

June 2010

Briefing for Unite Public Sector Reps

Freedom of Information Requests on Trade Union Facility Time

Background

In the Autumn of last year the Sunday Telegraph made requests to public sector bodies regarding Trade Union Facility time using the Freedom of Information process.

More recently the Tax Payers Alliance has undertaken similar requests. The Tax Payers Alliance is a right-wing pressure group that campaigns for a low tax society.

Unite concludes that these actions may be part of an attempt to undermine and weaken trade unions' legitimate role in the workplace. Trade union facility time is a key union resource and if seriously reduced could acutely jeopardise the ability of the unions to represent members effectively.

Action Required

- There are Codes of Practice which have been issued giving guidance on how such Freedom of Information requests should be responded to. It is good practice that the recipient of such a request should consult with third parties who will be affected by their report/disclosure.
- Clearly, by the very nature of the questions that are being asked, Unite is a third party and we should insist that we be consulted on the request and your Management's response.
- You should contact your Management as soon as possible to ascertain if they have received a Freedom of Information Request on Trade Union Facility Time.
- If they have received such a request you should seek consultation immediately with information being given to Unite as to what is to be disclosed. You should then ensure that the information to be disclosed is correct and that the context of the information is properly set out.
- The (FOI) Codes form part of the framework for rights of access to information and a failure to adhere to the Code could lead to an Information Commissioner issuing what is referred to as a Practice Recommendation. It is quite clear, therefore, that your Management should be co-operative in meeting our request for consultation.

- Once you have the response to the FOI request, please forward it to your Regional Officer (who will forward it on to the National Officer as we are monitoring the situation centrally).

There is a wide body of materials that Reps and Activists will find useful in supporting our efforts to retain Trade Union Facility Time to ensure we are able to defend our members interests' across the public sector where we know we may have many struggles on pay, pensions and other members' rights and benefits. All these materials are to be found on the Defending Trade Union Facility Time website

www.unitetheunion.com/campaigns/valuing_public_services/facility_time.aspx

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