

**Email from Assistant Clerk to Jeremy Skinner, Greater London Authority, 16 December 2012**

Dear Mr Skinner

**Inquiry on living wage in Scotland**

During the meeting I noted three specific issues that the Committee requested supplementary information on.

The first centred around the implementation of the living wage across the GLA group and whether you could provide any information on the percentage of public sector contracts awarded to contractors who pay a living wage to their employees, as opposed to contracts awarded to contractors who don't pay a living wage? It would be helpful if you have such information, if you could provide this to us in writing.

During your evidence you also made reference to a legal test case which is currently before the EU courts in relation to whether it is legal to specify the payment of living wage in public procurement tenders. It would be very helpful if you could provide more information on this, and elaborate on the background to the case.

Finally, I noted a question was asked regarding the impact of 'single status' on local authorities in London. I appreciate that you may not be familiar with this term. By way of explanation, the Equal Pay Act 1970 established the requirement for men and women to be paid equally for undertaking the same or similar work. While some progress had been made by Scottish local government to tackle pay inequality, by the late 1990s there remained a problem of unequal pay amongst local government staff in Scotland.

Therefore, in 1999, an agreement was made between Scottish local authorities and trade unions called 'single status'. This agreement sought to harmonise the terms and conditions of manual workers, and those of Administrative, Professional, Technical and Clerical workers in Scottish local government. This involved examination of various issues such as pay, grading, working hours, annual leave, sick leave and negotiating mechanisms.

The Committee is interested in finding out if issues around equal pay have affected local authorities in London? Has there been an agreement in London similar to the single status agreement in Scotland? If so, how has this worked? Also, it would be very helpful if you could set out whether any debate on the legal implications for local authorities in London, in relation to their statutory duties relating to equal pay, has influenced the development, or implementation, of living wage across the local authority sector in London?

Regards  
Seán Wixted

**Response from Ijeoma Ajibade, Greater London Authority, 23 January 2012**

Dear Michael

I hope you are well. Your email to Jeremy Skinner has been passed to me to respond.

With regards to the first query in the attached letter, I have emailed my colleagues at Transport for London to see if they can assist with this. We do not have access to that information within the Economics and Business Policy Team.

**With regards to the EU legal test case the name of the case is Ruffert.**

**Ruffert** has raised questions over the legality of requiring suppliers to pay LLW under the EU Posted Workers Directive (the Directive). The Directive sets out the minimum terms and conditions which a member state must ensure are applied to workers posted to its territory from another member state. Those minimum conditions include minimum rates of pay provided for in collective agreements which are "declared to be universally applicable". The Directive sets out criteria for determining whether collective agreements are to be regarded as universally applicable. In **Ruffert** the court found that a regional wage policy implemented in German public sector construction contracts breached the Directive as it was not universally applicable, not least because it only applied to public sector contracts. The ECJ went on to say that the contract provision could not be justified on grounds of protecting worker rights as the relevant collective agreement only covered a limited geographical area and did not apply to private sector contracts.

With regards to the issue of 'single status' and local authorities I am unable to provide information on this. London Councils represent all London Local Authorities and may be better placed to answer this. Their website and contact details can be found here <http://www.Londoncouncils.gov.uk/>

I hope this information is helpful. I shall get back to you about the first question as soon as I receive the information from my colleagues.

Regards  
Ijeoma Ajibade  
Economics and Business Policy team  
GLA

**Response from Ijeoma Ajibade, Greater London Authority, 24 January 2012**

Dear Michael

With regards to the Committee's first question about the implementation of the London Living Wage across the GLA group, my colleagues in the procurement team have advised that the GLA applies the London Living Wage (LLW) as a contractual requirement in relevant projects. Consequently in these contracts whichever contractor wins the work will pay LLW on GLA sites. The GLA does not select contractors on the basis of whether they pay LLW and therefore we don't have the

data which the Scottish Parliament is looking for. We don't collect data on how many public sector contracts include LLW, or how many overall public sector contracts are let each year.

I hope this helps inform the Committee's deliberation. Do let me know if there is any more information you require.

Regards  
Ijeoma Ajibade