



**NG Bailey**

6 February 2014

Mr McPartland MP and Mr Hopkins MP  
House of Commons  
London  
SW1A 0AA

Dear Messrs McPartland and Hopkins

**RE: BLACKLISTING OF CONSTRUCTION WORKERS & ENVIRONMENTALISTS**

Further to your letter dated 13 November 2013 and my previous letter dated 23 December 2013, I can respond as follows;

NG Bailey has a long history of excellent industrial relations and was central to the establishment of the Joint Industry Board over forty years ago; an industrial benchmark of employer and union partnership. Today, it continues with that involvement, working with trade associations and with the union and its officials to continually improve safety, productivity and employment in the sector. From its earliest days NG Bailey trained apprentices and is at the forefront of apprenticeships in the construction industry. Similarly, NG Bailey is proud of its excellent health and safety record and is widely recognised in the sector for excellence in this regard. Any suggestion that NG Bailey has sought to put health and safety at risk and discriminate against trade union members who raise valid concerns would be wrong.

With reference to your specific questions:

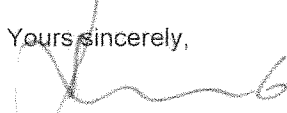
- NG Bailey's policy is to operate at all times within the law and, specifically as regards the issue you are addressing, not to deny anyone employment with NG Bailey on the grounds of trade union membership;
- Between 2004 and 2009 NG Bailey did subscribe to The Consulting Association ("TCA") for the purpose of utilising the press cutting service and HR networking meetings which discussed recent developments in industrial relations. However, I regret that between 2007 and 2009 one regional office of NG Bailey used the name referencing service of TCA on two projects (out of thousands of projects undertaken since 2004); and
- NG Bailey has put in place compliance measures to ensure this mistake is never repeated.

Nevertheless, NG Bailey recognises that it has allowed itself to be involved with an organisation which it ought never to have been involved with. NG Bailey regrets and apologises for this.

Finally, I can confirm that NG Bailey has been approached with a view to joining the proposed Construction Workers Compensation Scheme. We have sought further information regarding the proposed scheme from the sponsoring companies' legal advisors.

I trust this provides you with a satisfactory response.

Yours sincerely,

  
David Hurcomb  
Chief Executive  
NG Bailey

**NG Bailey**  
Denton Hall Denton Ilkley West Yorkshire LS29 0HH  
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BAM Construct UK Limited

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Telephone (01442) 238 300 / Fax (01442) 238 301 / [www.bam.co.uk](http://www.bam.co.uk)

By post and email  
[hopkinsk@parliament.uk](mailto:hopkinsk@parliament.uk)  
[stephen.mcpartland.mp@parliament.uk](mailto:stephen.mcpartland.mp@parliament.uk)

Mr Stephen McPartland MP  
Mr Kevin Hopkins MP  
House of Commons  
London  
SW1A

Date 29 January 2014  
Your reference  
Our reference GC/lh  
Telephone (01442) 238363  
Fax (01442) 238300  
E-mail [gcash@bam.co.uk](mailto:gcash@bam.co.uk)

Subject **Blacklisting**

Dear Mr McPartland and Mr Hopkins

Thank you for your letters.

We can confirm that BAM Construct UK Limited was a member of The Consulting Association (TCA) and made limited use of the database that was maintained and operated by TCA.

BAM apologises unreservedly for our involvement in TCA.


BAM Construct UK Limited has published a statement on its website which publicly apologises and accounts for our activity with the TCA. The statement also confirms that we are taking steps to make appropriate compensation arrangements, and sets out the measures we have taken to improve our internal controls to ensure that such activity does not take place in future.

You can view the statements at:

[www.bam.co.uk/TCA](http://www.bam.co.uk/TCA)  
<http://www.bamnuttall.co.uk/PDFfiles/TCA.pdf>

BAM does not engage in blacklisting and believes that blacklisting has no place in the construction industry or any other sector. BAM has a good reputation as an employer and is committed to co-operating and maintaining good relationships with trades unions wherever we operate.

Yours sincerely  
BAM Construct UK Limited



Graham Cash  
Chief Executive

29 January 2014

Mr Stephen McPartland MP  
Mr Kevin Hopkins MP  
House of Commons  
London SW1 A

By post and email  
[hopkinsk@parliament.uk](mailto:hopkinsk@parliament.uk)  
[stephen.mcpartland.mp@parliament.uk](mailto:stephen.mcpartland.mp@parliament.uk)

Dear Mr McPartland and Mr Hopkins

**Re Blacklisting**

Thank you for your letters.

We can confirm that BAM Nuttall was a member of The Consulting Association (TCA) and made limited use of the database that was maintained and operated by TCA.

BAM apologises unreservedly for our involvement in TCA.

BAM Nuttall has published a statement on its website which publicly apologises and accounts for our activity with the TCA. The statement also confirms that we are taking steps to make appropriate compensation arrangements, and sets out the measures we have taken to improve our internal controls to ensure that such activity does not take place in future.

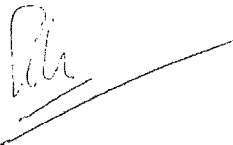
You can view the statements at:

<http://www.bamnuttall.co.uk/PDFfiles/TCA.pdf>

[www.bam.co.uk/TCA](http://www.bam.co.uk/TCA)

BAM does not engage in blacklisting and believes that blacklisting has no place in the construction industry or any other sector. BAM has a good reputation as an employer and is committed to co-operating and maintaining good relationships with trades unions wherever we operate.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Fox', with a long horizontal line extending to the right.

Stephen Fox  
Chief Executive

Mr McPartland MP and Mr Hopkins MP  
House of Commons  
London  
SW1A 0AA

16 January 2014

Dear Mr McPartland and Mr Hopkins

**Blacklisting of Construction Workers and Environmentalists**

Thank you for your recent letter to John Morgan on this matter. I am replying on his behalf.

Morgan Sindall Group is totally opposed to the blacklisting of construction workers. We do not condone the operations of The Consulting Association (TCA) in any way. We unwittingly became caught up in the work of TCA as a result of a business acquisition in 2007 and, for that, we have considerable regret. Our subscriptions were terminated as soon as they came to light and, as you would expect, we have put in place systems and procedures to ensure that something like this cannot happen again.

On becoming aware of our TCA connection, we launched a thorough internal investigation. In particular, we have looked carefully to identify instances where employees or potential employees of Morgan Sindall Group may have been adversely affected by our participation in TCA. At this time, we have found no such cases. If any complaints are brought to us in the future, we can assure you these will be dealt with speedily and fairly.

Yours sincerely



Mary Nettleship  
Company Secretary



**NG Bailey**

23 December 2013

House of Commons  
London  
SW1A 0AA

Dear Messrs McPartland and Hopkins

**RE: BLACKLISTING OF CONSTRUCTION WORKERS & ENVIRONMENTALISTS**

Thank you for your letter dated 13 November 2013, which we received on 25<sup>th</sup> November. We are currently giving your letter our consideration.

Yours sincerely

David Hurcomb  
Chief Executive  
NG Bailey

**NG Bailey**

Denton Hall Denton Ilkley West Yorkshire LS29 0HH  
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Messrs S McPartland MP and K. Hopkins MP  
House of Commons  
London  
SW1A 0AA

20<sup>th</sup> December 2013

Dear Mr McPartland and Mr Hopkins,

**BLACKLISTING OF CONSTRUCTION WORKERS AND ENVIRONMENTALISTS**

Thank you for your letter dated 13<sup>th</sup> November 2013.

First, I would like to be clear that Spie does not condone the practice of blacklisting and I would take appropriate action should blacklisting be found to be taking place within the Spie UK business.

I hope it may assist you if I provide some background to the company Spie Matthew Hall Limited ("SMHL"). SMHL was incorporated on 19th July 2007 and at all times has been part of the Spie Group. In August 2007 SMHL purchased the building and facilities services business of Amec Group Limited, which included the right to use the Matthew Hall name. There was a company using the Matthew Hall name which was active during the 1970's but that company is not related to and has no legal relationship with SMHL.

When SMHL was contacted by the Information Commissioner's Office in 2009 the directors of SMHL did not believe that SMHL had subscribed to the Consulting Association's services. However, the Information Commissioner's request for information was taken very seriously by SMHL and an internal inquiry was commenced. The conclusion reached was that SMHL did not subscribe to the Consulting Association's services. The enquiry produced no evidence of a relationship between SMHL and Ian Kerr. It was discovered that Mr Kerr had approached SMHL in 2008 and was advised that SMHL did not wish to have any involvement with the Consulting Association. It was also discovered that two invoices had been sent speculatively to SMHL and that Mr Kerr had been advised that these would not be paid and would be destroyed. The enquiry also thoroughly checked SMHL's financial records and SMHL had not paid any monies to Ian Kerr and/or the Consulting Association.

The Information Commissioner's Office wrote to SMHL on 22<sup>nd</sup> June 2009 stating that they would not take any enforcement action against SMHL.

Yours sincerely

James Thoden van Velzen  
Chief Executive Officer

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Tel +44 (0)20 7105 2300

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United Kingdom

Registered in England no. 07201157



Our ref BWM/jk

19<sup>th</sup> December 2013

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SW1A 0AA

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Web: [www.renewholdings.com](http://www.renewholdings.com)

Dear Mr McPartland

**Blacklisting of Construction Workers & Environmentalists**

I refer to your letter of the 13<sup>th</sup> November 2013.

I have been Chief Executive of Renew Holdings plc since June 2005 and therefore have consulted my senior colleagues regarding this matter. I would confirm the following:

1. I have found no evidence that Renew Holdings plc or any of its subsidiaries have ever subscribed to The Consulting Association.
2. I have found no evidence that Renew Holdings plc or any of its subsidiaries have ever "blacklisted" any construction workers.
3. I confirm that we do not condone or participate in "blacklisting" and recruitment within our Group is carried out in accordance with the following statement.

*"The Group and its subsidiaries are committed to applying its equal opportunities policy at all stages of recruitment and selection. Short-listing, interviewing and selection will always be carried out without regard to gender, gender reassignment, sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave or trade membership"*



I trust that the above clarifies the position of Renew Holdings plc and its subsidiaries regarding the above issue.

Yours sincerely  
**Renew Holdings plc**

**B W May**  
**Chief Executive**



# Miller construction

Mr S McPartland MP and Mr K Hopkins MP  
House of Commons  
London  
SW1A 0AA

18 December 2013

Dear Sirs,

## **Blacklisting of Construction Workers and Environmentalists**

I refer to your letter of 13th November 2013 and welcome the opportunity to clarify Miller's position in respect of the important issues that you have raised.

The information disclosed to the Scottish Affairs Committee Inquiry into Blacklisting included a membership list for the Consulting Association [CA] showing all members from 1996 onwards. Miller was not shown as a member on that list. Whilst there is a reference to Miller Construction Limited (MCL) as being an 'ex-member' in the records previously held by the CA, MCL has been dormant since 1995.

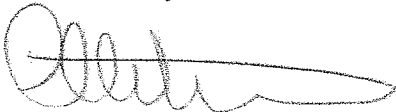
Our internal investigations, which commenced in 2009 when this matter first came to light, have found no evidence that MCL was a member of the CA, or that MCL has ever been involved in blacklisting.

We have neither found through our own investigation - nor been presented with - evidence which demonstrates any active participation by us in blacklisting. Indeed, the Information Commissioner has advised that he was taking no action against us.

Our business has been operating as Miller Construction (UK) Limited since 2000. Miller Construction (UK) Limited has a very clear policy in respect of non-discrimination of employees and strives to comply with its legal obligations at all times.

I trust this letter addresses your questions and note that this reply maybe published on your website and I consent for you to do so.

Yours faithfully



**Chris Webster**  
Chief Executive  
*Miller Construction (UK) Limited*

Our Ref: AS/HOC/101213

10 December 2013

RECEIVED 12 DEC

Stephen McPartland MP  
Kelvin Hopkins MP  
House of Commons  
London  
SW1A 0AA

Dear Mr McPartland and Mr Hopkins,

Thank you for your letter dated 13 November.

Laing O'Rourke is committed to being an equal opportunities employer. We seek to maintain the highest standards of employment practice and directly employ a workforce that reflects the diverse society in which we live and work. We do not maintain or apply any blacklist in relation to our recruitment procedures. We carry out screening processes in relation to recruitment but these are with the consent of our potential employees and in accordance with the law.

You will be aware that Laing O'Rourke is one of eight major UK construction companies which have joined together to establish The Construction Workers Compensation Scheme to compensate construction workers whose names were on The Consulting Association (TCA) database. The scheme has been designed to provide affected workers with a genuine and preferable alternative to High Court action by removing many of the hurdles that would be faced through litigation and offering much faster access to compensation payments.

We have apologised for our historical involvement with TCA and the impact the existence of its database may have had on any individual construction worker.

The Construction Workers Compensation Scheme is currently in a period of consultation with workers' representatives and other key stakeholders. We want to make it as simple as possible for any worker with a legitimate claim to access compensation and in the interests of all parties we are committed to doing everything we can to ensure the success of the scheme. Once consultation is completed, full details of the scheme will be announced and we hope to open the scheme to potential claimants in early 2014.

As one of the companies involved in the scheme we would support the introduction of a code of conduct to ensure nothing like this can happen within the construction industry again.

Yours sincerely



**Anna Stewart**  
Chief Executive



Stephen McPartland MP / Kevin Hopkins MP  
House of Commons  
London  
SW1P 0AA

6 December 2013

Dear Mr. McPartland and Mr. Hopkins,

**Blacklisting of Construction Workers and Environmentalists**

Thank you for your letter of 13 November 2013 concerning the above.

AMEC does not operate a policy of blacklisting. Nor does it discriminate in its employment policy in any way. On the contrary, AMEC has a long standing record of working constructively with the Trade Unions and of employing and re-employing well known trade union activists at all levels including branch secretary, executive council member and shop stewards.

Personally, I am committed to equal employment opportunities, free from bias or discrimination, and to continuing to foster strong relationships between AMEC and the Trade Unions.

Since I took over as Chief Executive of AMEC plc in October 2006, we have pursued a successful strategy positioning AMEC as a leading supplier of consultancy, engineering and project management services to the energy, power and process industries. It is the skills and competencies of our people that have enabled this to happen.

As you are aware a number of AMEC entities were contained within the list of building and construction firms reported by the Information Commission as having subscribed to the Consulting Association. I would like to take this opportunity to say how disappointed I was to learn of this, as I also made clear to the Secretary of State for Business, Enterprise and Regulatory Reform when he announced his intention in May 2009 to introduce regulations governing blacklisting.

I can assure you that my senior management team and I do not condone such activity and I can also advise you that after AMEC sold its construction business in 2007, well before the allegations surfaced and the ICO report, AMEC ceased any involvement with the Consulting Association.

AMEC is committed to its values, which include acting with integrity, providing equal employment opportunities and never compromising on safety.

Yours sincerely,

Samir Brikho

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samir.brikho@amec.com

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Registered in England no. 1675285

[www.amec.com](http://www.amec.com)

Samir Brikho  
Chief Executive

# Taylor Wimpey plc

Our ref. JJJ/01813.DOC/SLA

06 December 2013

Stephen McPartland MP and Kelvin Hopkins MP  
House of Commons  
London SW1A 0AA

Taylor Wimpey plc  
Gate House  
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T: +44(0)1494 558323  
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[www.taylorwimpeyplc.com](http://www.taylorwimpeyplc.com)

Dear Mr McPartland and Mr Hopkins,

Thank you for your letter dated 13 November 2013 (received last week) addressed to our Chief Executive, who has asked me to respond on his behalf.

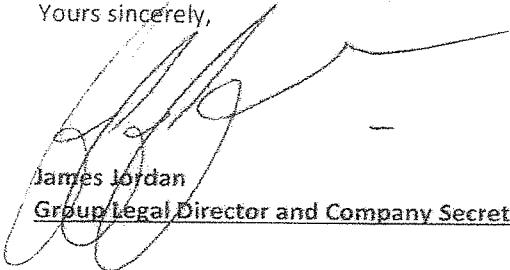
By way of background information, Taylor Wimpey plc was effectively created in 2007 through the merger of Taylor Wimpey Plc and Taylor Woodrow plc in mid 2007. We are now only involved in land development via housebuilding and not in construction activities per se. This is because George Wimpey Limited swapped its UK Construction activities with Tarmac plc on 8 February 1996 in return for Tarmac's housebuilding activities; the Taylor Woodrow Construction business in the UK was sold in its entirety to Vinci on 9 September 2008.

Taylor Wimpey fully investigated the allegations of involvement by its former businesses contained in Claim No. HQ12X015 Steve Acheson & Others v Sir Robert McAlpine Limited relating to The Consulting Agency (TCA).

Please be advised that following our investigations, we found nothing to suggest that our former construction businesses referred to above were active members of TCA. Furthermore there is no evidence of our former business being involved in any blacklisting activities.

The Company takes compliance and business conduct and ethics very seriously; the policies under which we conduct our business would not countenance involvement in such activities.

Yours sincerely,

  
James Jordan  
Group Legal Director and Company Secretary

Taylor Wimpey plc  
Registered Number:  
206805 England and Wales.  
Registered Office:  
Gate House, Turnpike Road  
High Wycombe, Buckinghamshire  
HP12 3NR

## Shepherd Group

Huntington House, Jockey Lane, Huntington, York YO32 9XW  
Telephone 01904 650700. Fax 01904 650701. Website [www.shepherd-group.com](http://www.shepherd-group.com)

Private and Confidential  
Mr Stephen McPartland MP and Mr Kelvin Hopkins MP  
House of Commons  
London  
SW1A 0AA

5<sup>th</sup> December 2013

Dear Mr McPartland / Mr Hopkins,

Thank you for your letter of 13th November 2013 on the subject of the Blacklisting of Construction Workers and Environmentalists.

We are familiar with and have fully co-operated with the findings of the ICO in relation to the above issue. It is a matter of record that one of our subsidiary companies, under previous management, subscribed for a short period of time to The Consulting Association (TCA) but you will of course be aware that that in itself does not amount to blacklisting.

Shepherd does not have, and has never had a policy which advocates or promotes blacklisting in any form. Shepherd acts at all times within the law in relation to all matters, including the employment of construction workers.

We are aware that a number of the companies involved with the TCA are in fact currently involved in ongoing litigation in relation to these matters. Having clearly and openly demonstrated the nature, timing and extent of activity associated with the TCA subscription recorded, I can confirm that Shepherd is not a party to those proceedings. We further understand that the parties to those proceedings have now set up a compensation scheme in support of claimants. It is against this background that justice for claimants will be determined and as you might imagine Shepherd is not prepared to comment on the litigation itself as this is a matter for those parties involved and the court itself.

I trust this clarifies our position on this issue.

Yours Sincerely,



Shepherd Group



**Sir Robert McAlpine Ltd**

Eaton Court                      Tel: 01442 233 444  
Maylands Avenue                Fax: 01442 230 024  
Hemel Hempstead                Email: hemel@sir-robert-mcalpine.com  
Herts HP2 7TR                    www.sir-robert-mcalpine.com

5<sup>th</sup> December 2013

Mr Stephen McPartland MP & Mr Kelvin Hopkins MP  
House of Commons  
London  
SW1A 0AA

Dear Mr. McPartland and Mr. Hopkins,

Thank you for your letter of 13th November, 2013.

Our policy on blacklisting is that we have never operated a blacklist, do not currently do so and have no intention of doing so in the future.

We were members of The Consulting Association before the Data Protection Act 1998 came into force and when such membership was in full accordance with the law. Membership of TCA included most other large employers in the construction and civil engineering industries. We do not know the reasons which other TCA members used the information provided by the TCA to them for. Our purpose was simply to ensure that such information was furnished to us in TCA's capacity as a reference agency in order to identify individuals who had a previous history of carrying out seriously disruptive activities, sometimes involving violence, which might pose a health or safety danger to their colleagues, themselves, or other members of the public. Examination of our very limited use of this data would bear this out; in particular we have never discriminated against any individual because of their participation in trade union activities or health and safety issues.

As soon as the Information Commissioner's Office advised us that the way in which TCA maintained their records was illegal, we terminated our membership of it and we participated in the winding up of the organisation. The ICO did issue Enforcement Notices against certain of its members; we were not amongst them.

In the summer of 2013 we were one of a group of eight former members (out of a total membership of 32 construction groups) who initiated the setting up of a voluntary compensation scheme to which individuals who feel that they have been adversely affected by the activities of TCA may apply for compensation. This group is currently engaged in discussion with Trade Unions and other relevant stakeholders about the terms of this Scheme and we envisage that it will be launched in the New Year.

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**Be Safe | Home Safe**

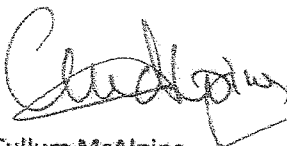
Regional offices: Birmingham, Bristol, Cardiff, Edinburgh, Glasgow, Leeds, London, Manchester, Newcastle  
Registered office: Eaton Court, Maylands Avenue, Hemel Hempstead, Herts HP2 7TR. Registered in England No. 566823.



We support the introduction of a Code of Conduct to prevent blacklisting ever occurring in the future. We continue to encourage the remaining 24 organisations to join The Construction Workers' Compensation Scheme.

As you are probably aware, there are a number of legal cases currently running through the court system which prevent us making any statements which may be prejudicial to those proceedings, but within those constraints if we can provide you with any further information we are very happy to do so.

Yours sincerely

  
Cullum McAlpine

# SKANSKA

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Public Company (publ)

Mr S McPartland MP and Mr K Hopkins MP  
House of Commons  
London  
SW1A 0AA

December 4, 2013

Dear Mr McPartland and Mr Hopkins

### **The Consulting Association**

Thank you for your letter dated 13 November 2013 (received on 22 November 2013) regarding Skanska UK's involvement with the Consulting Association.

First, can I assure you that Skanska takes this matter very seriously.

The use of blacklists is against the values and behaviours of our company and will not be tolerated in any part of Skanska. Driven by our code of conduct, we are committed to an ethical and lawful approach to business and we promote a culture of care and respect for everyone who works for us or with us. In every part of our business, we recognise and support employees' rights to form and join trade unions and we take a proactive approach to building good relationships with the unions. I can confirm that Skanska UK is not engaged in any covert vetting or blacklisting and is not aware of this continuing in the UK construction industry.

When the Information Commissioner's Office first raised its concerns with us about the Consulting Association in March 2009, Skanska UK carried out a thorough investigation into its use of the service, and cooperated fully with the investigation carried out by the ICO. The ICO subsequently confirmed to us that no enforcement action need be taken against Skanska.

Skanska also welcomed the opportunity to attend before the Scottish Affairs Select Committee in March 2013 as part of the committee's inquiry into this matter and to answer its questions on Skanska's involvement with the Consulting Association. At the committee hearing, Skanska addressed the areas of concern raised by the committee members. This included why the Consulting Association was used by parts of Skanska UK's business: primarily as a reference checking service for those working on some of our sites, but also as a news cutting service and to attend industrial relations forums.

During the committee hearing we apologised for Skanska UK's past actions, saying the company was "truly sorry for its involvement".

CONFIDENTIAL INFORMATION



Following our own investigation into Skanska UK's use of the Consulting Association, we have now taken all steps necessary to ensure we comply with best practice.

Specifically, Skanska UK's policies have been revised to ensure they reflect best practice on data protection and reference checking. Any form of blacklisting or covert checking is clearly prohibited and would be considered a disciplinary offence for any Skanska employee to use or compile such lists or to be aware that such a list is being used and not report it.

All Skanska UK human resources employees have received specific training in data protection. Further, every Skanska UK employee has received training in our Code of Conduct (with the training repeated every two years), which includes aspects of employee relations and data protection.

Each group company within Skanska has an ethics committee that monitors and considers ethical issues. Specific ethical concerns can be raised with the ethics committee and we have a global hotline where issues can be raised, confidentially if the caller prefers.

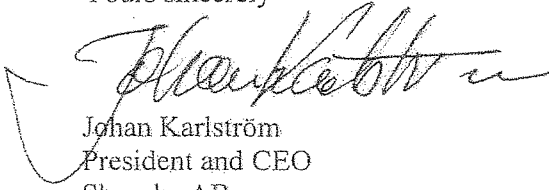
Ethical dilemmas are discussed at management meetings to keep the code of conduct and ethical behaviour high on the agenda within the company. In addition, under a new programme called 'What do you think?', driven by our Ethics Action Group, employees across the organisation are being encouraged to discuss ethical dilemmas, further raising the profile of ethics in the business.

You will also be aware that, in October 2013, Skanska UK joined with seven other companies to form The Construction Workers Compensation Scheme, which is intended to make it simple, quick and cost effective for any worker with a legitimate claim to access compensation.

The scheme members are currently in a period of consultation with workers' representatives and key stakeholders, including the unions, the Blacklist Support Group and potential claimants' legal representatives. The companies have also welcomed the introduction of a code of practice to ensure that nothing like this can happen within the construction industry again. I very much hope that the scheme and code of practice can be finalised soon as a way of moving this matter forward in a positive way.

I trust this answers your query. I am happy for the contents of this letter to be made public.

Yours sincerely



Johan Karlström  
President and CEO  
Skanska AB



DEFINING TOMORROW'S ENVIRONMENTS

Kier Group plc  
Tempsford Hall  
Sandy  
Bedfordshire  
SG19 2BD  
United Kingdom

4 December 2013

Stephen McPartland MP and Kelvin Hopkins MP  
House of Commons  
London  
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DX: 47805 Sandy

Dear Sirs

I refer to your letter of 13 November 2013.

The letter raises three principal issues, which I would like to take in turn:

#### **Membership of TCA**

I confirm that Kier was a subscriber to The Consulting Association (TCA). You may be aware that Kier, and others within the industry, are currently defending a number of claims from individual workers which arise from the existence of the database. In light of these claims, it would not be appropriate to comment, outside of the proceedings, on the reasons behind Kier's subscription. However, business practices across the industry have changed significantly since the era in which the TCA operated and we recognise that the existence of the database has damaged the reputation of the construction industry as a whole. Kier and other major contractors have, therefore, formed The Construction Workers Compensation Scheme (TCWCS) to compensate construction workers whose names were on the TCA database (please see below for further information).

#### **Policy**

We are committed to conducting our business in an ethical manner and to the highest standards of integrity. We require our employees to follow these principles, wherever work is undertaken. Our Business Ethics Policy, which is available on our website and has been widely publicised throughout Kier, includes a specific reference to blacklisting not being tolerated.

To reinforce the principles of our Business Ethics Policy, we have issued written briefings to our HR managers within the business on how to conduct reference-checking appropriately. In addition, we have introduced a training programme, delivered by members of senior management, designed to ensure that those who are involved in managing the workforces on our sites continue to adopt appropriate reference-checking practices.

#### **The Construction Workers Compensation Scheme**

Kier is a founding member of TCWCS. We, together with the other members of the scheme, have apologised for our involvement with the TCA and the impact that it may have had on construction workers. We would support the introduction of a code of conduct to ensure that blacklisting issues do not arise within the construction industry again.

Richard J. Phillips  
President of the Board

The TCWCS compensation scheme is intended to make it as simple as possible for anyone with a legitimate claim to access compensation – Kier, and the other members of TCWCS, want to do the right thing for those individuals, and their families, affected by the TCA database. Discussions with stakeholders continue, with the scheme currently anticipated to be open for applications in early 2014.

Please do not hesitate to contact me should you require further information.

Yours faithfully



Paul Sheffield  
Chief Executive



COSTAIN

Our Ref: AW/NH

2<sup>nd</sup> December 2013

F.A.O: Stephen McPartland MP  
F.A.O: Kelvin Hopkins MP  
House of Commons  
London  
SW1A 0AA

Dear Sirs,

Thank you for your letter dated 13<sup>th</sup> November 2013.

Costain does not condone blacklisting nor the activities of The Consulting Association ("TCA") and has apologised for its involvement with TCA.

Our Company is currently working with other major construction companies to develop a scheme to compensate workers whose names were on TCA database and has recently established The Construction Workers Compensation Scheme. The Scheme is intended to make it as simple as possible for individuals with a legitimate claim to access compensation.

Costain is also supporting the introduction of a code of conduct.

In addition, Costain has internal controls in place to ensure that its recruitment practices are fully compliant with all applicable legislation. In particular, Costain ensures compliance with the Employment Regulations Act 1999 (Blacklists) Regulations 2010 and the Data Protection Act 1998.

Yours faithfully,



**Andrew Wyllie**  
**Chief Executive**

**COSTAIN GROUP PLC**

Costain House, Vanwall Business Park, Maidenhead, Berkshire, SL6 4UB  
Telephone 01628 842444, Fax 01628 674477, [www.costain.com](http://www.costain.com)

Registered Office: Costain House, Vanwall Business Park, Maidenhead, Berkshire SL6 4UB  
Registration No. 1389773 - England & Wales

Our Reference: GPF/kc/ladc/039

Tel: 01895 855 011  
Fax: 01895 855 296

Your Reference:

[www.gallifordtry.co.uk](http://www.gallifordtry.co.uk)

28 November 2013

Stephen McPartland MP  
Kelvin Hopkins MP  
House of Commons  
London  
SW1A 0AA

Dear Messrs McPartland and Hopkins

**Blacklisting of Construction Workers & Environmentalists**

Thank you for your letter dated 13 November which unfortunately was not received until 25 November.

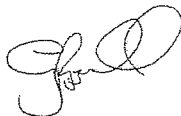
In response to your query I can advise that Galliford Try plc has never participated in the practice of blacklisting in any way and we condemn its use within our industry.

With respect to past company acquisitions by the Group we understand an entity known as Morrison Construction Group was noted as being an ex member of the Consulting Association. We believe this entity ceased membership in or around 2001/2002. Galliford Try plc acquired the issued share capital of Morrison Construction Services Limited from AWG Plc on 1 April 2006. Galliford Try did not acquire the entirety of AWG's Morrison interests and did not specifically acquire the Morrison Construction Group.

By way of further support to the industry on this issue I can confirm that Ken Gillespie, Chief Executive of our Construction Division, has led the Morrison acquired business since 2005, one year before the restructured construction business joined Galliford Try plc, and during his time Morrison Construction has not been involved in blacklisting in any way.

We take the issue of blacklisting seriously. We are currently implementing a company wide policy as part of our governance regime as well as addressing our clients' changing procurement guidance. Galliford Try and its Group companies continue to maintain a positive industrial relations policy with our workforce and supply chain.

Yours sincerely  
Galliford Try plc



**Greg Fitzgerald**  
Chief Executive



Mr McPartland MP and Mr Hopkins MP  
House of Commons  
London  
SW1A 0AA

Direct tel: 01902 316217

Direct fax: 01902 316250

27 November 2013

Our ref: RJH/de/L782

Dear Mr McPartland and Mr Hopkins,

**Re: Blacklisting of Construction Workers and Environmentalists**

Further to your letter dated 13<sup>th</sup> November, I confirm that Carillion prides itself on its Values and high standards of corporate governance and does not condone or engage in blacklisting.

We have sought to be transparent in clarifying the extent of our historic involvement with The Consulting Association (TCA) and we have explained the facts on our website: [www.carillionplc.com/response-to-blacklisting-accusations.aspx](http://www.carillionplc.com/response-to-blacklisting-accusations.aspx).

We recently announced that we are one of eight major UK construction companies that are working together to develop a scheme to compensate construction workers whose names were on TCA database. The companies; Balfour Beatty, Carillion, Costain, Kier, Laing O'Rourke, Sir Robert McAlpine, Skanska UK and VINCI PLC, all apologise for their involvement with TCA and the impact that its database may have had on any individual construction worker. The Construction Workers Compensation Scheme is intended to make it as simple as possible for any worker with a legitimate claim to access compensation. The companies have invited workers' representatives to enter into a period of engagement to ensure that the proposed terms of the scheme are fair and effective. The group is also engaging with other interested parties.

Additionally, the companies involved in the scheme would support the introduction of a code of conduct to ensure nothing like this can happen within the construction industry again.

Since the use of the TCA database by a Carillion subsidiary ceased nine years ago, Carillion has not used any such method of referencing to screen potential employees or subcontractors. Our recruitment policies are robust and up to date, and very clear about acceptable practice in recruitment.



We have also taken steps to communicate our position on blacklisting very clearly to subcontractors and suppliers. We have written to all of our suppliers to make absolutely clear that we do not, under any circumstances, condone subscribing to or using any blacklist or similar referencing service to vet potential employees without their knowledge. As a leader within our sector we have also introduced checks as part of our standard supplier audit procedures to ensure that there is no use of any such practices in future.

Carillion is committed to having a positive impact on the communities in which we operate - creating and sustaining quality jobs, driving local investment and promoting sustainability. We are proud to support our apprentices each year and to be the largest UK placement provider for some of the most disadvantaged in society through Business Action on Homelessness. We are also one of the first UK companies to sign up to the Government's Social Mobility Compact. Delivering services to, and for, the public sector is a core part of our business.

I do hope that this helps to explain Carillion's position but please do let me know if you have any further questions related to this issue.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'R. Howson', with a horizontal line underneath.

Richard Howson  
Chief Executive



# Balfour Beatty

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*Andrew McNaughton*  
Chief Executive Officer

**Balfour Beatty plc**  
**Group Head Office**

130 Wilton Road  
London SW1V 1LQ

25 November 2013

Tel: 020 7216 6800  
Dir: 020 7216 6802

Stephen McPartland MP and Kelvin Hopkins MP  
House of Commons  
Westminster  
London  
SW1A 0AA

[www.balfourbeatty.com](http://www.balfourbeatty.com)  
[andrew.menaughton@balfourbeatty.com](mailto:andrew.menaughton@balfourbeatty.com)

Dear Mr McPartland & Mr Hopkins

I acknowledge receipt of your letter of 13<sup>th</sup> November requesting an explanation of our Company's policy of blacklisting of construction workers and why we held membership of The Consulting Association ("TCA").

Balfour Beatty has acknowledged using the services of TCA up until 2009 to carry out reference checks on employees in the construction industry. We have expressed our regret about this. It should not have happened and we have apologised to the workers and their families who may have been adversely affected by these practices over the years.

Whilst not trying to justify our actions, the reason for our involvement with the TCA was to seek to mitigate and prevent any disruption caused on our construction sites throughout the UK by unofficial and unjustified industrial action. Unfortunately, this type of unofficial industrial action was prevalent for decades and was a symptom of an extremely difficult and turbulent industrial relations climate – which, in turn, had an adverse effect not only on our company but on our industry, our customers and the country as a whole.

We have never set out to attack or suppress lawful Union activity or Union membership. We have always enjoyed good relations with Unite, GMB, UCATT and other industry unions and we regret that our involvement with TCA has affected those relationships.

That said, we recognise that our continued engagement with the TCA until 2009 provides evidence that we were slow to move with changing times and public expectations in the area of data privacy.

# Balfour Beatty

We therefore co-operated fully with the Information Commissioner (ICO) in his investigation in 2009. Following receipt of the ICO's Enforcement Notices in 2009, we undertook steps to address the shortcomings revealed in our Data Protection practices. This included the introduction in 2009 of a Group-wide Data Protection Policy and a revised ethical Code of Conduct.

Since 2009, our Code of Conduct includes a section on *Protecting Personal Information* which expressly includes a prohibition on:

- The use or support of databases of "blacklisted" people or the supply of information to such databases; and
- Checking references for job applicants without first obtaining consent.

Any breach of our Code of Conduct is a serious disciplinary offence.

In 2009 we also introduced an employee whistle-blowing programme called "Listen-Up", through which employees are invited to report – anonymously if required – ethical and safety concerns direct to senior management.

Since these matters were first raised by the ICO with Balfour Beatty in 2009 we have not been involved in, nor have we any knowledge of, continued information sharing, either directly between companies or through intermediaries such as TCA.

Balfour Beatty does not engage in any form of blacklisting and we are committed to ensuring that robust internal controls and processes are maintained which ensure that this practice is never again used by our Company.

We appreciate that our involvement with TCA has caused grievances for some individuals who were the subject of reference checks and we are working hard to address those grievances in as straightforward a way as possible.

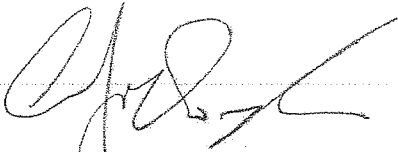
Balfour Beatty is one of eight construction companies who have joined together and recently announced creation of The Construction Workers Compensation Scheme. The scheme is intended to make it as simple as possible for workers with legitimate claims to access compensation.

The companies are now engaged with concerned Unions and worker's representatives to ensure that the proposed terms of the scheme are fair and effective. The group is also engaging with other interested parties.

# Balfour Beatty

I am aware, as you will be, that some concerned stakeholders are calling for the companies involved in TCA to own up, clean up and pay up. I hope my response indicates the seriousness with which we take this issue and that Balfour Beatty acknowledges and is meeting its obligations in this regard.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Andrew McNaughton', written over a horizontal dotted line.

Andrew McNaughton



Mr Stephen McPartland MP and Mr Kelvin Hopkins MP  
House of Commons  
London  
SW1A 0AA

25th November 2013

Dear Mr McPartland and Mr Hopkins,

**Blacklisting of Construction Workers & Environmentalists**

Thank you for your letter dated 13th November 2013.

I confirm that VINCI's policy is that blacklisting has no place in our business. We have emphasised that on no account should our officers or employees participate in any activity that is or could be construed as blacklisting. Any individual who has concerns in that regard is encouraged to report those concerns through established procedures.

VINCI regrets and has apologised for its involvement in the TCA (which was closed down in 2009). Further, in conjunction with seven other construction companies, VINCI is developing a compensation scheme for those who may have been affected by the activities of the TCA. Consultation with stakeholders in relation to that scheme is ongoing and it is anticipated that the scheme will be open to applicants early in the New Year.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John Stanion", with a long, sweeping horizontal line underneath it.

John Stanion  
Chairman and CEO

