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Ask for Ben Jay
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Date 5 August 2011**By e-mail: [request-79361-
cdbb36c7@whatdotheyknow.com](mailto:request-79361-cdbb36c7@whatdotheyknow.com)**

Mr L Billington

Dear Mr Billington

**Freedom of Information – Request for Information
UNIQUE REFERENCE BT138**

I am writing regarding your request for information dated 8 July 2011. You have requested the following information:

"I am writing to request information under the Freedom of Information Act 2000 regarding payments made to trade union employees.

I would like to know the following information broken down going back over the last three financial years if possible:

- 1. The job title of trade union staff.*
- 2. The Full Time Equivalent hours claimed, put in or salaried for.*
- 3. The pay grade for trade union staff.*
- 4. Union name.*
- 5. If the employee is a part time one, do they have another role within the council, what is their job title and paygrade.*
- 6. Has the trade union member applied for redundancy, if they have left or leaving the council. How much are or were they entitled to and how much did they claim. Also can I please have the leaving date of when they relinquished their duties as a trade union employee.*
- 7. Please attach job descriptions for the individual employees.*

If you need further clarification, please contact me by email. My preferred format to receive the information is electronically, but I can accept hard copies.

Some parts of this request may be easier to answer than others, and in such case I would ask that you release available data as soon as possible rather than delay the entire request.

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If FOIA requests of a similar nature have been asked already, please could you include your responses to those requests. If the costs of processing this request exceed the limit in the Act, please advise on what information you are able to supply within the cost limit."

Your request has been considered under the terms of the Freedom of Information Act 2000 and the response to your request is provided below.

Questions 1 – 4 – Please see the table provided in Appendix 1.

Please note that in 2009 the Council undertook a re-evaluation of all jobs under a job evaluation scheme set nationally. This assessed pay for all posts on a consistent basis. This resulted in the grades for all non-teaching posts being changed. This resulted in the grades for most posts staying similar, but some posts were assessed at a lower grade and others at a higher grade.

Question 5 – The employees listed in appendix 1 who are shown as part time employees had no other role within the council.

Question 6 – I can confirm that the Council does hold the information that would be needed to provide this information, however, the information you have requested is exempt from disclosure under the terms of the Freedom of Information Act 2000.

Section 40: Personal Information.

You have made a request for information that comprises or contains personal information about a third party. Although you have not asked for anyone's name, it remains personal data as defined by the Data Protection Act 1998.

Section 40 provides that information is exempt from disclosure if it is a request for personal data and releasing the information would be a breach of one or more of the Data Protection Principles.

The first data protection principle states that:

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless—

- (a) at least one of the conditions in Schedule 2 is met, and
- (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

Even if anonymous, the information you have requested would lead to people being identifiable to the public— given that only a small number of posts are involved. This would therefore put information about people's employment history into the public domain. The public - including our staff - would be able to work out how much people had received and the length of their career with the local authority. The individuals concerned are council, not union, employees and they have a reasonable expectation that this information would not be disclosed to the public as it is a significant intrusion into their privacy. It would also enable someone to calculate someone's gross pay which would include information as to which point on a grade an employee was situated.

Overall, the Council has concluded that it would not be fair to release this information and so the exemption in section 40 applies.

We have considered what, if any, information can be released in answer to this question, and can confirm that the Council does not have a voluntary redundancy scheme in operation. However, Tameside, like many councils, is facing massive financial challenges. We have been driving efficiencies for many years and had already planned savings, but the level of budget reduction now required is unlike anything we have seen before. In order that the Council avoid compulsory redundancies, a voluntary severance scheme was introduced in order to reduce the workforce

substantially. Therefore, for a time limited period, commencing in January 2011, the Council offered all employees (except those over 55 in the pension fund, apprentices, those employed by schools, or employees who are already under notice of termination of employment), the opportunity to voluntarily leave the organisation under a time limited Early Voluntary Severance Scheme where it could afford to do so. (A small number of staff had left voluntarily before this date.)

Employees over 55 who paid into the pension fund were offered voluntary early retirement where affordable. In some instances where retirement had no or lower associated costs employees could access voluntary severance based on individual circumstances and the associated costs to the Council.

Question 7 – The council does not hold formal job descriptions for employees carrying out trade union activities.

Please also find attached copies of responses made to FOIA requests of a similar nature received this year. If you require any further examples please contact me and I will arrange this for you.

If you have any queries about this letter, please do not hesitate to contact me.

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 the Council's decision, please write to Sandra J Stewart, Borough Solicitor, at Tameside Metropolitan Borough Council, Wellington Road, Ashton-under-Lyne, Tameside OL6 6DL

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. The Commissioner cannot normally make a decision unless you have exhausted the complaints procedure provided by the Council. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF and at www.ico.gov.uk.

Yours sincerely

Ben Jay

Assistant Executive Director – Finance

Appendix 1 Freedom of Information – Request for Information

UNIQUE REFERENCE BT138

Question 1 – Job Title	Question 2 - FTE	Question 3 - Paygrade			Question 4 - Union
		2008/09	2009/10	2010/11	
Branch Secretary	1.0	Scale 6 SCP 26-28 (£22,001 - £23,473)	Scale 6 SCP 26-28 (£22,221 - £23,708)	Grade G SCP 28-32 (£23,708 - £27,052)	Unison
Assistant Branch Secretary	2.0	Scale 5 SCP 22-25 (£19,427 - £21,306)	Scale 5 SCP 22-25 (£19,621 - £21,519)	Grade F SCP 23-28 (£20,198 - £23,708)	Unison
Trade Union Convenor	1.0	Scale 6 SCP 26-28 (£22,001 - £23,473)	Scale 6 SCP 26-28 (£22,221 - £23,708)	Grade G SCP 28-32 (£23,708 - £27,052)	GMB
Chair	1.0	Leadership point 14 (£49,317)	Leadership point 14 (£50,013)	Leadership point 14 (£51,130)	Tameside Joint Consultative Committee
Branch Secretary	0.6	Leadership point 14 (£49,317)	Leadership point 14 (£50,013)	Leadership point 14 (£51,130)	NUT
Branch Secretary	1.0	Upper 3 (£37,543 - £41,041)	Upper 3 (£38,407 - £41,986)	Upper 3 (£39,291- £42,953)	NASUWT
Branch Secretary	1.0	Upper 3 (£37,543 - £41,041)	Upper 3 (£38,407 - £41,986)	Upper 3 (£39,291- £42,953)	ATL
Teacher Union Representative	0.4	Upper 1 (£32,660)	Upper 1 (£33,412)	Upper 1 (£34,181)	NUT
Branch Secretary	0.2	Leadership point 21 (£58,563)	Leadership point 21 (£59,910)	Leadership point 21 (£61,288)	NAHT
Branch Secretary	0.2	Leadership point 21 (£61,288)	Leadership point 21 (£61,288)	Leadership point 21 (£61,288)	ASCL