

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

Annual Report

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2020-21



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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 2020 to 31 March 2021.

Review of the year

It is impossible to look back over this year without recognising the difficulties faced by so many organisations and workers. I have been impressed by how well unions and employers' associations have responded to the COVID-19 pandemic whilst maintaining services for their members and complying with their statutory requirements.

We have faced similar challenges in the Certification Office and I am grateful to my team for their flexibility and adaptability as we moved to remote working. All of our services are now available online which improves their accessibility and reduces our reliance on paper. I am also delighted that we achieved Silver accreditation from Investors in People this year which reflects how well our team works together to provide a high quality service.

Last year we published our first operational plan and I am pleased that we are able to record our achievements against our objectives in this report. We have already published our plan for the coming year and I will continue to report on our progress in successive annual reports.

Advice and Guidance

We have continued to review and update the guidance available on our website. It has always been our primary source of information for those wishing to use our services and this has only been enhanced by the move to more flexible working arrangements across the country.

This year our focus has been on improving the guidance we give to those seeking to form, or list, a new trade union and those wishing to make a complaint about their union. Our aim has been to ensure that the applicant understands the process and what is required of them. This should also ensure that my team has all the necessary information available as soon as possible so that I can reach a decision in a shorter time period.

We have continued to provide advice and guidance by telephone and email and encourage anyone to contact us if they have questions arising from the guidance or need help in completing the application forms.

Reporting Requirements

Remote working caused many organisations some significant difficulties in preparing their annual return and meeting other reporting requirements. We were flexible in our approach to extending deadlines especially as many were due in the first quarter of this reporting year. I am pleased, however, that most organisations have adapted their administrative systems to enable them to meet the statutory requirements and that we have already begun to receive some returns for the coming year. I am grateful for the time and energy that organisations have devoted to ensuring that they can submit their returns to me.

Complaints from Union Members

I have received far fewer complaints from union members than would normally be the case. It is difficult to identify the reason for this; however, it seems likely that this is in part because of the impact of COVID 19. I have held only two hearings this year which considered five complaints from two union members. It is worth noting that one of those hearings considered a complaint which had been made in the previous reporting year.

Both hearings were conducted using video conferencing facilities. My team, the unions and the relevant union members worked hard to ensure that the hearing could go ahead smoothly and we have found the feedback from those participating very helpful. We will continue to make use of video conferencing for hearings whilst restrictions are in place and will explore whether we can use them in the future. We will also explore whether complaints can be resolved without the need for a formal hearing; for instance, encouraging parties to use mediation or alternative dispute resolution procedures, informal meetings and decisions based on the papers. This is included in our operational plan for the coming year.

Since the end of this reporting year the Government has announced that the remaining parts of the Trade Union Act 2016 will be implemented. This gives greater scope for me to act on potential breaches of the 1992 Act without having received a complaint from a member of the relevant union.

COVID-19

My position has not changed since my last annual report. I am clear that unions must prioritise the health and safety of their members, staff and the wider public in these difficult times. I have written twice to all General Secretaries setting out my views on how they should approach issues where complying with Government guidance on the pandemic might result in a breach of their Rules or statute, for instance by deferring an election or meeting. Many unions have been in touch with me to explain their approach and set out how they have dealt with such conflicts. I am very grateful for the time they have taken to do this and for their determination to protect their members and the public whilst also meeting their statutory requirements.

My team has received a small number of enquiries from union members seeking clarification about their union's approach; none has led to a formal complaint.

Cost of office

The net cost of the office was £738,568 which is a small decrease of £10,542. This saving arose because of our move to remote working. It is estimated that the costs of services such as IT equipment, its maintenance, HR and other support services provided by Acas was £341,244. The estimated cost of services provided by Acas for inclusion in last year's annual report has been recalculated, increasing from £161,322 to £348,022. The original figure was the result of an error, which has now been addressed, and the new figure ensures the consistent apportionment of overheads between years.

My salary as Certification Officer was £133,018 which is taxed under PAYE; this included a back payment for the previous year of £914. This is pensionable with an employer's contribution to my pension of £40,250.

Looking Forward

The Government have now announced a timetable for the implementation of the remaining parts of the Trade Union Act 2016. I will share, and seek comments on, draft guidance as to how I propose to use the new powers as soon as the Parliamentary process allows.

Over the next year we will review the current lists of trade unions and employers' associations to ensure that all listed organisations meet the appropriate definitions. This will ensure that we have a consistent approach to new and existing organisations and that only trade unions and employers' associations who meet the relevant statutory definitions remain listed. We will write to all unions and employers' associations with more detail about the review before we begin our work.

We will continue to keep our processes under review to ensure that we deliver a cost effective service and aim to reduce our costs, as well as those of unions, union members and employers' associations. This includes increasing the use of video conferencing for hearings and other meetings and improving the time taken to consider complaints and applications for listing.



A handwritten signature in black ink that reads "Sarah Bedwell". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

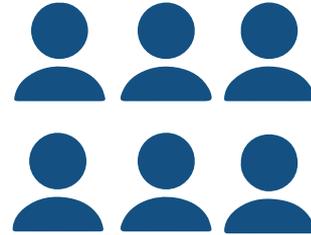
Sarah Bedwell
Certification Officer
30 June 2021

The Certification Office (31 March 2021)

1 Certification Officer



6 Staff Members



Functions of the Certification Officer

Determine complaints concerning certain allegations of breaches of the 1992 Act and certain breaches of trade union rules

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

Ensure 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



1 Enquiry on the status of a Union



4 unions added to the Certification Officer's list of trade unions



2 unions and 1 employers' association removed from the Certification Officer lists



1 Transfer of engagements

Complaints



Determined 8 breach of rule applications consisting of 32 separate complaints



Determined 2 breach of statute applications consisting of 2 complaints



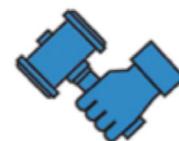
27 complaints were struck out or withdrawn, 6 were dismissed following a hearing, 1 complaint was conceded by the union and 1 contested complaint was considered without a hearing



2 hearings held



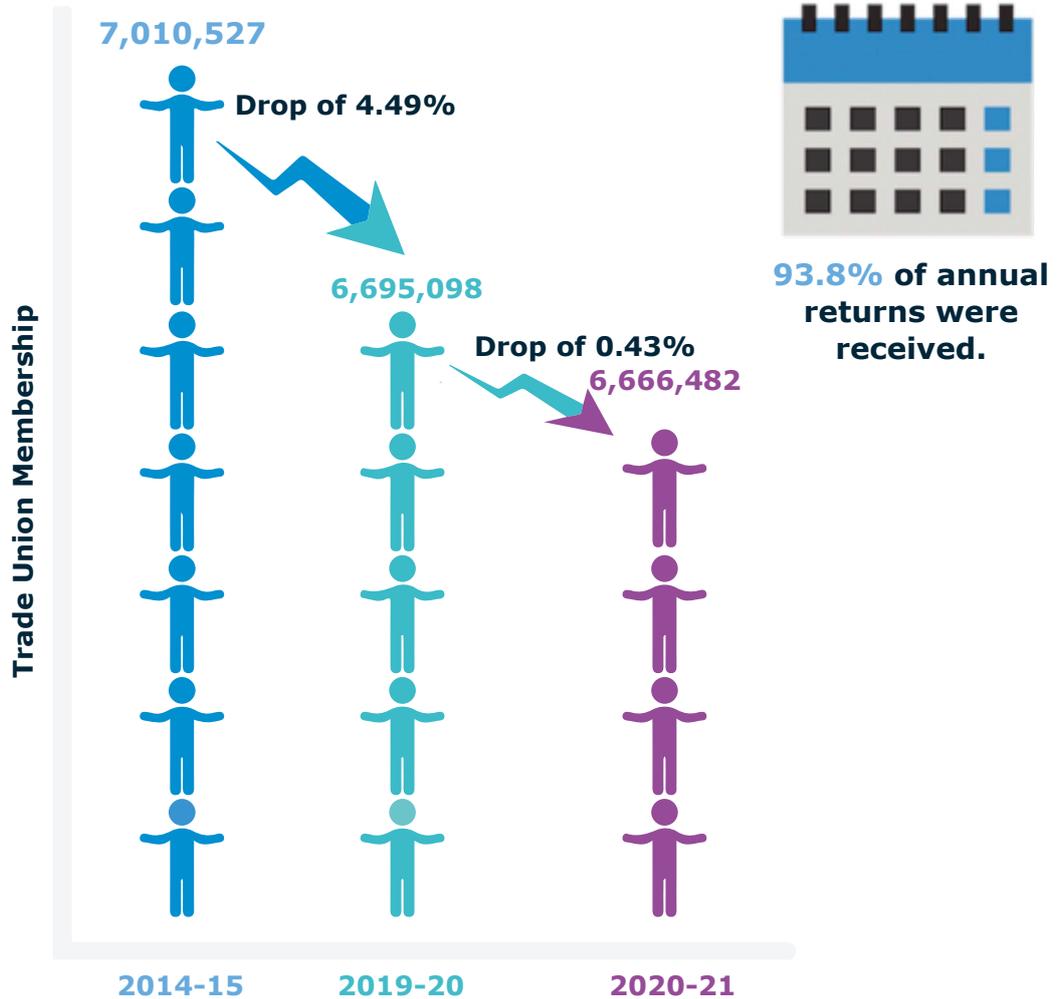
1 declarations made by the CO against 1 union for breaching its rules



0 Enforcement order

Trade Unions – Overview of the year

Trade Union Membership



Income from members

£941.08 million



Increase of 4.2%
from previous year

Gross expenditure

£1,249.63 million



Increase of 9.0%
from previous year

Gross income

£1,339.17 million



Increase of 9.6%
from previous year

Chapter 1 – Lists of Trade Unions and Employers’ Associations

The Certification Officer (CO) is required by the 1992 Act to keep a list of trade unions and a list of employers’ associations.

Lists

	At 31 March 2021	At 31 March 2020
Total number of trade unions	141	139
Total number of employers’ associations	84	85

Listing Applications

We considered 10 applications from organisations seeking to be listed as trade unions. Nine of these were new applications received during the current period with one from the previous year. This was significantly higher than the number we usually receive each year. Many of these applications were from organisations who wished to represent certain ethnic groups. The CO determined that four of these organisations satisfied the definition of a trade union under the Act and entered them on the list. Six applications were either withdrawn or couldn’t be progressed because the organisations were unable to provide sufficient relevant information to support their application.

In order to improve the listing application process, we revised our guidance and the application form. We hope that this helps organisations to understand what information we require before we consider their application so that they can provide this at the time of application. This will ensure that the CO has all the information she needs as early as possible and reduce the need for additional correspondence to obtain the relevant information. We hope that this will result in applications proceeding much more quickly.

Listing Enquiries

We also saw a significant increase in the number of enquiries from organisations who were considering whether to apply to be listed. This may have been as a result of the Covid-19 pandemic where groups of people wished to form a trade union to represent certain categories of occupations or certain ethnic groups.

Following the Supreme Court’s decision on the status of Uber drivers we received an increased number of enquiries from people wishing to form a trade union specifically for Uber drivers.

Trade Unions Added to the List

Criminal Justice Workers Union

The union was entered on the CO’s list on 29 June 2020. Its members are largely people working in the criminal justice sector.

App Drivers and Couriers Union

The union was entered on the CO’s list on 13 July 2020. Its members are largely app-based transport workers.

Trade Union for Ethnic Minority Social Workers

The union was entered on the CO’s list on 5 March 2021. Its members are largely ethnic minority social workers.

Autonomous Workers' Union

The union was entered on the CO's list on 9 March 2021. Its members are largely in the retail sector, but the union also seeks to organise in areas where there is little union presence.

Organisations removed from the list

PPU was removed from the list on 2 February 2021 because it dissolved.

Voice was removed on 1 October 2020 because it transferred into Community.

The British Lace Federation, an employers' association, was removed on 5 November 2020 as it ceased to exist.

The Workers Union

We received a number of enquiries about an organisation called The Workers' Union which is not on the list of trade unions. Following this, we sought information from the organisation to help us understand whether or not it was a trade union. The CO took the view that it is not a trade union as defined by the 1992 Act and so is not subject to her powers. The Workers' Union is a commercial organisation offering services to members.

Appeals to Higher Courts

The Court of Appeal (CoA) considered an appeal by the National Union of Professional Foster Carers (NUPFC). This followed the previous CO's decision in 2017 not to list the organisation on the basis that foster carers are not workers within the meaning of Section 296 of the 1992 Act. This was upheld by the Employment Appeal Tribunal on 23 July 2019.

The CoA found that, for the purposes of the 1992 Act, the definition of a worker in Section 296 should extend to persons who are parties to a foster care agreement with a fostering service provider within the meaning of regulation 27 (5) of the Fostering Service (England) Regulations 2011. Following the CoA decision, the CO will reconsider the application from the NUPFC to be listed as a trade union.

The [Court of Appeal's decision](#) is available online.

The [lists](#) of trade unions and employers' associations, which include organisations headquartered in Scotland, are available on the Certification Officer's website.

Certificates of Independence

A listed trade union may apply for a certificate of independence. In this context, independence is defined as independence from an employer or group of employers.

The CO cancelled Voice's certificate of independence following its merger with Community.

As at 31 March 2021, 89 unions held a certificate of independence.

Chapter 2 – Annual Returns

Annual Returns

All trade unions and employers' associations must submit a return to the Certification Officer (CO) every year. The returns contain information about the union's membership, income and expenditure, industrial action ballots held and industrial action taken.

The CO does not comment on the financial status of trade unions or employers' associations; however, we check the return for discrepancies and contact the organisation to resolve any outstanding matters. All [returns](#) are available on the Certification Office website.

Organisations must submit their return within five months of the end of their reporting period. Most trade unions' reporting periods run from 1 January until 31 December and their returns are due before 1 June in the following year. Some unions have different reporting periods and, therefore, different due dates. Failure to submit a return to the CO can result in prosecution.

Last year many unions found it difficult to submit returns on time because they could not access their offices, convene conferences and audit accounts during the early stages of the COVID-19 pandemic. We handled all requests for extensions sensitively. We were flexible and helped organisations to comply with their statutory obligations despite the difficulties associated with working remotely.

Despite these difficulties, the return rate was good. By 31 March 2021, 93.8% of returns due had been received (compared to 98.7% the previous year). All organisations submitted their returns late for the period. The CO continues to seek full compliance with the statutory requirements and will take steps to help improve the performance of those organisations who consistently submit late returns.

The annual return template can now be downloaded from our website. For the first time all returns were completed and submitted digitally. The template is designed to make it easy for unions to complete, and submit, their information quickly and easily using electronic signatures.

In addition, all documents that support the return, for example rulebooks and statements to members have also been published on our website for the first time. This is a significant new development as it ensures that members of the public are able to inspect these documents without having to visit our office, something that has been particularly relevant during the pandemic.

Membership Audit Certificate

All unions must maintain a register of their members' names and addresses. Unions are required to send a membership audit certificate to the CO, as part of their return, to demonstrate that they are meeting the statutory requirements. The CO has the power to require the production of documents if she thinks there is a good reason to do so.

Industrial Action and Ballots

24 unions reported on ballots and Industrial action, 17 reported both ballots being held and action being taken, six reported only ballots and one reported only taking industrial action.

The CO has no powers to query the information reported to her about industrial action and ballots.

Statement to Members

Trade unions must send a statement to all members containing certain information from the union's annual return for that year. The statements must be sent no later than eight weeks from the day on which the annual return is sent to the CO. The union is also required to send a copy of this statement to the CO.

Information from the Annual Returns

Trade Union Membership

Trade unions reported a combined membership of 6,666,482.



Unions with a membership of over 100,000 had 5,684,056 members, 85% of union members.

Table 2 – Distribution of trade union membership 2019-20

 Number of Members	 Number of Unions	 Membership
Under 100	16	503
100-499	19	5,595
500-999	18	11,441
1,000-2,499	19	27,107
2,500-4,999	9	28,016
5,000-9,999	9	64,438
10,000-14,999	4	48,837
15,000-24,999	11	220,302
25,000-49,999	11	375,860
50,000-99,999	3	200,327
100,000-249,999	5	808,097
250,000 and over	7	4,875,959
Total	130	6,666,482

Trade unions reported a combined membership of 6,666,482 which is a decrease of 28,616 members from last year's reported membership of 6,695,098. This is a decrease of 0.43%. It is important to note that 12 unions have not yet submitted their returns due to the Covid-19 Pandemic. These 12 unions reported a combined membership of 8,000 in the previous year. Their membership has not been included in the total membership set out above, pending confirmation of that figure. It is also important to note that the statistics set out above may differ from other official statistics relating to trade union membership. We derive our statistics solely from the annual returns provided to the Certification Officer by trade unions.

Figure 3 – Comparison of Trade Union Finances

Information relating to trade union total gross income, total gross expenditure and total net assets is set out below. Appendix 3 includes details of the income, expenditure and assets of each trade union.

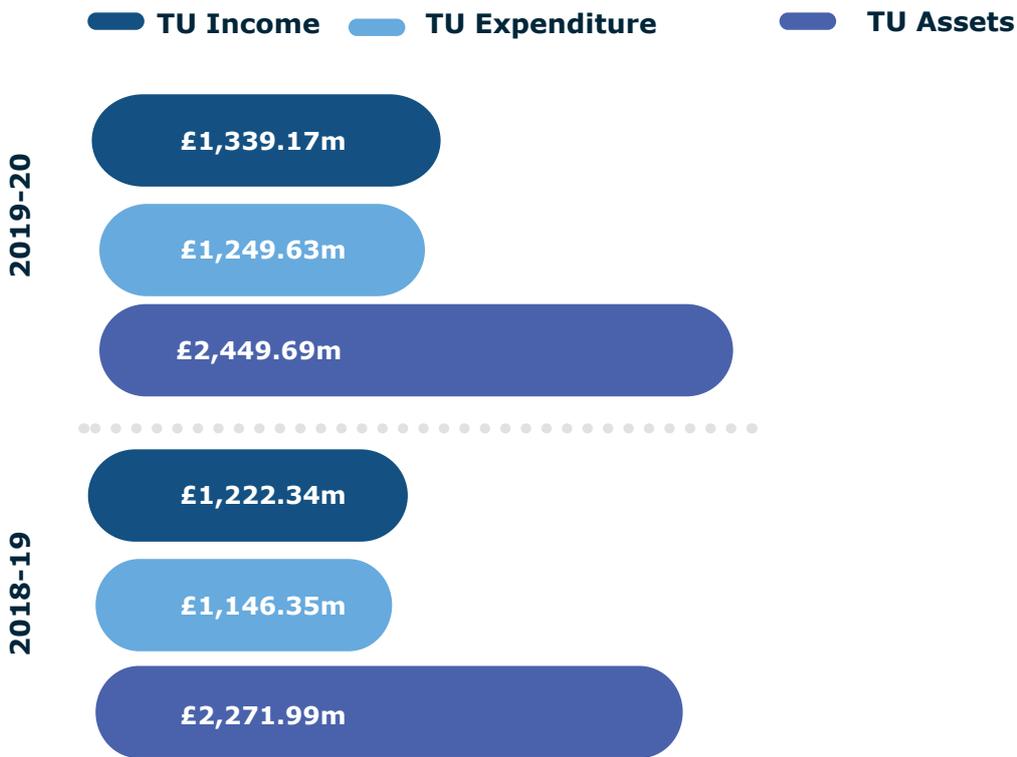
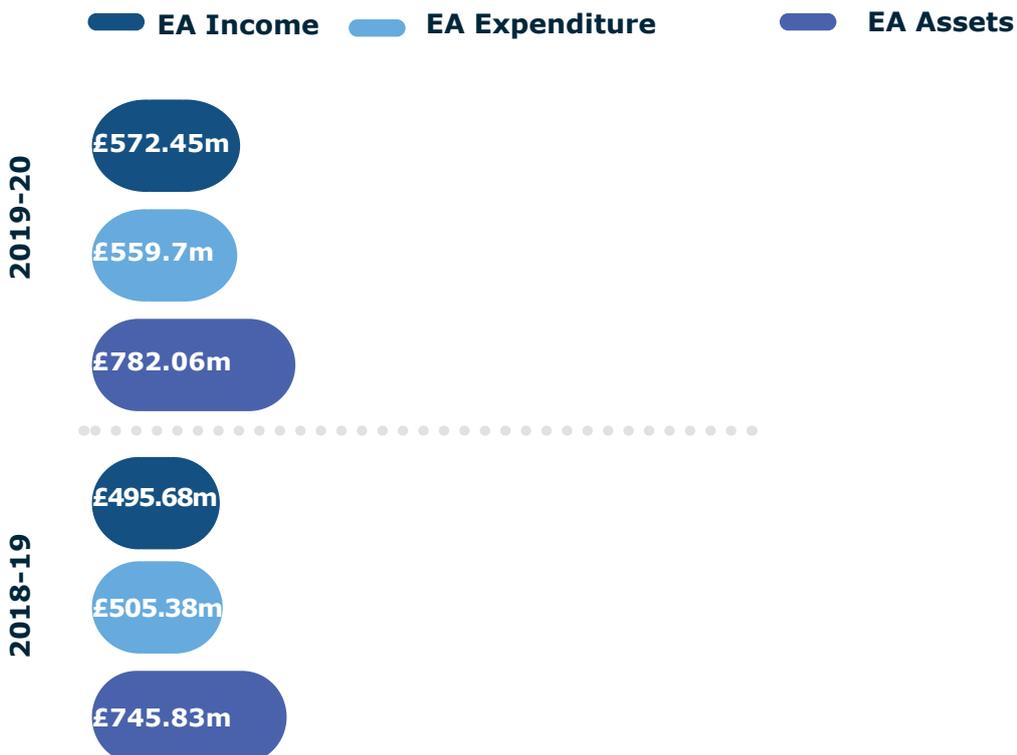


Figure 4 – Comparison of employers’ association finances

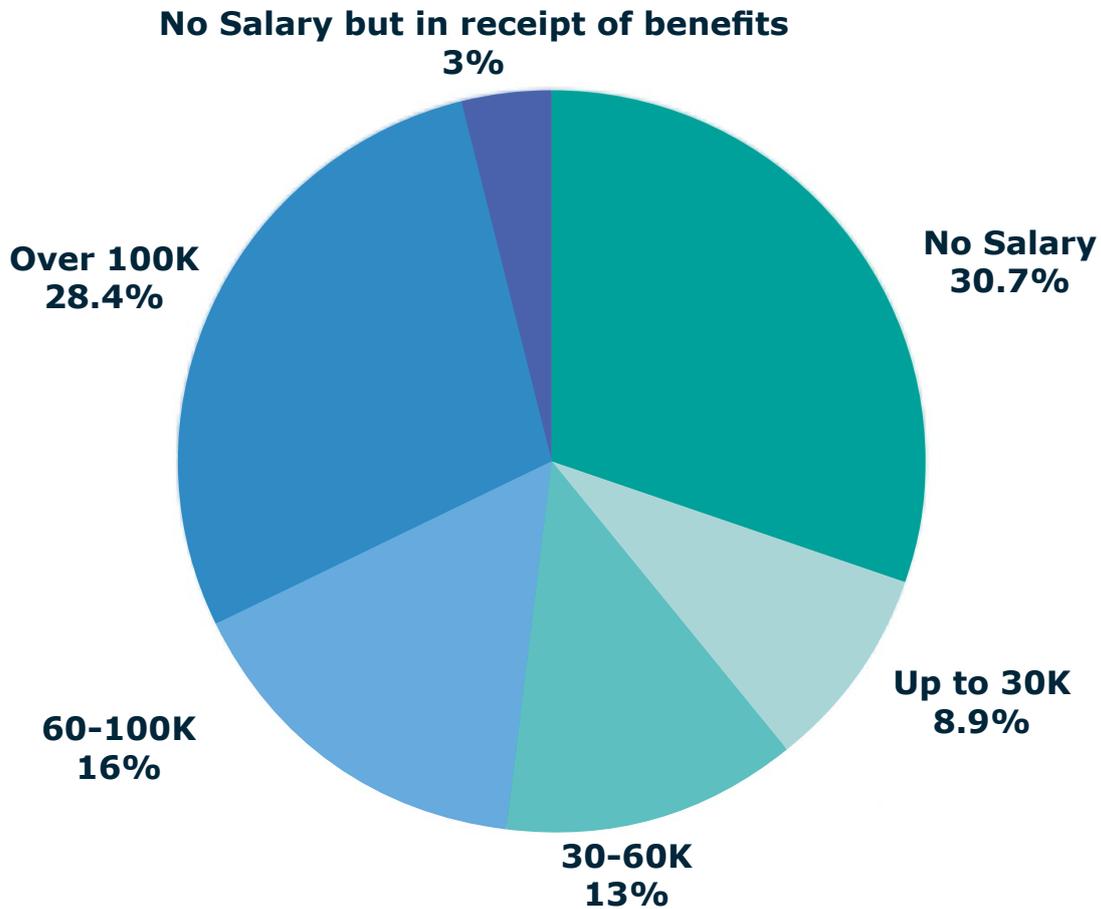
Information relating to employers’ associations’ total gross income, total gross expenditure and total net assets is set out below. Appendix 5 includes details of the income, expenditure and assets of each employers’ association.



Salaries and benefits

Trade union annual returns must provide information about the salaries and benefits paid to certain national officers and executive members from the union's funds.

Figure 5 – Distribution of Salaries paid as a percentage of all unions



The general secretaries of 44 trade unions (33.8% of the total) did not receive a salary. Four of those unions provided an honorarium. Appendix 4 provides detailed information on the salary and benefit payments in respect of each union which makes a payment to its general secretary.

Copies of the annual returns and the rules of existing trade unions and employers' associations from 1974 onwards are normally available for public inspection from the Certification Office. During the period in which the Certification Office is closed, these are available on application to the office.

The returns of former trade unions and employers' associations are kept at The National Archives where they are available for inspection by members of the public.

Chapter 3 – Mergers

The Certification Officer (CO) has a role in overseeing mergers between trades unions and between unincorporated employers' associations. Mergers are governed by the 1992 Act and the Trade Unions and Employers' Associations (Amalgamations, etc.) Regulations 1975.

A merger can take place in two ways. Under a transfer of engagement, the transferring organisation loses its legal identity and is removed from the CO's list. The organisation to which it transfers continues in being with its legal identity unchanged. An amalgamation produces a new organisation which replaces each of the amalgamating bodies which then cease to exist.

The terms of the merger must be approved by the CO. The aim is to help safeguard the rights of union members by ensuring they are informed about the proposal to merge and have an opportunity to vote ahead of any merger. In the case of an amalgamation, the members of all organisations involved have the right to vote. For transfers of engagements only members of the transferring union may vote.

A member from the transferring union can make a complaint to the Certification Officer about a merger or amalgamation ballot. This must be done within six weeks of the application to register the instrument of transfer being sent to the Certification Officer.

During this reporting period, there was one transfer of engagements: -

Voice transferred to Community and was registered on 1 October 2020. This involved 19,366 members of Voice transferring into the membership of Community.

As part of the CO's process improvement plan, and to enable work to continue during the current COVID pandemic, the CO agreed to accept electronic signatures on her forms, which meant that the above merger could be processed wholly digitally for the first time. This enabled the union to get the requisite documents approved more quickly, speeding up the merger process.

Chapter 4 – Superannuation

Any superannuation scheme maintained by a trade union or employers' association which covers its members must be examined periodically by a qualified actuary with a copy of the actuarial report sent to the CO.

The CO is aware of eight members' superannuation schemes maintained by three trade unions. At the time of their last actuarial examination, three 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. One actuarial report was due on a superannuation scheme during the reporting period; however, the union applied to the CO for an exemption from examination on the grounds that the membership had declined significantly and that as a result there is no significant risk in the funding arrangements. This exemption was granted on 16 December 2020.

Superannuation schemes

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 *

(≠) Denotes actuarial reports due to be submitted by 31 December 2021

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

Chapter 5 – Political Funds

A trade union or unincorporated employers' association wishing to spend money on political objects (section 72 of the 1992 Act) must establish a separate fund for political expenditure and must adopt rules to ensure that such expenditure is made from that fund. Political objects may include, for example, campaigning on behalf of a political party.

A resolution to adopt political objects as an object of the union must be passed by a ballot of the members. Thereafter, the resolution must be put to the membership every 10 years via a review ballot. Each ballot must be held in accordance with rules approved by the CO. As at 31 March 2021, 21 trade unions had political fund resolutions in force.

Statistical information on political funds held by unions is included in this report at Appendix 6. The total income of political funds for 2019-2020 was £24.75 million compared with £22.83 million reported for 2018-2019, an increase of 7.8%. The total expenditure from political funds was £24.22 million compared with £16.01 million in the preceding year, an increase of 51.2%.

The total amount held in political funds at the end of the reporting period was £41.87 million, an increase of 1.3% over the £41.35 million reported in the previous period.

Copies of the annual returns and the rules of existing trade unions and employers' associations from 1974 onwards are normally available for public inspection from the Certification Office. During the period in which the Certification Office is closed, these are available on application to the office.

The returns of former trade unions and employers' associations are kept at The National Archives where they are available for inspection by members of the public.

4,213,849 union members contributed to a political fund in this reporting period compared with 4,133,678 in the previous year, an increase of 80,171 members or 1.9%.

There were 1,197,694 members who belonged to unions with a political fund but did not make a contribution to the political fund, either because they have claimed exemption or they belonged to a category of membership which, under the rules of the union, does not contribute to the political fund. This represented a decrease of 111,282, or 8.5%, from the figure of 1,308,976 reported in the previous year.

A member can complain to the Certification Officer if:

- A ballot on a political resolution has been held, or is proposed to be held, that does not comply with the rules for holding the ballot. Any complaint must be made within one year from the date on which the result of the ballot is announced by the union.
- Their trade union has spent money on political objects without a political fund resolution being in force or without approved political fund rules.
- Their trade union has spent monies on political objects other than from the political fund.

We received one complaint and one enquiry regarding trade unions' political funds. These are summarised in the next chapter

Chapter 6 – Complaints

Introduction

Trade union members can bring a complaint to the Certification Officer (CO) if they think that their union has failed to comply with one or more of the relevant provisions of the 1992 Act or has breached, or threatened to breach, certain rules of the union. Candidates in elections for certain positions who may not be members of the trade union can also make a complaint to the CO. If the CO accepts a complaint, she will make enquiries with the parties. Whether she makes or refuses the declaration applied for by the applicant, the CO will give reasons for her decision in writing. Where she finds in favour of the applicant, and makes a declaration, she will also make an enforcement order unless she considers that it would be inappropriate to do so.

This year we updated our complaints guidance so that people entitled to make a complaint better understand the scope of CO's powers and the process by which a complaint is determined. We have also updated our application form to be as clear as possible about what kinds of matters the CO can consider so that trade union members can quickly and easily identify whether she is likely to be able to deal with their complaint. Our aim is to be able to resolve a complaint brought to the CO by a trade union member as quickly and easily as possible, speedily delivering the best outcome for both parties, and ensuring that the information set out on the original application form by the complainant is as clear and comprehensive as possible is a key part of delivering this aim.

During the reporting period we also made changes to the way we deal with applications made to the office. This included engaging in more correspondence with the complainant at an earlier stage in the process, ensuring that the complaint they seek to make falls within the CO's jurisdiction, has been made in time, and can be clearly understood by all parties before it proceeds to a hearing.

We also considered alternative ways of resolving complaints between a member and the union, for example one application was withdrawn after we encouraged parties to explore mediation to resolve a complaint, rather than proceed to a formal hearing. This has helped demonstrate that dispute resolution can provide a fast, cost-effective and proportionate way to resolving complaints, and a viable alternative to the CO's process, to the benefit of everyone involved.

Financial Irregularities

The 1992 Act allows the CO to investigate the financial affairs of trade unions and employers' associations, with the exception of federated employers' associations and trade unions, and organisations that have been in existence for less than 12 months. The CO can take action only where it appears to her that one or more of the following circumstances exist:

- The financial affairs of the organisation are being or have been conducted for a fraudulent or unlawful purpose
- Persons concerned with the management of those financial affairs have, in connection with that management, been guilty of fraud, misfeasance or other misconduct
- The organisation has failed to comply with any duty imposed on it by the 1992 Act in relation to its financial affairs
- A rule of the organisation relating to its financial affairs has not been complied with.

We received six allegations of financial irregularities against six different trade unions during this reporting year. Enquiries are ongoing in two cases. Four cases were closed. In two of the

closed cases, the CO did not take any further action as the complainants failed to explain how any of the above circumstances were met. In the other two closed cases enquiries were made with the union and having considered their responses, the CO did not consider it necessary to appoint an inspector.

Elections for Certain Positions

Section 46 of the 1992 Act specifies that elections for the positions of president, the general secretary and for members of the executive committee must be held every five years. There are, however, exemptions in respect a president or general secretary who do not have a voting rights, amalgamating unions, newly formed unions, special register bodies and officers nearing retirement. Elections must be by postal ballot of the members of the union and conducted in accordance with the relevant provisions in the 1992 Act.

We received one application regarding a statutory election in this reporting period. This was subsequently withdrawn.

Access to Accounting Records

There is a duty in the 1992 Act for trade unions to keep proper accounting records and for those records to be made available for inspection by members under section 30 of the Act. If the union fails to comply with the request the member can complain to the CO.

The CO determined one application received in the previous reporting year (**Simpson v Unite the Union (3)**). Mr Simpson requested access to the union's accounting records for a period when he was a member; however, when Mr Simpson made the application to the CO, he was not a member of the union. The CO found that only current members of a union can make a request to access the accounting records of a union due to the contractual nature of the relationship between the union and the member. Mr Simpson's application was therefore dismissed.

We received two further applications during this reporting year. Both applications were closed because the unions concerned subsequently provided access to accounting records before the matter was determined by the CO.

Political Funds

Trade unions with a political fund must comply with the requirements of the 1992 Act. A member of a trade union with a political fund may make an application to the CO if they fail to do so.

One application was received and determined in the current reporting year (**Jennings v GMB**). The complaint was that the union had spent £240 for political purposes from its general fund instead of its political fund. The applicant held that this was in breach of section 71(1) of the 1992 Act. The union conceded a breach of its political fund rules and told us that it had reimbursed the amount from its political fund to the general fund. The CO decided that section 71(1) of the Act only requires a union to have a political resolution in force and political fund rules in place before it makes any expenditure on defined political purposes; the union met both of these requirements. The CO noted that section 82(2) provides a route for members to complain of a breach of the Union's political fund rules but that this was not how Ms Jennings' complaint was expressed. The application was therefore struck out on the basis that it had no reasonable prospect of success and/or was otherwise misconceived.

Breach of Union Rules

A trade union member can make a complaint to the CO if there has been a breach or threatened breach of a trade union's rules relating to any of the matters listed below.

- (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;

Applications received in this reporting period

We received 14 applications made against 11 different unions in the current reporting year. The CO determined two applications. Dr Singh's case was heard by video conference due to the Covid-19 pandemic restrictions.

Singh v University College Union

Dr Singh made two complaints that the union had breached its rule relating to the election and removal of a workplace representative. The CO refused both the complaints.

Kidd v Musicians Union

Mr Kidd made a complaint that the union threatened to breach its rules with regards to the General Secretary's term of office. The case was listed to be heard by video conference. However, a week before the hearing, the Union's Executive Committee met and rescinded a decision it had previously made about the General Secretary's term of office. They confirmed that the election for the General Secretary would go ahead as originally planned at the end of the term of office of the current General Secretary. This decision removed the alleged threatened breach. The hearing was therefore vacated and the CO struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

We closed six applications made against six different unions after we made further enquiries with the applicants. Of these, three were withdrawn by the applicant, one relating to disciplinary procedures and two relating to the appointment or election, or the removal of a person from any office. Three complaints were closed either because they were outside of the CO's jurisdiction or the applicant failed to provide sufficient evidence of a breach. We are continuing our enquiries in relation to six applications made against five unions. Five of these applications relate to the appointment or election, or the removal of a person from any office and one application is about disciplinary proceedings by the union.

Applications from previous reporting years

This year the CO considered 8 applications made against six different unions which remained outstanding from previous years.

Four of these applications were withdrawn. One application related to branch elections. Two related to disciplinary proceedings. One application consisting of one complaint relating to council elections was withdrawn by the applicant without the need for a formal decision as the applicant took up the offer of mediation by the union to resolve her complaint.

The CO issued decisions in relation to four of these applications.

Three applications relating to rule breaches in relation to disciplinary procedures and branch elections, were struck out by the CO under her section 256Z powers because they had no reasonable prospect of success or were otherwise misconceived. In the case of **Alam v Unite the Union (D/15-17/20-21)** Mr Alam made three complaints of breach of union rules in relation to branch elections. The CO struck out two complaints with the union conceding one complaint. The CO declined to make an Enforcement Order.

One application, Simpson (2) v Unite, consisting of three complaints regarding the unions disciplinary process was dismissed after a hearing held by video conference. Three sessions, each lasting three hours, were held over three days.

Appeals to a Higher Court

Applicants have a right to appeal decisions of the CO to the Employment Appeals Tribunal (EAT) on a point of law and thereafter to the Court of Appeal.

Appeals at the EAT

Three appeals were submitted to the EAT.

One application for an extension of time to appeal was made to the EAT in the last reporting year. Having considered the grounds, the application was refused.

One appeal was decided by the EAT. This was:

Watkins v BMA (D/13-18/19-20). The majority of Dr Watkins' grounds of appeal were rejected by the EAT (UKEAT/0125/20/JOJ (V)). The judge, however, remitted one matter back to the CO for a new decision. This regarded the Union's compliance with one of its rules that stipulated that the disciplinary process should not be used to stifle constructive debate. One appeal is still waiting to be considered.

Appeals at the Court of Appeal

Two cases that were appealed and heard at the Court of Appeal were:

Kelly v MU (D/41/18-19) – this decision was reported in my 2018/19 Annual Report. Mr Kelly appealed the EAT decision, which overturned the CO's decision, to the Court of Appeal which dismissed his appeal ([2020] EWCA Civ 736). Mr Kelly has confirmed with the CO that he wishes to pursue his remaining five complaints which were stayed pending the outcome of his appeal. These will be progressed in the next operational year.

McFadden v Unite (PH/1/19-20) - as reported in my 2019/20 Annual Report, Mr McFadden successfully appealed the CO's decision to the EAT. The Union appealed the EAT's decision to the Court of Appeal which restored the CO's decision ([2021] EWCA Civ 199). The Court of Appeal held that Res Judicata does not apply to Union disciplinary decisions and unions are under a duty (explicit in this case but implicit in others) to act fairly in taking forward disciplinary action. Mr McFadden has withdrawn his remaining three complaints which were stayed pending the final outcome of the appeal.

Enquiries to the Certification Officer

The office handled a total of 447 enquiries largely received by telephone and email. These fall under the broad headings in the table below. This represented 375 fewer enquiries compared to the figure reported last year. We do not know the reason for this.

Most enquires do not result in applications to the CO as they are either of a general nature or fall outside the CO's powers. For example, enquiries about a union's annual return, complaints about inadequate representation of members by their union or allegations about discrimination or harassment. Where appropriate enquirers are signposted to other organisations.

General advice on the role of the Certification Officer	47
Issues relating to the listing of trade unions and employers' associations	35
Enquiries about annual returns and financial issues	173
Certificates of independence	2
Appointment, election or dismissal from/to any office in the union	14
Disciplinary proceedings within the union	15
Balloting of union members (other than industrial action)	5
Political funds	8
Statutory elections	20
Inadequate representation of members by their union	76
Others	52
Total	447

Trade Unions' Notification of Changes due to the Covid-19 Pandemic

As stated in last year's annual report, the CO wrote to all trade unions' general secretaries with her views on good governance during the Covid-19 pandemic. She invited all trade unions to inform her office of any changes they were having to make because of the pandemic where this might involve breaching one of its rules or statutory provisions that fall within her powers. This was so that the CO would have full information in the event of a complaint received from a trade union member that a union had breached a rule or statutory provision.

Twenty trade unions informed us about changes. These included such matters as:

- Postponing meetings,
- Postponing elections (including elections of the executive body in some cases) and
- Holding meetings by video-conferencing instead of face to face.

No complaints were received in relation to these changes.

Protected Disclosures and the Certification Office

The CO 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 the CO. A relevant disclosure to the CO 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 CO received no relevant disclosures.

Chapter 7 – Operational Plan

The Operational Plan for the Certification Office is effectively our business plan, setting out our objectives and our key performance targets for the year ahead. Prior to 2020/21 the plan was only used as an internal document, to help define a set of clear objectives for staff in the office and inform management conversations. Last year we decided to publish it for the first time as part of our programme of increasing the openness, transparency and accountability of the Office, and the [Operational Plan for 2020/21](#) can be found on our website.

This chapter explains how we have performed against the objectives and key performance targets in the Operational Plan.

"Addition or removal to the list of Trade Unions and Employers' Associations: A decision on whether your organisation meets the statutory definition will normally be made within 6 months of receipt of the application"

Nine trade unions applied to be added to the Certification Officer's list in the 2020/21 reporting year. We reviewed eight of these applications within six months of receiving the application in the Office, which means that we dealt with 89% of applications in time.

One application was not dealt with in time. It took eight months for us to make a determination in this case because we required additional evidence to establish whether the organisation met the statutory definition of a trade union. We have improved our processes by setting out clearly, on our website and in our guidance, what information we require before we can reach a decision. This should reduce the need for us to seek additional information from applicants in the future.

"We will aim for all annual returns to be published no more than three months after the due date"

Trade unions and employers' associations must submit an annual return to this office. We publish the returns on our website so that they are available to the public. Although we are not required to do so, we check the content of each return to ensure that it is clear and coherent.

We published 64% of returns within three months of their due date. Circumstances arising from the Covid-19 pandemic were a major factor for the delay in publishing the remaining 36% of returns. We granted extensions for the receipt of all annual returns because organisations had difficulties in completing them due to the pandemic. We received feedback from many organisations that they appreciated our flexibility in these exceptional circumstances.

"We will reply to complaint applications usually not more than 10 working days after receipt. Throughout your complaint we will keep you updated on progress"

We received 18 applications and replied to 16 within 10 working days (89%). The remaining two applications were responded to within 11 working days; in both these cases this was due to the large amount of supporting documentation provided with the applications.

"All complaints will be dealt with expeditiously and with a view to ensuring that the formal decision is issued within 6 months where reasonably practicable"

18 complaint applications were received in the reporting year.

Of these:

- Formal decisions on two applications were issued within six months.
- A formal decision on one application was issued within seven months. This was due to extra time needed to arrange the hearing, which was the office's first virtual hearing and the first hearing using electronic bundles of documents.
- Three applications were withdrawn by the applicants prior to the six-month deadline.
- Six applications fell outside the CO's jurisdiction and weren't accepted by the office.
- Six applications were still outstanding at end of the reporting year. As of the date of this annual report, five of these applications are still under consideration but are still within six-month deadline. One of these applications is still unresolved more than six months after it was received by this office.

"We will reply to enquiries usually not more than 10 working days after receipt"

We received 447 enquiries:

- We replied to 445 (99.6%) within 10 working days of receipt. Of these, we replied to 426 (95.7%) within 3 working days or less.
- We replied to two enquiries after the 10 working day target had elapsed (0.4% of the total replies). We replied to these within 11 days but have not recorded the reason for the delay.

We will improve our monitoring systems to ensure that we can identify cases which are about to breach the target and prompt us to respond within time.

We received a number of comments expressing appreciation for the speed of our response and for the information provided with examples including the following:

"Thank you for your kind response"

"Thanks...Legend"

"Thank you for your help today."

"Many thanks ... I'm impressed by your swift response!"

"Thank you for your time"

"Many thanks for the update - it's very much appreciated"

"As ever, my thanks for your service and for all your assistance."

"Continue supporting trade unions in using the new electronic forms for completing their annual returns and in fulfilling the additional reporting requirements."

All trade unions submitted their annual returns using the electronic forms which we introduced in the previous reporting period. A number of organisations told us that the new electronic forms were clear and easy to use and expressed appreciation for assisting them in completing them. We successfully dealt with a number of queries from those using the electronic form.

Electronic submission has proved invaluable in enabling trade unions to meet their reporting requirements whilst their teams have been working remotely.

"Complaint applications and listing applications: Review our office processes with the aim to make them easier to understand and less time consuming for all parties"

This year we started to change how we handle complaints from trade union members with the aim of achieving better outcomes for both applicants and trade unions. We engaged with applicants and trade unions to understand how we can improve our processes, implementing suggestions where possible.

We introduced new electronic forms for applicants to set out their complaint. The process enables the applicant to set out their complaint clearly and concisely and identify why it falls within the CO's powers. We then ask the union to add their response. We believe that this process has helped trade unions to better understand any issues that need to be addressed and assisted the office in dealing with complaints more efficiently.

We also began to explore new ways of resolving complaints; for example, one complaint was withdrawn following our suggestion that the parties resolve the issue between them through mediation. We received feedback that the parties were happy with this way of resolving the complaint.

We are now focusing on improving the way the office handles complaints more systematically, such as establishing whether complaints can be taken forward by encouraging voluntary resolution between the parties where appropriate. More details can be found in our [2021-22 Operational Plan](#).

"Develop our people"

Developing and supporting our team has been a key focus as we have moved to remote working. We have all developed new skills and are keen to maintain the benefits this has brought to us individually and collectively.

Examples of learning undertaken over the year are:

- Training on the best use of video conferencing software and facilitation of virtual meetings
- Cyber security training
- Training in resilience and wellbeing

We also engaged in more informal development of individuals and as a team. Team members worked together to manage their physical and mental wellbeing. For example, we were flexible in our approach to working hours and family responsibilities.

We achieved Investors in People, Silver standard in September 2020, three months ahead of the target in the Operational Plan. The accreditation reflects the level the team has reached under the main headings of "Improving", "Leading" and "Supporting". The IIP's assessment demonstrates, amongst other things, that:

- Open dialogue is encouraged within the team
- People are supported to develop their leadership capabilities and
- That people have been encouraged to explore different working practices to improve service delivery

We are now aiming to achieve Gold standard at our next assessment.

"Reduce use of paper, in line with the government's green targets and move towards digitisation"

We have built on our work in previous years to digitise our services and reduce our reliance on paper. This has been brought into particular focus with the move to remote working and much less face-to-face activity.

For the first time ever all annual returns, rule books and statements to members were completed, processed and stored in electronic form only. This reduced paper use and also made documents more easily accessible to service users and the wider public. People requesting information have been directed to appropriate links rather than having documents scanned and e-mailed or posted. This has enabled us to meet the needs of our service users quickly and effectively.

Examples include:

- A trade union merger was processed completely by electronic means (including accepting electronic signatures). This approach was welcomed by the trade union's solicitor
- We issued electronic bundles of documents in preparation for two hearings
- Statutory documents such as certificates of listing were prepared and sent electronically

"Make all our publicly available electronic documents as accessible as possible... by the end of the 2nd quarter"

We revised all of our digital content in order to make it as accessible as possible to all users. This included, for example, people using screen readers. The purpose of this was to bring our digital content as much as possible in line with relevant legislation on accessibility.

The CO's decisions published from September 2018 onwards have been in accessible Pdf format. This year, we carried out a significant piece of work in rewriting and reformatting our public-facing guidance.

In particular we:

- Replaced pdf documents with html where possible
- Used plain English and
- Made the guidance less formal and more direct

The CO's pages on Gov.uk were audited by the Digital Accessibility Centre which provided its report in December 2020. The report showed that we met the majority of the criteria but that improvements were needed, such as using alt text for non-decorative images so that they are understandable to screen readers. We are continuing to revise our content based on the report's findings.

"Seek sustainable ways of working through the COVID-19 pandemic and beyond"

We held both of our hearings this year by video conference. This was a significant change from the normal practice of holding physical hearings. We developed new processes, tested our systems and produced guidance to ensure that the parties understood how the hearings would be run and could participate fully. The hearings were conducted smoothly.

We will apply the successes of these methods in the future. For example, we will assess the benefits of using virtual hearings where appropriate to save costs to the tax payer in venue hire and travel costs for participants.

Appendices

- Appendix 1 List of Trade Unions at 31 March 2021
- Appendix 2 List of Employers' Associations at 31 March 2021
- Appendix 3 Summary of Statistics – Trade Unions, returns received during the period 1 April 2020 to 31 March 2021
- Appendix 4 Salary and Benefits of Trade Union General Secretaries
- Appendix 5 Summary of Statistics – Employers' Associations, returns received during the period 1 April 2020 to 31 March 2021
- Appendix 6 Summary of Statistics - Political Funds of Trade Unions
- Appendix 7 Current statutory fees
- Appendix 8 Certification Officer Functions

Appendix 1

List of Trade Unions at 31 March 2021

Notes:

Italics Denotes a trade union first entered in the list during 1 April 2020 to 31 March 2021.

* Denotes a trade union holding a certificate of independence at 31 March 2021

(P) Denotes a trade union with a political fund resolution in force at 31 March 2021.

England and Wales

- * Accord
- * Advance
- * Affinity
 - Aircrew Officers Association Europe
 - Alliance for Finance
 - App Drivers and Couriers Union*
- * 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
- Autonomous Workers' Union (AW Union)*

- * Bakers Food and Allied Workers Union (P)
 - Balfour Beatty Group 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
- * Cleaners and Allied Independent Workers Union (CAIWU)
- * College of Podiatry, The
- * Communication Workers Union (P)
- * Community (P)
 - Confederation of British Surgery
 - Criminal Justice Workers Union*
 - Currys Supply Chain Staff Association (CSCSA)
 - CWOATA Trade Union

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 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

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
- * Prison Governors Association
- Professional Cricketers' Association
- Professional Footballers' Association
- * Prospect (P)
- Psychotherapy and Counselling Union
- PTSC
- * Public and Commercial Services Union (P)

- * 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)

- Trade Union for Ethnic Minority Social Workers (TUEMSW)*
- * 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)
- Union Workers' Union
- * United Road Transport Union
- * United Voices of the World
- * Unite the Union (P)
- * University and College Union (P)

- WALGAS TU
- 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 2021.

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 2021

Note:

Italics Denotes an Employers' Association first entered in the list during 1 April 2020 to 31 March 2021.

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 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

National Association of Farriers Blacksmiths and Agricultural Engineers
National Association of Master Bakers
National Farmers Union
National Federation of Retail Newsagents
National Hair and Beauty Federation Limited
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

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 2021.

England and Wales

Association of Colleges

BFM Limited

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

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

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

Appendix 3

Summary of Statistics – Trade Unions, returns received during the period 1 April 2020 to 31 March 2021

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 2019, the table includes returns from trade unions with year ending dates ranging from October 2019 to September 2020 and therefore due in this Office between 1 April 2020 and 31 March 2021.

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.

Summary of Statistics – Trade Unions, 2019-2020: Appendix 3

Notes – see previous page

	Number of Members (a)	GROSS INCOME			GROSS EXPENDITURE	TOTAL FUNDS			GROSS ASSETS				
		From Members £000's	From Investments (b)	Other Income (c)		Total Income (c)	Total Expenditure (c)	Beginning of The Year	End of The Year	Fixed Assets	Investment Assets	Other Assets	Total Assets
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
UNISON: The Public Service Union	1,378,256	165,580	448	14,359	180,387	189,459	117,353	108,281	104,597	12,994	162,704	280,295	172,014
Unite the Union	1,277,491	171,325	2,983	45,002	219,310	177,239	396,947	439,018	209,444	67,244	177,589	454,277	15,259
GMB	608,929	71,264	894	10,020	82,178	69,202	104,424	117,400	42,001	43,648	36,195	121,844	4,444
Royal College of Nursing of the United Kingdom	469,237	52,496	836	3,088	56,420	53,384	44,677	47,713	0	41,125	20,983	62,108	14,395
National Education Union	446,558	58,622	2,205	2,177	63,005	73,342	61,442	51,105	51,686	27,794	37,699	117,179	66,074
Union of Shop Distributive and Allied Workers	411,435	39,801	3,018	2,703	45,522	49,040	61,177	57,659	4,351	66,107	25,031	95,489	37,830
National Association of Schoolmasters Union of Women Teachers	284,062	30,568	1,205	5,175	36,948	37,050	38,711	38,609	17,565	35,484	4,240	57,289	18,680
Communication Workers Union	196,173	31,018	149	871	32,037	36,788	18,401	13,651	22,420	6,764	13,158	42,342	28,691
Public and Commercial Services Union	177,540	21,934	5,010	5,959	32,902	21,700	32,449	43,651	25,317	1,492	19,964	46,772	3,121

British Medical Association	159,690	48,583	7,864	86,807	143,254	139,555	124,656	128,355	9,517	139,017	51,611	200,145	71,790
Prospect	145,520	22,138	5,978	0	28,116	26,058	22,491	24,549	14,096	37,928	4,756	56,780	32,231
University and College Union	129,174	24,941	73	1,184	26,198	20,787	28,863	34,275	13,808	1,429	31,367	46,603	12,328
Total for above unions with 100,000 members or more	5,684,065	738,270	30,663	177,345	946,277	893,604	1,051,591	1,104,266	514,802	481,026	585,297	1,581,123	476,857
Total for 110 listed unions with less than 100,000 members	979,722	181,033	19,715	89,763	290,519	260,321	399,530	429,757	160,284	320,335	134,189	614,807	185,227
Total for listed unions	6,663,787	919,303	50,378	267,108	1,236,796	1,153,925	1,451,121	1,534,023	675,056	801,361	719,486	2,195,930	662,084
Trades Union Congress	48	15,612	3,941	14,072	33,625	31,059	82,386	84,952	67,245	10,359	17,240	94,844	9,892
Total for 6 unlisted unions	2,647	6,617	2,371	60,222	69,211	64,651	100,853	105,413	29,780	114,926	14,210	158,916	53,503
Total for all unions 2019-2020	6,666,482	941,532	56,690	341,402	1,339,632	1,249,545	1,634,360	1,724,205	772,111	926,646	750,936	2,449,690	725,479
total for all unions 2019-2020	6,695,098	902,963	38,461	280,918	1,222,342	1,146,349	1,571,382	1,647,374	734,944	825,700	711,355	2,271,999	624,626

Appendix 4

Salary and Benefits of Trade Union General Secretaries

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
England and Wales					
Accord	General Secretary	131,998		15,524	
Advance	General Secretary	16,404		5,562	
Affinity	General Secretary	103,017		30,978	
Associated Society of Locomotive Engineers and Firemen	General Secretary	103,132		27,267	
Association of Educational Psychologists	General Secretary	71,193		71,193	
Association of School and College Leaders	General Secretary	137,124		19,332	
Bakers, Food and Allied Workers' Union	General Secretary	49,950		20,426	
Boots Pharmacists' Association (BPA), The	Chief Executive Officer	0		17,985	(a)
British Air Line Pilots Association	General Secretary	115,736		21,830	
British Association of Journalists	General Secretary	35,000		729	
British Dental Association	General Secretary	73,615		0	
British Medical Association	Chairman	171,000		0	
Cabin Crew Union UK	General Secretary	5,300		0	
Chartered Society of Physiotherapy	Chief Executive	127,250		21,616	
College of Podiatry, The	General Secretary	104,400		8,352	
Communication Workers Union	General Secretary	102,316		28,673	
Community	General Secretary	115,769		13,819	
Confederation of Shipbuilding and Engineering Unions	General Secretary	87,358		17,804	
Curry's Supply Chain Staff Association (CSCSA)	General Secretary	29,557		5,675	
Driver and General Union	General Secretary	15,571		306	
Equality For Workers Union (EFWU)	General Secretary	35,432		1,465	
Equity (Incorporating the Variety Artists' Federation)	General Secretary	114,531		6,000	

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
FDA	General Secretary	108,145		26,751	
Financial Services Union	General Secretary	127,500		37,500	
Fire and Rescue Services Association	Chief Executive	45,542		3,960	
Fire Brigades Union	General Secretary	76,576		66,836	
Fire Officers' Association	General Secretary	39,289		1,927	
G4S Care and Justice Services Staff Association	General Secretary	35,507		14,904	
General Federation of Trade Unions	General Secretary	77,475		22,918	
GMB	General Secretary	109,000		38,000	
Guild of Professional Teachers of Dance, Movement to Music and Dramatic Arts	General Secretary	15,390		0	
Headmasters' and Headmistresses' Conference	General Secretary	118,901		22,402	
Independent Democratic Union	General Secretary	62,781		5,758	
Independent Pilots Association	General Secretary	41,703		2,487	
Independent Workers Union of Great Britain (IWGB)	General Secretary	30,117		2,108	
Institute of Journalists (Trade Union)	General Secretary	42,500	(b)	9,002	(c)
International Transport Workers Federation	General Secretary	204,000		30,000	
ISU	General Secretary	1,974		0	
Locum Doctor's Association	Chairperson	0		300	(a)
Musicians' Union	General Secretary	146,045		32,770	
NAPO – The Trade Union and Professional Association for Family Court and Probation Staff	General Secretary	84,107		4,621	
National Association of Head Teachers	General Secretary	161,031		28,409	
National Association of NFU Group Secretaries	General Secretary	1,868		0	
National Association of Racing Staff	Chief Executive	66,012		3,283	
National Association of Schoolmasters Union of Women Teachers	General Secretary	108,680		31,378	

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
National Crime Officers Association	Secretary	36,867		960	
National Education Union	General Secretary	219,579		49,677	(d)
National Union of Journalists	General Secretary	100,372		12,600	
National Union of Mineworkers	Secretary	36,670		17,868	
National Union of Mineworkers (Colliery Officials and Staffs Area) Region No 4	General Secretary	3,060		2,499	
National Union of Mineworkers (South Wales Area)	General Secretary	48,057		1,145	
National Union of Rail, Maritime and Transport Workers	General Secretary	107,055		45,748	
Nationwide Group Staff Union	General Secretary	137,664		30,825	
Nautilus International	General Secretary	98,938		23,498	
News Union	General Secretary	87,490		6,912	
PDA Union	General Secretary	0		5,000	(a)
POA	General Secretary	75,871		36,473	
Professional Cricketers Association	General Secretary	140,000		8,541	
Professional Footballers' Association	General Secretary	1,879,150	(e)	57,726	(f)
Prospect	General Secretary	124,000		23,000	
Public and Commercial Services Union	General Secretary	95,327		15,187	
Retail Book Stationery and Allied Trades Employees Association	President	41,674		18,292	
Royal College of Midwives	General Secretary	129,169	(g)	24,025	(g)
Royal College of Nursing of the United Kingdom	General Secretary	172,096	(h)	14,388	(i)
Social Workers Union, The	General Secretary	67,650		1,750	
Society of Authors, The	General Secretary	103,143		8,942	
Society of Radiographers	Chief Executive	115,978	(j)	23,498	
Trades Union Congress	General Secretary	112,273		39,638	
Transport Salaried Staffs Association	General Secretary	91,142		17,773	
Undeb Cenedlaethol Athrawon Cymru (The National Association of the Teachers of Wales)	General Secretary	50,669		9,818	
Union of Democratic Mineworkers	General Secretary	40,570		0	
Union of General & Volunteer Workers	General Secretary	0		750	(a)

	Title (General Secretary unless otherwise stated)	Salary £		Benefits £	
Union of Shop Distributive and Allied Workers	General Secretary	116,284		40,258	
UNISON: The Public Service Union	General Secretary	116,031		10,449	
Unite the Union	General Secretary	79,357		10,213	
United Road Transport Union	General Secretary	67,606		57,866	
University and College Union	General Secretary	102,288		21,443	
Voice	General Secretary	54,234		3,257	
Welsh Rugby Players Association	General Secretary	35,369		626	
Workers of England Union	General Secretary	19,039		363	
Writers Guild of Great Britain	General Secretary	62,920		5,663	
Scotland					
Aegis	General Secretary	65,602		21,246	
Association of Headteachers and Deputes in Scotland	General Secretary	75,678		17,175	
Educational Institute of Scotland	General Secretary	109,272		33,082	
Independent Federation of Nursing in Scotland	General Secretary	29,595		0	
Professional Footballers of Scotland	General Secretary	70,477		2,714	
Scottish Secondary Teachers Association	General Secretary	96,442		16,730	
Solidarity	General Secretary	10,217		1,950	

Notes:

- (a) Honorarium.
- (b) Back payment of £3,000 relates to 2018.
- (c) £5,727 relates to work from home payments.
- (d) Total paid in respect of two people holding the office of General Secretary and is not the sum paid to one individual.
- (e) Includes £700,000 bonus.
- (f) Includes £45,225 for motor vehicle.
- (g) Salary paid to General Secretary includes all aspects of the College and not just the Union.
- (h) This includes payment of £52,196 (31.23%) made in respect of the General Secretary's role as Chief Executive of the RCN Charter Body. The remaining £119,900 (69.67%) relates of trade union responsibilities
- (i) Attributable to trade union activities
- (j) 50% of salary is recharged to College

Appendix 5

Summary of Statistics – Employers' Associations, returns received during the period 1 April 2020 to 31 March 2021

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 2019, the table includes returns from employers' associations with year ending dates ranging from October 2019 to September 2020 and therefore due in this Office between 1 April 2020 and 31 March 2021.

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, 2019-2020: Appendix 5

	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
	£000's	(a)	£000's	(b)	£000's	(c)	£000's	£000's	£000's	£000's	£000's	(12)	(13)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Employers’ Associations with over £2,500,000 total income													
England and Wales Cricket Board Limited	0	822	227,305	228,127	222,278	11,248	17,097	87	67,968	95,134	163,979	146,882	379
London Councils	45,106	-509	19,133	63,730	61,887	-12,048	-10,206	1,107	0	24,095	25,202	35,408	33
National Farmers' Union	33,091	1,908	11,646	46,645	41,436	123,984	129,193	16,313	79,187	67,108	162,608	33,415	79,312
EEF Limited	15,715	3,883	23,738	43,336	43,170	52,080	52,246	24,421	48,419	14,907	87,747	35,501	1,830
Freight Transport Association Limited	31,008	11	41	31,060	39,084	8,860	836	5,766	0	8,570	14,336	13,500	18,026
Welsh Local Government Association	2,281	12	13,003	15,297	16,116	0	-820	0	0	6,971	6,971	7,791	28
Road Haulage Association Limited	9,007	392	3,256	12,655	11,120	1,903	3,437	1,533	100	7,308	8,941	5,504	7,395
Electrical Contractors Association	4,531	2,589	5,091	12,211	5,578	55,384	62,017	1,445	14,641	52,026	68,111	6,094	2,666
Building & Engineering Services Association	3,710	166	8,125	12,001	13,189	1,635	446	1,421	6,918	11,310	19,649	5,439	10,213
Retail Motor Industry Federation Limited,	4,211	1,602	2,177	7,990	7,975	24,219	24,234	4,009	24,575	1,089	29,673	16,950	219
Association of Colleges	5,331	-210	2,643	7,764	9,346	-8,020	-9,602	222	0	7,126	7,348	20,006	240
Society of London Theatre "SOLT"	574	43	6,085	6,702	6,490	1,340	1,552	1,538	0	20,021	21,558	2,376	7,728
Federation of Master Builders Ltd	4,094	285	1,223	5,603	6,026	8,254	7,831	4,859	2,499	2,849	10,207	3,189	475
Glass and Glazing Federation	1,126	1,460	2,209	4,795	4,326	9,806	10,275	6,277	3,932	3,255	13,464	4,322	92

Chemical Industries Association Limited	3,460	8	792	4,260	4,059	1,895	2,095	233	0	6,185	6,417	35,408	33
National Federation of Retail Newsagents	3,246	79	925	4,250	4,225	6,738	6,764	3,914	2,405	1,305	7,624	860	11,443
Scottish Motor Trade Association Limited	461	20	3,532	4,013	3,830	2,722	2,905	645	377	2,978	4,000	1,095	1,386
Dairy UK Limited	1,458	778	1,769	4,005	3,344	6,999	7,660	8,082	427	1,099	9,608	1,948	187
National Federation of Roofing Contractors Limited	2,218	5	1,379	3,603	3,428	1,328	1,503	145	0	2,972	3,117	1,614	1,244
Electrical Contractors Association of Scotland	1,505	217	1,833	3,556	3,719	6,361	6,198	3,013	2,113	1,844	6,970	772	1,232
British Printing Industries Federation	2,142	1	1,334	3,477	3,749	-3,496	-3,768	397	0	717	1,114	4,882	2
NFU Scotland	2,260	90	834	3,184	3,093	2,968	3,059	660	2,516	770	3,946	886	8,733
East of England Local Government Association	646	4	2,477	3,127	2,002	-4,028	-2,903	0	0	2,780	2,780	5,683	50
Builders Merchants Federation Ltd	2,051	58	477	2,586	2,844	4,572	4,314	2,799	1,049	1,143	4,991	676	712
Total for above Employers' Associations	179,232	13,714	341,027	533,973	522,314	304,704	316,363	89,676	257,126	343,562	690,364	374,001	154,696
Total for 35 other listed Employers' Associations	13,836	1,280	9,527	24,643	27,574	40,868	37,938	11,501	36,096	24,841	72,438	34,501	14,336
Total for 22 other unlisted Employers' Associations	8,298	95	5,438	13,831	9,814	329	4,347	594	8,564	10,098	19,256	14,910	2,743
Total for all Employers' Associations 2019-2020	201,366	15,089	355,992	572,447	559,702	345,901	358,648	101,771	301,786	378,501	782,058	423,412	171,775
Total for all Employers' Associations 2018-2019	197,416	12,617	285,645	495,678	505,381	383,432	373,729	115,244	384,983	245,604	745,831	372,102	187,871

Appendix 6: Political Funds of Trade Unions, 2019-2020

	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)				Fund at End of Year
				Income	Expenditure	Fund at Beginning of Year	Fund at End of Year	
	(1)	(2)	(3)	£	£	£	£	
Associated Society of Locomotive Engineers and Firemen	20,658	2,603	0	248,724	269,881	120,783	99,626	
Bakers Food and Allied Workers Union	16,507	500	3	31,610	57,974	61,742	35,378	
Communication Workers Union	153,972	42,201	33,095	1,606,863	1,965,700	1,710,087	1,351,250	
Community	15,853	13,568	10,632	233,000	263,000	294,000	264,000	
Educational Institute of Scotland	37,878	21,563	19,962	139,059	21,933	2,802,344	2,919,470	
Fire Brigades Union	26,403	6,261	92	233,848	312,007	658,638	580,479	
GMB	499,653	109,276	21,836	2,637,000	3,253,000	897,000	281,000	
Musicians' Union	19,198	12,550	221	71,000	79,000	40,000	32,000	
National Association of Schoolmasters Union of Women Teachers	197,213	86,849	16	152,759	190,859	385,240	347,140	
National Education Union	300,338	146,220	492	563,265	215,096	-6,594*	341,575	
National Union of Mineworkers	95	146	0	1,353	15,148	40,368	26,573	
National Union of Rail Maritime and Transport Workers	76,846	4,650	128	259,000	115,000	116,000	260,000	
POA	20,833	10,404	0	38,740	70,380	40,250	8,610	
Prospect	104,693	40,827	0	63,000	44,000	613,000	632,000	
Public and Commercial Services Union	159,474	18,066	665	196,184	74,718	652,054	773,520	
Society of Radiographers	23,990	7,858	3,077	54,995	5,584	120,301	169,712	
Transport Salaried Staffs Association	14,404	3,637	356	112,208	96,421	43,917	59,704	

Union of Shop Distributive and Allied Workers	366,081	45,354	37,456	1,947,000	2,522,000	1,294,000	719,000
UNISON: The Public Service Union	1,165,602	212,654	5,648	8,811,000	5,019,000	12,696,000	16,488,000
Unite the Union	918,522	358,969	0	7,200,000	9,474,000	18,736,000	16,462,000
University and College Union	75,636	53,538	50,841	152,383	151,163	14,387	15,607
Total for the 21 unions with political funds which reported in this period	4,213,849	1,197,694	184,520	24,752,991	24,215,864	41,329,517	41,866,644
Total for the 21 unions with political funds which reported in the previous period	4,133,678	1,308,976	198,973	22,832,331	16,012,190	34,526,549	41,346,690

Notes: The information in the table is derived from annual returns received during 2020-2021, most of which relate to the year ending December 2019.

* This deficit is explained in last year's annual report.

Appendix 7

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	£4,066
Application for formal approval of an instrument of transfer of engagements or an instrument of amalgamation	£1,850
Inspection of merger documents	£19

Appendix 8

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](#)

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.

Certification Office for Trade Unions and Employers' Associations

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