



Homes
England

Date: 1 November 2024

Our Ref: RFI4904

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4904

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

1. **The details of any office accommodation your organisation provides to staff to carry out trade union business. Please include details of:**
 - space measured in square feet
 - how much of this space is contained within entirely separate buildings (i.e. occupied solely by staff carrying out trade union business)
 - whether a professional valuation of the market rental value of the space has been sought either in-house or externally, and if so, what the valuation of the space was
 - any charges the council levy for office space given to trade unions
2. **Do you deduct trade union subscriptions for any of your employees via payroll (sometimes known as the "check off" system)? If so, do you charge a fee to the trade unions concerned for providing this service?**
3. **With regard to trade union facility time, please provide the total cost of facility time from your pay bill for the financial year 2023/24 and the budget for the current financial year. Please also advise the current number of employees that you fund to be union officials, measured as full time equivalents? (For guidance on definitions please refer to the Government's Transparency Code for local government: <https://www.gov.uk/government/publications/local-government-transparency-code-2015/local-government-transparency-code-2015>)**

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The Lumen
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- 4. Please advise any estimates for other costs met for those staff on trade union facility time apart from salaries - including travel expenses, office supplies, telephone expenses and energy bills.**

Response

We can confirm that we do hold some of the requested information. In the interests of clarity, please be advised we are not a local authority. You can read more about Homes England on the following link:

<https://www.gov.uk/government/organisations/homes-england/about>

We will answer your questions in turn below:

- 1. The details of any office accommodation your organisation provides to staff to carry out trade union business. Please include details of:**
- space measured in square feet
 - how much of this space is contained within entirely separate buildings (i.e. occupied solely by staff carrying out trade union business)
 - whether a professional valuation of the market rental value of the space has been sought either in-house or externally, and if so, what the valuation of the space was
 - any charges the council levy for office space given to trade unions

We can confirm that Homes England does not hold the information detailed in your request.

To conclude that the information is not held, we have searched with our Facilities team and Human Resources team who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

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Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm that Homes England does not provide any dedicated office space for the express purposes of conducting trade union business.

2. Do you deduct trade union subscriptions for any of your employees via payroll (sometimes known as the "check off" system)? If so, do you charge a fee to the trade unions concerned for providing this service?

We can confirm that our payroll facilitates the deduction and pay across the contributions of some members to the relevant trade unions. We can further confirm that we do not charge the unions any fee for providing this service.

3. With regard to trade union facility time, please provide the total cost of facility time from your pay bill for the financial year 2023/24 and the budget for the current financial year. Please also advise the current number of employees that you fund to be union officials, measured as full time equivalents? (For guidance on definitions please refer to the Government's Transparency Code for local government: <https://www.gov.uk/government/publications/local-government-transparency-code-2015/local-government-transparency-code-2015>)

We can inform you that we do hold some of the information that you have requested. However, we rely on section 21, exemption where information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

Section 21 - Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

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(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. In order to comply with this duty we can confirm the information is accessible in our annual financial statements. You can access the most recent report via the following link:

https://assets.publishing.service.gov.uk/media/66a76e080808eaf43b50d887/Homes_England_Annual_Report_and_Financial_Statements_2023_to_2024.pdf

Please see Page 161 for details on union official time and the number of representatives. Similarly to our response to Q1, we do not hold a dedicated budget for trade union facility time and so we do not hold this information for the current financial year.

4. Please advise any estimates for other costs met for those staff on trade union facility time apart from salaries - including travel expenses, office supplies, telephone expenses and energy bills.

We can confirm that Homes England does not hold the information detailed in your request.

To conclude that the information is not held, we have searched with our Facilities team and Human Resources team who would have the requested information if held.

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The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to confirm that Homes England does not hold a dedicated budget to cover trade union expenses.

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request an internal review. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

Information Governance Team
Homes England
The Lumen
2nd Floor
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Newcastle Helix
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United Kingdom

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

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Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link:

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

The Information Governance Team
For Homes England

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