

# **TRADE UNION (WALES) ACT 2017**

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## **EXPLANATORY NOTES**

### **POLICY BACKGROUND**

5. During the passage through the United Kingdom Parliament of the Bill that became the 2016 Act the National Assembly for Wales considered and opposed a Legislative Consent Motion, withholding consent for the UK Government to legislate on clauses pertaining to Welsh public authorities. The provisions for which the National Assembly withheld consent related to an overall support threshold for 'important public services', facility time and check-off arrangements.
6. The Trade Union (Wales) Act 2017 disapplies sections 3, 13, 14 and 15 of the 2016 Act as they apply to public services in Wales. The purpose is to remove provisions that the Welsh Government considers contrary to its social partnership approach to managing the public sector so as to protect the continued delivery of public services in Wales. Social partnership involves the Welsh Government and devolved Welsh public authorities, and civil servants and employees of those bodies, working collaboratively to deliver public services.
7. The Welsh Government considers that the effect of the Trade Union Act 2016 will affect its social partnership approach lead to more confrontational relationships between employers and employees, and ultimately undermine public service delivery. The success of the social partnership model relies on an appropriate balance in the relationships between the partners and particularly between trade unions and employers.
8. The Act prohibits devolved Welsh public authorities from using agency workers to cover the duties of staff engaged in official industrial action. The intention is to protect the social partnership model of providing public services from practices that could undermine industrial relations.