

**Certification Officer
for Trade Unions and Employers' Associations**

Annual Report

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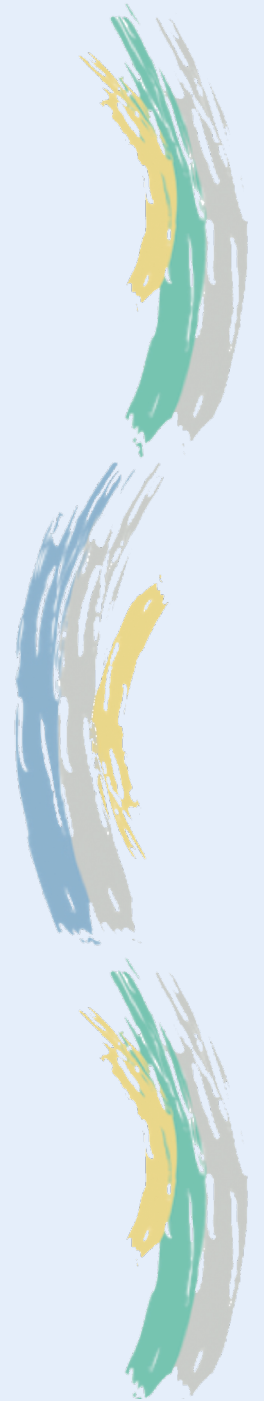
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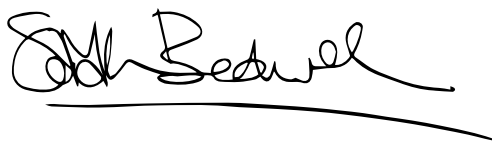
2018-19

The Rt Hon Greg Clark MP
Secretary of State for Business, Energy and Industrial
Strategy
1 Victoria Street
London SW1H 0ET

Sir Brendan Barber
Chair of ACAS
Advisory, Conciliation and Arbitration Service
Euston Tower
286 Euston Road
London NW1 3JJ

I am required by the Trade Union and Labour Relations
(Consolidation) Act 1992 to submit to you both a report
on my activities as the Certification Officer during the
previous reporting period. I have pleasure in submitting
such a report for the period 1 April 2018 to 31 March
2019.

Sarah Bedwell
The Certification Officer
28 June 2019

A handwritten signature in black ink, appearing to read 'Sarah Bedwell', with a long horizontal line underneath it.

Review of the year

This Report explains the work of the Certification Office over the last year. We have adapted a new format for this period to highlight our core activities, reflect on some issues which have arisen over the year and share some statistics about trade unions and employers' associations. We hope that you will find this format more accessible and we welcome any feedback.

Working Principles

This has been my first full year in the role of the Certification Officer which has given me the opportunity to consider how my team can support unions and employers' associations to work within the statutory framework. I recognise the important role played by unions in society and the value which they bring to the economy and the workforce. Consequently, it is important that my team works in a way which enables unions to meet their statutory responsibilities and supports them with advice and guidance where appropriate. Together with my team, I have adopted the following principles to guide our work:

- We will follow the principles of Better Regulation where they are compatible with our statutory framework. In particular, I or those acting on my behalf, will explain why I have reached a decision on the use of my powers and when considering complaints.
- We will provide an open, accessible and efficient service to all of our service users and stakeholders.
- We will work alongside our stakeholders, including the Government and trade unions, to deliver our statutory functions.
- We will be impartial when dealing with complaints from union members offering guidance on our powers as necessary.

Trade Union Act 2016

We had expected that the remaining parts of the Trade Union Act 2016 would have been implemented during this year. Whilst this has not been the case, my team have ensured that we have draft policies and procedures prepared so that we can begin a period of consultation as soon as implementation is announced and draft regulations have been laid in Parliament.

At the same time we have been working with trade unions on those parts of the Act which have already been implemented. This year we have offered advice and guidance to unions on compliance with the new annual requirement to advise all new union members that they have the right to withdraw any previously given notice to opt-in to the political fund. And we have been working with unions, and their advisers, on the reporting requirements which relate to ballots for industrial action. For some unions, this is a significant and resource intensive change to their reporting arrangements. My office has greatly appreciated trade unions' input and involvement with regards to the process for submitting and receiving this information. This joined up working has resulted in improving systems for both us and them.

Complaints from Union Members

We have determined 18 applications brought by union members, 11 of which were determined at a hearing. I appointed HHJ Jeffrey Burke QC to hear complaints brought by Mr Gerard Coyne against Unite the union and heard all other complaints myself.

Most of these complaints have alleged a breach of union rules; usually in relation to an election or to the use of disciplinary procedures. Whilst each complaint has been different in nature, and the volume of complaints is relatively small, we have been able to identify two trends both of which fall within a general heading of good governance.

The first is the lack of notes recording a decision. In some cases, this may be because a note was not taken of an important decision; in others a note may have been taken but the note does not record the reasons, or justification for a decision. Of course the lack of notes, or the quality of those notes, is not necessarily a breach of rules; that would only be the case where a union's rules required a note to be taken. But it does leave the union in a position where it may be difficult to satisfy itself that a decision was taken properly or to explain, at a later date, why the decision was taken. It also leaves the union open to challenge; for instance through a complaint to myself. My advice to unions is to ensure that appropriate records are kept of all significant decisions, even at Branch level. It is not necessary for the record to be comprehensive but

a note of the decision, who took it and the reasons for that decision would enable the union to better account for a decision when challenged. It may be necessary for Regional Officials to support Branch Officials in this area and I would encourage unions to look at the best way to do this.

The second is not so easily resolved. It is rare for most unions to take disciplinary action against its members. Consequently, the disciplinary procedures in place are used infrequently and are, in some cases, out of date. This may be because of changes in disciplinary practice or in the governance of the union, or because of changes in expectations within the union or in society more widely. In practice this means that some unions only discover that their disciplinary procedures are out of date, and potentially impractical, when they need to use them to deal with a difficult issue. My advice to unions is that they should review their disciplinary procedures regularly. This needs, of course, to be proportionate bearing in mind that it is rare for unions to use the procedures; however, the union should at least review the procedures where they have changed the governance arrangements within a union or where they can foresee the likelihood of an increase in disciplinary cases. If they do not do so then they may find themselves using out of date procedures which are no longer fit for purpose.

I would add that, as I have identified above, records of all decisions are important to demonstrate accountability. Where a Branch is responsible for a disciplinary procedure officials may need support from their Regional Office to manage the disciplinary procedure within the rules as well as ensuring that decisions are properly recorded.

Advice and Guidance

Our website has continued to be the primary source for people to obtain information about the work of the Certification Office. We now ensure that where possible, all new documents on the website are in an accessible format. We welcome any feedback on the accessibility of our guidance as well as the content.

Cost of office

The net cost of the office was £810,037. This represents a significant increase of £158,667 or 24%. This is a result of a combination of increase to costs, namely, the fact that this is the first year of my appointment as a full time Certification Officer, combined with other increases in staffing resources, related to the Trade Union Act 2016; significant increase in accommodation costs; the cost of appointing an Assistant Certification Officer, prior to my appointment to hear complex cases; and an increase in

costs for legal services. It is estimated that the costs of services such as IT equipment, its maintenance, HR and other support services provided by Acas was £293,000. My salary as Certification Officer was £125,695 which is taxed under PAYE. This is pensionable with employer's contributions of £30,795. It should be noted that although costs have increased to ensure I can carry out my increased functions from both the Lobbying Act and the Trade Union Act, the latter has yet to be fully implemented and further cost increases should be expected.

Looking Forward

For the coming year, my team continues to prepare for the implementation of the Trade Union Act 2016. We will also work closely with those unions preparing annual returns under the new provisions. On a personal note our Assistant Certification Officer, Gerard Walker, will be leaving us after several years working within the Office including approximately 18 months as Certification Officer immediately before my appointment. We will miss Gerard's commitment and experience and the whole team wish him well for the future.

Finally, I am grateful for the support of my team and colleagues from ACAS and BEIS to enable me to fulfil my role and ensure that I meet my statutory responsibilities.



Sarah Bedwell
Certification Officer

The Certification Office (31 March 2019)

1 Certification Officer



8 Staff Members



Functions of the Certification Officer

Determine complaints concerning trade union elections, certain other ballots and certain breaches of trade union rules

Ensure compliance with statutory requirements for annual returns from trade unions and employers' associations

Ensuring observance of statutory requirements governing mergers between trade unions and between employers' associations

Oversee the political funds and the finances of trade unions and employers' associations

Maintain a list of trade unions and employers' associations

Certify the independence of trade unions

Our work this year

Trade Unions and Employers' Associations



8 Unions reviewed



2 Unions added



6 Unions and 1 employers' association removed



2 Transfer of engagements



1 Certificate of Independence approved

Complaints



42 Allegations of breach of union rules



4 Allegations of breach of statute



18 Cases considered by the CO including withdrawals



11 Cases considered at a hearing



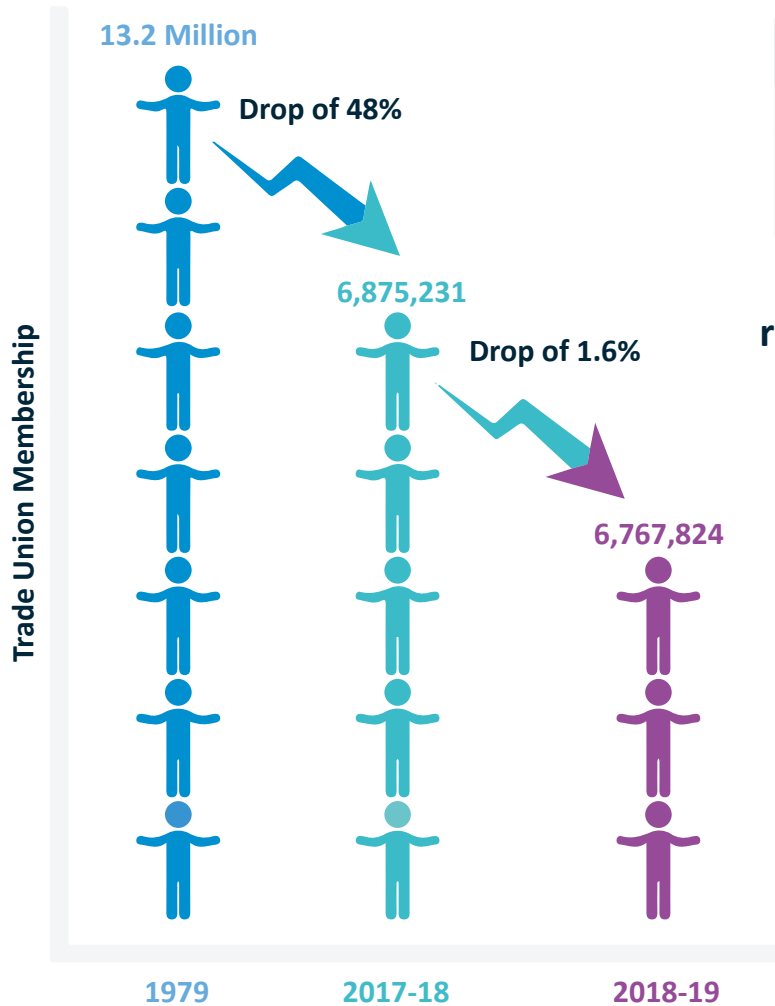
8 Declarations made by the CO against a union for breaching its rules



6 Enforcement orders

Trade Unions – Overview of the year

Trade Union Membership



94% of annual returns received on time

Income from members

£899.65 million

Decrease of 1.9% from previous year

Gross expenditure

£1,082.98 million

Decrease of 23% from previous year

Gross income

£1,413.62 million

Increase of 9% from previous year

Chapter 1 – Lists of Trade Unions and Employers’ Associations

The Certification Officer maintains a list of trade unions and a list of employers’ associations. Listing is voluntary and any organisation of workers or of employers may apply to be listed. The name of the organisation shall be entered in the relevant list if the Certification Officer is satisfied that it meets the definition in the 1992 Act. There are a number of advantages to being a listed trade union, one of which is that it is an essential preliminary to making an application for a certificate of independence and formal recognition.



The current lists are available for inspection free of charge at the Certification Office, Lower Ground, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX.

The lists for organisations having their head office in Scotland are also available for inspection at the office of the Assistant Certification Officer for Scotland, Melrose House, 69a George Street, Edinburgh EH2 2JG.

They also appear on the website of the Certification Officer, www.gov.uk/certificationofficer

Review of Trade Unions

Following a query about the status of the National Union of Mineworkers (NUM) and the NUM area offices, the Certification Officer carried out a review of the NUM and the six area offices.

Having looked at the above mining unions, the Certification Officer also decided to review the status of the Union of Democratic Mineworkers.

As a result of the reviews, two unions, the National Union of Mineworkers (North East Area) and the National Union of Mineworkers (Scotland Area), were removed from the schedule of trade unions.

As entry on the lists is voluntary, it is difficult to know precisely how many trade unions and employers’ associations exist but have not applied to be listed. At the end of this reporting period, the Certification Officer was aware of 9 trade unions and 37 employers’ associations which met the statutory definitions but which had not sought to be listed. These are on the schedules to the relevant lists.

Additions and Removals

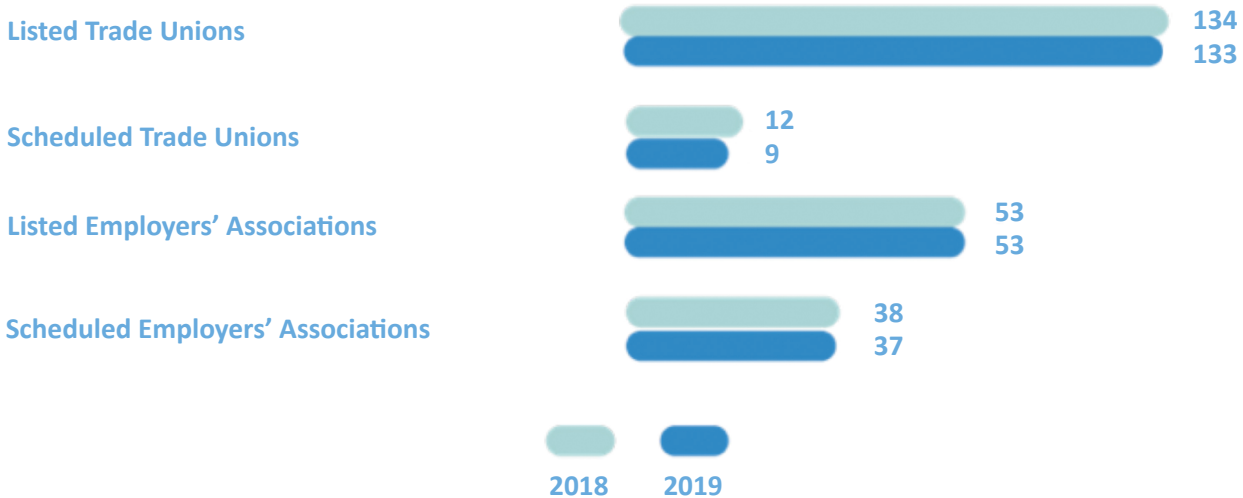
Two trade unions were added to the list and schedule during the period 1 April 2018 to 31 March 2019. Six trade unions and one employers' association were removed from the lists and schedules during this period.

These were either dissolved, merged into another union or deemed to no longer meet the statutory definition of a trade union or employers' association.

Table 1 – Organisations added or removed from list or schedule

	Region	Trade Unions	Employers' Associations
Added	England and Wales (Listed)	<ul style="list-style-type: none"> • Poole Greyhound Trainers Union • Psychotherapy and Counselling Union 	
Removed	England and Wales (Listed)	<ul style="list-style-type: none"> • National Association of Co-operative Officials • Britannia Staff Union • ASPSU 	
	England and Wales (Scheduled)	<ul style="list-style-type: none"> • National Union of Mineworkers (North East Area) 	<ul style="list-style-type: none"> • Lanarkshire Master Plumbers Association
	Scotland (Scheduled)	<ul style="list-style-type: none"> • Scottish Colliery Enginemmen Boilermen & Tradesmen's Association • National Union of Mineworkers (Scotland Area) 	

Figure 1 – Changes between 1 April 2018 and 31 March 2019 in number of organisations on list and schedule



Certificates of Independence

A trade union which is on the list of trade unions may apply for a certificate of independence. Independence is defined as meaning independence from an employer or group of employers.

During the reporting period, the Certification Officer issued one certificate of independence to the Cleaners and Allied Independent Workers Union (CAIWU). This was issued on 3 December 2018.

No formal reviews of existing certificates of independence were undertaken during the period.

Two certificates of independence were cancelled because the unions concerned ceased to exist, both of which were as a result of a merger. These were:

- National Association of Co-operative Officials; and
- Britannia Staff Union

On 31 March 2019 there were 91 unions which held a certificate of independence.

Chapter 2 – Annual Returns

A trade union or employers' association is required to submit an annual return to the Certification Officer before 1 June in the calendar year following the year to which the annual return relates. This applies to most organisations (70%) whose financial year coincides with the calendar year and ends on 31 December. The remaining 30% have differing reporting periods that have been agreed by the Certification Officer.

Copies of the annual returns and the rules of trade unions and employers' associations from 1974 onwards are available for public inspection. The returns of existing organisations are available from the Certification Office.

The returns of former trade unions and employers' associations are mainly kept at The National Archive where they are available for inspection.

The Certification Officer's responsibility is to ensure that accounts in the prescribed form covering all funds administered by the organisation are available for public inspection. Annual returns are checked for discrepancies, but the Certification Officer makes no comment on the financial status of trade unions or employers' associations.

By 31 March 2019 all due returns had been received. Only 6% of organisations submitted their annual returns more than three months after their due date. The Certification Officer continues to seek full compliance with the statutory requirements and will take steps to help improve the performance of those organisations which consistently submit late annual returns.

Failure to submit an annual return to the Certification Officer may result in prosecution. No prosecutions for failure to submit an annual return were initiated during this period.

The information in this chapter is derived from the annual returns received during the reporting period. A total of 233 trade unions and employers' associations submitted returns for this period. The number of unions

and employers' associations which submit annual returns in any given reporting year is seldom the same as the number of unions and employers' associations on the list as at the end of the reporting year. This is because organisations which have ceased to exist still have to submit an annual return and new organisations may not have to submit a return until the next reporting period.

6,767,824 members of trade unions






5,788,562 members in 13 largest unions

Trade Union Membership Information

The trade unions from which returns were received, recorded a total membership of 6,767,824 (see Appendix 4).

The 13 unions with a membership of over 100,000, accounted for 5,788,562 members or 85.5% of the total.

Table 2 – Distribution of trade union membership 2018-19

 Number of Members	 Number of Unions	Membership of all Unions	 Membership	Number of Unions
		As a Percentage		As a Percentage
Under 100	22	–	519	15.1
100-499	26	0.1	7,510	17.8
500-999	14	0.2	10,476	9.6
1,000-2,499	28	0.6	42,885	19.1
2,500-4,999	8	0.4	30,220	5.5
5,000-9,999	8	0.9	61,113	5.5
10,000-14,999	5	0.9	61,799	3.4
15,000-24,999	9	2.6	177,032	6.2
25,000-49,999	12	5.8	394,925	8.2
50,000-99,999	3	2.8	192,783	2.1
100,000-249,999	5	19.0	1,282,922	3.4
250,000 and over	6	66.6	4,505,640	4.1
Total	146	100.0	6,767,824	100

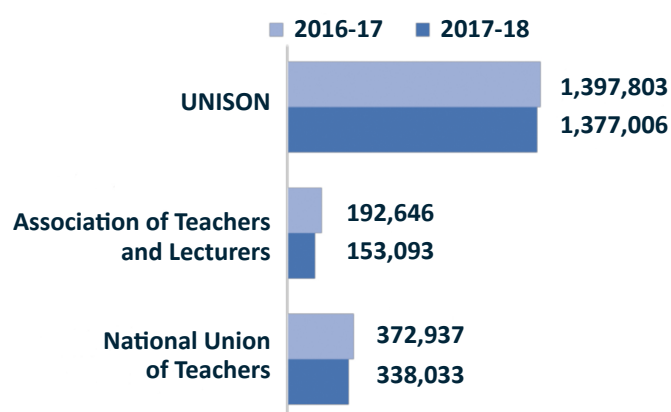
Returns received in the period show the distribution of trade union membership by size in Table 2, above.

The trade union membership of 6,767,824 recorded in this annual report compares to 6,875,231 reported in the previous annual report.

This shows a decrease of 107,407 members or 1.6%. The total recorded membership of around 6.8 million compares with a peak of 13.2 million in 1979, a fall of about 48.5%.

Figure 2 shows the trade unions whose membership has decreased by 10,000 members or more since the previous reporting period. Only one trade union, Unite the Union, increased its membership by more than 10,000.

Figure 2 – Decreased membership over 10,000 members



Membership Audit Certificate

Where trade union membership exceeds 10,000, a union is required to appoint a qualified independent person to be an assurer to provide to the union a membership audit certificate. The certificate must state whether, in the assurer’s opinion, the trade union’s system for compiling and maintaining the register of the names and addresses of its members was satisfactory for the purposes of complying with the union’s duties throughout the reporting period. Where a trade union’s membership is less than 10,000, the membership audit certificate must be completed by an authorised officer of the union.

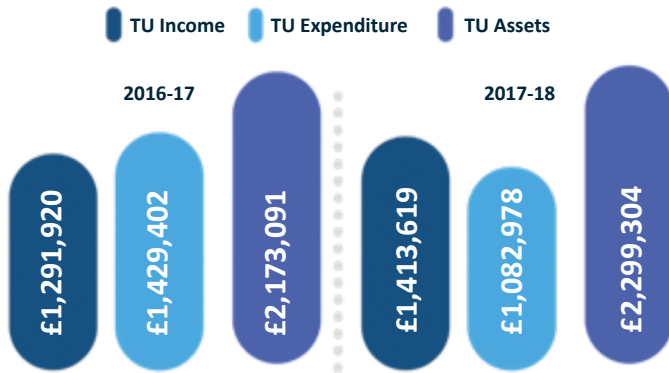
In this reporting year 153 membership audit certificates were due and received. No circumstances arose leading the Certification Officer to use her investigatory powers.

No complaints regarding a union’s membership audit certificate were received during this reporting period.

Trade Union Financial information

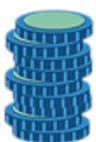
From the returns received during this reporting period, the gross income of trade unions was £1,413.62 million (see Appendix 4) an increase of 9.4% on that recorded by unions in the previous year. Income from members fell by 1.9% to 899.65 million. Income from investments fell by 5.9% and income from other sources rose by 44.3%.

Figure 3 – Comparison of trade union finances



Gross expenditure by unions during this reporting period fell by 23.4% to £1,082.98 million (see Appendix 4), while at the end of the reporting period total funds (net assets) amounted to £1,645.28 million (see Appendix 4), an increase of 25.8% over the previous period.

From the returns received in this period, the figures show the gross income of employers' associations was £484.06 million (see Appendix 4) compared with £449.04 million recorded for the previous year, an increase of 7.8%. Income from members rose from £191.76 million to £195.65 million, an increase of 2%. Income from investments rose from £12.53 million to £15.08 million, an increase of 20.3%. Other income rose from £244.75 million to £273.33 million an increase of 11.7%. During the same period, expenditure fell from £486.52 million to £472.70 million, a decrease of 2.8%.



Total Trade Union Assets: £2,299m



Total Employers' Association Assets: £728m



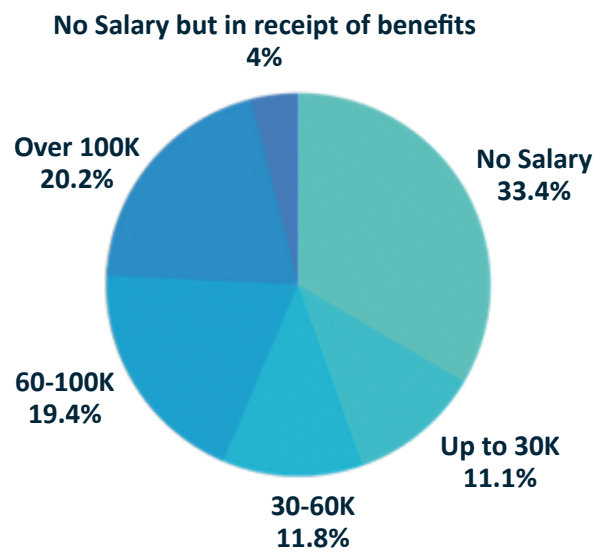
Total Political Fund Assets: £35m

The net assets were £385.02 million compared to £375.92 million the previous year, an increase of 2.4%.

Salaries and benefits

Trade unions are required to include in their annual returns to the Certification Officer information about the salaries and benefits paid to certain national officers and executive members from the organisation's funds. Information from trade union annual returns received in the reporting period showed that 20% of unions paid a salary to their general secretary of over £100,000; 19% paid between £60,001 and £100,000; 12% paid between £30,001 and £60,000; 11% paid up to £30,000; while the general secretaries of 38% did not receive a salary. A further six unions (4%), although paying no salary to their general secretary, did provide an honorarium or other benefits. Appendix 5 gives information on the salary and benefit payments in respect of each union which makes a payment to its general secretary.

Figure 4 – Distribution of salaries paid as a percentage of all unions



There were no returns received by the Certification Officer during this reporting period containing an audit report in which the auditors gave a qualified opinion as to whether the return gave a true and fair view.

Trade unions must send a statement to all members containing certain information from the union's annual return for that year. The statement must be sent no later than eight weeks from the day on which the annual return is sent to the Certification Officer.

Superannuation schemes

Any superannuation scheme maintained by a trade union or employers' association covering members must be examined periodically by a qualified actuary and a copy of each actuarial report sent to the Certification Officer.

At the end of the reporting period there were eight members' superannuation schemes known to the Certification Officer maintained by three trade unions. They are listed in Appendix 7 and are mostly small schemes. At the time of their last actuarial examination, four schemes had assets of over £500,000 and only the scheme of the National Union of Rail Maritime and Transport Workers covered more than 10,000 members.

No actuarial reports were due on superannuation schemes during the reporting period and none are due in the next reporting period.

Information on Industrial Action, Ballots and Political Funds

New duties on trade unions to include information about industrial action and more detail on political fund expenditure in their annual returns have begun to apply to reporting periods beginning after 1 March 2017. For the majority of trade unions this will mean that they will provide this information for the first time in their annual returns for the period ending 31 December 2018 which should be provided to me by 1 June 2019.

However, a small number of unions (23) were required to report on this information in this reporting year.

Of these, two unions reported on industrial action taken during this reporting period (National Union of Journalists and University and College Union).

All 23 unions submitted the information as required without the need for the office to make further enquiries.

Chapter 3 – Mergers

There are statutory procedures for trade unions and unincorporated employers' associations to join together in two ways; these are commonly known as mergers but are either transfers of engagements or amalgamations under the Trade Union and Labour Relations (Consolidation) Act 1992 Act.

Under a transfer of engagements, the transferring organisation loses its legal identity whilst the organisation to which it transfers continues in being with its legal identity unchanged. An amalgamation produces a new organisation replacing each of the amalgamating bodies, both of which cease to exist.

The procedures in the 1992 Act and the Trade Unions and Employers' Associations (Amalgamations, etc.) Regulations 1975, as amended, lay down procedures governing both types of mergers. Their main purposes are to facilitate the processes and to safeguard the rights of members affected by ensuring that they are fully informed about the proposal and have the opportunity to vote on it.

Member complaints about the ballot for a merger can be made within a six week period following receipt of an application to register the instrument of transfer or the instrument of amalgamation.

Mergers need to be endorsed by a majority of members. For transfers of engagements only members of the transferring organisation vote on the resolution. An amalgamation requires a favourable vote by members of each of the amalgamating organisations. If a merger is endorsed, an application to register the instrument of transfer or amalgamation may be made to the Certification Officer.

During this reporting period, there were two transfers of engagements involving trade unions. Ballots of the members of the two unions were held with a positive result.

The two registered transfers of engagements were National Association of Co-operative Officials to Union of Shop Distributive and Allied Workers and Britannia Staff Union to Unite the Union. Details are given at Appendix 8. These involved an estimated total of 2,162 members of the transferring unions. Further, the instrument of transfer of engagements for BLUECHIP Staff Association to Community was received within this reporting period but was not approved or registered before the end of this reporting year. It has subsequently been approved and a ballot result is expected in the next reporting period.

No complaints about mergers were received in the reporting period.

Chapter 4 – Political Funds

The 1992 Act enables trade unions and unincorporated employers' associations to establish separate funds in furtherance of political objectives as part of their aims. A resolution to adopt the political objects must be passed by a ballot of the members. Organisations wishing to continue to spend money on political objects must hold a review ballot of members at least every 10 years. The Certification Officer is the statutory authority for approving the establishment and continuance of political funds.

As at 31 March 2019, there were 21 unions which had political fund resolutions in force. This is the same number that was reported last year.

For members who joined before 1 March 2018, it is a statutory requirement that members who notify their objection to contributing to the political fund must be exempted from making that contribution. Exemption notices are obtainable from the organisation concerned or from the Certification Office.

Amendments as a result of the Trade Union Act 2016 ("the 2016 Act") mean that members who joined a trade union with a political fund from 1 March 2018 cannot be required to contribute to the political fund unless they have given notice of their willingness to contribute to that fund (an "opt-in notice"). A member may give a 'withdrawal notice' to withdraw their opt-in.

The political fund rules of all trade unions with resolutions in force were amended by those trade unions in line with the 2016 Act changes and the amended rules were approved by the Certification Officer during the last reporting period. The political fund rules of 10 trade unions were further amended and these amendments were approved in the current reporting year. These were all minor changes resulting from correspondence between the unions and the Certification Office to ensure that the rules were consistent with the new requirements.

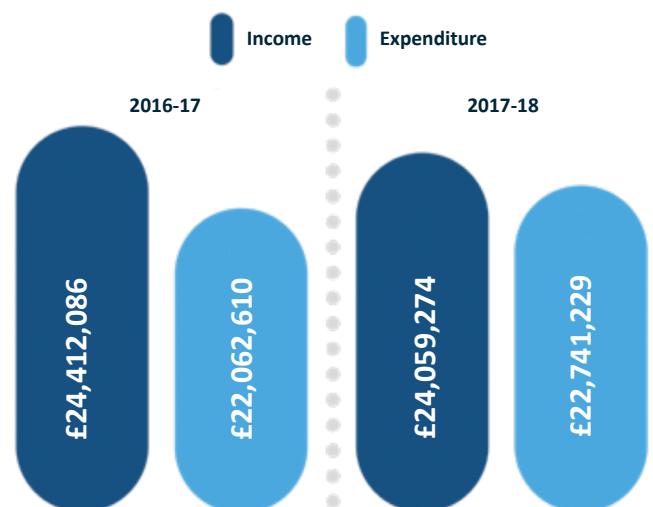
All trade unions which operate a political fund must notify their members who joined after the implementation of the 2016 Act of their right to withdraw an opt-in notice and send a copy of this notification to the Certification Office. All unions which were required to provide a copy of this notification during this reporting period did so.

During the reporting period, two trade unions held review ballots as required every 10 years. These were University and College Union and NASUWT whose review dates were 29 April 2018 and 14 June 2019 respectively. University and College Union's political fund was approved on 13 December 2017 and the NASUWT's was approved on 3 January 2019.

Annual returns show the total income of political funds as £24.06 million (see Appendix 9) compared with £24.41 million reported during the period 2017-2018, a decrease of 1.4%. The total expenditure from political funds was £22.74 million (see Appendix 9) compared with £22.06 million in the preceding year, an increase of 3.1%.

The returns received within the period also show that the total value of political funds during the reporting period was £35.35 million: up £1.32 million (3.9%) on the £34.03 million reported in 2017-2018.

Figure 5 – Comparison of total political fund income and expenditure



The annual returns show that the number of union members contributing to a political fund was 4,604,808 compared with 4,652,084 reported in 2016-2017, a decrease of 47,276 members or 1.0%.

The annual returns recorded 765,053 members who belong to unions with a political fund but who do not make a political fund contribution (see Appendix 9), either because they have claimed exemption or they belong to a category of membership which, under the rules of the union, does not contribute to the political fund.

A member can complain to the Certification Officer if a political fund ballot has been held, or is proposed to be held, in a way that does not comply with the rules for holding the ballot. Any complaint must be made within the period of one year beginning with the date on which the result of the ballot is announced by the union.

A trade union member who claims that his or her trade union has spent money on political objects without a political fund resolution being in force or without approved political fund rules may apply to the Certification Officer for a declaration that it has done so.

During the period 1 April 2018 to 31 March 2019, one complaint regarding the use of a trade union's fund for political purposes was ongoing from the previous year and is due to be determined at a hearing in 2019.

The amendments brought in by the 2016 Act mean that trade unions that spend more than £2,000 from their political fund and have annual return reporting periods beginning on or after 1 March 2017 are required to provide a breakdown of their expenditure on the political objects as set out in the 2016 Act.

All unions with political funds reported to us within this period. Only one of these, the Educational Institute of Scotland, fell under the new reporting requirements. Their annual return was received in February 2019.

Chapter 5 – Complaints

Elections for Certain Positions

A trade union must ensure that no-one takes up a position as a member of its executive committee, or as its general secretary without having been elected to that position. Nor may anyone remain in such a position for more than five years without having been re-elected to it. There are, however, exemptions in respect of amalgamations, newly formed unions, special register bodies and officers nearing retirement. Elections are required to be by postal ballot of the members of the union, conducted in accordance with the relevant provisions in the 1992 Act.

Individual trade union members, and candidates in the election, have the statutory right to apply to the Certification Officer for a declaration that their trade union has failed to comply with one or more of the relevant provisions of the 1992 Act. The Certification Officer will determine any such application and will give written reasons for her decision.

In the period 1 April 2018 to 31 March 2019, an application was made by Mr Coyne and Mr Brooks. The details of this decision are as follows:

Mr Coyne and Mr Brooks v Unite the Union (D/12-20/18-19)

Mr Coyne and Mr Brooks made 10 complaints relating to the 2017 election of the General Secretary of Unite the Union. Eight of these complaints were breach of union rules with regards to the same position. The application was received in the previous reporting period and the Certification Officer appointed His Honour Judge Jeffrey Burke QC as an Assistant Certification Officer (ACO) to hear the case. Following a preliminary hearing to determine complaint one, on 27 March 2018, a decision was issued on 4 May 2018; the ACO did not uphold the complaint. An appeal by the applicants to the EAT was dismissed on 12 June 2018. A further hearing on the remaining nine complaints took place between 25-28 June 2018. In a decision issued 5 October 2018, the ACO found that none of the complaints succeeded and all were dismissed.

No new complaints under this section were received during the reporting year.

Financial irregularities

The 1992 Act allows the Certification Officer to investigate the financial affairs of almost all trade unions and employers' associations (exceptions being in respect of federated employers' associations and trade unions made up wholly or mainly of representatives of constituent affiliated organisations and in respect of organisations that have been in existence for less than 12 months).

A complaint regarding financial irregularities in the Bassa branch of Unite the Union, which was received in 2016-17, concluded in this reporting period. Having made enquiries of the union, the Assistant Certification Officer decided that there were no circumstances allowing the Certification Officer to use her further powers of investigation.

One allegation of financial irregularities within a trade union which was raised during the previous reporting period was considered during this year. Following correspondence with the individual making the allegation, the Certification Officer did not deem it necessary to make enquiries with the union.

Two new concerns regarding financial irregularities within trade unions were raised during this reporting period. Following correspondence with both individuals, no further action was taken.

Access to accounting records

There was one complaint relating to access to accounting records outstanding from the previous reporting year. A further complaint was received at the very end of the last reporting period. Of these two complaints, the first, against Unite the Union, was put to the union and resulted in the applicant being given access to the requested records. The complaint was subsequently withdrawn without the need for a formal decision by the Certification Officer.

The second complaint, Ali v RMT (D/40/18-19), was dismissed upon withdrawal by Mr Ali on 21 January 2019.

Breach of Union Rules

Individual trade union members have the right to apply to the Certification Officer if there has been a breach or threatened breach of a trade union's rules relating to any of the matters set out in section 108A(2) of the 1992 Act.

The matters are:-

- (a) the appointment or election of a person to, or the removal of a person from, any office;
- (b) disciplinary proceedings by the union (including expulsion);
- (c) the balloting of members on any issue other than industrial action;
- (d) the constitution or proceedings of any executive committee or of any decision-making meeting;
- (e) such other matters as may be specified in an order made by the Secretary of State.

If the Certification Officer accepts a complaint she is required to make such enquiries as she thinks fit and, before reaching a decision on the complaint, provide the claimant and the trade union with an opportunity to be heard. All hearings before the Certification Officer are held in public.

The Certification Officer must give written reasons for her decision and, where she makes the declaration sought, is required to make an enforcement order unless she considers that it would be inappropriate to do so.

In this reporting period, the Certification Officer determined ten of the twelve applications (against seven unions) that were outstanding from the previous reporting period.

The Certification Officer received 15 new applications (against eight unions) relating to alleged breaches of union rules in this reporting period. Seven of these applications were determined in this reporting period.

As of 31 March 2018, nine applications remained to be determined, including one outstanding from the previous reporting period.

The Certification Officer determined 42 complaints on 18 applications of breach of rule during the period 1 April 2018 to 31 March 2019. Of these 14 complaints were dismissed by the Certification Officer on withdrawal by the applicant.

Eight declarations were made that a union had breached or threatened to breach its rules and six enforcement orders were issued.

Of the complaints determined, the following are noteworthy:-

Dinsdale v GMB (D/3-4/18-19)

Mr Dinsdale made two complaints that the union had breached its rules when it allowed the election of branch officers by a postal ballot rather than a show of hands by members taking part in a general meeting.

Following a hearing on 19 April 2018, the Certification Officer refused both complaints.

Gates v Society of Chiropodists and Podiatrists (D/7/18-19)

Mr Gates made a complaint that the Union had breached a provision of its handbook in relation to a representative post in NHS Highland.

On 16 July 2018 the Certification Officer refused this complaint having found that the handbook does not form part of the Union's rules.

Peros v Napo – the Trade Union and Professional Association for Family Court and Probation Staff (D/8-11/18-19)

Mr Peros made four complaints concerning breaches of union rules in relation to disciplinary proceedings against him.

The Certification Officer upheld all the complaints but declined to make an enforcement order.

Armstrong v Unite the Union (D/24/18-19)

Mrs Armstrong made a complaint that the Union had breached a disciplinary rule in relation to the applicant's suspension from a branch office. The Certification Officer refused this complaint by a decision dated 15 October 2018.

Hussain v Communication Workers Union (D/28-29/18-19)

Mr Hussain made two complaints of breaches of union rules in relation to branch elections. Prior to the hearing, the union conceded that the breaches had occurred. The Certification Officer upheld the complaints and considered it appropriate to make an enforcement order. The Certification Officer ordered that:-

The Union undertake the remaining stages of the current ballot, which was originally concluded in December 2017 and which is the subject of the complaints made by Mr Hussain, in accordance with the union's rules. The result of the ballot should be declared by 3 December 2018.

Blackledge v University and College Union (D/31-37/18-19)

Mr Blackledge made seven complaints that the Union had breached rules relating to disciplinary proceedings.

Following a hearing on 13 November 2018, the Certification Officer refused all seven complaints.

Robinson v GMB (D/39/18-19)

Mr Robinson made one complaint that the Union had breached rules relating to removal from office.

Following a hearing on 28 November 2018, the Certification Officer refused the complaint.

Kelly v Musicians' Union (D/41/18-19)

Mr Kelly made six complaints that the Union had breached rules relating to disciplinary proceedings.

A hearing on the first complaint was held on 8 January 2019. Following the hearing, the Certification Officer upheld the complaint and considered it appropriate to make an enforcement order. The Certification Officer ordered that:-

1. Mr Kelly be restored to membership of the Musicians' Union.
2. Mr Kelly be reinstated to the Recording and Broadcast Committee.
3. Mr Kelly be restored as an Approved Musicians' Union Contractor.
4. The Union must not remove Mr Kelly's Approved Musicians' Union Contractor Status, or include him within the Ask us First List, on the basis of any disciplinary or other Union process which arises from Mr Kelly's membership of the Union and which is based on information which was considered as part of the disciplinary process which began with the General Secretary's letter of 24 January 2018.

The Union has appealed to the Employment Appeal Tribunal and a decision on the appeal is expected within the next reporting period. Mr Kelly's remaining complaints are stayed until the outcome of that appeal.

Connolly v USDAW (D/45/18-19)

Mrs Connolly made one complaint that the Union had breached rules relating to disciplinary proceedings.

Following a hearing on 12 March 2019, the Certification Officer made a declaration that the Union breached its rules in removing her from her position as a shop steward.

The Certification Officer declined to make an enforcement order.

The Certification Officer can make payments towards applicants and their witnesses who attend hearings. Such payments amounted to £3,409.35 during this period. Assistance with legal costs is not available.

Enquiries to the Certification Officer

In addition to the 18 applications determined during this reporting year, a further 18 enquiries or applications required further significant correspondence to establish whether the Certification Officer had powers to consider the complaints. Ultimately these enquiries were either not pursued by the applicants, or did not relate to issues that could be determined by the Certification Officer.

In the period 1 April 2018 to 31 March 2019, a total of 822 enquiries were received. These fall under the following broad headings in the table below. There was a decrease of 102 enquiries in the current reporting period compared to the figure reported in 2017-18.

Not all enquires made could result in applications to the Certification Officer. For example, the Certification Officer has no jurisdiction regarding alleged inadequate representation of members by their union (154 queries) or in relation to the provision of union benefits or membership.

General advice on the role of the Certification Officer	39
Issues relating to the listing of trade unions and employers' associations	60
Enquiries about annual returns and financial issues	303
Certificates of independence	8
Appointment, election or dismissal from/to any office in the union	35
Disciplinary proceedings within the union	73
Balloting of union members (other than industrial action)	10
Political funds	40
Statutory elections	20
Inadequate representation of members by their union	154
Others	80
Total	822

Protected Disclosures and the Certification Officer

The Certification Officer is a designated or a 'prescribed person' under the Public Interest Disclosure Regulations 2014 in relation to relevant disclosures by employees/workers of trade unions and employers' associations. Under Part IVA of the Employment Rights Act 1996 and the 2014 Regulations, employees/workers of a trade union or employers' association may be protected if they make a relevant disclosure to me. A relevant disclosure to the Certification Officer is defined in the 2014 Regulations as being one related to fraud, and other irregularities relating to the financial affairs of trade unions and employers' associations.

During this reporting period the Certification Officer received no relevant disclosures.

Appendix 1

List of Trade Unions at 31 March 2019

Notes:

Italics Denotes a trade union first entered in the list during 1 April 2018 to 31 March 2019.

*

(P) Denotes a trade union with a political fund resolution in force at 31 March 2019.

England and Wales

- * Accord
- * Advance
- * Affinity
 - Aircrew Officers Association Europe
 - Alliance for Finance
- * Artists' Union England
- * Associated Society of Locomotive Engineers and Firemen (P)
- * Associated Train Crew Union
- * Association for Clinical Biochemistry & Laboratory Medicine, The
- * Association of Educational Psychologists
- * Association of Local Authority Chief Executives
- * Association of Revenue and Customs
- * Association of School and College Leaders

- * Bakers Food and Allied Workers Union (P)
 - Balfour Beatty Group Staff Association
 - BLUECHIP STAFF ASSOCIATION
 - Boots Pharmacists' Association (BPA)
- * British Air Line Pilots Association
- * British Association of Dental Nurses
- * British Association of Journalists
- * British Association of Occupational Therapists Limited
- * British Dental Association
- * British Dietetic Association
- * British Medical Association
- * British Orthoptic Society Trade Union

- Cabin Crew Union UK
- * Chartered Society of Physiotherapy
 - City Screen Staff Forum
- * Cleaners and Allied Independent Workers Union (CAIWU)
- * College of Podiatry, The
- * Communication Workers Union (P)
- * Community (P)
 - Confederation of British Surgery
 - Currys Supply Chain Staff Association (CSCSA)

CU Staff Consultative Group

Driver and General Union

Employees General Union

Employees United

Equality for Workers Union (EFWU)

* Equity (Incorporating the Variety Artistes Federation)

European SOS Trade Union

* FDA

* Fire Brigades Union (P)

* Fire Officers Association

* Fire and Rescue Services Association

* Finance Services Union

G4S Care and Justice Services Staff Association

General Federation of Trade Unions

* GMB (P)

* Guild of Professional Teachers of Dance, Movement to Music and Dramatic Arts

Headmasters and Headmistresses Conference

* Hospital Consultants and Specialists Association

* Independent Democratic Union

* Independent Pilots Association

* Independent Workers Union of Great Britain (IWGB)

* Industrial Workers of the World

Institute of Football Management and Administration

* Institute of Journalists (Trade Union)

* ISU

Leeds Building Society Colleague Association

* Leek United Building Society Staff Association

Leicestershire Overmen Deputies and Shotfirers Association

Locum Doctors Association

* Musicians' Union (P)

Myunion

* NAPO – the Trade Union and Professional Association for Family Court and Probation Staff

* National Association of Head Teachers

* National Association of NFU Group Secretaries

* National Association of Racing Staff

* National Association of Schoolmasters Union of Women Teachers (P)

* National Crime Officers Association

* National Education Union (P)

* National House Building Council Staff Association

* National Society for Education in Art and Design

* National Union of Journalists

* National Union of Mineworkers (P)

National Union of Mineworkers (Cokemen's Area)

* National Union of Mineworkers (Colliery Officials and Staffs Area)

* National Union of Mineworkers (Colliery Officials and Staffs Area) (Region No. 4)

- National Union of Mineworkers (South Wales Area)
- * National Union of Rail Maritime and Transport Workers (P)
- * Nationwide Group Staff Union
- * Nautilus International
- News Union
- North of England Zoological Society Staff Association

- Palm Paper Staff Association
- * PDA Union
- * POA (P)
- Poole Greyhound Trainers Union*
- * PPU
- * Prison Governors Association
- Professional Cricketers' Association
- Professional Footballers' Association
- * Prospect (P)
- Psychotherapy and Counselling Union*
- PTSC
- * Public and Commercial Services Union (P)

- R&C Trade Union
- * Retail Book Stationery and Allied Trades Employees Association
- * Royal College of Midwives
- * Royal College of Nursing of the United Kingdom
- RSPB Staff Association
- Rugby Players' Association

- * Sales Staff Association
- * SKYSHARE
- * Social Workers Union (SWU)
- * Society of Authors
- * Society of Radiographers (P)
- * Society of Union Employees (UNISON)

- * Transport Salaried Staffs Association (P)

- * Undeb Cenedlaethol Athrawon Cymru (National Association of Teachers of Wales)
- * Union of Democratic Mineworkers
- Union of General and Volunteer Workers
- * Union of Shop Distributive and Allied Workers (P)
- * UNISON – The Public Service Union (P)
- * United Road Transport Union
- * United Voices of the World
- * Unite the Union (P)
- * University and College Union (P)

- * Voice

- Warwick International Staff Association
- Welsh Rugby Players Association
- * Workers of England Union
- * Workers Uniting
- * Writers Guild of Great Britain

Scotland

- * Aegis the Union
- * Association of Head Teachers and Deputes in Scotland
- * Educational Institute of Scotland (P)
 - Independent Federation of Nursing in Scotland
 - Scottish Artists Union
- * Scottish Secondary Teachers' Association
 - Solidarity
- * United and Independent Union

Schedule to Appendix 1

This schedule contains the names of those trade unions known to the Certification Officer which are within the statutory definition of a trade union but which have not applied to be entered on the list at 31 March 2019.

Notes:

(≠) Denotes a branch of an American trade union.

England and Wales

Association of Flight Attendants (Council 07) ≠
Association of Local Council Clerks
Association of Trade Union Political and Public Sector Staff

Confederation of Shipbuilding and Engineering Unions

Employees Representatives

Federation of Entertainment Unions

International Transport Workers Federation

Trades Union Congress

Scotland

Professional Footballers' Association Scotland

Appendix 2

List of Employers' Associations at 31 March 2019

Note:

Italics Denotes an Employers' Association first entered in the list during 1 April 2018 to 31 March 2019.

England and Wales

Advertising Producers' Association
Association of British Orchestras
Association of Circus Proprietors of Great Britain
Association of Indian Banks in the United Kingdom
Association of Newspaper and Magazine Wholesalers
Association of Plumbing and Heating Contractors

British Amusement Catering Trades Association
British Lace Federation
British Printing Industries Federation
Builders Merchants Federation Ltd
Building & Engineering Services Association

Construction Plant-Hire Association

East of England Local Government Association
EEF Limited
Electrical Contractors' Association
Engineering Construction Industry Association
England and Wales Cricket Board Limited

Federation of Dredging Contractors
Federation of Master Builders
Federation of Window Cleaners

Glass and Glazing Federation

Lancashire Textile Manufacturers' Association
Leather Producers' Association
London Councils

Mastic Asphalt Council

National Association of Farriers Blacksmiths and Agricultural Engineers
National Association of Master Bakers
National Farmers Union
National Federation of Retail Newsagents
National Hairdressers Federation Ltd

National Trainers Federation
North East Regional Employers' Organisation for Local Authorities
North Western Local Authorities Employers' Organisation

Producers Alliance for Cinema and Television

Retail Motor Industry Federation Ltd

Showmens Guild of Great Britain
Smithfield Market Tenants' Association London
South East Employers

Thermal Insulation Contractors Association 7

UK Cinema Association
UK Fashion and Textile Association Ltd

Vehicle Builders and Repairers Association Limited

Welsh Local Government Association
West Midlands Employers

Yorkshire and Humber (Local Authorities) Employers' Association

Scotland

Electrical Contractors' Association of Scotland
Employers in Voluntary Housing Limited

Print Scotland

Malt Distillers' Association of Scotland

NFU Scotland

Scottish Decorators' Federation
Scottish Engineering
Scottish and Northern Ireland Plumbing Employers' Federation

Schedule to Appendix 2

This schedule contains the names of those employers' associations known to the Certification Officer which are within the statutory definition of an employers' association but which have not applied to be entered on the list at 31 March 2019.

England and Wales

Association of Colleges

BFM Limited

British Allied Trade Federation

British Footwear Association

British Printing Industries Federation Ltd

British Travelgoods and Accessories Association

Chemical Industries Association Ltd

Confederation of Paper Industries Ltd

Co-operative Employers' Association Limited

Dairy UK

East Midlands Councils

Freight Transport Association

Incorporated Guild of Hairdressers Wigmakers and Perfumers

Improvement and Development Agency

London Association of Funeral Directors

Master Carvers Association

Metal Packaging Manufacturers' Association

National Federation of Roofing Contractors Ltd

Radio Electrical and Television Retailers' Association (RETRA) Ltd

Refractory Users Federation

Road Haulage Association Limited

Society of London Theatre "SOLT"

South West Councils

UK Theatre Association

Universities and Colleges Employers' Association

Scotland

Angus and Kincardine Master Plumbers' Association

Banff and Moray Master Plumbers' Association
British Packaging Association

Fife and Kinross Master Plumbers' Association

Glasgow and West of Scotland Plumbing Employers' Association

Inverness and Northern District Master Plumbers' Association

Perth and District Master Plumbers' Association

Scottish Association of Master Bakers
Scottish Association of Meat Wholesalers
Scottish Building Federation
Scottish Motor Trade Association Limited
SNIPEF Edinburgh and District Branch

Appendix 3

Decisions on Trade Union Independence during the period 1 April 2018 to 31 March 2019

Certificates of independence issued

Cleaners & Allied Independent Workers Union (CAIWU)

Certificates of independence refused

None

Certificates of independence withdrawn

None

Certificates cancelled because the union's name was removed from the list of trade unions

None

Certificates cancelled because the union's name was removed from the list of trade unions as the result of a merger

National Association of Co-operative Officials
Britannia Staff Union

Applications in progress

None

Number of Certificates in force as at 31 March 2019

91

Appendix 4

Summary of Statistics – Trade Unions, returns received during the period 1 April 2018 to 31 March 2019

The annual returns completed by trade unions for the Certification Officer require the accounts to be shown in a particular way. The figures used in this Appendix are taken from the summary sheets of these annual returns and provide a simple analysis of each union's financial affairs for the year. Individual annual returns are available on the website www.gov.uk/certificationofficer or copies can be obtained from the Certification Office.

The information in the table relates to returns received during the reporting period. Although a large proportion of these returns are for the year ending 31 December 2017, the table includes returns from trade unions with year ending dates ranging from October 2017 to September 2018 and therefore due in this Office between 1 April 2018 and 31 March 2019.

The Association of Teachers and Lecturers (ATL) and the National Union of Teachers (NUT) amalgamated to form the National Education Union (NEU) on 1 September 2017.

The final annual returns were received from the ATL and the NUT covering an eight month period (1 January 2017- 31 August 2017). The figures in Chapters 2 and 4 and Appendices 4, 5 and 9 use information from these returns because the first annual return of the NEU has yet to be received. The exclusion of these two unions from the statistics in this report would have had a significant impact on the figures.

Notes to the Summary of Statistics schedule

- (a) The total membership reported by some trade unions includes a number of special categories (e.g. honorary or retired) who are members under the union's rules but who either pay no contribution to union funds or make a nominal payment only.
- (b) Investment income is shown net of certain items such as outgoings on property held as an investment, but not, for most unions, net of tax paid on that income.
- (c) The total income and total expenditure figures are not confined to normal revenue income and expenditure. The figures cover all items which increased or decreased a union's total funds during the year. They are inclusive of recognised gains and losses, including revaluation of property and assets and other changes in the value of assets, which are not offset by an equal change in liabilities. Tax recoveries and provisions no longer required are included in total income, and tax paid is included in total expenditure.
- (d) Some figures may have changed from last year's report due to later information. Some unions may have made adjustments to the beginning of year figure.

Summary of Statistics – Trade Unions, 2017-2018: Appendix 4

Notes – see previous page

		GROSS INCOME				GROSS EXPENDITURE	TOTAL FUNDS		GROSS ASSETS				
	Number of Members	From Members	From Investments	Other Income	Total Income	Total Expenditure	Beginning of The Year	End of The Year	Fixed Assets	Investment Assets	Other Assets	Total Assets	Total Liabilities
	(a)		(b)	(c)	(c)	(c)	(d)						
		£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
UNISON: The Public Service Union	1,377,006	162,689	331	70,766	233,786	174,712	53,486	112,560	99,185	9,693	157,780	266,658	154,098
Unite The Union	1,310,508	168,055	7,960	107,128	283,143	157,405	206,953	332,691	166,155	60,410	122,300	348,865	16,174
GMB	614,494	67,642	1,902	4,855	74,399	62,647	93,586	105,338	35,004	30,735	44,239	109,978	4,640
National Union of Teachers	338,033	26,305	1,259	728	28,292	28,452	57,563	57,403	35,024	14,079	43,674	92,867	35,464
Royal College of Nursing of the United Kingdom	454,142	50,169	654	2,647	53,470	47,602	32,979	38,847	0	28,965	19,834	48,799	9,952
Union of Shop Distributive and Allied Workers	433,260	39,897	2,021	4,040	45,958	35,087	36,838	47,709	5,895	69,815	15,069	90,779	43,070
National Association of Schoolmasters Union of Women Teachers	316,230	28,615	1,141	3,845	33,601	34,981	37,269	35,889	29,411	23,187	4,092	56,690	20,801
Communication Workers Union	191,421	29,696	180	594	30,470	34,025	21,460	17,905	23,107	6,803	14,757	44,667	26,762
Public and Commercial Services Union	181,063	21,267	-151	12,344	33,460	20,039	8,972	22,393	17,185	1,416	5,602	24,203	1,810

British Medical Association	156,262	48,082	5,626	84,230	137,938	113,158	78,092	102,872	9,729	126,023	49,208	184,960	82,088
Association of Teachers and Lecturers	153,093	11,240	101	3,151	14,492	14,954	21,143	20,681	11,548	5,570	7,963	25,081	4,400
Prospect	142,486	20,940	3,350	147	24,437	16,172	14,542	22,807	16,549	32,214	4,587	53,350	30,543
University and College Union	120,564	22,440	20	4,856	27,316	21,441	26,331	32,206	14,429	1,271	25,290	40,990	8,784
Total for above unions with 100,000 members or more	5,788,562	697,037	24,394	299,331	1,020,762	760,675	689,214	949,301	463,221	410,181	514,485	1,387,887	438,586
Total for 121 other listed unions with less than 100,000 members	974,841	179,186	20,347	97,318	296,851	242,761	433,436	487,526	138,496	374,449	131,706	644,651	157,125
Total for listed unions	6,763,403	676,223	44,641	396,649	1,317,613	1,003,436	1,122,650	1,436,827	601,717	784,630	646,191	2,032,538	595,711
Trades Union Congress	49	15,424	3,225	14,141	32,790	28,715	80,531	84,606	65,498	12,895	18,265	96,658	12,052
Total for 11 other unlisted unions which have submitted returns	4,372	7,999	1,379	53,838	63,216	50,827	111,461	123,850	19,227	132,782	18,099	170,108	46,258
Total for all unions 2017-2018	6,767,824	899,646	49,345	464,628	1,413,619	1,082,978	1,314,642	1,645,283	686,442	930,307	682,555	2,299,304	654,021
total for all unions 2016-2017	6,875,231	917,362	52,466	322,092	1,291,920	1,413,402	1,429,382	1,307,901	666,620	897,921	608,551	2,173,091	865,192

Appendix 5

Salary and Benefits of Trade Union General Secretaries

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
England and Wales					
Accord	General Secretary	119,007		23,506	
Advance	General Secretary	17,127		4,404	
Affinity	General Secretary	105,470		30,258	
Associated Society of Locomotive Engineers and Firemen	General Secretary	96,741		25,136	
Association of Educational Psychologists	General Secretary	66,276		6,417	
Association of School and College Leaders	General Secretary	122,636	(a)	16,645	(a)
Association of Teachers and Lecturers	General Secretary	83,981	(i)	12,422	(i)
Association of Trade Union Political and Public Sector Staff	Acting General Secretary	0		100	(b)
Bakers, Food and Allied Workers' Union	General Secretary	48,251		17,085	
Bluechip Staff Association	General Secretary	31,872		0	
Boots Pharmacists' Association (BPA), The	Chief Executive Officer	0		21,222	(b)
Britannia Staff Association	General Secretary	54,124	(c)	9,076	(c)
British Air Line Pilots Association	General Secretary	107,625		20,136	
British Association of Journalists	General Secretary	24,511	(a)	169	(a)
British Dental Association	General Secretary	75,000		0	
British Medical Association	Chairman	105,674	(a)	0	(a)
Chartered Society of Physiotherapy	Chief Executive	121,392		20,636	
College of Podiatry, The	General Secretary	129,298	(a)	2,154	
Communication Workers Union	General Secretary	97,418		28,239	
Community	General Secretary	111,723		33,355	
Confederation of Shipbuilding and Engineering Unions	General Secretary	107,535	(a)	20,275	(a)
Curry's Supply Chain Staff Association (CSCSA)	General Secretary	28,991		2,899	
Driver and General Union	General Secretary	4,312		0	
Equality For Workers Union (EFWU)	General Secretary	25,693		601	
Equity (Incorporating the Variety Artists' Federation)	General Secretary	109,504		6,000	

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
FDA	General Secretary	104,748		25,558	
Financial Services Union	General Secretary	137,806		67,671	
Fire and Rescue Services Association	Chief Executive	44,836		3,960	
Fire Brigades Union	General Secretary	73,184		48,459	
Fire Officers' Association	General Secretary	36,986		2,993	
G4S Care and Justice Services Staff Association	General Secretary	35,505		6,374	
General Federation of Trade Unions	General Secretary	69,709		17,153	
GMB	General Secretary	102,000		33,000	
Guild of Professional Teachers of Dance, Movement to Music and Dramatic Arts	General Secretary	15,390		0	
Headmasters' and Headmistresses' Conference	General Secretary	117,231		20,652	
Hospital Consultants and Specialists Association	Chief Executive	116,401		5,688	
Independent Democratic Union	General Secretary	57,426		5,263	
Independent Pilots Association	General Secretary	39,540		2,353	
Independent Workers Union of Great Britain (IWGB)	General Secretary	12,870		1,673	
Institute of Football Management and Administration, The	General Secretary	7,792		0	
Institute of Journalists (Trade Union)	General Secretary	40,000		2,570	
International Transport Workers Federation	General Secretary	173,000		36,000	
ISU	General Secretary	70,778		0	
Locum Doctor's Association	Chairperson	0		300	(b)
Musicians' Union	General Secretary	313,410	(a)	59,892	(a)
NAPO – The Trade Union and Professional Association for Family Court and Probation Staff	General Secretary	71,831		1,503	
National Association of Co-operative Officials	General Secretary	93,673		29,648	
National Association of Head Teachers	General Secretary	161,672	(a)	29,653	(a)
National Association of NFU Group Secretaries	General Secretary	10,628		0	
National Association of Racing Staff	Chief Executive	60,325		2,016	
National Association of Schoolmasters Union of Women Teachers	General Secretary	104,373		36,807	

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
National Crime Officers Association	Secretary	35,331		562	
National Society for Education in Art and Design	General Secretary	45,450		0	
National Union of Journalists	General Secretary	84,165		22,423	
National Union of Mineworkers	Secretary	34,194		1,248	
National Union of Mineworkers (Colliery Officials and Staffs Area) Region No 4	General Secretary	12,240		2,576	
National Union of Mineworkers (South Wales Area)	General Secretary	56,023		8,000	
National Union of Rail, Maritime and Transport Workers	Acting General Secretary	99,958		40,807	
National Union of Teachers	General Secretary	66,776	(i)	19,186	(i)
Nationwide Group Staff Union	General Secretary	129,132		29,094	
Nautilus International	General Secretary	95,315		21,290	
News Union	General Secretary	84,263		1,113	
PDA Union	General Secretary	0		5,000	(b)
POA	General Secretary	78,659		31,944	
Professional Cricketers Association	General Secretary	138,667		8,431	
Professional Footballers' Association	General Secretary	1,965,948	(d)	54,445	
Prospect	General Secretary	114,085		14,338	
Public and Commercial Services Union	General Secretary	94,007		11,849	
Retail Book Stationery and Allied Trades Employees Association	President	37,557		13,268	
Royal College of Midwives	General Secretary	142,455	(a)(e)	27,386	(a)(e)
Royal College of Nursing of the United Kingdom	General Secretary	163,992	(f)	13,082	(f)
RSPB Staff Association	Chairperson	0		1,200	(b)
Rugby Players Association, The	General Secretary	122,044		10,541	
Social Workers Union, The	General Secretary	62,850		1,192	
Society of Authors, The	General Secretary	98,215		8,302	
Society of Radiographers	Chief Executive	55,737	(g)	21,657	(g)
Trades Union Congress	General Secretary	111,982		47,610	
Transport Salaried Staffs Association	General Secretary	84,591		16,495	
Undeb Cenedlaethol Athrawon Cymru (The National Association of the Teachers of Wales)	General Secretary	52,315		9,096	

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
Union of Democratic Mineworkers	General Secretary	50,030		11,910	
Union of General & Volunteer Workers	General Secretary	0		750	(b)
Union of Shop Distributive and Allied Workers	General Secretary	106,708		35,455	
UNISON: The Public Service Union	General Secretary	106,458	(h)	13,950	(h)
Unite the Union	General Secretary	73,976		11,270	
United Road Transport Union	General Secretary	62,985		54,994	
United Voices of the World	General Secretary	20,843		0	
University and College Union	General Secretary	107,448		23,339	
Voice	General Secretary	65,852		1,962	
Welsh Rugby Players Association	General Secretary	35,474		228	
Workers of England Union	General Secretary	8,147		0	
Writers Guild of Great Britain	General Secretary	53,500		4,815	
Scotland					
Aegis	General Secretary	67,345		16,540	
Association of Headteachers and Deputes in Scotland	General Secretary	63,757		11,385	
Educational Institute of Scotland		98,730		29,899	
Independent Federation of Nursing in Scotland	General Secretary	29,904		0	
National Union of Mineworkers (Scotland Area)	General Secretary	20,487		2,567	
Professional Footballers Association Scotland	Chief Executive	73,566		877	
Scottish Secondary Teachers Association	General Secretary	90,155		15,598	
Solidarity	General Secretary	7,488		90	

Notes:

- (a) Total paid in respect of two people holding office as General Secretary within the reporting period.
- (b) Honorarium.
- (c) Union submitted two returns in the reporting period. Salary reported on is taken from the union's 2017 return. The union's second return covering the period 1 December 2017 to 30 June 2018 is published online along with the 2017 return.
- (d) This includes bonus of £777,183.
- (e) Salary paid to General Secretary includes all aspects of College and not just the Union.
- (f) This includes payment of £52,595 made in respect of the General Secretary's role as Chief Executive of the RCN Charter Body.
- (g) Similar amounts are paid by the College of Radiographers.
- (h) The above salary is inclusive of salary sacrifice of £5,411.
- (i) Figure taken from an eight month return.

Appendix 6

Summary of Statistics – Employers’ Associations, returns received during the period 1 April 2018 to 31 March 2019

The figures used are taken from the summary sheets of the annual returns received from employers’ associations and provide a simple analysis of each association’s financial affairs for the year. Individual annual returns are available on the website or can be viewed at, or obtained from, the Certification Office. Where an association has functions outside the field of employment relations the return may relate to its activities as a whole and not merely to its employment relations functions.

The information in the table relates to returns received during the reporting period. Although a large proportion of these returns are for the year ending 31 December 2017, the table includes returns from employers’ associations with year ending dates ranging from October 2017 to September 2018 and therefore due in this Office between 1 April 2018 and 31 March 2019.

Notes

- (a) Income from investments includes interest on short term deposits.
- (b) Total income and gross expenditure figures are not confined to normal revenue income and expenditure. The figures include all items which increased or decreased an association’s funds during the year. This includes any increases or decreases in the valuation of property and other assets. Tax recoveries and provisions no longer required are included in total income and tax paid is included in total expenditure.
- (c) Some figures may have changed from last year’s report due to later information.

Summary of Statistics – Employers’ Associations, 2017-2018: Appendix 6

	GROSS INCOME				GROSS EXPENDITURE	TOTAL FUNDS		GROSS ASSETS				Total Liabilities	Number of Members
	From Members	From Investments	Other Income	Total Income		Beginning of The Year	End of The Year	Fixed Assets	Investments	Other Assets	Total Assets		
	(a)	(a)	(a)	(b)		(c)	(c)	(c)	(c)	(c)	(c)		
	£000's	£000's	£000's	£000's		£000's	£000's	£000's	£000's	£000's	£000's		
Employers' Associations with over £2,500,000 total income	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
England and Wales Cricket Board Limited	0	441	128,469	128,910	156,077	35,747	8,580	1,997	25,831	59,565	87,393	78,813	321
London Councils	46,901	-739	19,147	65,309	61,955	-17,588	-14,234	1,255	0	23,296	24,551	38,785	35
National Farmers Union	30,115	4,398	22,351	56,864	37,764	109,654	128,754	19,778	134,319	9,603	163,700	34,946	81,489
EEF Ltd	16,280	5,120	23,293	44,693	42,551	55,937	58,079	26,304	53,919	15,091	95,314	37,235	1,928
Freight Transport Association Limited	29,375	16	92	29,483	24,763	4,063	8,783	3,836	0	10,966	14,802	6,019	17,184
Electrical Contractors Association	4,210	1,129	20,098	25,437	19,876	50,948	56,509	1,869	23,882	36,193	61,944	5,434	2,709
Road Haulage Association Limited	3,935	18	7,072	11,025	10,756	3,726	3,995	2,117	304	5,503	7,924	3,929	7,123
Building & Engineering Services Association	3,781	-130	6,705	10,356	10,824	1,354	886	3,224	7,263	7,439	17,926	17,040	1,221
Association of Colleges	5,021	-284	5,414	10,151	9,300	-8,966	-8,115	262	0	6,372	6,634	14,749	350
Retail Motor Industry Federation Limited	4,015	374	2,953	7,342	6,810	24,367	24,899	5,775	23,098	1,319	30,192	5,293	10,469
Society of London Theatre "SOLT"	532	19	6,167	6,719	6,718	1,102	1,102	1,601	0	18,528	20,129	19,027	194
Federation of Master Builders	3,735	396	1,338	5,469	5,227	8,047	8,289	5,356	2,336	2,823	10,515	2,226	8,210
Chemical Industries Association Limited	3,606	4	1,049	4,659	4,637	2,714	2,736	366	0	7,189	7,555	4,819	93
National Federation of Retail Newsagents	3,717	72	478	4,267	4,768	8,011	7,510	4,130	2,862	1,231	8,223	712	13,152

British Allied Trade Federation	1,524	369	2,211	4,104	3,315	14,822	15,611	3,053	14,190	852	18,095	2,484	2,915
Electrical Contractors Association of Scotland	1,461	750	1,594	3,805	3,598	5,531	5,738	2,892	50	4,261	7,203	1,465	1,232
British Printing Industries Federation	2,251	0	1,282	3,533	3,432	-3,213	-3,112	474	0	771	1,245	4,357	2
NFU Scotland	2,118	78	933	3,129	2,887	2,668	2,910	164	2,893	670	3,727	817	8,258
Scottish Motor Trade Association Limited	390	14	2,629	3,033	2,872	2,391	2,552	515	442	2,495	3,452	900	1,171
Producers Alliance For Cinema and Television Limited	2,592	26	373	2,991	2,455	1,524	2,060	21	0	3,093	3,114	1,054	532
Showmen's Guild of Great Britain, The	975	1	1,923	2,899	2,573	6,184	6,510	4,001	4	3,000	7,005	495	3,491
National Federation of Roofing Contractors Limited	2,100	1	779	2,880	2,840	1,328	1,367	172	0	2,469	2,641	1,273	1,271
Glass and Glazing Federation	1,114	1,010	687	2,811	3,395	10,111	9,527	7,546	351	3,874	11,771	2,244	428
Builders Merchants Federation	1,885	36	726	2,647	2,526	4,148	4,269	2,525	1,319	1,766	5,610	1,341	640
Total for above Employers' Associations	171,633	13,119	257,763	442,515	431,919	324,610	335,206	99,233	293,063	228,369	620,665	285,459	164,418
Total for 36 other listed Employers' Associations	13,809	1,300	9,681	24,790	24,677	37,452	37,565	11,809	35,389	27,960	75,158	37,593	14,295
Total for 28 other unlisted Employers' Associations	10,211	658	5,879	16,748	16,106	11,605	12,248	9,201	10,965	11,736	31,902	19,654	4,924
Total for all Employers' Associations 2017-2018	195,653	15,077	273,323	484,053	472,701	373,667	385,019	120,244	339,417	268,065	727,726	342,707	183,637
Total for all Employers' Associations 2016-2017	191,757	12,531	244,748	449,036	486,515	413,397	375,918	109,446	383,584	250,308	743,338	367,420	187,871

Appendix 7

Trade Unions Maintaining Members' Superannuation Schemes at 31 March 2019

Note:

* Denotes schemes exempt from the need for actuarial examination. These three schemes are reported on within Unite the Union's annual return each year.

GMB (BMS Section Members' Superannuation Fund)

National Union of Rail Maritime and Transport Workers (Orphan Fund)

Unite the Union: (6 schemes listed below)

AEEU Section Superannuation Scheme

British Aerospace Senior Staff Association Superannuation Fund

Litho Printers' Section Superannuation Fund

Plate Preparers' Section Superannuation Fund*

MSF Section Craft Members (formally known as Sheet Metal Workers) Superannuation Fund*

TGWU Members/National Vehicle Builders Union Members' Superannuation Scheme *

Appendix 8

Mergers completed during the period 1 April 2018 to 31 March 2019

Trade Union: Transfers of Engagements

Engagements transferred from	To	Transfer registered on
National Association of Co-operative Officials	Union of Shop Distributive and Allied Workers	1 May 2018
Britannia Staff Union	Unite the Union	1 July 2018

Trade Union: Amalgamations

Amalgamating Unions	Forming	Amalgamation registered on
None		

Employers' Association: Transfers of Engagements

None

Employers' Association: Amalgamations

No

Appendix 9: Political Funds of Trade Unions, 2017-2018

	Number of Members contributing to the Political Fund	Number of Members not contributing to the Political Fund	Number of Members exempt from contributing to the Political Fund	Political Fund (a)			
				Income	Expenditure	Fund at Beginning of Year	Fund at End of Year
				£	£	£	£
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Associated Society of Locomotive Engineers and Firemen	21,375	703	703	218,988	182,829	13,821	49,980
Association of Revenue and Customs	0	0	0	2,115	135,966	133,851	0
Bakers Food and Allied Workers Union	17,512	942	0	77,561	32,112	7,536	52,985
Communication Workers Union	161,663	29,758	20,238	1,653,045	1,772,837	1,266,304	1,146,512
Community	19,680	6,597	6,299	213,000	192,000	165,000	186,000
Educational Institute of Scotland	41,386	13,865	9,451	126,448	69,458	2,624,659	2,681,649
Fire Brigades Union	27,644	5,398	4,551	243,105	291,421	639,968	591,652
GMB	588,150	26,344	26,344	3,160,000	3,255,000	579,000	484,000
Musicians' Union	22,736	7,685	7,390	85,345	98,529	24,384	11,200
National Association of Schoolmasters Union of Women Teachers	234,878	81,352	16	188,832	89,230	147,259	246,861
National Union of Mineworkers	116	231	16	3,713	31,881	82,771	54,603
National Union of Rail Maritime and Transport Workers	80,204	187	187	279,000	294,000	29,000	14,000
National Union of Teachers	267,633	70,400	1,993	352,866	292,740	890,442	950,568
POA	24,526	5,485	5,485	33,139	32,759	30,738	31,118
Prospect	129,401	13,085	3,619	78,000	109,000	660,000	629,000
Public and Commercial Services Union	167,830	13,233	479	201,160	75,046	386,672	512,786
Society of Radiographers	24,573	5,782	3,492	57,470	2,873	14,943	69,540
Transport Salaried Staffs Association	17,278	891	474	138,703	181,562	(34,978)	(77,837)

Union of Shop Distributive and Allied Workers	413,357	20,903	12,018	2,145,000	2,023,000	807,000	929,000
UNISON: The Public Service Union	1,163,796	213,210	5,708	6,556,000	5,779,000	11,086,000	11,863,000
Unite the Union	1,095,716	214,792	71,827	8,082,000	7,638,000	14,465,000	14,909,000
University and College Union	86,354	34,210	31,522	163,704	161,986	11,874	13,592
Total for the 21 unions with political funds which reported in this period	4,604,808	765,053	211,812	24,059,274	22,741,229	34,031,244	35,349,209
Total for the 24 unions with political funds which reported in the previous period	4,652,084	785,686	169,593	24,412,086	22,062,610	31,683,559	34,033,035

Notes: The information in the table is derived from annual returns received during 2018-2019, most of which relate to the year ending December 2017.

Appendix 10

Current statutory fees applicable

Fees are set by the Secretary of State and were amended in Parliament by The Certification Officer (Amendment of Fees) Regulations 2005 (SI 2005/713) under the provisions of sections 108 and 293 of the Trade Union and Labour Relations (Consolidation) Act 1992.

	Current Fee
Application for entry in the list of trade unions	£150
Application for entry in the list of employers' associations	£150
Application for entry in the list of an amalgamated organisation where each amalgamating organisation was already entered	£41
Provision of a certificate of independence to an amalgamated union where each amalgamating organisation already had a certificate of independence	£41
Application for approval of a change of name	£96
Application for a certificate of independence	£4066
Application for formal approval of an instrument of transfer of engagements or an instrument of amalgamation	£1850
Inspection of merger documents	£19

Appendix 11

Certification Office Publications

The latest version of the following Certification Office publications are available to be printed or downloaded from the Certification Officer's website: www.gov.uk/certificationofficer. Printed copies may also be obtained free of charge on application to the Certification Office.

- Guidance on making a complaint to the Certification Officer against a trade union
- Disclosure of identity of individuals making applications and complaints to the Certification Officer
- Guidance on procedure at formal hearings of the Certification Officer
- Financial Irregularities in trade unions and employers' associations: the approach of the Certification Officer in exercising his powers of investigation
- Independence: a guide for trade unions wishing to apply for a certificate of independence
- Mergers: a guide to the statutory requirements for transfers of engagements and amalgamations of trade unions
- Mergers: a guide to the statutory requirements for transfers of engagements and amalgamation of employers' associations
- Political funds: a guide for trade unions and employers' associations wishing to establish a political fund
- Political funds: a guide on the provisions in the Trade Union Act 2016
- Political funds: a guide to review ballots
- Trade Union' Register of Members: the Certification Officer's powers of investigation and enforcement
- Certification Officer's Publication Scheme
- Annual Reports of the Certification Officer
- Guidance on The Certification Officer's Role as a Prescribed Person for the Purposes of Public Interest Disclosure Act 1998' – 'whistleblowing'
- How to apply to be entered on the list of trade unions

Appendix 12

Certification Officer Functions

Certification Officer's functions are contained in the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended) (referred to in this report as "the 1992 Act" or "the Act"). They are summarised here, along with links to the related guidance, containing full details of the Certification Officer's statutory duties. The Certification Officer's functions include the responsibility:

under Part I, Chapter I – for maintaining a list of trade unions and for determining the independence of trade unions;

See:

- [Apply to have a trade union or employers' association on the public list](#)
- [How trade unions apply for a certificate of independence](#)

under Part I, Chapter III – for dealing with complaints by members that a trade union has failed to maintain an accurate register of members or failed to permit access to its accounting records; for seeing that trade unions keep proper accounting records, have their accounts properly audited and submit annual returns; for the investigation of the financial affairs of trade unions; for ensuring that the statutory requirements concerning the actuarial examination of members' superannuation schemes are observed; and for dealing with complaints that a trade union has failed in its duty to secure that positions in the union are not held by certain offenders;

See:

- [Complain to the Certification Officer about a trade union or employers' association](#)
- [Complain about financial irregularities in a trade union or employers' association](#)
- [BEIS Guidance: trade union register of members and membership audit certificate requirements](#)
- [Trade Unions' Registers of Members: the Certification Officer's powers of investigation and enforcement](#)

under Part I, Chapter IV – for dealing with complaints by members that a trade union has failed to comply with one or more of the provisions of the Act which require a trade union to secure that its president, general secretary and members of its executive are elected to those positions in accordance with the Act;

See:

- [Complain to the Certification Officer about a trade union or employers' association](#)

under Part I, Chapter VI – for ensuring observance by trade unions of the statutory procedures governing the setting up, operation and review of political funds; and for dealing with complaints about breaches of political fund rules or about the conduct of political fund ballots or the application of general funds for political objects;

See:

- [Set up a political fund for a trade union or employers' association](#)
- [Political funds: a guide to review ballots](#)

under Part I, Chapter VII – for seeing that the statutory procedures for amalgamations, transfers of engagements and changes of name are complied with, and for dealing with complaints by members about the conduct of merger ballots;

See:

- [Mergers between trade unions](#)

under Part I, Chapter VIIA – for dealing with complaints by members that there has been a breach, or threatened breach of the rules of a trade union relating to the appointment, election or removal of an office holder; disciplinary proceedings; ballots of members other than in respect of industrial action; or relating to the constitution or proceedings of an executive committee or decision making meeting;

See:

- [Complain to the Certification Officer about a trade union or employers' association](#)

under Part II – for maintaining a list of employers' associations; for ensuring compliance with the statutory requirements concerning accounting records, annual returns, financial affairs and political funds; and for ensuring that the statutory procedures applying to amalgamations and transfers of engagements in respect of employers' associations are followed.

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