

Freedom of Information Act 2000 disclosure log entry

Reference

20-21005

Date sent

06/05/20

Subject

Outsourcing of Estates Staff

Details of enquiry

1. Does the Trust outsource its cleaners, caterers, porters or security guards? If so, to which company/companies?
2. When did the contract(s) for this/these services commence and when are they due to expire?
3. How many cleaners, caterers, porters and security guards are currently employed to work at the Trust through this/these private contractor(s)?
4. How much does the Trust pay the contractor(s) for the cleaning, catering, portering and security service(s)?
5. Does the Trust intend to put any of those cleaning, catering, portering and security services that are currently outsourced back out to competitive tender once their contract expires?
6. Has the Trust historically outsourced cleaning, catering, portering and security services in the last ten years? If so, to which contractors and for what services and how much did the Trust pay for those services?
7. What are the agreed rates of pay, annual leave, and sick pay entitlement of the cleaners, caterers, porters and security guards?
8. Does the Trust know if any trade unions are recognised by any private contractors in respect of cleaners, caterers, porters and security guards? If so, which trade union and in respect of which contractor?
9. Does the Trust recognise any trade unions in respect of cleaners, caterers, porters or security guards? If so, which trade unions and in respect of which workers?
10. When were these recognition deals signed by the Trust or the private contractors?
11. Do any of these recognition deals contain a Binding Arbitration clause (i.e. a no-strike clause) between the union and the Trust or the union and the contractor? If so, which trade union signed the recognition deal and in respect of which workers? When was it signed?
12. Has the Trust or any of the aforementioned contractors received formal claims from a trade union – recognised or otherwise – in the last 5 years for improved pay and terms and conditions of employment for outsourced cleaners, caterers, porters and security guards? If so, what trade union and in respect of what workers?
13. Has the Trust received any formal claims from a trade union – recognised or otherwise – in the last 5 years for the in-housing of outsourced cleaners, caterers, porters and security guards? If so, what trade union and in respect of what workers?
14. Have there been any negotiations between the Trust, private contractors and trade unions in the last 5 years in respect of pay, terms and conditions of employment or the insourcing of outsourced cleaners, caterers, porters and security guards?
15. Has the Trust or any of the aforementioned private contractors entered into dispute with a trade union – recognised or otherwise – in the last 5 years in respect of pay, terms and conditions or the in-housing of

outsourced cleaners, caterers, porters or security guards? If so, who were the parties to the dispute and what were the terms of the dispute?

Response Sent

1. Does the Trust outsource its cleaners, caterers, porters or security guards? If so, to which company/companies?
The Trust partially outsources cleaning services at its satellite sites to Integra Cleaning Group Ltd. The Trust outsources some services to SSG.
2. When did the contract(s) for this/these services commence and when are they due to expire?
Integra contract was renewed in March 2020, and SSG contract commenced in March 2020
3. How many cleaners, caterers, porters and security guards are currently employed to work at the Trust through this/these private contractor(s)?
Integra Cleaning Group: 10 staff, SSG: 2 staff
4. How much does the Trust pay the contractor(s) for the cleaning, catering, portering and security service(s)?
I can confirm that the Trust hold this information. We are withholding this information under Section 43(2) *Prejudice to commercial interests* of the FOIA. Section 43(2) is a qualified exemption which requires us to carry out the public interest test. We have carried out the public interest test and below are our considerations.

Arguments in favour of disclosure:

- There is a public interest in knowing how public funds are spent

Arguments in favour of maintaining the exemption:

- There is a public interest in public bodies achieving best value for money, and disclosure could lead to increased costs for the Trust
- Disclosure could result in the Trust having to pay more for services when negotiating new contracts
- Disclosure could impact on third parties who may be forced to lower their prices to compete

We have concluded that the public interest test in withholding the information outweighs the public interest in disclosure.

5. Does the Trust intend to put any of those cleaning, catering, portering and security services that are currently outsourced back out to competitive tender once their contract expires?
Yes
6. Has the Trust historically outsourced cleaning, catering, portering and security services in the last ten years? If so, to which contractors and for what services and how much did the Trust pay for those services?
No previous contracts for outsourced staff were in place
7. What are the agreed rates of pay, annual leave, and sick pay entitlement of the cleaners, caterers, porters and security guards?
Information concerning contractual arrangements between the contractor and their own staff is not held for the purposes of the FOIA and is, therefore, outside the scope of the Act.
8. Does the Trust know if any trade unions are recognised by any private contractors in respect of cleaners, caterers, porters and security guards? If so, which trade union and in respect of which contractor?

The Trust recognises a number of trade unions for the purposes of consultation and local collective bargaining for its own employed workforce. Unison and Unite represent the Trust's estates and ancillary staff.

Trade union recognition for private and outsourced contractors is the responsibility of the provider, who are the employer of the contract staff.

9. Does the Trust recognise any trade unions in respect of cleaners, caterers, porters or security guards? If so, which trade unions and in respect of which workers?

The Trust recognises a number of trade unions for the purposes of consultation and local collective bargaining for its own employed workforce. Unison and Unite represent the Trust's estates and ancillary staff.

Trade union recognition for private and outsourced contractors is the responsibility of the provider, who are the employer of the contract staff.

10. When were these recognition deals signed by the Trust or the private contractors?

See above response

11. Do any of these recognition deals contain a Binding Arbitration clause (i.e. a no-strike clause) between the union and the Trust or the union and the contractor? If so, which trade union signed the recognition deal and in respect of which workers? When was it signed?

Not applicable

12. Has the Trust or any of the aforementioned contractors received formal claims from a trade union – recognised or otherwise – in the last 5 years for improved pay and terms and conditions of employment for outsourced cleaners, caterers, porters and security guards? If so, what trade union and in respect of what workers?

Not applicable

13. Has the Trust received any formal claims from a trade union – recognised or otherwise – in the last 5 years for the in-housing of outsourced cleaners, caterers, porters and security guards? If so, what trade union and in respect of what workers?

Not applicable – see our response to question 6 above

14. Have there been any negotiations between the Trust, private contractors and trade unions in the last 5 years in respect of pay, terms and conditions of employment or the insourcing of outsourced cleaners, caterers, porters and security guards?

Not applicable – see our response to question 6 above

15. Has the Trust or any of the aforementioned private contractors entered into dispute with a trade union – recognised or otherwise – in the last 5 years in respect of pay, terms and conditions or the in-housing of outsourced cleaners, caterers, porters or security guards? If so, who were the parties to the dispute and what were the terms of the dispute?

Not applicable – see our response to question 6 above