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The existence of a blacklist of construction workers first broke in 2009 and is undoubtedly a stain on UK industrial relations (Information Commissioner's Office, 2009). The biggest building companies in the country funded a secret database, compiled by the Consulting Association, containing personal details of 3,213 individuals. Around half of the names on the Consulting Association database had individual blacklist files which included addresses, national insurance numbers, phone numbers, car registrations and photographs, sometimes from as far back as the 1960s (Ewing & Smith, 2012). In all but a handful of cases, the reason for being on the list was because the individual was a union member who had raised concerns on a building site about issues such as unpaid wages or safety. Industrial disputes were meticulously recorded and press cuttings from *Labour Research* and/or *The Morning Star* were pasted into the files (Ewing, 2009). Union safety reps were routinely targeted with their files containing entries relating to complaints about asbestos, electrical safety, Weils disease and overflowing toilets, suggesting a possible relationship between the blacklisting of those who raised concerns about safety and the high fatality rate in construction (Scottish Affairs Select Committee (SASC) report, 2013). In case anyone was under any illusion about the purpose of the database, some of the files actually had the words 'On the building industry blacklist' typed at the top of the front page (SASC, 2013:32).

Companies faxed lists of new starters to the Consulting Association to be checked against the database; if a name matched, the worker was invariably refused work or dismissed if already working on the project (Ewing, 2009; Ewing & Smith, 2012; SASC, 2013). This included those engaged via sub-contractors or employment agencies and covered some of the UK's most high profile projects, amongst them the Millennium Dome, Jubilee Line, Wembley Stadium and Royal Opera House (SASC, 2013). Name checks cost around £2 each and invoices seized by the Information Commissioner's Office (ICO) show that Sir Robert McAlpine and Skanska were both charged in excess of £28,000 during 2008 whilst building the Olympic site (SASC, 2013). Given the size of the companies involved and the industrial scale of the operation, it is hardly surprising that some union activists found themselves virtually unemployable for years on end (Ewing & Smith, 2012).

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Blacklists do not compile themselves. Information that appears on blacklist files is collected, collated, passed on and checked by real people. Directors of multinational companies and senior HRM professionals were the 'main contacts' with the Consulting Association, attending meetings and orchestrating the covert conspiracy (SASC, 2013). These main contacts and other key individuals identified in the course of the Parliamentary Select Committee investigation were the people responsible for the systematic victimisation of an entire generation of union activists in the construction industry, questioning the benign nature of HRM often depicted in the academic literature.

But the conspiracy does not stop with the 44 companies that subscribed to the Consulting Association. Undercover police officers from the Special Demonstration Squad (SDS), a secret section within Special Branch, spied on activists for many years (Evans & Lewis, 2013; Lubbers, 2012). Some of these police officers used cover stories that they were building workers and attended picket lines and even chaired rank and file meetings (Evans & Lewis, 2013). Very specific information on some blacklist files appears to have originated from these police officers; a claim confirmed by one of the undercover SDS spies (Evans, 2013).

Documents in the possession of the ICO prove that in 2008 senior officers from another undercover police unit, the National Extremism Tactical Coordination Unit (NETCU), gave a PowerPoint presentation at a Consulting Association meeting (Smith, 2013; Hennessy, 2013). It was agreed that there should be a two-way exchange of information between the undercover police and the illegal blacklist (Smith, 2013). The Blacklist Support Group submitted a complaint about police collusion to the Independent Police Complaints Commission who have now confirmed that Special Branch officers across the UK routinely provided information about prospective employees (Smith, 2013). The extent of undercover police collusion with the blacklist is now being investigated by *Operation Herne*, the same police investigation that is

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looking into claims that police spied on the Lawrence family, and that they had long term sexual relationships with female activists they were spying on. Some of the women sexually abused by undercover police, along with anti-racist campaigners also appear on the Consulting Association blacklist, despite never having worked in the construction industry.

Blacklisting is no longer an industrial relations issue; it is a human rights conspiracy between multi-national construction firms, the police and the security services. Michael Meacher MP has called the Consulting Association scandal 'the worst human rights abuse against workers since the war' (Hansard, 2013).

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While there have been comparisons made with phone hacking, the police collusion in blacklisting is not one or two corrupt officers taking bribes, but standard operating procedure by the state to target campaigners under the guise of 'domestic extremism' and to routinely share information with big business (Smith, 2013). This has resulted in widespread calls for a fully independent public inquiry into the blacklisting scandal (Hansard, 2013; Smith, 2013; O'Grady, 2013).

What then are the implications for those researching employment relations? Firstly, the documentary evidence of police collusion with the Consulting Association places blacklisting alongside the conviction of the Shrewsbury pickets in 1973 (Arnison, 1988; Warren, 1980) and the 1984-5 Miners Strike (Milne, 1994) in the history of state harassment of trade unions. This adds weight to those that argue that in major disputes between organised labour and employers, the state is not neutral (Kelly, 1998). Yet with a few notable exceptions (Marx, 1974; Lubbers, 2012) this aspect of employment relations is massively under-researched.

Secondly, blacklisting brings into question many claims about the supposed benevolent nature of HRM. The Chartered Institute of Personnel and Development (CIPD) admit they are investigating 19 members for their involvement in blacklisting and in December 2013 produced a new guide to pre-employment vetting. However, almost five years after the story broke in the media, no-one has been disciplined by the organisation (Hurst 2013; CIPD 2013). The vast majority of the main contacts remain in post and include those currently in charge of employment relations on Crossrail (Hurst, 2012), the largest publicly funded project in Western Europe, which has already seen a major industrial dispute relating to the blacklisting of a Unite

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shop steward (Panorama, 2013; BBC, 2013, Hurst, 2012). Allegations of the blacklisting of whistleblowers are rife within other sectors such as offshore oil, social care, retail and the NHS (O'Grady, 2013). Whilst mobilisation theory is widely discussed in the academic literature (Gall, 2009; Cohen, 2009), the seemingly widespread counter-mobilisation of employers (Gall, 2013; Kelly, 1998; Moore, 2004) still goes unnoticed.

Lastly, individuals implicated in the conspiracy are still teaching students today. Sheila Knight, an ex-head of HR for the electrical contractor Drake and Sculls has been identified in Parliament as being responsible for blacklisting workers from the Jubilee Line (SASC, 2013: ev128). A former Deputy Director of ACAS, Sheila Knight now runs a consultancy providing expert HR training, including to MA students at the University of Reading (<http://uk.linkedin.com/in/knightsheila>).

Perhaps it is time to ask whether the blacklisting scandal has actually exposed the malign underbelly of employment relations in the UK, which some may prefer to remain hidden.

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