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Interview

Alan Wainwright: The lonely life of a construction industry whistleblower

Rob Evans

Former manager exposed how workers were being secretly blacklisted. This week, Lord Mandelson acted



📷 Construction industry whistleblower, Alan Wainwright. Photograph: Christopher Thomond



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Alan Wainwright is a whistleblower who appears to have had a significant hand in changing government policy. The one-time construction manager used his inside knowledge to expose the clandestine use by companies of blacklisting that has prevented trade unionists and alleged "troublemakers" getting jobs.

By going public, he set off a chain of events which resulted, on Monday, in an announcement from the business secretary, Lord Mandelson, that the government was finally going to outlaw covert blacklists. Mandelson had been forced to act after a watchdog closed down a private investigator allegedly at the heart of blacklisting in the construction industry.

Wainwright played a key role in helping to unmask the investigator, who is due to be prosecuted for breaking the data protection act on 27 May. This week he is pleased, but keen to stress that others, including trade unionists and politicians, deserve the credit as well.

He has trodden the familiar path of a whistleblower - battling for a long time in obscurity while being ignored by those in power: "It was demoralising not to be believed." Like other whistleblowers, he suffered for going public - losing his job, having no income, using up all his savings to live, experiencing a lot of stress, and fearing he would be evicted from his home: "It affects your relationship with your children, who are the most important thing in my life."

Industrial strife

Wainwright, 45, grew up in Deeside, north Wales. He started off as an electrician then ran a recruitment agency before being recruited by the Tarmac construction firm.

His whistleblowing story starts in 1997 when he was the national labour manager at an engineering company, Crown House (then a Tarmac subsidiary). He had been told by a senior manager that construction companies paid a private investigator, Ian Kerr, for information to "ensure that certain workers did not gain employment on their projects". He was told to meet Kerr because the vetting was being extended to Crown House's labour force.

"He [Kerr] definitely made it clear that they were undesirable people who had a history of causing disruption to projects," Wainwright says.

He had two meetings with Kerr, who said that many construction firms supplied him with details of workers on his database. As an example, Wainwright was shown a list of more than 100 names. According to Wainwright, Kerr said that when someone applied for a job, the company would forward their name to him so he could check his database. Wainwright said that if a worker was rejected, a simple "no" would come back, with no other explanation.

Wainwright's department faxed a weekly list of names to Kerr; later the lists went to Tarmac's head office: "It was very discreet, a closely guarded secret. It was made clear to me that I was not to discuss it with anybody, and I didn't." However, something was stirring in his mind: "I knew deep down that there was something wrong with it."

Yesterday, Laing O'Rourke, which now owns Crown House, said that in recent years it had bought companies which had paid Kerr, but this had been stopped. In 2000, Wainwright briefly worked for the Drake and Scull construction firm. He said his managers sent him a list of 500 workers, with their national insurance numbers, which it had received from rival construction firm Balfour Beatty. He said the listed workers had been employed on three large construction projects that had seen a lot of

industrial strife, and that the list was distributed to managers to ensure some workers were not employed. The memo, dated August 2000, advised him to "keep this information confidential".

The Emcor construction company, which owns Drake and Scull, said it was aware of the list described by Wainwright: "We have employed individuals named on that list, at the time and subsequently. We do not condone blacklists."

By 2004, Wainwright was a manager for Haden Young, a subsidiary of Balfour Beatty. Within a year, he came across what he thought was fraud by employees, but says his bosses were not interested in finding out the truth - a claim they deny. "The management shunned me," he says. "It got to the point where I felt very isolated, alone and alienated. It was one of the most distressing periods of my life." He initiated a grievance complaint against the company, but began to worry that he himself would be branded a troublemaker.

In a letter to his head office in July 2005, he wrote: "The company operates a blacklisting procedure for new recruits and hired temporary agency workers to check for any previous history of union militancy, troublemaking."

Copies of Haden Young faxes from the time show lists of names being faxed to head office so that, he believes, they could be vetted.

Yesterday Balfour Beatty said it did "not condone the use of 'blacklists' in any circumstances and has taken steps to ensure that none of our companies use such services." In 2006, Wainwright quit Haden Young but lost an employment tribunal claim. He was by then convinced that he had been blacklisted as he had applied unsuccessfully for more than 150 jobs. He believed he had to make a concerted effort to expose the blacklisting if he were ever going to get work. He set up a website and posted names of hundreds of workers he believed had been blacklisted to alert them.

Unfair dismissal

He linked up with workers who thought they were being blacklisted, shared his inside information with them and gave evidence for them in industrial tribunals. Three workers won their case in 2007 for unfair dismissal when a tribunal concluded that a "disgraceful" blacklist did exist in the construction industry. A Guardian article on the cases last June caught the attention of the Information Commissioner, Richard Thomas, the official privacy watchdog. He investigated because he was worried that workers were unfairly being denied jobs. As Wainwright had met Kerr and still had documents concerning the alleged blacklisting, he was able to help him. Investigators raided Haden Young premises and tracked down the elusive Kerr to a nondescript office in Droitwich, Worcestershire. In February, they raided Kerr's premises and seized a secret database of 3,200 workers, effectively finishing the 66-year-old's business.

Thomas then named 40 construction firms including Balfour Beatty, Sir Robert McAlpine, Laing O'Rourke, Emcor and Crown House, which he said had been clandestinely using the database to vet potential workers. According to Thomas, the firms bought details of the individuals' trade union activities and work record from Kerr. Workers were said to be labelled, for example, as "Communist party", "lazy and a trouble-stirrer", "Do not touch" and "Irish ex-army bad egg". Among the entries was one on Wainwright recording how he had helped blacklisted workers.

Now the jovial Wainwright is happily out of the construction industry and working for a concert ticket business.

He is animated about who are the ultimate culprits - the directors of the construction companies. "Ian Kerr is not the primary cause of this. The companies set him up in business, funded his existence from the start, and each name on the list would have been provided by the companies. The directors took the decisions to join the system."

He is not ready to celebrate the end of blacklisting yet as he is waiting to see if Mandelson manages to draw up a proper law to eradicate it. "I am cautiously optimistic, however," he says.

Alan Wainwright's [*new blog on the construction industry blacklist*](#) is now live

Alan Wainwright: the CV

Born Chester 1963.

Career 1979-1989, qualified electrician; **1989-1993**, managing director of own recruitment business; **1993-2000**, national labour manager, Crown House; **2000**, business improvement director at Emcor Drake & Scull; **2001-2004**, human resources consultancy work; **2004-2005**, production manager, Haden Young; **2006-present**, concert ticket buyer, after 200 unsuccessful job applications.

Family Divorced, son 21 and daughter 19.

Interests Writing, performing and watching live music.



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