



Information Rights Team
Post Office Limited
1st Floor, Old Street Wing
148 Old Street
London
EC1V 9HQ
T 020 7250 2647

Ms Andrea West
request-181022-ba759044@whatdotheyknow.com

Our reference : FOI201312161050

16 January 2014

Dear Ms West,

Freedom of Information request – FOI201312161050

I am writing in response to your email received by Post Office Limited on 15 December 2013, which I am dealing with under the terms of the Freedom of Information Act 2000.

In your email you requested clarification to a previous response dated 12 November:

Please clarify your response. You state the NFSP is not recognised by yourselves as having collective bargaining rights so who do you negotiate contract changes with?

We considered your request and concluded that it was not a request for recorded information. We did though consider that the answer to your question was already known to you, being provided in our responses to you dated 15 July, 13 September and 12 November and as such was a repeated request as described under Section 14 (2).

In our considered opinion this is the fifth request you have made enquiring into the bargaining rights and representation by a Trade Union for subpostmaster's since 17 June 2013; the theme of the requests are similar or the same and extend over a short period of time. A record of the associated requests is detailed below:

1. 17 June 2013: Negotiation of subpostmaster changes to pay and conditions by a Trade Union
2. 15 August 2013: Negotiation of subpostmaster changes to pay and conditions by a Trade Union
3. 13 September 2013: Representation of a subpostmaster's by a Trade Union compared to Royal Mail Group employees
4. 15 October 2013: Process to be followed for changing a subpostmaster's remuneration

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We confirmed in our previous responses to you, dated 15 July and 13 September, in response to requests No. 1 and 2, that the information you were requesting was not a request for recorded information as described under the Act, but was instead seeking an opinion or speculation and conjecture, and explained that Post Office Limited was not required to respond to requests of this nature. However we explained in our replies that Post Office Limited does not recognise that subpostmasters have a statutory right to Union representation as they are not employees; however issues were discussed with the National Federation of Subpostmasters (NFSP) as the sole representative body of subpostmasters but not in a union capacity.

In our response of the 12 November we described the process that is followed prior to changes to the subpostmaster contract or remuneration. It was explained to you in the reply, that Post Office Limited are obliged to consult with the NFSP and that these obligations arise out of the contract between Post Office Limited and the individual and not out of any agreement with the NFSP.

In considering the nature of the current request and the previous four related requests detailed above, we have reviewed their frequency and our responses. The timeframe of the requests reveal that we have received a request on the issue of bargaining rights and representation of subpostmasters at least every two months. We consider that the five requests to be substantially the same or similar information, and to be received within such a short interval not to be reasonable.

Given that the information being requested is also not likely to change, even if a reasonable length of time was given between requests, the outcome would be the same. As such Under Section 14(1) of the Act we are not obliged to comply with a request for information and would consider any further requests for the same or similar enquiries to be a repeated request.

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
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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



Kerry Moodie

Information Rights Team Leader

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<http://www.postoffice.co.uk/our-publication-scheme>