

Freedom of Information requests

2013

Reference number: 13-013

I am writing to obtain information about the total amount of money paid to trade unions by your organisation, 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. A list of trade unions which received payments from your organisation and the total amounts paid to each union for financial years a) 2011-12 and b) 2012-13. If it is not possible to list the amount paid to each union, please provide a total amount paid to all unions. Please **do not include** membership dues or salary costs. Please only include direct payments.

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) 2011-12 and ii) 2012-

13.

b) The number of full-time equivalent (FTE) staff that were provided for each trade union in i) 2011-12 and ii) 2012-13. For example, if a member of staff spends 2 days per week on union business, this is equal to 0.4 FTE.

3.

a) Does your organisation provide the facility to deduct trade union subscriptions from staff salaries in the payroll process?

b) If so, for each union please state what your organisation charged for this service (whether as a fixed amount per employee or a percentage), and the total amount collected in:

i) 2011-12

ii) 2012-13

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.

If the response to any of the questions is 'nil' or you are unable to answer any of them, please continue to respond to the other questions

My preferred format to receive this information is electronically, but if that is not possible I will gladly accept letters at the address below.

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

Reference no.: 13 - 013

7 August 2013

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 duties 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 29 July 2013, in which you asked for the following information:

- 1) *A list of trade unions which received payments from your organization and the total amounts paid to each union for financial years:*

a) 2011-12

b) 2012-13

If it is not possible to list the amount paid to each union, please provide a total amount paid to all unions. Please do not include membership dues or salary costs. Please only include direct payments.

- 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) 2011-12

ii) 2012-13

b) The number of full time equivalent (FTE) staff that were provided for each trade union in:

- i) 2011-12
- ii) 2012-13

For example, if a member of staff spends 2 days per week on union business, this is equal to 0.4 FTE.

3) a) Does your organisation provide the facility to deduct trade union subscriptions from staff salaries in the payroll process?

b) If so, for each union please state what your organisation charged this service (whether as a fixed amount per employee or a percentage), and the total amount collected in:

- i) 2011-12
- ii) 2012-13

Response

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

1) A list of trade unions which received payments from your organization and the total amounts paid to each union for financial years:

- a) 2011-12
- b) 2012-12

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) 2011-12

ii) 2012-13

b) The number of full time equivalent (FTE) staff that were provided for each trade union in:

i) 2011-12

ii) 2012-13

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.

- 3) a) Does your organisation provide the facility to deduct trade union subscriptions from staff salaries in the payroll process?
- b) If so, for each union please state what your organisation charged this service (whether as a fixed amount per employee or a percentage), and the total amount collected in:
- i) 2011-12
 - ii) 2012-13

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.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to the Director of Collections and Research at the following address:

Mr John Williams-Davies
Director of Collections and Research
Amgueddfa Cymru – National Museum Wales
Cathays Park
Cardiff
CF10 3NP

When dealing with any concerns, we will follow the principles of the National Museum of Wales's Code of Practice on Complaints, which is available on our website at www.museumwales.ac.uk/en/45/.

Internal review requests should be submitted within two months of the date of receipt of the response to your original letter.

You also have the right to complain to the Information Commissioner's Office (ICO) if you are not content with the outcome of your complaint or review. Generally, the ICO will not make a decision unless you have exhausted the complaints procedure provided by the Museum.

The Information Commissioner can be contacted at:

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

I apologise that Amgueddfa Cymru cannot assist you with all aspects of your request but if you have any further queries or concerns then please contact me via my email address.

Yours sincerely,

Head of Knowledge & Information Management

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