



Low Pay Commission Consultation on the National Minimum Wage for 2025

Written submission from GMB Union

Summary of GMB recommendations for 2025

- The National Living Wage should rise beyond the Commission's highest estimate (£12.18) in 2025 and be replaced with a Real Living Wage rate of at least £15 an hour as soon as possible.
- The Low Pay Commission should recommended that all final agebased bands in the National Minimum Wage be abolished and young workers be incorporated into the full National Living Wage rate, following the lead of the Irish Low Pay Commission.
- The Commission should account for historical and current changes to workers' living standards when setting minimum wage rates after 2025.
- The Low Pay Commission should have a wider remit to make recommendations on addressing all forms of low pay and their structural causes, including impact assessments of government policy.
- More proactive work should be allowed between labour market enforcement and trade unions, with more information and oversight over the sectors unions represent workers in. There should be a firewall between immigration and labour market enforcement bodies.
- The National Minimum Wage Regulations must be amended to include care workers' travel time and sleep-in shifts. The Low Pay Commission must urgently revisit this issue.
- The Low Pay Commission should call for the government to restore the School Support Staff Negotiating Body (SSSNB) to secure a sectoral solution to chronic low pay in schools, and include all school workers affected by low pay in its classification of low-paid occupations.
- The government's decision to increase the hours of work required to receive Universal Credit from 15 to 18 hours a week must be reversed to better protect those on minimum wage in insecure work.

A full list of GMB's recommendations for 2025 can be found on page 21 of this written response.

Introduction

GMB is the UK's third largest trades union, representing more than 500,000 members who work in all sectors of the economy. As a general union, GMB's membership is split roughly equally between those working in public services and a diverse private sector membership across services and manufacturing.

Over a hundred thousand GMB members are working in low-paying sectors as defined by the Commission. Roughly half of our members are women and our membership is diverse in ethnic background. These workers keep crucial parts of the UK economy running, yet remain more likely to be low-paid because their work and sectors remain undervalued and under-recognised.

After placing the burden of austerity, the cost-of-living crisis and Covid-19 pandemic recovery on workers, there is much more that government and profiting employers can do to make the UK a better and fairer economy to work in. Whoever wins the General Election must ensure that work pays for those on lowest incomes after the steepest real-terms cuts to wages in living memory and rising insecure work has undermined the minimum wage.

Substantially raising the minimum wage is one of the most direct and costeffective ways of improving demand in the economy at a crucial time. GMB is clear that the path to a stronger and fairer economy runs only through high wages and high levels of investment. It will only happen with a 'wage floor' that guarantees decent statutory minimum living standards and healthy competition between employers over how high they pay above it, not how low.

Low-paid workers who are in GMB join because they know their real worth and have continued to organise forms of action together to reclaim it. The government must fully recognise that worth and properly protect the lowest paid in our economy.

Continuing work of the Low Pay Commission

GMB was one of the first trade unions to call for a National Minimum Wage policy and we continue to support the tripartite role of the Low Pay Commission in setting policy on the statutory wage floor. However, more could be done to ensure that the Commission's work fully captures the existence of low pay in the UK economy and more workers benefit from its remit and recommendations. The National Minimum Wage is undeniably a form of low pay, but both are not one and the same. Like previous years, this submission seeks to highlight that causes of low pay can be more than employer behaviour, and there are more policy solutions to low pay which complement the statutory minimum wage.

Interventions are urgently needed in government policies causing chronic low-pay in sectors like social care and security as well as in traditionally less low-paying ones like health and education. The failed policy of outsourcing in public services has driven down pay rates while years of austerity policies have brought many creaking public services to structurally underpay the workers that keep them running. The Low Pay Commission is uniquely placed to investigate all these areas and make recommendations to ensure that the minimum wage makes a difference for all workers. The Low Pay Commission should be granted a wider remit to investigate all forms of low pay and their structural causes, and make recommendations including impact assessments of wider government policies on the minimum wage.

The Commission should also account for historical and current changes to workers' living standards when setting a target pathway for minimum wage rates after 2025, in addition to average earnings and economic factors. This should include the level of Retail Prices Index of inflation (RPI) and other sources of insight such as Citizens Advice's National Red Index which found that nearly 7.4 million people in the UK are either building up debt or cutting essential spending to unsafe levels to get by.¹ Reasons why GMB considers RPI a more reliable measure of workers' cost of living than other indexes can be found in GMB's 2021 Congress Statement on Pay and the Cost of Living.²

Enforcement

Paying staff correctly for the work they do is a basic responsibility of any employer and any breach of this, whether intentional or in error, can have devastating impacts on an employee's life outside of work. Proper resourcing is needed for both enforcement and education for employers but underfunding and this government's ditching of proposals for a Single Enforcement Body frustrate the ability to do either.

Thousands of low-paid retail and logistics workers have been left underpaid, with some falling below National Minimum Wage levels (until the money was paid back), as ASDA's private equity owners TDR Capital have caused three months' of increased levels of wage errors through switching to a new payroll system at pace due to the costs associated with maintaining the old systems linked to the previous business owners. GMB members have resigned or gone off sick from work because of the stress of being paid incorrectly.³

The government should allow more proactive work between enforcement agencies and trade unions, including a widely trusted third-party complaints system and providing unions with more information and oversight on non-compliance in the sectors they represent workers in. GMB also supports calls for a firewall between immigration enforcement and labour market enforcement bodies and investigations, as workers can be intimidated from reporting issues or abuses for fear of referral to immigration enforcement.

GMB continues to support initiatives from enforcement bodies like HMRC to promote advice on rights and obligations to employers and workers. However, feedback from our young members who were underpaid the NMW in previous jobs has been that that receiving information about the role trade unions can play in enforcing their rights and addressing underpayment would have made them feel more confident to come forward.

GMB remains of the view that to minimise low pay and non-compliance in low paid sectors, the government should work with relevant trade unions in them to establish sectoral bargaining structures to encourage better employment practices through agreed industry standards.

GMB's National Minimum Wage Policy

GMB has consistently called for the National Minimum Wage to be replaced with a Real Living Wage rate, which GMB believes should be at least £15 an hour applicable to workers of all ages.

GMB's core wage demand remains unchanged from our previous year's submission to the Low Pay Commission and our members are leading this demand in their campaigns and pay claims in low-paid sectors such as outsourced refuse services⁴ and social care, where home carers' pay in one local authority exceeded £15 an hour thanks to our members' campaigning.⁵

GMB members at our 2022 Congress instructed their union to continually review inflation rates which rose to their highest in decades last year and follow 16 years of real terms pay stagnation for workers. The National Minimum Wage was initially set too low and, like average wages, it has struggled to keep up with the cost of living with below-inflation uplifts in both 2022 and 2023. Further details of our assessment are set out in our Economic Outlook section and section on Impact of the National Minimum Wage rates.

To meet GMB's aspiration of raising the wage floor to a level that all workers can truly live on, the National Minimum Wage should effectively cover all workers on low pay in the first place such as those who fall outside of the traditional definition which is based on hourly earnings. If the so-called 'National Living Wage' is to truly live up to its name and purpose it should reflect a real living wage that our members can live on, which is £15 an hour.

GMB continues to oppose age-based criteria in the National Minimum Wage rates and call for the abolition of discriminatory lower wage rates based on age, as further outlined in the 'young workers' section of this response.

Economic and labour market outlook

Sixteen years on from the 2008 financial crisis, there is nothing more that austerity-driven government fiscal policy can squeeze from workers' living standards. There is also still much more for government and profiting firms to do to make the UK a better and fairer economy to work in. A substantial pay increase for low-income workers is the place to start.

UK workers still desperately need a pay rise. Average earnings in 2024 are still stagnant in their real value from 2008 levels. However, net profit margins for private non-financial companies averaged above 10 per cent in the same period, and ever since the NMW was created. Profit margins remained high throughout Covid-19, even higher in the service economy, and reached prepandemic levels in winter 2022 as inflation peaked.

The NMW remains the Government's most direct means of helping protect and improve the living standards of the lowest-paid workers. However, persistently high inflation has effectively wiped out the real-terms gains anticipated from increases in recent years. **The NMW would need to rise higher in 2025 than the LPC's highest range increase to simply catch up with rising living costs since 2022**. Doing so would not even catch-up with the fifteen years of lost real wage growth which has cost the average worker £10,700 a year according to the Resolution Foundation.⁶ While falling gas and electricity prices have brought inflation down in recent months, prices are still rising by higher than the LPC's range for increasing the NMW next year, when it comes to essential costs. In the year to May 2024, the cost of children's clothing rose by 10.9 per cent; rent and water charges by 8 per cent; car maintenance by 6.7 per cent and rail fares by 5.7 per cent.⁷

Economic and labour market conditions should still provide confidence for a substantial increase in the statutory wage floor. Fewer firms are reporting drops in staff demand according to the Recruitment and Employment Confederation.⁸ Employer investment intentions are improving as the labour market remains tight historically.⁹ Raising wages continue to be a common response to fill vacancies, which remain above pre-pandemic levels.¹⁰

A substantial increase in the National Minimum Wage rises will also allow the statutory floor to maintain pace with rising earnings elsewhere. The Treasury's summary of independent forecasts predict average earnings to increase by 6.9 per cent in total by the end of 2025, which is above the percentage offered in the LPC's highest range NMW increase.¹¹

The UK workforce on average contributes roughly the same amount of hours work than they did fifteen years ago, but take home less income for it in realterms.¹² In contrast, UK companies have invested 20 per cent less than those in the US, France and Germany since 2005 yet their annual dividends have risen by 38 per cent in real-terms value in the same period.¹³ £227 billion was paid out by UK companies in dividends in 2023¹⁴ but the UK remains lowest in the G7 for business investment.¹⁵

As such, when it comes to debates on productivity GMB is clear that the path to a stronger and fairer economy runs only through high wages and high levels of investment. That investment must create decent work and raise living standards, not force workers to 'do more with less'.

Substantially raising the NMW would be one of the most direct and costeffective ways of improving demand in the economy at a crucial time, with international research indicating this effect particularly in low-paid areas.¹⁶ Doing so would complement stronger GDP growth forecasted at 1.9 per cent in 2025¹⁷ and help mitigate falls in non-housing consumer demand predicted by the LPC from higher mortgage repayments if interest rates remain high.¹⁸ In all, this would help to reduce the risk of recession while the gains from new public and private investment takes time to materialise.

The Impact of the National Minimum Wage and National Living Wage rates

Since its introduction, hundreds of thousands of low-paid workers have benefited from National Minimum Wage legislation that provides the statutory floor for wages. That said, National Minimum Wage growth has historically not kept pace with the rising cost of living for those on the lowest incomes.

At £11.44, the National Living Wage is now comfortably within the government's target of 66 per cent of median hourly earnings, and has reached this without negative employment effects. The number of jobs paid at or below the minimum wage continued to fall in 2023 as some lower paid areas of the labour market experienced higher levels of worker shortages and employers were prepared to pay more to compete for staff.¹⁹

In this context, this current government's decision to not ask the Low Pay Commission to make recommendations for a higher target than 66 per cent shows not only a lack of ambition but a lack of care for low-paid workers, many of whom kept the country running throughout the Covid-19 pandemic as 'Key Workers' only two years ago.

GMB believes that the LPC's remit must immediately be given the remit to make recommendations for a more ambitious NMW pathway that achieves a £15 an hour real living wage for all workers as soon as possible. An increase beyond the highest proposed range of £12.18 in 2025 is feasible and would help make progress towards reaching such a revised target.

Using similar methodology in the LPC's 2023 report:²⁰ the NMW can be estimated to be around 68 per cent of median average hourly earnings as of April 2024, which are forecasted to rise to £17.38 by end of 2025 based on an aggregate of wage growth forecasts. Under these estimates, the NMW will make no progress beyond its current percentage of average earnings if it rises to the LPC's central estimate of £11.89 in 2025, as the 'bite' would remain at 68 per cent. If the LPC's highest range proposal of £12.18 is chosen, then the NMW would make progress to over 70 per cent of median earnings. It should be said that these estimates are conservative and do not consider the impact of economic policy changes under a future government.

Yet, for many low-paid workers a NMW rise even to £12.18 would still be too low to have a positive impact on their pay in real-terms. For the NMW to maintain its 2022 real-terms value by 2025 following two years of below inflation-level increases and further price rises forecast, it will need to rise by at least 9.5 per cent to £12.58 an hour next April.²¹ Increasing the NMW to £12.18 instead of £12.58 in 2025 would mean those working average hours in low-paying industries on the minimum wage losing out on up to nearly £600 a year in real-terms income, or nearly £1000 a year if the NMW rises by the LPC's central estimate (to £11.89 an hour), as the impact of rising living costs since 2022 as measured through RPI inflation would not be fully accounted for in uprating the NMW rate.²² This also does not even consider the real income value lost from the sixteen-year gap between the minimum wage and where real-term incomes should be, as the LPC's pathway being based on average wages that have stagnated in real terms since 2008.²³

The evidence shows that the minimum wage can rise more ambitiously without negative effects on employment. Indeed the Commission has noted that it has seen little evidence to suggest that minimum wage increases have caused a reduction in hours in low-paid industries or other aspects of precarious work.²⁴ Little weight should also be given to arguments that link National Minimum Wage increases to job losses. Such arguments have been made since before the establishment of the NMW, and no convincing evidence has been brought forward in support of the contention. Likewise, the Commission has noted that NMW rises are unlikely to be causing falling employment in low-paying industries, with higher worker shortages in these industries being the more likely cause.²⁵ Previous research undertaken for the Commission found that, during the late 2000s' recession, National Minimum Wage uprating in the UK 'had no employment effects.'²⁶

Rather, **GMB is concerned that the positive impact on workers' living standards that the national minimum wage is intended to make is being mitigated by rising insecure work.** Over 1 million workers are on a zero-hours contract in the UK, above pre-pandemic levels. The Commission has itself noted evidence showing the percentage of workers on low weekly levels of pay has fallen slowly by only around 5 per cent since 2011 despite high nominal growth in the NMW rate.²⁷ GMB also remains concerned how this rise in insecure work is compounding structural inequalities in society. The Commission itself notes that young and women workers are more likely to be on lower weekly pay and around a fifth (22%) of Black workers and workers with a disability reported being in an insecure job or experiencing volatile pay, against 13 per cent of White workers.²⁸

On the impact of rising minimum wages for workers' paid above these rates, GMB notes Commission reports that minimum wage increases have in fact driven up pay for workers who are paid above it with fewer employers reporting reducing wage differentials between these groups of workers in 2023 than in previous years, including small businesses.²⁹

In GMB's industrial experience, significant pay differential issues arise more in the public sector where NMW rises are not the cause of squeezing differentials between grades of staff but the amount which public sector pay has been restrained by austerity policies set by central government. GMB members working in across the public sector, from further education colleges to civil service departments and the NHS have seen their pay remain just above the minimum wage for years despite historic rises in cost of living. This government has not taken seriously the standards that it expects other employers to adhere to.

Employers should also ensure they honour differentials for staff paid above the national minimum wage after uplifts to the rate each April. ASDA claim to be the highest paying grocery retailer in the UK, yet hourly rates for ASDA workers continue to fall closer to the minimum wage due to changes in the pay anniversary which skew the real hourly rate when averaged over 12 months.³⁰

GMB's position remains that employers have a responsibility to see the uplift in the National Minimum Wage as a reflection of higher cost of living, instead of only a change in minimum pay obligations. Doing so will help lift pay for employees on all grades while also maintaining any differentials based on additional responsibilities. These issues can be addressed where strong agreements are negotiated by trades unions in workplaces with good collective bargaining coverage.

Impact of the National Minimum Wage for particular groups of workers

Young workers and 'youth rates'

⁴⁴ Every job I've worked since 15 has been in hospitality on minimum wage and was paid less than older colleagues doing the same job. Whenever I asked why, I was told it was simply 'government guidelines'. Others under 18 were too despite some living on their own, with their own children or caring responsibilities. Every time I moved up a NMW wage bracket my pay was not increased on-time, despite making employers aware. If they know they can pay you less, they will. They should show more respect and pay younger staff the same rate for the same work. I can't think of one

single reason why we shouldn't be. "

Sharne, GMB young member and former hospitality sector worker

Young workers continue to face the sharpest end of the labour market. 43 per cent of 16–24-year-olds are in insecure work³¹ and young workers from Black, Asian and other minority ethnic backgrounds in the UK are 47 per cent more likely to be on a zero-hours contract than white workers.³²

We welcome the decision to lower the eligibility for the National Living Wage rate from 23 to 21 years old this year. However, while the cost-of-living crisis has not discriminated in the workers it affected, this outdated policy of age banding minimum wage rates continues to add insult to injury for many young workers aged below 21 by denying the equal earnings they should be entitled to. It continues to fly in the face of what the National Minimum Wage was set up to achieve that these workers can be left up to £159 a week worse off than older colleagues doing the same job.³³ Young workers continue to tell GMB that when you're doing the same job, age shouldn't come into it.

18-20 and 16-17 year olds' employment still remained above pre-pandemic levels last year³⁴ and 60 per cent of workers aged 16-17 and 73 per cent of workers aged 18-20 were paid an hourly rate above the increased minimum wage for those age groups which applied from that April.³⁵ This aligns with GMB's experience that most reasonable employers are more likely to set pay according to the job than by the age of the employee and discredits any argument from sources at the Department for Business and Trade that higher youth rates could disincentivise employment of younger workers.³⁶ Indeed the British Retail Consortium has confirmed that the overwhelming majority of its member companies pay above the minimum wage rate regardless of age.³⁷

GMB continues to see no compelling evidence to support differential rates and all final age-based bands should be incorporated into the full rate. GMB firmly believes that the same rates should be paid for performing the same work.

There are moves in a number of countries internationally to abolish lower youth rates, from Australia to Canada where nearly all provinces have no youth rates of pay.³⁸ In the Republic of Ireland, the Low Pay Commission has recommended that the government abolish lower wage rates for younger workers and the Commission should do so here in the UK too.³⁹ It's time to give young workers the equal earnings they should be entitled to.

Workers in need of welfare support

The Low Pay Commission's aim of a decent minimum standard of pay for all will not be realised if work does not pay for everyone because of the flaws in how our economy and our welfare system works. While benefits should be a safety net and not a punishment, many of our lowest paid members and those in sectors with high precarious employment are still forced to rely on some type of benefits to help top wages up. Over a third of those in receipt of Universal Credit are in work, which has remained the case since January 2023.⁴⁰

The government's punitive decision to increase the hours of work required to receive UC from 15 to 18 hours a week will be particularly worrying for minimum wage workers in insecure jobs, and must be reversed. For the 1 million workers employed on zero-hour contracts in January to March 2024, the actual hours worked a week on average was 18.3 hours.⁴¹ Many workers on UC who do manage to get enough hours work will also continue to lose earnings as the effective marginal tax rate within UC tapers off certain amounts of additional income they can make.

Apprentices

GMB has a longstanding policy of campaigning for good quality bona fide apprenticeships to ensure that apprentices are not used to replace or undermine existing staff or to exploit young workers by paying less than the legal minimum wage. The Apprenticeship Levy should be significantly reformed to allow greater take-up by employers and reallocation of unused levy to those across all industries who are seeking to promote good quality apprenticeships to up-skill workforces.

Whilst we welcomed the introduction of apprentice pay being covered by the National Minimum Wage framework, the rate remains too low, and should rise substantially as GMB is calling for in the other minimum wage rates. There is also still a lot more to do to ensure apprentices are not underpaid the rate, which amounted to more than a quarter of apprentices covered by the rate in 2023 according to the Commission's 2023 report.⁴² **GMB restates its call for more action from the Government to better enforce compliance for employers who continue to pay below the apprentice rate.**

The experience of low pay and the National Minimum Wage for GMB members in particular sectors

Security

"We are not just security officers we are counsellors, first aid, customer service representatives, and all-rounder which I am. [...] All the online training certainly does not prepare you for violent aggressive people at the front door or on the floor on site it can affect your wellbeing. [...] So just to say we are not skilled officers I think

that's a big kick in the teeth."

G4S Security Guard at DWP Job Centre

GMB is the leading trade union for security workers, representing thousands from frontline door supervisors to cash-in-transit workers. Our members are essential to keeping national infrastructure and public services running, not only in terms of public safety but also because of their additional customer service and facilities management responsibilities. However, recognition and reward for these essential workers continue to be overlooked by central government, which has instead outsourced their roles to be provided by outsourced contractors and often to the lowest bidders. Our members are witnessing the systematic deskilling of their industry despite security guards being recognised as key workers during Covid-19.

In many cases, the large multinational firms who profit from these contracts do not take their obligations seriously to adequately pay these workers for the skilled and dangerous jobs they do in service of the public. The National Minimum Wage is often a ceiling in the sector not a wage floor, and differentials are cut to meet uplifts which firms can well afford to pay.

According to ONS data, the median average hourly wage in 2022 for security guards and related occupations stood at only 75 pence an hour above the National Living Wage rate effective from April 2023.⁴³ GMB analysis of ONS labour market data against RPI inflation also shows that security guards and related workers were £1.40 an hour worse off in real terms in 2023 than they were nearly twenty years prior (a real terms cut of over 11 per cent). This real

terms loss amounts to roughly £55 a week or £2,900 a year based on the 40 paid hours a week these workers work on average, according to the ONS.⁴⁴

"Dog attack and its owner. Neck and throat injuries. Company making me attend disciplinary hearing for it also."

G4S Security Guard at DWP Job Centre

More of GMB's members in the security sector are taking matters into their own hands following decades of lost real earnings, despite the skilled and dangerous jobs they do. More than 1,400 G4S security guards working at job centres run by the Department for Work and Pensions are on strike as over 90 per cent are paid just the £11.44 minimum wage after seeing differentials slashed over several years, with supervisors paid just 1 pence more. G4S paying the minimum wage has meant our members cannot access salary sacrifice benefits and we are also investigating reports from members that guards are being frequently required to do online training unpaid in their own time. This would mean that some of our members already paid on the National Minimum Wage are being effectively underpaid.

The reason why GMB members are continuing strike action despite the latest offer is clear. Despite being owned by American multinational Allied Universal which reports revenues of \$20 billion⁴⁵, G4S stated that they could not afford a payment to security guards to address the impact of the cost-of-living crisis on their earnings. GMB calculated that it would cost the DWP and G4S less than £3 million each to cover their employees' cost of living needs and resolve this dispute, and since GMB's dispute began G4S has even been handed £160 million from central Government to cover wage increases.

In this context, G4S's excuses for not increasing pay to rates above the National Living Wage do not stand up.⁴⁶ G4S seem so committed to making their poorest staff pay that their latest offer to 23 pence above the wage floor requires workers to self-fund it by deferring their anniversary pay increase.

"I am verbally assaulted on a daily basis. I have been threatened and my family to be stabbed and physically assaulted. I have been squared up to too many times to count."

G4S Security Guard at DWP Job Centre

This is while the wellbeing and finances of both those visiting DWP job centres and our members keeping them safe are being placed under increasing strain by current government policies, and the workplace is becoming a more volatile environment as a result. Many of our members have been threatened, spat at, punched and even stabbed at work for carrying out their duties. 77 per cent of members responding to GMB's survey in April 2024 said they had been verbally assaulted in the last 12 months, with 67 per cent having been subjected to this more than once and 60 per cent currently considering leaving their job as a result of their poor conditions.

GMB and the Security Industry Authority have consistently highlighted low pay as one of the top barriers to recruitment and retention in the security sector.⁴⁷ GMB expects to see recruitment and retention challenges to continue unless efforts to raise standards through new training requirements are matched with equal moves to raise pay, conditions, and responsibility of employers in the industry. **GMB restates its call that the Low Pay Commission should be given a wider remit to look into structural causes of low pay in security more closely and make recommendations, especially relating to public bodies.**

Schools

GMB has been at the forefront of organising school support staff for more than 25 years. Over 100,000 GMB members work in a school and are predominantly low paid women workers Public sector pay setting for school support staff is a matter of central government policy and we believe that the LPC plays a crucial role in bringing to governments' attention where workers are living on low pay as a direct result of their policies. We are grateful to the LPC for meeting our schools' members to hear their evidence directly this year.

GMB has consistently raised our members' reports that low pay is an underrecognised problem among support staff roles in schools, in part from 'Term-Time Only' contracts leading to staff nominally receiving above National Minimum Wage hourly rates on paper, but taking home lower levels of gross pay. We have raised how this is compounded by inconsistent approaches to calculating pay and allowances across the UK, following years of deregulation. The average annual salary for Teaching Assistants was just £15,476 in 2023.⁴⁸ ⁴⁴Often, we are charged with looking after the most vulnerable, troubled, and disadvantaged children and young people. We believe in doing it because we care for them. But we do it without training, we do it without standards of pay that reflect the responsibility, duty of care, and professionalism that we must display in schools every day.⁴⁴

Donna Spicer, GMB National Schools Committee Chair and Teaching Assistant

The 2010 Cameron Government explicitly sought to deregulate pay, terms and conditions in schools, and the School Support Staff Negotiating Body (SSSNB) was the first casualty. Without this central collective bargaining body to challenge it, low pay has persisted, funding has been tight, and job descriptions have not kept up with reality. 88 per cent of GMB school support staff members surveyed in February last year did not think their pay reflected their job responsibilities. 89 per cent said their job description had not been updated to reflect new responsibilities. One GMB London survey in the height of the cost-of-living crisis found 1 in 3 teaching assistants were turning to food banks to make ends meet.

The impact of this on children's education is clear. GMB analysis of freedom of information requests we submitted at the beginning of 2024 estimate that there is a Teaching Assistant vacancy rate of 18 per cent in England, with vacancy and turnover rates being well above national average for other occupations. The National Foundation for Educational Research warned that 'the overwhelming majority of schools' are 'struggling to recruit TAs and other support staff. Large numbers of TA and other support staff vacancies remained vacant for more than two months, especially among special [educational needs] schools.'⁴⁹

In September 2023, the LPC added the following roles to its list of 'low-paying occupations': 'Teaching assistants', 'Educational support assistants', 'Exam invigilators', 'School secretaries' and 'Library assistants'. GMB welcomes this recognition of our members' experiences. However, we believe that the system used in the LPC's list does not capture all support staff on low pay. Kitchen staff, cleaners and other non-teaching support roles have also felt the sharp edge of outsourcing and privatisation in schools and should be added to the LPC's list of 'low-paying occupations'.

"I hear daily stories from GMB members who are beyond despair, working in unsafe environments for both children and staff. They are consistently asked to take on more and more work for no more pay and offered no opportunities for the future."

James Wilton, GMB Convenor and Teaching Assistant working with SEND children

GMB Congress this year reaffirmed its support for our schools members in their demand for fairer contracts, including commitment to securing a full consultation from the next government with school support staff over termtime only contracts. GMB members alongside those in other unions in academies also submitted their pay claim this year in one large academy trust calling on employers to work towards a £15 per hour minimum wage for support staff roles within a 2-year period. GMB will continue fighting for the reestablishment of the SSSNB by the next government, which must set new national standards, job descriptions, terms and conditions and pay scales for all teaching and non-teaching support roles.

The Low Pay Commission should echo GMB calls for the government to restore the SSSNB in order to secure a sectoral solution to chronic low pay issues in schools. It would also benefit the work of the Commission and any future sectoral solution to low pay in schools if the whole school workforce affected by low pay is considered, by classifying other non-pupil facing school support staff roles as 'low-paying occupations' which are not already included by the Commission.

Social Care

Workers in the care sector know their worth and are not going to be quiet any more. A GMB survey of care workers last year in HC-One, the largest UK provider, revealed one in four were considering quitting over 'poverty pay' and 89 per cent struggling to afford to take time off sick. Their campaigning has now secured day one Statutory Sick Pay for 19,000 care workers and the impact will be felt across the sector. Sadly though, day-one sick pay does not even meet the very least that care sector workers deserve.

The care sector is beyond the point of crisis and whoever wins the General Election next month will need to grasp this nettle which has been avoided for so long. Independent care sector vacancy rates have fallen due to increased international recruitment but are still substantially above pre-pandemic levels.⁵⁰ There is still a staffing crisis threatening the future of social care delivery and it will not be solved without substantially raising care worker pay and quality of jobs through proper central government funding that reaches the frontline of care delivery.

Skills for Care research found that care workers who are paid over the minimum wage, work full-time hours, not on a zero-hours contract, and received training and qualifications relevant to social care were 28 per cent less likely to leave than care workers whose role did not fit these criteria.⁵¹ Despite this, around a third of direct care workers remain employed on zero hours contracts in England, rising to half of domiciliary care workers.⁵² Average hourly pay for care workers and home carers across the UK continues to drag at a matter of pence above the 2024 National Minimum Wage rate at £11.88 and becomes a 'wage ceiling' for many, with 40 per cent paid of care workers below the incoming 2024 rate of £11.44 an hour last year.⁵³ These workers have seen a 'lost decade' in real earnings growth as care workers and home carers in the UK are on average only 1 pence an hour better off in real terms than they were in 2013, according to GMB analysis of ONS estimates.⁵⁴

The effectiveness of the minimum wage continues to be severely impeded in the care sector as workers remain typically not paid for travel time or sleeping time when on duty. The Supreme Court ruling that staff required to sleep at work are not entitled to the National Minimum Wage for that time has exposed a fundamental weakness in Regulations which must be addressed. **The Low Pay Commission must urgently revisit the issue of sleep-in shifts given that the Supreme Court judgement in 2022 rested on an early report from the Commission.**

GMB is a union proudly organising care workers from all backgrounds and we are committed to defending and strengthening the rights and protections that all migrant workers should be entitled to. We are deeply concerned by increasing reports of exploitation of international workers in care, becoming trapped in debt from poor wages and costs of securing their employment in the UK. Exploitation of any worker must not be tolerated in any solutions sought to the crisis in care.

There must be better enforcement to ensure internationally-recruited workers receive at least the 'going rate' of pay, terms and conditions for other staff, including those negotiated with recognised trade unions in that workplace.

Any accommodation provided by employers must be of decent standard, fit for purpose and not lead to unlawful deductions from workers' wages.

Labour market enforcement bodies should monitor accommodation standards, ensure wage deductions are recovered for workers if standards are not met and ensure workers are not intimidated from reporting issues or abuses during workplace or accommodation inspections. This should be done by ensuring that investigations and the processing and storing of intelligence gathered are conducted separately from immigration authorities, establishing a 'firewall' between the two.

GMB continues to hear from our members who are structurally underpaid for their work in order to prevent the care system from collapsing. The 'Time and task' commissioning models for domiciliary care continues across many local authorities, meaning an already low-paid workforce continue to work beyond the hours modelled and not be paid their travel time. Issues brought to GMB's attention have also come from our members working as Shared Lives Carers which is similar to foster caring. These workers look after adults with disabilities or other conditions in their own home on behalf of local authorities, as an alternative to the residential care home model.

Over 10,000 Shared Lives carers in the UK share their home and family with someone who needs support.⁵⁵ They are paid by the scheme but not by the hour and are technically classed as self-employed though the nature of this care model prevents many from taking up work elsewhere. This leads to carers working significant amounts of unpaid labour as part of their duties.

"Some Shared Lives carers' wages work out as £1.83 per hour, which was the sort of pay that was the going rate in 1982. I don't think it's too much to ask that the local council pay us properly for the work we do, sometimes 24 hours a day and with no separation between our work

lives and home lives."

Alain Oliver, Shared Lives Carer

Our Shared Lives and Foster Care members take great pride in the care they provide which also helps relieve capacity pressure on residential care and children's homes. Like residential care workers they are professionally trained, vetted and registered with the Care Quality Commission. Yet the pay they receive can be incredibly inadequate with many GMB members actually only earning close to £7 on an hourly breakdown and will lose their pay if they use their respite allowances or go into hospital.

The amount our members receive is banded by assessments made by local authorities, who fund the scheme alongside the NHS. However, when service users' care requirements are incorrectly banded, many Shared Lives carers can be owed up to £15 a day, with some backpay claims going back over a decade. Many assessments are outdated and do not consider changes in living costs that the carer has to meet. One local authority is even attempting to make a Shared Lives carer sign a new contract which would waive their rights to any back pay due to this incorrect banding of service users. This carer is now being forced to choose between losing around £50,000 of back pay we believe they are entitled to, or risk losing their job.

The Low Pay Commission should urge government to work with trade unions representing care staff to ensure a fair and workable funding settlement in social care that gives proper pay, terms and conditions to the frontline staff doing the work. GMB supports this settlement being achieved through the establishment of a Fair Pay Agreement in Social Care and the sector-wide bargaining structures it would create, establishing binding minimum terms and conditions on all employers in care and giving all workers a real voice through their recognised unions in the workplace. GMB believes £15 an hour is the hourly minimum that workers should expect to be paid through such an agreement and will campaign for this in our support.

<u>Health</u>

Clapped as heroes during Covid-19 but forced to use food banks during the cost-of-living crisis, more workers on NHS contracts are seeing their pay rates fall towards the statutory minimum following a decade of low pay increases.

The lowest paid NHS employees now receive just 1 pence above the National Living Wage, due to delays to the pay round which was due on 1st April. As a result, some workers have been excluded from salary sacrifice schemes for car lease arrangements, as deductions from their wages to account for this cost would breach minimum wage legislation. Some employers have also advised workers that they will temporarily cover their car parking fees, but claim them back after the pay award has been made, despite GMB research showing that NHS trusts made £46 million from staff parking in 2022/23. ⁵⁶

The NHS Pay Review Body is not a properly independent body to consider pay and conditions for our members in the health service. Instead of listening to the concerns of our members and other unions in the NHS, this government has chosen to attack NHS workers' rights to stand up for better pay above the minimum wage through introducing Minimum Service Levels Legislation.

There is money to pay these dedicated and exhausted health workers what they need to avoid falling under the statutory minimum. Successful strike action by more than 13,000 GMB ambulance workers in 2023 showed this, winning themselves an above-inflation pay rise from the Department for Health and Social Care (DHSC) directly. GMB will not engage with the NHS Pay Review Body process until it's significantly reformed and has submitted a pay claim to DHSC directly for a flat rate increase of £1.50 per hour, equalling a 13 per cent pay rise for the lowest paid staff.

⁴⁴We will strike as long as we need to. We don't have a choice. We have families to feed. We are human beings. It's about time

we were treated like it."

Lume, Hospital Cleaning Supervisor for ISS, on strike in 2023

GMB members working in NHS hospitals for some of the most profitable outsourcing companies continue to fight for the equal treatment with NHS colleagues that they should be entitled to. Their struggle is an example of both low pay being a consequence of failed outsourcing policies by successive governments. but also the ability for low-paying employers to give their workers the fair pay they deserve when they have to.

Nearly 200 ISS caterers and cleaners at South London & Maudsley NHS Trust, some paid just £10.84 per hour and frequently underpaid⁵⁷, took strike action last July securing an inflation-busting 17 per cent pay rise with backpay, entitlement to the NHS staff Covid-19 bonus payment and commitments to honour differentials for supervisors. ISS has proposed to pay out a shareholder dividend equal to £48.3 million pounds in 2024.⁵⁸

GMB believes the Low Pay Commission should be able to make formal assessments of the impact of wider government policies on the minimum wage and make recommendations to avoid public services, and outsourced companies contracted to run them, risking noncompliance with National Minimum Wage laws.

Full list of recommendations for 2025 in order of inclusion in GMB's written response

- From 2025, the Low Pay Commission needs to be granted a wider remit to investigate all forms of low pay and their structural causes in the economy, and make recommendations.
- The Commission should also account for historical and current changes to workers' living standards when setting a target pathway for minimum wage rates after 2025
- The Low Pay Commission should be able to make formal assessments of the impact of wider government policies on low pay and the minimum wage and make recommendations to avoid public services, and outsourced companies contracted to run them risking noncompliance with National Minimum Wage laws.
- The government should allow more proactive work between enforcement agencies and trade unions, including a widely trusted third-party complaints system and providing unions with more information and oversight on non-compliance in the sectors they represent workers in.
- GMB also supports calls for a firewall between immigration enforcement and labour market enforcement bodies and investigations, as workers can be intimidated from reporting issues or abuses for fear of referral to immigration enforcement.
- The National Minimum Wage should be increased beyond the LPC's highest estimate in 2025 (£12.18) and replaced with a Real Living Wage rate of at least £15 an hour as soon as possible, applicable to workers of all ages.
- The Low Pay Commission should recommended that all final age-based bands in the National Minimum Wage should be abolished and young workers be incorporated into the full NLW rate, following the lead of the Irish Low Pay Commission.

- The government's decision to increase the hours of work required to receive Universal Credit from 15 to 18 hours a week must be reversed to better protect those on low-paid insecure work who rely on Universal Credit to make ends meet.
- GMB restates its call for more action from the Government to better enforce compliance for employers who continue to pay below the apprentice rate.
- The Low Pay Commission should call for the government to restore the SSSNB in order to secure a sectoral solution to chronic low pay issues in schools.
- The Low Pay Commission should include whole school workforce affected by low pay in its classification of low-paid occupations, such as those in non-pupil facing support roles.
- The National Minimum Wage Regulations should be amended to include care workers' travel time and sleep-in shifts. The Low Pay Commission must urgently revisit the issue of sleep-in shifts given that the Supreme Court judgement in 2022 rested on an early report from the Commission.
- The Low Pay Commission should urge government to work with trade unions representing care staff to ensure a fair and workable funding settlement in social care that gives proper pay, terms and conditions to staff. GMB supports this settlement being achieved through proposals for a Fair Pay Agreement in Social Care that establishes binding minimum terms and conditions on all employers and secures a £15 minimum wage that workers can expect to be paid.

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