

Pat Lowry

Let's look at the chronology of it all. There were very few who had a pure knowledge of industrial relations and collective bargaining and it all began for you at the Engineering Employers' Federation where you had personally something like twenty-four years. What was the picture then on national collective bargaining?

At that time national bargaining was very prevalent within the engineering industry and indeed within the country as a whole and national bargaining took place on pay and the basic working conditions for something like over a million manual workers I suppose and half a million white collar employees with about five or six different trade union organisations so it was a very substantial part of the EEF's role immediately post-war. Gradually of course it faded away and by the 19 - well I suppose the 1970s, national bargaining at that point was virtually finished. But at the time when I joined, rejoined the Federation after the war, it was one of the key roles of the EEF. The other key role of course was the servicing of the so-called procedure agreements, the agreements under which in theory at least employees with grievances against their employer were expected to use a procedure agreement before they had recourse to strike action. And that was the other main activity of the Federation, because there were so many strikes in breach of that procedure that EEF was inevitably drawn into, trying to settle what we used to call unconstitutional stoppages of work and because it was the EEF's procedure agreement, EEF officials inevitably got involved in that and as time went by and I moved through the EEF hierarchy I became very much identified I suppose with that role, not just in the eyes of the membership but perhaps in the eyes of a larger public than that.

On the Trade Union side during this period, who were those who wielded the power and the influence?

It was really at two levels, I think, I mean when it came to national bargaining it was the national officials with whom we did our bargaining, the likes of Jack Tanner, Bill Carron, Hughie Scanlon et al, these were the people that wielded the influence at that particular bargaining table. But the engineering industry was always beset by the problems of having a formal system, and these were identified by the Donovan Commission, a formal system of the type that I've described and a so-called informal system where the very powerful shop stewards were negotiating with individual companies and indeed very often able to secure for individual companies what for one reason or another, including the operation of statutory pay policies, the national offices had been unable to achieve at the national level. So there were two levels. Very powerful shop stewards negotiating with individual employers on matters domestic to a company or a factory, and national bargaining between the national officers and the EEF.

And the power that the shop stewards wielded you saw as a defect in the system?

Well yes - but one has to be fair you know I've spent a lifetime of trying to be fair and one has to say in fairness that if it wasn't for the shop stewards the Trade Union movement hierarchy would have virtually collapsed because there were not sufficient officials to deal, full time officials to deal with all the problems that arose. British Leyland that I joined subsequently had something like 4,000 shop stewards, now if those 4,000 shop stewards hadn't been there heaven knows what could have happened in terms of the handling of genuine grievances. So there was that - and one must say that as it were in their favour. On the other hand there is no doubt that in some companies, of which British Leyland was a prime example, the shop stewards had become all-powerful, they exercised all - in some factories virtually powers of veto over management decisions with which they didn't agree. They operated very strongly within the individual plants, very often in conflict with the official line of their Trade Union leaders.

But before you went to British Leyland we'd had the Donovan Commission looking at the reforms, sweeping reforms needed in collective bargaining. Did you agree with most of what they found?

I think at this time the engineering employers whom I represented at that time were desperately looking for some kind of machinery which would bring under an element of control the problem of the unconstitutional strike and so although there were flaws in the Donovan Commission and of course the Donovan Commission itself was not united in its recommendations, there is no doubt that at that time the EEF's official view was to look for some kind of statutory support, legal support for our industrial relations. Bear in mind Ian, and I don't know whether there's an opportunity to say this, I'll say it now, that I believe that industrial relations have to be examined against the external environment within which industrial relations as it were were carried out. In 1906 when the Liberal Government came into post, before my time but when the Liberal Government came into power with a promise to help the Trade Unions to redress what the unions perceived to be the injustice of the Taff Vale Judgement, the golden formula was incorporated into the Trade Disputes Act of 1906 and it's an olden formula, I haven't got it word for word but which in effect said that any action taken by work people in contemplation or furtherance of a dispute would not be actionable in the civil course and that really - on the back of that we saw developed the Trade Union movement, and we saw the development of the Shop Steward movement, we saw developing too the ability to engage in all kinds of industrial action without any kind of prohibition by the law whether it be unofficial strikes, whether it be strikes in breach of agreements, whether it be picketing, whether it be secondary boycotts, the whole lot could be carried out without the fear of legal action by the employer. And it wasn't until 1980 when that was changed. Now that was one of the key factors against which we were operating, maybe we didn't appreciate it at the time, this absence of any kind of legal overhand or legal provisions but it was one of the major factors which in my view saw the development of the Trade Union movement that we grew at times to love and at other times to hate.

Immunity -

Immunity - Trade Union immunities.

Fundamental from their point of view.

Absolutely fundamental and of course the 1980 Act hasn't removed the immunities, and we're jumping ahead again, it hasn't removed the immunities but it has substantially modified those immunities particularly of course the requirement for them to have a secret ballot before industrial action becomes legitimate and then the strike can take place and those immunities are preserved. But I don't, I wouldn't wish to conceal the fact that it's become an absolute legal minefield these days to call a strike which doesn't fall foul in some way or other of the law.

So in 1969 when Barbara Castle came along with in place of strife, a legislative framework in all clauses, you'd be in favour of that at the time then?

It was an ambivalent attitude that employers had at that time. Employers were crying out for something to help them and at the same time they were worried stiff that if they did get some laws which would help them they would find themselves in confrontation with the Trade Unions with whom they did business and so though there was a lot of lip service paid to the so-called penal clauses in Barbara Castle's White Paper, when Ted Heath a year or two later passed legislation which did in fact introduce a legal element, for example that all industrial agreements would be legally enforceable unless the parties expressly agreed to the contrary, we all wrote into our collective agreements the infamous TINALEA clause, do you remember TINALEA? This is not a legally enforceable agreement. So there was an ambivalence about this, largely I think conditioned by our knowledge of the power which Trade Unions and

indeed men like Hughie Scanlon could indeed wield which made us worried about using anything which was, any laws which might be as it were put at our disposal, and it wasn't until Eddie Shah, I mean although Rupert Murdoch and the Times Newspapers would love to take the credit for this, or the News International would love to take the credit it for, if there is any credit to be gained from these events it was Eddie Shah and the Stockport Messenger dispute which for the first time took a Trade Union to the courts and of course the rest as they say is history.

Let's go from the Federation, your part in the Federation, to British Leyland and your decade there. There was a time when you listed your recreations in Who's Who as British Leyland, theatre, gardening and fishing and British Leyland again. That indicates to me the extraordinary amount of time you must have devoted to industrial relations.

It was a sort of tongue-in-cheek statement but it was a time-consuming job, there's no doubt about that. Bear in mind that I joined British Leyland in 1969 - Donald Stokes was there - there'd been a major strike in Leyland itself which I think had shaken Donald Stokes to some extent and because of my EEF role I was involved in trying to help, with Hughie Scanlon, in trying to settle that dispute which eventually was settled and after that Donald invited me to come and have a cup of tea and asked me if I'd like to go and work for British Leyland which after some agonising I did. Leyland at that time was a workforce of over 200,000. It had over 50 - nearly 60 factories in this country alone and so that was - and I'd known enough from my EEF days to realise the nature of some of the problems. I think it's fair to say of British Leyland that British Leyland didn't invent the industrial relations problems, it didn't - it wasn't responsible for the industrial relations problems, they already existed, they existed in Austin, in Morris, in Jaguar, in Triumph and etc etc. British Leyland therefore inherited those problems, the merger of 1968 then proceeded to compound those problems for various reasons. There was great euphoria about the formation of BLNC, fourth or fifth whatever it was largest automotive manufacturer in the world and everybody was - this was at a time when big was you know regarded automatically as beautiful and it was only subsequently in the sort of cold light of day that they began to realise the enormity of the problems. Not just industrial relations problems, industrial relations, well I would say this wouldn't I? was very much the whipping boy for BLNC's other problems which one could not lay at the door of the Trade Unions or indeed the workforce but nonetheless industrial relations were an enormous problem.

And in that field you were dealing with well-meaning national officials -

Nineteen Trade Unions to start with -

Nineteen -

Nineteen Trade Unions, five White Collar Unions and the other fourteen were Blue Collar. But one mustn't exaggerate again, the Blue Collar Unions the vast majority were to be found in the Transport & General Works, what was they the AEU, the Amalgamated Engineering Union, the Electricians Union, but there were also some others which exercised a certain amount of influence. But there were nineteen different Trade Unions.

But you could come to agreement and talk to people like Jones and Scanlon and others at national level. Where was the power being - where was the real power -

Well we didn't talk much to the national officers about the problems. When I joined British Leyland in 1969 with very vague terms of reference, nobody would tell me what I was expected to do, sort this lot out perhaps somebody said. But I had no real terms of reference and so I had no office, and I had no staff, I had two or three members of my staff that I

recruited but a very small staff and we really did sit down and try and decide what we could do which might start to clean up the stable a bit and one of the first initiatives we took was to invite the national officers, Jack Jones and Hughie Scanlon etc. to sit down with us to form some kind of British Leyland body which would talk through some of these industrial relations problems and hopefully look for solutions. Jack Scamp, whom I greatly admired, was working at GEC at the time and he had got some kind of machinery going under which Arnold Weinstock and Jack met the Trade Union at the national offices from time to time. We wanted to do something similar. It was probably symptomatic of the power which the shop stewards operated in BLNC, that the Trade Union officers at national level were not prepared to take that up. So we were effectively left to battle through these problems and to try and battle through with these reforms, substantially with shop stewards. It was only when British Leyland was gracefully slipping down the tubes some five, six, seven years later, particularly post the Ryder enquiry and investigation, that the national offices really began to appreciate the serious nature of the problem and it was then men like Hughie Scanlon and one guy, two guys I would particularly mention, do you remember Alex Stowie who was General Secretary of the Confederation of Shipbuilding and Engineering Unions. Ken Baker who was President of the Confed at the time, they I think began to appreciate the nature of the problems. There was a great feeling in British Leyland which existed even in Michael Edwards's time that this company would never be allowed to go broke, it would never be allowed to go out of business, there are too many jobs at stake, we hear some of the same sort of statements being made today in relation to the continuing problems within the motor industry. This was a very fondly held belief and we were battling against that also in these efforts to introduce reform. It took eleven - if I'm going on and you want to ask questions let me know - it went - I was there for eleven years and for that time we had set ourselves I suppose about six, half a dozen, six or seven main targets. We had to improve our shop floor communications. In many of our factories the management left their communication with their employees to the shop stewards so we had to try and deal with this, the management's ability to talk its problems through with its own workforce. We had to do something if we could to get a better procedure agreement for airing these disputes which arose. Key to the whole thing we had to change the payment system. In the car plants - and bear in mind it was substantially in the car plants the industrial relations problems existed, they were - they did exist in the truck plants as well but they were marginal in relation to the car plants. The majority of the car plants were on individual systems of piecework which because of the power which the shop stewards exercised, because of the way in which the piecework values were negotiated and for various other reasons, these systems were (a) out of control and (b) a very very ripe cause of stoppage. In my first year in British Leyland, I think I've got the name right, Geoff Welland who was personnel manager at the time said that when he went in as Cowley Personnel Manager, there were something like 600 stoppages in one plant alone. Now these weren't long strikes, they might be half an hour, they might be fifteen minutes but that was symptomatic and many of these were based on the piecework system and so the major reform we had to do was to change the piecework system. We believed we were substantially overmanned, you weren't allowed in many of the factories to time operations, the threat used to be made even if you'd bring a calendar onto the shop floor, the lads will be off the job but to produce a stopwatch or to use any of these modern techniques which were available for measuring work was absolute anathema. And so we were overmanned. John Barber who was Finance Director, maybe you met him and talked to him at the time he was there, in a rather offguard moment which the media played up for all it was worth said that BLNC was overmanned I think he said to the tune of 20 or 30,000, the truth being that nobody really knew because the work was not being measured. So we had to introduce that. And then importantly we had to reduce the number of bargaining units. There were hundreds of them, and little bits of factories were bargaining with their local management and you know whole factories were negotiating with their management, hundreds of these bargaining units, any one of these in many factories, any one failure to get an agreement and a stoppage could lead to tens of thousands of people being laid off. We had a factory in Birmingham which was called Tractors and Transmissions which made the gearboxes and I can remember I think it was 12 or 20 gearcutters went on

strike there, within days thousands were laid off at Longbridge and at Cowley and elsewhere because there were no gearboxes and the next day it might be the carburettor plant, it might be pressed steel plant in Cowley or somewhere so you were always living on this knife edge of one little bit of bargaining failing to reach agreement and a strike and then thousands, tens of thousands being laid off. So we had to change that. And the other thing we had to do was to try and introduce a common bargaining date. We bargained, unlike Ford, who just bargained centrally once a year we - our bargaining was continuous, we were always bargaining with a Trade Union somewhere or other. So those - I think it's six, whatever it is, that number of seemingly simple goals took something like ten, eleven years to put in place substantially because we were doing it in the teeth of the opposition of the shop stewards on many of the factory floors who saw, rightly saw that if these reforms were to be put in place a lot of their authority would be diminished.

Did you - do you blame the shop stewards for taking that kind of line?

No I mean - a boss of mine at the EEF when I was a young man said to me once, said 'never forget Lowry' he said 'Trade Union officers and shop stewards are fully paid up members of the institute of opportunists. They will always take advantage of the opportunities which are available to them and who's to blame them for doing that?' So I don't, I don't blame them for taking advantage of it, what we wanted to do was to try and reduce the number of opportunities which were there to be made use of and that was what we set ourselves to do.

And in the end you had to cut away at their power didn't you?

We had to cut away at their power in the sense that by - and I'm talking substantially again about cars but it also applied to the truck group, we gradually, because of the serious nature of the corporation's problems and because of the requirements of the Ryder investigation and because I think of their understanding that British Leyland was on knife edge, the Trade Union officers at national and at local level became very very much more willing to become part of as it were the action. And when after all those years of effort at British Leyland we finally were able to secure ballots in favour of the proposals we put forward, a National Joint Council for British Leyland Cars was set up which had on it as members the national officer, a certain number of national officers, a certain number of local officers and one or two of the, a number of the key personalities amongst the chief shop stewards from individual plants. So although we were diminishing the power of the shop stewards in some respects, they were not being excluded from participation, they still had a role to play.

And was that in your opinion getting somewhere close to the proper balance of power?

Yes it was it was -

Between capital and labour -

Oh yes between management yes. All I can say I believe is that when we left, when I left British Leyland we had cleared away a lot of the inheritance, we had provided the management of the 1980s with the opportunity to introduce more constructive changes which we had been denied or had not had the opportunity to do. And I think it's to the credit of people like Graham Day who came in and succeeded Michael Edwards and others that they were able to take advantage of the cleaning out of the stables and to introduce I think a much better relationship in your words between as it were capital and labour. In fact I think I'm right in saying - you must check me on this - but I believe I'm right in saying that the T&G have a member on the, they did have a member on the old board, on the Rover board, but whether that still exists I don't know.

OK we move logically on to your time as appointed Chairman of ACAS the conciliation

service. But there's a connection isn't there? You wouldn't have taken that job had you not been in favour of Trade Unions. You were never anti-union were you?

Oh no no. I wasn't in the sort of Institute of Directors' mode at all, I'm not at all like that no no. If you want me to talk about this, I'm not all together in favour of what I call the compulsory recognition of Trade Unions, that's a different matter, I think that that does introduce problems but I'm certainly not opposed to the collectivism of Trade Unions at all, in fact in an organisation like British Leyland and others it would be quite impossible to operate it seems to me on the basis of having an exclusively non-union organisation. But compulsory recognition is something different. So I came to ACAS, accustomed to dealing with Trade Unions and in no sense antagonistic towards them, I think if I had been antagonistic towards Trade Unions I would never have been invited in the first place because if there was one thing the ACAS job required it was an even-handedness between Trade Unions and employers.

And you actually joined one.

I joined one yes. I did, I was active in the Institute of Personnel Management so I was involved there and indeed became its President just after I left ACAS but I was invited, I think it was invited, to become a member of the First Division Association of Civil Servants, bear in mind the ACAS Chairmanship ranked level with that of a Permanent Secretary within the Government, in the Civil Service machine, so I was eligible for membership, I joined and I'm an honorary member still. I still get their magazine, still read it. I'm fascinated by it.

Did you see it as your function at ACAS to promote the growth of Trade Unionism? Or had that changed by that time?

It had I think changed because there's a strange sort of thing, in the statute which set up ACAS, the Employment Protection Act, ACAS was given two - it was given a general role to promote the improvement of industrial relations and then it was given a particular role to promote collective bargaining, an extension of collective bargaining. And despite the arrival of Mrs Thatcher's government, and despite the opportunities that were available to them to have taken that latter provision out of the statute, it remained in the statute and it is still as we sit here today it is still in the ACAS remit although under the new Fairness At Work provisions which are now finding their way through Parliament, a Labour government has decided to take those words out of the statute. It was never a serious obstacle. Once the compulsory recognition provisions of the Employment Protection Act had proven to be unworkable, that obligation to extend the collective bargaining did not become a serious issue. I can never remember any case where we went out and hammered the table with an employer and said look it says we've got to extend collective bargaining, that's the law, you must do it within -

Doesn't it surprise you that Mrs Thatcher kept that in and even kept you going at ACAS?

It did - well I mean there were - yes there were rumours that ACAS would fold but I think by this - bear in mind that ACAS was set up in order to be independent of government, that was its role and it was largely due to Jack Jones and I'm sure you'll be asking him about this, that ACAS was set up. They were worried that Civil Servants who were responsible for administering pay policy could not at the same time act, within the Department of Employment, act as conciliators in labour disputes. So they said - Jack Jones and others said well we'll have to have an independent conciliation service. So that those that do this conciliation work are not under the whip as it were of government policy. And so ACAS was set up - very substantially the people that had been doing the conciliation work in the Department of Employment moved across to ACAS but ACAS had its own council and it was independent of government. And I believe that that independence meant that ministers always had the availability of when Trade Union officers came knocking at their door and

saying Mr Government or Mrs Government would you please become involved in this dispute or that dispute, there is ACAS. And Mrs Thatcher used to say to the Trade Unions, you set it up, you go away and talk to ACAS about it. I think they found it convenient because there's very little political kudos to be gained out of settling industrial disputes. Politicians used to love doing it but there wasn't much kudos and a lot of blame sometimes emerged from it. So it was very convenient to have ACAS there to, as it were to absorb this flak.

But it's worked -

It has worked. It's one of the few institutions that has worked, I mean if one looks down the years at industrial relations and sees the efforts of Barbara Castle, the Commission on Industrial Relations came and went, the motor industry set up a council under Jack Scamp which came and went, other bodies have been and gone but ACAS has worked. And I think it is that independence of government which is a very large contributory factor towards making it as successful as it has been.

OK the period that you were at ACAS as Chairman, '81 to '87?

'81 to 87 yes.

Going on in the background, a Tory government, a Conservative government was building up step by step, every two years or so, a substantial body of industrial relations legislation. Most of it all still in place under New Labour.

That's right yes.

Was all that right? Was it the right way to go about it?

I think it was right by this time. Bear in mind that in 19 - when you were reporting the scene at the time and bear in mind that in what 70 - I'm thinking of the winter of discontent - **'78, 79'**.

'78, '79, and that was just the - the big tip of an iceberg, it was only the tip of an iceberg. The problems of industrial relations had become anarchical in the extreme, public opinion was crying out for some kind of action to be taken to curb what was seen as being the overweening power of the Trade Unions. It wasn't the overweening power of the Trade Unions at national level, in my view it was the overweening power of the Trade Unions at the other levels which had to be curbed. And so there was a great following wind as it were for these reforms on this step by step approach that the Tory government introduced.

So people like Jim Pryor for whom you must have had a good deal of admiration -

Yes

Were doing it with the guidance of people like yourself, at corporate level? Using their experience.

Well - Jim certainly had his contacts and had his breakfasts and various other forms of keeping in touch with what was happening yes. And he was well briefed about the scene as it was perceived by employers at that time.

And it's no use having legislation that's not going to work and by and large would you think it has? Do you think it's worked?

It has worked. You probably don't remember - I mean for years and years I believe in the Ministry of Labour and the Department of Employment, they were worried stiff about defining

legislation under the command of their political masters that would be workable. There were always great nightmares hanging over governments and Civil Servants and that was the nightmare of legislation which would lead Trade Union members into gaol or Trade Union leaders into gaol, and everything that people seemed to think of at the time could end up with that possibility. There was one name which was written, I wasn't - I was away at the war - which was written large I think in government thinking was Bettshanger, Bettshanger was a colliery which went on strike during the war over some issue or other and it ended up with the miners being gaoled, their leaders being put in gaol and eventually having to be sprung out of gaol by some legal process or other. And then there was the - under Ted Heath's act there was the Pentonville Five I think. I mean these episodes I think worried government, worried Trade Unions, worried Civil Servants and it was only when they decided that it wasn't the Trade Union members that were at risk, but it was Trade Unions funds which were at risk that change began to be introduced and eventually accepted and it was the Trade Union funds of the National Graphical Association with Eddie Shah which were put at risk, tens of thousands of pounds in damages and so on. It was when union funds were put at risk. One or two Trade Unions were bankrupted as a result of their belief that the law might apply to others but not to them. It was only when there was an appreciation that the mood had changed and that employers were now much more ready to take legal action against Trade Unions because it was funds and not their employees that were going to end up in prison that there was a move, a much greater move towards using the courts.

You don't think that today the pendulum has swung too far the other way, the employers' side?

In a way I suppose it has. One of the inevitabilities of legislating in industrial relations is that you end up with legislating not just general principles, you end up legislating in great great detail and one of the consequences of having what appears to be simple legislation about Trade Union balloting for example means that there are all sorts of refinements which have to be introduced into the law in order to make that system survive. And so we've not got, I don't think the principles that are in place are necessarily wrong, the balloting provisions, the outlawing of secondary action, the outlawing of flying picketing and all that, I don't think that essentially is wrong but it is the massive detail which has to be absorbed and implemented in order to give legitimacy to industrial action which is to me a source of concern. But as I say it is the inevitable consequence of law and mark my words Mr Ross that with the new recognition provisions which are now being introduced or are about to be introduced into Parliament, you will have exactly the same kind of legal minefield through which Trade Unions will have to plough a furrow as you did, as you do through strikes and strike actions. You cannot - it's very difficult to introduce law without that - take the law of Unfair Dismissal, the case law now would fill the shelves of this room with the details, so there is, it's overburdened with detail. Now there is a certain redressing of the balance going to take place under the Fairness at Work proposal, and particularly the restoration of different provisions from those that applied under the Employment Protection Act whereby Trade Unions can seek compulsory recognition from an employer who is not prepared to give it voluntarily. Now I, as I said earlier, I find the obligation to bargain as the Americans would say in good faith and the obligations to afford statutory recognition to a Trade Union don't sit very comfortably together.

Are you saying this is another minefield?

Well I mean I - when - at the time of the last General Election I think it was Gordon Brown or it was one of the Labour hierarchy who said that the Labour party had borrowed heavily on the American practice which I was privileged enough to be able to go and study for a short time and if - where they do have compulsory recognition laws, but if you look at the detail which follows on that relatively simple principle you will I think, you can find yourself in a legal minefield. Now in the new provisions, coming back to the UK, compared with the provisions we had under the Employment Protection Act, they have tried to change that, to improve that.

For example under the old provisions there was no such thing as the percentage of people that had to be in membership of a Trade Union or had to vote in favour in recognition, it was less vague so you could get unions arguing very strongly that in certain circumstances 10% of the workforce was adequate for Trade Union recognition. And the consequences of that were you could get disputes about numbers and - so although some of the detail has been I think improved in these provisions there will still be I think a minefield which will develop as we see this particular law implemented.

And back in 1977 a cause celebre was Grunwick, now you sat on the Court of Enquiry into Grunwick, that was all about recognition, do you see that coming back again?

What a Grunwick type dispute?

Yes.

Never no, I mean Grunwick was, it was one of the great, one of the strange things about Grunwick was how eight months - you know a peace to George Ward and all the rest of it, the man that owned Grunwick - how a relatively insignificant little processing company in North West London was able to attract literally tens of thousand of people in front of the picket lines at the Grunwick factory with all those scenes of violence that we saw. Now this was in the days of course when the Communist Party, we've not talked about their influence, the Communist Party was influential, when people were very much more willing to engage in demonstrations than they are today. But it was extraordinary that tens of thousands of people went picketing round that place over what was in many ways a sort of run of the mill Trade Union recognition issue.

And an employer which did not want to recognise Trade Unions and still doesn't to this day.

He didn't want to recognise Trade Unions and used the complexities of the Employment Protection Act provisions to frustrate that wish. It was a strange dispute, one of the - I mean it's one of the great and this is a diversion, one of the great sort of bits of mythology about this which I'm sure you heard is that they didn't know which Trade Union to join and when somebody rang up the TUC during their lunch break whatever it was and asked for advice they were - I don't know why - but they were advised to go and join what I think was called then the Clerical and Administrative Workers Union or APEX which they duly did and therefore this poor union found itself involved in a dispute in which it had in no sense been involved in the creation of but having to defend these newly found members. I suspect they must have cursed the day they didn't say why not go and join the Transport and General Workers Union or some other union.

On recognition, perhaps nothing is more important to a Trade Union in collective bargaining terms than being recognised.

Right.

You can see how important it is for the Trade Union movement. There are many many employers still today who will not even with the new provisions will not recognise Trade Unions.

Well I understand that and now they've got the ability, well they will have the ability under the new legislation which I'm assuming is going to come into place more or less as the proposals now stand, they will have the opportunity of putting their view, their wish and the Trade Unions will have their opportunity of putting their requirements to the test. It will be very interesting to see to what extent those bastions on non-unionism that also regard themselves as good employers will find that their situation as good employers has changed as a result of

these provisions.

So when it comes to the point it's bad news for Trade Unionism isn't it?

I don't think it is you see because I think that in a way there are more important roles, I mean the number of officials that Trade Unions can have is obviously limited by finance and so on, if you think of the achievements which the Trade Union movement collectively has been able to secure through Europe compared to what it has achieved through collective bargaining in this country, if you had limited priorities to me it would be commonsense to put those priorities into securing those concessions at that table, bargaining table or otherwise, than having to go hawking yourself around hundreds or thousands of employers in this country. Take the working time directive, how long would it have taken collective bargaining to have secured the concessions which have been obtained largely because of collective Trade Union pressures on the European Committees and so on to secure that concession at a European level. It would have taken them years to do the one and yet at a stroke as it were they have secured what as I say in collective bargaining would have taken years, generations, so it seems to me that if your facilities are limited that you have to get your priorities right. And I believe there is a prime role for Trade Unions in the representational role on behalf of their individual members, it's always seemed to me to be an imbalanced situation in which the employer is able to go very often at vast expense to lawyers and others to have his case, to seek advice on his case, to seek - and to have representation by lawyers on his behalf in the courts, but the Trade Union member with a grievance has not been allowed to bring in his preferred advocate, i.e. a Trade Union officer, now that is something which is going to be I think redressed under this Fairness at Work proposal. That is in a way where if I was the Trade Unions I would put my other priority. Out of that they could flow as they are seen to be successful in this field, they could flow a feeling that they would like now to be bargained collectively for. But I would, as I say if my facilities were limited and my manpower was limited I wouldn't put all of it into looking for and pursuing collective bargaining against Joe Bloggs and Company you know a curry manufacturer or a tin maker or whatever it is in Mitcham or the Midlands.

But these days are not going to come back.

Which days?

The days of big collective bargaining.

Certainly national bargaining won't come back no and the amount of - I don't think national bargaining will come back and even in the areas where it exists still there are still pressures that it should be fragmented even further but I don't think that, I can never see the EEF for example sitting round a table with latter day Hugh Scanlons and negotiating pay increases at the national level in an amorphous industry like engineering.

And you would see Trade Union membership continuing to decline -

Well again I think provided Trade Unions get their priorities right in terms of their ability to represent, the reputation they get out of that representation role, the other services that they provide, and many of them are providing services some of which are, it seems to me at times, somewhat remote from the workplace, nonetheless they are services, if they can provide those services as well as or better than other providers of the service can do I think there's no reason why Trade Union membership should not increase. But we're in the age now of - the age of the big density of the Trade Unions, like your big factories, I mean when I joined British Leyland Longbridge had I think 25,000 employees.

Just Longbridge?

Longbridge. And Cowley had on one side of the road it had 11,000, on the other side of the road about the same, so these were big centres of power and big centres of organisation. These days I mean many of those big centralised workplaces have gone and organising work people into Trade Unions in the kind of environment in which we're now operating is going to be I think much more difficult. And indeed many of them, I think the smaller that these unions have become the less need perhaps that they see for Trade Union Membership. Management is now much more immediate. They don't have to go through five, six, seven different layers of management in order to get to some guy up there, the guy for whom they work is either sitting in the same office with them or is sitting in the office next door and he's much more available and if he plays his cards properly, if his appreciation of personnel practices are good, if he has some sense of feel for managing of people then Trade Unions will not I think find it easy to organise those employees into Trade Unions.

So you see scope for Trade Unions to grow -

There is scope, yes there is scope but it's a more limited scope and it's much more difficult today. I don't underestimate the difficulties but there is still scope and always remember that it's not just the role of representation that's important. Trade Unions and I think employees in the kind of environment in which we live are fearful about jobs, they are concerned that if and when the chopper should fall that they have got somebody that can talk on their behalf with the bosses at higher level and so on, i.e. Trade Unions, so there is that kind of scope and too, another reason is - my management colleagues would hate it if I said it, but undoubtedly membership of Trade Unions did act as a limitation on the unfettered right to manage, you know the - what was called the macho manager, the control that that exercises, that unless I as a manager behave with my workforce in a civilised way and so on that I will have this lot around my neck, it may not add a great deal to the Trade Union numbers but nonetheless it is still I think a very potent consideration in the thinking of employees about their attitude to Trade Unions.

So a different role for Trade Unions in future -

Well -

A strong European dimension.

A strong European dimension, a strong representational role, they've probably got to get used to the fact that the ready access to Number 10 or the ready access to the Department of Employment has gone as a result of the existence of organisations like ACAS, The Health and Safety Commission and so on but there are still jobs to be done.

In Europe as you well know they talk there about the social partners - partnership is that?

Well to me they're warm words, as I think John Prescott would say, I'm not quite sure what you mean by social partnership and I - it trips very lightly off the tongues of Trade Union officials but if by social partnership what they mean is that there is an ability for work people and their managers, or work people with their Trade Unions if necessary if they're recognised, to sit down and talk through some of these, the problems of managing the operation whatever that might be, if there is - if there are understandings about the provision of training, if there are understandings about that kind of involvement, I've got no sort of problem about that but I'm not sure that those that talk about social partnership are talking about what I think used to be called co-determination, I don't think that is in the minds of people that drop out these two rather convenient and glossy words. Social partnership I'd say yes but tell me you know what's behind that, what does it mean? If you mean that people are going to sit down and talk these things through in a more civilised way, if there is going to be provision of or understanding about training and career advancement and progress and

so on, if there is through that an ability for work people to understand much more about the problems of management, and there are real problems involved in managing businesses, how finance is raised and how businesses are funded and so on, if people are going to acquire greater knowledge from that that's fine, but I will believe social partnership has really come on the day when - I mean I think one of the problems that employers have about recognition is that they see it as a constraint upon them and not as something which would be helpful. Now when a Trade Union official can come to an employer and say look guvnor I can deliver some of the things that you would want the workforce to deliver but you can't, have not been able to secure for yourself, then I would think that social partnership, the day of social partnership has dawned but it's when that sort of feeling exists that - there are not guarantees about improving this or managing that or so on but there's a greater sense that Trade Unions if they're allowed into this place will act as a constraint and not as a help. When you remove that, if social partnership can remove it, if whatever else it's called can remove it, fine.

The partnership with a capital P helping everyone in the country?

Oh well no I -

And government - a social contract of the seventies -

No I think those - I think we've been through all that haven't we? I don't see social contracts coming back, I don't see pay policies coming back. Jack Denham says, he's been the father and mother of a number of arguments, what he would say about it and I don't personally see pay policies coming back again. I think we've been through that experience. And it wasn't a very happy one, it was, maybe it was, it was a consequence of other problems that we had, it was a consequence with inflation, it was a consequence of full employment, it was a consequence of unfettered Trade Union power at the workplace level and so on. Many of these things which caused, or created the need for income policies it seems to me have now substantially disappeared. It would be an admission of defeat if ever we had to go back to that awful state of affairs again.

But looking into the next century, you would say that Trade Unions are still alive and well? And looking forward to a future, a different future perhaps?

Yes they're still there, they will still be there but they've got to get their priorities right if they want to advance or to maintain their place in the sun let along to advance it. And I think you know to be fair to the Trade Union leadership of today, I am sure they understand, I'm not saying anything that I'm sure that they don't understand and acknowledge - that some of the paths that I've indicated are not just the way forward for the future but they are the way that they are trying to operate now.

And on the government side New Labour is going about it correctly?

You mean with the Trade Unions?

Yes

Yes I think probably so. It's the arms length relationship, or the apparent arms length relationship is the right one, I mean it was very convenient I suppose in the days, in previous days when employers could beat a track to whatever government department or to Number 10 if they wanted to or indeed the Trade Unions if it was a Labour Government could do the same, but I'm a believer that governments should be allowed to get on and govern and the Trade Unions should be allowed to get on exercise their functions and likewise employers but don't try and do each others' jobs for each other, let each perform the role for which he or she or it have been elected or appointed.