

London Borough of Barnet
2 Bristol Avenue,
Colindale NW9 4EW
30 January 2023
Our ref: 9077348

Thank you for your request received on 27 January 2023, for the following information:

I write to request information about your use of zero hours contracts in the tax year 2022/2023 under the Freedom of Information Act 2000.

We are aware that we sent you a similar request for the data on zero hours contract in 2020/2021. We are now interested to know whether this data has changed and some of the questions are different.

For clarification:

*** By zero hours contract, I refer to the definition provided by section 27A of the Employment Rights Act 1996: "a contract for employment or other worker's contract under which**

- the undertaking to or perform work or services is an undertaking to do so conditionally on the employer making work available or services available to the worker, and

- there is no certainty that any such work or services will be made available to the worker."

*** By minimum hours contract, I mean a contract where the employer guarantees a small number of hours work, say 1 to 10 hours a week, which can be topped up by more hours if available.**

1. What other terminology do you use for contracts or arrangements meeting the above legal definition of zero hours contract?

2. How many workers/employees do you currently directly employ on zero hours contracts? What is the breakdown of these figures according to:

(a) sex: Male, Female, Other, Prefer not to say

(b) age: 16-17, 18-20, 21-22, 23-24, 25-34, 35-44, 45-54, 55-64, 65+

(c) race:

White - English/Welsh/Scottish/Northern Irish/British Irish

White - Gypsy or Irish Traveller

White - any other background

Asian or Asian British - Indian

Asian or Asian British - Pakistani

Asian or Asian British - Bangladeshi

Asian or Asian British - Chinese

Asian or Asian British - Any other background

Black or Black British - Caribbean

Black or Black British - African

Black or Black British - Any other background

Mixed - White and Black Caribbean
Mixed - White and Black African
Mixed - White and Asian
Mixed - Any other mixed background
Other ethnic group
Prefer not to say

3. What is the minimum, maximum and average number of hours per week carried out by zero hours staff?

4. Do you have a policy to offer zero hours shifts with notice, pay for zero hours shifts cancelled at short notice and to offer a fixed hours contracts to zero hours staff based on actual hours worked?

5. How many workers/employees do you currently indirectly employ on zero hours contracts via agencies, contractors or sub-contractors? If this data is not available, please provide the names of the agencies, contractors or sub-contractors that you use to employ workers indirectly.

6. How many workers/employees do you currently directly employ on minimum hours contracts or via agencies, contractors or sub-contractors?

7. How many workers/employees in total do you currently employ? What is the breakdown of these figure according to same breakdown as Question 2? - please note this question concerns your entire workforce, not just zero hours staff.

We have processed this request under the Freedom of Information Act 2000.

Response

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exemptions detailed below apply to some/all of this information and this is withheld. Please see the Refusal Notice below.

I write to request information about your use of zero hours contracts in the tax year 2022/2023 under the Freedom of Information Act 2000.

We are aware that we sent you a similar request for the data on zero hours contract in 2020/2021. We are now interested to know whether this data has changed and some of the questions are different.

For clarification:

**** By zero hours contract, I refer to the definition provided by section 27A of the Employment Rights Act 1996: "a contract for employment or other worker's contract under which***

- the undertaking to or perform work or services is an undertaking to do so conditionally on the employer making work available or services available to the worker, and

- there is no certainty that any such work or services will be made available to the worker."

**** By minimum hours contract, I mean a contract where the employer guarantees a small number of hours work, say 1 to 10 hours a week, which can be topped up by more hours if available.***

1. What other terminology to do you use for contracts or arrangements meeting the above legal definition of zero hours contract?

In accordance with the above definition we do not have any zero hours contracts

2. How many workers/employees do you currently directly employ on zero hours contracts? What is the breakdown of these figures according to:

(a) sex: Male, Female, Other, Prefer not to say

N/A

(b) age: 16-17, 18-20, 21-22, 23-24, 25-34, 35-44, 45-54, 55-64, 65+

N/A

(c) race:

White - English/Welsh/Scottish/Northern Irish/British Irish

White - Gypsy or Irish Traveller

White - any other background

Asian or Asian British - Indian

Asian or Asian British - Pakistani

Asian or Asian British - Bangladeshi

Asian or Asian British - Chinese

Asian or Asian British - Any other background

Black or Black British - Caribbean

Black or Black British - African

Black or Black British - Any other background

Mixed - White and Black Caribbean

Mixed - White and Black African

Mixed - White and Asian

Mixed - Any other mixed background

Other ethnic group

Prefer not to say

N/A

3. What is the minimum, maximum and average number of hours per week carried out by zero hours staff?

N/A

4. Do you have a policy to offer zero hours shifts with notice, pay for zero hours shifts cancelled at short notice and to offer a fixed hours contracts to zero hours staff based on actual hours worked?

N/A

5. How many workers/employees do you currently indirectly employ on zero hours contracts via agencies, contractors or sub-contractors? If this data is not available, please provide the names of the agencies, contractors or sub-contractors that you use to employ workers indirectly.

N/A – we do not have zero hours contracts

6. How many workers/employees do you currently directly employ on minimum hours contracts or via agencies, contractors or sub-contractors?

N/A – we do not have minimum hours

7. How many workers/employees in total do you currently employ? What is the breakdown of these figure according to same breakdown as Question 2? - please note this question concerns your entire workforce, not just zero hours staff.

(a) sex: Male, Female, Other, Prefer not to say

Male 803 Female 1137

(b) age: 16-17, 18-20, 21-22, 23-24, 25-34, 35-44, 45-54, 55-64, 65+

Age Breakdown Total

16-17	*
18-20	*
21-22	19
23-24	45
25-34	338
35-44	498
45-54	430
55-64	494
65+	109

Total 1940

*- Please see the refusal notice below.

(c) race:

Ethnicity	Numbers
Asian Or Asian British - Bangladeshi	27
Asian Or Asian British - Indian	141
Asian Or Asian British - Pakistani	21
Black Or Black British - African	179
Black Or Black British - Caribbean	168
Chinese	15
Mixed - Asian & White	15
Mixed - White And Black African	17
Mixed - White And Black Caribbean	21
Other Asian Background	40
Other Black Background	37
Other Ethnic Group	11
Other Mixed Background	23
White - British	720
White - Other	190
White Irish	43
Not Known/Prefer Not to Say	272
	1940

Refusal Notice

S40(2) identifying individuals through statistical tables (10 or less)

The information you require is attached, but some information has been redacted. This is because in some instances, owing to the low numbers of individuals involved (10 or less) disclosing this data may make it possible for individuals to be identified. This information is therefore exempt by virtue of section 40 (2) of the Freedom of Information Act 2000 (FOIA), as disclosure of this information to the public generally, in the Council's view, would not be consistent with data protection principles in Article 5 of the General Data Protection Regulations. This is an absolute exemption and the public interest test does not apply.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Records & Information Management Service, Assurance Group, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.