



Information Rights Team
Post Office Ltd
1st Floor, Old Street Wing
148 Old Street
London
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T 020 7250 2647

Peter Woodthorpe
request-181836-7d51d8aa@whatdotheyknow.com

Our reference : 00LO-9CQB3U

20 November 2013

Dear Mr Woodthorpe,

Ref: Freedom of Information Request, ref: 00LO-9CQB3U

I am writing in response to your email received by Post Office Limited on 22 October 2013, which I am dealing with under the terms of the Freedom of Information Act 2000.

In your email you have shared the following National Federation of Subpostmasters (NFSP) announcement:

'On 18 July 2013 the NFSP issued a Branch Secretaries' Circular advising members that the Certification Officer for trade unions and employers associations had raised matters relating to our status as a trade union.

The issue centres on the legal definition of terms within trade union legislation. The dialogue between the NFSP and the Certification Officer is continuing and is not yet concluded.

The NFSP is an independent membership organisation representing the businessmen and women who provide and run the nation's network of sub post offices. That role will continue and Post Office Ltd acknowledges the NFSP as the sole representative body of subpostmasters...'

In addition you have requested the following information "under the 'Trade Union and Labour Relations (Consolidation) Act 1992', so under what legal criteria do POL believe that they should be recognised as the 'sole representative body of subpostmasters' ? "

I can confirm that Post Office Limited does not hold any recorded information falling within the scope of your request, however, I am happy to explain the position to you.

Post Office Limited does not formally recognise the National Federation of Subpostmasters under section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992. Whether the NFSP is certified as a Trade Union is a matter for the Certification Officer. However, regardless of any legal obligations or otherwise, the NFSP remains the most appropriate organisation to offer support to subpostmasters as small businesses operating their Post Office branches alongside their private businesses.

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Post Office Limited's obligations to consult and/or negotiate with the NFSP are contractual in nature and arise from the individual contracts Post Office Limited enters in to with each subpostmaster. Under the subpostmaster contract Post Office Limited has a contractual obligation to its subpostmasters to consult with the NFSP prior to revising remuneration rates and to negotiate with the NFSP prior to revising other aspects of the remuneration booklet. Post Office Limited's new Main/Local contracts state that the NFSP is the only body with which Post Office Limited will seek to discuss and consult on matters affecting operators.

Post Office Limited's obligations to consult and/or negotiate with the NFSP would remain regardless of whether the NFSP is a certified Trade Union.

I am sorry that I could not provide you with the information you have requested on this occasion, although I do hope the information I have provided is of use. If you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address below stating your reasons for your internal review request.

Senior Engagement & Involvement Manager
Post Office Limited
Information Rights Team
1st Floor
Old Street Wing
148 Old Street
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foia@postoffice.co.uk

If, having requested an internal review by Post Office Limited, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Yours sincerely,



O. Olabopo
Information Rights Team Support, Information Rights Team
foia@postoffice.co.uk
<http://www.postoffice.co.uk/our-publication-scheme>