

Freedom of Information requests

2011

Reference number: 11-010

Dear Sir/Madam,

I am writing to obtain information about the total amount of money paid to trade unions by your organisation and the amount of staff time spent on trade union activities

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

1. The total amount of money paid to all trade unions for financial periods a) 2009-10 and b) 2010-11 broken down by trade union.
2. For each trade union for which it applies, please provide the number of Full Time Equivalent (FTE) staff working for the union (this is sometimes called 'Trade Union facility time') in a) 2009-10 and b) 2010-11

Please note that I will not accept any refusal to provide this information on the grounds that it is not recorded. 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, it cannot be possible to ascertain whether time-off provided is reasonable. If a formal record is not kept then I will accept a reasonable internal estimate.

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.

12/08/2011

8 August 2011

Reference number: 11-010

Dear,

REQUEST FOR INFORMATION – *Information relating to the total amount of money paid to trade unions by Amgueddfa Cymru.*

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

I refer to your email of the 2nd August 2011, in which you asked for the following information:

- 1) *The total amount of money paid to all trade unions for financial periods a) 2009-10 and b) 2010-11 broken down by trade union.*
- 2) For each trade union for which it applies, please provide the number of Full Time Equivalent (FTE) staff working for the union (this is sometimes called 'Trade Union facility time') in a) 2009-10 and b) 2010-11.

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 periods a) 2009-10 and b) 2010-11 broken down by trade union.*

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

The Museum does not have any information relating to payments to trade unions, therefore, no information held relating to this matter. Since there is no information held, I am unable to provide the information you

request. Under section 1(1), the information can not be provided as the information you are requesting is not held.

- 2) *For each trade union for which it applies, please provide the number of Full Time Equivalent (FTE) staff working for the union (this is sometimes called 'Trade Union facility time') in a) 2009-10 and b) 2010-11.*

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. 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.

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 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

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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of Practice on Complaints, which is available on the Internet at www.nationalmuseumwales.org/en/45/ or by post to:

Mr. Robin Gwyn
Director of Communications
National Museum Wales
Cathays Park
Cardiff
CF10 3NP

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

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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.

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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