

**DECISION OF THE CERTIFICATION OFFICER ON AN APPLICATION MADE UNDER
SECTION 108A(1) OF THE TRADE UNION AND LABOUR RELATIONS
(CONSOLIDATION) ACT 1992**

Mr Robert Illingworth

v

National Union of Teachers

Date of Decision

17 December 2014

DECISION

Upon application by Mr Robert Illingworth (“the claimant”) under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (“the 1992 Act”):

The claimant’s application is dismissed upon withdrawal by him.

REASONS

1. By a registration of complaint form received at my office on 3 November 2014, Mr Illingworth made complaints that the National Union of Teachers (“the NUT” or “the Union”) had acted in breach of its rules. He later confirmed the alleged breaches as being:

Complaint 1

On or around 10 October 2014, the Union breached paragraph 1(f)(i) of section one to Appendix III of the rules of the Union by allowing a disciplinary case against Robert Illingworth to proceed for sending two emails to members of the Union in the South Nottinghamshire Association. The first email is dated 2 November 2013 and concerns the National Vice-President Elections. The second email is dated 16 January 2014 and concerns the National Executive Elections. On 26 January 2014, Louise Regan complained to the Union, alleging that in sending these emails Robert Illingworth had been unprofessional, undermined her role as an officer of the Nottinghamshire Division and had damaged the reputation of both the Division and National Union. The opinions expressed by Robert Illingworth in both of these emails were on matters of Union policy and management and, as such, should not have been subject to disciplinary action by the Union.

Complaint 2

On or around 10 October 2014, the Union breached paragraph 1(f)(i) of section one to Appendix III of the rules of the Union by allowing a disciplinary case against Robert Illingworth to proceed for having co-authored an article in a newsletter concerning the National Executive elections on or about 15 March 2014 which article was sent to members of South Nottinghamshire and Central Nottinghamshire Associations. On 28 March 2014, Ivan Wels complained to the Union, alleging that Robert Illingworth was unprofessional and slanderous in this article. He also alleges that the article was damaging to him professionally, had no basis in fact, undermined his role as a Division officer and brought the

Union into disrepute both locally and nationally. The opinions expressed by Robert Illingworth in this article were on matters of Union policy and management and, as such, should not have been subject to disciplinary action by the Union.

2. By an email dated 16 December 2014 from his representative, Mr John Illingworth, the above complaints were withdrawn.

A handwritten signature in black ink, appearing to read 'D. Cockburn', with a horizontal line underneath the name.

David Cockburn
The Certification Officer