

WHOSE CONVENIENCE?

AN ENQUIRY INTO THE SOCIAL EFFECTS OF EXTENDING WEEKEND WORKING AND SUNDAY TRADING

A PANEL OF PARLIAMENTARIANS CHAIRED BY
RT. HON LORD ANDERSON OF SWANSEA DL

Core submissions

The Association of Convenience Stores
British Hardware Foundation
British Shops and Stores Association
CARE
Christian Socialist Movement
Dex, Shirley
Diamond, Paul
Evangelical Alliance
Federation of Small Businesses
Hindu Forum of Britain
Keep Sunday Special
National Consumer Council
Rural Shops Alliance
Sainsbury's
Tesco plc
TUC
United Reformed Church
Usdaw
Working Families

THE ASSOCIATION OF CONVENIENCE STORES

Background

The Association of Convenience Stores (ACS) represents the interests of over 32,000 local community shops operating in rural, suburban and neighbourhood areas. Members include familiar names such as Spar, Londis and the Co-op as well as independent stores operating under their own fascia. Our members operate small grocers, off-licences or petrol forecourt shops with between 500 and 3,000 square feet of selling space. Trading seven days a week, typically from 6am to 11pm and increasingly over 24 hours, they are characterised by the convenience they offer in terms of location, range of goods, opening hours and service. ACS strongly supports the maintenance of the Sunday Trading Act 1994. Our evidence will demonstrate that retailers and consumers feel that the present law strikes a balance between the needs of busy consumers, who after all have 150 hours during the week to do their shopping, and smaller shops who favour Sunday being treated differently.

Our Case for Retaining the Sunday Trading Act 1994

- Consumers do not want the Act to change
- Small and independent local shops would see their viability threatened
- Communities would suffer as a result of local shop closures

For many retailers Sunday trading restrictions are a crucial factor in sustaining viability. Convenience stores are coming under increasing pressure within the grocery market, due in part to the introduction of the larger multiples into the convenience store sector. Over 70% of the grocery market is presently dominated by the 'big 4' supermarkets. Increasingly large and out of town stores are focusing on top up shopping and basket purchases under £10. Consequently, local shops compete alongside multiples that have greater buying power which effectively distorts the supply chain. The Sunday trading laws provide a point of difference that is invaluable to the viability of local shopping alternatives. In this light, abolishing such restrictions may hasten the closure of many local shops. Figures from the IGD show that 2,000 independent shops closed in 2004 (See Appendix- Table A.) ACS strongly believes that liberalising the Act will only serve to enable larger retailers to gain an even greater stranglehold on market share at the expense of smaller businesses.

The relaxation of Sunday trading restrictions, forcing the decline of the local shop, would have serious wider implications. Local shops play a vital role within the community. The majority of customers live within 2 miles of their local shop, thus retailers pride themselves on providing a broad range of specialist services and products for their customers, ranging from purchasing the morning paper and carton of milk, to paying bills, topping up mobile phones and using post office services. To many, such as the elderly and those without personal transport, the convenient location of the local shop and a friendly face to serve them is essential. Furthermore, local shops invest in their communities. Shop owners, predominantly living in the community themselves, forge relationships with those they serve, employ staff that live in the surrounding area, and understand the importance of their community. Many of our members are involved in grassroots community work that they personally take upon themselves, and they involve themselves in Business Improvement Districts. This has social as well as economic benefits.

ACS will demonstrate that the public is perfectly satisfied with the current Sunday trading regime. ACS has used credible and extensive means to survey the public for their attitudes towards current opportunities to shop on a Sunday. ACS has found that the majority of the public do not wish to extend opening times. Figures compiled by ACS and 2 additional surveys by organisations not connected with the Association, contradict those produced by Bond Pearce and disseminated by the lobby group Deregulate. 68% of those questioned on behalf of ACS said that they did not favour longer opening hours on a Sunday. The Bond Pearce survey found that 56% of consumers, canvassed while out shopping on a Sunday, favoured longer opening hours. ACS believes this is hardly an overwhelming statement of support from the public and questions the methodology of this research which it believes to be fundamentally flawed.

Research

ACS has conducted and supported research into 2 key areas:

- Retailer impact
- Consumer attitudes

Impact on the Retailer

Methodology

ACS conducted research of members to establish the commercial impact that relaxing the Sunday Trading Act (1994) would have on convenience stores. Questionnaires were sent to independent retailers and symbol group members. A total of 132 responses were received, all from stores with under 3,000ft of selling space. The surveys posed questions on a variety of aspects of Sunday trading such as opening hours, employee numbers and number of hours worked, and number of transactions and basket value on Sunday in comparison to Monday to Saturday.

Additional surveys used to put into context this research were:

- ACS symbol group member- using a similar methodology to ACS, this group surveyed its members to calculate the commercial impact across its estates. A total of 531 stores are represented. (ACS did not commission this research)
- him!- him! is a marketing consultancy firm. The methodology used in their survey was to conduct interviews with shoppers inside and immediate outside shops. (ACS did not commission this research)
- Convenience Store and Knowledge Store- Convenience Store employed Knowledge Store, who surveyed 200 independent retailers by phone. (ACS did not commission this research)

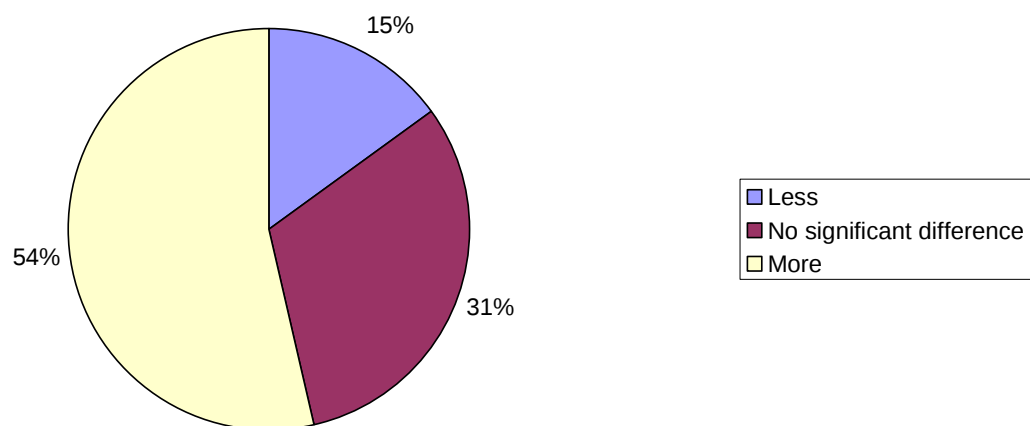
Findings

Association of Convenience Stores

The main findings of the ACS questionnaire were that: *(for further detail- see appendix)*

- Retailers open for an average of 12 hours on a Sunday.
- Retailers typically open for 6.8 hours outside the hours of 10am and 4pm
- 34% of sales on a Sunday take place before of 10am and after 4pm.
- 92% of retailers felt that Sunday is an important trading day.
- In a breakdown of weekly sales Sunday represents on average 17.1% of weekly turnover.
- 54% of retailers said that they made more transactions of Sunday, on average of those who gave figures they said that this amounted to a 13% increase.

How many transactions take place on a Sunday compared to the rest of the week?



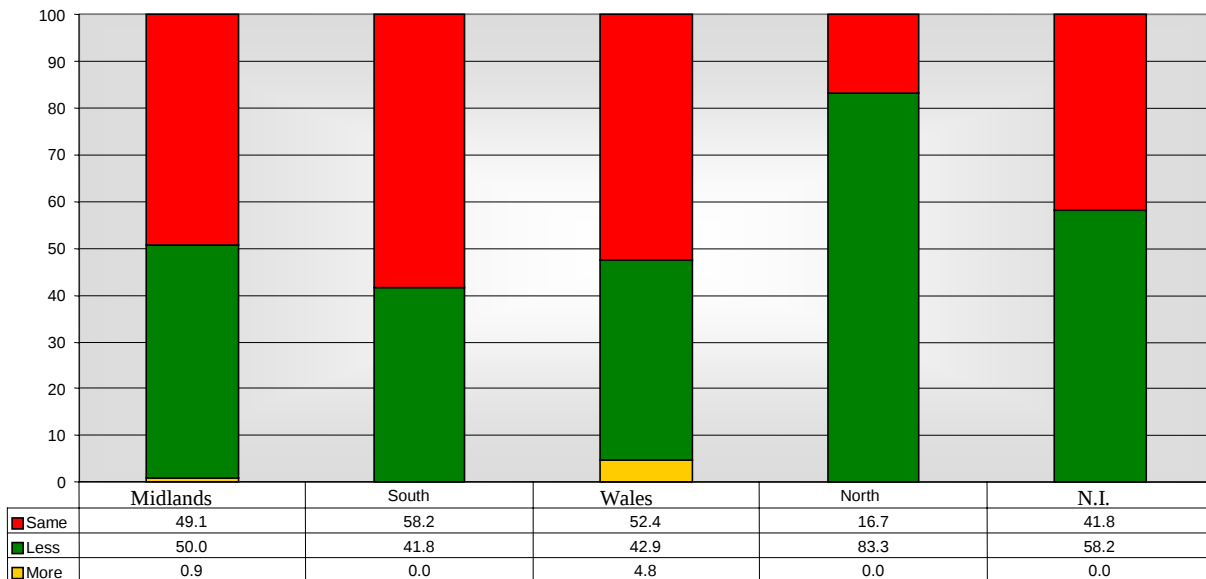
- 58% of retailers said that there was an increase in number of transactions and basket size on a Sunday.
- 61% of retailers said that more transactions take place before 10am and after 4pm, than with that time frame.
- The value of a basket increases by 4% on a Sunday compared to a basket between Monday and Saturday.

ACS symbol group member (for further detail- see appendix)

Further research conducted by an ACS member found that:

- 70% of respondents said that their turnover would decrease if Sunday restrictions were relaxed
- 74% said that the net profit would be negatively impacted upon
- 50% said that they would have to cut staff numbers
- 48% said that they would reduce opening hours

Q4 If the multiples opened for longer hours on a Sunday would this impact the numbers of staff you employ? Would you employ:



him!

The main findings of the Convenience Tracking Programme survey 2005 were that:

Independent retailers experience a significant spend increase after 4pm on Sundays

- On average, in independently owned stores, spending after 4pm increases by 5%
- On average, in petrol forecourts, spending after 4pm increases by 6%
- On average, national chains, spending after 4pm increases by 10%
- On average, regional chains, spending after 4pm increases by 21%

Convenience Store Magazine and Knowledge Store

The main findings of the Knowledge Store survey 2005 were that:

- 30% of independents would be likely to close if Sunday trading hours were extended
- 44% of retailers would be forced to cut staff

Analysis

This evidence supports anecdotal evidence that present opening restrictions provide a life line to convenience store retailers. The financial benefits to small shops of trading restrictions are overwhelmingly clear. Convenience store retailers do a disproportionate amount of trade on a Sunday in comparison to the rest of the week. Sunday represents 17% of weekly turnover, which is higher than 14% (1/7) that would be expected on a daily basis. Retailers experience a significant spend increase before 10am and after 4pm on Sundays, when larger retailers are closed.

The research indicates $\frac{3}{4}$ of independent retailers believe that repealing the Act would have a negative impact on net profits. This is supported by ACS research, which suggests that if Sunday is treated like any other day, local shops would suffer a loss of turnover of about 3%-equating to several thousand pounds of gross profit, which ACS believes could render a business unviable. Even if a business survives, this loss of income may have a number of other serious consequences. Retailers will take other steps to drive out costs. Our research shows that retailers would cut staff numbers and employee hours. This threatens the employment of thousands of local convenience store employees.

It is ironic that while the supposed intention of extending opening hours is to increase choice, that the only beneficiaries will be the large business and out of town shoppers, but for those who cannot travel to out of town complexes or who wish to shop locally there will be less choice.

Consumer Attitudes

Methodology

ACS conducted research of consumer attitudes to assess the size of public demand for longer opening hours on a Sunday. Conducted by BMRB between 11-13 November 2005, on behalf of Convenience Store Magazine and Association of Convenience Stores, the BMRB surveyed 1,015 consumers aged 16-75.

Additional surveys used to put into context ACS research used the following methodology:

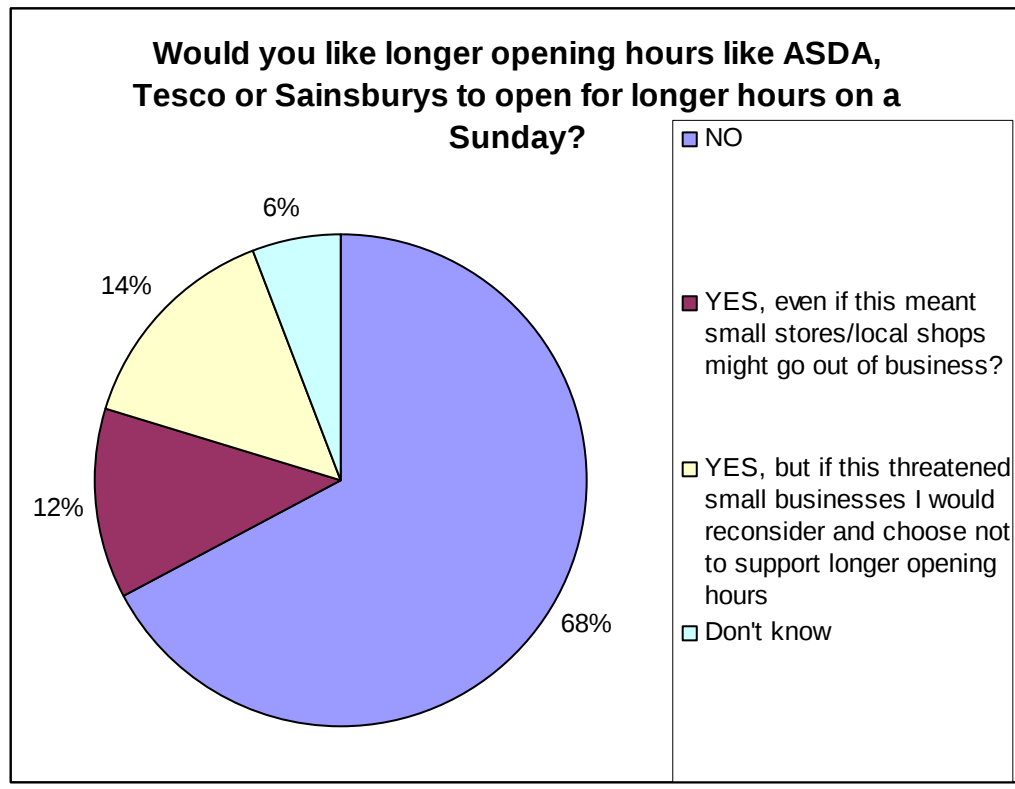
- him!- him! conducted 1,041 interviews in peoples homes, asking a number of questions based on the following statement:
‘Sunday trading laws currently state that stores over a certain size, such as supermarkets, are not allowed to trade for any more than 6 hours on a Sunday (normally 11am – 5pm). This law was introduced to protect smaller shops.’
- USDAW- USDAW commissioned the NOP, who surveyed 904 adults in England, Wales and Northern Ireland by telephone between the 11-13 November 2005.

Findings

Association of Convenience Stores, Convenience Store Magazine and BMRB

The main findings of the BMRB survey were that:

- **68% said NO** they did not want Sunday trading to be de-regulated. Only 28% of respondents said that YES they would like larger stores to open on a Sunday.
- 52% of respondents were NOT aware that Sunday trading laws were partly introduced to help protect the business livelihood of smaller stores. 47% said that they were aware.
- Of those who wanted longer opening hours, when asked if they still want local stores to open for longer if it meant small/local shops might be put out of business only 45% said yes, it doesn't bother me, 52% said NO, I would rather small stores were able to stay in business.



him! marketing

The main findings of the him! survey were that:

- 40% of respondents were NOT aware of Sunday trading laws as explained above.
- With this in mind, 45% of adults said that Sunday trading restrictions should NOT be lifted. Only 1/3 agreed they should.

USDAW/NOP

The main finding of USDAW survey was:

- 62% of the public do NOT wish to see longer Sunday opening hours.

Analysis

This body of evidence demonstrates that the public is perfectly satisfied with the current Sunday trading regime. The surveys show that no more than 1/3 of consumers want change. 68% of shoppers do not want extended opening hours. Even among the 28% of those who disagreed, more than half of these respondents changed their mind if it threatened the long term viability of small shops. Most consumers are not even aware of the Sunday Trading Act 1994.

ACS has compiled sound research, using the expertise of a credible agency, to understand the impact of Sunday trading and correctly assess consumer attitudes. ACS can in addition support its finding with research undertaken by independent, unconnected organisations which have compiled similar consumer attitudes. The figures disseminated by the lobby group Deregulate which cite that only 56% of consumers are calling for longer Sunday hours is hardly an overwhelming statement of support, especially given that the survey was conducted by surveyors canvassing in large retail outlets on a Sunday. ACS questions the methodology of this survey, how representative it is and the bias incurred by canvassing shoppers that are out shopping on the day in question.

When consumers are canvassed, in a much less biased context, enthusiasm for liberalisation dips even further. Sunday trading is not a major issue for shoppers, instead our research shows that there is more concern amongst the public that local shops continue to trade in communities and are not pushed to the wall by over zealous large multiples not content with the present 150 hours that they are commonly open.

Conclusion

Based on the findings of our research ACS can conclude that liberalising present restrictions will have a devastating effect on local convenience stores. The local convenience shop does a disproportionate amount of trade on a Sunday. Extending Sunday trading hours would lead to convenience store owners having to cut employee hours and staff because of the effect on turnover. Our evidence demonstrates that this is a credible scenario to play out for many businesses competing on the margins for financial viability.

Extending opening hours is furthermore not a consumer friendly policy. The evidence to counter the ACS' view on the subject is limited and flawed, whilst our research is compelling. Clearly consumers are more concerned with the sustainability of local shopping alternatives.

Even national business is divided and unenthusiastic on this issue. Only 3 organisations and a trade association have expressed support- this is a tiny proportion of business. We have been led to believe, from sources such as Deregulate, that any changes to the legislation might be undertaken through inclusion within the Deregulation Bill 2006. Given the significance of this issue in public policy for both businesses and employees, ACS believes that this issue has to be treated as substantive public policy and should not be treated as part of the deregulation agenda.

BRITISH HARDWARE FOUNDATION

Article submitted from *Hardware Today* – March 2006

The Sunday trading debate is about to rage again. This time, of course, the Government has already given an indication that it is willing to liberalise Sunday trading arrangements, although it seems its opinion is based on the narrowly focused economic effects arising from greater opportunities for the supermarkets to open for more hours.

The upshot of this argument really just puts pressure on the market share which is already distorted to the advantage of the multiple retailers and will inevitably put more independent businesses to the sword. It is fine for the Government to argue, as it does, that this will increase competition between the multiples and that competition is in the interests of the consumer. However, when the independents have been driven out of the high street, and probably out of business, the range, which is so often more extensive within the specialist independents and the choice as well as the customer friendly service will all be eroded. However, this should not be the major concern.

Of the greatest importance is the impact which Sunday trading is having on the quality of life. With parents, both working on Sundays, children are roaming the streets to an increasingly worrying extent. There seems also to be a high and positive correlation between table manners and the fact that few, if any, whose parents are working on Sundays have lunch together or dinner or, for that matter, any meal during the week or weekend. Perhaps the answer lies in more ASBOs? Maybe happy slapping is just a passing craze? I don't think so.

However, the pressure on small firms to compete openly and fairly will be at the expense of family life and many will find that selling their business is not a prospect. Selling their property may be, but the number of people who are prepared to invest in an independent business has been savagely reduced by the increasing demand for high street property, and that demand will continue as Internet sales eat into the market share largely of the multiple retailers.

The Government has commissioned researchers to look into the scope for further liberalisation of Sunday trading, in essence, opening longer hours and this is done in the name of consumerism, yet I cannot really believe that consumers are going to vote for fewer shopping opportunities. They wouldn't, would they? This is bound to be a big issue this year. You will need to make your position quite clear locally with your media and elected representatives. A word of warning, don't go down the economic route, there will be no point arguing on an anti-competition basis. The real strength of your argument will be in the danger and the damage that is being done to communities and to family life.

BRITISH SHOPS AND STORES ASSOCIATION

Introduction

British Shops and Stores Association (bssa) is a trade association comprising some 4,700 members who trade out of about 5,500 outlets and employ in the region of 58,000 staff. The Association has two main functions. Firstly to represent the interest and concerns of members to government and secondly to provide a portfolio of business and professional services to members, where possible, leveraging economies of scale to gain the best and most cost effective deals. All our members are independent retailers who span a spectrum of retail outlets from department stores, multiple sites to stand-alone shops on the high street.

Retail and the Community

It is important to realise the size of the retail industry in the UK to understand the significant impact any change in Sunday working hours would have on the working population as a whole. The retail industry employs about 2.9m people, which equates to about 1:9 or 11% of the UK workforce.

The Effect of Weekend Working

There has been an increased polarisation within socio-economic groups in recent years, with a trend towards greater flexibility in terms of working patterns combined with longer working hours generally, for the majority of higher income earners. This working pattern has resulted in there being a far greater emphasis on the importance of week-ends for shopping. For this group, the 'cash rich, time starved', the attraction and often necessity of weekend shopping has resulted in an ever greater demand for access. Their spending power, combined with a general increasing affluence of the population, has resulted in Saturdays being the most important day of the trading week for the majority of retailers, with Sunday, despite its limited opening hours being, for many, the second best trading day. Large retailers, and particularly those located on edge of town and out of town retail parks wish to fully realise their revenue potential by deregulating opening hours on Sundays. This is particularly important to retailers in a highly competitive trading environment, at a time of above inflation increases in overheads and price deflation. In order to meet this consumer demand and the aspirations of the large retailers, it will be necessary for the staff within these retail organisations to work longer hours. Retail staff, like many others work a flexible week. However, with 7 day opening being the norm for the majority, already they have fewer opportunities to enjoy an uninterrupted week-end with their partner and family. Whilst retail staff often have to work on Sundays, at least the limited hours allows the day to be somewhat 'special' in that it offers them a longer time at home both prior to and after work. Deregulation would ensure that Sunday became just like any other day in terms of work pattern. The majority of retailers are lowly paid and will have little option but to 'toe the line' in the event of Sunday deregulation. This will place further pressure upon them in social terms, particularly if they have a family. In an environment of increasing single parent families and the problems of child truancy this situation will do nothing to enhance stability of the family unit. For the small independent shop the pressures of meeting a 6 day working week are just about tolerable. However, many small retailers feel pressured into opening on Sunday due to the decision of the multiples operating around them. This is putting considerable pressure on the owners financially, as often an incentive has to be offered, which is not always matched in revenue return, and in their finding staff who are prepared to work on Sundays. Deregulation would put additional strain on a situation that is already stretched to the limit.

A decision to deregulate would appear to 'fly in the face' of the All-Party Parliamentary Retail Group Report : 'High Street 2015', which calls for greater understanding and protection for the small high street trader, if the high street is still to survive in its current recognisable condition in 2015.

Is Sunday Still Special?

There is a strong argument for suggesting that whilst Sunday is clearly not a non-working day anymore, it does still remain 'different' from the other days of the week and this should be retained. Whilst we may live in a multi-cultural society, we should not forget that we are predominantly a Christian society that views Sunday as the primary day of worship and the 'day of rest', just as Muslims consider Friday to be of similar importance. In an increasing material world where everyone knows the cost of everything but the value of nothing, it is perhaps time to take a stand. Shop opening times presently allow consumers ample opportunity to meet their needs in

terms of shopping whilst offering retail staff, who have to work on Sundays, a point of difference from the other working days of the week. To deregulate Sunday shopping hours would reduce Sunday to the common denominator of every other working day. We strongly feel this is both undesirable and unnecessary in the already pressured world we all live in today from both a social and business perspective.

CARE

The Social Effects of Weekend Working

Workers in many sectors provide essential services on Sundays, such as the emergency services, healthcare professionals, care workers and transport providers. However, since the change in Sunday trading laws in 1994, Sunday has become increasingly like any other day of the week, particularly for retailers and consumers. A further relaxation of Sunday trading laws would have effects not only on the economy but also on working patterns and the rights of workers, family life and societal values. Thus, any consideration of a change in the law should not only include an economic cost-benefit analysis but also serious consideration of what kind of society we hope to live in, who defines that (the supermarkets or the electorate?), and how much importance we really place on work/life balance?

The effects on workers

When the law was changed in 1994 the Sunday Trading Act gave shop workers already employed the right not to work on Sundays, and required those employed subsequently to give 3 month's notice of their intention not to work on Sunday. These clauses have not been effective and only one case has been successful in enforcing these rights.¹ If the law is changed further, employees may have less choice in their working pattern and work/life balance. This would apply particularly to small businesses and shop owners attempting to compete with larger stores, who would have to take on extra hours themselves or pay extra wages. The consequences of longer hours and work-related stress are well documented, such as physical and mental ill-health, strain on relationships and eventual 'burnout'.² Broadly speaking, those most likely to suffer from work-related stress are blue collar groups (those most likely to have to work weekends) but those least likely to suffer stress are the professional and managerial groups (those least likely to work weekends).³

Employees working longer hours at the weekend may also incur further costs, such as childcare. However, few childminders or childcare services offer care at the weekends and thus parents are reliant upon friends or family to look after their children.⁴

The effects on families

Weekend working affects family life, especially for those with dependent children. Parents working at weekends have less time to spend with their children, which children themselves dislike, especially on Sundays.⁵ Working on Sundays is also the most unpopular working arrangement among parents,⁶ despite a quarter of mothers and nearly a third of fathers working regularly on Sundays.⁷ Spending time with children is important to their development and studies show that children's development is best encouraged by parents spending time with them, providing them with emotional support, giving everyday assistance and monitoring their behaviour and discipline.⁸ Working during weekends when children are at home for longer means missing out on their development and socialisation.

Many parents heading low income families already find themselves unable to spend time together with their children at weekends because of the need to work in a 'shift system' in order to avoid childcare costs.⁹ These parents may also be placed in weak bargaining positions to negotiate their working hours, as low paid, low status jobs do not afford great influence.¹⁰

Mothers may be particularly affected by a change in Sunday trading law as many part-time workers are women and much part-time work requires weekend working. Women are disproportionately represented in part-time and low paid work, particularly in the social care, leisure, sales and customer services sectors,¹¹ which are also the sectors most likely to require weekend working.

Children are not the only ones who need caring for at the weekends. Those with other dependents such as elderly, disabled or terminally ill relatives may have fewer options for alternative care, and their needs are more unpredictable than those of children. These workers need greater flexibility and enforced longer weekend working hours could create substantial difficulties for carers.¹²

The effects on society

The sum of healthy parts in society i.e. healthy individuals and healthy families make for a healthy society. Individuals function better when they have a good balance between work and rest, and families and social groups function better when they spend shared and regular time together. Working longer hours prevents sustained involvement in community activity such as voluntary work and party political activity, and thus the sense of community is diminished for many.¹³

Research shows that there is a clear link between time parents spend with children and rates of delinquency. Spending time regularly with children reduces the chances of them displaying delinquent behaviour such as involvement in under-aged drinking or illicit drug use. Monitoring children's behaviour is the most effective tool in reducing the likelihood of delinquent behaviour, and this can only be done through regular and close contact.¹⁴ The Government needs to consider these findings in its national crime prevention strategy and assess how longer weekend working hours might impact parental involvement in instilling respect for societal values and the law.

Large retailers (who are more likely to take advantage of longer working hours) often demonstrate little concern about the communities in which they build and hold much sway over local authorities. For example Tesco successfully appealed against planning permission refusal to build a store over a railway line in Buckinghamshire, despite considerable local protest. The tunnel subsequently collapsed onto the railway line during building work.¹⁵

The incentive to overspend

Extended shopping hours provide further opportunity to spend money (which is what those pushing for further liberalisation hope for) and extend debt. Personal debt has more than doubled over the last decade since extended trading hours were introduced, with consumer borrowing via credit cards, finance deals and overdrafts standing at an average of £4125 per adult in 2005. The Financial Services Authority is also seeing an increasing number of insolvencies, late credit card payments and mortgage repossession orders. Debt can cause tremendous stress and often factors in divorce, breakdown and suicide. Nearly half of the British adult population is affected by money worries, nearly two thirds of those affected believe that their health has suffered as a direct result of debt and a quarter of those in debt receive treatment for stress, anxiety and depression from their GP.¹⁶

Although individuals are responsible for their own spending, the push for longer shopping hours further reinforces consumerism, with people becoming further used to accessing shops and services at any time but not necessarily with an extended income to so do.

Who benefits?

In a question put to the Government by Lord Anderson of Swansea in December 2005, The Lord Bishop of Manchester stated that a recent opinion poll,

“...found that 75 per cent of those interviewed would rather have reinstatement of a regular shared day off to spend with family and friends than to have extended shopping hours.”

Society has not ‘evolved’ beyond valuing and prioritising family and social relationships or the need for regular rest to maintain physical and mental wellbeing. Assigning one day per week to rest from work to enjoy with others is a sensible idea, even if one does not ascribe to the Christian view of Sunday. It appears that the only real beneficiaries of extended Sunday trading would be large retailers, such as supermarkets, and their share holders. The beneficiaries would not necessarily need to work over the weekends themselves; rather they can draw on a large pool of employees who are either willing or forced into working long weekend hours. Those who are already losing out are small businesses and shop owners. It is well documented that smaller businesses have shut down when supermarkets, even the smaller ‘metro’ style ones, have opened in the same vicinity and it is estimated that each time a supermarket opens around 280 jobs are lost.¹⁷ Small businesses are a livelihood often for whole families (including extended family) and liquidation carries far reaching consequences, such as loss of the family home, bankruptcy and the need for retraining.

Other effects

Another factor worth considering is the increase in energy consumption extended working hours would create. Premises would use more electricity and water and deliveries and shoppers would use more fuel. Although the increase may be negligible, the fact remains that there would be some increase in energy consumption and this has implications for the Government meeting its environmental commitments of achieving more sustainable patterns of consumption and production. Large supermarkets also create noise and traffic disturbance in their vicinity and extended opening hours would give local residents little respite from this.

Conclusions and recommendations

Regular rest is essential to individual wellbeing, and *shared* rest time benefits family relationships and the development of children, and consequently society as a whole. Atypical working patterns, such as weekend working, diminish shared rest time and associated societal benefits. Longer working hours will benefit *large* businesses at the expense of small (family) businesses and mechanisms for social cohesion. Extended trading hours provide a quick, visible boost to the economy; but Government must consider the wider implications and hidden costs of extended working hours in terms of health and social welfare.

CARE believes that trading hours should not be extended on Sundays as they are currently sufficient, and any extension would affect the quantity and quality of corporate rest time for families and society as a whole.

¹ Source: Keep Sunday Special

² Personnel Today, 12th April 2005
<http://www.personneltoday.com/Articles/2005/04/12/29169/Burnout+How+to+avoid+burnout.htm#ArticleBody>

³ Hard Labour: Stress, Ill-health and Hazardous Employment Practices. London Hazards Centre 1994
http://www.lhc.org.uk/members/pubs/books/hl/hl_toc.htm

⁴ Family Policy Annual Digest 2002-2003, Chapter 4 Families and Working Lives
<http://www.nfpi.org/data/research/docs/Chapter4Familiesandworkinglives.pdf>

⁵ Families and work in the twenty-first century, Joseph Rowntree Foundation
<http://www.jrf.org.uk/knowledge/findings/foundations/923.asp>

⁶ Steve Webb, Westminster Hall 4th November 2003
<http://www.publications.parliament.uk/pa/cm200203/cmhansrd/vo031104/halltext/31104h05.htm>

⁷ European Working Time Directive – TUC: Review of UK opt-out, November 2003 http://www.tuc.org.uk/work_life/tuc-7285-f0.cfm

⁸ NSPCC's Response to Work and Families: Choice and Flexibility <http://www.dti.gov.uk/er/consultation/responses/nspcc.doc>

⁹ 'Families 'missing weekends'' Guardian online, 2nd November 2004
http://www.guardian.co.uk/uk_news/story/0,3604,1341116,00.html

¹⁰ Steve Webb, 4th November 2003

¹¹ Work in the UK, ESRC Society Today
<http://www.esrcsocietytoday.ac.uk/ESRCInfoCentre/facts/index5.aspx?ComponentId=6979&SourcePageId=6970>

¹² Work and Families: Choices and Flexibility Consultation – Response from Help the Hospices to the DTI 25th May 2005
<http://www.timetocare.org.uk/policy/workandfamiliesresponse.pdf>

¹³ European Working Time Directive – TUC: Review of UK opt-out

¹⁴ Parenting and Delinquency at Ages 12-15: Number 3 The Edinburgh Study of Youth Transitions and Crime. The Centre for Law and Study, Edinburgh University <http://www.law.ed.ac.uk/cls/esytc/3Parenting.pdf>

¹⁵ Bucks Free Press, 24th October 2005

http://www.bucksfreepress.co.uk/search/display.var.643611.0.council_accused_over_tesco_store.php

¹⁶ Debt Facts and Figures – 1st February 2006. Credit Action <http://www.creditaction.org.uk/debtstats.htm>

¹⁷ Big business, the environment and you. Friends of the Earth, January 2004

http://www.foe.co.uk/resource/factsheets/big_business_environment.pdf

CHRISTIAN SOCIALIST MOVEMENT

The Christian Socialist Movement (CSM) is an independent organisation of Christians on the left and centre-left of politics. Founded in its present form in 1960, CSM has a membership of over 1600 which includes clergy, local councillors, Members of Parliament (including Cabinet and junior ministers) and people active in their local churches, communities and local constituency parties. CSM is affiliated to the Labour Party.

Through its monthly e-newsletter CSMNews, mailed to several hundred members and friends of the Movement, CSM solicited views on the proposed review of the legislation affecting Sunday Trading. This response reflects the views submitted.

There was little enthusiasm for an extension to the hours that supermarkets, DIYs and larger high street shops may legally open on Sundays. While recognising that Sunday trading meant more flexibility for shoppers, and was of especial benefit to people prevented from shopping at other times for work, religious or other reasons, it was felt that the existing hours of opening were sufficient to meet people's needs. The value of one day in seven being set aside for rest was generally endorsed, and respondents were not clear that allowing shops to open longer on Sundays would – as one put it – 'increase the general happiness of the nation'.

Certainly it would not increase the happiness of those required to work longer hours on Sundays and their families. It was noted that, while in theory workers' wishes not to work on Sunday are respected and officially no harm to an employee's standing or career prospects is done by choosing not to work Sundays, in practice things are often very different. While employees have the legal right to opt out of Sunday working, a store simply cannot operate without a proportion of its full-time staff present – perhaps 30%. One respondent, a store manager, said that if, say, 35% of full-time staff opt out on a Sunday, the remainder may have to work as much as every other Sunday - which, given that many full-time employees in retail have children of school age, has a significant knock-on effect on the quality of family life. Hence employees wanting to opt out of Sunday working often do not do so to avoid placing extra burdens on their colleagues. Even people employed by retailers considered 'enlightened' experience problems over Sunday working.

'The last thing the average Brit needs is [the opportunity] to work [and] shop more' wrote one respondent, and the question of work/life balance was raised by others. It was suggested that, if anything, we need to move towards creating more opportunity for rest and relaxation with family and friends, not less.

Underlying these concerns is a broader one about our drift towards becoming a fully 24/7 society. The initial introduction of Sunday trading could be seen as a signal that we valued consumerism and profit-making more than collective time for rest and relaxation, and extending the hours for Sunday shopping will only strengthen this. Churches campaigned passionately for the 'Jubilee principle' to be adopted with respect to developing world debt: should it not also inform our attitude to our own culture?

Finally, two positive suggestions. If shops really feel the need to open for longer why not extend their opening hours the rest of the week, even perhaps following the example of those stores now trading 24 hours a day? And if opening hours are to be extended on Sundays we need stronger measures to protect the right of employees who wish not to work on those days.

DEX, SHIRLEY

**Professor of Longitudinal Social Research
Institute of Education, University of London.**

Sources

This submission summarises the results from research I have been carried out or have been closely involved with over the past 12 years, the period since the last deregulation of Sunday Trading laws in 1994. One important programme of research has been the Joseph Rowntree Foundation funded multi-million pound research programme from 1998-2004, The Work and Family Life Programme, of 19 projects. My role, as Research Advisor for the Programme was to give scientific advice, and assist in the management and dissemination of the findings of these projects (Dex, 2003). In my current job, I am involved in the collection and analysis of a large-scale birth cohort study of 18,353 families who had a new baby around the Millennium (Dex and Joshi, 2005) and this provides some additional information about weekend working among parents with a young baby.

Size and nature of working at weekends among parents

The social effects of weekend and Sunday working are bound up with working at weekends having grown considerably over time. I charted the rise in employees working on Sundays from 1992, before the 6-hour legislation, to 1998. The findings showed that, contrary to Consultants' predictions before the 1994 legislation, Sunday working increased substantially from this partial 1994 deregulation (Hill and Dex, 1999). More recent analyses of the labour force of parents have shown that very large proportions of mothers and fathers, sometimes both, work on Saturdays, Sundays or both weekend days (Bryson and Barnes, 2004). There will undoubtedly be a similar increase either in the numbers of employees or in employees' working hours on Sundays that would result from further deregulation. Obviously, it is only possible to open shops for longer if people are employed to serve the customers. Also, here are the substantial knock-on effects to other jobs (transport, deliveries, business services, security etc) as the earlier analysis showed. The social ill-effects of weekend work found in a range of research projects can only increase as its frequency increases.

Based on nationally representative samples of parents with a dependent child in 2001 (La Valle et al, 2002):

- 38 per cent of mothers and more than half of fathers were working at least one Saturday per month;
- one quarter of mothers and just under one third of fathers were working on Sunday at least once per month;
- 18 per cent of mothers and 22 per cent of fathers were working both weekend days.

Those parents in lower socio-economic groups were more likely to say they had no option about working at atypical times and hours, and that there was no scope to negotiate more flexible arrangements. This is in comparison with parents in professional jobs that were more likely to say their working arrangements were chosen to suit their career aspirations. For this reason, it is clear that working on Sunday without any choice disproportionately affects lower socio-economic and disadvantaged groups. Such groups have less power in the labour market and are more vulnerable because of their need for money.

The millennium babies, had 49 per cent of their mothers employed and 91 per cent of fathers employed when they were 9-10 months old. Of these employed parents, 23 per cent of mothers and 28 per cent of fathers worked at the weekend every week when they had a fairly young baby (Dex and Joshi, 2005, p.217).

Many parents set up shift parenting regimes in order to be able to work at weekends in order to maximise their household income and make sure their children have some parental time. However, this means that they have less time with each other. This is likely to increase the risk of marital and partnership breakdown although there are no studies of this in relation to working at weekends.

Many lone parents do not have partners to share caring for their children while they work at weekends. It might be argued that lone mothers working at the weekend are able to draw on the help of non-resident fathers and this could benefit the child's relationship with the father. The Millennium Cohort Study shows that only 12 per cent of employed lone parents have access to childcare from a non-resident parent while they are at work (Dex and Joshi, 2005, p.221).

Effects on family life

The study by La Valle et al (2002) found:

Mothers

- Compared with 15 per cent of partnered mothers who never worked on Sundays, 47 per cent of partnered mothers who worked on Sunday at least every 2-3 weeks said that their work affected their ability to read, play and help their children with homework.
- Compared with 16 per cent of such mothers who never worked on Sunday, 27 per cent of those who did work on Sunday (every 2-3 weeks) said their work affected doing outdoor activities with their children.
- 19 per cent of such mothers who worked on Sunday said their work affected their ability to visit family and friends compared with 11 per cent of those who never worked on Sunday.
- 19 per cent of such mothers who worked on Sunday said their work affected family outings compared with 6 per cent of those who never worked on Sunday.
- These effects on family life from Sunday working were often considerably higher among those who said they worked on Sundays every week, but based on smaller sample sizes, which are less robust.
- Lone mothers who frequently worked at atypical times in the week were more likely than other lone parents and partnered mothers to say that work interfered with the range of family activities explored in the survey.

Fathers

- Compared with 33 per cent of partnered fathers who never worked on Sundays, 49 per cent of partnered fathers who worked on Sunday at least every 2-3 weeks said that their work affected their ability to read, play and help their children with homework.
- Compared with 28 per cent of such fathers who never worked on Sunday, 32 per cent of those who did work on Sunday (every 2-3 weeks) said their work affected doing outdoor activities with their children.
- 24 per cent of such fathers who worked on Sunday said their work affected visits to family and friends compared with 20 per cent of those who never worked on Sunday.
- As with mothers, these effects on family life from Sunday working were often considerably higher among those fathers who said they worked on Sundays every week, but based on smaller sample sizes, which are less robust.

Parents' feelings about weekend work

LaValle et al (2002) found that parents who worked more frequently at atypical times were far more dissatisfied with the time they had to spend with their children. Mothers were also dissatisfied (40%) with the amount of time fathers spent with the children when the father worked frequently at atypical times. One parent was quoted in the Report as follows:

'One Sunday in a month he has a full day off so in that Sunday we might go sailing ..(otherwise) I usually have to take them but, no, we don't really do, the only time we do things together is when we're off....It's horrible. Can't go anywhere, can't plan anything because we don't really know, can't go away for a week or anything like we want to, so it's just the odd, catching the odd days when we can go' (page 44).

One manager of a department store said:

'I think it's wrong that we're now open on a Sunday.....Because the people who do their shopping are going to be office people or whatever who will work 8 till 5, Monday to Friday, what about people who have to work in the stores and if they're contracted to work that day they have to work whether they want to or not...and don't think it's all, oh yes, it's brilliant, they're open on Sunday, oh, they're open on Boxing Day, but nobody actually gives a thought to the people and families who actually are the ones that are going to.' (mother retail store manager, page 53).

Fathers in a number of studies expressed sadness and dissatisfaction with the time they spent as a couple through working at atypical times. Parents in the Millennium Cohort Study were more likely to feel they did not have enough time with their children when they worked at weekends.

Child care providers also expressed strong views that children should be with their families at weekends (Statham and Mooney, 2003)

Children's views

Although none of these studies interviewed children, parents sometimes reported that their children were also unhappy with weekend working, as one quote illustrates:

'They don't mind about me going to work unless it's at the weekend when they'd like to go somewhere and I say 'Oh, I've got to go to work today'. Then they really moan. (Dex, 2003, p.53)

Mothers' preferred working times:

- 78 per cent of mothers who worked every Sunday, 69 per cent of mothers who work every 2-3 Sundays and 61 per cent of mothers who work one Sunday per month would prefer not work on Sunday (LaValle, et al, 2002, p.54).
- 67 per cent of mothers who worked every Saturday, 66 per cent of mothers who work every 2-3 Saturdays and 67 per cent of mothers who work one Saturday per month would prefer not work on Saturday (LaValle, et al, 2002, p.54).
- Between 71 and 81 per cent of mothers who worked on Sundays (either every week, 2-3 weeks or once per month) and had a partner who worked at least once a month on Sundays wanted their partner to stop working on Sundays.

- The working arrangement that parents most wanted to change was working at weekends. Sunday work was the most unpopular.

Summary

The main benefit of parents working at weekend is the additional to household income that this offers which is very important to some families. Against this, however, research suggests that majority of parents who have to work at the weekend, irrespective of their income level, find weekend work seriously interferes with their ability to have a family life. They are unhappy with working at this time and would ideally prefer to change the time at which they work.

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DIAMOND, PAUL

Barrister

Introduction:

1. I have been the barrister to the Keep Sunday Special campaign since 1988. I have a general practice in the Law of Religious Liberty and have represented religious issues at both domestic and international forums.
2. I studied for an LLM at Magdalene College, Cambridge and received a scholarship to study at the Hague Academy of International Law, The Netherlands.
3. The submission considers the inadequate protection of religious adherents for which Sunday is the Sabbath day. It is recognised that employees of all faiths and none may wish not to work on a Sunday; the sociological nature of Sunday prevailing.
4. However, the protection of those with a strong religious need to rest on the Christian Sabbath is not effectively recognised; whilst these numbers may be smaller than those of other workers who do not wish to work on a Sunday, if this *lacuna* is not closed, it is difficult how the protections of other (non-religious) workers can be fully justified.

The Copsey Judgment:

5. On July 25th 2005, the Court of Appeal handed down the Judgment in the case of *Copsey v WWB Devon Clays Ltd.*¹⁸. This case determined a number of issues on the subject of religious rights in the context of employment. It should be noted that this case was brought under Article 9 of the European Convention, rather than the *Employment Equality (Religion and Belief) Regulations 2003*.
6. In a decision in which the Court of Appeal gave three separate Judgments, the position of Christians to observe a Sabbath day for religious reasons is uncertain. In my view, this clearly represents a deficit in human right protection (and an obvious one).
7. Mummery LJ held that he would have granted *exemption* to Mr. Copsey to observe a Sabbath day, but felt bound by contrary decisions from Strasbourg; Rix LJ held that Article 9 does include Sabbath protection, but did not want to disturb lower Court determinations and Neuberger LJ held that Article 9 added little to the *reasonableness test* under the Employment Rights Act 1996.
8. It was a view of the Court of Appeal that this issue needs to be determined by the European Court of Human Rights, Strasbourg; a petition is to be made by March 2006 and a case number has been allocated.

Legal Confusion:

9. There are two clear areas of legal confusion; the first is the applicability of Article 9 to Sabbath working *per se* and the second is the effectiveness of the *Employment Equality (Religion and Belief) Regulations 2003*, where there is *no* discrimination.
10. The European Court has a poor record on religious rights due to historical and sociological factors which creates a *secularist* majority on the Court; the restrictive interpretation of Article 9 by the European Court

needs to be contrasted with the pro-active Judgments of the US Supreme Court pursuant to the *First Amendment*.

Article 9 of the Convention:

Mummery LJ considered the decisions of *Ahmed v United Kingdom*¹⁹, *Konttinen v Finland*²⁰ and *Stedman v United Kingdom*²¹ and held that:-

38. ... *an employer is entitled to keep the workplace secular. In such cases an employee is not in general entitled to complain that there has been any material interference with his Article 9 rights. Employment Tribunals should continue to decide similar cases in accordance with these rulings unless and until they are overruled by a decision of the European Court of Human Rights or until the House of Lords hold that they should not be followed.*

39. *I am convinced that it is not the function of this court to question the non-interference approach taken in the Commission rulings...*

11. Thus, Mummery LJ has i) stated that he disagrees with the logic of the Commission decisions, ii) has given a clear direction to all lower employment courts to follow such decisions (from a former President), iii) this must be done until overruled by the House of Lords, iv) Article 9 has no applicability to working hours and v) has 'resurrected' the rejected principle of '*material non-interference*' by reliance on the Court of Appeal (not House of Lords) analysis in *Williamson v Secretary of State for Employment and Education*²².

Employment Equality (Religion and Belief) Regulations 2003:

12. Mr. Copsey was dismissed in July 2002; prior to the coming into force of the Regulations in December 2003.
13. However, subsequent to the analysis of Article 9 by the European Court, the scope and effectiveness of the Regulations must now be uncertain. The Regulations are premised on *traditional* discriminatory analysis. The Regulations were subject to EU Directive 2000/78 to which the European Court in Strasbourg has given a restrictive scope. It is likely that the Courts below the House of Lords or Court of Justice (Luxembourg) will hold that the Strasbourg (lower) standard to be the effective benchmark.
14. The employer in the Copsey case, WWB Minerals Ltd. *did not discriminate*; they simply applied the same low standards to all religious adherents (Jew, Christian or Muslim) and refused all a religious adherents a holy rest day; their motive not been religious animus, but economic efficacy.

Conclusion:

15. A possible caution by the Court of Appeal is the uncertainty granted by multiple religious rest days in a multi-faith society and the effect on already over-burdened economic enterprises. Mummery LJ expressly urged Parliament to consider this factor and give clear guidance to the Courts.
16. The questions of importance for the Parliament are:-

- a. The meaning of religious 'animus' in circumstances where Mr. Copsey was not dismissed for being a Christian *per se*, but because he wished to practise his faith and was unable to comply with a seven day shift pattern, which was applied for economic factors;
- b. The meaning of 'respect' and of 'manifestation' within Article 9 (in the workplace) and the need to grant a concession/ exemption from a neutral rule to the adherent to comply with the principle of freedom of religion. The bases of the duty (and criteria) of '*reasonable accommodation*';
- c. The status of Article 9; courts proclaim its centrality to human existence, but grant it a diminished status as contrasted with Article 8 (sexual rights) or Article 10 rights (free expression). In the employment context is the desire to worship on the Sabbath day analogous to the hobby of watching a football match or any other absence from work;
- d. The place of the sanctity of contract and religious rights; the distinction between this case (the employer breaks his bargain and varies the contract) and where an employee is 'born again' (the employee wishes to vary the bargain);
- e. The finding that the workplace can be '*secular*' and that an employer may treat 'faith' disrespectfully provided he does so without discrimination and treats all 'faiths' without respect;

¹⁸ [2005] EWCA Civ 932.

¹⁹ (1981) 4 EHRR 128

²⁰ App. No. 249/49/94 of 3rd December 1996.

²¹ (1997) 23 EHRR CD 168.

²² [2003] 1 QB 1300 (Court of Appeal) which is in many ways superior to the Judgment of the House of Lords [2004] AC.

EVANGELICAL ALLIANCE

1. INTRODUCTION

1.1 The Evangelical Alliance, which was founded in 1846, is the umbrella body which brings together Britain's one million plus Evangelicals. The Alliance exists to promote unity and truth among these churches, individuals and evangelical organisations, and to represent their concerns to the wider world of the Church, State and society.

1.2 Evangelical Alliance welcomes the Department for Trade and Industry's consultation into the issue of Sunday Trading. We hope that the process will be constructive and engage with real human issues affecting working people rather than be overshadowed by the increasingly invasive demands of the apparently all-powerful commercial trading lobby. We trust that the serious concerns especially of those in the voluntary sector and of employees in the entertainment sector will also be taken into account.

1.3 The Evangelical Alliance is a strong supporter of Keep Time for Children (KTC), a crucially important and far-sighted initiative of the Relationships Foundation, which argues cogently that a good society needs to promote healthy relationships. A key objective of KTC is to highlight the relational benefits for society as a whole of parents spending time with children. KTC urges the Government to legislate to protect shared time off for families, the building blocks of community and foundations of social capital. The Evangelical Alliance joins KTC in expressing concern about the apparent lack of coherent or joined-up Government policy in this area.

1.4 In June 2003 the Evangelical Alliance contacted Ministers and members of the House of Lords regarding the Local Government Bill. We wished to encourage support for an amendment aimed at protecting quality family time. The amendment to the Local Government Bill was also supported by the Relationships Foundation and sponsored by Lords Northbourne and Alton. The amendment took the form of a new clause, which provided for an employee with school-age children to be legally prevented from working on both a Saturday and a Sunday. The intention was to counter the significantly increasing trend in weekend working which is accompanied by evident detrimental effects on family life and relationships.

1.5 The Evangelical Alliance regrets that the DTI appears to be unduly focused on the so-called 'economic benefits' of weekend working rather than taking account of the social impact on parents and children, (and therefore wider society.) The Joseph Rowntree Foundation report 'Happy families? Atypical work and its influence on family life' published in Sept 2002 highlights key issues around atypical working practices and their impact on family life.

1.6 We would encourage the Government to recognise that historic protections have been eroded and in the face of increasing commercial pressure to extend trading hours at weekends, to learn from negatives past experience and not take even more steps along the road of invading crucial leisure, family and recovery time for hard-pressed employees who in Britain already work the longest hours in Europe. In her recent book *Willing Slaves: How the Overwork Culture is Ruling Our Lives*, the Madeleine Bunting states that Britain's full-time workers put in the longest hours in Europe at 43.6 a week compared with the EU average of 40.3.

1.7 In the UK the number of people working over 48 hours has more than doubled since 1998, from 10% to 26%. And one in six of all workers are doing more than 60 hours.

2. SOCIAL TRENDS AND ATTITUDES

2.1 The incidence of family breakdown continues at an alarming rate in the United Kingdom with its associated costs in terms of, for example, family poverty, teenage pregnancy and anti-social behaviour. The number of divorcing couples doubled between 1961 and 1969 and doubled again between 1969 and 1972. Two-thirds of couples divorcing have children under 16. The psychological impact of divorce on children and teenagers is increasingly being recognised and may be reflected in schools, not least in terms of increasing drug dependency, anti-social and violent behaviour and mental conditions.

2.2 Meanwhile an increasing number of employees are working more than 60 hours a week and direct links to rates of divorce and separation are now universally accepted. According to a DTI survey in 2002 in its Work Life Balance Campaign and Management Today Magazine, one in six employees indicated they were working more

than 60 hours a week, compared to one in eight two years previously. According to the survey, twice as many employees would rather work shorter hours than win the lottery.

2.3 Patricia Hewitt, then Secretary of State for Trade and Industry commented, "I am determined to get the merits of flexible working onto the business agenda especially for the parents of young children who often find it the most difficult to balance work and home life."

2.4 The DTI has therefore been at the forefront of a campaign to encourage a healthy work-life balance. From February 2003 parents of young and disabled children supposedly gained the right to seek flexible hours working patterns and employers were supposed to consider their requests seriously. However, critics have found the measures to be insufficient with employers finding ways to get round the provisions and case law showing that requests for shift patterns allowing employees, e.g., to attend church on Sundays, have been dodged. The then head of the TUC, John Monks highlighted a conflict between what the Government were saying and what they were actually doing in August 2002 when he commented: "The government is absolutely right to highlight long hours and a lack of work-life balance. But the power to address the problem lies with them."

2.5 The consequences of long hours working are only too evident. British industry loses £370m every year to stress-related sick leave, according to Health & Safety Executive figures published in June 2001.

3. HAPPINESS

3.1 Evidence confirms that society is not getting happier. In fact, quite the reverse appears to be the case. In 2004 the Worldwatch Institute reported that more than 25% of the world's population now enjoy a lifestyle which used to belong exclusively to the rich. However, the associated costs in terms of rising obesity and debt, and increasing pressures on time which corrode space and margin in peoples' lives are actually reducing many people's actual quality of life despite apparent relative economic prosperity. The Worldwatch report acknowledges that consumption may not in itself be wholly bad. But it highlights the uncomfortable reality that "Higher levels of obesity and personal debt, chronic time shortages, and a degraded environment are all signs that excessive consumption is diminishing the quality of life for many people the challenge now is to mobilise governments, businesses and citizens to shift their focus away from the unrestrained accumulation of goods, and toward finding ways to ensure a better life for all."

3.2 Accordingly, at a time when powerful commercial groups are lobbying the Government to further erode the weekend recovery time so crucial to hard-pressed working families – often citing apparent public demand e.g., for 24/7 shopping – we consider it is incumbent on Government to take responsibility for the holistic health of the nation and ring-fence appropriate time off for employees at weekends – if necessary in their own long-term interests, and in the long term interests of society as a whole.

4. EMPLOYMENT

4.1 The Sunday Trading Act 1994 contained provisions to protect the rights of workers to choose not to work on a Sunday. However, many low income families have found that they have nevertheless been pressurised into working on Sundays to retain their jobs. The Keep Sunday Special Campaign (KSS) has adopted a high profile campaign on this issue and has continued to supply numerous examples to the Government of cases highlighting this unwelcome trend.

4.2 We recognise that many individuals may wish to work on a Sunday as well as to work late. However, a significant number of people do not want to work on a Sunday. We would press the Government to tighten the protection available to these individuals, so that they will, under no circumstances, feel pressured or obliged to work on a Sunday, or be threatened or punished in any way for refusing to work on a Sunday. The new Equality Act supposedly offers increased protection for employees who may suffer indirect discrimination with regard to employment conditions that prevent them participating in religious worship. It would be helpful if Government could take this opportunity to clarify and reinforce the rights and responsibilities of employees and employers in this regard.

4.3 The lack of a regular shared day off has clearly been shown to place intolerable strains and stresses on individuals, and can lead to a fall in productivity in the long run. The report entitled 'The Health and Safety Effects of the Absence of a Regular and Shared Day Off' produced by Keep Sunday Special in 1999 concluded that "the lack of weekly, shared day off has serious health effects, largely as a result of stress."

4.4 The Evangelical Alliance recognises that a day off does not necessarily have to be a Sunday. However, by extending the hours worked on a Sunday to make it no different from any other day of the week, makes it increasingly difficult in practice for people to find a regular, definitive, shared day off for the family, especially where all the members of the family are working.

4.5 The Government consultation paper 'Supporting Families' (1998) states that "flexible family-friendly working arrangements are essential for helping them to balance their family responsibilities with paid employment" (paragraph 3.7). It further asserts that "Well-managed and competitive businesses ensure that their staff work sensible hours and are able to agree appropriate work patterns with their employees. These agreements might cover the working week, annual paid leave and night working, all of which can affect family life. Some firms, however, do coerce staff into working excessive hours." These well-meaning and well-founded aspirations often do not match practical reality in the workplace and we urge Government to resist the alarming prospect of even further erosion of employee's rights.

5. RELIGIOUS LIBERTY

5.1 Sunday working undoubtedly has a disproportionate effect on Christians which the Evangelical Alliance represents. Despite the provisions of the Equality Bill doubt remains that in reality employers are making adequate provision for Christians who wish to attend church on Sunday, notwithstanding apparent eagerness to meet the religious requirements of other minority faith groups. We would urge the Government to take this opportunity of clarifying and reinforcing the liberty of all faiths to practise their religion free from coercion by employers.

6. CONCLUSIONS

6.1 If the Government accedes to pressure to extend Sunday trading hours even further this will inevitably lead to many more people feeling coerced to work on Sundays. This will lead to even less time available to be spent with families, and more strain being placed on working individuals and those around them. This in turn will inevitably have serious consequences for the well-being of society as a whole.

6.2 The Government must recognise its responsibility to achieve a healthy balance. Though consumers and traders may both express a desire for longer opening hours, for example, on the basis of greater convenience, longer opening hours are evidently counter-productive and damaging for workers, not least in terms of their physical and spiritual well-being. As the Government has acted wisely in addressing the health and social consequences of smoking, so it needs to follow its own warnings about the threats to human well-being of insatiable pressure for 24/7 and resist further concessions.

6.3 The evidence of spiralling family breakdown and of workers' unhappiness with the longest working hours in Europe demands Government action now to avoid the prospect of unthinkable negative social consequences.

6.4 As a society we have to tackle the really serious questions concerning our priorities as a working nation. This will take real leadership and courage from the Government if necessary to face down the taboos associated with our overly-consumer society, and decide unequivocally that quality family time and time off for workers' recovery is equally important as convenience shopping.

6.5 As a nation we need to urgently reassess our priorities for the sake of our health, happiness and our children's future.

FEDERATION OF SMALL BUSINESSES

The FSB's Historic Position

When Sunday trading laws were liberalized in 1994 to enable shops larger than 3000 sq ft to trade for six continuous hours and smaller shops to open for as long or as little as they liked, the FSB supported the Government position. We considered that the change was long overdue because the 1950s Shops Act left businesses subject to the vagaries of local authorities' different attitudes to enforcement and prosecution. Our official policy line was individual shop owners should have the right to choose when they trade.

Sunday Trading

The proposed extension of Sunday opening hours is a complex issue for FSB members. The FSB now has 195,000 members. The national policy has to be satisfactory for the majority of members. The further liberalization of Sunday trading laws predominantly affects retail businesses. 22% of FSB members are in the retail and wholesale trade according to Barriers to Growth 2004. In the UK as a whole, this total is 14.4%²³.

The liberalisation of Sunday trading law enabled larger retail businesses to operate without being detrimental to smaller businesses. The new legislation did not affect the vast majority of members, most of whom do not have a business premises larger than 3000 sq ft. However, there are some exceptions, most notably, garden centres. Garden centres occupy a considerable space, but are often small independents (the FSB has two members who own garden centres). Independent garden centres were negatively affected by the 1994 legislation and only allowed to trade for six continuous hours.

There are two sides to the Sunday trading argument. The side that wishes to extend opening hours further chooses this option because:

- Restrictions on Sunday trading hours were imposed to restrict the opening hours of larger businesses and to enable smaller businesses to have greater flexibility in how they trade. But this has not been the case. Between 2000 and 2004, 7337 independent retailers shut²⁴. The protection element could be considered to have failed in its aim. Changing opening hours is unlikely to make the situation worse.
- People's shopping habits have changed dramatically over the past decade or so. Sunday is a busy shopping day. Small retailers in shopping centres and towns have benefited from an increased footfall on a Sunday and would benefit further from increased opening hours.
- 75% of the grocery market is owned by supermarket chains such as Tesco. Such growth and dominance is considered to have had a very negative effect on the success of small retail and wholesale businesses. Here again, Sunday trading laws can offer protection to the smaller retailer.

The side that is against further liberalisation of Sunday trading has the following arguments:

- Some members consider Sunday opening has been damaging to village shops and high street traders. People who used to go to the local shop on a Sunday for a newspaper and some provisions are now justified in going to the local supermarket in the car. This behaviour results in a loss of revenue for the small retailer that cannot be recovered.
- Sunday opening of shops has led to greater congestion on the roads and in city centres. For instance, the City of Canterbury experienced a huge increase in footfall when its shops began opening on a Sunday. This resulted in Canterbury City Council introducing parking charges on a Sunday.
- If Sunday trading laws are further liberalised, there needs to be the back-up infrastructure to go with it. This may mean charging for parking in town centres amongst other things. Will greater liberalisation lead to banks, doctor's surgeries, public libraries and other establishments not usually open on a Sunday are forced to open as well?

I hope that these comments are useful. The FSB's policy on further liberalisation of Sunday trading is in its early stages. The remarks outlined above are not official policy views, but they are arguments that will be considered carefully when the matter is discussed on 9 March.

²³ DTI Prodata Report, 2002.

²⁴ <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm051207/debtext/51207-32.htm>

HINDU FORUM OF BRITAIN

It is our view that Sundays have principally been a religious day for Christians in the UK (as well as other countries where Christianity is dominant religion), a day meant for followers of the religion to attend Church and reflect upon the spiritual aspects of life.

The traditional rationale for restrictions on Sunday trading flow from these Christian religious beliefs, whereby work is prohibited, and thus shops were remained shut (or restricted in some form) on the day. This religious principle was enshrined in law until very recently, with changes to the law being made in the 1980s, whereby the Sunday trading laws were relaxed somewhat.

However, whilst the Anglican Church is still the official religion of England, one must accept that Britain today is a more multicultural country, with many people practicing different religions. It should be accepted that not everyone in Britain is Christian, let alone religious. Arguments for keeping Sundays as a Christian day would appear to be irrational in this respect. Such a restriction would merely represent an ideology to maintain England's heritage as an Anglican Country.

Having said this, the HFB would welcome a day within the week which is set aside for spiritual reflection – a day for practicing one's religious beliefs, attending a place of worship and spending time with one's family.

Unfortunately, the connotation that Sunday's is a religious day associated to the Christian religion would not bear well in a multi cultural society. If the principle were extended, then it is conceivable that in due course, people practicing Judaism could rightfully claim to have Saturdays. Equally, those practising Islam, may claim that Fridays be made a holy day and restrictions applied for trading or indeed other activities, which may be deemed not to be associated with each religion's ideology.

Hinduism does not have a particular day which is preserved as being holy. On the contrary the Hindu belief is that spiritual reflection, attendance to the Temple and worshipping should be a part of daily life, and as such are principles which apply to any day of the week. The HFB believes that in this increasingly secular age, setting a day aside for religion should be abandoned altogether.

The logical extension to the question is then, why setting aside a day a week is deemed beneficial? There are two aspects to this question that need to be examined. One is from the perspective of the general population, and one from the employees who may be required to work on Sundays, if shops and other commercial entities extended their opening times.

The general population

The employed workforce of Britain is working longer and longer hours. The concept of the free movement of labour has meant increasingly, people are having to travel longer and longer distances to work, together with increased traffic, it is quite normal for the average worker to get home after 7pm in the weekday, with many having to work on Saturdays as well (either due to their employment contract or as a means to earn sufficient income to pay for the increasingly expensive cost of living in the UK). In this context, many find themselves unable to address issues in relation to 'administration of the home'. Most council services, utility companies and commercial entities delivering services, work only 9am-5pm on weekdays, leaving the average person unable to conduct their daily affairs. We believe extending Sunday trading would help in this manner – however this would need to apply more broadly than extending the trading hours of supermarkets.

Unrestricted Sunday trading has the potential to help de-stress the working population and giving more control over their lives and work patterns.

It could be however be argued that, presently, many parents are so over worked, that they might not see their children much during the week. Sundays could therefore be seen as being important to ensure that parents can devote the proper attention to their children, as well as other relatives. However, as many other cultures have different days which they regard as being a day for rest and family, it does not seem appropriate to have Sundays as the universal day. The HFB would rather allow individuals the choice of which day of the week they would like to be 'their' day of rest.

Employees forced to work on Sundays

Stress, long working hours and disjointed families are already aspects of the modern workplace in the UK. Extending Sundays trading would put on greater pressure on employees to meet the very increasing demands of profit maximising entities. Relaxing Sunday trading laws has the potential to have disastrous consequences with the health of workers.

However, it may be possible to extend Sunday trading, if *adequate and enforceable safeguards* are put in place that allow employees, the choice, of which day of the week they may take off. This would enable different faiths to accommodate their religious beliefs. Being able to work Sundays could be considered an extension of the 'flexi-time' concept. It may enable workers to plan their own holidays and time off to suit their own schedule. By opening Sunday up for work, people would have more freedom in organising their lives.

Impact on small businesses

The impact upon business community should also be considered with respect to Extended Sunday Trading. Many of the Hindu community are entrepreneurial by nature and many own their own small businesses. These businesses primarily operate within the retail sector, which relies upon long trading hours. Extending Sunday trading would appear to benefit these individuals and in this respect the Hindu Forum of Britain would support the opportunity for extended Sunday trading.

Conclusion

In essence what the HFB seeks is options which allow both businesses and individuals the opportunity for extended Sunday trading, but with adequate safeguards in place to ensure these extra opportunities are balanced with appropriate and adequate responsibilities exercised by employers. These responsibilities should allow individuals the right to exercise their choice of which day(s) from the week they desire to take off, for what ever reason, be it, religious, family or some other reason.

KEEP SUNDAY SPECIAL

- A significant majority of UK citizens have no desire for more shopping hours on a Sunday. A range of independent polls (NOP for Usdaw, Keep Sunday Special and the Association of Convenience Stores), show that between 60% and 70% feel that the 150 hours a week already allowed is sufficient.
- Many parents are already working long hours at the weekend to the detriment of their own children and their own relationship. 40% of families with dependent children have at least one parent who works regularly at the weekend (2.4m families and around 4.5m children). In around 200,000 2-parent families, both parents work on the same day at the weekend. Nearly 1 in 11 workers in the UK are employed in the retail sector and a disproportionate number of these people already work atypical hours. An extension of Sunday trading will only make matters worse (even an extension to 9 hours will increase the hours worked by shop staff on Sundays by 50%).
- The Government is concerned, as many are, that community life as we once knew it, is breaking down. The evidence is all too familiar: broken families, deterioration in law and order, and the loss of the 'glue' that holds communities together, including local shops, chemists, Post Offices, and other facilities. The Government is putting together a number of parenting initiatives to address one of the primary symptoms of these problems. We believe that a Government that truly supports good parenting would not agree to extending Sunday working hours which the extension of Sunday trading will inevitably bring.
- Many small shops have already closed not least because of competitive pressures from large retailers on Sundays – 2000 a year for the last 5 years. Retail organisations say that many more will shut if Sunday hours are extended, which adversely affects family life, the elderly, the disabled and the poor.
- Extended Sunday opening will deny many practising Christians the opportunity to worship at all on Sundays, contrary to the Government saying they want to create a tolerant society where minority rights are protected. Experience has demonstrated that existing protections in the 1994 Act are toothless to help shop workers who do not want to work on Sundays. In a recent high-profile court of Appeal case (Copsey), a worker who was dismissed because he did not want to work on a Sunday, had his claim rejected. A number of technical issues are involved but the essence is that the law was unable to protect him.
- The Government's invitation to consultation has not been widely publicised. We are also extremely concerned to find, 'by the back door', that consultants employed by the Department have been asked not only to look at the costs and benefits of easing Sunday trading but also at Easter Sunday trading. Easter Sunday received special protection in the 1994 Act and no trading is allowed on that day. Very recently, MPs decided that Christmas Day should also be protected.
- The Government has very narrow terms of reference for its enquiry focusing on the economic cost benefits of Sunday trading. This has no regard for the widespread social implications of the issue as set out above.

For further details, see www.keepsundayspecial.org.uk

NATIONAL CONSUMER COUNCIL

We consider that the provisions in the 1994 Sunday Trading Act relating to the 3000 square foot rule are inconsistent, anomalous and out of date. Abolition of this rule would have no social impact in terms of increased weekend working.

The vast majority of people who work on a Sunday – including those who work in smaller stores owned by chains such as Tesco – are not the subject of any special legislation along the lines of the 1994 Act.

Furthermore, the argument that the 3000 square foot rule is needed to protect even this limited number of employees from exploitation is a fallacy.

Detailed rules exist in the 1994 Act, covering employees who might be asked to work on a Sunday. We are not best placed to comment on the efficacy of such provisions, but we are aware that your colleagues in the Keep Sunday Special Campaign argue that they have not in practice afforded the necessary protection to employees.

We respect the right of other organisations to make the case that the present regime needs to be improved to give employees greater protection on Sundays. If this is agreed to be a flaw in the current arrangements, it should be remedied by providing more explicit provisions about employment. This should have no bearing on the assessment of regulation that restricts consumers' ability to shop where and when this best fits the balance of their lives – such regulation does not in itself help anyone working in a store.

We would also note that there are some potentially significant social benefits in allowing consumers to run their own lives and exercise informed choice for themselves, rather than using legislation to make detailed judgments about how individuals choose to organise their relationships or spend their time. We trust the inquiry will be exploring these benefits.

RURAL SHOPS ALLIANCE

Introduction:

The Rural Shops Alliance (RSA) was founded in April 2001 and its aims and objectives are:

- To be the national voice for rural retailers
- To work and to campaign to protect rural retailers
- To develop opportunities for rural retailers to become more proactive and professional.

Membership can be direct or through Associate Membership via Rural Community Councils and County Councils. A significant proportion of the village shops represented by the RSA are family-run businesses. The RSA, a company limited by guarantee, believes that its Public Affairs work helps to protect the rural retailer and informs Government on the special nature and challenges of the village shop. The RSA aims to help rural shops develop their businesses and thus to encourage long-term sustainability for them and the communities they serve. Many “blue chip” suppliers that provide financial support and retailing advice to the RSA support this retail development activity. Through positive leadership and in order to help achieve its vision, the RSA will lobby for and champion the rural retailer and provide unrivalled support for all its retail members. The RSA welcomes the opportunity to provide comments and views as to the effect of changes to the Sunday Trading Act 1994.

Background:

The RSA's 7,250 retail members are in the main micro businesses, owner managed and run small stores in isolated/rural locations with correspondingly low levels of total turnover. As such, most operate at the margin in terms of overall viability. The intense competition within the retail sector inhibits the ability of rural shops to further increase sales and/or retail prices. Sunday trading is important to them and any loss of turnover or reduction in profitability can have a disproportionate effect on their ability to trade profitably and thus have potentially serious consequences for their long-term survival. This can result in the loss of valuable facilities they provide within their communities such as Post Office services and access to local shopping, particularly important for the socially disadvantaged, elderly or immobile.

Darwinian Evolution:

Darwinian ‘survival of the fittest’ is well demonstrated in UK food retailing with the independent sector in particular, having lost out to the multiple sector. Thousands of independent retailers have ceased trading in the last few years and will continue to do so as it is clear that size of operation is a key factor that affects ‘fitness’ of retailers. Conglomerates have been built up; they have expanded geographically (in the UK and internationally) making size of organisation a critical issue. Large operators are able to obtain favourable buying terms. They have the advantage of being able to spread the cost of operation and distribution over a large profitable turnover.

Exogenous factors such as the introduction of the National Minimum Wage also challenged the ‘fitness’ of retailers with the largest better able to cope than the smallest. Many small independent retailers are ‘fit’ in all aspects of retailing and provide an essential service to their communities, but are disadvantaged by scale. It is the considered view of the RSA that the end result of any liberalisation of the Sunday Trading Act 1994 will have a considerable impact on rural stores and will seriously challenge their survival.

The Sunday Trading Act 1994:

The Act prohibits stores larger than 280 square metres from opening for more than six continuous hours on a Sunday between 10am and 6pm. It also restricts these stores from opening on Easter Sunday and the Christmas Day (Trading) Act 2004 from opening on Christmas Day. These Acts are about the only legislation that affords some protection and opportunity to small stores (those under 280 square metres – that may trade for 24 hours on all 7 days of the week) and should remain unchanged. The message against reform is coming loud and clear from retailers, staff, consumers and MPs.

Retailers:

As a relatively new trade association with limited resources, we have only been able to conduct a survey amongst a 'Sounding Board' of our retail members. This limited research indicates that;

- 70% of rural shops open on a Sunday
- They achieve in excess of 15% of their weeks turnover on a Sunday
- Peak trading times on a Sunday are before 10am and after 4pm
- Top selling lines include: newspapers, milk, bread, beers/wines/spirits, tobacco, confectionary and groceries.

Staff:

Our retail members employ some 29,000 members of staff. Many are part-time and most are locally based women who rely on the income they receive. Significant to note that Usdaw found that 92% of large store shop workers reject any extension to Sunday trading hours.

Consumers:

Research carried out by BMRB for Convenience Store and the Association of Convenience Stores shows that only 28% of shoppers want large stores to open longer on a Sunday.

MP's:

An increasing numbers of MP's (169) have declared opposition to liberalisation of the Act by signing EDM 1085.

Conclusion:

The IGD in a study titled 'Grocery Retailing 2005' report that there are 102,537 retail stores in the UK, of these 6,578 are supermarkets and superstores (6.4% of stores achieving 73.6% of turnover) and 95,959 are small stores. By applying the Pareto (80:20) principle to this number of small stores, it can be safely assumed that 76,767 are trading from less than 280 square metres. Changing the Act would have a destructive impact on these retailers.

It is difficult for the RSA to measure the costs and benefits of deregulation of the Act. But, we believe deregulation will be at the cost of the small retailer and to the benefit of superstores. Any such deregulation will demonstrate to millions of shoppers that Government considers small shops much less important than supermarkets and that the changes are Governments way of further satisfying the needs of superstores, which already dominate the market. Independent rural retailing and the communities they serve would be devastated.

The Rural Shops Alliance and its retail members oppose changes to the Act.

Further information on the RSA is available at: www.rural-shops-alliance.co.uk

SAINSBURY'S

Our customers have not been telling us that they want to see Sunday trading hours liberalised. We therefore remain unconvinced that there is a strong case for such a change in the law. However, as you will appreciate, we operate in a highly competitive environment, so if the law were to be changed to extend Sunday trading hours and our competitors took advantage of this liberalisation, then it is likely that we would also extend our trading hours in order not to lose business.

We are, however, conscious of the social issues that will be of concern to Lord Anderson and the Panel. We would, for example, continue with our current policy, which is not to require our employees to work on a Sunday if they are unwilling. That said, there are of course many colleagues who are very happy to work on a Sunday because it suits their particular circumstances. We also know that by trading on a Sunday we are helping many customers who do not have time to do their shopping on other days.

TESCO PLC

Firstly, we recognise that happy and motivated staff, with a healthy balance between their personal and professional lives, are at the centre of any successful organisation. Every day our people are encouraged to play a proactive role in shaping the future of Tesco by making suggestions for change and telling us where they think we could do better. Over the years this has helped us shape a range of policies to help staff balance their work and personal commitments, including:

- flexible family-friendly shift patterns, so that work can fit easily around caring commitments
- equal training and development opportunities for part-time workers
- childcare vouchers, available to all full-time and part-time staff
- an innovative career break scheme, and a flexible-working diagnostic tool

Listening to our staff, and delivering solutions that make their working life easier, is also reflected in our practices around Sunday working. Working on Sunday is optional, we pay premiums to those who choose to work, and we have rigorous procedures in place to make sure staff are never coerced into working shift patterns they are uncomfortable with. In fact, working on Sunday is popular with many staff, particularly students and single parents - who have easier access to carers at the weekend. The current restrictions reduce staff freedom to work the premium shifts they would otherwise choose to.

Secondly, it is important to recognise that society has changed since the last legislation on Sunday opening hours, with different cultural values and lifestyles, and our customers becoming increasingly time-poor. One or both parents regularly work on weekday evenings in a quarter of households, and two-thirds of families have both parents now working outside the home - up from under a half in the 1980s. These social trends have ensured that Sunday, even with the current restrictions, is now our third busiest day in the week - but with heavily congested stores and car parks, longer queues, and a more time-consuming and stressful customer experience

For many parents who work heavily during the week, the hours between mid-morning and mid-afternoon (the common trading window) on a Sunday are time they would prefer to spend on family activities other than shopping. For other families extended shopping hours would enable them to spend more time together visiting garden centres or hobby and craft outlets. In all these cases, giving families the freedom to do their shopping when they choose to on a Sunday would free up their time, and empower them to choose how to spend their limited hours together.

TUC

Unfortunately the TUC will not be able to take a final view on this issue by 24 February as we are currently holding an internal consultation, which will report to the April meeting of our formal decision making body, the General Council.

However, we already know that the largest shop workers union Usdaw is not in favour of extending the opening hours of large stores because of the detrimental effects that this would have on their members in the industry.

In addition, you are clearly right to argue that the DTI's inquiry into Sunday trading is too narrowly focused on the economic effects.

In the past the TUC has had a number of concerns about both the social and economic effects of deregulating Sunday trading. In brief, our concerns have been that:

- Premium rates for shop workers undertaking unsocial hours and weekend working would be eroded
- Shop workers would be out under pressure to work unsocial hours
- Workers in the retail supply chain, distribution, business services and security would also be affected
- The family life of these workers and the quality of parenting would suffer
- There would be attendant problems with noise, traffic congestion and anti social behaviour.
- There would be a loss of local stores close to home.
- There would be a net loss of jobs as small stores closed and existing employees in large stores were asked to work more hours

We managed to get some protection for shop workers included in the 1994 Act, but we were less successful in avoiding some of the other negative effects. Any inquiry into the future of Sunday trading should consider all these issues again.

One key point is that, unlike now, there was some real pressure for change in the early 1990s. As you will recall, many retailers had been ignoring the 1950 Shops Act with impunity and, slightly more positively, some consumers groups were actively campaigning for Sunday opening.

In contrast there is no real pressure now to extend the Sunday opening hours of large stores. Consumer needs have largely been met and even most of the large stores, which have become far more dominant during the last decade, are content with the current arrangements.

To conclude, our strong view is that any proposals for change should take into account the views of workers, consumers, and faith and community groups as well as those of retailers, and should give at least as much weight to the social as to the economic implications of any change.

UNITED REFORMED CHURCH

The United Reformed Church, through its Church and Society committee, makes the following observations. They are not intended to be exhaustive, but to be incorporated into a more extensive submission.

The Department of Trade and Industry has commissioned an independent economic cost-benefit analysis as part of its review. We strongly recommend that it commissions an independent social audit from a group such as the Rowntree Foundation, which would look at how Sunday trading has affected the kind of society in which we live.

The committee has concerns about the social effects of seven-day-a-week working on families; the importance to family and social cohesion of parents spending time with children is well documented.

There are also concerns about the rhythm of life, both for the nation and for individuals and families, if there is no identified day of the week that is different from others. This extends to a more general concern about relaxation of Trading Laws, resulting in shops being open during holiday times, particularly Christmas, which denies people the opportunity for rest and refreshment.

Many people, when asked, say that they want to have access to shops seven days a week, but they also say that they favour a shared day-off, rather than moving closer to a 24/7 society.

Increased seven-day-a-week working makes it more and more difficult for an employee to tell her/his employer that s/he does not wish to work on a Sunday.

Many essential facilities require regular maintenance. The tendency towards increased Sunday working is likely to result in maintenance and renewal of infrastructure being spread across the week. For instance, increased working, and therefore increased travel on Sundays, may mean that closure of rail routes for maintenance has to occur Monday to Friday.

As Sunday trading increases, those people attending town centre churches find it increasingly difficult to find a place to park.

USDaw

Large retailers and shopping centres have lobbied the Government to extend the 6 hour limit on Sunday trading by large stores in England, Wales and Northern Ireland.

Usdaw believe there is no case for any extension to the limit for the following reasons:

1. The public oppose longer Sunday trading

- An NOP poll in November 2005 for Usdaw found that 64% of respondees did not want shops to open for longer than 6 hours.
- Other polls support this:
 - The Association of Convenience Stores found 72% did not want longer hours.
 - An NOP poll for 'Keep Sunday Special' found 87% believed it was important for family stability and community life to have a common day off each week.
 - A Convenience Store magazine poll, conducted by BMRB, found 68% of shoppers are opposed to large stores opening for longer.
- Shops already open for 150 hours a week – ample for anyone to do their shopping.
- Two-thirds of Usdaw's NOP survey said that they thought that Sunday should remain different to every other day of the week. Three quarters said that opening large stores all day would make Sunday just like any other day.

2. Shopworkers oppose it

- There are 3.1m shopworkers in the UK: on average nearly 5,000 in every constituency.
- Surveys of Usdaw members in retail show that 92% oppose longer Sunday opening.
- Staff are already under great pressure to work at anti-social times. Those with children miss out on time with them due to evening and weekend work.
- The 6-hour limit means shopworkers have at least part of their Sunday to spend with their family, visit relatives, attend a church service or cook a roast dinner. And they can have at least a bit of a Sunday morning lie-in! 9-hour opening and working would end the small amount of Sunday leisure time that staff have.
- 60% of staff with caring responsibilities for children or elderly relatives struggle to find suitable care on Sundays when they have to work.

3. Sunday premiums will go and more staff will be forced to work Sundays

- Evidence from our members shows that over half of retail staff are already under pressure to work on Sundays when they do not wish to.
- Those who are not prepared to work Sundays find it hard to get a job in retail. Existing retail staff who try to opt out of Sunday working face having their hours cut, so they cannot afford to do so. (This is a sanction allowed under the existing law.)
- Sunday premiums are already being cut – most shopworkers are now on time and a half at most. Many get no premium. With longer opening hours, wage bills will increase and more premiums will be abolished.
- Without premiums, retail staff are less willing to work Sundays and more will be forced to do so for lower pay.

4. It will cost jobs

- Large retailers opening for 3 extra hours would not create new jobs – people working 6 hours on Sundays would simply have to work longer on Sundays and fewer hours during the week. This has been the experience in Scotland.
- However, as in Scotland, there would be a significant adverse impact on neighbourhood and convenience stores which would mean job losses.
- Convenience Store magazine surveyed 200 independent retailers, with 44% saying that if large stores were allowed to open for longer they would be forced to make staff redundant.

5. Competition in Retail will suffer

- Retail is already highly competitive with more and more trade being concentrated in a few large companies.
- Extending Sunday Trading hours puts more pressure not only on convenience stores, but on less profitable retailers who have to increase costs to stay open longer to protect their market share, even if they can ill afford it.
- Longer Sunday trading hours will therefore be detrimental to town centre shops and to competition in the industry as a whole.

6. Communities will suffer

- Traffic, congestion, noise and anti-social behaviour in and around shopping areas increase when stores are open. The 6-hour limit was designed to give these communities some relief, but this will leave them with no respite.
- Communities will also suffer when local neighbourhood and convenience stores close due to the loss of Sunday trade. These stores are particularly important for the elderly and those who find travelling difficult, such as families with small children and people with mobility problems.
- The Convenience Store magazine/BMRB poll found that of the 28% of people who wanted large stores to open longer, 52% said they would not want them to open for longer if it meant local shops might be put out of business.

7. Other employees and their families will suffer

- Other staff in distribution, security, catering, public transport and banks will have to work longer hours on Sundays and have no right to opt out.
- Their families will suffer in the same way as those of shop staff from the cutting of the small amount of 'family time' they get each week.
- Conclusion
- Our campaign has popular support amongst shoppers, shopworkers and some retailers:
- The majority of the public oppose any extension of the 6 hour limit
- It would cause great detriment to thousands of shopworkers and their families
- Community stores and communities would suffer

WORKING FAMILIES

Working Families is a campaigning charity supporting and giving voice to working families and carers. The effects on family life of atypical working such as Sunday working are complex. We recognise that working parents can benefit from Sunday trading both as consumers and as employees. Indeed some parents may choose to work at weekends because their partners are able to cover the childcare at no additional cost.

However, Working Families is concerned to ensure that weekend working is a matter of choice for parents, and not coercion. Where parents surveyed by Working Families¹ had chosen to work atypical hours, and the hours were short, this was seen as beneficial for family life. However, where there was little control or choice, parents surveyed felt that atypical hours had a negative effect on family life. Low income families are particularly vulnerable to requests to work at weekends. While they may have safeguards in theory, the reality is that employees asked to work on Sundays may be reluctant to refuse.

We have examples from our legal helpline of employees who tell us that they are afraid that they may lose their jobs if they refuse to work at weekends.

For example:

A man who has worked for the same employer for many years called to say that he had his shift pattern changed unilaterally to include some weekends, which coincided with when his wife works. Others at the factory have used the right to request flexible working and have been victimised. Although he was not asked to work every weekend, his partner's employer said they will not fit shifts around partners. Our helpline advised the caller he had a right not to be treated detrimentally for making a request for flexible working and his wife had even stronger rights under the Sex Discrimination Act. But both the caller and his wife were too scared of losing their jobs to do anything and said they didn't know what they will do when the man has to do his first weekend.

Working on Sundays is difficult for many employees with children, particularly lone parents, as it is almost impossible to find childcare. Other families simply want to safeguard the one time in the week that the whole family is together. For example:

A supermarket worker whose son is autistic called our helpline because she had been told she had to do a Sunday stocktake. Childcare wasn't really a problem, as her husband would be at home. The reasons she didn't want to do a Sunday were that she would miss out on one of the rare occasions they were all together as a family and it would push her pay over £79, meaning she would lose her Carer's Allowance. The supermarket had offered to give her a day off in lieu instead of extra pay, although her experience of the department meant she was not very confident this would work out for her.

Working Families is concerned that employees must not lose out if Sunday trading is further liberalised. Employers should be reminded of the rights of workers not to be dismissed, selected for redundancy or suffer any other detriment for refusing to work on Sundays.

¹ Time, Health and the Family: What Working Families Want. Jonathan Swan and Professor Cary L Cooper for Working Families. 2005