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Date 3 June 2011

Dear xxxxxx

**Freedom of Information – Request for Information
UNIQUE REFERENCE BT099**

Thank you for your e-mail dated 29 April 2011 requesting information under the Freedom of Information Act. I understand your request to be as follows:

“Because TMBC figures in a press release in the Daily Mail dated April 29th 2011 and stated that within the Tameside Salary Bill 2010/11 a sum of £336,718 was paid to 8.4 Full Time Union Officials.

I want to know who are the recipients of this Council Tax funding paid for by the Tameside Electorate and I require names and positions held, and which TMBC Officials were/are aware of these payments.”

Your request has been considered under the terms of the Freedom of Information Act 2000 and some of the information you requested is provided below.

You should be aware that of the total cited in the press article, only £107,241 relate to Council services, funded via Council Taxation. The other amounts related to Schools services which are funded by central government, as set out in the table below.

The Tameside electorate contributes about 30% of the funding for Council services with the balance coming from central government, so the total of Council Tax funding used for this purpose can be estimated as £32,100 (or about 11% of the £336,000 cited in the press article). The other posts noted are not funded through Council Tax.

Area	Funding source	2009/10 (£)	2009/10 (FTE)
Council	Government grant, Council tax	£107,241.15	4.0
Schools	Dedicated Schools Grant	£228,040.33	4.5
total		£335,281.48	8.5



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In response to your query, there were 8.4 FTE employed by the Council in 2010/11 in the position of branch officers of trade unions divided between Council and Schools services. The table below contains details of the positions and the associated pay grades.

Job Title	FTE	Grade	Range
MAIN COUNCIL SPENDING			
Branch Secretary	1.0	Grade G SCP 28-32	£23,708 - £27,052
Assistant Branch Secretary	2.0	Grade F SCP 23-28	£20,198 - £23,708
Trade Union Convenor	1.0	Grade G SCP 28-32	£23,708 - £27,052
<u>Subtotal</u>	<u>4.0</u>		<u>£107,241</u>
SCHOOLS BUDGETS			
Chair - Joint Consultative Committee	1.0	Leadership point 14	£50,013
Branch Secretary	0.6	Leadership point 14	£50,013
Branch Secretary	2.0	Upper 3	£39,291-£42,953
Teacher Union Representative	0.4	Upper 2	£35,447
Branch Secretary	0.5	Leadership point 21	£61,288
<u>Subtotal</u>	<u>4.5</u>		<u>£228,040.33</u>
<u>Total</u>	<u>8.5</u>		<u>£335,281.5</u>

Many officers would have been aware of these payments as part of the administrative function of the Council. However, I interpret your request as relating to those officers of the Council who were accountable for these payments being made. The Chief Executive, as statutory head of paid service, and the Executive Director of Services for Children and Young People (as statutory director of childrens' services) would have been aware of and accountable for these payments. Others who were aware would include the Executive Director of Governance (Borough Solicitor) and the Executive Director of Finance (Borough Treasurer) as well as the Executive Director for Human Resources.

In respect of schools posts, the schools forum, comprising governors, teachers and schools union staff would also have been aware of the role played by these staff on behalf of unions. For teaching staff, it is acknowledged that there is a need for people to fulfil these roles who understand the school system and they need to be elected by their peers and therefore will have substantive posts in Tameside schools prior to appointment. It has been agreed that people taking these roles should be paid at the rate of their substantive position.

The expenditure on these posts is beneficial since it enables the Council to focus on providing excellent services, rather than having to deal with staff disputes. For example, the merger of 6 high schools into just 3 to reduce overall schools costs – part of our wider response to falling pupil numbers – is a good example of this, since it enabled the mergers to be completed smoothly without a interrupting educational provision. Further, between January 2010 and March 2011 nearly 1,000 FTE staff voluntarily left the Council as part of our long term budget planning. The general level of union representation is now being reviewed to ensure that it remains cost effective.

After careful consideration the remainder of the information requested (the names of the post holders and the exact salary, and the names of TMBC officials aware of the payments) will not be provided because this is exempt information under s.40 of the Freedom of Information Act 2000. This absolute exemption applies because you have made a request for information that comprises or contains personal information about a third party, namely the names of the union post holders. The Council has determined that the information relating to the third party should not be disclosed because disclosure would contravene one or more of the 'data protection principles' under the

Data Protection Act 1998, including the principle that information should be processed lawfully and fairly.

We hope that you value the information you have received. A recent report from University College London has estimated that across the country local authorities spend a total £36.6m of public money per year responding to freedom of information requests and we are keen to ensure that the people who make requests value the information that we are obtaining for them.

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