to that fund. Every member of the Union has the right to be exempt from contributing to it. A form of exemption notice may be obtained by or on behalf of any member either by application at, or by post from, the Central Office or any branch office of the Union..."*

Only one union, **UNISON**, provides clear information about their relationship with Labour:

¹ By "about us" page we mean a page "about us" or something similar. For the purpose of this review we have not looked at secondary pages embedded within the about us page.

² The National Union of Mineworkers (NUM) and the National Association of Colliery Overmen, Deputies and Shotfirers (NACODS) - do not have membership forms on their website; they also did not participate in the 2010 Labour leadership election. With the decline of the mining industry, both unions are also very small

“UNISON’s Affiliated Political Fund (APF) is used to campaign for and promote UNISON policy and the need for quality public services within the Labour Party, locally and nationally, in Parliament and Europe. UNISON APF affiliates to the Labour Party.

“UNISON’s General Political Fund (GPF) is used to pay for campaigning at branch, regional and national levels of the union and for research and lobbying in Parliament and Europe. It is independent of support for any political party.

“It is important that you indicate a choice of fund by ticking one of the boxes below.

“Your subscription shown above includes a political fund payment so you do not pay any more by being in one of the funds.”

The UNISON model allows the union to keep its members informed about its relationship with Labour, whilst giving those who would rather not contribute to the party an easy means of not affiliating, rather than having to request a separate form.

UNISON adopted this model for historical reasons. Formed by the merger of three unions in 1993, not all the unions were affiliated to the Labour Party and so a compromise was made to ensure that all members would have a choice as to whether to affiliate or not. Despite this potential barrier, UNISON is the second largest contributor to Labour Party funds, after Unite. Clearly this system has not prevented the union from contributing to the Labour Party.

The UNISON example suggests that we are unlikely to see the sort of mass exodus that some fear if the other unions were required to be more explicit about their relationship with the Labour Party. It is likely however to mean that union support would be more contingent on the views of individual members themselves, rather than on the views of union leaders.

By contrast, 6 affiliated trade unions don’t mention the Labour Party at all anywhere on either the front page, “about us” or membership page of their website. This includes the largest, Unite, and third largest, GMB. This is a curious decision for unions who claim ownership of the Labour Party to make and it is hard to believe it is not a conscious one.

Do trade union members identify with Labour?

Nowhere is the dysfunctional current relationship between Labour and the unions more clear than in its internal elections. Turnout for members of Constituency Labour Parties (CLPs) in 2010 was 72%; for members of non-union affiliated organisations (such as Labour Party Disabled Members’ Group and the Society of Labour Lawyers), turnout was 44%. Among trade union members, despite a big push by the Ed Miliband campaign to reach out to them, turnout was less than 9%. It is clear that most affiliated trade union members do not have a strong identification with the party.

This is also a factor Labour themselves appear to recognise, which is why members of affiliated groups have to also declare on their ballot papers that they support the aims and values of the Labour Party when they vote; if Labour really believed them to all be supporters, that rule would surely be unnecessary. This not only helps to further depress the turnout, but also leads to a lot of spoilt ballot papers: mostly from people who vote but

don't tick the declaration. 15% of voting trade union members spoilt their ballots compared with 10% of voting members of other affiliated organisations and just 0.36% of CLP members (who do not have to declare their support for the party).

Labour and affiliation

Finally, there is the fact that even members who are aware of Labour affiliation and are happy with it do not necessarily get to affiliate to the party. This is because it is up to the national executives of each union to decide each year how many members will count towards affiliation and thus count towards the allocation of votes the union receives at the party conference. In short, they are used as a bargaining chip by union leaders.

This rule can be justified on the grounds that unions operate by means of collective action, but at present it is distinctly opaque and, despite Labour's insistence that union members should be treated as individually affiliating to the Labour party, the reality is that this decision is entirely out of their hands. No-one really knows how many members have personally opted into Labour or not and there is nothing to stop a union from paying the affiliation fees of more members than it actually has who have not opted out. Therefore individual membership in practice is currently pretty meaningless.

Conclusion

It should also be remembered that the existing Labour-union link is almost unrecognisable from the relationship that was in place during Labour's early days. Even if we put to one side the changes in both law and the party's own constitution throughout the 20th century, the simple fact is that while Labour was originally at the heart of a constellation of different unions with sometimes competing agendas and interests, now it finds itself tied to just 15 unions, a handful of which are vast and eclipse the influence of the others. The repeated mergers to form super-unions such as UNISON, the GMB and Unite arguably had as big an effect on changing the nature of the union-Labour link as any change to party funding rules is likely to have.

If the Labour-union link were to be made more explicit, rule such as the one requiring members of affiliated organisations to declare their support for the party on ballot forms would not be necessary and we could expect a sharp increase in participation rates. It would be unreasonable to expect the existing practice whereby trade unions decide precisely how many of their members formally affiliate to Labour in a given year. But if the upper limit of members who wish to affiliate were published, the party would have a much greater interest in seeking to engage with those members. It would have an even greater incentive if the party was able to contact, and thus recruit, affiliated trade union members directly.

Labour has a proud story to tell about its historic links with the trade union movement and it is the only UK party which can claim to have ties to millions of ordinary people across the country. Accepting the need to make trade union affiliation more transparent and explicit would break the deadlock in the cross-party talks to reform party funding and force the Conservatives on the back foot with regard to the introduction of an annual cap for wealthy donors. It would give Labour a more direct relationship with individual union members. And it would mean that the burdensome regulation that unions must hold affiliation ballots every ten years could be repealed. Far from a compromise, this is an opportunity to strengthen the Labour-union link which is in party's own self interest to seize.