

# Freedom of Information requests

2012

Reference number: 12-012

I am writing to obtain information about the total amount of money paid to trade unions by National Museum of Wales, the amount of staff time spent on trade union duties and / or activities and the payment of subscriptions.

To outline my query as clearly as possible, I am requesting:

1. The total amount of money paid to all trade unions for financial years a) 2010-11 and b) 2011-12. Where possible please provide a list of total payments made to each different trade union. However if this disaggregated information is not available please continue to provide a total figure for trade union payments. In response to this question, please only include direct payments to the unions from your organisation, not membership dues deducted from staff salaries.
2. Please state:
  - a. Which trade unions your organisation provide staff time to work on trade union duties and / or activities (sometimes called 'Trade Union facility time') in i) 2010-11 and ii) 2011-12.
  - b. The number of full time equivalent staff that were provided for each trade union in i) 2010-11 and ii) 2011-12.
3. Does your organisation automatically deduct trade union subscriptions from staff salaries in the payroll process in order to pass them on to the union? If so, how much did your organisation charge each union for this service in a) 2010-11 and b) 2011-12?

Please note that the guidelines issued by ACAS state that: *"An employee who is a member of an independent trade union recognised by the employer in respect of that description of employee is to be permitted reasonable time off during working hours to take part in any trade union activity. An employee who is a member of an independent and recognised trade union is also permitted to take reasonable time off during working hours for the purposes of accessing the services of a Union Learning Representative (provided those services are services for which the Union Learning Representative is entitled to time off)."*

If the information is not recorded, there is no way of ascertaining whether the time off provided is reasonable. I therefore do not expect the response that the organisation does not hold this information. If a formal record is not kept then I will accept a reasonable estimate.

Please also note that all of the questions are separate requests for information; question one refers to any direct payments to trade unions whereas question two relates to any staff time spent on trade union duties / activities and finally question three relates to the deduction of member dues by the organisation on the trade unions' behalf. If the response to any of the

20/07/2012

questions is 'nil' then please continue to respond to the other questions.

My preferred format to receive this information is electronically, by reply to this email.

I would be grateful if you would acknowledge receipt of this request as soon as possible.

Kindest regards,

1 August 2012

Reference number: 12-012

Dear,

**REQUEST FOR INFORMATION** – *Information relating to the total amount of money paid to trade unions by Amgueddfa Cymru-National Museum Wales, the amount of staff time spent on trade unions and / or activities and the payment of subscriptions.*

Thank you for your request for information. As Head of Knowledge and Information Management for Amgueddfa Cymru - National Museum Wales ('the Museum'), I am responsible for responding to your request for information.

I refer to your email of the 18<sup>th</sup> July 2012, in which you asked for the following information:

- 1) *The total amount of money paid to all trade unions for financial years a) 2010-11 and b) 2011-12. Where possible please provide a list of total payments made to each different trade union. However if this disaggregated information is not available please continue to provide a total figure for trade union payments. In response to this question, please only include direct payments to the unions from your organization, not membership dues deducted from staff salaries.*
- 2) Please state:
  - a) Which trade unions your organisation provide staff time to work on trade union duties and / or activities (sometimes called 'Trade Union facility time') in:
    - i) 2010-11
    - ii) 2011-12
  - b) The number of full time equivalent staff that were provided for each trade union in:
    - i) 2010-11
    - ii) 2011-12

- 3) Does your organisation automatically deduct trade union subscriptions from staff salaries in the payroll process in order to pass them on to the union? If so, how much did your organisation charge each union for this service in:
- i) 2010-11
  - ii) 2011-12

In responding to your request for information, I will be referring to each element of your request separately.

- 1) *The total amount of money paid to all trade unions for financial years a) 2010-11 and b) 2011-12. Where possible please provide a list of total payments made to each different trade union. However if this disaggregated information is not available please continue to provide a total figure for trade union payments. In response to this question, please only include direct payments to the unions from your organization, not membership dues deducted from staff salaries.*

Within Amgueddfa Cymru – National Museum Wales, there are three recognised trade unions, PCS, FDA and Prospect. The Museum makes no payments to any trade union.

I have reviewed the Museum's information holdings and I have not found any information relating to your request, therefore I am unable to provide you with the information you require as the information is not held. This encompasses both sub-sections a) and b). That being the case, I would inform you, in accordance with Section 1.1(a) of the Freedom of information Act 2000, the information you seek is not held by Amgueddfa Cymru – National Museum Wales. To the extent Amgueddfa Cymru is unable to provide information that fully responds to your request, I must therefore provide you with a Refusal Notice under Section 17.1 of the Freedom of Information Act 2000, because in accordance with Section 1.1 of the Act, the information you have requested is not held.

2) Please state:

- a. Which trade unions your organisation provide staff time to work on trade union duties and / or activities (sometimes called 'Trade Union facility time') in:
  - i) 2010-11
  - ii) 2011-12
- b. The number of full time equivalent staff that were provided for each trade union in:
  - i) 2010-11
  - ii) 2011-12

Amgueddfa Cymru – National Museum Wales does not gather nor does it hold details of time spent by staff on trade union duties, therefore, I am unable to provide you with the information you are requesting.

Amgueddfa Cymru – National Museum Wales does not have a facility time agreement, however, we do have a policy on trade union recognition which provides for time-off for consultation and representation purposes. A copy of this policy is attached (see Appendix A)

We otherwise are guided by the ACAS code of practice.

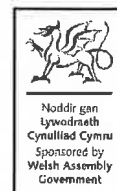
I would advise you that Amgueddfa Cymru – National Museum Wales does not hold the information you have requested for either sub-section a) or b). That being the case, I would inform you, in accordance with Section 1.1(a) of the Freedom of information Act 2000, the information you seek is not held by the Museum. To the extent that the Museum is unable to provide information that fully responds to your request, I must therefore provide you with a Refusal Notice under Section 17.1 of the Freedom of Information Act 2000, because in accordance with Section 1.1 of the Act, the information you have requested is not held.

In your email, you have indicated you would accept a reasonable internal estimate if formal records are not kept. To provide this information, the Museum would be providing an opinion and under the Act, we are not required to provide opinions in the absence of information held.

Amgueddfa Cymru – National Museum Wales  
Parc Cathays, Caerdydd CF10 3NP/Cathays Park, Cardiff CF10 3NP  
Ffôn/Tel (029) 2039 7951 Ffacs/Fax (029) 2057 3321  
E-bost: post@amgueddfacymru.ac.uk/E-mail: post@museumwales.ac.uk

Llywydd/President Elisabeth Elias MA DL  
Trysorydd/Treasurer J. Peter W. Morgan M.Sc FCS Cyfarwyddwr Cyffredinol/Director General David Anderson  
Rhif elusen / Charity registration number: 525774  
Rhif TAW / VAT registration number: GB 783 4541 10

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- 3) Does your organisation automatically deduct trade union subscriptions from staff salaries in the payroll process in order to pass them on to the union? If so, how much did your organisation charge each union for this service in:
- i) 2010-11
  - ii) 2011-12.

The Museum does not automatically deduct trade union subs from salaries but will do so at the request of the employee. Where this is done, the Museum does not charge the employee or the trade union for the service.

I would advise you as Amgueddfa Cymru – National Museum Wales does not charge for the service, this being the case, the Museum does not hold the information you have requested. That being the case, I would inform you, in accordance with Section 1.1(a) of the Freedom of information Act 2000, the information you seek is not held by the Museum. To the extent that the Museum is unable to provide information that fully responds to your request, I must therefore provide you with a Refusal Notice under Section 17.1 of the Freedom of Information Act 2000, because in accordance with Section 1.1 of the Act, the information you have requested is not held.

Your request was considered according to the principles set out in the National Assembly's Code of Practice on Public Access to Information (third edition). The Code is published on the Internet at [www.information.wales.gov.uk](http://www.information.wales.gov.uk).

If you believe that I have not applied the Code of Practice on Public Access to Information correctly or have not followed the relevant laws, please contact me to request a first-stage review. If, after that, you are still not satisfied you may request a formal review by the Museum. When dealing with any concerns, we will follow the principles of the National Museum of Wales' Code of Practice on Complaints, which is available on the Internet at [www.nationalmuseumwales.org/en/45/](http://www.nationalmuseumwales.org/en/45/) or by post to:

Mrs. Judith Imgram  
Head of Policy and Planning  
National Museum Wales  
Cathays Park  
Cardiff  
CF10 3NP

Amgueddfa Cymru – National Museum Wales  
Parc Cathays, Caerdydd CF10 3NP/Cathays Park, Cardiff CF10 3NP  
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E-bost: [post@amgueddfacymru.ac.uk](mailto:post@amgueddfacymru.ac.uk)/E-mail: [post@museumwales.ac.uk](mailto:post@museumwales.ac.uk)

Llywydd/President Elisabeth Elias MA DL  
Trysorydd/Treasurer J. Peter W. Morgan M.Sc FCS Cyfarwyddwr Cyffredinol/Director General David Anderson  
Rhif elusen / Charity registration number: 525774  
Rhif TAW / VAT registration number: GB 783 4541 10

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You also have the right to complain to the Information Commissioner.  
Normally, however, you should pursue the matter through our internal  
procedure before you complain to the Information Commissioner.  
The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

Head of Knowledge & Information Management

**Amgueddfa Cymru – National Museum Wales**  
Parc Cathays, Caerdydd CF10 3NP/Cathays Park, Cardiff CF10 3NP  
Ffôn/Tel (029) 2039 7951 Ffacs/Fax (029) 2057 3321  
E-bost: [post@amgueddfacymru.ac.uk](mailto:post@amgueddfacymru.ac.uk)/E-mail: [post@museumwales.ac.uk](mailto:post@museumwales.ac.uk)

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# Appendix A

## AMGUEDDA CYMRU - NATIONAL MUSEUM WALES

### *Policy on Union Recognition*

#### *Policy Statement*

It is the policy of Amgueddfa Cymru – National Museum Wales to recognise union representation of its employees. It does this in order to aid communications with employees, to allow for discussion of contractual changes including pay, and so that provision for representation may be made in Grievance and Disciplinary procedures.

#### *Recognised Unions*

The Museum believes that efficient and effective representation is achieved by limiting recognition to a small number of relevant unions. There are currently three:

PCS  
Prospect  
FDA

All jobs in the Museum are identified against the appropriate union and representation will be provided by that union. No other union representation is recognised.

#### *Union Membership*

This is entirely a matter for the individual employee to decide. The HR Department can advise what union is appropriate to any job. The individual has the right to join a different union or no union at all. All employees should note though that the Museum recognises only the appropriate union for representing their job. Any employee wishing to pay their union subscription through the payroll may do so but again this facility is on offer only for recognised unions.



## ***Representation***

Each union elects a specific number of representatives from museum employees. The larger unions have representation at the smaller as well as the larger sites. From amongst these the union elects branch officers. Details may be obtained from your nearest representative (HR can advise who this is).

An agreed number of representatives meet bi-monthly with the HR Department at Staff Forum. Items of general interest to staff are tabled and discussed. This Forum can agree actions and/or policies affecting staff.

Annually, management meet with an agreed number of representatives including the union Full Time Officers of Prospect and PCS. This annual meeting is to discuss and agree changes to the terms and conditions of museum staff as a whole. The anniversary date for changes is currently 1 April.

## ***Individual Representation***

Matters affecting individuals or small groups will normally be raised directly with local management and resolved. Only when this process fails should recourse to union representation be made. If in doubt, the HR Department will advise you.

Employees will have the right to be accompanied by a single trade union representative or fellow employee of the Museum at all stages of the formal grievance and disciplinary procedures. Representation is also provided for within the capability procedures.

A trade union representative who is not an employed official must have been certified by their trade union as being competent to accompany a worker.

May 2010