

Response to Request for Information

Reference FOI 002471
Date 29 June 2018

Local Authority Trade Union Facility Time

Request:

I am writing to obtain information about your organisation's trade union facility time spending in 2017-18.

Please include the following information:

- Total number (absolute number and full time equivalent) of staff who are union representatives (including general, learning and health and safety representatives)
- Total number (absolute number and full time equivalent) of union representatives who devote at least 50 per cent of their time to union duties
- Names of all trade unions represented in the local authority
- A basic estimate of spending on unions (calculated as the number of full time equivalent days spent on union duties by authority staff that spent the majority of their time on union duties multiplied by the average salary).
- A basic estimate of spending on unions as a percentage of the total pay bill (calculated as the number of full time equivalent days spent on union duties by authority staff that spent the majority of their time on union duties multiplied by the average salary divided by the total pay bill).

In response to your above request, [Section 1 of the Freedom of Information Act 2000](#) places two duties on public authorities. Unless exemptions apply, the first duty at:

- [Section 1\(1\) \(a\)](#) is to confirm or deny whether the information specified in a request is held.
- The second duty at [Section 1\(1\)\(b\)](#) is to disclose information that has been confirmed as being held.

Your request for information has now been considered and the City of Wolverhampton Council is not obliged to supply the information you requested for the reasons set out below.

Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information (because the information is exempt) to provide you, the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your particular request, the following exemption applies:

Section 22 – Information Intended for Future Publication

We can confirm that City of Wolverhampton Council hold the information requested however a Section 22(1)(a)(b)(c) – Information Intended for Future Publication exemption has been applied to the data thereby exempting its release.

Section 22((a)(b)(c) – Information intended for Future Publication

“(1) information is exempt information if-

- (a) The information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not)
- (b) The information was already held with a view to such publication at the time the request for information was made, and
- (c) It is reasonable in all circumstances that the information should be withheld from disclosure until the date referred to in paragraph”

Section 22 is a qualified class-based exemption and consideration must be given as to whether there is a public interest in providing the information prior to the anticipated publication.

Public Interest Test

City of Wolverhampton Council is committed to recognise there is a strong public interest to demonstrate openness, transparency and accountability with regards to the Freedom of Information legislation particularly in relation to an individual's right to know. We recognise that disclosure would provide reassurance that the City of Wolverhampton Council is processing the requests that it receives in a timely manner particularly as it would indicate how we are meeting our obligations as outline in the provisions of the Act.

Considerations favouring Non-Disclosure

City of Wolverhampton Council is committed to publishing information however we do not consider that it is in the public interest to place information into the public domain, prematurely, before pre-publication procedures have taken place.

I can inform you that Information on Trade Union facility time is being compiled as a requirement of the Local Government Transparency Code and the information is due to be published on the following internet site:

<http://data.wolverhampton.gov.uk/View/All> on 31July 2018

[NOT PROTECTIVELY MARKED]