

Access to Public Information Response

August 19th 2014

REQUEST UNDER THE CODE OF PRACTICE FOR ACCESS TO PUBLIC INFORMATION

Request sent on August 19th 2014:

As you may be aware, I am in formal dispute with my former employer CT Plus (Guernsey) Ltd who currently run the island's bus service on behalf of the Environment Department. I have lodged a formal complaint to the Employment and Discrimination Tribunal for constructive unfair dismissal as, following legal advice, I believe the Company are in contravention of relevant Guernsey Law.

In light of the nature of the Company's action I am required to put together a bundle of information to enable the Tribunal to be in full possession of all relevant facts and background information. As such, I am seeking to have released from your Department relevant information and records which you may have at your disposal.

In relation to (a) to (f) below I am seeking to have released from your Department any part extract or whole copy of documents. This would include (1) written records, including email; (2) minute of relevant Board or other meeting(s); (3) Contract extract; (4) submitted tender documentation from HCT or its subsidiaries; (5) correspondence or extract of communication between yourself or any Board member (past or present) and any Director or anyone authorised to negotiate on their behalf.

In order to focus the request information, this is currently only sought in relation to:

- (a) Any instance where there was reference to any requirement to: comply fully with Guernsey Employment Law or that of any other jurisdiction; and to regulate the Company more generally, if at all, in relation to any employment matter;
- (b) Any requirement, commitment or obligation for the Company to provide staff handbooks, adhere to equality or diversity standards (however defined), adopt best practice, or if there is any reference to internal procedure or guidance to be adopted or proposed by either party;
- (c) Any correspondence received from the Company confirming an appointment or change in 'Key Personnel', together with any reason(s) given;
- (d) Reference to any conflict resolution procedure internal or contractual;
- (e) Any reference, authorisation, formal sanction or informal support given to the Company or any of its employees, making reference to any 'Key Personnel' or employee occupying any accommodation other than a local marked dwelling i.e.

self-catering visitor accommodation on a permanent or semi-permanent basis contrary to prevailing Housing Law.

- (f) Senior staff, 'Key Personnel' or management levels; prior to and subsequent to the introduction of the service.

I appreciate that it may be within the scope of any response to redact or withhold information which may be commercially sensitive but otherwise I understand that there is a presumption in favour of the release of such information.

I therefore look forward to a response noting the 20 day time limit for response which, ideally should be emailed or forwarded in hard copy to the address above. Should you require any further clarification, please do not hesitate to contact me.

States of Guernsey response on September 9th 2014:

The information requested was not supplied, with exemption 2.8: Public employment being applied. The relevant exemption refers to personnel records (relating to public appointments as well as employees of public authorities) including those relating to recruitment, promotion and security vetting and personal details of employees.