

# annual report 2024

## OFFICERS

### *President:*

Professor Keith Ewing

### *Chairperson:*

Lord John Hendy KC

### *Treasurer:*

Geoffrey D Shears

### *Senior Vice President:*

Carolyn Jones

### *Acting Director:*

James Harrison

## INTRODUCTION

In the wake of the unpunished fire- and -rehire scandals, we have not seen any slowing down of the continued bonfire of workers' rights. If anything, there is an acceleration towards a circumscribing of rights and civil liberties in the UK.

The government's Strikes (Minimum Service levels) Act 2023 (MSLs) is now on the statute books, as well as many of the regulations now published. Although the MSLs have not yet been invoked during an industrial dispute, they do hang over the labour movement like the sword of Damocles. Add to this other laws like the Police, Crime, Courts and Sentencing Act, and the Public Order Act, and it paints a grim picture for the future of labour law and employment rights: a picture which should be firmly rejected by the labour movement.

At the time of writing, a general election has been called for July, which may offer hope for the labour movement to have some of this dystopian legislation repealed. However, there is a chance that the MSL Act and other authoritarian legislation may either continue to advance, or be left on the statute books but not used, which may present problems for trade unions under governments of various stripes in the future, as it may just kick the problem down the road.

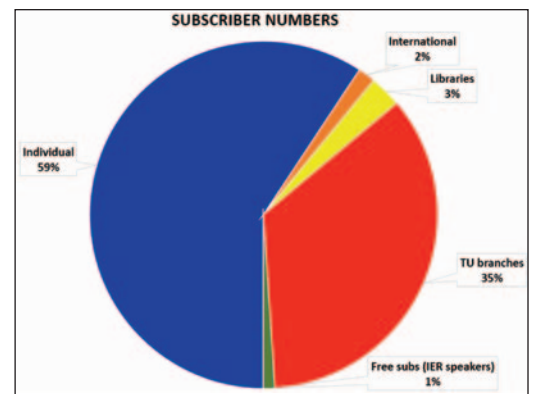
It is as crucial a time as any for the IER to shine a light on the threats to workers' rights, and the potential solutions, to help inform the response needed from the trade union movement, no matter who gets elected in July.

## ADMINISTRATION

Throughout last year we were getting used to having a staffing compliment of three full-time staff again, which started to alleviate some of our long-term capacity issues in our modestly sized team. Since then we've needed to make some adjustments. From the end of December Derek has been working four days a week, as he needed extra flexibility to accommodate his domestic situation. In January Ben stood down as the Director of IER, to work for the People's Assembly, and we wish Ben every success in his new role. The IER officers asked James to step in to the role of Acting Director, and he was thrilled to take the opportunity. An open and transparent recruitment exercise for the Director role will be

started in July, after the general election. Ben is still assisting us with some communications work for 1.5 days a week, on a six-month trial, and the officers will be reviewing the current staffing situation around the time of the new Director's appointment, to assess if the current staffing compliment is working well to deliver the objectives of IER. The long-term aim is to grow the current 2.1 FTE, and increase our staffing capacity and output for the future.

## MEMBERS AND SUBSCRIBERS



Our membership figures currently stand at 78 (+1), of which 39 are trade-union representatives.

We have a total of 302 paid subscribers (-39) on our database. Of those, 179 (-12) are individuals, 106 (-12) are trade-union branches, 9 (-1) are commercial libraries, 5 (-2) are international, and 3 (-12) are free subscriptions offered to our speakers. Of these, reduced rate subscriptions (mainly students paying £25) now stand at 32 (-11).

Multiple-user licences for online-only subscription are held by Unite UONC – restored after a hiatus last year. We also have similar arrangements with the AEP and the TUC.

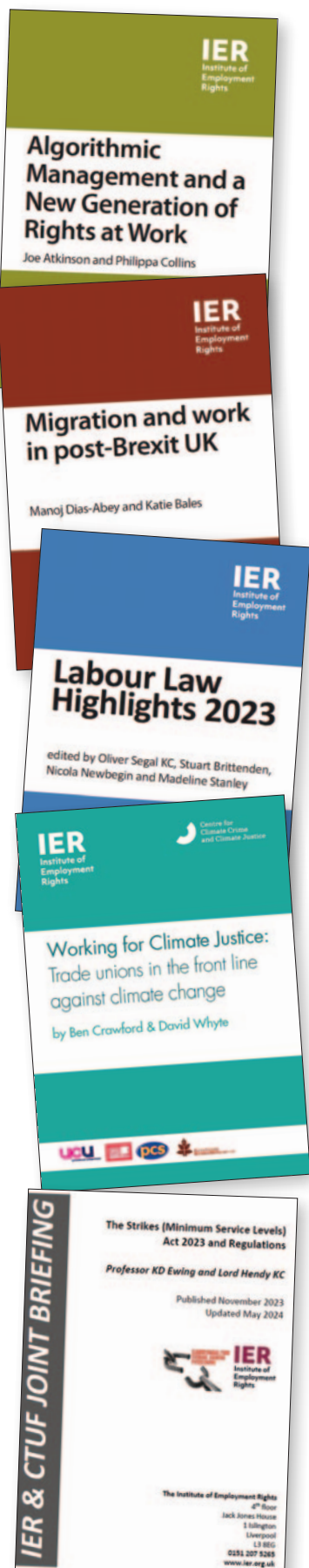
In terms of subscription payment methods, 78 (-11) continue to pay by PayPal. Other payment methods include BACS –23 (-17), cheque – 23 (+10), Direct Debit – 127 (-21), and credit card – 13 (+3).

We are visiting union conferences and still getting interest in the subscriptions themselves, just not enough to slow down overall general attrition. We are planning to re-launch the subscriptions this year, and include some new content to try to bring it up to date and increase its appeal, such as early access or

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Institute of  
Employment  
Rights

## Publications



premium podcast access.

Income from online conferences and events increased to £11,000, about three times the amount received from the previous year. After all costs, we still made £6,804, so we are confident that in-person events still have a place in our annual workplan.

5,118 (+46) readers now subscribe to our electronic subscription list to receive weekly news briefs and promotions. We think that this has increased because of the more targeted content in the newsletters, as well as more novel social-media content inviting people in.

### PROJECTS, COMMISSIONS AND PUBLIC-POLICY WORK

In October we launched our '*The environment and work: a just transition*' project in London. Our authors, as well as trade unionists and other policy makers, all joined in the excellent discussion to start the conversation about how a just transition is not only theoretically possible, but is pragmatic, as demonstrated by countries in the global south. We have continued to promote this work across union conference, by giving out copies of the funded report, and hosting fringe meetings at union conferences.

In February we convened a round-table discussion between trade unionists, academics, policy makers and civil servants to discuss our upcoming publication '*Workers' Rights in an Age of Algorithmic Management*'. The round table meeting was a good opportunity to show our friends in the union movement the threats to workers' rights posed by management via algorithm, as well as some of the human-rights implications. We will be formally launching this report in June this year, in order to widen the educational impact of the report. We hope this is just the beginning of exposing this threat to workers' rights, and we are keen to advance work in this area if project funding allows.

Work on our '*Pay Review Bodies, Their Past and Their Future*' project has been ongoing, and the report should be ready for summer 2024. This should be a timely addition to our work, at a time where some unions are starting to question if pay review bodies still represent their members' interests compared with the alternatives.

We have started work on a project with the European Transport Federation (ETF) entitled '*Delivering Fair Transport for All*'. The objectives of the project include mapping key logistics and e-commerce companies, and the key workplace issues throughout the logistics supply chain, with a mind to inform the ETF's organising strategy. This is our first big project with a European funder, and we hope it is the first of many.

Our popular project on the '*Redistribution of working time*' has now entered its 2<sup>nd</sup> phase, in which we hope to provide a practical tool for trade unionists to use to negotiate reduction in working time with no loss of pay. This will take the form of a template collective-bargaining agreement that trade unionists at enterprise level could tailor for their membership. This report and template are due to be finished before the end of 2024.

We have agreed a commission with the ASLEF union to update the '*On track with diversity*' report we did for them in 2019. This 2024 update will provide trends and statistics from 2019 onwards, to show if there has been any movement in the recruitment of train drivers to facilitate a more diverse workforce. We plan to launch this with ASLEF in early 2025.

In terms of public policy work, we have produced a *briefing on the Strikes (Minimum Service Levels) Act 2023*, so that trade unionists, MPs and policy makers can better understand the implications of the Act. We updated this when the regs came out. For TUC last year we produced a beautifully designed 6-page A4 brochure on '*Trade unions and the law: a timeline of repression*' in order to demonstrate that the trade-union movement has always been on the receiving end of anti-worker laws, and to show ways in which the union movement has tenaciously resisted these attempts to curb democratic rights in the past.

### PUBLICATIONS

We've produced the following publications:

- *The environment and work: a just transition*, by Prof David Whyte (QMUL) and Ben Crawford.
- *Labour law highlights 2023*, authored by the Old Square Chambers team.
- *Migration and work in post-brexit UK*, by Dr Manoj Dias-Abey and Dr Katie Bales, both from the University of Bristol.
- *Algorithmic management and a new generation of rights at work*, authored by Prof Philippa Collins from the University of Bristol, and Dr Joe Atkinson from the University of Southampton.

### PUBLICATIONS PLANNED FOR 2024/2025

- *Redistribution of working time #2* – Prof Phil Taylor
- *Labour law highlights 2024* – Old Square Chambers team
- *Pay review bodies and their effectiveness* – Andrew Moretta
- *Shareholders' vs workers' rights* – Ben Crawford and Jamie Haughton
- *On track with diversity 2024* – Nadia Motraghi KC and Ijeoma Omambala KC

### CONFERENCES & EVENTS

This year we have scaled back the number of in-person events to the ones that were traditionally most popular, to test if they were still viable. These were the best attended IER events we've had since the pandemic.

### EVENTS IN 2023-2024

- Employment Law Update 2023 – 16 November 2023, Liverpool
- Employment Law Update 2023 – 22 November 2023, London
- Case Law Update 2024 – 15 February 2024, London
- Case Law Update 2024 – 29 February 2024, Manchester

We had 58 registrations for our Employment law update in Liverpool, which brought in £2,590. The London version attracted 42 registrations, and



## TUC newsletter – a timeline of anti-union laws

### Events and fringes

Organised by  
The Institute of  
Employment Rights

Employment  
law update

A one-day conference  
Wednesday 22nd November 2023  
9:30am to 3:00pm  
Unite HQ, London

SPEAKERS:

Thompson Solicitors speaker (tbc),  
Paul Scholey, Muncie Solicitors, Equality Trust,  
Member of the Bar, Prof Keith Ewing, IER,  
Prof Alan Briggs, CISC, Muncie to be confirmed.

London

#IERLU2023

https://tinyurl.com/ierLU2023-5

Organised by  
The Institute of  
Employment Rights

Employment  
law update

A one-day conference  
Thursday 16th November 2023  
9:30am to 3:00pm  
Unite HQ, Liverpool

SPEAKERS:

Thompson Solicitors speaker (tbc),  
Paul Scholey, Muncie Solicitors, Equality Trust,  
Member of the Bar, Prof Keith Ewing, IER,  
Prof Alan Briggs, CISC, Muncie to be confirmed.

Liverpool

#IERLU2023

https://tinyurl.com/ierLU2023-2

Organised by  
The Institute of  
Employment Rights

Case law  
update

A one-day conference  
Thursday 15th February 2024  
9:30am to 3:00pm  
NEU HQ, Mabledon Place,  
London

SPEAKERS:

Thompson Solicitors, Graham Whittem, CIPD,  
Muncie Solicitors, Equality Trust, University of Manchester,  
Prof Keith Ewing, IER, Muncie to be confirmed.

London

#IERCLU2024

https://tinyurl.com/ierCLU2024

Organised by  
The Institute of  
Employment Rights

Case law  
update

A one-day conference  
Thursday 29th February 2024  
9:30am to 3:00pm  
UNISON North West,  
Arena Point, Manchester

SPEAKERS:

Thompson Solicitors, Graham Whittem, CIPD,  
Muncie Solicitors, Equality Trust, University of Manchester,  
Prof Keith Ewing, IER, Muncie to be confirmed.

Manchester

#IERCLU2024

https://tinyurl.com/ierCLU2024M

Fighting the Anti Trade Union Laws

July 7th 2023, 6:00pm

DURHAM  
MINERS  
GALA

Eve Of Gala Rally  
Elton Methodist Church,  
80 Chelmsford Road, Durham City Centre,  
Durham City Centre

SPEAKERS INCLUDE:

Lord John Hendy KC, IER  
Marie Ball, President TUC/Communications Workers Union  
Steve Gilpin, General Secretary  
ASDA/Asda Union  
Laura Mulvaney, People's Assembly  
Ben Cheke, Editor  
Planning Unit  
Chair: Steve Woolley,  
Co-Chair Campaign for  
Trade Union Freedom

July 15th 2023 2:00pm

TOLPUDDLE  
MARTYRS  
FESTIVAL

Fringe Marquee at the  
Tolpuddle Festival

SPEAKERS INCLUDE:

John McDowell MP  
Paul Keith Ewing, IER  
Marie Ball, President  
TUC/Communications Workers Union  
Steve Gilpin, General  
Secretary of TUC  
Laura Mulvaney,  
People's Assembly  
Chair: Steve Woolley,  
Co-Chair Campaign for  
Trade Union Freedom

brought in £2,830. Case Law Update Manchester saw 23 registrations and £1,960, and the London version 46 delegates and £3,455. Before costs this totalled £11,400, making it still financially sustainable as an educational output.

### EVENTS FOR 2024-2025

We are currently planning our events calendar for 2024-2025, and will be announcing plans for this year's events in the weekly newsletter.

### COMMUNICATIONS & DIGITAL DEVELOPMENT

Communications remains a key part of the IER's attempts to widen its audience – especially looking to outline vital concepts of employment and labour law to a younger, less experienced audience – be that in the trade-union movement, in legal circles or academic departments around the UK.

Over the last year, we have taken time to reassess the public face of the IER. In the long term, there is clearly a need to renew our audience – something we have been aware of and discussed internally for some time. We have, therefore, been developing our communications strategy to prioritise accessibility, including the use of podcasts, social-media graphics and blogs by a wide variety of authors. We know that the IER's knowledge base is of huge value to our existing network, and we are investigating ways of broadening that reach. Some of these initiatives will take time to bear fruit.

Our social media has continued to grow, albeit incrementally. Facebook has increased its reach slightly from 2,039 followers this time last year, to 2,108 (a 3% increase). And

our X (formerly Twitter) account has grown from 5,750 to 5,996 during the same period (a 4% increase). Over the last year, we've added three platforms to our social-media presence. Firstly, LinkedIn, which currently stands at 247 followers, Instagram with 174, and Threads, where the IER has attracted 34 followers. LinkedIn tends to be aimed more at professionals and work interests, while Instagram is image- and video-based (with a much younger demographic) and Threads was posited as an alternative to Twitter/X when Elon Musk bought it out. We will be developing these platforms over the next year – as well as monitoring their use to the IER.

The newsletter remains our principal means of communication with our subscribers and supporters. Every week we provide a digest of news, comment and analysis to our 5,000 plus subscribers. We have received very positive feedback on the newsletter, it being appreciated as a reliable source of current developments in the law, policy and industrial relations – presented in an accessible way. Some organisations have dispensed with their newsletters in recent years, but it seems important to the IER network and is very much part of our package. We are currently looking at the way we use analytics to create a more focused emailing to subscribers.

Once again, the government's attacks on trade-union freedoms and the right to strike have dominated trade-union news over the last year and therefore our website stories, blogs and articles in the press. Professor Keith Ewing and Lord John Hendy KC have written extensively on the Minimum Service Levels legislation and provided a series of authoritative accounts, with blog pieces on

our website and articles in the Morning Star. We are especially grateful for the relationship we have with the Morning Star, which always makes the space for these pieces, which are so important to the collective understanding of the movement.

At the same time, we have continued to engage with a wider, new media, which has tended to develop online and has slightly different audiences. That includes Novara Media, Tribune, Left Foot Forward – all of which have taken an interest in industrial relations, either via extensive features on disputes and employment-law issues, or via the appointment of industrial-relations reporters (a welcome development). The mainstream press is harder to make an impact with through – with honourable exceptions, there is little interest in the detail of employment rights or labour law. However, the discussions around Labour's New Deal for Working People have opened the way for a more in-depth understanding of collective bargaining, worker status and issues such as fire and rehire. That, alongside the MSL legislation, is placing the IER and our work at the centre of the debate once again.

### CONCLUSION

With immediate reduced capacity, the IER's output is temporarily constricted. However, we hope that when our staffing profile is clearer in the summer, this will provide us with a more stable base to grow IER in the long term. Capacity issues aside, we are confident we will continue to fulfil our role to inform the debate on labour rights. Our committed staff and experts will, as ever, rise to the challenge of whatever faces our movement after the general election.

# IER Officers & EC 2023

### OFFICERS

**President:**  
Professor Keith Ewing

**Chairperson:**  
Lord John Hendy KC

**Treasurer:**  
Geoffrey D Shears

**Senior Vice President:**  
Carolyn Jones

### VICE PRESIDENTS

Sharon Graham *UNITE*  
Christina McAnea *UNISON*  
Professor Aileen McColgan  
Professor Sonia McKay  
Professor Tonia Novitz  
Gary Smith *GMB*  
Dave Ward *CWU*

### EXECUTIVE COMMITTEE

Richard Arthur Thompsons  
*Solicitors*

Baroness Christine Blower  
Professor Alan Bogg  
Amanda Brown  
Seamus Colclough *PCS*  
Steve Cottingham  
Professor Nicola Countouris  
Professor Ruth Dukes  
Paul Fleming *Equity*  
Professor Mark Freedland  
Steve Gillan *POA*  
Dr Jo Grady *UCU*  
Professor Lydia Hayes  
Fran Heathcote *PCS*  
Professor Phil James  
Daniel Kebede *NEU*  
Professor Anthony Kerr  
*University College Dublin*  
Professor Aristeia Koukiadaki  
Paddy Lillis *USDAW*  
Gawain Little *GFTU*  
Sampson Low *UNISON*  
Mick Lynch *RMT*  
Paul Mackney  
Professor Virginia Mantouvalou  
Robert Monks *URTU*  
Jane Peckham *NASUWT*  
Laura Pidcock  
Hannah Reed *UNITE*  
Patrick Roach *NASUWT*  
Paul Scholey *Morrish Solicitors*  
Tim Sharp *TUC*  
Barry Smith *GMB*  
Liz Snape *UNISON*  
Alice Sorby *RCM*  
Michelle Stanistreet *NUJ*  
Sarah Veale  
Adrian Weir  
Mick Whelan *ASLEF*  
Professor David Whyte  
Spencer Wood *OH Parsons*  
Sarah Woolley *BFAWU*

# IER Members 2023

Professor Paul Davies  
Professor Simon Deakin  
Professor Linda Dickens  
Mark Dickinson  
*NAUTILUS International*  
Maryam Eslamdoust *TSSA*  
Richard Evans *SOR*  
Michael Ford KC  
*Old Square Chambers*  
John Foster  
Roz Foyer *STUC*  
Steve Gibbons  
Tess Gill  
Tony Kearnes *CWU*  
Chris Kitchen *NUM*  
Ian Lawrence *NAPO*

Cath Lowther *AEP*  
Professor Jonathan Michie  
Maheta Molango *PFA*  
Ged Nichols *Accord*  
Sophie Park *Pattinson & Brewer*  
Dave Penman *FDA*  
Roy Rickhuss *Community*  
Rod Robertson  
Mickey Rubenstein  
Claire Sullivan *CSP*  
Barbara Switzer  
Rebecca Tuck KC *Old Square Chambers*  
Matt Wrack *FBU*

# IER Budget Report 2023-24

Year to 31st March 2024

| £s                                            | Budget<br>2023-24 | Actual Q4<br>2023/24 | Actual Q4<br>2022/23 |
|-----------------------------------------------|-------------------|----------------------|----------------------|
| <b>INCOME</b>                                 |                   |                      |                      |
| Sales of Publications                         | 10,000            | 7,694                | 3,909                |
| Donations                                     | 95,000            | 99,468               | 91,023               |
| Subscriptions                                 | 25,000            | 22,050               | 16,855               |
| Sponsorship                                   | 1,500             | 1,790                | 750                  |
| Seminar/online Events                         | 13,000            | 10,999               | 3,740                |
| Royalties                                     | 500               | 248                  | 337                  |
| Commissioned Work                             | 10,000            | 0                    | 0                    |
| Project Development                           | 22,000            | 6,322                | 23,194               |
| Advertising                                   | 1,000             | 360                  | 460                  |
| <b>TOTAL INCOME</b>                           | <b>178,000</b>    | <b>148,930</b>       | <b>140,268</b>       |
| <b>EXPENDITURE</b>                            |                   |                      |                      |
| Printing: Promotional (inc packs & publicity) | 4,000             | 2,788                | 2,754                |
| Printing: Publications                        | 14,000            | 7,060                | 10,394               |
| Design Work                                   | 4,000             | 2,691                | 2,591                |
| Salaries                                      | 112,000           | 99,742               | 102,242              |
| Rent                                          | 6,000             | 3,408                | 4,671                |
| Sundries                                      | 3,000             | 2,786                | 5,024                |
| Advertising                                   | 1,500             | 1,238                | 1,468                |
| Insurance                                     | 800               | 803                  | 713                  |
| Room Hire (& refshts)                         | 500               | 789                  | 24                   |
| Professional/project Fees                     | 14,000            | 9,511                | 8,586                |
| C&E Hotels                                    | 1,000             | 2,070                | 1,308                |
| C&E Fares                                     | 250               | 786                  | 42                   |
| Travel                                        | 3,000             | 2,557                | 3,441                |
| Telephones                                    | 500               | 311                  | 440                  |
| Office Stationery                             | 1,000             | 1,309                | 687                  |
| Postage: Couriers                             | 1,000             | 252                  | 825                  |
| Postage: Mailing                              | 5,000             | 4,147                | 4,232                |
| Repairs & maintenance                         | 0                 | 0                    | 0                    |
| IT Development                                | 5,000             | 4,412                | 3,126                |
| Bank Charges                                  | 600               | 569                  | 487                  |
| <b>TOTAL EXPENDITURE</b>                      | <b>177,150</b>    | <b>147,227</b>       | <b>153,055</b>       |
| Surplus/deficit                               | <b>850</b>        | <b>1,704</b>         | <b>-12,787</b>       |
| Money in bank                                 |                   | <b>72,494</b>        | <b>72,083</b>        |
| Bills to be paid                              |                   | <b>1,455</b>         | <b>£0</b>            |
| Invoices owed to us                           |                   | <b>1,878</b>         | <b>5,010</b>         |
| Donation invoices owed                        |                   | <b>0</b>             | <b>0</b>             |