



Department
for Environment
Food & Rural Affairs

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Your ref:
Our ref: RFI 6542
Date: 28 May 2014

Dear

REQUEST FOR INFORMATION: VOLUNTARY EXIT SCHEME FOR TRADE UNION REPRESENTATIVES

Thank you for your request for information about voluntary exit scheme for Trade Union representatives, which we received on 28 April 2014. As you know, we have handled your request under the Freedom of Information Act 2000 (FOIA).

You asked:

“During 2013 (May/June) the Cabinet Office, according to Defra, was approached by Defra to approve a Voluntary Exit scheme (the Scheme) to allow Trade Union Representatives with more than 50% facility time in Defra to leave the core Department as a result of the significant reductions in facility time.

The Scheme was originally to run from 1 July 2013 to 31st March 2014 (Defra subsequently ended the Scheme on 31st December 2013).

- *Please provide the name(s) of the Defra official(s) who applied to the Cabinet Office for approval to run the scheme*

I confirm that Defra does hold the information that you have requested, but we have decided that the information should be withheld under section 40(2) (third party personal data) of the FOIA, as the information constitutes personal data relating to third parties. Section 40(2) of the FOIA provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA).

We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute ‘fair’ processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA.



Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.

- *Please provide the full details of the Scheme, and the terms on which it was based, which were approved by the Cabinet Office for implementation by Defra.*

On the 9th July 2013 Defra submitted a Voluntary Exit business case to the Cabinet Office seeking permission to run a scheme for 5 staff at a cost of approximately £120K.

- *Please provide any details of how the Scheme was to be communicated to the affected Trade Union Representatives.*

Members of the HR Employee Relations team met with each Trade Union Representative. At these 1-1 meetings staff were invited to express an interest in taking Voluntary Exit. If such an expression of interest was made, this was considered by Defra.

- *Please provide the date on which the Scheme was approved by the Cabinet Office and the date that Defra was notified of its approval.*

The Cabinet Office approved the scheme on the 15th July 2013 and Defra was notified of this on that same date.

- *Please provide details of the number of Defra Trade Union Representatives, by grade and by Union, who took advantage of this Scheme*

Two Defra Trade Union Representatives (1 HEO and 1 SEO) from the PCS union expressed interest in a departure on VE terms and were subsequently offered VE and left Defra on 31 December 2013.

- *Please provide the number of TU reps who were “deemed to be in the pool” for the Scheme.*

All Trade Union Representatives who were in receipt of more than 50% facility time were invited to express an interest in taking Voluntary Exit.

- *Please provide the number of TU reps who were excluded from the Scheme.”*

No Trade Union representatives with more than 50% facility time were excluded from the scheme.

In keeping with the spirit and effect of the FOIA, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you may now be published on our website together with any related information that will provide a key to its wider context.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely,

**Direct Line
Email**

Annex A

Copyright

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF